

Sean E. Powers
President
At Large

Shannon L. Hume
At Large

CHARLES C. Kokoros
District 1

John C. Mullaney
District 2

Thomas M. Bowes
District 3



Charles B. Ryan
Vice President
At Large

Stephen C. O'Brien
District 4

Michael J. Owens
District 5

PAUL "DAN" CLIFFORD
District 6

OFFICE OF THE TOWN COUNCIL

MAY 2, 2017

MINUTES

A meeting of the Town Council, was held in the Cahill Auditorium, Braintree Town Hall, on May 2, 2017 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: Joseph C. Sullivan, Mayor
Joseph Reynolds, Chief of Staff
Ed Spellman, Finance Director
Lisa Maki, Town Solicitor
Karen Shanley, Human Resource Director
James Arsenault, DPW Director
Sharmila Biswas, Elder Affairs Director
Frank Hackett, Superintendent of Schools
Paul J. Shastany, Police Chief
Terri Stano, Library Director
Bill Bottiggi, BELD General Manager
Tom Reynolds, BELD Commissioner
Kate Naughton, School Committee
Barbara Mello, Grant Writer
Christopher Griffin, Assistant to the Mayor
Barbara Kelleher, National Grid Representative
Tom Whalen, former DPW Director
Linda Kopkind, resident NBCA

APPROVAL OF MINUTES

- NONE

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

- 031 17 Mayor: FY2018 Budget Submission

Mayor Joseph C. Sullivan stated this is the 10th Operating Budget I have submitted to you. We have a diligent team over the past year with budget preparations. A special note goes to Ed Spellman our Finance Director. This is a conservative budget at \$146 million dollars. This document is a story of past years and the blueprint for the future. In 2008 we had to cut \$1 million dollars and cuts in jobs. We were required to make tough decisions. Reserves have grown more than 500% of what we started with in 2008. This puts Braintree in a strong position for an exciting future.

Key issues include: Roadway improvements, School updates at East and South which because we are in a strong financial position we can do this without any additional taxes or an over-ride. At the Braintree golf course the Club House has been enlarged. Braintree Day on July 1st we have set aside over \$40,000 for this celebration. The Senior Center is getting an addition. We make sure public safety Police and Fire always have the resources to do their jobs. We have received a substance use grant. We must support those dealing with addiction.

Council President Powers stated thank you Mayor Sullivan for your presentation and all the department heads for their work.

- 032 17 Council President: BELD Update (PowerPoint presentation)

Bill Bottiggi and Tom Reynolds were in attendance with a PowerPoint presentation to give an update on BELD. Bill stated \$4 million has been put into Potter II to keep it running. A computerized maintenance system has been implemented. To lock in electrical rates for 10 years go solar by calling 781-348-2353. The 4,100 street lights will all be converted to LED which use less than half the energy of HP sodium. We submitted a show of interest to keep our option open to participate in the next auction if rebuilding a new generator is beneficial.

OLD BUSINESS

- **17 023 Mayor: Petition for Special Legislation to Exempt Police Chief Paul J. Shastany from Chapter 32, Section 91 Limitations or take up any action relative thereto**

Mayor Sullivan stated this "Home Rule Petition" is specific to Braintree and our chief's position. This filing will go to the state legislature. It is a petition for full-time service for Chief Shastany until November 2019. Our evidence room is being updated and moving our Braintree Police Department forward.

Council President Sean Powers referred to Chairman of the Committee on Ways & Means, Councilor O'Brien for recommendation.

Councilor O'Brien stated I believe Chief Shastany can lead the Police Department. This will allow him to be full-time. He will not be in our retirement system. His leadership is very transparent which is appreciated. The Committee on Ways & Means met and recommends favorable action to the full Council.

Councilor Ryan stated we need a full-time Chief and I support the Mayor on this Home Rule Petition.

Councilor Kokoros stated he was looking to modify this petition to include all public safety personnel. When they reach retirement they can only make a certain amount of money to do "Details". Braintree has a lot of Details to be filled. Retired personnel are experienced and understand the job. I will move forward with my own Home Rule Petition at a later date.

Councilor Bowes stated Chief Shastany should continue the work with the Braintree Police Department he has started.

Councilor Powers stated I add my thanks to the men and women of the Braintree Police Department. It has been an extraordinary year. Thank you for showing up every day and putting our safety first.

Councilor Ryan read the following Motion:

That the Town Council vote to authorize the Mayor to petition the General Court pursuant to Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts for an Act Exempting the Retirement Restrictions Set Forth in Sections 91 (a)-(c) of Chapter 32 of the Massachusetts General Laws as set forth in the petition for special legislation filed with the Town Council in April 7, 2017, and on file with the Office of the Town Clerk. Further, that the General Court be authorized to make clerical or editorial changes of form only to the bill before enactment by the General Court, and further, that the Mayor be authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

Motion: by Councilor Ryan

Second: by Councilor Bowes

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

Councilor Clifford and Councilor Kokoros left Cahill Auditorium at 9:21pm and returned at 9:25pm

• **17 016 National Grid Petition: Elmwood Avenue/Sumner Avenue or take up any action relative thereto**
MOTION TO TAKE FROM THE TABLE

Motion: by Councilor Ryan

Second: by Councilor Bowes

Vote: For (6), Against (0), Absent (3-Mullaney, Clifford, Kokoros), Abstain (0)

National Grid would like to move forward with the Elmwood and Sumner projects (17-016) and so are agreeable to the conditions from Bob Campbell, Town Engineer:

The following Motion was read by Councilor Ryan:

MOTION:

To install and maintain approximately 895 feet of 2 inch gas main, from the existing 2 inch main in Hobart Ave to the end of the main near Franklin St. And Sumner Av, install and maintain approximately 565 feet of 2 inch gas main, from the new 2 inch main in Elmwood Ave to the end of the main at Hollingsworth Av, all to replace the existing mains which will be taken out of service but left in place with the following conditions:

BELD: BELD Engineering has reviewed this permit and has no underground electric utility conflicts within the proposed scope of work.

DPW: These two streets were totally reconstructed in 2011, just got out of the moratorium in January of 2017 and are in excellent condition. It is our recommendation that this petition **should be approved with more rigorous repair specifications than our standard conditions, to include a final hot mix asphalt pavement at least 4" deep being maintained flush with the surrounding pavement for a year, and then 1 ½ inch grind and inlay to neat lines one foot beyond the limits of disturbance at the completion of the year. If the quality of that final repair is not satisfactory to the Highway and Grounds Superintendent and the Director of Public Works, infrared repair of the trench or another more extensive repair will be required.** The petition should also be subject to the other standard conditions, with emphasis on the requirements that the gas main be laid outside of the existing water and sewer trenches and that the trench pavement not be left low for any length of time; we also recommend that the following requirement be added to the permit, if it is to be granted:

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 (8), Against (0), Absent (1-Mullaney), Abstain (0)

• **17 017 National Grid Petition: King Hill Road or take up any action relative thereto**

Councilor Ryan made a Motion to TAKE FROM THE TABLE

Motion: by Councilor Ryan

Second: by Councilor Bowes

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

Councilor Ryan stated the update on King Hill Road (17-017) is that National Grid will not be replacing the gas main there this year, so they should be allowed to withdraw their petition. This is Per Bob Campbell, Town Engineer and after discussion with National Grid Representative, Barbara Kelleher who stated NATIONAL GRID WILL **WITHDRAW** THIS PETITION on Order 17 107.

- **17 018 National Grid Petition: Hancock Street/Smith Street/Smith Terrace or take up any action relative thereto**

MOTION TO TAKE FROM THE TABLE by Councilor Ryan

Motion: by Councilor Ryan

Second: by Councilor Bowes

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

National Grid would like to move forward with Smith Ave and Smith Terrace but NOT do any of the proposed Hancock St portion at this time. Since the work on those two streets did not included any special conditions the Council could approve 17-018 for Smith St and Smith Ter only with normal conditions.

The following Motion was read by Councilor Ryan:

To install and maintain approximately 590 feet of 4 inch gas main from the existing 3 inch main near #275 southerly to the existing 4 inch main at Highland Av, Smith St install and maintain approximately 260 feet of 2 inch gas main from the new 4 inch main in Hancock St to the end of main near #21, and Smith Ter, install and maintain approximately 215 feet of 2 inch gas main from the new 2 inch main in Smith St to the end of main near #7, all to replace the existing mains which will be taken out of service but left in place with the following conditions:

BELD: BELD Engineering has reviewed this permit and has no underground electric utility conflicts within the proposed scope of work.

DPW: This section of **Hancock Street** is State Highway and was milled and overlaid in 2015 and so is still under the moratorium. As such, **we recommend that the Hancock Street part of the petition be denied, but if the Council finds extenuating circumstances warranting approval, that in addition to the standard conditions the approval be conditioned upon the petitioner milling and overlaying the full width of Hancock Street for the full length of the excavation along the road plus 25 feet on each end, replacing all pavement markings in kind, repairing or replacing curbs and sidewalk areas disturbed each to the satisfaction of the Highway Superintendent and infrared treatment of seems at the discretion of the Highway Superintendent. Smith St and Smith Terrace** have not been resurfaced in several years. We would recommend that the petition for these two sections be granted under the normal conditions, with emphasis on the requirements that the gas main be laid outside of the trench of the water and sewer mains in service and that the trench pavement not be left low for any length of time; we also recommend that the following requirement be added to the permit, if it is to be granted:

“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 (8), Against (0), Absent (1-Mullaney), Abstain (0)

• **17 021 National Grid Petition: Summit Ridge Drive and Maplewood Terrace**

Councilor Ryan stated this petition is to be granted for favorable recommendation to the full Council.

Councilor Ryan read the following Motion:

BELD: BELD Engineering has reviewed this permit and has no underground electric utility conflicts within the proposed scope of work.

DPW: 17-021- Summit Ridge Drive, install and maintain approximately 100 feet of 2 inch gas main in Summit Ridge Drive, from the existing main near Maplewood Terrace, to the end of the main near house #99. In order to provide gas service to #99 Summit Ridge Drive. Summit Ridge Drive is not under the moratorium. We'd recommend that the petition be granted under the normal conditions, with emphasis on the requirements that the gas main be laid outside of the trench of the water mains in service and that the trench pavement not be left low for any length of time; We also recommend that the following requirement be added to the permit, if it is to be granted:

"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 (8), Against (0), Absent (1-Mullaney), Abstain (0)

Councilor Clifford stated National Grid needs to take a look at our 100 Roads Program and give us reassurance they are good or will be replaced with coordination.

Councilor Owens stated we discussed having Bob Campbell, Town Engineer and our reps meet with National Grid and if we don't see improvement we will send a letter. We want better prioritizing of our roads. How many times are emergency permits needed? Do they let it go until it is an emergency and then pull an emergency permit to do the work.

Council President Powers stated lets see how far they can go back and how many emergency permits have been pulled.

NEW BUSINESS

- None

Councilor Ryan read the following Motions for referrals to committees:

Refer to the Committee on Personnel Issues

- 17 026 Council President: Re-Appointment Clerk of the Council or take up any action relative thereto
REFER TO THE COMMITTEE ON PERSONNEL ISSUES Order 17 026.
Motion: by Councilor Ryan
Second: by Councilor Bowes
Vote: For (8), Against (0), Absent (1-Mullaney), Abstain (0)

Councilor Ryan read the following Motions for referrals to committees:

Refer to the Committee on Ways & Means

- 17 027 Mayor: FY2018 Operating Budget or take up any action relative thereto
- 17 028 Mayor: FY2018 Budget – Community Preservation Committee or take up any action relative thereto
- 17 029 Mayor: FY2018 Revolving Accounts or take up any action relative thereto
REFER TO THE COMMITTEE ON WAYS & MEANS Order 17 027, 17 028, 17 029.
Motion: by Councilor Ryan
Second: by Councilor Bowes
Vote: For (8), Against (0), Absent (1-Mullaney), Abstain (0)

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 9:39p.m.

Respectfully submitted,

Susan M. Cimino
Clerk of the Council

Documents provided for Meeting

- 17 016 National Grid Petition: Elmwood Avenue/Sumner Avenue or take up any action relative thereto
- 17 017 National Grid Petition: King Hill Road or take up any action relative thereto
- 17 018 National Grid Petition: Hancock Street/Smith Street/Smith Terrace or take up any action relative thereto
- 17 021 National Grid Petition: Summit Ridge Drive and Maplewood Terrace
- 17 023 Mayor: Petition for Special Legislation to Exempt Police Chief Paul J. Shastany from Chapter 32, Section 91 Limitations or take up any action relative thereto