

Sean L. 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 -

**November 1, 2016** • Johnson Chambers, Town Hall • Starting Time: 7:30<sub>PM</sub>

#### PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

#### ANNOUNCEMENTS

- 067 16 Council President: A Lifeline for those concerned about a loved one's Addiction (MassBar)
- 120 16 Council President: 7<sup>th</sup> Annual Christmas Party December 1, Granite Grill
- 121 16 Council President: Marge Crispin Center – Holiday Season Fundraising/Food Collections
- 122 16 Councilor O'Brien: Fireking Baking Company
- 123 16 Council President: Veteran's Day Event, Nov. 11 East Jr. High, 10:30am

#### APPROVAL OF MINUTES

- October 4, 2016
- October 18, 2016

#### CORRESPONDENCE

- 119 16 Clerk of the Council: 2017 Proposed Meeting Calendar

#### OLD BUSINESS (PUBLIC HEARING)

- 16 058 Mayor: Fiscal Year 2017 Supplemental Appropriations #1 or take up any action relative thereto

#### NEW BUSINESS

- None

#### Refer to the Committee on Ways & Means

- 16 061 Mayor: Tax Rate Classification or take up any action relative thereto
- 16 063 Mayor: Request to Approve the FY 17 Capital Plan or take up any action relative thereto
- 16 064 Mayor: Request for Appropriation - Fiscal Year 2017 General Fund Capital Budget or take up any action relative thereto
- 16 065 Mayor: Request for Appropriation – Fiscal Year 2017 Enterprise Funds Capital Budget or take up any action relative thereto
- 16 066 Mayor: Request for Appropriation – FY 2017 Capital Budget - Other Available Funds or take up any action relative thereto

**Refer to the Committee on the Department of Public Works**

- 16 060 National Grid Petition: MBTA Track Heater Elm Street and Old Elm Street or take up any action relative thereto

**Refer to the Committee on Ordinance & Rules**

- 16 062 Councilor O'Brien: SECTION 3-3: APPOINTMENTS BY THE MAYOR or take up any action relative thereto

**Topics the Chair does not reasonably anticipate will be discussed**

UPCOMING MEETINGS: Next Council Meeting - **TUESDAY, November 15, 2016@ 7:30pm**

**ADJOURNMENT**

Sean E. Powers  
President  
At Large

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At Large

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## OFFICE OF THE TOWN COUNCIL

# OCTOBER 18, 2016

## MINUTES

A meeting of the Town Council, was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on October 18, 2016 beginning at 7:30p.m.

Council President Powers was in the chair.

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

Not Present Michael Owens

Also Present: Ed Spellman, Director of Finance  
James M. Casey, Town Clerk  
James O'Brien, Fire Chief  
James Arsenault, DPW Director  
Laurie Melchionda, Board of Health  
Joyce Albrecht, Conservation Commission  
Wesley Rea, BCAM-TV  
Bill Needham, BCAM-TV  
Gerald Commock, BCAM-TV  
Genevieve Bregoli, BCAM-TV  
Janelle Snarsky, BCAM-TV  
Paul Agnew, BCAM-TV

### ANNOUNCEMENTS

- 117 16 Council President: Recognition – BCAM-TV  
BCAM-TV was recognized for their dedication and hard work in making great community television. Council President Powers stated thank you to Wesley Rea for you and your staff do a tremendous job. Thank you for making us look good.

## APPROVAL OF MINUTES

- None

## OLD BUSINESS

Council President Powers referred to Councilor O'Brien (Committee Chair) for Committee on Ways & Means for recommendations. Councilor O'Brien stated all items were voted for favorable recommendation to the full Council.

- **16 053 Mayor: Appointment Board of Health - Laurie Melchionda or take up any action relative thereto**

MOTION: TO APPROVE THE APPOINTMENT OF LAURIE MELCHIONDA TO THE BOARD OF HEALTH IN ACCORDANCE WITH SECTIONS 3-3 OF THE TOWN CHARTER.

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

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

- **16 054 Mayor: Appointment Conservation Commission - Joyce Albrecht or take up any action relative thereto**

MOTION: TO APPROVE THE APPOINTMENT OF JOYCE ALBRECHT TO THE CONSERVATION COMMISSION IN ACCORDANCE WITH SECTIONS 3-3 OF THE TOWN CHARTER.

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

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

- **16 055 Mayor: Appointment Community Preservation Committee - Thomas Whalen or take up any action relative thereto**

MOTION: TO APPROVE THE APPOINTMENT OF THOMAS WHALEN TO THE COMMUNITY PRESERVATION COMMITTEE IN ACCORDANCE WITH SECTIONS 3-3 OF THE TOWN CHARTER.

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

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

- **16 056 Mayor: Appointment Department of Public Works Director – James Arsenault or take up any action relative thereto**

MOTION: TO APPROVE THE APPOINTMENT OF JAMES ARSENAULT TO THE DEPARTMENT OF PUBLIC WORKS DIRECTOR IN ACCORDANCE WITH SECTIONS 3-3 OF THE TOWN CHARTER.

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

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

- **16 057 Mayor: Federal Port Security Grant Matching Funds Capital Request or take up any action relative thereto (PUBLIC HEARING)**

**Motion:** by Councilor Ryan to Open Public Hearing on Order 16 057

**Second:** by Councilor Bowes

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

Council President Powers asked if any member of the Council or anyone from the public would like to speak on Order 16 057.

Chief O'Brien stated he would like to thank many people for over 1 ½ years of hard work to get this fire boat. I would especially like to thank Ed Spellman, Richard McDermott, Bob Leone, Dan Cross, Barbara Mello, the Ways & Means Committee, Mayor Sullivan and Congressman Lynch.

Councilor Bowes stated he will support this especially with 3 vulnerable locations near East Braintree.

**Motion:** by Councilor Ryan to Close Public Hearing on Order 16 057

**Second:** by Councilor Bowes

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

Councilor Ryan read the following Motion:

That the sum of \$675,000 be appropriated for the purpose of purchasing a fire boat to meet said appropriation funding to come from the federal government Department of Homeland Security grant in the amount of \$506,250 (75%) and the Town's match of \$168,750 (25%) to be transferred from the town's stabilization fund for the purchase of a Firefighting boat and any other costs related thereto.

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

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

#### **NEW BUSINESS** (Same Night Action Required)

• **16 059 Town Clerk: Call to the November 8, 2016 State General Election or take up any action relative thereto**

Town Clerk, James Casey stated November 8th is Election Day. This is the first time in Massachusetts we have the option of Early Voting. It will take place October 24th through November 4th at Braintree Town Hall. There will be two Tuesday evenings open until 7:30pm and Saturday, October 29 we will be open 9am to 1pm.

Council President stated if there are no objections for SAME NIGHT ACTION, we will take Order 16 059 Town Clerk: Call of the State Election, November 8, 2016. Hearing none Councilor Ryan read the following Motion:

### **Call of the State General Election, November 8, 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 STATE PRIMARY ELECTION ON TUESDAY, NOVEMBER 8, 2016 FROM 7:00 AM TO 8:00 PM, TO VOTE AT THE POLLING PLACES IN THEIR RESPECTIVE PRECINCTS TO CAST THEIR VOTES FOR THE FOLLOWING PURPOSES:

**To cast their votes in the State General Election for the candidates of the following offices: President and Vice President; Representative in Congress, Eighth District; Councillor, Second and Fourth District; Senator in General Court, Norfolk and Plymouth Districts and Norfolk, Bristol and Plymouth Districts; Representative in General Court, Fifth Norfolk District; Sheriff,**

**Norfolk County; County Commissioners, Norfolk County; Blue Hills Regional Vocational School District and four Initiative Petitions.**

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

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

• **116 16 Council President: RESOLUTION - Regulation and Taxation of Marijuana Act**

Councilor Hume read the proposed Resolution:

*A Resolution to Oppose “The Regulation and Taxation of Marijuana Act” And the Creation of a Commercial Marijuana Industry in the Commonwealth and This Community*

*Whereas: “The Regulation and Taxation of Marijuana Act,” an initiative petition to be placed upon the November 2016 ballot, would create a billion-dollar commercial marijuana industry in Massachusetts to promote and support the consumption of so-called “recreational” marijuana by residents and visitors to the Commonwealth and its 351 cities and towns.*

*Whereas: The Act would authorize to be located in the Commonwealth and its cities and towns an unlimited number of marijuana retail stores, wholesale growers and manufacturers, to produce and distribute marijuana and marijuana products, including specifically marijuana candy and other edibles and highly potent marijuana concentrates.*

*Whereas: The states of Colorado and Washington that have been the earliest adopters of commercial marijuana are already experiencing highest-in-the-nation teenage use and a doubling of marijuana impaired driving fatalities.*

*Whereas: The Act severely limits the right and ability of cities and towns and their elected governments to impose reasonable and meaningful restrictions on the marijuana industry, including impediments to local rules around the number, type and location of marijuana retail stores, growers and manufacturers and on “home grows.”*

*Whereas: The Act would introduce new and additional drug-based activity into cities and towns at a time when so many residents, families and communities are struggling with the human and social consequences of addiction and the Commonwealth faces an unprecedented opioid crisis.*

*Whereas: The Act risks creating a new industry that, much like Big Tobacco, subverts public health for private gain, even as so many questions about its consequences remain unanswered and so much information that is available casts grave doubt on its merits and desirability.*

*Therefore: Be it resolved, that the Town Council of the Town of Braintree places itself on record as opposing adoption of the initiative petition known as “The Regulation and Taxation of Marijuana Act.”*

Senator Keenan came to the podium to give information to Oppose “The Regulation and Taxation of Marijuana Act”. Senator Keenan stated the financial argument does not add up. The potency is much stronger than it was many years ago. Colorado did not have base-line data to measure consequences prior

to legalization. There is still the black market in Colorado. In fact they offer lower costs than the legalized locations. If this passes residents can grow 6 plants in their residents with a maximum of 12 depending on the number of people living there. It is known to reduce cognitive development. We do not know enough about this and we should not move forward with this. I am a NO on Question 4.

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

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

Councilor Ryan made a MOTION to refer the following to committees:

**Refer to the Committee on Ways & Means**

- 16 058 Mayor: Fiscal Year 2017 Supplemental Appropriations #1 or take up any action relative thereto

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

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

**Topics the Chair does not reasonably anticipate will be discussed**

UPCOMING MEETINGS:

Next Council Meeting is - **TUESDAY, November 1, 2016@ 7:30pm**

**ADJOURNMENT**

It was unanimously voted to adjourn the meeting at 9:02p.m.

Respectfully submitted,

Susan M. Cimino  
Clerk of the Council

**Documents provided for Meeting**

- 16 053 Mayor: Appointment Board of Health - Laurie Melchionda or take up any action relative thereto
- 16 054 Mayor: Appointment Conservation Commission - Joyce Albrecht or take up any action relative thereto
- 16 055 Mayor: Appointment Community Preservation Committee - Thomas Whalen or take up any action relative thereto
- 16 056 Mayor: Appointment Department of Public Works Director – James Arsenault or take up any action relative thereto
- 16 057 Mayor: Federal Port Security Grant Matching Funds Capital Request or take up any action relative thereto
- 16 059 Town Clerk: Call to the November 8, 2016 State General Election
- 116 16 Council President: RESOLUTION - Regulation and Taxation of Marijuana Act

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## OFFICE OF THE TOWN COUNCIL

# OCTOBER 4, 2016

## MINUTES

A meeting of the Town Council, was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on October 4, 2016 beginning at 7:30p.m.

Council President Powers was in the chair.

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: Joseph C. Sullivan, Mayor  
Lisa Maki, Town Solicitor  
Karen Shanley, Human Resource Director  
Nelson Chin, Parks & Recreation Director  
James M. Casey, Town Clerk  
Debra J. Starr, Assistant Town Clerk  
Eric Cocca, Town Clerk's Office Principal Clerk  
Police Personnel  
Fire Personnel  
Travis Winden, resident

### APPROVAL OF MINUTES

#### • September 20, 2016

Motion made by Councilor Ryan to Approve Minutes of September 20, 2016

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

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

## COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

- 112 16 Mayor: Update on the Braintree Police Department Evidence Room  
Mayor Sullivan was in attendance to address the report and ongoing investigation. Legal Counsel, Lisa Maki is in attendance along with Karen Shanley, Human Resource Director. Mayor Sullivan stated he wanted to acknowledge the obvious, that this is a tough time and test for us on how we move forward. He stated he is determined to learn from this painful experience. Mayor Sullivan stated he received a report that money, firearms and narcotics were missing. Mayor Sullivan contacted the DA's office. They have been a true partner and have helped guide Braintree through this. All but 12 firearms have been located. There were unaccounted for purges in 2009 and 2012. It is unclear at what level items were purged. The Department also identified some items to be at the state lab. Mayor Sullivan stated continue to work with the DA's office. Personnel matters cannot be commented on. We are determined to get to fact finding as soon as we can.

## CITIZEN CONCERNS/COUNCIL RESPONSE

- 106 16 Council President: Citizen Concerns - Travis Winden  
Council President stated the **Town Council 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.

Travis Winden came to the podium and stated his name and address as 25 Braintree Hill Park. His address to The Braintree Town Council on October 4, 2016 was the following:

*"Good evening Mr. President and the distinguished members of the council. My name is Travis Winden and I come before you as a very concerned citizen and resident of Braintree. I am both dismayed and angry with the Braintree Police for the lack of trust that our community now holds for them, and for the embarrassment and shame they have brought to our town.*

*The suffrage of our citizens has called Joe Sullivan to serve us as our Mayor, and with that comes privilege, a salary placing him in the top 15% of income earners in America and responsibility. A responsibility which he continues to shirk.*

*So what has our money and trust brought us...*

*A police chief that resigns in shame –on Joe Sullivan's watch!*

*Perhaps the largest evidence scandal in state history – on Joe Sullivan's watch!*

*Felons are having their convictions overturned and being put back on our streets – on Joe Sullivan's watch!*

*Our Deputy Chief, Wayne Foster has been placed on administrative leave pending the outcome of the evidence probe, I suspect charges will be filed – on Joe Sullivan's watch!*

*Officer Susan Zopatti who was in charge of evidence storage, committed suicide after being questioned about the evidence probe – on Joe Sullivan’s watch!*

*But I rise not to talk about these egregious acts, but something even more troubling. – Is one of our citizens was gunned down by police, and somehow this is just getting swept under the rug, as Joe Sullivan does nothing.*

*On March 24, 2016 Officer William Cushing, Jr. killed a father of 5 year old set of twins. Ironically, he lived on Liberty Street, where his Life, Liberty and Pursuit of Happiness was snuffed out by the heinous actions of this officer. Once again, on Joe Sullivan’s watch.*

*Now Joe Sullivan will tell you, a full and complete investigation was done by the State Police, I suspect that was dictation not investigation. Sent to the state crime lab (which is under federal investigation) for their rubber stamp, forward to District Attorney’s office, and based on questionable facts, he did not have enough to prosecute officer Cushing, even though this man was shot in the side and in the back according to the coroner. I don’t blame District Attorney Michael Morrissey, he acted on that questionable facts he was given.*

*I wrote a letter to the Mayor who refused to act to protect the people from Officer Cushing packing a .40 caliber gun with a badge on our streets. Officer Cushing needs to be terminated forthwith for our safety...if not, who among us is he going to kill next?*

*I don’t know why the Mayor won’t act, could be he is a shill of the police union or he owes somebody some political favor. He’s a very politic man and has even been heard saying that he basically owns the votes on the council. All of you should find that offensive, as I do. Tonight and in the coming days, I believe we’re going to send a strong message to Joe Sullivan and the police department that killing our citizens will not be tolerated.*

*If the Mayor won’t act, this body MUST!*

*I’ll put up with a lot of things, but I will not put up with police officers senselessly killing people with impunity. I say NOT IN MY NAME! Any citizen that sits back complacent, this killing is in your name.*

*I’m calling on the people of Braintree to stand with me and say, NOT IN OUR NAME!*

*You can contact me at [SaveBraintree@Gmail.com](mailto:SaveBraintree@Gmail.com) and together we can make a difference.*

*Thank you Mr. President and Members of the Council. Mr. President I’d like to request that a copy of my address and the information I’ve provided the council be spread out and included in the minutes.”*

*Respectfully Submitted  
Travis A. Winden, Ph.D.  
Concerned Citizen of Braintree  
[SaveBraintree@Gmail.com](mailto:SaveBraintree@Gmail.com)*

Council President Powers stated to Mr. Winden your statements do not match the facts.

Councilor Mullaney stated he had spoken to Mr. Winden in the past. Councilor Mullaney trusts the DA's office and their findings.

Mayor Sullivan came to the podium and stated he spent many hours sitting with and speaking to Mr. Winden. I went to that awful scene. There is no reason to dispute the work of the DA. Mayor Sullivan stated he supports the actions of Officer Cushing. He did not want to be put in this position.

Councilor Kokoros stated I take exception to the previous speaker, Mr. Winden. I am 100% behind Officer Cushing and the entire Police Department.

Councilor Hume stated I find the previous speaker, Mr. Winden very offensive. Thank you to the Police Department for doing the job you do every day to keep us safe.

106 16 Additonal Documentation submitted by Travis Winden:

106 16

Travis A. Winden, Ph.D.  
[SaveBraintree@Gmail.com](mailto:SaveBraintree@Gmail.com)

A Citizen's Voice for a Clean, Safe and Respected Police Department:

*Now before anyone gets too far out in front of their skis, I do not hold public office, nor do I have any aspirations or intention to EVER do so --I will NEVER allow myself to be elected to public office! I have no "axe to grind" with the police department, nor have I had any official contact with them. I did not know either of the victims connected with the Braintree Police Department, i.e., Robert Dussourd, the victim of the officer involved shooting or the alleged suicide of Officer Zopattie, nor their friends or family. The only "dog I have in the fight" is truth & justice, and creating a safer and better community to live in. It is from this place I speak.*

The events of Ferguson, Missouri forever changed policing in this country and marked a major truing point in our nation's history. The light that shined from that one event (regardless of what side of this issue you are on), emanated to every comer of this country. Therein a statement was made that law enforcement can only police with the consent of the policed.

**Picking Our New Police Chief:** I've read the official "method or process" Braintree uses to select a new chief. A candidating process is used to narrow it down to three or so people, then a committee holds public hearings to make the final recommendations to the Mayor. What that process lacks is the right of the people to ask questions directly to the candidates; which is a MUST in an open and transparent society/government. If this is not done, no chief will ever be accepted by the people, as this person would be essentially shoved down the public's throat. The process used to pick our next chief best be open and transparent every step of the way with LOTS of community involvement.

## Restoring Public Trust and Forging Strong Community Bonds Through Massive Community Policing:

We must engage the public with massive and unprecedented community policing. We have a few good "programs" with youth, and I'm glad we do, but that falls so far short of what is required it would be like comparing an abacus to a supercomputer. Let me give you some examples of what has been done and contrast that with what needs to be done. One afternoon I took three photos I downloaded from the internet of Chief Jenkins (our outgoing Chief) dressed in plain clothes around to the managers and owners of many of the downtown businesses, and asked them if they could tell me who that man was. None of them could tell me on sight. I asked them if I told them his name was Russ Jenkins, if they could tell me then. Only two of them knew who he was. So much for the Chief being the face of *community policing*. One Saturday, I had occasion to be in South Shore Plaza where we have a permanent police detail and office. I asked every manager of the stores I went into if they knew any of the officers stationed at the mall. Not one of them could name any of them. Huge failure in *community policing* number two! We don't need a public relations officer as badly as we need every officer to understand that EVERY OFFICER IS A PUBLIC RELATIONS OFFICER! To that end, every officer has to be issued:

1. A department issued cell phone;
2. Business Cards with department & cell phone numbers, their public department email, twitter handle, department website, department Facebook, etc;

MASSIVE ACTION...There are approximately 12,625 households (doors) in Braintree. If we divided the 78 sworn officers in teams of two, assigned them specific areas and they knocked on 9 doors, introduced themselves, shook hands and left a card letting the person know that if it's an emergency dial911, but if they need some other kind of assistance, call them directly. If we just did that, we'd have every door in the town visited every 90 days...that's how you build trust and respect in a community. That's real community policing in action! We do this and the people will stand with and for these officers.

BUSINESS TO BUSINESS: Just as in the above residential door-to-door approach, we must also go business to business and introduce our officers, leave a card and listen to concerns. Our officers should be the pride of Braintree; let's take them out and get them know!

Web Presence and Social Media: I am far from an expert in this subject, but I know we are doing a terrible job in this area. We need to have our police website redone and need to have a robust Twitter, Facebook & Snapchat.

**We MUST Train Our Officers Differently:** Our officers need to be trained to deescalate situations, not inflame them. This IS NOT HAPPENING!!! Our officers are "wound too tight." As some proof of that, we need not go much further than your officers killing a man last March; a man who did not have a gun, but was armed only with a knife. I had a Sensei in Aikido who was a fifth degree black belt (we lost him to cancer, an opponent he did not defeat) that could disarm anyone with a knife with relative ease in a matter of seconds. In fact, if someone pulled a gun on him from a distance of less than 15-20 feet away, he would have been feeding it to them. Thankfully, he was not a violent man. Most serious second year martial arts students could have done the same with an attacker with a knife. Three professionally trained, full-time Braintree police officers, with a trained K9, were too inept and poorly trained to remove a knife from that man's hand, and had to kill him with a firearm.

While eating lunch one day, I had occasion to talk to one of your officers about the use of lethal force after this March shooting. I asked him, specifically, "Why aren't the legs targeted instead of the body?" He explained that with the excitement and adrenalin of the situation, when deadly force is necessary, the academy teaches them to shoot the largest target, i.e., the body. Let's not teach them as professionals to remain calm, rational, and levelheaded, let's teach them to kill people...NOT IN MY NAME! These officers carry semi-automatic weapons; if they can't take out someone's legs, they need a lot more time on the range and a lot more training. The officer went on to say "at the end of my shift I'm going home" with a pretty cavalier attitude about who he had to hurt, maim, or kill to do that. Clearly wound too tightly.

**Employ Non-Lethal Methods for Subduing and Apprehending:** While we do some of this, more emphasis needs to be placed on this training. If someone points a gun at a police officer, I'm the first one to side with the officer for using lethal force if he/she feels it is required. However, our officers are not armed with Tazers (I understand that is not a do all, be all, cure all, but they do help police and save lives). But in addition to Tazers being standard issue for all officers, I would like Braintree to become the first department in the United States to chamber all rubber or plastic bullets in the first clip for every officer...Let's lead the nation! If they are caused to reload or if they are actually taking fire a clip of standard rounds could be easily switched in a matter of seconds. It should be noted that plastic bullets were developed by the Israeli security forces, some of the best in the world.

If police keep shooting and killing with disregard for the value of human life, people will shoot back. Rubber or plastic bullets seems like a much preferred alternative to burying one (or more) of our police officers. Also, if cops know they are chambering rubber or plastic bullets it might cause them to use their head and deescalate the situation instead of playing God and killing someone. Our officers have to understand that there is always a family fixed within their guns' sights, they need to stop and ask themselves, "What if this was my family?" If it was their wife and children in those sights, would they pull the trigger?

Respectfully Submitted,  
Travis A. Winden, Ph.D.  
Concerned Citizen of Braintree

## **OLD BUSINESS**

Council President Powers referred to Chairman Mullaney for the Committee on the Department of Public Works recommendations. Chairman Mullaney stated all but 16 048 were voted for favorable recommendation to the full Council per Staff Recommendations of BELD and DPW:

- 16 046 National Grid Petition: Audubon Avenue or take up any action relative thereto  
**Audubon Avenue, install and maintain approximately 195 feet of 2 inch gas main from existing house at #37, westerly to the end of the main at #25 Audubon Avenue. All of which to replace and abandon the existing two inch gas main in Audubon Avenue.**

BELD: No underground electric utility conflicts or special requirements within the proposed scope of work.

DPW: Audubon Avenue is not under moratorium. We'd recommend that the petition be granted under the normal conditions, with emphasis on the requirements that the gas main be laid outside of the trench of the water mains in service and that the trench pavement not be left low for any length of time; We also recommend that the following requirement be added to the permit, if it is to be granted:

"Neither National Grid nor any of its contractors is authorized to close any street or to close a direction of travel to facilitate their work without authorization from the Director of the Department of Public Works or the Highway Superintendent. The Chief of Police can also authorize a closure for a police or fire emergency. Construction zone traffic safety issues are to be addressed by using appropriate traffic control signs and devices and the use of police officers for traffic control to safely guide traffic through the work zone. If a closure is authorized by the DPW, it shall not be implemented until signs and police officers (where needed) are properly in place in conformity with the written plan prepared by the contractor's engineer and approved by the DPW and Police Department."

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

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

16 047 National Grid Petition: Glenrose Avenue or take up any action relative thereto

**Glenrose Avenue, install and maintain approximately 1005 feet of 2 inch gas main from existing house at #15, easterly to the existing main at #82 Audubon Avenue, to the existing 2' gas main at #103. All of which to replace and abandon the existing 1 ½" inch gas mains in Glenrose Avenue.**

BELD: BELD has a 13,800 volt underground system on the North side of the road extending to Vinedale. This is a concrete encased ductbank to be identified through the Digsafe process.

DPW: Glenrose Avenue is not under moratorium. We'd recommend that the petition be granted under the normal conditions, with emphasis on the requirements that the gas main be laid outside of the trench of the water mains in service and that the trench pavement not be left low for any length of time; We also recommend that the following requirement be added to the permit, if it is to be granted:

"Neither National Grid nor any of its contractors is authorized to close any street or to close a direction of travel to facilitate their work without authorization from the Director of the Department of Public Works or the Highway Superintendent. The Chief of Police can also authorize a closure for a police or fire emergency. Construction zone traffic safety issues are to be addressed by using appropriate traffic control

signs and devices and the use of police officers for traffic control to safely guide traffic through the work zone. If a closure is authorized by the DPW, it shall not be implemented until signs and police officers (where needed) are properly in place in conformity with the written plan prepared by the contractor's engineer and approved by the DPW and Police Department."

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

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

16 048 National Grid Petition: Washington Street or take up any action relative thereto

**Washington Street, install and maintain approximately 320 feet of 2 inch gas main in Washington Street, from the existing 2 inch main at Jefferson Street, southerly to the existing main at Hancock Street. All of which is to replace and abandon the existing 2 inch gas main in Washington Street. .**

BELD: BELD has a 13,800 volt underground system on Washington St extending from Hancock St to Pond Street. This is a concrete encased ductbank to be identified through the Digsafe process.

DPW: This section of Washington Street is under the moratorium. The street was reconstructed in 2015. We would recommend that the petition for this section only be granted with conditions specified in the moratorium. We also recommend that the following requirement be added to the permit, if it is to be granted:

"Neither National Grid nor any of its contractors is authorized to close any street or to close a direction of travel to facilitate their work without authorization from the Director of the Department of Public Works or the Highway Superintendent. The Chief of Police can also authorize a closure for a police or fire emergency. Construction zone traffic safety issues are to be addressed by using appropriate traffic control signs and devices and the use of police officers for traffic control to safely guide traffic through the work zone. If a closure is authorized by the DPW, it shall not be implemented until signs and police officers (where needed) are properly in place in conformity with the written plan prepared by the contractor's engineer and approved by the DPW and Police Department."

**Motion:** by Councilor Ryan to TABLE 16 048

**Second:** by Councilor Bowes

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

16 049 National Grid Petition: South Street, Woodedge Ave & Woodedge Lane or take up any action relative thereto

**South Street, install and maintain approximately 475 feet of 4 inch gas main from the existing house 2 inch gas main at house #15, southerly to the existing 4 inch gas main at Woodedge Avenue, and approximately 745 feet of 2 inch gas main in Woodedge Avenue, from the existing 4 inch main at South Street, westerly to the end of the main at house #55, and approximately 200 feet more or less of 2 inch gas main in Woodedge Lane, from the proposed 2 inch gas main in Woodedge Road, southerly to the end of the main at #1. All of which to replace and abandon the existing 2 inch gas mains in South Street, Woodedge Avenue, and Woodedge Lane.**

BELD: No underground electric utility conflicts or special requirements within the proposed scope of work

DPW: These three streets are not under moratorium. We'd recommend that the petition be granted under the normal conditions, with emphasis on the requirements that the gas main be laid outside of the

trench of the water mains in service and that the trench pavement not be left low for any length of time; We also recommend that the following requirement be added to the permit, if it is to be granted:

“Neither National Grid nor any of its contractors is authorized to close any street or to close a direction of travel to facilitate their work without authorization from the Director of the Department of Public Works or the Highway Superintendent. The Chief of Police can also authorize a closure for a police or fire emergency. Construction zone traffic safety issues are to be addressed by using appropriate traffic control signs and devices and the use of police officers for traffic control to safely guide traffic through the work zone. If a closure is authorized by the DPW, it shall not be implemented until signs and police officers (where needed) are properly in place in conformity with the written plan prepared by the contractor’s engineer and approved by the DPW and Police Department.”

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

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

16 050 National Grid Petition: Hawthorn Road or take up any action relative thereto

**Hawthorn Road, to install and maintain approximately 1040 feet of 2 inch gas main in Hawthorn Road. From the existing 2 inch main at Washington Street, southerly to the existing 2 inch gas main at Home Park Road. All of which is to replace and abandon the existing 2” gas main in Hawthorn Road.**

BELD: No underground electric utility conflicts or special requirements within the proposed scope of work.

DPW: Hawthorn Road is not under the moratorium. We’d recommend that the petition be granted under the normal conditions, with emphasis on the requirements that the gas main be laid outside of the trench of the water mains in service and that the trench pavement not be left low for any length of time; We also recommend that the following requirement be added to the permit, if it is to be granted:

“Neither National Grid nor any of its contractors is authorized to close any street or to close a direction of travel to facilitate their work without authorization from the Director of the Department of Public Works or the Highway Superintendent. The Chief of Police can also authorize a closure for a police or fire emergency. Construction zone traffic safety issues are to be addressed by using appropriate traffic control signs and devices and the use of police officers for traffic control to safely guide traffic through the work zone. If a closure is authorized by the DPW, it shall not be implemented until signs and police officers (where needed) are properly in place in conformity with the written plan prepared by the contractor’s engineer and approved by the DPW and Police Department.”

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

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

16 051 National Grid Petition: Claremont Street or take up any action relative thereto

**Claremont Street, to install and maintain approximately 740 feet of 2 inch gas main in Claremont Street. From the existing 1 1/2 inch main at Liberty Street, easterly to the end of the main at #46 Lincoln Street, Aldridge Elementary School. All of which is to replace and abandon the existing 1 ½ and 2” gas mains in Claremont Street.**

BELD: No underground electric utility conflicts or special requirements within the proposed scope of work

DPW: Claremont Street is not under the moratorium. We'd recommend that the petition be granted under the normal conditions, with emphasis on the requirements that the gas main be laid outside of the trench of the water mains in service and that the trench pavement not be left low for any length of time; We also recommend that the following requirement be added to the permit, if it is to be granted:

"Neither National Grid nor any of its contractors is authorized to close any street or to close a direction of travel to facilitate their work without authorization from the Director of the Department of Public Works or the Highway Superintendent. The Chief of Police can also authorize a closure for a police or fire emergency. Construction zone traffic safety issues are to be addressed by using appropriate traffic control signs and devices and the use of police officers for traffic control to safely guide traffic through the work zone. If a closure is authorized by the DPW, it shall not be implemented until signs and police officers (where needed) are properly in place in conformity with the written plan prepared by the contractor's engineer and approved by the DPW and Police Department."

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

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

16 052 National Grid Petition: Townsend Avenue or take up any action relative thereto

**Townsend Avenue, install and maintain approximately 150 feet of 2 inch gas main in Townsend Avenue, from the existing main at Middle Street, westerly to the end of the main at house #55. All of which is to replace and abandon the existing 1 ½" and 2" gas mains in Townsend Avenue.**

BELD: Townsend Avenue; Please note, BELD has a 115,000 volt oil filled transmission line located on Cleveland Ave at the end of the proposed scope of work. BELD Engineering should be notified in advance of any excavation to be performed in close proximity to this line. BELD will provide on-site support and safety personnel at no cost to the project.

DPW: Townsend Avenue is not under the moratorium. We'd recommend that the petition be granted under the normal conditions, with emphasis on the requirements that the gas main be laid outside of the trench of the water mains in service and that the trench pavement not be left low for any length of time; We also recommend that the following requirement be added to the permit, if it is to be granted:

"Neither National Grid nor any of its contractors is authorized to close any street or to close a direction of travel to facilitate their work without authorization from the Director of the Department of Public Works or the Highway Superintendent. The Chief of Police can also authorize a closure for a police or fire emergency. Construction zone traffic safety issues are to be addressed by using appropriate traffic control signs and devices and the use of police officers for traffic control to safely guide traffic through the work zone. If a closure is authorized by the DPW, it shall not be implemented until signs and police officers (where needed) are properly in place in conformity with the written plan prepared by the contractor's engineer and approved by the DPW and Police Department."

**Motion:** by Councilor Ryan

**Second:** by Councilor Bowes

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

## **NEW BUSINESS**

113 16 Councilor Mullaney: RESOLUTION

Councilor Mullaney stated his concerns to have Chief Jenkins not retire.

*"I am disappointed the Chief Jenkins and Deputy Chief, Wayne Foster will not be in charge.*

*Chief Russel Jenkins implemented changes to the Evidence Room by installing a video camera in January, 2015. He also installed an electronic key to record all those that entered. I have been told that Chief Jenkins consulted the Braintree Human Resources division in regard to the employee in charge of the evidence room and the advice received was always followed.*

*I have reason to believe after conversations with Deputy Chief Wayne Foster and Mayor Sullivan that when the vacant position became available the union contract required that the person be selected based on seniority. Therefore, the Chief had little say in who would fill the position.*

*I have read in the newspapers that Chief Frazier attempted to fire the employee in question and that his efforts were rebuffed.*

*In researching the internet regarding the problems of police evidence rooms, I have discovered that throughout Massachusetts there have been problems for over 25 years.*

*Mayor Sullivan meets with Department heads every Wednesday.*

*Braintree has an auditor and retains Powers and Sullivan for an annual audit every year. Reports are always positive. The Council must make a greater effort to encourage our auditors to search and review for any similar situations in Braintree. Once the Evidence room is organized, the Council must have some kind of oversight.*

*I believe that supervisory law enforcement officials from outside the Town of Braintree should make quarterly visits to insure that all is being run efficiently and effectively.*

*In my research regarding the Evidence room scandals, the writer queried, "Why does this continue to happen?" The answer is "because nobody is watching."*

*Chief Russell Jenkins requested the audit. Had had not done this there would be no scandal. In quoting an old question – **If a tree falls in a forest and no one is around to hear it, does it make a sound?**" If Chief Jenkins had not requested the audit, would everything be okay.*

*I believe that the Union should accept mandatory random drug testing with the condition that the employee not be fired until the third violation. We should work together to insure the safety and health of the employee.*

*Success has many fathers but failure is an orphan. Russell Jenkins and Wayne Foster did a good job running the Braintree Police Department and they should have been allowed to institute changes to correct the problems. This is not my say. I will support the new appointments but encourage oversight from the Council Auditors and the Norfolk District Attorney staff.*

*I have little influence in the decision making of Braintree and for that reason, tonight I am announcing that I will not run for reelection as District 2 Town Councilor.”*

Councilor Kokoros stated he would like to propose a Resolution to recognize Chief Russell Jenkins.  
A Resolution to Recognize Chief Russell Jenkins:

The Braintree Town Council hereby recognizes Chief Russell Jenkins for his 34 years of dedicated service and commitment to the Braintree Police Department and the Town of Braintree.

Furthermore, Chief Jenkins created a strong bond with the community through social media and public events. The Braintree Town Council thanks Chief Russell Jenkins for his loyal service to our Town and wish him a long and happy retirement.

**Motion:** by Councilor Kokoros

**Second:** by Councilor Bowes

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

Councilor Ryan referred the following Orders to the Committee on Ways & Means:

**Refer to the Committee on Ways & Means**

- 16 053 Mayor: Appointment Board of Health - Laurie Melchionda or take up any action relative thereto
- 16 054 Mayor: Appointment Conservation Commission - Joyce Albrecht or take up any action relative thereto
- 16 055 Mayor: Appointment Community Preservation Committee - Thomas Whalen or take up any action relative thereto
- 16 056 Mayor: Appointment Department of Public Works Director – James Arsenault or take up any action relative thereto
- 16 057 Mayor: Federal Port Security Grant Matching Funds Capital Request or take up any action relative thereto

**Motion:** by Councilor Ryan

**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 is - **TUESDAY, October 18, 2016@ 7:30pm**

**ADJOURNMENT**

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

Respectfully submitted,

Susan M. Cimino  
Clerk of the Council

## Documents provided for Meeting

- 16 046 National Grid Petition: Audubon Avenue or take up any action relative thereto
- 16 047 National Grid Petition: Glenrose Avenue or take up any action relative thereto
- 16 048 National Grid Petition: Washington Street or take up any action relative thereto
- 16 049 National Grid Petition: South Street, Woodedge Ave & Woodedge Lane or take up any action relative thereto
- 16 050 National Grid Petition: Hawthorn Road or take up any action relative thereto
- 16 051 National Grid Petition: Claremont Street or take up any action relative thereto
- 16 052 National Grid Petition: Townsend Avenue or take up any action relative thereto
- 16 053 Mayor: Appointment Board of Health - Laurie Melchionda or take up any action relative thereto
- 16 054 Mayor: Appointment Conservation Commission - Joyce Albrecht or take up any action relative thereto
- 16 055 Mayor: Appointment Community Preservation Committee - Thomas Whalen or take up any action relative thereto
- 16 056 Mayor: Appointment Department of Public Works Director – James Arsenault or take up any action relative thereto
- 16 057 Mayor: Federal Port Security Grant Matching Funds Capital Request or take up any action relative thereto
- 113 16 Councilor Mullaney: RESOLUTION
- 106 16 Travis Winden, Ph.D. additional DOCUMENT - “A Citizen’s Voice for a Clean, Safe and Respected Police Department” (see attached)

# 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.*

# 2017

119 16

January						
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United States Holidays and Observances					
Jan 01	New Year's Day	Jan 16	M L King Day	Feb 14	Valentine's Day
Feb 20	Presidents' Day	Apr 14	Good Friday	Apr 16	Easter Sunday
May 14	Mother's Day	May 29	Memorial Day	Jun 18	Father's Day
Jul 04	Independence Day	Sep 04	Labor Day	Oct 09	Columbus Day
Oct 31	Halloween	Nov 11	Veterans Day	Nov 23	Thanksgiving Day
Dec 25	Christmas	Nov 7	Election		

**2017 COUNCIL MEETING CALENDAR**

(Unless noted, meetings are held on a Tuesday)

January 3 and 17

February 7 and 28

[School Vacation Week beginning Feb. 20<sup>th</sup>]

March 7 and 21

April 4 and 25

[School Vacation Week beginning April 17<sup>th</sup>]

May 1 (Mon)

[by or before May 1 (Monday) Required by Charter: Section 6-3  
Submission of Budget - Placeholder]

May 2 and 30

[May 30 Annual Town Meeting]

June 6 and 20

[June 6 placeholder for additional action on the budget]

July 11

[Summer Schedule]

August 15

[Summer Schedule]

September 5 and 19

October 3 and 17

November 8(Wed) and 21

[Nov. 7, Election]

December 5 and 19

\*Election dates are subject to change



The 7<sup>TH</sup> Annual  
*Braintree*  
Christmas Party

Benefiting  
The Children of Braintree

*In Memory of Reverend Robert Ripley*

**Thursday**  
**December 1<sup>st</sup>, 2016**  
**Starting at 6pm**  
**Granite Grille**  
**703 Granite Street**

Appetizers and Cash Bar

Admission is a new unwrapped toy for ages 3-12 years  
or gift cards to local stores.

*All toys and gift cards collected will be donated to the Marge Crispin Social Services  
For more information contact Chuck Kokoros 781-706-0683 or Sean Powers 781-727-9408*

BOSTON – The Small Business Administration (SBA) named Fireking Baking Company the 2016 Manufacturer of the Year for Massachusetts.

“Greg Acerra is an innovator in the baking industry”, said Robert Nelson, SBA Massachusetts District Director. “Because of Fireking Baking Company’s unique breads, Greg has been able to grow jobs in the commonwealth while providing foodie artisans all across the country with the best baseline ingredients to invent their own unique creations.”

A restaurateur, Mr. Acerra started Fireking Baking Company in 1995 out of the need for fresh artisan bread for his restaurant Tosca in Hingham. The baking industry was evolving in the mid 90’s and Fireking became known as an innovator in the baking industry, offering many different types of artisan breads.

Because of SBA’s 504 loan program, Greg was able to move his operation from the Weymouth facility to a 40,000 square foot state of the art facility in Braintree to fulfill the growing demand for his products. As Fireking began scaling up and settling into their new space in Braintree, sales began to reflect the business growth as well. Number of jobs created grew from 71 in 2012, to 82 in 2013; then to 93 in 2014 and in 2015 Fireking finished with 114 employees.



123 16

**Joseph C. Sullivan, Mayor**  
**Department of Veterans Services**  
71 Cleveland Ave, Braintree, MA 02184  
**Richard J. Walsh, Director**

*[rwalsh@braintreema.gov](mailto:rwalsh@braintreema.gov) Tel: 781-794-8217 Fax: 781-535-6138*

October 12, 2016

Dear Councilors,

On behalf of Mayor Sullivan and the Braintree Veterans Council your presence is requested at the Town of Braintree's Annual Observance of Veterans Day on Friday, Nov 11, 2016, 10:30 am at East Middle School, 305 River St, Braintree.

Guests in attendance will be Mayor Joseph C. Sullivan, Braintree Veterans Council members and the Commanders of V.F.W. Post 1702, American Legion Post 86 and D.A.V Chapter 29. Other invited guests will Congressman Stephen Lynch, State Senators Brian Joyce, John Keenan, and Representative Mark Cusack.

Music will be provided the Braintree High School Concert Choir and Show Choir under the direction of Rachel Hallenbeck.

Keynote Speaker will be Lt Col Jason A. Borovies USMC, Inspector-Instructor  
1st Bn 25th Marines, Devens, MA 01434

Coffee and Donuts will be served in the Cafeteria at 9:30 am.

A collation will be served after ceremonies at Veterans of Foreign Wars Post 1702, 356 Washington St.

I am looking forward to seeing you all to Celebrate Veterans Day

Sincerely,

Richard J. Walsh  
Veterans Service Officer



#16-058

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  
Frank Hackett, Superintendent of Schools  
James Arsenault, Public Works Director  
Lisa S. Maki, Town Solicitor  
Paul Shastany, Interim Police Chief  
James O'Brien, Fire Chief

RECEIVED TOWN CLERK  
BRAINTREE, MA  
2016 OCT 28 PM 4: 26

Date: October 25, 2016

Re: FY 17 Supplemental Appropriations (#1)

Having now ended the first quarter of FY17, I wanted to bring you up to date on our financial status and and seek your support of this supplemental budget request.

As we were preparing this supplemental appropriation we heard from the Commonwealth about the actual revenue collected at the state level compared to the budgeted revenue projections for quarter one for FY 2017 as well. The news was not good. Actual revenue was under budget projections. The Commonwealth may be making budget adjustments in the weeks ahead but the Governor has said he is not looking at decreases to cities and towns local aid accounts at this time. We will continue to monitor the state situation and other non-local aid accounts and advise if additional action is necessary.

On our front the news is good. We have reviewed our expenditures and revenues to budget for the first quarter ended through 9/30/2016. Revenue for the General Fund, the Water Sewer and Golf enterprise funds are all on track. Our Expenditures are also on track with the exception of

two accounts; the police and fire overtime accounts. We continue to monitor these accounts weekly and will continue to keep you updated as the fiscal year goes along. As always, we will keep you informed as the year proceeds.

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.

The first item is a request from The School Building Committee. We have previously put in place funding for plans to upgrade the existing East Middle School. Now, in cooperation with the vote of school committee and after many public forums, we are preparing the process of adjusting the 5<sup>th</sup> Grade classes from the elementary level to the Middle Schools. This will free up approximately 22 classrooms at all the elementary schools to avoid the need for town wide elementary school redistricting. To accomplish this, we need additional funds to expand the size of the number of classrooms at the East Middle School. The additional funds requested of \$286,974 will allow for the preparation of the architectural plans needed to be completed and filed with the MSBA. We anticipate that once the East Middle School project is approved in Spring 2017 the MSBA's participation will be approximately 58 % of the approved project costs.

The second item is a request from the Public Works Department Sewer Division. The Sewer budget approved in May included an estimate for the Town's MWRA Sewer Assessment. The final number voted by the MWRA in June is higher than the estimated amount. We are requesting that an additional \$272,917 be added to the Sewer assessment line item. To fund this amount, \$135,000 is to be transferred from several line items in the Water and Sewer budget and the balance of \$137,917 is to come from the Water Sewer retained earnings account.

The next eight items numbers three through ten relate to debt service payments for all funds, the General Fund, Water Enterprise Fund, Sewer Enterprise Fund and the Golf Enterprise Fund. The original debt services estimates were made in December of 2015 and the actual bonds were issued in June of 2016. The amount of the actual issue was slightly higher than the original estimates both in principal and interest on debt for the four funds. For the last few years in order to not run a foul with the IRS and to prevent any unspent bond proceeds, we have only been bonding projects for which we have either spent the funds or have a contract with a definite time frame for the completion of the project and the payment of the project. In June the actual bonds issued were higher than the original estimate in December 2015 and accordingly, the principal and interest in the following accounts were higher than the original estimates.

General fund principal on bonds \$ 4,500  
General fund interest on bonds \$24,555  
Water fund principal on bonds \$19,178  
Water fund interest on bonds \$ 13,063  
Sewer fund principal on bonds \$ 1,800  
Sewer fund interest on bonds \$ 779  
Golf fund principal on bonds \$5,200  
Golf fund interest on bonds \$ 1,776

Item eleven will move the \$ 25,000 of funds approved in the FY 2017 operating budget opioid abuse prevention line to the opioid abuse prevention article. This will allow for all appropriated opioid funds to be maintained in a single account. Which we established earlier this year. I thank the Council for all your efforts on this most important public health issue.

Item number twelve will provide \$160,000 in additional funds for the Law Department for outside legal counsel services. The Town has a significant amount of ongoing litigation that had been previously referred to outside counsel during the year of transition from former solicitor Peter Morin to current solicitor Lisa Maki. As you are aware, Carolyn Murray handled our legal representation during the interim period. Due to the high volume and/or complexity of these matters, these cases should remain with the assigned outside counsel until litigation has been concluded. The Law Department anticipates that the budget for outside counsel services will be significantly reduced upon the conclusion of the cases currently in litigation.

Item number thirteen will provide \$40,000 to allow the Law Department to obtain expert witness services in anticipation of adjudicatory proceedings and litigation regarding the police department evidence room investigation.

Item number fourteen in the amount \$30,000 is for additional police training and education on evidence handling and storage.

Item number fifteen in the amount of \$4,000 is for the first year rental payments of a three year lease for the replacement of a thirteen year old Town owned copy machine in the Town Engineering and Recycling Departments that is at the end of its useful life. The Xerox machine is similar to the ones deployed Town-wide.

Item number sixteen in the amount of \$5,000 is to cover that additional tax title costs incurred in the advertising and legal work involved by the Treasurer in the clearing up the inventory of old tax title accounts.

Item number seventeen in the amount of \$47,300 is for the purchase of a replacement Deputy SUV for the fire department. This vehicle was involved in an accident and was deemed "undrivable" by the insurance company. The amount of \$33,815 is coming from the insurance coverage of the vehicle and the balance of \$13,485 to the fire department budget.

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

#### I. School Building Committee

**MOTION:** That the Town appropriate the amount of Two Hundred and Eighty-Six Thousand Seven Hundred and Ninety Four (\$286,974) 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 and Sixty- Eight Thousand Eight hundred forty-three (\$69,023) dollars to be transferred from the Town's Stabilization fund and the balance of Two Hundred and Seventeen Thousand Nine Hundred and Fifty-One (\$217,951) Dollars come from the Tax Levy. 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.

**2. Sewer Enterprise Fund**

**MOTION:** That the sum of \$50,000 be transferred from the Water Enterprise Administration program/ Legal account, \$15,000 be transferred from the Water Enterprise Administration program/ Software account, \$15,000 be transferred from the Water Enterprise Building maintenance program/ Light account, \$25,000 be transferred from the Water Enterprise Building maintenance program/ Gas account, \$25,000 be transferred from the Water Enterprise Treatment Division program/ Chemical account, \$5,000 be transferred from the Water Enterprise Treatment Division program/ Sludge Management account and the sum of \$137,917 be transferred from the Fiscal Year 2016 certified Retained Earnings of the Water Sewer Enterprise Fund for a total of \$272,917 to be transferred to the Sewer Enterprise fund MRWA program /MWRA Sewer Assessment account.

**3. Finance Division – Principal on Bonds**

**MOTION:** That the sum of \$4,500 be transferred from the Town's Stabilization fund to the Finance Department / Program 50 Debt Principal/ Bond Principal account.

**4. Finance Division – Interest on Bonds**

**MOTION:** That the sum of \$24,555 be transferred from the Town's Stabilization fund to the Finance Department / Program 51 Debt Interest / Bond Interest account.

**5. Water Enterprise Fund**

**MOTION:** That the sum of \$19,178 be transferred from the Water Sewer Enterprise Fund Fiscal Year 2016 certified Retained Earnings to the Water Enterprise / Program 50 Debt Principal/ Bond Principal account.

**6. Water Enterprise Fund**

**MOTION:** That the sum of \$13,063 be transferred from the Water Sewer Enterprise Fund Fiscal Year 2016 certified Retained Earnings to the Water Enterprise / Program 51 Debt Interest / Bond Interest account.

**7. Sewer Enterprise Fund**

**MOTION:** That the sum of \$1,800 be transferred from the Water Sewer Enterprise Fund Fiscal Year 2016 certified Retained Earnings to the Sewer Enterprise / Program 50 Debt Principal/ Bond Principal account.

**8. Sewer Enterprise Fund**

**MOTION:** That the sum of \$779 be transferred from the Water Sewer Enterprise Fund Fiscal Year 2016 certified Retained Earnings to the Sewer Enterprise / Program 51 Debt Interest / Bond Interest account.

9. Golf Enterprise Fund

**MOTION:** That the sum of \$5,200 be transferred from the Golf Enterprise Fund Fiscal Year 2016 certified Retained Earnings to the Golf Enterprise / Program 50 Debt Principal/ Bond Principal account.

10. Golf Enterprise Fund

**MOTION:** That the sum of \$1,776 be transferred from the Golf Enterprise Fund from the Fiscal Year 2016 certified Retained Earnings to the Golf Enterprise/ Program 51 Debt Interest / Bond Interest account.

11. Mayor's Office

**MOTION:** That the sum of \$25,000 be transferred from the Mayors Department/ Program-01 Administration / Opioid education and prevention account to the Mayors Department/ Program 60/ Opioid education and prevention article

12. Law Department

**MOTION:** That the sum of \$160,000 be transferred from the Town's Stabilization Fund to the Law Department/ Administration Program 01 / Legal Services account.

13. Law Department

**MOTION:** That the sum of \$40,000 be transferred from the Town Council's Reserve fund Program 02 / Reserve Fund account to the Law Department/ Administration Program 01 / Expert Witness Services account.

14. Police Department

**MOTION:** That the sum of \$30,000 be transferred from the Town's Stabilization Fund to the Police Department / Patrol Bureau Program 04 / Staff Development& Training account.

15. Department of Public Works

**MOTION:** That the sum of \$4,000 be transferred from the Town's Stabilization Fund to the Department of Public Works / DPW Construction Administration Program 05 / Photo Copier Rental account.

16 Treasurer Collector's Department

**MOTION:** That the sum of \$5,000 be transferred from the Town's Stabilization Fund to the Finance Department / Treasurer Collectors Department Program 10 / Tax Titles account.

17. Fire Department

**MOTION:** That the sum of \$33,815 be transferred from the Town's Insurance Recovery account, \$7,000 be transferred from the Fire Department/ Building maintenance program 02\ Natural Gas line, \$5,485 be transferred from Fire Department Equipment Maintenance program 03 \ Parts and Accessories account, \$1,000 from the Finance Department General Insurance program 09 \ Insurance Deductible account for a total of \$ 47,300 to be transferred to the Fire Department / capital projects Program 62 / Fire vehicle replacement account.

Since these requests involve the appropriation of funds within the fiscal year 2017 budget, advertising and a public hearing is required under the sections 2-9 and 6-7 of the Town Charter.



Joseph C. Sullivan  
Mayor

# Office of the Board of Assessors

One JFK Memorial Drive  
Braintree, Massachusetts 02184  
Telephone: (781) 794-8050 • Fax: (781) 794-8068

Robert Brinkmann  
Deputy Assessor

## Board of Assessors

Robert Cusack  
Chair  
Susan O'Brien  
Vice Chair  
Robert Connolly

DATE: October 20, 2016

APPLICANT: National Grid

This is to certify that at the time of submission of this form to the Board of Assessors, the names and addresses of the parties assessed as adjoining owners to the parcel of land shown and described are as written and are the parties according to the records of the Assessors.

Office of the Board of Assessors 

Robert M Cusack  
Chairman

RECEIVED TOWN CLERK  
BRAINTREE, MA  
2016 OCT 21 AM 8:58

**Braintree  
Abutters List**

**Subject Parcel ID:**

**Subject Property Location:**

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
2002 0 15	173 ELM ST	MA KENIX A		173 ELM STREET	BRAINTREE	MA	02184
2002 0 16	163 ELM ST	CHAN KEN Y	CHAN DEBBIE M TBYE	159 ELM STREET	BRAINTREE	MA	02184
2002 0 25	131 145 ELM ST	DEPAULO RALPH G	DEPAULO DONNA A TBYE	47 PLEASANT STREET	BRAINTREE	MA	02184

Parcel Count: 3

**End of Report**

RECEIVED TOWN CLERK  
BRAINTREE, MA  
2016 OCT 21 AM 8: 58

**PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS**

**Town of Braintree / Town Council:**

The Nationalgrid hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the **Town of Braintree** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

**To install and maintain approximately 60 feet more or less of 2 inch gas main in Old Elm St., Braintree. From the existing 6 inch gas main at building #131-#145, southerly to 129-A Elm St., MBTA Track Heater.**

Date: October 20, 2016

By:   
Dennis K Regan  
Permit Representative

**Town of Braintree / Town Council:**

IT IS HEREBY ORDERED that the locations of the mains of the Nationalgrid for the transmission and distribution of gas in and under the public streets, lanes, highways and places of the **Town of Braintree** substantially as described in the petition date October 20, 2016 attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

The said Nationalgrid shall comply with all applicable provisions of law and ordinances of the **Town of Braintree** applicable to the enjoyment of said locations and rights.

Date this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

I hereby certify that the foregoing order was duly adopted by the \_\_\_\_\_ of the City of \_\_\_\_\_, MA on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

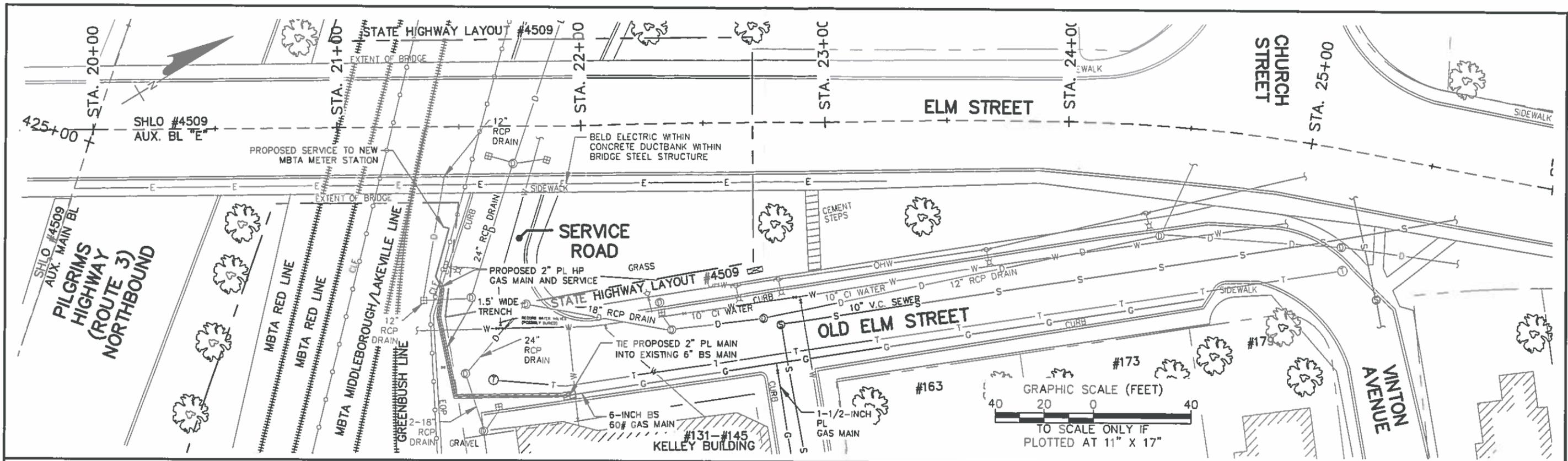
By: \_\_\_\_\_

\_\_\_\_\_  
Title

MN # 144-8502-112898

**RETURN ORIGINAL TO THE PERMIT SECTION  
NATIONAL GRID  
40 SYLVAN RD, WALTHAM, MA 02451  
RETAIN DUPLICATE FOR YOUR RECORDS**

RECEIVED TOWN CLERK  
BRAintree, MA  
2016 OCT 21 AM 8:58



RECEIVED TOWN CLERK  
 BRAINTREE, MA  
 2016 OCT 21 AM 8:58

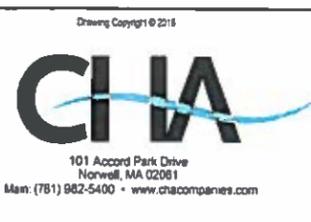
REVISED: 10/14/2016

**GOL PERMIT PLAN  
 PROPOSED OPENING TO INSTALL  
 2-INCH GAS MAIN  
 OLD ELM STREET  
 BRAINTREE, MA.**

—E—	PROPOSED GAS
—G—	ELECTRIC
—W—	GAS
—D—	WATER
—S—	STORM DRAIN
—T—	SANITARY SEWER
—T—	TELEPHONE
—OHW—	OVERHEAD WIRE
—	CHAIN LINK FENCE
—	EDGE OF PAVEMENT
—	CURB
—	RIGHT OF WAY LINE

**NOTE**  
 THE LOCATION OF SURFACE AND UNDERGROUND OBJECTS SHOWN ARE NOT WARRANTED TO BE CORRECT  
 CALL 811 BEFORE YOU DIG  
 UTILITIES AND STREET LINES COMPILED FROM AVAILABLE DATA SOURCES  
 NO FIELD VERIFICATION PERFORMED

**PROJECT SPECIFICS**  
**SIZE: 2"**  
**LENGTH: 80'±**  
**MATERIAL: PLASTIC**  
**PRESSURE: 60 PSIG**  
**WORK ORDER NO.: 1128298**



**nationalgrid**

Drawn: <b>MLM</b>	Date: <b>9/20/2016</b>	Scale: <b>1"=40'</b>
Chkd: <b>JEO</b>	Design Engr.: <b>AJC</b>	Design Supv.: <b>JEO</b>

CAD FILE NAME	SEQUENCE No	DRAWING NUMBER
31416-1087.DWG		C-101

File: V:\PROJECTS\MA78\PROJ\31416\CAD\31416-1087.DWG  
 Saved: 10/14/2016 12:47:56 PM Plotted: 10/14/2016 12:48:18 PM User: Candice\_Andree\_LattSundby, 5143