

Thomas M. Bowes
President
District 3

Shannon L. Hume
At Large

CHARLES B. Ryan
At Large

CHARLES C. Kokoros
District 1

JOHN C. MULLANEY
District 2



Sean E. Powers
Vice President
At Large

Stephen C. O'Brien
District 4

Michael J. Owens
District 5

PAUL "DAN" CLIFFORD
District 6

OFFICE OF THE TOWN COUNCIL

June 3, 2014

MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, June 3, 2014 beginning at 7:30p.m.

Council President Bowes was in the chair.

The Clerk of the Council conducted the roll call.

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

Not Present: Charles Ryan

Others: Russell Jenkins, Police Chief
Marybeth McGrath, Director, Building and Inspectional Services
Russell Forsberg, Building Inspector
Frank Marinelli, Attorney for MeansPrecast
Adams Street Residents and Business Owners

CORRESPONDENCE

None

ANNOUNCEMENTS

- 040 14 Councilor Powers: Recognition of 2nd Anniversary - Southside Tavern
- 048 14 Council President: Project Prove Recognition Night
- 047 14 Councilor Clifford: Thompson Memorial Golf Tournament
- 055 14 Braintree Chamber of Commerce - Pizza Palooza

Council President called for a 5-minute recess at 7:43pm. Meeting reconvened at 7:48pm.

APPROVAL OF MINUTES

- May 27, 2014

Motion: by Councilor Powers to approve

Second: by Councilor Kokoros

Vote: For (8), Against (0), Absent (1-Ryan)

CITIZEN CONCERNS/COUNCIL RESPONSE

- 056 14 Council President: Noise Complaints – Adams Street

Councilor Mullaney noted that he recently met with Carolann Ricardo of 117 Adams Street and the resident who has brought the issue before the Council. The noise issue has been going on for several years now and, as the District Councilor, had attempted to see if the issue would be resolved through the proper authority. However, early this year, Ms. Ricardo contacted the Council Office and requested assistance. Councilor Mullaney stated that he understood the difficulties of commercial/residential property owners living together but, there is an expectation that the residential owners to have peace and quiet during the evening hours through early mornings. He brought this issue before the Council with hopes of bringing about a compromise between all parties involved.

Councilor Clifford commented that there were 14 police logged complaints these properties over the last several years; 13 against A. Graziano Cement Company, 1 against C. Naughton Corporation and 0 complaints against MeansPrecast Company.

Councilor Kokoros noted while he was member of the Board of Selectmen many complaints were lodged against A. Graziano Company for noise issues, dust issues, rocks and cement falling off trucks.

Augie Graziano, representing A. Graziano Cement Company, commented that when someone voiced a complaint the company worked towards a solution. However, except of Michael Sullivan, resident living across from the Graziano property, no one has come into the office with a complaint. The police complaints are news to him.

Rick Hartnett, resident of Adams Street, commented that he has lived on Adams Street for over ten years and MeansPrecast Company was never a problem. This company never has worked late into

the evening or early in the morning. He noted that noise coming from the property has been worse for over a year and believe it was worked performed by C. Naughton Corporation.

Carolann Ricarod, resident who brought the issue before the Council, commented that she has had issues with MeansPrecast Company in the past but they have been resolved; the company was very cooperative in dealing with any issue. She has been dealing with these noise issues for the past 18-months, 7-days a week. The problem is coming from the Graziano property. She feels she has been getting the run-around with the building department with a lot of mis-communication. He has caused a lot of stress these past 18-months.

Russ Forsberg, Building Inspector, commented that the building department has to be witness to the complaint in order to cite a violation an Ordinance. Additionally, these companies, under current by-laws, are allowed to load their equipment onto vehicles in order to respond to emergencies and/or to head out to a work site off the property. They are not allowed to do any excavating on the property between the hours of 8pm and 7am. He has conducted sound readings in and around the area in question and the sound reading levels do not violate standards.

Councilor Powers questioned Mr. Forsberg regarding the police reports where the police officer instructed work to stop. Mr. Forsberg responded that the police reports did not state what type of work that was being conducted therefore, a complaint could not be issued.

Councilor Kokoros asked Augie Graziano if he could talk to the tenant who leases a portion of the Graziano property and ask that they stop working after 8pm. Mr. Graziano noted we asked to C. Naughton Corporation to lease a portion of the property to help with the mortgage payments but, he is willing to do whatever it takes to get it right.

Councilor President Bowes asked Mr. Graziano what he was going to do to resolve the issues. Mr. Graziano responded that he has no problem using the street sweeper and watering down any dust. And, he will talk to his tenant about the problem.

Councilor Owens asked who was his contact person at C. Naughton Corporation. Mr. Graziano reported it was Ciaran Naughton.

Councilor Kokoros suggested that Mr. Graziano get all the parties together; to address the issues.

Frank Marinelli, Attorney for MeansPrecast, commented that it was unfair to send a certified letter to his client when police reports did not show his client having a part into this issue. As it was stated by Mr. Hartnett, his client does not operate after hours and does not create excessive noise levels.

Councilor President Bowes asked Mr. Graziano to inform the Council Office on the status of setting up a meeting with the residents and property owners/tenants.

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

None

OLD BUSINESS

None

NEW BUSINESS

None

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 9:20p.m.

Respectfully submitted,
James M. Casey
Clerk of the Council

Documents provided for Meeting

- May 27, 2014
- May 13, 2014
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- 056 14 Council President: Noise Complaints – Adams Street