

Meredith Boericke  
President  
District 5



Shannon L. Hume  
At Large

David M. Ringius, Jr  
At Large

Julia C. Flaherty  
District 1

Charles B. Ryan  
Vice President  
At Large

Joseph Reynolds  
District 2

Elizabeth Maglio  
District 3

Stephen C. O'Brien  
District 4

Lawrence C. Mackin, Jr.  
District 6

## OFFICE OF THE TOWN COUNCIL

**Tuesday, MAY 2, 2023**

### MINUTES

A meeting of the Town Council, was held in the Cahill Auditorium, Braintree Town Hall, on Tuesday, May 2, 2023, beginning at 7:30p.m.

Council President Boericke was in the chair.

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

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

Present: Meredith Boericke, President  
Charles Ryan, Vice President  
Julia Flaherty  
Shannon Hume  
Elizabeth Maglio  
Stephen C. O'Brien (remote)  
Joseph Reynolds (arrived at 7:35pm)  
David M. Ringius, Jr. (arrived at 9:10pm – remote)

Not Present: Lawrence C. Mackin, Jr.

Others: Charles C. Kokoros, Mayor  
Margaret Lafrance, COS  
Ed Spellman, Finance Director  
Jim Lee, School Superintendent  
James Arsenault, DPW Director  
John Thompson, Asst DPW Director/Town Engineer  
Ben Hulke, Asst DPW Director  
Rob DeVito, DPW Finance  
Marybeth McGrath, Director  
Russ Forsberg, Inspector  
Dennis Gallagher, Retirement Director  
Christopher Griffin, Assistant Director Parks & Recreation  
Jeff Kunz, Trash & Recycling Director  
Mike McGourty, Facilities Director  
Hilary Waite, Stormwater Director  
Dan Hickey, Assistant to the Mayor  
Kate Naughton, Director of Community Planning  
School Committee members

## **ANNOUNCEMENTS**

President Boericke thanked all those who participated in Braintree Beautification Day.

President Boericke mentioned May 13<sup>th</sup> 8am to 2pm, the BHS Environmental Club is holding Tree Fest. You can purchase a tree sapling for \$5.

President Boericke mentioned our Veterans Agent, Vincent Fontaine is asking for volunteers in preparation for Memorial Day. They are asking for volunteers to place flags at the final resting place of veterans around town.

## **APPROVAL OF MINUTES**

- None

## **COMMUNICATIONS**

- 025 23 Council President: Update from Superintendent Lee on how the debt exclusion money is being spent for the School Security upgrades

Improving Security Process since 2020 Vote

Town Debt Exclusion Appropriation: One Million Dollars (\$1,000,000)

Remaining \$181,751.42

- District worked collaboratively with Braintree School Safety Advocacy Group (**BSSAG**) from outset
- District formed working group that included teachers, students, administrative assistants, parents, and the BPD
- March 2021: Search committee choose Good Harbor Techmark to conduct a School Physical Security Assessment
- Good Harbor delivered a 546-page report in July 2021, detailing recommended security improvements
- Dec 2021, the Braintree Police Department was awarded an approximate \$468,000 grant from the Department of Justice's School Violence Prevention Program (SVPP).
- Working group continues to assess security issues from report and makes recommendations as to the most efficacious manner in which to expend remaining funds.

## OLD BUSINESS

- **23 021 Retirement Board: FY23 Braintree Retirement COLA or take up any action relative thereto** (*Public Hearing*)

Council President Boericke asked for a Motion to Open the Public Hearing on Order 23 021

Motion by Councilor Ryan to Open Public Hearing for Order 23 021

**Motion:** by Councilor Ryan to Open the Public Hearing for Order 23 021

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

Council President Boericke asked for a recommendation from Councilor Reynolds, Chairman of the Committee of Ways & Means.

Chairman Reynolds stated the Committee of Ways & Means met and voted unanimously for a favorable recommendation to the full Council with a 3-0 vote.

Council President Boericke asked if any member of the Council or anyone from the Mayor’s staff want to speak on Order 23 021?

Dennis Gallagher, Director Retirement explained at the Retirement Board meeting on February 23, 2023, the board voted to recommend the 2% additional one-time COLA for FY23. It is the consensus of the board that with the current state of the post pandemic economy and the highest inflationary period experienced in nearly forty years, it is vital the board do whatever it can to protect the pensions of town workers from the financial pressure currently being experienced due to the recent inflation. This initiative was passed in November 2022 by Governor Baker with a caveat that it be recommended by the Mayor and approved by the legislative body which is the Town Council.

President Boericke stated the appropriation ask tonight is \$237,900. Director Gallagher, can you just confirm our system can absorb that amount and still allow Braintree to meet its obligations to pay off our debt to the pension system by 2033.

Dennis Gallagher, Director Retirement stated yes, we did the actual study on what this impact would be. This will impact the FY2026 along with many other fiscal variables.

Council President Boericke asked if any member of the General Public wants to speak on Order 23 021? Hearing none.

Council President Boericke asked if there is Motion to Close the Public Hearing for Order 23 021.

Motion by Councilor Ryan to Close Public Hearing for Order 23 021

**Motion:** by Councilor Ryan to Close the Public Hearing for Order 23 021

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

Council President Boericke asked if there is Motion for Order 23 021.

Motions read by Councilor Ryan:

**Motion:** That, pursuant to Massachusetts General Laws (M.G.L.) Chapter 32, Section 103 and Chapter 269 of the Acts of 2022, the Town Council approves the increased Cost-of-Living Adjustment for Fiscal Year 2023 of 2% to become effective July 1, 2022.

**Motion:** by Councilor Ryan to approve Order 23 021

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

• **23 016 Mayor: Request to Approve the Fiscal Year 2023 Capital Plan or take up any action relative thereto (Public Hearing)**

Council President Boericke asked for a Motion to Open the Public Hearing on Order 23 016

Motion by Councilor Ryan to Open Public Hearing for Order 23 016

**Motion:** by Councilor Ryan to Open the Public Hearing for Order 23 016

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

Council President Boericke asked for a recommendation from Councilor Reynolds, Chairman of the Committee of Ways & Means.

Chairman Reynolds stated the Committee of Ways & Means met and voted a favorable recommendation to the full Council with a 2 in favor (Reynolds/Flaherty) and 1 abstain (Maglio) vote.

Council President Boericke asked if any member of the Council or anyone from the mayor’s office want to speak on Order 23 016?

Charles C. Kokoros, Mayor stated thank you to the Committee of Ways & Means for a favorable recommendation. Thank you to all the department heads. The total we are asking you to approve tonight is \$21,619,959 to be spent on Capital improvements. Some improvements include road infrastructure, infrastructure side of the water, renovation of the Fire Headquarters, and Regional Dispatch Center. We are replacing some of the Police Cruisers and improve the Police Headquarters HVAC system. We continue to put \$1 million towards our Schools. Funding will go to Elder Affairs and ADA funding for improvements. Funding will go to Parks & Recreation. Even as we rebuilt it is important to maintain our Capital improvements. We thank our local and federal delegation for some of the grants.

Councilor Maglio stated I was the one abstaining vote. The ADA Transition Plan is an important document to have and now chart our plan. I was the hold out until we could get that plan.

Councilor Maglio stated the Elder Affairs parking lot, I hope the plan will include community as part of the due diligence.

Councilor Ryan stated I will be supporting this well thought out Capital Plan. Mayor Kokoros makes it a priority to take care of the roads in the Town of Braintree.

Councilor Flaherty stated with the Master Plan Steering Committee residents worry a lot about the facilities and infrastructure. The plan includes a sidewalk plow and a sidewalk paver to keep our sidewalks in good condition.

Councilor Reynolds stated I support this with caution because we do have severe revenue problem in this town. We have multiple needs we don't have the money for.

President Boericke state I will support the Capital Plan this evening. It would be helpful to have some sort of dashboard progress report. It is challenging when we approve funding to know where we are in the process of completion.

Council President Boericke asked if any member of the General Public wants to speak on Order 23 016?

Sarah Forester, 65 Harrison Avenue stated I heard some of this is for funding at the Elder Affairs parking lot which is Penniman Park. The park being paved was disappointing to the neighborhood. Now is this to finish the paving. It would be a shame to finish the paving and not recognize the damage done to the park.

Councilor Reynolds stated this money for Elder Affairs is not to finish paving it is for a stormwater upgrade from the way the water runs off the roads nearby and comes into that area. We need to pull back on that parking lot and find a better balance.

Mayor Kokoros stated this is stormwater drainage work. We have come up with some ideas on how to go forward there. There will be continued conversations with residents on this. Our Town Engineer has come up with some modifications that might work.

Council President Boericke asked if there is Motion to Close the Public Hearing for Order 23 016.

Motion by Councilor Ryan to Close Public Hearing for Order 23 016

**Motion:** by Councilor Ryan to Close the Public Hearing for Order 23 016

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O'Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

Council President Boericke asked if there is a Motion for Order 23 016.

Motions read by Councilor Ryan:

**Motion:** To approve FY23 Capital Plan as submitted.

**Motion:** by Councilor Ryan to approve Order 23 016

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O'Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

• **23 017 Mayor: Request for Appropriation - Fiscal Year 2023 General Fund Capital Budget or take up any action relative thereto (Public Hearing)**

Council President Boericke asked for a Motion to Open the Public Hearing on Order 23 017

Motion by Councilor Ryan to Open Public Hearing for Order 23 017

**Motion:** by Councilor Ryan to Open the Public Hearing for Order 23 017

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

Council President Boericke asked for a recommendation from Councilor Reynolds, Chairman of the Committee of Ways & Means.

Chairman Reynolds stated the Committee of Ways & Means met and voted unanimously for a favorable recommendation to the full Council.

Council President Boericke asked if any member of the Council or anyone from the mayor’s office want to speak on Order 23 017?

Council President Boericke asked if any member of the General Public wants to speak on Order 23 017?  
Hearing none.

Council President Boericke asked if there is Motion to Close the Public Hearing for Order 23 017.

Motion by Councilor Ryan to Close Public Hearing for Order 23 017

**Motion:** by Councilor Ryan to Close the Public Hearing for Order 23 017

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

Council President Boericke asked if there is a Motion for Order 23 017.

Motion read by Councilor Ryan:

**ORDERED:**

That the Town of Braintree appropriates the sum of Four Million Three Hundred Thirty-Five Thousand Dollars (\$4,335,000) to pay costs of the following capital projects:

<u>Project</u>	<u>Amount</u>	<u>Authorizing statute</u>
Police Vehicles	243,000	Ch. 44, s 7(1)
Police HVAC	90,000	Ch. 44, s 7(1)
School Building Repairs HVAC	125,000	Ch. 44, s 7(1)
School Building Renovations	235,000	Ch. 44, s 7(1)
School Technology	151,000	Ch. 44, s 7(9)
School Library Books	145,000	Ch. 44, s 7(1)
Roadway Resurfacing	1,700,000	Ch. 44, s 7(1)
Town ADA Improvements	280,000	Ch. 44, s 7(1)
DPW Facilities Parking Lot & Sidewalk	135,000	Ch. 44, s 7(1)
DPW Cem./Ground Vehicle Dumpster	135,000	Ch. 44, s 7(1)
DPW Hwy (2) vehicles, Plow& Sander	280,000	Ch. 44, s 7(1)
DPW Sidewalk Paver	60,000	Ch. 44, s 7(1)
DPW Cem/ Ground Cemetery Expansion	565,000	Ch. 44, s 7(1)
DPW Hwy (1) Sidewalk Snowplow	191,000	Ch. 44, s 7(1)

and for the payment of all other costs incidental and related thereto; that the amounts indicated above for each project are estimates and that the Mayor may allocate more funds to any one or more of such projects, and less to others, so long as, in the judgment of the Mayor, each of the projects described above can be completed within the total appropriation made by this Order; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to the authorizing statutes described above, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

**Motion:** by Councilor Ryan to approve Order 23 017

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

- **23 018 Mayor: Request for Appropriation – Fiscal Year 2023 Enterprise Funds Capital Budget or take up any action relative thereto** (*Public Hearing*)

Council President Boericke asked for a Motion to Open the Public Hearing on Order 23 018

Motion by Councilor Ryan to Open Public Hearing for Order 23 018

**Motion:** by Councilor Ryan to Open the Public Hearing for Order 23 018

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

Council President Boericke asked for a recommendation from Councilor Reynolds, Chairman of the Committee of Ways & Means.

Chairman Reynolds stated the Committee of Ways & Means met and voted unanimously for a favorable recommendation to the full Council.

Council President Boericke asked if any member of the Council or anyone from the mayor’s office want to speak on Order 23 018?

Councilor Flaherty explained Enterprise funds are funds that are supported through rate paying sources like water, sewer, and golf. What we did previously is vote on the general fund which is primarily supported by property taxes and grants.

President Boericke asked about the funding for the sewer inflow and infiltration.

James Arsenault stated this is an unending project. The pipes get old and have to be replaced, maintained or lined. We make sure the water isn’t entering the piping system. We do a lot of other things to reduce the amount of inflow and infiltration into the sewer system. It is ongoing. We work with EPA and all the regulators to make sure we are in compliance.

Mayor Kokoros stated stormwater makes it into our sewer system either through the ground or people have sump pumps and pumping into the wastewater systems. Our goal is to educate folks and redirect them. We will continue to do the mitigation.

Council President Boericke asked if any member of the General Public wants to speak on Order 23 018?  
Seeing none.

Council President Boericke asked if there is Motion to Close the Public Hearing for Order 23 018.

Motion by Councilor Ryan to Close Public Hearing for Order 23 018

**Motion:** by Councilor Ryan to Close the Public Hearing for Order 23 018

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

Council President Boericke asked if there is a Motion for Order 23 018.

Motion read by Councilor Ryan:

TOWN OF BRAINTREE, MASSACHUSETTS

IN TOWN COUNCIL

ORDERED:

That the Town of Braintree appropriates the sum of Three Hundred Twenty Thousand Dollars (\$320,000) to pay costs of the following capital projects:

<u>Project</u>	<u>Amount</u>	<u>Authorizing statute</u>
Golf Large Rough Mowers	110,000	Ch. 44, s 7(1)
Storm Water Truck & Catch Basin cleaner	210,000	Ch. 44, s 7(1)

and for the payment of all other costs incidental and related thereto; that the amounts indicated above for each project are estimates and that the Mayor may allocate more funds to any one or more of such projects, and less to others, so long as, in the judgment of the Mayor, each of the projects described above can be completed within the total appropriation made by this Order; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to the authorizing statutes described above, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

**Motion:** by Councilor Ryan to approve Order 23 018

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

• **23 019 Mayor: Request for Appropriation – Fiscal Year 2023 Capital Budget - Other Available Funds or take up any action relative thereto (Public Hearing)**

Council President Boericke asked for a Motion to Open the Public Hearing on Order 23 019

Motion by Councilor Ryan to Open Public Hearing for Order 23 019

**Motion:** by Councilor Ryan to Open the Public Hearing for Order 23 019

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

Council President Boericke asked for a recommendation from Councilor Reynolds, Chairman of the Committee of Ways & Means.

Chairman Reynolds stated the Committee of Ways & Means met and voted unanimously for a favorable recommendation to the full Council.

Council President Boericke asked if any member of the Council or anyone from the mayor’s office want to speak on Order 23 019?

Council President Boericke asked if any member of the General Public wants to speak on Order 23 019?  
Seeing none.

Councilor Reynolds left the meeting at 9:00pm

Council President Boericke asked if there is Motion to Close the Public Hearing for Order 23 019.

Motion by Councilor Ryan to Close Public Hearing for Order 23 019

**Motion:** by Councilor Ryan to Close the Public Hearing for Order 23 019

**Second:** by Councilor Hume

**Vote:** For (6 – Boericke, Flaherty, Hume, Maglio, O’Brien, Ryan),  
Against (0), Absent (2 – Mackin, Ringius, Reynolds), Abstain (0)

Council President Boericke asked if there is a Motion for Order 23 019.

Motions read by Councilor Ryan:

E-1) Water Sewer Enterprise Fund

MOTION: That the sum of \$150,000 be transferred from Fiscal Year 2022 Certified Water Sewer Retained Earnings for the purpose of Clean Water Asset Management - SRF Grants.

**Motion:** by Councilor Ryan to approve Order 23 019 (E-1)

**Second:** by Councilor Hume

**Vote:** For (6 – Boericke, Flaherty, Hume, Maglio, O’Brien, Ryan),  
Against (0), Absent (2 – Mackin, Ringius, Reynolds), Abstain (0)

Councilor Reynolds returned to the meeting at 9:03pm

E-2) Water Sewer Enterprise Fund

MOTION: That the sum of \$3,000,000 be transferred from Fiscal Year 2022 Certified Water Sewer Retained Earnings for the purpose of Water System Distribution.

**Motion:** by Councilor Ryan to approve Order 23 019 (E-2)

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

E-3) Water Sewer Enterprise Fund

MOTION: That the sum of \$200,000 be transferred from Fiscal Year 2022 Certified Water Sewer Retained Earnings for the purpose of Sewer System Modeling.

**Motion:** by Councilor Ryan to approve Order 23 019 (E-3)

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

E-4) Water Sewer Enterprise Fund

MOTION: That the sum of \$250,000 be transferred from Fiscal Year 2022 Certified Water Sewer Retained Earnings for the purpose of Sewer Smoke Testing.

**Motion:** by Councilor Ryan to approve Order 23 019 (E-4)

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

E-5) Water Sewer Enterprise Fund

MOTION: That the sum of \$40,000 be transferred from Fiscal Year 2022 Certified Water Sewer Retained Earnings for the purpose of Ford Explorer.

**Motion:** by Councilor Ryan to approve Order 23 019 (E-5)

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

E-6) Water Sewer Enterprise Fund

MOTION: That the sum of \$35,000 be transferred from Fiscal Year 2022 Certified Water Sewer Retained Earnings for the purpose of Transit Van.

**Motion:** by Councilor Ryan to approve Order 23 019 (E-6)

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

E-7) Water Sewer Enterprise Fund

MOTION: That the sum of \$30,000 be transferred from Fiscal Year 2022 Certified Water Sewer Retained Earnings for the purpose of Ford Escape.

**Motion:** by Councilor Ryan to approve Order 23 019 (E-7)

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

E-8) Water Sewer Enterprise Fund

MOTION: That the sum of \$20,000 be transferred from Fiscal Year 2022 Certified Water Sewer Retained Earnings for the purpose of Leak Detection/ Correlator LC 2500 Sewer Smoke Testing.

**Motion:** by Councilor Ryan to approve Order 23 019 (E-8)

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

E-9) Water Sewer Enterprise Fund

MOTION: That the sum of \$100,000 be transferred from Fiscal Year 2022 Certified Water Sewer Retained Earnings for the purpose of Richardi Reservoir Pump Replacement.

**Motion:** by Councilor Ryan to approve Order 23 019 (E-9)

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

E-10) Golf Enterprise Fund

MOTION: That the sum of \$17,000 be transferred from Fiscal Year 2022 Certified Golf Retained Earnings for the purpose of Aeration Core Remover.

**Motion:** by Councilor Ryan to approve Order 23 019 (E-10)

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

E-11) Storm Water Enterprise Fund

MOTION: That the sum of \$108,000 be transferred from Fiscal Year 2022 Certified Storm Water Retained Earnings the purpose of Catchment Investigations.

**Motion:** by Councilor Ryan to approve Order 23 019 (E-11)

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

E-12) Storm Water Enterprise Fund

MOTION: That the sum of \$123,750 be transferred from Fiscal Year 2022 Certified Storm Water Retained Earnings the purpose of Elder Affairs BMP (towns share of) State Section 319 grant (of \$138,250) match.

**Motion:** by Councilor Ryan to approve Order 23 019 (E-12)

**Second:** by Councilor Hume

**Vote:** For (7 – Boericke, Flaherty, Hume, Maglio, O’Brien, Reynolds, Ryan),  
Against (0), Absent (2 – Mackin, Ringius), Abstain (0)

Councilor Ringius called in remotely at 9:10pm

- **23 028 Councilor Maglio: LGBTQ+ Pride Ordinance or take up any action relative thereto** (*Public Hearing*)  
(renumbered from 007 23)

Council President Boericke asked for a Motion to Open the Public Hearing on Order 23 028

Motion by Councilor Ryan to Open Public Hearing for Order 23 028

**Motion:** by Councilor Ryan to Open the Public Hearing for Order 23 028

**Second:** by Councilor Hume

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

Council President Boericke asked for a recommendation from Councilor Ringius, Chairman of the Committee on Ordinance & Rules.

Chairman Ringius stated the Committee on Ordinance & Rules met and voted a favorable recommendation to the full Council with 3 in favor and 1 abstained.

Council President Boericke asked if any member of the Council or anyone from the mayor’s office want to speak on Order 23 028?

Mayor Kokoros noted last year 2022 was the first year of raising of the pride flag. I want to thank Councilor Maglio for coming to me and making the request. I will be supporting this Ordinance.

Councilor Flaherty stated we can be a community where the LGBTQ know they are welcome and know they will be respected. I think this Ordinance takes us one step closer in that direction and that is why I am going to support it.

Councilor Maglio stated when I filed the first ever Pride Proclamation last year, it was so Braintree could show support for LGBTQ+ people who live, work, shop, worship, frequent our restaurants and enjoy our outdoors. This year it is an Ordinance, and it is for all of those people mentioned. Raising a pride flag is a symbol of support, tolerance, dignity and of value. Raising a flag every year says we see you and support you. Making this an Ordinance says your belonging isn’t up for an annual debate.

Councilor Reynolds stated I will be voting in favor of this because this symbolizes we stand behind the rights of all Americans to include the LGBTQ+ community.

Councilor Hume stated there are many groups in town we do not have an Ordinance for and we fully support them. I fully support the LGBTQ+ community and support the flag being flown. I read all the types of Ordinances and did not see a place this would fit. We are an inclusive town. I support flying the flag but do not feel this should be an Ordinance.

Councilor Ryan stated that I will be supporting this as an inclusive town.

Councilor Ringius stated into the record read by Councilor Maglio:

I support this Ordinance. Far too often in society now every little item becomes politicized. Clearly the media and big business is part of this agenda and dictating what issues are to the left or the right although I would agree certain items push too far. It is incumbent upon all of us to recognize when that is occurring versus recognizing basic human decency. I have raised two young women and soon to have a third. I have coached or taught countless others. No matter how children choose to live their life or choose who they love they should be respected and welcomed. To me at its core that is what this Ordinance represents. That all are welcomed, treated with respect and included as a member of our community.

President Boericke stated I will be supporting this ordinance this evening and for Councilor Maglio for initiating this and for the support from Mayor Kokoros.

Council President Boericke asked if any member of the General Public wants to speak on Order 23 028?

Monique Monroe, 40 Heritage Lane I am a proud transgender veteran. We welcome all and discriminate against no one. I love this world and love who I am. Way too many people sub come to suicide.

Tara Crispin, 16 Nickerson Road stated I feel a very personnel safety risk about talking about myself here at this podium. I am the finder of Braintree Pride. The violence and the hatred is real. I feel it every day. A pride ordinance is an important step towards promoting equality and inclusivity in the community. All individuals regardless of their sexual orientation or their gender identity should have the right to safely live free from discrimination and harassment as well as know their community values them as members of society. Five Braintree passing this pride ordinance versus having to proclamations every year Braintree send a clear message that get values diversity and respects the right of all of its residents on an ongoing basis. It creates a safe and welcoming environment for the members of the LGBTQ+ community. To have the support of the Town fosters a sense of community and belonging to those residents that are LGBTQ+ and often times feel uneasy or marginalized by the communities they live, work and serve in. I offer my support for the passing of the Town Pride Ordinance so that Braintree sends a clear message that it values diversity, inclusivity, and respect for human rights. It creates a safe and welcoming environment for members of the community and encourages others to do the same. It is essential for creating a more just and equitable society and it sends a clear message of respect and support for the citizens of this town.

Mateo Rojas, 66 Elm Street stated I am a transgender bi-sexual man I think we are getting caught up in the nitty-grittiness of policy and what could be written in between the lines. I hope people focus on the small, town governments and that's something we can do tonight by passing this ordinance. I wish growing up we had more access to LGBTQ resources. Everything was either in Boston or it didn't exist. Passing this ordinance and increasing access to the resources for the community, for children especially for adolescents could really do a wonderful benefit to people's mental health. Seeing a pride flag now, I know that I am safe.

Crystal Evans, 15 Hall Avenue stated I want to thank those that are supporting the passing of this ordinance. I had a home care worker come to my home and she said her child just came out as trans and on the way here she had seen multiple pride flags being hung. She said it was a relief as a parent what the concerns of raising a transgender child and just to see these flags out in the community and to know that people out there do support her child. These things matter. Not everybody comes from an accepting home and having an ordinance versus a proclamation means that every year this flag will be flown. We will have kids five

years from now and this flag will be flown as they approach middle school and coming out and I just want to say that this matters.

Council President Boericke asked if there is Motion to Close the Public Hearing for Order 23 028.

Motion by Councilor Ryan to Close Public Hearing for Order 23 028

**Motion:** by Councilor Ryan to Close the Public Hearing for Order 23 028

**Second:** by Councilor Hume

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

Council President Boericke asked if there is a Motion for Order 23 028.

Motions read by Councilor Ryan:

MOTION: Upon the request of Councilor Maglio, the Town of Braintree through the Braintree Town Council, it is so Ordered the Town of Braintree supports the rights, freedoms and equal treatment of lesbian, gay, bisexual, transgender and queer, LGBTQ+ individuals and acknowledges that LGBTQ+ rights are human rights. The Town of Braintree will support efforts to ensure the safety of our LGBTQ+ residents as well as ensure the protection of rights and freedoms of LGBTQ+ residents. Every June the Town of Braintree will celebrate LGBTQ+ Pride Month to provide an annual public opportunity to learn about the contributions and strengths of the LGBTQ+ community as well as support efforts to ensure the protection of rights and freedoms of LGBTQ+ residents. The celebration will include flying the progressive rainbow flag in front of Town Hall.

**Motion:** by Councilor Ryan to approve Order 23 028

**Second:** by Councilor Hume

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

## NEW BUSINESS

- None

## Refer to the Committee of Ways & Means

- 23 031 Mayor: Request for Appropriation - CPC Appropriation—Historic Inventory or take up any action relative thereto

**Motion:** by Councilor Ryan to refer Order 23 031 to the Committee of Ways & Means

**Second:** by Councilor Hume

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

- 23 032 Town Clerk: Votes Act of 2022: Early Vote By-Mail Opt-Out Provision or take up any action relative thereto

**Motion:** by Councilor Ryan to refer Order 23 032 to the Committee of Ways & Means

**Second:** by Councilor Hume

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

**Refer to the Committee of Ways & Means (continued)**

- 23 033 Town Clerk: Votes Act of 2022: Voter Registration – MGL – Section 110A: Office hours on Saturday or take up any action relative thereto

**Motion:** by Councilor Ryan to refer Order 23 033 to the Committee of Ways & Means

**Second:** by Councilor Hume

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

**Refer to the Committee on Ordinance & Rules**

- 23 022 Fire Dept/Municipal License & Inspections: Amendment to General Ordinance, Title 8 - Lithium Ion Battery Storage or take up any action relative thereto

**Motion:** by Councilor Ryan to refer Order 23 022 to the Committee on Ordinance & Rules

**Second:** by Councilor Hume

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

- 23 034 Town Clerk: Votes Act of 2022: Police Detail Assignment or take up any action relative thereto

**Motion:** by Councilor Ryan to refer Order 23 034 to the Committee on Ordinance & Rules

**Second:** by Councilor Hume

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

**Topics the Chair does not reasonably anticipate will be discussed**

**UPCOMING MEETINGS:**

Next Council Meeting is scheduled on: [Tuesday, May 31, 2023@7:00PM](#)

**ADJOURNMENT**

It was unanimously voted to adjourn the meeting at 9:40p.m.

Respectfully submitted,

Susan M. Cimino  
Clerk of the Council

Recording of meeting found at: <https://www.youtube.com/bcamtv>