

Charles B. Ryan
President
At Large

Sean E. Powers
At Large

Shannon L. Hume
At Large

Thomas W. Whalen
District 2

Thomas M. Bowes
District 3



CHARLES C. Kokoros
Vice President
District 1

Stephen C. O'Brien
District 4

David M. Ringius, Jr.
District 5

Timothy P. Carey
District 6

OFFICE OF THE TOWN COUNCIL

April 2, 2019 MINUTES

A meeting of the Town Council was held in the Cahill Auditorium, Braintree Town Hall, on Tuesday, April 2, 2019 beginning at 7:30p.m.

Council President Ryan was in the chair.

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

Present: Charles B. Ryan, President
Charles C. Kokoros, Vice President
Thomas M. Bowes
Timothy P. Carey
Stephen C. O'Brien
Sean E. Powers
David M. Ringius, Jr.
Thomas W. Whalen

Not Present: Shannon L. Hume

Also Present: Joseph C. Sullivan, Mayor
Joseph Reynolds, Chief of Staff
Paul Shastany, Police Chief
John Goldrosen, Town Solicitor
Dr. Frank Hackett, Superintendent of Schools
Christine Stickney, Planning & Community Development Director
Melissa SantucciRozzi, Planning & Community Development Assistant Director
Kelly Phelan, Conservation Planner
Anne Herbst, Metropolitan Area Planning Council
Lisa Heger, School Committee Chair
Kate Naughton, School Committee
Dan Clifford, former Council member
Russ Forsberg, Building Inspector
Elizabeth Mees, Historical Commission Chair
Ronald Frazier, Historical Commission Vice-Chair
Rayna Rubin, Historical Commission
Santina Giannino, Historical Commission
Kate Nedelman Herbst, Historical Commission
Many residents

APPROVAL OF MINUTES

- February 26, 2019

Motion: by Councilor Kokoros to Approve Minutes of February 26, 2019

Second: by Councilor Powers

Vote: For (7 – Bowes, Carey, Kokoros, Powers, Ringuius, Ryan, Whalen),
Against (0), Absent (1 - Hume), Abstain (1 - O'Brien)

- March 5, 2019

Motion: by Councilor Kokoros to Approve Minutes of March 5, 2019

Second: by Councilor Powers

Vote: For (8 – Bowes, Carey, Kokoros, O'Brien, Powers, Ringuius, Ryan, Whalen),
Against (0), Absent (1 - Hume), Abstain (0)

RESOLUTIONS

- 015 19 Councilor Powers: Proposed Resolution - Update Master Plan

Councilor Powers stated the issue of the Comprehensive Zoning update has gripped our entire community. They have concerns, thoughts and ideas on these issues that we should respect and appreciate. The message of updating our town's master plan is loud and clear. I therefore submit the following resolution for consideration by this Council:

A RESOLUTION IN SUPPORT OF UPDATING THE TOWN OF BRAINTREE'S MASTER PLAN

WHEREAS: the Town of Braintree's Master Plan was completed in 1998, and;

WHEREAS: since that time, the Town of Braintree has experienced increases in its population, school enrollment, development, and traffic, and;

WHEREAS: the Town of Braintree is facing challenges to our infrastructure including our schools, water and sewer systems and traffic intersections, and;

WHEREAS: the town's Master Plan should be viewed as a strategic framework that guides the future physical and economic development of a town or city based on the community's vision and goals, and;

WHEREAS: an updated Master Plan will foster further community wide discussions on issues facing the Town of Braintree including Land Use, Housing, Economic Development, Natural and Cultural Resources, Open Space and Recreation, Services and Facilities, and Circulation/Traffic, and;

WHEREAS: an update of the town' Master Plan will help serve as a blueprint for zoning, capital improvements going forward, and;

WHEREAS: many residents of the Town of Braintree have spoken publicly in favor of an update to the town's Master Plan that would include further meetings with key stakeholders and the soliciting more input from the general public.

BE IT THEREFORE RESOLVED: that we the undersigned, support updating the town's Master Plan before any Comprehensive Zoning Ordinance be enacted, and;

BE IT FURTHER RESOLVED: that Town of Braintree take the necessary steps to update the Town's Master Plan with the outlined goals as stated before.

Councilor Powers stated what is being proposed in the current Comprehensive Zoning Ordinance is far more complex and far reaching than just updating zoning codes. It will impact our community for generations to come. Our town wide goals and visions should be from the Master Plan which needs to be updated. We have been told many studies have been done. Let's take a look at those and see what else needs to be done to the Master Plan.

Councilor Ringius stated it is clear many residents want to see a plan move forward that protects the sanctity and character of our neighborhoods. But we do need to move forward in a way that allows for feasible economic growth. We can't put those two things together without a plan to guide it.

Councilor Carey stated I am in favor of updating things but not in favor of putting a hard stop to everything.

Councilor Kokoros stated last time a Master Plan was updated I was on the Planning Board. We have not updated the Master Plan formerly and completely since then. We need to take this Comprehensive Zoning Ordinance and send it to Committee and dispose of it. This amount of information and the changes to our town concern me. We could take the parts that are good and utilize and vet them out and go from there.

Councilor O'Brien stated he would like to see this come before the Council and not put a hard stop on it. This project became more than what we initially anticipated it being. I do thank the Planning Department for working on this. This is comprehensive. To read this is almost impossible. We do need a "road map" and the zoning should be guided by that "road map". A master plan will help us get our house in order. Then maybe the Comprehensive Zoning will make sense or we tone some of the zoning down.

Councilor Bowes stated he supports the master plan and recommends Councilor Powers be the liaison because of all the work he has done on this to date. I am not sure if this should be a hard stop but let's take care of our communities first.

Council President Ryan stated I will be supporting this. Thank you Councilor Powers for bringing this forward. With all the concern from people after the Planning Board meeting this is a good idea.

Motion: by Councilor Powers to accept the resolution on the master plan

Second: by Councilor Kokoros

Vote: For (8 – Bowes, Carey, Kokoros, O'Brien, Powers, Ringius, Ryan, Whalen),
Against (0), Absent (1 - Hume), Abstain (0)

Councilor Kokoros stated Mr. President I make a Motion to TAKE OFF THE TABLE Order 19 011 and to refer to the Committee on Ordinance & Rules, Order 19 011 Mayor: Comprehensive Zoning Ordinance or take up any action relative thereto

Refer to the Committee on Ordinance & Rules (TAKE off TABLE)

- 19 011 Mayor: Comprehensive Zoning Ordinance or take up any action relative thereto

Motion: by Councilor Kokoros to TAKE OFF THE TABLE Order 19 011
Second: by Councilor O'Brien
Vote: For (8 – Bowes, Carey, Kokoros, O'Brien, Powers, Ringuius, Ryan, Whalen),
Against (0), Absent (1 - Hume), Abstain (0)

Motion: by Councilor Kokoros to refer to the Committee on Ordinance & Rules,
Order 19 011 Mayor: Comprehensive Zoning Ordinance or take up any action
relative thereto
Second: by Councilor O'Brien
Vote: For (8 – Bowes, Carey, Kokoros, O'Brien, Powers, Ringuius, Ryan, Whalen),
Against (0), Absent (1 - Hume), Abstain (0)

Christine Stickney came to the podium and discussion took place.

Dan Clifford, former Council member came to the podium asking for clarification on what comes next. So we are now taking this proposal off the table and it is being sent to Ordinance & Rules where it will be discussed, vetted and then either voted on favorably or unfavorably and then brought back to the full Council. Is this where we are headed and if so is there still a need for a committee as proposed on the agenda this evening?

John Goldrosen, Town Solicitor stated the full Council cannot vote on this item until they receive a recommendation from the Planning Board.

COMMUNICATIONS

- 012 19 Mayor/Council President: Zoning Working Group

A memo was submitted from Mayor Sullivan and Council President Ryan to create a Zoning Working Group.

Council President Ryan stated there are some good things in the Zoning Ordinance and we shouldn't dismiss and there are things we don't want in there and we don't want to change Braintree. We should have a group of citizens look at the Ordinance and discuss what they thought and make it a transparent process. We will get their opinion.

Residents came to the podium with comment/concerns.

- 013 19 Chief Shastany: Update - Police Evidence Room / Accreditation Process

Chief Shastany stated we have undertaken a transformation that no other Police Department has seen. We have invested in our professional development leadership training, competency development and state of the art practices and we are a completely different department. I set out to bring the best practices to the town. We could be accredited by fall. We have been working on this for two years and it is a tribute to the officers. The type of policing I embrace is a service mindset. We take care of people in their time of need. Today we have a state of the art evidence room. We are the only ones with triple security preventions that will ensure our security will never be compromised. We have a vault protected on all four sides and is climate controlled. There is no potential for contamination or theft. If there is movement the cameras in this room wake up and record the event. We have real time evidence instant identification.

- 014 19 Kelly Phelan: Presentation of the Draft Hazard Mitigation Plan
Anne Herbst, Senior Environmental Planner of Metropolitan Area Planning Council gave a Power Point presentation. Braintree is doing this plan update because the federal disaster mitigation act requires towns to adopt and update a hazard mitigation plan to be eligible for FEMA mitigation grants. This plan is a CRS requirement. This Plan Update will meet FEMA's requirement and help the Town make good use of its resources. We will be back for Town Council to Vote to Adopt the Plan after draft plan is reviewed by MEMA and FEMA.

OLD BUSINESS

- 18 025 Mayor: Demolition Delay Ordinance or take up any action relative thereto (PUBLIC HEARING)

Motion by Councilor Kokoros to Open Public Hearing for Order 18 025

Motion: by Councilor Kokoros

Second: by Councilor Powers

Vote: For (8 – Bowes, Carey, Kokoros, O'Brien, Powers, Ringuius, Ryan, Whalen),
Against (0), Absent (1 - Hume), Abstain (0)

Council President Ryan referred to Councilor Powers, Chairman for Committee on Ordinance & Rules for a recommendation. Councilor Powers stated the committee met earlier this evening on Order 18 025. You all have a copy of the latest, revised, proposed Ordinance. We also had a presentation from Russ Forsberg, Building Inspector. It was unanimously voted 4 to zero.

Council President Ryan asked if any member of the Council or General Public want to speak on Order 18 025?

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

Motion by Councilor Kokoros to CLOSE the Public Hearing for Order 18 025

Motion: by Councilor Kokoros

Second: by Councilor Powers

Vote: For (8 – Bowes, Carey, Kokoros, O'Brien, Powers, Ringuius, Ryan, Whalen),
Against (0), Absent (1 - Hume), Abstain (0)

Councilor Kokoros read the Motion:

MOTION: That the Town Council vote to amend Title 5 of the Town's General Ordinances, by adding "Chapter 5.700: Demolition Delay", as submitted.

Motion: by Councilor Kokoros

Second: by Councilor Powers

Vote: For (8 – Bowes, Carey, Kokoros, O'Brien, Powers, Ringuius, Ryan, Whalen),
Against (0), Absent (1 - Hume), Abstain (0)

- 19 012 Superintendent of Schools: Statement of Interest (SOI) with the MSBA for Braintree High School or take up any action relative thereto
Dr. Hackett stated we are submitting this SOI for the High School. This is not a financial commitment. This is just authorizing me as Superintendent to let the MSBA know we are interested in partnering with them potentially for a project. We should find out in December 2019 whether or not they invite us for eligibility. We at that time would come back to you and talk about implications. This is simply a request to have a discussion with them.

Councilor Bowes, Chairman of the Committee of Ways & Means stated this was voted favorably for recommendation to the full Council at the committee meeting this evening.

MOTION read by Councilor Kokoros:

Resolved: Having convened in an open meeting on April 2, 2019 prior to the SOI submission closing date, the Town Council of Braintree, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated April 2, 2019 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 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 Kokoros

Second: by Councilor Powers

Vote: For (8 – Bowes, Carey, Kokoros, O’Brien, Powers, Ringuus, Ryan, Whalen),
Against (0), Absent (1 - Hume), Abstain (0)

NEW BUSINESS

- None

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 10:29p.m.

Respectfully submitted,

Susan M. Cimino
Clerk of the Council

Documents provided for Meeting

- 18 025 Mayor: Demolition Delay Ordinance or take up any action relative thereto (PUBLIC HEARING)
- 19 012 Superintendent of Schools: Statement of Interest (SOI) with the MSBA for Braintree High School or take up any action relative thereto
- 012 19 Mayor/Council President: Zoning Working Group
- 013 19 Chief Shastany: Update - Police Evidence Room / Accreditation Process
- 014 19 Kelly Phelan: Presentation of the Draft Hazard Mitigation Plan
- 015 19 Councilor Powers: Proposed Resolution - Update Master Plan