



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
Wednesday, July 15, 2020
(zoom webinar)
MINUTES

A meeting of the Town Council was held via Zoom Webinar, on Wednesday, July 15, 2020 beginning at 7:30p.m.

Council President Hume was in the chair.

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

The meeting began with a moment of silence.

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 of Finance
Michael Nelligan, Powers & Sullivan
Romina Marni, Powers & Sullivan
Marybeth McGrath, Director of the Department of Municipal Licenses & Inspections
James Arsenault, DPW Director
James M. Casey, Town Clerk
Debra Starr, Assistant Town Clerk
Christine Stickney, Director Planning & Community Development
Steven Leary, Assistant to the Mayor

ANNOUNCEMENTS

• 024 20 Council President: Community Conversations on Racial and Social Diversity, Equity and Inclusion

Council President Hume stated we have made a statement that we will be having conversations on these topics. Having conversations with the Chief of Staff, Nicole Taub, Mayor Kokoros, Superintendent Frank Hackett and our Police Chief, Mark DuBois we all met last week to see what the best approach is for this knowing it is a community wide conversation that needs to take place. We are going to hire a consultant to come in and give a workshop to the Town Council as well as all Department heads. School Committee may also participate in that. We have a couple names right now. We are waiting on availability on some of these individuals who are the best to do this. I feel it is the best place to start as educating all us as councilors first. When we do have conversation with the community, as I have stated, this is not going to be a one-time conversation. This is going to be an on-going conversation. It is important for us to participate in this work shop and how to handle these issues and move forward and have these discussions with the public. If actions need to be taken we will be better equipped because of this workshop. We will still have speakers lined up in the future. As more information becomes available we will put that out there to all of you.

• Councilor Flaherty stated FRACCS for the Compressor Station will be having a PIP virtual meeting on July 29, 2020. FRACCS will have a link on their Facebook page.

APPROVAL OF MINUTES

• June 2, 2020

Motion made by Councilor Ringius to Approve Minutes of June 2, 2020

Motion: by Councilor Ringius to Approve Minutes of June 2, 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

• 012 20 Council President: COVID-19 Update

Nicole Taub gave an update on the COVID-19. The Town has a total of 907 cases with 118 total deaths. Largest impact now is the opening of gyms and some youth sports being allowed. Guidelines were hand-delivered from Marybeth McGrath's team. There is a link to all things COVID on the Town website. We receive information in real time and push it out to the public as soon as we have it. Our numbers are trending in the right direction and heading downward due to Mayor Kokoros and his approach to reopening.

Marybeth McGrath, Director of the Department of Municipal Licenses & Inspections stated Phase 3 step 1 started July 6th. On July 2nd we received the guideline requirements from the State. I made contact myself with all the gyms in Braintree to make sure they had all the guidelines. Indoor gatherings cannot exceed 25 people. Outdoor gatherings cannot exceed 100 people. Social distancing and 6 foot requirements as well as face coverings still need to be followed.

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.

OLD BUSINESS

• 20 042 Town Clerk: Proposal to Create Election Voting Centers or take up any action relative thereto

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

Councilor Boericke stated the Committee of Ways & Means met on Monday, June 29, 2020. The committee felt the District Voting Centers (South, East, BHS) would be a better alternative at this time.

A favorable recommendation was made to the full Council with a vote of 4 in favor and 1 opposed to move from 11 locations to 3 district locations. This is a temporary change and will expire December 31, 2020.

New this year voters will have multiple ways to cast their ballots, including vote by mail, absentee ballots in person or by mail, early voting and going to the polls. This will be a significant financial savings for our tax payers and protect the health and safety of our poll workers and the public.

Town Clerk, James Casey stated elections are the largest service the office provides to the public. There are 27,000 eligible voters. This year the Secretary of State's office was mandated to mail to voters applications to vote by mail. Absentee applications now include a reason if anyone has any concern over the COVID pandemic they can apply for an absentee ballot. For the first time in-person early voting is available for a State Primary Election on September 1, 2020 for seven continuous days. Early voting is available for the November 3rd Election for 14 continuous days. Both include Saturday and Sunday mandated Early Voting. A pre and post sanitization of the polling locations is required which can be very costly. It can be \$1,000 per location.

Councilor Connors asked how to make sure someone does not vote more than once.

Town Clerk Casey stated our poll pads will have the voter information downloaded and will let us know if someone has already voted or not.

Councilor Connors asked about bake sales.

Director McGrath stated we need to look into whether it would be permissible to have food available.

There may be some specific guidelines as we get closer to the elections.

Councilor Connors stated there are also no-bake "Bake Sales" for donations only.

President Hume stated put up a sign with a Venmo account and no one has to be there in person.

Councilor Ringius stated we are dealing with the right to vote and accessibility to vote and we have this crazy COVID crisis we have going on. At some point it would make sense to have 6 polling locations instead of 11. I am struggling with moving from 11 to 3 due to accessibility and the numbers we might have voting. We have 3 significant elections coming up. It is a heavy primary. We have the middle school vote. We have the presidential election.

Town Clerk Casey stated a primary with a Governor's race is usually 30% turnout. Without a governor's race is about 17%. I feel voter turnout on the actual election day of September 1st will be lower than 17% because of mail in and absentee and early voting options.

Councilor Ringius stated he has concerns especially with District 5 with Nursing Homes and accessibility to get folks to the polls.

Town Clerk Casey stated the majority who come to Town Hall are driven. All these people have the ability to cast ballot early by mail, early in person or absentee. South Middle, East Middle and Braintree High School are all certified and are accessible.

Councilor Ringius stated it is a guessing game on whether consolidating for having polling locations spread out is better and have less people coming into a building due to COVID.

Town Clerk Casey stated one big concern is who are our poll workers? They are our seasoned residents. It is our seniors who are the only ones signing up. I have tried to recruit at BHS but got no response.

Marybeth McGrath, Director of the Department of Municipal Licenses & Inspections stated I absolutely support going down to 3 polling locations. We are in the middle of a pandemic. The opportunity would provide a more management scenario. His biggest hurdle will be to find staff members to man these sites. There will be more requirements now associated with COVID and the offering of an event like this to the public. Contact tracing would be a requirement. If you have fewer locations it would be far more manageable.

Councilor Sciascia stated Clerk Casey has said he is concerned. I was the vote against this in Ways & Means. I couldn't wrap my head around going down to 3. All these reasons mentioned concern people. We are talking financial savings which should not be a concern.

Councilor Flaherty stated this is a temporary measure. I am sure there will be careful tabulations on how this may or may not be affecting voter turnout. The next three elections are important. There is risk because of COVID but we can't not have them. It is our obligation to have it the safest possible way for our voters and the people working the polls. The 3 locations is the right thing to do but it is important to me that this will be re-evaluated again at the end of the year. It would be a terrible thing to discourage voting in Braintree. Also for many years Elementary Administrators and parents would like to not host the elections. You can't turn people away from the polls. It doesn't matter their criminal record.

Councilor Ryan read the following Motion:

UPON THE REQUEST OF THE TOWN CLERK, THE TOWN OF BRAINTREE, THROUGH THE BRAINTREE TOWN COUNCIL, IT IS SO ORDERED:

Pursuant to M.G.L. c. 54, § 24 and Chapter 115 of the Acts of 2020 § 11 that public convenience and public health would be better served during the September 1, September 26 and November 3, 2020 Elections by the establishment of District Voting Centers whereby (1) District 1A – Town Hall, District 1B – Flaherty School, District 2A – Hollis School, District 2B – Hollis School be relocated to Braintree High School; (2) District 3A – Ross School, District 3B – Braintree Yacht Club, District 4A – Elder Affairs Building, District 4B – Morrison School be relocated to East Middle School; and (3) District 5A – Town Hall, District 5B – Liberty School, District 6A – South Middle School, District 6B – Highlands School be relocated to South Middle School on a temporary basis.

Discussion continued after the motion was read:

Councilor O'Brien stated reducing it to 3 makes less sense than reducing it to something like 6 just because of the current situation we find ourselves in which none of us asked for including the Town Clerk and the elderly who work the polls. I can support this being at a district level of 6 polling locations. I will wait to re-state the motion to 6.

Councilor Boericke stated I have heard from many constituents on this issue. The majority, once explained the situation are in favor. There are few things as important as the fundamental right to vote. The Town Clerk has a robust communication plan in place which will inform the entire town of these changes. Voters who have concerns about going to new polling locations can vote by mail, absentee, or early voting. I am voting in favor of this tonight. I think it covers the critical public health needs we have right now and the all-important fundamental right to vote.

Councilor O'Brien stated what is the temporary basis on this motion?

Town Clerk Casey stated the temporary basis is December 31, 2020.

Councilor O'Brien stated I move that the motion be modified to 6 locations rather than 3 and to include on a temporary basis until December 31, 2020.

No Councilor came forward to state clearly "I second the amended motion". The original motion stands to be voted on as is.

President Hume stated we would not be having this discussion if it was not for these unprecedented times. What I heard tonight is this is temporary. It is for the health and safety of not only the poll workers by the residents. It represents a financial savings as well, going to 3 polling locations and that this is more manageable. There are so many opportunities for people to vote if you are not comfortable going to your polling place. There will be early voting, mail in voting, and absentee voting in person or have it mailed to you. I listen to the residents of the town. I also heard from Town Clerk Casey who is the subject matter expert along with Director McGrath telling us this is the best plan.

President Hume asked is there anyone else wishing to speak? Hearing none, we have a motion made by Councilor Ryan and seconded by Councilor Ringius. Vote by Roll Call:

Motion: by Councilor Ryan to approve Order 20 042

Second: by Councilor Ringius Ryan

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

NEW BUSINESS

President Hume stated there are 4 items from the Town Clerk that require action no later than our meeting on August 4, 2020. These items do not need to be referred to a committee. If it is the Council’s wishes we can vote Same Night Action on these items or wait until our August 4th Town Council meeting to take a vote. They are on this current agenda as a placeholder at this time.
(Order 20 046, 20 048, 20 053. Order 20 047 we will wait until August 4th to vote.)

President Hume asked does anyone object to Same Night Action for Order 20 046, 20 048, 20 053.

No one Councilor objects to Same Night Action (SNA):

Roll Call by Clerk Cimino to state yes in favor of SNA nay in opposition of SNA:

Roll Call Vote: For (9 – Boericke, Connors, Flaherty, Hume, Mackin, O’Brien, Ringius, Ryan, Sciascia),
Against (0), Absent (0), Abstain (0)

- **20 046 Town Clerk: Designation of Early Voting Site, Days and Hours or take up any action relative thereto**

Motion read by Councilor Ringius:

UPON THE REQUEST OF THE TOWN CLERK, THE TOWN OF BRAINTREE, THROUGH THE BRAINTREE TOWN COUNCIL, IT IS SO ORDERED:

In the name of the Commonwealth of Massachusetts, the Town of Braintree, is hereby required to establish under M.G.L. Chapter 54, § 25B (f), an early voting site to allow any qualified voter, as defined in section 1 of chapter 51, to cast a ballot for any biennial state election during the early voting period. At the recommendation of the Braintree Board of Registrars the Braintree Town Council hereby designates Braintree Town Hall – Cahill Auditorium as Braintree’s early voting site. Further, early voting hours shall be held during the days and hours described below:

DAY OF WEEK	DATE	OPEN	CLOSED
Saturday	August 22, 2020	8:00 am	1:00 pm
Sunday	August 23, 2020	8:00 am	1:00 pm
Monday	August 24, 2020	8:00 am	4:30 pm
Tuesday	August 25, 2020	8:00 am	7:00 pm
Wednesday	August 26, 2020	8:00 am	4:30 pm
Thursday	August 27, 2020	8:00 am	4:30 pm
Friday	August 28, 2020	8:00 am	1:00 pm

Motion: by Councilor Ringius to approve Order 20 046

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)

- **20 047 Town Clerk: Designation of Early Voting Central Tabulation Facility or take up any action relative thereto**

President Hume stated this measure will not be voted on this evening. No action required at this time. This is on the agenda as a placeholder at this time.

- **20 048 Town Clerk: Call of the State Primary Election - September 1, 2020 or take up any action relative thereto**

Motion read by Councilor Ringius:

UPON THE REQUEST OF THE TOWN CLERK, THE TOWN OF BRAINTREE, THROUGH THE BRAINTREE TOWN COUNCIL, IT IS SO ORDERED:

Call of the State Primary Election, September 1, 2020

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, THE TOWN OF BRAINTREE IS HERBY REQUIRED TO NOTIFY AND WARN THE INHABITANTS OF SAID TOWN WHO ARE QUALIFIED TO VOTE IN THE STATE PRIMARY ELECTION ON TUESDAY, SEPTEMBER 1, 2020 FROM 7:00AM TO 8:00PM, TO VOTE AT THE POLLING PLACES IN THEIR RESPECTIVE PRECINCTS TO CAST THEIR VOTES FOR THE FOLLOWING PURPOSES:

To cast their votes in the State Primary for the candidates of political parties for the following offices: Senator in Congress, Representative in Congress for the Eighth District; Councilor for Second & Fourth District, Senator in General Court Norfolk, Bristol & Plymouth District, Senator in General Court Norfolk & Plymouth District, Representative in General Court Fifth Norfolk District, Register of Probate for Norfolk County, County Commissioner for Norfolk County, County Treasurer for Norfolk County and, Sheriff (Vacancy) for Norfolk County.

Motion: by Councilor Ringius to approve Order 20 048

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)

- **20 049 Mayor: Acceptance of Donations or take up any action relative thereto**

This measure 20 049 will be referred to the Committee of Ways & Means this evening. Same Night Action is not requested at this time.

- **20 053 Town Clerk: Call of the Local Special Election – September 26, 2020 or take up any action relative thereto**

Motion read by Councilor Ringius:

UPON THE REQUEST OF THE TOWN CLERK, THE TOWN OF BRAINTREE, THROUGH THE BRAINTREE TOWN COUNCIL, IT IS SO ORDERED:

Call of the Local Special Election, September 26, 2020

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, THE TOWN OF BRAINTREE IS HERBY REQUIRED TO NOTIFY AND WARN THE INHABITANTS OF SAID TOWN WHO ARE QUALIFIED TO VOTE IN THE STATE PRIMARY ELECTION ON SATURDAY, SEPTEMBER 26, 2020 from 7:00am to 8:00pm, TO VOTE AT THE POLLING PLACES IN THEIR RESPECTIVE PRECINCTS TO CAST THEIR VOTES FOR THE FOLLOWING PURPOSES:

To cast their votes in the Local Special Election on the official ballot for the following ballot questions:

Question 1: New South Middle School, Question 2: Replacements of School Roofs, Question 3: Braintree High School Feasibility Study and Question 4: Enhancing School Security Measures

Motion: by Councilor Ringius to approve Order 20 053

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)

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

Refer to the Committee on Ordinance & Rules

- **20 044 Mayor: Amendment to Town Zoning Map—General Business District (Liberty and Grove Streets) or take up any action relative thereto**

Motion made by Councilor Ringius to refer to the Committee on Ordinance & Rules Town Council Order 20 044 Mayor: Amendment to Town Zoning Map—General Business District (Liberty and Grove Streets) or take up any action relative thereto

Motion: by Councilor Ringius to refer to the Committee on Ordinance & Rules Town Council Order 20 044

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)

Refer to the Committee of Ways & Means

- 20 045 Mayor: Request for Appropriation - CPA funds for the land purchase at Liberty and Grove Streets or take up any action relative thereto

Motion made by Councilor Ringius to refer to the Committee of Ways & Means Town Council Order 20 045 Mayor: Request for Appropriation - CPA funds for the land purchase at Liberty and Grove Streets or take up any action relative thereto

Motion: by Councilor Ringius to Refer to the Committee of Ways & Means Town Council Order 20 045

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)

- 20 049 Mayor: Acceptance of Donations or take up any action relative thereto

Motion made by Councilor Ringius to refer to the Committee of Ways & Means Town Council Order 20 049 Mayor: Acceptance of Donations or take up any action relative thereto

Motion: by Councilor Ringius to Refer to the Committee of Ways & Means Town Council Order 20 049

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)

- 20 050 Mayor: Request for Appropriation –Archie T. Morrison Elementary School-Outdoor Classroom or take up any action relative thereto

Motion made by Councilor Ringius to Refer to the Committee of Ways & Means Town Council Order 20 050 Mayor: Request for Appropriation –Archie T. Morrison Elementary School-Outdoor Classroom or take up any action relative thereto

Motion: by Councilor Ringius to Refer to the Committee of Ways & Means Town Council Order 20 050

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)

- 20 054 Mayor: Transportation Infrastructure Enhancement Trust Fund or take up any action relative thereto

Motion made by Councilor Ringius to Refer to the Committee of Ways & Means Town Council Order 20 054 Mayor: Transportation Infrastructure Enhancement Trust Fund or take up any action relative thereto

Motion: by Councilor Ringius to Refer to the Committee of Ways & Means Town Council Order 20 054

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

- 20 051 National Grid Petition: Argyle Road or take up any action relative thereto.

Motion made by Councilor Ringius to Refer to the Committee of Ways & Means Town Council Order 20 051 National Grid Petition: Argyle Road or take up any action relative thereto

Motion: by Councilor Ringius to Refer to the Committee of Ways & Means Town Council Order 20 051

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)

- 20 052 National Grid Petition: River, Railroad, Hooker Streets or take up any action relative thereto.

Motion made by Councilor Ringius to Refer to the Committee of Ways & Means Town Council Order 20 052 National Grid Petition: River, Railroad, Hooker Streets or take up any action relative thereto

Motion: by Councilor Ringius to Refer to the Committee of Ways & Means Town Council Order 20 052

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 O’Brien asked for an explanation on why item 20 045 was referred without CPC meeting to approve these funds yet.

Nicole Taub explained Attorney Goldrosen and I decided this is appropriate since it is an administrative function of referring Order 20 045 to committee.

Topics the Chair does not reasonably anticipate will be discussed

UPCOMING MEETINGS:

Next Council Meeting scheduled on: **Tuesday, August 4, 2020 @7:30pm**

ADJOURNMENT

It was unanimously voted by roll call vote to adjourn the meeting at 9:32p.m.

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

Meeting Documents

- Minutes of June 2, 2020
- 20 042 Town Clerk: Proposal to Create Election Voting Centers or take up any action relative thereto
- 20 044 Mayor: Amendment to Town Zoning Map—General Business District (Liberty and Grove Streets)
- 20 046 Town Clerk: Designation of Early Voting Site, Days and Hours or take up any action relative thereto
- 20 047 Town Clerk: Designation of Early Voting Central Tabulation Facility or take up any action relative thereto
- 20 048 Town Clerk: Call of the State Primary Election - September 1, 2020 or take up any action relative thereto
- 20 049 Mayor: Acceptance of Donations or take up any action relative thereto
- 20 051 National Grid Petition: Argyle Road or take up any action relative thereto.
- 20 052 National Grid Petition: River, Railroad, Hooker Streets or take up any action relative thereto.
- 20 053 Town Clerk: Call of the Local Special Election – September 26, 2020 or take up any action relative thereto