

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 17, 2022

MINUTES

A meeting of the Town Council was held in the Cahill Auditorium, Braintree Town Hall, on Tuesday, May 17, 2022, beginning at 7:30p.m.

Council President Boericke was in the chair.

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

Town Clerk, James M. Casey conducted the roll call.

Present: Meredith Boericke, President
Charles Ryan, Vice President
Shannon Hume
David M. Ringius, Jr. (participating remotely)
Julia Flaherty
Joseph Reynolds
Elizabeth Maglio - arrived at 7:32pm
Stephen C. O'Brien – arrived at 7:35pm
Lawrence C. Mackin, Jr.

Others: Charles C. Kokoros, Mayor
Nicole Taub, Chief of Staff
Ed Spellman, Director of Finance
James Arsenault, DPW Director
John Thompson, Asst DPW Director/Town Engineer
Jim Lee, Superintendent of Schools
Ben Hulke, Asst DPW Director
Mike McGourty, Facilities Director
Lou Dutton, Water & Sewer Superintendent
Rob DeVito, DPW Finance
Corey Chambers, Sergeant BPD
Daryn Brown, Golf Director
Christopher Griffin, Asst Director Parks & Recreation
Marybeth McGrath, Director of Municipal License & Inspections
Russ Forseberg, Building Inspector
John Wentworth, Weymouth-Braintree Regional Recreation Conservation Commission
Mike Nelligan, Powers & Sullivan
Romina Mamelì, Powers & Sullivan

ANNOUNCEMENTS

President Boericke announced Councilor Mackin has decided to step down from the Committee of Way & Means. There will be only 3 members now. This will be updated and posted on our website.

APPROVAL OF MINUTES

- None

COMMUNICATIONS

• 025 22 Council President: Memorial Day Events, Vincent Fontaine

Vincent Fontaine stated flags will be placed if anyone would like to help to honor all those who did not come home from war.

Mr. Douglas Dugmore, POW being honored and worked for BELD. On the corner of Park Ave and Brewster there will be a plaque in his honor.

Blue Hills Cemetery on Sunday will be a ceremony honoring those buried there.

• 034 22 Council President: Mayor's office – Charter Review Status Update

Nicole Taub stated she connected with Peter Morin, Chair of the Charter Review Committee which was established in accordance with Charter Provision 8-5.

Members: Al Varasso, Erin Joyce, Jeff Kunz, Jen Dolan, Peter Morin, Jean Giagrande, Patricia Needham, David Ringius, Shannon Hume.

In March 2020 representatives completed their preliminary review and came up with some ideas for proposed recommendations for revision. There were public meetings that were posted for April 2020 but as a result of COVID, we all know those public hearings were cancelled because our ability to meet in person was no longer an option.

After discussion with Mr. Morin, it was concluded at my recommendation that we begin the Charter Review Process anew. We will be reaching out to the previously appointed members because those appointments still stand and confirming they want to continue their involvement in this process. We will then re-engage the process; meetings will be held for input and then they will present the recommendations and then will move through the more formal review and approval process.

Nicole Taub stated if the Council was so inclined, Mr. Morin would be willing to appear and give an update but was not available this evening.

• 041 22 Councilor Maglio: Braintree Pride

Councilor Maglio stated June is Pride Month. It is dedicated to lifting the voices and the basic civil rights of LGBTQ. There will be a pride flag flying in front of town hall for the month of June.

• **035 22 Council President: Powers & Sullivan – Audit Report**

Mike Nelligan and Romina Mameli, Powers & Sullivan presented the FY21 Audit Report for the Town of Braintree.

Annual Comprehensive Financial Report (143 pages) – also gets submitted to the Government Financial Offices Association for an award in excellence in financial reporting which you received every year for the last 9 years. There are 12 required sections.

We are a little later this year due to the MUNIS implementation. It is a significant process. It takes a long time.

We do a report on Federal Award Programs. This is required if the Town spends over \$750,000 per year.

We audited the Coronavirus Relief Fund and the Coronavirus Education Stabilization Fund.

You spent \$11.4 million this year and most of the increase is COVID funds. This was an increase in spending by \$6 million increase mostly related to COVID programs.

Mike Nelligan stated we issued a Management Letter. We are required to communicate in writing significant deficiencies and material weaknesses as determined by the Auditor. There were none of those this year. We did have our own comments based on things we see. One is the status of the Munis Software conversion. Another is to consider the Munis student activity module that is available. Management has looked at it. It is on the back burner for now until more time and funds are available. We recommend it. Right now this is tracked on excel spreadsheets. Another is a repeat about the IT Audit that the Town Council Auditors did last year. That recommendation is to just follow through on all those comments. That is being actively worked on. The last one is the future GASB statement for the Leases which is due to be implemented this year.

What is new in this FY21 Report is some new debt of \$2.4 million dollars.

You made contributions to OPEB this year totaling \$667,000. The Pension Liability is fully recorded on the books now at \$91.7 million down from the previous year. The plan is 94% funded. Funding is scheduled out to be complete by 2033. It is required to be 100% funded by 2040. You are on track for that.

OPEB balance at the end of last year was \$147 million. You have an OPEB Trust fund that has \$20.4 million. \$667 was from a contribution and the remaining amount from investment earnings.

The General fund balance at the end of FY21 was \$11.7 million down from the previous year of \$16.2 million. The General Fund decreased by \$3.5 million. From the result of your planned use of Free Cash and Stabilization fund transfers.

Councilor Reynolds stated Munis is a great system especially for reporting.

Mike Nelligan agreed and stated this is really a 3-5 year implementation period for a new system like this as you are starting at ground zero.

Councilor O'Brien asked about the Student Activity Funds stating this could be a lot of cash. I would support adding that module onto the Munis system.

Councilor Maglio stated I have read our spending is outpacing our revenue earnings. Is there a recommendation to use less of our reserves?

Mike Nelligan stated we do not recommend how you use your reserves. That is not our purview on how to use your reserves. The alternative is to cut programs significantly.

President Boericke stated this is all available online. Page 6 and 7 lists all the COVID related projects that were audited.

OLD BUSINESS

• 22 031 Mayor: Appointment—John Wentworth to the Weymouth-Braintree Regional Recreation Conservation Commission or take up any action relative thereto

Council President Boericke referred to Councilor Reynolds, Chairman for Committee of Ways & Means for a recommendation. Councilor Reynolds stated the committee met last evening on this appointment of John Wentworth to this Commission and voted unanimously for favorable recommendation to the full Council on Order 22 031.

Council President Boericke asked if any member of the Council or General Public want to speak on Order 22 031?

Mayor Kokoros asked for a favorable vote for this appointment.

Councilor Ryan stated John Wentworth is a great guy and is glad to see him still involved in a Town that he loves.

Councilor Hume thanked John Wentworth for stepping up to this appointment.

President Boericke stated volunteering for a board is giving your experience, expertise and your time.

Councilor Ryan read the Motion:

MOTION: To Approve the Appointment of John Wentworth to the Weymouth Braintree Regional Recreation Conservation Commission in accordance with Section 3-3 of the Charter of the Town of Braintree.

Motion: by Councilor Ryan to Approve Order 22 031

Second: by Councilor Hume

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

• 22 006 Mayor: Request to Approve the Fiscal Year 2022 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 22 006.

Motion by Councilor Ryan to Open Public Hearing for Order 22 006

Motion: by Councilor Ryan to Open the Public Hearing for Order 22 006

Second: by Councilor Hume

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

Council President Boericke referred to Councilor Reynolds, Chairman for Committee of Ways & Means for a recommendation. Councilor Reynolds stated the committee met and voted unanimously for favorable recommendation to the full Council on Order 22 006.

Council President Boericke asked if any member of the Council or General Public want to speak on Order 22 006?

Mayor Kokoros stated how important it is to support our Public Safety personnel. In the Capital Plan there are items such as cruisers and laptops for the Police Department. We are asking for funding for the Fire Department to upgrade and renovate the Fire Station Headquarters. Every couple of years we will focus on replacing aging trucks/fleet. We wish to address a number of ADA issues throughout the Town and Parks. We have our new Munis system. We continue to make investments in the Schools, Roads and

Infrastructure. There are so many hazards in the Town Hall Parking lot we need to make this investment and do these repairs.

Councilor Flaherty stated when reviewing the Capital Plan we want it demonstrated that the need is greater than other areas of town that also need attention. The Ways & Means Committee meetings were long. We vetted every item. The Town Hall parking lot was a big concern and why use that money now. I spoke with those with mobility issues and the DPW/Facilities staff and now understand the need for this to be done now.

Councilor O'Brien stated I rise in support of this. I have faith this was properly vetted and only the necessary items are in the Capital Plan. I ask some of the Police Vehicles go and slow down the speeders in this town. The reason this Town Hall is beautiful is because of the Facilities/Maintenance Department.

Councilor Maglio stated this is my first budget process. We can all do better when we work together.

Nicole Taub, Chief of Staff stated there are two parts – the parking lot which is identify the drainage concerns and repaving of the parking lot which flows into the accessibility of the building where our handicapped parking spaces and the deficiencies of the ramp. It just makes sense and is more efficient.

Councilor Hume stated this document is all Capital needs from each department. Not every department gets what they request.

Chairman Reynolds stated I agree with the speakers here with putting together a Capital Plan is a very daunting task. Our role is not to tell the Executive Branch what to do with the money. Our role is to make sure the money is being spent efficiently and there is proper accountability and oversight.

President Boericke stated these are all worthy projects. I am especially grateful the Fire Headquarters will be done which is long overdue. Our Town Auditor sent along a memo that is in the public record stating these projects can be funded and are fiscally responsible. When everything is a priority it is really hard the decisions that have to be made. There are many items in the Town Auditor's memo pointed out that are not being completed this year. If we want to fund more improvements, we need more money. As a community we are going to have to consider multiple new sources of revenue.

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

Motion by Councilor Ryan to Close Public Hearing for Order 22 006

Motion: by Councilor Ryan to Close the Public Hearing for Order 22 006

Second: by Councilor Hume

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

Councilor Ryan read the Motion:

MOTION: To approve FY2022 Capital Plan as submitted.

Motion: by Councilor Ryan to Approve Order 22 006

Second: by Councilor Hume

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

- **22 007 Mayor: Request for Appropriation - Fiscal Year 2022 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 22 007.

Motion by Councilor Ryan to Open Public Hearing for Order 22 007

Motion: by Councilor Ryan to Open the Public Hearing for Order 22 007

Second: by Councilor Hume

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

Council President Boericke referred to Councilor Reynolds, Chairman for Committee of Ways & Means for a recommendation. Councilor Reynolds stated the committee voted on this recommendation on a vote of 2 to 1 of non-approval.

Council President Boericke asked if any member of the Council or General Public want to speak on Order 22 007?

Nicole Taub, Chief of Staff stated this is to vote to approve 16 Capital projects.

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

Motion by Councilor Ryan to Close Public Hearing for Order 22 007

Motion: by Councilor Ryan to Close the Public Hearing for Order 22 007

Second: by Councilor Hume

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

Councilor Ryan read the Motion (Revised Memo dated 4/7/22):

MOTION:

TOWN OF BRAINTREE, MASSACHUSETTS
IN TOWN COUNCIL

ORDERED:

That the Town of Braintree appropriates the sum of Ten Million Three Hundred-Sixty- Eight Thousand Dollars (\$10,368,000) to pay costs of the following capital projects:

<u>Project</u>	<u>Amount</u>	<u>Authorizing statute</u>
Police Vehicles	324,000	Ch. 44, s 7(1)
Police Data Processing Equipment	23,000	Ch. 44, s 7(1)
Fire Headquarters Renovation	7,000,000	Ch. 44, s 7(1)
Fire Heavy Duty Pumper	710,000	Ch. 44, s 7(1)
Municipal License ADA Compliance	100,000	Ch. 44, s 7(1)
School Flooring	100,000	Ch. 44, s 7(1)
MUNIS Town Wide ERP	100,000	Ch. 44, s 7(1)
School BHS Renovations	215,000	Ch. 44, s 7(1)
School Library Books	115,000	Ch. 44, s 7(1)
School Plumbing and HVAC	106,000	Ch. 44, s 7(1)
Roadway Resurfacing	1,200,000	Ch. 44, s 7(1)
DPW Asbestos Removal	75,000	Ch. 44, s 7(31)
DPW Town Building Improvements	130,000	Ch. 44, s 7(1)
DPW Parking Lot Renovation	80,000	Ch. 44, s 7(1)
DPW Highway ADA Improvements	40,000	Ch. 44, s 7(1)
DPW Recreation ADA Improvements	50,000	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 22 007

Second: by Councilor Hume

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

- **22 012 Mayor: Zoning Bylaw Text Amendment - Inclusionary Housing and Associated Revisions or take up any action relative thereto** (*Public Hearing* – to be CONTINUED to June 7, 2022)

Council President Boericke stated Order 22 012 is being discussed at the Planning Board. Town Council is waiting to receive a Recommendation from the Planning Board. Once received, the Committee on Ordinance & Rules will take this up for discussion and it will then come back as a Public Hearing for the full Town Council.

Motion by Councilor Ryan to Open Public Hearing for Order 22 012

Motion: by Councilor Ryan to Open the Public Hearing for Order 22 012

Second: by Councilor Hume

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

President Boericke asked if there was a Motion to Continue the Public Hearing for Order 22 012 to June 7, 2022 at 7:30pm

Motion by Councilor Ryan to Continue the Public Hearing for Order 22 012 to June 7, 2022 at 7:30pm

Motion: by Councilor Ryan to Continue the Public Hearing for Order 22 012 to June 7, 2022
at 7:30pm

Second: by Councilor Hume

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

- **22 015 Citizen Petition: Zoning Ordinance Text Amendments: Proposed Amended Article XVIII – Medical and Adult Use or Non-Medical Marijuana Establishments and related amendments to Section 135-601 and 135-806 or take up any action relative thereto** (Public Hearing to CONTINUE June 7, 2022)

Council President Boericke stated Order 22 015 is being discussed at the Planning Board. Town Council is waiting to receive a Recommendation from the Planning Board. Once received, the Committee on Ordinance & Rules will take this up for discussion and it will then come back as a Public Hearing for the full Town Council.

Motion by Councilor Ryan to Open Public Hearing for Order 22 015

Motion: by Councilor Ryan to Open the Public Hearing for Order 22 015

Second: by Councilor Hume

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

President Boericke asked if there was a Motion to Continue the Public Hearing for Order 22 015 to June 7, 2022 at 7:30pm

Motion by Councilor Ryan to Continue the Public Hearing for Order 22 015 to June 7, 2022 at 7:30pm

Motion: by Councilor Ryan to Continue the Public Hearing for Order 22 015 to June 7, 2022
at 7:30pm

Second: by Councilor Hume

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

NEW BUSINESS

- None

President Boericke stated there is no Old Business this evening.

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

Refer to the Committee of Ways & Means

- 22 038 Mayor: Request for Appropriation – CPA Appropriation – Smelt Brook Restoration Study or take up any action relative thereto

Motion: by Councilor Ryan to refer Order 22 038 to the Committee of Ways & Means

Second: by Councilor Hume

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

Refer to the Municipal Oversight Special Committee

- 032 22 Councilor Flaherty: Petersen Pool Complex Status or take up any action relative thereto

Motion: by Councilor Ryan to refer item 032 22 to the Municipal Oversight Special Committee

Second: by Councilor Hume

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

Topics the Chair does not reasonably anticipate will be discussed

UPCOMING MEETINGS:

Next Council Meeting scheduled is the ANNUAL TOWN MEETING on: [Tuesday, May 31, 2022 @7:00PM](#)

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 9:30p.m.

Respectfully submitted,

Susan M. Cimino
Clerk of the Council

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