



Braintree Town Council

Committee of Ways & Means

One JFK Memorial Drive
Braintree, Massachusetts 02184

MEMBERS

Meredith Boericke, Chairwoman
Charles Ryan, Vice-Chair
Donna Connors, Member
Julia Flaherty, Member
Steven Sciascia, Member

MINUTES

Tuesday, June 15, 2021

A meeting of the Committee of Ways & Means was held in Johnson Chambers, on Tuesday, June 15, 2021 at 6:15p.m.

Councilor Boericke was in the Chair.

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

Present: Meredith Boericke, Chairwoman
Charles Ryan, Vice-Chairman
Donna Connors, Member
Julia Flaherty, Member
Steven Sciascia, Member

Also Present: Nicole Taub, Chief of Staff/Town Solicitor
Jim Lee, Asst Superintendent of Schools
Kim Kroha, Planning Board appointee

The meeting was opened with the pledge of allegiance to the flag followed by a moment of silence for all those serving in our armed services, past and present.

Approval of Minutes

- None

Old Business

- **21 009 Mayor: Appointment of Kimberly Kroha to the Planning Board or take up any action relative thereto** (Tabled on March 31, 2021)

Motion by Councilor Ryan to take off the Table Order 21 009

Motion: by Councilor Ryan take off the TABLE Order 21 009

Second: by Councilor Connors to take off the TABLE Order 21 009

Vote: For (5–Boericke, Connors, Flaherty, Ryan, Sciascia), Against (0), Absent (0), Abstain (0)

Nicole Taub stated you have all received her resume. Ms. Kroha is an attorney representing clients in permitting and land use. Ms. Kroha is the current Chair of the Braintree Chamber of Commerce and member since 2016.

Kim Kroha stated I have lived in Braintree for about 13 years. I have been on the Conservation Commission for 1 ½ years. They Mayor's office presented this opportunity and it does fit within my legal work. I feel I can participate and add a lot to the Planning Board.

Councilor Ryan asked about Ms. Kroha's philosophy on what happened a couple years back with the Zoning re-write and the public's reaction. Councilor Ryan stated he wants Braintree to stay more like a Town than an over developed city.

Ms. Kroha stated I was at that meeting. I feel many did not understand all that was happening because it was a very big proposal. There are areas of town we do not want a huge development going in. There are areas closer to the highways where there could be some more responsible re-use.

Councilor Flaherty asked if there would be any conflict of interest with this appointment and the Chamber of Commerce.

Ms. Kroha stated I do not think so. We are affiliated with a lot of the businesses and we try to speak as the voice of the business community in general. I would step aside in any case from the Chamber if there was a conflict.

Councilor Sciascia stated I have been listening for years to have a developer's attorney on the Planning Board. There is a perception that brings with it a bias towards developers and more development. Do I read this right that you represent 40B development?

Ms. Kroha stated yes I do.

Councilor Sciascia stated that is an enormous concern of mine. Therefore I cannot support this appointment.

Ms. Kroha stated being on the Planning Board in Braintree I could not represent any 40B developers in Braintree. I very much understand the process on both ends and thresholds whether it is land area, 10% or housing production plan. I feel I am a better fit because I understand it.

Councilor Connors stated my concerns are with an attorney for development who specializes in 40B development. I promised to fight against any type of this development. I don't think this is a proper fit. In my eyes there is too much perception of conflict to support this.

Chairwoman Boericke stated I am disappointed by the comments from the previous Council members. Ms. Kroha is on the Conservation Commission. She is thoughtful and fair. Braintree would benefit, in my opinion, for having someone like Kim. We want someone on the inside who will be able to understand the mechanisms. We need to be the voice as to why Kim would be so valuable on the Planning Board.

Councilor Flaherty stated I want someone on the Planning Board with expertise.

Councilor Ryan stated I fully support this appointment. This is someone with excellent expertise. Being involved in the community is a honorable, good thing.

Motion by Councilor Ryan for favorable recommendation to the full Council Order 21 009

MOTION: UPON THE REQUEST OF HIS HONOR, THE MAYOR, THE TOWN OF BRAINTREE, THROUGH THE BRAINTREE TOWN COUNCIL, AND IN ACCORDANCE WITH SECTIONS 3-3 OF THE CHARTER OF THE TOWN OF BRAINTREE TO APPROVE THE APPOINTMENT OF **Kimberly Kroha** TO THE **Planning Board**.

Motion: by Councilor Ryan for favorable recommendation to the full Council Order 21 009

Second: by Councilor Connors

Vote: For (3–Boericke, Flaherty, Ryan), Against (2–Connors, Sciascia), Absent (0), Abstain (0)

- **21 023 Superintendent of Schools: MSBA Statement of Interest Core Project Braintree High School or take up any action relative thereto** (Tabled at previous meeting on May 26, 2021)

Motion by Councilor Ryan to take off the Table Order 21 023

Motion: by Councilor Ryan TABLE Order 21 023

Second: by Councilor Sciascia to TABLE Order 21 023

Vote: For (5–Boericke, Connors, Flaherty, Ryan, Sciascia), Against (0), Absent (0), Abstain (0)

Chairwoman Boericke stated there was a request to Table this Order 21 023 to a future meeting.

Mr. Lee stated we needed to make some adjustments before we submit this to the MSBA.

This is due to be submitted by June 25th.

Mr. Lee stated this is to allow me as Superintendent to make this SOI submission in hopes the MSBA would invite us to work with them.

If MSBA invites us in then we are required to walk through their process. They ultimately decide what the next steps would be with the high school.

New schools run between \$300 million and \$500 million.

Motion by Councilor Ryan for favorable recommendation to the full Council Order 21 023

MOTION:

UPON THE REQUEST OF THE SUPERINTENDENT OF BRAINTREE PUBLIC SCHOOLS, FRANK HACKETT, THE TOWN OF BRAINTREE, THROUGH THE BRAINTREE TOWN COUNCIL, RESOLVES:

Having convened in an open meeting on **June 15**, 2021, prior to the closing date, the Town Council of Braintree, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent of the Braintree Public School Department to submit to the Massachusetts School Building Authority Statements of Interests dated **June 15**, 2021 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 the 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 Ryan for favorable recommendation to the full Council Order 21 023

Second: by Councilor Connors

Vote: For (5–Boericke, Connors, Flaherty, Ryan, Sciascia), Against (0), Absent (0), Abstain (0)

New Business

- **21 034 Mayor: Transfer of Funds from Land Sale Account to General Fund or take up any action relative thereto** (Public Hearing at full Council)

Nicole Taub gave an overview on this request.

In August 2020 the Town published an RFP for the sale of the property located at 44 Allen Street. As a result of the solicitation, the Town is selling the property to Winn Development and Arch Communities to redevelop the site into a residential community with public access to the waterfront property, including a proposed extension to the Monatiquot Riverwalk. The development will create housing, while also restoring a wetland habitat along the eastern portion of the site and opening up more public access to the waterfront. Homes will be located in the renovated Switch House and there will be residential units located inside a newly constructed building. Twenty five percent (25%) of the units will be designated as workforce and middle-income housing.

The total purchase price for the property is \$1,500,000.00. The parties executed a Purchase and Sale Agreement in February 2021 setting forth the details of the sale, including the payment schedule and closing date.

The following is the payment schedule:

- o Proposal Security--\$75,000
- o Deposit--\$75,000
- o Receipt of Permits--\$150,000
- o Pre-Application Approval (but no later than December 15, 2021--\$100,000
- o Funding Award (but no later than August 31, 2022)--\$150,000
- o Balance Due no later than October 15, 2022--\$950,000

All payments are non-refundable and will be deposited into the land sale fund upon receipt. In accordance with the payment schedule, the Town has deposited a total of \$150,000.00 and the Mayor is now requesting your approval to transfer these funds from the land sale account to the general fund.

Councilor Ryan asked if this would go towards 40B?

Ms. Taub stated yes all the units will.

Councilor Connors asked about the payments. We will not see the last two payments until FY23.

Ms. Taub stated yes that is correct.

Motion by Councilor Ryan for favorable recommendation to the full Council Order 21 034

MOTION: That the sum of \$150,000.00 received from the sale of the property located at 44 Allen Street, Braintree, MA be transferred from the land sale fund to the general fund.

Motion: by Councilor Ryan for favorable recommendation to the full Council Order 21 034

Second: by Councilor Connors

Vote: For (5--Boericke, Connors, Flaherty, Ryan, Sciascia), Against (0), Absent (0), Abstain (0)

It was unanimously voted to adjourn the meeting at 6:58p.m. by Roll Call Vote.

Respectfully submitted,
Susan M. Cimino
Clerk of the Council

Documents provided for Meeting

- 21 009 Mayor: Appointment of Kimberly Kroha to the Planning Board
- 21 023 Superintendent of Schools: MSBA Statement of Interest Core Project Braintree High School
- 21 034 Mayor: Transfer of Funds from Land Sale Account to General Fund