

CHARLES C. KOKOROS
President
District 1

LELAND A. DINGEE
At Large

SEAN E. POWERS
At Large

CHARLES B. RYAN
At Large

JOHN C. MULLANEY
District 2



THOMAS M. BOWES
Vice President
District 3

HENRY N. JOYCE
District 4

RONALD E. DENAPOLI
District 5

PAUL "DAN" CLIFFORD
District 6

OFFICE OF THE TOWN COUNCIL

June 11, 2013

MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, June 11, 2013 beginning at 7:30p.m.

Council President Kokoros was in the chair.

The Clerk of the Council conducted the roll call.

Present: Charles Kokoros, President
Leland Dingee
Sean Powers
Charles Ryan
Henry Joyce
Ronald DeNapoli
Paul Dan Clifford

Not Present: Thomas Bowes, Vice President
John Mullaney

Others: Peter Morin, Chief of Staff
Edward Spellman, Finance Director
Peter McSoley, Financial Coordinator Police Department
Daryn Brown, Superintendent Golf Course
Dennis Regan, NationalGrid
Joseph Powers, Town Clerk

CORRESPONDENCE

None

ANNOUNCEMENTS

Councilor Powers: Braintree July 4th Pizza Palooza Event

Councilor Joyce: Babe Ruth Comedy Night

Councilor Kokoros: Braintree High School 25th Class Reunion

APPROVAL OF MINUTES

- **May 28, 2013**

Motion: by Councilor Powers to approve minutes of May 28, 2013

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

CITIZEN CONCERNS/COUNCIL RESPONSE

OLD BUSINESS

Committee on Public Works

- **13 019 NationalGrid: Petition – 16-87 Washington Street**

Councilor Ryan, Chairman of the Committee on Public Works, reported the Committee recommended favorable action; to include staff recommendations. Councilor Ryan made the following motion:

To install and maintain approximately 700 feet, more or less of 2 inch gas main in Washington Street, Braintree.

From the existing 2 inch gas main at Holmes Street, Southerly to the existing 2 inch gas main near Hawthorne Road and approximately 225 feet more or less of 2 inch gas main in Loretta Avenue . From the proposed 2 inch gas main in Washington Street Easterly to the existing 2 inch gas main at Robert Street and approximately 100 feet more or less of 2 inch gas main in Hawthorne Road from the proposed 2 inch gas main in Washington Street Easterly to the existing 2 inch gas main at house # 196. All of which to replace and abandon the existing 1 ½ and 2 inch gas mains in Washington Street, Loretta Avenue and Hawthorne Road.

Approval is conditioned with repairs on Washington Street and Hawthorne Road 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 trench limits at the completion of the year; and repairs on Loretta Avenue with a final pavement being maintained flush with the surrounding pavement immediately (do not leave the trench down.)

Motion: by Councilor Ryan for approval of Order 13 019 with staff recommendatons

Second: by Councilor Powers

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

- **13 020 NationalGrid: Petition – 21-99 Hancock Street**

Councilor Ryan, Chairman of the Committee on Public Works, reported the Committee recommended favorable action; to include staff recommendations. Councilor Ryan made the following motion:

To install and maintain approximately 975 feet, more or less of 6 inch gas main in Hancock Street, Braintree.

From the existing 3 inch gas main in Washington Street, Southerly to House #99 and approximately 90 feet more or less of 2 inch gas main in Hall Avenue. From the proposed 6 inch gas main in Hancock Street Westerly to House #37 and approximately 175 feet more or less of 2 inch gas main in Myrtle Avenue. From the proposed 6 inch gas main in Hancock Street, Easterly to the end of the main at House #1. All of which to replace and abandon the existing 4 inch gas main in Hancock Street and the existing 2 inch gas mains in Hall Avenue and Myrtle Avenue.

Approval is conditioned with final pavement being maintained flush with the surrounding pavement immediately (do not leave the trench down.)

Motion: by Councilor Ryan for approval of Order 13 020 with staff recommendatons

Second: by Councilor Powers

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

- **13 021 NationalGrid: Petition – 131-195 Old Elm Street**

Councilor Ryan, Chairman of the Committee on Public Works, reported the Committee recommended favorable action; to include staff recommendations. Councilor Ryan made the following motion:

To install and maintain approximately 345 feet, more or less of 2 inch gas main in Elm Street, Braintree.

From the existing 6 inch gas main in Elm Terrace, Southerly to the end of the main at Building #131, #135 and #137. All of which to replace and abandon the existing 6 inch gas main in Elm Street.

Approval is conditioned with final pavement being maintained flush with the surrounding pavement immediately (do not leave the trench down.)

Motion: by Councilor Ryan for approval of Order 13 021 with staff recommendatons

Second: by Councilor Powers

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

- **13 022 NationalGrid: Petition – 1646-1650 Washington Street**

Councilor Ryan, Chairman of the Committee on Public Works, reported the Committee recommended favorable action; to include staff recommendations. Councilor Ryan made the following motion:

To install and maintain approximately 300 feet, more or less of 6 inch gas main in Washington Street, Braintree.

From the existing 4 inch gas main at House #1646, Southerly to the existing 3 inch gas main at Bellevue Avenue. All of which to replace and abandon the existing 3 inch gas main in Washington Street.

Approval is conditioned with this petition should being referred to MassDOT with a recommendation that the section disturbed be milled and overlaid full width.

Motion: by Councilor Ryan for approval of Order 13 022 with staff recommendatons

Second: by Councilor Powers

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

Committee on Ways & Means

- **13 023 Mayor: Line Item Transfers #2 for Various Departments FY2013**

Motion: by Councilor Joyce to open public hearing

Second: by Councilor Powers

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

Councilor Clifford, Chairman of the Committee on Ways & Means, reported that the Committee recommended favorable action on all seven line item transfers.

Council President Kokoros asked if any member of the Council or anyone from the public would like to speak on Order 13 023. No one came forward.

Motion: by Councilor Ryan to close public hearing

Second: by Councilor Joyce

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

Councilor Clifford made a separate motion for each of the line item transfer requests and, after each; a vote of the Council was taken.

1. Snow and Ice Deficit

That the sum of \$597,053 be transferred from the Town's Stabilization fund to the Department of Public Works /Program 11 –Snow and Ice, and further, that the Director of Municipal Finance be authorized to allocate said sums to and among the various line items affected thereby.

Motion: by Councilor Clifford to approve Order 13 023(1)

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

2. Fire

MOTION: That the sum of \$27,500 be transferred from the Human Resources Department/ Program 04– Employee Benefits / Workers Compensation account and the sum of \$12,500 be transferred from the Human Resources Department/ Program 06– Veterans Benefit / Veterans Benefit account for a total of \$40,000 to be transferred to the Fire Department/ Program 04 – Fire Suppression / Overtime account 01-22004-5130.

Motion: by Councilor Clifford to approve Order 13 023(2)

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

3. Department of Public Works

MOTION: That the sum of \$5,000 be transferred from the Human Resources Department/ Program 06– Veterans Benefit / Veterans Benefit account to the Department of Public Works /Program 15 – Recreation and Community Events / 4th July Parade account 01-40015-5204.

Motion: by Councilor Clifford to approve Order 13 023(3)

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

4. Library

MOTION: That the sum of \$380 be transferred from the Human Resources Department/ Program 06– Veterans Benefit / Veterans Benefit account to the Library Department / Program 01 – Administration/ Longevity account 01-61001-5143.

Motion: by Councilor Clifford to approve Order 13 023(4)

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

5. Law

MOTION: That the sum of \$10,000 be transferred from the Human Resources Department/ Program 06– Veterans Benefit / Veterans Benefit account and \$10,000 from the Human

Resources Department/ Program 04– Employee Benefits / Workers Compensation account for a total of \$20,000 be transferred to the Law Department / Program 01 – Legal Services account 01-15101-5301.

Motion: by Councilor Clifford to approve Order 13 023(5)

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

6. Police

MOTION: That the sum of \$80,000 be transferred from the Police Department/ Program 05– Communications / Sworn Personnel account be transferred to the Police Department/ Program 04– Patrol Bureau / Overtime account 01-21004-5130.

Motion: by Councilor Clifford to approve Order 13 023(6)

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

7. Police

MOTION: That the sum of \$35,000 be transferred from the Police Department/ Program 08– Special Services/ Community Policing / Sworn Personnel account be transferred to the Police Department/ Program 03– Equipment Maintenance / Gasoline account 01-21003-5484.

Motion: by Councilor Clifford to approve Order 13 023(7)

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

• **13 024 Mayor: Line Item Transfers Golf Course FY2013**

Motion: by Councilor Ryan to open public hearing

Second: by Councilor DeNapoli

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

Councilor Clifford, Chairman of the Committee on Ways & Means, reported that the Committee recommended favorable action on each of the line item transfers.

Council President Kokoros asked if any member of the Council or anyone from the public would like to speak on Order 13 024. No one came forward.

Motion: by Councilor Ryan to close public hearing

Second: by Councilor DeNapoli

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

Councilor Clifford made a separate motion for each of the line item transfer requests and, after each; a vote of the Council was taken.

1. That the sum of \$49,000 be transferred from the Golf Course Enterprise Fund/Retained Earnings Account of which; \$6,000 is to be transferred to the Golf Course/Program 01 – Part-Time Labor Account; \$15,000 is to be transferred to the Golf Course/Program 05 – Golf Pro / Merchandise Account; \$12,000 is to be transferred to the Golf Course/Program 05 – Golf Pro / Professional Staff Expense Account; \$9,000 is to be transferred to the Golf Course/Program 04 – Turf Maintenance/Fertilizer Account; \$4,000 is to be transferred to the Golf Course/Program 04 – Turf Maintenance/Sand, Loam, Gravel Account; \$3,000 is to be transferred to the Golf Course/Program 04 – Turf Maintenance/Overtime Account.

Motion: by Councilor Clifford to approve Order 13 024(1)

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

2. That the sum of \$5,400 be transferred from the Golf Course/Program 60 – FY13 POS/ Equipment Account of which \$5,400 is to be transferred to the Golf Course/Program 03 Equipment Maintenance / Gasoline Account

Motion: by Councilor Clifford to approve Order 13 024(2)

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

NEW BUSINESS

Committee on Ways & Means

- **13 025 Mayor: Appropriation from Community Preservation Fund – John Adams Memorial Plaza - First Congregational Church**

Motion: by Councilor Powers to refer to Committee

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

- **13 026 Mayor: Appropriation from Community Preservation Fund – Elm Street Cemetery**

Motion: by Councilor Powers to refer to Committee

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

- **13 027 Town Clerk: Call to the Special State Election – June 25, 2013**

Council President Kokoros informed members that same night action has been requested and if there are no objections the Order will be taken up this evening.

Councilor Dingee commented that the Order does not require it to go before Committee therefore, he does not object to same night action.

Councilor Powers read the following motion:

“Be it so order by the Braintree Town Council that, in the name of the Commonwealth, the Town of Braintree is hereby required to notify and ward the inhabitants of said town, who are qualified to vote in the special state election on Tuesday, June 25, 2013 from 7:00am to 8:00pm for the following purpose: To cast their votes in the special state election for the candidates for the following office: Senator in Congress, For the Commonwealth.”

Motion: by Councilor Powers to approve Order 13 027

Second: by Councilor Ryan

Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

- **13 028 Mayor: Permanent Easements for Safe-Routes to School Project**

Council President Kokoros informed members that same night action has been requested and if there are no objections the Order will be taken up this evening.

Councilor Dingee commented that the Order has been vetted by the Braintree School Committee and the public had the opportunity to comment therefore, he does not object to same night action.

Councilor Powers read the following motion:

“In accordance with the vote of the Town of Braintree School Committee dated September 24, 2012, in which the School Committee voted to approve two permanent easements to the Town of Braintree over land within the care, custody and control of the Braintree School Department, specifically, land within the property boundaries of Ross Elementary School, for the purpose of accommodating the Safe Routes to School Project, that the Town of Braintree accepts such permanent easements, and that the Mayor and Department of Public Works are hereby authorized to take any action necessary to carry out this vote accepting two permanent easements, which are more fully described as follows:

Parcel E-1

Land in the Town of Braintree, Norfolk County, Massachusetts situated on the north side of Hayward Street as laid out on an October 1, 1929 County Layout plan, being shown as

Parcel E-1 on a plan titled “Plan of Easements over land owned by the Town of Braintree – Commercial and Hayward Streets, Braintree, Massachusetts”, prepared by WSP-Sells, dated May 7, 2013, to be recorded in the Norfolk County Registry of Deeds in Dedham, Massachusetts.

Beginning at a point on the North sideline of Hayward Street, at a Massachusetts State Grid bearing on N 71 53’49” E a distance of 68.56 feet from a Stone Norfolk County Highway Bound with a drill hole, said point being the southwesterly corner of a 1982~~3~~ Town Alteration of Hayward Street as shown on a plan recorded in the Norfolk County Registry of Deeds as Plan No. 480 of 1982 in Plan Book 296, and being the southeasterly corner of the easement herein described, thence;

Through the land of the grantor the following seven courses:

N 18 06’11” W, a distance of 23.50 feet to a point

N 42 06’11” W, a distance of 38.43 feet to a point

S 80 53’49” W, a distance of 62.00 feet to a point,

S 13 53’49” W, a distance of 26.00 feet to a point,

S 76 06’11” E, a distance of 24.64 feet to a point of curvature,

Southeasterly along a tangent curve to the right with a radius of 25.00 feet, an arc distance of 25.31 feet to a point of tangency,

S 18 06’11” E, a distance of 12.00 feet to the north sideline of Hayward Street, thence;

N 71 53’49 W, along said Hayward Street a distance of 58.00 feet to the Point of Beginning,

Said Parcel E-1 containing an area of 4,175 square feet, more or less.

Parcel E-2

Land in the Town of Braintree, Norfolk County, Massachusetts situated on the north side of Hayward Street as laid out on an October 1, 1929 County Layout plan, being shown as Parcel E-2 on a plan titled “Plan of Easements over land owned by the Town of Braintree – Commercial and Hayward Streets, Braintree, Massachusetts” prepared by WSP-Sells, dated May 7, 2013, to be recorded in the Norfolk County Registry of Deeds in Dedham, Massachusetts.

Beginning at a point on the North sideline of Hayward Street, at a Massachusetts State Grid bearing of N 71 53’49 E a distance of 451.34 feet from a Stone Norfolk County Highway Bound with a drill hole, being the southeasterly corner of the easement herein described, thence;

Through the land of the grantor the following seven courses:

N 18 06'11" W, a distance of 64.00 feet to a point,
N 75 00'48" W, a distance of 30.00 feet to a point,
S 71 53'49" W, a distance of 55.13 feet to a point,
S 29 53'49" W, a distance of 20.00 feet to a point,
S 18 06'11" E, a distance of 30.00 feet to a point,
N 71 53'49" E, a distance of 70.00 feet to a point,
S 18 06'11" E, a distance of 37.00 feet to the north sideline of Hayward Street, thence;
N 71 53'49" W, along said Hayward Street a distance of 25.00 feet to the Point Beginning,
Said Parcel E-2 containing an area of 4,720 square feet, more or less.

Motion: by Councilor Powers to apporve Order 13 028
Second: by Councilor Ryan
Vote: For (7), Against (0), Absent (2- Bowes, Mullaney)

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 8:13p.m.

Respectfully submitted,
James M. Casey
Clerk of the Council

Documents provided for Meeting

- May 28, 2013 Minutes
- 13 019 NationalGrid: Petition – 16-87 Washington Street
- 13 020 NationalGrid: Petition – 21-99 Hancock
- 13 021 NationalGrid: Petition – 131-195 Old Elm Street
- 13 022 NationalGrid: Petition – 1646-1650 Washington Street
- 13 023 Mayor: Line Item Transfers #2 for Various Departments FY2013
- 13 024 Mayor: Line Item Transfers Golf Course FY2013
- 13 025 Mayor: Appropriation from Community Preservation Fund – John Adams Memorial Plaza - First Congregational Church
- 13 026 Mayor: Appropriation from Community Preservation Fund – Elm Street Cemetery
- 13 027 Town Clerk: Call to the Special State Election – June 25, 2013
- 13 028 Mayor: Permanent Easements for Safe-Routes to School Project