



Braintree Town Council
Committee of Ways & Means
One JFK Memorial Drive
Braintree, Massachusetts 02184

MEMBERS

Joseph Reynolds, Chairman
Julia Flaherty, Vice-Chairwoman
Elizabeth Maglio, Member

MINUTES
Tuesday, January 17, 2023

A meeting of the Committee of Ways & Means was held in Johnson Chambers on Tuesday, January 17, 2023, at 6:00p.m.

Councilor Reynolds was in the Chair.

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

Present: Joseph Reynolds, Chairman
Elizabeth Maglio, Member

Not Present: Julia Flaherty, Vice-Chairwoman

Also Present: Nicole Taub, Chief of Staff/Town Solicitor
Ed Spellman, Director of Municipal Finance
Cindy DePina, Human Resources Director

Approval of Minutes

- None

Old Business

- None

New Business

- **22 066 Council President: Appointment - Town Auditor or take up any action relative thereto (6pm – 6:30pm discussion)**

Chairman Reynolds stated I have looked at the initial offer and there is an increase. I understand there is a cost to do business. We may have an opportunity to negotiate. We have built a great relationship with this Town Auditor. He is very thorough and easy to access.

Councilor Maglio stated he has provided excellent information in a timely manner. He is helpful in his explanations. He provides a great overview. I have no concerns.

Chairman Reynolds stated the 2 previous contracts there was some negotiations. Discussion about yearly costs and budget continued stating we may want to invite them to attend a W&M meeting (Shawn and Hannah). We will then make a recommendation to the full Council (possibly bring to full Council on February 28 for discussion/vote)

Chairman Reynolds asked if there is a Motion to table Order 22 066 to a future meeting.
Motion by Councilor Maglio to table Order 22 066 to a future meeting:

MOTION: To table Order 22 066 to a future meeting

Motion: by Councilor Maglio to table Order 22 066 to a future meeting

Second: by Councilor Reynolds

Vote: For (2 – Maglio, Reynolds), Against (0), Absent (1 - Flaherty), Abstain (0)

- **23 001 Mayor: Authorization of Four-Year Lease Agreement – 2015 Washington Street or take up any action relative thereto**

Chairman Reynolds asked if there was anyone from the Mayor's office who would like to speak on Order 23 001.

Nicole Taub, Chief of Staff stated the Town entered into a lease in May 2012 with the Division of Capital Asset Management and Maintenance on behalf of the Norfolk County Sheriff's Office for use of the property located at 2015 Washington Street. The property consists of 16,300 usable square feet of space contained within five (5) buildings. The original term commenced on June 1, 2012 with an annual rent of \$75,000 for a five (5) year term. In October 2016, the lease was extended for an additional four (4) year term with an annual rent of \$75,000 for 2017 and \$77,250 per year for 2018 through 2021. In 2022 the Town and the Commonwealth entered into a short-term tenancy to allow the parties to renegotiate the terms of the lease while allowing the Sheriff's Office to continue using the property.

The Town is now seeking to enter into a four (4) year lease extension with the Commonwealth to allow the Sheriff's Office continued use of the property at an annual rental rate of \$113,789.30, payable in monthly installments of \$9,482.44. This amount reflects an increase of \$36,539.30 over the prior lease value and will remain in effect until December 31, 2026.

We strongly value the Town's relationship with the Sheriff's Office and the benefit their use of the property provides for the community including, notably, the Youth Leadership Academy held on the property each summer and includes a low and high ropes challenge course. We look forward to continuing our relationship with Sheriff McDermott and his staff as we continue to work together to provide important public safety services to our residents. We request your favorable vote authorizing the Town to enter into a four (4) year lease extension for use of the property at 2015 Washington Street.

Chairman Reynolds asked if any Committee members would like to speak on Order 23 001.

Councilor Maglio mentioned an email question from Councilor O'Brien.

Nicole Taub stated Councilor O'Brien requested we ask Bob Cusack weigh in on whether this is a fair lease because of Bob's real estate knowledge. I spoke with Bob Cusack who stated it is difficult to draw comparisons with this type of agreement and a traditional commercial agreement and looking at the specific zoning and the limitations around that.

Chairman Reynolds stated good job on the negotiations. There is also a value on the use of that property and how it is used currently.

Chairman Reynolds asked if there is a Motion for Order 23 001.

Motion read by Councilor Maglio for Favorable Recommendation to the full Council:

MOTION: That the Town, acting through the Mayor, be authorized to enter into a four year lease extension with the Commonwealth of Massachusetts by and through the Commissioner of its Division of Capital Asset Management and Maintenance for use of the property at 2015 Washington Street, Braintree, MA 02184 by the Norfolk County Sheriff's Office.

Motion: by Councilor Maglio for Favorable Recommendation to the full Council to Approve Order 23 001

Second: by Councilor Reynolds

Vote: For (2 – Maglio, Reynolds), Against (0), Absent (1 - Flaherty), Abstain (0)

- **23 002 Mayor: Transfer Funds from the Human Resources Salary Reserve or take up any action relative thereto**

Chairman Reynolds asked if there was anyone from the Mayor's office who would like to speak on Order 23 002.

Nicole Taub, Chief of Staff stated the Town has concluded negotiations with the Utility Workers Union of America, AFL-CIO, Local No. 466 (UWUA) and a collective bargaining agreement for the July 1, 2022 -June 30, 2025 term has been reached. Included in that agreement is a one percent (1%) cost of living increase for Fiscal Year 23. In order to fund the increase for non- union employees, funds need to be transferred from the Town's Human Resources Salary Reserve Fund, found in the Human Resources-Employee Benefits Program, Reserve Line approved during the FY23 budget process. As previously noted, this is not a request for any new fiscal appropriations. The total amount to be transferred is \$31,880.99 and will be

funded entirely through the Human Resources Reserve Line (0115204 578050). The current balance of the line, as approved in the original FY23 Budget, is \$448,251.

Chairman Reynolds asked if any Committee members would like to speak on Order 23 002.

Councilor Maglio stated this list of positions is management staff to go retro to July 1, 2022. Why did they not get paid until now.

Nicole Taub stated now that we settled the contract we now know what will be the COLA for these folks. We start negotiations with every union at the same time. Prior to negotiations we set aside a 1% COLA. Some negotiations take longer than others. Offered across the board has been 1% in year one, 2% in year two and 3% in year three.

Councilor Maglio asked for the revenues year to date.

Chairman Reynolds stated this is a step in the process. This is more of a formality.

Chairman Reynolds asked if there is a Motion for Order 23 002.

Motion read by Councilor Maglio for Favorable Recommendation to the full Council:

MOTION: That the Town vote to amend the wage and salary classification schedules, as most recently amended by appropriating the sum of \$31,880.99 for the purpose of funding a wage increase for the non-union employees effective July 1, 2022, and for this purpose the sum of \$31,880.99 be transferred from the Human Resources-Employee Benefits Program-Reserve Line (0115204 578050) and further, that the Director of Municipal Finance is authorized to allocate said sums to and among the various accounts affected thereby in such amounts as are proper and required. In anticipation of approval of these agreements, funds were appropriated to the reserve account in the originally approved Fiscal Year 2023 budget.

Motion: by Councilor Maglio for Favorable Recommendation to the full Council to
Approve Order 23 002

Second: by Councilor Reynolds

Vote: For (2 – Maglio, Reynolds), Against (0), Absent (1 - Flaherty), Abstain (0)

- **23 003 Mayor: Transfer Funds from the Water Sewer Reserve Fund or take up any action relative thereto**

Chairman Reynolds asked if there was anyone from the Mayor's office who would like to speak on Order 23 003.

Nicole Taub, Chief of Staff stated the Town has concluded negotiations with the Utility Workers Union of America, AFL-CIO, Local No. 466 (UWUA) and a collective bargaining agreement for the July 1, 2022 - June 30, 2025 term has been reached. The following item is to fund this union contract. The agreement with the UWUA includes a one percent (1%) wage increase for the current fiscal year, a two percent (2%) increase in year two and a three percent (3%) increase in year three. The agreement also includes a three

percent (3%) hazardous materials/conditions stipend to take effect in the current fiscal year. This is a fair and affordable agreement that will be funded through the Water and Sewer Reserve Fund, which has sufficient funding available to support these terms. As a result, funds for these contractual increases are to be transferred from the Town's Water and Sewer Reserve Fund, found in the Water and Sewer-Administration Budget approved during the FY23 budget process. This is not a request for any new fiscal appropriations.

Chairman Reynolds asked if any Committee members would like to speak on Order 23 003.

Councilor Maglio asked about the stipend and how that works.

Nicole Taub stated the stipend is 3% of each individuals base salary.

Chairman Reynolds asked if there is a Motion for Order 23 003.

Motion read by Councilor Maglio for Favorable Recommendation to the full Council:

MOTION: That the Town vote to amend the wage and salary classification schedules, as most recent1y amended by appropriating the sum of \$45,997.79 for the purpose of funding a wage increase and other items as detailed in the Memorandum of Agreement (MOA) for the Utility Workers Union of America, AFL-CIO, Local No. 466 (UWUA), effective July 1, 2022, and for this purpose the sum of \$45,997.79 be transferred from the Water/Sewer Enterprise Fund Water- Administration Program 01-Reserve Line (7043801 578050) and further, that the Director of Municipal Finance is authorized to allocate said sums to and among the various accounts affected thereby in such amounts as are proper and required. In anticipation of approval of these agreements, funds were appropriated to the reserve account in the originally approved Fiscal Year 2023 budget.

Motion: by Councilor Maglio for Favorable Recommendation to the full Council to Approve Order 23 003

Second: by Councilor Reynolds

Vote: For (2 – Maglio, Reynolds), Against (0), Absent (1 - Flaherty), Abstain (0)

It was unanimously voted to adjourn the meeting at 6:55p.m. by Roll Call Vote.

Respectfully submitted,
Susan M. Cimino
Clerk of the Council

Documents provided for Meeting

- 22 066 Council President: Appointment - Town Auditor or take up any action relative thereto
- 23 001 Mayor: Authorization of Four-Year Lease Agreement – 2015 Washington Street or take up any action relative thereto
- 23 002 Mayor: Transfer Funds from the Human Resources Salary Reserve or take up any action relative thereto
- 23 003 Mayor: Transfer Funds from the Water Sewer Reserve Fund or take up any action relative thereto