

1. 6:30 P.M. Committee Of Ways & Means

Documents:

[18 NOV 7 W-M AGENDA.PDF](#)

- 1.1. 6:30 PM Committee Of Ways & Means

Documents:

[18 NOV 7 WM MEETING.PDF](#)



Braintree Town Council
Committee of Ways & Means
One JFK Memorial Drive
Braintree, Massachusetts 02184

MEMBERS

Thomas M. Bowes, Chairman
Shannon L. Hume, Vice-Chairman
Stephen C. O'Brien, Member
Timothy P. Carey, Member
Thomas W. Whalen, Member

AGENDA

Wednesday, November 7, 2018

Starting Time – 6:30p.m.

Cahill Auditorium, Town Hall

1. Pledge of Allegiance/Moment of Silence
2. Roll Call
3. Approval of Minutes
 - September 18, 2018
4. New Business
 - 18 056 Mayor: Smelt Brook and Prospect Park Restoration Project or take up any action relative thereto (Public Hearing at full Council)
 - 18 058 Mayor: Establishment of a Recreational Dog Park Facility in the Weymouth-Braintree Regional Recreation Conservation District in the Towns of Weymouth and Braintree or take up any action relative thereto
5. Old Business
 - None
6. Adjournment



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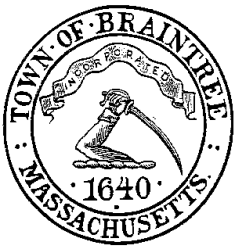
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Thomas Whalen, Member

MINUTES

September 18, 2018

A meeting of the Committee of Ways & Means was held in the Johnson Chambers, Braintree Town Hall, on Tuesday, September 18, 2018 at 6:30p.m.

Councilor Bowes was in the Chair.

Clerk of the Council conducted the roll call.

Present: Thomas Bowes, Chairman
Shannon Hume, Vice-Chairman
Stephen O'Brien, Member
Timothy Carey, Member

Not Present Thomas Whalen, Member

Also Present: Joe Reynolds, Chief of Staff

The meeting was opened with the pledge of allegiance to the flag followed by a moment of silence for all those serving in our armed services, past and present.

Approval of Minutes

- September 5, 2018
 - Motion:** by Councilor Hume to Approve Minutes of September 5, 2018
 - Second:** by Councilor Whalen
 - Vote:** For (4 – Bowes, Carey, Hume, O'Brien), Against (0), Absent (1- Whalen), Abstain (0)

New Business

- 18 051 Mayor: Create Account: Friends of Braintree Military or take up any action relative thereto

Councilor Bowes, Chairman for Committee of Ways & Means placed the meeting on "hold" for 5 minutes for all members to review the documents just received at 5:53pm on Tuesday, September 18, 2018 from the Mayor's office with the meeting beginning at 6:30pm.

Joe Reynolds, Chief of Staff gave a brief overview stating last we met the Mayor's office information was incomplete for the Committee of Ways & Means to take action. It was asked what kind of account this would be. This is a gift account not a revolving account.

It was noted the revised memo still had the word "revolving account" in the third paragraph causing confusion. This should have been removed. Though the motion clearly states it is a gift account.

Motion read by Councilor Hume for favorable recommendation to the full Council.

That the Veterans Services Office, in accordance with the provisions of MGL Chapter 44, Section 53A and Section 3.100.110 of the Town General Ordinances, be authorized to establish a gift account; to accept grants, gifts, or bequests of funds that are to be placed in said account; and to expend such funds at its discretion, for the purpose of purchasing and distributing Town of Braintree flags as part of the "Friends of Braintree Military" program, and for any purposes associated with the administration and promotion of said program. As provided by Section 3.100.110, the Veterans Services Office may expend up to \$5,000 annually from the funds in this gift account for these purposes, and any expenditure in excess of \$5,000 annually shall require the prior approval of the Mayor.

Motion: by Councilor Hume

Second: by Councilor Carey

Vote: For (4 – Bowes, Carey, Hume, O'Brien), Against (0), Absent (1-Whalen), Abstain (0)

Old Business

- None

It was unanimously voted to adjourn the meeting at 6:48p.m.
Respectfully submitted,

Susan M. Cimino,
Clerk of the Council

Documents provided for Meeting

- Minutes for September 5, 2018
- 18 051 Mayor: Create Account: Friends of Braintree Military or take up any action relative thereto



1 8 - 0 5 6

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

Joseph C. Sullivan
Mayor

781-794-8100

October 1, 2018

To: Charles Ryan, Council President

From: Joseph C. Sullivan, Mayor

JCS

Cc: Town Councilors
Clerk of the Council
Town Clerk

Christine Stickney, Director of Planning and Community Development

Re: Smelt Brook and Prospect Park Restoration Project

At the September 17, 2018 meeting of the Community Preservation Committee, the Committee voted unanimously to recommend the appropriation of Community Preservation Act funds for the Smelt Brook and Prospect Park Restoration Project within the Braintree/Weymouth Conservation District (a/k/a Pond Meadow). Specifically, the funding will serve as Braintree's portion of a local match for an Army Corp of Engineers (ACOE) Section 1135 Stream Restoration Grant—Planning & Analysis Phase, authorized to address the negative environmental impacts of Local Protection Projects. The funding will allow the ACOE to attempt to determine precisely what the challenges at the fish gate within Smelt Brook is and how much other issues (if any) contribute to productivity problems, while providing cost effective alternatives relating to the improvement of fish passage in Smelt Brook. The Town of Weymouth Community Preservation Committee has appropriated the same amount to serve as the local match and the ACOE has committed to fund \$231,000.00 towards the Planning and Analysis Phase. The Planning and Analysis Phase is in support of a future construction phase and any remaining funds will be moved forward towards the construction phase.

This project, which I endorse, will preserve and improve the functionality of this important Town historic resource.

I therefore submit the following motion:

MOTION: That in accordance with the provisions of Chapter 44B of the General Laws and with the recommendation of the Community Preservation Committee, a total amount of \$65,500 be appropriated from the Open Space Fund for Braintree's local match of the ACOE Section 1135 Stream Restoration Grant—Planning & Analysis Phase, said funds are to be expended under the direction of the Community Preservation Committee and the Director of Planning and Community Development.

I thank you for your attention to this matter and respectfully request favorable action.

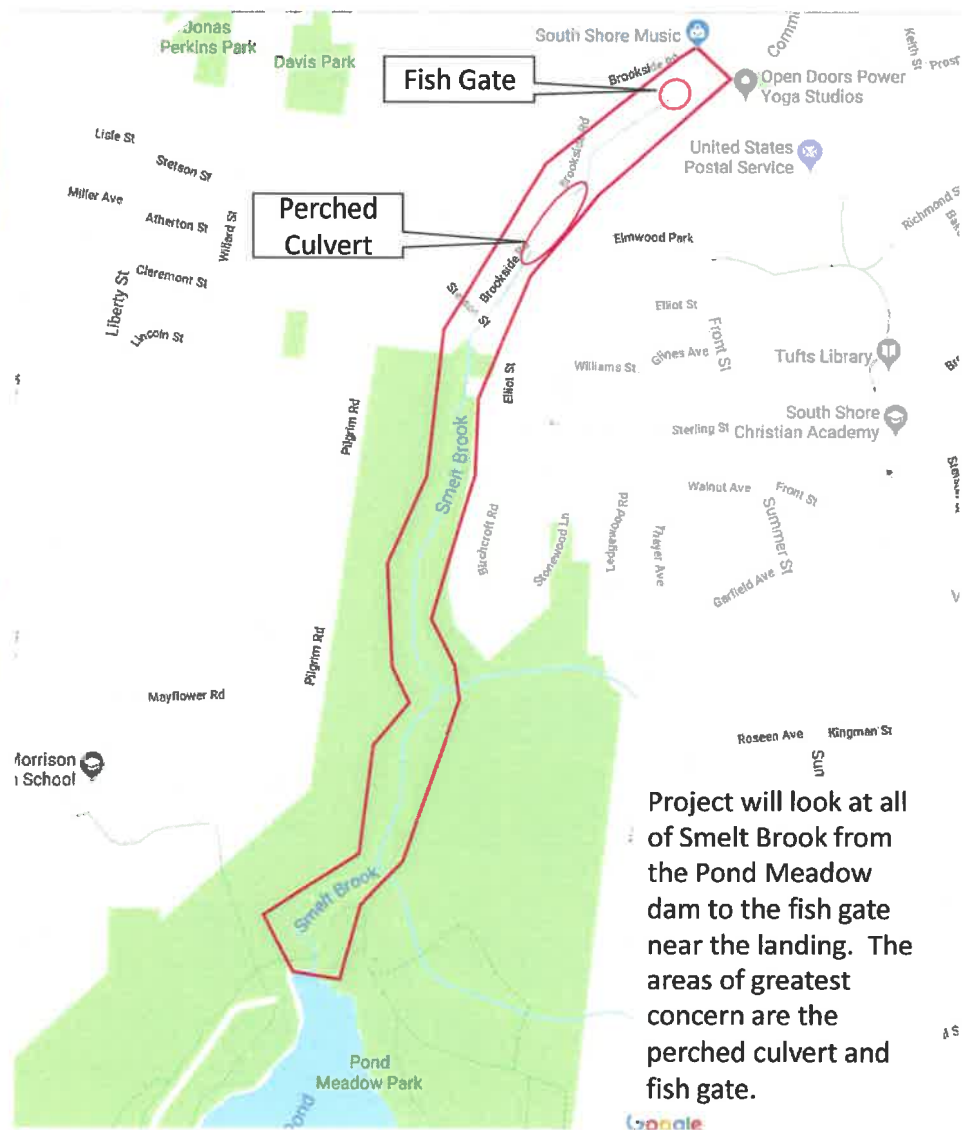
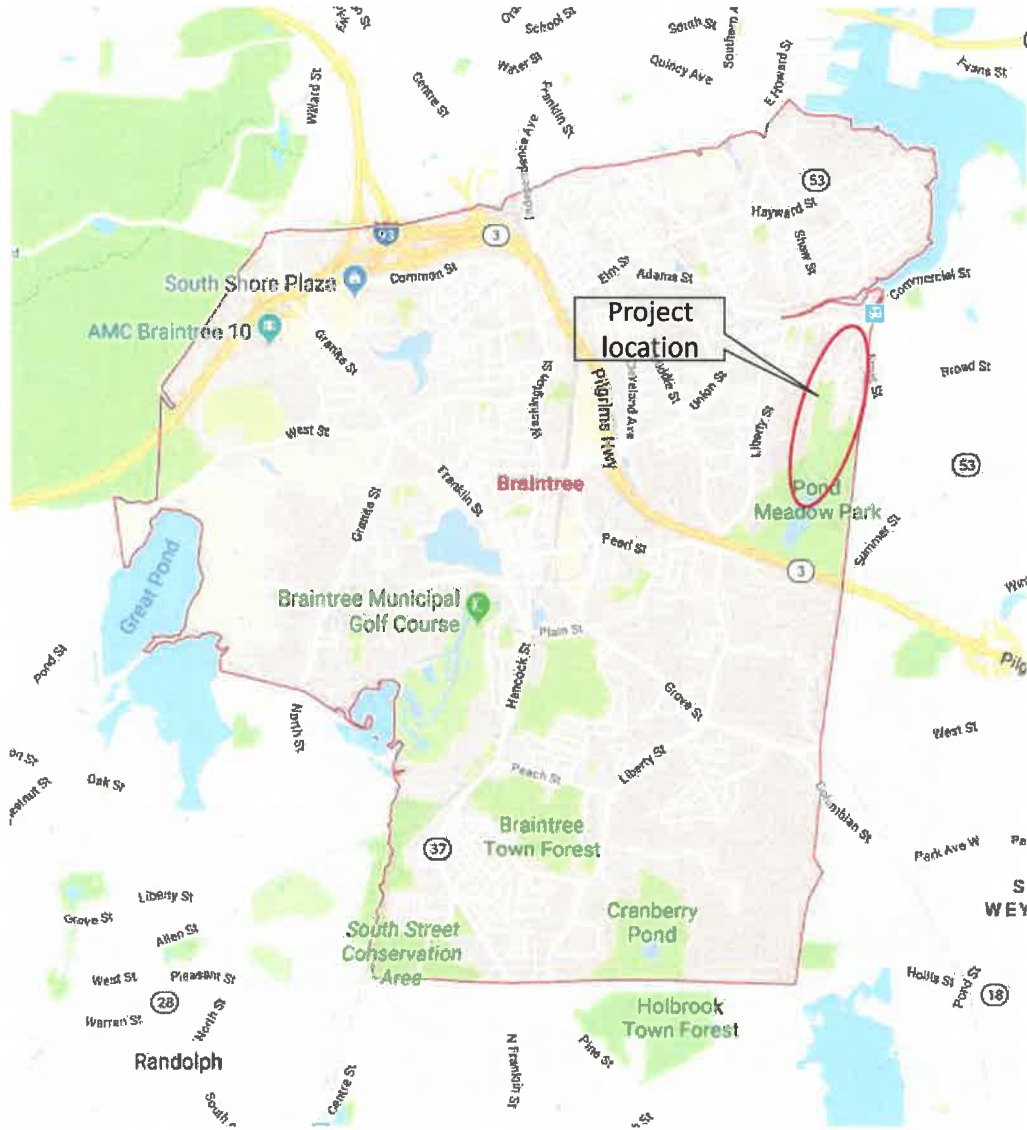
RECEIVED TOWN CLERK
BRAintree, MA
2018 OCT -2 PM 4:00

Smelt Brook and Prospect Park Restoration Project – additional questions/answers:

- Are all the funds requested at this time toward the Planning and Analysis Phase?
 - Ans: Yes.

- Do you have an estimated cost for the next phase of this project and will Council be voting on the next phase also?
 - Ans: No. An estimate for the next phase will be developed as part of this project.
 - Ans: Maybe. Applicant believes that the next phase can be implemented through volunteers and in-house staff at minimal cost. Applicant may ask to have any remaining funds from this application directed to the next phase.

- Has Weymouth already voted in favor and committed their portion of \$65,500?
 - Ans: Yes, contingent on Braintree funding.



Project will look at all of Smelt Brook from the Pond Meadow dam to the fish gate near the landing. The areas of greatest concern are the perched culvert and fish gate.



1 8 - 0 5 8

Town of Braintree
798 Washington Street
Braintree, Massachusetts 02184

Joseph C. Sullivan
Mayor

October 16, 2018

To: Charles Ryan, Council President

From: Joseph C. Sullivan, Mayor

Cc: Town Councilors
Clerk of the Council
Town Clerk

JCS

RECEIVED TOWN CLERK
BRAINTREE, MASS.
2018 OCT 16 PM 5:13

Re: Establishment of a recreational dog park facility in the Weymouth-Braintree Regional Recreation Conservation District in the Towns of Weymouth and Braintree

The idea of establishing a Dog Park in Braintree is one that we have discussed as a community for many years but have never found the right home for it. I have seen the benefits of dog park establishments in neighboring municipalities and have seen research documenting how dog parks allow for greater socialization of dogs which promotes good behavior in the home and public – as well as how a park of this nature is viewed as a community asset.

Over the past, year my office has worked in partnership with the Braintree Dog Park Association to review areas of Town suitable for a Dog Park. Our requirements included finding 1.5 acres of available open space, natural shade cover, access to electricity and potable water, available bathrooms, non-residential area, and located in a safe and accessible area.

After a careful and thorough review of numerous locations, the one area that stood out above other potential places was Pond Meadow Park. Among many of the identified benefits of the location was the Park's ease of access, location, and continuous recreational use.

This proposal comes with much thought as well as the financial underpinnings necessary to make it a successful venture. The committee has identified a grant through the Stanton Foundation for design services, funding 100% of the cost (up to \$25,000). Additionally, the grant will provide funding for 90% of park construction (up to \$225,000). The Town of Braintree will cover the additional 10% (up to \$22,500) through Community Preservation Act (CPA) funding. (This expenditure will require the approval of the Community Preservation Committee and an appropriation by the Town Council, through a separate order.) Additionally, our State Legislative partners have secured an additional \$50,000 to be used for the establishment of a Dog Park.

Both my office and the Braintree Dog Park Association have met with the Weymouth-Braintree Regional Recreation District Commission Board of Commissions to present this proposal. The Board has been open to the establishment of the Park, but will not vote to approve its establishment until both Town councils have granted permission for them to do so as is required by the enabling legislation that created the District.

I, therefore, submit the following motion:

MOTION: That the Town Council vote to approve the planning, construction, and maintenance of a "dog park" facility, to be located on a portion of "Pond Meadow" in the Town of Braintree that is within the Weymouth-Braintree Regional Recreation Conservation District, said approval being required by Chapter 787 of the Acts of 1972, which established said District; and further, that the Mayor be authorized to enter into such agreements as may be necessary to effectuate the purpose of this Motion.

I thank you for your attention to this matter and respectfully request favorable action.

Braintree Dog Park – FAQ’s

- Park Funding:
 - Phase 1: Design
 - The committee has identified a grant through the Stanton Foundation for design services, funding 100% of the cost (up to \$25,000).
 - Phase 2: Construction
 - The Stanton grant will provide funding for 90% of park construction (up to \$225,000). The Town of Braintree will seek to cover the additional 10% through Community Preservation Act (CPA) funding. (This expenditure will require the approval of the Community Preservation Committee and an appropriation by the Town Council, through a separate order.)
 - Our State Legislative partners have secured an additional \$50,000 to be used for the establishment of a Dog Park.
 - Phase 3: Capital Improvements
 - At 12, 24 and 36 months post construction the Stanton Foundation provides up capital improvement grants equal to 5% of hard construction costs to improve the park or repair damaged equipment.
 - Corporate and Small Donor Fundraising will also be organized through the Braintree Dog Park Association.
- Liability:
 - Land being utilized is classified as “open space” and access to the facility will be at no-charge. Liability for the facility would fall under [MGL Chapter 21 Section 17C](#): Public use of land for recreational, conservation, scientific educational and other purposes; landowner’s liability limited; exception
 - *“shall not be liable for personal injuries or property damage sustained by such members of the public, including without limitation a minor, while on said land in the absence of wilful, wanton, or reckless conduct by such person.”*
- Animal Control Jurisdiction and Support:
 - Jurisdiction for the Park will fall under Braintree Police Department.
 - Both Weymouth Animal Control Officer (ACO) Michael Parker and Braintree ACO David Littlewood have expressed support for the Dog Park. Weymouth ACO has confirmed he has never responded to the Weymouth Union Point park for any aggressive dogs. A few bites have been noted but there is not enough data to show a trend.
 - Randolph ACO Steven Slavinsky noted that the Dog Park in Randolph is a “great asset for the Town, it gets neighbors talking to neighbors. I’m all for the dog park.”
- Park Ownership / Maintenance:
 - The Town of Braintree, coordinated through the Mayor’s Office, will own the Dog Park Facility and oversee the grant applications, facility design RFQ and Construction RFP process.
 - A separate Memoranda of Agreement will be established with the Braintree Dog Park Association (BDPA), a 501(c)3 non-profit, to maintain the facility on a seasonal basis.

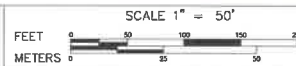
- Maintenance will cover annual resurfacing and weekly upkeep of facility and trash clean out.
- Operational Hours:
 - Current hours of Pond Meadow Park are open at 9 AM and close at 7 PM (summer) and 5 PM (winter). The Dog Park will be open from 9:00 AM to 6:30 PM (summer). The Park will be closed December through February.



TOWN OF BRAINTREE DPW
ENGINEERING DIVISION



PROPOSED DOG PARK



SCALE: 1" = 50'
DATE: 11/1/2018

DESIGNED BY	DRAWN BY	CHECKED BY
JJM	VT	RPC

SHEET 1 OF 1
CONTRACT NO. 00-0