

TOWN OF BRAINTREE

IN COUNCIL

ORDER NO: 09 053

DATE: October 6, 2009

ORDERED: Mayor

TITLE 2, CHAPTER 2: ADMINISTRATION AND PERSONNEL ORDINANCES

HIS HONOR, MAYOR SULLIVAN HAS SUBMITTED TO THE BRAINTREE TOWN COUNCIL THE MUNICIPAL CODE, TITLE 2, CHAPTER 2 ORDINANCE FOR THE TOWN OF BRAINTREE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-205 ADMINISTRATIVE ORGANIZATION BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-205 - ADMINISTRATIVE ORGANIZATION

SECTION 2.205.010 Mayor To Be Chief Executive And Administrative Officer

The Mayor shall be the Chief Executive and Administrative Officer of the Town Government.

SECTION 2.205.020 Departmental Organization

A. Departments Established - The administrative services of the Town shall be divided into the following departments:

- Municipal Finance Department
- Human Resources Department
- Department of Municipal Licenses and Inspections
- Planning and Community Development Department
- Public Works Department
- Town Solicitor
- Police Department
- Fire Department
- Council on Elder Affairs
- Fair Housing Liaison/Committee

- B. Purpose - It is the intention of this provision to assemble similar and related activities and functions of the Town into consolidated departments in order to attain the efficiencies and economies of scale, to reduce, or eliminate, duplication and overlapping of services, responsibilities and functions and to improve the communication and coordination between and among the various offices and agencies of the Town. It is the further intention of this provision that the director of each department shall be authorized to assign responsibilities and functions between and among personnel within the department, from time to time, without regard to the lines of responsibilities which have previously been associated with the agencies herein consolidated.

SECTION 2.205.030 Standard Provisions

The following standard provisions shall apply to all Town Agencies whether established by this Charter, by Ordinance, or by Administrative Rule or Regulation arising out of the authority of this Charter:

- A. Titles - The Head of each Department of the Town Government shall be termed "Director".
- B. Appointments - The Director of each Department of the Town Government shall be appointed by the Mayor for an indefinite term of office. The appointment of Directors by the Mayor shall be subject to review by the Town Council as provided in Section 2-10 of the Charter. A Department Director shall be a person especially qualified by education, training and previous experience to perform the duties of the office. Except as otherwise provided by the Civil Service statute, Directors of Departments shall, subject to the consent of the Mayor, appoint all assistants and subordinates and other employees of the agency for which such person is responsible. Subject to the approval of the Mayor, nothing shall prevent the Director of a Department from also serving as the head of one or more divisions within the Department. The Director may appoint the head of a division within the department to serve simultaneously as the head of another division within the Department. Such person so appointed, or so serving, shall possess all of the qualifications for the position which may be prescribed by law, by Charter, by Ordinance, or otherwise.
- C. Temporary Director of Department – The Mayor may, as provided in Section 3-5 of the Charter, designate the head of one of the divisions within the Department, or some other Town Officer or Employee, or any other person to serve as temporary Head of a Department.
- D. Removal - The Mayor may, by following the removal procedure established in Section 3-4 (a) of the Charter, remove a Director of a Department from office. A Director of a Department may remove a Division Head, assistant or subordinate of the Department from office, subject to Civil Service Statute, by following the removal procedure established in Section 3-4 (b) of the Charter.

SECTION 2.205.040 Duties of All Town Officers

- A. In General - Every Director of a Department, Division Head, Town Officer and Town Employee shall perform all duties required of the position by State Law, by the Charter and Ordinances of the Town, and such other duties as may be required by the Mayor or by persons appointed by the Mayor.
- B. Department Directors are Responsible to the Mayor - All Division Heads and Town Officers shall report to the Mayor through their respective Department Directors. The Directors of Departments shall be immediately responsible to the Mayor for the effective administration of their respective Departments and all activities assigned to their Departments.

- C. Duties - The Directors of Departments, Town Officers and the Heads of Divisions shall keep themselves informed as to the latest practices in their particular fields and shall implement, with the approval of the Mayor, such new practices as appear would be of benefit and service to the citizens and taxpayers of the Town.
- D. Reports to Mayor - The Directors of Departments shall submit reports of the activities of their departments to the Mayor with such frequency and in such form as may be required by the Mayor. The Directors of Departments shall render an annual report of the activities and operations of the department for which each is responsible to the Mayor on a date established by the Mayor. Town Officers and Division Heads shall assist their respective Department Directors by preparing and filing such reports with them as may be requested or required of them to enable the Director of a Department to so report.
- E. Maintain Records - The Directors of Departments shall establish and maintain systems of filing and indexing records and reports in sufficient detail to furnish all information necessary for the proper control of departmental activities and to form a basis for the periodic reports to the Mayor.
- F. Maintenance and Use of Equipment – Town property, equipment, and vehicles are only to be used to carry out Town business and are not to be used for personal use. The Directors of Departments, Town Officers and the heads of divisions shall be responsible for the proper maintenance and use of all Town property and equipment used in their Departments, Offices and Divisions.
- G. Cooperation with Town Auditor - The Directors of Departments, Town Officers and the Heads of Divisions and every other employee of the Town shall cooperate fully with the Town Auditor whenever the Auditor makes any request for any information relevant to the duties of such person.

SECTION 2.205.050 Duties of Directors of Departments

The Director of each Department shall have the following specific powers and duties:

- A. Provide coordination and direction to the divisions within the Department to insure consistent administration and the efficient delivery of services to citizens and taxpayers.
- B. Meet with the Mayor to develop goals and objectives for each of the divisions within the Department and to measure and evaluate the performance of functions by each constituent agency within the Department.
- C. Meet with the Division Heads and other subordinate officers and employees of the Department to explain the goals and objectives set by the Mayor for each such division and agency and to arrive at methods by which such goals and objectives might be achieved.
- D. Monitor the level of services provided in other communities to ensure the Town provides the highest and best level of service possible to its citizens and taxpayers consistent with the needs of the Town and its ability to pay.
- E. Coordinate with Division Heads in the development of annual operating budgets and capital outlay requests.

- F. Prepare and submit to the Mayor within the guidelines provided by the Mayor and within the time schedule established by the Mayor, a proposed annual operating budget and capital outlay request covering all divisions and offices within the department for which the Director is responsible.

SECTION 2.205.055 Authority to Establish Fees

Unless otherwise provided by general or special law or by Ordinance, any Department Director or Town board empowered to issue a license, permit, certificate, or to render a service or perform work for a person or class of persons, may, from time to time, fix reasonable fees for all such licenses, permits, or certificates issued pursuant to state law or regulations wherein the entire proceeds of the fee remain with the Town, and may fix reasonable charges to be paid for any services rendered or work performed by the Town for any person or class of persons; provided, however, that in the case of a board or officer appointed by an elected board, the fixing of such fee shall be subject to the review and approval of such elected board. (Chapter 40, Section 22F of the General Laws)

SECTION 2.205.060 Authority to Establish Regulations

- A. Any Department Director or Town board appointed by the Mayor that is empowered to issue a license, permit, certificate, or to render a service or perform work for a person or class of persons, may, from time to time establish reasonable regulations for all such licenses, permits, or certificates, subject to the review and approval of the Mayor, and in the case of an elected board or an officer appointed by an elected board, the regulation shall be subject to the review and approval of such elected board.
- B. Unless otherwise provided by general or special law or by Ordinance, a summary of each regulation adopted under this section shall be posted on a Town Hall bulletin board and on the Town’s official website, and formal written notification to the Town Council, and shall be published once in a newspaper of general circulation in the Town, and such publication shall be notice to all persons.

SECTION 2.205.065 Submission of Reorganization Plans By Mayor

Any plan presented by the Mayor to the Town Council which appears to be a reorganization plan under Section 5-1 of the Charter which does not contain a proposed Ordinance in which are incorporated amendments, revisions or repeals of this article and any other articles or provisions of this Code of Town Ordinances as will accomplish the desired reorganization, shall not be deemed to be a reorganization plan within the meaning of said Section 5-1. Each proposed reorganization plan when filed by the Mayor with the Town Council shall bear an identifying number and shall be accompanied by a detailed statement of the Mayor in explanation of the reasons underlying the submission of the proposed plan and the goals and objectives expected to result from the implementation of the plan.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-206 GENERAL STANDARDS OF CONDUCT BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-206 GENERAL STANDARDS OF CONDUCT

(Former By-Law Chapter 2.24)

2.206.010 Appointment of Office Restricted

No Town officer or board of Town officers having the power or authority to appoint any Town officer or agent shall appoint himself/herself or any member of such board to any office or position under the jurisdiction of such Town officer or board for which compensation is paid, but this shall not prohibit any Town officer from being named chair or clerk of the board of which he/she may be a member. (Prior code § 17-2)

2.206.020 Eligibility for Appointment

Except as hereinafter provided, no member of a Town board, committee, or commission shall be eligible for appointment or election by the members of such board, committee, or commission to any office or position under the supervision of such board, committee, or commission. No former member of such board, committee, or commission shall be so eligible until the expiration of one year from the termination of his/her service as a member of such board, committee, or commission. (STM 5-3-93 Art. 15: prior code § 33-1)

2.206.030 Actions of Former Board Members

No former member of a board, committee, or commission of the Town, shall, within one year after his/her last service as a member of such board, committee, or commission, shall knowingly act as agent or attorney for or receive compensation, directly or indirectly, from anyone other than the Town in connection with any particular matter in which the Town is a party or has a direct and substantial interest and in which he/she participated as a member of such board, committee, or commission. In addition to other remedies provided by law, any violation of this section which has substantially influenced the action taken by the Town in any particular matter shall be grounds for avoiding, rescinding or canceling the action on such terms as the interests of the Town may require. (STM 5-3-93 Art. 16: prior code § 33-2)

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-220 DEPARTMENT OF PUBLIC WORKS BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-220 - DEPARTMENT OF PUBLIC WORKS

(See Charter Section 5-3)

SECTION 2.220.010 Department Established

There shall be a department of public works responsible for the performance of all public works related functions and activities of the town. The department of public works shall assume all of the duties and responsibilities related to public works activities which, before the adoption of the charter, were performed by or under the authority of the department of public works. The department of public works shall perform all of the public works related functions which are associated with the following boards, departments and offices or which are now or may from time to time by general or special law be vested in such boards, departments and offices: engineering department, highway department, cemetery department, water and sewer department, tree warden, and the recycling committee, and it may have such additional powers, duties and responsibilities with respect to public works related functions and activities as may from time to time be provided by ordinance.

SECTION 2.220.020 Appointment of Director of Public Works

The Mayor is authorized and empowered to appoint a director of the Department of Public Works. The director of public works shall be a person especially fitted by education, experience and training to perform the duties of the office. (ATM 5-15-2002 Art. 47)

2.220.030 Term of Office of the Director of Public Works

The director of public works shall be appointed for an indefinite term. (ATM 5-15-2002 Art. 47)

2.220.040 Powers and Duties of the Director of Public Works

The department of public works shall be under the direct control and supervision of a director of public works who shall be appointed by and who shall be responsible to the mayor. In addition to the powers and duties conferred upon the Director of Public Works pursuant to the Charter, the Director of Public Works shall be responsible for the following duties:

- A. Supervision and coordination of all activities of the department of public works under statutes, Town ordinances, administrative code and rules and regulations;
- B. Granting or revoking any permits and licenses pertinent to public works activities, unless such authority is otherwise reserved for the Department of Public Works Advisory Board; (ATM 5-15-2002 Art. 47)

- C. Supervises, plans, directs, and administers all aspects of the Department of Public Works, including the highway, grounds, cemetery, water, sewer, engineering, and recreation divisions, as well as solid waste collection and disposal and the municipal golf course;
- D. Develops and recommends departmental policies, projects, and procedures; confers with division heads concerning ongoing and future projects;
- E. Oversees management of department personnel, labor relations, training, staffing, and evaluation of employees;
- F. Responsible for and monitors department expenditures, including payroll, procurement of goods and services, and contracts for outside services;
- G. Makes recommendations to and advises Mayor of all short-term and long-term planning of department goals and projects;
- H. Responsible for maintaining department records and correspondence in compliance with the Public records statutes.

SECTION 2.220.050 Sale of Cemetery Lots

The Director of Public Works shall oversee the sale of lots in the cemetery, which shall be sold at prices to be fixed from time to time by the Mayor. (Prior code § 14-2) Deeds conveying the right of burial in any public cemetery in the town shall be filed with the town clerk as provided in Section 50 of Chapter 550 of the Acts of 1948. (Prior code § 14-3)

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan
 NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan
 ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-230 DEPARTMENT OF MUNICIPAL FINANCE BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-230 - DEPARTMENT OF MUNICIPAL FINANCE

(See Charter Section 5-4)

SECTION 2.230.010 Department Established

There shall be a department of municipal finance responsible for the performance of all of the fiscal and financial activities of the town. The department of municipal finance shall be responsible for the coordination of all of the duties and responsibilities related to fiscal and financial activities which are performed by or under the authority of the Town Accountant, the Treasurer/Collector, the trust fund commissioners, the Board of Assessors, and the MIS department, and it may have such additional powers, duties and responsibilities with respect to fiscal and financial-related functions and activities as may from time to time be provided by ordinance.

SECTION 2.230.020 Appointment of Director

The department of municipal finance shall be under the direct control and supervision of a Director of Municipal Finance who shall be appointed by and who shall be responsible to the Mayor. The Director of Municipal Finance shall be a person especially fitted by education, experience and training to perform the duties of the office.

SECTION 2.230.030 Term of office

The Director of Municipal Finance shall serve for an indefinite term.

SECTION 2.230.040 Powers and Duties

The Director of Municipal Finance shall be responsible for the supervision and coordination of all activities of the department of municipal finance under state law, Town ordinances, administrative code and rules and regulations. The Director of Municipal Finance shall serve, ex officio, as the Mayor may from time to time specify, as the Treasurer/Collector. The Director of Municipal Finance shall also serve as the Town's chief procurement officer and shall oversee all procurement-related activities.

SECTION 2.230.050 Execution of deeds and other instruments by Treasurer/Collector

Whenever it shall be necessary to execute any deed conveying land, or any other instrument required to carry into effect any vote of the Town Council, the same shall be executed by the Treasurer/Collector, or the person performing the duties of the Treasurer/Collector, in behalf of the town, unless otherwise provided by law or by vote of the town council. (Prior code § 26-3)

SECTION 2.230.060 Cemetery Perpetual Care Fund

There is established under the control of the Director of Municipal Finance a fund to be known as the “Cemeteries Perpetual Care Fund” in which fund may be deposited any gift received and accepted by the Mayor or payment required by them, on the sale of cemetery lots, for perpetual care of certain lots, the income therefrom to be used for the perpetual care of such lots. All such gifts or payments shall be recorded on the cemetery lot records of the town clerk. (Prior code § 14-4)

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-250 DEPARTMENT OF HUMAN RESOURCES BE ESTABLISHED WITH THE TOWN’S MUNICIPAL CODE.

Chapter 2-250 – DEPARTMENT OF HUMAN RESOURCES

(See Charter Section 5-6)

SECTION 2.250.010 Department Established

There shall be a department of human resources which shall be responsible for all personnel and employee-related functions and activities of the town government and its administration. The department of human resources shall assume all of the duties and responsibilities related to human resources activities which, before the adoption of the charter, were performed by or under the authority of the board of selectmen, town accountant, the treasurer, the collector of taxes, the personnel board, the personnel department, the disabilities commission, the retirement board, veteran's affairs, and the heads of town agencies, and it may have such additional powers, duties and responsibilities with respect to human resources-related functions and activities as may from time to time be provided by ordinance or as situation requires.

SECTION 2.250.020 Appointment of Director

The department of human resources shall be under the direct control and supervision of a Director of Human Resources who shall be appointed by and responsible to the Mayor. The Director of Human Resources shall be a person especially fitted by education, experience and training to perform the duties of the office.

SECTION 2.250.030 Term of Office

The Director of Human Resources shall serve for an indefinite term.

SECTION 2.250.040 Powers and Duties

The Director of Human Resources shall be responsible for the supervision and coordination of all activities of the department of human resources in accordance with applicable federal and state law, Town ordinances, and rules and regulations. The Director shall supervise and coordinate all of the duties and responsibilities related to human resources activities which, before the adoption of the Charter, were performed by or under the authority of the board of selectmen, town accountant, the treasurer, the collector of taxes, the personnel board, the personnel department, the disabilities commission, the retirement board, and veteran's affairs.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-265 BOARD OF LICENSE COMMISSIONERS BE ESTABLISHED WITH THE TOWN’S MUNICIPAL CODE.

Chapter 2-265 - BOARD OF LICENSE COMMISSIONERS

(See Charter Section 5-7)

SECTION 2.265.010 Board of License Commissioners

There shall be a Board of License Commissioners comprised of the Town Clerk, the Building Inspector, the Director of Public Health, the Fire Chief and the Chief of Police, or persons performing similar duties under any other title, as designated by the Mayor, who shall serve by virtue of their offices, and without additional compensation as the members of the Board of License Commissioners. The Town Clerk shall serve as chair of the Board of License Commissioners.

SECTION 2.265.020 Powers and Duties of Board

The Board of License Commissioners shall have the following responsibilities:

- A. the power to issue licenses for innholders or common victualers;
- B. the powers of a licensing board appointed under General Laws Chapter 138, Section 4;
- C. the licensing authority for the purposes of General Laws Chapters 138 and 140;
- D. all of the other powers with respect to licenses which before the adoption of the charter were exercised by the board of selectmen;
- E. the granting of licenses relating to alcoholic beverages under chapter 138 of the General Laws, and
- F. the granting of those licenses under General Laws Chapter 140 which are not, by that chapter, placed within the jurisdiction of another municipal officer or agency, and it shall have all the powers and duties of a licensing authority under those chapters.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-290 TOWN SOLICITOR BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-290 - TOWN SOLICITOR

(See Charter Section 5-8 and former By-Law 2.16)

SECTION 2.290.010 Appointment of Town Solicitor

The Mayor shall appoint a Town Solicitor, who shall be a member in good standing of the Massachusetts Bar Association, and who shall be a person especially fitted by education, experience and training to perform the duties of the office.

SECTION 2.290.020 Term of Office

The Town Solicitor shall serve for an indefinite term.

SECTION 2.290.030 Powers and Duties

- A. Every Board, Commission, Committee or Official, however appointed, elected or constituted, shall submit to the Town Solicitor for drafting or approval as to form, all bonds, deeds, leases, obligations, conveyances, contracts and contract change orders amounting in the aggregate to \$5,000 or more, and other legal instruments to be made on behalf of the Town or to which the Town is a party, and the Town Solicitor shall do every professional act necessary for the protection of the Town's interest.

- B. The Town Solicitor shall furnish all legal advice to the Mayor, Town Council, and all elected or appointed Town officers, Departments, Boards, and Committees pertaining to the discharge of their official duties, and when requested through the Mayor or through the Mayor by a least three (3) members of the Council who shall provide a written request to all Council Members and shall submit the request to the Clerk of the Council, the Town Solicitor shall furnish a written opinion on any question that may be submitted to him/her in writing relative to the rights or duties of any Town board or officers.

- C. The Town Solicitor shall prosecute all suits ordered to be brought by the Mayor and shall appear in any court in the commonwealth in defense of all actions or suits brought against the Town or its officers or personnel for acts done in the discharge of their official capacity, or wherein any right, privilege, property, estate or act of the Town may be affected or brought into question, and shall try and argue any and all causes in which the Town shall be a party, before any tribunal, whether in law or in equity, in the Commonwealth, or before any board, administrative authority, arbitrator, mediator, or commission, and shall appear at any and all hearings on behalf of the Town whenever such services may be required. The Town Solicitor shall also confer with and advise the Mayor relative to the compromise or settlement of all suits and claims pending to which the Town is a party. (ATM 5-14-2002 Art. 26; prior code § 26-1(B), (C), (D))

- D. The Town Solicitor shall be responsible for all legal affairs of the Town and shall personally provide, or, shall personally supervise the provision by others, all legal services necessary for the proper and efficient conduct of the Town's affairs.

- E. With the approval of the Mayor, the Town Solicitor may employ assistants and outside counsel. The Town Solicitor shall review and approve all bills or charges for legal services to the Town.

- F. No Town Officer, Board or Agency, shall, unless specifically authorized to do so by the Mayor, employ, advise with or consult with any attorney other than the Town Solicitor or the Town Solicitor's designee with regard to any Town duties or business. Whenever it is determined that the services of a legal specialist are necessary or desirable, the Town Solicitor shall select such counsel after consultation with the Mayor and the officer, board or agency involved.

G. The Town Solicitor shall perform such any additional duties, powers and responsibilities with respect to the Town’s legal affairs as may from time to time be provided by ordinance.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-300 TOWN COUNCIL BE ESTABLISHED WITH THE TOWN’S MUNICIPAL CODE.

Chapter 2-300 – TOWN COUNCIL

(See Charter Article 2)

SECTION 2.300.010 Composition of Council and Term (See Charter Section 2-1)

The Town Council is comprised of nine members, three of whom are members, known as Councilors-at-Large, who are nominated and elected by and from the voters at large. The six remaining members, known as District Councilors are nominated and elected from each of the six districts into which the Town is divided, in accordance with Section 7-5 of the Charter.

The term of office for all Town Councilors shall be two years, beginning on the first business day of January.

SECTION 2.300.020 Compensation

The Town Council shall receive an annual salary, which shall be paid in monthly installments. The annual salaries are as follows:

- A. Councilors \$5,000.00
- B. President of the Council \$7,500.00
- C. Expenses as described in Section 2.4 of the Town Charter

SECTION 2.300.030 Powers, In General

A. The legislative powers of the Town are vested in the Town Council. The Town Council shall exercise its legislative powers in the manner determined by the Town Council, unless some other provision is made by a General Law, Town Ordinance, or by the Charter.

- B. The Town Council may adopt Ordinances which originate with the Mayor on any subject relating to the affairs of the Town. The Town Council may adopt Ordinances which originate with it or are filed on petition of voters as provided in Section 7-7 of the Charter, on any subject relating to the affairs of the Town except as provided in Section 5-1 of the Charter.
- C. All Ordinances adopted by the Town Council shall be presented to the Mayor as provided in Section 3-7 of the Charter.
- D. In accordance with the provisions of Sections 2-10 and 3-3 of the Charter, the Town Council shall review appointments made by the Mayor to any Town office, as a Department Director, or as a member of a multiple member body, but not including any position which is subject to the Civil Service law. Appointments made by the Mayor shall take effect on the thirtieth day after the date on which notice of the appointment was filed with the Clerk of the Council, unless six members of the Town Council shall, within those thirty days, vote to reject the appointment, or unless the Town Council has sooner voted to affirm the appointment.
- E. Subject to appropriation, the Town Council may appoint and employ employees, assistants, and agents which are necessary for the proper conduct of offices under their jurisdiction.
- F. Exercise of Powers; Quorum; Rules and Access of Information as described in Section 2.6 and Section 2.7 of the Town Charter.

SECTION 2.300.040 Meetings of the Town Council

- A. All meetings of the Town Council and of every committee or sub-committee of the Town Council are subject to the Open Meeting Law, General Laws Chapter 39, §23B.
- B. All matters which come before the Town Council will be decided by a majority vote unless some other provision is made by General Law, Ordinance, or the Charter.
- C. A record shall be kept for every meeting, indicating the names of the Council Members present, the subject acted upon, and the votes and other official actions taken by the Town Council at each such meeting.
- D. Regular meetings of the Town Council shall be held in the Horace Cahill Auditorium at Town Hall on the first and third Tuesday evenings of each month, commencing at 7:30 p.m. The Clerk of the Council shall notify the Councilors of all meetings of the Council. The Council may, by majority vote, dispense with any regular meeting, or change the day and hour of holding any regular meeting. No Town Council meeting shall be scheduled on the eve or day of a preliminary or final election in the Town.

E. The Town Council may enter into executive session, pursuant to the provisions of General Laws Chapter 39, §23B, only after the Council has first convened in open session for which notice has been appropriately posted. The President shall cite the reason for going into executive session and indicate whether the Council shall leave executive session for the purpose of adjournment or return to open session. The President shall ask for a roll call vote of the Council to enter into executive session, and all votes taken by the Council in executive session shall be by roll call vote.

Section 2.300.050 Ejection of persons behaving in disorderly manner

If a person behaves in a disorderly manner during any meeting of the Town Council, and after notice from the presiding officer, said person persists in such disorderly conduct, the presiding officer may order him/her to withdraw from the meeting, and if such person refuses to leave, the presiding officer may request that a police officer or other person remove the offender from the meeting.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-310 TOWN AUDITOR BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-310 - TOWN AUDITOR

(See Charter Section 2-8)

Section 2.310.010 Appointment, Term, and Salary

The Town Council shall appoint a Town Auditor to serve for a term of three (3) years and until a successor is chosen and qualified. If appointed as a Town employee and not an independent contractor, the salary of the Town Auditor shall be established by the Town Council and incorporated into the Town's wage and salary classification plan at a grade approved by the Town Council. If appointed as an independent contractor, the amount paid to the Town Auditor shall not exceed the amount appropriated therefore.

Section 2.310.020 Powers, In General

- A. The Town Auditor shall conduct, or cause to be conducted, financial and performance audits following government auditing standards as promulgated by the comptroller-general of the United States. The Town Auditor shall make periodic reports to the Town Council in such detail and with such frequency as the Town Council shall, by ordinance, by rule or by other vote, direct.
- B. The Town Auditor shall, from time to time throughout the year, examine, or cause to be examined, the books and accounts of all officers and agencies of the Town which are entrusted with the receipt, custody or expenditure of money, including original bills on which money has been or may be paid from the Town treasury, the documentation submitted by the agency requesting payment of any such bills supporting payment, warrants for the payment of bills, and the canceled checks on file in the office of the Treasurer/Collector.
- C. The Town Auditor shall, at least once in every fiscal year verify, or cause to be verified, the cash balance of each such officer and agency by the actual count of the cash on hand and by reconciliation of bank balances. The Town Auditor shall keep the Town Council President fully informed as to the results of this activity and, not less frequently than quarterly, shall make a detailed report summarizing the results of this overview to the Ways and Means Subcommittee of the Town Council. All reports to the full Town Council shall be made through the Ways and Means Subcommittee.
- D. The Town Auditor shall make periodic reports to the Town Council in such detail and with such frequency as the Town Council shall, by Ordinance, by rule or by other vote, direct.
- E. The Town Auditor shall review each request which is made to the Town Council by the Mayor for the transfer of funds or for a supplementary appropriation.
- F. When the proposed Capital Improvement Program is submitted to the Town Council by the Mayor, as required by Charter Section 6-10, the Town Auditor shall review the proposed capital improvement program.
- G. The Town Auditor shall review the annual budget when the same is submitted to the Town Council by the Mayor, as required by Charter Section 6-5.
- H. At the direction of the Town Council, the Town Auditor shall conduct special projects, such as identifying cost components of a particular program, analyzing expenditure trends, and comparing revenue and expenses.

- I. Subject to the provisions of the Conflict of Interest statute, General Laws Chapter 268A, the Town Auditor shall recommend to the Town Council the hiring of an independent audit firm to conduct the annual outside audit of the Town's books and accounts and shall coordinate the conduct of the annual audit by the independent firm. The Town Auditor shall review the total Town cash reconciliation between the Treasurer/Collector and the Town Accountant and the data provided to the Department of Revenue, including all bank accounts, investments and trust funds.
- J. The Town Auditor shall conduct an annual physical inventory of any and all Town-owned assets and reconcile the inventory to Town capital asset records and department procurements documents.
- K. If requested, the Town Auditor shall attend all meetings of the Town Council and the Ways and Means Sub Committee, especially during budget discussions.
- L. The Town Auditor acts as the Town Council liaison with the administration regarding all financial issues (e.g. appropriation requests, expenditures, etc.) to be discussed during Town Council meetings.
- M. The Town Auditor shall review certain data prepared by the Assessor's office including the tax rate, recapitulation, tax levy limitation, tax burden shift worksheets, tax classifications and department of revenue estimated receipts and charges.
- N. The Town Auditor shall appoint and employ such assistants and employees as may be necessary for the proper performance of duties of his/her department, subject to the approval of the Town Council and an available appropriation.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-320 TOWN CLERK BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-320 – TOWN CLERK

(See Charter Section 2-8)

Section 2.320.010 Appointment, Term and Salary

The Town Council shall appoint a Town Clerk to serve for a term of three (3) years and until a successor is chosen and qualified. The salary of the Town Clerk shall be established by the Town Council and incorporated into the Town's wage and salary classification plan at a grade approved by the Town Council.

Section 2.320.0020 Powers and Duties

- A. The Town Clerk shall be the head of the agency known as the Office of the Town Clerk and shall, subject to the approval of the Town Council, appoint an assistant town clerk who shall serve coterminously with the Town Clerk.
- B. The Town Clerk shall be the keeper of vital statistics and all official records for the town; the custodian of the town seal; shall administer the oath of office to all persons, elected or appointed, to any town office; shall issue such licenses and permits as are required by law to be issued by town clerks; and shall supervise and manage the conduct of all elections and all other matters relating to elections.
- C. The office of the Town Clerk is the primary agency responsible for serving the public through the provisions of public records, vital statistics and general information taking great care in preserving and maintaining official records of the Town and making them readily accessible to the public.
- D. The Town Clerk records and preserves original birth, marriage and death records, and is responsible for the maintenance, disposition and preservation of municipal archival records.
- E. The Town Clerk notifies the office of the Mayor whenever the resignation of any official appointed by the Mayor is received, and furnishes copies of the Open Meeting Law, General Laws Chapter 39, §23B, and the Conflict of Interest Law, General Laws Chapter 268A, to all elected and appointed officers upon their election or appointment.
- F. The Town Clerk serves on the Board of Registrars of Voters as Clerk and supervises the registration of voters and the maintenance of street lists and lists of voters.

- G. The Town Clerk supervises the conduct of all elections held in the Town, serves as the Chief Election Officer for all elections, prepares ballots and voting lists for all precincts, hires and trains wardens and precinct workers for the polls, and is responsible for all other Election Day workers.
- H. In accordance with Section 5-7(c) of the Charter, the Town Clerk serves as Chair of the Board of License Commissioners.
- I. The Town Clerk posts meeting notices for all boards, commissions and other governmental bodies subject to General Laws Chapter 39, §23B, and notifies the Town Council of such meetings.
- J. The Town Clerk is the custodian of books, reports, and laws received from the Commonwealth, and custodian of the rules, regulations and minutes of multiple member bodies.
- K. The Town Clerk performs all other duties imposed upon such office by any general or special law or by ordinance.
- L. The Town Clerk keeps the legislative record of the Town Council, and notifies the Director of Municipal Finance of the Town Council votes authorizing appropriations and assessments and notifies the Town Solicitor of all Town Council votes approving or amending a Town Ordinance or policy.
- M. The Town Clerk issues such licenses, certificates and permits as may be provided by law to be issued by town clerks, including those for marriage, birth, death, raffles, bazaars, businesses, and dogs.
- N. The Town Clerk records state and federal tax liens and uniform commercial code filings.
- O. Pursuant to Section 2-9(c) of the Town's Charter, after final passage by the Town Council of every ordinance, appropriation order or loan authorization, the Town Clerk shall post a copy of the final order on a bulletin board within Town Hall, as designated by the Town Clerk, for no less than ten (10) calendar days.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-330 CLERK OF THE COUNCIL BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-330 - CLERK OF THE COUNCIL

(See Charter Section 2-8)

Section 2.330.010 Appointment, Term and Salary

The Town Council shall appoint a Clerk of the Council to serve for a term of 3 years and until a successor is chosen and qualified. The salary of the Clerk of the Council shall be established by the Town Council and incorporated into the Town's wage and salary classification plan at a grade approved by the Town Council.

Section 2.330.020 Powers and duties

- A. The Clerk of the Council shall give notice of Town Council meetings to its members and to the public, keep the journal of its proceedings and perform any other duties that may be provided by ordinance or by other vote of the Town Council.
- B. The Clerk of the Council shall serve as a liaison between all Town agencies and members of the public and the Town Council. The Clerk of the Council attends regular Town Council meetings or meetings as directed by the Council President, supervises the recording of meeting minutes, prepares meeting agenda packages and other material as required, and notifies all applicable parties of actions taken at Town Council meetings.
- C. The Clerk of the Council shall maintain records of all Town Council votes, activities, resolutions, ordinances, changes and proposals, and provide copies of the ordinances enacted during the year for inclusion into the Town's annual report.
- D. The Clerk of the Council is responsible for publishing and posting every proposed ordinance, appropriation order or loan authorization in a local newspaper, on the Town's official website, and in any additional manner as described in Section 2-9 of the Charter. The Clerk of the Council shall include in every publication of a proposed ordinance, appropriation order or loan authorization the following disclaimer: "This document is published for the benefit of the public, solely for purposes of information and to make the public aware of the general nature of certain subject matter the Town Council may consider at a future meeting. This publication is not intended to suggest that the measure will be adopted in this precise form, that it will be adopted with amendments, or that it will be adopted at all. Notwithstanding any amendments which may be made to this proposal by the Town Council it will not be published again before final enactment unless at least three Councilors vote to require such publication before final enactment."
- E. The Clerk of the Council shall record all ordinances in the order in which they are passed to be ordained in a book prepared and kept for that purpose. This book shall be referred to as the "Records of Ordinances of the Town of Braintree" and shall be preserved in the office of the Town Clerk and shall be available for public inspection.

F. The Clerk of the Council shall notify the Mayor, Chief of Staff and Operations, Town Solicitor, Town Auditor, Director of Municipal Finance, and any other Town agency affected thereby, of all orders passed by the Town Council authorizing appropriations, loan authorizations, or ordinances, or directing the Town agency to do or to refrain from doing something, promptly after such orders are passed by the Town Council. The Clerk of the Council shall also file with the Mayor and the Town Solicitor a copy of each ordinance, order or resolution passed by the Town Council.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-400 SCHOOL COMMITTEE BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-400 - SCHOOL COMMITTEE
(See Charter Article 4)

SECTION 2.400.010 Composition of Committee

The School Committee is comprised of seven members. Six of these members shall be nominated and elected by and from the voters of the Town at large. The Mayor shall serve, by virtue of office, as the seventh member of the school committee with all of the same powers and duties as the members elected by the voters as school committee members.

A School Committee member shall at the time of election be a registered voter of the Town. If a School Committee member removes from the Town during the term for which elected, the office shall immediately be considered vacant and filled in the manner provided in the Charter under Section 4-6.

SECTION 2.400.020 Term

The term of office for the six School Committee members elected by the voters shall be for four years each, beginning on the first business day of January in the year following their election, and serving until their successors have been qualified. A vacancy in the office of School Committee shall be filled pursuant to Section 4-6 of the Charter.

SECTION 2.400.030 Powers, In General

The School Committee shall have all powers which are conferred on school committees by general or special laws and any additional powers and duties that may be provided by the Charter, by Ordinance, or otherwise and are not inconsistent with the grant of powers conferred by general laws.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-500 TOWN ACCOUNTANT BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-500 – Town Accountant

(See Charter Sections 5-4 and 9-5 (k))

SECTION 2.500.010 Establishment

There shall be a Town Accountant, who shall be appointed by and work under the direct control and supervision of the Director of Municipal Finance. From time to time, the Director of Municipal Finance may serve as Town Accountant, when designated by the Mayor.

SECTION 2.500.020 Powers and Duties, In General

In addition to the powers and duties conferred upon the Town Accountant by General Law and the Charter, the Town Accountant shall be responsible for the following:

- A. The Town Accountant shall examine the books and accounts of all officers, departments, boards, and committees entrusted with the custody or expenditure of money.
- B. The Town Accountant shall have all of the other powers, duties and responsibilities which are given to Town Accountants by the General Laws, with the exception of the powers of the office which are associated with auditing, including those duties described in Chapter 41, Sections 50, 51, 53, and 54A of the General Laws which powers shall be assigned to the Office of Town Auditor, as established by Section 2-8(a) of the Charter.
- C. The Town Accountant shall be sworn to the faithful performance of his/her duties, shall hold no other Town office involving the receipt or disbursement of money.

- D. The Town Accountant shall maintain proper books of accounts in conformance with Uniform Municipal Accounting Standards. The Town Accountant shall credit each municipal account with the appropriations approved by the Town Council for each fiscal year and shall charge against such accounts any proper and legal expenditures. The Town Account shall maintain said accounts in such form and detail as may be necessary to clearly exhibit all expenditures and receipts of each Town officer, department, board or committee, the name of the person or company to whom such expenditures are paid, and designating the fund or appropriation from which each expenditure is paid.
- E. The Town Accountant shall carefully review all bills, accounts, payrolls, and claims as may be presented to him/her by any Town officer, department, board or committee to insure that they are correctly cast and properly approved and shall endorse each bill, account, payroll or claim, indicating that he/she has examined the same and deemed to be correct and proper. The Town Accountant shall transmit to the Treasurer for payment a schedule of all bills, accounts, payrolls and claims with a warrant for the payment of each.
- F. Whenever any appropriation shall have been expended or whenever it appears that the liabilities incurred against an appropriation may be in excess of the unexpended balance of such appropriation, the Town Accountant shall immediately give notice of such fact to the Director of Municipal Finance and the Mayor, and no further liability against such appropriation shall be incurred until the Town Council shall make provision for the payment of same.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-505 ANIMAL CONTROL OFFICER BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-505 – Animal Control Officer

SECTION 2.505.010 Establishment

There shall be an Animal Control Officer, appointed by the Mayor. When deemed to be in the best interests of the Town, the Animal Control officer may also be a member of the Braintree Police Department and shall work under the direction and control of the Chief of Police.

SECTION 2.505.020 Powers, In General

- A. The Animal Control Officer shall be responsible for the enforcement of all laws relating to dogs, including but not limited to Chapter 140, Sections 136A - 174 of the General Laws and all Ordinances of the Town further regulating animals.
- B. The Animal Control Officer shall have all of the powers of a Field Driver and Pound Keeper, as provided in Chapter 49, Sections 22 to 41 of the General Laws, and the authority to take up stray beasts as provided in Chapter 134 of the General Laws and any other enabling authority relative thereto. The Animal Control Officer shall be responsible for the taking up, confinement, and disposition of wild animals which are disturbing the public peace or providing a threat to public safety.
- C. The Animal Control Officer shall coordinate and cooperate, as necessary, with the various humane societies that are active in Braintree and the surrounding area.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-510 ANIMAL INSPECTOR BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-510 – Animal Inspector

SECTION 2.510.010 Establishment

The Mayor shall, annually, appoint an Animal Inspector, whose name shall be forwarded to the Commonwealth of Massachusetts Director of Animal Health. (See Chapter 129, Section 15 of the General Laws) When deemed to be in the best interests of the Town, the Animal Inspector may also be a Town officer or employee performing related duties.

SECTION 2.510.020 Compensation

The Animal Inspector shall not receive a salary for these services.

SECTION 2.510.030 Powers, In General

The Animal Inspector shall make regular and thorough inspections of all cattle, sheep, swine and other domesticated animals within the limits of the Town, and, if he/she knows or has reason to suspect any are infected with or have been exposed to any contagious disease, he/she may order their quarantine. The Animal Inspector shall have all of the other powers, duties and responsibilities given to Animal Inspectors by Chapter 129, Sections 15-25 of the General Laws.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-515 DEPUTY ASSESSOR BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-515 – Deputy Assessor

SECTION 2.515.010 Establishment

There shall be a Deputy Assessor, appointed by the Director of Municipal Finance, with the consent of the Mayor. (See Charter Section 5-4)

SECTION 2.515.020 Powers and Duties, In General

- A. The Deputy Assessor shall cause to be appraised real and personal property in the Town, perform field measurements and inspections of residential and commercial buildings, including new buildings, additions, major alterations, demolition and partial construction.
- B. The Deputy Assessor shall cause to be inspected land and land changes resulting from map changes, deed transfers and subdivision changes, and using appropriate appraisal techniques, make estimates of market value of said properties.
- C. The Deputy Assessor shall keep apprised of all deed transfers, check deeds for change of ownership, and adjust Town property records to reflect such transfers
- D. The Deputy Assessor shall maintain records on permanent properties including collected data and calculated cost with depreciation, current market and assessed valuation considered.
- E. The Deputy Assessor shall keep a record of abatements as granted by the Board of Assessors and prepare all certificates of abatement to be transmitted to the Town Treasurer/Collector, or person performing similar functions.
- F. The Deputy Assessor shall manage the day-to-day activities and personnel of the Assessors' office.
- G. The Deputy Assessor shall mail a letter along with appropriate forms to all commercial property owners by March 1st of each year requesting income and expense information of the property owner.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-520 INSPECTOR OF BUILDINGS BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-520 – Inspector of Buildings and Local Inspectors

(See Charter Section 4-7 and Chapter 143, Section 3 of General Laws)

SECTION 2.520.010 Establishment

There shall be an Inspector of Buildings, who shall be appointed by Director of Municipal Licenses and Inspections, with the consent of the Mayor, and work under the direct control and supervision of the Director of Municipal Licenses and Inspections. Or, or if the Mayor so specifies, the Director of Municipal Licenses and Inspections shall perform the duties of the Inspector of Buildings. The Director of Municipal Licenses and Inspections may also appoint local inspectors as deemed necessary, with the approval of the Mayor.

SECTION 2.520.020 Powers and Duties, In General

- A. The Inspector of Buildings shall keep a record of the business conducted by the Town's building division, submit to the Mayor a yearly report of such business, ascertain all facts and make all returns which shall be required by law.
- B. The Inspector of Buildings and any local inspectors hired to assist the Inspector of Buildings shall administer and enforce the State Building Code, Chapter 22, Section 13A of the General Laws, as well as the rules and regulations made there under pertaining to accessible design standards, and the Town's Zoning Ordinances.
- C. Pursuant to Chapter 40A, Section 7 of the General Laws and the Town's Zoning Ordinances, the Inspector of Buildings shall serve as the Town's Zoning Enforcement Officer.
- D. The Town Clerk shall annually, not later than April first, transmit to the state Board of Building Regulations and Standards, in writing, the name and official address of each inspector of buildings and each local inspector in the Town.
- E. Every inspector of buildings or local inspector shall be certified by the Board of Building Regulations and Standards in accordance with regulations promulgated by said board.
- F. The Inspector of Buildings and local inspector shall enter upon the premises wherein any fire has occurred, if necessary, to determine whether the structure is sound.
- G. The Inspector of Buildings and local inspectors shall supervise the construction of all buildings erected by the Town, including any repairs and alterations to any building under the care and custody of the Town, to insure the project complies with plans and specifications, unless the Mayor shall designate an independent construction supervisor for a specific project.

- H. In consultation with the Town Solicitor, the Inspector of Buildings shall have the authority to issue citations and prosecute violations of the Town's Zoning Ordinances, violations under Chapter 40A of the General Laws, and violations under the State Building Code.
- I. The Inspector of Buildings shall keep or cause to be kept a complete record of the acts and business of the Department, including a full and accurate account of all receipts collected and expenditures, which shall at all times be subject to inspection by the Mayor, Director of Municipal Finance and Auditor.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-530 DIRECTOR OF FACILITIES AND EQUIPMENT BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-530 - Director of Facilities and Equipment

SECTION 2.530.010 Establishment

There shall be a Director of Facilities and Equipment, who shall be appointed by the Director of Public Works, with the consent of the Mayor.

SECTION 2.530.020 Powers and Duties, In General

- A. The Director of Facilities and Equipment shall oversee all maintenance and internal construction, repairs and renovations undertaken by the Town on all buildings under the care and custody of the Town, including maintenance, repairs and renovations to the electrical, security, plumbing, heating, and air conditioning systems of any Town building, as well as external components of said buildings, including but not limited to, sidewalks, walkways, ramps, parking lots, and entrances.
- B. The Director shall direct, supervise and assign all custodians and caretakers of Town buildings relative to the daily care and maintenance of such buildings and the preparations and cleaning of rooms within the buildings before and after meetings and elections.
- C. The Director shall regularly inspect and keep himself acquainted with the condition of each building under the care and custody of the Town, shall employ suitable mechanics and specialists to make alterations and repairs when necessary and when authorized by the Mayor, and shall render such other service in relation to such buildings as shall properly belong to his/her office.

- D. Through the Director of Public Works, the Director shall provide an annual report to the Mayor on the condition and capital needs of all Town buildings and Town equipment.
- E. The Director shall oversee all maintenance and repairs of all Town equipment, including motor vehicles, special or heavy motor equipment, and other similar equipment undertaken by the Town on all equipment owned by the Town.
- F. The Director shall direct, supervise and assign all mechanics relative to the care and maintenance of all Town equipment.
- G. The Director or his/her designee shall insure that each Town building is properly secured, locked, or alarmed each night and weekend.
- H. The Director shall, subject to the approval of the Mayor and any applicable collective bargaining agreement, make reasonable rules and regulations relative to the duties of the custodians and caretakers as convenience or necessity may require.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-550 FENCE VIEWER BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-550 – Fence Viewers

SECTION 2.550.010 Establishment, Term of Office

The Mayor shall, annually, appoint two or more Fence Viewers, who shall serve an indefinite term or the Mayor may assign duties to the Inspector of Buildings.

SECTION 2.510.020 Compensation

The Fence Viewer shall not receive a salary for these services.

SECTION 2.550.030 Powers and Duties, In General

The Fence Viewers shall be responsible for the enforcement of General Laws Chapter 49 relative to the erection and maintenance of partition fences.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-560 FIRE CHIEF AND FIRE DEPARTMENT BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-560 Fire Chief and Fire Department

SECTION 2.560.010 Establishment

The Fire Department shall consist of the Chief and as many deputy chiefs, captains, lieutenants and firefighters as are deemed necessary by the Mayor, after consulting with the Fire Chief. The Mayor shall appoint the Fire Chief, and all other firefighters, lieutenants and captains shall be appointed by the Fire Chief with the consent of the Mayor.

SECTION 2.560.020 Powers and Duties, In General

- A. The Fire Chief shall have full charge of extinguishing fires and the protection of life and property in case of fire. The Chief shall have absolute command over all members of the Fire Department and of other persons present at a fire.
- B. The Fire Chief shall be in immediate control of all Town property used by the Fire Department in extinguishing fires and shall direct and supervise all firefighters and subordinates.
- C. Except as otherwise limited by the Charter and this Ordinance, the Fire Chief shall oversee the administration of the Fire Department and shall, subject to the approval of the Mayor, make all rules and regulations for its operation.
- D. The Fire Chief shall be responsible for the discipline and proper conduct of the firefighters and officers of the Fire Department and shall be in control of the several fire stations and apparatus.
- E. The Fire Chief shall annually submit to the Mayor a detailed report of the condition of the Fire Department, including its stations and apparatus. The report shall include detail of all fires, losses and accidents by fires, noting the determined causes of each fire, if such cause can be ascertained, a description of the buildings and other property damaged or destroyed by fire, the status of insurance coverage, and the names of the property owners.
- F. The Fire Chief shall have full charge of the operation of the fire alarm signal system and shall assign such members of the Fire Department to test, monitor and oversee the system.
- G. No fire apparatus shall be taken out of the Town without the permission of the Fire Chief or his/her designee, except pursuant to an existing mutual aid agreement or for repairs of the apparatus.
- H. Subject to the approval of the Mayor, the Fire Chief shall set fees for all licenses, permits, and inspections to be procured from or conducted by the Fire Department. All fees established by the Fire Chief shall be consistent with state law.

- I. Any fees or regulations established by the Fire Chief pursuant to this Ordinance shall be posted on a bulletin board at each fire station, on a bulletin board at Town Hall, on the Town's official website, and shall be published once in a newspaper in general circulation within the Town.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-570 HARBORMASTER BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-570 - Harbormaster

SECTION 2.570.010 Establishment

The Mayor shall appoint a Harbormaster and any Assistant Harbormasters as the Mayor deems necessary. (See G.L. Chapter 102, Section 19) When deemed to be in the best interests of the Town, the Harbormaster or Assistant Harbormaster may also be a Town officer or employee performing related duties.

SECTION 2.570.020 Compensation

The Harbormaster and any Assistant Harbormasters shall serve without compensation, but, subject to appropriation and the approval of the Mayor, they shall be eligible for reimbursement for their actual and necessary expenses incurred in the performance of their duties.

SECTION 2.570.030 Powers and Duties, In General

- A. The Harbormaster shall be responsible for the operation and permitting of all vessels and the location of all moorings in the harbor in conformity with sections of Chapter 102, Sections 17-28 of the General Laws and all Town Ordinances adopted in relation to the harbor.
- B. The Harbormaster may, subject to the approval of the Mayor, make set fees and make reasonable rules and regulations regarding the operation and permitting of vessels in the harbor. Any fees or regulations established by the Harbormaster pursuant to this Ordinance shall be posted on a bulletin board at Town Hall, on the Town's official website, and shall be published once in a newspaper in general circulation within the Town.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-575 DIRECTOR OF PUBLIC HEALTH BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-575 – Director of Public Health

SECTION 2.575.010 Establishment

Unless some other provision is made by the Charter, by Ordinance or through a reorganization plan filed by the Mayor, there shall be a Director of Public Health, who shall be appointed by the Board of Health, pursuant to Chapter 111, Section 27 of the General Laws. Pursuant to the Reorganization Plan filed by the Mayor on May 1, 2008, the powers and duties of the Director of Public Health are consolidated with and performed by the Director of Municipal Licenses and Inspections, who shall be appointed by the Mayor for an indefinite term.

SECTION 2.575.020 Powers and Duties, In General

- A. The Director of Public Health shall be responsible for the performance of all public health related functions and activities of the Town and shall coordinate the local public health program with programs conducted by the Commonwealth and with others municipalities.
- B. The Director of Public Health shall be responsible for the enforcement within the Town of all state laws and regulations pertaining to public health and Town Ordinances, rules and regulations affecting the public health.
- C. The Director of Public Health shall carry out all of the other powers, duties and responsibilities which are assigned Boards of Health under Chapter 111 of the General Laws.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-585 INSPECTOR OF GAS PIPING AND GAS APPLIANCES BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-585 – Inspector of Gas Piping and Gas Appliances

SECTION 2.585.010 Establishment

With the consent of the Mayor, the Director of Municipal Licenses and Inspections shall appoint an Inspector of Gas Piping and Gas Appliances who shall be a licensed plumber or a licensed gas fitter. (See Chapter 143, Section 30 of the General Laws)

SECTION 2.585.020 Powers and Duties, In General

- A. The Inspector of Gas Piping and Appliances shall have all of the powers, duties and responsibilities as are given such inspectors by Chapter 143, Section 30 of the General Laws.
- B. The Inspector of Gas Piping and Appliances shall be responsible for the enforcement of the rules and regulations for gas piping and gas appliances pursuant to the State Plumbing Code, the State Building Code, and any regulations adopted by the Department of Public Safety.
- C. The Inspector of Gas Piping and Gas Appliances shall issue permits for the installation of containers of liquefied petroleum gas, and he/she shall inspect such installation and the regulating equipment used in connection therewith. The Inspector shall notify the Fire Chief of each permit so issued and the location of each container of liquefied petroleum gas installed thereunder.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-590 LIBRARY DIRECTOR BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-590 – Library Director

SECTION 2.590.010 Establishment

There shall be a Library Director appointed by the Thayer Public Library Board of Trustees.

SECTION 2.590.020 Powers and Duties, In General

- A. The Library Director shall be in full charge of the public library and any of its branches as may from time to time be established.
- B. The Library Director shall oversee the daily operations of the library and shall direct and supervise all personnel assigned to the library.
- C. The Library Director shall oversee the purchase or other acquisition of all books, periodicals, art objects and every other item or thing contained in the library collection.
- D. The Library Director shall be responsible for the care and custody of all library facilities and shall procure all equipment for the library operations.

- E. The Library Director shall prepare and monitor an annual budget for the public library.
- F. The Library Director shall take all actions necessary and shall advise the Board of Library Trustees of any action required to insure that the library maintain its certification from the State Board of Library Commissioners

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan
NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan
ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-595 PARKING CLERK BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-595 - Parking Clerk

SECTION 2.595.010 Establishment

The Mayor shall designate or appoint a Parking Clerk, pursuant to Chapter 90, Section 20A of the General Laws, who shall report to and serve under the direction of the Director of Municipal Finance. The Treasurer/Collector may serve as the Parking Clerk, as specified by the Mayor.

SECTION 2.595.020 Powers and Duties, In General

The Parking Clerk shall supervise, coordinate the processing of parking notices in the Town, hear appeals from parking violations, and exercise any duties specified by Chapter 90, Sections 20A-E of the General Laws.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan
NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan
ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-600 INSPECTOR OF PLUMBING BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-600 - Inspector of Plumbing

SECTION 2.600.010 Establishment

With the consent of the Mayor, the Director of Municipal Licenses and Inspections shall appoint an Inspector of Plumbing, who shall be a practical plumber and shall have had practical experience either as master or journeymen plumber. The Director of Municipal Licenses and Inspections may appoint a plumbing inspector who shall also be and serve as Inspector of Gas Piping and Gas Appliances, if so qualified.

SECTION 2.600.020 Powers and Duties, In General

- A. The Plumbing Inspector shall be responsible for the enforcement of all rules and regulations regarding the installation, alteration and repair of all plumbing in the Town.
- B. The Plumbing Inspector, or Plumbing Inspector serving as the Gas Fitting Inspector, shall inspect all plumbing or gas fitting, as the case may be, in the process of construction, alteration or repair for which permits are granted within the Towns, and shall report to the Director of Municipal Licenses and Inspections all violations of any law, ordinance, by-law, rule or regulation relative to plumbing or gas fitting.
- C. The Plumbing Inspector or Inspector of Gas Fittings shall not engage or work at the business of plumbing or gas fitting; provided, however such an inspector may perform the work of a journeyman plumber or gas fitter outside the area over which he/she exercises jurisdiction as an inspector.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-610 POLICE CHIEF AND POLICE DEPARTMENT BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-610 - Police Chief and Police Department

SECTION 2.610.010 Establishment

The Mayor shall appoint a Chief of Police and all sworn personnel of the Police Department, subject to the Civil Service Law and Rules.

SECTION 2.610.020 Powers and Duties, In General

- A. The Chief of police shall exercise all powers and duties conferred upon such office by General Laws Chapter 41, Section 97A.
- B. The Chief of Police shall be in immediate control of all Town property used by the Department, and of the Police Officers, whom he/she shall assign to their respective duties and who shall obey his/her orders.
- C. The Police Department shall have full charge of keeping the peace and the enforcement of all laws within the Town.
- D. The Chief of Police in any such town shall from time to time make suitable regulations governing the police department, and the officers thereof, subject to the approval of the Mayor; provided, that such regulations shall become effective without such approval upon the failure of the Mayor to take action thereon within thirty days after they have been submitted to him/her by the Chief of Police.
- E. The Chief of Police shall be responsible for the enforcement of all laws and Town Ordinances and to receive complaints regarding the enforcement of same. The Chief of Police shall cause proceedings to be instituted for the prosecution of all such violations of law or ordinance.
- F. The Chief of Police and police officers shall report immediately to the Director of Public Works any defects or obstructions in any streets, ways, square, or public grounds of the City which they may discover or which are reported to them.
- G. The Chief of Police and police officers shall report immediately to the proper department director or board all nuisance, obstructions, sources of filth or danger and causes of sickness which they may discover or which are reported to them.

- H. The Chief of Police shall keep or cause to be kept a complete record of the acts and business of the Police Department, including a full and accurate account of all receipts collected and expenditures, which shall at all times be subject to inspection by the Mayor, Director of Municipal Finance and Auditor.
- I. The Chief of Police shall keep or cause to be kept a complete record of each arrest, incident report and shall be responsible for the records of all prisoners.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-615 PURCHASING AGENT BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-615 - Purchasing Agent

SECTION 2.615.010 Establishment

The Mayor may appoint a Purchasing Agent, pursuant to General Laws Chapter 41, Section 103. The Purchasing Agent shall also serve as the Chief Procurement Officer for the Town. The Director of Municipal Finance may perform the duties of the Purchasing Agent, as directed by the Mayor.

SECTION 2.615.020 Power and Duties, In General

The Purchasing Agent shall purchase all supplies for the Town and for every department, except in the case of an emergency, in which case, the department may procure the necessary services of supplies, as approved by the Mayor. The Purchasing Agent shall insure that all purchases for goods, services, materials, equipment, designers, construction, and public works projects comply with the provisions of General Law Chapters 7, 30, 30B, and 149, as applicable. The Purchasing Agent shall maintain a record of each bid, solicitation, contract and invoice.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-620 SEALER OF WEIGHTS AND MEASURES BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-620 - Sealer of Weights and Measures

SECTION 2.620.010 Establishment

The Director of Municipal Licenses and Inspections may, with the consent of the Mayor, appoint a Sealer of Weights and Measures, pursuant to Chapter 98, Section 34 of the General Laws.

SECTION 2.620.020 Powers and Duties, In General

- A. The Sealer of Weights and Measures shall test, adjust and seal all devices used for the weighing and measuring of commodities and shall be responsible for the enforcement of all laws relating to weights and measures.
- B. The Sealer of Weights and Measures shall enforce the law pertaining to weighing and measuring devices and to the giving of false or insufficient weight or measure.
- C. The Sealer of Weights and Measures shall be certified by the Division of Standards within one year after assuming this position and shall participate in continuing education programs relative to these duties.
- D. The Sealer of Weights and Measures shall collect the fees and charges which he/she is allowed to receive for services rendered and shall forthwith pay over to the Treasurer/Collector all sums so received.
- E. At the time of sealing, the Sealer of Weights and Measures shall furnish the owner of the articles sealed, a certificate signed by him, stating the name and address of the owner of the article so sealed, the date when sealed and the amount of fee collected.
- F. The Sealer of Weights and Measures shall keep a detailed record of all work performed, all official services rendered, and all money and fees collected or expended by him.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-630 TREASURER/COLLECTOR BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-630 – Treasurer/Collector

SECTION 2.630.010 Establishment

There shall be a Treasurer/Collector appointed by the Director of Municipal Finance, with the consent of the Mayor.

SECTION 2.630.020 Powers and Duties, In General

- A. The Treasurer/Collector shall have all the powers, perform the duties and be subject to the liabilities and penalties now or hereafter conferred or imposed by law on Town Treasurers and Collectors.
- B. The Treasurer/Collector shall furnish a bond annually for the faithful performance of his/her duties in a form approved by the Commissioner of Revenue and in such sum, not less than the amount established by said commissioner, as shall be fixed by the Mayor. The bond required shall cover the duties of the Treasurer/Collector with respect to trust funds and funds of retirement systems which are in his/her custody by virtue of his/her office, and any such funds, for the purposes of said bond, shall be deemed to be public funds.
- C. The Treasurer/Collector shall receive and take charge of all money belonging to the Town, and pay over and account for the same according to the order of the Town or of its authorized officers. The Treasurer/Collector shall have the authority given to an auditor by section fifty-one, and shall annually render a true account of all his/her receipts and disbursements and a report of his/her official acts.
- D. The Treasurer/Collector shall keep cash balances of all accounts, funds, and money belonging to or held by the Town in trust or otherwise, on deposit in a bank, and such balances shall be deposited at interest so far as is consistent with financial safety. The Treasurer-Collector shall solicit bids for the deposit of Town funds for any period but shall not be required to accept any bid submitted.
- E. The Treasurer/Collector shall cause all books, vouchers, papers, and documents under his/her care and belonging to the Town to be deposited and kept in a fireproof vault or safe.
- F. The Treasurer/Collector shall receive and have care and custody of all funds and moneys of the Town, which are not otherwise provided for by law or ordinance, and also of all other funds, securities and property which are committed to his/her charge by virtue of law, ordinance, gift, devise, bequest, or deposit.

- G. The Treasurer/Collector shall keep true and accurate accounts of all receipts and expenditures, such accounts to conform to uniform system of accounting, as approved by the Department of Revenue.
- H. The Treasurer/Collector shall pay all drafts, orders and warrants directed to him/her in accordance with the provisions of these Ordinances and any statute for the payments of bills, accounts, and claims against the Town, and shall, on presentation pay any sum of money due.
- I. The Treasurer/Collector shall collect and receive all rents and assessments due the Town, and all bills, claims, accounts and other demands against all persons indebted to the Town, when such bills, claims, accounts and other demands are delivered to him/her for collection. For the purpose of such collection, the Treasurer/Collector is authorized to bring suit in the name of the Town.
- J. The Treasurer/Collector shall immediately upon completion and delivery of the tax lists by the Assessors, proceed to issue tax bills to all persons assessed to be mailed to the persons assessed, as required by statute.
- K. For all taxes remaining unpaid on the day they are required to be paid, the Treasurer/Collector shall issue to the person owing such taxes a demand for the payment of same. If such tax remains unpaid at the expiration of time required in the demand notice, the Treasurer/Collector shall proceed to collect the tax, together with the interest and charge for the service of the demand, in the manner provided by statute.
- L. Notwithstanding any other provisions of any general or special law, the Treasurer/Collector shall collect all accounts due to the Town, including but not limited to Water and Sewer fees, Trash Collection fees, but excluding any amounts due to the Braintree Electric Light Department.
- M. The Treasurer/Collector shall have all the powers relative to the collection of said amounts due as may be conferred by general law, including the remedies provided by General Laws Chapter 60, Sections 35, 36, and 93.

SECTION 2.630.030 Assistant Treasurer/Collector

The Treasurer/Collector shall, with the approval of the Director of Municipal Finance, appoint an Assistant Treasurer/Collector, who shall assist the Treasurer/Collector in the performance of his/her duties and who shall perform all of the duties of the Treasurer/Collector in his/her absence. The Assistant Treasurer/Collector shall be sworn to the faithful performance of office and shall give a bond to the Town in a sum as set by the Mayor.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-635 TREE WARDEN BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-635 - Tree Warden

SECTION 2.635.010 Establishment

The Director of Public Works, or his/her designee, shall perform the duties of Tree Warden.

SECTION 2.635.020 Powers and Duties, In General

- A. The Tree Warden shall have the care and control of all public shade trees, shrubs and growths in the Town, except those within a state highway. The Tree Warden shall enforce all provisions of law relative to the protection and preservation of shade trees, pursuant to Chapter 87 of the General Laws.
- B. The Tree Warden may make such rules and regulations, not inconsistent with statute, relative to the preservation and protection of public shade trees, shrubs and growths in the Town, subject to the approval of the Mayor and Director of Public Works, as may be deemed necessary ad expedient.
- C. The Tree Warden shall enforce all provisions of these Ordinances, statutes and regulations pertaining to public shade trees, shrubs and growths in the Town, and prosecute violations thereof in the name of the Town.
- D. The Tree Warden shall keep accurate and complete accounts of all official acts, receipts, and expenditures.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-640 VETERANS'S SERVICES DIRECTOR BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-640 –Veteran's Services Director

SECTION 2.640.010 Establishment

There shall be a Veteran's Services Director, who shall be appointed by the Mayor, pursuant to Chapter 115, Section 10 of the General Laws, and work under the general direction of the Human Resources Director.

SECTION 2.640.020 Powers and Duties, In General

- A. The Veteran's Services Director shall furnish information, advice and assistance to veterans relative to employment, vocational, education, hospitalization, medical care, pensions and other benefits to which they are or may be entitled.
- B. The Veterans Services Director shall also serve as the burial agent and graves officer, who shall be responsible to see that every veteran's grave is suitably kept and cared for, in accordance with Chapter 115, Section 9.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-645 WIRE INSPECTOR BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-645 – Wire Inspector

SECTION 2.645.010 Establishment

The Director of Municipal Licenses and Inspections shall, with the consent of the Mayor, appoint an Inspector of Wires Inspector, pursuant to Chapter 166, Section 32 of the General Laws. Said inspector shall be a licensed electrician.

SECTION 2.645.020 Powers and Duties, In General

- A. The Wire Inspector shall supervise every wire over or under streets or buildings in the Town and every wire within or supplied from buildings and structures subject to the provisions of Chapter 143 and the State Building Code, except wires within a manufactured building or building component as defined in the State Building Code and inspected in accordance with rules and regulations promulgated by the Building Code Commission.

- B. The Wire Inspector shall notify the person owning or operating any such wire whenever its attachments, insulation, supports or appliances are improper or unsafe, or whenever the tags or marks thereof are insufficient or illegible, shall remove every wire not tagged or marked as hereinbefore required, and shall see that all laws and regulations relative to wires are strictly enforced.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-700 OTHER MULTIPLE MEMBER BODIES PARKING CLERK BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-700 - Other Multiple Member Bodies

SECTION 2.700.010 Standard Provisions for Other Officials and Multiple Member Bodies

- A. Standing Multiple Member Bodies – This Chapter describes all current standing multiple member bodies of the Town. The Town Council may establish additional standing multiple member bodies of the Town, upon the request of the Mayor, by the enactment of an Ordinance amending this chapter and creating said standing multiple member body. All Ordinances establishing standing multiple member bodies shall specify the following: membership, term of office, appointing authorities and responsibilities.

- B. Committees of the Town Council - The Town Council may from time to time, by vote, establish advisory multiple member bodies to assist it in carrying out its legislative responsibilities. Whenever the Town Council establishes such a committee it shall, in writing, advise the Mayor it has done so, including in such notice the names and addresses of the persons appointed.

- C. Committees of the Mayor - The Mayor may from time to time establish advisory multiple member bodies to assist the office of the Mayor in carrying out its executive and administrative responsibilities. Whenever the Mayor establishes such a committee the office of the Mayor shall, in writing, advise the Town Council it has done so, including in such notice the names and residence addresses of the persons appointed for such action as the Town Council deems necessary or advisable in accordance with Charter Section 2-10.
- D. Town Residency Required – Unless some other provision is made in a general or special law, by Charter, or by Ordinance, all members of multiple members bodies shall at all times be residents of the Town of Braintree, provided however, non-residents who hold a Town office or Town employment may serve as a member of a multiple member body as a representative of the Town office or Town employment held. Any person who during the term of office as a member of a multiple member body removes from the Town and becomes a resident of another municipality shall be deemed to have resigned as a member of the multiple member body.
- E. Limitations of Authority – Unless some other provision is made in this Ordinance, no multiple member body shall have any power or authority over any of the day to day activities of the agency or department within which they serve but shall be advisory only.
- F. Compensation – Unless some other provision is made in this Ordinance, all members of multiple member bodies shall serve without compensation. Subject to appropriation and to prior authorization by their appointing authority, members of multiple member bodies may be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

SECTION 2.700.020 Organization of Multiple Member Bodies

- A. Except as otherwise provided by these Ordinances, as soon as possible following the first day of business in each January, each multiple member body shall elect from its membership, a chair, vice-chair and clerk. Multiple member bodies may further elect a treasurer, and such other officer or officers as are deemed necessary or as may be required by statute. Each multiple member body shall, forthwith following its annual organization and election of officers, file a report in the office of the Town Clerk on a form approved by the Town Clerk.
- B. The chair shall preside over all meetings of the multiple member body and shall be its official representative in all proceedings before the Town Council, with the Mayor, with other officials of the Town and with the public. The vice-chair shall perform the chair's functions, in the absence of the chair.
- C. The clerk shall be responsible for the certification of the minutes of the meetings of the multiple member body, observance of the public records law, the Open Meeting Law, and maintenance of other records of the multiple member body. In addition to the records required to be kept by Chapter 66, Section 5A of the General Laws, the clerk shall, quarterly, prepare a statistical summary of the attendance record of each member of the multiple member body, a copy of which shall be filed with the Town Clerk and a copy of which shall be filed with the Mayor.

SECTION 2.700.030 Time and Place of Meetings

The clerk of each multiple member body shall be responsible for notifying the Town Clerk and the Mayor of the regularly scheduled meetings and all special meetings. The notification shall also include the location where each meeting will be held. The Clerk shall also file a notice of the time and place of each meeting with the Town Clerk, who shall ensure posting of all meeting schedules, consistent with the Open Meeting Law.

SECTION 2.700.040 Authority to Establish Subcommittees

Each multiple member body may, by a majority vote of its membership, establish a subcommittee for the purpose of addressing a particular issue or issues. A report of the activities of any such subcommittee shall regularly be made to the full multiple member body. Each subcommittee so established shall observe laws relevant to the keeping of public records, the Open Meeting Law, and any other laws as prescribed by the Charter, by ordinance or by state law.

SECTION 2.700.050 Filing of Minutes

Copies of the minutes of all meetings of all multiple member bodies shall be filed with the Town Clerk. The minutes of all executive sessions of multiple member bodies shall be filed with the Town Clerk as soon as possible following the date the minutes of those meetings have been made public. This filing of minutes of meetings with the Town Clerk is for the convenience of the public. Such filing shall not be construed to be the official records of the multiple member body. The official records shall continue to be maintained in the custody of the person designated pursuant to Chapter 66, Section 6 of the General Laws.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-705 ZONING BOARD OF APPEALS BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-705 - Zoning Board of Appeals

Section 2.705.010 Establishment

The Mayor shall appoint, subject to the review of the Town Council, three regular voting members and two associate members to the Zoning Board of Appeals. The Mayor shall strive to appoint a suitable mix of professional experience or educational background compatible with fulfilling the role of the Zoning Board of Appeals.

Section 2.705.020 Term of Office

The term of office for members of the Zoning Board of Appeals shall be indefinite.

Section 2.705.030 Powers, In General

- A. The Zoning Board of Appeals shall hear and decide petitions brought by persons seeking relief from the Town's Zoning Ordinances and from relevant provisions of Chapter 40A of the General Laws.
- B. The Zoning Board of Appeals shall hear and decide all applications for comprehensive permits, pursuant to Chapter 40B of the General Laws.
- C. The Zoning Board of Appeals shall act as the permit granting authority pursuant to the Town's Zoning Ordinances, and as a special permit granting authority, if the Zoning Ordinances so provide.
- D. The Zoning Board of Appeals may adopt policies and procedures relative to the conduct of hearings and its administration of Chapter 40B of the General Laws.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-710 BOARD OF ASSESSORS BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-710 – Board of Assessors

Section 2.710.010 Establishment

There shall be a Board of Assessors which shall consist of three members, all of whom shall be appointed by the Mayor, subject to the review of the Town Council. The Mayor shall designate one member to serve as the Chair of the Board, and the members shall elect a Vice-Chair and Clerk.

Section 2.710.020 Term of Office

The term of office for the Board of Assessors shall be indefinite.

Section 2.710.020 Compensation

The Board of Assessors shall receive an annual salary, which shall be paid in monthly installments. The annual salaries are as follows:

- A. Chairman \$3,500.00
- B. Remaining Members \$2,500.00

Section 2.710.040 Powers, In General

- A. The Board of Assessors shall, annually and in accordance with the General Laws and the recommendations of the Department of Revenue, make a fair cash valuation of all of the estate, both real and personal, subject to taxation within the Town.
- B. The Board of Assessors shall, annually, provide to the Mayor and Town Council its recommendations regarding the percentage of the local tax levy to be borne by each class of property.
- C. The Board of Assessors shall annually determine the annual tax rate necessary to meet all sums voted by the Town.
- D. The Board of Assessors shall hear and decide all questions relating to the abatement of taxes levied by it.
- E. The Board of Assessors shall have all of the other powers, duties and responsibilities given to Boards of Assessors by Chapter 59 of the General Laws.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-720 CONSERVATION COMMITTEE BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-720 - Conservation Commission

Section 2.720.010 Establishment

The Mayor shall appoint a Conservation Commission, consisting of at least five but not more than seven members, who shall exercise the powers provided in Chapter 40, Section 8C of the General Laws. The Mayor shall designate one member to serve as the Chair of the Commission, and the members shall select a Vice-Chair and Clerk.

Section 2.720.020 Term of Office

The members of the Conservation Commission shall serve an indefinite term.

Section 2.720.030 Powers, In General

- A. The Conservation Commission is established to protect, promote and enhance the quantity and quality of the natural resources within the Town, especially wetlands, wildlife and water resources; through planning, acquisition, land management, regulation, scientific research and public education. The Conservation Commission may conduct research into its local land areas and shall seek to coordinate the activities of unofficial bodies organized for similar purposes.
- B. The Commission may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its work. Among such plans may be a conservation and passive outdoor recreation plan which shall be, as far as possible, consistent with the Town master plan and with any regional plans relating to the area.
- C. The Conservation Commission is responsible for the application of the Town's Wetlands Ordinance and the provisions of Chapter 131, Section 40 of the General Laws in protecting flood plains, water bodies and other wetlands within the Town, and other Ordinances and Regulations as directed.
- D. The Conservation Commission may adopt policies and promulgate land management plans for properties of the Town held for conservation purposes. Such land management plans shall attempt to integrate certain active and passive public uses while protecting natural resources.
- E. The Conservation Commission may receive gifts, bequests or devises of personal property or interests in real property in the name of the Town, subject to approval of the Mayor.

- F. The Conservation Commission may receive monetary gifts for development of a conservation fund, and expend the same, subject to the General Laws and the approval of the Mayor.
- G. The Conservation Commission, as a division of the Department of Planning and Community Development shall receive staff support from the department and coordinate activities with the Director of Planning and Community Development.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan
 NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan
 ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-725 CONTRIBUTORY RETIREMENT BOARD BE ESTABLISHED WITH THE TOWN’S MUNICIPAL CODE.

Chapter 2-725 - Contributory Retirement Board

Section 2.725.010 Establishment

There shall be a Contributory Retirement Board which shall consist of five members. Two members shall be appointed by the Mayor, two members shall be elected by the members in or retired from service of such system from among their number, and the fifth member, who shall not be an employee or retiree or official of the Town shall be chosen by the other members.

Section 2.725.020 Term of Office

Pursuant to Chapter 32, Section 20 of the General Laws, the terms of all members shall be for three (3) years.

Section 2.725.030 Powers, In General

The Contributory Retirement Board shall have the powers and duties provided in Chapter 32 of the General Laws relative to municipal retirement boards and shall be responsible for the management of the retirement system for the Town, subject to the requirements of Chapter 32 and to the oversight of the Commissioner of Public Employee Retirement.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan
 NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan
 ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-730 COMMISSION ON DISABILITIES BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-730 Commission on Disabilities

SECTION 2.730.010 Establishment

There shall be a Commission on Disabilities, consisting of at least five and no more than nine members, all of whom are appointed by the Mayor. A majority of the persons appointed shall consist of persons with disabilities, one member shall be a member of the immediate family of a person with a disability, and one member shall be either an elected or appointed official of the Town.

SECTION 2.730.020 Term of Office

The members of the Commission on Disabilities shall serve an indefinite term.

SECTION 2.730.030 Powers, in General

- A. The Commission shall support actions to cause the full integration and participation of people with disabilities in the Town.
- B. The Commission shall research local problems of people with disabilities; advise and assist municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities; coordinate or carry out programs designed to meet the problems of people with disabilities in coordination with programs of the Massachusetts office on disability; review and make recommendations about policies, procedures, services, activities and facilities of departments, boards and agencies of said city or town as they affect people with disabilities; provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability; coordinate activities of other local groups organized for similar purposes.
- C. The Commission may review and offer recommendations about policies, procedures, services, activities and facilities of departments and boards of the Town as they affect people with disabilities.
- D. The Commission shall provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability, and coordinate the activities of other local groups organized for similar purposes.
- E. The Commission may draft rules and regulations concerning disability issues and needs, which shall be submitted to the Mayor for consideration.

F. The commission may receive gifts of property, both real and personal, in the name of the Town, subject to the approval of the Mayor and Town Council, such gifts to be managed and controlled by said Commission for the purposes of this section.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-735 COUNCIL ON ELDER AFFAIRS BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-735 - Council on Elder Affairs

(See Charter Section 5-8 and former By-Law Chapter 2.44)

SECTION 2.735.010 Department Established

There shall be a Council on Elder Affairs which shall coordinate and carry out programs designed to meet the needs of the Town's elderly and aging population in cooperation with programs of the Department of Elder Affairs established under the provisions of Chapter 6, Section 73 of the General Laws.

SECTION 2.735.020 Appointment of Director

The Mayor shall appoint a Director of Elder Affairs, who shall serve an indefinite term and shall act as a liaison between the Mayor and the Council on Elder Affairs.

SECTION 2.735.030 Powers and Duties of Director

The Director of Elder Affairs shall recommend, oversee, coordinate, and carry out educational and social programs designed to meet the needs of the Town's elderly residents, consistent with programs established by the State Department of Elder Affairs.

SECTION 2.735.040 Council on Elder Affairs Advisory Board

The Mayor shall appoint a Council on Elder Affairs Advisory Board, which shall consist of at least five and no more than nine members, and shall provide advice and make recommendations relative to programs offered to the Town's elderly residents. The Mayor shall designate a member of the Council on Elder Affairs Advisory Board to serve as Chair, and the members shall select a Vice-Chair and secretary. All members of the Advisory Board shall serve without pay.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-740 DEPARTMENT OF PUBLIC WORKS ADVISORY BOARD BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-740 – Department of Public Works Advisory Board

(See Former By-Law Chapter 2.64)

SECTION 2.740.010 Establishment

There shall be a Department of Public Works (“DPW”) Advisory Board, consisting of at least five and no more than nine members, all of whom shall be appointed by the Mayor. The Mayor shall designate one member of the Board to serve as Chair. The Board shall elect from its members a Vice-Chair and Clerk. All members of the Board shall serve without pay.

SECTION 2.740.020 Powers, In General

- A. The Department of Public Works Advisory Board shall review the operations of the DPW and recommend policies and procedures relative to the Department of Public Works for adoption by the DPW Director.
- B. The DPW Advisory Board shall make recommendations to the DPW Director concerning the long-term public works needs of the Town.
- C. The DPW Advisory Board shall conduct hearings and decide requests for abatement of the Town’s trash fee and water and sewer bills.
- D. The DPW Advisory Board shall be responsible for holding hearings and deciding violations in accordance with the Town’s Ordinances regarding water emergencies and conservation of water.
- E. The DPW Advisory Board shall be responsible for granting or revoking, after a hearing, the following permits and licenses:
 - 1. Any permits required for new construction seeking to add flow of more than 440 gallons per day to the Town’s sewer system;
 - 2. Revocation, after notice and an opportunity for a hearing, of a contractor’s license to work on water and sewer systems in the Town; and
 - 3. Any other permits and licenses pertinent to public works activities as delegated by the Mayor and not contrary to state law.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-745 FAIR HOUSING AUTHORITY BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-745 Fair Housing Liaison

(See Charter Section 5.8)

SECTION 2.745.010 Establishment

There shall be a Fair Housing Liaison, who shall be appointed by the Mayor and shall serve without compensation.

SECTION 2.745.020 Powers, In General

The Fair Housing Liaison shall:

- A. Identify and coordinate with other Town departments and boards to mobilize Town resources to provide persons now residing in the Town or persons wishing to reside in the Town equal access to housing regardless of race, age, sex, religion, economic status, marital status, national origin, ancestry, or physical or mental disability;
- B. Work closely with the Department of Planning and Community Development, the Housing Authority, the Director of Elder Affairs, monitoring agents designated by any comprehensive permits issued by the Zoning Board of Appeals, and applicable state and federal agencies to facilitate equal access to housing within the Town;
- C. Review and offer comments and recommendations on any housing proposal that may affect equal housing opportunities in the Town;
- D. Develop and monitor the Town's fair housing programs and advise the Mayor on the implementation of said programs;
- E. Serve as the primary contact between the Mayor and any federal, state, regional or local housing agencies or any community development corporation providing housing service to the Town; and
- F. Identify concerns in housing practices in the Town and recommend resolutions to such concerns to the Mayor.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-750 BOARD OF HEALTH BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-750 - Board of Health

SECTION 2.750.010 Establishment

The Mayor shall appoint a Board of Health which shall consist of three members, one of whom shall be a physician. The Mayor shall designate the Chair of the Board of Health, and the members may elect a Vice-Chair and Clerk.

SECTION 2.750.020 Term of Office (See G.L. c. 111, §26)

The members of the Board of Health shall serve indefinite terms.

SECTION 2.750.030 Powers, In General

- A. The Board of Health shall be vested with and exercise all of the powers and duties conferred upon a board of health as provided in the General Laws.
- B. The Board of Health shall administer ordinances and regulations pertaining to and affecting the public health of the Town, including but not limited to establishments serving and preparing food, septic systems, wells, the transportation and disposal of garbage, and other environmental issues generally impacting the public health.
- C. The Board of Health shall have the authority to adopt regulations affecting the public health in the manner provided in Chapter 111, Section 31 of the General Laws. Prior to adopting any regulations, the Board of Health shall forward proposed regulations to the Mayor for review and comment.
- D. The Board of Health may grant and revoke permits, grant variances, and seek enforcement of any of its health laws or regulations of the Board of Health, in the manner provided in such laws or regulations.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-755 HISTORICAL COMMISSION BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-755 - Historical Commission

(See Former By-Law Chapter 12.12)

SECTION 2.755.010 Establishment

There is hereby established a Historic District Commission, adopted in accordance with the provisions of Chapter 40C of the General Laws, as amended, with all the powers and duties of a Historical District Commission provided under said statute, and to exercise the powers and duties of a Historical Commission in accordance with Chapter 40, Section 8D of the General Laws, as amended. Further, in accordance with the provisions of Chapter 40C, Section 14, the Commission shall hereinafter be entitled, the Braintree Historical Commission.

The Mayor shall appoint the Historical Commission which shall consist of no less than five nor more than seven members (Note: current by-law provides for 7 members), who shall be residents of the Town, and shall be comprised as follows:

- A. One member, where possible, from two nominees submitted by the Braintree Historical Society;
- B. One member, where possible, from two nominees submitted by the Chapter of the Boston Society of Architects;
- C. One member, where possible, from two nominees of the Massachusetts Board of Realtors covering Braintree;
- D. One member, where possible, from two nominees admitted to the Massachusetts Bar;
- E. Three other members to be appointed by the Mayor.

All members of the Historical Commission shall serve for indefinite terms.

SECTION 2.755.020 Purpose.

The purpose of this ordinance is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places significant in the history of the town or their architecture, and through the maintenance and improvement of settings for such buildings and places and the encouragement of design compatible therewith. (Prior code § 24-2)

SECTION 2.755.030 Powers, In General

- A. The Historical Commission shall review, from time to time, possible additional historic districts and propose, as it deems appropriate, the establishment of additional historic districts or changes in historic districts. The commission shall report on this activity in the town annual report at least biennially.

- B. The Historical Commission may determine from time to time after public hearing that certain categories of exterior architectural features, colors, structures or signs, including without limitation any of those enumerated in this Chapter, if the provisions of this Ordinance do not limit the authority of the Commission with respect thereto, which may be constructed or altered without review by the Commission without causing substantial derogation from the intent and purpose of Chapter 40C of the General Laws.

- C. The Historical Commission shall adopt rules and regulations for the conduct of its business, not inconsistent with the provisions of the Historic District Act, Chapter 40C of the General Laws, as amended, and may, subject to appropriation, employ clerical and technical assistants or consultants and may accept money gifts and expend same for such purpose.

- D. Pursuant to Chapter 40C, Section 14 of the General Laws, the Historical Commission shall have and exercise all of the powers and duties of the historical commission as provided in Chapter 40, Section 8D of the General Laws and as established under Article 30 of the March 25, 1974 Annual Town Meeting and as amended under Article 12 of the December 9, 1975 Special Town Meeting. (ATM 5-14-2002 Art. 31 (part); ATM 5-17-1999 Art 24; prior code §§ 24-6, 24-7(A), 24-8)

SECTION 2.755.040 Limitation On Powers

- A. Notwithstanding anything contained in this Chapter to the contrary, the authority of the Commission shall not extend to the review of the following categories of buildings or structures or exterior architectural features in the Braintree town center historic district:
 - 1. Terraces, walks, driveways, sidewalks and similar structures, or anyone or more of them provided that any such structure is substantially at grade level (a change of grade level requires Historical Commission review and approval);
 - 2. Storm doors and windows, screens, window air conditioners, lighting fixtures, antennae and similar appurtenances, or any one or more of them;
 - 3. The reconstruction substantially similar in exterior design of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence;
 - 4. Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated is illuminated only indirectly;

5. Temporary structures or signs, subject however to such conditions as to duration of use, location, lighting, renewal, and similar matters as the commission may reasonably specify.

B. The authority of the Commission shall be limited to exterior, architectural features within a district that are subject to view from designated public streets, public ways, public parks or public bodies of water although other portions of buildings or structures within the district may be otherwise subject to public view. (ATM 5-14-2002 Art. 31 (part); prior code §§ 24-5, 24-7.)

SECTION 2.755.050 Hearings

It is recognized that there may be cases in which the potential for an alteration (as defined in Section 3 of the Historic Districts Act) affecting the future use of a property may depend on the future receipt of a certificate from the commission; and that the uncertainty as to the receipt of a certificate at some future date may be a hardship to a property owner in contemplating an alteration or the sale of the property. In such cases, the property owner may at any time request a hearing on the matter, and the commission shall give the owner a ruling in writing on the alteration's status as to appropriateness, nonapplicability or hardship; and the property owner shall have the customary rights of appeal. When the contemplated alteration is to be accomplished, the usual application for a certificate with plans and other required details shall be made. (Prior code § 24-9)

SECTION 2.755.060 Appeals

The appeal procedures for property owners shall be in accordance with Sections 12, 12A and 13 of the Historic Districts Act, Chapter 40C of the Laws of Massachusetts. (Prior code § 24-7(D))

SECTION 2.755.070 Construal of Provisions

Nothing in this Chapter shall be construed to prevent the ordinary maintenance, repair or replacement of any architectural feature within a historic district which does not involve a change in design, material, color, or the outward appearance thereof, nor to prevent landscaping with plants, trees or shrubs, nor construed to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, nor construed to prevent any construction or alteration under a permit duly issued prior to the effective date of this chapter. (Prior code § 24-7(C))

SECTION 2.755.080 Town Center Historic District Established

There is established under the provisions of Chapter 40C of the General Laws a historic district to be known as the Braintree Town Center Historic District, which district shall include generally the area of south Braintree center as defined on the map of the proposed Braintree Town Center Historic District Area A, shown as Appendix B in the final report of the Braintree historic district study commission, entitled "Final Report Proposed Braintree Town Center Historic District, " a copy of which is on file with the office of town clerk, such area being generally bounded on the east by Follette Circle and Bean Drive, Tenney Road, Union Place and Union Street; thence on the north by Hobart Avenue; thence on the west by Tremont Street; and on the south by French's Common; such historic district to comprise the following buildings and objects described by address and by Braintree assessor's plan and plot numbers:

- A. Braintree Town Hall, 1 J.F.K. Memorial Drive, plan 1013, plot I;
- B. Water Department Building, 2 J.F.K. Memorial Drive, plan 1013, plot 1;
- C. Southworth Library of Thayer Academy, 745 Washington Street, plan 1014, plot1;
- D. Frothingham Hall of Thayer Academy, 745 Washington Street, plan 1014, plot 1;
- E. Main building of Thayer Academy, 745 Washington Street, plan 1014, plot 1;
- F. Memorial Gymnasium of Thayer Academy on Campus, Hobart Avenue, plan 1014, plot 1;
- G. Glover Building of Thayer Academy, 745 Washington Street, plan 1014, plot 1;
- H. Site of first town house, Washington and Union Streets, plan 1004, plot II (partial);
- I. Fire station, 9 Union Place, plan 1005, Plot 29;
- J. Moses French House, 766 Washington Street, plan 1005, plot 7;
- K. General Sylvanus Thayer birthplace, 786 Washington Street, plan 1005, plot 64;
- L. Barn Museum and Library, Tenney Road, plan 1005, plot 78;
- M. Oak tree, Frederick J. Follette Circle;
- N. Thayer Public Library, 798 Washington Street, plan 1005, plot 61;
- O. French's Common, Washington Street, plan 1013, plot 1;
- P. Site of Former Arnold Tavern, Washington Street and Central Avenue, plan 1014, plot 1;
- Q. Monument Mall, J.F.K. Memorial Drive, plan 1013, plot I. (Prior code § 24-3)

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-760 HOUSING AUTHORITY BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2- 760 - Housing Authority

(See Charter Section 9-5(e) and Chapter 121B of the General Laws)

SECTION 2.760.010 Establishment

There shall be a Housing Authority, which shall be managed, controlled and governed by five members, appointed or elected as provided in this section, of whom three shall constitute a quorum.

SECTION 2.760.020 Composition, Term of Office, Filling Vacancies

- A. Four members of the Housing Authority shall be elected by the voters of the Town at the regular Town election held in November 2007. The two candidates receiving the highest number of votes at the November 2007 election shall be declared elected to a 4-year term. The candidates receiving the third and fourth highest number of votes shall be elected for a 2-year term. Thereafter, at each regular Town election, two candidates shall be elected to the Housing Authority for a term of 4 years.

- B. The fifth member of the Housing Authority shall be appointed by the Commonwealth of Massachusetts Department of Housing and Community Development for an initial term of three years. Thereafter, as the term of the appointed member of the Housing Authority expires, his/her successor shall be appointed, in the same manner and by the same body, for a term of five years from such expiration. (See G.L. c. 121B, §5)
- C. Membership in a housing or redevelopment authority shall be restricted to residents of the city or town.
- D. Vacancies, other than by reason of expiration of terms, shall be filled for the balance of the unexpired term, in the same manner and by the same body stated above. Every member, unless sooner removed, shall serve until the qualification of his/her successor.
- E. As soon as possible after the qualification of the members of a Housing Authority, the Town Clerk shall file a certificate of such appointment and election, as the case may be, with the Department of Housing and Community Development, and a duplicate thereof, in either case, in the office of the Secretary of State. If the Secretary of State finds that the Housing Authority has been organized and the members thereof elected or appointed according to law, he/she shall issue to it a certificate of organization and such certificate shall be conclusive evidence of the lawful organization of the authority and of the election or appointment of the members thereof. Whenever the membership of the Housing Authority is changed by appointment, election, resignation or removal, a certificate and duplicate certificate to that effect shall be promptly so filed. A certificate so filed shall be conclusive evidence of the change in membership of the authority referred to therein.

SECTION 2.760.030 Powers, In General

The Braintree Housing Authority shall make careful studies of the housing needs within the Town and shall provide such programs to make available housing for families of low income and for elderly persons of low income as it deems to be necessary or desirable and it may make studies and investigations relative to community development, including desirable patterns for land use and community growth. The Housing Authority shall have all of the powers, duties, authorities and responsibilities as are afforded to such entities under Chapter 121B of the General Laws.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan
 NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan
 ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-765 LIBRARY TRUSTEES BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-765 - Library Trustees

(See Charter Section 9-5)

SECTION 2.765.010 Establishment

There shall be a Board of Trustees of the Thayer Public Library, which shall consist of nine Trustees. The Town shall elect by ballot eight trustees of the Thayer Free Public Library who shall be residents of the town. In accordance with Section 9-5(b) of the Charter, the one remaining lifetime appointee to the Board of Trustees shall transition to an elected position when this office is vacated. The Board shall from its own number annually choose a chair, vice-chair and a clerk. (Prior code § 28-2)

SECTION 2.765.020 Powers, In General

- A. The Board of Trustees of the Thayer Public Library shall represent the interests, issues, and concerns of the library to the Mayor, other agencies of the Town Government and to the public. The Board of Trustees of the Public Library may establish written policies for the selection of library materials and the use of materials and facilities in accordance with the standards adopted by the American Library Association and Chapter 78 of the General Laws.
- B. The Library Trustees shall appoint a Director, who shall be charged with the day-to-day administration of the library, subject to policy direction and guidelines adopted by the Library Trustees.
- C. Pursuant to Chapter 78, Section 11 of the General Laws, the Library Trustees shall have the custody and management of the library and reading room and of all property owned by the town relating thereto. All money raised or appropriated by the Town for its support and maintenance shall be expended by the Library Trustees, and all money or property which the Town may receive by gift or bequest for said library and reading room shall be administered by the Library Trustees in accordance with the provisions of such gift or bequest. The Library Trustees, for the purpose of improving the services of said library, may enter into an agreement with the board or boards of any neighboring library or libraries, to pay for services in common, or to manage a facility to be operated jointly by more than one municipality, such payments to be shared in accordance with terms of such agreement.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-770 PLANNING BOARD BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

CHAPTER 2-770 - PLANNING BOARD

(See Former By-Law Chapter 2.28)

2.770.010 Establishment

There shall be a Planning Board of the Town which shall consist of five members appointed by the Mayor, pursuant to General Laws Chapter 41, §81A, who shall serve without pay. The Mayor shall designate one of the Board members to serve as Chair, and the members shall choose one of its members as vice-chair, clerk, and/or secretary. (Prior code § 36-2)

2.770.020 Powers and Duties, In General

The Planning Board shall exercise the powers and perform the duties provided by the Town's Zoning Ordinances, the Commonwealth's Zoning Act, the Subdivision Control Law, and any other relevant legislative acts and regulations, as may be amended. (Prior Code §36-1) The Planning Board shall also serve as the special permit granting authority, as provided in the Town's Zoning Ordinances.

2.770.030 Deposit and Release of Bonds and Securities

All performance bonds, deposits of money or security required to be filed with the Town to insure compliance with the Subdivision Control Law, and/or any requirement made by a Town department relating to same, shall be deposited with the Town Treasurer/Collector. No such security, moneys or bond shall be released or returned, in whole or in part, to the depositor until such time as the Planning Board files, in writing, with the Town Treasurer/Collector a statement that all work within the purview of the Planning Board has been completed in a manner satisfactory to the Planning Board and that the subdivision conforms with the ordinances of the Town and the General Laws of the Commonwealth as they pertain to subdivisions. (Prior code § 36-4)

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-775 REGISTRARS OF VOTERS BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-775 – Registrars of Voters

SECTION 2.775.010 Establishment, Political Designation

The Board of Registrars of Voters shall consist of three persons, appointed by the Mayor, plus the Town Clerk, who shall serve ex officio. The Mayor shall so appoint the Board as nearly as possible so that the members of the Board shall represent the two leading political parties, as defined in Chapter 50, Section 1 of the General Laws; provided, that the Town Clerk need not be enrolled in a political party; and provided further, that in no case shall an appointment be made as to cause a Board to have more than two members, including the Town Clerk, of the same political party.

SECTION 2.775.020 Term of Office, Filling Vacancy

The members of the Board of Registrars shall serve indefinite for terms, with the exception of the Town Clerk, who shall serve as long as said person holds the office of Town Clerk.

SECTION 2.775.030 Powers, In General

The Board of Registrars of Voters shall supervise the qualification of persons to vote, certify the signatures on nomination papers and petitions, and shall hold hearings and decide disputes with regard to any of the foregoing matters.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT A NEW ORDINANCE, TITLE 2, CHAPTER 2-780 RECYCLING COORDINATOR BE ESTABLISHED WITH THE TOWN'S MUNICIPAL CODE.

Chapter 2-780 - Recycling Coordinator

SECTION 2.780.010 Establishment

There shall be a Recycling Coordinator, who shall be appointed by the Mayor.

SECTION 2.780.020 Powers, In General

The Recycling Coordinator shall monitor the recycling efforts and solid waste collection of the Town and shall identify, recommend and promote new and additional recycling efforts to the Mayor. The Recycling Coordinator shall also initiate public education campaigns to raise awareness of the environmental and economic benefits of recycling. The Recycling Coordinator shall organize and oversee the procurement of services relative to the conduct of hazardous household waste collection and disposal programs.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan
NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan
ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRAINTREE THAT ALL BY-LAWS UNDER TITLE II, ADMINISTRATION AND PERSONNEL, AS APPROVED BY TOWN MEETING THROUGH DECEMBER 31, 2007 AND AS SUBSEQUENTLY APPROVED BY THE ATTORNEY GENERAL AND PRINTED IN THE GENERAL BY-LAWS OF THE TOWN THROUGH SEPTEMBER 2008 BE REPEALED.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan
NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan
ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

Passed in Council: May 18, 2010
Presented to Mayor: May 21, 2010
A True Copy, Attest:



Joseph F. Powers, Town Clerk

May 24, 2010
Date Approved



Joseph C. Sullivan, Mayor



#09-053
Office of the Mayor

One JFK Memorial Drive
Braintree, Massachusetts 02184

Joseph C. Sullivan
Mayor

781-794-8100

To: Leland Dingée, President of the Council
Clerk of the Council
Town Clerk

Cc: Peter J. Morin, Chief of Staff and Operations

From: Mayor Joseph C. Sullivan *JCS*

Date: October 5, 2009

RE: Article 2 Ordinances

RECEIVED TOWN CLERK
BRAINTREE, MA
2009 OCT -6 AM 8:49

Attached please find several ordinances pertaining to Article 2, the Administration and Personnel section of our new Town Ordinances. Many of these ordinances are revised versions of similar sections contained in our current Town By-laws, and where applicable, the reference to the former by-law is noted under the title of each ordinance. The remaining ordinances reflect the organization of our new form of government and the powers and duties assigned to the various Department Directors, boards, and commissions.

This marks the first in a series of ordinances I will be submitting to you over the coming weeks and represents the culmination of more than twenty months of review and research since our new form of government has taken effect. These ordinances were originally reviewed by the first Transition Committee, appointed by the Board of Selectmen, who was charged with revising the Town's by-laws simply to conform to the new form of government. The Second Transition Committee, appointed by me, had a broader scope of reviewing and converting existing by-laws into ordinances and recommending the addition or deletion of ordinances to meet the needs and objectives of our new form of government.

Pursuant to Section 2-9 of the Charter, every proposed ordinance must be published once in full, or in summary if it exceeds ten column inches in length, in a local newspaper at least ten days before its final passage. Your favorable action on these ordinances is respectfully requested.

The attached ordinances are:

1. Chapter 2-205 – Administrative Organization
2. Chapter 2-206 – General Standards of Conduct
3. Chapter 2-220 - Department Of Public Works
4. Chapter 2-230 – Department of Municipal Finance
5. Chapter 2-250 – Department of Human Resources
6. Chapter 2-265 – Board of License Commissioners
7. Chapter 2-290 – Town Solicitor
8. Chapter 2-300 – Town Council
9. Chapter 2-310 - Town Auditor
10. Chapter 3-320 – Town Clerk
11. Chapter 2-330 – Clerk of the Council
12. Chapter 2-400 – School Committee
13. Chapter 2-500 – Town Accountant
14. Chapter 2-505 – Animal Control Officer
15. Chapter 2-510 – Animal Inspector
16. Chapter 2-515 – Deputy Assessor
17. Chapter 2-520 – Inspector of Buildings
18. Chapter 2-530 – Director of Facilities and Equipment
19. Chapter 2-550 – Fence Viewers
20. Chapter 2-560 - Fire Chief and Fire Department
21. Chapter 2-570 – Harbormaster
22. Chapter 2-575 – Director of Public Health
23. Chapter 2-585 – Inspector of Gas Piping and Gas Appliances
24. Chapter 2-590 – Library Director
25. Chapter 2-595 - Parking Clerk
26. Chapter 2-600 - Inspector of Plumbing
27. Chapter 2-610 - Police Chief and Police Department
28. Chapter 2-615 - Purchasing Agent
29. Chapter 2-620 - Sealer of Weights and Measures
30. Chapter 2-630 – Treasurer/Collector
31. Chapter 2-635 - Tree Warden
32. Chapter 2-640 –Veteran’s Services Director
33. Chapter 2-645 – Wire Inspector
34. Chapter 2-700 - Other Multiple Member Bodies
35. Chapter 2-705 - Zoning Board of Appeals
36. Chapter 2-710 – Board of Assessors
37. Chapter 2-715 – Community Preservation Committee
38. Chapter 2-720 – Conservation Committee
39. Chapter 2-725 – Contributory Retirement Board
40. Chapter 2-730 – Commission on Disabilities
41. Chapter 2-735 – Council on Elder Affairs
42. Chapter 2-740 – Department of Public Works Advisory Board
43. Chapter 2-745 – Fair Housing Liaison
44. Chapter 2-750 – Board of Health
45. Chapter 2-755 – Historical Commission

46. Chapter 2-760 – Housing Authority
47. Chapter 2-765 – Library Trustees
48. Chapter 2-770 – Planning Board
49. Chapter 2-775 – Registrars of Voters
50. Chapter 2-780 – Recycling Coordinator