

Sean E. Powers  
President  
At Large

Shannon L. Hume  
At Large

CHARLES C. Kokoros  
District 1

John C. Mullaney  
District 2

Thomas M. Bowes  
District 3



Charles B. Ryan  
Vice President  
At Large

Stephen C. O'Brien  
District 4

Michael J. Owens  
District 5

PAUL "DAN" CLIFFORD  
District 6

## OFFICE OF THE TOWN COUNCIL

### AUGUST 16, 2016

### MINUTES

A meeting of the Town Council, was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on August 16, 2016 beginning at 7:00p.m.

Council President Powers was in the chair.

Present: Sean Powers, President  
Charles Ryan, Vice President  
Thomas Bowes  
Shannon Hume  
John Mullaney  
Michael Owens

Not Present: Paul Dan Clifford  
Charles Kokoros  
Stephen C. O'Brien

Also Present: Ed Spellman, Director of Finance  
Russell Jenkins, Chief of Police  
Ed Woo, Braintree Police Officer  
Junior Police Academy Officers  
Christopher Griffin, Assistant to the Mayor  
Bill Bottiggi, BELD General Manager  
Tom Reynolds, BELD Commissioner  
Jim Regan, BELD Commissioner  
Madeleine Barr, Community Outreach Manager Sagewell, Inc

#### APPROVAL OF MINUTES

- June 7, 2016

Motion made by Councilor Ryan to Approve Minutes of June 7, 2016

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

**Vote:** For (5), Against (0), Absent (3—Clifford, Kokoros, O'Brien), Abstain (1-Ryan)

- June 28, 2016

Motion made by Councilor Ryan to Approve Minutes of June 28, 2016

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

**Vote:** For (6), Against (0), Absent (3 – Clifford, Kokoros, O’Brien), Abstain (0)

## **CORRESPONDENCE**

- 095 16 Town Clerk: Approval – Mass Town Clerk Association Conference, September 28-30, 2016

Motion made by Councilor Ryan to Approve Travel for the Town Clerk to the MTCA

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

**Vote:** For (6), Against (0), Absent (3 – Clifford, Kokoros, O’Brien), Abstain (0)

## **CITIZEN CONCERNS/COUNCIL RESPONSE**

- None

## **COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS**

- 090 16 Mayor: Electric Vehicles Presentation

Christopher Griffin, Assistant to Mayor Sullivan introduced Madeleine Barr, Community Outreach Manager Sagewell, Inc. and stated this presentation was given to the Mayor and Department Heads last week. There has been a great response from residents also.

Madeleine Barr, Community Outreach Manager Sagewell, Inc. came before the full Council with a Powerpoint presentation on Electric Vehicles. Ms. Barr stated her goal is to help educate and help you better understand technology. It is a smooth and fun driving experience. It is affordable in Massachusetts with state rebates available. BELD is offering discounts on charging equipment. There are lower maintenance costs with electric vehicles. Commutes and driving distances should be short to moderate with all electric vehicles. Ms. Barr stated we have a potential to grow here in Town.

- 027 16 Councilor Clifford: An Obligation to Lead – Opioid Epidemic (Update)

There was no update at this time.

## **OLD BUSINESS**

- 16 031: N.T. Development Inc: Street Acceptance Petition - Buker Corner Lane or take up any action relative thereto (Public Hearing)

Council President Powers asked if there was a Motion to Open the Public Hearing.

Councilor Ryan made a Motion: to OPEN Public Hearing

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

**Vote:** For (6), Against (0), Absent (3–Clifford, Kokoros, O’Brien), Abstain (0)

Council President Powers referred to Councilor Bowes for the Committee on Ordinance & Rules recommendation. Councilor Bowes stated there was a unanimous vote earlier this evening for favorable recommendation to the full Council.

Council President Powers asked if there was any discussion.

Council President Powers asked if any member of the Council or the general public want to speak on Order 16 031? No one came forward.

Council President Powers asked if there was a Motion to Close the Public Hearing.

Councilor Ryan made a Motion: to CLOSE Public Hearing.

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

**Vote:** For (6), Against (0), Absent (3–Clifford, Kokoros, O’Brien), Abstain (0)

Councilor Ryan read the following MOTION:

#### TOWN OF BRAINTREE STREET ACCEPTANCE - BUKER CORNER LANE

MOTION: That the Town Council vote to accept as a Town way the layout of Buker Corner Lane, a certain parcel of land situated on the easterly side of Liberty Street in the Town of Braintree, Norfolk County, Massachusetts, said parcel being shown as BUKER CORNER LANE on a plan entitled "ROADWAY ACCEPTANCE PLAN", dated 3-16-2016, prepared by Hoyt Land Surveying, to be recorded herewith at the Norfolk County Registry of Deeds further bounded described according to said plan as follows:

Beginning at a railroad spike at the most northwesterly corner of Buker Comer Lane at its intersection with the easterly sideline of Liberty Street, a public way –1931 Town layout, said spike being S 24°-34'-18" W a distance of fifty-nine and 66/100 (59.66') feet from a point of curvature on the easterly sideline of Liberty Street; thence

Southeasterly By a curve to the left having a radius of twenty and 00/100 (20.00') feet, a central angle of 60°-39'-18", and an arc length of twenty-one and 17/100 (21.17') feet by land now or formerly of Bonfiglioli to a stone bound with a drill hole marking a point of tangency, thence;

S 36°-05'-00" E A distance of one hundred ninety-three and 01/100 (193.01 ') feet, again by land now or formerly of Bonfiglioli and land now or formerly of Cummins to a stone bound with a drill hole marking a point of curvature, thence;

Northeasterly By a curve to the left having a radius of one hundred twenty-five and 00/100 (125.00') feet, a central angle of 20°–00'-00", and an arc length of forty-three and 63/100 (43.63') feet by land now or formerly of Cummins to a stone bound with a drill hole marking a point of tangency, thence;

S 56°-05'-00" E A distance of eighty-five and 70/100 (85.70') feet, again by land now or formerly of Cummins and land now or formerly

of McGlowan to a stone bound with a drill hole marking a point of curvature, thence;

Northeasterly By a curve to the left having a radius of thirty and 00/100 (30.00') feet, a central angle of  $52^{\circ}-19'-49''$ , and an arc length of twenty-seven and 40/100 (27.40') feet by land now or formerly of Boulos to a stone bound with a drill hole marking a point of reverse curvature, thence;

Northeasterly, Southeasterly, and Southwesterly By a curve to the right having a radius of sixty and 00/100 (60.00') feet, a central angle of  $284^{\circ}-39'-37''$ , and an arc length of two hundred ninety-eight and 10/100 (298.10') feet again by land now or formerly of Boulos, land now or formerly of N.T. Development and land now or formerly of Benjamin to a stone bound with a drill hole marking a point of reverse curvature, thence;

Northwesterly By a curve to the left having a radius of thirty and 00/100 (30.00') feet, a central angle of  $52^{\circ}-19'-49''$ , and an arc length of twenty-seven and 40/100 (27.40') feet again by land now or formerly of Benjamin and land now or formerly of Gustin to a stone bound with a drill hole marking a point of tangency, thence;

N  $56^{\circ}-05'-00''$  W A distance of eighty-five and 70/100 (85.70') feet, again by land now or formerly of Gustin and land now or formerly of Neelkanth Realty Trust to a stone bound with a drill hole marking a point of curvature, thence;

Southwesterly By a curve to the right having a radius of one hundred seventy-five and 00/100 (175.00') feet, a central angle of  $20^{\circ}-00'-00''$ , and an arc length of sixty-one and 09/100 (61.09') feet again by land now or formerly of Neelkanth Realty Trust to a stone bound with a drill hole marking a point of tangency, thence;

N  $36^{\circ}-05'-00''$  W A distance of one hundred sixty-six and 70/100 (166.70') feet, again by land now or formerly of Neelkanth Realty Trust and land now or formerly of Liberty Street Realty Trust to a stone bound with a drill hole marking a point of curvature, thence;

Southwesterly By a curve to the left having a radius of seven and 16/100 (7.16') feet, a central angle of  $113^{\circ}-25'-00''$ , and an arc length of fourteen and 17/100 (14.17') feet again by land now or formerly of Liberty Street Realty Trust to a stone bound with a drill hole marking a point of compound curvature on the easterly sideline of Liberty Street, thence;

Northwesterly By a curve to the left having a radius of three hundred seventy-five and 09/100 (375.09') feet, a central angle of 5°-56'-10", and an arc length of thirty-eight and 86/100 (38.86') feet along the easterly sideline of Liberty Street to an angle point, thence;

N 24°-33'-50" E A distance of forty and 62/100 (40.62') feet by the easterly sideline of Liberty Street to the point of beginning.

- 16 036 Mayor: Acceptance of Herbert Road or take up any action relative thereto (Public Hearing)  
Council President Powers asked if there was a Motion to Open the Public Hearing.  
Councilor Ryan made a Motion: to OPEN Public Hearing

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

**Vote:** For (6), Against (0), Absent (3—Clifford, Kokoros, O'Brien), Abstain (0)

Council President Powers referred to Councilor Bowes for the Committee on Ordinance & Rules recommendation. Councilor Bowes stated there was a unanimous vote earlier this evening for favorable recommendation to the full Council.

Council President Powers asked if there was any discussion.

Council President Powers asked if any member of the Council or the general public want to speak on Order 16 036? No one came forward.

Council President Powers asked if there was a Motion to Close the Public Hearing.

Councilor Ryan made a Motion: to CLOSE Public Hearing.

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

**Vote:** For (6), Against (0), Absent (3—Clifford, Kokoros, O'Brien), Abstain (0)

Councilor Ryan read the following MOTION:

**MOTION:** The below described extension of Herbert Road is hereby accepted as a Public Way in the Town of Braintree, County of Norfolk, Commonwealth of Massachusetts together with all benefits and responsibilities currently appurtenant to the status of "Public Way" within the Commonwealth. Ownership and maintenance of overhead and underground electric, telephone, gas, and cable utilities is specifically excluded from this acceptance. This acceptance shall not be considered a fee taking. No damages are awarded.

Beginning at a point on the westerly side line of Herbert Road at the end closest to Walnut Street at its intersection with the south side line of West Street, said point being a point of compound curvature;

Thence along said side line of Herbert Road easterly to southerly along the arc of a 26.72 foot radius curve to the right 44.59 feet to a point of tangency;

thence S1°06'20"W 189.99 feet to a point of curvature;

thence southwesterly along the arc of a 1450.23 foot radius curve to the right 98.60 feet to a point of tangency;

thence S5°00'04"W 676.00 feet to a point of curvature;

thence southwesterly along the arc of a 440.00 foot radius curve to the right 59.91 feet to a point of compound curvature;

thence southwesterly along the arc of a 140.00 foot radius curve to the right 98.18 feet to a point of compound curvature;

thence northwesterly along the arc of an 80.00 foot radius curve to the right 78.75 feet to a point of tangency;

thence N70°36'51"W 48.59 feet to a point of curvature;

thence northwesterly along the arc of a 140.00 foot radius curve to the right 168.53 feet to a point of tangency;

thence N1°38'34"W 290.95 feet to a point, said point also being the most southeasterly corner of the previously accepted portion of Herbert Road;

thence S88°21'26"W 40.00 feet along the end line of said previously accepted portion of Herbert Road to a point, said point being the most southwesterly corner of that previously accepted portion;

thence S1°38'34"E 290.95 feet along the side line of Herbert Road to a point of curvature;

thence southeasterly along the arc of a 180.00 foot radius curve to the left 216.68 feet to a point of tangency;

thence S70°36'51"E 48.59 feet to a point of curvature;

thence easterly along the arc of a 120.00 foot radius curve to the left 118.13 feet to a point of compound curvature;

thence northeasterly along the arc of a 180.00 foot radius curve to the left 126.23 feet to a point of compound curvature;

thence northeasterly along the arc of a 480.00 foot radius curve to the left 65.36 feet to a point of tangency;

thence N5°00'04"E 676.00 feet to a point of curvature;

thence northwesterly along the arc of a 1490.23 foot radius curve to the left 101.32 feet to a point of tangency;

thence N1°06'20"E 194.66 feet to a point of curvature;

thence northeasterly along the arc of a 25.00 foot radius curve to the right 39.77 feet to a point of tangency on the southerly side line of West Street;

thence turning and running N87°44'40"W 9.96 feet to a point of curvature in said southerly sideline of West Street;

thence westerly along the arc of a 720.00 foot radius curve to the left 85.00 feet to the point of beginning. All as shown on the "Acceptance Plan, Herbert Road", prepared by the Town of Braintree DPW Engineering Division, dated 8/1/2016 and recorded herewith.

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

**Vote:** For (6), Against (0), Absent (3 – Clifford, Kokoros, O'Brien), Abstain (0)

## **NEW BUSINESS**

- 094 16 Council President: BELD - New Generation Plant & Quarterly Update

Bill Bottiggi, BELD General Manager was in attendance to give a PowerPoint presentation Quarterly Update and information on the proposed New Generation Plant. Bill Bottiggi spoke about Community Solar, Sagewell Electric Vehicle Program, LED Streetlights, Utility Pole Replacement, Station 4 Substation Upgrade, Netwatch Security, Repowering Potter II Generating Plant.

Bill Bottiggi submitted the Bluewater Report document of the Enhanced Maintenance Assessment of Potter II Generating Station for AMERESCO Renewable Energy.

Councilor Hume asked if we can get answers to the Bluewater Report. Bill Bottiggi stated he would get an itemization on what was accomplished with this report.

Bill Bottiggi stated he was aware this would have to be referred to the Committee on Ways & Means for review before a final decision at the full Council, if BELD decides to go forward with this. Bill stated he met with Conservation for this region and they like backups for renewable energy units.

Councilor Mullaney asked if this could be considered to also be referred to the Committee on the Department of Public Works.

Council President Powers stated that this item could possibly be sent to both committees for review.

Council President Powers thanked Bill Bottiggi and Commissioners Tom Reynolds and Jim Regan for being here.

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

- 16 039 National Grid Petition: Woodedge Lane or take up any action relative thereto (SAME NIGHT ACTION)

Council President Powers stated if there are no objections for SAME NIGHT ACTION, we will take Order 16 039 National Grid Petition: Woodedge Lane or take up any action relative thereto. Hearing none Councilor Ryan read the following Motion:

16-039 Woodedge Lane, install and maintain approximately 170 feet of 2 inch gas main in Woodedge Lane from the existing main at house #16 southerly to house #27 to serve house #21 and house #27.

Neither National Grid nor any of its contractors is authorized to close any street or to close a direction of travel to facilitate their work without authorization from the Director of the Department of Public Works

or the Highway Superintendent. The Chief of Police can also authorize a closure for a police or fire emergency. Construction zone traffic safety issues are to be addressed by using appropriate traffic control signs and devices and the use of police officers for traffic control to safely guide traffic through the work zone. If a closure is authorized by the DPW, it shall not be implemented until signs and police officers (where needed) are properly in place in conformity with the written plan prepared by the contractor's engineer and approved by the DPW and Police Department.

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

**Vote:** For (6), Against (0), Absent (3 – Clifford, Kokoros, O'Brien), Abstain (0)

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

- 16 040 Mayor: Termination Of Sewer Easement and Grant of Utility Easement 2001 Washington Street or take up any action relative thereto

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

**Vote:** For (6), Against (0), Absent (3 – Clifford, Kokoros, O'Brien), Abstain (0)

Council President Powers stated if there are no objections for SAME NIGHT ACTION, we will take Order 16 041 as an unforeseen agenda item and ask for same night action to refer to committee. Hearing no objection, Councilor Ryan made a Motion to :

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

- 16 041 National Grid Petition: Wellington Street or take up any action relative thereto

**Motion:** by CouncilorBowes

**Second:** by Councilor Owens

**Vote:** For (6), Against (0), Absent (3 – Clifford, Kokoros, O'Brien), Abstain (0)

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

UPCOMING MEETINGS:

Next Council Meeting is - **TUESDAY, September 6, 2016@ 7:30pm**

**ADJOURNMENT**

It was unanimously voted to adjourn the meeting at 9:10p.m.

Respectfully submitted,

Susan M. Cimino  
Clerk of the Council

## **Documents provided for Meeting**

- 16 031: N.T. Development Inc: Street Acceptance Petition - Buker Corner Lane or take up any action relative thereto
- 16 036 Mayor: Acceptance of Herbert Road or take up any action relative thereto (Public Hearing)
- 16 039 National Grid Petition: Woodedge Lane or take up any action relative thereto
- 16 040 Mayor: Termination Of Sewer Easement and Grant of Utility Easement 2001 Washington Street or take up any action relative thereto
- 16 041 National Grid Petition: Wellington Street or take up any action relative thereto