

Sean E. Powers
President
At Large

Shannon L. Hume
At Large

CHARLES C. Kokoros
District 1

John C. Mullaney
District 2

Thomas M. Bowes
District 3



Charles B. Ryan
Vice President
At Large

Stephen C. O'Brien
District 4

Michael J. Owens
District 5

PAUL "DAN" CLIFFORD
District 6

OFFICE OF THE TOWN COUNCIL

- AGENDA -

February 23, 2016 • Horace T. Cahill Auditorium, Town Hall • Starting Time: 7:30_{PM}

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

ANNOUNCEMENTS

- 011 16 Council President: 6TH Annual Run for Charlotte, Sunday, April 24th
- 015 15 Councilor Kokoros: Super Saturdays Road Race, Sunday, April 3rd
- 022 16 Council President: Recognition – Tom Balzano
- 026 16 Council President: Braintree Police Recognition
- 028 16 Councilor Kokoros: Petersen Pool/Rink Update

APPROVAL OF MINUTES

- February 2, 2016
- February 9, 2016

CORRESPONDENCE

CITIZEN CONCERNS/COUNCIL RESPONSE

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

- 024 16 Council President: Update from Chief Jenkins on Hotels in Braintree

OLD BUSINESS

- 16 003 Mayor: FY2016 Supplemental Appropriations #1 Debt Service or take up any action relative thereto (Public Hearing)
- 16 004 Mayor: FY2016 Supplemental Appropriations #2 Operating or take up any action relative thereto (see revision) (Public Hearing)
- 16 007 Mayor: FY2016 Supplemental Appropriation #3 For the Expanded Scope of the East Middle School Feasibility Study or take up any action relative thereto (Public Hearing)
- 033 15 Council President: Town Auditor Position – Job Description to include qualifications, requirements, compensation, posting or take up any action thereto

NEW BUSINESS

Refer to the following Committees:

The Committee on Ways & Means, The Committee on Ordinance & Rules, The Committee on Public Safety, The Committee on Parks & Recreation, The Committee on Education & Library

- 027 16 Councilor Clifford: "An Obligation to Lead", from the MMA Municipal Opioid Addiction and Overdose Prevention Task Force, The "Call to Action" is a Clarion call for leaders to take specific actions and implement innovative programs based on local needs.

Refer to the Committee on Ordinance & Rules

- 021 16 Council President: Town Council Rules – Rule 56 or take up any action relative thereto
- 14 022(R) Council President: Update of Chapter 5-565: Peddling & Solicitation or take up any action relative thereto (PUBLIC HEARING March 2)

Refer to the Committee on Elder Affairs & Veterans Services

- 025 16 Councilor Clifford: Proposed Town flag created for those serving in the military or take up any action relative thereto

Topics the Chair does not reasonably anticipate will be discussed

UPCOMING MEETINGS:

Next Council Meeting - **WEDNESDAY, MARCH 2, 2016@ 7:30pm**

ADJOURNMENT

Sean E. Powers
President
At Large



Charles B. Ryan
Vice President
At Large

Shannon L. Hume
At Large

Stephen C. O'Brien
District 4

CHARLES C. Kokoros
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Michael J. Owens
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John C. Mullaney
District 2

PAUL "DAN" CLIFFORD
District 6

Thomas M. Bowes
District 3

OFFICE OF THE TOWN COUNCIL

February 2, 2016

MINUTES

A meeting of the Town Council was held in the Cahill Auditorium, Braintree Town Hall, on Tuesday, February 2, 2016 beginning at 7:00p.m.

Council President Powers was in the chair.

The Clerk of the Council conducted the roll call.

Present: Sean Powers, President
Charles Ryan, Vice President
Thomas Bowes
Paul Dan Clifford
Shannon Hume
Charles Kokoros
John Mullaney
Stephen C. O'Brien
Michael Owens

Also Present: Thomas Reynolds, Light Commissioner
Bill Bottiggi, BELD General Manager

APPROVAL OF MINUTES

- January 19, 2016
 - Motion:** by Councilor Ryan to Approve Minutes of January 19, 2016
 - Second:** by Councilor Bowes
 - Vote:** For (9), Against (0), Absent (0), Abstain (0)

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

- 012 16 BELD: UPDATE on Various Projects (Tom Reynolds & Bill Bottiggi)
Tom Reynolds, Light Commissioner stated a Quarterly Update with BELD for improved communications will take place. Contact any Commissioner or GM with any questions.

Bill Bottiggi, BELD General Manager gave a general update of what is happening at BELD.

Bill spoke about the Electric delivery and Broadband budget, the electric rate, Pole Inspection results, Community Solar Array, other Capital Projects, and the Potter II Development.

BELD's Budget is \$85 million for 2016. Broken in two parts: Transmission & Distribution Business (\$60 million capital and expense) and the Generation Business (\$25 million).

Transmission & Distribution expense: rebuild substation at Mahar. It needs to be up to safety standards. We are replacing all the LED Street Lights in Town over the next couple years. Hawthorn Avenue and Quincy Avenue have all been replaced. The Utility Pole replacement project we will spend about ¼ of a million dollars on that. We have to buy a new line truck for about ¼ of a million dollars. We will be doing system and line upgrades. We will be getting a lot of work done.

The Generation budget includes a big chunk to repay debt service on Watson units. This is about \$9 million a year. Fuel for the generators are about \$8 million per year. Also doing upgrades and spending some time on the Potter Repowering Project.

Our budget is down from 2015 by \$3 million because cost of energy is down.

Broadband is about \$5.2 million. Our rates - no increase anticipated. That is a savings of about \$50 per month per household.

Pole inspection was of 6,081 poles. 283 rejected and need to be replaced fairly quickly plus another 377 getting to be in poor condition. Our goal is to replace the 283 rejected poles replaced in 2016. 72 poles replaced to date.

Community Solar Project – having solar power available without having to put the panels on resident's roof. Just installed on the High School for 600 kw.

Potter II Redevelopment – 3 Options:

- Proceed as we were to build a gas fired plant; retire Potter II
- Analysis of Potter II and keep for 5 to 10 years
- Convert existing Potter II into a single cycle plant.

We would like to discuss options with Council in the next few months after review by Commissioners and discussed with the Mayor.

OLD BUSINESS

• 033 15 Council President: Town Auditor Job Posting or take up any action relative thereto

Council President Powers referred to Chairman O'Brien, for an update on what was discussed at the Committee on Ways & Means last week. Chairman O'Brien stated the committee met on January 20 for Executive Session interviews. At that time we only interviewed one candidate. That candidate decided not to pursue the opportunity with us and us with him.

A meeting was called on January 27 because the municipality experience and CPA requirement seemed cumbersome for a contractor. It was discussed to possibly move forward with and RFP. The following Motion will be read as a favorable recommendation to the full Council. We did receive information from the Town Solicitor, Carolyn Murray:

A motion made by Councilor Hume reads:

To move forward with the Town Auditor Position and CPA is no longer required and per Town Solicitor Carolyn Murray “neither the Charter nor the Town Auditor Ordinance require that the Town Auditor be a CPA, and both of those documents prevail over a job description. You have advised that the Council voted to add this requirement to the job description in 2011. Similarly, the Council could vote to remove this requirement from the job description or to amend the requirement to state "CPA preferred, but not required"”

This Motion was Seconded and voted for favorable recommendation to the full Council.

Councilor Ryan asked if this would be a RFP with a job description but the CPA requirement removed. Councilor O’Brien stated yes, more or less. Due to MGL and taking out the CPA requirement we need to do it this way. The applicant can be an independent contractor or it can be a firm.

Councilor Owens asked why take the CPA requirement out?

Councilor O’Brien stated because we feel we would better be served with someone with strong municipal experience and this individual may not have a CPA.

Councilor Clifford stated none of the work we do requires certification that a CPA customarily signs.

Councilor Owens asked where the idea came about?

Councilor O’Brien stated I am fairly confident this came about because of the lack of resumes we got. Budget season is around the corner and I want help for the Committee.

Councilor Kokoros said he feels it is improper to remove the requirement of a CPA. Last time we talked it was about interviews not about changing a job description. I find it would be the wrong thing to do to post anything without the proper procedure being met.

Councilor Hume stated the last meeting of the Committee on Ways & Means was not to meet to discuss changing the job description. That is not what it was about. At the MMA Auditing firms asked why we required a CPA. They would have applied if CPA was not required. According to the Town Solicitor the job description from 2011 was not even valid because the Charter supersedes all others.

Councilor Kokoros stated POINT OF ORDER. I have to disagree. What is relevant is there is a job description. There was no approval of this item to be sent to committee to be discussed. I hope we will send this back to committee to review the job description and if it needs to be revised, revise it and then bring it back up at a future meeting.

Councilor O’Brien stated on the agenda it reads: 033 15 Council President: Town Auditor Job Posting or take up any action relative thereto

Councilor Bowes made a Motion to refer 033 15 to both the Committee on Personnel Matters and then back to the Committee on Ways & Means for clarification on the job description.

Second by Councilor Owens.

Councilor Clifford stated he would like to have the meetings this week and back before the full Council next Tuesday.

Motion: by Councilor Bowes

Second: by Councilor Owens

Vote: For (7), Against (2-Mullaney, O’Brien), Absent (0), Abstain (0)

NEW BUSINESS

- 16 002 Town Clerk – Call of the Election, March 1, 2016 (SAME NIGHT ACTION)

Council President Powers stated there are no objections Order 16 002 will be taken up this evening.

James Casey, Town Clerk stated you can change the political party you are currently registered for by 8pm on February 10, 2016. Unenrolled is the only designation that can choose any ballot on voting day. There are three scheduled elections this year: March 1, 2016 the Presidential Primary Election, September 8, 2016 the State Primary Election and November 8, 2016 the State Election.

Councilor Ryan read the following Motion:

TOWN CLERK: CALL OF THE ELECTION MARCH 1, 2016.

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 PRESIDENTIAL PRIMARY ELECTION ON TUESDAY, MARCH 1, 2016 FROM 7:00 AM TO 8:00 PM, FOR THE FOLLOWING PURPOSES:

To cast their votes in the Presidential Primary for candidates of political parties on the official ballot for the following offices: Presidential Preference for the Commonwealth; State Committee Man for the Norfolk Senatorial District; State Committee Woman for the Norfolk Senatorial District; Town Committee for the Town of Braintree.

Motion: by Councilor Ryan

Second: by Councilor Bowes

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

Refer to the Committee on Ways & Means

- 16 003 Mayor: FY2016 Supplemental Appropriations #1 Debt Service or take up any action relative thereto
- 16 004 Mayor: FY2016 Supplemental Appropriations #2 Operating or take up any action relative thereto
- 16 007 Mayor: FY2016 Supplemental Appropriation #3 For the Expanded Scope of the East Middle School Feasibility Study or take up any action relative thereto

Motion: by Councilor Ryan to refer the above items

Second: by Councilor Bowes

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

Refer to the Committee on the Department of Public Works

- 016 16 Councilor Mullaney: Lead Contamination (Flint, MI) or take up any action relative thereto
- 017 16 Councilor Mullaney: GPS in Snow Removal Trucks or take up any action relative thereto
- 018 16 Councilor Mullaney: Ability to Monitor Snow Plows via Computer or take up any action relative thereto
- 019 16 Councilor Mullaney: Input of District Councilor on Which Streets Get Reconstructed or take up any action relative thereto
- 020 16 Councilor Mullaney: Input by Councilor on Stop Signs/Right on Red Signs for Streets in their District or take up any action relative thereto

Motion: by Councilor Ryan to refer the above items
Second: by Councilor Bowes
Vote: For (9), Against (0), Absent (0), Abstain (0)

Topics the Chair does not reasonably anticipate will be discussed

UPCOMING MEETINGS:

Next Council Meeting - **TUESDAY, FEBRUARY 23, 2016@ 7:30pm**

Committee on Ways & Means Meeting - **TUESDAY, FEBRUARY 23, 2016@ 6:30pm**

Motion: by Councilor Owens to Reconsider (the Motion to send to both committees)
Second: by Councilor Bowes
Vote: For (9), Against (0), Absent (0), Abstain (0)

Motion: by Councilor Owens to Amend (motion to send to only Committee on Ways & Means)
Second: by Councilor Mullaney
Vote: For (2-Mullaney, Owens), Against (7), Absent (0), Abstain (0)
MOTION FAILED

Motion: by Councilor Clifford to send to both committees)
Second: by Councilor Bowes
Vote: For (8), Against (1-O'Brien), Absent (0), Abstain (0)

Council President Powers stated there will be meetings of the Committee on Ways & Means and Committee on Personnel to meet prior to a special scheduled meeting of the full Council on Tuesday, February 9, 2016.

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 9:35p.m.

Respectfully submitted,
Susan M. Cimino
Clerk of the Council

Documents provided for Meeting

- January 19, 2016 Council Meeting Minutes
- 033 15 Council President: Town Auditor Job Posting

Sean E. Powers
President
At Large



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Vice President
At Large

Shannon L. Hume
At Large

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OFFICE OF THE TOWN COUNCIL

February 9, 2016

MINUTES

A meeting of the Town Council was held in the Johnson Chambers, Braintree Town Hall, on Tuesday, February 9, 2016 beginning at 7:00p.m.

Council President Powers was in the chair.

The Clerk of the Council conducted the roll call.

Present: Sean Powers, President
Charles Ryan, Vice President
Thomas Bowes
Paul Dan Clifford
Shannon Hume
Charles Kokoros
John Mullaney
Stephen C. O'Brien
Michael Owens

APPROVAL OF MINUTES

- February 2, 2016
Minutes were not approved at this meeting.
They will be available for approval at the February 23, 2016 meeting

OLD BUSINESS

- **033 15 Council President: Town Auditor Position - Job Description to include qualifications, requirements, compensation, posting or take up any action relative thereto**
Council President Powers stated we begin with the Committee on Personnel Issues which met earlier this evening.

Councilor Mullaney stated the Committee on Personnel Issues met and reviewed the job description. We unanimously agreed the job description is sufficient and should be left unchanged. The terminology CPA required, after a brief discussion it was agreed that it be changed to CPA preferred.

We further decided to allow the Ways & Means Committee to hire this person as a contract position, not a full-time position. All these items were voted on unanimously.

Councilor O'Brien stated the Committee on Ways & Means was provided an updated job description. The revised copy dated 8/11/15 includes exactly how the job description came to the Ways & Means. We modified it to include CPA preferred, not CPA required. We accepted what was presented to us. We would like to "cast a wider net" and move forward with a contract position and an RFP and all that is included in the Motion that was voted a favorable recommendation.

Councilor Kokoros read thru the job description questioning if most items were completed by the previous Town Auditor or not.

Councilor Hume stated the job description is an illustration of duties or work that may be performed.

Councilor Mullaney stated the Chairman of the Committee on Ways & Means can look at this job description is a road map. Whoever comes on board can be directed to do this work. The Council President and Chairman can force this person to do more.

Councilor Kokoros said we saved money year after year because we did not have the person fully do his job. We need someone that works for us and gives us information on a regular basis.

Councilor Ryan read the following Motion:

That the Town Council vote to approve the recommendation of the Personnel Committee and amend the job requirements for Town Auditor by striking "CPA required" and replacing with "CPA preferred;" further, that the position of Town Auditor be re-posted with the amended job requirements through the Human Resources Department and simultaneously, that the Town Council issue a request for proposals for the Town Auditor position, and further, that the Council President (or whomever you designate) be authorized to coordinate with the Human Resources Department and Contracts Administrator to carry out this action and that the Ways and Means Committee serve as the evaluation committee for all proposals received in response to the request for proposals to provide a recommendation to the full Council. Also, that the job posting indicate it is a contract employee, not a full-time position.

Motion: by Councilor Ryan

Second: by Councilor O'Brien

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

Councilor Ryan stated if there are reports we would like monthly we should request to receive them.

Councilor Owens stated it seems to me if there are reports we would like all we do is request them and bill it to the person or firm we hire. If these things have not been done it seems that it is because the Council or Councilors have not requested them.

NEW BUSINESS

- None

Topics the Chair does not reasonably anticipate will be discussed

UPCOMING MEETINGS:

Next Council Meeting - **TUESDAY, FEBRUARY 23, 2016@ 7:30pm**

Committee on Ways & Means Meeting - **TUESDAY, FEBRUARY 23, 2016@ 6:00pm**

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 7:40p.m.

Respectfully submitted,

Susan M. Cimino
Clerk of the Council

Documents provided for Meeting

- 033 15 Council President: Town Auditor Position - Job Description to include qualifications, requirements, compensation, posting or take up any action relative thereto
- Job Description revised 8/11/15



16

011 16

Sixth Annual Run for Charlotte

**Give Help and Hope to
Families Fighting Pediatric Cancer**

10K and 5K Road Race ~ 5K Walk

April 24, 2016 ~ 10:00 am

For more information or to register: prayersforcharlotte.org

Post Race Celebration Led By Jim Plunkett ~ \$20 Donation for Non-Runners
Begins and Ends at Bayshore Athletic Club ~ 24 Plain Street, Braintree
USA Track and Field Certified Course - find us on coolrunning.com or racewire.com



Braintree Town Council In Recognition of

Tom Balzano

*Is recognized for your thoughtful and quick thinking
in rendering assistance to a person in need and
also for your contributions to the
Braintree community everyday.*

Sean E. Powers
President/At-Large

Charles B. Ryan
Vice-President/At-Large

Shannon L. Hume
At-Large

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Paul "Dan" Clifford
District 6

2/14/16

By Jessica Trufant
The Patriot Ledger

Braintree fire chief says postal worker saved man's life

- Braintree Fire Chief James O'Brien said an attentive postal worker saved a life by following his instinct and notifying authorities when a man he encounters on his delivery route failed to come to the door Friday.

O'Brien said the man in his late 60s lives alone and keeps to himself, but meets his mail carrier at the door like clockwork to collect his Social Security check when it comes.

So the U.S. Postal Service carrier knew something was wrong Friday when he went to deliver the man's check and he wasn't waiting at the door. Mail had piled up outside.

After not getting an answer when he knocked on the man's door and called the home, the postal worker called 911, O'Brien said.

"Police and firefighters forced entry through the basement door and found the man on the second floor. He was in tough shape – critical condition at best," O'Brien said. "If it weren't for the actions of the mailman, there's no question he wouldn't be alive."

O'Brien said the man was taken to South Shore Hospital, where he remained in critical but stable condition as of Sunday. The man told firefighters he had been in the same spot for three days after collapsing, O'Brien said.

The Boston Herald identified the postal carrier as Tom Balzano of South Weymouth. Balzano could not be reached for comment by Sunday afternoon.

O'Brien credited the postal worker for taking it upon himself to check on the man and being cognizant of the situation.

Having a brother who is a U.S. Postal Service carrier himself, O'Brien said many workers take it upon themselves to check on people and therefore know when something isn't right.

"It's kind of a fail-safe for people who are elderly or disabled or live alone for these men and women to check on them, and kudos to them for going the extra mile," O'Brien said.

Additional Information # 1 0 - 0 0 3
1 6 - 0 0 4
1 6 - 0 0 7



Office of the Mayor
One JFK Memorial Drive
Braintree, Massachusetts 02184

Michael T. Coughlin
Chief of Staff

Joseph C. Sullivan
Mayor

To: Stephen C. O'Brien, Councilor / Chairman Ways and Means
Susan M. Cimino, Clerk to the Council

From: Mike Coughlin, Chief of Staff
Ed Spellman, Director Municipal Finance

Re: Responses to Questions regarding Appropriations Requests

Date: February 18, 2016

RECEIVED TOWN CLERK
BRAintree, MA
2016 FEB 19 AM 10:45

Debt Service 16-003 #1

The debt service amounts were made in December of 2014 based upon market information available at that time. Between December of 2014, and July of 2015, the two factors that affected the bonded debt amounts were a refunding in March and the June bond issue. The June issue was for a greater amount than the original estimate because the amount of actual expenditures was higher than estimated in December.

The IRS has strict regulations for the timing and use of bond proceeds. If bond proceeds are not spent within specific time frames a rebate may be necessary to the IRS. We have, for the last few years, only bonded the amount of actual expenditures along with work under contract, such as specific roads or water line projects.

Attached (1): Please find a summary sheet the shows current debt principal and interest and the original amounts. Behind that you will see the general and sewer fund current debt service schedules and the excel sheet of the original estimates.

DPW – Recycling Costs 16-004 #2

Recycling expenditures have increased in response to market conditions, more specifically the lack of demand in the recycling markets. This has affected recycling programs across Massachusetts and the nation. The DPW will indeed review recycling programs and costs in other municipalities in advance of entering into a new contract to process Braintree's curbside recycling. Currently this contract is set to expire on June 30, 2018.

Attached (2): Please find a recent newspaper article that is uniquely on point regarding the recycling markets.

Town Council Administration:

The Governmental Accounting Standards Board (GASB) Statement # 68 now requires additional information from employers in their cost sharing plan. This new information is required not only in the Town Audit but also the Braintree Electric Light Plant and the Housing Authority Audit.

The request is for \$3,500. We thought the most transparent place for this item is to be included would be in the town councils administration audit line, or if preferred a separate line just below the audit line. In the alternative we could place this item in the Finance Department Administration program. This will also facilitate future budgeting in upcoming fiscal years.

Attached (3): You will find two documents first is a nine page white paper by the AICPA Government Audit Quality Center about Government Employer Participation in Cost-Sharing Multiple Employer Plans. Second a one page summary from Powers and Sullivan.

Police Department Promotions:

Although noted at the time of our FY 16 budget submission, these promotions minimally increased the supervisory staffing pattern in the Police Department and required a more in-depth review. This review included the probability of scheduling a new civil service promotional exam and the candidates available on the existing civil service list. The review also included the need to backfill behind the proposed promotions.

The candidates for promotion on the existing civil service list were identified as strong candidates. The possibility that there were ample candidates for another promotional exam was not assured. Those considerations, coupled with the fact that one of the promotions was completed in accordance with the Town's agreement with the South Shore Plaza and that no backfills would be required prompted our action on these promotions. These changes also support ongoing discussions regarding a second Deputy Chief position.

Police Department Basketball Court:

The basketball court project was in large part a DPW in- house project. The fence, at the time of the budget submission, was not specifically finalized as a DPW item. After securing competitive bids, it was determine to utilize available police maintenance account funds rather than facility DPW funds. To date, we have identified that drug forfeiture funds should be expended more directly on police department operations, although it is duly noted that the Chief of Police has discretion in the expenditure of these funds.

Legal Services:

Although we are currently recruiting for an in-house Town Solicitor, we have utilized outside counsel, specifically Kopelman and Page, for the first seven months of this fiscal year and our projections are through the remaining months of the fiscal year. In addition to a much higher hourly rate, we have utilized their services on a number of complex economic development cases, lawsuits, property and personnel issues this and last fiscal year. This fiscal year we will utilize a portion the in-house legal position salary to offset these outside counsel legal services.

Attached (4): Please find a chart of recent annual expenditures for outside legal services. As you can see our expenses have been higher in the last two fiscal years. We will provide further information on both expenditures and controls as we prepare to submit our FY 17 budget.

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1 6 - 0 0 7

DPW Backfill:

This case of retirement also included a legal settlement of an outstanding personnel action and grievance. Given the operational needs of the Engineering Department supplemental funds are being requested for this backfill.

Fire Station Repairs:

These repairs were related to an aging roof and not directly related to storm damage. The weather exasperated the conditions and quickened our need to address these leaks.

DPW Roller:

Our action is precipitated on a breakdown and extraordinary repair costs to our current roller. The compressor by comparison was not as urgent and it is our intent to resubmit the compressor as a capital expenditure item.

Town Council Furniture:

We were provided an estimate thought we would submit this estimated amount. This would allow your council the funds for the purchase of the furniture without further delay. We will be submitting additional supplemental appropriations later in the year but did not want to unnecessarily delay the council in their process. The approval on any expenditure of this furniture would require the Council Presidents approval and signature.

Mayor's Office:

This furniture request was meant to address the number of times, often daily, that the Johnson Chambers conference room is rearranged to accommodate various meetings or various sizes. The current chairs are both heavy and cumbersome. Additionally, it should be noted that individuals find it extremely difficult to reposition these chairs from the table or back to the table at the beginning and end of meetings.

Town Council Audit:

This item is being resubmitted with a revised dollar amount at the request of the Council for immediate action. This places funds into an appropriate account for further action as may be deemed necessary by the Council.

Mayor's Office – School Health Survey:

These funds support the Blue Hills Community Alliance Grant of \$1,500.00. These funds were accepted by the Braintree Community Partnership on Substance Abuse and were earmarked for the cost of administering the health survey as noted. The "Partnership" is a valuable tool in our efforts to address substance abuse in the Town of Braintree.

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1 6 - 0 0 7

East Middle School Feasibility Study:

This request is to modify our existing contracts with our Owners Project Manager, Hill Associates and the Architect, Miller Dwyer Spears as previously approved by the Council. The additional funds requested will allow us to expand the scope of the East Middle School Project from the original renovation project to a renovation and classroom addition project. These proposals or changes to proposals are initiated through the various committees assigned these responsibilities and as approved may result in requests for funding. This information will be submitted to the MSBA and we anticipate that 50% of the total cost for the renovations and additions at the School would be funded through the MSBA. Members of the School Building Committee will be available for any additional information or questions.



Office of the Mayor
One JFK Memorial Drive
Braintree, Massachusetts 02184

Joseph C. Sullivan
Mayor

781-794-8100

To: Sean E. Powers, President of the Council
Susan Cimino, Clerk of the Council
James Casey, Town Clerk

From: Joseph C. Sullivan, Mayor

JCS

Cc: Michael Coughlin, Chief of Staff and Director of Operations
Edward Spellman, Director of Municipal Finance

Date: January 27, 2016

RE: FY 2016- Supplemental Appropriations (#1) Debt Service

RECEIVED TOWN CLERK
BRAINTREE, MA
2016 JAN 28 PM 12:54

As we enter the third quarter of Fiscal Year 2016, we have identified certain debt service items that require supplemental funds. I take this opportunity to submit this request for additional funds and to provide related information in support of this request. Your consideration and approval is requested.

These four items relate to debt service payments, two for the general fund and two for the water enterprise funds. The original debt services estimates were made in December of 2014 but the actual bonds were issued in June of 2015. The amount of the actual issue was higher than the original estimate. In order to prevent any unspent bond proceeds we have only been bonding projects for which we have either spent the funds or have a completion and payment date for the project. Please be assured that funds are currently available for these requests.

This past June the actual bonds issued were higher than the original estimate and accordingly the principal and interest in these funds were higher than the original estimates by a total of \$110,310.

- General fund principal on bonds \$68,167
- General fund interest on bonds \$26,140
- Water fund principal on bonds \$5,000
- Water fund interest on bonds \$11,003

Accordingly, your review and approval of the following motions are requested:

GENERAL FUND TRANSFERS

1. Finance Division – Principal on Bonds

MOTION: That the sum of \$68,167 be transferred from the Town’s Stabilization fund to the Finance Department / Program 50 Debt Principal/ Bond Principal account.

2. Finance Division – Interest on Bonds

MOTION: That the sum of \$26, 140 be transferred from the Town’s Stabilization fund to the Finance Department / Program 51 Debt Interest / Bond Interest account.

ENTERPRISE FUND TRANSFERS

3. Water Enterprise Fund

MOTION: That the sum of \$5,000 be transferred from the Water Enterprise Administration program/ Reserve Fund account Water Enterprise / Program 50 Debt Principal/ Bond Principal account.

4. Water Enterprise Fund

MOTION: That the sum of \$11,003 be transferred from the Water Enterprise Administration program/ Reserve Fund account Water Enterprise / Program 51 Debt Interest / Bond Interest 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.



#16-004

#18
Revision

Office of the Mayor
One JFK Memorial Drive
Braintree, Massachusetts 02184

Joseph C. Sullivan
Mayor

781-794-8100

To: Sean E. Powers, President of the Council
Susan Cimino, Clerk of the Council
James Casey, Town Clerk

From: Joseph C. Sullivan, Mayor

JCS

Cc: Michael Coughlin, Chief of Staff and Director of Operations
Edward Spellman, Director of Municipal Finance

Date: February 18, 2016

RE: REVISION FY 16 - Supplemental Appropriations (#2) Operating item # 18

RECEIVED TOWN CLERK
BRAINTREE, MA
2016 FEB 19 AM 10:45

At the request of the Town Council we are asking you to amend our original request in CO 16-004, Item # 18, from the original amount of \$19,180 to an amount of \$49,333. This motion will transfer funds from Auditors line in the Council's Town Auditor Program to Consultants line in Council's Administration program budget.

Your consideration and approval of the following item is requested to replace 16-004, # 18, with the following motion:

18. Town Council

MOTION: That the sum of \$49,333 be transferred from the Town Council Department / Program 04 Internal Audit / Town auditor account to the Town Council Department / program 01 administration / Consultant 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.



Office of the Mayor
One JFK Memorial Drive
Braintree, Massachusetts 02184

Joseph C. Sullivan
Mayor

781-794-8100

To: Sean E. Powers, President of the Council
Susan Cimino, Clerk of the Council
James Casey, Town Clerk

From: Joseph C. Sullivan, Mayor

Cc: Michael Coughlin, Chief of Staff and Director of Operations
Edward Spellman, Director of Municipal Finance

Date: January 27, 2016

RE: FY 16 - Supplemental Appropriations (#2) Operating

RECEIVED TOWN CLERK
BRAintree, MA
2016 JAN 28 PM 12:54

As I am sure you know the first half of this fiscal year has been extremely busy. We proudly marked the Town's 375th Birthday; we successfully hired Dr. Frank Hackett as our new School Superintendent; we completed an election cycle and we have launched numerous economic development projects including plans for the Peterson Pool athletic complex.

Financially, our first quarter revenue projections and budget expenditures have been on target. We have certified our free cash, established our tax rate classification, approved a strong FY 16 capital budget/plan and received federal reimbursements to cover a portion of our FY 15 snow and ice budget deficit. We have also received initial reports that our FY 17 State Aid projections will not be reduced.

As we enter the third quarter of Fiscal Year 2016, we have identified items that need supplemental funds to support operations to June 30, 2016. I take this opportunity to submit this request for additional funds and to provide related information in support of this request. The total amount of this request is \$553,044 and funds are currently available to support these requests. Specific funding sources are identified accordingly.

Your consideration and approval of the following items is requested:

- Department of Public Works – Recycling Processing - \$64,700. To fund higher costs for processing recyclables from our waste stream. Funds from stabilization account.

- Building Dept. - \$8,580. To fund new (part time) ADA Coordinator position. Funds from Town's Handicap Parking fines account.
- Town Council Administration – \$3,500. To fund additional FY 15 Pension work required by Governmental Accounting Standards Board. Funds from stabilization account.
- Police Department - \$20,839. To fund promotions to Sergeant and Lieutenant not originally requested in FY 2016 budget. Funds from stabilization account.
- Police Department - \$12,711. To fund the cost of new basketball court fencing. And to replenish the police maintenance account from stabilization.
- Legal Department - \$126,000. To fund additional outside legal services from Kopelman and Paige in excess of projected Legal Office budget. And to replenish Legal Services from stabilization.
- DPW Engineering Department - \$40,926. To fund backfilling of Engineering position due to retirement. And to replenish DPW construction administration program from stabilization.
- Fire Department - \$35,000. To repair Highlands Fire station roof. And to replenish funds in DPW facilities, equipment maintenance and building repairs account from stabilization.
- Thayer Library & 74 Pond Street – \$91,900. To fund emergency elevator repairs at each location. And to replenish funds in the DPW facilities, equipment maintenance and building repairs account from stabilization.
- DPW Highway Department - \$15,000. To fund costs of new pavement/grounds Roller. And to re-purpose capital funds originally sought for a DPW Cemetery compressor.
- Planning Department - \$27,000. To fund Phase II environmental analysis of 44 Allen St. in conjunction with its sale. And to replenish \$21,000 to Planning Dept. consultant account and replenish \$6,000 to Bldg. Dept. mitigation account from stabilization.
- Planning Department - \$2,500. To fund commitment to Regional Life Sciences group in support of future life sciences business development initiatives in Braintree. Funds from stabilization account.
- Fire Department - \$37,890. To fund vacation buy-back language in collective bargaining agreement designed to reduce overtime, but not requested in FY 16 budget. Funds from stabilization account.
- Braintree High School - \$10,000. To fund additional bathroom renovations at high school. Funds from stabilization account.
- Town Council - \$25,000. To fund new table and chairs for Town Council meetings in Cahill auditorium. Funds from stabilization account.

- The Mayor's Office - \$10,000. To fund new conference table and chairs in Johnson Chambers and new computer desk and chair in Mayor's office. Funds from stabilization account.
- Town Council – Potter II Audit - \$19,180 – To fund an outside audit of Potter II operations. Transfer funds from Auditors line to Consultants line in Council's budget.
- The Mayor's Office - \$2,318 – To fund the Town's contribution toward a \$1,500 state grant to provide survey results for a Braintree High School student health survey. Funds to be transferred from stabilization account.

Although not submitted with this supplemental budget request, please know that both the Police and Fire Departments will need supplemental funds due to their overtime expenditures. We continue to work with each Department on specific operational changes that will reduce the amount necessary and will take steps to provide an accurate supplemental request prior to our upcoming FY 17 budget deliberations.

Accordingly, your review and approval of the following motions are requested:

1. Department of Public Works

MOTION: That the sum of \$64,700 be transferred from the Town's Stabilization fund to the Department of Public Works / Program 12 – Environmental Affairs and Waste Collections program / recycling processing account.

2. Licenses and Inspections

MOTION: That the sum of \$ 8,580 be transferred from the Town's Handicap parking fine account to the Licenses and Inspections Department / Program-05 Inspections - Code Enforcement program / ADA Coordinator account.

3. Town Council

MOTION: That the sum of \$ 3,500 be transferred from the Town's Stabilization fund to the Town Council Department / Program-01 Administration / Audit Fee account.

4. Police Department

MOTION: That the sum of \$ 20,839 be transferred from the Town's Stabilization fund to Police Department and that the Director of Municipal Finance be authorized to allocate said sums to and among the various line items affected thereby.

5. Police Department

MOTION: That the sum of \$12,711 be transferred from the Town's Stabilization fund to Police Department / Program-02/ Maintenance program/ building repairs account.

6. Legal Office

MOTION: That the sum of \$ 126,000 be transferred from the Town's Stabilization fund to the Legal Department/ Program-01/ Administration program/ Legal Services account.

7. DPW

MOTION: That the sum of \$ 40,926 be transferred from the Town's Stabilization fund to Department of Public Works Department / Program 05-Construction Administration / Engineering account.

8. DPW

MOTION: That the sum of \$ 35,000 be transferred from the Town's Stabilization fund to Department of Public Works Department / Program 02-Facilities And Equipment Maintenance / Building Repairs account.

9. DPW

MOTION: That the sum of \$ 91,900 be transferred from the Town's Stabilization fund to Department of Public Works Department / Program 02-Facilities And Equipment Maintenance / Building Repairs account.

10. DPW

MOTION: That the sum of \$ 15,000 be transferred from the Department of Public Works Department / Program 69-capital equipment/ Compressor account to the Department of Public Works Department / Program 69-capital equipment / Roller account.

11. Planning and Development

MOTION: That the sum of \$ 21,000 be transferred from the Town's Stabilization fund to Planning and Development Department / Program 07-Economic Development / Consultant account.

12. Licenses and Inspections

MOTION: That the sum of \$ 6,000 be transferred from the Town's Stabilization fund to the Licenses and Inspections Department / Program-05 Inspections - Code Enforcement program / mitigation account.

13. Planning and Development

MOTION: That the sum of \$ 2,500 be transferred from the Town's Stabilization fund to Planning and Development Department / Program 07-Economic Development / Life Science Development Consultant account.

14. Fire Department

MOTION: That the sum of \$ 37,890 be transferred from the Town's Stabilization fund to Fire Department and that the Director of Municipal Finance be authorized to allocate said sums to and among the various line items affected thereby.

15. School Department

MOTION: That the sum of \$ 10,000 be transferred from the Town's Stabilization fund to School department capital account# 01-400-65-6118 / Braintree High school Restroom repairs account.

16. Town Council

MOTION: That the sum of \$ 25,000 be transferred from the Town's Stabilization fund to the Town Council Department / Program-01 Administration / furniture account.

17. Mayor's Office

MOTION: That the sum of \$ 10,000 be transferred from the Town's Stabilization fund to the Mayors Department / Program-01 Administration / furniture account.

18. Town Council

MOTION: That the sum of \$ 19,180 be transferred from the Town Council Department / Program 04 Internal Audit / Town auditor account to the Town Council Department / program 01 administration / Consultant account.

19. Mayor's Office

MOTION: That the sum of \$ 2,318 be transferred from the Town's Stabilization fund to the Mayors Department / Program-01 Administration / Consultants 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.



Office of the Mayor
One JFK Memorial Drive
Braintree, Massachusetts 02184

Joseph C. Sullivan
Mayor

781-794-8100

To: Sean E. Powers, President of the Council
Susan Cimino, Clerk of the Council
James Casey, Town Clerk

From: Joseph C. Sullivan, Mayor *JCS*

Cc: Michael Coughlin, Chief of Staff and Director of Operations
Edward Spellman, Director of Municipal Finance

Date: January 27, 2016

Re: Supplemental Appropriation (#3) For the Expanded Scope of the East Middle School Feasibility Study

RECEIVED TOWN CLERK
BRAintree, MA
2016 JAN 28 PM 12: 54

This request is for an additional \$253,566 to the East Middle school feasibility study. You will recall that back in March of 2014 the Town Council approved my request (CO 14-008) for \$300,000 to pay the costs for the feasibility study for extraordinary repairs to the East Middle School. In June of 2015 a second authorization was approved (CO 15-025) in the amount of \$140,200.

The Massachusetts School Building Authority (MSBA) has notified us that they will allow us to expand the scope of the project to include classroom additions to the East Middle School and that they will be a financial participant. The Town of Braintree's MSBA participation rate is currently 50.58%. This percent could be increased based on certain MSBA criteria.

With the expanded scope of the East Middle School project this motion is required to move forward in the MSBA grant approval process. To accomplish the project with the additional scope we require a total of \$693,766.

Your consideration and approval of the follow item is requested.

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

MOTION:

That the Town appropriate the amount of Two Hundred and Fifty –Three Thousand Five Hundred and Sixty Six (\$253,566) Dollars for the purpose of paying costs for a feasibility study for extraordinary repairs, including but not limited to substantial renovations and/or an addition thereto the East Middle School, located at 305 River Street, Braintree Massachusetts 02184, including the payment of all costs incidental or related thereto, and for which the Town may be eligible for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of the School Building Committee. To meet this appropriation the sum of Two Hundred and Fifty – Three Thousand Five Hundred and Sixty Six (\$253,566) Dollars be transferred from the Town’s Building Capital Stabilization fund. The Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

Since the request involve bond authorizations a public hearing is required under section 2-9 of the Town Charter.

027 16 Councilor Clifford: *An Obligation to Lead*", from the *MMA Municipal Opioid Addiction and Overdose Prevention Task Force*, The *“Call to Action”* is a Clarion call for leaders to take specific actions and implement innovative programs based on local needs.

- Send to multiple committees to review and consider potential areas of action.
- Call to action in the community. What can be done locally?

Council Committee Meeting

July7, 2015 6.14 p.m.

Item for agenda – Jean B. Healey

Braintree Town Flag for Active Service Members

1. Background
2. Flag detail: size 3' x 5'; background color, blue; greeting to be determined; suggested words: gratitude,, remembrance, townspeople, citizens, your service, etc.
3. Eagle Flag Co. Cohasset supplier
4. Publicity; articles in Forum, Ledger ; call their contacts
5. Marketing: Fraternal organizations: Businesses, Rotary, newspaper appeals; personal
6. Locating names through special articles in newspapers or recommendations
7. Funding processed via Town Treasurer
8. Other

LOCAL

PATRIOTLEDGER.COM

BRAINTREE

Program would send town flags to service members

By Fred Hanson
THE PATRIOT LEDGER

BRAINTREE — Hingham Selectmen Chairman Paul Healey launched a program last fall to send special town flags to residents serving in the military away from home.

Now his mother, Jean Healey, wants to do the same in Braintree.

"It would be a great consolation" to military personnel to have a reminder of the support of their hometown, said Jean Healey, a Williams Street resident

Both Healeys went before the town council

Tuesday night to outline the program. The council referred the matter to its veterans committee for review.

Paul Healey said he got the idea for the flags after he sent a town flag to Keith Jermyn, the town's veterans service director who was called up for active duty. A chief petty officer in the U.S. Navy, stationed in the African nation of Djibouti, Jermyn suggested doing the same for all residents away on military service and their families as well.

Jermyn is expected to complete his deployment shortly and return home.

Healey said the flag project was "enthusi-

astically embraced' by Hingham residents, who quickly raised the \$4,000 in private donations needed to make the flags in a few weeks.

The 3-foot-by-5-foot red and white flags have the town's seal in the middle and the words "Saluting your service and commitment to our country. With grateful support, the townspeople of Hingham."

About three dozen of the flags have been distributed so far, to service personnel around the country and overseas, Healey said, and he has more on hand for others in the military.

"They all experience separation from home and

loved ones," he said.

The flags have been displayed in living quarters and photographed flying from the masts of ships.

Paul Healey's son, Army 2nd Lt. Dominick Healey, is a military police officer stationed at Fort Polk in Louisiana.

The idea of a Braintree flag won the endorsement of Town Council President Thomas Bowes. "It's a great idea," Bowes said. "You have the full support of the council."

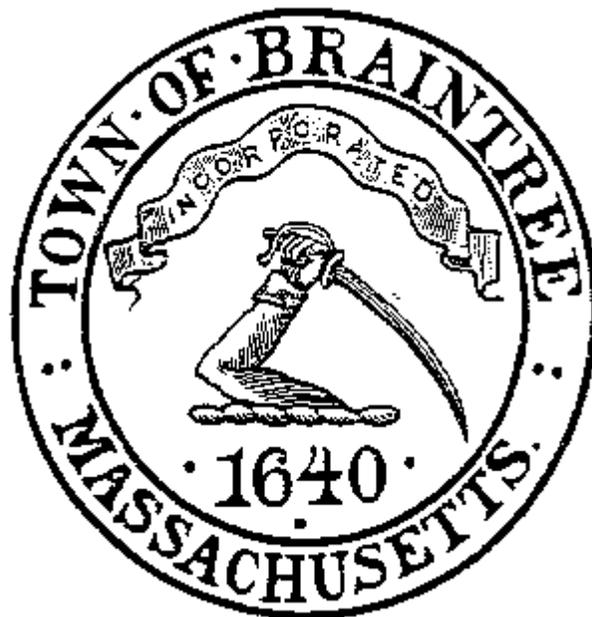
Fred Hanson may be reached at fhanson@ledger.com.

Saluting your service and commitment to our country



With grateful appreciation, the townspeople of Hingham

**BRAINTREE
TOWN COUNCIL
RULES
2012**



Rule One: The President – Powers and Duties	3
Rule Two: Appeals from Decision of the President	3
Rule Three: Substitute Chair	3
Rule Four: Viva Voce and Rising Votes	3
Rule Five: Seating Arrangements	3
Rule Six: Admission to Council Floor	3
Rule Seven: Committee Appointments	3
Rule Eight: Clerk and Employees	3
Rule Nine: Addressing President or Chair	4
Rule Ten: Debate Limitation	4
Rule Eleven: Speaking Decorum.....	4
Rule Twelve: Point of Order	4
Rule Thirteen: Voting.....	4
Rule Fourteen: Election of Officers.....	4
Rule Fifteen: Tie Vote	4
Rule Sixteen: Division of a Question	4
Rule Seventeen: Demand for Roll Call	5
Rule Eighteen: Motions and Procedure During Debate.....	5
Rule Nineteen: Motion to Lay on Table	5
Rule Twenty: Adjournment and Recessing	5
Rule Twenty-One: Written Proposals and Resolutions	5
Rule Twenty-Two: Personal Privilege	5
Rule Twenty-Three: Suspension of Rule.....	6
Rule Twenty-Four: Council Meetings	6
Rule Twenty-Five: Executive Session.....	6
Rule Twenty-Six: Special Meetings – Notice	6
Rule Twenty-Seven: Hearings.....	6
Rule Twenty-Eight: Attendance at Public Hearings & Voting.....	6
Rule Twenty-Nine: Order of Business and Agenda	7
Rule Thirty: Citizen Participation at Council Meetings	7
Rule Thirty-One: Anonymous Communications	7
Rule Thirty-Two: Standing Committees	8
Rule Thirty-Three: Attendance of Councilors at Committee Meetings.....	9
Rule Thirty-Four: Special Committees.....	9
Rule Thirty-Five: Committee Meetings.....	9
Rule Thirty-Six: Chair-Quorum	9
Rule Thirty-Seven: Committee Reports	9
Rule Thirty-Eight: Town Council Action on Committee Reports.....	9
Rule Thirty-Nine: Failure to Report	9
Rule Forty: Relieving From Further Consideration.....	10
Rule Forty-One: Secretary to Committees	10
Rule Forty-Two: Reference to Committees.....	10
Rule Forty-Three: Town Solicitor	10
Rule Forty-Four: Town Auditor	10
Rule Forty-Five: Department Heads.....	10
Rule Forty-Six: State of Federal Cooperation	10
Rule Forty-Seven: Permission to Address the Chair	10
Rule Forty-Eight: The Council Chambers	11
Rule Forty-Nine: By-Laws, Etc., of Council	11
Rule Fifty: Communications from Mayor	11
Rule Fifty-One: Council Expression	11
Rule Fifty-Two: Notification of Committee Meetings	11
Rule Fifty-Three: Publication.....	11
Rule Fifty-Four: Amendment and Repeal	11
Rule Fifty-Five: Parliamentary Procedure.....	11
Rule Fifty-Six: Adoption of Rules.....	11
Rule Fifty-Seven: Authorization to sign Bills	12
Rule Fifty-Eight: Clerk of the Council signing documents on behalf of Council	12

Rule One: The President – Powers and Duties

The President shall take the Chair at the hour appointed for the Council to meet and shall immediately call the members to order. In the absence of the President, the Vice-President shall assume the role of the President. If there is not available a Vice-President to preside, the At-Large Member who received the most votes in the last election will preside; if there is no At-Large Councilor Member available, then the member of District 1 will preside; and then if necessary proceed to each district numerically thereafter. The roll call shall then be called by the Clerk, who shall enter in the minutes of the meeting the names of the members present. In the absence of a quorum at the time appointed for a meeting, the members present may, by a majority vote, take a recess or recesses, and direct the Clerk to procure the attendance of absent members.

No President shall serve more than two consecutive two-year terms.

The President shall not serve as Chair of a committee, standing or special.

Rule Two: Appeals from Decision of the President

The President shall preserve decorum and decide all questions of order, subject to appeal to Council. Any member of the Council may appeal the decision of the President by motion. No other business shall be in order until the question of appeal is decided. In the case of an appeal from a ruling of the President, the question shall be: "Shall the decision of the President stand as the decision of the Council?" The vote upon the question of appeal from the ruling of the President shall be by roll call to be decided by a simple majority. If a member transgresses the rules of the Council, the President, or any member by addressing the President, shall call him/her to order, in which case he/she shall be seated, unless permitted to explain.

Rule Three: Substitute Chair

The President may call any member to the Chair, but such substitutes shall not continue longer than one meeting. The President may express his/her opinion on any subject under debate without leaving the Chair.

Rule Four: Viva Voce and Rising Votes

All questions shall be stated and put by the President. In case of a roll call vote, the President shall declare the result, after the Clerk has announced the number voting on each side. The results of viva voce votes shall be declared by the President without reference to the Clerk. Where a rising vote is taken, the President shall count and announce the result. Where the result of a viva voce vote is in doubt, the President may, and on demand of any member, shall call for a division of the Council, which shall be taken by a roll call.

Rule Five: Seating Arrangements

The President shall assign the seats of the Councilors and no members shall change his seat but by the permission of the President.

Rule Six: Admission to Council Floor

No person will approach the Council during Council meetings, except upon the permission of the President or presiding officer of the Council.

Rule Seven: Committee Appointments

The Council President shall appoint all members of all committees of the Town Council, whether special or standing.

Rule Eight: Clerk and Employees

The Clerk and other officers and employees of the Council shall work for every member of the Council. Every Councilor may have the right to request the Clerk and/or employees of the Council to perform work requested by a Councilor. The President will have the right to prioritize all work received from the Councilors. The President shall manage the Clerk and all employees of the Council.

Rule Nine: Addressing President or Chair

Every member speaking to a question or making a motion before a Town Council Committee shall address the Chair as “**Mr. President**” or “**Madam President**”, and in the absence of the **Council President shall address the Chair as “Mr. Chairman” or “Madam Chairwomen”**, who shall thereupon pronounce the name of the member entitled to the floor. Members addressing the Committee shall confine themselves to the question under debate and avoid personalities.

Rule Ten: Debate Limitation

No member shall be allowed to speak more than once upon any one subject until every other member choosing to speak thereon shall have spoken, and no member shall speak more than twice upon any one subject, nor for a longer time than five minutes, without leave of the Council.

Rule Eleven: Speaking Decorum

No member shall be interrupted while speaking, but by call to order for the correction of a mistake; nor shall there be any conversation among the members while a question is being stated, while a member is speaking, or a paper being read. If a member is speaking or otherwise transgresses the rules of the Council any member may call him to order by addressing the President.

Any person wishing to speak during the Public Comments portion of the meeting or on a Public Hearing item, shall notify the President prior to the calling of that portion of the agenda. No person shall address the Council without first being recognized by the President. Each person addressing the Council shall do so in an orderly manner and shall not make repetitious, slanderous or irrelevant remarks, or engage in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of the Council meeting. Any person who so disrupts the meeting may, at the discretion of the President or a majority of the Council, be subject to ejection from the meeting.

Rule Twelve: Point of Order

Any member on being called to order shall cease debate until the point of order is decided unless allowed by the President to explain.

Rule Thirteen: Voting

Every member present when a question is put may vote either “yes” or “no” or “abstain”. No member is required to vote on any matter and any member may leave the Council Chambers without explanation.

Any member may recuse himself or herself prior to debate or vote on any matter before the Council and request to be informed when said debate or vote has occurred. Any Member may return to the Council meeting at any time.

Rule Fourteen: Election of Officers

A majority of all members elected to the Council shall be required to elect a President, Vice-President, Town Auditor, Town Clerk and Clerk of the Council.

Rule Fifteen: Tie Vote

In case of a tie in votes on any proposal, the proposal shall be considered lost.

Rule Sixteen: Division of a Question

On demand of any member, a question under consideration covering two or more points shall be divided where the question permits of such division.

Rule Seventeen: Demand for Roll Call

Upon demand of any member, made before the negative has been put, the roll shall be called for yeas and nays upon any question before the Council.

Rule Eighteen: Motions and Procedure During Debate

When a question is before the Council, no motion shall be entertained except:

1. To adjourn
2. To lay on the table
3. The previous question
4. To postpone to a time certain
5. To refer
6. To amend
7. To postpone indefinitely
8. To reconsider – at any meeting at which a vote has been taken, it shall be in order for any Councilor who has voted with the prevailing side to move for immediate reconsideration or to serve notice that a motion for reconsideration shall take place at the next regular meeting of the Council. A motion to reconsider requires a two-thirds vote.

Such motions shall take precedence in the foregoing order. A roll call may be ordered at any time to ascertain the number of members.

Rule Nineteen: Motion to Lay on Table

A motion to lay on table shall preclude all amendments or debate on the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed only upon motion of a member voting with the majority and with the consent of a majority of all the members of the Council.

Rule Twenty: Adjournment and Recessing

A motion to adjourn shall be in order at any time, except as follows:

- (A) When repeated without intervening business or discussion;
- (B) When made as an interruption of a member while speaking;
- (C) When the previous question has been ordered; or
- (D) While a vote is being taken.

A motion to adjourn is debatable only as to the time to which the meeting is adjourned.

Recess may be taken at the discretion of the President, or by Majority vote of the Council. In either case, the reason for the recess shall be clearly stated beforehand. If a recess is called by the President, it shall not exceed thirty (30) minutes without a majority vote of the Council. No Town Council business shall be conducted while the Council is in recess.

Rule Twenty-One: Written Proposals and Resolutions

All proposed ordinances, orders and resolutions shall be in writing and every motion shall be reduced to writing if the President or any member of the Council so directs; and no member shall be allowed to submit a written notice or resolution until he/she has read the same in his/her place or has provided the same in writing to every member of the council present.

Any proposal or proposition seeking Council endorsement of a particular course of action shall be presented in the form of a resolution. Every resolution shall be reduced to writing and shall be signed by the Councilor(s) presenting such resolution. A copy of the original resolution shall be provided to all the Councilors prior to any vote on said resolution.

Rule Twenty-Two: Personal Privilege

The right of a member to address the Council on a question of personal privilege shall be limited to those cases set forth and referred to in Robert's Rules of Order **Newly Revised**.

Rule Twenty-Three: Suspension of Rule

Except as controlled by statute, any rule may be suspended by a **majority vote** of the Council.

Rule Twenty-Four: Council Meetings

Regular meetings of the Council shall be held in the Council Chamber the first and third Tuesday evening of each month, commencing at 7:30 PM and shall adjourn not later than 11:00 PM. The Clerk of the Council shall notify the Councilors of all meetings of the Council by notice delivered personally, sent by mail or notification of availability in the Councilor's office. Whenever the first or third Tuesday evening of the month is a holiday, the regular meeting shall be held on the first or third Wednesday evening of the month at 7:30 PM unless otherwise provided for by motion. During July and August regular meetings shall be suspended by a majority vote of the Council. The Council may, by majority vote, dispense with any regular meeting, or change the day and hour of holding or adjournment of any regular meeting. No Town Council meeting shall be scheduled on the eve of a Preliminary or Final Election in the Town of Braintree. These meetings will be held on the first Wednesday following said election.

Rule Twenty-Five: Executive Session

Executive session may be entered only after the Council has first convened in open session for which notice has been appropriately posted. The President shall cite the reason for going into executive session and indicate whether the Council shall leave executive session for the purpose of adjournment or return to open session. The President shall ask for a roll call vote of the Council. The vote of each member is entered into the minutes, with a majority necessary to initiate executive session.

Rule Twenty-Six: Special Meetings – Notice

The President of the Council, or any four (4) members thereof, may at any time call a special meeting of the Council by causing written notices stating the time, place and purpose of the meeting and signed by the person or persons calling the same, to be delivered in hand to each member of the Council, or left at his/her usual dwelling place, at least forty-eight (48) hours before the time of such meeting.

Rule Twenty-Seven: Hearings

The time devoted to public hearings at any meeting of the Council shall not be more than three (3) hours at any one sitting. Any hearing not completed within the specified time may be continued to another meeting. Hearings which are authorized by the order of the Council shall have precedence and shall be followed by public presentations. Five (5) minutes shall be allowed each speaker to express his/her views on the matter being heard by the Council. **Additional time may be granted at the discretion of the Council President or Chairperson.**

In all hearings before the Council, the case of the petitioner shall be first submitted, except where the President of the Council rules otherwise.

Rule Twenty-Eight: Attendance at Public Hearings & Voting

Any Councilor may vote on enactment of an ordinance or measure if that Councilor is absent from the public hearing on the said ordinance or measure, provided that the Councilor, in his or her opinion, is fully informed of all testimonial and other matters before the Council at the public hearing as provided by available video tapes, audio tapes or the record of minutes, etc. of that public hearing.

Rule Twenty-Nine: Order of Business and Agenda

At every regular meeting of the Council the order of business shall be as follows:

1. Pledge of Allegiance
Moment of silence
2. Roll Call
3. Announcements
4. Act on Minutes
5. Citizen Concerns/Council Response
6. Old Business
7. Communications and Reports from the Mayor, Town Officers and Town Boards
8. Reports of Committees
9. New Business
10. Motions, Orders and Resolutions
11. Adjournment

The above order shall not be changed except by vote of a majority of all the members of the Council and upon the motion to change the order, no debate shall be allowed. New Business items will be assigned to an appropriate Committee for review and response unless otherwise ordered by the Council.

AGENDA

All items for the agenda including communications and reports from the Mayor, other Town Officers and Town Boards shall be submitted to the Town Clerk's Office **and to the Clerk of the Council** no later than 10:00 AM on Wednesday preceding the regular Council meeting. A copy of said reports and agenda shall be delivered to the Council no later than Friday preceding the regular Council meeting. Late items require a two-thirds vote of the members of the Town Council to be allowed at the Council meeting. Any item authorized for the agenda must be specified on the agenda, by whom it is introduced.

Rule Thirty: Citizen Participation at Council Meetings

Individuals requesting time to address the Council under "Citizens Concerns/Council Response" shall make their request no later than 10:00 AM on the Wednesday preceding the Council meeting. Speakers shall limit the time for remarks to five (5) minutes. All items including but not limited to letters, written communications, reports or other materials being submitted from individuals addressing the Council must be submitted to the Town Clerk's Office **and to the Clerk of the Council** no later than 10:00 AM on Wednesday preceding the regular Council meeting.

The agenda will be prepared by the Clerk of the Council or his/her designee and the President. All matters to be brought before the Council shall be numbered by the Clerk of the Council or his/her designee at the time they are filed. Each item shall be numbered sequentially beginning with the first item filed in a calendar year.

Rule Thirty-One: Anonymous Communications

Unsigned communications shall not be introduced in the Council.

Rule Thirty-Two: Standing Committees

There shall be appointed standing committees of the Council as follows:

- WAYS AND MEANS** to consist of five (5) members
- ORDINANCE & RULES** to consist of four (4) members
- PUBLIC PARKS & RECREATION** to consist of three (3) members
- PUBLIC WORKS** to consist of three (3) members
- PUBLIC SAFETY** to consist of three (3) members
- ELDER AFFAIRS/VETERAN'S SERVICES** to consist of three (3) members
- EDUCATION/LIBRARY** to consist of three (3) members
- PERSONNEL ISSUES** to consist of three (members)

The following are presented as guidelines for consideration by each committee:

The *Ways and Means Committee*

Section 2-10 of the Town Charter. Assessor's business

- i. Tax Classification
- ii. Over-Lay Budget
- iii. Payment-in-Lieu of Taxes program
- iv. Property Valuations (all Classes)
- v. Exemptions
- vi. Appellate Tax Board Representation (As needed)
- b. Capital Planning Budget
- c. Stabilization Fund (requires major emphasis after years of spending down our "rainy day fund").
- d. Free Cash Appropriations
- e. Reserve Fund Items
- f. Most Other Municipal Finance Items

The *Ordinance & Rules Committee* may consider and report on all matters relating to general ordinances of the town, including proposed amendments to the Zoning Ordinances or Zoning Map, land use and planning, special permits, consider Councilor rules and such other matters as may be referred to it by the Council or Council President.

The *Public Parks & Recreation Committee* may consider and report upon all matters relating to public park and recreation operations and programs and any other matters referred to it by the Council or Council President.

The *Public Works Committee* may consider and report upon all matters relating to public works operations and programs, including but not limited to streets, including requests for the appropriation of funds from the Chapter 90 State Highway Fund Account, sidewalks, snowplowing, street sweeping, rubbish collections, recycling, water works, drains and sewers, public buildings and grounds, traffic, and any other matters referred to it by the Council or Council President.

The *Public Safety Committee* may consider and report on all matters relating to the Police Department, Fire Department, the Police and Fire Auxiliary, the Emergency Management Department, and local Emergency Planning Committee, Public Health, and any other matters referred to it by the Council or Council President.

The Elder Affairs and Veteran Services Committee may consider and report on all matters relating to the elder affairs and veteran operations and programs and any other matters referred to it by the Council or Council President.

The Education and Library Committee may consider and report on all matters relating to the educational and library operations and programs and any other matters referred to it by the Council or Council President.

The Personnel Committee may consider and report on all matters relating to personnel issues and any other matters referred to it by the Council or Council President.

Rule Thirty-Three: Attendance of Councilors at Committee Meetings

The attendance of a Councilor at a committee meeting or at a meeting of another board, committee or commission or like entity of the Town shall be in his/her capacity as the representative of his/her constituency and shall not be counted or constituted as part of a quorum of the Council, unless the Council has called for and convened a meeting of the Council in accordance with the Town Charter, Rules of the Council or other provisions of applicable law.

Rule Thirty-Four: Special Committees

Special Committees may be authorized at any time by majority vote and shall be appointed by the President to consider such matters as the Council may refer to them.

Rule Thirty-Five: Committee Meetings

Committees shall meet on the call of the Chair, or a majority of its members, to be communicated by the Clerk of the Council or his/her designee. In case the Chair of any committee shall fail for ten (10) days from the time the subject has been referred to it, to call a meeting of the committee, a majority of the committee may call a meeting.

Notice of all committee meetings must be given at least forty-eight (48) hours before the time for meeting, but meetings may be held at any time by unanimous consent of all the members of the committee.

Rule Thirty-Six: Chair-Quorum

The Chair of a Committee shall be the member named first, and the member named next shall be the Vice-Chair. A majority of the members of a Committee shall constitute a quorum.

Rule Thirty-Seven: Committee Reports

Every committee of the Council to which any subject may be referred, shall report thereon to the Council.

Rule Thirty-Eight: Town Council Action on Committee Reports

The President of the Council or the presiding officer, upon receipt of the Committee Report, shall call the vote on the motion, petition or order as introduced so that the vote would be on the order, not on the committee report.

Documents referred to in committee shall be returned with the report. Nothing in this rule shall be construed to prohibit the introduction of minority reports.

Rule Thirty-Nine: Failure to Report

When a committee to which a matter is referred, with instructions to report at a time named in the order of reference, is not ready to report at such time, the matter so referred shall, unless further time is granted **by a majority vote of the Council**, be considered as though reported back without recommendation. In such case, the committee shall forthwith return to the Clerk the documents pertaining to the matter, and the matter shall take its proper place in the order of business.

Rule Forty: Relieving From Further Consideration

Upon motion, the Council may, by **an affirmative vote of five (5)** members of the Council, relieve a committee of further consideration of a matter referred to it and order the same placed on the calendar.

Rule Forty-One: Secretary to Committees

The Clerk of the Council or his/her designee shall act as secretary to the several committees, and keep a record of the attendance and business transacted at their meetings.

Rule Forty-Two: Reference to Committees

All petitions, orders, resolutions and ordinances may be referred to appropriate committees for investigation and report.

Rule Forty-Three: Town Solicitor

At the request of the Council President, the Town Solicitor shall be required, either in person or by deputy, to attend Council meetings. Any member of the Council may at any time call upon the Town Solicitor for an oral or written opinion to decide any question of law, but not to decide upon any parliamentary rules. The Town Solicitor shall have a seat but no vote in the meetings of the governing board.

Rule Forty-Four: Town Auditor

At the request of the Council President, the Town Auditor shall be required, either in person or by deputy, to attend Council meetings. Any member of the Council may at any time call upon the Town Auditor for oral or written opinions of the financial conditions of the town.

Rule Forty-Five: Department Heads

At the request of the Council, any Department Head shall, either in person or deputy, attend meetings of the Council. Any member of the Council may at any time call upon the Department Head for oral or written opinions relative to his/her department.

Rule Forty-Six: State of Federal Cooperation

All proposals for projects which contemplate cooperation with, or financial participation by, the state or federal government, may be introduced to the Council by any member thereof or the Mayor. If a Town board or department head desires to propose such a project, the proposal shall be filed with the President of the Council. The Council shall refer all proposals to the Ways and Means Committee and to the Chair of the proper improvement committee. The Committee shall report their recommendations to the Council. If the Council approves the proposal, it shall by resolution, authorize the Mayor to make application to the proper authority.

Rule Forty-Seven: Permission to Address the Chair

Persons other than members of the Council, Town officials and news reporters, shall not be permitted upon the floor of the Council, or to address the Council, except upon introduction by a member of the Council with the consent of a majority of said Council. The Chair shall limit the time for the remarks of such person to five (5) minutes and such remarks shall be confined to the subject matter which is under consideration at that meeting. If anyone other than a Town official desires to speak to a member of the Council while the Council is in session, the member, if agreeable to the request, shall leave his/her seat and retire to the rear of the Council Chamber or elsewhere until the conversation is finished.

Rule Forty-Eight: The Council Chambers

The Council Chamber shall be under the supervision and control of the Clerk of the Council or his or her designee when the Council is not in session. Except as herein provided, it shall be used solely by the Council and its committees for the transaction of public business of the Town. If not required for such use, the Clerk or his or her designee may permit its use by any agency of the federal, state or local governments for the transaction of public business or by any nonpolitical organization in the Town, provided due notice is given the President of the Council. Seasonable application for such use must be made to the Clerk or his or her designee in such manner as may be prescribed by him or her. Any permission so granted may be canceled or revoked by the President of the Council forthwith where necessary for the protection of Town Property, the preservation of order, or other sufficient reason.

Rule Forty-Nine: By-Laws, Etc., of Council

All by-laws passed by the Council shall be termed ordinances and the enacting style shall be, "Be it ordained by the Town Council of the Town of Braintree." In all votes by which the Council expresses anything by order or command the form of expression shall be "Ordered" and in all votes by which the Council expresses opinions, principles, facts or purposes, the form shall be "Resolved".

Rule Fifty: Communications from Mayor

A list of the communications from the Mayor with their subject matter to be submitted to the Council shall be mailed at least two (2) days before the Council meeting to every Town Councillor.

Rule Fifty-One: Council Expression

The Council President or Vice President is authorized to convey the expression of interest shown by the Council on all occasions affecting its members and their families.

Rule Fifty-Two: Notification of Committee Meetings

The Clerk of the Council or his or her designee shall notify all Councillors of all Committee meetings.

Rule Fifty-Three: Publication

The **Clerk of the Council** shall determine the newspaper in the Town in which shall be published any loan order or any ordinance and said publication shall be made in a newspaper of general circulation in the Town.

Rule Fifty-Four: Amendment and Repeal

None of the foregoing rules and orders shall be amended or repealed at any Town Council meeting unless a majority of the members consent thereto and a motion for that purpose shall not be made and acted upon at the same meeting.

Rule Fifty-Five: Parliamentary Procedure

The Council shall be governed by "Robert's Rules of Order Newly Revised" in all questions of parliamentary practice not provided for by special rules or orders.

Rule Fifty-Six: Adoption of Rules

These rules will be reviewed and adopted within 90 days after the first Council Meeting in every even year.

Rule Fifty-Seven: Authorization to Sign Bills

The President of the Council is authorized to sign all bills, vouchers, payrolls, and similar documents pertaining to expenditures under the jurisdiction of the Town Council on behalf of the Town Council, and further, in the absence of unavailability of the President of the Council, the Vice President of the Council is hereby authorized to sign such documents, subject to the same restrictions. (Passed in Council – June 17, 2008)

Rule Fifty-Eight: Clerk of the Council signing documents on behalf of Council

The Clerk of the Council shall not be authorized to sign any documents on behalf of a Council Member and shall not deliver documents that normally would have a signature until such time the document is signed by the appropriate Council Member, except for citations that have been voted by the Council and for which the Council Member has provided prior authorization for the Clerk to use a signatory stamp to affix said Council Member's signatures to said citation. (Passed in Council – August 19, 2008)

Rule Fifty-Nine: Travel Reimbursement Policy For Braintree Town Councilors

Expenses – Subject to appropriation, the Town Councilors shall be entitled to reimbursement of the actual and necessary expenses incurred in the performance of their duties. This policy will be considered prior authorization by the Town Council that allows mileage reimbursement in accordance with IRS federal tax regulations. Such reimbursement should be submitted to the President of the Braintree Town Council. This prior authorization will be limited to \$2,500 per year for each Braintree Town Councilor and will not need an additional vote by the Braintree Town Council. Should a Councilor exceed this amount, they will still be able to submit a request to the full Braintree Town Council for approval. (Passed in Council – January 5, 2016)

Rule Sixty: Resolution – Town Council Reorganization

Be it Resolved this day January 5, 2016 that the process of the Town Council re-organization will not be encumbered by the standing tradition of automatically elevating its Vice President to President.

Resolve that the de-facto standard of electing a, President in waiting, 2 years in advance be modified and revised, And...

Resolve that because the informal tradition of Town Council re-organization was never formally considered, through Council Rules, or Charter that it be addressed formally now this day January 5, 2016, And...

Resolve that the re-organization process shall be open to all Council members to nominate their candidate of choice, And...

Resolve this open process become effective immediately this day January 5, 2016 and recorded in the Town Council Rules and Charter, as appropriate. (Passed in Council – January 5, 2016)