

Sean E. Powers  
President  
At Large

Shannon L. Hume  
At Large

CHARLES C. Kokoros  
District 1

John C. Mullaney  
District 2

Thomas M. Bowes  
District 3



Charles B. Ryan  
Vice President  
At Large

Stephen C. O'Brien  
District 4

Michael J. Owens  
District 5

PAUL "DAN" CLIFFORD  
District 6

## OFFICE OF THE TOWN COUNCIL

### MAY 31, 2016

### MINUTES

A meeting of the Town Council, **ANNUAL TOWN MEETING** was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on May 31, 2016 beginning at 7:00p.m.

Council President Powers was in the chair.

Present: Sean Powers, President  
Charles Ryan, Vice President  
Thomas Bowes  
Paul Dan Clifford  
Shannon Hume  
Charles Kokoros  
John Mullaney  
Stephen C. O'Brien  
Michael Owens

Also Present: Joseph C. Sullivan, Mayor  
Ed Spellman, Director of Finance  
Christopher Griffin, Assist to the Mayor  
Carolyn Murray, Town Solicitor  
Karen Shanely, HR Director  
Barbara Mello, Grant Writer  
Marybeth McGrath, Municipal Licenses and Inspections Director  
Dr. Frank Hackett, Superintendent  
Christine Stickney, Planning & Community Director  
Russell Jenkins, Police Chief  
James O'Brien, Fire Department Chief  
Nelson Chin, Director Parks & Recreation  
Sharmila Biswas, Director Elder Affairs  
Daryn Brown, Superintendent Golf Course  
James Casey, Town Clerk  
Bob Campbell, Acting DPW Director  
Terri Stano, Library Director  
Jeff Kunz, Director Trash & Recycling  
Paul McSoley, Police Finance Director  
Debra Starr, Assistant Town Clerk

Jane D'Auria, Clerk – Town Clerk's Office  
Eric Cocca, Clerk – Town Clerk's Office  
Hank Joyce, resident  
James Quaglia, Blue Hills Technical School Superintendent  
Eric Erskine, Blue Hills Representative  
Ann Toland, Marge Crispin Center  
Raymond Kasperowicz, Town Auditor  
Thaddeus Kasperowicz, Town Auditor  
Lisa Heger, School Committee Chairperson  
Thomas Devin, School Committee Vice-Chairperson  
Kate Naughton, School Committee member

#### **APPROVAL OF MINUTES**

- April 5, 2016

**Motion:** by Councilor Ryan to Approve Minutes of April 5, 2016

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0), Abstain (0)

- April 26, 2016

**Motion:** by Councilor Ryan to Approve Minutes of April 26, 2016

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0), Abstain (0)

#### **CORRESPONDENCE**

- 075 16 Town Clerk and Assistant Town Clerk: Travel Policy-Approval to Attend Town Clerk Conference

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0), Abstain (0)

- 076 16 Clerk of the Council: Travel Policy-Approval to Attend Town Clerk Conference

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0), Abstain (0)

#### **CITIZEN CONCERNS/COUNCIL RESPONSE**

- 082 16 Councilor O'Brien: Compressor Station update (This will be discussed at the June 7<sup>th</sup> meeting)

#### **OLD BUSINESS**

- 16 024 (2) Supplemental Appropriations #4 or take up any action relative thereto

(PUBLIC HEARING tabled from April 26)

**Motion:** by Councilor Ryan to Open Public Hearing on Order 16 027 (2)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

Council President Powers asked if any member of the Council or anyone from the public would like to speak on Order 16 024 (2).

Council President Powers referred to Councilor O'Brien (Committee Chair) for Committee on Ways & Means recommendation.

Chairman O'Brien stated this was discussed at the Committee of Ways & Means and recommended for favorable action.

**Motion:** by Councilor Ryan to Close Public Hearing on Order 16 024 (2)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

MOTION: That the sum of \$25,000 be transferred from the Town's Stabilization Fund account to the Planning and Development department/ program 07-Economic Development / Greater Boston Regional Development Compact account.

**Motion:** by Councilor Ryan to Approve Order 16 024 (2)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

- 16 026 National Grid Petition: River Street or take up any action relative thereto (River Street portion TABLED)

Discussion on Order 16 026 took place, stating that River Street is under Moratorium.

**Motion:** by Councilor Ryan to TABLE River Street portion of Order 16 026

**Second:** by Councilor Mullaney

**Vote:** For (9), Against (0), Absent (0)

- 16 027 Mayor: FY2017 Operating Budget or take up any action relative thereto (PUBLIC HEARING )

**Motion:** by Councilor Ryan to Open Public Hearing on Order 16 027

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

Council President Powers asked if any member of the Council or General Public want to speak on Order 16 027.

Council President Powers referred to Councilor O'Brien (Committee Chair) for Committee on Ways & Means recommendation.

Chairman O'Brien stated this was discussed during many Ways & Means meetings and we are providing favorable recommendation of the FY2017 Budget.

Council President Powers ask if there is any other discussion on Order 16 027.

Mayor Sullivan came to the podium and thanked the Committee on Ways & Means members for completing their review of the FY2017 Budget. Mayor Sullivan also thanked the Department heads including Police Chief Jenkins and Fire Chief O'Brien.

**Motion:** by Councilor Powers to Close Public Hearing on Order 16 027

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

(1) That the Town of Braintree raise and appropriate the sum of \$122,276,929 to provide for all of the expenses for the maintenance and operation of the Town's several departments and programs for the fiscal year 2017 and that the several sums herein set forth are hereby approved for the several purposes and are subject to the source of funding for said expenditures as outlined on the attached Exhibit A, specifically, that the sum of \$78,485 be transferred from Golf Course receipts, the sum of \$100,000 be transferred from the Overlay Surplus account, the sum of \$5,200 be transferred from the Waterways Improvement fund, the sum of \$22,000 be transferred from the Sale of Cemetery Lots, the sum of \$582,019 be transferred from Water and Sewer receipts, the sum of \$441,515 be transferred from the Town owned land account, the sum of \$75,000 be transferred from the Municipal Building Insurance Fund, the sum of \$60,000 be transferred the insurance settlement account, \$17,622 from the Handicap parking fine account and the balance to be raised in the tax levy.

**Motion:** by Councilor Ryan to Approve Order 16 027 (1)

**Second:** by Councilor Bowes

**Vote:** For (8), Against (0), Absent (0), Present (1 O'Brien)

(2) That the Town of Braintree appropriate the sum of \$1,493,763 to provide for all of the expenses for the maintenance and operation of the Town's Golf Course and related programs for the fiscal year 2017 and that the several sums herein set forth are hereby approved for the several purposes as outlined on the attached Exhibit A, specifically, and that the sum of \$1,493,763 be raised in the Golf Course receipts.

**Motion:** by Councilor Ryan to Approve Order 16 027 (2)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

(3) That the Town of Braintree appropriate the sum of \$17,374,133 to provide for all of the expenses for the maintenance and operation of the Town's Water and Sewer Division and related programs for the fiscal year 2017 and that the several sums herein set forth are hereby approved for the several purposes as outlined on the attached Exhibit A, specifically, that the sum of \$103,694 be transferred from the Water Sewer Rehabilitation Fund and the balance of \$17,270,439 be raised in the Water and Sewer receipts.

**Motion:** by Councilor Ryan to Approve Order 16 027 (3)

**Second:** by Councilor Bowes

**Vote:** For (8), Against (0), Absent (0), Present (1 O'Brien)

(4) Pursuant to General Law Chapter 44, Section 31D, the town is authorized to incur a liability in excess of the amount appropriated for snow and ice for fiscal year 2017.

**Motion:** by Councilor Ryan to Approve Order 16 027 (4)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

- 16 028 (1) thru (4) Mayor: FY2017 Budget – Community Preservation Committee or take up any action relative thereto (PUBLIC HEARING)

**Motion:** by Councilor Ryan to Open Public Hearing on Order 16 028

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

Council President Powers asked if any member of the Council or anyone from the public would like to speak on Order 16 028.

Council President Powers referred to Councilor O'Brien (Committee Chair) for Committee on Ways & Means recommendation.

Chairman O'Brien stated this was discussed at the Committee of Ways & Means and recommended for favorable action.

**Motion:** by Councilor Powers to Close Public Hearing on Order 16 028

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

- (1) In accordance with the provisions of chapter 44b, section 5 of the general laws and the recommendation of the community preservation committee, that the sum of \$95,000 be appropriated from the community preservation fund to the community housing reserve for acquisition, creation, preservation, or support of community housing or the rehabilitation or restoration of community housing that is acquired or created as provided in chapter 44b, section 5, of the general laws.

**Motion:** by Councilor Ryan to Approve Order 16 028 (1)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

- (2) In accordance with the provisions of chapter 44b, section 5 of the general laws and the recommendation of the community preservation committee, that the sum of \$95,000 be appropriated from the community preservation fund to the open space reserve for the acquisition, creation, or preservation of open space or the rehabilitation or restoration of open space that is acquired or created as provided in chapter 44b, section 5, of the general laws.

**Motion:** by Councilor Ryan to Approve Order 16 028 (2)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

- (3) In accordance with the provisions of chapter 44b, section 5 of the general laws and the recommendation of the community preservation committee, that the sum of \$95,000 be appropriated from the community preservation fund to the historic resources reserve for the acquisition, preservation, rehabilitation, or restoration of historic resources as provided in chapter 44b, section 5, of the general laws.

**Motion:** by Councilor Ryan to Approve Order 16 028 (3)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

- (4) In accordance with the provisions of chapter 44b, section 5 of the general laws and the recommendation of the community preservation committee, that the sum of \$450,000 be appropriated from the community preservation fund to the community preservation budgeted reserve as provided in chapter 44b, section 5, of the general laws.

**Motion:** by Councilor Ryan to Approve Order 16 028 (4)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

- (5) In accordance with the provisions of chapter 44b, section 5 of the general laws and the recommendation of the community preservation committee, that the sum of \$40,000 be appropriated from the community preservation fund to for fiscal year 2017 administrative operating fund as provided in chapter 44b, section 5, of the general laws said funds to be expended under the direction of community preservation committee and by the director of planning and community development.

**Motion:** by Councilor Ryan to Approve Order 16 028 (5)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

- 16 029 (1) thru (8) Mayor: FY2017 Revolving Accounts or take up any action relative thereto (PUBLIC HEARING)

**Motion:** by Councilor Ryan to Open Public Hearing on Order 16 029

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

Council President Powers asked if any member of the Council or anyone from the public would like to speak on Order 16 029.

Council President Powers referred to Councilor O'Brien (Committee Chair) for Committee on Ways & Means recommendation.

Chairman O'Brien stated this was discussed at the Committee of Ways & Means and recommended for favorable action.

**Motion:** by Councilor Powers to Close Public Hearing on Order 16 029

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

**R1.** That the department of elder affairs be authorized to use a revolving fund in accordance with the provisions of Massachusetts general laws chapter 44, section 53e1/2 that may be spent by the department of elder affairs without further appropriation during the fiscal year commencing July 1, 2016, to pay salaries, expenses, and contractual services required to provide services and activities for the town's elderly residents. The department of elder affairs revolving fund is to be credited with all fees and charges received during fiscal year 2017 from persons using said programs. The council on aging may spend up to \$30,000 in revolving fund monies during fiscal year 2017.

**Motion:** by Councilor Ryan to Approve Order 16 029 (1)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

**R2.** That the board of health be authorized to use a revolving fund in accordance with the provisions of Massachusetts general laws chapter 44, section 53e 1/2 that may be spent by the board of health without further appropriation during the fiscal year commencing July 1, 2016, to pay for salaries, expenses, and contractual services associated with purchasing, promoting, and administering public health immunizations and for public health education programs. The board of health revolving fund is to be credited with all fees and charges collected during fiscal year 2017 for immunizations administered under the department of public health. The board of health may spend up to \$50,000 in revolving fund monies during fiscal year 2017.

**Motion:** by Councilor Ryan to Approve Order 16 029 (2)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

**R3.** The library trustees be authorized to use a revolving fund in accordance with the provisions of Massachusetts general laws chapter 44, section 53e1/2 that may be spent by the library trustees without further appropriation during the fiscal year commencing July 1, 2016, for the purchase of library books, audiovisual materials and other library materials. The Library Trustees revolving fund is to be credited with all fines and fees collected during fiscal year 2017 for lost or overdue library materials. The Library Trustees may spend up to \$45,000 in revolving fund monies during fiscal year 2017.

**Motion:** by Councilor Ryan to Approve Order 16 029 (3)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

**R4.** That the library trustees be authorized to use a revolving fund in accordance with the provisions of Massachusetts general laws chapter 44, section 53e1/2 that may be spent by the library trustees without further appropriation during the fiscal year commencing July 1, 2016, for the costs associated with the support and promotion of special programs, including salaries related thereto. The Library Trustees revolving fund is to be credited with all revenue from the rental of meeting rooms collected during fiscal year 2017. The library trustees may spend up to \$5,000 in revolving fund monies during fiscal year 2017.

**Motion:** by Councilor Ryan to Approve Order 16 029 (4)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

- R5.** That the mayor be authorized to use a revolving fund in accordance with the provisions of Massachusetts general laws chapter 44, section 53e1/2 that may be spent by the mayor, in conjunction with the recycling coordinator, without further appropriation during the fiscal year commencing July 1, 2016, for the purchase of home composting bins, curbside recycling bins, recycling bags and for the collection of fees and payments for recycling materials, including hazardous waste. The recycling revolving fund is to be credited with all fees collected during fiscal year 2017. The Mayor may spend up to \$3,000 in revolving fund monies during fiscal year 2017.

**Motion:** by Councilor Ryan to Approve Order 16 029 (5)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

- R6.** That the Mayor be authorized to use a revolving fund in accordance with the provisions of Massachusetts general laws chapter 44, section 53e1/2 that may be spent by the Mayor, in conjunction with the recycling coordinator without further appropriation during the fiscal year commencing July 1, 2016, for the collection of fees and payments from the collection of revenue-generating materials and to use the income to promote town recycling initiatives and events, including household hazardous waste events. The recycling revolving fund is to be credited with all fees collected during fiscal year 2017. The Mayor may spend up to \$50,000 in revolving fund monies during fiscal year 2017.

**Motion:** by Councilor Ryan to Approve Order 16 029 (6)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

- R7.** That the School Committee be authorized to use a revolving fund in accordance with the provisions of Massachusetts general laws chapter 44, section 53e1/2 that may be spent by the School Committee without further appropriation during the fiscal year commencing July 1, 2016, to pay for salaries, expenses, and contractual services associated with the operation of full day kindergarten. The revolving fund is to be credited with all full day kindergarten fees and charges collected during fiscal year 2017. The School Committee may spend up to \$724,000 in revolving fund monies in fiscal year 2017.

**Motion:** by Councilor Ryan to Approve Order 16 029 (7)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)



**R8.** That the Mayor be authorized to use a revolving fund in accordance with the provisions of Massachusetts general laws chapter 44, section 53e1/2 that may be spent by the Mayor, in conjunction with the golf greens superintendent without further appropriation during the fiscal year commencing July 1, 2016, for the collection of fees and payments from the collection of revenue generated from clinics and payments for group and individual lessons and the sales of pro shop materials fees collected during fiscal year 2017. The Mayor may spend up to \$55,000 in revolving fund monies during fiscal year 2017.

**Motion:** by Councilor Ryan to Approve Order 16 029 (8)

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

- 16 030 Mayor: Fiscal Year 2016 Supplemental Appropriations #5 DPW-Front End Loader replacement/purchase or take up any action relative thereto (PUBLIC HEARING)

**Motion:** by Councilor Ryan to Open Public Hearing on Order 16 030

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

Council President Powers asked if any member of the Council or anyone from the public would like to speak on Order 16 030.

Council President Powers referred to Councilor O'Brien (Committee Chair) for Committee on Ways & Means recommendation.

Chairman O'Brien stated this was discussed at the Committee of Ways & Means and recommended for favorable action.

**Motion:** by Councilor Powers to Close Public Hearing on Order 16 030

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

MOTION: That the sum of \$264,990.00 be transferred from the Town's Stabilization Fund to the Department of Public Works Capital Equipment account for the replacement of our current 20 year old front end loader.

**Motion:** by Councilor Ryan to Approve Order 16 030

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

- 16 032 Blue Hills MA School Building Authority Feasibility Study or take up any action relative thereto Council President Powers referred to Councilor O'Brien (Committee Chair) for Committee on Ways & Means recommendation.

Chairman O'Brien stated this was discussed at the Committee of Ways & Means and recommended for favorable action.

MOTION: That the Town of Braintree hereby approves Blue Hills Regional Technical School District hereby appropriating the amount of \$1,026,277 Dollars for the purpose of paying the costs of a feasibility study (The Study) for the Blue Hills Regional Technical High School located at 800 Randolph Street Canton MA 02021, including all costs incidental and related thereto (the "Study") said amount to be expended under the direction of the Blue Hills School District Building Committee. To meet this appropriation the district shall appropriate \$926,277 from the district's certified Excess and Deficiency account and shall also transfer \$100,000 from the district's 2016 operating budget into the project account and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of Blue Hills School District School Building Committee; that the City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Study costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that District may receive from the MSBA for the Study shall be as set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA.

**Motion:** by Councilor Ryan to Approve Order 16 032

**Second:** by Councilor Bowes

**Vote:** For (9), Against (0), Absent (0)

- 027 16 Councilor Clifford: An Obligation to Lead – Opioid Epidemic (Update)  
Councilor Clifford gave an update stating the Special Committee on the Opioid Epidemic had 11 meetings since April 12<sup>th</sup> and will continue thru June. The meetings have been to address local prevention activities related to the Opioid Epidemic.

#### **NEW BUSINESS**

- None

#### **Refer to the Committee on Ways & Means**

- 16 033 Mayor: FY16 Supplemental Appropriations #6 or take up any action relative thereto (PUBLIC HEARING June 28)

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

#### **UPCOMING MEETINGS:**

Next Council Meeting is - **TUESDAY, June 7, 2016@ 7:30pm**

#### **ADJOURNMENT**

It was unanimously voted to adjourn the meeting at 8:47p.m.

Respectfully submitted,

Susan M. Cimino  
Clerk of the Council

## **Documents provided for Meeting**

- 16 024 (2) Supplemental Appropriations #4 or take up any action relative thereto
- 16 026 National Grid Petition: River Street or take up any action relative thereto
- 16 027 Mayor: FY2017 Operating Budget or take up any action relative thereto
- 16 028 Mayor: FY2017 Budget – Community Preservation Committee or take up any action relative thereto
- 16 029 Mayor: FY2017 Revolving Accounts or take up any action relative thereto
- 16 030 Mayor: Fiscal Year 2016 Supplemental Appropriations DPW-Front End Loader replacement/purchase or take up any action relative thereto
- 16 032 Blue Hills MA School Building Authority Feasibility Study or take up any action relative thereto
- 16 033 Mayor: FY16 Supplemental Appropriations #6 or take up any action relative thereto