

1. Agenda

1.1. 7:30 PM Town Council

Documents:

[19 JAN 8 AGENDA.PDF](#)

2. Documents

2.1. 7:30 PM Town Council

Documents:

[19 JAN 8 COUNCIL MTG.PDF](#)

Charles B. Ryan
President
At Large

Shannon L. Hume
At Large

Sean E. Powers
At Large

Thomas W. Whalen
District 2

Thomas M. Bowes
District 3



Charles C. Kokoros
Vice President
District 1

Stephen C. O'Brien
District 4

David M. Ringius, Jr.
District 5

Timothy P. Carey
District 6

OFFICE OF THE TOWN COUNCIL

– AGENDA –

Tuesday, JANUARY 8, 2019 • Horace T. Cahill Auditorium, Town Hall • Starting Time: **7:30PM**

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

ANNOUNCEMENTS

APPROVAL OF MINUTES

- December 4, 2018

COMMUNICATIONS

- 001 19 Bill Bottiggi: BELD Update or take up any action relative thereto

OLD BUSINESS

- 18 048 Council President: Reclassification Town Clerk and Clerk of the Council or take up any action relative thereto

NEW BUSINESS

- None

Refer to the Committee on Ordinance & Rules

- 19 001 Town Clerk: Request to Amend General Ordinance Chapter 5.580 Taxicabs or take up any action relative thereto

Topics the Chair does not reasonably anticipate will be discussed

UPCOMING MEETINGS:

Next Council Meeting will be held on: **Tuesday, January 22, 2019@ 7:30pm**

ADJOURNMENT

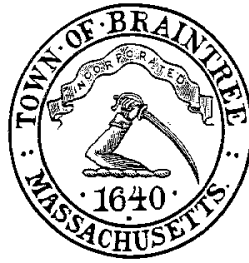
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OFFICE OF THE TOWN COUNCIL

December 4, 2018 MINUTES

A meeting of the Town Council was held in the Cahill Auditorium, Braintree Town Hall, on Tuesday, December 4, 2018 beginning at 7:30p.m.

Council President Ryan was in the chair.
Clerk of the Council, Susan Cimino conducted the roll call.

Present: Charles B. Ryan, President
Charles C. Kokoros, Vice President
Timothy P. Carey
Thomas M. Bowes
Shannon L. Hume
Stephen C. O'Brien
Sean E. Powers
David M. Ringius, Jr.
Thomas W. Whalen

Also Present: Joseph C. Sullivan, Mayor
Joseph Reynolds, Chief of Staff
Ed Spellman, Finance Director
Robert Brinkmann, Deputy Assessor
Robert Cusack, Board of Assessor member
Susan O'Brien, Board of Assessor member
Robert Connolly, Board of Assessor member
Carl Johnson, attorney
Liz Page, resident

APPROVAL OF MINUTES

- Minutes of November 20, 2018

Motion: by Councilor Kokoros to Approve Minutes of November 20, 2018

Second: by Councilor Powers

Vote: For (9 –Bowes, Carey, Hume, Kokoros, O'Brien, Powers, Ringius, Ryan, Whalen),
Against (0), Absent (0), Abstain (0)

OLD BUSINESS

• **18 060 Mayor: Tax Rate Classification or take up any action relative thereto (Public Hearing)**

Motion by Councilor Kokoros to Open Public Hearing for Order 18 060

Motion: by Councilor Kokoros

Second: by Councilor Powers

Vote: For (9 – Bowes, Carey, Hume, Kokoros, O'Brien, Powers, Ringuus, Ryan, Whalen),
Against (0), Absent (0), Abstain (0)

Council President Ryan asked if any member of the Council or General Public want to speak on Order 18 060?

Joseph C. Sullivan, Mayor stated with the analysis and efforts of our financial departments under the direction of Ed Spellman, and in coordination with the Assessors' office we have minimized this tax rate adjustment to the maximum benefit of our residential homeowners. The strength of our commercial activity offers positive financial results which allows us the ability to maintain one of the lowest residential tax rates for our residents at \$10.09 for this year which is the lowest rate since 2010. It is important to note that the value of our residential/housing market continues to grow substantially noting that the average home values have increased by \$63,000 in just two years. These increased values underline the fact that Braintree is a desirable place to call home. These evaluations are a reflection of a strong residential market. We max what we can do on the commercial side. Financially this is very positive for our community.

Council President Ryan referred to Councilor Bowes, Chairman of the Committee of Ways & Means for a recommendation. Councilor Bowes stated the committee met earlier this evening and unanimously voted for a favorable recommendation to the full Council. Dan Sullivan our Town Auditor submitted a report on the Tax Classifications and was in attendance at the Committee of Ways & Means meeting. The Town Auditor will also forecast future spending and our Capital Plan.

Councilor Kokoros stated the commercial rates help off-set residential rates and small businesses.

Councilor Powers stated tax rates are going down but because property values are increasing.

Councilor Hume stated without this we would potentially have to cut 2.2 million from the operating budget.

Councilor O'Brien stated the only thing we are approving are the: tax rate classification shift, the small business exemption, the open space discount, the residential exemption. I want the residents to be aware we are not voting on the tax rate only those four items. We do find we have been put into a position of some favorability as it goes towards our receipts and that's a great thing. There is a sense out there of a potential slowdown of the economy. We do have a great house in order. Thanks to our Town Auditor we know that but we have to be sensitive.

Councilor Powers stated the digital billboards are collecting \$1 million in rental income. This is helping.

Council President Ryan asked if there is anyone else wishing to speak? He stated hearing none.

Motion by Councilor Kokoros to Close the Public Hearing for Order 18 060

Motion: by Councilor Kokoros

Second: by Councilor Powers

Vote: For (9 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ringuius, Ryan, Whalen),
Against (0), Absent (0), Abstain (0)

Motions read by Councilor Kokoros:

1. To apply the tax rate classification shift.

MOTION: Be it ordained that the Town of Braintree, through the Braintree Council, adopt the recommendation of the Mayor and the Board of Assessors to approve the Classification Tax Rate Shift of 175% to be applied to commercial, industrial and personal property.

Motion: by Councilor Kokoros

Second: by Councilor Powers

Vote: For (9 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ringuius, Ryan, Whalen),
Against (0), Absent (0), Abstain (0)

2. Re: the small business exemption.

MOTION: To approve the “Small Business Exemption” as recommended by the Mayor and the Board of Assessors in a memorandum to the Town Council dated November 15, 2018, and as filed with the Office of the Town Clerk.

Motion: by Councilor Kokoros

Second: by Councilor Powers

Vote: For (8 – Bowes, Carey, Hume, O’Brien, Powers, Ringuius, Ryan, Whalen),
Against (0), Absent (0), Abstain (1 - Kokoros)

3. Re: the open space discount.

MOTION: To continue to adopt the recommendation of the Mayor and the Board of Assessors, as outlined in a memorandum to the Town Council dated November 15, 2018 and as filed with the Office of the Town Clerk, to decline the “Open Space” discount.

Motion: by Councilor Kokoros

Second: by Councilor Powers

Vote: For (9 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ringuius, Ryan, Whalen),
Against (0), Absent (0), Abstain (0)

4. Re: the residential exemption.

MOTION: To continue to adopt the recommendation of the Mayor and the Board of Assessors, as outlined in a memorandum dated November 15, 2018 and as filed with the Office of the Town Clerk, to decline the adoption of the “Residential Exemption.”

Motion: by Councilor Kokoros

Second: by Councilor Powers

Vote: For (9 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ringuius, Ryan, Whalen),
Against (0), Absent (0), Abstain (0)

• 18 061 Mayor: Re-Appointment - Braintree Cultural Council - Heidi Hurley or take up any action relative thereto

Council President Ryan referred to Councilor Bowes, Chairman of the Committee of Ways & Means for a recommendation. Councilor Bowes stated the Committee met earlier this evening and unanimously voted for a favorable recommendation to the full Council.

Motion read by Councilor Kokoros:

MOTION: To approve the appointment of Heidi Hurley to the Braintree Cultural Council, in accordance with sections 3-3 of the Town Charter.

Motion: by Councilor Kokoros to Approve Order 18 061

Second: by Councilor Powers

Vote: For (9 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ringuius, Ryan, Whalen),
Against (0), Absent (0), Abstain (0)

NEW BUSINESS

- None

Refer to the Committee on Ordinance & Rules

- 18 062 REZONE: Braintree Property Associates LP or take up any action relative thereto

Motion: by Councilor Kokoros to refer 18 062 to the Committee on Ordinance & Rules

Second: by Councilor Powers

Vote: For (9 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ringuius, Ryan, Whalen),
Against (0), Absent (0), Abstain (0)

Refer to the Committee of Ways & Means

- 18 063 Mayor: Request to Approve the Fiscal Year 2019 Capital Plan or take up any action relative thereto

Motion: by Councilor Kokoros to refer 18 063 to the Committee of Ways & Means

Second: by Councilor Powers

Vote: For (9 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ringuius, Ryan, Whalen),
Against (0), Absent (0), Abstain (0)

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 8:09p.m.

Respectfully submitted,

Susan M. Cimino
Clerk of the Council

Documents provided for Meeting

- Minutes November 20, 2018
- 18 060 Mayor: Tax Rate Classification
- 18 061 Mayor: Re-Appointment Braintree Cultural Council – Heidi Hurley
- 18 062 REZONE: Braintree Property Associates LP or take up any action relative thereto

Town of Braintree
Town Clerk's Office Grade Reclassifications
Town Auditor's Comments – 12/21/18

We have been asked to review and comment on the salary grade reclassifications for the Town Clerk's Office and Town Council's Office. It is important to note that these opinions are based on the title of the positions being reviewed and not the individual currently in each position.

During the second half of fiscal year 2018 the Licensing Coordinator was out of work for a few months, who then retired shortly after returning to work for a brief period. The Licensing Coordinator split her time between licensing and law. This split was anywhere from a 50/50 split to a 70/30 favoring licensing. This position was a 35 hour per week job, a grade M-8E and earned approximately \$68,000, not including benefits.

During the time the Licensing Coordinator was out and upon her retirement the Town Clerk's Office assumed her responsibilities, which included reviewing license applications, processing license applications, collecting licensing fees and maintaining the licensing records. It was estimated that these responsibilities added an additional 25 hours on average per week to the Town Clerk's Office as a whole, including the Clerk of the Council. It was determined that these offices had the capacity to take on these additional responsibilities.

Union positions:

It is our understanding that the three union positions have already been negotiated by the Human Resources Director and approved by the unions. These positions, two Town Clerk staff members and the Assistant Town Clerk/Licensing Coordinator will be performing the vast majority of the licensing work and will receive anywhere from approximately a 8.5% to a 9.6% increase in pay during the time period of 7/1/18 through 1/1/19 when compared to their current salary level, amounting to approximately a \$14,000 budgetary increase. Please see the table on page 3 detailing proposed salary grade reclassifications by the Town Clerk's Office.

Clerk of the Council:

The Town Clerk is recommending that the Clerk of the Council move from a M8-E to a M12-C/D. We feel the added responsibilities to the Clerk of the Council related to licensing warrants a grade reclassification for the Clerk of the Council to a M10-D/E.

Town Clerk:

The Town Clerk, as the department head of the office, has taken on the additional responsibilities of overseeing the previous Licensing Coordinator's responsibilities that are ultimately being done by his staff. In addition, the Town Clerk also now serves as the Chief Records Access Officer for the Town. These additional responsibilities and tasks we believe warrants a grade reclassification, but not to the extent of the requested M-23 level.

We believe a fair and reasonable grade level of a M-21 would be more in line to other Town department heads and more than fair in comparison to other Towns/Cities who responded to a benchmark survey obtained by the Human Resources Director for the same job title. This increase has a value of

approximately 5% or approximately \$5K, during the time period of 7/1/18 through 1/1/19 when compared to the Town Clerk's current salary level. Please see the table on page 4 detailing the average maximum salary of other like communities in terms of population in Massachusetts for the Town Clerk position.

Recommendation:

We believe the revised proposed grades as shown on the table on page 3 are fair and reasonable based on the additional work and responsibilities of the Licensing assumed by the Town Clerk's Office and the Clerk of the Council.

**Town of Braintree
Salary Grade Reclassifications**

ORIGINAL PROPOSAL

Office	Staff Member First Last		Union Position?	Grade Current Proposed (1)		Salary					
						Current Salary Level (2)	Proposed	Proposed	Proposed	Current Level to 1/1/19 \$ Increase	Current Level to 1/1/19 % Increase
							Salary Level Effective 7/1/18	Salary Level Effective 10/1/18	Salary Level Effective 1/1/19		
Clerk's	Eric	Cocca	Yes	S7-D	S14-C/D	43,316	48,976	50,523	50,523	7,207	16.6%
Clerk's	Jane	D'Auria	Yes	S7-E	S14-C/D	44,590	48,976	50,523	50,523	5,933	13.3%
Clerk's	Deb	Starr	Yes	M8-E	M13-C/D	67,508	76,122	80,985	80,985	13,477	20.0%
Clerk's	Jim	Casey	No	M18-E	M23-C/D	97,825	106,963	106,963	111,072	13,247	13.5%
Council's	Sue	Cimino	No	M8-E	M13-C/D	67,508	73,268	76,145	76,145	8,637	12.8%
Totals:						320,747	354,305	365,139	369,248	48,501	15.1%

REVISED PROPOSAL

Office	Staff Member First Last		Union Position?	Grade Current Proposed (1)		Salary					
						Current Salary Level (2)	Proposed	Proposed	Proposed	Current Level to 1/1/19 \$ Increase	Current Level to 1/1/19 % Increase
							Salary Level Effective 7/1/18	Salary Level Effective 10/1/18	Salary Level Effective 1/1/19		
Clerk's	Eric	Cocca	Yes*	S7-D	S12-B/C	43,316	46,082	47,429	47,429	4,113	9.5%
Clerk's	Jane	D'Auria	Yes*	S7-E	S12-C/D	44,590	47,429	48,885	48,885	4,295	9.6%
Clerk's	Deb	Starr	Yes*	M8-E	M12-C/D	67,508	70,785	73,246	73,246	5,738	8.5%
Clerk's	Jim	Casey	No	M18-E	M21-C/D	97,825	99,157	99,157	102,856	5,031	5.1%
Council's	Sue	Cimino	No	M8-E	M10-D/E	67,508	68,342	68,342	72,566	5,058	7.5%
Totals:						320,747	331,796	337,060	344,982	24,235	7.6%

* Union grade reclassification negotiated by Human Resources Director and approved by the unions.

- (1) The second step shown on an individual's proposed grade level would increase on 10/1 (3 months) for Eric Cocca, Jane D'Auria and Deb Starr; however Jim Casey and Sue Cimino's increase would occur on 1/1 (6 months).
- (2) Current annual salary level, regardless of when this level was reached during the fiscal year (i.e., entire FY19 or portion of FY19).

Town Clerk Salaries for Towns/Cities with populations 25K - 45K

city_or_town	survey	FY	job_title	local_title	hours_per_week	maximum_salary	updated_at
Belmont	FY19 Benchmark Salary Survey	2019	City / Town Clerk	CITY/TOWN CLERK	40	99,053.00	8/6/2018
Norwood	FY19 Benchmark Salary Survey	2019	City / Town Clerk		40	98,297.00	7/5/2018
Braintree	FY19 Benchmark Salary Survey	2019	City / Town Clerk	Town Clerk	35	97,825.00	8/14/2018
Arlington	FY19 Benchmark Salary Survey	2019	City / Town Clerk	TOWN CLERK	35	94,662.00	8/14/2018
Falmouth	FY19 Benchmark Salary Survey	2019	City / Town Clerk	TOWN CLERK	40	92,227.00	10/12/2018
Westfield	FY19 Benchmark Salary Survey	2019	City / Town Clerk	City Clerk	35	88,541.00	8/6/2018
Amherst	FY19 Benchmark Salary Survey	2019	City / Town Clerk	CITY/TOWN CLERK	37	86,212.00	8/6/2018
West Springfield	FY19 Benchmark Salary Survey	2019	City / Town Clerk	CITY/TOWN CLERK	37	83,239.00	9/18/2018
Beverly	FY19 Benchmark Salary Survey	2019	City / Town Clerk	CITY CLERK	35	80,554.00	9/21/2018

91,178.89 Average

James M. Casey
Town Clerk
jmcasey@braintree.ma.gov
(781) 794-8202



Debra J. Starr
Assistant Town Clerk
dhelbig@braintree.ma.gov
(781) 794-8244

OFFICE OF THE TOWN Clerk

MEMO

RECEIVED TOWN CLERK
BRAINTREE, MA
2019 JAN -3 AM 11:05

Date: January 3, 2019
To: Charles B. Ryan, Council President
Cc: Council Members, Joseph C. Sullivan, Mayor, Joseph Reynolds, Chief of Staff,
Nicole Taub, Town Solicitor, Debra Starr, Assistant Town Clerk/Licensing Coordinator
From: James M. Casey, Town Clerk

Subject: TOWN ORDINANCE CHAPTER 5.580 TAXICABS - AMENDMENT

On July 1, 2018 the Office of the Town Clerk had assumed the licensing responsibilities from the Licensing Coordinator position. Absorbing these new responsibilities in the overall operation of the Town Clerk's Office provides an opportunity to improve the administrative processing of the annual relicensing of taxicabs as well as provide a balanced workload during the first quarter of the year.

Chapter 5.580.020 -Expiration of License states, "Licenses issued under this chapter shall expire on the last day in February next after the date thereof and shall not be transferred without the consent of the Board of License Commissioners endorsed thereon." An administrative review of this Chapter reveals two existing conflicts with the current renewal process and creates an amplified strain on current staff workload responsibilities during this time period.

- Annual Auto Excise Tax Bills
 - First and second payment due dates occur after the submission of excise tax payment information and places an added burden on staff in chasing after proper documentation
- Taxicab vehicle annual inspections
 - Taxicab fare meter and vehicle inspections occur each June
 - Taxi medallions are effective July 1 of each year
- Existing office workload
 - January - March: processing of annual Town census forms
 - March 2020 - Presidential Primary Election
 - March - Start of dog registration period

I respectfully request your support to amend the Town's General Ordinances, Chapter 5.580 "Taxicabs by deleting, in Section 5.580.020 "Expiration of License" the word "February" and replacing it with the word "June". This change provides a cohesive process of the renewal and inspections functions for the taxi companies as well as addresses workload conflicts in the years ahead.

TOWN OF BRAINTREE

IN COUNCIL

ORDER NO: 19 xxx
ORDERED: Town Clerk

DATE: January 3, 2019

TITLE 5, CHAPTER 5.580: TAXICABS

UPON THE REQUEST OF THE TOWN CLERK, THE TOWN OF BRAINTREE, THROUGH THE BRAINTREE TOWN COUNCIL, IT IS SO ORDERED:

That the Town Council vote to amend the Town's General Ordinances, Chapter 5.580 "Taxicabs", as most recently amended, by deleting, in Section 5.580.020 "Expiration of License" the word "February" and replacing it with the word "June".

Chapter 5.580

Taxicabs

[HISTORY: Adopted by the Town Council of the Town of Braintree 6-15-2010 by Ord. No. 10-012 (former Ch. 5.40 of the Town Bylaws, which derived from prior code Ch. 122, as amended STM 10-5-2004 by Art. 30). Amendments noted where applicable.]

5.580.010 Licensing.

The Board of License Commissioners may license hackney carriage companies or companies which offer motor vehicles for the conveyance of passengers for hire in the Town, and it may revoke such licenses at its discretion, and a record of all licenses so granted or revoked shall be kept by the Board of License Commissioners. Taxi vehicles must be housed in Braintree and pay excise tax in Braintree. The company must have an office in Braintree and have a telephone line in Braintree.

5.580.020 Expiration of License.

Licenses issued under this chapter shall expire on the last day in ~~February~~ **June** next after the date thereof and shall not be transferred without the consent of the Board of License Commissioners endorsed thereon. For each license the sum of \$200 shall be paid to the Town. A license so granted shall become void if the applicant neglects or refuses to take out and pay for his/her license within 10 days after notice that it has been granted.

5.580.030 Violations and Penalties.

No person shall set up, use or drive in the Town any unlicensed hackney carriage or motor vehicle for the conveyance of passengers for hire in the Town under a penalty of \$100 for the first offense, \$200 for the second offense, and \$300 for a third and/or subsequent offense.