



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, April 7, 2020
(zoom webinar)**

MINUTES

A meeting of the Town Council was held via Zoom Webinar, on Tuesday, April 7, 2020 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
Marybeth McGrath, Director of the Department of Municipal Licenses & Inspections
Ed Spellman, Director of Finance
James Arsenault, DPW Director
Lou Dutton, Superintendent of Water&Sewer
John Keenan, Senator
Walter Timilty, Senator
Mark Cusack, State Representative
Mike Wilcox, South Shore Chamber
Kimberly Kroha, South Shore Chamber Chairperson
Matthew Boger, Donate Life
Robert Kearns, resident

APPROVAL OF MINUTES

- None

COMMUNICATIONS

- 012 20 Council President: COVID-19 Update from Mayor and State Legislatures

An update was given by Mayor Charles C. Kokoros. He stated we are “coming together by staying apart”. Braintree has taken swift action early on in the fight to reduce the spread. It all began on February 6th when we started getting tracking guidance from the CDC. On March 6th we gave an update on the Coronavirus. On March 10th the governor declared a state of emergency. My team includes Dr. Hackett, Chief O’Brien, Chief DuBois, Ms. McGrath, Ms. Taub and Ms. McGinty. We work together and look at the situation and how things have progressed. We decided to close schools the next day on March 13th. The governor then closed schools until April 6th. We ended up closing all municipal buildings but continue to work but lessen the exposure of the town employees to not allow the public in the buildings. The task force at Braintree had a food drive. The National Guard came in and did testing and this will be on-going.

Updates were given by Senator John Keenan, Senator Walter Timilty, and Representative Mark Cusack. They stated there has been legislation passed to allow Municipalities conduct business as we are here on remote participation meetings. Payment to unemployment will begin on the application start date and individuals will also see an additional \$600 per week from the Federal package in unemployment benefits. Tax filing deadline has been moved from April 15th to July 15th.

Marybeth McGrath, Director of the Department of Municipal Licenses & Inspections and the staff of the Health Department shared current information about the global health concern, the 2019 Novel Coronavirus, COVID-19. The Health Department is continuing to track guidance and updates from the CDC and the MDPH... We are also participating in regular CDC and MDPH conference calls and closely monitoring emerging information. We are continuing to educate on social distancing requirements in essential establishments.

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:

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

Kate Naughton gave an update on the Community Task Force Facebook page: braintree community response and assistance. 781-817-3937. Call for any type of assistance needed. Leave a message and phone number for this team to call you back. We are continuing food drives every Saturday 10am-noon.

- **013 20 Council President: Debt Exclusion Update**

This election is postponed at this point. We will decide on a date in the future when all the dust settles.

- **014 20 Council President: Braintree Chamber Update on Effects of COVID-19**

Mike Wilcox gave an update on the effects the COVID-19 is having on the small business owners. Mostly through social media we are trying to keep these businesses up to date on resources and loans available to them. The stay in place is having a big impact on these businesses. Restaurants with dining rooms closed are down to take-out only.

- **015 20 Council President: Donate Life**

Matthew Boger, Donate Life stated I am here on behalf of Braintree residents who have personally been affected by Donate for Life. Braintree is a big supporter. Organ donation is a critical function. We encourage people to register for Donate Life when people get their license.

Town Council President Hume read a proclamation to Donate Life from the Braintree Town Council.

OLD BUSINESS

- **002 20 Council President: Town Council Rules (O&R)**

Councilor Ringius, Chairman of the Committee on Ordinance & Rules stated the committee has met several times to review the Town Council Rules. These rules are to which we govern ourselves at our meetings. As stated in **Rule Fifty-Six: Adoption of Rules**, *These rules will be reviewed and adopted within 90 days after the first Council Meeting in every even year.*

The 90 days being April 1st, 2020 (1st meeting of Council was Jan. 2, 2020) – we were required to vote on (March 17, 2020). That meeting was cancelled. I would like to give members more time to review the changes so we can discuss it. I propose Town Council Rule 23: Suspension of Rules and “suspend” this 90 day rule and hold vote to approve the revised Town Council Rules at an upcoming meeting.

Rule Twenty-Three: Suspension of Rule, *Except as controlled by statute, any rule may be suspended by a majority vote of the Council.*

Council Vice-President, Chairman of the Committee on Ordinance & Rules stated I would like to use rule 23.

MOTION: to use Town Council Rule 23 and vote on the revised Town Council Rules at an upcoming Town Council meeting.

Motion: by Councilor O’Brien use Town Council Rule 23: Suspension of Rule

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)

- **19 044 Mayor: To Approve the purchase and resale of an affordable-housing unit at Turtle Crossing and the expenditure of funds for that purpose or take up any action relative thereto** (Public Hearing - WITHDRAWN)

Councilor Ringius made a Motion to take OFF the TABLE Order 19 044

Motion: by Councilor Ringius to take OFF the TABLE Order 19 044

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)

Councilor Ringius made a Motion to OPEN the Public Hearing on Order 19 044

Motion: by Councilor Ringius to OPEN the Public Hearing on Order 19 044

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)

Council President Hume referred to the Chairperson of the Committee of Ways & Mean, Councilor Boericke for a recommendation. Councilor Boericke stated the Committee received an update from John Goldrosen, Assistant Town Solicitor: Order 19-044 has been WITHDRAWN. The owner of the "affordable" Turtle Crossing unit who had been threatened with foreclosure has come to an agreement with her lender to modify the terms of the mortgage loan. Therefore, foreclosure is no longer imminent, and there is no need for the Town to purchase the unit from her in order to preserve it as an affordable unit.

Council President Hume asked if any member of the Council or General Public want to speak on Order 19 044?

Council President asked if there is anyone else wishing to speak? Hearing none.

Motion by Councilor Ringius to CLOSE the Public Hearing for Order 19 044

Motion: by Councilor Ringius to CLOSE the Public Hearing for Order 19 044

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)

Council President Hume stated Order 19 044 has been WITHDRAWN. No further action is required.

- **20 022 Council President: Re-Appointment Town Clerk or take up any action relative thereto**

Council President Hume referred to the Chairperson of the Committee on Personnel Issues, Councilor Ryan for a recommendation. Councilor Ryan stated we had a zoom meeting to discuss the re-appointment of James Casey as Town Clerk. He has been the Town Clerk for 6 years. He is outstanding. The Committee made a unanimous decision to re-appoint Clerk Casey for 3 years.

Motion by Councilor Ringius to approve Order 20 022

MOTION: Pursuant to Section 2-8 (b) of the Charter of the Town of Braintree, the Town Council Re-Appoints James M. Casey as Town Clerk effective May 2, 2020.

Motion: by Councilor Ringius to approve Order 20 022

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)

• **20 036 Council President: Re-Appointment Clerk of the Council or up any action relative thereto**

Council President Hume referred to the Chairperson of the Committee on Personnel Issues, Councilor Ryan for a recommendation. Councilor Ryan stated we had a zoom meeting to discuss the re-appointment of Susan Cimino as Clerk of the Council. She has been the Clerk of the Council for 6 years. The Committee made a unanimous decision to re-appoint Clerk Cimino for 3 years.

Motion by Councilor Ringius to approve Order 20 036

MOTION: Pursuant to Section 2-8 (c) of the Charter of the Town of Braintree, the Town Council Re-Appoints Susan M. Cimino as Clerk of the Council effective July 21, 2020.

Motion: by Councilor Ringius to approve Order 20 036

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)

• **20 032 Mayor: FY2020 Supplemental Appropriation #2 (Master Plan) or take up any action relative thereto (Public Hearing)**

Councilor Ringius made a Motion to OPEN the Public Hearing on Order 20 032

Motion: by Councilor Ringius to OPEN the Public Hearing on Order 20 032

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)

Council President Hume referred to the Chairperson of the Committee of Ways & Mean, Councilor Boericke for a recommendation. Councilor Boericke stated the Committee met this evening. We are all in agreement of the importance of this initiative. This recommendation comes to the full Council with 3 in favor and 2 opposed.

Council President Hume asked if any member of the Council or General Public want to speak on Order 20 032?

Nicole Taub gave an overview of where the transfer of funds were coming from. This total would be to fund a Master Plan and with the Planning Department to begin planning through phases. Phase one be the visioning plan. This is a priority for the Mayor and for the Town to move forward with. This was a great interest of the residents and something they have been asking for and would like to see put forward.

Christine Stickney, stated the estimated amount for the Master Plan is project to be \$200,000. We would begin with the visioning with outreach to the community with public comment. The projection for the visioning would be about a 6 month project. Statute requires other elements once the visioning is complete.

Councilor Mackin asked who the two no votes in the Committee of Ways & Means were this evening. Councilor Boericke stated she was a no vote. She stated I very much support this initiative. I know how critical a Master Plan is for this town. I have been asking for a revenue projection for the town. There are now guaranteed revenue shortfalls referenced this evening from Representative Cusack. My request for a full financial picture is even more urgent. I want a full understanding that we can maintain the vital services to our residents before I make this decision.

Councilor Sciascia was the other no vote. I have been advocating for a Master Plan. There are very few things more important to this town. I do not want to see this happen without enough public participation. It needs to start and end with a resident working group. It will not succeed without it. I want a plan on how we will include the residents in this project. I do not feel \$200,000 will be enough.

Christine Stickney stated the visioning will be the first component and requires a consultant to help facilitate but will include public participation.

Councilor Ryan asked is there a plan for a resident working group for the Master Plan.

Nicole Taub stated a working group would be representative of not only residents but business owners of our community. The \$200,000 is for the total project and we will have a Master Plan at the conclusion.

Councilor O'Brien asked why is now the best time to do this Master Plan.

Christine Stickney stated the community went through a year of different issues they had with the Zoning and different point of view as to the visioning. The time is right to have a business plan on where we are going.

Councilor O'Brien stated I support the initiative of a couple of Councilors voting this down in committee because there are a lot of questions. I feel we need a draft idea of what we are going to do with the Master Plan. I feel this should be sent back for reconsideration before it comes before us again.

Councilor O'Brien made a motion to send back to the Committee of Ways & Means Order 20 032 for reconsideration.

Motion: by Councilor O'Brien motion to send back to W&M for reconsideration Order 20 032

Second: by Councilor Sciascia

Roll Call Vote: For (5 – Boericke, Flaherty, Mackin, O'Brien, Sciascia),
Against (4 - Connors, Hume, Ringius, Ryan 0), Absent (0), Abstain (0)

Councilor Ryan stated I heard loud and clear last year people wanted a Master Plan.

Council President asked if there is anyone else wishing to speak? Hearing none.

Motion by Councilor Ringius to Continue to TABLE the Public Hearing for Order 20 032 to April 28, 2020.

Motion: by Councilor Ringius to Continue to TABLE the Public Hearing for Order 20 032

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)

MOTION: That the amount of \$64,492.20 be transferred from the Planning and Community Development Department Updating Zoning Ordinance article and \$135,507.80 be transferred from FY 2019 Certified Free Cash for a total of \$200,000.00 to Planning and Community Development Department Master Plan article.

• **20 033 Mayor FY2020 Supplemental Appropriation #3 (PFAS Removal-Water Treatment Plant) up any action relative thereto** (Public Hearing)

Councilor Ringius made a Motion to OPEN the Public Hearing on Order 20 033

Motion: by Councilor Ringius to OPEN the Public Hearing on Order 20 033

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)

Council President Hume referred to the Chairperson of the Committee of Ways & Mean, Councilor Boericke for a recommendation. Councilor Boericke stated the Committee voted a favorable recommendation to the full Council with 3 for, 1 against and 1 abstain. Councilor Boericke stated the PFAS was 21 in January and per the town’s commitment it will be below 20 per the Mass DEP. Safe, clean drinking water is of the utmost importance.

Council President Hume asked if any member of the Council or General Public want to speak on Order 20 033?

James Arsenault stated we are working diligently to get to the new regulations that are required in December 2020. Public health and safety of our residents is foremost on our minds.

Lou Dutton stated the GAC will do the best removal for us. It may take up to 6 months. It is replacing our filters with granular.

Council President asked if there is anyone else wishing to speak? Hearing none.

Councilor Connors stated I do not feel it is good to spend more money on the GAC system vs the PAC system. We have time to get this right. My concerns are the additional financial impacts at this time.

Councilor O’Brien asked what the PFAS number will be in December 2020.

Lou Dutton stated it is currently set to be 20.

James Arsenault stated that is one of our concerns is the PAC system has a harder time bringing the numbers down. The PAC may not be enough or bring the numbers any lower. The requirement may be less than 20. We cannot promise the numbers would be low enough be December with the other system.

Robert Kearns, resident stated we need to support this. We need to support public health and public safety.

Councilor Ringius made a Motion to CLOSE the Public Hearing for Order 20 033

Motion: by Councilor Ringius to CLOSE the Public Hearing for Order 20 033

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)

Councilor Ringius read the following motion:

MOTION: That the amount of \$693,020 be transferred from FY2019 certified Water Sewer Retained Earnings to Water Department Water Treatment Plant PFAS Removal System article.

Motion: by Councilor Ringius to approve Order 20 033

Second: by Councilor Ryan

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

• **20 035 Mayor: Motion to Accept Massachusetts General Law c. 59 s. 5C ½ (additional real estate exemption) or take up any action relative thereto**

Council President Hume referred to the Chairperson of the Committee of Ways & Mean, Councilor Boericke for a recommendation. Councilor Boericke stated the Committee met and voted unanimous for favorable recommendation to the full Council. This is to further ease the most vulnerable seniors who are on lower/fixed incomes by raising the exemption limit by 20%.

Council President Hume asked if any member of the Council or General Public want to speak on Order 20 035?

Robert Brinkmann, Deputy Assessor stated the mayor had asked the department to review possible options. This gave us the most flexibility to allow the Mayor’s office to recommend a percentage increase. This gives the Council the opportunity to increase or decrease the 20% depending on the interest. Robert Brinkmann, Deputy Assessor stated that is correct. After 3 years you can vote to rescind it but you can change the percentage each year.

Council President asked if there is anyone else wishing to speak? Hearing none.

Councilor Ringius read the following motion:

MOTION: That the Town accept Massachusetts General Laws Chapter 59, Section 5C 1/2, which provides for an additional real estate exemption for taxpayers who are granted personal exemptions on their domiciles under Massachusetts General Laws Chapter 59, Section 5, including certain blind persons, veterans, surviving spouses and seniors, and provide an additional exemption up to twenty percent (20%) of the personal exemption, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2020.

Motion: by Councilor Ringius to approve Order 20 035

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)

• **20 037 Superintendent of Schools: Statement of Interest (SOI) with the MSBA for Braintree High School or take up any action relative thereto**

Council President Hume referred to the Chairwoman of the Committee of Ways & Means, Councilor Boericke for a recommendation. Councilor Boericke stated the Committee met earlier this evening and voted a unanimous favorable recommendation to the full Council on Order 20 037. This does not require any funding at this time. This is just a statement of interest to be submitted.

Council President Hume asked if any member of the Council or General Public want to speak on Order 20 037?

Dr. Frank Hackett, Superintendent of Schools stated this is simply a vote to authorize him to submit the Statement of Interest for BHS. This does not involve any commitment of funds or accepting any eligibility with the MSBA.

Council President asked if there is anyone else wishing to speak? Hearing none.

Councilor Ringius read the following motion:

BRAINTREE HIGH SCHOOL MSBA Statement of Interest

Braintree Town Council MSBA Required Vote Language, April 7, 2020

Resolved: Having convened in an open meeting on April 7, 2020 prior to the SOI submission closing date, the Town Council of Braintree, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated April 7, 2020 for Braintree High School located at 128 Town Street, Braintree, Massachusetts, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future: Priority #3: Prevention of the loss of accreditation; Priority #5: Replacement, renovation, or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility; Priority #7: Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements; and hereby further specifically acknowledges that

by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Braintree or the Braintree School Department to filing an application for funding with the Massachusetts School Building Authority.

Motion: by Councilor Ringius to approve Order 20 037

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)

NEW BUSINESS

- None

Topics the Chair does not reasonably anticipate will be discussed

UPCOMING MEETINGS:

Next Council Meeting scheduled on: **Tuesday, April 28, 2020 @7:30pm**

ADJOURNMENT

It was unanimously voted by roll call vote to adjourn the meeting at 10:48p.m.

Respectfully submitted,
Susan M. Cimino, Clerk of the Council

Meeting Documents

- 002 20 Council President: Town Council Rules
- 19 044 Mayor: To Approve the purchase and resale of an affordable-housing unit at Turtle Crossing and the expenditure of funds for that purpose or take up any action relative thereto (Public Hearing - WITHDRAWN)
- 20 022 Council President: Re-Appointment Town Clerk or take up any action relative thereto
- 20 036 Council President: Re-Appointment Clerk of the Council or up any action relative thereto
- 20 032 Mayor: FY2020 Supplemental Appropriation #2 (Master Plan) or take up any action relative thereto (Public Hearing)
- 20 033 Mayor FY2020 Supplemental Appropriation #3 (PFAS Removal-Water Treatment Plant) up any action relative thereto (Public Hearing)
- 20 035 Mayor: Motion to Accept Massachusetts General Law c. 59 s. 5C ½ (additional real estate exemption) or take up any action relative thereto
- 20 037 Superintendent of Schools: Statement of Interest (SOI) with the MSBA for Braintree High School or take up any action relative thereto