

Meredith Boericke
President
District 5



Charles B. Ryan
Vice President
At Large

Shannon L. Hume
At Large

Joseph Reynolds
District 2

David M. Ringius, Jr
At Large

Elizabeth Maglio
District 3

Julia C. Flaherty
District 1

Stephen C. O'Brien
District 4

OFFICE OF THE TOWN COUNCIL

Tuesday, February 1, 2022

MINUTES

A meeting of the Town Council was held in the Cahill Auditorium, Braintree Town Hall, on Tuesday, February 1, 2022 beginning at 7:30p.m.

Council President Boericke was in the chair.

President Boericke asked for a moment of silence for our first responders and all those serving our military home and abroad.

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

Present: Meredith Boericke, President
Charles Ryan, Vice President arrived @7:45pm
Shannon Hume
Julia Flaherty
Joseph Reynolds
Elizabeth Maglio
Stephen C. O'Brien (remote participation)
Lawrence C. Mackin, Jr.

Not Present: David M. Ringius, Jr.

Others: Charles C. Kokoros, Mayor
Nicole Taub, Chief of Staff/Town Solicitor
Ed Spellman, Director Municipal Finance
James Arsenault, DPW Director
Carl Johnson, Attorney Simon Properties

REMOTE PARTICIPATION of a Council member: We have a Council member who is participating remotely this evening. Councilor O'Brien is on speaker phone and therefore all VOTES are required to be by ROLL CALL.

ANNOUNCEMENTS

• 002 22 Council President: 2022-2023 Committee Assignments (*Municipal Oversight members*)

The three members of the Municipal Oversight Committee are:

Chairperson – Councilor Mackin

Vice-Chairperson – Councilor Ryan

Member – Councilor Flaherty

President Boericke congratulated the three Braintree Police Officers on their recent promotions:

Congratulations to:

Sergeant Brian Eng - promoted to Lieutenant

Detective Matthew Heslam - promoted to Sergeant

Officer Frank Sforza - promoted to Sergeant

President Boericke stated thank you to Director Arsenault and his entire team and all those who worked so hard clearing our sidewalk/streets during this past storm to keep the community safe.

• 009 22 Council President: Sun Will Rise Foundation – Fill-a-Backpack

The Sun Will Rise Foundation’s Backpack drive for the homeless is going on. Please see more information on the flyer posted to the Town Council webpage under News/Announcements.

Councilor Hume stated there is a groundbreaking for the new South Middle School. This is a new school to Braintree in many, many years and the first Debt Exclusion every. Thank you to Mayor Kokoros for making this event happen.

APPROVAL OF MINUTES

• December 7, 2021

Motion: by Councilor Ryan to Approve Minutes of December 7, 2021

Second: by Councilor Hume

Vote: For (7 – Boericke, Flaherty, Hume, Mackin, Maglio, Reynolds, Ryan),
Against (1 – O’Brien), Absent (1 - Ringius), Abstain (0)

COMMUNICATIONS

• 005 22 Council President: South Shore Plaza Update - Mayor Kokoros

Mayor Kokoros stated the events that occurred is we had a fatal shooting on Saturday, January 22, 2022. I can’t get into the details of the overall investigation because it is ongoing. I want to give you an update on some of the actions I have taken since this occurred. The safety of all who come through the doors of the South Shore Plaza is paramount. We want to make sure everyone has a safe and enjoyable shopping experience. There was great collaboration during this incident. The public safety teams did a great job either locking down or evacuating people from the mall. We have increased police patrol and presence at the mall. We have put together a meeting with Simon Properties. Somethings we agreed upon is upgrading

technology and camera systems and increasing the number of cameras. It gives us the ability to identify someone and their pathway. These cameras will deter crime because the camera will be in high-def, we will have it on video and we will see who it is and be able to apprehend them. We are going to make some technical changes to have better communications within and around the mall. The sub-station should be in a new location that is more prominent if anyone needs to get information to it. We are looking to increase the number of police officers currently. There is talk to bring a K9 unit in to detect firearms. We will be sure we have all the measures in place to curb violent crime from the Plaza. The police did a wonderful job and all the surrounding personnel.

OLD BUSINESS

• 21 060 Mayor: Authorization to Accept Donations or take up any action related thereto

Council President Boericke referred to Councilor Reynolds, Chairman of the Committee of Ways and Means for a recommendation on Order 21 060.

Chairman Reynolds stated the Committee met last week and voted unanimously for a favorable recommendation to the full Council.

Council President Boericke asked if anyone from the Mayor’s office would like to speak on Order 21 060?

Nicole Taub, Chief of Staff stated in 2021, Envision Bank had a promotion where they would donate \$10 to a local animal shelter of the customer's choosing if they opened a new checking account. Through donations raised during the promotion, Envision Bank would like to donate \$300.00 to the Animal Control Shelter, located at 282R Union Street. Based on consultation with the Animal Control Officer, and with your approval, the funds will be used to purchase new dog beds, food and treats for animals that come into our possession

Councilor Ryan read the following Motion:

Motion: That the Town of Braintree be and hereby is authorized, in accordance with Section 53A of Chapter 44 of the Massachusetts General Laws to accept the following gift upon the conditions attached and herein set forth:

<u>DONOR</u>	<u>GIFT</u>	<u>PURPOSE</u>
Envision Bank	\$300	Animal Control Shelter

Motion: by Councilor Ryan to Approve Order 21 060

Second: by Councilor Hume

Roll Call Vote: For (8 – Boericke, Flaherty, Hume, Mackin, Maglio, O’Brien, Reynolds, Ryan),
Against (0), Absent (1 - Ringius), Abstain (0)

- **21 062 Mayor: Borrowing Authorization-Tri Town Water Treatment Plant or take up any action related thereto (Public Hearing)**

President Boericke asked is there a Motion to Open the Public Hearing for Order 21 062

Councilor Ryan made a Motion to Open the Public Hearing on Order 21 062

Motion: by Councilor Ryan to Open the Public Hearing on Order 21 062

Second: by Councilor Hume

Roll Call Vote: For (8 – Boericke, Flaherty, Hume, Mackin, Maglio, O’Brien, Reynolds, Ryan),
Against (0), Absent (1 - Ringius), Abstain (0)

Council President Boericke referred to Councilor Reynolds, Chairman of the Committee of Ways and Means for a recommendation on Order 21 062.

Chairman Reynolds stated the Committee met last week and voted unanimously for a favorable recommendation to the full Council.

Council President Boericke asked if anyone from the Mayor’s office would like to speak on Order 21 062?

Nicole Taub, Chief of Staff explained the reason for this request.

The Tri Town Water District (the "District") on behalf of Braintree, Randolph and Holbrook, recently applied for financial assistance through the Drinking Water State Revolving Fund Program for the Tri Town Regional Water Treatment Plant Project.

In order to receive the necessary Drinking Water Trust and MassDEP Project Approval Certificate and Permission to Advertise in March 2022, certification of the appropriation of the entire project from design through start up is required. As of this memorandum, the Town has appropriated a total of \$33,700,000, for the design, construction and construction phase engineering services for the project (excluding the subaqueous transmission mains construction that will be funded by Randolph and Holbrook) based on the Conceptual Opinion of Probable Construct Cost (the "OPCC") from 2018 (\$67,136,000) broken down as follows:

- 18-005 \$1,700,000
- 18-033 \$23,300,000
- 20-029 \$8,700,000

As part of the 90% design submission, a current OPCC was prepared by an independent construction estimator based on the now detailed design. The November 2021 OPCC total for the design, construction and construction phase engineering services \$78,761,618 (excluding the subaqueous transmission mains construction that will be funded by Randolph and Holbrook).

The following is a summary of the increased costs associated with the project, as provided by Environmental Partners, the Project Manager:

1. Escalation-There is a great deal of uncertainty as inflation continues to ramp up. Specifically, supply chain disruption due to the long-term effects of COVID 19 have resulted in an increase of escalation of the construction rate from 3.5% to 5.0%, valued at an increase of \$0.5M.

2. Water & Wastewater Equipment Costs-Supply chain uncertainty and lead time issues are impacting cost and openness of suppliers to hold pricing firm. Some suppliers will now only quote firm prices at order time, resulting in an increase of \$1.4M total from all divisions.
3. Dissolved Air Flootation unit pricing increased by \$0.2M in May 2021, following submission of the 60% estimate.
4. Average labor costs increased from \$94.50/hour to \$101.64/hour, resulting in an increase of \$1.7M.
5. Concrete material costs increased by \$1.6M.
6. Electrical material costs increased by \$1.6M.
7. General Contractor Overhead and Profit multiplier on costs outlined above increased \$1.1M.
8. Costs due to advancement of design and reduced by contingency total \$1.4M.
9. Owner's Project Manager and design engineering services for construction phase services and resident project representatives increased by \$2M.

As a result of the increases detailed above, and the requirement that Braintree, along with Randolph and Holbrook, certify that financial appropriations have been made for the entire project, the Town must borrow an additional \$5,680,809 to cover its share of the costs for the Tri Town Regional Water Treatment Plant.

Council President Boericke asked if any Council member would like to speak?

Councilor Ryan stated it is our due diligence so we have a clean water supply and our children have a clean water supply. I fully support this.

Councilor Flaherty stated it is worth noting to residents if we approve this borrowing it will be paid through the Water & Sewer Enterprise fund. It will not impact our General fund.

Councilor Reynolds stated I plan to vote in favor of this as the previous speaker stated the importance of Braintree to have its own water supply and to control the quality of the water supply.

President Boericke stated having our own Utilities really sets Braintree apart. Having clean, safe drinking water is second to none when it comes to public health and safety.

Council President Boericke asked if anyone from the General Public would like to speak? Hearing none.

President Boericke asked is there a Motion to Close the Public Hearing for Order 21 062

Councilor Ryan made a Motion to Close the Public Hearing on Order 21 062

Motion: by Councilor Ryan to Close the Public Hearing on Order 21 062

Second: by Councilor Hume

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

President Boericke asked is there a Motion for Order 21 062

Councilor Ryan made a Motion for Order 21 062:

ORDERED: That the Town of Braintree appropriates Five Million Six Hundred Eighty-One Thousand Dollars (\$5,681,000) to pay the Town's share of the costs of designing, constructing, equipping and furnishing the Tri Town water treatment plant, which is to be undertaken with the Towns of Randolph and Holbrook, and for the payment of all costs incidental and related thereto, which amount shall be expended in addition to all other amounts previously appropriated by the Town for this project. To meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to G. L. c. 44, §7(1), §8(4) or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. The amount authorized to be borrowed by this order shall be reduced to the extent of any grants received by the Town on account of this project. All or any portion of the amount authorized to be borrowed by this order may be obtained through the Massachusetts Clean Water Trust.

Any premium received by the Town upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with G. L. c. 44, §20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Motion: by Councilor Ryan to Approve Order 21 062

Second: by Councilor Hume

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

• **22 003 Mayor: Appointment - Scott Lamphere to the Commission on Disabilities or take up any action relative thereto**

Council President Boericke referred to Councilor Reynolds, Chairman of the Committee of Ways and Means for a recommendation on Order 22 003.

Chairman Reynolds stated the Committee met last week and voted unanimously for a favorable recommendation to the full Council.

Council President Boericke asked if anyone from the Mayor's office would like to speak on Order 22 003?

Mayor Kokoros stated I ask for your support on this appointment.

Councilor Flaherty stated he feels he is a good fit as a person with disabilities is well equipped to represent the community in Braintree.

Councilor Maglio stated it is important for these committee members to have lived this.

President Boericke stated we thank Mr. Lamphere for his willingness to serve.

Councilor Ryan made a Motion for Order 22 003:

Motion: In accordance with Section 3-3 of the Charter of the Town of Braintree to approve the appointment of Scott Lamphere to the Commission on Disabilities.

Motion: by Councilor Ryan to Approve Order 22 003

Second: by Councilor Hume

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

NEW BUSINESS

- None

Councilor Ryan read the following referrals to Committee(s):

Refer to the Committee on Ordinance & Rules

- 006 22 Council President: Town Council Rules or take up any action relative thereto

Motion: by Councilor Ryan referred item 006 22 to the Committee on Ordinance & Rules

Second: by Councilor Hume

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

Refer to the Committee of Ways & Means

- 007 22 Councilor Reynolds: Q2 Budget Update or take up any action relative thereto

Motion: by Councilor Ryan referred item 007 223 to the Committee of Ways & Means

Second: by Councilor Hume

Roll Call Vote: For (8 – Boericke, Flaherty, Hume, Mackin, Maglio, O’Brien, Reynolds, Ryan),
Against (0), Absent (1 - Ringius), Abstain (0)

- 22 005 Mayor: Home Rule Petition—Retirement of Officer Richard Seibert or take up any action relative thereto

Motion: by Councilor Ryan referred Order 22 005 to the Committee of Ways & Means

Second: by Councilor Hume

Roll Call Vote: For (8 – Boericke, Flaherty, Hume, Mackin, Maglio, O’Brien, Reynolds, Ryan),
Against (0), Absent (1 - Ringius), Abstain (0)

Topics the Chair does not reasonably anticipate will be discussed

UPCOMING MEETINGS:

Next Council Meeting: Tuesday, February 15, 2022 @ 7:30pm

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 8:37p.m.

Respectfully submitted,

Susan M. Cimino, Clerk of the Council