1. Agenda

1.I. 7:00 PM Town Council

Documents:

   19 DEC 17 AGENDA.PDF

1.II. 7:00 PM Town Council

Documents:

   19 DEC 17 COUNCIL MTG.PDF

2. Documents
PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

ANNOUNCEMENTS

APPROVAL OF MINUTES
• October 1, 2019
• October 15, 2019
• November 6, 2019

COMMUNICATIONS
• 055 19 Council President: 2020 Town Council Meeting Calendar (discussion/vote in January 2020)

• 056 19 Council President: Farewell Ceremony: Councilor Ryan as outgoing Council President,
  Town Council members: Councilor Carey, Councilor Whalen, Councilor Powers,
  Councilor Kokoros and Councilor Bowes

• 057 19 Council President: Presentation to Mayor Joseph C. Sullivan from the Braintree Town Council

OLD BUSINESS
• 19 011 Mayor: Comprehensive Zoning Ordinance or take up any action relative thereto (Public Hearing - Withdrawn)

• 19 043 Mayor: Authorization to Fund South Middle School or take up any action relative thereto (Public Hearing to be continued)

• 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 (Public Hearing to be continued)

• 19 045 Mayor: FY2020 Supplemental Appropriations #1 or take up any action relative thereto (Public Hearing for Tabled item #6)

• 19 048 Mayor: Request for Appropriation - Winfield Adams Playground Baseball Field Renovation Project or take up any action relative thereto (Public Hearing)
NEW BUSINESS
• 19 049 Town Clerk: Call of the Election - Presidential Primary, March 3, 2020 or take up any action relative thereto (placeholder for January 2020 vote)

Refer to the Committee of Ways & Means
• 19 050 Mayor: CPA Fund Appropriation – All Souls 2019 Preservation and Restoration Project or take up any action relative thereto

Topics the Chair does not reasonably anticipate will be discussed

UPCOMING MEETINGS:
Next Council Meeting scheduled on: Thursday, January 2, 2020 @5:00pm for the Swearing-In Ceremony

Next Council Meeting scheduled on: Tuesday, January 7, 2020 @7:30pm

ADJOURNMENT
Tuesday, DECEMBER 17, 2019 • Horace T. Cahill Auditorium, Town Hall • Starting Time: 7:00PM

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

ANNOUNCEMENTS

APPROVAL OF MINUTES

• October 1, 2019
• October 15, 2019
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OLD BUSINESS

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UPCOMING MEETINGS:
Next Council Meeting scheduled on: Thursday, January 2, 2020 @5:00pm for the Swearing-In Ceremony

Next Council Meeting scheduled on: Tuesday, January 7, 2020 @7:30pm

ADJOURNMENT
A meeting of the Town Council was held in the Cahill Auditorium, Braintree Town Hall, on Tuesday, October 1, 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
          David M. Ringius, Jr.

Not Present: Sean E. Powers
             Thomas W. Whalen

Also Present: Joseph Reynolds, Chief of Staff
              James Arsenault, DPW Director
              Bob Campbell, Town Engineer
              Marybeth McGrath, Director Municipal Licenses & Inspections
              Russ Forsberg, Building Inspector
              Debra Saucier, DPW Financial Analyst
              Lorraine See, Procurement
              Mike Cavanaugh, Sustainable Braintree
              Robert Kearns, resident
              Other Residents in attendance

APPROVAL OF MINUTES
• September 3, 2019
  Motion by Councilor O’Brien to Approve Minutes of September 3, 2019
  Motion: by Councilor O’Brien to Approve Minutes of September 3, 2019
  Second: by Councilor Bowes
  Vote: For (6 – Bowes, Carey, Kokoros, O’Brien, Ryan, Ringius),
        Against (0), Absent (2 - Powers, Whalen), Abstain (1 - Hume)
COMMUNICATIONS

• 043 19 Council President: New Signalization/Traffic Concerns
  James Arsenault, DPW Director stated the State is installing Adaptive Signals along the Granite Park Corridor.

Bob Campbell, Town Engineer stated this is a process. MassDOT is in the middle of “tweaking” the system and settings.

Council President Ryan asked for this item to be on the October 15, 2019 Town Council agenda for another update from the DPW Director and Town Engineer.

OLD BUSINESS

• 19 011 Mayor: Comprehensive Zoning Ordinance or take up any action relative thereto (Public Hearing)

  MOTION: by Councilor Kokoros to CONTINUE to TABLE Order 19 011 to November 19, 2019
  
  Motion: by Councilor Kokoros to CONTINUE to TABLE Order 19 011 to November 19, 2019
  Second: by Councilor Bowes
  Vote: For (7 – Bowes, Carey, Hume, Kokoros, O’Brien, Ryan, Ringius), Against (0), Absent (2 - Powers, Whalen), Abstain (0)

• 19 031 Mayor: Stretch Energy Code General Ordinance Update or take up any action relative thereto (Public Hearing)

  Motion by Councilor Kokoros to Open Public Hearing for Order 19 031
  
  Motion: by Councilor Kokoros to Open the Public Hearing for Order 19 031
  Second: by Councilor Powers
  Vote: For (7 –Carey, Kokoros, O’Brien, Powers, Ringius, Ryan, Whalen), Against (0), Absent (2 – Bowes, Hume), Abstain (0)

Council President Ryan referred to Councilor Ringius, Vice-Chairman for Committee on Ordinance & Rules for a recommendation. Councilor Ringius stated the committee met on this item. It was unanimously recommended for favorable action to the full Council.

Council President Ryan asked if any member of the Council or General Public want to speak on Order 19 031?

Joseph Reynolds, Chief of Staff stated this is a great opportunity and initiative for the Town. There is a great opportunity for savings. This will only be required on new construction both commercial and residential. This will take effect on January 1, 2020.
The Green Energy Grant Program provides a road map along with financial and technical support to municipalities that will pledge to cut municipal energy use by 20 percent over a 5 year period. This program will require that the town adopt state building stretch codes and have a designated district zoned for solar energy or alternate energy power generation options. As part of this compliance the town will need to update its existing building codes so as to incorporate the stretch codes. The second piece of criteria for a dedicated user by right zoned district has already been in place for a number of years.

Russ Forsberg, Building Inspector stated this is in about 240 communities now so most contractors understand these codes now. When an application is made the person will be made aware of this updated ordinance. As of January 1, 2020 they will have to comply with it.

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

Motion by Councilor Kokoros to CLOSE the Public Hearing for Order 19 031

Motion:  by Councilor Kokoros to Close the Public Hearing for Order 19 031  
Second: by Councilor Powers  
Vote: For (7 – Carey, Kokoros, O’Brien, Powers, Ringuis, Ryan, Whalen),  
Against (0), Absent (2 – Bowes, Hume), Abstain (0)

Councilor Kokoros read the Motion:
MOTION: That the Town Council vote to amend "Chapter 2.520: Inspector of Buildings and Local Inspectors" of the Town's General Ordinances, by inserting therein "Section 2.520.030: Stretch Energy Code", to read as follows:

2.520.030. Stretch Energy Code

A. For the purpose of regulating the design and construction of buildings for the effective use of energy, building permits that are required by the State Building Code, 780 CMR, shall conform as well to Appendix 115.AA to said State Building Code, entitled "Stretch Energy Code", including future editions, amendments, or modifications hereto.

B. This Section shall take effect on January 1, 2020.

Motion:  by Councilor Kokoros to Approve Order 19 031  
Second: by Councilor Powers  
Vote: For (7 – Carey, Kokoros, O’Brien, Powers, Ringuis, Ryan, Whalen),  
Against (0), Absent (2 – Bowes, Hume), Abstain (0)
MOTION:
THAT IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, THE TOWN OF BRAINTREE IS HEREBY REQUIRED TO NOTIFY AND WARN THE INHABITANTS OF SAID TOWN WHO ARE QUALIFIED TO VOTE IN THE REGULAR TOWN ELECTION ON TUESDAY, NOVEMBER 5, 2019 FROM 7:00 AM TO 8:00 PM, TO VOTE AT THE POLLING PLACES IN THEIR RESPECTIVE PRECINCTS FOR THE FOLLOWING PURPOSE:

To cast their votes on the official ballot for: One (1) Mayor for a term of four years; Three (3) Councilors-At-Large for a term of two years; Six (6) District Councilors for a term of two years; Three (3) School Committee members for a term of four years; Five (5) Trustees Thayer Public Library for a term of four years; One (1) Municipal Lighting Board members for a term of four years; and Two (2) Housing Authority members for a term of four years.

Motion:  by Councilor Kokoros to Approve Order 19 035
Second: by Councilor Powers
Vote: For (7 – Carey, Kokoros, O’Brien, Powers, Ringius, Ryan, Whalen), Against (0), Absent (2 – Bowes, Hume), Abstain (0)

NEW BUSINESS
• None

UPCOMING MEETINGS:
Next Council Meeting will be held on: **Tuesday, October 15, 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 September 3, 2019
• 19 011 Mayor: Comprehensive Zoning Ordinance or take up any action relative thereto
• 19 031 Mayor: Stretch Energy Code General Ordinance Update or take up any action relative thereto
• 19 035 Town Clerk: Call of the General Election - November 5, 2019 or take up any action relative thereto
OFFICE OF THE TOWN COUNCIL

October 15, 2019
MINUTES

A meeting of the Town Council was held in the Cahill Auditorium, Braintree Town Hall, on Tuesday, October 15, 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
David M. Ringius, Jr. (left the meeting at 8:51 p.m.)
Sean E. Powers
Thomas W. Whalen

Also Present: Joseph C. Sullivan, Mayor
Joseph Reynolds, Chief of Staff
Paul Shastany, Chief of Police
Mark DuBois, Chief of Police
Nicole Taub, Town Solicitor
Karen Shanley, Human Resource Director
William Bottiggi, BELD General Manager
James Arsenault, DPW Director
Karen MacAleese, Acting Deputy Chief
Sean Lydon, Acting Deputy Chief
Braintree Police Officers
Raj Kulen, Mass DOT Traffic representative
Other Residents in attendance

ANNOUNCEMENTS

- 045 19 Council President: Recognition Certificates – 2019 U19PG Girls Soccer State Champions
APPROVAL OF MINUTES
• None

COMMUNICATIONS
• 046 19 Council President: Traffic/Signalization Update – DPW/Town Engineer
James Arsenault, DPW Director stated the signalization throughout the Granite Corridor seems much better than 2 weeks ago. I drove the system myself. I was able to get through about twice as quick. We will continue to work with the state on this.

Council President Ryan stated we have got a lot of complaints from residents during the updating of signalization on the traffic backups they were experiencing. It seemed to cause more harm than good.

Raj Kulen, Mass DOT Traffic representative stated we are working to improve this Granite Corridor with updating the signalization. We replaced the old signalization a couple weeks ago. All needs to be disconnected so there was no coordination between all the signals. We went back and forth and adjusted the timing signals. It is an adaptive system that works with the demand. It is almost close to completion and within a couple weeks it should be working better. We will be monitoring this.

• 048 19 Council President: BELD Update – Bill Bottiggi, General Manager
Bill Bottiggi, General Manager of BELD stated he is here to give an update on why BELD is exiting video or cable TV piece of Broadband. We have been losing cable-TV customers. They say it is due to the cost of triple-play. Our new customers are mostly just taking high-speed internet. The reason being they can get the content they want “streaming”. Streaming is watching any video via the internet. We decided with the Light Board and they agreed it was better to end the cable TV business. The technology now has changed so you don’t need traditional cable TV. BELD is going to cease providing traditional Cable TV on December 2nd of this year. We are helping and showing our existing customers how to convert to streaming. Equipment associated with cable TV is very expensive.

Councilor Powers asked how is BCAM going to be distributed.
Bill Bottiggi stated BCAM is streaming right now and BELD is working with BCAM right now. It would be ideal if BCAM gets an “APP”.

Councilor Carey asked if elderly need assistance can they call and request BELD to come to their homes. Bill Bottiggi stated yes they will show them how to set up streaming.

OLD BUSINESS
• 19 027 National Grid Petition: Lawnview Drive and Pinecrest Road or take up any action relative thereto (Tabled September 18, 2019)

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

It was stated by Council President Ryan that Order 19 027 was WITHDRAWN by National Grid and no further action is necessary.
• 19 033 National Grid Petition: Commercial Street or take up any action relative thereto

Council President Ryan referred to Councilor Whalen, Chairman of the Committee on the Department of Public Works for a recommendation. Councilor Whalen stated this item was unanimously approved for favorable recommendation to the full Council earlier this evening.

MOTION:
To excavate to expose the 6” 60psig bare steel main at four locations, #340 Commercial Street, Commercial Street at Front Street, #400 Commercial Street and the Commercial Street / Adams Street intersection with staff recommendations:

**BELD:** Excavation #1- BELD has a 13.8 KV underground line from Pole #45 Commercial Street to McCusker Drive.

Excavation #2- BELD has no conflicts.

Excavation #3- BELD has no conflicts.

Excavation #4- BELD has no conflicts.

**DPW:** The section of Commercial Street in front of #340 was reconstructed in 2009 and is not under moratorium. The section from the railroad crossing through the Front Street intersection was milled and overlaid with the Greenbush Commuter Rail project. In this section and the next, from Front Street to Adams Street, The Town will be replacing the water main in the next two to three years. These sections also are not under the moratorium. The DPW recommends that the permit be granted with the normal conditions imposed by the DPW Highway Division plus that:

1. The steel plates installed shall be securely fixed and ramped to prevent tripping, vehicle damage, difficulties braking or excessive noise and shall not be used during periods when plowable snowfall may typically occur;
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 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 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 to Approve Order 19 033

**Second:** by Councilor Powers

**Vote:** For (8 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ryan, Whalen), Against (0), Absent (1 - Ringius), Abstain (0)
19 034 National Grid Petition: Elm Street and Adams Street or take up any action relative thereto

Council President Ryan referred to Councilor Whalen, Chairman of the Committee on the Department of Public Works for a recommendation. Councilor Whalen stated this item was unanimously approved for favorable recommendation to the full Council earlier this evening.

MOTION:
To excavate to expose the 2” 60psig bare steel main at four locations, Exc. #1, Old Elm Street at Blanchard Boulevard, Exc.#2, #331 Old Elm Street, Exc. #3, Elm Street at Adams Street and Exc. #4, Hawthorn Road at Old Elm Street, and also to excavate and expose the 6” 60psiag bare steel main at two locations, Exc.#5, Elm Street at Middle Street, and Exc.#6, 29 Adams Street with staff recommendations:

Beld: Please note:
Excavation #1- Beld has no conflicts.
Excavation #2- Beld has no conflicts.
Excavation #3- Please note, Beld has an 115,000 volt oil filled transmission line located on Elm Street/Middle 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 same road. This is a concrete encased duct bank to be identified through the Dig safe process.
Excavation #4- Beld has no conflicts.
Excavation #5- Beld has no conflicts.
Excavation #6- Beld has no conflicts.

DPW: The section of Elm Street referred to as “Old Elm Street” Street, at Blanchard Boulevard and in front of #331 was reconstructed in 2013 and is not under the moratorium. The remaining excavations would all be in the overall intersection reconstructed in 2001, all also outside of the moratorium. The DPW recommends that the permit be granted with the normal conditions imposed by the DPW Highway Division plus that:

1. The steel plates installed shall be securely fixed and ramped to prevent tripping, vehicle damage, difficulties braking or excessive noise and shall not be used during periods when plowable snowfall may typically occur;
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 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 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 to Approve Order 19 034  
**Second:** by Councilor Powers  
**Vote:** For (8 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ryan, Whalen), Against (0), Absent (1 - Ringius), Abstain (0)

**NEW BUSINESS**
- None

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

**Refer to the Committee of Ways & Means**
- **19 036** Mayor: Re-Appointment - Braintree Contributory Retirement Board, Edward J. Spellman, Jr. or take up any action relative thereto

  **Motion:** by Councilor Kokoros to refer Order 19 036 to the Committee of Ways & Means  
  **Second:** by Councilor Powers  
  **Vote:** For (8 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ryan, Whalen), Against (0), Absent (1 - Ringius), Abstain (0)

- **19 037** Mayor: Appointment - Braintree Contributory Retirement Board, Joseph R. Driscoll, Jr. or take up any action relative thereto

  **Motion:** by Councilor Kokoros to refer Order 19 037 to the Committee of Ways & Means  
  **Second:** by Councilor Powers  
  **Vote:** For (8 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ryan, Whalen), Against (0), Absent (1 - Ringius), Abstain (0)

- **19 038** Mayor: Appointment - Chief of Police, Mark W. Dubois or take up any action relative thereto

Joseph C. Sullivan, Mayor stated there are many appointments that are being requested to be referred to the Committee of Ways & Means.

Councilor Powers ask for “Point of Order”. He stated are we requesting Same Night Action on this Order 19 038? Mayor Sullivan replied “No”. We are not asking for Same Night Action.

Mayor Sullivan continued I would like you to recognize Chief DuBois is with us this evening. He is currently Chief of Police in Maynard. On July 1, 2019 we sent you a memorandum outlining the Chief Search
Committee. We did this because Chief Shastany is required to retire in November 2019. We had 28 applicants. There were 10 of the 28 who it was decided should be interviewed. They were furthered down and recommended names to the Mayor who reviewed those individuals. Through that process I made a decision that Chief Mark DuBois would best serve us at this time as our Police Chief. Chief DuBois is here this evening and he has met throughout this week with 8 of the 9 Councilors. His resume speaks for itself.

Chief Mark DuBois stated this is a great opportunity and he looks forward to working here in the Town of Braintree.

Karen MacAleese, Acting Deputy Chief made a statement indicating the understanding of why Chief Shastany was hired. Now 3 years later it was an understanding someone within the department would fill the position with Chief Shastany’s departure. Chief Shastany was not on the Search Committee. For the past 3 years the men and women of the police department have worked tirelessly to restore our department after enduring two outside investigations on the evidence room and the financial office. In a short period of time we have accomplished so much... To hire a Chief from outside the department is disappointing, disheartening, disingenuous and discouraging. No doubt Chief DuBois is professional and worthy. Officers within the department have institutional knowledge and are invested in the department and community. A Chief from outside takes time to adjust and learn. We ask you table this request until a new mayor is in place or promote from within the department as promised 3 years ago.

Councilor Powers stated I believe this requires a referral.

Motion: by Councilor Powers to refer Order 19 038 to the Committee of Ways & Means
Second: by Councilor Bowes
Vote: For (9 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ringius, Ryan, Whalen), Against (0), Absent (0), Abstain (0)

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

• 19 039 Mayor: Appointment – Conservation Commission, Kimberly Kroha or take up any action relative thereto

Motion: by Councilor Kokoros to refer Order 19 039 to the Committee of Ways & Means
Second: by Councilor Powers
Vote: For (8 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ryan, Whalen), Against (0), Absent (1 - Ringius), Abstain (0)

• 19 040 Town Clerk: Request for the Relocation of District 1A Polling Location – 74 Pond Street or take up any action relative thereto

Motion: by Councilor Kokoros to refer Order 19 040 to the Committee of Ways & Means
Second: by Councilor Powers
Vote: For (8 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ryan, Whalen), Against (0), Absent (1 - Ringius), Abstain (0)
October 1, 2019

Town Council

19 042 Mayor: Transfer Control of Town Forest Land to Conservation Commission or take up any action relative thereto

**Motion:** by Councilor Kokoros to refer Order 19 042 to the Committee of Ways & Means

**Second:** by Councilor Powers

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

19 043 Mayor: Authorization to Fund South Middle School or take up any action relative thereto

**Motion:** by Councilor Kokoros to refer Order 19 043 to the Committee of Ways & Means

**Second:** by Councilor Powers

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

**Refer to the Committee on the Department of Public Works**

19 041 Mayor: Easement, 670 Washington Street or take up any action relative thereto

**Motion:** by Councilor Kokoros to refer Order 19 041 to the Committee on the Department of Public Works

**Second:** by Councilor Powers

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

**UPCOMING MEETINGS:**

Next Council Meeting will be held on: **Wednesday, November 6, 2019 @ 7:30pm** (Due to the Election being held on Tuesday, November 5, 2019)

**ADJOURNMENT**

It was unanimously voted to adjourn the meeting at 9:01p.m.

Respectfully submitted,

Susan M. Cimino
Clerk of the Council

**Documents provided for Meeting**

- 19 027 National Grid Petition: Lawnview Drive and Pinecrest Road or take up any action relative thereto (Tabled September 18, 2019)
- 19 033 National Grid Petition: Commercial Street or take up any action relative thereto
- 19 034 National Grid Petition: Elm Street and Adams Street or take up any action relative thereto
A meeting of the Town Council was held in the Cahill Auditorium, Braintree Town Hall, on Wednesday, November 6, 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
           David M. Ringius, Jr.
           Sean E. Powers
           Thomas W. Whalen

Also Present: Joseph C. Sullivan, Mayor
              Mark DuBois, Chief of Police
              Nicole Taub, Town Solicitor
              Karen Shanley, Human Resource Director
              James Casey, Town Clerk
              Karen MacAleese, Acting Deputy Chief
              Sean Lydon, Acting Deputy Chief
              Braintree Police Officers
              Ann Toland, Marge Crispin Center
              Pat Conrad, Marge Crispin Center
              Nelson Chin, Recreation Director
              Kimberly Kroha
              Marta Googins
              Carolyn Loud
              Dick Frye
              Lawrence Mackin, Jr, Councilor-elect
              Julia Flaherty, Councilor-elect
              Meredith Boericke, Councilor-elect
              Other Residents in attendance
ANNOUNCEMENTS
Mayor Joseph C. Sullivan made an announcement stating Congratulations to the new Mayor-Elect Charles C. Kokoros after winning last night – Election Day (November 5, 2019) a hard-fought race. We look forward to our current Councilor Kokoros as he takes over the Executive Branch.

• 049 19 Council President: Marge Crispin Holiday Donations (Ann Toland/Pat Conrad)
Ann Toland stated the Holiday Distribution will be out of Pond Street. Thanksgiving distribution will be on November 25th. Christmas distributions will occur on December 19th and December 20th. We are always in need of gift cards for the older children and we are accepting pajamas, hats, gloves and sweatshirts as well.

• 050 19 Council President: 10th Annual Braintree Christmas Party, Dec. 5, Granite Grill

APPROVAL OF MINUTES
• September 18, 2019

Motion: by Councilor Kokoros to Approve Minutes of September 18, 2019
Second: by Councilor Powers
Vote: For (9 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ringius, Ryan, Whalen), Against (0), Absent (0), Abstain (0)

OLD BUSINESS
• 19 036 Mayor: Re-Appointment - Braintree Contributory Retirement Board, Edward J. Spellman, Jr. or take up any action relative thereto

Council President Ryan referred to Councilor Bowes, Chairman of the Committee of Ways & Means for a recommendation. Councilor Bowes stated the committee met earlier this evening. On this item it was voted 4 to 1 for favorable recommendation.

Councilor O’Brien stated for this series of re-appointments and/or appointments I did vote against. As everyone knows we will have a new administration in Town. If feel it is more appropriate for the new administration to appoint and re-appoint to these various boards. I did vote no on all of these.

Motion read by Councilor Kokoros:

MOTION:
TO APPROVE IN ACCORDANCE WITH SECTIONS 3-3 OF THE CHARTER OF THE TOWN OF BRAINTREE AND MASSACHUSETTS GENERAL LAWS, CHAPTER 32, SECTION 20(4)(C), THE RE-APPOINTMENT OF EDWARD J. SPELLMAN, JR., TO THE BRAINTREE CONTRIBUTORY RETIREMENT BOARD FOR A THREE YEAR TERM.

Motion: by Councilor Kokoros to Approve Order 19 036
Second: by Councilor Powers
Vote: For (8 – Bowes, Carey, Hume, Kokoros, Powers, Ringius, Ryan, Whalen), Against (1 – O’Brien), Absent (0), Abstain (0)
• 19 037 Mayor: Appointment - Braintree Contributory Retirement Board, Joseph R. Driscoll, Jr. or take up any action relative thereto
Council President Ryan referred to Councilor Bowes, Chairman of the Committee of Ways & Means for a recommendation. Councilor Bowes stated the committee met earlier this evening. On this item it was voted 4 to 1 for favorable recommendation.

Motion read by Councilor Kokoros:

MOTION:
TO APPROVE IN ACCORDANCE WITH SECTIONS 3-3 OF THE CHARTER OF THE TOWN OF BRAINTREE AND MASSACHUSETTS GENERAL LAWS, CHAPTER 32, SECTION 20(4)(C), THE APPOINTMENT OF JOSEPH R. DRISCOLL, JR., TO THE BRAINTREE CONTRIBUTORY RETIREMENT BOARD FOR A THREE YEAR TERM.

Motion: by Councilor Kokoros to Approve Order 19 037
Second: by Councilor Powers
Vote: For (8 – Bowes, Carey, Hume, Kokoros, Powers, Ringius, Ryan, Whalen), Against (1 – O’Brien), Absent (0), Abstain (0)

• 19 038 Mayor: Appointment - Chief of Police, Mark W. Dubois or take up any action relative thereto
Council President Ryan referred to Councilor Bowes, Chairman of the Committee of Ways & Means for a recommendation. Councilor Bowes stated the committee met on this last week, October 30, 2019.

Councilor Bowes read section 2-10 of the Town Charter:
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.

Councilor Bowes stated this process started on July 1, 2019 with a letter from the Mayor’s office indicating the intentions. A 5 person Search Committee was formed which consisted of 3 members of either active or retired Police Chiefs, the HR Director and Town Solicitor. 28 applicants for this position were received. All 5 search committee members vetted all 28 coming up with 10 to interview. Three finalists’ names were given to the Mayor. Two individuals interviewed. One person withdrew from the process. Town Council was forwarded the name of Chief DuBois who was currently the Chief in Maynard. We took a vote and it was 5-0 unanimous favorable recommendation to the full Council of this appointment.
Mayor Sullivan stated this selection was not a rejection of anyone it was a selection of someone. We do this selection based upon the process and based upon understanding who is best prepared at this time to lead our department. I believe that person is Mark DuBois. I offer that recommendation to you.

Councilor O’Brien stated I rejected some appointments because I feel the Mayor-elect should make those selections. I felt the new administration should do that. I was looking for a reason to say no to this appointment. We got well education as a committee on the process that occurred. It is important to note when the Mayor makes these appointments the Council does not see the other candidates. The Council only sees what comes before them as a result of the selection of the Mayor. When I did vet the candidate myself I was very impressed. I was concerned if we did reject this appointment we would not find another Chief like this. I do support this. This was a tremendous pick.

Mayor Sullivan stated I am glad you came to that conclusion as other Council members have. This individual is of high talent, commitment and a great level of professionalism.

Councilor Kokoros stated as a Councilor I was prepared to make this appointment and did support the overall process. As Mayor-elect I get a vote. For me I am very comfortable with the resume and after having met with the Chief I am very confident he can do the job. I feel the current individual before us is the proper choice.

Councilor Powers stated I feel there is a moral issue amongst our officers. I would implore the new Chief to work with our officers to restore the moral of where it needs to be. These are folks that care about this town and raise their families here.

Councilor O’Brien stated this is a historic vote. I did feel this should occur prior to the election on November 5, 2019. I am disappointed this did not occur on Monday, November 4, 2019.

Council President Ryan stated this meeting was scheduled a year ago. We always hold the meeting the day after an election. Several Councilors had personal obligations the night before an election. I appreciate your point but I didn’t think it was the right thing to do. The meeting was already scheduled for tonight.

Motion read by Councilor Kokoros:

**MOTION:** To Approve in accordance with Sections 2-10 and 3-3 of the Charter, the Appointment of Mark W. DuBois as Chief of Police of the Braintree Police Department for a 3 year term.

Motion: by Councilor Kokoros to Approve Order 19 038
Second: by Councilor Powers
Vote: For (9 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ringius, Ryan, Whalen), Against (0), Absent (0), Abstain (0)

Chief Mark DuBois came to the podium and stated thank you for the appointment. I will work hard to bestow your trust. There is a lot of talk about the quality of the officers and the department I am walking into. I am looking forward to getting started.
• **19 039 Mayor: Appointment – Conservation Commission, Kimberly Kroha or take up any action relative thereto**

Council President Ryan referred to Councilor Bowes, Chairman of the Committee of Ways & Means for a recommendation. Councilor Bowes stated the committee met earlier this evening. On this item it was voted 4 to 1 for favorable recommendation.

Motion read by Councilor Kokoros:

Motion: To Approve in accordance with Section 3-3 of the Charter, the Appointment of Kimberly Kroha to the Braintree Conservation Commission.

Motion: by Councilor Kokoros to Approve Order 19 039
Second: by Councilor Powers
Vote: For (8 – Bowes, Carey, Hume, Kokoros, Powers, Ringius, Ryan, Whalen), Against (1 – O’Brien), Absent (0), Abstain (0)

• **19 040 Town Clerk: Request for the Relocation of District 1A Polling Location – 74 Pond Street or take up any action relative thereto**

Town Clerk, James Casey stated the public convenience would be better served by relocating the District 1A – Marge Crispin polling location to Braintree Town Hall. The reason being the uncertainty of the future status of this space combined with Election Day access requirements and the safeguarding of expensive voting equipment. I understand this space will be more for the Youth Center where we have previously occupied on Election Days.

Council President Ryan referred to Councilor Bowes, Chairman of the Committee of Ways & Means for a recommendation. Councilor Bowes stated the committee met earlier this evening. On this item it was voted 5 to 0 for favorable recommendation.

Councilor Kokoros asked if on the upcoming Election Days if a sign can be placed at 74 Pond Street stating the relocation of the voting site incase people do not get notification and just show up there.

Town Clerk, James Casey stated the next Election being on March 3, 2019 that this change will occur.

Motion read by Councilor Kokoros:

MOTION: UPON 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.

Motion: by Councilor Kokoros to Approve Order 19 040
Second: by Councilor Powers
Vote: For (9 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ringius, Ryan, Whalen), Against (0), Absent (0), Abstain (0)
NEW BUSINESS

- None

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

** 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

  
  **Motion:** by Councilor Kokoros to refer Order 19 044 to the Committee of Ways & Means
  
  **Second:** by Councilor Powers
  
  **Vote:** For (9 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ringius, Ryan, Whalen), Against (0), Absent (0), Abstain (0)

UPCOMING MEETINGS:

Next Council Meeting will be held on: **Tuesday, November 19, 2019 @ 7:30pm**

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 8:37p.m.

Respectfully submitted,

Susan M. Cimino
Clerk of the Council

Documents provided for Meeting

- Minutes of September 18, 2019
- **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
2020 COUNCIL MEETING CALENDAR
(Unless noted, meetings are held on a Tuesday)

January 7 and 21
February 4 and 18  [School Vacation Week beginning Feb. 17 but Early Voting is being held the following week Feb. 25]
March (Wednesday) 4 and 17  [*March 3 (Tuesday) Election Day per Charter: Section 7-3(c)]
April 7 and 21 or 28  [School Vacation Week beginning April 20]
May 1 (Friday)  [by or before May 1 (Friday) Required by Charter: Section 6-3 Submission of Budget - Placeholder]
May 5 or 12th  Depending on April Meetings...
May 26  [May 26 Annual Town Meeting]
June 2 and 16  [June 2 placeholder for additional action on the budget – can be cancelled]
July 14  [Summer Schedule]
August 11  [Summer Schedule]
September 2 (Wednesday) and 15  [*Sept. 1 (Tuesday) Election Day per Charter: Section 7-3(c)]
October 6 and 20  [Early voting/set up Oct 16 thru Nov.3 –hold in Johnson Chambers on October 20 but will not be televised]
November 4 (Wednesday) and 17  [*Nov. 3 (Tuesday) Election Day]
December 1 and 15

*Election dates are subject to change
To: Council President Charles B. Ryan and Councilors
From: Christine Stickney, Director of Planning and Community Development
Date: December 11, 2019
Re: Town Council Order #19-11
Comprehensive Zoning Ordinance

The proposed Council Order #19-11 was filed by Mayor Joseph C. Sullivan and the Braintree Planning Board on March 8, 2019 for consideration. The Braintree Planning Board held an initial public hearing on March 25, 2019 that was continued to April 22, 2019 to June 3, 2019 to July 9, 2019 to September 10, 2019 to November 12, 2019 to December 12/10/19. At last evening’s Planning Board meeting the attached letter From Mayor Joseph C. Sullivan was read into the record and the Planning Board unanimously voted to approve withdrawal of the proposed ordinance.

Attachment
File: TCO #19-11
December 10, 2019

Mr. Robert Harnais
Chairman, Braintree Planning Board

RE: Comprehensive Zoning Ordinance T.C.O. #19-011

Dear Chairman Harnais,

Bob,

I would respectfully request that the above recommended ordinance be withdrawn from any further consideration.

Throughout the past year our community has been involved in an important conversation about the need to update our current zoning in order to prepare our town for the future. The need to have a comprehensive zoning ordinance in place that offers clarity and direction for our residents as homeowners and those who would seek to come to Braintree for the high quality of life that we offer will be an important ingredient for the success of our community in the days ahead.

With a new year, and a new administration, I am hopeful that the discussion that commenced this year will continue into 2020 and beyond so that a zoning ordinance/master plan, which would include an inclusionary housing component, can be accomplished.

I wish to thank you and all the members of the Planning Board, as well as planning personnel Christine Stickney and Melissa Santucci Rozzi for all of your efforts and for the many public hearings that were conducted on this most important public policy matter. Moreover, the work of our Town Council and the Citizen Zoning Working Group is recognized and appreciated. Lastly, I want to express my appreciation to our residents and business community for the hundreds of conversations that I have been fortunate to have throughout the year about the importance of updating our current zoning into an implementable plan of progress for our town.

In the year ahead further identification of our community housing needs and the commercial redevelopment of our community — with a focus on the promotion and protection of our neighborhoods is needed — and I hope that it can be accomplished for the best interest of Braintree in 2020.

Very truly yours,

Joseph C. Sullivan
Mayor

Planning/Community Development

DEC 10 2019

Received
To: Charles B. Ryan, President of the Council
    Susan Cimino, Clerk of the Council
    James Casey, Town Clerk

From: Joseph C. Sullivan, Mayor

Cc: Joseph Reynolds, Chief of Staff and Director of Operations
    Edward Spellman, Director of Municipal Finance

Date: November 5, 2019

RE: Request for Borrowing Authorization for South Middle School Building Project

I am pleased to report that the Massachusetts School Building Authority ("MSBA") recently approved our project to construct a new South Middle School. The project will consist of building a completely new middle school. This significant new addition to our school system will accommodate our 5th graders adjustment to middle school. The total project is expected to cost $86.5 million of which the MSBA has committed to reimbursing the Town at least 53.96% of eligible costs. According to the MSBA guidelines the Town is required to authorize the full amount of the project, and the MSBA will reimburse the Town for its share.

At this time, I am requesting that the Town Council vote to authorize the Town to borrow a "not to exceed" amount of $86.5 million for the new South Middle School with the understanding that the amount borrowed will be reduced by reimbursements received from the MSBA. A motion approving the bond authorization is attached hereto. As you are aware, we are able to accomplish this work without an override or debt exclusion request of the community. With proper planning and our financial strength we are able to incorporate this work within our existing budgetary allotments.

Please be advised that, pursuant to Section 2-9 of the Town's Charter, this borrowing authorization must be published in a newspaper at least 10 days before its final passage. Also, Section 6-7 of the Charter requires that the Town Council conduct a public hearing on this request, with notice of the public hearing being advertised 7 to 14 days prior to the date set for
the public hearing. One advertisement covering both the amount of the appropriation order and notice of the public hearing will suffice.

Finally, this authorization requires an initial reading before the matter is referred to a subcommittee for recommendation. Your cooperation was appreciated by conducting the initial reading of this matter at your meeting on October 15 and conducting the public hearing on November 19.

Thank you for your continued support on this very important project.
TOWN OF BRAINTREE, MASSACHUSETTS

ORDERED:

That the Town appropriate the amount of Eighty-Six Million Five Hundred Eighty-Five Thousand Nine Hundred Nineteen Dollars ($86,585,919) for the purpose of paying costs of designing, constructing, equipping and furnishing a new South Middle School, to be located behind the existing South Middle School at 232 Peach Street in Braintree, Massachusetts, including the payment of all costs incidental or related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the Town may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the School Building Committee. To meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under M.G.L. Chapter 44, or pursuant to any other enabling authority. The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; provided further that any grant that Town may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-three and ninety-six hundredths percent (53.96%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town and the MSBA. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Note: As this request involves a loan authorization, advertising and a public hearing is required under Sections 2-9 and 6-7 of the Town Charter. In accordance with M.G.L. c. 44, §1, approval requires the affirmative vote of two-thirds of all members of the Town Council.
Office of the Mayor
One JFK Memorial Drive
Braintree, Massachusetts 02184

Joseph C. Sullivan
Mayor

To: Charles B. Ryan, President of the Council
   Susan Cimino, Clerk of the Council
   James Casey, Town Clerk

From: Joseph C. Sullivan, Mayor

Cc: Joseph Reynolds, Chief of Staff and Director of Operations
    Edward Spellman, Director of Municipal Finance
    James Arsenault, Public Works Director
    James O’Brien, Fire Chief
    Nicole Taub, Town Solicitor
    Marybeth McGrath, Director of Municipal Licenses and Inspections
    Karen Shanley, Director of Human Resources

Date: November 25, 2019

Re: FY 20 Supplemental Appropriations (#1)

As we enter the second quarter of Fiscal Year 2020, with our fiscal health remaining strong, we are required to address some items in order to be able to set our tax rate after we have our tax classification hearing (12/3/19). Upon completion of our actions on the tax classification the State Department of Revenue (DOR) will review and approve the tax rate calculation and supporting revenue assumptions. We have also identified certain departments that require supplemental funds to support operations to the end of the fiscal year (June 30, 2020). I take this opportunity to submit this request for said funds and to provide related information in support of this request. Your consideration and approval is requested.

First, the town received a grant from the Commonwealth of Massachusetts Transportation Enhancement Trust Fund. The requirement of this grant is that the Town needs to appropriate these funds for road and traffic related expenditures. The Town will use the grant of $41,757.70 for traffic calming programs in our neighborhoods.

The next two items are to transfer funds from two line items within the Municipal License and Inspection Department to fund a reclassification of the ADA Coordinator position. As a result of turnover in this position, the HR Department reviewed and added requirements to the position to become a full time ADA Coordinator for our town. The amount of the salary increase is $16,062 and will be funded by $939.62 from the Tech. Hazard Waste Consultant program 01-15260-6178
and $15,122.38 from 01-24105-5711 into the Municipal License and Inspection department salary line item 01-24105-5120.

The third item is for $16,000 for the fire department for training costs associated with the latest four new recruits attending the City of Boston Fire Academy in July. The cost of this training was not known by the fire department at the time the budget was submitted.

The fourth item is for $24,857.78 to pay Greenwood Equipment for the cost of fire vehicle repair for several engines that were in excess of appropriation for the prior fiscal year. This vote is for an unpaid bill of a prior fiscal year. Pursuant to G.L. c. 44, §64, this vote of an unpaid bill of a prior fiscal year requires a two-thirds vote of the Town Council.

The fifth item is $60,000 for insurance deductibles relating to claims received by the Town. Several deductible claims have been paid to date and the Town received five addition deductible claims that will exceed the amount originally budgeted. We have increased the amount to allow for some additional funds to remain in the account to cover what we know of at this time.

The next three items six through eight are to fund two union contracts and the salary increase for non-union managers. A collective bargaining agreement (CBA) has been reached between the Town of Braintree and the Utility Workers Union of America, AFL-CIO, Local No. 466 (UWUA). The agreement with the UWUA includes a two percent (2%) wage increase for the current fiscal year, three percent (3%) in year two and two percent (2%) in year three. These wage allowances are in line with all other CBA agreements with our town’s workforce. I am also pleased to report that a collective bargaining agreement has been reached between the Town of Braintree and the Braintree Professional Management Association (BPMA). The agreement with the BPMA includes a two percent (2%) wage increase for the current fiscal year, three percent (3%) in year two and two percent (2%) in year three. These are fair and affordable agreements and stay within the fiscal parameters that we requested. In anticipation of approval of these agreements, funds for the first two are to be transferred from the towns salary reserve account in the Human Resources budget approved in the original 2020 budget and the UWUA is to be funded from the water sewer retained earnings.

The amounts to be transferred are as follows:

BPMA $ 53,120.71 from Human Resources Salary Reserve
Non-union managers $116,367.63 from Human Resources Salary Reserve
UWUA $ 57,729.44 from Water Sewer Retained Earnings

The last two items nine and ten are needed in order to have our tax rate approved by the Department of Revenue.

The ninth item is a Golf Enterprise fund deficit of $90,217. There were an unusually high number of weather-related days last year that required the course to be closed resulting in lost revenue. We propose to have the amount of $90,217 transferred from FY 2019 Free Cash to the golf enterprise fund to cover the deficit. Our Golf Division has implemented a number of changes to support its annual operations, including the purchasing of two golf simulators that will be in operation by the end of this month and will offer a year round golf experience along with our new clubhouse operations. The first quarter of FY 2020 results are very positive.
Fiscal year  |  Budget    | Q1 revenue  | % of budget
-------------------|------------|-------------|-------------
2020               | $1,907,151 | $796,513    | 41.76%      
2019               | $1,586,992 | $559,697    | 35.27%      

The tenth item is to cover the sale of the Allen street property. Back in April of 2019 we submitted the original FY 2020 budget with revenue assumptions. One assumption was the sale of the old BLED property located at 44 Allen Street for at least $1,200,000. We had an original purchase for the property but through negotiations the agreement was not consummated. We are putting the property out for sale once again and we expect a competitive response. To accomplish this in the next few weeks, the first item that we are proposing is to transfer the sum of $1,200,000 from the previously certified free cash from the amounts certified below. We will replenish our free cash used for this year’s budget within this fiscal year with the proceeds from the eventual sale of the Allen Street property.

10/11/2019
NOTIFICATION OF FREE CASH APPROVAL - Town of Braintree
Based upon the un-audited balance sheet submitted, I hereby certify that the amount of available funds or "free cash" as of July 1, 2019 for the Town of Braintree is:
General Fund $10,731,888.00
Enterprise Fund storm water $165,966.00
Enterprise Fund Broadband $1,613,341.00
Enterprise Fund CH 44 53F 1/2 ($90,217.00)
Enterprise Fund CH 44 53F 1/2 $5,792,601.00

Accordingly, your review and approval of the following motions are requested:

Motions

1. Department of Public Works

Motion: That the sum of $41,757.70 received from the Commonwealth of Massachusetts Transportation Enhancement Trust Fund be appropriated to the Department of Public Works Department Traffic Calming Measures grant.

2. Municipal License and Inspection Department

MOTION: That the sum of $15,122.38 be transferred from the Municipal Licenses and Inspections /Inspections Code Enforcement program 05 / mitigation line and $939.62 be transferred from the Municipal licenses and inspections /Tech. Hazard Waste Consultant program 60 / Tech. Hazard Waste Consultant program line for a total of $16,062 to be transferred to the Municipal Licenses and Inspections /Inspections Code Enforcement program 05 / ADA Coordinator account.

3. Fire Department

MOTION: That the sum of $16,000 be transferred from FY 2019 Certified Free Cash to the Fire Department / Training program 08/ Training account.
4. Fire Department

Pursuant to G.L. c. 44, §64, this vote requires a **two-thirds** vote of the Town Council. If approved, the appropriate motion for the Council is as follows:

**MOTION:** That the sum of $24,857.78 be appropriated from the fiscal year 2019 Certified Free Cash for the purpose of paying an unpaid bill to Greenwood Equipment for unpaid equipment repairs which was incurred prior to July 1, 2019, which was in excess of the Fiscal year 2019 appropriation.

5. Finance Division

**MOTION:** That the sum of $60,000 be appropriated from the fiscal year 2019 Certified Free Cash to the Finance Program 09 General Insurance \ Insurance Deductible account.

6. Human Resources

**MOTION:** That the Town vote to amend the wage and salary classification schedules, as most recently amended by appropriating the sum of $116,367.63 for the purpose of funding a wage increase for the non-BPMA employees effective July 1, 2019, and further that the Director of Municipal Finance is authorized to allocate said sums to and among the various accounts affected thereby in such amounts as are proper and required. In anticipation of approval of these agreements, funds were appropriated to a salary reserve account in the previously approved Fiscal Year 2020 budget.

7. Human Resources

**MOTION:** That the Town vote to amend the wage and salary classification schedules, as most recently amended by appropriating the sum of $53,120.71 for the purpose of funding a wage increase and other items as detailed in the Collective Bargaining Agreement for the Braintree Professional Management Association (BPMA) effective July 1, 2019, and for this purpose, the sum of $53,120.71 be transferred from the Human Resources/ Program 04 – Employee Benefits/ Benefits Reserve 5179 and further, that the Director of Municipal Finance is authorized to allocate said sums to and among the various accounts affected thereby in such amounts as are proper and required. In anticipation of approval of these agreements, funds were appropriated to a salary reserve account in the previously approved Fiscal Year 2020 budget.

8. Human Resources

**MOTION:** That the Town vote to amend the wage and salary classification schedules, as most recently amended by appropriating the sum of $57,729.44 for the purpose of funding a wage increase and other items as detailed in the Memorandum of Agreement (MOA) for the Utility Workers Union of America, AFL-CIO, Local No. 466 (UWUA) effective July 1, 2019, and for this purpose, the sum of $57,729.44 be transferred from the Water/Sewer Certified Retained Earnings FY2019 and further, that the Director of Municipal Finance is authorized to allocate
said sums to and among the various accounts affected thereby in such amounts as are proper and required.

9. Finance

**MOTION:** That the sum of $90,217 be transferred from FY 2019 Certified Free Cash to the golf enterprise fund for the purpose covering the prior years operational deficit.

10. Finance

**MOTION:** That the sum of $1,200,000 be transferred from FY2019 Certified Free Cash for the purpose of replacing the revenue source of sale of town owned land that did not take place in time to be used for FY 2020 budget.

Since these requests involve the appropriation of funds within the fiscal year 2020 budget, advertising and a public hearing is required under the sections 2-9 and 6-7 of the Town Charter.
MEMORANDUM

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

CC: Christine Stickney, Director of Planning and Community Development

FROM: Joseph C. Sullivan, Mayor

DATE: Friday, November 21, 2019

SUBJECT: Winfield Adams Playground Baseball Field Renovation Project

At the September 16, 2019 meeting of the Community Preservation Committee, the Committee voted unanimously to recommend the appropriation of Community Preservation Act funds for the improvement of the existing baseball field located at the Winfield Adams Playground. Specifically, the funding will be used to convert the existing field to a (50/70) baseball field. The (50/70) baseball field is designed for youth between the ages of 11 and 13 that are transitioning from Little League fields (46/60) to Babe Ruth/High School fields (60/90). This project, which I endorse, will provide an opportunity for additional recreation opportunities for our youth.

I therefore submit the following motion:

MOTION: That in accordance with the provisions of Chap. 44B of the General Laws and with the recommendation of the Community Preservation Committee, the appropriation of $21,500.00 from the Unreserved Fund, for the Winfield Adams Playground Baseball Field Renovation Project located at the corner of Adams and Commercial Streets (Map 3013 Plot 53). Said funds are to be expended under the direction of the Community Preservation Committee and the Director of Recreation, Community Events, Grounds & Cemetery.

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

TO: Charles B. Ryan, Town Council President
CC: Members of the Town Council
     Sue Cimino, Clerk of the Council
     Christine Stickney, Planning and Community Development Director

FROM: Joseph C. Sullivan, Mayor
DATE: Monday, December 9, 2019
SUBJECT: CPA Fund Appropriation - All Souls 2019 Preservation and Restoration Project

At the November 18, 2019 meeting of the Community Preservation Committee the Committee voted unanimously to recommend the appropriation of Community Preservation Act funds in the amount of sixty five thousand dollars ($65,000.00) for the All Souls 2019 Preservation and Restoration Project. The proposed funding will support the preservation and restoration of the All Souls historic structure, including rebuilding the existing chimney, removal and restoration of ten (10) leaded glass windows and window sashes in the existing tower. All Souls Church, located at the corner of Church and Elm Streets (Assessors Map 2025 plots 34 & 35), is approximately 115 years old and is listed on the National Register of Historic Places as a historic building worthy of preservation because of historical significance.

I therefore submit the following motion:

MOTION: That in accordance with the provisions of Chap. 44B of the General Laws, and with the recommendation of the Community Preservation Committee, the appropriation of $65,000.00 from the Historic Resource Fund for the All Souls 2019 Preservation and Restoration Project of the historic church structure located at the corner of Church and Elm Street (Map 2025 Plots 34 & 35) and as listed on the National Register of Historic Places. Said funds are to be expended conditional the following 1) A signed Community Preservation Grant Agreement and 2) that All Souls Church receives state funding under the Massachusetts Historical Commission – Massachusetts Preservation Project Fund for the project.

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