



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

MEMBERS
Joseph Reynolds, Chairman
Julia Flaherty, Vice-Chairwoman
Lawrence Mackin, Member
Elizabeth Maglio, Member

MINUTES
Tuesday, February 15, 2022

A meeting of the Committee of Ways & Means was held in Johnson Chambers, on Tuesday, February 15, 2022 at 6:30p.m.

Councilor Reynolds was in the Chair.
Clerk of the Council, Susan M. Cimino conducted the roll call.

Present: Joseph Reynolds, Chairman
Julia Flaherty, Vice-Chairwoman
Lawrence Mackin, Member
Elizabeth Maglio, Member

Also Present: Nicole Taub, Chief of Staff/Town Solicitor
Ed Spellman, Director of Municipal Finance
Mark Dubois, Police Chief
Michael Want, Deputy Police Chief
Timothy Cohoon, Deputy Police Chief
Richard Seibert, Braintree Police Officer
Matthew Donoghue, President of the Braintree Police Officers Association
Many First Responders

Approval of Minutes

- **November 30, 2021**

MOTION: To Approve Minutes of November 30, 2021

Motion: by Councilor Flaherty to Approve Minutes of November 30, 2021

Second: by Councilor Maglio

Vote: For (4–Flaherty, Mackin, Maglio, Reynolds), Against (0), Absent (0), Abstain (0)

Old Business

- None

New Business

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

Chairman Reynolds asked if there was anyone from the Mayor's office who would like to speak on Order 22 005.

Nicole Taub, Chief of Staff stated this is something new to us but absolutely something warranted by the circumstances for the far too early retirement for Officer Seibert. Officer Seibert was appointed to the Braintree Police Department as a patrol officer in January 2005. For twelve years, Officer Seibert was assigned as a K9 Officer with his partner, Lucky, and the team has had an incredibly successful tenure working with municipal, state and federal law enforcement. For example, Officer Seibert and K9 Lucky's efforts have led to the seizure of millions of dollars of currency and real property derived from, or used to facilitate, the illegal manufacturing, packaging and/or sale of narcotics. Additionally, due to their hard work and dedication, millions of dollars' worth of illegal narcotics have been taken off the streets and hundreds of local, state and federal search warrants have been issued, leading to hundreds of arrests and convictions.

Prior to joining the Braintree Police Department, Officer Seibert served in the United States Army. While in the military, Officer Seibert attended and graduated Medic Training at Fort Sam, located in Houston, Texas, the Basic Mountaineering Leadership Course in Fort Greely, Alaska and the Military Police Course in Fort Dix, New Jersey. Officer Seibert also served in numerous combat deployments including in Somalia, Haiti and Afghanistan.

On June 4, 2021, Officer Seibert and Lucky were among the officers dispatched to a call for a domestic dispute involving a firearm in Braintree Village. The suspect had fled the apartment complex and traveled on foot into the wooded area with multiple firearms. Officers Seibert, William Cushing and Matthew Donoghue entered the area in search of the suspect. While closing in on the suspect's location, the officers were ambushed and gunfire was exchanged. Officers Cushing and Donoghue sustained multiple gunshot wounds from close range and Officer Seibert, a combat medic of the United States Army, was able to provide immediate medical attention before the officers could be transported to area hospitals for further treatment.

Due to injuries suffered during the incident, Officer Seibert has been unable to return to work and it has been reported that he will remain permanently incapacitated from performing the essential duties of a police officer. Therefore, in order to ensure that Officer Seibert receives the full benefit of his service upon retirement, I am requesting your support for the enclosed home rule petition providing for his retirement.

Specifically, the home rule petition allows Officer Seibert to retire in accordance with M.G.L. c. 32 s. 7. Further, that the annual amount of the pension payable to Officer Seibert shall be equal to the regular rate of pay that would have been payable to him had he been able to continue serving as a Braintree police officer until his death or reaching of age 65 (the maximum allowable age for service as a police

officer in the Commonwealth). Upon reaching the age of 65, Officer Seibert will receive a pension in an amount equal to 80% of the average annual rate of pay paid to him in the previous 12 months. Finally, if Officer Seibert is married at the time of his retirement, then, upon his death, his surviving spouse shall receive a pension in the amount of 75% of the annualized amount of the pension payable to Officer Seibert on the date of his death.

The additional benefits payable pursuant to the legislation shall be funded and administered by the retirement board. It was confirmed this is a legislative decision.

Letters of support from Chief Mark Dubois and the Braintree Police Officers Association were read into the record.

Chairman Reynolds asked if any Committee members would like to speak on Order 22 005.

Councilor Mackin stated I fully support this.

Councilor Flaherty stated we have a solemn duty to support our Police Officers here in Braintree. I am glad to know our retirement funds are healthy enough to support this. I support this.

Councilor Maglio stated I agree with my colleagues. I want to ask Officer Siebert how are you doing? Officer Siebert stated I am doing well and checking off the boxes with the doctors. I had surgery and physical therapy is continuing to go well.

Chairman Reynolds stated this has been an extraordinary tough journey. Officer Siebert as being in the military you know the oath of office and what it means. You never really know when the last patrol could be. It shows love for community. There is no question the valor and service rendered. This Town has your back. This will be fully absorbed by the assets in our Retirement Fund.

Chairman Reynolds asked if there is a Motion for Order 22 005.

Motion by Councilor Flaherty for Favorable Recommendation to the full Council:

MOTION: That the Town Council vote to authorize the Mayor to petition the General Court for “An Act Providing For the Retirement of Richard Seibert, A Police Officer in the City Known as the Town of Braintree,” as set forth in the petition for special legislation filed with the Town Council on or about January 31, 2022, and on file with the Office of the Town Clerk. Further, that the General Court be authorized to make clerical or editorial changes of form only to the bill prior to enactment by the General Court and further, that the Mayor be authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

Motion: by Councilor Flaherty for Favorable Recommendation to the full Council to Approve Order 22 005

Second: by Councilor Mackin

Vote: For (4–Flaherty, Mackin, Maglio, Reynolds), Against (0), Absent (0), Abstain (0)

It was unanimously voted to adjourn the meeting at 6:45p.m. by Roll Call Vote.

Respectfully submitted,
Susan M. Cimino
Clerk of the Council

Documents provided for Meeting

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