

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 3, 2009

MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, February 3, 2009 beginning at 7:38 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
Ronald DeNapoli
Paul Dan Clifford

Not Present: Henry N. Joyce

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 and for Marty Kormann who recently passed away.

CORRESPONDENCE

None

ANNOUNCEMENTS

- AN 09 002 TOWN CLERK: Annual Town Census
- AN 09 003 JEFF KUNZ: TV/CRT Monitor Collection Day
- AN 09 004 MAYOR: Snow Removal Hotline

APPROVAL OF MINUTES

January 20, 2009

Motion: by Councilor Ryan to accept minutes

Second: by Councilor Randolph

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

CITIZEN CONCERNS/COUNCIL RESPONSE

None

OLD BUSINESS

Committee on Ordinance & Rules: Chairman Ronald DeNapoli

- **OR 09 001** Councilor DeNapoli: Ordinance to ban the outside use of marijuana in public places, enforceable by a fine.

Chairman DeNapoli reported that the Committee tabled and would report back at a future date.

- **OR 08 002** Councilor DeNapoli: Water & Sewer Billing Policy

Chairman DeNapoli reported that the Committee tabled and would report back at a future date.

Committee on Public Safety: Chairman Thomas Bowes

- **CC 08 001** South Street – Traffic Issues

Chairman Bowes reported that the Committee recommended that a letter be sent to the Chief of Staff requesting that the Town Engineer begin documenting traffic counts along South Street to forward to the Mass Highway Department in preparation of requesting a truck traffic ban on South Street. In addition, the Committee recommended that an opinion be sought from the Town Solicitor to determine if the Town could request a night-time truck traffic ban on South Street prior to collecting traffic counts.

Motion: by Councilor Bowes for favorable action on recommendation

Second: by Councilor Ryan

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

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

- **TA 09 001** Town Auditor: FY09 Budget Overview
- **TA 09 002** Town Auditor: Management Letter

Council President Dingee requested that Council Members read each of the reports and they will have the opportunity to ask questions to the Town Auditor at the next Council meeting on February 17th.

NEW BUSINESS

- **09 003** Mayor: Snow and Ice Deficit

Motion: by Councilor Ryan for a Suspension of Rules (Rule #23) to act upon the order

Second: by Councilor Randolph

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

Motion: by Councilor Ryan “Be it ordained that, prusuant to General Laws Chapter 44, Section 31D, the Town be authorized to incur a liability in excess of the amount appropriated for snow and ice removal for Fiscal Year 2009.”

Second: by Councilor Randolph

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

REFER TO COMMITTEE

Committee on Ways & Means: Chairman John Mullaney

- **09 001** Mayor: Notice of Appointment - Fire Chief
- **09 002** Mayor: Notice of Appointment – Community Preservation Committee

Motion: by Councilor Ryan to refer orders 09 001 and 09 002 to the Committee on Ways & Means

Second: by Councilor Randolph

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

Committee on Ordinance & Rules: Chairman Ronald DeNapoli

- **OR 09 003** Councilor Bowes: Responsible Employer By-Law

Motion: by Councilor Ryan to refer order OR 09 003 to the Committee on Ordinance & Rules

Second: by Councilor Randolph

Motion: by Councilor Mullaney for a Suspension of Rules (Rule #28) to present an item not on the agenda

Second: by Councilor Randolph

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

Motion: by Councilor Mullaney to refer to the Committee on Public Safety a review the recent transfers within the Police Department.

Second: by Councilor Randolph

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

Councilor Clifford requested if he could address the Council regarding the earlier announcement on the Snow Removal Hotline. He felt having resident calling the hotline directly would place an undue burden on those staffing the hotline. He thought residents should contact Council Members and have the Council Member report the issue on the hotline.

Councilor Kokoros asked if the hotline would be staffed by the Highway Department. Council President confirmed that and stated the information will be recorded on their voicemail and monitored.

Councilor Mullaney informed the Committee that the Mayor's Office received 7 complaints during the first snow storm this winter and didn't see it as a burden. Councilor Mullaney then wanted to inform the public that Councilor's do not have the right to contact a Department Head and direct them to do work.

Council President Dingee stated that Councilor Mullaney was correct. The Mayor had asked that the Council work through his office on all issues that require the use of a staff member.

It was unanimously voted to adjourn the meeting at 7:57 p.m.

Respectfully submitted,
James M. Casey
Clerk of the Council