

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

MEMBERS

Meredith Boericke, Chairwoman
Charles Ryan, Vice-Chairman
Donna Connors, Member
Julia Flaherty, Member
Steven Sciascia, Member

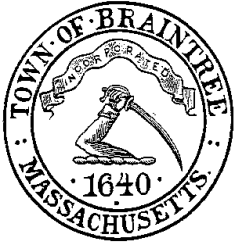
AGENDA

Tuesday, October 19, 2021

Starting Time – 6:30p.m.

Johnson Chambers

1. Roll Call
2. Approval of Minutes
 - July 28, 2021
 - September 1, 2021
3. Old Business
 - None
4. New Business
 - 21 050 Mayor: Appointment – Historical Commission, Brendan McCarthy or take up any action relative thereto
 - 21 051 Mayor: Appointment – Planning Board as Associate Member, Jennifer Connolly or take up any action relative thereto
 - 21 052 Mayor: Appointment – Conservation Commission, Giles Parker or take up any action relative thereto
5. Adjournment



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MINUTES

Wednesday, July 28, 2021

A meeting of the Committee of Ways & Means was held Remote via Zoom Webinar, on Wednesday, July 28, 2021 at 6:00p.m.

Councilor Boericke was in the Chair.

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

All votes were taken by Roll Call Vote.

Present: Meredith Boericke, Chairwoman
Charles Ryan, Vice-Chairman
Donna Connors, Member
Julia Flaherty, Member
Steven Sciascia, Member

Also Present: Nicole Taub, Chief of Staff/Town Solicitor
James Arsenault, DPW Director

Approval of Minutes

- May 6, 2021 Minutes

MOTION: by Councilor Ryan to Approve Minutes of May 6, 2021

Motion: by Councilor Ryan to Approve Minutes of May 6, 2021

Second: by Councilor Connors

Roll Call Vote: For (5–Boericke, Connors, Flaherty, Ryan, Sciascia), Against (0), Absent (0), Abstain (0)

- May 10, 2021 Minutes

MOTION: by Councilor Ryan to Approve Minutes of May 10, 2021

Motion: by Councilor Ryan to Approve Minutes of May 10, 2021

Second: by Councilor Connors

Roll Call Vote: For (5–Boericke, Connors, Flaherty, Ryan, Sciascia), Against (0), Absent (0), Abstain (0)

Old Business

- None

New Business

- **21 036 Mayor: Transportation Infrastructure Enhancement Trust Fund or take up any action relative thereto**

Chairwoman Boericke asked if anyone from the Mayor's office would like to speak.

Nicole Taub, Chief of Staff gave an overview of this fund stating what was mentioned in the memo from Mayor Kokoros dated July 7, 2021. For the fourth year in a row, the Town has received money from the Commonwealth's Transportation Infrastructure Enhancement Trust Fund (Fund) "to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the city or town including, but not limited to, the complete streets program and other programs that support alternative modes of transportation. For calendar year 2020, the Commonwealth collected approximately \$7 million from a \$0.20 per-ride assessment on each rideshare trip that started in Massachusetts.

The total number of rides that initiated in Braintree in 2020 was 223,745, a decrease of 55% from 2019. Of those rides, 56,504, or 25.25%, were local rides-or rides that started and ended in Braintree. Based on this data, the total revenue from the Fund that has been allocated to Braintree is \$22,374.50. The intended use of the funds in FY22 is to support the renovation of roadways and education, enforcement and engineering of traffic calming measures.

MOTION Read by Councilor Connors for favorable recommendation to the full Council:

MOTION: That the sum of \$22,374.50 received from the Commonwealth of Massachusetts Transportation Infrastructure Enhancement Trust Fund be appropriated to Department of Public Works to be spent in accordance with St. 2016, c. 187, s. 8(c)(i).

Motion: by Councilor Connors for favorable recommendation to the full Council Order 21 024

Second: by Councilor Ryan

Roll Call Vote: For (5–Boericke, Connors, Flaherty, Ryan, Sciascia), Against (0), Absent (0), Abstain (0)

It was unanimously voted to adjourn the meeting at 6:10p.m. by Roll Call Vote.

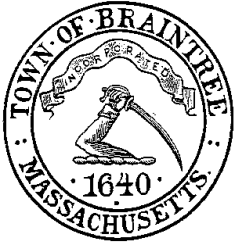
Respectfully submitted,

Susan M. Cimino

Clerk of the Council

Documents provided for Meeting

- May 6, 2021 Minutes
- May 10, 2021 Minutes
- 21 036 Mayor: Transportation Infrastructure Enhancement Trust Fund or take up any action relative thereto



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MEMBERS

Meredith Boericke, Chairwoman
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Donna Connors, Member
Julia Flaherty, Member
Steven Sciascia, Member

MINUTES

Wednesday, September 1, 2021

A meeting of the Committee of Ways & Means was held Remote via Zoom Webinar, on Wednesday, September 1, 2021 at 6:30p.m.

Councilor Boericke was in the Chair.

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

All votes were taken by Roll Call Vote.

Present: Meredith Boericke, Chairwoman
Charles Ryan, Vice-Chairman
Donna Connors, Member
Julia Flaherty, Member
Steven Sciascia, Member

Also Present: Nicole Taub, Chief of Staff/Town Solicitor
Ed Spellman, Director Municipal Finance
Daryn Brown, Director of Golf
James M. Casey, Town Clerk
Shawn McGoldrick, Town Auditor
Stephen C. O'Brien, Council member

Approval of Minutes

- May 11, 2021 Minutes

MOTION: by Councilor Connors to Approve Minutes of May 11, 2021

Motion: by Councilor Connors to Approve Minutes of May 11, 2021

Second: by Councilor Sciascia

Roll Call Vote: For (5–Boericke, Connors, Flaherty, Ryan, Sciascia), Against (0), Absent (0), Abstain (0)

- May 12, 2021 Minutes

MOTION: by Councilor Connors to Approve Minutes of May 12, 2021

Motion: by Councilor Connors to Approve Minutes of May 12, 2021

Second: by Councilor Sciascia

Roll Call Vote: For (5–Boericke, Connors, Flaherty, Ryan, Sciascia), Against (0), Absent (0), Abstain (0)

- May 13, 2021 Minutes

MOTION: by Councilor Connors to Approve Minutes of May 13, 2021

Motion: by Councilor Connors to Approve Minutes of May 13, 2021

Second: by Councilor Sciascia

Roll Call Vote: For (5—Boericke, Connors, Flaherty, Ryan, Sciascia), Against (0), Absent (0), Abstain (0)

Old Business

- None

New Business

- **21 040 Mayor: Authorization of Five-Year Lease Agreement - Golf Course or take up any action relative thereto**

Chairwoman Boericke stated is there anyone from the Mayor's office that would like to speak on Order 21 040 this evening?

Nicole Taub stated M.G.L. c. 30B §12(b) prohibits the Town from entering into a contract for a term greater than three years without first obtaining a majority vote of the Town Council. The motion that is before you this evening is seeking a 5-year lease for golf carts instead of the 3 year lease that was before the Council in 2017. As with prior leases, the annual rate is significantly less expensive and affords the Town greater flexibility and affordability in terms of budgeting for the payments. Specifically, the most recent quote for the lease term is \$74,500 per year for five (5) years, while a three (3) year lease has an annual cost of \$106,500. In FY21, the golf course sold 25,000 golf cart rentals, generating \$425,000 in revenue. The proposed lease also includes a significant upgrade from the existing fleet of golf carts, which will be reflected in the pricing for the corresponding golf seasons while enhancing the user's experience.

Councilor Sciascia asked can we get an update on where the Golf Enterprise fund is headed.

Nicole Taub stated we just went through the 3rd rainiest July in quite some time. We are almost done with the first quarter and we will put together some information for the Committee.

Councilor Flaherty asked can we see a plan in place for the Golf Course to repay funds borrowed from the General fund.

Chairwoman Boericke asked what the cost is to rent a golf cart.

Director Brown stated the fee is \$22 per golfer for 18 holes. We anticipate we can raise that to \$24 if we do the enhancements. We do get asked why we can't have an electrical golf cart fleet. That would require substantial construction so we can put all carts inside to be charged each night.

Chairwoman Boericke stated I would like to hear if there was a plan to convert the fleet to electric.

MOTION Read by Councilor Connors for favorable recommendation to the full Council:

MOTION: Pursuant to General Laws Chapter 30B, Section 12(B), that the Town, acting through the Director of Golf Operations and under the direction of the Mayor, be authorized to enter into a five-year lease/purchase agreement for golf carts for the 2022-2026 golf seasons.

Motion: by Councilor Connors for favorable recommendation to the full Council Order 21 040

Second: by Councilor Flaherty

Roll Call Vote: For (5–Boericke, Connors, Flaherty, Ryan, Sciascia), Against (0), Absent (0), Abstain (0)

• **21 037 Town Clerk: 2021 Local Election – Early Voting Options or take up any action relative thereto**
Chairwoman Boericke stated Town Clerk Jim Casey is with us this evening.
James Casey, Town Clerk gave an overview. My purpose is to give you an overview and provide a recommendation on Early voting.

On July 29, 2021, Governor Baker approved extending the provisions of chapter 255 of the Acts of 2020 through December 15, 2021.

Impacts on the November 2nd Local Election are...

- Option for early voting by mail for all municipal elections
 - o **Subsection (n)** allows Upon a public hearing and by recorded and public vote not less than 45 days prior to the date of the election, a municipality can opt-out of the provisions of subsection (C) "Allows early voting by mail" or (D) "Allows voters to use a vote by mail application or any form of written communication request a ballot. "
- Local option for early voting in-person
 - o **Subsection (L)** allows..... Upon a recorded and public vote by the town/city council authorizing early in-person voting. Such vote may only be taken after a request from the city/town clerk or authorized local election official recommending in-person early voting and provided that the vote occurs not less than 5 business days prior to the proposed beginning or early voting and that such early in-person voting
 - No sooner than Saturday, October 23 and no later than Friday, October 29
 - Be conducted during the usual business hours, including optional weekend hours
 - Early voting site be centrally located, suitable and in a convenient public building.

Estimated costs of early voting (\$22,000)

- Early voting by mail (\$15,000)
- Early voting in-person (\$7,000)

Additionally, other provisions of chapter 255 of the Acts of 2020 provide voters greater latitude in obtaining an absentee ballot....

- o **Subsection (a):** Allows any person any person taking precautions related to COVID-19 in response to a declared state of emergency or guidance from a medical professional, local or state health official or any civil authority vote absentee by reason of physical disability for all elections held on or before December 15, 2021.
- o **Subsection (b):** Allows a voter who has been instructed by a medical professional or a local or state health official to self-quarantine in their home beginning after noon on the seventh day before any regular or special municipal preliminary, primary or general election held on or before December 15, 2021 to qualify to vote absentee and have a ballot delivered to them as if they were admitted to a healthcare facility in accordance with subsection (c) of section 91B of chapter 54 of the General Laws. Such voters may designate their home address for delivery of the ballot.
- o **Subsection (m):** A voter who is blind or has vision impairments, mobility or dexterity disabilities, or other disabilities that make it difficult or impossible for them to effectively access a paper vote by mail ballot because they cannot independently read, write, hold, or physically manipulate standard print materials may request an accommodation from their local election official. The request shall be received by the local election official not later than the fourth business day before the election. Upon receiving such information from a registered voter by phone or electronically, the local election official shall make reasonable efforts to grant accommodations to the voter.

Since the change in government in 2008, voter turnout for local elections "without a Mayor's race" has been has been low, with one in four registered voters casting a ballot and trending downwards:

- **2009** - 25% or 6,200 voters
- **2013** - 19% or 4,900 voters
- **2017** - 14% or 3,900 voters
- **2021-** 20% or 5,400 voters (includes estimated early voters)

For the November 2 election there are multiple options available for voters to cast their ballot as well as expanded access for voters with physical disabilities to obtain an absentee ballot:

- 1) Election Day
- 2) Absentee by Mail
- 3) Absentee in-person
- 4) Early Vote by Mail
- 5) Early Vote In-Person

Election history of low voter turnout for this type of election and expanded access to obtain a ballot, combined with FY2022 budgetary constraints, I will not be recommending the local option of Early Vote In-Person as outlined in subsection L of the provisions of chapter 255 of the Acts of 2020 as recently approved by Governor Baker.

There are two parts to the Early Voting Options.

One is Mandated by the Governor.

The only vote this evening for this Committee on the Early Voting is to ALLOW early voting by mail and not “opt out” of this Mandate by Governor Baker.

The second is essentially the **Town Clerk’s decision** on what to recommend.

A motion/recommendation for the “opt in” provision for early voting in-person as defined in Chapter 255 of the Acts of 2020, Section 55(L) is not before the body as the local election official has not made a recommendation to exercise this provision.

(Non-Mandated by the State so they do not have to pay for this. The cost is about \$7,000 which would be paid by the Town. In-person Early Voting is a decision made by each Town Clerk whether to have a central voting center set up weeks prior to Election. There will be ABSENTEE voting available. You can request at the Town Clerk’s office and vote that same day or have it mailed)

Chairwoman Boericke stated are there any Committee members that would like to speak?

Councilor Flaherty asked if there is any data to show these changes work.

Town Clerk Casey stated Braintree is one of the few towns that have a precinct for every polling location. Consolidation worked well last year.

Councilor Connors asked if Clerk Casey’s recommendation is no Mail-in voting?

Town Clerk Casey stated no. I feel Mail-in voting has more value than the in-person Early voting. Mail-in voting anyone can request and do. Early in-person voting is a convenience to not go to the polls on election day and people saying I don’t want to get hung up in a line, so I’ll go vote early.

Councilor Connors stated isn’t Absentee voting essentially a duplication of Mail-in voting due to adding the additional COVID concerns.

Town Clerk Casey stated under the COVID umbrella we do not need both options fully operational. The Mail-in voting did work well. Any voter can come in to our office and vote Absentee and do this by mail as well.

Councilor Sciascia stated this is allowing voters to get a ballot by mail as in absentee but they do not need an excuse.

Town Clerk Casey stated that is correct.

Town Clerk Casey stated I want you to vote for the Mail-In Voting. If you request a Mail-in ballot and do not return it you can still go to the polling location and vote on election day.

Town Clerk Casey is not putting forward the recommendation to have Early Voting in-person.

Chairwoman Boericke stated I respectfully disagree and feel we should have Early Voting in-person as well as Mail-in Early voting. We reduced polling locations, we reduced walkability in doing so, we budgeted for it, and respectfully we need to make it as convenient for voters as possible. I want to go on the record

that I am disappointed that we are not recommending in-person Early voting because we should be giving our residents every single possible opportunity to exercise their fundamental rights to vote. I would urge you to change your recommendation.

Madame Chairwoman voters do have that option to come into Town Hall any day of the week and exercise their right to vote to cast a ballot by just stating one of the five options of Absentee ballot. They will get the same ballot and vote in the same auditorium in Town hall in private. This is no different than having an Early voting in-person period.

Chairwoman Boericke stated is there a Motion...

(Mandated by Governor's order which is a vote to support Early Voting by Mail and NOT opt-out.)

Councilor Connors read Motion: "FOR FAVORABLE RECOMMENDATION TO THE FULL COUNCIL"

MOTION: Recommendation to not exercise the early voting by mail "opt out" provision for municipal elections as defined in Chapter 255 of the Acts of 2020, Section 55(n).

Motion: by Councilor Connors for favorable recommendation to the full Council Order 21 037

Second: by Councilor Flaherty

Roll Call Vote: For (4–Boericke, Flaherty, Ryan, Sciascia), Against (1 - Connors), Absent (0), Abstain (0)

- **21 027 Mayor: Ordinance to Establish a Centralized Maintenance Department or take up any action related thereto (Discussion)**

Chairwoman Boericke stated this is for discussion purposes this evening. No vote will take place tonight. Thank you to Councilor O'Brien for initially bringing this idea forward.

Nicole Taub, stated the first of many steps was taken earlier this year to accept MGL to allow to consolidate a maintenance function between the Schools and the Town. There are several administrative and legal provisions that we need to comply with before we effectuate the consolidation. One is to accept the Ordinance, a draft and memorandum which has been provided to you in May. We also need a vote in favor from the School Committee in favor of consolidation. From there we move into the more logistical items. The most time consuming would be undoubtedly negotiations with the Unions in order to implement the consolidation. I believe the Mayor has indicated he intends to ask this be placed on a School Committee agenda for discussion and consideration by that body as well. If we are able to get majority support from both bodies we will move forward with the logistical components.

Councilor O'Brien noted due to the high school not opening on time this week due to a maintenance issue is indicative on how positive this would be. The previous School administration had provided us with an opportunity to put a program together NORESKO which was supposed to be an energy conservation summary. Also, the report a year into it was not provided. We have an outstanding maintenance department under the direction of the Mayor and the evidence is in some of the work they have done in Pond Street, Police Station and Town Clerk Casey's office. It think this would be beneficial to put this

maintenance department under one person to manage all buildings across the town. Our Town Auditor did an assessment on this back in April 2021. This makes sense and is fiscally smart.

Councilor Sciascia states I think this is a great idea. I know there are a lot of things to get done before this happens but the sooner we can get this in place the better. If it can be done before the next Contract Negotiations that would be great. We have asked for the ESCO Audit. It would be great to see that audit.

Councilor Connors agrees this is a good idea. Will there be a need to hire more supervisors possibly? Ms. Taub stated we will have to wait to see what the needs will be.

Councilor Flaherty stated this seems like a prudent move. We need to be aware that previous cuts to the Schools budget came from cutting maintenance and keeping the teachers. This has caught up to us.

Chairwoman Boericke stated the Committee has asked for a full cost benefit analysis around this change for FY23 and on. What is a reasonable expectation?

Ms. Taub stated we can start by providing the current staff level and costs associated including overtime. We can also look at what services are being out-sourced and what are being handled in-house.

Councilor O'Brien stated Schools should be focused on Schools and Maintenance should be focused on by a Maintenance Department.

Councilor Sciascia stated the people in the schools doing the maintenance are doing a great job. As far as ROI (Return on Investment) even if there is none. This is still a good idea because it will allow the Town to make different decisions about where to allocate money and resources for repairs.

MOTION:

Ordinance 2.220.060.

Centralized Maintenance Department.

The Department of Public Works, under the direction of the Director, shall include a Centralized Maintenance Department, combining facilities staff, for the purpose of maintaining all buildings and land owned by the town including school buildings and grounds. The Centralized Maintenance Department is hereby established as authorized by Section 4-5.3 of the Town Charter and the adoption of M.G.L. c. 71, § 37M, by the Town Council. This ordinance shall take effect only after a majority vote in favor thereof, pursuant to M.G.L. c. 71, § 37M, by the School Committee. The consolidation of the maintenance departments may be revoked, pursuant to M.G.L. c. 71, § 37M, by majority of vote of the School Committee or Town Council, or both.

MOTION: by Councilor Connors to Table Order 21 027 to a future meeting

Motion: by Councilor Connors to Table Order 21 027

Second: by Councilor Sciascia

Roll Call Vote: For (5–Boericke, Connors, Flaherty, Ryan, Sciascia), Against (0), Absent (0), Abstain (0)

- **024 21 Councilor Connors, Mackin, Sciascia: Develop and Review a Long-Term Budget Forecast or take up any action relative thereto (Discussion)**

Councilor Sciascia stated the Council and this committee have been talking about getting some type of long-term forecast for quite a while. We are suggesting our Town Auditor take on the project of building a forecast which can start with a shorter one, based on public information, and all the information we have through the budget processes to project what our likely revenue and expenses are going to be next year and the following year and then eventually longer term so we can have a more in-depth conversation when any debt discussions come up. Tonight, is to just start the conversation. We would have the Town Auditor take this into advisement on what he can do.

Councilor Connors stated part of the long-term budgeting is to set our goals. There have been many goals over the past couple years we have missed like OPEB, Rainy Day funds, School funds. We should be reacting that these are our data points. It is really important to see more than 12 months in advance.

Shawn McGoldrick, Town Auditor stated I think this is a great idea and the town will benefit from with everyone being involved. I agree building up a 1 to 3 year and building that up to possibly 10 years. My opinion is if we keep it at a high-level function for instance: General Government, Public Safety, Education, etc. and then breaking those functions out by salary vs expense I think that would really help drive the forecast forward because CBA's are contractual. We can also pull out debt, insurance, OPEB which are bigger factors in the debt which are just not standard percentage increases. I'm hesitant to do a 10 year look out because we do not know what is going to happen mid-way through FY25 because of the Feds. I also do not one-time revenue to have to be built into a projection and then have to rely on that. I would like to build into the forecast the Supplementals we know will be coming like Police/Fire overtime and vacation/sick time payouts and include those costs upfront just to see the true big picture.

Councilor Flaherty stated we need to build in the big projects that will need to be addressed as well. Councilor Sciascia agreed we need to ensure when we have a project that involves debt or anything that involves spending a significant amount of money then we know what the impact will be and if it will prevent us from having School funds and Free Cash so we might have to think twice about that. We need to know the choice we are making.

Chairwoman Boericke stated we really need to start thinking long-term. We need different scenarios to build back the funds that we are all desiring.

Shawn McGoldrick, Town Auditor stated he would provide a draft to know if the expectations are being met. I hope to get it to the Committee sometime in October 2021.

MOTION: by Councilor Connors to Table item 024 21 to a future meeting.

Motion: by Councilor Connors to Table item 024 21

Second: by Councilor Flaherty

Roll Call Vote: For (5–Boericke, Connors, Flaherty, Ryan, Sciascia), Against (0), Absent (0), Abstain (0)

It was unanimously voted to adjourn the meeting at 7:50p.m. by Roll Call Vote.

Respectfully submitted,
Susan M. Cimino
Clerk of the Council

Documents provided for Meeting

- May 11, 2021 Minutes
- May 12, 2021 Minutes
- May 13, 2021 Minutes
- 024 21 Councilor Connors, Mackin, Sciascia: Develop and Review a Long-Term Budget Forecast or take up any action relative thereto (Discussion)
- 21 027 Mayor: Ordinance to Establish a Centralized Maintenance Department or take up any action related thereto (Discussion)
- 21 037 Town Clerk: 2021 Local Election – Early Voting Options or take up any action relative thereto
- 21 040 Mayor: Authorization of Five-Year Lease Agreement - Golf Course or take up any action relative thereto