

BRAINTREE BOARD OF SELECTMEN

MINUTES

July 10, 2006

IN ATTENDANCE: Charles B. Ryan, Chairman; Joseph W. Hubbard, Vice Chairman; Darrin M. McAuliffe, Clerk; Joseph Powers

ALSO PRESENT: Sue Kay, Interim Executive Secretary; Barbara Saint Andre, Town Counsel; Deborah Carlino, Recording Secretary; members of the press and public

ABSENT: Charles Kokoros;

Chairman Ryan opened the meeting at 7:00 p.m.; all members of the Board who were present answered to a roll call. Chairman Ryan then led those present in a moment of silence and the Pledge of Allegiance. The Board also held a moment of silence for Richard A. Carson, Sr., Mr. Kokoros' father in law who recently passed away.

Chairman Ryan read the announcements:

-the Town of Braintree Local Emergency Planning Committee (LEPC) will be conducting a full scale exercise of the Town's emergency response plan in early August, 2006. The purpose of this exercise is to allow town depts. And agencies the ability to practice the emergency response plan, as required annually; and to pursue full certification through the State Emergency Response Commission (SERC). During this exercise drill, town depts. And agencies will have the opportunity to demonstrate knowledge of the emergency response plan, as well as implement possible changes that my improve public health and safety aspects of the plan. In an effort to assist the LEPC to minimize possible traffic inconveniences to residents and the general public, the Braintree School Dept. has kindly offered to host this exercise at the Braintree High School located at 128 Town Street. We apologize in advance for any inconveniences that may occur while this exercise is occurring, and would like to thank all Braintree residents and the general public for their understanding in allowing the LEPC the opportunity to practice the emergency response plan.

MOTION: by Mr. McAuliffe to approve the enactment of the emergency response plan

SECOND: by Mr. Hubbard

UNANIMOUSLY VOTED

-the Board wanted to thank Skinner Overlook and Frank Sullivan for his contribution to beautifying the Town Hall Memorial Mall. Mr. Sullivan donated two days of labor and materials to help make the Town Hall Memorial Mall beautiful. The Board asked Ms. Kay to look into a sign to be placed on site recognizing the work of Skinner Overlook.

NEW BUSINESS:

RE: Vote to Award Contract for Glenrose Avenue to Habitat for Humanity (only bid)

IN ATTENDANCE: Kathleen Prioli and Mark O'Reilly, Executive Director

Mr. O'Reilly advised the Board that he was pleased to present its response to the Town's Request for Proposal with re: to the construction of an affordable dwelling at 58 Glenrose Avenue. The Board was then explained the process of the family approval program to those families interested in possibly living in this new home.

The Board advised that there has been concern re: water runoff as a result of previous Habitat homes built in that area.

Chairman Ryan read a letter from Town Engineer, Robert Campbell, re: the Glenrose Avenue Erosion Problem. The Board was advised that an erosion problem from runoff coming off the hill dose not appear to be coming from the new home built by Habitat. It appears to be a result of water from very intense rainstorms running down the steep, earthen slopes of the unconstructed portion of Glenrose Avenue. The owners of the land abutting that section of the private way are each partly responsible for the erosion, and in Mr. Campbell's opinion, should clean up the deposited soils and try to vegetate or otherwise protect the steep slope to prevent further erosion. The owners of the Habitat house abut the section of Glenrose Avenue as do two other owners. Further, the area of the roadway where the soil has settled is an unaccepted public way, so the Town should be able to clean up that part of the problem.

MOTION: by Mr. McAuliffe to award the contract for Glenrose Avenue to Habitat for Humanity in the amount of \$1.00
SECOND: by Mr. Hubbard
UNANIMOUSLY VOTED

Mr. Powers arrived at the meeting.

RE: Interview for Appointment as Constable – Leonard Freeman

IN ATTENDANCE: Leonard Freeman

MOTION: by Mr. McAuliffe to appoint Leonard Freeman as a Constable in the Town of Braintree

SECOND: by Mr. Hubbard
UNANIMOUSLY VOTED

RE: Reappointment as Constable – William J. Murphy

MOTION: by Mr. Hubbard to reappoint William J. Murphy as a Constable in the Town of Braintree

SECOND: by Mr. McAuliffe
UNANIMOUSLY VOTED

RE: Vote for Assistant Harbormaster – Paul E. Donahue

IN ATTENDANCE: Richard McDermott, Harbormaster; Paul E. Donahue

MOTION: by Mr. McAuliffe to appoint Paul E. Donahue as Asst. Harbormaster

SECOND: by Mr. Hubbard
UNANIMOUSLY VOTED

**RE: Amendment #3 Liberty/Middle Street Water Main
Water/Sewer Contract with Comprehensive Environmental**

IN ATTENDANCE: Tom Reynolds, Acting Water/Sewer Director

Mr. Reynolds advised that due to delays and slow downs in the construction process the construction of this contract will not be completed until some time in August. The reason for the time overrun can be traced to the inclement weather which has caused a slow down even on those days that the contractor was able to work. The amendment is solely for the purse of funding the Resident Inspection item in the contract. The increase to the engineering contract that will be authorized by this amendment amounts to \$18,500.

MOTION: by Mr. Hubbard to approve Amendment No. 3 in the amount of \$18,500
SECOND: by Mr. McAuliffe
UNANIMOUSLY VOTED

RE: Update on Tax Title Properties (auction)

Ms. Saint Andre updated the Board re: the list that was provided for review. There are 18 potential properties that could be auctioned. Review is still being done as to whether or not the Town should hold onto these properties for any reason; if not then the process to auction should begin. There are two on this list: Harbor Villa Avenue and Pleasant View Avenue that are already being sold privately. Review is

being done to see if there is a Treasurer's deed showing foreclosure, these properties will have to be advertised, an auctioneer would have to be hired and the land would be auctioned to the highest bidder.

The Board was advised that these are little lots all over Town that were taken back in the 1930's and 1940's during the Depression era. Some of the lots may be buildable; some abutters may wish to purchase in order to make their land a little larger.

Ms. Saint Andre advised that these all seem to be good lots and further review is needed and the Board will be updated at a later date.

**RE: PUBLIC HEARING: Joint Petition from Verizon and BELD – 2 new poles
Rex Drive and Granite Street**

IN ATTENDANCE: Penny Kane, Manager Right of Way

MOTION: by Mr. Hubbard to open the public hearing

SECOND: by Mr. McAuliffe

UNANIMOUSLY VOTED

The Board received a joint petition from Verizon New England, Inc. and Braintree Electric Light Dept. for two items:

Petition #1 – place one new pole on Rex Drive. This petition is necessary in order to raise the cables over the road by shortening the span between the poles.

Petition #2 – place one new pole on Granite Street. This petition is necessary in order to guy the pole line on Granite Street near Marianne Avenue.

The Board received memos from: BELD (no objection); Engineering Dept. (no objection to either, provided that the poles are set in conformity with ADA requirements (36" minimum clear sidewalk space, for a wheelchair to pass, at all locations) and to avoid obstructing sidewalk snow removal operations (42" minimum width for sidewalk plow to pass, where possible); Water/Sewer Dept. (the new pole in Rex Drive will be located approximately 86' southerly from existing Pole 65 which is located in West Street. The new pole in Granite Street will be located across Granite Street from Marianne Avenue and will be approximately 70' easterly of existing Pole 9 which is located at the corner of Marianne Avenue. No objection to their proposal as long as the pole is at least 3' distant, horizontally, from the existing water and sewer services); Highway Dept. (no objection).

Residents, Kathleen Piaucio, Marie Olivera, Amanda Sullivan were concerned with the placement of the new pole on Rex Drive.

Ms. Olivera asked that the Board not vote on this this evening in order to allow her the opportunity to measure where the pole will be located as it is right in front of her home. Further, if she has any concerns, she would like to have these addressed prior to any action re: same.

It was suggested that these matters be tabled to the next meeting, as they were not of an emergency nature in order to allow the residents the time to have their concerns addressed.

Ms. Kane asked that since there was no concern re: the Granite Street pole, and this was a safety issue, as the current pole was hit by a car and is being supported by two other poles, would ask that the Board vote on this petition this evening so that a new single pole could be installed.

MOTION: by Mr. Hubbard to close the public hearing on the Granite Street petition

SECOND: by Mr. McAuliffe

VOTE: 3:1 (against: Mr. Powers)

MOTION: by Mr. Hubbard to approve the pole petition for Granite Street
SECOND: by Mr. McAuliffe
UNANIMOUSLY VOTED

MOTION: by Mr. McAuliffe to continue the public hearing for the petition for Rex Drive to the next
BOS meeting on July 24, 2006, at 7:30 p.m.
SECOND: by Mr. Hubbard
UNANIMOUSLY VOTED

RE: Monthly Update from Finance Director on Annual Audit Recommendations

IN ATTENDANCE: Brian Connolly, Finance Director

Mr. Connolly updated the Board as requested, on the status of activities concerning the comments contained in the Management Letter prepared by our auditors, Powers and Sullivan.

GASB 45: Mr. Connolly advised that we intend to contract for an actuarial study to be performed this fiscal year. Exact times to be determined with the consultation of the Town Accountant and Executive Director of the Retirement Board. A meeting should be scheduled in the fall.

Disaster Recovery: Mr. Connolly plans to meet with the MIS Manager, Mike Steen, to discuss this matter and to delegate to him. His intent is to have Mr. Steen coordinate this with the pertinent parties and to develop a viable disaster recovery plan.

Water/Sewer Billings: Recently the DPW hired an Office Manager who is tasked with certain financial and administrative duties. It is his intent to maintain an active partnership with this new manager and to assist her in any way that he can. They have made some short term gains in software processing and have identified areas that are in need of long term planning. Periodic reports will be forwarded.

Recording Capital Assets: Mr. Connolly advised that he has not discussed this in any depth with the Town Accountant. However, he is aware of the capital asset log system and how it was developed and is quite interested in converting this to a database system or placing it onto our financial software. This will be further explored with the Town Accountant and our software vendor.

Guarantee Deposits/Tailings: Mr. Connolly has met with the Treasurer and discussed this matter. This area is his sole authority. A list of tailings is posted on our website.

Compensated Balances and Payroll Package: Mr. Connolly advised that he has not met with the Personnel Director or Treasurer to discuss this matter as yet. It is his intent to work with the pertinent parties to explore the feasibility of using our software vendors Payroll Package. A report/update will be forthcoming.

The Board asked to have the Treasurer in at the next meeting to provide a presentation re: the tailings information.

RE: Request to Approve a Change of Manager, William Bunce, from HST Lessee SLT LLC d/b/a Sheraton Tara Hotel

IN ATTENDANCE: William Bunce

MOTION: by Mr. Hubbard to approve the Change of Manager request
SECOND: by Mr. McAuliffe
UNANIMOUSLY VOTED

RE: Vote to approve line item transfers – various depts.

~Police Dept.

MOTION: by Mr. McAuliffe to transfer \$5,000 from Educational to Parts and Accessories

SECOND: by Mr. Hubbard
UNANIMOUSLY VOTED

MOTION: by Mr. McAuliffe to transfer \$5,000 from Educational to Data Processing Costs

SECOND: by Mr. Hubbard
UNANIMOUSLY VOTED

MOTION: by Mr. McAuliffe to transfer \$5,000 from Educational to Building Repairs

SECOND: by Mr. Hubbard
UNANIMOUSLY VOTED

~Engineering Division

MOTION: by Mr. McAuliffe to transfer \$21.00 from 1-411-101-5120 to 1-411-102-5426

SECOND: by Mr. Hubbard
UNANIMOUSLY VOTED

MOTION: by Mr. McAuliffe to transfer \$145.00 from 1-411-101-5120 to 1-411-104-5484

SECOND: by Mr. Hubbard
UNANIMOUSLY VOTED

MOTION: by Mr. McAuliffe to transfer \$1,265.00 from 1-411-101-5120 to 1-411-109-5307

SECOND: by Mr. Hubbard
UNANIMOUSLY VOTED

~Water/Sewer Dept.

MOTION: by Mr. Hubbard to transfer \$38,670 from 61-436-116-5327 (monitor inflow equipment) to 61-436-112-5692 (MWRA Assessment)

SECOND: by Mr. McAuliffe
UNANIMOUSLY VOTED

MOTION: by Mr. Hubbard to transfer \$7,000 from 61-437-102-5305 (consulting) and \$450 from 61-437-116-5200 (purchase of services) to 61-437-118-5212 (power)

SECOND: by Mr. McAuliffe
UNANIMOUSLY VOTED

MOTION: by Mr. Hubbard to transfer \$3,300 from 61-439-101-5104 (labor/custodians) to 61-439-101-5173 (unemployment compensation)

SECOND: by Mr. McAuliffe
UNANIMOUSLY VOTED

MOTION: by Mr. Hubbard to transfer \$400 from 61-439-101-5104 (labor/custodians) to 61-439-101-5130 (overtime clerical)

SECOND: by Mr. McAuliffe
UNANIMOUSLY VOTED

MOTION: by Mr. Hubbard to transfer \$4,700 from 61-439-101-5101 (Dept. Head) to 61-439-104-5481 (auto parts)

SECOND: by Mr. McAuliffe
UNANIMOUSLY VOTED

MOTION: by Mr. Hubbard to transfer \$32,000 from 61-439-101-5103 (admin clerical) to 61-439-102-5305 (consultants)

SECOND: by Mr. McAuliffe
UNANIMOUSLY VOTED

MOTION: by Mr. Hubbard to transfer \$5,000 from 61-436-116-5326 (vegetation control) to 61-438-116-5586 (distribution)

SECOND: by Mr. McAuliffe
UNANIMOUSLY VOTED

MOTION: by Mr. Hubbard to transfer \$22,400 from 61-438-130-5322 (water testing) to 61-438-118-5214 (power)

SECOND: by Mr. McAuliffe
UNANIMOUSLY VOTED

OTHER BUSINESS:

Mr. Powers advised that he has been called by several residents that live near the Greenbush line and construction along same. Since the summer is here there seems to be a lot more youth activity in that area. The T has been notified and will be installing fencing in that area, however this has not yet been done. The police have been called and the T is in the process of expediting the fence installation.

It was suggested that Ms. Kay follow up on this matter.

There were a few residents present to further discuss the flooding issues on Bestick Road and Dickerman Lane. The residents were looking for any updates that the Board may have re: same.

Mr. Ryan advised that Rep. Joseph Driscoll is working on getting state funding to help those in that area; however, the Governor has vetoed some money that was to go this matter. Rep. Driscoll is working on trying to get that money back in addition to more money to help with the flooding. The Town is still trying to determine what it can legally do.

Mr. Hubbard advised that there was no quick fix for this matter. The Board asked the residents for their patience to try to resolve this matter adequately and in the best means possible.

RE: Executive Session

MOTION: by Mr. Hubbard to go into Executive Session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigating position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel. Also to consider the purchase, exchange, taking, lease or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body.

SECOND: by Mr. McAuliffe

ROLL CALL VOTE: 4:0 (Mr. McAuliffe; Mr. Hubbard; Mr. Powers; Mr. Ryan)

MOTION: by Mr. Hubbard to come out of Executive Session to adjourn

SECOND: by Mr. Powers

ROLL CALL VOTE: 4:0 (Mr. McAuliffe; Mr. Hubbard; Mr. Powers; Mr. Ryan)

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,
Deborah Carlino
Recording Secretary