

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 -

July 12, 2016 • Horace T. Cahill Auditorium, Town Hall • Starting Time: 7:30_{PM}

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

ANNOUNCEMENTS

- 067 16 Council President: A Lifeline for those concerned about a loved one's Addiction (MassBar)
- 086 16 Council President: Bean Stock, Friday, July 15 4-9pm
- 088 16 Council President: 25th Annual Braintree Vietnam Veterans Golf Tournament, August 29
- 089 16 Council President: RECOGNITION: Henry Russell

APPROVAL OF MINUTES

- None

CORRESPONDENCE

CITIZEN CONCERNS/COUNCIL RESPONSE

- 087 16 Councilor Mullaney: Shade Tree Act Law – Henry Russell

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

- 027 16 Councilor Clifford: An Obligation to Lead – Opioid Epidemic (Update)

OLD BUSINESS

- 16 031 N.T. Development Inc: Street Acceptance Petition - Buker Corner Lane or take up any action relative thereto (Public Hearing June 28 to be TABLED to July 12, 2016) PH OPEN TO TABLE TO AUG 16
- 16 035 Mayor: Appointment - Town Solicitor, Lisa Skehill Maki or take up any action relative thereto (W&M)

NEW BUSINESS

SAME NIGHT ACTION REQUIRED

- 16 037 Town Clerk: Call of the State Primary Election, September 8, 2016 or take up any action relative thereto

Refer to Committee on Ways & Means

- 16 036 Mayor: Acceptance of Herbert Road or take up any action relative there to

Refer to Committee on Public Works

- 16 038 Mayor: Grant of Easement of Landing Pub/Ultimate Pizza or take up any action relative there to

Topics the Chair does not reasonably anticipate will be discussed

UPCOMING MEETINGS:

Next Council Meeting is to be held on - **TUESDAY, August 16, 2016@ 7:30pm**

ADJOURNMENT

A LIFELINE

for those concerned
about a loved one's

ADDICTION

Massachusetts General Laws Chapter 123, Section 35 permits individuals to petition the courts to involuntarily commit family members to an inpatient treatment program when their alcohol or drug use puts themselves or others at risk.

Get **FREE LEGAL ASSISTANCE**
with Section 35 petitions. Contact:
SECTION 35 HELPLINE*

(844) 843-6221

or

HelpUs@MassBar.org



MASSBAR
ASSOCIATION

**The 'SECTION 35' HELPLINE is a project created by Massachusetts Bar Association President Robert W. Harnais to help friends and families who are struggling with a loved one's substance abuse. Callers will be referred to volunteer lawyers for assistance.*

BeanStock

In memory of Nick Bean

Music Festival

Kuwait Grips
Jump Start
Nova
Below See Level
The Amy Incident
Fairview
Brett Ellis
Mckenzie Keefe

Addiction Resources
Overdose Candle Light Vigil

\$5

Minimum donation online or at door
<https://beanstock2016.eventbrite.com>

Braintree Town Hall
Friday

4:00pm-9:00pm
July 15th

Rise Above Addiction
To benefit The Sun Will Rise Foundation



Dear Friend,

As you know our community like many in the country, has been dealing with the tragic results of the opioid epidemic. FOUR people in Massachusetts will lose their life today due to substance use disorder. Nicholas Bean, a 2013 graduate of Braintree High School lost his life last year on 5/23/15, at the young age of 20, due to complications of the disease of addiction. He wasn't the only one. Braintree and the surrounding areas continue to lose more young people at an unacceptable pace.

You can help change that! Your sponsorship of the *BeanStock Music Festival* will help with awareness, education, prevention, treatment, scholarships, recovery, family support and so much more. *The Sun Will Rise Foundation* is a pending non-profit founded by Nick's mom, Robyn Houston-Bean. Her ultimate goal is to not have another family feel the horrible pain of losing their beloved child and not have another person suffer the effects of opioid addiction.

We have gathered together a passionate group of young people, talented musicians and local businesses who are dedicated to raising awareness and helping find solutions to end this horrible epidemic. We are honored to have the support of Mayor Joseph Sullivan and other community leaders. We will hold this wonderful musical festival at the Braintree Town hall on 7/15/16. It will be a fun, substance free evening, with addiction support information provided. We will end the night with an overdose vigil to remember those lives lost too soon.

We offer a number of sponsorship opportunities for you to consider on the next the page.

Keryn Linskey
Keryn.linksey@aol.com
781-267-8978

Morgan Brown
morganguitarman@gmail.com
781-974-6751

Robyn Houston-Bean
addictiongriefgroup@gmail.com
781-789-4604

Thank you for your consideration!



Please return this form with check made payable to Magnolia New Beginnings (The fiscal sponsor for The Sun Will Rise Foundation as it awaits it's 501C3 status.) Magnolia New Beginnings is a recognized 501C3 charity. Tax ID 46-0868013. All donations are tax deductible. Mail to The Sun Will Rise Foundation C/O Houston Insurance 541 Washington St Braintree MA 02184. Emailed logo and payments due by July 1st.

Sunrise Sponsor: \$1000.00 and over

Listing as premier sponsor, Verbal recognition on stage,
Pre event signage around town, Event signage, T-shirt listing,
Social media promotion

Sunset Sponsor: \$500.00

Verbal recognition on stage, Event signage, T-shirt listing,
Social media promotion

Solar Eclipse Sponsor: \$250.00

Event signage, T-shirt listing, social media promotion

Sunshine Sponsor: \$100.00

T-shirt listing, Social media promotion

Sunny Day Sponsor: \$50.00

Social media promotion

Sun Sponsor: \$ _____

No amount is too small

Company or Donor Name:

Email:

Contact person:

Phone:

Address:

The 25th Annual Braintree Vietnam Veterans Memorial Golf Tournament will be held at the Braintree Golf Course on Monday, August 29. They are still accepting donations.

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



087 16

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

June 23, 2016

Dear Resident,

You are being notified on behalf of Braintree Town Councilor, John Mullaney of a Town Council meeting being held on Tuesday, July 12, 2016 at **7:30PM** at Braintree Town Hall, Cahill Auditorium. At this meeting there will be a discussion by Henry Russell who has identified the Shad Tree Act Law and feels it may provide protection of our trees for those living on streets similar to Hawthorn Road.

Please feel free to attend.

If you have any further questions please contact the Town Council Office at (781) 794-8152.

Sincerely,

Susan M. Cimino
Clerk of the Council
One JFK Memorial Drive
Braintree, MA 02184

cc: Joseph C. Sullivan, Mayor
Michael Coughlin, Chief of Staff
Town Councilors
William Bottiggi, BELD
BELD Commissioners

July 1, 2016

Town of Braintree Massachusetts

Equations
 Shade tree ~~Bylaw~~ in accordance with M.G.L. Chapter 87 as modified herein

Preamble:

The Town of Braintree recognizes that trees are an asset to the community. ,providing a healthier and more beautiful environment in which to live. Trees and other and other vegetation provide oxygen; shade; protection from wind, glare and noise, view barriers; water quality protection; wildlife habitat; psychological benefits; and beauty. Public trees and landscaping are economically beneficial in attracting new residences, shoppers, visitors and industry. When grown in the appropriate locations , they enhance the value of property, promote the economic viability of commercial districts and enhance the desirability and stability of residential neighborhoods.

Intent and Purpose

This bylaw is enacted for the purpose of preserving and protecting both Public Shade Trees pursuant to Massachusetts General Laws Chapter 87 and certain designated trees on private property located within the designated zone identified outside of the Public way layout. It is also enacted to encourage planting of more public shade trees than are removed to compensate for tree losses and the length of time for a tree to reach maturity.

Definitions*Tree Warden:*

The Tree Warden shall be appointed by the Mayor and approved by he Town Council. The Tree Warden many appoint and or remove deputy Tree Wardens

Public Way

A public way is all accepted streets within the Town of Braintree and includes those controlled by the Town of Braintree, MassDOT and the Norfolk County Commissioners. The limits of the Public way shall be the accepted street layout, (Right-of Way) ROW plus 10 feet beyond the public way layout, including private property.

Shade Tree

A Shade tree is defined as a deciduous, conifer tree or shrub that is located within the public way and for a distance of 10 feet beyond the public way ROW. It is further defined by a tree whose roots, branches that are within the drip line of the tree that encroaches over or in the public way as defined herein. Shade trees with a diameter of greater than 2 inches as measured 3 feet from ground level shall require a public hearing as required herein.

Utility

A 'utility' shall mean a company engaging in the distribution of electricity or owning, operating or controlling distribution facilities; provided, however, that a distribution company shall not include any entity which owns or operates plant or equipment used to produce electricity, steam and chilled water, or an affiliate engaged solely in the provision of such electricity, steam and chilled water, where the electricity produced by such entity or its affiliate is primarily for the benefit of hospitals and nonprofit educational institutions, and where such plant or equipment was in operation before January 1, 1986

Section 1: Public Shade Tree

All trees within a public way as defined herein, or on the boundaries thereof including trees planted in accordance with the provisions of section 7 shall be public shade trees; and when it appears in any proceeding in which the ownership of or rights in a tree are material to the issue, that, from length of time or otherwise, the boundaries of the highway cannot be made certain by records or monuments, and that for that reason it is doubtful whether the tree is within the highway, it shall be taken to be within the highway and to be public property until the contrary is shown.

Section 2: Duties Tree Warden

Tree Warden Duties

The tree warden of a town may appoint and remove Deputy Tree Wardens. He/she and they shall receive such compensation as the town determines or, in default thereof, as the Town Council allows. He shall have the care and control of all public shade trees, shrubs and growths in the town, except those within a state highway, the park commissioners, and shall have care and control of the latter, if so requested in writing by the park commissioners, and shall enforce all the provisions of law for the preservation of such trees, shrubs and growths. He shall expend all money appropriated for the setting out and maintenance of such trees, shrubs and growths, and no tree shall be planted within a public way without the approval of the tree warden, until a location therefore has been obtained from the Mayor or Town Council. He may make regulations for the care and preservation of public shade trees and establish fines and forfeitures of not more than five hundred dollars in any one case for violation thereof; which, when posted in one or more public places, and, in towns, when approved by the mayor and Town Council, shall have the effect of Town of Braintree bylaws.

The Tree warden with the assistance of the Planning and Conservation Department the Historical Commission shall develop a long term planting plan to preserve the agricultural, cultural nature of the Town of Braintree. Such long term plan shall be updated every five years. Prior to the adoption of the long term plan a public hearing shall be held at the Braintree Town hall and posted accordance to the Massachusetts Open Meeting Laws.

The Tree Warden may make regulations for the care and preservation of public trees and may establish fines and forfeitures thereof, which when posted in one or more public places, hold a public hearing, and be approved by the Mayor and Town Council shall have the effect of town bylaws.

Section 3: Cutting of Public Shade Trees

Except as provided by section five, public shade trees shall not be cut, trimmed or removed, in whole or in part, by any person other than the tree warden or his deputy, even if he be the owner of the fee in the land on which such tree is situated, except upon a permit in writing from said tree warden, nor shall they be cut down or removed by the tree warden or his deputy or other person without a public hearing and said tree warden or his deputy shall cause a notice of the time and place of such hearing thereof, which shall identify the size, type and location of the shade tree or trees to be cut down or removed, to be posted in two or more public places in the town and upon the tree at least seven days before such hearing and published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than seven days before the day of the hearing or if no such local newspaper exists then in accordance with the provisions of section six of chapter four; provided, however, that when a public hearing must be held under the provisions of this section and under section fifteen

of chapter forty prior to the cutting or removal of a tree, such hearings shall be consolidated into a single public hearing before the tree warden and the planning board, or if there is no planning board, the selectmen of a town or the city council of a city, and notice of such consolidated public hearing shall be given by the tree warden or his deputy as provided herein. Any person injured in his property by the action of the officers in charge of the public shade trees as to the trimming, cutting, removal or retention of any such tree, or as to the amount awarded to him for the same, may recover the damages, if any, which he has sustained, from the town under chapter seventy-nine.

Section 5: Cutting Small Shade trees and Bushes

Tree wardens and their deputies, but no other person, may, due to an emergency condition, without a hearing, trim, cut down or remove trees, less than one and one half inches in diameter one foot from the ground, and bushes, standing in public ways; and, if ordered by the mayor, councilors, road commissioners or highway surveyor, shall trim or cut down trees and bushes, if the same shall be deemed to obstruct, endanger, hinder or incommode persons traveling thereon or to obstruct buildings being moved pursuant to the provisions of section eighteen of chapter eighty-five. Nothing contained in this chapter shall prevent the trimming, cutting or removal of any tree which endangers persons traveling on a highway, or the removal of any tree, if so ordered by the proper officers for the purpose of widening the highway and nothing herein contained shall interfere with the suppression of pests declared to be public nuisances by section eleven of chapter one hundred and thirty-two, including the Dutch elm disease.

Section 6: Penalty for Violation

Violations of any provision of the three preceding sections shall be punished by forfeiture of not more than five hundred dollars to the use of the Town of Braintree.

Section 7: Planting of Shade Trees

Planting New Trees

The town OF Braintree may appropriate money for the purpose of acquiring and planting shade trees in public ways. The tree warden, or a private organization acting with the written consent of the tree warden, may plant shade trees acquired with public or private funds in a public way, or if he deems it expedient, upon adjoining land at a distance not exceeding 10 feet from the layout of such public way for the purpose of improving, protecting, shading or ornamenting the same; provided, however, that the written consent of the owner of such adjoining land shall first be obtained.

Replacement of Existing Trees

If for any reason a tree must be removed within the public way as described herein the Tree that is removed shall be disposed of in a conformance with local and state regulations. The stump shall be removed to ground surface and the tree shall be replaced with an approved species as directed by the Town of Braintree tree Warden or his designee. The replacement tree shall have minimum 1 1/2 inch diameter as measured three feet above ground level. the exact location of hte new tree shall be as directed by the land owner and agreed to by the Tree Warden or his/her designee.

Section 8: Shade Trees - State Highways

The Massachusetts Department of Transportation, in this chapter called MassDOT, shall have the care and control of all trees, shrubs and growths within state highways, and may trim, cut or remove such trees, shrubs and growths, or license the trimming, cutting or removal thereof, after notifying the Tree Warden in writing 10 days prior to such trimming pruning or removal.

Prior notice is not required as defined in Chapter 5. No such tree, shrub or other growth shall be trimmed, cut or removed by any person other than an agent or employee of the department, even if he be the owner of the tree in the land on which such tree, shrub or growth is situated, except upon a permit in writing from MassDOT. Any person injured in his property by the action of MassDOT as to the trimming, cutting, removal or retention of any such tree, shrub or other growth, may recover the damages, if any, which he has sustained, from the commonwealth under chapter seventy-nine.

Section 9: Signs or Marks on Shade Trees

Whoever affixes to a tree in a public way or place a notice, sign, advertisement or other thing, whether in writing or otherwise, or cuts, paints or marks such tree, except for the purpose of protecting it or the public and under a written permit from the Town of Braintree Tree Warden, or from MassDOT District 6 in the case of a state highway, shall be punished by a fine of not more than fifty dollars. Tree wardens shall enforce the provisions of this section; but if a tree warden fails to act in the case of a state highway within thirty days after the receipt by him of a complaint in writing from the department, MassDOT may proceed to enforce this section.

Section 10: Injury to Shade trees on State Highways

Whoever without authority trims, cuts down or removes a tree, shrub or growth, within a state highway or maliciously injures, defaces or destroys any such tree, shrub or growth shall be punished by imprisonment for not more than six months, or by a fine of not more than five hundred dollars to the use of the commonwealth.

Section 11: Injury to Shade Trees of Another Person

Whoever willfully, maliciously or wantonly cuts, destroys or injures a tree, shrub or growth which is not his own, standing for any useful purpose, shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars.

Section 12: Injury to Trees Shrubs or fixtures

Whoever wantonly injures, defaces or destroys a shrub, plant or tree, or fixture of ornament or utility, in a public way or place or in any public enclosure, or negligently or willfully suffers an animal driven by or for him or belonging to him to injure, deface or destroy such shrub, plant, tree or fixture, shall be punished by a fine of not more than five hundred dollars, and shall in addition thereto be liable to the town or any person for all damages to its or his interest in said shrub, plant, tree or fixture caused by such act. Whoever by any other means negligently or willfully injures, defaces or destroys such a shrub, plant, tree or fixture shall likewise be liable to the town or any person for all damages to its or his interest in said shrub, plant, tree or fixture caused by such act.

Section 13: Tree Warden Care of Trees in Public way

The powers and duties conferred and imposed upon the Town of Braintree Tree Warden in this bylaw shall be exercised and performed with the care of shade trees within the limits of the accepted public way as defined herein.

Section 14: Utilities

Section 14 of M.G.L. 87, as amended and authorized by Section 14 of M.G.L. 87 by the Town of Braintree local regulation.

July 1, 2016

Annual Vegetation Maintenance Plan

a) A utility shall submit an annual vegetation management plan to the Town of Braintree Tree Warden describing the maintenance work to be performed within the Town of Braintree. The plan shall include, but not limited to, a map identifying specific locations, where trees or shrubs are to be cut or removed. A list of each tree or shrub to be altered by trimming, pruning, or cutting shall be provided to the Tree Warden a minimum of 90 days prior to the start of work. The proposed work plan shall be submitted indicating the exact location, including street address, of the tree or shrub to be cut or pruned, the type of work to be performed, the contractor to perform the work, a contact person and contact information, a work schedule and proposed dates for a public hearing at a mutually agreed to location, within the Town of Braintree. Each butter, land owner, of a tree to be trimmed, pruned, or cut shall be notified in writing 7 days prior to the proposed public hearing. Copies of such notification shall be forwarded to the Tree Warden 7 days prior to the public hearing. Upon Receipt of the maintenance plan, the Tree Warden or his designee shall notify the utility within 60 days of submitting the plan, in writing if the plan has been approved or not approved. Upon written notification to the utility that the plan has been approved or approved with modifications agreed to by both parties a utility shall be exempt from the requirements of Sections 3 and 5 of this bylaw for the work described in the approved maintenance plan.

If the tree Warden or his designee fails to notify a utility if a vegetation maintenance plan has been approved within 80 days of receipt of the maintenance plan the utility may request a decision a review and decision on the matter from the Mayor or Town Council of the town of Braintree.

Notwithstanding approval of a vegetation maintenance plan a utility shall notify the Tree Warden or his designee, in writing a minimum of 10 working days prior to the start work, the schedule for the maintenance work and a contact number of the person supervising the work in the field.

If for any reason a tree must be removed the stump must be removed and a new tree shall be planted within 30 feet of the removed tree and shall be planted in accordance with Section 7 of this bylaw.

Hazardous Tree Removal Plan

A utility shall submit an annual Hazardous tree removal plan to the Town of Braintree Tree Warden describing the Hazardous tree removal work to be performed within the Town of Braintree. The plan shall include, but not limited to, a map identifying specific locations, where trees or shrubs are to be cut or removed. A list of each tree or shrub to be removed shall be provided to the Tree Warden a minimum of 90 days prior to the start of work. The proposed work plan shall be submitted indicating the exact location, including street address, of the tree or shrub to be removed, the contractor to perform the work, a contact person and contact information, a work schedule and proposed dates for a public hearing at a mutually agreed to location, within the Town of Braintree. Each butter, land owner, of a tree to be removed shall be notified in writing 7 days prior to the proposed public hearing. Copies of such notification shall be forwarded to the Tree Warden 7 days prior to the public hearing. Upon Receipt of the maintenance plan, the Tree Warden or his designee shall notify the utility within 60 days of submitting the plan, in writing if the plan has been approved or not approved. Upon written notification to the utility

that the plan has been approved or approved with modifications agreed to by both parties a utility shall be exempt from the requirements of Sections 3 and 5 of this bylaw for the work described in the approved Hazardous tree removal plan.

If the Tree Warden or his designee fails to notify a utility if a Hazardous tree removal plan has been approved within 80 days of receipt of the Hazardous tree removal plan the utility may request a decision a review and decision on the matter from the Mayor or Town Council of the town of Braintree.

Notwithstanding approval of a plan a utility shall notify the Tree Warden or his designee, in writing a minimum of 10 working days prior to the start work, the schedule for the Hazardous tree removal work and a contact number of the person supervising the work in the field.

Once the tree is removed the tree shall be placed in accordance to Section 7 of this bylaw.

END

Enacted January 5, 2011

Section 14. (a) For the purposes of this section, "utility" shall mean a company engaging in the distribution of electricity or owning, operating or controlling distribution facilities; provided, however, that a distribution company shall not include any entity which owns or operates plant or equipment used to produce electricity, steam and chilled water, or an affiliate engaged solely in the provision of such electricity, steam and chilled water, where the electricity produced by such entity or its affiliate is primarily for the benefit of hospitals and nonprofit educational institutions, and where such plant or equipment was in operation before January 1, 1986.

(b) A utility may, or at the request of the tree warden shall, submit an annual vegetation management plan describing the maintenance work to be performed in a municipality. The plan shall include, but not be limited to, a map of the circuits where the maintenance work will be performed, the tree maintenance standards that will be followed and any foreseeable variance from those standards. The plan shall comply with local ordinances and regulations. The plan shall be submitted not less than 90 days prior to the date the utility proposes to begin its maintenance work. Upon receipt of the plan, the tree warden, or a designee thereof, shall notify the utility within 60 days, in writing, whether or not the plan has been approved. Upon receipt of written notification that the plan has been approved, or approved with modifications agreed to by both parties, a utility shall be exempt from the requirements of sections 3 and 5 for the work described in the approved plan.

(c) A utility may, or at the request of the tree warden shall, submit an annual hazard tree removal plan describing hazard tree removal work to be performed in a

municipality. The plan shall include, but not be limited to, the specific trees that the utility has identified as a hazard and proposes to remove. **The plan shall comply with local ordinances and regulations**. The plan shall be submitted not less than 90 days prior to the date a utility proposes to begin tree removal. Upon receipt of the plan, the tree warden, or a designee thereof, shall notify the utility within 60 days, in writing, whether or not the plan has been approved. Upon receipt of written notification that the plan has been approved, or approved with modifications agreed to by both parties, the utility shall be exempt from the requirements of sections 3 and 5 for the work described in the approved plan.

(d) If a tree warden fails to notify a utility whether a vegetation management plan or hazard tree removal plan has been approved within 60 days of the warden's receipt of the plan, the utility may request a decision by the selectmen, mayor or chief administrative officer of the municipality.

(e) Notwithstanding approval of a vegetation management plan or hazard tree removal plan, a utility shall notify a tree warden, in writing, not less than 14 days prior to beginning maintenance work or tree removal work in a municipality. If a local ordinance or regulation requires more than 14 days notice, the utility shall comply with such ordinance or regulation. The notice provided shall include the date on which the utility will begin work and the phone number of the person or persons supervising the work in the field.

(f) The utility shall provide to the state forester, or such other person or agency as designated by the secretary of energy and environmental affairs, a copy of any annual vegetation management plan or hazard tree removal plan and a copy of the approval or denial letter from the applicable tree warden. The state forester, or such other person

or agency as designated by the secretary of energy and environmental affairs, shall provide the utility an acknowledgment of receipt of such plans and determinations in any manner approved by said secretary.

(g) The utility shall annually submit to the state forester's office a set of utility tree maintenance standards and specifications and evidence that these standards have been adopted by the utility company. These standards and specifications shall conform with: American National Standard Institute A?300; American National Standard Institute Z?133; and National Electric Safety Code 218 Tree Trimming and OSHA 29 CFR Part 1910 Line Clearance Tree Trimming Operations. The state forester, or such other person or agency as designated by the secretary of energy and environmental affairs, shall make these standards and specifications available to the public on their websites or other accessible locations and shall accept and maintain a publicly accessible record of comments received relative to the standards and specifications and shall transmit the comments to the utilities.

Once you've recovered your account you may return to Login.

—
© 2007. All rights reserved.

- [Mass.gov](#)
- [Site Map](#)
- [Site Policy](#)
- [Contact Us](#)

ACEC/MA presents Community Service Award to Henry Russell, PE, PG of WSP | Parsons Brinckerhoff

089 16

08/16



The American Council of Engineering Companies of Massachusetts (ACEC/MA) has named Henry Russell, Senior Vice President at WSP | Parsons Brinckerhoff as recipient of the 2016 Community Service Award.

The award was announced at the recent ACEC/MA Engineering Excellence and Awards Gala with emcees MA State Senator Karen Spilka and MA Secretary of Transportation Stephanie Pollack.

The ACEC/MA Community Service Award recognizes members for their accomplishments and sustained commitment to community service.

Russell was selected as this year's recipient for his participation in influencing local decisions in his community of Braintree.

Russell, a registered Professional Engineer/Engineering Geologist with more than 40 years of industry experience, was recognized for demonstrating his dedication to his community as an active member of the Braintree DPW Advisory Board and the Braintree Conservation Commission, where he has served as chair for the past 17 years.

He is also an active participant in the Boston English High School Alumni Board, significantly contributing to the rewriting of the Alumni Association Bylaws to conform to current accepted governance.

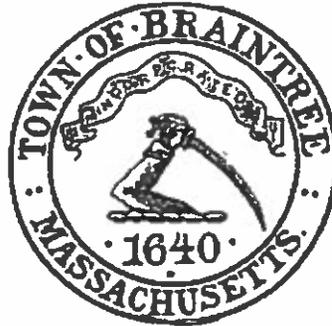
"Volunteer work is clearly one of Henry's passions," said ACEC/MA President David Vivlicchia. "Through his demonstrated commitment partnered with a strong technical background, Henry Russell has proven himself to be the very definition of a community leader."

About ACEC/MA

<http://boston.citybizlist.com/article/358717/acecma-presents-community-service-award-to-...> 6/30/2016

citybizlist : Boston : ACEC/MA presents Community Service Award to Henry Russell, P... Page 2 of 5

The American Council of Engineering Companies of Massachusetts (ACEC/MA) is the business association of the Massachusetts and Rhode Island engineering industry, representing over 120 independent engineering companies engaged in the development of transportation, environmental, industrial, and other infrastructure. Founded in 1960 and headquartered in Boston, MA, ACEC/MA is a member organization of the American Council of Engineering Companies (ACEC) based in Washington, DC. ACEC is a national federation of 51 state and regional organizations. For more information on ACEC/MA, visit their website at www.acecma.org (<http://www.acecma.org/>). ACEC/MA is undertaking an awareness campaign to educate the public on the many contributions engineers make (or the engineering innovations) in everyday life through their hash tag #EngineeringGoFigure. To Follow us on Twitter: @ACECMA



Braintree Town Council In Recognition of

Henry Russell

Is recognized by the Braintree Town Council as a dedicated volunteer in the Town of Braintree and Congratulations as recipient of the American Council of Engineering Companies of Massachusetts—2016 Community Service Award

Sean E. Powers
President/At-Large

Charles B. Ryan
Vice-President/At-Large

Shannon L. Hume
At-Large

Charles C. Kokoros
District 1

John C. Mullaney
District 2

Thomas M. Bowes
District 3

Stephen C. O'Brien
District 4

Michael J. Owens
District 5

Paul "Dan" Clifford
District 6



Office of the Mayor

One JFK Memorial Drive
Braintree, Massachusetts 02184

Date: June 28, 2016

To: Sean Powers, Council President

From: Joseph C. Sullivan, Mayor

Re: Appointment of Lisa Skehill Maki, Town Solicitor

RECEIVED TOWN CLERK
BRAINTREE, MA
2016 JUN 28 PM 2:39

Pursuant to the authority vested in the Office of the Mayor by Sections 3-3 and 3-5 of the Charter of the Town of Braintree, I hereby appoint Lisa Skehill Maki as Town Solicitor effective July 6, 2016.

As her resume indicates, I believe that Ms. Maki's qualifications will serve the Town of Braintree well as Town Solicitor.

Dated this 28th day of June, 2016

Joseph C. Sullivan

Mayor

Lisa Skehill Maki

5 Beckler Avenue, South Boston, MA 02127

(781) 492-2139

Laskeshill@gmail.com

LEGAL EXPERIENCE

City of Boston Law Department, Boston, Massachusetts

January 2010—Present

Senior Assistant Corporation Counsel:

July 2012—Present

Assistant Corporation Counsel:

January 2010—July 2012

Representing the City of Boston, its officials, and employees in all stages of litigation including mediation, trial and appeal on a wide variety of cases involving employment discrimination, civil rights, tort, contract, and environmental law. Advising City departments on a myriad of legal issues including, employment matters, policy issues, First Amendment issues, civil rights, open meeting and public records law, City Charter, state ethics, and labor issues. Counsel to the Community Ombudsman Oversight Committee, which oversees the Boston Police Internal Affairs Division. Training new hires in federal practice and procedure and civil rights laws.

Rhode Island Supreme Court, Providence, Rhode Island

2009—2010

Judicial Law Clerk to the Honorable Chief Justice Frank J. Williams: Researched and drafted bench memoranda and Court opinions on a wide variety of civil and criminal matters.

City of Boston Law Department, Boston, Massachusetts

2006—2009

Litigation Paralegal/Law Clerk: Assisted in all phases of litigation in federal and state court. Researched and drafted motions, memoranda, and appeals on municipal issues including, civil rights, employment discrimination, government contracts, and the Mass. Tort Claims Act. Drafted discovery requests and responses, interviewed clients and witnesses.

BAR ADMISSIONS

Commonwealth of Massachusetts

United States District Court, District of Massachusetts

First Circuit Court of Appeals

PUBLICATIONS

Cloaking Police Misconduct in Privacy: Why the Massachusetts Anti-Wiretapping Statute Should Allow for the Surreptitious Recording of Police Officers, 42 Suffolk U.L. Rev. 981 (2009).

Beware the Federal Government Bearing Gifts: How the American Recovery and Reinvestment Act Could Become a Whistleblowing Trojan Horse, 43 Suffolk U.L. Rev. 565 (2010) (co-author).

Defending Excessive Force Actions: A Step by Step Approach to Defending Law Enforcement Officers Accused of Using Excessive Force, International Municipal Lawyers' Association (2016)

LEADERSHIP EXPERIENCE AND BAR ASSOCIATIONS

Young Lawyers Division of Federal Bar Association, Massachusetts Chapter, President (2013)

Federal Bar Association Massachusetts Chapter, Board Member, Membership Chair (2013-Present)

L. Maki, p. 2

National Federal Bar Association Young Lawyers Division, First Circuit Board Member (2011-2015)

CARE/RESTART Job Interview Skills Workshop Co-Chair (2011-2015)

Women's Bar Association, Government Committee (2013- Present)

Women's Bar Association, Women's Leadership Initiative, Participant (2015-2016)

City of Boston Law Department, Law Clerk Supervisor (2011-2014)

Internal Municipal Lawyers' Association, Member and Featured Speaker

TEACHING EXPERIENCE/SPEAKING ENGAGEMENTS

CURRENT:

Suffolk University Law School, Adjunct Professor, Legal Practice Skills

City of Boston Assistant Corporation Counsel University, Instructor

Suffolk University Law School, Police Misconduct Course, Panelist

International Municipal Lawyers' Association, Featured Speaker, Semi-Annual Conference, Washington D.C., *Defending Law Enforcement from Excessive Force Allegations* (April 2016)

National Business Institute, Featured Speaker on *Legal Issues Involving Local Governments*, Police Liability Claims (July 2016)

PREVIOUS:

New England Law Boston, Adjunct Professor, Legal Research & Writing II (2011-2013)

HONORS/AWARDS

Women's Leadership Initiative, Participant, Women's Bar Association, (2015-2016)

Up and Coming Lawyer, Excellence in the Law Awards, *Mass Lawyers Weekly*, (2013)

Suffolk University Law School, Outstanding Student Award

EDUCATION

Suffolk University Law School, Boston, Massachusetts

Juris Doctor, *magna cum laude*, May, 2009; Class Rank: 7/132

Honors: Suffolk University Law Faculty Outstanding Evening Student Award, 2009

Suffolk University Law Review, Staff Member & Note Editor, 2007-2009

Suffolk Law School Jurisprudence Award for Constitutional Law and Evidence

Bridgewater State University, Bridgewater, Massachusetts

B.A. in Sociology, Minor in Psychology, May 2002

16036



Office of the Mayor

One JFK Memorial Drive
Braintree, Massachusetts 02184

Joseph C. Sullivan
Mayor

781-794-8100

To: Council President

From: Joseph C. Sullivan, Mayor

Re: Acceptance of Herbert Road

JCS

Date: July 1, 2016

Cc: Town Council
Town Clerk
Clerk of the Council
Robert Campbell, Interim DPW Director

RECEIVED TOWN CLERK
BRAINTREE, MA
2016 JUL - 1 PM 2:26

It has come to our attention that a large portion of Herbert Road, which is a roadway that has undergone reconstruction this year has never been accepted by the town as a public way. As a way of background Herbert Road was developed between the years of 1974 and 1977. For reasons unknown to us, the process of roadway acceptance was never completed at that time by the developer and/or the town. This nearly four decade old oversight is easily correctible.

I therefore submit the following motion for your approval:

MOTION: The below described extension of Herbert Road is hereby accepted as a Public Way in the Town of Braintree, County of Norfolk, Commonwealth of Massachusetts together with all benefits and responsibilities currently appurtenant to the status of "Public Way" within the Commonwealth. Ownership and maintenance of overhead and underground electric, telephone, gas, and cable utilities is specifically excluded from this acceptance. This acceptance shall not be considered a fee taking. No damages are awarded.

Beginning at a point on the westerly side line of Herbert Road at the end closest to Walnut Street at its intersection with the south side line of West Street, said point being a point of compound curvature;

Thence along said side line of Herbert Road easterly to southerly along the arc of a 26.72 foot radius curve to the right 44.59 feet to a point of tangency;

thence $S1^{\circ}06'20''W$ 189.99 feet to a point of curvature;

thence southwesterly along the arc of a 1450.23 foot radius curve to the right 98.60 feet to a point of tangency;

thence $S5^{\circ}00'04''W$ 676.00 feet to a point of curvature;

thence southwesterly along the arc of a 440.00 foot radius curve to the right 59.91 feet to a point of compound curvature;

thence southwesterly along the arc of a 140.00 foot radius curve to the right 98.18 feet to a point of compound curvature;

thence northwesterly along the arc of an 80.00 foot radius curve to the right 78.75 feet to a point of tangency;

thence $N70^{\circ}36'51''W$ 48.59 feet to a point of curvature;

thence northwesterly along the arc of a 140.00 foot radius curve to the right 168.53 feet to a point of tangency;

thence $N1^{\circ}38'34''W$ 290.95 feet to a point, said point also being the most southeasterly corner of the previously accepted portion of Herbert Road;

thence $S88^{\circ}21'26''W$ 40.00 feet along the end line of said previously accepted portion of Herbert Road to a point, said point being the most southwesterly corner of that previously accepted portion;

thence $S1^{\circ}38'34''E$ 291.31 feet along the side line of Herbert Road to a point of curvature;

thence southeasterly along the arc of a 180.00 foot radius curve to the left 216.68 feet to a point of tangency;

thence $S70^{\circ}36'51''E$ 48.59 feet to a point of curvature;

thence easterly along the arc of a 120.00 foot radius curve to the left 118.13 feet to a point of compound curvature;

thence northeasterly along the arc of a 180.00 foot radius curve to the left 126.23 feet to a point of compound curvature;

thence northeasterly along the arc of a 480.00 foot radius curve to the left 65.36 feet to a point of tangency;

thence $N5^{\circ}00'04''E$ 676.00 feet to a point of curvature;

thence northwesterly along the arc of a 1490.23 foot radius curve to the left 101.32 feet to a point of tangency;

thence N1°06'20"E 194.66 feet to a point of curvature;

thence northeasterly along the arc of a 25.00 foot radius curve to the right 39.77 feet to a point of tangency on the southerly side line of West Street;

thence turning and running N87°44'40"W 9.96 feet to a point of curvature in said southerly sideline of West Street;

thence westerly along the arc of a 720.00 foot radius curve to the left 85.00 feet to the point of beginning.

COMMONWEALTH OF MASSACHUSETTS

16-037



To the Constables of the City/Town of Braintree

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of The Town of Braintree who are qualified to vote in Primaries to vote at:

- Precinct 1A Marge Crispin Center, 74 Pond Street (Rear)
- Precinct 1B Mary E. Flaherty School, 99 Lakeside Drive
- Precinct 2A N. Eugene Hollis School, 482 Washington Street
- Precinct 2B St. Thomas More Parish Hall, 7 Hawthorn Road
- Precinct 3A Donald E. Ross School, 20 Hayward Street
- Precinct 3B Recreation & Community Events Building, 85 Quincy Avenue
- Precinct 4A East Middle School, 305 River Street
- Precinct 4B Archie T. Morrison School, 268 Liberty Street
- Precinct 5A Braintree Town Hall, 1 JFK Memorial Drive
- Precinct 5B Liberty Elementary School, 49 Proctor Road
- Precinct 6A South Middle School, 232 Peach Street
- Precinct 6B Highlands Elementary School, 144 Wildwood Avenue

On **THURSDAY, THE EIGHTH DAY OF SEPTEMBER, 2016**, from 7:00 A.M. to 8:00 P.M. for the following purpose: To cast their votes in the State Primaries for the candidates of political parties for the following offices:

REPRESENTATIVE IN CONGRESS
 COUNCILLOR
 SENATOR IN GENERAL COURT
 SENATOR IN GENERAL COURT
 REPRESENTATIVE IN GENERAL COURT
 SHERIFF
 COUNTY COMMISSIONER

EIGHTH DISTRICT
 SECOND & FOURTH DISTRICT
 NORFOLK & PLYMOUTH DISTRICT
 NORFOLK, BRISTOL & PLYMOUTH DISTRICT
 FIFTH NORFOLK DISTRICT
 NORFOLK DISTRICT
 NORFOLK COUNTY

Hereof, fail not, and make return of this warrant with your doings thereon at the time and place of said voting. Given under our hands this 12th day of July, 2016.

SEAN E. POWERS

JOHN C. MULLANEY

THOMAS M. BOWES

STEPHEN C. O'BRIEN

PAUL D. CLIFFORD

MICHAEL J. OWENS

SHANNON L. HUME

CHARLES B. RYAN

CHARLES C. KOKOROS

Pursuant to the foregoing Notice, I hereby notify and warn the inhabitants of the Town of Braintree, qualified as expressed therein, to meet at the time and places mentioned for the purposes therein mentioned

RUSSELL W. JENKINS, CONSTABLE

6-238



TOWN CLERK
BRAINTREE, MA
JUL -7 PM 2:26

Office of the Mayor

One JFK Memorial Drive
Braintree, Massachusetts 02184

Joseph C. Sullivan
Mayor

781-794-8100

To: Sean Powers, President of the Town Council
Members of the Town Council

Cc: James M. Casey, Town Clerk
Susan Cimino, Clerk of the Council

From: Joseph C. Sullivan, Mayor 

Date: July 7, 2016

RE Grant of Easement for Landing Pub/Ultimate Pizza, 2-10 Commercial Street

As you may recall, the restaurants known as the Landing Pub and Ultimate Pizza, located at 2-10 Commercial Street in the Landing, were razed after being destroyed by fire in March 2015. Shortly before that incident, the owners of the Landing Pub and Ultimate Pizza had secured a special permit from the Planning Board to update and remodel the restaurants to create a more inviting streetscape, which included a proposal for outdoor dining, similar to the area outside of Four Square restaurant, just a few doors down in the Landing. The owners of the Landing Pub and Ultimate Pizza, S&H Realty Trust, are finally prepared to rebuild their restaurants and have renewed their interest in offering outdoor dining. To accomplish this, the owner has requested that the Town grant a 5-7 foot wide easement over a portion of the sidewalk within the layout of Commercial Street, immediately abutting the restaurants and extending 37 feet, for the purpose of accommodating outdoor seating and a handicapped accessible ramp.

I have had numerous discussions with the owners of this site and encourage the revitalization of their business, including the added enhancement of outdoor dining along the sidewalk. I have also conferred with our Town Engineer and Acting DPW Director, who has advised that, due to the width of the sidewalk in this location, granting this easement will not interfere with the use of the sidewalk by the public. Accordingly, I ask for your favorable action on the following motion.

MOTION: That the Town vote to grant a seating and ramp easement to S&H Realty Trust, as the owners of the Landing Pub, located at 2-10 Commercial Street in Braintree, MA, over the sidewalk along Commercial Street, a town way, as it abuts the properties known as 2-10 Commercial Street in Braintree, MA. The seating and ramp easement area is 5 to 7 feet in width and 37 feet long, and is located upon a portion of the "sidewalk" area of the public layout of Commercial Street near its intersection with Brookside Road and further described as follows:

Beginning at a point 7.00 feet N22° 26' 58"W of the intersection of the westerly street line of Commercial Street and the northerly street line of Brookside Road, said point being the most southwesterly corner of the herein described Seating and Ramp Easement premises;

Thence N67° 33' 02"E 7.00 feet along a new Seating and Ramp Easement Line to a point;

Thence N22° 26' 58"W 25.00 feet along said new Seating and Ramp Easement Line to a point;

Thence S67° 33' 02"W 2.00 feet along said new Seating and Ramp Easement Line to a point;

Thence N22° 26' 58"W 12.00 feet along said new Seating and Ramp Easement Line to a point;

Thence S67° 33' 02"W 5.00 feet along said new Seating and Ramp Easement Line to a point on said existing westerly street line of Commercial Street;

Thence S22° 26' 58"E 37.00 feet along said westerly street line of Commercial Street to the point of beginning.

The above described Seating and Ramp Easement contains 235± S.F. and is shown as "Seating and Ramp Easement" on a plan entitled "Plan of Land Showing Seating and Ramp Easement at 2 – 10 Commercial Street in Braintree, Mass." dated March 15, 2016, prepared by Neponset Valley Survey Assoc., Inc., and said plan is to be recorded at the appropriate registry of deeds along with a Grant of Easement. Further, the Mayor is authorized to take any action necessary to effectuate this vote.

COMMERCIAL STREET

BROOKSIDE ROAD



CONCRETE SIDEWALK
8' 12.22' 8' 25.00'
SEATING AND RAMP EASEMENT
235 SF
81.60' (DEED)

COMPLETE SIDEWALK
54325'45" W
30.00' (DEED)

N/F
JED REALTY TRUST
N7°49'30"E
90.00' (DEED)

LOT AREA
7,400 S.F.±

24.00' (DEED)
112'± W

N/F
BROOKSIDE VILLAGE CONDOMINIUM



I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTRARS OF DEEDS THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES BY WHICH THE PROPERTY IS OWNED AND THAT THE LINES OF THE PUBLIC AND PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR EASEMENTS OR RIGHTS OF WAY OR FOR NEW WAYS ARE SHOWN.

FOR REGISTRAR USE ONLY

STEPHEN P. D'AMICO
REGISTERED PROFESSIONAL SURVEYOR
REG. NO. 27899

PLAN OF PLAN
SHOWING
SIDEWALK EASEMENT
2 - 10 COMMERCIAL STREET
BRAINTREE, MASS

PREPARED FOR
BRIAN DEBARJE
PREPARED BY
NEQUSET VALLEY SURVEY ASSOC., INC
95 WHITE STREET
GALUNY, MA 02168

DATE
JANUARY 18, 2018

