



Shannon L. Hume
President
At Large

Charles B. Ryan
At Large

Julia Camille Flaherty
District 1

Steven A. Sciascia
District 2

Donna L. Connors
District 3

David M. Ringius, Jr.
Vice-President
At Large

Stephen C. O'Brien
District 4

Meredith L. Boericke
District 5

Lawrence C. Mackin, Jr.
District 6

OFFICE OF THE TOWN COUNCIL
Tuesday, February 23, 2021
(zoom webinar)
MINUTES

A meeting of the Town Council was held via Zoom Webinar, on Tuesday, February 23, 2021 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 Municipal Finance
James M. Casey, Town Clerk
Marybeth McGrath, Director Municipal Licenses & Inspections
Mark Dubois, Chief of Police
Timothy Cohoon, Deputy Chief of Police
James Arsenault, DPW Director
John Thompson, Town Engineer/Asst. Director
Joe Carroll, National Grid
Grace Parlee, Donor to Dottie and Bob Parlee Scholarship Fund
Nancy Parlee, Donor to Dottie and Bob Parlee Scholarship Fund
Noah Brown, "Friends of Charles Kokoros" Committee Chair
Sophia Berardinelli (class of '15, resident of District 6A)
Felicia McDevitt (class of '17, resident of District 6B)

COUNCIL MEETING COMMUNICATIONS

- Agenda/Documents link to website: <https://braintree.ma.gov/AgendaCenter>
- Email: towncouncil@braintree.ma.gov
- Meeting Notice Posting link: <https://ma-braintree.civicplus.com/calendar.aspx?CID=43&showPastEvents=false>
- Facebook: [Braintree Town Council](#)
- “How Do I” sign up to receive meeting/town information: <https://braintree.ma.gov/786/Sign-up-for>
- To be added to the Town Council Agenda Distribution list please send an email request: scimino@braintree.ma.gov
- Zoom Webinar Questions: If you want to ask a question but cannot access webinar - call direct: 339-987-2726

ANNOUNCEMENTS

- **006 21 Council President: COVID-19 Temporary Memorial or take up any action relative thereto**
President Hume stated we have a letter from Sophia Berardinelli and Felicia McDevitt.

Dear Town of Braintree Leadership,

COVID-19 has taken a toll on the entire world in the past year, and Braintree is no exception. This pandemic has impacted each of us, and we feel that it is essential to acknowledge our town's collective struggle. As members of this community, we feel that creating a temporary memorial in a public area in the town would help recognize that struggle. Our goal is for this installation to serve as a local site of memory, allowing town residents to grapple with and reflect on the profound loss of life caused by the COVID-19 pandemic.

In addition to memorializing lives, this project would remind the community of the importance of civic engagement and of supporting grieving families. It is of the utmost importance that our local government recognizes the seriousness of this virus and the deep loss that our locality is experiencing.

As of January 28, 2021, 124 Braintree residents have died due to COVID-19. We would like to place white flags in the ground, side by side, in a common outdoor space such as the lawn in front of town hall. Each white flag planted represents a resident; additional flags to be added as the death count rises. A sign would accompany these flags stating, "To the Braintree residents who have lost their lives due to COVID-19."

To date, the US COVID-19 death toll exceeds 428,000 lives-an unfathomable scale of loss. John Hopkin University's COVID-19 disease model projects that our country will reach 514,000 deaths by February 27th, merely a month from now. To place our contemporary public health crisis within history, an estimated 675,000 Americans died from the 1918 flu pandemic, and 700,000 Americans have died from ATDS since 1981. Deaths from mass public health crises are hard to grasp fully- they are often silent, more private, sometimes ongoing, and less memorialized. In terms of the sheer scale of death, American fatalities in wars can serve as a comparison. Last week, we surpassed the total count for all American lives lost in World War II, which amounts to 405,399 casualties. 4 That total includes 13 Braintree residents who died while in service. Although deaths resulting from this pandemic and those of soldiers killed are two very different types of loss, examining these numbers helps us comprehend the magnitude and effect of COVID-19.

We express sincere gratitude for the frontline workers working to tackle the virus first hand- healthcare workers, first responders- as well as the essential workers serving our community during this public health crisis. COVID-19 has upended the life of every Braintree resident and American in a multitude of ways. Its impact, whether through health outcomes or social consequences, also falls along racial, gendered, and classed lines and intertwines with other social variables such as disability and, most widely acknowledged, age. Those living at the intersections of these circles of vulnerability have had their lives deeply affected and altered. We all bear witness to the challenges COVID-19 poses-the demanding strains on household labor and care, the access and ability to educate and work remotely in the home , the guarantee of safe, sanitized housing conditions, the complexities of using and navigating the healthcare system overall, etc. Since the beginning of the pandemic, there has also been a rise in anti-asian racism and sentiment; we must remember that no community is immune from this occurrence, on any level. Our communal and national responsibility is to learn how COVID-19 is exacerbating and exposing pre-existing inequalities; to hear all community members' concerns and amplify them, and to reflect on the long-lasting impact the virus will have on people's lives.

As a nation and as a community, we are mourning both tangible and intangible losses. As we collectively grieve, we must remember the importance of protecting ourselves, our family members and community members, as well as extending care to those in need. Following public health measures amidst a rapidly rising death toll continue to be of the utmost importance. We must strive to alleviate those diligently and relentlessly working the frontlines.

In addition to memorializing the loss of community members, we would also like to have signage in front of the Town Hall to thank our locality's heroes. This list includes teachers, healthcare workers, grocery store workers, and all other essential workers who continue to keep us safe and healthy during this time. This is an opportunity to unify the community and provide a sense of comfort for the mourning and those who are strained and struggling in any other way during this time.

We would also like to invite community members to personalize flags with the names of their lost loved ones or thank you messages for front line workers if they so choose. Perhaps during open hours at Town Hall. We hope that this temporary memorial will inspire community members, leaders, historians, and artists to envision and discuss a permanent memorial to commemorate both the lives lost and frontline workers' service in our town.

*Sincerely,
Sophia Berardinelli (class of '15, resident of District 6A)
Felicia McDevitt (class of '17, resident of District 6B)*

Ms. Berardinelli and McDevitt stated “This is to serve as a point of unification and provide a sense of comfort for everyone who is grieving, mourning and strained in anyway during this time.”

Mayor Kokoros met with the two women earlier this evening and gave support for this project.

• **007 21 Councilor Mackin: Full Day In-Person Learning or take up any action relative thereto**

Councilor Mackin stated I have been speaking with some parents who want their children fully back in school. It is amazing the different negative effects remote learning has had on their kids they have described to me. Parents asked I bring this before the Council. Prolonged remote learning has caused a mental health crisis in children all across the country. Mental health incidents have soared this past year. There also has been a spike in increased child and teen suicide across the country. A teacher reached out to me stating he teaches his remote classes from his classroom. Some of his students have written letters stating their desire to be in school. Nearly every private school was back fully in-person in September. Some school districts across the country have been back to fully in-person learning. Why here in Braintree we didn't even have a plan. Last night the School Committee voted in-favor to return to fully in-person learning. While this is great to hear it is contingent upon the BEA agreeing to it. The BEA initially rejected a School Committee directive regarding a hybrid plan proposal in September. It is likely they will reject a directive again. I request the Town Council see plans of a date certain return to fully in-person plan to ensure progress. As a Town we should start exploring disciplinary options for refusing a directive. Parents have pulled their kids out of Braintree schools. Kids should have been back in school a long time ago. The Council should get involved to make this happen.

APPROVAL OF MINUTES

• November 4, 2020

Motion: by Councilor Ringius to approve the Minutes of November 4, 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)

• November 17, 2020

Motion: by Councilor Ringius to approve the Minutes of November 17, 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)

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

Mayor Charles C. Kokoros made a brief statement on the FY2021 Capital Plan. This is a plan of needs not wants. In reviewing this plan we are maintaining our roads and infrastructure plan. We will continue the funding to schools to prioritize capital needs there as well. We will fund ADA enhancements, the finalization of the Elders Affairs parking lot and a number of items that need to be repaired or replaced. The FY2021 Capital Plan will go to committee and you will have the opportunity to review it and my staff is available to answer any questions.

Mayor Kokoros gave a COVID-19 update and stated the Towns total number of cases is at **3,826**. We have lost 132 lives to Coronavirus. The vaccine clinics have been great with Director McGrath and Chief of Staff

Taub coordinating these events. We have done over 1,400 vaccinations to date. We had staff Steve Leary and Kate Naughton working hard and many of the School Nurses at these Saturday clinics. Brewster Ambulance has been a great in providing us additional doses. There is a second dose for everyone who has received a first dose. The governor has ordered all vaccines to stop going to local Health Departments. It is extremely disappointing. We will continue to fight to get vaccines to our local Health Department. We do not want our elderly population to travel 50 miles plus to get a vaccine. We here at Town Hall are very organized with our clinics.

Mayor Kokoros stated a motion was made on a re-opening date for Schools. Negotiations are on-going. The date for BHS is March 15, 2021 full-day, 5 days. The second milestone is middle and elementary schools for April 1, 2021. We have a team working with the BEA. We have staff coordinating to bringing the students back full-time.

• **012 20 Council President: COVID-19 Update**

Marybeth McGrath, Director of the Department of Municipal Licenses & Inspections stated the Towns total number of cases is at **3,826**. Over the past two weeks we have seen a decrease in daily numbers. We have been engaged in vaccination clinics and have gotten positive feedback from residents. Our public school nurses and Brewster ambulance have been extremely helpful as well as many town employees. We would like to continue our vaccination program but there have been changes in the State level. As of this date we have not had any other variances that we know of. I fully support the re-opening of schools and children going back. The spread is primarily in sports.

Testing sites available are: Randolph (128 Pleasant Street) Monday thru Friday 2pm to 6pm and Saturday 9am to 1pm.

Massasoit in Brockton is open Monday/Wednesday/Friday 7am to 11am and Tuesday/Thursday/Saturday 2pm to 7pm.

Both of these sites are free to Massachusetts residents. You stay in your car and get tested.

There is a link to all things COVID on the Town website.

We also encourage the residents to take steps to help prevent exposure to any respiratory viruses, including seasonal influenza and Coronavirus by:

- Washing your hands often with soap and warm water for at least 20 seconds.
- Avoid touching your eyes and face.
- Cover coughs and sneezes with a tissue or the inside of your elbow.
- Clean things that are frequently touched (like doorknobs and countertops) with household cleaning sprays or wipes.
- Stay at home when feeling sick.

For more information on COVID-19, visit the MDPH website at www.mass.gov/2019coronavirus and the CDC website at <https://www.cdc.gov/coronavirus/index.html>

For questions, please feel free to contact the Town of Braintree Health Department:

Public Health Nurse at 781-794-8094 or Marybeth McGrath, Director of Health at 781-794-8095.

- **004 21 Council President: Update from Police Chief DuBois**

Police Chief Dubois gave an update. We have had some personnel changes. 4 retirements, 1 resignation, 5 new hires, one military leave who has been in Kuwait and will be returning. Tim Cohoon and Mike Want, Deputy Chiefs are great and very helpful.

Overtime is a discussion. In early March 2020 we had a meeting to see where we could make some adjustments and a full analysis of the Police Department and we did staffing changes and readjustment on where we allocate people. Currently \$256,000 less this year at this time than last year. We also hope to get Cares Act reimbursement.

Accreditation is being worked on by Lt. DePappa. It is funded by fees we pay to be a member. It is a set of standards and there are two levels. We are going for the certification process. You meet the 159 standards that are mandatory and it is a huge part of the 257 to become fully accredited. The assessment is March 18 and 19 then we apply for the accelerated process. This has been delayed due to COVID. We have all of the standards in place now. The standards we are talking about include policy and procedures for use of force, vehicle pursuits, arrest procedures and even our financial processes and if we take in fees and budgeting. It is fairly comprehensive. This is timely with the Police Reform Bill. There is a lot of mandates that we are required to fulfilling that will take a lot of personnel time and training requirements.

A big project is our Records Management System. It tracks all in house records, reports, all the bookings. It is a 30 year company that will not be anymore. Last year in the Capital request we were approved for the new Records Management System. We have one officer assigned full-time to work with that company.

The Facilities Department (Mike McGourty) has done a lot of work in our facility. Mike and his team has made the place look brand new. They renovated our fitness center in our garage. They put in a new water heating system. They renovated our family services area. They did major garage door repairs and LED lighting update and plumbing as well. They have been great to work with.

In the community we have had major incidents. We work closely with the Mayor and Chief of Staff. We had a shooting at the Plaza and potential for protests and car chases out of town due to our presence for those protests. At the hotels we work closely with and apartments to make recommendations and adjustments with them. We also work closely with the Boston Task Force that works with us to identify potential problems and how to mitigate them. With COVID we have seen an increase in mental health calls. Seems like a constant problem with drug addiction and overdose calls. We have seen more homeless visible in town. We have seen domestic violence issues. We have seen these trends mentioned nationally but locally we have noticed it. We are doing what we can to mitigate and address this.

OLD BUSINESS

- **20 071 Town Clerk: Polling Locations or take up any action relative thereto**
(Public Comment was be allowed on 2/23/2021 for Order 20 071)

President Hume stated this was Tabled so we could gather more information. I requested information from Police, Schools and the ADA Coordinator because they are such a big part of Elections.

Is there a motion to take Order 20 071 off the Table?

Motion made by Councilor Ringius to Take off the Table Council Order 20 071

Motion: by Councilor Ringius to Take off the Table Council Order 20 071

Second: by Councilor Ryan

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

President Hume stated Town Clerk, James Casey is in attendance and will be giving a presentation on Polling Locations. This presentation can be found on the Town Clerk webpage at braintreema.gov
On July 15, 2020 - Council Order 20 042 was adopted to establish District Voting Centers whereby Districts 1 and 2 were relocated to Braintree High School, Districts 3 and 4 were relocated to East Middle School and, Districts 5 and 6 were relocated to South Middle School on a temporary basis through December 31, 2020.

There is pending legislation to make Early Voting, In-Person and by Mail-In permanent and add same day Voter Registration.

During the approval process of Order #20 042, several concerns were raised by council members and the general public regarding.....

- Ability to maintain a healthy environment during the COVID pandemic for both voters and election works
- Voter lines
- Voter Access for persons with disabilities
- Sufficient parking, both general and handicap parking spaces
- Neighborhood polling locations
- Transportation to polls
 - Bus Routes
 - Seniors
 - Persons with Disabilities

Primary objective of this report is to determine the future direction of election polling locations within the town.

- Reasons to consider consolidation
 - Address public concerns
-
- Declining Election Day Voting
In 2020, the decline in Election Day turnout was accelerated with the introduction of early voting by mail falling an additional thirty percentage points to 61% from 2012 and due to increased options to cast a ballot

ELECTION COSTS

Staffing costs have increased 70% since 2015 and, are projected to increase an additional 10% over the next two years. Approximately 2 Elections are held each year.

Operational costs

Added Technology to effectively manage voter's choices to cast a ballot

Mandated early voting

Requires added staffing to manage in-person voter check-in and processing by mail requests

ELECTION DAY

A total of 13 hours of voting (7:00am until 8:00pm)

Voter Assisted Terminal for voters with disabilities

- Both federal law and state requirements mandate that voting systems be equipped for voters with disabilities allowing such voters to have the same opportunity to vote privately and independently

ABSENTEE VOTING

In-Person (Available 28 days before election until noon on the day before Election Day)

- Both federal law and state requirements mandate that voting systems be equipped for voters with disabilities allowing such voters to have the same opportunity to vote privately and independently

By Mail

(Available 28 days before election/ballots returned by 8:00pm on Election Day)

Emergency Absentee Ballots

- If a voter is admitted to a healthcare facility or is instructed to quarantine in their home within 1 week of the election, the voter may use the absentee ballot application to designate someone of their choice to deliver a ballot to them
- Emergency ballots may be requested up until the close of polls

*To qualify for an absentee ballot, you must:

- Be away from your city/town on Election Day; or
- Have a disability that keeps you from voting at your polling place; or
- Have a religious belief that prevents you from voting at your polling place on Election Day
- For elections held through March 31, 2021, state law clarifies that any person taking precautions relating to COVID-19 qualifies for an absentee ballot by reason of physical disability.

EARLY VOTING

In-Person - (Available for up to 17-days before Election Day and for up to 14-days of voting)

- Both federal law and state requirements mandate that voting systems be equipped for voters with disabilities allowing such voters to have the same opportunity to vote privately and independently

By Mail - (Available 28 days before election/ with ballots accepted until 5:00pm three-days after the election)

- Ballot return envelope must show a postmark date no later than the election date

ABSENTEE vs EARLY VOTING

In Massachusetts, absentee voting is available in fill elections, while early voting only in certain elections. The two systems overlap in several ways, but the most important difference is that absentee voters must have an excuse (as noted in the previous chart), while there is no excuse needed in order to vote early. In elections in which early voting is available, there may still be certain circumstances when it would be appropriate to apply for an absentee ballot instead of an early ballot.

A voter should complete an absentee ballot application if there are:

A military voter on active duty;

A Massachusetts citizen residing outside of the United States;

A voter who has been admitted to the hospital within 1 week of the election; A voter who has been quarantined within 1 week of the election;

A voter who is incarcerated.

PERSONS WITH DISABILITIES

Accessible Polling Places

All polling locations and early voting sites in Massachusetts are required to be accessible.

Voting assistance and absentee voting offer options that persons with disabilities may use to vote, but they are not considered substitutes for actual accessibility to the voting location.

Accessible voting provides the same opportunity for access and participation to persons with disabilities as for other voters.

Accessible Voting Procedures

A voter can choose someone to assist entering the polling location, checking in, entering the voting booth, preparing the ballot, exiting the booth and checking out.

Voting via mail-in absentee ballot at home is another option used by elderly and disabled voters. If you have a disability that prevents you from marking a paper ballot, you can request use of the accessible vote by mail system.

The Accessible Vote by Mail System allows certain disabled voters who are unable to complete a mail-in ballot to receive and complete their ballot electronically. Voters are then able to return their ballot electronically by email, or by mail, secure drop-box, or in-person delivery to their local election office.

Accessible Voting Equipment

Both federal law and state requirements mandate that voting systems be equipped for voters with disabilities allowing such voters to have the same opportunity to vote privately and independently

VOTING FOR MILITARY AND OVERSEAS U.S. CITIZENS

Military Voters

Members of the United States military on active duty, or dependent family members of active duty personnel, qualify to vote as a UOCAVA military voter.

Military voters stationed in Massachusetts have the option of registering to vote where they are stationed.

Military voters who resided in Massachusetts before being called to active duty have the right to continue to vote from their Massachusetts address, as long as they do not register or vote elsewhere.

Eligible military voters include those on active duty in the Army, Navy, Air Force, Marine Corps, and Coast Guard (including reservists), as well as members of the merchant marine.

Overseas Citizens - United States citizens who reside outside the United States may vote from their last residence in the country. If they are a United States citizen who has never resided in the country, the address for voting purposes would be their qualifying parent's last address in the country. This address may differ from the address you use for other purposes.

Ballot Delivery/Return

- For federal elections, UOCAVA voters can choose to receive and return their ballot by e-mail, fax, or mail.
- For city and town elections, voters will receive and return their ballot by mail.

SUFFICIENT PARKING FOR GENERAL AND HANDICAP PARKING SPACES

- Each of the District Voting Centers offers multiple parking areas for voters
 - Most individual polling locations do not
- Each of three District Voting Centers existing handicap parking spaces are supplemented with added handicap spaces directly in front of the entrance pathways and noted with signage
 - This is not an option at many of the individual polling locations due to the limited number of parking spaces

Concerns were raised that the consolidation of polling locations would negatively impact a voter ability to take the bus to vote given announced service cuts

Polling locations are primarily selected based on available space of adequate size to accommodate voting

- A town owned building
- Adequate general and handicap parking
- Meet Election Law guidelines on accessibility

RECOMMENDATION - Permanent adoption of the three District Voting Centers

Success of District Voting Centers during the past three elections

Under challenge conditions associated with the COVID pandemic

Lower election costs

Staffing and technology (approx. Savings of \$26,000 to keep with 3 District Voting Centers)

Stronger administrative oversight

Experienced workers assisting less experienced workers
Redirecting voters to their correct voting precinct

Declining Election Day Voter turnout

More voting choices to cast a ballot
Early Voting

Elimination of elementary school use

A long concern of parents on safety of the students
Six elementary schools are currently used as polling locations

Positive voter experience and Recommendations from Chief of Police, Superintendent of Schools and ADA Coordinator.

Council President read the memo from Nicole Taub, Chief of Staff/Town Solicitor dated February 17, 2021 regarding 20-071 Town Clerk: Polling Locations:

President Hume, Clerk Cimino and Clerk Casey,

As requested, the following information is being provided in relation to the Town Clerk's request to reduce the number of polling locations from eleven (11) to three (3). This reduction was implemented for the 2020 elections due to COVID and the pending request would make the change permanent and applicable to all elections moving forward.

Braintree Public Schools (Superintendent Frank Hackett)

The School District recognizes and appreciates the role that our schools have played in the election process over the years and these comments are only intended to address the logistical challenges the District faces to ensure the safety of the students and not to weigh in on the question that the Council is considering.

Thanks, in part, to the advanced communication and planning done by the Town Clerk and our principals, we have not had any significant problems over the years hosting elections; however, several of our schools are not ideal locations for the volume of traffic we experience during voting. For example, Morrison has only one road in and out to the building with very limited parking. In the past we have had a couple of minor accidents due to limited parking and made the adjustment about five years ago to not hold school on election days in which high voter turnout was expected. While manageable, it does have an impact on our overall school year calendar.

With that, a reduction in the number of polling locations to include the school sites listed in the Clerk's proposal would be more convenient and, in my opinion, safer for voters and our students.

Braintree Police Department (Chief Mark Dubois)

The Police Department staffs polling locations for Town and State elections with one (1) officer at each polling location on a day shift and an evening shift, for a total of 2 officers from 6:30 am to the close of the polls. The total number of officers for the eleven (11) locations was thirty three (33). Additionally, an officer is assigned to the Central Tabulation Room in Johnson Chambers. Finally, an officer was previously assigned to escort the Town Clerk to all polling locations on Election Day.

For the November 3, 2020, election, staffing at each location was slightly greater than during a traditional election due to the potential for civil unrest, with three (3) officers at each location, including in the parking lots. Additionally, the Department staffed two (2) rapid response units, with two (2) officers per vehicle, and an Officer in Charge for each shift, bringing the total number of officers required on Election Day to twenty-eight (28). The total overtime incurred on November 3, 2020, was \$10,209. This cost was covered by the Department from the existing overtime budget.

Going forward, we expect to return to staffing levels of one (1) officer per shift, per location, with an additional officer at the Central Tabulation Room. A reduction to three (3) polling locations would require less police personnel on Election Day, resulting in a reduction in cost to the Department, and would have less of an impact on the daily schedule and deployment of resources.

ADA Coordinator (Kristina Ziniti)

Polling place accessibility for elderly and handicapped voters is governed by 950 CMR 51, which implements the federal Voting Accessibility for the Elderly and Handicapped Act, and applies to all Massachusetts elections. The purpose of the regulation is to promote the fundamental right to vote by improving access for handicapped and elderly individuals to polling places and the voting process. Requirements of the regulation include, among other things, site access, parking, at least one accessible entrance, ramps and at least one accessible voting unit.

A review of the polling locations at East and South Middle Schools and Braintree High School suggests that all three (3) locations meet the requirements of the regulation. One issue that was raised during the last election was public transportation to these locations; however, that is not required by the regulation.

Council President opened the meeting up to Town Council and Public Comment at this time.

Councilor Flaherty asked when we will know if State permanently allows Early Voting and Mail-In Voting for Voters.

Clerk Casey stated I received 3 acts of legislation proposed by the Secretary of States office, the Mass Town Clerk's Association and one by a Voter Advocacy Group on some of the proposed changes for future elections. They all include 7 days of Early Voting for Primary Elections. They all include 14 days of Early Voting for General Elections. They all include Vote by Mail. They also all include Voter Registration on the Election Day which normally ends 21 days prior to the Election.

Town Clerk Casey stated with this vote a Home Rule Petition would then need to be sent to Representative Cusack for the State Legislature to vote on. April or May 2021 Vote would be best to get all this moving. If this does not pass as the three District Voting Centers other votes to move polling locations back will need to take place as well.

Andrew Kaye stated I voted in person and I found it to be very safe and very quick. It would be great to know if Mail-In Voting will continue. How were different groups impacted? We have all the data from this past election. We could look at data of seniors and those from apartment buildings and others and to ensure people can vote.

Town Clerk Casey stated this suggestion would be a major undertaking. The data we have does not include if you live in a certain apartment complex etc. This would take up too many resources from my staff and finances.

Andrew Kaye stated I would like to have a conversation after this meeting and I could help get this data together to better understand the impact.

Councilor Sciascia stated making a permanent change to polling locations during a Pandemic seems like not the right time. We are relying on data of what people did during a Pandemic and unknowns about what will be allowed in the Commonwealth going forward. We have outlined 4 possibilities: single location, 3 district locations, 6 locations and keep at the 12 locations. We have not given much time to the idea of 6 locations. I would hope the Council would address the question of Handicap getting to the polls. We should research the potential cost savings and that could help get people to the polls.

Lynn Vaillancourt, Acting Chairperson for the Commission on Disabilities stated I recognize there are concerns about transportation for people with disabilities and getting them to the polls. Legally we do not have to but yes we want to provide as much as we can for our citizens. We caution though if we are describing people who are physically handicap that opens up to other disadvantaged groups that may become from allowing one disadvantaged group and now what about the people who simply do not have car transportation or people who simply cannot get there for other reasons other than a disability listed as a handicap. If we allow for one disadvantaged group then we may have to allow for all disadvantaged groups within the Town and that might not be financially feasible. We need to allow for full accessibility but we need to be cautionary about actually transporting people to the polls.

Kristina Ziniti, ADA Coordinator agreed with Ms. Vaillancourt. The cost of insurance would be an increase as well. This is a layered thing to look at.

Robert Kearns, resident stated I would say some people would go back to vote in-person after the pandemic. I feel people want to go back to normal even if mail-in voting is allowed.

Councilor O'Brien stated I think if we can, the idea is to get as many people to the polls that we can. Not to discriminate. I would argue moving 5th graders to middle school this would give me pause. I think School Security should be listed as a Con at South and East Middle. Hearing from my precincts they are mostly against consolidation of the polling locations.

Nicole Taub stated where do you draw the line for people who need transportation to the polls. There would be liability transporting individuals in Town owned vehicles. Typically rides are provide by candidates running for election. I agree in providing access for all to vote. The liability cannot go unnoticed.

Bruce Parks, resident stated is Early Voting and Mail-In Voting still with the Legislature. I did Early Voting. It was supper convenient. Everyone can't always get to the polls on a Tuesday. Early Voting would help with the transportation issue. People might be able to get someone to give them a ride to an Early Voting day to vote. Transportation – don't we have that transportation issue today? Those people that can't get to a poll to vote would have that issue if we had 6 polling locations or other number of locations. Are we really trying to solve a hypothetical problem that really doesn't exist. I have seen over the years different civic groups that step up and volunteer to get people to the polls.

Councilor Boericke stated ensuring residents that Mail-In voting is an option is worth the wait to find out. Mail-In voting truly makes voting accessible to everybody. All of the cost savings and the staff deficiencies are meaningful, I think more important is voting rights and voting access can't be determined by what is convenient for us. We must be ensured all our residents have easy access to a polling location. Walkability was why Braintree established so many polling locations. Without the guarantee of Mail-In Voting my concern is our most vulnerable residents, especially those who don't drive, are the ones who will be disproportionately impacted by this change.

Councilor Connors stated I worked the past 3 elections using the 3 district centers. I heard all positive feedback from the residents. How much more capacity can the 3 centers handle if more people come in-person. Do we know when the legislation for Mail-In and Early Voting will be voted on in the Legislature? It is important so then we know when to vote and go forward with this.

Town Clerk Casey stated we received 3 acts of legislation proposed by the Secretary of State office, the Mass Town Clerk's Association and one by a Voter Advocacy Group on some of the proposed changes for future elections. They all include 7 days of Early Voting for Primary Elections. They all include 14 days of Early Voting for General Elections. They all include Vote by Mail.

Council President Hume stated we will invite the State Legislatures to a meeting. We will invite Representative Cusack, Senator Timilty and Senator Keenan to a future meeting to give an update on the Legislature on the voting.

Councilor Mackin stated I do not have a problem in consolidating. Right now I approve in the consolidation.

Councilor Ringius stated a few months back I was hesitant. I thought consolidating would make more people together but no COVID cases were traced back to this. If we did have same day voter registration could we do this at the polling locations?

Town Clerk Casey stated if we do the same day registration I would need to hire a person at each polling location. Checking for the integrity of the election is a big concern. We did find people who voted Early voting and showed up on election day and we could check this with our technology. It was good to have additional resources in one location to share this information.

Councilor Ringius stated cost savings is one positive with consolidation. There will be lean years coming with COVID. Elementary schools not being part of elections is important. The use of less police officers would go toward our budget. ADA stated we are not required to offer transportation and we should go above and beyond but we have to be mindful of liability. Anyone who wants to be in a polling location who wants to go in and cast a ballot in person we should be mindful to get this done.

Council President asked Town Clerk Casey to give information on 6 polling locations.

Motion was made by Councilor Ringius to TABLE Order 20 071

Motion: by Councilor Ringius to TABLE Council Order 20 071

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)

- **21 001 National Grid Petition: Pearl Street continuation of Order 17 042 or take up any action relative thereto**

President Hume referred to Councilor Ryan, Chairman of the Committee on the Department of Public Works for a recommendation.

Councilor Ryan, Chairman of the Committee on the Department of Public Works stated we met earlier this evening. In 2017 National grid put in a gas main and then their people went on strike. In the meantime the Town of Braintree DPW paved the street over. National Grid now needs to go back in and put the Gas users on the new gas line and abandon the old gas line. There are some leaks in the old gas line at this time. Council has asked for extensive communication to these residents. The street will be put back in condition that it is currently. The DPW Committee made a favorable recommendation to the full Council on Order 21 001.

Councilor Boericke stated National Grid is in agreement to add to the communication on this project and willingness to work with the neighborhoods.

Councilor O'Brien asked about how many customers to the new main. Is National Grid allowed to solicit for new customers?

Joe Carroll, National Grid stated there are about 30 customers to hook into the new gas main on Pearl Street. Part of the abutters letters going out will ask if anyone wants to connect to the new main, now is the time to do it.

Councilor O'Brien asked about the solicitation and if this is legal.

Councilor Ryan stated the road will be open now. Now is the time to connect if a resident would like to. We are being courteous to let people know now is the time to do it if they want.

Councilor Flaherty stated this is a safety concern. It should also be noted that once the first pavement is complete there will be step two of paving in the future. Residents sometimes question why paving is being done a second time.

Councilor Ringius read the Motion for Order 21 001:

Motion:

The DPW has reviewed National Grid's request to continue work on Pearl Street, as previously petitioned under order 17-042. The gas company is proposing to finish the project which was never fully completed due to the lockout. In 2017, National Grid installed a new 4-inch plastic gas main in Pearl Street but never made the final connections to activate it. The remaining proposed work includes the digging of approximately 30 service trenches to transfer existing gas customers to the new gas main, and 4 connection pits to tie the new gas main to existing gas mains at the project limits to activate it.

BELD: Please note, BELD has an 115,000 volt oil filled transmission line located on Pearl St.

BELD Engineering should be notified in advance of any excavation to be performed in close proximity to this line. BELD will provide onsite support and safety personnel at no cost to the project. BELD also has a 13,800 volt underground system on the road. This is a concrete encased duct bank to be identified through the **Dig safe process.**

DPW: Pearl Street was totally reconstructed by the Town in 2018, including sidewalks with granite curbing, following completion of the Town's watermain replacement project. As such, the roadway is under the moratorium which was enacted by the Council in 2015. For longitudinal trenches the

moratorium is 10 years, and for transverse trenches, the moratorium is 5 years. However, given that National Grid's gas main replacement project is not yet completed, and that the old gas main is still active and cannot be abandoned until additional work is completed.

I recommend the petition for this road opening be granted given the following conditions can be met:

National Grid shall be responsible for the complete restoration of Pearl Street and adjacent streets within the entire work limits to restore all disturbed areas to preconstruction conditions, including the following specific requirements:

- National Grid shall perform a pre-construction video-survey documenting the existing conditions of roadways, sidewalks, curbing, striping, and any private property areas that may be affected by the work.
- Certified letters shall be sent to all abutting residents notifying them of the reason for the project, describing the total restoration requirements, and providing contact information for questions. The letters shall also provide residents the opportunity to connect to gas during the project and make residents aware of the strict moratorium requirements should they choose not to connect at this time.
- At the Town's request, National Grid shall host a remote public meeting to make residents aware of the proposed work and allow residents to ask questions and voice concerns
- National Grid shall perform a curb-to-curb resurfacing of Pearl Street, from Liberty Street to the Monatiquot River crossing (west of #234 Pearl St.), by way of a 2-inch mill and overlay, using MassDOT super-pave asphalt mix and QA/QC specifications.
- National Grid shall resurface all sidewalks within the project limits and replace any granite curbing or concrete wheelchair ramps that are damaged during the work
- All thermoplastic pavement markings shall be replaced in-kind immediately following the final paving

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."

Motion was made by Councilor Ringius to approve Order 21 001

Motion: by Councilor Ringius to approve Order 21 001

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)

• **21 002 Mayor: Acceptance of Donations or take up any action relative thereto**

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

Councilor Boericke, Chairwoman of the Committee of Ways & Means stated the Committee of Ways & Means met this evening and voted unanimously for a favorable recommendation to the full Council.

Noah Brown, of the “Friends of Charles Kokoros Committee”. Mr. Brown stated in January 2020 the “Friends of Charles Kokoros Committee” held the Blue & White Ball to celebrate the Inauguration of our new Mayor. After the Ball all residual funds were donated to a mixture of PTO’s and other civic organizations in Town. Tonight on behalf of the “Friends of Charles Kokoros Committee” we are donating the following:

\$435.00 to the Department of Elder Affairs and is to be used assistance to defray transportation costs for elder residents.

The second donation, in the amount of \$5,000.00, shall be dedicated to the Town of Braintree-Department of Veterans Services, to be used as needed in support of and in gratitude for the men and women who have served our country.

Nancy and Grace Parlee stated their parents Dottie and Bob were lifelong residents of Braintree and graduates of Braintree High School-Dottie in 1942 and Bob in 1939. Nancy and Grace found letters between the parents and every letter said how much they loved Braintree. Dottie was a member of the Braintree High School band, where she played the trombone, and Bob was affiliated with the Drum & Bugle Corps. Nancy and Grace would like to establish a music scholarship in their memory. They stated it can be anything to do with music including the band, music or dance with the following qualifications: 1) \$2,000 per year would be allocated, \$1,000 each for a male and female; 2) the funds must be related to music; and 3) the recipient must be a Braintree High School Graduate. Dottie and Bob loved Braintree and Grace and Nancy are excited to be able to honor their legacy by helping a Braintree graduate fulfill their dreams.

Motion was read by Councilor Ringius.

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 gifts upon the conditions attached and herein set forth:

<u>DONOR</u>	<u>GIFT</u>	<u>PURPOSE</u>
Grace and Nancy Parlee	\$20,000	Dottie and Bob Parlee Scholarship Fund
"Friends of Charles Kokoros"	\$5,000	Town of Braintree-Department of Veteran Services
"Friends of Charles Kokoros"	\$435	Town of Braintree-Department of Elder Affairs

Motion: by Councilor Ringius to Approve Council Order 21 002

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)

REPORTS FROM COMMITTEE

• 005 21 Councilor O'Brien: Committee on Education & Library or take up any action relative thereto

Councilor O'Brien gave an update on the Committee on Education & Library meeting. He was disappointed the subject matter expert (Superintendent of Schools) was unable to attend. Chairman Devin was available to attend.

Committee on Education & Library Progress Report:

Meeting Date Tuesday, December 22, 2020, 5:30 p.m.

Town Council Attendees: Chairman Stephen C. O'Brien, Vice Chairman David Ringius and Member Meredith Boericke and Council Clerk Susan Cimino

Subjects:

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

053 20 Councilor O'Brien: Maintenance Department Recommendation or take up any action relative thereto

Introduction

As liaison to the council, clerk Cimino (clerk) was advised by the executive branch to contact the school superintendent (administration) to meet with the committee. Several invitation attempts were made to schedule the meeting. The attached agenda and supporting documents demonstrate October attempts with an additional contact to the clerk whereby the committee would adjust to the administrations availability. It is not lost on the committee the pandemic has created difficult and complex issues, which is one reason the committee waited for the new school year to hold this meeting. The meeting moved forward.

The committee on education & library was called to order to discuss the above two council orders. Chairman O'Brien called the meeting to order and notified all in attendance that the meeting was for discussion-only regarding the two referred topics but no legislative approval or denial would be associated with the committee meeting. The public in attendance desiring commentary or discussion were referred to the clerk, then advised results would be forthcoming to the entire town council for reporting committee progress.

This progress report is separate from clerk produced meeting minutes to be considered by the committee at a future date.

Subject Matter Discussion

RE: 045 20 - An Analysis of the 2020-2021 Pandemic School Reopening:

All members of the committee offered appreciation to all involved in establishing methods for opening the school year; in particular the superintendent, school committee, health department, school administration & teachers as well as parents and students. While the chair was made aware of some communication issues associated with east middle opening, those issues were addressed according to those involved even though concerns remained. No further details were provided to the committee. School committee chair Thomas

Devin attended, acknowledged the appreciation, then noted that many iterations of opening plans were created, he also praised the many involved and particularly thanked the parents of the students.

052 20 - Maintenance Department Recommendation:

Chair O'Brien discussed the letter sent to the Mayor in December 2020 for consideration of consolidating maintenance functions to one department. The letter and supporting financial documentation provides the Mayor through council recommendation the opportunity per charter to centralize maintenance under one department. As a member of the school committee, the Mayor and other members of the school committee may find it advantageous for the good of the town and schools.

Discussion among committee membership was decidedly preliminary as no decisions were being made. We did however, discuss the need as requested for the executive branch to review the legal aspects and provide a legal response. Vice-chair Ringius, having been a former school committee member opined that consideration is possible but commented further consideration should be made with maintenance staff and that collective bargaining could be a factor. He also iterated the need for legal analysis by the executive branch. Member Boericke also discussed considering the financial advantages for the town budget, but remained reserved until the executive branch provided guidance.

School chair Devin provided his input. Department of public works director James Arsenault provided input which included concerns, not the least of which pointed to the potential in the provided spreadsheet of enterprise funds commingling. Chair O'Brien discussed while not specified in the letter to the mayor, the consolidation is recommended into the existing DPW building maintenance group and commingling of funds was not intentional. The town auditor provided the spreadsheet of identified maintenance funds, vetting of these numbers would be part of the administration's decision making should this recommendation evolve further.

It was discussed next steps would be to consider a legal review by the executive branch. Once completed, the school committee could consider the recommendation in tandem with the Mayor and town council would consider the order legislatively by ordinance & rules committee and financially by ways and means committee.

The committee adjourned by thanking all that attended and thanking clerk Cimino for supervising recording capture and all meeting logistics.

NEW BUSINESS

- None

President Hume asked is there a motion for the following to be referred to Committee(s):

Councilor Ringius read the following item(s) for referral to committee(s):

Refer to the Committee of Ways & Means

- 21 003 Mayor: Reappointment of Joseph Keane to the Braintree Cultural Council or take up any action relative thereto

Motion made by Councilor Ringius to refer to the Committee of Ways & Means Order 21 003

Motion: by Councilor Ringius to Refer to the Committee of Ways & Means Order 21 003

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)

- 21 005 Mayor: Request to Approve the Fiscal Year 2021 Capital Plan or take up any action relative thereto (Public Hearing)

Motion made by Councilor Ringius to refer to the Committee of Ways & Means Order 21 005

Motion: by Councilor Ringius to Refer to the Committee of Ways & Means Order 21 005

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)

- 21 006 Mayor: Request for Appropriation - Fiscal Year 2021 General Fund Capital Budget or take up any action relative thereto (Public Hearing)

Motion made by Councilor Ringius to refer to the Committee of Ways & Means Order 21 006

Motion: by Councilor Ringius to Refer to the Committee of Ways & Means Order 21 006

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)

- 21 007 Mayor: Request for Appropriation – Fiscal Year 2021 Enterprise Funds Capital Budget or take up any action relative thereto (Public Hearing)

Motion made by Councilor Ringius to refer to the Committee of Ways & Means Order 21 007

Motion: by Councilor Ringius to Refer to the Committee of Ways & Means Order 21 007

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 Ways & Means (continued)

- 21 008 Mayor: Request for Appropriation – Fiscal Year 2021 Capital Budget - Other Available Funds or take up any action relative thereto (Public Hearing)

Motion made by Councilor Ringius to refer to the Committee of Ways & Means Order 21 008

Motion: by Councilor Ringius to Refer to the Committee of Ways & Means Order 21 008

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)

- 21 009 Mayor: Appointment of Kimberly Kroha to the Planning Board or take up any action relative thereto

Motion made by Councilor Ringius to refer to the Committee of Ways & Means Order 21 009

Motion: by Councilor Ringius to Refer to the Committee of Ways & Means Order 21 009

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

- 21 004 National Grid Petition: Ivory Street or take up any action relative thereto

Motion made by Councilor Ringius to refer to the Committee on the Department of Public Works Order 21 004

Motion: by Councilor Ringius to Refer to the Committee on the Department of Public Works
Order 21 004

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 Ordinance & Rules

- 002 21 Councilor Sciascia/Councilor Connors: Amendment to By-law Section 135-1101 or take up any action relative thereto

Motion made by Councilor Ringius to refer to the Committee on Ordinance & Rules item 002 21

Motion: by Councilor Ringius to Refer to the Committee on Ordinance & Rules item 002 21

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 Ordinance & Rules (continued)

- 003 21 Councilor Sciascia: Inclusionary Amendment or take up any action relative thereto

Motion made by Councilor Ringius to refer to the Committee on Ordinance & Rules item 003 21

Motion: by Councilor Ringius to Refer to the Committee on Ordinance & Rules item 003 21

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, March 2, 2021@7:30pm**

ADJOURNMENT

It was unanimously voted by roll call vote to adjourn the meeting at 10:23p.m.

Respectfully submitted,

Susan M. Cimino, Clerk of the Council

Meeting Documents

- 006 21 Council President: COVID-19 Temporary Memorial
- Minutes of November 4, 2020
- Minutes of November 17, 2020
- 20 071 Town Clerk: Polling Locations or take up any action relative thereto
- 20 071 Memo – Polling Locations dated February 17, 2021
- 21 001 National Grid Petition: Pearl Street continuation of Order 17 042
- 21 002 Mayor: Acceptance of Donations or take up any action relative thereto
- 005 21 Councilor O’Brien: Committee on Education & Library or take up any action relative thereto
- 21 003 Mayor: Reappointment of Joseph Keaney to the Braintree Cultural Council
- 21 005 Mayor: Request to Approve the Fiscal Year 2021 Capital Plan or take up any action relative thereto (Public Hearing)
- 21 006 Mayor: Request for Appropriation - Fiscal Year 2021 General Fund Capital Budget or take up any action relative thereto (Public Hearing)
- 21 007 Mayor: Request for Appropriation – Fiscal Year 2021 Enterprise Funds Capital Budget or take up any action relative thereto (Public Hearing)
- 21 008 Mayor: Request for Appropriation – Fiscal Year 2021 Capital Budget - Other Available Funds or take up any action relative thereto (Public Hearing)
- 21 009 Mayor: Appointment of Kimberly Kroha to the Planning Board
- 21 004 National Grid Petition: Ivory Street
- 002 21 Councilor Sciascia/Councilor Connors: Amendment to By-law Section 135-1101 or take up any action relative thereto
- 003 21 Councilor Sciascia: Inclusionary Amendment or take up any action relative thereto