

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

- AGENDA -

September 15, 2015 • Horace T. Cahill Auditorium, Town Hall • Starting Time: 7:30_{PM}

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

CORRESPONDENCE

- 049 15 Council President: Recognition – Braintree Summer Travel Baseball Team
- 052 15 Council President/Councilor Clifford: Recognition - Major Michael Schuler

ANNOUNCEMENTS

- 048 15 Councilor Clifford: United States Submarine Veterans, October 3rd
- 053 15 Councilor Mullaney: Run for the Roses, September 20th
- 055 15 Councilor Hume: BHS Athletic Association Golf Tournament, September 19th
- 056 15 Councilor Kokoros: Bizokas Golf Tournament, October 2nd
- 058 15 Council President: Flu Clinic, October 4th

APPROVAL OF MINUTES

- August 18, 2015
- September 1, 2015

CITIZEN CONCERNS/COUNCIL RESPONSE

- 057 15 Councilor Mullaney: Discussion - Tree Cutting

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

- 051 15 Council President/Councilor O'Brien: Travel Policy – Training/Seminar

OLD BUSINESS

- 15 027 Retirement Board Members Compensation or take up any action relative thereto (TABLED Public Hearing on Aug. 11)
- 14 022 Councilor Clifford: Update of Chapter 5-565: Peddling & Solicitation (Former By-Law chapter 5.32) or take up any action relative thereto (TABLED Public Hearing on Aug. 11)
- 15 034 Mayor: Salt Shed Replacement Transfers or take up any action relative thereto (PUBLIC HEARING)
- 033 15 Council President: Town Auditor Job Posting or take up any action relative thereto

NEW BUSINESS

- 15 036 Town Clerk: Call to the Town Election November 3, 2015 (Same Night Action Required)

Refer to the Committee on Ways & Means

- 15 037 Mayor: Conveyance of Property – Lot 99

Refer to the Committee on Public Safety

- 050 15 Discussion: Lyme Disease and Deer Population in Braintree
- 054 15 Discussion: Commission on Disabilities Proposal to Establish a Campaign on Community Accessibility

Topics the Chair does not reasonably anticipate will be discussed

UPCOMING MEETINGS:

Next Council Meeting - **TUESDAY, SEPTEMBER 22, 2015@ 7:30pm**

ADJOURNMENT



Thomas M. Bowes
President
District 3

Shannon L. Hume
At Large

CHARLES B. Ryan
At Large

CHARLES C. Kokoros
District 1

JOHN C. MULLANEY
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Sean E. Powers
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Michael J. Owens
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District 6

OFFICE OF THE TOWN COUNCIL

August 18, 2015

MINUTES

A joint meeting of the Town Council with the Planning Board was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, August 18, 2015 beginning at 7:00p.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
Paul Dan Clifford
Shannon Hume
Charles Kokoros
John Mullaney
Stephen C. O'Brien
Michael Owens
Charles Ryan

Also Present: Joseph C. Sullivan, Mayor
Christine Stickney, Director Planning and Community Development
Planning Board members

APPROVAL OF MINUTES

None

OLD BUSINESS

- 15 031 REZONE: Peterson Pool/Rink Athletic Facility - Carson Field Property BHS or take up any action relative thereto (**PUBLIC HEARING**)

Motion by Councilor Powers to Open Public Hearing for Order 15 031

Motion: by Councilor Powers

Second: by Councilor Kokoros

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

Council President Bowes asked if any member of the Council or General Public want to speak on Order 15 031?

Mayor Sullivan stated we will be keeping ownership and control of this site. We will get priority use and reduced rates.

Motion by Councilor Powers to Close Public Hearing for Order 15 031

Motion: by Councilor Powers

Second: by Councilor Kokoros

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

MOTION:

15 031 (1) Proposed amendment to rezone 15.8 acres of land adjacent to Braintree High School from the Open Space Conservancy Zoning District to the Highway Business Zoning District

Motion by Councilor Powers to Approve Council Order 15 031(1)

Motion: by Councilor Powers

Second: by Councilor Kokoros

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

15 031 (2) Proposed amendment to amend Zoning Ordinances to allow a commercial recreation use by special permit in the Open Space Conservancy District

Motion by Councilor Powers to TABLE Council Order 15 031(2)

Motion: by Councilor Powers

Second: by Councilor Kokoros

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

15 031 (3) Propose amendment to amend Zoning Ordinances to increase the height of building limit for a structure in the Open Space Conservancy Zoning District

Motion by Councilor Powers to TABLE Council Order 15 031(3)

Motion: by Councilor Powers

Second: by Councilor Kokoros

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

NEW BUSINESS

None

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 7:35p.m.

Respectfully submitted,
Susan M. Cimino
Clerk of the Council

Documents provided for Meeting

- 15 031 REZONE: Peterson Pool/Rink Athletic Facility - Carson Field Property BHS

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

September 1, 2015

MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, September 1, 2015 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
Paul Dan Clifford
Shannon Hume
Charles Kokoros
Stephen C. O'Brien
Michael Owens
Charles Ryan

Not Present: John Mullaney

Also Present: Joseph C. Sullivan, Mayor
Mark Cusack, State Representative
Edward Spellman, Finance Director
Bill Bottiggi, BELD General Manager
Anthony Agnitti, BELD Commissioner
James Regan, BELD Commissioner
Barbara Tennison, Commission on Disabilities

APPROVAL OF MINUTES

• August 11, 2015

Motion: by Councilor Powers to Approve Minutes of August 11, 2015

Second: by Councilor Kokoros

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

Councilor O'Brien stated he was still waiting to hear from the Town Solicitor on the language and ambiguity of Council Order 15 030. Clerk of the Council will reach out to the Town Solicitor.

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

- 043 15/15 035 Council President/Town Clerk: Town Council vote for new Voting Tabulators
James Casey, Town Clerk stated the new Voting Tabulators have been reviewed by himself, Debra Starr, Assistant Town Clerk and Maggie Johnson, Registrar. They were all in agreement this Voting Tabulator was the best for the Town of Braintree.

PURSUANT TO MASSACHUSETTS GENERAL LAW CHAPTER 54, SECTION 34 AND UPON THE REQUEST OF THE TOWN CLERK OF THE TOWN OF BRAINTREE:

The Town Council votes that the Town of Braintree begin using Election Systems & Software Voting Tabulator Model DS200 and discontinue use of LHS Associates Accu-Vote Model #79811-03 Voting Tabulator beginning November 3, 2015.

Motion: by Councilor Powers to Approve

Second: by Councilor Kokoros

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

- 044 15 Council President/Town Clerk: Polling Place Accessibility Report
James Casey, Town Clerk stated he has been working closely with the DPW to ensure all polling locations will be ADA accessible and ready for Election day.
- 045 15 Council President/Town Clerk: Travel Policy - Town Clerk Conference September 2015
James Casey, Town Clerk stated he will be traveling to Springfield on October 1, 2015 to attend a meeting at the Massachusetts Town Clerk Association Conference.

Motion: by Councilor Powers to Approve Travel for the Town Clerk Conference

Second: by Councilor Kokoros

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

- 046 15 Barbara Tennison: Discussion - Commission on Disabilities
Barbara Tennison gave an overview of what the Commission on Disabilities is trying to get accomplished. She has been discussing with Mayor Sullivan a proposed Disability Coordinator position. Crystal Evans proposed pictures on social media and posters to make those aware of the issues the people with wheelchairs face on a daily basis.

Council President Bowes offered Councilor Owens to be the liaison between the Commission on Disabilities and the Town Council.

Councilor Hume made a motion to refer to the Committee on Public Safety the Commission on Disabilities proposal to establish a Campaign on Community Accessibility.

Motion: by Councilor Hume

September 1, 2015

Town Council

2 of 4

Second: by Councilor Ryan

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

CITIZEN CONCERNS/COUNCIL RESPONSE

- 047 15 Councilor Owens/Penny Shaw: Disability Issues

Penny Shaw discussed many issues that made it difficult for people with wheelchairs and disabilities. She commented on issues at the library and around town.

OLD BUSINESS

- 15 027 Retirement Board Members Compensation or take up any action relative thereto (**Public Hearing TABLED on August 11**)

Refer to the Committee on Ways & Means Vice-Chairman O'Brien. This item is being TABLED until after some questions can be answered from the Town Solicitor at the next Ordinance & Rules meeting on September 9, 2015.

Councilor Powers made a motion to TABLE Order 15 027 to a future meeting.

Motion: by Councilor Powers to TABLE Order 15 027

Second: by Councilor Kokoros

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

- 15 029 BELD: Watson 3 Generating Station – Authorization to Borrow or take up any action relative thereto (**Public Hearing**)

Motion by Councilor Powers to Open Public Hearing for Order 15 029

Motion: by Councilor Powers

Second: by Councilor Kokoros

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

Council President Bowes asked if any member of the Council or General Public want to speak on Order 15 029?

Anthony Agnitti, BELD Commissioner stated the communication was not done well. We will do better. We are looking 30 years out to benefit the Town. NEPA (New England Power Association said to strike now. We are either producers of power and getting paid or buyers of power and paying for it.

Bill Bottiggi, BELD General Manager stated their mission is highly reliable electricity at the lowest cost.

Councilor Ryan stated an independent entity should look at this proposal.

Councilor Owens stated he would like an objective third party to give the Council information.

Resident, Tom Herlihy stated he was at the BELD presentation on August 27th. He created a document of financial impact spreadsheets.

Council President stated BELD should come back with a complete Business Plan on September 22, 2015 before the Full Council.

A motion was made to continue the Public Hearing until September 22, 2015.

Motion: by Councilor Powers

Second: by Councilor Kokoros

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

- 14 022 Council President: Update of Chapter 5-565: Peddling & Solicitation (Former By-Law chapter 5.32) or take up any action relative thereto (**PUBLIC HEARING TABLED on August 11**)

Council President Bowes referred to Councilor Clifford (Committee Chair) for Committee on Ordinance & Rules for recommendation. Councilor Clifford asked for this item to be TABLED to a future meeting until questions can be answered from the Town Solicitor.

Councilor Powers made a motion to TABLE Order 14 022 to a future meeting.

Motion: by Councilor Powers to TABLE Order 14 022

Second: by Councilor Ryan

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

NEW BUSINESS

None

Refer to the Committee on Ways & Means

- 033 15 Town Auditor Job Posting or take up any action relative thereto
- 15 034 Mayor: Salt Shed Replacement - Insurance Recovery Account Transfer or take up any action relative thereto

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 10:38p.m.

Respectfully submitted,

Susan M. Cimino

Clerk of the Council

Documents provided for Meeting

- August 11, 2015 Council Meeting Minutes
- 15 027 Retirement Board Members Compensation or take up any action relative thereto
- 15 029 BELD: Watson 3 Generating Station – Authorization to Borrow or take up any action relative thereto
- 14 022 Council President: Update of Chapter 5-565: Peddling & Solicitation (Former By-Law chapter 5.32) or take up any action relative thereto



April 15, 2015

Dear Friend,

United States Submarine Veterans, Inc. (USSVI) Boston Base is currently requesting donations of raffle items for our The Fisher House of Boston event that will take place on October 3, 2015.

*The Fisher House of Boston provides a “home away from home” for our military families while a loved one is receiving in house treatment at one of our medical facilities. Fisher House Boston is located on the property of the VA Medical Center in West Roxbury; however, many of our families need treatment at our Boston Hospitals requiring them to stay at local hotels. Because members of the military and their families are stationed worldwide and must often travel great distances for specialized medical care, **Fisher Houses allow military families to stay together during times of medical emergencies or crisis when they need the love and comfort of their families the most—during the hospitalization for an unexpected illness, disease, or injury.***

*Since opening our Boston Fisher House in 2010, we have served over 4000 families, saving our military over 2.5 million dollars in transportation, food, and hotels. We serve military families from all branches of service, from stateside and overseas, active duty, Guard, reserves, retirees and veterans. If you have served, we serve you, recognizing, our Military are our **Greatest National Treasures!***

***We are asking for your support because sometimes saying “Thank you for your service” is just not enough.** All gifts will be gratefully acknowledged. (Tax ID # 26-0190895)*

If you should have any questions about our organization and what we do to support our military men and women and their families while a loved one is undergoing medical treatment, please contact me, Jennifer DeLuca, Executive Director, at 508-728-8781 or jdeluca@fisherhouseboston.org and visit us at www.fisherhouseboston.org

On behalf of our Board of Directors and all our volunteers at the Fisher House of Boston, Inc., thank you for your support of those that serve our country.

Respectfully,

Jennifer DeLuca
Executive Director
Fisher House of Boston, Inc.
Board of Directors
508-728-8781-direct
jdeluca@fisherhouseboston.org

Donated Item: _____



USSVI - Boston Base

Base Commander : John Anderson
 Vice Commander : Neal Santangelo
 Treasurer : Richard Bolster
 Secretary : Michael Gerry
 Chief Of The Boat : Paul Nugent
 Chaplain : Donnell O'Duggan

Amvets Post 51
 9 Amvets Drive
 Randolph, MA, 02368

Dear Friend,

The United States Submarine Veterans, Inc. (USSVI) Boston Base is sponsoring a fundraising event to benefit Fisher House Boston on Saturday, October 3, 2015 from 7:00 PM - 10:30 PM at the John P. McKeon Post Amvets # 146, 4 Hilltop Street, Dorchester, MA. The event will feature music, buffet dinner, cash bar, raffles, door prize, and auctions. The event is open to the public. Event ticket donation is \$20.00 with tickets available in advance and at the door. For those who are unfamiliar with Fisher House Boston, please see the enclosed material.

In support of the fundraiser the USSVI Boston Base is seeking cash donations and/or gift certificates, merchandise, etc. which can be auctioned or raffled off at the event. If your enterprise could assist in providing any of the aforementioned, the money raised would go a long way in assisting Fisher House Boston continue its mission. All donations made to the USSVI Boston Base (on behalf of Fisher House Boston) are fully tax deductible for federal income tax purposes. **Please make checks payable to USSVI Boston Base noting Fisher House Boston in the memo section of the check.** Please send donations to our Base Treasurer, Richard Bolster, 158 Franklin Street, Whitman, MA 02382. Donations must be received by September 25, 2015.

The USSVI is a national organization of United States Submarine Veterans nearly 14,000 members strong belonging to some 150 bases (chapters). The USSVI is dedicated to perpetuating the memories of all U.S submarine sailors who gave their lives in service to our country and who now serve on "Eternal Patrol". The USSVI Charitable Fund supports scholarships, libraries and museums, etc. dedicated to the U.S. Submarine Service. Information on the USSVI can be found at its website at www.ussvi.org. This promotion is sponsored by the USSVI Boston Base, which is solely responsible for its fulfillment. Please contact Event Chairman Neal Santangelo for event information at nealsant@gmail.com or (617) 543-1140. Please find information on Fisher House Boston at its website at www.fisherhouseboston.org. Thank you for your consideration and support for this event.

Respectfully,

John Anderson, Commander
 USSVI Boston Base

Neal Santangelo, Vice-Commander
 USSVI Boston Base

ABOUT FISHER HOUSE BOSTON

For those who are not familiar with Fisher House, ... *"The Fisher House program is a unique private-public partnership that supports America's military families in their time of need. The program recognizes the special sacrifices of our men and women in uniform and the hardships of military service by meeting a humanitarian need beyond that normally provided by the Department of Defense and Veteran Affairs. Because members of the military and their families are stationed worldwide and must often travel great distances for specialized medical care, Fisher House Foundation builds and donates "comfort homes," on the grounds of major military and VA medical centers. These homes enable family members to be close to a loved one at the most stressful times---during hospitalization for an unexpected illness, disease, or injury."* There are 65 Fisher Houses located in the United States and Europe with one located on the grounds of the VA hospital in West Roxbury, Mass. Since its inception, *Fisher House has provided..." \$235 million (in) Savings for Families in Lodging and Transportation cost"..." 5.2 Million Days of Lodging Offered",...and "Over 200 Thousand Families Served"*. Additionally, Fisher House has received an A+ rating from the American Institute of Philanthropy in its "Veterans and Military" category and is one of three charities out of 46 charities to receive such a rating.

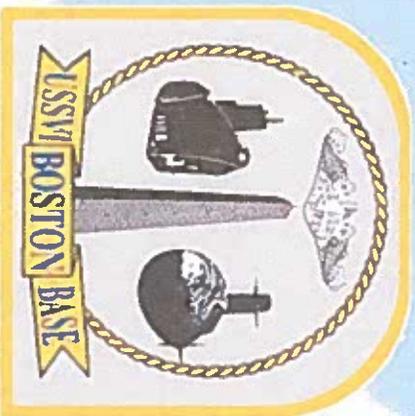
FUNDRAISER FOR

FISHER HOUSE



sponsored by

UNITED STATES SUBMARINE VETERANS, INC. (USSVI) BOSTON BASE



**Saturday, October 3, 2015
7:00 PM to 10:30 PM**

**John P. McKeon Post Amvets #146
4 Hilltop Street
Dorchester, MA**



scan with your smart
phone to see this address
on Google Maps

Music, Food, \$1,000.00 Cash Prize Raffle, Merchandise Raffles, Cash Bar
(\$2.00 each ticket or six for \$10.00) (\$1.00 each ticket)

Admission: \$20.00 donation per person

Purchase tickets at the door or in advance (contact Mr. Neal Santangelo 617.543.1140)

This promotion is sponsored by the USSVI Boston Base, which is solely responsible for its fulfillment. For more information about the Fisher House Boston visit www.fisherhouseboston.org.



048 - 15



USSVI - Boston Base

Base Commander : John Anderson
Vice Commander : Neal Santangelo
Treasurer : Richard Bolster
Secretary : Michael Gerry
Chief Of The Boat : Paul Nugent
Chaplain : Donnell O'Duggan

Amvets Post 51
9 Amvets Drive
Randolph, MA, 02368

Dear Friend,

About two (2) weeks ago I dropped of some information regarding a fundraiser we are conducting for Fisher House Boston. I have not heard back from you so this is a follow up. Can you help our fundraiser with a donation of a Gift Certificate that we can raffle off at our event on October 3rd? Fisher House Boston and we would be very grateful and I would gladly come to your place of business to pick up your donation. Please call me to let me know whether or not you are open to supplying us with a gift certificate donation.

With warm, personal regards, I remain...

Sincerely,

Neal Santangelo
23 Holly Road
Braintree, MA
(781) 843-6218 (H)
(617) 543-1140 (C)

Policy # 1- Department Travel:

Travel for Town related business must be pre-approved during the budget process. The form entitled "Addendum A" shall be completed. For each conference or meeting attended, the form requesting approval should be submitted accompanied with the budget. The form will ask for the following information: Conference Date, Description of Conference, Agenda or course description, number of days attended, relativity to job function, expected value to Council member or employee including continuing education credits, expected value to both the individual and the Town expressed both quantitatively and qualitatively, number of days out of the office, estimated costs broken out by lodging, travel, and conference/meeting expenses along with a comparison showing the most economical choice is presented for pre-approval. The form will be signed by the Council President if the budget is approved by the Town Council.

The Council President shall sign all requests for payment submitted to the Town Accountant.

At the conclusion of the conference or meeting, the attendee shall give a detailed summary explaining if the objectives of the meeting or conference were met and what was accomplished at the meeting or conference to the Clerk of the Council to be distributed to all Council members at their next meeting.

Unanticipated requests not approved during the budget process shall be pre-approved by the Town Council at one of its meetings.

ADDENDUM A
REQUEST FOR TRAVEL EXPENSE APPROVAL

REQUESTOR: STEPHEN C. O'BRIEN

DEPARTMENT: Town Council

DATE OF MEETING OR CONFERENCE: Thursday, October 8, 2015

1) Name and Description of Conference: What's New in Municipal Law

2) Agenda or course description See Attached Program Overview

3) Number of days for conference 1

4) Relativity to job function: Networking with other Municipalities

5) Expected value to Council member or employee including continuing education credits _____
Continue to build knowledge . Network , Foster relationships and receive guidance in various areas of Municipal Finance.

6) Expected value to the Individual and Town expressed both quantitatively and qualitatively
Gain greater insight into the challenges of Local Finances.

7) Number of days out of the office due to conference and meeting travel 0

a) Meeting Cost \$50

b) Travel Cost _____

c) Lodging Cost \$0

d) Total Cost \$50

e) Comparable costs showing the most economical choice is presented for pre-approval n/a

Authorized Signature (Requestor)

Town Council President certifying favorable vote

Approval date _____

“WHAT’S NEW IN MUNICIPAL LAW” 2015

THURSDAY, OCTOBER 1, 2015
LOG CABIN BANQUET & MEETING HOUSE
HOLYOKE, MA

THURSDAY, OCTOBER 8, 2015
THE LANTANA
RANDOLPH, MA

AGENDA

REGISTRATION: **8:15 AM - 9:00 AM**
Continental Breakfast

OPENING REMARKS: **9:00 AM - 9:15 AM**
 Sean R. Cronin, Senior Deputy Commissioner of the Division of Local Services

GENERAL SESSION: **9:15 AM - 12:15 PM**
 The Division of Local Services Legal Staff presents the latest from the Legislature and the Courts.

LUNCHEON: **12:15 PM - 1:30 PM**
Menu: Salad, Entrée, Chef’s Selection of Starch and Vegetables, Coffee/Tea and Dessert

AFTERNOON WORKSHOPS **1:30 PM - 3:00 PM**
 You may attend one of three concurrent workshops:

Workshop A. Local Taxes. Assessing condominiums, including undeclared units built on the common area, and time-shares; and collecting outstanding taxes and charges, particularly personal property taxes and other receivables for which no lien exists.

Workshop B. Local Finance. Adopting and amending municipal operating and capital budgets, including appropriations and borrowings contingent on overrides and exclusions.

Workshop C. Local Retirees. Negotiating and funding employment benefits payable after retirement.

SEMINAR MATERIALS

Morning presentation slides and afternoon workshop materials will be distributed at the programs. They will also be posted online after the October 8, 2015 program.

Reference books containing this year’s legislation and cases will be available online before the October 1, 2015 program. You do not have to bring them to the programs.

"WHAT'S NEW IN MUNICIPAL LAW" 2015 REGISTRATION FORM

Stephen C. O'Brien	Town of Braintree	
NAME	COMMUNITY OR AFFILIATED ORGANIZATION	
Town Councilor	()	
OFFICE/POSITION	PHONE NUMBER	E-MAIL ADDRESS

SEMINAR DATES AND LOCATIONS

Please indicate ("X") which location you will be attending

_____ **THURSDAY, OCTOBER 1, 2015**
HOLYOKE, MA
 The Log Cabin Banquet & Meeting House
 500 Easthampton Road
 Holyoke, MA
 413-535-5077
[Directions to The Log Cabin](#)

X

_____ **THURSDAY, OCTOBER 8, 2015**
RANDOLPH, MA
 The Lantana
 43 Scanlon Drive
 Randolph, MA
 781-961-4660
[Directions to The Lantana](#)

Please choose ("X") one afternoon workshop:

- _____ **Workshop A. Local Taxes.** Assessing condominiums, including undeclared units built on the common area, and time-shares; and collecting outstanding taxes and charges, particularly personal property taxes and other receivables for which no lien exists.
- X _____ **Workshop B. Local Finances.** Adopting and amending municipal operating and capital budgets, including appropriations and borrowings contingent on overrides and exclusions.
- _____ **Workshop C. Local Retirees.** Negotiating and funding employment benefits payable after retirement.

REGISTRATIONS ARE DUE BY SEPTEMBER 23, 2015

Please submit this completed registration form and a check for \$50 made payable to:

Commonwealth of Massachusetts to:

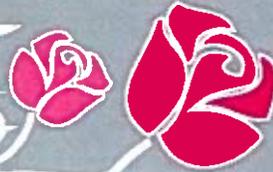
**TRAINING COORDINATOR
 DIVISION OF LOCAL SERVICES
 PO BOX 9569
 BOSTON, MA 02114-9569**

Advance registration required (No walk-ins)
Cash, credit cards and purchase orders cannot be accepted
A receipt will be provided for anyone paying by personal check

Please contact Donna Quinn at 617-626-3838 with any questions about this seminar

Run for

Rachel &
Lillian Rose



The Roses

Proudly Stand United

September 20, 2015

in memory of

Rachel & Lillian Rose Entwistle

Motorcycle Run

Corvettes, Hot Rods and

Classic Car Show

Starting and ending at the

Whitman VFW

Registration starts at 8:30 a.m.

Donation \$25.00

Leave 11:00 sharp

T-shirts for every entrant!



cookout

pig-roast

raffles

live music

Donations Support the Rachel & Lillian Rose Foundation
A 501(c)(3) charitable foundation

www.run-for-the-roses.com

Join the fight against family violence

Dear Friends and Neighbors:

On Saturday, September 19, 2015, The Braintree High School Athletic Association is hosting its 16th annual golf tournament to benefit the interscholastic athletic programs at BHS and the two middle schools (East & South). We invite you to participate as a player, hole sponsor, or supporter to help us maintain the highest quality sports programs for our student athletes.

These programs allow every student the opportunity to participate on safe, developmental, and highly competitive interscholastic teams at the level commensurate with their capabilities. This applies to varsity, junior varsity, and freshmen teams, as well as middle school basketball and soccer, for both boys and girls.

The tournament will be held at The Braintree Municipal Golf Course in Braintree, followed by a buffet style luncheon at the Sons of Italy Hall. Proceeds will be used for safety improvements and the purchase of equipment and supplies throughout the Athletic Program.

It promises to be a day full of fun and friendly competition. If you can't participate in the golf tournament, you can still attend the dinner or support us by sponsoring a hole, donating a raffle prize, or making a monetary contribution.

The enclosed registration form has all the details for the event. If you need more information, please do not hesitate to contact us at the phone number provided.

Help make this annual tournament a continued success for the student athletes of Braintree High School. We appreciate your support and look forward to seeing you there.

Sincerely,

John Collier President BHS Athletic Association	Michael Denise Director of Athletics Braintree High School
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Braintree High School Athletic Association Golf Tournament



Saturday, September 19, 2015
Registration Begins: 7:00 am
Golf: 8:30 am

Braintree Municipal Golf Course
Braintree, MA

Proceeds to Benefit:
Braintree High School Athletics
& Middle School Athletics

Braintree Municipal Golf Course
 allows soft spikes only.

No Alcohol Brought On Course Premises.

Proud Supporters of Braintree Athletics:

Braintree High School Athletic Association
 128 Town Street
 Braintree, MA 02184

Golf Tournament Registration Form

Whether with a foursome or participating as an individual golfer, entry fee includes: greens fees, cart, gift, voucher for snack bar, goody bag, prizes and luncheon at Sons of Italy.

Golfing Foursome:

We have our own foursome.

Enclosed is a check for \$400.00

Name: _____

Address: _____

Phone Number: () _____ - _____

The others in my foursome include:

Name: _____

Address: _____

Phone Number: () _____ - _____

Name: _____

Address: _____

Phone Number: () _____ - _____

Name: _____

Address: _____

Phone Number: () _____ - _____

Golfing Individual: \$100.00

Please include me in a foursome.



Enclosed is a check for \$ _____.00

Name: _____

Address: _____

Phone Number: () _____ - _____

For More Information, Please Contact:

Michael Denise - Athletic Director

(781) 848-4000 x2124

John Collier - (781) 843-3330

LUNCHEON:

I will only attend the luncheon.

Enclosed is a check for \$30.00

DONATION:

I am unable to attend, but I have enclosed a tax deductible contribution for: \$_____.



SPONSORSHIPS:

Tournament Corporate Sponsorship: \$1,500.00

-Includes one free foursome.

Cart Sponsorship: \$750.00

Putting Green Contest Sponsorship: \$750.00

Hole Sponsorship: \$100.00

-Display my company or name as:

RAFFLE:

I would like to donate a raffle item.

-Item Description: _____

Tournament Style:

Florida Scramble

CONTESTS AND PRIZES:

Prizes for Top 3 Teams

Contest Prize Packages

Raffle Prizes

Putting Contest

Closest to the Line

50/50 Raffle Holes

Mulligans - \$5 each (limit 4/team)

Please make checks payable to:

BHS Athletic Association

Mail completed registration and payment to:

Braintree High School Athletic Association

c/o Michael Denise, Athletic Director

128 Town Street

Braintree, MA 02184

RALPH & DEANNA BIZOKAS

MEMORIAL GOLF TOURNAMENT

A little background as to why I am writing this letter to you.

My family and friends have a golf tournament in memory of my son Ralph, who passed away 21 years ago at the age of 28 and my daughter Deanna who passed away 16 years ago, also at the age of 28.

We raise money for scholarships in their name and many, many charities in need of monetary support. Any donations would be appreciated, please see flyer attached.

Thanking you in advance for your help and support.

Good health and God Bless,

Charlene Bizokas-O'Donnell, family & friends

Dear Supporter,

The Annual Deanna M. & Ralph A. Bizokas Jr. Scholarship Fund Golf Tournament is upon us once again. It will take place on October 2, 2015 beginning at 7a.m. at the Ponkapoag Golf Club in Canton.



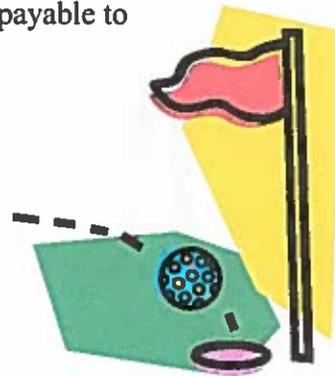
This year we have awarded two \$1000 Local 2222 AFL-CIO Scholarships in Ralph and Deanna's name. Also, many more donations have been made to various charities and scholarship funds in their names.

The tournament needs corporate and individual sponsorships in order to be successful. We have a number of tee/green sponsorships available at a cost of \$100 each. The sponsorship will result in your name being prominently displayed at a tee or green and at the reception. It will be seen by almost 200 golfers in attendance at the course and by another 100 people at the reception. Some golf items with the tournament logo is also included.

As a tee/green sponsor you are cordially invited to attend the dinner following the tournament at the Braintree Sons of Italy Hall.

Prizes are also needed for the tournament. Any type of donation, such as a gift certificate, golf accessory, sports memorabilia, etc. would be greatly appreciated.

All checks for sponsoring a hole should be made payable to RAB Scholarship Fund and mailed to Charleene O'Donnell, 9 Harvest Lane, Hingham, MA, 02043.



If you wish to become a sponsor, donate a gift, or need additional information please contact Michael Bizokas at (781)848-6453 or email MikeyBiz@verizon.net.



Thank you in advance for your help and support.

The Bizokas Family and Friends

THANK YOU for becoming a sponsor of the 2015

Deanna M. & Ralph A. Bizokas Jr. Scholarship Fund Golf Tournament

Please fill in your name, address, e-mail address and shirt size. Also, in the large space at the bottom, please fill in whatever you would like listed on the sign that will appear at the golf course. You are also invited to attend the dinner at The Sons of Italy Hall in Braintree on Tournament Day. Please fill out the form below and mail it with your donation of \$100 payable to **RAB Scholarship Fund** to:

Charleene O'Donnell
9 Harvest Lane
Hingham, Ma
02043



Name: _____

Address: _____

Email address: _____

Size: S M L XL XX XXX we cannot guarantee sizes, but will do our best

Attending reception: Yes _____ No _____

Please fill in below for
 2015---Sponsor Listing on Sign---2015

(Braintree Forum Article, September 4, 2015)

OUR VIEW: Mayor's office should handle tree removal in Braintree

Jean O'Brien Boback has lived at the corner of Park Street and Hawthorn Road for over three decades and used to love the tree cover that once made Hawthorn Road a local landmark and a renowned attraction.

The town of Braintree, along with the Braintree Electric Light Department, changed that in August when they removed seven giant trees from Hawthorn Road. The action resulted in angering local residents like O'Brien Boback. She said she didn't receive notification about the tree removal, despite owning property that abuts Hawthorn Road.

The town said O'Brien Boback wasn't notified because she doesn't live on Hawthorn Road. While true, it should have been common sense for the town to notify anyone with a vested interest in the street's beauty. O'Brien Boback is as much a resident of Hawthorn Road as she is a resident of Park Street, as proven by the location of her home along both ways. Instead, the bare minimum was done in terms of notification and O'Brien Boback was left to find out about the tree removal as a surprise.

O'Brien Boback has an interest in the appearance of Hawthorn Road because, like many other homes on the street, it effects her property values and quality of life. She complains that there is no longer relief from the sun when walking down Hawthorn and believes the street now looks only like a shell of its once proud appearance.

She's right, but the town also has a responsibility to maintain safety. In this case, some of the trees removed appeared rotted and some did not. The town said the trees would have come down eventually, like all trees do, and probably during a storm.

District 2 Councillor John Mullaney said the tree take down could have been done better. He believes BELD should lose the authority to remove trees, however. Instead, Mullaney suggest that responsibility lie with the mayor's office.

We at Braintree Forum agree. The mayor's office should be responsible for tree issues because they are accountable to the public. We believe the mayor's office will understand the characteristics that define Braintree's most beloved neighborhoods and, hopefully, will balance between keeping safe streets and keeping a tree covered town.

The mayor's office will be able to learn from their experience this time around and, the next time historic trees have to come down, hopefully they will do more than satisfying their legal requirements with the bare minimum. If they don't, we should expect many more Jean O'Brien Boback's in the years to come.



058 15
058 15

SEASONAL FLU **CLINIC**

SPONSORED BY THE TOWN OF BRAINTREE

DATE: Sunday October 4, 2015
TIME: 9:00 am – 1:00pm

MAKE-UP CLINIC: Monday, October 19, 2015
3:00pm-7:00pm

LOCATION: Town Hall-Cahill Auditorium
1 JFK Memorial Drive
Braintree, MA

FIRST COME, FIRST SERVED

FREE TO BRAINTREE RESIDENTS
18 YEARS OF AGE AND OLDER

***** Residents are requested to bring their
Health Insurance Cards.**

Chapter 5-565

PEDDLING AND SOLICITING

SECTION 5.565.010 Peddling of Goods, Wares and Merchandise-License Required

No person shall hawk or peddle goods, wares or merchandise within the limits of the Town, except as otherwise authorized by law, without first obtaining a license therefor from the Commonwealth of Massachusetts in accordance with the provisions of Chapter 101 of the General Laws.(ATM 5-10-2005 Art. 37 (part); prior code§ 99-1)

SECTION 5.565.020 Transient Vendors-Local License Required

A person licensed by the Commonwealth of Massachusetts as a transient vendor under the provisions of Chapter 101, Section 3 of the General Laws shall, before making any sales of goods, wares or merchandise within the limits of the town, make application to the Board of License Commissioners for a local license; such local license shall be subject to such reasonable rules and regulations and to the payment of a license fee in accordance with the provisions of Chapter 101, Section 5 of the General Laws. (Prior code§ 99-3)

SECTION 5.565.030 Hawkers and Peddlers-Permit Required

A person licensed by the Commonwealth of Massachusetts as a hawker or peddler under the provisions of Chapter 101, Section 22 of the General Laws shall, before making any sale of goods, wares or merchandise within the limits of the Town, apply for a permit from the Board of License Commissioners; such permit shall be subject to such reasonable rules and regulations as may from time to time be made by the Board of License Commissioners. (Prior code § 99-4)

SECTION 5.565.040 Temporary Licenses for Charitable Organizations and Veterans

The Board of License Commissioners may from time to time make reasonable rules and regulations governing the granting of temporary licenses to any organization engaged exclusively In charitable work, or to a post of any incorporated organization of veterans who served in the military or naval service of the United States in time of war or insurrection for the sale of flags, badges, medals, buttons, flowers, souvenirs and similar small articles, in accordance with the provisions of Chapter 101, Section 33 of the General Laws.(Prior code § 99-6)

SECTION 5.565.050 Solicitation and Canvassing

A. Purpose.

The purpose of this ordinance is to protect the citizens of Braintree from crime, undue annoyance and fraudulent door-to-door solicitors and canvassers by requiring those who wish to engage in such activity to register with the Braintree Police Department.

B. Definitions.

1. "Solicitation or canvassing" means traveling by foot, motor vehicle or any type of conveyance, from place to place, from house to house, or from street to street, whether for salary, commission or other remuneration, whether on behalf of oneself or another person, business, firm, corporation, organization or other entity, and (a) selling, leasing or taking orders for the sale of any goods, wares, merchandise or services whatsoever, including, but not limited to, books, periodicals, food, and home improvement services, or attempting to so sell, lease or take orders, whether or not advance payment on such sales is collected; or (b) seeking or requesting donations of money, goods or services for any for-profit entity or nonprofit entity; even if the original solicitation is made in writing, by telephone or any electronic communication;
2. "Residential property" includes without limitation each individual dwelling unit.

C. Prohibition and Requirements.

1. No person shall engage in solicitation or canvassing in or upon any private residential property in the Town of Braintree, and no business, firm, corporation, organization or other entity shall arrange for any person to engage in solicitation or canvassing in or upon any residential property, without first registering with the Chief of Police not less than ten business days before commencing such solicitation or canvassing and obtaining from the Chief of Police a certificate evidencing such registration.
2. Persons engaged in solicitation or canvassing shall "prominently display around their neck a florescent orange (5"x7") lanyard, visible at all times on the chest area. The solicitor or company is responsible to provide said lanyard and create an identification card, which shall be (inserted into or attached to the lanyard). The identification card will contain an 1) identification number (assigned by the company or entity soliciting), 2) company name, 3) solicitor's name, 4) signature, 5) current photo, 6) phone number and name of company official responsible for the canvassing or soliciting operation in case of emergency or other immediate contact needs, 7) start date and expiration date (not to exceed 30 days), and shall have the approved 8) Braintree Police certificate of registration inserted in back of the identification card, and shall produce such certificate upon request. Failure to wear the provided lanyard shall result in a violation of \$300

per individual. 9) \$300 per primary employing entity per violation per day and shall be considered separate from item #8. If a fine is issued to any party or entity, said party will be prohibited from soliciting in the Town of Braintree until the fine is paid.

3. Immediately upon encountering an occupant of any residential property, a person engaged in solicitation or canvassing shall present such certificate of registration for inspection and inform the occupant of the nature and purpose of his/her business, and if he/she is representing an organization, firm, or other entity.
4. Each person engaged in solicitation or canvassing in or upon any residential premises shall immediately leave such premises upon the request of the occupant.
5. No person shall engage in solicitation or canvassing in or upon any residential property upon which is displayed a sign prohibiting trespassing, solicitation or canvassing.
6. No person engaging in solicitation or canvassing shall misrepresent in any way his/her true objective, status or mission or that of any organization on behalf of which he/she is so engaged.
7. Persons engaging in solicitation or canvassing shall comply with all federal, state and local laws and regulations, including but not limited to consumer protection laws such as Chapters 93, 93A and 255D of the Massachusetts General Laws. Braintree Police shall provide all applicants with a copy of Chapter 5-565 - PEDDLING AND SOLICITING and highlight Section 5.565.50.
8. Anyone applying to canvas or solicit must provide a direct contact name and telephone number of the direct supervisor or person responsible for the management of all those canvassing or soliciting. This direct contact must be accessible via phone at all times should issues arise.
9. No person shall place, deposit or throw or cause to be placed, deposited or thrown upon or into a motor vehicle, which is parked on any street, lane, parking lot or other public place, any leaflet, pamphlet, poster, handbill, flyer or any paper containing printed or written matter, whether advertising or not, with the exception of any violation ticket or summons issued pursuant to lawful authority (Ref. G. Penalty).

D. Registration.

1. Application. Persons seeking registration certificates in accordance with this ordinance shall apply therefore not less than ten business days before commencing solicitation or canvassing in the Town of Braintree. Such application shall be signed under the penalties of perjury and shall contain the following information on a form provided by the Chief of Police:
 - a. Applicant's name, home address and telephone number;

- b. Name of applicant's business, firm, corporation, organization, or other entity represented, business address and telephone number;
 - c. Applicant's date of birth;
 - d. Applicant's Social Security Number;
 - e. Applicants must produce a copy of their driver's license or a photograph will be taken by the Braintree police department at the time of registering;
 - f. Length of time for which applicant seeks to conduct business in the town of Braintree;
 - g. Description of the nature of the business and the goods or services to be sold or purpose(s) for which donations are to be requested;
 - h. If applicant is operating or being transported by a motor vehicle, the year, make, model, color, registration number, state of registration, owner's name and address of each such vehicle;
 - i. Each applicant or individual canvasser/solicitor must sign a release authorizing the Town of Braintree, acting by and through the Police Department or the Licensing Coordinator for the Board of License Commissioners, to process a Criminal Offender Record Information (C.O.R.I.) report for each individual canvasser/solicitor that has been completed in the past 60 days. If any applicant or individual canvasser/solicitor is from outside of Massachusetts, said applicant. Individual canvasser or solicitor shall provide a certified copy of said individual canvasser's or solicitor's equivalent Criminal Offender Record Information issued by said canvasser's or solicitor's state of resident for each of the seven years preceding the date of application. Applicants or individual canvassers/solicitors who have been convicted (found guilty) of any of the following offenses within the past seven years are prohibited from canvassing or soliciting in Braintree: burglary, drug distribution, level 2 and level 3 sex offenders, breaking and entering, larceny, robbery, receiving stolen property, assault, fraud, sexual misconduct, and unlawfully carrying weapons;
2. Contents of Certificate: Each certificate of registration shall contain the signature of the Chief of Police or his/her designee and shall show the name, address and photograph of the holder of the certificate, date of issue and registration number.
3. Expiration of Certificate: Each certificate of registration issued pursuant to this ordinance shall expire thirty (30) days from the date of issue. Certificates must be returned to the Braintree Police Department when the applicant has concluded his/her or her solicitation activities in the Town of Braintree.

4. Transfer of Certificate: No certificate of registration may be transferred to any other person or entity.
5. Revocation of Certificate: The Chief of Police may revoke the certificate of registration of any solicitor or canvasser for violation of any provision of this ordinance or for providing false information on the application.
6. Duties of Police Department: The Police Department shall keep a record of all certificates of registration, including registration numbers, and applications therefor for a period of six years after application or such time as the public records retention laws may provide, whichever is longer. Enforcement authority of this ordinance shall be by the Braintree Police Department.

E. Exception:

The provisions of this ordinance shall not apply to the following persons:

1. Any person duly licensed under Chapter 101 of the General Laws, or to any person exempted under Chapters 101, Chapter 149, Section 69, and Chapter 180, Section 4 of the General Laws, or any other General Law.
2. Any officer or employee of the town, county, state or federal government on official business; or
3. Route salespersons or others having established customers making periodic deliveries to such customers or making calls upon prospective customers to solicit orders for periodic route deliveries, including but not limited to news carriers.
4. Individuals seeking to engage in exclusively Non-Commercial Communication.
5. Exempted entities include but not limited to religious organizations, political entities, charitable and fraternal organizations and other non-commercial community groups.

F. Severability:

If any section, subsection, sentence, clause, phrase or portion of this ordinance shall be declared Invalid or held unconstitutional by any court of last resort, the remainder shall continue in full force and effect.

G. Penalty.

Whoever violates any provision of this ordinance shall be liable to a penalty of not less than three hundred dollars (\$300.00) for each offense, or take any other action relative thereto. (STM 10-8-2002 Art.18;STM 5-6-1996 Art. 15;prior code§ 99-7).

Beta Test Soliciting Process Between Braintree and Comcast

Comment [A1]: Delete this title as it is not the title of the revised ordinance but is merely informational.

Chapter 5-565 - PEDDLING AND SOLICITING

SECTION 5.565.010 Peddling of Goods, Wares and Merchandise-License Required

No person shall hawk or peddle goods, wares or merchandise within the limits of the Town, except as otherwise authorized by law, without first obtaining a license therefor from the Commonwealth of Massachusetts in accordance with the provisions of Chapter 101 of the General Laws. (ATM 5-10-2005 Art. 37 (part); prior code § 99-1)

SECTION 5.565.020 Transient Vendors-Local License Required

A person licensed by the Commonwealth of Massachusetts as a transient vendor under the provisions of Chapter 101, Section 3 of the General Laws shall, before making any sales of goods, wares or merchandise within the limits of the town, make application to the Board of License Commissioners for a local license; such local license shall be subject to such reasonable rules and regulations and to the payment of a license fee in accordance with the provisions of Chapter 101, Section 5 of the General Laws. (Prior code § 99-3)

SECTION 5.565.030 Hawkers and Peddlers-Permit Required

A person licensed by the Commonwealth of Massachusetts as a hawker or peddler under the provisions of Chapter 101, Section 22 of the General Laws shall, before making any sale of goods, wares or merchandise within the limits of the Town, apply for a permit from the Board of License Commissioners; such permit shall be subject to such reasonable rules and regulations as may from time to time be made by the Board of License Commissioners. (Prior code § 99-4)

SECTION 5.565.040 Temporary Licenses for Charitable Organizations and Veterans

The Board of License Commissioners may from time to time make reasonable rules and regulations governing the granting of temporary licenses to any organization engaged exclusively in charitable work, or to a post of any incorporated organization of veterans who served in the military or naval service of the United States in time of war or insurrection for the sale of flags, badges, medals, buttons, flowers, souvenirs and similar small articles, in accordance with the provisions of Chapter 101, Section 33 of the General Laws. (Prior code § 99-6)

SECTION 5.565.050 Solicitation and Canvassing

Comment [A2]: Re-insert Footnote 2 from current ordinance.

A. Purpose.

The purpose of this ordinance is to protect the citizens of Braintree from crime, undue annoyance and fraudulent door-to-door solicitors and canvassers by requiring those who wish to engage in such activity to register with the Braintree Police Department.

B. Definitions.

1. "Solicitation or canvassing" means traveling by foot, motor vehicle or any type of conveyance, from place to place, from house to house, or from street to street, whether for salary, commission or other remuneration, whether on behalf of oneself or another person, business, firm, corporation, organization or other entity, and (a) selling, leasing or taking orders for the sale of any goods, wares, merchandise or services whatsoever, including, but not limited to, books, periodicals, food, and home improvement services, or attempting to so sell, lease or take orders, whether or not advance payment on such sales is collected; or (b) seeking or requesting donations of money, goods or services for any for-profit entity or nonprofit entity; even if the original solicitation is made in writing, by telephone or any electronic communication;
2. "Residential property" includes without limitation each individual dwelling unit.

~~**3. Exempted entities include registered religious organizations, political information drops, social groups and other non-commercial community groups.**~~

Comment [A3]: Moved to Section E Exceptions, below.

C. Prohibition and Requirements.

1. No person shall engage in solicitation or canvassing in or upon any private residential property in the Town of Braintree, and no business, firm, corporation, organization or other entity shall arrange for any person to engage in solicitation or canvassing in or upon any residential property, without first registering with the Chief of Police not less than **ten business days** before commencing such solicitation or canvassing and obtaining from the Chief of Police a certificate evidencing such registration.
2. Persons engaged in solicitation or canvassing shall ***prominently display around their neck a florescent orange (5"x7") lanyard, visible at all times on the chest area. The solicitor or company is responsible to provide said lanyard and create an identification card, which shall be (inserted into or attached to the lanyard). The identification card will contain an 1) identification number (assigned by the company or entity soliciting), 2) company name, 3) solicitor's name, 4) signature, 5) current photo, 6) phone number and name of company official responsible for the canvassing or soliciting operation in case of emergency or other immediate contact needs, 7) start date and expiration date (not to exceed 30 days), and shall have the approved 8) Braintree Police certificate of registration inserted in back of the identification card, and shall produce such certificate upon request. Failure to wear the provided lanyard shall result in a violation of \$300 per individual and \$2000 per primary employing entity incident per day and each time a representative of the canvassing or soliciting company violates this provision shall be considered a separate incident. If a fine is issued to any party or entity, said party will be prohibited from soliciting in the Town of Braintree until the fine is paid.***

Comment [A4]: Please note that if this is to be treated as a non-criminal disposition matter where the Police Department or other authorized enforcement person is authorized to issue tickets to the offender, the non-criminal disposition statute (G.L.40, Sec. 21D) limits the fines to a maximum of \$300. However, the Town collects all revenue from the non-criminal fines. If higher penalties are imposed, they may only be collected through the District Court, and only a portion of the fine collected is shared with the Town.

Comment [A5]: By prohibiting someone from canvassing or soliciting until the fine is paid, are you taking into account that a person or company may challenge the penalty in court and could prevail? Also, if the Council elects to support fines higher than \$300, all of the fines will have to be processed through District Court, which will delay the time of payment.

3. Immediately upon encountering an occupant of any residential property, a person engaged in solicitation or canvassing shall present such certificate of registration for Inspection and inform the occupant of the nature and purpose of his/her business, and If he/she is representing an organization, firm, or other entity.
4. Each person engaged in solicitation or canvassing in or upon any residential premises shall immediately leave such premises upon the request of the occupant.
5. No person shall engage in solicitation or canvassing in or upon any residential property upon which is displayed a sign prohibiting trespassing, solicitation or canvassing.
6. No person engaging in solicitation or canvassing shall misrepresent in any way his/her true objective, status or mission or that of any organization on behalf of which he/she is so engaged.
7. Persons engaging in solicitation or canvassing shall comply with all federal, state and local laws and regulations, including but not limited to consumer protection laws such as Chapters 93, 93A and 255D9 of the Massachusetts General Laws. **Braintree Police shall provide all applicants tions with a copy of Chapter 5-565- PEDDLING AND SOLICITING and highlight Section 5.565.50**
- 8. Anyone applying to canvas or solicit must provide a direct contact name and telephone number of the direct supervisor or person responsible for the management of all those canvassing or soliciting. This direct contact individual must be accessible via phone at all times should issues arise.**
- 9. Unsolicited—No person shall place, deposit or throw or cause to be placed, deposited or thrown upon or into a motor vehicle, which is parked on any street, lane, parking lot or other public place, any leaflet, pamphlet, poster, handbill, flyer or any paper containing printed or written matter, whether advertising or not, with the exception of any violation ticket or summons issued pursuant to lawful authority (Ref. G. Penalty).**

D. Registration.

1. Application. Persons seeking registration certificates in accordance with this ordinance shall apply therefore not less than **ten business days** before commencing solicitation or canvassing in the Town of Braintree. Such application shall be signed under the penalties of perjury and shall contain the following information on a form provided by the Chief of Police:
 - a. Applicant's name, home address and telephone number;
 - b. Name of applicant's business, firm, corporation, organization, or other entity represented, business address and telephone number;
 - c. Applicant's date of birth;
 - d. Applicant's Social Security Number;
 - e. Applicants must produce a copy of their driver's license or a photograph will be taken by the Braintree

police department at the time of registering;

- f. Length of time for which applicant seeks to conduct business in the town of Braintree;
- g. Description of the nature of the business and the goods or services to be sold or purpose(s) for which donations are to be requested;
- h. If applicant is operating or being transported by a motor vehicle, the year, make, model, color, registration number, state of registration, owner's name and address of each such vehicle;
- i. **Each applicant or individual canvasser/solicitor must sign a release authorizing the Town of Braintree, acting by and through the Police Department or the Licensing Coordinator for the Board of License Commissioners, to process provide a Criminal Offender Record Information (C.O.R.I.) report check for each individual canvasser/solicitor. to the Braintree Police that has been completed in the past 60 days. If any applicant or individual canvasser/solicitor is from outside of Massachusetts, said applicant. Individual canvasser or solicitor shall provide a certified copy of said individual canvasser's or solicitor's equivalent Criminal Offender Record Information issued by said canvasser's or solicitor's state of resident for each of the seven years preceding the date of application. Applicants or individual canvassers/solicitors who have been convicted (found guilty) of any of the following offenses within the past seven years are prohibited from canvassing or soliciting in Braintree: burglary, drug distribution, level 2 and level 3 sex offenders, breaking and entering, larceny, robbery, receiving stolen property, assault, fraud, sexual misconduct, and unlawfully carrying weapons;**
- j. Applicant must also consent to a criminal history check to be conducted by the Chief of Police or his/her designee.

- 2. Contents of Certificate: Each certificate of registration shall contain the signature of the Chief of Police or his/her designee and shall show the name, address and photograph of the holder of the certificate, date of issue and registration number.
- 3. Expiration of Certificate: Each certificate of registration issued pursuant to this ordinance shall expire thirty (30) days from the date of issue. Certificates must be returned to the Braintree Police Department when the applicant has concluded his/her or her solicitation activities in the Town of Braintree.
- 4. Transfer of Certificate: No certificate of registration may be transferred to any other person or entity.
- 5. Revocation of Certificate: The Chief of Police may revoke the certificate of registration of any solicitor or canvasser for violation of any provision of this ordinance or for providing false information on the application.
- 6. Duties of Police Department: The Police Department shall keep a record of all certificates of registration, including registration numbers, and applications therefor for a period of six years after application or such time as the public records retention laws may provide, whichever is longer. Enforcement authority of this ordinance shall be by criminal complaint filed by the police department.

E. Exception:

The provisions of this ordinance shall not apply to the following persons:

Comment [A6]: Given the revisions to paragraph I, this appears redundant.
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Comment [A7]: See my comment above regarding the non-criminal disposition statute. If the Council is inclined to pursue through the non-criminal disposition procedure, then this last sentence should be deleted.

1. Any person duly licensed under Chapter 101of the General Laws, or to any person exempted under Chapters 101, Chapter 149, Section 69, and Chapter 180, Section 4 of the General Laws, or any other General Law.
2. Any officer or employee of the town, county, state or federal government on official business; or
3. Route salespersons or others having established customers making periodic deliveries to such customers or making calls upon prospective customers to solicit orders for periodic route deliveries, including but not limited to news carriers.
4. Individuals seeking to engage in exclusively Non-Commercial Communication.

5. Exempted entities include registered religious organizations, political information drops, social groups and other non-commercial community groups.

Comment [A8]: What is a registered religious organization? Should "registered" be deleted?

Comment [A9]: Need to define social groups because too vague. Is a singles dating service intended to be a social group? What about a group selling magazines to benefit certain charities? Would "charitable organization" be a better choice?

F. Severability:

If any section, subsection, sentence, clause, phrase or portion of this ordinance shall be declared Invalid or held unconstitutional by any court of last resort, the remainder shall continue in full force and effect.

G. Penalty.

Whoever violates any provision of this ordinance shall be liable to a penalty of not less than three hundred dollars (\$300.00) for each offense, or take any other action relative thereto. **Exemption being only other fines outlined in former sections. In such sections outlined fines would apply.** (STM 10-8-2002 Art.18; STM 5-6-1996 Art. 15; prior code § 99-7).

Comment [A10]: This is confusing and may not provide clear instructions to those who are authorized to enforce this ordinance. I suggest that the Council decide whether to enforce this ordinance through the non-criminal disposition statute referred to above or through penalties imposed by the District Court and that all penalty language is made consistent throughout.

EMAIL REPLIES FROM TOWN SOLICITOR/lawyer RE: **15 027 RETIREMENT BOARD MEMBERS
COMPENSATION**

To clarify, we understand that this is no longer a conflict of interest as Peter is no longer employed by the Town, however, he has stated he does not wish to take a stipend. He would like to waive his compensation.

Jeanne Martineau, Director
Braintree Contributory Retirement
74 Pond Street, 2nd Floor
Braintree, MA 02184
P: (781)794-8211
F: (781)794-8407

From: Brian Riley [<mailto:BRiley@k-plaw.com>]
Sent: Thursday, August 27, 2015 2:56 PM
To: Cimino, Susan M.
Cc: Carolyn M. Murray; Martineau, Jeannie; Bowes Thomas; Clifford, Dan
Subject: RE: REVISED Ordinance 5.565.Ordinance and Retirement Board Measure Meeting Needed

Sue, if Peter Morin's only position now with the Town Braintree is on the Retirement Board, he would not need to decline. The conflict of interest aspect only comes up when an individual has multiple positions with the same town and at least one of them is compensated. So Peter will not have a conflict in this regard.

Brian W. Riley, Esq.
Kopelman and Paige, P.C.
101 Arch Street
12th Floor
Boston, MA 02110
(617) 556-0007
(617) 654-1735 (Fax)
briley@k-plaw.com

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delete all electronic copies of this message and attachments thereto, if any, and destroy any hard copies you may have created and notify me immediately.

From: Cimino, Susan M. [<mailto:scimino@braintreema.gov>]
Sent: Thursday, August 27, 2015 2:31 PM
To: Brian Riley
Cc: Carolyn M. Murray; Martineau, Jeannie; Bowes Thomas; Clifford, Dan
Subject: RE: REVISED Ordinance 5.565.Ordinance and Retirement Board Measure Meeting Needed

Brian,

Thank you for all of that information. I do have a question about former Town Solicitor, Peter Morin who currently serves on the Retirement Board. He was a Town of Braintree Employee until he took his new position a couple months ago in Norwell. Can he decline to accept a stipend?

Thank you,
Susan M. Cimino
Clerk of the Council
One JFK Memorial Drive
Braintree, MA 02184
781-794-8152

From: Brian Riley [<mailto:BRiley@k-plaw.com>]
Sent: Thursday, August 27, 2015 2:11 PM
To: Cimino, Susan M.
Cc: Carolyn M. Murray; Martineau, Jeannie
Subject: RE: REVISED Ordinance 5.565.Ordinance and Retirement Board Measure Meeting Needed

Susan:

Carolyn Murray asked me to look into the potential conflict of interest issues regarding the questions below for the Retirement Board and its proposed stipend. I understand that Mr. Spellman is the full-time paid Finance Director, and his seat on the Retirement Board ("Board") is as a Mayor's appointment. The Board is established under the "alternative" process under G.L .c.32, §20(4). If it was under the "standard"

format, the Finance Director would have been an *ex officio* member of the Board virtue of his position.

In my opinion, Mr. Spellman will be ineligible to receive the stipend if one is approved for the Retirement Board, based on the applicability of the Conflict of Interest Law, G.L. c.268A.

As the full-time paid Finance Director, Mr. Spellman is a “municipal employee” and subject to the Conflict of Interest Law, Chapter 268A, including §20. Section 20 prohibits a municipal employee from having a financial interest in a “contract” with the Town, unless he qualifies for one of the exemptions contained in §20. The Ethics Commission holds that serving in an appointed office that receives compensation (including a stipend), such as the Board if this stipend is adopted, constitutes a contract for purposes of §20, requiring an exemption. The only one that is potentially available for a full-time office such as the Finance Director is §20(b), which has numerous requirements. This requires that the second position be in a department or agency that is not under the official responsibility of the primary office, which is met in this case. The next requirement, however, is that the contract (Board appointment) be advertised before being awarded to the municipal employee. This requires either literally advertising in a local newspaper or being posted in multiple places so as to be available to the general public. I recognize that this is somewhat of an absurd result, as Mr. Spellman is already on the Board and there has not been a stipend offered before. In my experience, however, this is how the State Ethics Commission has interpreted the requirements of §20(b) – if a “contract” becomes available, it must be “advertised” before a municipal employee with another position may acquire a financial interest in it, and that could not be accomplished where Mr. Spellman already has the office. He would actually have to resign the position and reapply after the vacancy was advertised, assuming he could qualify for all the requirements of the §20(b) exemption.

At one time, this §20 issue could be avoided by the municipal employee in question declining the stipend. In 2012, however, the State Ethics Commission adopted new regulations that, among many other things, created a new exemption that allowed a paid employee to take on a new unpaid position or office without needing to qualify for an exemption in his unpaid office capacity (in order to keep the compensation from the first office). This regulation states in relevant part:

An uncompensated position is a position for which no pay, benefits, per diems, or retirement-related creditable service is provided. A position is not uncompensated because the person holding it waives compensation. A person holding an uncompensated position may receive reimbursement for actual expenses and the position will still be considered uncompensated. 930 CMR 6.02

As a result, in my opinion, Mr. Spellman could not avoid the interest in the contract (Board stipend) by declining to accept it.

Mr. Spellman is serving as a Mayor's appointment to the Board, as the Town is using the "alternative" Board format pursuant to G.L. c.32, sec.20(4). Under the standard Board format, he would be serving as an *ex officio* member by virtue of his office. If that was the case, he could receive the stipend as it would be deemed to be additional compensation as the Finance Director, rather than a second contract. That analysis cannot apply to the Board under the circumstances, however.

In addition, we reviewed the procedure for establishing the amount of the Retirement Board stipend – i.e., whether this is done by vote of the Board itself or the Town Council. The statute itself is vague on this point, and we did not get any definitive guidance from PERAC either. In my opinion, however, this would require a vote of the Town Council to approve the stipend and set the rate between \$3000 - \$4500 per year. The Conflict of Interest Law prohibits any municipal employee from participating in a particular matter in which he or she has a financial interest, and this prohibition would be triggered if the Board voted on setting the amount of its own compensation. Moreover, the original language in G.L. c.32, §20(6), which set the stipend at a fixed \$3000, required acceptance by the "appropriate legislative body," so the Town Council is the appropriate authority to approve and set a stipend for the Retirement Board, in my opinion.

If there are additional facts or questions that we should consider, please feel free to contact me.

Very truly yours,

Brian W. Riley, Esq.

Kopelman and Paige, P.C.
101 Arch Street
12th Floor
Boston, MA 02110
(617) 556-0007
(617) 654-1735 (Fax)
briley@k-plaw.com

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Begin forwarded message:

From: "Cimino, Susan M." <scimino@braintreema.gov>
Date: August 14, 2015 at 8:21:01 AM EDT
To: Carolyn Murray <cmurray@k-plaw.com>
Cc: "Clifford, Dan" <dclifford@braintreema.gov>, "<cliff_47@yahoo.com>" <cliff_47@yahoo.com>, Bowes Thomas <tbowes@braintreema.gov>
Subject: Fwd: REVISED Ordinance 5.565.Ordinance and Retirement Board Measure Meeting Needed

Carolyn,

Please see Councilor Clifford's requests below. Please let me know if you need anything else from me.

Thank you,
Sue

Sent from my iPhone

Begin forwarded message:

From: Dan <cliff_47@yahoo.com>
Date: August 13, 2015 at 8:57:57 PM EDT
To: Sue 1 Cimino <SCimino@BraintreeMA.gov>
Cc: Tom Bowes <TBowes@BraintreeMA.Gov>

Subject: REVISED Ordinance 5.565.Ordinance and Retirement Board Measure Meeting Needed

Reply-To: <cliff_47@yahoo.com>

Hey Sue,

Follow-up request:

Please contact Attorney Carolyn Murray to ask she attend a meeting at her convenience to conclude Ordinance 5.565 and address ethics concerns regarding the Retirement Board measure (stipends).

Please remember I am away from August 20 through Sept. 1. No Rules and Ordinance measures move out of Committee until I return ok?

We could move Ordinance 5.565. and the Retirement Board measure forward at the Sept 15 meeting if we can get Carolyn to meet with us on any of the following dates, Sept. 2 , 7, 8, or 9.

Regarding Ordinance 5.565, there are questions for Carolyn that are best discussed in person at a meeting with the full O&R Committee (Ex. Fines greater than \$300 require District Court action and C.O.R.I.'S, Criminal Background reports differences, etc.)

Regarding the Retirement Board measure, there are questions pertaining to the law and ethics regarding: 1) A full time Braintree employee receiving a stipend as a board member, and 2) Establishing a stipend precedence for the Retirement Board. 3) The measure itself has a floating range for compensation \$3000 to \$4500.

Thanks,

-Dan-

"Understand what is important and stand-up for it"

Sent from my Verizon Wireless BlackBerry

EM

Braintree Contributory Retirement System

Established 1936

A presentation to the Braintree Town Council
Tuesday August 11, 2015

Who are your Board Members?

Pursuant to M.G.L. c. 32 s. 20 (4)(c), the Board shall have five members

- **Elected; by the membership** **Experience**
 - Gerald (Jerry) Kenny, Retired; Fire Chief 18+ years
 - Phyllis DiPalma, Retired; Retirement Director (22 yrs) 35+ years
- **Appointed; by the Executive Authority**
 - Edward Spellman, Active; Director of Mun. Finance 5+ years
 - Peter Morin, Town Administrator, Norwell 3+ years
- **Fifth Member; Nominated by the 4 Bd Members**
 - Roy Bjorlin, Resident of Braintree, Attorney at Law appointment pending

Mission Statement

- By administering the defined benefit program as legislated under M.G.L. c. 32, and 840 CMR, we provide our members with timely service and guidance, and guarantee lifetime benefits to eligible retirees by utilizing proper actuarial techniques and maximizing investment returns.

Guiding Principles

While it is our aim to “EDUCATE” our membership, this word also serves as an acronym which defines our seven guiding principles:

1. Education
2. Data integrity
3. Unbiased decision making
4. Conservative and careful investment approach
5. Accountability
6. Transparency
7. Efficient delivery of services.

How the Board Governs

- Massachusetts General Law, C. 32 governs MA public pensions
- 840 CMR; further regulations promulgated by our regulatory Agency
- Public Employment Retirement Administration Commission (PERAC)
- Braintree Supplemental Regulations (Must be accepted by PERAC)
- Case Law

Public Employee Retirement Administration (PERAC) Regulations,
840 CMR 1.01 discusses a Board member's responsibilities.

1. A board member shall discharge all of his/her duties solely in the interest of members and their beneficiaries, and
2. For the exclusive purpose of:
 1. Providing benefits to members and the beneficiaries; and
 2. Defraying reasonable expenses of administering the system
3. With the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims.
4. By diversifying the investments of the system so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so.
5. In accordance with the Massachusetts General Laws, the rules and regulations promulgated by the Commission, and the rules and regulations adopted by the Board and approved by the Commission.

Public Employee Retirement Administration (PERAC) Regulations,
840 CMR 1.02 discusses a Board member's responsibilities.

1. Failure to comply with the fiduciary standard **may subject the fiduciary to personal liability for any losses.**
2. If a fiduciary knowingly participates or conceals an act or omission of a co-fiduciary which is a breach of fiduciary duty, the fiduciary may be subject to **personal liability for any losses** to the system resulting from such breach
3. If, by failing to comply with his/her fiduciary duty, a fiduciary enables a co-fiduciary to breach his /her fiduciary duty, the fiduciary may be subject to **personal liability for any losses** to the system resulting from such breach.
4. If a fiduciary has knowledge of a breach of fiduciary duty by a co-fiduciary and the fiduciary fails to make reasonable efforts under the circumstances to remedy the breach of fiduciary duty, the fiduciary may be subject to **personal liability for any losses** to the system resulting from such breach.

History of Public Retirement Systems in Massachusetts & Braintree

- ❑ In 1911, before the advent of the Federal Social Security Program, the Commonwealth established the State Board of Retirement
- ❑ In 1936 Braintree Adopted the local option to begin their own Municipal Pension Plan
- ❑ In 1945, the System transformed from NON Contributory to Contributory. (Members were now required to contribute 5% of their own funds.)
- ❑ In 1992 Braintree exercised Local option to begin a funding schedule to become fully funded by 2028, later extended to 2040 through legislation. (*No longer Pay as you Go System*)

History of Public Retirement Systems in Massachusetts

- Massachusetts has 104 Retirement Boards, each having important responsibilities and powers; all are governed under M.G.L. c. 32, and 840 CMR, and all report to a regulatory agency, Public Employee Retirement Administration Commission (PERAC).

- Over the past decades Contribution rates have changed legislatively
 - Membership prior to 1/1/75; **5%**
 - Membership on or after 1/1/75 – 12/31/78; **7%**
 - Membership on or after 1/1/79-12/31/83; **7%**
 - Membership on or after 1/1/84 – 07/01/96; **8%**
 - Membership on or after 07/01/96 to present; **9%**
 - All members after 12/31/78 contribute an additional 2% of regular compensation in excess of \$30,000

Braintree Retirement Data

□ Braintree Retirement System Membership

(12/31/14 data)

- Active Membership: 780
- Inactive Membership: 87
- Retirees: 514

Funding

▣ Actuarial Studies are required every two years

▣ Funding levels as of January 01, 20XX

00 - 77%	08 - 75%
02 - 69%	10 - 68%
04 - 68%	12 - 62%
06 - 72%	14 - 66%

FINANCING

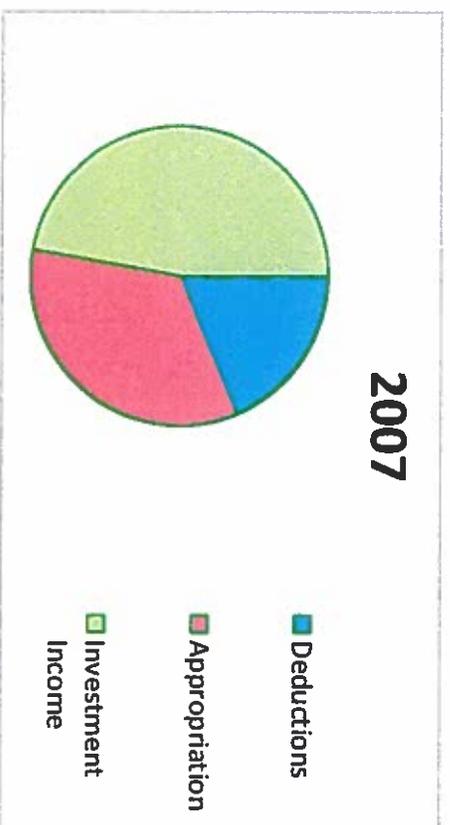
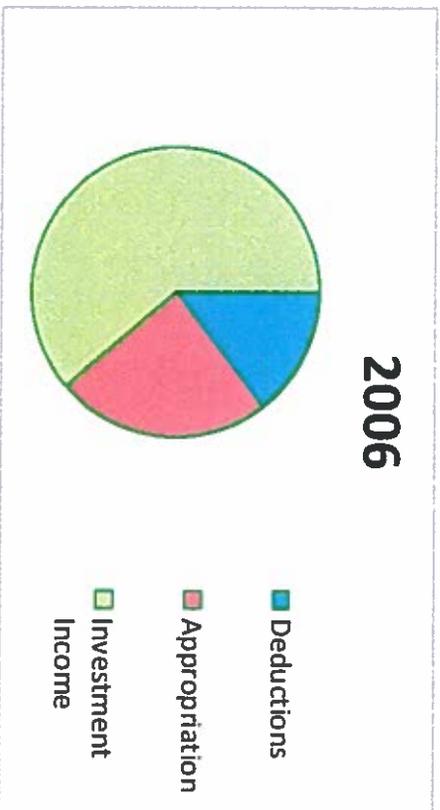
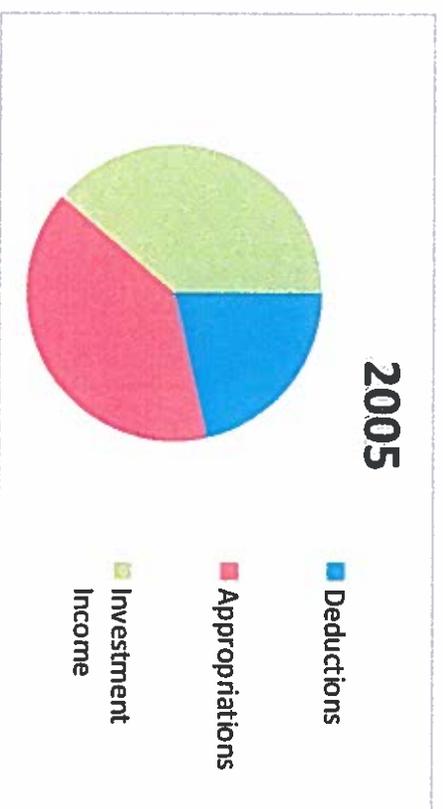
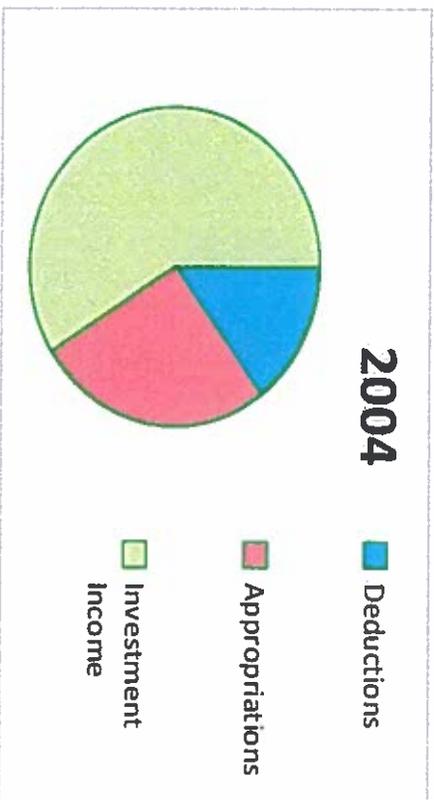
- Revenues
 - Appropriation - arrived at through the development of the Funding Schedule by collaborating with the Actuary
 - Tax Levy
 - Electric Light
 - Water/Sewer
 - Golf Enterprise
 - Housing Authority
 - Member Contributions
 - Investment Income – Quarterly review of target asset allocation and monthly review of money managers

Portfolio Report: Produced by NHPPC

	Market Value(\$)	% of Portfolio	Policy %	Ending June 30, 2015										Inception Return(%) Since
				1 Mo(%)	3 Mo(%)	YTD(%)	Fiscal YTD(%)	1 Yr(%)	3 Yrs(%)	5 Yrs(%)	10 Yrs(%)			
Comp w/o Operating Cash*	\$169,260,342	100	100	-1.5	0.0	1.6	1.6	1.3	9.3	9.3	6.4	9.8	Jan-94	
Composite Allocation Index	\$169,540,191	100.2	100	-1.5	0.0	1.6	1.6	1.2	9.1	9.2	--	5.2	Sep-15	
Total Domestic Equity	\$40,823,835	24.1	22	-1.5	-0.2	1.5	1.5	1.2	7.6	8.1	5.7	4.3	7-Sep	
Rhumbline S&P 500	40,823,835	24.1	22	-1.9	0.3	1.2	1.2	--	--	--	--	4.7	14-Sep	
S&P 500				-1.9	0.3	1.2	1.2	7.4	17.3	17.3	7.9	4.7	14-Sep	
Total International Equity	\$34,743,011	20.5	20	-2.8	1.2	7.6	7.6	0.3	--	--	--	2.6	14-Jan	
MFS International Equity	23,246,966	13.7	13	-2.8	0.6	5.5	5.5	-4.2	12	9.5	5.1	0.2	14-Jan	
MSCI EAFE				-2.8	0.3	0.9	0.9	-5.1	--	--	--	-0.7	13-Feb	
Acadian Emerging Markets	11,496,044	6.8	7	-2.6	0.7	2.9	2.9	-5.1	3.7	3.7	8.1	-1.4	13-Feb	
MSCI Emerging Markets				-2.6	0.7	2.9	2.9	-5.1	3.7	3.7	8.1	-1.4	13-Feb	
Total Global Fixed Income	\$47,488,249	28.1	28											
Loomis Sayles Investment Grade Fixed Income Fund	43,492,351	25.7	25	-1.2	-1.2	-1.5	-1.5	-2.7	4.2	6.2	7.2	8.3	1-Apr	
Barclays Govt/Credit				-1.2	-2.1	-0.3	-0.3	1.7	1.8	3.5	4.4	5.3	1-Apr	
Picket Emerging Debt	3,995,898	2.4	3	-1.3	-1	-5.1	-5.1	-15	--	--	--	-8.8	13-Feb	
JP Morgan GBI - EM Diversified				-1.2	-1	-4.9	-4.9	-15.4	-3.8	0.9	5.9	-8.3	13-Feb	
Total Global Asset Allocation	\$27,086,421	16	15	-0.9	0	2.7	2.7	4	11.4	11.1	--	6.1	6-Feb	
PRIM Balanced	27,086,421	16	15	-0.7	0.7	1.1	1.1	-1.7	6.8	8	5.9	5.1	6-Feb	
PRT Custom Index				-0.7	0.7	1.1	1.1	-1.7	6.8	8	5.9	5.1	6-Feb	
Total Hedge Funds	\$8,515,687	5	5	-1.5	-0.5	2.6	2.6	3.6	8.8	6.3	--	3.2	7-Jul	
PRIM Hedge Fund	8,515,687	5	5	-1.2	0.1	2.6	2.6	3.8	6.2	4.1	3.2	1	7-Jul	
HFRI Fund of Funds Composite Index	\$9,238,481	5.5	5	1.8	1.8	5.2	5.2	12	12.8	13.8	8.6	10.6	1-Oct	
Total Real Estate	9,238,481	5.5	5	0	0	3.6	3.6	9.5	10.5	12	7.8	9.1	1-Oct	
PRIM R/E Fund				0	0	3.6	3.6	9.5	10.5	12	7.8	9.1	1-Oct	
NCREIF Property Index	\$1,168,997	0.7	5	0	0	-1.2	-1.2	6.9	14	--	--	15.7	11-Aug	
Total Private Equity	1,168,997	0.7	5	2.6	2.6	3.5	3.5	10.5	13.7	14	12.2	13.1	11-Aug	
Lexington Capital Partners VII				2.6	2.6	3.5	3.5	10.5	13.7	14	12.2	13.1	11-Aug	
Private Equity Benchmark (1 Qtr. Lag)	\$195,662	0.1	0	0	0	0	0	0	0	0.1	1.6	2.2	1-Jul	
Cash	195,662	0.1	0	0	0	0	0	0	0	0.1	1.3	1.9	1-Jul	
Bank Cash				0	0	0	0	0	0	0	--	0	7-Sep	
91 Day T-Bills				0	0	0	0	0	0	0	--	0	7-Sep	
Operating Cash	279,849	0.2	0	0	0	0	0	0	0	0.1	1.3	0.4	7-Sep	
91 Day T-Bills				0	0	0	0	0	0	0.1	1.3	0.4	7-Sep	
XXXXX														

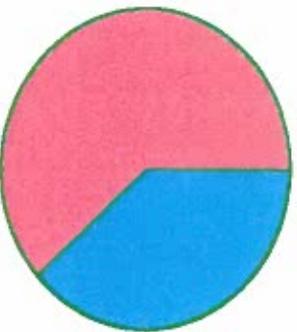
*One or more accounts have been excluded from the composite for the purposes of performance calculations and market value.

System Funding -- (04 -07)



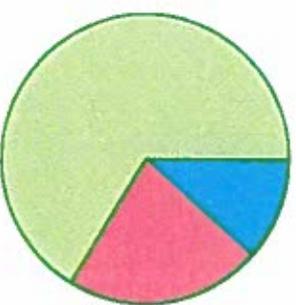
System Funding -- (08 - 11)

2008



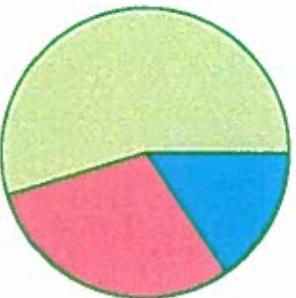
■ Deductions
■ Appropriations
■ Investment Income

2009



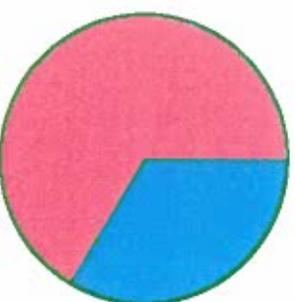
■ Deductions
■ Appropriations
■ Investment Income

2010



■ Deductions
■ Appropriation
■ Investment Income

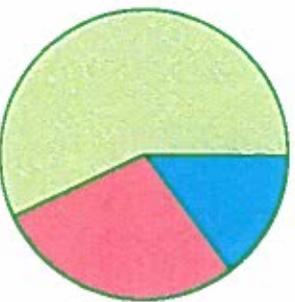
2011



■ Deductions
■ Appropriation
■ Investment Income

System Funding -- (12 - 14)

2012

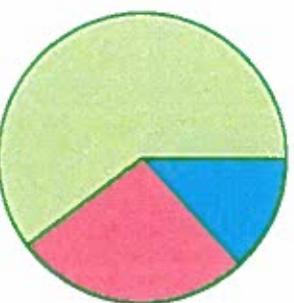


Deductions

Appropriations

Investment Income

2013

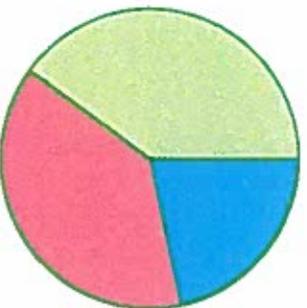


Deductions

Appropriations

Investment Income

2014

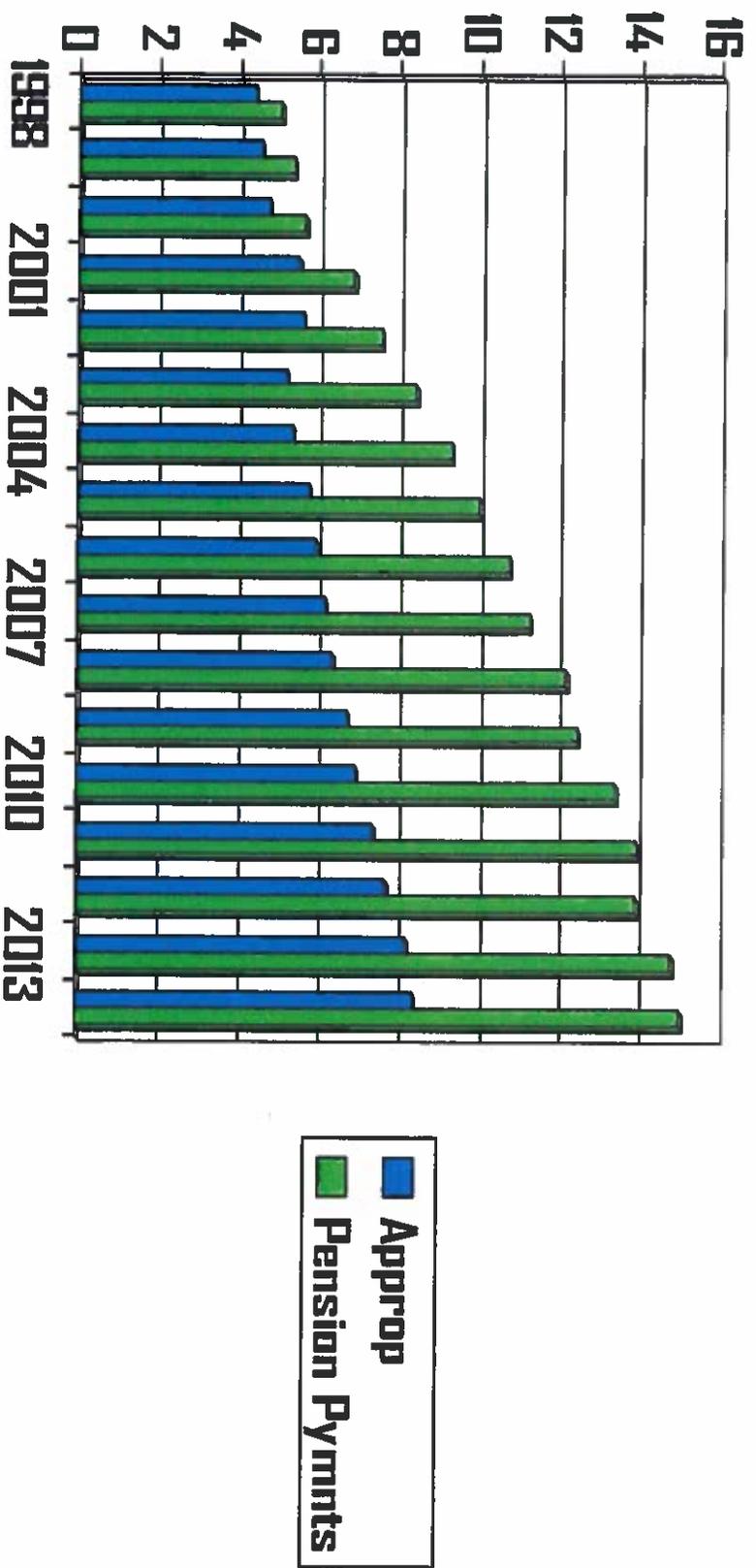


Deductions

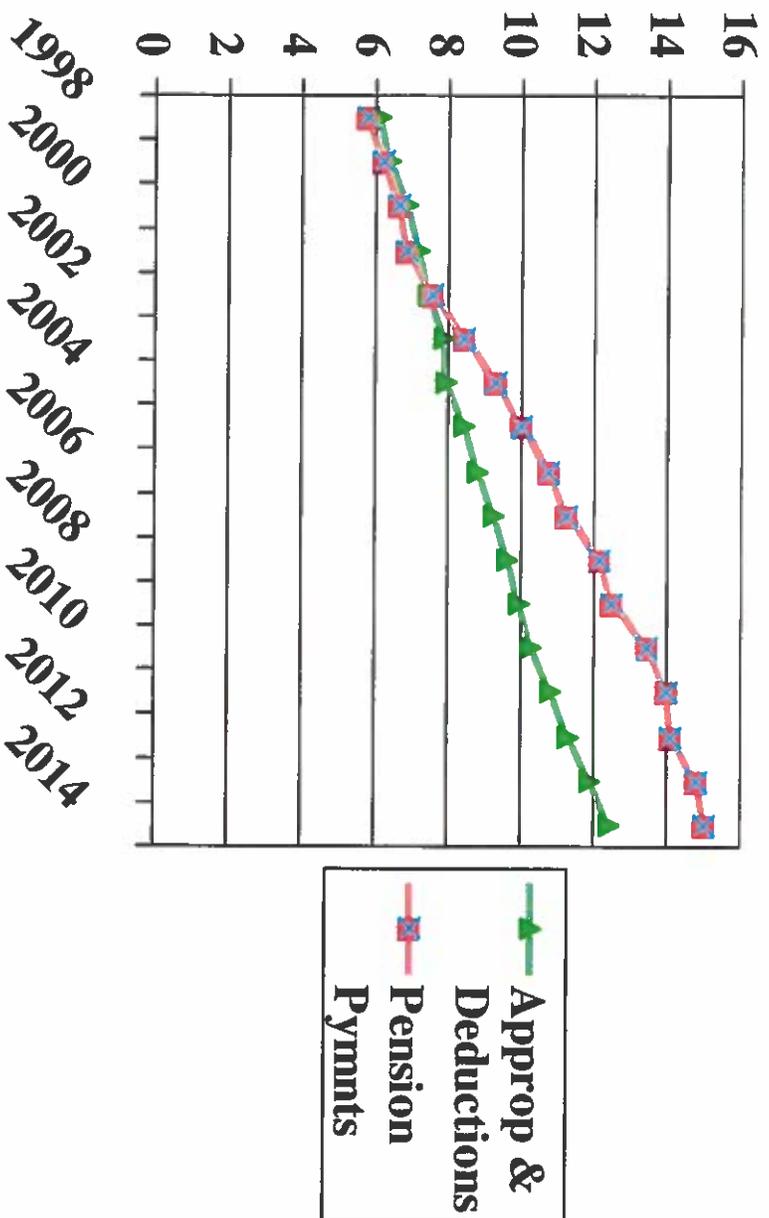
Appropriation

Investment Income

Appropriation vs. Actual Pensions Paid



GAP - Must be made up with Investment Earnings



Braintree Retirement Office

Contact Information

Staff:

Director

Jeanne Martineau

781-794-8211

jmartineau@braintreema.gov

Admin. Assistant/Analyst

Deborah Stephen

781-794-8210

dstephen@braintreema.gov

74 Pond Street, 2nd Floor
Braintree, MA 02184

Fx: 781)794-8407

www.townofbraintreegov.org/retirement.html



Town of Braintree
Contributory Retirement System

74 Pond Street, 2nd Floor
Braintree, MA 02184

July 7, 2015

Ms. Susan Cimino
Clerk for the Council
Braintree Town Hall
One J.F.K. Memorial Drive
Braintree, MA 02184

RECEIVED TOWN CLERK
BRAintree, MA
2015 JUL -7 PM 2:54

Dear Susan,

The Braintree Contributory Retirement Board respectfully requests to meet with the Braintree Town Council Members to discuss adopting the following local option:

1. M.G.L. c. 32 §20(6) – *Retirement Board Members Compensation*

Enclosed you will find the referenced legislation with an explanation and the Board's rationale for moving forward with this request. If you or the Council members require any additional information or have any questions, please do not hesitate to contact me at (781)794-8211, or jmartineau@braintreema.gov.

Requested Motion:

That the Town vote to accept the provisions of M.G.L. c. 32, s. 20(6), as amended by Section 34 of Chapter 176 of the Acts of 2011, to allow the elected and appointed members of the Braintree Contributory Retirement Board to receive a stipend of not less than \$3,000 nor more than \$4,500 per year

Sincerely,

Jeanne Martineau, Director
Braintree Contributory Retirement System

Cc: BCRS Board Members

RECEIVED TOWN CLERK
BRAINTREE, MA

2015 JUL 7 11 25 4

M.G.L. c. 32 Contributory Retirement Systems for Public Employees

§20(6) – Retirement Board Members Compensation

(6) *Retirement Board Members Compensation.* — The elected and appointed members of a city, town, county, regional, district or authority retirement board upon the acceptance of the appropriate legislative body shall receive a stipend; provided, however, that the stipend shall not be less than \$3,000 per year and not more than \$4,500 per year; provided, further, that the stipend shall be paid from funds under the control of the board as shall be determined by the commission; and provided, further, that an ex-officio member of a city, town, county, district or authority retirement board upon the acceptance of the appropriate legislative body shall receive a stipend of not more than \$4,500 per year in the aggregate for services rendered in the active administration of the retirement system.

NARRATIVE:

The Braintree Contributory Retirement Board Members typically meet on the fourth Wednesday of every month, and at times schedule random meetings to accommodate members of the System and their attorneys for purposes of confidential hearings. Occasionally, there is also a need for financial reviews, or money manager interviews, however, the Board typically incorporates such interviews into their regular meetings, thus significantly extending their meeting period.

The Board is governed under M.G.L. c. 32, and below you will find just two of the most recent changes to this law which require extensive time and full disclosure on the part of Retirement Board members:

Section 20(7)

Retirement Board Member Training. — During each full term of service retirement board members shall undertake 18 hours of training; provided, however, that not less than 3 hours of such training shall take place each year and not more than 9 hours may take place in any single year; provided, however, that nothing in this subdivision shall prohibit such retirement board members from undertaking more than 18 hours of training.

Such training shall consist of 9 hours sponsored by the commission, which shall include, at a minimum, the topics of fiduciary responsibility, ethical conduct and conflict of interest and 9 hours of training on topics prescribed by the commission provided by the Massachusetts Association of Contributory Retirement Systems or other local, state, regional and national organizations recognized by the commission as having expertise in retirement issues of importance to retirement board members or other entities, as the commission may determine.

Section 20C.

Retirement Board Member Statement of Financial Interest. — (a) Every member of a retirement board shall file a statement of financial interests for the preceding calendar year with the commission: (i) within 30 days of becoming a member of a retirement board; (ii) by May 1 of each year thereafter that the person is a member of a retirement board; and (iii) by May 1 of the year after the person ceases to be a member of a retirement board.

(see statement attached)

The Board is also governed under Public Employee Retirement Administration (PERAC) Regulations, 840 CMR 1-27. Below we have included only the first regulation to emphasize the fiduciary duty that is placed upon the members of the Braintree Retirement Board.

1.01: Board Members' Duty

1. A board member shall discharge all of his/her duties solely in the interest of members and their beneficiaries, and
2. For the exclusive purpose of:
 1. Providing benefits to members and the beneficiaries; and
 2. Defraying reasonable expenses of administering the system
3. With the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims.
4. By diversifying the investments of the system so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so.
5. In accordance with the Massachusetts General Laws, the rules and regulations promulgated by the Commission, and the rules and regulations adopted by the Board and approved by the Commission.

1:02: Liability For Breach of Fiduciary Duty

1. Failure to comply with the fiduciary standard set forth in M.G.L. c. 32, § 23 and in 840 CMR 1.01 may subject the fiduciary to personal liability for any losses to the system resulting from such failure.
2. If a fiduciary knowingly participates in or knowingly conceals an act or omission of a co-fiduciary which is a breach of fiduciary duty the fiduciary may be subject to personal liability for any losses to the system resulting from such breach.
3. If, by failing to comply with his/her fiduciary duty, a fiduciary enables a co-fiduciary to breach his/her fiduciary duty, the fiduciary may be subject to personal liability for any losses to the system resulting from such breach.
4. If a fiduciary has knowledge of a breach of fiduciary duty by a co-fiduciary and the fiduciary fails to make reasonable efforts under the circumstances to remedy the breach of fiduciary duty, the fiduciary may be subject to personal liability for any losses to the system resulting from such breach.

As you can read above, the Braintree Retirement Board Members assume an abundance of personal liability for their duties, which they take very seriously. They work closely with their financial and legal counsel to ensure that they are in compliance with all investment and member-related regulations, and they have oversight responsibility for a portfolio in excess of one-hundred and seventy- million dollars.

There are 104 Massachusetts Retirement Boards which are governed under c. 32. Enclosed you will find a survey demonstrating that Braintree is one of twelve Boards who do not offer a stipend of any kind. The Board is requesting that the Council vote to accept the local option under M.G.L. c. 32, §20(6), and grant the Braintree Contributory Retirement Board Members a stipend as allowed in legislation. Your consideration of this matter is greatly appreciated.

**PUBLIC EMPLOYEE
RETIREMENT ADMINISTRATION COMMISSION
5 MIDDLESEX AVE – 3RD FLOOR
SOMERVILLE, MA 02145
(617) 666-4446**

STATEMENT OF FINANCIAL INTERESTS FOR CALENDAR YEAR 2014

Please provide the requested information. As required by G.L. c. 32, Section 20C, the Financial Disclosure Law, you must answer all questions to the best of your knowledge. If your answer to any question is "none" or if any question is not applicable, check "Not Applicable." If extra space is needed to complete a response, attach additional pages, clearly noting the question to which the information relates. If the Commission needs to contact you regarding this form, we will use the contact information provided in Question 1.

1. Reporting Data

Person Reporting:	
Current Home Address:	
City:	
State:	
Zip:	
Home Phone:	
Office Phone:	
Email:	
Name of spouse residing in your household:	<input type="checkbox"/> Not Applicable
Name of dependent child(ren) residing in your household (you do not need to provide the name of minor children):	<input type="checkbox"/> Not Applicable

2. Retirement Board

This question indicates the reason you are required to file a Statement of Financial Interests and must be completed. Identify each position you held in 2014 or now hold as a Retirement Board Member.

Board on which you serve(d):	
Start Date:	
End Date if applicable:	

3. Other Government Position(s) (including position as an employee of a retirement board)

Identify any other government position(s) held in 2014 by you and/or an **IMMEDIATE FAMILY** member (spouse or dependent child) in any federal, state, county, district or municipal agency, whether compensated or uncompensated, full- or part-time. This also includes work performed pursuant to any consulting or contracted agreement with any such agency.

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

Not Applicable

Name of Governmental Entity:	
Position Held:	
Filer or Immediate Family Member:	

4. Employment and Other Associations with Businesses and Non-Governmental Entities (Including Non-Profit Organizations)

Identify each **BUSINESS** with which you and/or an **IMMEDIATE FAMILY** member (spouse or dependent child) were associated in 2014 as an employee, or as a partner, sole proprietor, officer, director, or in any similar managerial capacity, whether compensated or uncompensated, full- or part-time. **Include any business from which you have taken a leave of absence.**

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

Not Applicable

Name of Business:	
Address:	
Position Held:	
Filer or Immediate Family Member:	

5. Business Ownership/Equity

Identify any **BUSINESS** in which you and/or an **IMMEDIATE FAMILY** member owned more than 1% of the **EQUITY** at any time during 2014.

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

Not Applicable

Name of Business:	
Address:	
Percentage Owned (Filer Only):	

6. Gifts

Identify any GIFTS with a fair market value aggregating more than \$100 received by you and/or an IMMEDIATE FAMILY member at any time during 2014 if the source of the gift is a person having a direct interest in a matter before the retirement board of which you are a member.

Do NOT include the name of any IMMEDIATE FAMILY member in your answer. Instead, put, e.g; "Spouse" or Child".

Not Applicable

Name of Source:	
Address of Source:	
Affiliation of Source:	
Individual Giving on Behalf of Source:	
Recipient:	
Value (Filer Only):	

7. Honoraria

Identify any HONORARIUM aggregating more than \$100 received by you and/or an IMMEDIATE FAMILY member at any time during 2014 if the source of such honoraria is a person having a direct interest in a matter before the retirement board of which you are a member.

Do NOT include the name of any IMMEDIATE FAMILY member in your answer. Instead, put, e.g; "Spouse" or Child".

Not Applicable

Name of Source:	
Address of Source:	
Affiliation of Source:	
Individual Giving on Behalf of Source:	
Recipient:	
Value (Filer Only):	

8. Reimbursements

Identify any REIMBURSEMENTS aggregating more than \$100 received by you and/or an IMMEDIATE FAMILY member at any time during 2014 if the source of the reimbursement is a person having a direct interest in a matter before the retirement board of which you are a member.

Do NOT include the name of any IMMEDIATE FAMILY member in your answer. Instead, put, e.g; "Spouse" or Child".

Not Applicable

Name of Source:	
Address of Source:	
Affiliation of Source:	
Individual Giving on Behalf of Source:	
Recipient:	
Value (Filer Only):	

9. Securities and Investments

Identify each **SECURITY** or other **INVESTMENT**, with a fair market value in excess of \$1,000, beneficially owned by you and/or an **IMMEDIATE FAMILY** member as of December 31, 2014.

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

Exclude cash and bank accounts; money market funds; certificates of deposit; retirement plans; profit – sharing plans; 401(k) or other deferred compensation plans; Keogh plans; insurance policies; Commonwealth U-Plan or U-Fund; tangible property held and used for non-commercial purposes, such as antiques and artwork; and investments held as a trustee, nominee, or agent for another person.

Not Applicable

Name of Issuer:	
Description of Security:	
Principal Place of Business(Only for Non-Publicly Traded Securities):	
Owner (Filer or Immediate Family Member):	

10. Current Home/Residence Mortgage Information

Identify all mortgages for your current home/residence, including home equity and reverse mortgage loans, in excess of \$1,000, outstanding on December 31, 2014, for which you and/or an **IMMEDIATE FAMILY** member were obligated. You are not required to disclose your current home address.

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

Not Applicable

Creditor Name:	
Creditor Address:	
Interest Rate:	
Year Mortgage Due or Terminated:	

11. Non – Current Home/Residence Mortgage Information

Identify all mortgages that are not for your current home/residence, including home equity and reverse mortgage loans, in excess of \$1,000, outstanding on December 31, 2014, for which you and/or an **IMMEDIATE FAMILY** member were obligated. For an **IMMEDIATE FAMILY** member, do not report the **AMOUNTS** borrowed and owed.

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

Not Applicable

Address of Property:	
Creditor Name:	
Creditor Address:	

Original Amount Borrowed if the mortgage loan was NOT for your current home/residence (Filer Only):	
Amount Owed if the mortgage loan was NOT for your current home/residence (Filer Only):	
Interest Rate:	
Year Mortgage Due or Terminated:	

12. Creditor Information

Identify each debt, loan or other liability, other than mortgages reported above, in excess of \$1,000, owed by you and/or an **IMMEDIATE FAMILY** member as of December 31, 2014. Use categories of **AMOUNT** where applicable. **EXCLUDE: Any liability of \$1,000 or less; installment loans (cars, household effects, etc.); educational loans; medical and dental debts; credit card purchases (other than cash advances); support or alimony obligations; debts owed to a spouse or CLOSE RELATIVE; and debts incurred in the ordinary course of a BUSINESS.**

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

Not Applicable

Creditor Name:	
Creditor Address:	
Original Amount Borrowed (Filer Only):	
Amount Owed (Filer Only):	
Interest Rate:	
Year Due or Terminated:	
Loan Collateral:	

13. Debts Forgiven

Identify each creditor who at any time during 2014 forgave any indebtedness in excess of \$1,000 owed by you and/or an **IMMEDIATE FAMILY** member, if the creditor is a person having a direct interest in a matter before the retirement board of which you are a member. **EXCLUDE: Any debts forgiven by a spouse, a CLOSE RELATIVE, or the spouse of a CLOSE RELATIVE.**

Do **NOT** include the name of any **IMMEDIATE FAMILY** member in your answer. Instead, put, e.g; "Spouse" or Child".

Not Applicable

Creditor Name:	
Address:	
Amount Forgiven (Filer Only):	

14. Certification

I, _____, certify under the pains and penalties of perjury that:
(Signature)

- I made a reasonably diligent effort to obtain the required information concerning myself and **IMMEDIATE FAMILY MEMBER(S)**; and
- The information provided on this form and any attachments is true and complete, to the best of my knowledge.

Submitted _____
(Date)

The following **IMMEDIATE FAMILY** member(s) declined to disclose information which is necessary to complete this form fully and accurately. You are not required to disclose the name of your spouse or any dependent child(ren). Where applicable, you should answer this portion of the question by indicating the relationship, e.g., "Filer and Child(ren)," "Spouse," "Spouse and Child(ren)" or "Child(ren)."

The following are the specific question(s) for which information could not be obtained from an **IMMEDIATE FAMILY** member(s):

The following are the specific question(s) which I decline to answer in whole or in part, because I assert the information is privileged by law:

Please explain the basis of your claim of privilege:

IMPORTANT:

1. No **RETIREMENT BOARD MEMBER** shall be allowed to continue in his duties unless he has filed an SFI with the Commission. The Commission will notify your retirement board immediately if you fail to timely file.
2. A faxed SFI cannot be accepted.
3. You must file by mail or in person, and must submit the original SFI and one (1) copy to complete the filing. The Commission will date-stamp and return the additional copy to you as proof of filing.
4. Please check to see that you answered every question. If a question is not applicable or the answer is none, you must check the "Not Applicable" box.

	<u>Retirement Board</u>	<u>All Members</u>	<u>Treas</u>	<u>Chair</u>	<u>Ex-Officio</u>
1 NO	Braintree	-	-		
2 NO	Brookline	-	-		
3 NO	Concord	-	-		
4 NO	E Hampton Cnty	-	-		
5 NO	Fairhaven	-	-		
6 NO	Framingham	-	-		
7 NO	Lexington	-	-		
8 NO	Mass Teachers	-	-		
9 NO	Milford	-	-	-	
10 NO	MWRA	-	-		-
11 NO	Reading	-	-		
12 NO	State Retirement	-	-		
1 SOME	Danvers	-	-		1,500.00
2 SOME	Dedham	-	-		1,500.00
3 SOME	Hingham	-	1,500.00		3,000.00
4 SOME	Hull	-	-		3,000.00
5 SOME	Marblehead	-	-		1,500.00
6 SOME	Maynard	-	3,000.00		3,000.00
7 SOME	Minuteman Reg	-	1,500.00		
8 SOME	Natick	-	-	-	1,500.00
9 SOME	Needham	-	-	3,000.00	
10 SOME	North Adams	-	2,000.00		
11 SOME	Northbridge	-	-		3,000.00
12 SOME	Plymouth	-	3,000.00	3,000.00	
13 SOME	Shrewsbury	-	-		3,000.00
14 SOME	Wellesley	-	-		1,500.00
15 SOME	Winchester	-	-		3,000.00
16 SOME	Winthrop	-	-		3,000.00
17 SOME	Andover		3,000.00		3,000.00
18 SOME	Falmouth		1,500.00		1,500.00
19 SOME	Milton		1,500.00		1,500.00
20 SOME	Saugus		1,920.00		3,000.00
21 SOME	Stoneham		3,000.00		3,000.00
22 SOME	Swampscott				3,000.00
1 YES	Adams	3,000.00	3,000.00		
2 YES	Amesbury	3,000.00	-		
3 YES	Attleboro	3,000.00	1,000.00		
4 YES	Belmont	3,000.00	-		
5 YES	Berkshire Cnty	3,000.00		5,000.00	
6 YES	Beverly	3,000.00	1,500.00		
7 YES	Blue Hills	3,000.00			
8 YES	Brockton	3,000.00			
9 YES	Chelsea	3,000.00	1,500.00		
10 YES	Clinton	3,000.00	850.00		
11 YES	Dukes Cnty	3,000.00			
12 YES	Fall River	3,000.00	3,000.00		
13 YES	Fitchburg	3,000.00	-		
14 YES	Gardener	3,000.00	300.00		
15 YES	Greater Lawrence Sanitation	3,000.00			
16 YES	Greenfield	3,000.00	3,000.00		
17 YES	Hampden Cnty	3,000.00	\$25,642.68		
18 YES	Haverhill	3,000.00	1,200.00		
19 YES	Holyoke	3,000.00			
20 YES	Lawrence	3,000.00	3,000.00		
21 YES	Leominster	3,000.00	3,000.00		
22 YES	Lynn	3,000.00	-		

	<u>Retirement Board</u>	<u>All Members</u>	<u>Treas</u>	<u>Chair</u>	<u>Ex-Officio</u>
23 YES	Marlborough	3,000.00	-	-	
24 YES	Mass Housing Fin	3,000.00	-		
25 YES	Massport	3,000.00			
26 YES	Melrose	3,000.00			
27 YES	Methuen	3,000.00	1,500.00		
28 YES	Newton	3,000.00	-		
29 YES	North Attleboro	3,000.00	-		
30 YES	NorthHapmton	3,000.00	3,000.00		
31 YES	Peabody	3,000.00	1,500.00		
32 YES	Pittsfield	3,000.00	1,500.00		
33 YES	Plymouth County	3,000.00			
34 YES	Quincy	3,000.00	-		
35 YES	Revere	3,000.00	3,000.00		
36 YES	Salem	3,000.00			
37 YES	Southbridge	3,000.00	3,000.00		
38 YES	Springfield	3,000.00	-		
39 YES	Wakefield	3,000.00	1,500.00		
40 YES	Waltham	3,000.00	3,000.00		
41 YES	Webster	3,000.00	3,000.00		
42 YES	West Springfield	3,000.00	1,500.00		
43 YES	Westfield	3,000.00	3,000.00		
44 YES	Woburn	3,000.00	3,000.00		
1 YES	Somerville	3,600.00	3,600.00		
1 YES	Franklin Reg.	4,000.00	8,000.00	8,000.00	
2 YES	Montague Ret	4,000.00	-		
3 YES	Watertown	4,000.00			
1 YES	Arlington	4,500.00	3,000.00		
2 YES	Barnstable Cnty	4,500.00			
3 YES	Boston	4,500.00	-		
4 YES	Bristol cnty	4,500.00	-		
5 YES	Cambridge	4,500.00	1,500.00		
6 YES	Chicopee	4,500.00	1,500.00		
7 YES	Essex Regional	4,500.00			
8 YES	Everett	4,500.00	3,000.00		
9 YES	Gloucester	4,500.00	1,500.00		
10 YES	Hampshire Cnty	4,500.00		54,807.96	
11 YES	Lowell	4,500.00	2,000.00		
12 YES	Malden	4,500.00			
13 YES	Medford	4,500.00	1,500.00		
14 YES	Middlesex cnty	4,500.00	-		
15 YES	New Bedford	4,500.00	1,500.00		
16 YES	Newburyport	4,500.00	2,500.00		
17 YES	Norfolk Cnty	4,500.00			
18 YES	Norwood	4,500.00	1,500.00		
19 YES	Taunton	4,500.00	3,000.00		
20 YES	Weymouth	4,500.00	-		
21 YES	Worcester	4,500.00	-		
22 YES	Worcester Reg	4,500.00	-		

Edward J. Spellman, Jr.
Director of Finance



Joseph C. Sullivan
Mayor

TOWN OF BRAINTREE
DEPARTMENT OF MUNICIPAL FINANCE
One JFK Memorial Drive, Braintree, MA 02184
Tel: 781-794-8035 Fax: 781-794-8181

To: Thomas M. Bowes, President of the Council
Susan Cimino, Clerk of the Council
James Casey, Town Clerk

Cc: Joseph C. Sullivan, Mayor
Michael Coughlin, Chief of Staff and Director of Operations

From: Edward Spellman, Director of Municipal Finance

Date: August 28, 2015

Re: Salt Shed Replacement Transfers

As you may know, another property casualty of our past winter's heavy snowfall was the loss of the Town's salt shed located at DPW headquarters, 245 Union St. The salt shed, which had been standing and utilized for more than 35 years was crushed by weight of the snow and had to be removed from the site in May.

As a result of the Town's insurance claim with MIIA, we have received and deposited \$179,671.52 into the insurance recovery account. At this time we are entertaining proposals and competitive bids to construct a new salt/chemical shed on the same site. The new salt shed will significantly increase our capacity to purchase, use and store the necessary salt, sand and chemical mixes to keep our roads open during the winter snow season.

The insurance proceeds, along with funds from our Building Stabilization Fund have been identified in order to allow the Department to contract for the purchase and installation of a new salt and chemical shed. Current estimates for completion of the total project are identified to be in the area of \$350,000.00. We are forwarding this request for your review and consideration.

Accordingly, we ask for your review and approval of the following motion.

MOTION:

That the Town appropriate the amount of Three Hundred and Fifty Thousand Dollars (\$350,000) for the purpose of paying for the replacement of the town salt shed at the DPW yard. To meet this appropriation the sum of One Hundred and Seventy-Nine Thousand Six Hundred Seventy-One Dollars and Fifty-Two Cents (\$179,671.52) be transferred from the Town's Insurance recovery account and the sum of One Hundred and Seventy Thousand Three Hundred Twenty- Eight Dollars and Forty- Eight Cents of \$170,328.48 be transferred from the Building Capital Stabilization fund for a total of \$350,000.00 to the DPW Facilities and Equipment Maintenance Program 02\ Building Repair account.

Since these requests involve the appropriation of funds within the fiscal year 2016 budget, advertising and a public hearing is required under the sections 2-9 and 6-7 of the Town Charter.

**TOWN CLERK
CALL OF THE REGULAR TOWN ELECTION
NOVEMBER 3, 2015.**

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, THE TOWN OF BRAINTREE IS HEREBY REQUIRED TO NOTIFY AND WARN THE INHABITANTS OF SAID TOWN WHO ARE QUALIFIED TO VOTE IN THE REGULAR TOWN ELECTION ON TUESDAY, NOVEMBER 3, 2015 FROM 7:00 AM TO 8:00 PM, TO VOTE AT THE POLLING PLACES IN THEIR RESPECTIVE PRECINCTS FOR THE FOLLOWING PURPOSE:

To cast their votes on the official ballot for: One (1) Mayor for a term of four years; Three (3) Councilors-At-Large for a term of two years; Six (6) District Councilors for a term of two years; Three (3) School Committee members for a term of four years; Five (5) Trustees Thayer Public Library for a term of four years; One (1) Municipal Lighting Board members for a term of four years; and Two (2) Housing Authority members for a term of four years.



TOWN COUNCIL

TOWN AUDITOR

NATURE OF WORK:

The Town Auditor shall conduct, or cause to be conducted, financial and performance audits following government auditing standards as promulgated by the comptroller-general of the United States. The Town Auditor shall make periodic reports to the Town Council in such detail and with such frequency as the Town Council shall, by ordinance, by rule or by other vote, direct. All officials of the Town shall cooperate with the Town Auditor in the performance of this audit function. The Town Auditor shall have such other powers and duties as may be provided by the charter, by ordinance or by other vote of the Town Council.

The Auditor will conduct financial and operational/performance audits of Town agencies/departments and provide regular reports to the Town Council.

SUPERVISION:

Reports to the President of the Town Council (*directly*) AND All Councilors (*indirectly*)

JOB ENVIRONMENT:

Works under typical office conditions with minimal physical effort.

ESSENTIAL FUNCTIONS:

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position. Duties are not necessarily in order of importance or frequency of performance.)

- Performs all duties of the Town Auditor as described in **Chapter 189 of the Acts of 2005**, also known as the "Braintree Charter or "The Charter".
- Conducts performance, operational, and financial audits. Issues detailed audit reports to the Town Council, for the Council to develop an action plan on each audit issue.
- Works with the Town's Chief Financial Officer in the review of current internal controls and the design, development and implementation of enhanced controls.
- On an ongoing basis, examines and reviews incoming and outgoing cash flow of the Town by obtaining evidentiary documentation (e.g. receipts, purchase orders, invoices, etc.)
- Provides analysis to the Councilors on the Mayor's proposed operating and capital budgets. Reviews/analyzes each financial measure proposed by the Mayor and provides a detailed recommendation to the Town Council.
- Conducts special projects and analyses as requested by the Councilors; for example, identifying cost components and cost drivers of various programs, expenditure trend analysis and comparative analyses of revenue and expenses.
- Coordinates the annual third-party independent audit of the Town's books and records resulting in the certification of the Town's annual financial statement. Recommends to the Council the hiring of a third-party independent audit firm and the supporting criteria for the recommendation.
- Reviews the total Town cash reconciliation between the treasurer and the accountant and the data provided to the Dept. of Revenue. This includes all bank accounts, investments and trust funds.
- Conducts an annual physical inventory of any and all Town-owned assets. Reconciles the inventory to Town capital asset records and department procurements back up.

- Attends meetings as requested by the Town Council and the Ways and Means Sub Committee, especially during budget discussions.
- Acts as the Town Council liaison with the administration regarding all financial issues (e.g. appropriation requests, expenditures, etc.) to be discussed during Town Council meetings.
- Reviews certain data prepared by the Assessor's office including the tax rate, recapitulation, tax levy limitation, tax burden shift worksheets, tax classifications and department of revenue estimated receipts and charges.
- When the proposed capital improvement program (CIP) is submitted to the Town Council by the Mayor, as required by the Charter, *section 6-10*, the Town Auditor shall review the proposed CIP and make detailed recommendations to the Town Council.

KNOWLEDGE, SKILLS AND ABILITY:

Knowledge: Thorough knowledge of the principles and techniques of accounting, including State accounting, auditing and internal controls. Working knowledge of municipal finance and the State/Federal Office of Fiscal Affairs policies/procedures. Considerable knowledge of the principles of business administration.

Skills: Excellent communication skills, both orally and in writing. Advanced computer application skills applicable to the Town's accounting software programs. Strong analytical and organizational skills.

Ability: Ability to plan, coordinate and conduct periodic audits of the Town's financial operations. Ability to work independently and effect improvements/recommendations in internal controls and financial operations. Ability to prepare complex financial reports and present them to Town Council.

REQUIRED QUALIFICATIONS:

- Bachelor's degree in Accounting or Finance required.
- CPA or CPA preferred*
- 5 years financial experience, through public accounting/auditing (Big 4 a plus) and/or industry experience.
- Strong analytical, written/verbal communication, interpersonal, and relationship building skills.
- Strong Municipal Finance experience preferred.

***CPA required (Order 030-11 December 6, 2011 vote of Council)**

Approved by Town Council Date Approved: 8/11/15 Revised 7/14/15 (order 033-15) Classification: Mn-17 Union: N/A

GRADE M17

7/1/2007	\$64,494 - \$74,550
7/1/2008	\$65,486 - \$76,041
7/1/2009	\$65,486 - \$76,041
7/1/2010	\$66,141 - \$76,801
7/1/2011	\$67,463 - \$78,337

<u>Town Auditor Costs</u>	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>
FY2009 (1/9/2009 – 6/30/2009)	\$37,000	\$36,156	\$ 844
FY2010 (7/1/2009 – 6/30/2010)	\$74,000	\$66,844	\$ 7,156
FY2011 (7/1/2010 – 6/30/2011)	\$74,000	\$34,281	\$39,719
FY2012 (7/12011 – 6/30/2012)	\$74,000	\$12,250*	

*Invoiced through 12/1/2011

NON-BMPA SALARY SCALE
FY16

Grade							
M-1	W	\$ 761.76	\$ 798.78	\$ 835.63	\$ 872.52	\$ 909.36	
	A	\$ 39,611.33	\$ 41,536.45	\$ 43,452.94	\$ 45,371.20	\$ 47,286.53	
M-2	W	\$ 798.78	\$ 835.63	\$ 872.52	\$ 909.36	\$ 946.19	
	A	\$ 41,536.45	\$ 43,452.94	\$ 45,371.20	\$ 47,286.53	\$ 49,201.86	
M-3	W	\$ 835.63	\$ 872.52	\$ 909.36	\$ 946.19	\$ 983.08	
	A	\$ 43,452.94	\$ 45,371.20	\$ 47,286.53	\$ 49,201.86	\$ 51,120.11	
M-4	W	\$ 872.52	\$ 909.36	\$ 946.19	\$ 983.08	\$ 1,019.95	
	A	\$ 45,371.20	\$ 47,286.53	\$ 49,201.86	\$ 51,120.11	\$ 53,037.20	
M-5	W	\$ 909.36	\$ 946.19	\$ 983.08	\$ 1,019.95	\$ 1,056.80	
	A	\$ 47,286.53	\$ 49,201.86	\$ 51,120.11	\$ 53,037.20	\$ 54,953.70	
M-6	W	\$ 946.19	\$ 983.08	\$ 1,019.95	\$ 1,056.80	\$ 1,093.65	
	A	\$ 49,201.86	\$ 51,120.11	\$ 53,037.20	\$ 54,953.70	\$ 56,869.61	
M-7	W	\$ 983.08	\$ 1,019.95	\$ 1,056.80	\$ 1,093.65	\$ 1,137.91	
	A	\$ 51,120.11	\$ 53,037.20	\$ 54,953.70	\$ 56,869.61	\$ 59,171.40	
M-8	W	\$ 1,019.95	\$ 1,056.80	\$ 1,093.65	\$ 1,137.91	\$ 1,182.10	
	A	\$ 53,037.20	\$ 54,953.70	\$ 56,869.61	\$ 59,171.40	\$ 61,469.09	
M-9	W	\$ 1,056.80	\$ 1,093.65	\$ 1,137.91	\$ 1,182.10	\$ 1,226.42	
	A	\$ 54,953.70	\$ 56,869.61	\$ 59,171.40	\$ 61,469.09	\$ 63,773.81	
M-10	W	\$ 1,093.65	\$ 1,137.91	\$ 1,182.10	\$ 1,226.42	\$ 1,270.66	
	A	\$ 56,869.61	\$ 59,171.40	\$ 61,469.09	\$ 63,773.81	\$ 66,074.43	
M-11	W	\$ 1,137.91	\$ 1,182.10	\$ 1,226.42	\$ 1,270.67	\$ 1,314.81	
	A	\$ 59,171.40	\$ 61,469.09	\$ 63,773.81	\$ 66,074.58	\$ 68,370.36	
M-12	W	\$ 1,182.10	\$ 1,226.42	\$ 1,270.66	\$ 1,314.81	\$ 1,366.44	
	A	\$ 61,469.09	\$ 63,773.81	\$ 66,074.43	\$ 68,370.36	\$ 71,055.10	
M-13	W	\$ 1,226.42	\$ 1,270.66	\$ 1,314.81	\$ 1,366.44	\$ 1,418.09	
	A	\$ 63,773.81	\$ 66,074.43	\$ 68,370.36	\$ 71,055.10	\$ 73,740.42	
M-14	W	\$ 1,270.66	\$ 1,314.81	\$ 1,366.44	\$ 1,418.09	\$ 1,469.68	
	A	\$ 66,074.43	\$ 68,370.36	\$ 71,055.10	\$ 73,740.42	\$ 76,423.41	

M-15	W	\$ 1,314.81	\$ 1,366.44	\$ 1,418.09	\$ 1,469.68	\$ 1,528.62
	A	\$ 68,370.36	\$ 71,055.10	\$ 73,740.81	\$ 76,423.41	\$ 79,488.16
M-16	W	\$ 1,366.44	\$ 1,418.09	\$ 1,469.68	\$ 1,528.62	\$ 1,587.68
	A	\$ 71,055.10	\$ 73,740.42	\$ 76,423.41	\$ 79,488.16	\$ 82,559.36
M-17	W	\$ 1,418.09	\$ 1,469.68	\$ 1,528.62	\$ 1,587.68	\$ 1,646.65
	A	\$ 73,740.42	\$ 76,423.41	\$ 79,488.16	\$ 82,559.36	\$ 85,625.88
M-18	W	\$ 1,469.68	\$ 1,528.62	\$ 1,587.68	\$ 1,646.65	\$ 1,712.96
	A	\$ 76,423.41	\$ 79,488.16	\$ 82,559.36	\$ 85,625.88	\$ 89,074.17
M-19	W	\$ 1,528.62	\$ 1,587.68	\$ 1,646.65	\$ 1,712.96	\$ 1,779.40
	A	\$ 79,488.16	\$ 82,559.36	\$ 85,625.88	\$ 89,074.17	\$ 92,528.91
M-20	W	\$ 1,587.68	\$ 1,646.65	\$ 1,712.96	\$ 1,779.40	\$ 1,845.77
	A	\$ 82,559.36	\$ 85,625.88	\$ 89,074.17	\$ 92,528.91	\$ 95,980.13
M-21	W	\$ 1,646.65	\$ 1,712.96	\$ 1,779.40	\$ 1,845.77	\$ 1,919.47
	A	\$ 85,625.88	\$ 89,074.17	\$ 92,528.91	\$ 95,980.13	\$ 99,812.54
M-22	W	\$ 1,712.96	\$ 1,779.40	\$ 1,845.77	\$ 1,919.47	\$ 1,993.21
	A	\$ 89,074.17	\$ 92,528.91	\$ 95,980.13	\$ 99,812.54	\$ 103,646.71
M-23	W	\$ 1,779.40	\$ 1,845.77	\$ 1,919.47	\$ 1,993.21	\$ 2,066.92
	A	\$ 92,528.91	\$ 95,980.13	\$ 99,812.54	\$ 103,646.71	\$ 107,479.71
M-24	W	\$ 1,845.77	\$ 1,919.47	\$ 1,993.21	\$ 2,066.92	\$ 2,149.63
	A	\$ 95,980.13	\$ 99,812.54	\$ 103,646.71	\$ 107,479.71	\$ 111,780.56
M-25	W	\$ 1,919.47	\$ 1,993.21	\$ 2,066.92	\$ 2,149.63	\$ 2,235.61
	A	\$ 99,812.54	\$ 103,646.71	\$ 107,479.71	\$ 111,780.56	\$ 116,251.81
M-26	W	\$ 1,993.21	\$ 2,066.92	\$ 2,149.63	\$ 2,235.61	\$ 2,325.02
	A	\$ 103,646.71	\$ 107,479.71	\$ 111,780.56	\$ 116,251.81	\$ 120,901.06
M-27	W	\$ 2,066.92	\$ 2,149.63	\$ 2,235.61	\$ 2,325.02	\$ 2,418.02
	A	\$ 107,479.71	\$ 111,780.56	\$ 116,251.81	\$ 120,901.06	\$ 125,737.10
M-28	W	\$ 2,149.63	\$ 2,235.61	\$ 2,325.02	\$ 2,418.02	\$ 2,514.76
	A	\$ 111,780.56	\$ 116,251.81	\$ 120,901.06	\$ 125,737.10	\$ 130,767.55