

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

May 5, 2009

MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, May 5, 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
Paul Dan Clifford

Not Present: Ronald DeNapoli

Also Present: Joseph Sullivan, Mayor
Peter Morin, Chief of Staff
Carolyn Murray, Town Solicitor
Mark Cusack, Mayor Assistant
Edward Spellman, Finance Director
Karen Shanley, Director of Human Resources
Paul Frazier, Police Chief
Peter Kurzberg, School Superintendent
Thomas Whalen, Director of Public Works
Betsy Wolfe, Library Director
Sharmila Biswas, Council on Aging
Jeff Kunz
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

- **043-09** Council: May 2009 Recognition Award: Jeffrey Kunz
Council President Dingee awarded Jeff Kunz a certificate on behalf of the Council for the work he has performed in the community.

ANNOUNCEMENTS

- **053-09** Recycling Committee: Household Hazardous Waste Collection Day
- **041-09** Recreation & Community Events Department: Beautify Braintree Day II
- **050-09** Councilor Clifford: District 6 Meeting – Proposed Holbrook Transfer Station
- **054-09** Councilor Randolph: Braintree Community Youth Center

APPROVAL OF MINUTES

April 28, 2009

Motion: by Councilor Ryan to accept minutes

Second: by Councilor Randolph

Vote: Unanimous

CITIZEN CONCERNS/COUNCIL RESPONSE

None

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

- **049-09** Mayor Joseph C. Sullivan: FY2010 Proposed Budget

Mayor Sullivan provided an overview of the proposed FY2010 Budget. He explained that the budget was founded on facts and figures that are sustainable. The budget was not balanced on one-time funding sources. New Growth was \$850K and takes into account the South Shore Plaza Expansion. He also announced that the SS Plaza is currently negotiating with a new anchor tenant; Target. The Town will be receiving an additional \$500K in PILOT from BELD. A total of 7 positions in the school department will not be funded and necessitates layoffs. Additionally, there will be 12 vacant positions that will be unfunded. The Town will be receiving \$2.8 million in Stimulus money to be spent over the next 27 months. \$1.2 million will be used for the current fiscal year. He has asked the Police Chief to review the deployment of Personnel as he is unable to restore the vacant positions at this time. Though, he is committed to restore positions when additional funds become available. When questioned by Councilor Bowes and Councilor Mullaney regarding their concerns with public safety Mayor Sullivan stated that he shared the Council's concerns.

- **051-09** Town Clerk: Retirements

Council President Dingee announced that the Town Clerk and Assistant Town Clerk will be retiring at the end of June and these positions need to be filled as soon as possible.

NEW BUSINESS

- **052-09** Councilor Mullaney: Appointment of Town Clerk (Section 2-8(b), Chapter 189 of the Acts of 2005)

Councilor Mullaney read a resolution to fill the Town Clerk's Position and the motions was seconded by Councilor Joyce for discussion.

Council President Dingee explained he had spoken with the Director of Human Resources and received a letter which stated the position could be filled from within and did not need to be posted.

Councilor Joyce commented that with both the Town Clerk and Assistant Town Clerk retiring next month he felt it was important that the position be filled prior to their departure and he supports the resolution. He explained that it took four months to fill the Clerk of the Council Position and five months to fill the Town Auditor's Position.

Councilor Ryan stated he opposed the resolution and felt the two jobs should be advertised and the process should be open and transparent.

Councilor Kokoros stated he was also opposed to the motion and did not understand what the hurry was. He has issue with the procedure and the public perception of the resolution. He stated that the incumbent could be hired back as a consultant if the position is not filled by the end of June. He also suggested that the Clerk of the Council begin working in the Town Clerk Office for training.

Councilor's Bowes, Randolph and Clifford each felt the position should be posted.

Motion: by Councilor Mullaney to approve resolution 052-09

Second: by Councilor Joyce

Vote: For (3-Mullaney, Joyce, Dingee); Against (5-Ryan, Kokoros, Clifford, Bowes, Randolph); Absent (DeNapoli)

Councilor Ryan made a motion to advertise the Town Clerk's position and establish a committee to bring forward qualified candidates.

Councilor Kokoros seconded Councilor Ryan's motion and made an amendment to the motion to include on the committee one Council Member, the Director of Human Resources and the current Town Clerk.

Council President Dingee ruled the amendment out of order as the Town Charter states that the Council President shall appoint all members of all committees of the Town Council.

Councilor Randolph stated that he would like the process to move quickly and amended Councilor Ryan's motion to include that all applications are due within fifteen-days from today. The amendment was seconded by Councilor Ryan.

Motion: by Councilor Randolph to amend Councilor Ryan motion

Second: by Councilor Ryan

Vote: Unanimous

Motion: by Councilor Ryan to accept Councilor Ryan's motion as amended

Second: by Councilor Randolph

Vote: Unanimous

It was unanimously voted to adjourn the meeting at 8:55 p.m.

Respectfully submitted,
James M. Casey
Clerk of the Council