

LELAND A. DINGEE
President

CHARLES RYAN
Vice President

HAROLD RANDOLPH
At Large

CHARLES KOKOROS
District 1

JOHN MULLANEY
District 2



THOMAS BOWES
District 3

HENRY JOYCE
District 4

RONALD DENAPOLI
District 5

PAUL "DAN" CLIFFORD
District 6

OFFICE OF THE TOWN COUNCIL

February 17, 2009

MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, February 17, 2009 beginning at 7:30 p.m.

Council President Dingee was in the chair.

Clerk of the Council, James Casey, conducted the roll call.

Present: Leland A. Dingee, President
Charles B. Ryan, Vice-President
Harold Randolph
Charles Kokoros
John C. Mullaney
Thomas Bowes
Henry N. Joyce
Ronald DeNapoli
Paul Dan Clifford

Also Present: Joseph Sullivan, Mayor
Peter Morin, Chief of Staff
Edward Spellman, Finance Director
Eric Kinsherf, Town Auditor
Paul Frazier, Police Chief
Dr. Philip B. Nedelman
Dorothy Nedelman
Various Residents

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

CORRESPONDENCE

Proclamation

- **09 002** Councilor Kokoros: Dr. Philip B. Nedelman

Councilor Kokoros presented Dr. Nedelman a proclamation honoring his forty-five years of service to the community.

ANNOUNCEMENTS

- AN 09 002 Town Clerk: Town Census
- AN 09 005 Councilor Ryan: Braintree Fund for Education
- AN 09 006 Recreation Department: 2009 Travel Programs

Councilor Clifford congratulated the Boy's Gymnastic Team for capturing their 17th State Title

APPROVAL OF MINUTES

February 3, 2009

Motion: by Councilor Ryan to accept minutes

Second: by Councilor Randolph

Vote: For (8), Against (0), Abstain (Joyce)

CITIZEN CONCERNS/COUNCIL RESPONSE

None

OLD BUSINESS

Councilor Bowes requested that Council Order PS 09 001 be taken out of order.

Motion: by Councilor Ryan to take Order PS 09 001 out of order

Second: by Councilor Randolph

Vote: Unanimous

Committee on Public Safety: Chairman Thomas Bowes

- **PS 09 001** Councilor Mullaney: Police Department Reassignments

Chief Frazier explained that the reassignments within his department were necessitated by a nearly depleted overtime account that was caused by a decision not to fill four vacant positions and increased manning levels at the South Shore Plaza. The transfers were designed to slowdown spending in the overtime account. Prior to the reassignments, overtime amounted to approximately \$15,000 per week. Overtime decreased to approximately \$2,500 during the first week and to approximately \$5,500 during the second week of reassignments. Additionally, court time has been reduced. The arresting reports are now sent to the courts rather than having an officer go into court and stating the facts of the arrest. Discussions with the Mayor allowed the department to restore the Juvenile Officer and the School Resource Officer back to their positions.

Committee on Ways & Means: Chairman John Mullaney

- **09 001** Mayor: Notice of Appointment - Fire Chief
Motion: by Councilor Mullaney to approve the appointment of Kenneth McHugh to the position of Fire Chief
Second: by Councilor Ryan
Vote: Unanimous

- **09 002** Mayor: Notice of Appointment – Community Preservation Committee
Motion: by Councilor Mullaney to approve the appointments of Darryl Mikami, Patrick Flynn, Mike Dorn, John Dennehy, Anne M. Murphy and Linda Raiss to the Community Preservation Committee
Second: by Councilor Ryan
Vote: Unanimous

- **WM 09 001** Council President: Fiscal Year 2009 Budget Reductions
Motion: by Councilor Mullaney to approve the reduction of Town Council FY09 Budget by \$37,000 to \$316,602
Second: by Councilor Ryan
Vote: Unanimous

Town Auditor: Eric Kinsherf

- **TA 09 001** Town Auditor: FY09 Budget Overview
- **TA 09 002** Town Auditor: Management Letter
- **TA 09 003** Town Auditor: FY09 9C Budget Reductions

The Town Auditor, Eric Kinsherf, explained that because the FY09 budget was structurally balanced it was possible to make the 9C budget cuts with minimal disruptions. He further explained that the snow and ice deficit is currently at \$605,000 and could go as high as \$750,000 depending on the amount of snow there is over the remaining few weeks of winter. Although it is allowable to carryover a snow and ice deficit into the next fiscal year, Mr. Kinsherf explained that consideration should be given to reduce this deficit in FY09. He cautioned that State revenue's to the town will be reduced by \$2.1 million for FY10 and an additional \$400,000 in expenses is expected. By adding the projected \$750,000 snow and ice deficit on top of this the FY10 budget will have a \$3.2 million shortfall.

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

- **Mayor Sullivan:** Discussion – FY09 Budget Reductions

Mayor Sullivan outlined his February 12, 2009 remarks on the \$694,000 budget reductions.

NEW BUSINESS

CC 09 002 Councilor Mullaney: Council Budget Recommendation to Mayor

The Council President explained that Councilor Mullaney is requesting same night action on his resolution. Section 2-9(b) of the Braintree Charter allows the Council to pass a measure through its entire stages at any one meeting as long as no member of the Town Council Objects. There are some exceptions to this, those being proposed ordinances, appropriation orders and loan authorizations; each of these are not allowed to be passed at one meeting.

Motion: by Councilor Ryan to accept same night action on Council order CC 09 002.

Second: by Councilor Randolph

Vote: Unanimous

Councilor Mullaney reads his entire motion as printed in the document provided to each council member in their meeting envelopes.

Councilor Ryan explains that if the Town is looking at a \$2.4 million deficit for the next fiscal year it would be very difficult to close the budget gap without laying off employees. He doesn't know how it could be accomplished any other way.

Councilor Mullaney explained that he had spoken with some of the unions about a wage freeze to avoid any layoffs. He says the motion is to try to encourage, not to force, a wage freeze but an attempt to get people to work together.

Councilor Joyce remarked that the motion says to do everything possible to avoid people from getting laid off and he would support on that point.

Council President Dingee states that the motion is non-binding; it is a comment to the Mayor on the feelings of the Council.

Motion: by Councilor Mullaney to approve resolution as read.

Second: by Councilor Randolph

Vote: Unanimous

- **09 004** Mayor: Appointments – School Building Committee

The Council President explained that Mayor is requesting same night action on Order 09 004. Section 2-9(b) of the Braintree Charter allows the Council to pass a measure through its entire stages at any one meeting as long as no member of the Town Council Objects. There are some exceptions to this, those being proposed ordinances, appropriation orders and loan authorizations; each of these are not allowed to be passed at one meeting.

Motion: by Councilor Ryan to accept same night action on order 09 004.

Second: by Councilor Randolph

Vote: Unanimous

Motion: by Councilor Ryan to approve the establishment of a School Building Committee
Second: by Councilor Randolph
Vote: Unanimous

Motion: by Councilor Ryan to approve the appoints of Joseph Sullivan, Sean Powers, Peter Kurzberg, Peter Dress, Peter Morin, Edward McDonough, Edward Spellman and Leon Auvil, Jr. to the School Building Committee
Second: by Councilor Randolph
Vote: Unanimous

REFER TO COMMITTEE

Committee on Department of Public Works: Chairman Charles Ryan

- **PW 09 002** Councilor Kokoros: Qualifications of Contractors Performing Work in Town
- **PW 09 003** Councilor Kokoros: Oversight of Town Contractors

Committee on Ordinance & Rules: Chairman Ronald DeNapoli

- **OR 09 004** Councilor Kokoros: Ordinance Prohibiting Dual-Pricing at Service Stations
- **OR 09 005** Councilor Kokoros: Ordinance On Hand-Held Signs
- **OR 09 006** Councilor Kokoros: Ordinance Prohibiting Vehicle Backup Alarms

Motion: by Councilor Ryan to move Council Order's PW 09 002 and PW 09 003 to the Committee on the Department of Public Works and Council Order's OR 09 004, OR 09 005 and OR 09 005 to the Committee on Ordinance & Rules
Second: by Councilor Randolph
Vote: Unanimous

It was unanimously voted to adjourn the meeting at 8:53 p.m.

Respectfully submitted,
James M. Casey
Clerk of the Council