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

DECEMBER 6, 2016 MINUTES

A meeting of the Town Council, was held in the Cahill Auditorium, Braintree Town Hall, on December 6, 2016 beginning at 7:30p.m.

Council President Powers was in the chair.

Present: Sean Powers, President

Charles Ryan, Vice President

Thomas Bowes
Paul Dan Clifford
Shannon Hume
Charles Kokoros
John Mullaney
Stephen C. O'Brien

Michael Owens

Also Present: Mayor Joseph C. Sullivan

Lisa Maki, Town Solicitor

Dr. Frank Hackett, School Superintendent

Edward Spellman, Finance Director James Arsenault, DPW Director Chief Paul Shastany, Police Chief Chief James O'Brien, Fire Chief

James Casey, Town Clerk

Marybeth McGrath, Director Department of Municipal Licenses & Inspections

Paul McSoley, Fire Dept. Finance Administrator

Sharmila Biswas, Director Elder Affairs

Ann Toland, Marge Crispin Center

Terri Stano, Library Director

Kristen Z, ADA Coordinator

Robert Brinkmann, Deputy Assessor

Robert Cusack, Chairman Susan O'Brien, Assessor Robert Connolly, Assessor Travis Winden, resident

Liz Page, resident

Linda Kopkind, resident

December 6, 2016 Town Council 1 of 11

ANNOUNCEMENTS

The BHS BOYS VARSITY SOCCER TEAM was in attendance. Citations were given out. They were Bay State Conference Co-Champions, MIAA Division 1 South Sectional Champions AND MIAA Division 1 State Semi-Finalist (Coach Gary Burke/Assistant Coach Kevin Jameson)

- 067 16 Council President: A Lifeline for those concerned about a loved one's Addiction (MassBar)
- 124 16 Council President: Holiday Open House, Dec. 11 Town Hall 1-4pm
- 129 16 Council President: Braintree's Annual Pearl Harbor Remembrance Day, Dec. 7@ 10am Town Hall
- 130 16 Council President: Marge Crispin Center Pajamas for kids in Braintree

APPROVAL OF MINUTES

None

OLD BUSINESS (PUBLIC HEARINGS)

16 061 Mayor: Tax Rate Classification or take up any action relative thereto
 Motion by Councilor Ryan to Open Public Hearing for Order 16 061

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

Council President Powers asked if any member of the Council or General Public want to speak on Order 16 061?

Mayor Sullivan stated we shift more to the commercial properties saving each household approximately \$98 per year. The median cost of a home in Braintree is \$409,000 which has increased this past year. Council President Powers referred to Councilor O'Brien (Committee Chair) for Committee on Ways & Means recommendation.

Councilor O'Brien stated commercial property is taxed heavier. It is great to be in the Town of Braintree. Thank you to the Assessors for not going to the full 2 ½ percent.

Chairman O'Brien stated this was discussed at the Committee on Ways & Means meeting and unanimously voted for favorable action to the Full Council.

Council President Powers ask if there is any other discussion on Order 16 061?

Motion by Councilor Ryan to Close Public Hearing for Order 16 061

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

1. To apply the tax rate classification shift.

MOTION: Be it ordained that the Town of Braintree, through the Braintree Council, adopt the recommendation of the Mayor and the Board of Assessors to approve the Classification Tax Rate Shift of 175% to be applied to commercial, industrial and personal property.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

December 6, 2016 Town Council 2 of 11

2. Re: the small business exemption.

MOTION: To approve the "Small Business Exemption" as recommended by the Mayor and the Board of Assessors in a memorandum to the Town Council dated November 17, 2016, and as filed with the Office of the Town Clerk.

Motion: by Councilor Ryan Second: by Councilor Bowes

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

3. Re: the open space discount.

MOTION: To continue to adopt the recommendation of the Mayor and the Board of Assessors, as outlined in a memorandum to the Town Council dated November 17, 2016, and as filed with the Office of the Town Clerk, to decline the "Open Space" discount.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

4. Re: the residential exemption.

MOTION: To continue to adopt the recommendation of the Mayor and the Board of Assessors, as outlined in a memorandum dated November 17, 2016, and as filed with the Office of the Town Clerk, to decline the adoption of the "Residential Exemption".

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

• 16 063 Mayor: Request to Approve the FY 17 Capital Plan or take up any action relative thereto

Motion by Councilor Ryan to Open Public Hearing for Order 16 063

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

Council President Powers asked if any member of the Council or General Public want to speak on Order 16 063?

Mayor Sullivan stated this is a \$9 million request for the FY2017 Capital Plan.

Councilor Clifford stated when the meals tax was passed in 2013 we asked this money to be spent in the capital plan. I would like to request for the next years meals tax to see the \$500,000 and where it is being used.

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

Chairman O'Brien stated we are below the level of debt. We are in a healthy position. Chairman O'Brien stated this was discussed at the Committee on Ways & Means meeting and unanimously voted for favorable action to the Full Council.

Council President Powers ask if there is any other discussion on Order 16 063?

Motion by Councilor Ryan to Close Public Hearing for Order 16 063

Motion: by Councilor RyanSecond: by Councilor Bowes

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

Councilor Ryan read the following Motion:

To Approve the Fiscal Year 2017 Capital Plan as submitted.

Motion: by Councilor Ryan to Approve Order 16 063

Second: by Councilor Bowes

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

• 16 064 Mayor: Request for Appropriation - Fiscal Year 2017 General Fund Capital Budget or take up any action relative thereto

Motion by Councilor Ryan to Open Public Hearing for Order 16 064

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

Council President Powers asked if any member of the Council or General Public want to speak on Order 16 064?

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

Chairman O'Brien stated this was discussed at the Committee on Ways & Means meeting and unanimously voted for favorable action to the Full Council.

Council President Powers ask if there is any other discussion on Order 16 064?

Motion by Councilor Ryan to Close Public Hearing for Order 16 064

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

Councilor Ryan read the following Motions:

That the Town of Braintree appropriates the sum of Five Million Five Hundred Thirty-Seven Thousand Eight Hundred Thirty-Four Dollars and Forty-One Cents (\$5,537,834.41) to pay costs of the following capital projects:

Project	Amount	Authorizing Statute
Roadway Resurfacing	\$1,700,000	Ch. 44, s. 7(1)
Town Clerk Polling Books	75,000	Ch. 44, s. 7(1)
Finance Telephone System	144,000	Ch. 44, s. 7(1)
Police Evidence Room	200,000	Ch. 44, s 7(1)
Fire Engine	600,000	Ch. 44, s 7(1)
ADA Compliance Building	75,000	Ch. 44, s. 7(1)
Repairs		

Electronic Archiving System	89,000	Ch. 44, s 7(1)
School Technology	300,000	Ch. 44, s 7(1)
Elder Affairs Paving	15,000	Ch. 44, s 7(1)
School Building Repairs	80,000	Ch. 44, s 7(1)
Plumbing		
School Paving and Landscape	100,000	Ch. 44, s 7(1)
DPW Shaw street Bridge	315,000	Ch. 44, s 7(1)
Town Hall Building Renovations	478,000	Ch. 44, s 7(1)
Library Building Renovations	100,000	Ch. 44, s 7(1)
DPW Cemetery and grounds	97,000	Ch. 44, s 7(1)
Equipment		
DPW Highway Vehicles &	414,000	Ch. 44, s 7(1)
Equipment		
DPW Recreation Field	100,000	Ch. 44, s 7(1)
Reconstruction		
DPW Recreation Fence	50,000	Ch. 44, s 7(1)
Reconstruction		
DPW Recreation Playground	164,000	Ch. 44, s 7(1)
reconstruction		
Highlands/Harris		
Cahool Duilding Donains Doof	121 924 41	Ch 44 a 7(1)
School Building Repairs Roof	121,834.41	Ch. 44, s 7(1)
School Building Repairs Flooring	250,000	Ch. 44, s 7(1)
School Building Repairs	70,000	Ch. 44, s 7(1)
Plumbing		

and for the payment of all other costs incidental and related thereto; that the amounts indicated above for each project are estimates and that the Mayor may allocate more funds to any one or more of such projects, and less to others, so long as, in the judgment of the Mayor, each of the projects described above can be completed within the total appropriation made by this Order; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to the authorizing statutes described above, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received by the Town upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

FURTHER ORDERED:

That in accordance with Chapter 44, Section 20 of the General Laws, the sum of \$441,834.41 is transferred from the unexpended amounts originally appropriated and borrowed to pay costs of the following projects that have been completed and for which no further financial liabilities remain:

Project	Unexpended Amount	C O #	Passed
BHS Synthetic Turf Fields	\$111,810.24	10-080	1/4/2011
BHS HVAC digital control system	104,000.00	10-055	8/17/2010
BHS - HVAC Controls	143,603.81	12-005	2/28/2012
	BHS Synthetic Turf Fields BHS HVAC digital control system	BHS Synthetic Turf Fields \$111,810.24 BHS HVAC digital control system 104,000.00	BHS Synthetic Turf Fields \$111,810.24 10-080 BHS HVAC digital control system 104,000.00 10-055

December 6, 2016 Town Council 5 of 11

2012	Flaherty - Fire Suppression system install/upgrade	16,937.33	12-005	2/28/2012
2012	Highlands-Fire Suppression system install/upgrade	20,729.00	12-005	2/28/2012
2012	Hollis - Fire Suppression system install/upgrade	29,266.00	12-005	2/28/2012
2014	FY14 Flaherty Door Replacement	3,512.00	14-020	5/13/2014
2014	FY14 Highlands Door Replacement	5,012.00	14-020	5/13/2014
2014	FY14 Hollis Door Replacement	5,012.00	14-020	5/13/2014
2014	FY14 South Auditorium Refurbish	1,952.03	14-020	5/13/2014
	Total	\$441,834.41		

to pay costs of the following projects approved above, and thereby reducing the total borrowing for each such project by a like amount:

School Building Repairs Roof	\$ 121,834.41	Ch. 44, s 7(1)
School Building Repairs Flooring	250,000.00	Ch. 44, s 7(1)
School Building Repairs Plumbing	70,000.00	Ch. 44, s 7(1)
Total	\$ 441,834.41	

• 16 065 Mayor: Request for Appropriation – Fiscal Year 2017 Enterprise Funds Capital Budget or take up any action relative thereto

Motion by Councilor Ryan to Open Public Hearing for Order 16 065

Motion: by Councilor RyanSecond: by Councilor Bowes

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

Council President Powers asked if any member of the Council or General Public want to speak on Order 16 065?

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

Chairman O'Brien stated this was discussed at the Committee on Ways & Means meeting and unanimously voted for favorable action to the Full Council.

Council President Powers ask if there is any other discussion on Order 16 065?

Motion by Councilor Ryan to Close Public Hearing for Order 16 065

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

Councilor Ryan read the following Motions:

1) That the Town of Braintree appropriates the sum of Three Million Dollars (\$3,000,000) to pay costs of Town-wide water distribution system improvements, and for the payment of all other costs incidental and related thereto and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 8 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received by the Town upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes,

December 6, 2016 Town Council 6 of 11

may be applied to the payment of costs approved by this order in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

2) That the Town of Braintree appropriates the sum of Eighty-Five Thousand Dollars (\$85,000) to pay costs of golf course reconstruction, and for the payment of all other costs incidental and related thereto and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7 (1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received by the Town upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Motion: by Councilor Ryan Second: by Councilor Bowes

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

3) That each prior loan order of the Town that authorizes the borrowing of money to pay costs of capital projects is hereby supplemented to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

• 16 066 Mayor: Request for Appropriation – FY 2017 Capital Budget - Other Available Funds or take up any action relative thereto

Motion by Councilor Ryan to Open Public Hearing for Order 16 066

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

Council President Powers asked if any member of the Council or General Public want to speak on Order 16 066?

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

Chairman O'Brien stated this was discussed at the Committee on Ways & Means meeting and unanimously voted for favorable action to the Full Council.

Council President Powers ask if there is any other discussion on Order 16 066?

December 6, 2016 Town Council 7 of 11

Motion by Councilor Ryan to Close Public Hearing for Order 16 066

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

Councilor Ryan read the following Motions:

1) Finance Department

MOTION: That the sum of \$400,000 be transferred from Fiscal Year 2016 Certified Free Cash to the Building Capital Stabilization Fund for the purpose of setting funds aside for future building projects

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

2) Police Department

MOTION: That the sum of \$141,750 be transferred from Fiscal Year 2016 Certified Free Cash for the purchasing three marked police cruisers.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

3) Police Department

MOTION: That the sum of \$32,000 be transferred from Fiscal Year 2016 Certified Free Cash for the purchase of one unmarked police cruiser.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

4) School Department

MOTION: That the sum of \$30,000 be transferred from Fiscal Year 2016 Certified Free Cash for the purchase of a pickup truck.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

5) School Department

MOTION: That the sum of \$30,000 be transferred from Fiscal Year 2016 Certified Free Cash for the purchase of a delivery truck.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

6) School Department

MOTION: That the sum of \$18,166 be transferred from Fiscal Year 2016 Certified Free Cash for repairing of roofs.

Motion: by Councilor Ryan

December 6, 2016 Town Council 8 of 11

Second: by Councilor Bowes

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

7) Department of Elder Affairs

MOTION: That the sum of \$1,500 be transferred from Fiscal Year 2016 Certified Free Cash for the purpose of carpet replacement.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

8) Library Department

MOTION: That the sum of \$10,000 be transferred from Fiscal Year 2016 Certified Free Cash for the purpose of computer replacement.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

9) Library Department

MOTION: That the sum of\$50,000 be transferred from Fiscal Year 2016 Certified Free Cash for the purpose of building maintenance.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

10) Stabilization Fund

MOTION: That the sum of \$1,199,293 be transferred from the Fiscal Year 2016 certified Free Cash to the Town·Stabilization fund.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

11) Golf Enterprise Fund

MOTION: That the sum of \$45,000 be transferred from Fiscal Year 2016 Certified Golf Retained Earnings the purpose of purchasing a Rough and Utility Mower.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

12) Golf Enterprise Fund

MOTION: That the sum of \$8,000 be transferred from Fiscal Year 2016 Certified Golf Retained Earnings the purpose of purchasing a Tow Behind Leaf and Debris Blower.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

December 6, 2016 Town Council 9 of 11

13) Fire Department

MOTION: That the sum of\$110,000 be transferred from the town's stabilization fund to Fire Department/ Capital Projects Program 62 I Fire station repairs and renovations account for the purpose of litigation settlement for the finalization of the East Braintree Fire Station Renovation.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

• 16 069 Council President: Amendment to Council Rule 32: Standing Committees or take up any action relative thereto

Council President Powers stated we are adding an additional standing committee. This will not replace TASC. This is an outlet for constituents to bring traffic issues and concerns to us. This will help us advocate for our constituents.

Council President Powers referred to Councilor Clifford (Committee Chair) for Committee on Ordinance & Rules recommendation.

Chairman Clifford stated this was discussed at the Committee on Ordinance & Rules meeting and unanimously voted for favorable action to the Full Council.

Councilor Ryan read the following Motion:

MOTION: To approve an amendment to Town Council Rule 32 to add an additional Standing Committee named the Traffic and Safety Committee to consist of three (3) members as follows; the Chair of Public Safety, Chair of Ordinance & Rules, and the Chair of Public Works. The Traffic and Safety Committee may consider and report upon all matters relating to traffic and safety and any other matters referred to it by the Council or Council President.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

Councilor O'Brien made a Motion to Amend the Motion.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

Councilor O'Brien asked the word <u>all</u> be replaced with <u>those</u> and additionally <u>or their designees</u> be added: MOTION: To approve an amendment to Town Council Rule 32 to add an additional Standing Committee named the Traffic and Safety Committee to consist of three (3) members or their designees as follows; the Chair of Public Safety, Chair of Ordinance & Rules, and the Chair of Public Works. The Traffic and Safety Committee may consider and report upon **those** matters relating to traffic and safety and any other matters referred to it by the Council or Council President.

Motion: by Councilor Ryan **Second:** by Councilor Bowes

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

December 6, 2016 Town Council 10 of 11

NEW BUSINESS

None

Motion by Councilor Ryan to refer the following to Committees:

Refer to the Committee on Ways & Means

• 16 070 Mayor: Line item transfer CBA Library, BPMA, Non-Union Managers or take up any action relative thereto

Motion: by Councilor Ryan Second: by Councilor Bowes

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

 16 072 Mayor: Appointment Historical Commission – Santina Giannino or take up any action relative thereto

Motion: by Councilor Ryan Second: by Councilor Bowes

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

• 16 073 Mayor: Community Preservation Act Appropriation for Adams Memorial Plaza or take up any action relative thereto

Motion: by Councilor Ryan Second: by Councilor Bowes

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

Topics the Chair does not reasonably anticipate will be discussed

UPCOMING MEETINGS:

Next Council Meeting is - <u>TUESDAY</u>, <u>December 20</u>, <u>2016</u>@ <u>7:30pm</u>

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 9:37p.m.

Respectfully submitted,

Susan M. Cimino Clerk of the Council

Documents provided for Meeting

- 16 061 Mayor: Tax Rate Classification or take up any action relative thereto
- 16 063 Mayor: Request to Approve the FY 17 Capital Plan or take up any action relative thereto
- 16 064 Mayor: Request for Appropriation Fiscal Year 2017 General Fund Capital Budget or take up any action relative thereto
- 16 065 Mayor: Request for Appropriation Fiscal Year 2017 Enterprise Funds Capital Budget or take up any action relative thereto
- 16 066 Mayor: Request for Appropriation FY 2017 Capital Budget Other Available Funds or take up any action relative thereto
- 16 069 Council President: Amendment to Council Rule 32: Standing Committees or take up any action relative thereto

December 6, 2016 Town Council 11 of 11