

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

April 1, 2014

MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, April 1, 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
Charles Ryan
Charles Kokoros
John Mullaney
Stephen O'Brien
Michael Owens
Paul Dan Clifford

Others: Dennis Regan, National Grid Representative
Maryellen Fleming, Resident
Gerry Buckley, Comcast Government Representative
James Regan, Light Board Secretary
Debra Starr Helbig, Assistant Town Clerk
Katarina Devin, Principal Clerk
Susan Cimino, Registration Clerk

CORRESPONDENCE

None

ANNOUNCEMENTS

- 021 14 Councilor Hume: B.F.F.E. Marathon Run for S.E.P.A.C.
- 025 14 Councilor Hume: Run for Charlotte
- 027 14 Councilor Hume: Cradles to Crayons Clothing Drive
- 026 14 Council President: Annual Spring Leaf Pickup

- 028 14 Councilor O'Brien: Carbon Monoxide requirements and Satisfaction
- 030 14 Councilor Clifford: CATS Academy Boston School

APPROVAL OF MINUTES

- March 4, 2014

Motion: by Councilor Powers to approve

Second: by Councilor Kokoros

Vote: For (9), Against (0)

Council President Bowes announced that if there are no objections Order 14 013 National Grid Petition: Woodedge Avenue will be taken out of order. No members objected.

Committee on Public Works

- **14 013 National Grid Petition: Woodedge Avenue or take up any action relative thereto**

Councilor Ryan, Chairman of the Committee on Public Works, reported that the Committee has recommended favorable action to include staff recommendations. He then read the scope of the work to be performed as well as staff recommendations.

To install and maintain approximately 30 feet, more or less, of 2 inch gas main in Woodedge Avenue, Braintree from the existing 2 inch gas main near house #50, westerly to house #55 for a new gas service.

BELD Engineering has reviewed petition #14 013 and has no special conditions or utility conflicts within the proposed scope of work.

DPW The proposed location is not under the moratorium, but was totally reconstructed in 2003. The proposed route runs very close to concrete curbing in good condition and through a drainage catch basin. The concrete curbing would be very difficult to reset, repair or replace with a matching curb, so if any is damaged, the full length along the trench would have to be replaced with our current standard, Type VA granite curbing. The sidewalk would also have to be saw cut and repaired. However, the main extension has to be moved out to avoid the catch basin anyway, so it should also be moved away from the curbing. If this change is made, we 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 main in service and that the trench pavement not be left low for any length of time.

Motion: by Councilor Ryan to approve with staff recommendations

Second: by Councilor Powers

Vote: For (8), Against (0), Did-Not-Vote (1-O'Brien)

CITIZEN CONCERNS/COUNCIL RESPONSE

- 022 14 Council President: Comcast – Resident Issue

Maryellen Fleming, Braintree resident provided a summary of the events she observed; On the morning of February 21 @ 8:40 A.M., I looked out the kitchen window to see a suspicious looking man defecating in the side yard beside the storage shed which is adjacent to my residence. I ran and locked the doors to my residence fearing he would try to break into my house. He saw me and started to laugh while waving fliers at me. (COMCAST) I called my neighbor, Braintree police officer Ryan McHugh, and notified the Braintree police. A short time later Officer Brendan McCarthy arrived at my door and was very helpful. I told him what happened and he said that he had been riding around the neighborhood looking for the man, to no avail. Later in the day Officer McCarthy (who was off duty) called Officer McHugh to alert him one of the COMCAST workers was on Hancock Street. He briefly detained the individual who was evasive and tried to conceal his COMCAST badge. Officer McHugh conducted an investigation and placed under arrest two other workers who had outstanding felony warrants one of whom was a fugitive from the State of Maine. They located the individual who was in charge of the work crew who notified them he had picked these individuals up at the Pine Street Inn. Officer McHugh notified my husband who is a Transit Police Lieutenant to secure the video at Braintree station where the individual who was in my yard allegedly dropped off. My husband was concerned because of the recent assaults on Transit officers by residents of the shelters and he was also concerned because many residents of the shelters are registered sex offenders who have no other legal residence. He believes that COMCAST at the very least should have notified the Braintree Police they would be soliciting in the neighborhoods in the daytime. On behalf of my family, and the residents of Braintree, I would ask the council to thank the officers for their quick response and follow-up and to initiate an investigation into the door to door solicitation policies of COMCAST.

Gerry Buckley, Comcast Government Representative, apologized to Mrs. Fleming and the Town. He noted that this was not who Comcast is. The third-party company is no longer working with Comcast. The company had been working for Comcast for at least ten years. Mr. Buckley indicated that the situation is being handled by the Braintree Police Department at this time.

Councilor Clifford asked what steps Comcast would take in the future to prevent this type of activity. Mr. Buckley responded that the third-party company has been let go and all in-house employees have been instructed to register with the Police Department prior to going into the neighborhoods. Councilor Clifford asked what compensation Ms. Fleming was looking for from Comcast. Ms. Fleming responded that she has spoken with Mr. Buckley previously and believes his apology was sincere and was reasonable happy.

Councilor O'Brien asked Mr. Buckley the name of the company at fault. Mr. Buckley replied the name of the company in the Police Report was Power Direct out of California.

Councilor Kokoros commented that the event opened up an issue of people canvassing around town soliciting and there is an ordinance that controls their movement. Council President Bowes noted that the current ordinance does not require registration with the Police Department. He will place on the next Council agenda a revision of this ordinance to protect the people.

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

- **031 14 Councilor O'Brien: Council Policy #1 - Travel, Conferences and Meetings or take up any action relative thereto**

Motion: by Councilor Kokoros to approve with staff recommendations

Second: by Councilor Powers

Vote: For (9), Against (0)

OLD BUSINESS

- **024 14 Council President: Appointment of Interim Town Clerk or take up any action relative thereto**

Councilor Mullaney, Chairman of the Committee on Personnel Issues, reported that the Committee voted favorable action on appointing Debra Starr as Interim Town Clerk. She had informed the Committee that she was not interested in applying for the full-time Town Clerk position.

Councilor Clifford asked what the timeline for hiring a full-time Town Clerk. Councilor Mullaney explained that, on the recommendation of the Human Resource Director, the position has been placed on the following websites: Town of Braintree, MMA and the Town Clerk's Association. He expects that by May 1st that the Committee will provide three recommendations.

Councilor Owens commented that a policy for a system of succession should be developed for the future.

Councilor Powers read the following motion "that any person appointed to serve as interim town clerk shall not be considered for the permanent town clerk position. Councilor Clifford asked the reason why the interim town clerk would not be considered. Council President Bowes commented that the Human Resource Director, Karen Shanley, suggested it. When the Mayor appointed the Police Chief and Fire Chief he had appointed an interim chief who was not interested in becoming chief.

Motion: by Councilor Powers

Second: by Councilor Ryan

Vote: For (9), Against (0)

Councilor Powers read the following motion "Pursuant to Section 2-8 (b) of the Charter of the Town of Braintree the Town Council appoints Debra Starr as Interim Town Clerk effective April 2, 2014 and will serve until a successor is chosen and qualified.

Motion: by Councilor Powers

Second: by Councilor Ryan

Vote: For (9), Against (0)

Councilor Powers read the following motion “The Interim Town Clerk Salary shall be established at the M-18 A level.”

Motion: by Councilor Powers
Second: by Councilor Ryan
Vote: For (9), Against (0)

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 8:30p.m.

Respectfully submitted,
James M. Casey
Clerk of the Council

Documents provided for Meeting

- March 18, 2014 Minutes
- 022 14 Council President: Comcast – Resident Issue
- 031 14 Councilor O’Brien: Council Policy #1 - Travel, Conferences and Meetings
- 14 013 National Grid Petition: Woodedge Avenue
- 024 14 Council President: Appointment of Interim Town Clerk