

1. Agenda

1.1. 7:30 PM Town Council

Documents:

[20 OCT 20 TUES REMOTE AGENDA.PDF](#)

2. Documents

2.1. 7:30 PM Town Council

Documents:

[2020 OCT 20 COUNCIL MTG.PDF](#)

Shannon L. Hume  
President  
At Large

Charles B. Ryan  
At Large

Julia C. Flaherty  
District 1

Steven A. Sciascia  
District 2



David M. Ringius, Jr.  
Vice President  
At Large

Donna L. Connors  
District 3

Stephen C. O'Brien  
District 4

Meredith Boericke  
District 5

Lawrence C. Mackin, Jr.  
District 6

## OFFICE OF THE TOWN COUNCIL – AGENDA –

**Tuesday, OCTOBER 20, 2020 • Horace T. Cahill Auditorium, Town Hall • Starting Time: 7:30PM**

Governor Charles Baker has declared a state of emergency in Massachusetts to support the state's response to COVID-19 (Coronavirus). According to the Town of Braintree's "Temporary Emergency Policy for Remote Participation Under the Open Meeting Law Pursuant to Massachusetts Executive Order of March 12, 2020," the Town Council will meet fully remotely for the health and safety of Councilors and the public during the Massachusetts State of Emergency. The Town Council will be using Zoom software to run meetings online for the immediate future. The Town continues to monitor the situation through the Health Department and specific questions should be directed to Jean McGinty, Public Health Nurse at 781-794-8094 or Marybeth McGrath, Director of Health, at 781-794-8095.

**Please click the link below to join the webinar:**

<https://us02web.zoom.us/j/88603562304>

**Or Telephone:**

**Dial: +1 301 715 8592**

**Webinar ID: 886 0356 2304**

**International numbers available: <https://us02web.zoom.us/j/88603562304>**

### COUNCIL MEETING COMMUNICATIONS

- Agenda/Documents link to website: <https://braintreema.gov/AgendaCenter>
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### ANNOUNCEMENTS

### COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

- 012 20 Council President: COVID-19 Update

### APPROVAL OF MINUTES

- Sept 2, 2020

## **OLD BUSINESS**

- 20 069 Mayor: Request for Appropriation – Smelt Brook Culvert & Fisheries Habitat Restoration or take up any action relative thereto (PUBLIC HEARING)
- 20 068 Property Owner Petition: Request for Gas Installation to 86 Hancock Street or take up any action relative thereto
- 002 20 Council President: Town Council Rules or take up any action relative thereto

## **NEW BUSINESS**

- None

## **RESOLUTIONS**

- 044 20 Councilor O'Brien: Resolution Regarding Elder Affairs & Veteran Services Committee

## **Refer to the Education & Library Committee**

- 045 20 Councilor O'Brien: An Analysis of the 2020-2021 Pandemic School Reopening or take up any action relative thereto

## **Refer to the Committee of Ways & Means**

- 20 070 Mayor: Appointment – William J. Grove to Planning Board Member or take up any action relative thereto

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

## **UPCOMING MEETINGS:**

Next Council Meeting scheduled on: **Wednesday, November 4, 2020 @7:30pm**

## **ADJOURNMENT**

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President  
At Large

Charles B. Ryan  
At Large

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Steven A. Sciascia  
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- 002 20 Council President: Town Council Rules or take up any action relative thereto

## **NEW BUSINESS**

- None

## **RESOLUTIONS**

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## **Refer to the Education & Library Committee**

- 045 20 Councilor O'Brien: An Analysis of the 2020-2021 Pandemic School Reopening or take up any action relative thereto

## **Refer to the Committee of Ways & Means**

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**OFFICE OF THE TOWN COUNCIL**  
**Wednesday, September 2, 2020**  
**(zoom webinar)**  
**MINUTES**

A meeting of the Town Council was held via Zoom Webinar, on Wednesday, September 2, 2020 beginning at 7:30p.m.

Council President Hume was in the chair.

Clerk of the Council, Susan M. Cimino conducted the roll call.

Present: Shannon Hume, President  
David M. Ringius, Jr., Vice-President  
Charles Ryan  
Julia Camille Flaherty  
Steven A. Sciascia  
Donna L. Connors  
Stephen C. O'Brien  
Meredith L. Boericke  
Lawrence C. Mackin, Jr.

Others: Charles C. Kokoros, Mayor  
Nicole Taub, Chief of Staff/Town Solicitor  
Ed Spellman, Director of Finance  
Daryn Brown, Director of Golf  
James Arsenault, DPW Director  
Steven Leary, Assistant to the Mayor

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## ANNOUNCEMENTS

Charter Review Committee announcement that the last meeting was prior to the COVID shutdown. At that time we had dates selected to hold meetings to allow the public to give their thoughts. Those meetings had to be cancelled. A Zoom meeting will soon be scheduled to try to move this forward.

## APPROVAL OF MINUTES

- July 15, 2020

Motion made by Councilor Ringius to Approve Minutes of July 15, 2020

**Motion:** by Councilor Ringius to Approve Minutes of July 15, 2020

**Second:** by Councilor Ryan

**Roll Call Vote:** For (9 – Boericke, Connors, Flaherty, Hume, Mackin, O’Brien, Ringius, Ryan, Sciascia),  
Against (0), Absent (0), Abstain (0)

## OLD BUSINESS

- **20 055 Mayor: FY20 Year End—Line Item Transfers or take up any action relative thereto (PUBLIC HEARING)**

Council President Hume asked is there a motion to Open the Public Hearing for Order 20 055?

Councilor Ringius made a Motion to OPEN the Public Hearing on Order 20 055

**Motion:** by Councilor Ringius to OPEN the Public Hearing on Order 20 055

**Second:** by Councilor Ryan

**Roll Call Vote:** For (9 – Boericke, Connors, Flaherty, Hume, Mackin, O’Brien, Ringius, Ryan, Sciascia),  
Against (0), Absent (0), Abstain (0)

Council President Hume asked if any member of the Council or General Public want to speak on Order 20 055?

President Hume referred to Councilor Boericke, Chairwoman of the Committee of Ways & Means for a recommendation.

Councilor Boericke stated the committee met earlier this evening and delivered a unanimous favorable recommendation for this. This is just moving money within the respective budgets. It is not a request for new expenditures.

Daryn Brown stated with the guidelines having loosened we really hit our stride in July and through August and is continuing with sold out days and maximum rates. The great weather has been another reason our revenues are where they’re at. Through July and August we are almost up \$200,000 and I have never seen anything like it. For Golf the pandemic has been a substantial benefit to us. We have had no big events but hot dogs, beer and soda go a long way. The staff has been fantastic. We have college kids and senior citizens. We disinfect golf carts after every use and all touched surfaces.

Council President Hume asked if there is anyone else wishing to speak? Hearing none.

Council President Hume asked is there a motion to Close the Public Hearing for Order 20 055?

Councilor Ringius made a Motion to CLOSE the Public Hearing on Order 20 055

**Motion:** by Councilor Ringius to CLOSE the Public Hearing on Order 20 055

**Second:** by Councilor Ryan

**Roll Call Vote:** For (9 – Boericke, Connors, Flaherty, Hume, Mackin, O’Brien, Ringius, Ryan, Sciascia),  
Against (0), Absent (0), Abstain (0)

The Motions for Order 20 055 were read by Councilor Ringius and seconded by Councilor Ryan and Vote by Roll Call:

1. Finance Division

**Motion:** That the sum of \$36,861 be transferred from Municipal Finance / Debt Principal program 50 / Bond Principal account to be transferred to the Municipal Finance / Debt Interest program 51 / Bond Interest account.

**Motion:** by Councilor Ringius to approve Order 20 055 (1)

**Second:** by Councilor Ryan

**Roll Call Vote:** For (9 – Boericke, Connors, Flaherty, Hume, Mackin, O’Brien, Ringius, Ryan, Sciascia),  
Against (0), Absent (0), Abstain (0)

2. Golf Enterprise

**Motion:** That the sum of \$37,594 be transferred from the Golf/ Turf Maintenance program 04/ Labor Custodian account to Golf/ Food Service program 07/ Food Supplies line item and \$3,000 be transferred from Golf/ Building Maintenance program 02/ Lighting Account to Golf/ Bond Principal program 50 / Bond Principal account.

**Motion:** by Councilor Ringius to approve Order 20 055 (2)

**Second:** by Councilor Ryan

**Roll Call Vote:** For (9 – Boericke, Connors, Flaherty, Hume, Mackin, O’Brien, Ringius, Ryan, Sciascia),  
Against (0), Absent (0), Abstain (0)

• **002 20 Council President: Town Council Rules or take up any action relative thereto**

President Hume referred to Councilor Ringius, Chairman of the Committee on Ordinance & Rules. Rule 23 was used to suspend having to adopt the Town Council Rules due to COVID.

Councilor Ringius stated the committee held many meetings prior to COVID and additional meetings after the COVID shutdown. O&R had a 4-0 vote of approval of these new rules to be adopted. These are to be adopted every two years. These are the rules by which we govern ourselves.

Councilor Ringius went through what was proposed and brought forward from O&R. There are also additional amendments from other Council members.

President Hume stated the intension is to review the Town Council Rules and then TABLE it and bring it up at the next meeting with any amendments councilors want to bring forward.

President Hume stated let's have all the amendments that have been proposed and put in red on the Town Council Rules for the next meeting so we can all review it. All members should come forward with all amendments for the Town Council Rules.

President Hume asked if there was a motion to table to our next Town Council meeting.  
Councilor Ringius made a motion to table 002 20 Town Council Rules to September 15, 2020.

**Motion:** by Councilor Ringius to TABLE Town Council Rules to September 15, 2020

**Second:** by Councilor Ryan

**Roll Call Vote:** For (9 – Boericke, Connors, Flaherty, Hume, Mackin, O'Brien, Ringius, Ryan, Sciascia),  
Against (0), Absent (0), Abstain (0)

### **NEW BUSINESS**

- 20 056 Town Clerk: Call of the State General Election – November 3, 2020 or take up any action relative thereto (placeholder for vote on September 15, 2020)

No action at this time. This is a placeholder for vote on September 15, 2020 to avoid Same Night Action.

- 20 057 Town Clerk: Designation of Early Voting Site/Dates/Times for State General Election or take up any action relative thereto (placeholder for vote on September 15, 2020)

No action at this time. This is a placeholder for vote on September 15, 2020 to avoid Same Night Action.

- **032 20 Councilor Mackin: A RESOLUTION TO DECREE THAT THE BRAINTREE FIRE DEPARTMENT IS ALLOWED TO FLY THE 'THING BLUE LINE FLAG' FOR AS LONG AS IT DESIRES**

Roll Call Vote to allow this item on the Agenda and have this presented tonight we need a 2/3rds vote of the Town Council members:

**Roll Call Vote:** For (9 – Boericke, Connors, Flaherty, Hume, Mackin, O'Brien, Ringius, Ryan, Sciascia),  
Against (0), Absent (0), Abstain (0)

No Councilor objected to Same Night Action.

Councilor Mackin stated I know I was late at submitting this but I thank you for letting me present this.

Councilor Mackin read the following resolution:

A RESOLUTION TO DECREE THAT THE BRAINTREE FIRE DEPARTMENT IS ALLOWED TO FLY THE 'THIN BLUE LINE FLAG' FOR AS LONG AS IT DESIRES

**WHEREAS:** the town of Braintree does not have any policies or ordinances prohibiting the display of memorial flags on fire trucks;

**WHEREAS:** the Thin Blue Line has been a conventionally accepted law enforcement memorial marker or symbol for over 100 years, and;

**WHEREAS:** the town of Braintree not only stands in solidarity with our neighbor Weymouth in memorial of the tragic murder of Officer Michael Chesna, but also stands in the honoring of our own line of duty losses of Lt. Gregory Principe and Sgt. Ernest DeCross and such losses across the Commonwealth;

This resolution shall mandate a decree that the Braintree Fire Department be allowed to fly the thin blue line flag for as long as they so choose, for these purposes.

Councilor Flaherty made three amendments to the proposed Resolution. All three proposals failed to be voted in favor of. Below are the three proposed amendments:

Amendment 1 proposed from Councilor Flaherty:

A Resolution in Support of Honoring Police Officers with the Thin Blue Line Flag

WHEREAS, the Braintree Town Council wishes to honor our police officers for their hard work, bravery, and sacrifice with a display of the Thin Blue Line Flag, and;

WHEREAS, The Town of Braintree prides itself on being a community of inclusion where respect is extended for the dignity and worth of all of our residents regardless of race or origin, and;

IN RECOGNITION of the recent history of misuse of the Thin Blue Line flag in demonstrations of white supremacy or otherwise as a divisive tool of political partisanship, and;

WHEREAS, The Braintree Town Council does not wish for the meaning of this flag to be misconstrued as representative of anything other than a solemn gesture of reverence for the sacrifices our police officers make on our behalf and especially for those who have fallen in the line of duty;

BE IT THEREFORE RESOLVED that the Thin Blue Line Flag will be respectfully removed from the Braintree Fire Truck to be raised to fly in perpetuity over the police memorial dedicated to the honor of Lieutenant Gregory Allen Principe and Sergeant Ernest James DeCross, that their lives and sacrifices will not be lost to memory.

BE IT FURTHER RESOLVED that the Braintree Town Council supports funding to properly restore and improve this memorial for posterity.

Amendment **2** proposed from Councilor Flaherty:

A Resolution in Support of Honoring Police Officers with the Thin Blue Line Flag

WHEREAS, the Braintree Town Council wishes to honor our police officers for their hard work, bravery, and sacrifice with a display of the Thin Blue Line Flag, and;

WHEREAS, The Town of Braintree prides itself on being a community of inclusion where respect is extended for the dignity and worth of all of our residents regardless of race or origin, and;

IN RECOGNITION of the recent history of misuse of the Thin Blue Line flag in demonstrations of white supremacy or otherwise as a divisive tool of political partisanship, and;

WHEREAS, The Braintree Town Council does not wish for the meaning of this flag to be misconstrued as representative of anything other than a solemn gesture of reverence for the sacrifices our police officers make on our behalf and especially for those who have fallen in the line of duty;

BE IT THEREFORE RESOLVED that the Thin Blue Line Flag will be respectfully removed from the Braintree Fire Truck to be displayed at the Braintree Police Department, and;

BE IT FURTHER RESOLVED that the Town of Braintree shall formally observe National Police Officer Appreciation Week on an annual basis every year in perpetuity, and;

BE IT FURTHER RESOLVED that the Thin Blue Line flag may be flown proudly on Town Property during this week every year in honor of police, and;

BE IT FINALLY RESOLVED that the Town of Braintree will host a ceremony during this week in which the Thin Blue Line Flag may be raised in honor of police officers past and present, and especially of those who have fallen in the line of duty.

Amendment **3** proposed from Councilor Flaherty:

A Resolution in Support of Honoring Police Officers with the Thin Blue Line Flag

WHEREAS, the Braintree Town Council wishes to honor our police officers for their hard work, bravery, and sacrifice with a display of the Thin Blue Line Flag, and;

WHEREAS, The Town of Braintree prides itself on being a community of inclusion where respect is extended for the dignity and worth of all of our residents regardless of race or origin, and;

IN RECOGNITION of the recent history of misuse of the Thin Blue Line flag in demonstrations of white supremacy or otherwise as a divisive tool of political partisanship, and;

WHEREAS, The Braintree Town Council does not wish for the meaning of this flag to be misconstrued as representative of anything other than a solemn gesture of reverence for the sacrifices our police officers make on our behalf and especially for those who have fallen in the line of duty, and;

WHEREAS, The Town of Braintree has recently purchased land at the corner of Liberty and Grove Street for the purpose of establishing a pocket park on that site,

BE IT THEREFORE RESOLVED that The Town of Braintree hereby designates that pocket park as a police memorial park, and;

BE IT THEREFORE RESOLVED that The Town of Braintree will invite the Braintree Police Department to determine the manner in which police will be memorialized there, and;

BE IT THEREFORE RESOLVED that the Town Council supports the allocation of funding to build a permanent memorial on that site, and;

BE IT FINALLY RESOLVED that the Thin Blue Line Flag will be respectfully removed from the Braintree Fire Truck to be displayed at the Braintree Police Department until it can be moved to fly in perpetuity on the site of the police memorial park at the corner of Liberty & Grove Street.

Much discussion took place whether the Fire Department should be allowed to fly the thin blue line flag.

President Hume stated she reached out and spoke to the Braintree Fire Chief and the Firefighters. The flag to them means they are honoring the men and women who they have lost. It has no other meaning to them. It is a true symbol of support and solidarity to the men and women who have lost their lives. This issue is created to divide in this community. I hope we can all come together. COVID has heightened the way people are acting. I ask people to think when you are behind a keyboard and if you would say it to someone's face then go ahead and hit enter.

Councilor Ryan stated there was good intent and good spirit brought forward by Councilor Flaherty to find ways to honor our Police Officers.

Councilor Connors stated we have been inundated with emails from residents for and against this flag. One stated "...please be open about the struggles of racial justice in the USA..." I think everyone here agrees with this. The Council has also begun action to continue the community conversation on racial and social diversity, equity and inclusion. My hope is we as a town can work within the community to change to end racism while also supporting our fallen officers.

Councilor Ringius stated these proposed resolutions from Councilor Flaherty are completely new resolutions not just amendments to Councilor Mackin's proposal.

Councilor Flaherty stated my resolutions are to honor Police Officers without placing a symbol in a place where it can be misconstrued.

Councilor Hume stated we are still looking for a consultant because of this issue they are in high demand. I have been working with the Mayor's office, Police and Fire and Superintendent of Schools. We will be having this consultant. I did not want to rush it and want to get the right person and the right fit for Braintree.

Councilor O'Brien mentioned the Hatch Act and stated this does not specifically apply to it because it is not a political statement. I did gather this information from our Town Solicitor.

The final line of the resolution proposed by Councilor Mackin was revised by Councilor Hume to read:  
*This resolution shall ~~mandate a~~ decree that the Braintree Fire Department be allowed to fly the thin blue line flag for as long as they so choose, for these purposes.*

**Motion:** by Councilor Hume to amend the final line of the proposed resolution from Councilor Mackin

**Second:** by Councilor Mackin

**Roll Call Vote:** For (8 – Boericke, Connors, Flaherty, Hume, Mackin, Ringius, Ryan, Sciascia),  
Against (1 – O'Brien), Absent (0), Abstain (0)

The amended resolution was read and voted:

**Motion:** by Councilor Mackin **A RESOLUTION TO DECREE THAT THE BRAINTREE FIRE DEPARTMENT IS ALLOWED TO FLY THE 'THIN BLUE LINE FLAG' FOR AS LONG AS IT DESIRES**

**Second:** by Councilor Ringius

**Roll Call Vote:** For (6 – Connors, Hume, Mackin, Ringius, Ryan, Sciascia),  
Against (3 – Boericke, Flaherty, O'Brien), Absent (0), Abstain (0)

A Roll Call Vote was taken for this Resolution with the votes being 6 in favor and 3 opposed. This motion passes.

President Hume asked is there a motion for the following to be referred to Committee(s):  
Councilor Ringius read the following items for referral to committee(s):

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

- 20 058 Mayor: Request for Appropriation - Braintree Historic Inventory 2020 Project or take up any action relative thereto

Motion made by Councilor Ringius to refer to the Committee of Ways & Means Council Order 20 058

**Motion:** by Councilor Ringius to Refer to the Committee of Ways & Means Town Council Order 20 058

**Second:** by Councilor Ryan

**Roll Call Vote:** For (9 – Boericke, Connors, Flaherty, Hume, Mackin, O'Brien, Ringius, Ryan, Sciascia),  
Against (0), Absent (0), Abstain (0)

- 20 059 Council President: Re-appointment of Outside Auditor or take up any action relative thereto

Motion made by Councilor Ringius to refer to the Committee of Ways & Means Council Order 20 059

**Motion:** by Councilor Ringius to Refer to the Committee of Ways & Means Town Council Order 20 059

**Second:** by Councilor Ryan

**Roll Call Vote:** For (9 – Boericke, Connors, Flaherty, Hume, Mackin, O'Brien, Ringius, Ryan, Sciascia), Against (0), Absent (0), Abstain (0)

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

- 20 060 National Grid Petition: 14 Sterling Park or take up any action relative thereto
- 20 061 National Grid Petition: 79 Edgemont Road or take up any action relative thereto
- 20 062 National Grid Petition: Linden Street or take up any action relative thereto
- 20 063 National Grid Petition: 15 Hemlock Street or take up any action relative thereto
- 20 064 National Grid Petition: 49 Cotton Avenue or take up any action relative thereto
- 20 065 National Grid Petition: 61 Birchcroft Road or take up any action relative thereto
- 20 066 National Grid Petition: 59 Hancock Street or take up any action relative thereto

Motion made by Councilor Ringius to refer to the Committee on the Department of Public Works Council Order 20 060 thru 20 066

**Motion:** by Councilor Ringius to Refer to the Committee of Ways & Means Council Order 20 060 thru 20 066

**Second:** by Councilor Ryan

**Roll Call Vote:** For (9 – Boericke, Connors, Flaherty, Hume, Mackin, O'Brien, Ringius, Ryan, Sciascia), Against (0), Absent (0), Abstain (0)

### **Refer to the Committee of Elder Affairs & Veteran Services**

- 029 20 Councilor Flaherty: Discussion - Committee Objectives or take up any action relative thereto

Motion made by Councilor Ringius to refer to the Committee of Elder Affairs & Veteran Services Council tracking number 029 20

**Motion:** by Councilor Ringius to refer to the Committee of Elder Affairs & Veteran Services Council tracking number 029 20

**Second:** by Councilor Ryan

**Roll Call Vote:** For (9 – Boericke, Connors, Flaherty, Hume, Mackin, O'Brien, Ringius, Ryan, Sciascia), Against (0), Absent (0), Abstain (0)

President Hume stated this item 033 20 is Same Night Action if no Councilor objects. All in favor by Roll Call Vote to place this on the agenda this evening.

**Refer to the Committee on Public Safety**

- 033 20 Councilor Sciascia: *Request to work with the school administration, DPW and residents to review likely walking and biking routes to schools and propose any changes necessary to insure safe passage/adequate bike routes/storage, etc. or take up any action relative thereto*

Motion made by Councilor Ringius to refer to the Committee on Public Safety  
Council tracking number 033 20

**Motion:** by Councilor Ringius to refer to the Committee Public Safety  
Council tracking number 033 20

**Second:** by Councilor Ryan

**Roll Call Vote:** For (9 – Boericke, Connors, Flaherty, Hume, Mackin, O’Brien, Ringius, Ryan, Sciascia),  
Against (0), Absent (0), Abstain (0)

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

**UPCOMING MEETINGS:**

Next Council Meeting scheduled on: **Tuesday, September 15, 2020 @7:30pm**

**ADJOURNMENT**

It was unanimously voted by roll call vote to adjourn the meeting at 10:40p.m.

Respectfully submitted,  
Susan M. Cimino, Clerk of the Council

**Meeting Documents**

- Minutes of July 15, 2020
- 002 20 Council President: Town Council Rules or take up any action relative thereto
- 20 056 Town Clerk: Call of the State General Election – November 3, 2020
- 20 057 Town Clerk: Designation of Early Voting Site/Dates/Times for State General Election
- 20 055 Mayor: FY20 Year End—Line Item Transfers or take up any action relative thereto



**TOWN OF BRAintree  
DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION**

Charles C. Kokoros, Mayor

John P. Thompson, PE  
Asst. DPW Director – Town Engineer  
[jthompson@braintreema.gov](mailto:jthompson@braintreema.gov)

Date: September 21, 2020  
To: Susan M. Cimino, Clerk of the Council  
From: John Thompson  
CC: Jim Arsenault, Ben Hulke  
RE: Street Opening Petition, 86 Hancock Street

\*\*\*\*\*

The DPW has reviewed the subject petition for the installation of a gas service line to the business at 86 Hancock Street. The gas main is located on the opposite side of Hancock Street in this instance, in the southbound travel lane.

Hancock Street is under the moratorium enacted by the Town in 2015 having been overlaid in 2019. For transverse trenches in a road resurfaced as Hancock Street was the moratorium is 5 years. Road openings may be made after 2024 without waiving the ordinance. Since the street is under the moratorium, I recommend that the petition not be granted. However, if the Council finds extenuating circumstances and there is no viable option to meet the business' needs without excavating the newly re-paved street, I would recommend that the petition for this road opening only be granted if the following conditions can be met:

A temporary patch shall be placed immediately after the work. The street excavation should be saw-cut, backfilled and compacted in 8-inch lifts, paved to match existing asphalt depth (with a minimum depth of four inches) in two inch lifts to match the existing street grade.

After maintaining the temporary patch through one winter, a permanent patch shall be placed the following May. The permanent patch should be milled curb to curb as to provide at least five feet of overlap on both sides from the temporary patch, but for a length no less than fifteen feet, and machine laid with 2-inches of asphalt top course. Tack coat should be applied to milled surfaces and joints prior to paving. Finished joints should be treated with infrared or with a rubberized asphalt sealer, at the Highway Superintendent's discretion.

Similarly, the new concrete sidewalk may be patched temporarily with asphalt, but must be replaced in-kind the following May. Entire flags of concrete must be replaced if disturbed.

All thermoplastic pavement markings should be replaced in-kind following the permanent patching, and surety in the amount of \$5000 should be put in place to guarantee the satisfactory completion of the repairs. We also recommend that the following requirement be added to the permit, if it is to be granted:

“Neither National Grid nor any contractor 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.”

September 17, 2020

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



**RE: 86 Hancock Street – Natural Gas Installation.**

Dear Ms. Cimino,

I am the sole owner of Integrated Electrical Systems Inc. and we have been in business for 22 years. I grew up in West Quincy, and while I currently live in Kingston, MA I have always kept close ties to the Quincy-Braintree area. My son and Son-In law currently work for the business with the intention of taking over the reins when I retire. We are investing for the long term and have no intention of moving.

I am writing to you today to request assistance from the Braintree Town Council with our effort to have National Grid bring Natural Gas piping to our recently purchased building at 86 Hancock Street in Braintree, MA.

We recently closed on the property May 15<sup>th</sup>, 2020. Our intention is to move our current offices and warehouse from 258 Willard Street in Quincy to 86 Hancock Street in Braintree.

The building currently has a forced hot air furnace fueled by oil and an electric hot water heater. I feel that it would be much more energy efficient and cost effective to heat the building and the domestic hot water with Natural Gas. There is also an issue with the existing location of the fuel fill pipe, Oil tank and Furnace which will conflict with the proposed layout of the facility.

We are currently on track to vacate the building by October 1<sup>st</sup>, 2020, with the intention to obtain permitting and proceed with a build-out of the 2<sup>nd</sup> floor space for our new office with some small modifications of the warehouse.

We started the application process on July 10<sup>th</sup> with National Grid and were under the impression that everything was on track for the underground pipe installation to be completed by the end of October. This scenario will work well with our intended occupancy of the new office space by the end of the year. It was not until September 11<sup>th</sup>, 2020 that we were made aware of the 8 year moratorium on digging up Hancock Street. This obviously throws a wrench into our plans. I immediately reached out to Councilor Hume on the same day and she got back to me within 24 hours.

I have included a copy of our plot plan with the proposed Gas line location and also some pictures of the building and the existing Oil fill line, tank and furnace for you information.

I sincerely appreciate how quickly all parties have responded to my requests and look forward to being able to resolve this issue.

Please let me know if you need anything else from me.

Thank you.

*Christopher J. Sidoti*

Christopher J Sidoti  
President



# MORTGAGE INSPECTION PLAN

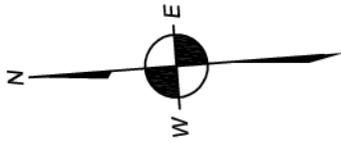
20-03868

LOCATION: 86 HANCOCK STREET  
 CITY, STATE: BRAINTREE, MA  
 APPLICANT:  
 CERTIFIED TO:  
 DATE: 04-02-2020



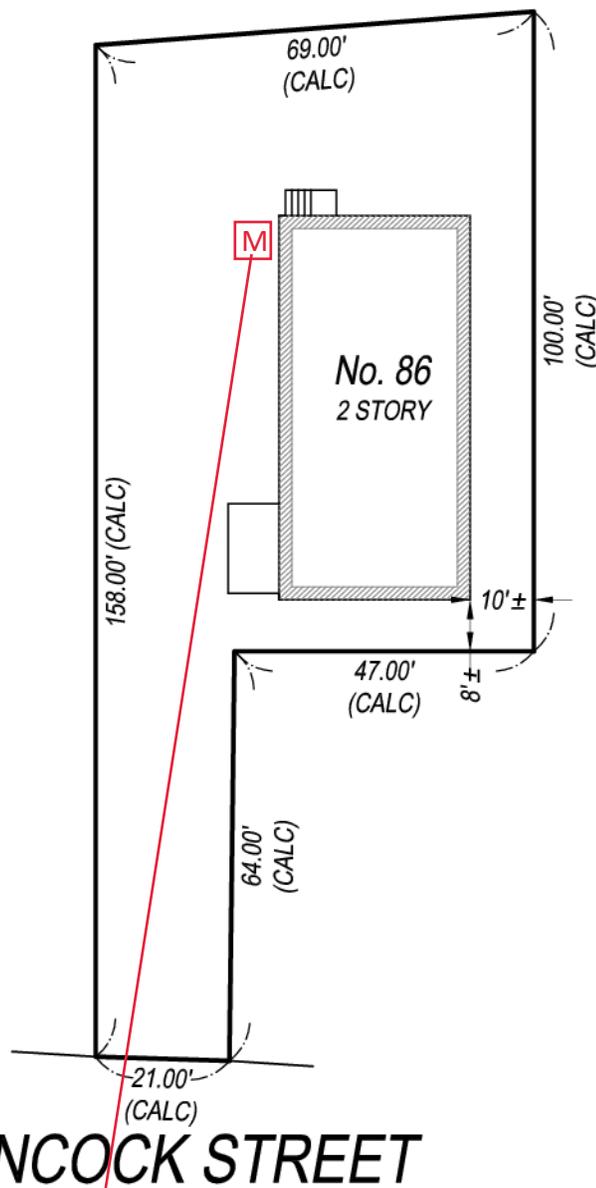
**BOSTON**  
**SURVEY, INC.**

P.O. BOX 290220  
 CHARLESTOWN, MA 02129  
 T (617) 242-1313; F (617) 242-1616  
 WWW.BOSTONSURVEYINC.COM



LOT CONFIGURATION BASED ON  
 ASSESSORS MAP. INSTRUMENT  
 SURVEY IS RECOMMENDED.

NO DIMENSIONS ON DEED.  
 ALL DIMENSIONS SCALED FROM  
 ASSESSORS MAP.



**HANCOCK STREET**

Proposed Gas Line and Meter

SCALE: 1" = 30'

**FLOOD DETERMINATION**

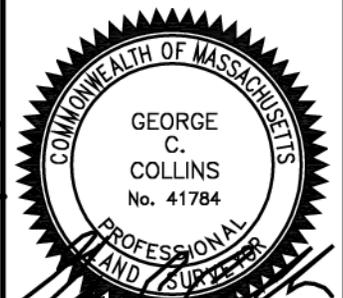
According to Federal Emergency Management Agency maps, the major improvements on this property fall in an area designated as **ZONE: X**

**COMMUNITY PANEL No. 25021C0209E**  
**EFFECTIVE DATE: 7/17/2012**

**REFERENCES**

**DEED REF: 9478/469**  
**PLAN REF:**

NOTE: To show an accurate scale this plan must be printed on legal sized paper (8.5" x 14")



George C. Collins, PLS

The permanent structures are approximately located on the ground as shown. They either conformed to the setback requirements of the local zoning ordinances in effect at the time of construction, or are exempt from violation enforcement action under M.G.L. Title VII, Chapter 40A, Section 7, and that are no encroachments of major improvements across property lines except as shown and noted hereon.

This is not a boundary or title insurance survey. This plan should not be used for construction, recording purposes or verification of property lines.



Charles C. Kokoros  
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: September 17, 2020

APPLICANT: Chris Sidoti

OWNER: Sidoti Properties LLC

ADDRESS: 86 Hancock Street

MAP & LOT: 1007 0 4B

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**

**Subject Parcel ID:**

**Subject Property Location:**

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
1006 0 60	64 64R HANCOCK ST	64 HANCOCK STREET LLC		64R HANCOCK STREET	BRAINTREE	MA	02184
1006 0 65	35 CRESCENT AV	HALL JEFFREY R TR	HALL PATRICIA A TR	35 CRESCENT AVE	BRAINTREE	MA	02184
1007 0 1	68 HANCOCK ST	FITZGERALD JOHN	JT REALTY TRUST	68 HANCOCK ST	BRAINTREE	MA	02184
1007 0 1A	70 HANCOCK ST	LEE PHILIP W TRUSTEE	PHILIP W LEE TRUST	70 HANCOCK ST	BRAINTREE	MA	02184
1007 0 2	72 HANCOCK ST	TROY DESIREE TR	72 HANCOCK ST REALTY T	72 HANCOCK ST	BRAINTREE	MA	02184
1007 0 2A	78 HANCOCK ST	SULLIVAN JAMES TR	78 HANCOCK TRUST	PO BOX 850918	BRAINTREE	MA	02185
1007 0 3	39 CRESCENT AV	DAILEY ANDREW M		8 GREAT ACRES DR	HANOVER	MA	02339
1007 0 3A	41 43 CRESCENT AV	HALL GLENN B		54 ALIDA RD	BRAINTREE	MA	02184
1007 0 4	82 HANCOCK ST	ERICKSON BONNIE L		82 HANCOCK STREET	BRAINTREE	MA	02184
1007 0 4A	38 CRESCENT AV	FLYNN WILLIAM J		114 ADDISON ST	BRAINTREE	MA	02184
1007 0 4B	86 HANCOCK ST	SIDOTI PROPERTIES LLC	FLYNN ELIZABETH A TRS	34 MEETING HOUSE RD	BRAINTREE	MA	02184
1007 0 4C	8 MYRTLE AV	FLYNN WILLIAM		114 ADDISON ST	KINGSTON	MA	02364
1007 0 5	88 HANCOCK ST	LAURIA DANIEL A/ROSEMARIE M T	LAURIA FINANCIAL TRUST	569 WASHINGTON STREET	BRAINTREE	MA	02184
1007 0 6	90 HANCOCK ST	WANG SHIWANG	WANG MEIRONG TIC	90 HANCOCK STREET	BRAINTREE	MA	02184
1007 0 7	110 HANCOCK ST	110 HANCOCK ST LLC	C/O TIMBERLINE ENTERPRI	4 POND ROAD	GLOUCESTER	MA	01930
1009 0 10	10 FREDERICK RD	CHEN WAN YUE	LIU JIA TAI TBYE	10 FREDERICK ROAD	BRAINTREE	MA	02184
1009 0 11	89 HANCOCK ST	CUSACK ROBERT M TRS	89 HANCOCK ST REALTY T	89 HANCOCK ST	BRAINTREE	MA	02184
1009 0 12	81 HANCOCK ST	AIELLO CHRISTOPHER		14 UNION PLACE	BRAINTREE	MA	02184
1009 0 13	11 FREDERICK RD	AIELLO CHRISTOPHER		14 UNION PLACE	BRAINTREE	MA	02184
1009 0 16	15 FREDERICK RD	EGO HEATHER EMILY TR	15 FREDERICK ROAD REAL	15 FREDERICK RD	BRAINTREE	MA	02184
1009 0 17	15 FREDERICK RD	EGO HEATHER EMILY		15 FREDERICK RD	BRAINTREE	MA	02184
1009 0 19	19 FREDERICK RD	MURRAY JOHN D	MURRAY GLORIA J	19 FREDERICK ROAD	BRAINTREE	MA	02184
1009 0 31	8 THAYER PL	YANG HONG QI	CHEN QIN YUN	8 THAYER PL	Braintree	MA	02184
1009 0 46	31 HALL AV	GITLIN ALEXANDER TR	GITLIN NELLY	68 EVERGREEN AVE	BRAINTREE	MA	02184
1009 0 47	37 HALL AV	MCLEAN MICHAEL M		37 HALL AVE	BRAINTREE	MA	02184
1009 0 48	32 34 HALL AV	CAPLAN MICHAEL	CAPLAN ALBA TBYE	12 THAYER PL	BRAINTREE	MA	02184
1009 0 60	65 HANCOCK ST	65 HANCOCK LLC		21 GROVE CIRCLE	BRAINTREE	MA	02184
1009 0 61	71 HANCOCK ST	GRACE PROPERTIES LLC		56 POWDER HILL DR	BRAINTREE	MA	02184
1009 0 62	75 HANCOCK ST	AIELLO ROGER E TRS	ROGER E AIELLO REVOCAB	24 FABIANO DRIVE	BRAINTREE	MA	02184
1009 0 64	99 HANCOCK ST	B&F HANCOCK STREET LLC		PO BOX 850028	BRAINTREE	MA	02185
1009 0 68	107 HANCOCK ST	PATTAVINA VINCENT/O FRANCES	HANCOCK STREET REALTY	327 SUMMER ST	STOUGHTON	MA	02072
1009 0 8	16 FREDERICK RD	IORANOV LIUBOMIRE G	IORANOV TATIANA S TBY	16 FREDERICK ROAD	BRAINTREE	MA	02184
1031 0 5	HANCOCK AV	HOLLINGSWORTH POND LLC	c/o MESSINA ENTERPRISE	400 FRANKLIN STREET	BRAINTREE	MA	02184

Parcel Count: 33

**End of Report**



150 Potter Road  
Braintree, MA 02184  
www.beld.com  
781.348.BELD  
781.348.1003 fax

Date: 9/23/20

Ms. Susan Cimino  
One JFK Memorial Drive  
Braintree, Ma 02184

Dear Ms. Cimino,

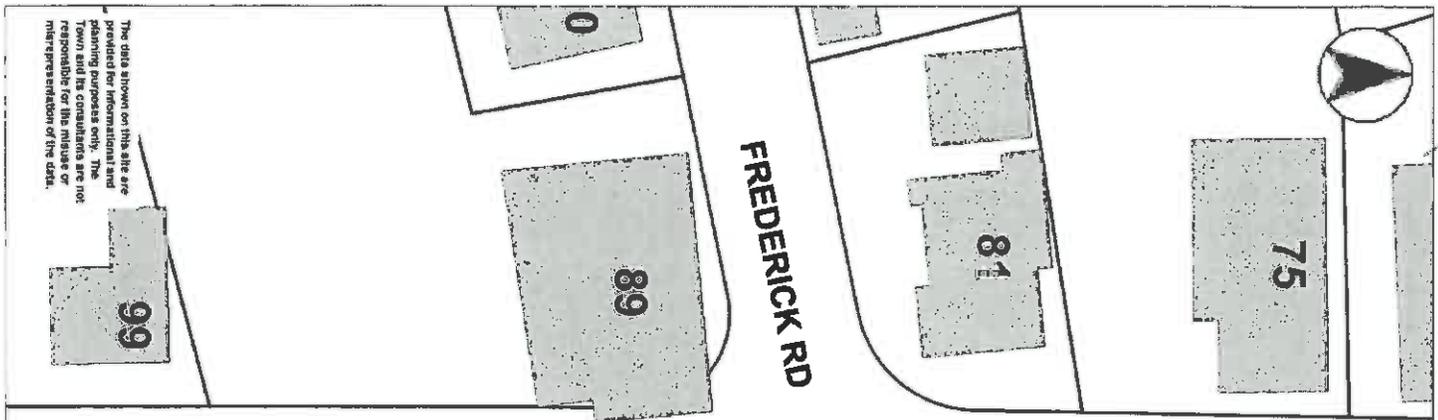
RE: 86 Hancock Street/NGRID

BELD has no underground electric utility conflicts or special requirements within the proposed scope of work.

Sincerely,

Darron MacDonald  
Field Engineer  
Office: 781.348-1072  
Cell: 339-235-6450

33



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.



- Places
  - Police Station
  - Fire Station
  - Library
  - Town Hall
  - School Building
- Buildings
- Parcels
- Town Boundary
- MA Highways
- Interstate
- US Highway Routes
- Abutting Towns Labels
- Streets
- Major Streams
- Waterbodies

0 71 142 ft

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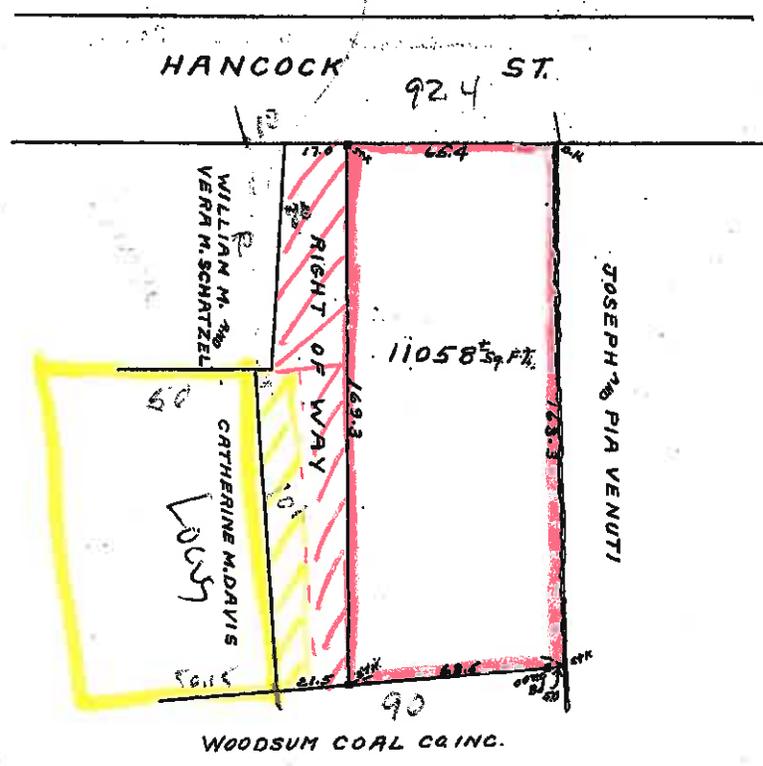
32

NOT AN OFFICIAL COPY

NOT AN OFFICIAL COPY



2634-496



PLAN OF LAND  
 IN  
 BRAINTREE MASS.  
 MAY 27, 1948 SCALE 1 INCH = 40 FT.  
 WARREN CUFF SURVEYOR

Norfolk Registry of Deeds  
 DEDHAM, MASS.  
 Received May 28, 1948 with Deed  
 William Davis to  
 Walter H. Rhindress  
 Filed as No. 442-1948 Bk. 2757 Pg. 294.  
 Attest: *L. Thomas Shine*  
 Register.

90-4483

pl. 2757-294



#20-069

## Office of the Mayor

One JFK Memorial Drive  
Braintree, Massachusetts 02184

Charles C. Kokoros  
Mayor

781-794-8100

To: Shannon L. Hume, President of the Council  
Susan Cimino, Clerk of the Council  
James Casey, Town Clerk

From: Charles C. Kokoros, Mayor *OCK*

CC: Nicole I. Taub, Chief of Staff and Director of Operations  
Christine Stickney, Director, Planning and Community Development  
Kelly Phelan, Conservation Planner, Planning and Community Development

Date: September 29, 2020

Re: Smelt Brook Culvert & Fisheries Habitat Restoration (Phase I)

RECEIVED TOWN CLERK  
BRAINTREE, MA  
2020 OCT - 1 AM 11:02

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President Hume, Clerk Cimino, Clerk Casey,

At the September 21, 2020 meeting of the Community Preservation Committee, the Committee voted unanimously to recommend the appropriation of Community Preservation Act funds for the Smelt Brook Culvert & Fisheries Habitat Restoration (Phase I).

The project, located in the Landing (beneath Commercial Street), included work to the existing culvert with over one hundred (100) linear feet of culvert replacement, relocation of existing utilities and a new culvert bottom installed with a specialized spawning bottom to mimic the natural stone lined channel bottom. Additionally, beyond the Commercial Street layout, approximately one hundred and fifty (150) feet of culvert was daylighted as part of the project.

A second phase is forthcoming that will create a small passive pocket park around the daylighting with interpretive signage explaining the fishery habitat and life cycles.

A copy of the application provided to the Community Preservation Committee is attached for your review.

Accordingly, your review and approval of the following motion is requested:

MOTION: That in accordance with the provisions of Chapter 44B of the General Laws and with the recommendation of the Community Preservation Committee, the appropriation of \$250,000.00 from the CPA Open Space Fund for the Smelt Brook Culvert & Fisheries Habitat Restoration Project (Phase I) in the Landing, located beneath Commercial Street running west to east (at #6 across to #5) at the corporate line with the Town of Weymouth, conditional on the funds expended under the direction of the Community Preservation Committee and the Director of Planning and Community Development.

**BRAINTREE COMMUNITY PRESERVATION COMMITTEE  
APPLICATION FORM**

Project Name SMELT BROOK CULVERT & FISHERIES HABITAT RESTORATION  
PHASE I

Project Location BENEATH COMMERCIAL STREET (BRAINTREE-WEYMOUTH)

Assessors' Plan and Plot (See attached site plan)

Recorded at \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_

Category (check all that apply):

Open Space                      Number of acres in parcel \_\_\_\_\_

Recreation                      Number of acres in parcel \_\_\_\_\_

Historic Preservation

Affordable Housing              Number of proposed housing units \_\_\_\_\_

CPA Funding requested: \$ 250,000.00

Percentage of Project Funded by CPA: 40%

Percentage of Project Funded by Other Funds: 60% MASS WORKS GRANT (T.O.W)

Fiscal Year Request:

2020 \$ \$250,000.00                      2021 \$ \_\_\_\_\_

2022 \$ \_\_\_\_\_

Expected annual operational/maintenance cost to the town after completion of project:  
\$ \_\_\_\_\_ (Include narrative explaining)

Project Sponsor/Organization MAYOR CHARLES C. KOKOROS

Contact Nicole Taub, Chief of Staff

Address 1 JFK Memorial Drive - Town Hall

Day-time Phone # 781-794-8153

E-Mail [NTaub@braintree.ma.gov](mailto:NTaub@braintree.ma.gov)

Applicant's Signature Charles C. Kokoros

Property Owner's Signature Charles C. Kokoros

RECEIVED TOWN CLERK  
BRAINTREE, MA  
2020 OCT - 1 AM 11:02

**Project Description and Statement of Need:**

Mayor Charles C. Kokoros is seeking Community Preservation Act (CPA) funding in the amount of **\$250,000.00** for the Smelt Brook daylighting and culvert replacement project within and beneath the Braintree-Weymouth Landing commercial area located in both Towns. In 2007, with the reactivation of the Greenbush Commuter rail service, the Landing had become an area of potential investment for transit orient development. The efforts to stimulate development in the area also required the Town's to protect and enhance the ecological environment as well as the economic environment of the Landing. In 2010, a Public Works Economic Development (PWED) was granted to both Town's (2 million) for improvement of the overall streetscape in the Landing area as a public economic enhancement to stimulate private development. In 2017, both Town's discussed the project that included the replacement of the failing culvert to increase flood resistance, maintain storm water drainage as well as the restoration of the fish habitat as part of the larger effort in the daylighting and Park in the Landing. The Town of Weymouth pursued and obtained a Mass Works grant for \$1.6 million and an additional \$640,000.00 towards the culvert replacement and daylighting.

The Smelt Brook culvert was in need of attention, over 100 years old, the brook had been piped in the early 1900's and given its age was in jeopardy of failure and it was also impeding the natural spawning habitat of the smelt fish reproduction in their natural ecosystem further up into the Pond Meadow Park. The project involved the replacement of approx. 100' linear feet of culvert and pre-existing block walls beneath Commercial Street of the original Smelt Brook that ran underground in both communities. In addition many existing utilities had to be either relocated or encased beneath the culvert floor as part of the excavation. The construction involved a culvert designed with a specialized bottom to mimic the natural fisheries habitat. The culvert bottom installed has a unique spawning substrate between 4"- 8" in depth of cracked stone within the bottom of the low flow channel. The bottom design impersonates the natural stone lined bottom of a brook or creek typical of the natural habitat for the spawning areas of smelt and other fish species common to the area. Extending beneath Commercial Street west to east, and once beyond the Commercial Street layout the existing culvert walls were reconstructed and culvert top removed for daylighting for the channel bottom to be exposed to sunlight approximately 150' linear feet also needed for fish to spawn. The culvert then was reconnected to the existing subsurface culvert that eventually discharges into the Fore River. Reconstruction of the culvert and the daylighting of the Smelt Brook was completed in the spring of 2020. A mutual effort by both Town's town to restore the fisheries habitat and improve the overall flood storage and resistance of Smelt Brook at a cost of approximately 1.6 million.

The construction was time sensitive due to elements of the grant funding but also with the state prohibition of work between the months of March thru June the normal spawning duration of the smelt fish. The project was started as soon as possible and managed by the Town of Weymouth through the six months of construction because of the time sensitive issues. This was the initial phase of a multi-phased project in conjunction Pond Meadow Park, a regional environmental resource shared by both Towns and lower end of the Smelt Brook in the Landing. In addition to the culvert and day lighted work additional phases include the development of a park along the Smelt Brook in the Landing both as an eco-tourism effort as well as pedestrian connection from the commercial area of the Landing to the Weymouth Fore River Basin estuary.

**Cost Benefit Analysis:**

In 2009, when attention was beginning to focus on revitalization efforts in the Braintree-Weymouth Landing, the area had fallen into blight with closed storefronts, vacancy signs and buildings in disrepair. The reactivation of the Greenbush Commuter Rail brought public transportation to the area with direct service to Boston and south to Scituate plus connection to other transportation hubs for rail, buses and Logan Airport. The public investment by Braintree and Weymouth with the new streetscape including wider sidewalks, improved traffic signalization, drainage improvements and other related activities resulted in private interest in developing the area. One of the first and major projects was the Landing 53 apartments (173 rental units and 12,000 SF of first floor commercial space) and on-site underground parking for the tenants. A surface public parking area to the rear of the Landing 53 building is available for customers to the area. Additional interest in revitalization began to occur on both sides of the Town line of Weymouth and Braintree and can be seen today with new businesses to the area and a renewed interest in available tenant space. Today on the Braintree side the vacancy rate is minimal. Storefronts have been improved and occupied with new uses including many food establishments such as restaurants with dine in and take out amenities for Landing 53 residents and a coffee shop for those commuters on the run are both examples of new business tenants. The overall promotion of a pedestrian friendly area has begun to take hold.

The proposed culvert replacement and daylighting of Smelt Brook will also help in efforts for a pedestrian friendly area where consumers will enjoy coming and visiting the different options the Landing has to offer. These improvements are links to a larger connectivity effort of the Monaquot River and Fore River Basin and Pond Meadow Park. Both Towns have implemented public recreational efforts in their respective towns along the River with walking paths, canoe launches and other water related activities. Promoting pedestrian activities also provides less automobile reliance especially for the abutting residential neighborhoods who can now walk to the Landing by means of a connecting sidewalk system and beyond to the Weymouth Fore River basin.

The funding requested under the Community Preservation Act (CPA) is now providing amenities and uses that can be shared and observed by the general public of both communities. The benefit from the CPA investment with this project may not be easily recognizable immediately but will with time and adaptation will meet the goals of the Community Preservation Act. Under Phase II pedestrians will be able to view at the daylighting portion the natural habitat and spawning cycle as they walk to and through this area. Results take time to be witnessed. The environmental benefit will also take time, the culvert and daylighting will be monitored by the Division of Fisheries and other local entities (Pond Meadow Park and two Town's Conservation Commissions) to see how the passage for the fish is working and if the spawning season is successful but may take more than one spawning season for adaptation and to quantify results.

**CPA Goals & Objectives:**

The Smelt Brook Culvert replacement & daylighting project has regional benefits to both the Town of Braintree & Weymouth through the goals and objectives of Open Space category of the Community Preservation Act:

Preservation and protection of a natural resource Smelt Brook and its connection to the Weymouth Fore River tidal basin.

Provides flood control/storm water storage for the Braintree-Weymouth Landing Area in conjunction with past flood control measures undertaken by the Army Corps of Engineers with the Pond Meadow Park district and Smelt Brook corridor.

This project has protected and enhanced the fisheries habitat and spawning areas of smelt fish their ecosystem including upstream for vegetation and the other corridors for wildlife habitat. Opening/daylighting of the Smelt Brook where it had been previously covered over by degraded structures provides a natural enhancement in the Landing.

This project in addition to the habitat and spawning areas provides a passive recreational area to watch the wildlife in their natural habitat and provides a passive public park area within the Landing with connections both north and south to other recreational opportunities. To the south in Weymouth the Tuft's old library recreational area and public library. To the north in Braintree to the Weymouth Fore River Basin and portions of the Monaquot River upstream.

The Smelt Brook Culvert replacement & daylighting project benefits the Town of Braintree and Weymouth through the goals and objectives of Historic Preservation category of the Community Preservation Act: Protecting historical resources, especially those that are threatened and recognizing, preserving and enhancing the historic heritage and character of the Town for current and future generations.

Smelt Brook has been documented in existence in some form or another since the early 1800's and was navigable waterway connecting to the Fore River to accommodate vessels where a community based in maritime uses, fisheries, shipping merchants and shipbuilding grew around the Landing area. A natural historic feature that was utilized in the overall development of the Landing and East Braintree, Smelt Brook was both a natural feature and economic engine in the part of Braintree. In the early 1800's, the Rhines Lumber Yard is photographed being serviced by vessels arriving and departing from Smelt Brook to the Fore River as were other business with wharves, landing and storehouses.

As the Landing community grew and developed, Smelt Brook began to endure the physical pressures especially with the old Boston and Plymouth Road (today Route 53) and development in the area. Commercial buildings began to develop in the Landing that were accessible by a main roadway and waterway which proved to be a desirable to locate new business. Shipbuilding was a major industry in this area employing many Braintree residents. Fishing was both an industry and recreational activity of extreme concern to the residents of Braintree over the years. Often a point of discussion at Town Meetings, ensuring the passage for fish was not blocked by dams or development. In 1950, the final piping of Smelt Brook was proposed to assist in flood storage and to address development pressures for use of land near the water, funding proposed at Town Meeting was probably the last major attention to the culvert. Later in 1976 the creation of the Weymouth-Braintree Regional Recreation and Conservation District along with the flood control project by the Army Corp of Engineers would substantially change Smelt Brook with a new 96" diversion pipe that split the natural flow and has remained as such until recently. Control of the downstream water was a manual task of the Pond Meadow rangers during high rain events and the spawning season.

**Project Scope & Cost, Budget & Timeline:**

Phase I has been completed as to underground work in the spring of 2020 and Phase II (future CPC application) daylighting and passive small park is anticipated to start fall of 2020 into the spring/summer of 2021.

Operation/Maintenance costs will include annual inspections of the culvert which is presently done by the Pond Meadow Park Rangers. Upstream is the Army Corp trash grate structure that collects large debris that may be swept downstream during a storm event preventing entrance into the culvert and is routinely monitored by Pond Meadow Park rangers. Very little maintenance anticipated since it is design for a natural habitat.

**Similar Projects:**

The following projects and their descriptions were obtained from the Community Preservation Coalition Data Project list:

**Mashpee – Restoration of the Upper Quashnet River System (5/6/2019)**

To restore the Upper Quashnet River system in the John's Pond Conservation Land to improve water quality, aquatic and riverbank habitat, and to re-establish a once prolific water fishery for Sea Brook Trout. CPA Funds: \$320k (Open Space)

**Needham – Memorial Park Improvements (5/9/2016)**

Construction funds to implement drainage project at Memorial Park  
CPA Funds: \$35k (Recreation)

**Falmouth – Upper Childs River & Farley Bog restoration (4/9/2018)**

This project will rehabilitate and restore the Upper Childs River as a cold water fishery and restore the Farley Bog to a wetlands habitat. The project consists of final design and engineering and initial construction associated with removal of an earthen dam and abandoned concrete fish ladder, removal of impounded sediment, and construction of a new channel through the former impoundment. Total Project cost: \$1,589,628 CPA Funds: \$150k (Open Space & Recr.)

**Hingham – Foundry Pond Restoration (4/26/2010)**

Remove built up sediment to restore Pond, i.e., increase surface area to former dimensions for better control of the dam, reduce localized flooding, restore fish habitat and plant material.  
Total Project Cost: \$650k CPA Funds \$165k (Open Space)

**Cohasset – Stormwater Best Management Controls (3/29/2008)**

Designing, installing and constructing of Stormwater Best Management Practice controls.  
CPA Funds: \$35K (Open Space)

**Oak Bluffs – Farm Pond Culvert (12/4/2015 & 4/12/2016)**

Part of the 35% town match required to accept \$1,000,000 federal grant to replace Farm Pond culvert. Second half of approved funds to be used for the Town's 35% match required to accept federal grant to replace the Farm Pond culvert. CPA Funds: \$125k (Open Space)

MEBI Consulting  
1000 Main Street, Suite 200  
Weymouth, MA 01988  
Tel: 781.938.1100  
Fax: 781.938.1101  
www.mebiconsulting.com



Town of Weymouth  
Attest: [Signature]  
Weymouth, Massachusetts  
May 18, 2017

PROJECT NAME: Smeeth Brook Daylighting  
PROJECT NUMBER: 181000003  
DATE: May 18, 2017

PROJECT LOCATION: Weymouth, Massachusetts 02189  
PROJECT OWNER: [Name]

PROJECT NUMBER: 181000003  
DATE: May 18, 2017

PROJECT LOCATION: Weymouth, Massachusetts 02189  
PROJECT OWNER: [Name]

PROJECT NUMBER: 181000003  
DATE: May 18, 2017

PROJECT LOCATION: Weymouth, Massachusetts 02189  
PROJECT OWNER: [Name]

PROJECT NUMBER: 181000003  
DATE: May 18, 2017

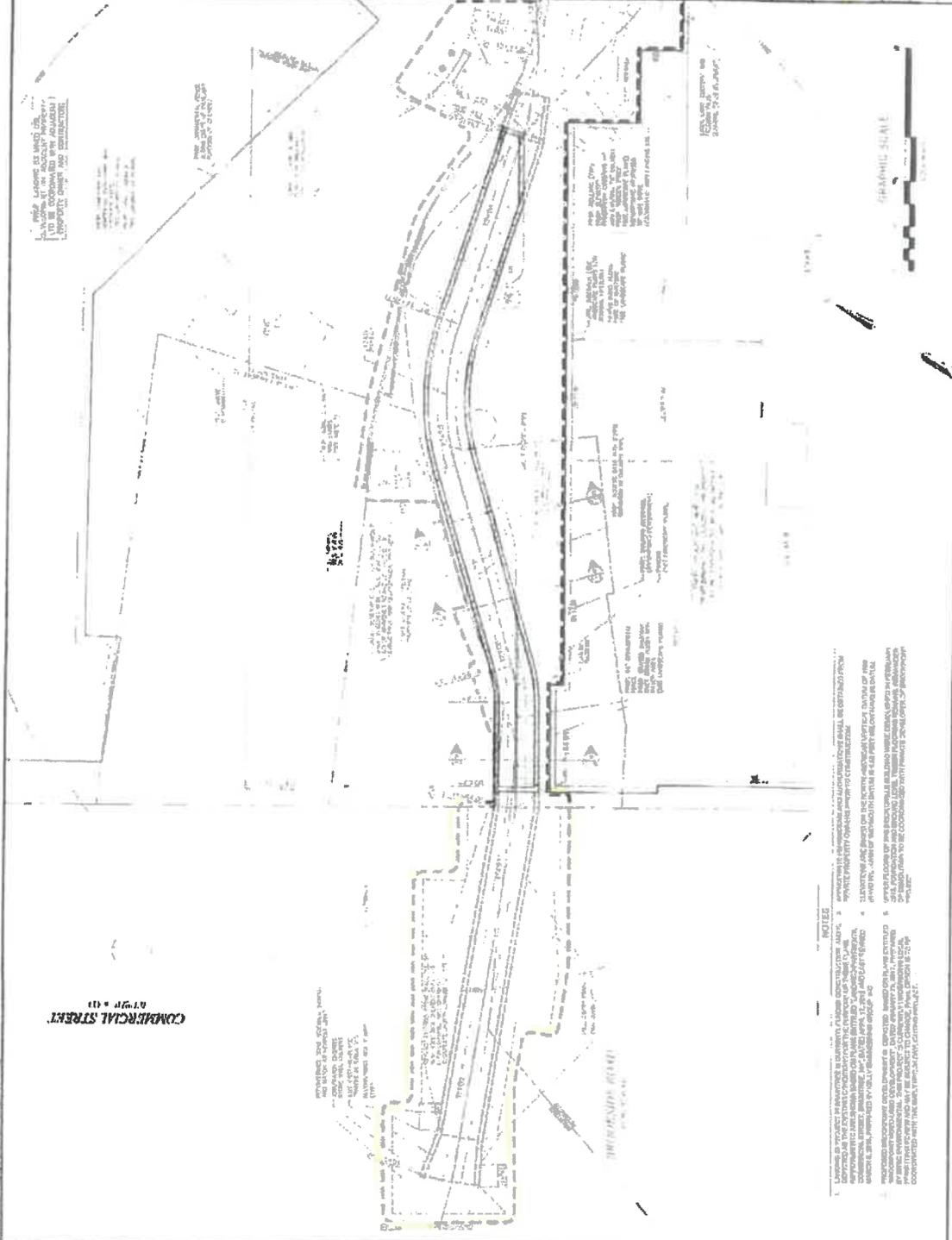
PROJECT LOCATION: Weymouth, Massachusetts 02189  
PROJECT OWNER: [Name]

PROJECT NUMBER: 181000003  
DATE: May 18, 2017

PROJECT LOCATION: Weymouth, Massachusetts 02189  
PROJECT OWNER: [Name]

PROJECT NUMBER: 181000003  
DATE: May 18, 2017

PROJECT LOCATION: Weymouth, Massachusetts 02189  
PROJECT OWNER: [Name]



NOTES:  
1. LAYOUT IS SUBJECT TO REVISIONS AS REQUIRED TO ACCOMMODATE ALL NECESSARY PERMITS AND REGULATIONS.  
2. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.  
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.  
5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.  
6. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.  
7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.  
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9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.  
10. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.



C-5

DATE: 5/18/17  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
SCALE: AS SHOWN



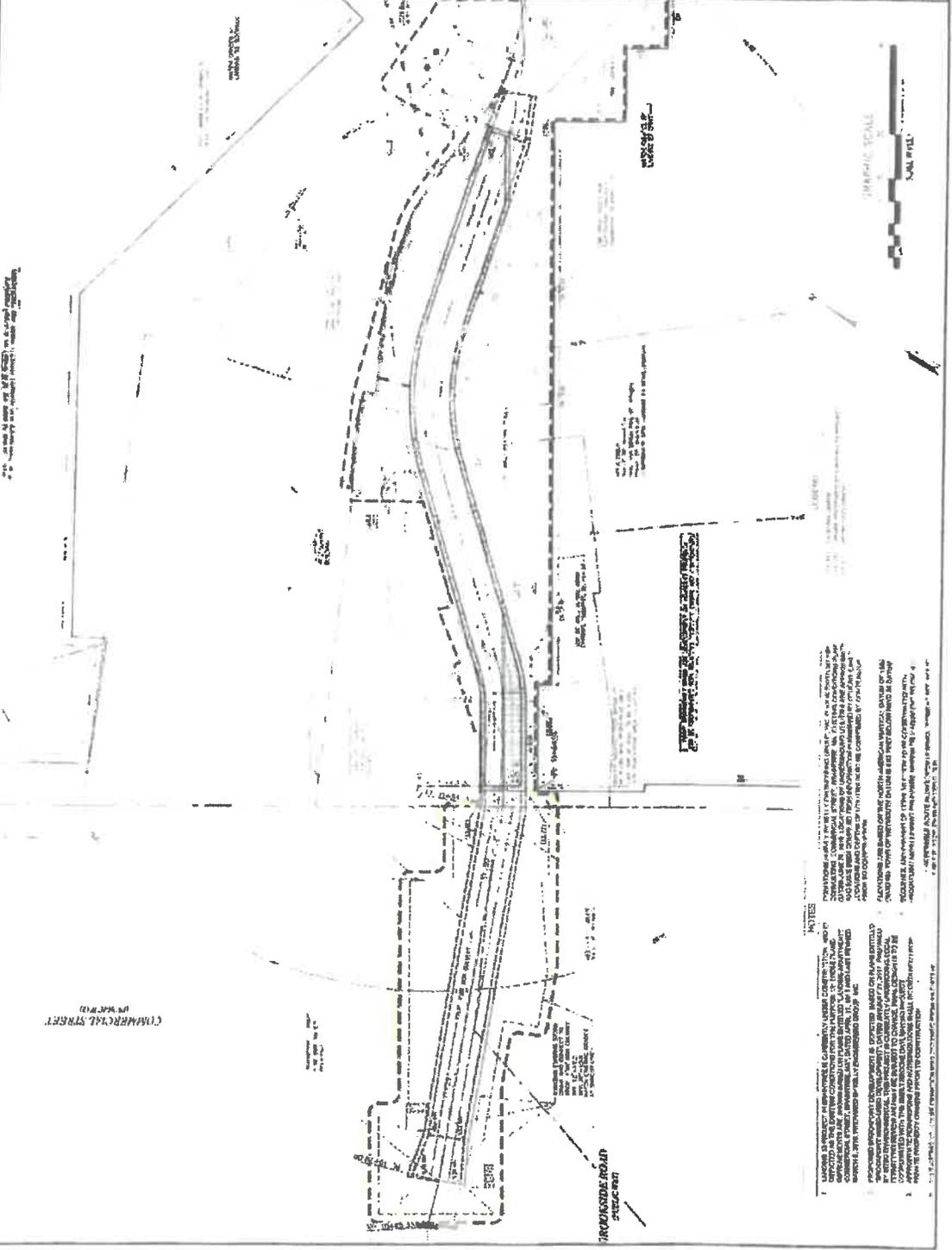
Town of Weymouth  
 200 Main Street  
 Weymouth, MA 01988  
 Tel: 781.338.2111

PROJECT NUMBER:  
 141000000  
 PROJECT NAME:  
 Small Brook Daylighting

PROJECT LOCATION:  
 Weymouth, Massachusetts City  
 Norfolk County

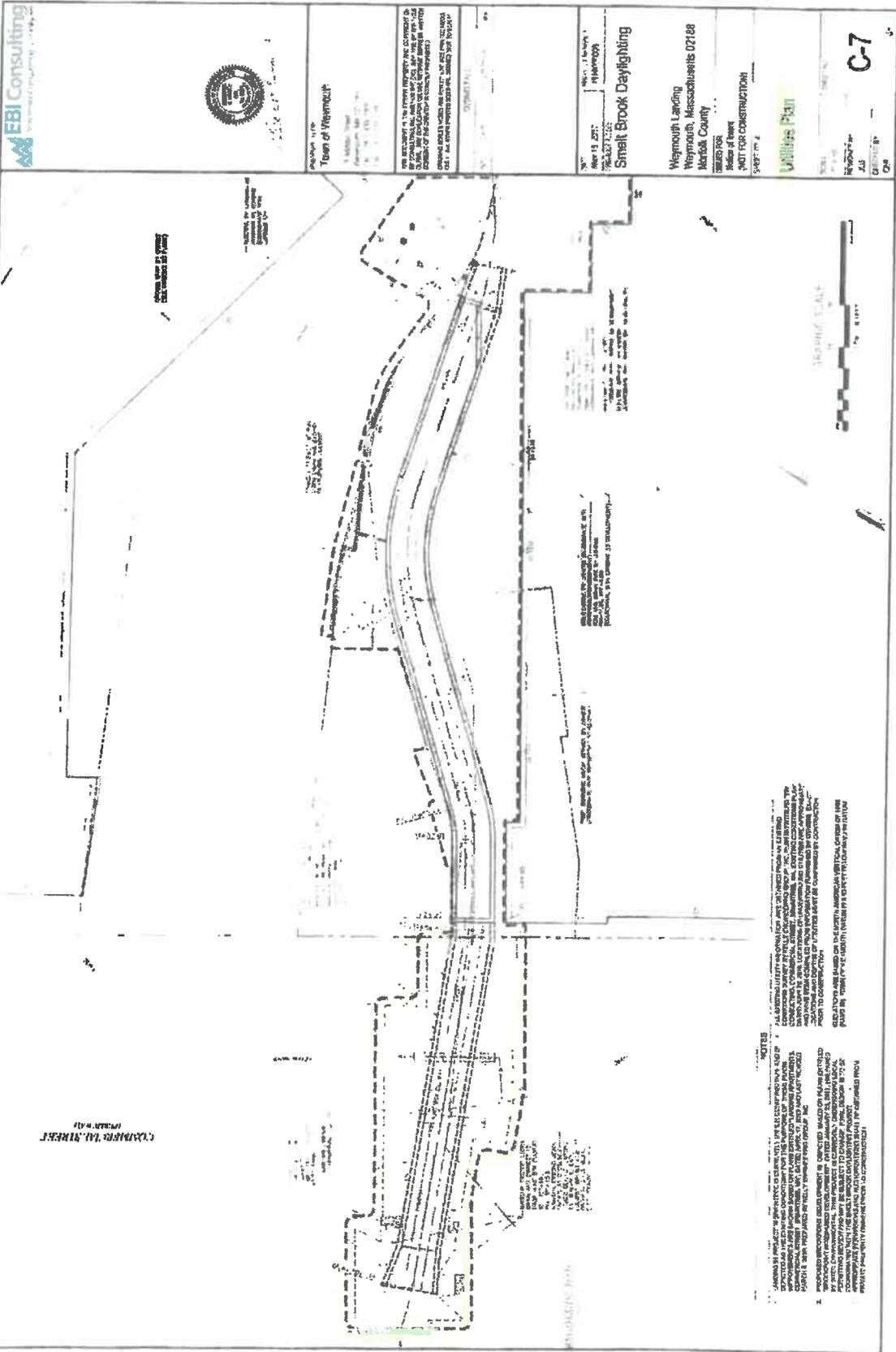
DATE OF THIS REPORT:  
 08/15/2014

PROJECT TITLE:  
 C-6



**NOTES**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE TOWN OF WEYMOUTH SPECIFICATIONS FOR ROADWAY CONSTRUCTION, LATEST EDITION, AND THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION SPECIFICATIONS FOR ROADWAY CONSTRUCTION, LATEST EDITION.
2. THE PROJECT SHALL BE DESIGNED AND CONSTRUCTED TO MEET THE DESIGN CRITERIA SET FORTH IN THE TOWN OF WEYMOUTH SPECIFICATIONS FOR ROADWAY CONSTRUCTION, LATEST EDITION, AND THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION SPECIFICATIONS FOR ROADWAY CONSTRUCTION, LATEST EDITION.
3. THE PROJECT SHALL BE DESIGNED AND CONSTRUCTED TO MEET THE DESIGN CRITERIA SET FORTH IN THE TOWN OF WEYMOUTH SPECIFICATIONS FOR ROADWAY CONSTRUCTION, LATEST EDITION, AND THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION SPECIFICATIONS FOR ROADWAY CONSTRUCTION, LATEST EDITION.
4. THE PROJECT SHALL BE DESIGNED AND CONSTRUCTED TO MEET THE DESIGN CRITERIA SET FORTH IN THE TOWN OF WEYMOUTH SPECIFICATIONS FOR ROADWAY CONSTRUCTION, LATEST EDITION, AND THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION SPECIFICATIONS FOR ROADWAY CONSTRUCTION, LATEST EDITION.



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 Environmental & Biological  
 1000 Main Street, Suite 200  
 Weymouth, MA 02190  
 Phone: 781.938.8800  
 Fax: 781.938.8801  
 www.ebi-consulting.com



**Project Name:**  
 Town of Weymouth  
 1. Project Name  
 2. Project Location  
 3. Project Description

**Project Description:**  
 The purpose of this project is to daylight the Small Brook in the Town of Weymouth, Massachusetts. The project involves the construction of a new structure to replace the existing structure, which is currently in poor condition. The new structure will be designed to meet the requirements of the Massachusetts Department of Environmental Protection (MDEP) and the Town of Weymouth. The project will also include the installation of a new structure to replace the existing structure, which is currently in poor condition. The new structure will be designed to meet the requirements of the Massachusetts Department of Environmental Protection (MDEP) and the Town of Weymouth.

**Project Location:**  
 Weymouth Landing  
 Weymouth, Massachusetts 02188  
 Norfolk County  
 Project No. 20-069

**Project Description:**  
 Weymouth Landing  
 Weymouth, Massachusetts 02188  
 Norfolk County  
 Project No. 20-069

**Project Description:**  
 Weymouth Landing  
 Weymouth, Massachusetts 02188  
 Norfolk County  
 Project No. 20-069

**NOTES:**  
 1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.  
 2. THE PROPOSED STRUCTURE IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION (MDEP) AND THE TOWN OF WEYMOUTH.  
 3. THE PROPOSED STRUCTURE IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION (MDEP) AND THE TOWN OF WEYMOUTH.  
 4. THE PROPOSED STRUCTURE IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION (MDEP) AND THE TOWN OF WEYMOUTH.  
 5. THE PROPOSED STRUCTURE IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION (MDEP) AND THE TOWN OF WEYMOUTH.

**C-7**



Prepared for  
Town of Weymouth  
134 South Street  
Weymouth, MA 02190  
Tel: (781) 333-3300  
Fax: (781) 333-3300

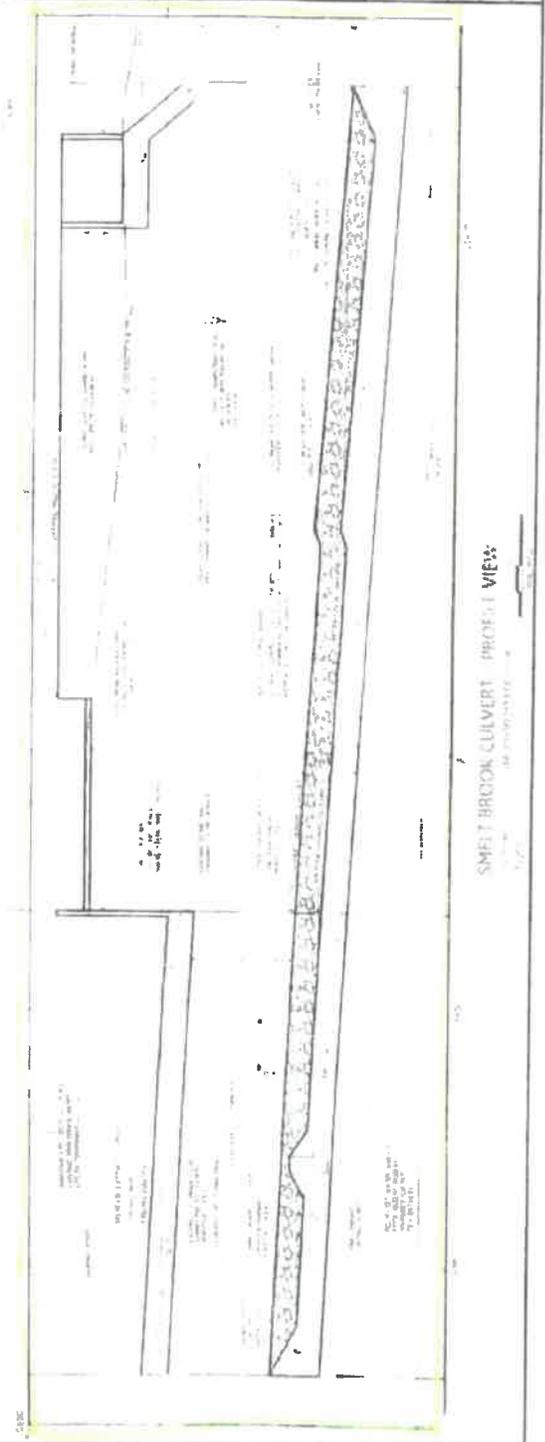
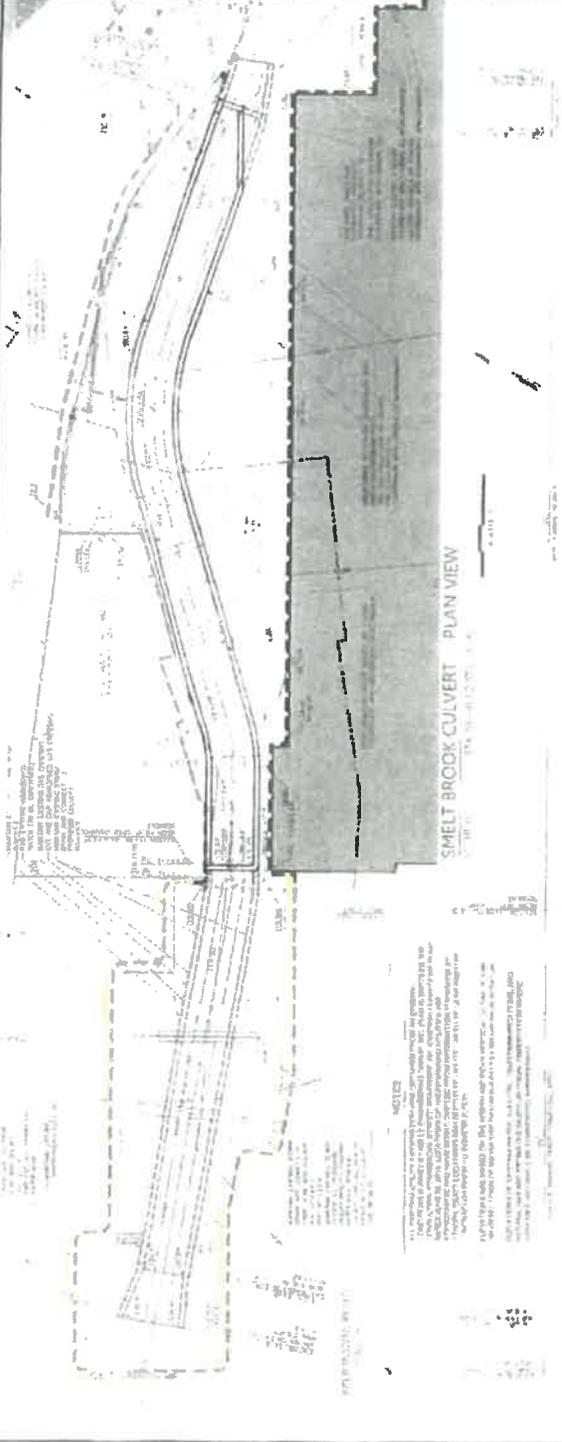
NOT TO BE USED FOR ANY OTHER PROJECTS  
WITHOUT THE WRITTEN APPROVAL OF THE ENGINEER  
DATE: 08/14/2014  
PROJECT NO: 14-0001  
DRAWING NO: C-8

SMELT BROOK DAYLIGHTING  
Weymouth, Landing  
Weymouth, Massachusetts 02188  
Norfolk County  
PROJECT NO: 14-0001  
NOT FOR CONSTRUCTION

Plan and Profile  
SCALE: 1" = 40' HORIZ.  
1" = 4' VERT.

DATE: 08/14/2014  
PROJECT NO: 14-0001  
DRAWING NO: C-8

SMELT BROOK CULVERT - PLAN VIEW  
SMELT BROOK CULVERT - PROFILE VIEW



SMELT BROOK CULVERT - PROFILE VIEW

# BRAINTREE TOWN COUNCIL RULES 2012



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**Rule One: The President –Call of Meeting to Order**

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

**Rule Two: The President - Limitations**

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

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

**Rule Three: Appeals from Decision of the President**

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

**Rule Four: Substitute Chair**

The President may call any member to the Chair, but such substitutes shall not continue longer than one meeting. The President may continue to express his/her opinion on any subject under debate in the presence of the substitute Chair.

**Rule Five: Viva Voce and Rising Votes**

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

**Rule Six: Seating Arrangements**

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

**Rule Seven: Admission to Council Floor**

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

**Rule Eight: Committee Appointments**

The Council President shall appoint all members of all committees of the Town Council, whether special or standing. (Appointments are subject to Rule Three: Appeals from Decision of the President).

**Rule Nine: Clerk and Employees**

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

**Rule Ten: Addressing President or Chair**

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

**Rule Eleven Debate Limitation**

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

**Rule Twelve: Speaking Decorum – Members**

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

**Rule Thirteen: Speaking Decorum - Public**

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

**Rule Fourteen: Point of Order**

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

**Rule Fifteen: Voting**

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

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

**Rule Sixteen: Election of Officers**

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

**Rule Seventeen: Tie Vote**

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

**Rule Eighteen: Division of a Question**

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

**Rule Nineteen: Demand for Roll Call**

Upon demand of any member, the roll shall be called prior to President/Chair reading results into the record, upon any question before the Council.

**Rule Twenty: Motions and Procedure During Debate**

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

1. To adjourn
2. To lay on the table
3. To end debate/To call for vote
4. To postpone to a time certain
5. To refer
6. To amend
7. To postpone indefinitely
8. To reconsider

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

**Rule Twenty-One: Motion to Reconsider**

At any meeting at which a vote has been taken, it shall be in order for any Councilors who has voted with the prevailing side to move for immediate reconsideration. Additionally, any Councilor who has voted with the prevailing side may serve notice on the same day as the meeting, that a motion for reconsideration shall take place at the next regular meeting of the Council. A motion to reconsider requires a two-thirds vote.

**Rule Twenty-Two: Motion to Lay on Table**

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

**Rule Twenty-Three: Adjournment and Recessing**

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

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

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

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

**Rule Twenty-Four: Written Proposals and Resolutions**

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

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

**Rule Twenty-Five: Personal Privilege**

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

**Rule Twenty-Six: Suspension of Rule**

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

**Rule Twenty-Seven: Council Meetings**

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

**Rule Twenty-Eight: Executive Session**

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

**Rule Twenty-Nine: Special Meetings – Notice**

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

### **Rule Thirty: Public Hearings**

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

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

### **Rule Thirty-One: Attendance at Public Hearings & Voting**

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

### **Rule Thirty-Two: Order of Business**

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

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

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

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

### **Rule Thirty-Three: Agenda Requests from Other Town Departments**

All items for the agenda including communications and reports from the Mayor, other Town Officers and Town Boards shall be submitted to the Town Clerk's Office **and to the Clerk of the Council** no later than 10:00 AM on Thursday preceding the regular Council meeting. A copy of said reports and agenda shall be delivered to the Council no later than Friday preceding the regular Council meeting. No measure shall be filed without all supporting documentation. Late items require a two-thirds vote of the members of the Town Council to be allowed at the Council meeting. Any item authorized for the agenda must be specified on the agenda, by whom it is introduced.

#### **Rule Thirty-Four: Agenda Requests from Council Members**

All items for the agenda requested by Council Members shall be submitted to the Town Clerk's Office **and to the Clerk of the Council** no later than 10:00 AM on Thursday preceding the regular Council meeting. A copy of said reports and agenda shall be delivered to the Council no later than Friday preceding the regular Council meeting. Late items require a two-thirds vote of the members of the Town Council to be allowed at the Council meeting. Any item authorized for the agenda must be specified on the agenda, by whom it is introduced. If a request cannot be on the next agenda the Council President shall specify when it will be placed on the agenda and must be placed within 3 meetings unless agreement between the Councilor making the request and the Council President.

#### **Rule Thirty-Five: 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 Thursday preceding the Council meeting. Speakers shall mutually agree in advance with Council President and/or Clerk of the Council as to presentation length. 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 Thursday preceding the regular Council meeting.

#### **Rule Thirty-Six: Anonymous Communications**

Unsigned communications shall not be introduced in the Council.

#### **Rule Thirty-Seven: Distribution of Council Correspondence**

Correspondence received by any Councilor that is intended for distribution to the Full Council shall be distributed to the Full Council within (5) five business days if received electronically and (10) ten business days if received in any other form. Council member will forward to the Clerk of the Council for distribution.

#### **Rule Thirty-Eight: Standing Committees**

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

**WAYS AND MEANS** to consist of four (4) to five (5) members

**ORDINANCE & RULES** to consist of four (4) members

**PUBLIC PARKS & RECREATION** to consist of three (3) members

**PUBLIC WORKS** to consist of three (3) members

**PUBLIC SAFETY** to consist of three (3) members

**ELDER AFFAIRS/VETERAN'S SERVICES** to consist of three (3) members

**EDUCATION/LIBRARY** to consist of three (3) members

**PERSONNEL ISSUES** to consist of three (3) members

**TRAFFIC & SAFETY** to consist of three (3) members

**COMMUNITY PLANNING** to consist of three (3) members

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

The Ways and Means Committee

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

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

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

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

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

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

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

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

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

The Traffic and Safety Committee to consist of three (3) members or their designees as follows; the Chair of Public Safety, Chair of Ordinance & Rules, and the Chair of Public Works. The Traffic and Safety Committee may consider and report upon those matters relating to traffic and safety and any other matters referred to it by the Council or Council President. (Passed in Council - December 6, 2016)

The Community Planning Committee may consider and report upon all matters relating to short-term planning and community renewal projects as well as long term community planning and visioning. (Passed in Council April 25, 2017)

**Rule Thirty-Nine: Attendance of Councilors at Public Meetings**

Councilors may attend committee meetings or meetings of another board, committee or commission or like entity of the Town; however, when a quorum of councilors is in attendance they may not deliberate on matters within the Town Council's jurisdiction. Deliberation includes expressing an opinion on matters within the Town Council's jurisdiction, even if no other councilor responds.

**Rule Forty: Special Committees**

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

**Rule Forty-One: Committee Meetings**

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

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

**Rule Forty-Two: Chair-Quorum at Committee Meetings**

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

**Rule Forty-Three: Committee Reports**

Every committee of the Council to which any subject may be referred, shall report thereon to the Council. Bi-annually all committees shall provide a report to the Full Council summarizing the results of the committee meeting(s).

**Rule Forty-Four: Town Council Action on Committee Reports**

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

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

**Rule Forty-Five: Failure to Report by a Committee**

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

**Rule Forty-Six: Relieving a Committee from Further Consideration**

Upon motion, the Council may, by **a majority vote** of the Council, relieve a committee of further consideration of a matter referred to it and order the same placed on the calendar.

**Rule Forty-Seven: Secretary to Committees**

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

**Rule Forty-Eight: Reference to Committees**

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

**Rule Forty-Nine: Town Solicitor**

**At the request of the Council President, the Town Solicitor shall be required, either in person or by deputy, to attend Council meetings.** Any member of the Council may at any time call upon the Town Solicitor for an oral or written opinion to decide any question of law. The Town Solicitor may be requested to give an opinion on parliamentary rules. The Town Solicitor shall have a seat but no vote in the meetings of the governing board.

**Rule Fifty: Town Auditor**

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

**Rule Fifty-One: Department Heads**

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

**Rule Fifty-Two: State or Federal Cooperation**

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

**Rule Fifty-Three: Permission to Address the Chair**

Persons other than members of the Council, Town officials and news reporters, shall not be permitted upon the floor of the Council, or to address the Council, except upon introduction by a member of the Council with the consent of a majority of said Council. The Chair shall limit the time for the remarks of such person to five (5) minutes and such remarks shall be confined to the subject matter which is under consideration at that meeting.

**Rule Fifty-Four: Councilor/Citizen Side-Bar**

If anyone other than a Town official desires to speak to a member of the Council while the Council is in session, the member, if agreeable to the request, shall leave his/her seat and retire to the rear of the Council Chamber or elsewhere until the conversation is finished.

**Rule Fifty-Five: The Council Chambers**

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

**Rule Fifty-Six: By-Laws, Etc., of Council**

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

**Rule Fifty-Seven: Notification of Committee Meetings**

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

**Rule Fifty-Eight: Publication**

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

**Rule Fifty-Nine: Amendment and Repeal**

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

**Rule Sixty: Parliamentary Procedure**

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

**Rule Sixty-One: Adoption of Rules**

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

**Rule Sixty-Two: Authorization to Sign Bills**

The President of the Council is authorized to sign all bills, vouchers, payrolls, and similar documents pertaining to expenditures under the jurisdiction of the Town Council on behalf of the Town Council, and further, in the absence of unavailability of the President of the Council, the Vice President of the Council is hereby authorized to sign such documents, subject to the same restrictions. In a time sensitive matter Clerk of the Council may sign on behalf of the Council President subject to same restrictions.

**Rule Sixty-Three: Clerk of the Council signing documents on behalf of Council**

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

**Rule Sixty-Four: Travel/Conference Reimbursement Policy for Braintree Town Councilors**

Expenses – Subject to appropriation, the Town Councilors shall be entitled to reimbursement of the actual and necessary expenses incurred in the performance of their duties (including but not limited to conference and meals). This policy will be considered prior authorization by the Town Council that also allows mileage reimbursement in accordance with IRS federal tax regulations. Such reimbursement should be submitted to the President of the Braintree Town Council. This prior authorization will be limited to \$1,000 per year for each Braintree Town Councilor and will not need an additional vote by the Braintree Town Council. Should a Councilor exceed this amount, they will still be able to submit a request to the full Braintree Town Council for approval.

**Rule Sixty-Five: Council Expenditure Reports**

A running list of all expenditures of funds for the year by the Council will be published to the town website regularly and the list shall be updated within 30 days of the approval of the expenditure.

## Resolution regarding Elder Affairs/Veteran Services committee

Recently members of the Town Council have been presented with information from many Braintree residents with concerns over the actions of one of our members. We also received letters addressed to the Council President from Veterans both from our community and beyond sharing their discrete concerns. As the child of a War Veteran and a legislative leader of this community, I bring forth the following measure for the Councils consideration:

Per Rule 8 of the Town Council Rules of 2012 President Hume appoints all members to Council Committees. In light of that and Rule 3 from the same 2012 rules, "Any member of the Council may appeal the decision of the President by motion."

Therefore, I present the following appeal:

Shall the decision of the President stand as to the chair of the elder affairs/veteran services committee? I move that Chairwoman Flaherty be removed from the Elder Affairs/Veteran Services committee both as Chair and Member and that the President appoint a replacement Councilor to the vacant seat and vacant Chair.