

CHARLES RYAN
President

LELAND DINGEE
At Large

SEAN POWERS
At Large

JOHN MULLANEY
District 2

THOMAS BOWES
District 3



CHARLES KOKOROS
Vice President
District 1

HENRY JOYCE
District 4

RONALD DENAPOLI
District 5

PAUL "DAN" CLIFFORD
District 6

OFFICE OF THE TOWN COUNCIL

November 18, 2010

MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Thursday, November 18, 2010 beginning at 7:30p.m.

Council President Ryan was in the chair.

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

Present: Charles B. Ryan, President
Charles Kokoros, Vice President
Leland Dingee
Thomas Bowes
Henry N. Joyce
Paul Dan Clifford

Not Present: Sean Powers
John C. Mullaney
Ronald DeNapoli

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

- **062 10 Council Kokoros:** Thanksgiving Day Sports Rally
Braintree Community Youth Center

ANNOUNCEMENTS

- **056 10 Council President:** Seasonal Flu Clinic, November 21st
- **057 10 Council Joyce:** Julie O'Connell's Christmas Show Fundraiser
- **061 10 Council Joyce:** Braintree Recreation Department Events
- **058 10 Council Dingee:** Braintree Rotary Club Thanksgiving Dinner
- **063 10 Council Dingee:** Thayer Public Library Events

APPROVAL OF MINUTES

- November 3, 2010

Motion: by Councilor Kokoros to Approve

Second: by Councilor Bowes

Vote: For (5), Against (0), Absent (3-Powers, Mullaney, DeNapoli), Abstain (1-Dingee)

CITIZEN CONCERNS/COUNCIL RESPONSE

None

OLD BUSINESS

- **054 10 Council President:** 2011 Town Council Meeting Calendar

Motion: by Councilor Kokoros to approve

Second: by Councilor Bowes

Vote: For (6), Against (0), Absent (3-Powers, Mullaney, DeNapoli)

- **10 074 Mayor:** Decision to Disapprove Chapter 5-550 Gasoline Stations Ordinance (Order 10-012)

Motion: by Councilor Kokoros for reconsideration

Second: by Councilor Bowes

Vote: For (6), Against (0), Absent (3-Powers, Mullaney, DeNapoli)

Council President Ryan informed members that the Mayor had vetoed the Ordinance on Chapter 5-550 for the reasons stated in his November 2, 2010 letter to the Council. Councilor Ryan then read paragraphs two and three of the letter. The Mayor's objection was focused on Section 5.550.020 Rules and Regulations.

Councilor Kokoros, the author of the language for Section 5.550.020, was in agreement with the proposed change in language submitted by the Mayor. "Section 5.550.020 Rules and Regulations: The Board of License Commissioners may from time to time make reasonable rules and regulations regarding the operation of gasoline stations, automotive repair garages and motor vehicle towing services."

Motion: by Councilor Kokoros to strike Section 5.550.020 Rules and Regulations as approved by the Council on October 19, 2010

Second: by Councilor Bowes

Vote: For (6), Against (0), Absent (3-Powers, Mullaney, DeNapoli)

Motion: by Councilor Kokoros to amend Section 5.550.020 Rules and Regulations as presented by Mayor Sullivan in his November 29, 2010 letter to the Council

Second: by Councilor Bowes

Vote: For (6), Against (0), Absent (3-Powers, Mullaney, DeNapoli)

Motion: by Councilor Kokoros to approve Chapter 5.550 Gasoline Stations and Automotive Repair Grages as amended

Second: by Councilor Bowes

Vote: For (6), Against (0), Absent (3-Powers, Mullaney, DeNapoli)

- **048 10 Council President:** Council Reappointment Policy

Motion: by Councilor Kokoros to take from the table

Second: by Councilor Bowes

Vote: For (6), Against (0), Absent (3-Powers, Mullaney, DeNapoli)

Council President Ryan asked members to table until all members of the Council were present to discuss.

Motion: by Councilor Kokoros to table until December 7

Second: by Councilor Bowes

Vote: For (6), Against (0), Absent (3-Powers, Mullaney, DeNapoli)

- **10 069 NationalGrid:** Petition – Myrtle Street

Council President Ryan informed members that two of the three members of the Committee on Public Works, Councilor Powers and Councilor DeNapoli, were unable to attend the Committee meeting scheduled early in the evening and asked if members would like to proceed with the petition filed by NationalGrid. Staff reported no issues on the petition and recommended favorable action with standard conditions.

Motion: by Councilor Kokoros to approve with staff recommendations

Second: by Councilor Bowes

Vote: For (6), Against (0), Absent (3-Powers, Mullaney, DeNapoli)

- **10 070 Mayor:** Acceptance of Statue – Funeral Benefits for Police Officers and Firefighters

Council Dingee, member of the Committee on Ways and Means, read the October 26, 2010 memo from Mayor Sullivan requesting acceptance of the statue. Councilor Dingee reported that the Committee recommended favorable action on the Order.

Motion: by Councilor Kokoros to approve

Second: by Councilor Bowes

Vote: For (6), Against (0), Absent (3-Powers, Mullaney, DeNapoli)

- **10 071 Mayor:** Acceptance of Statue – Appointment of Constables

Council Dingee, member of the Committee on Ways and Means, read the October 26, 2010 memo from Mayor Sullivan requesting acceptance of the statue. Councilor Dingee reported that the Committee recommended favorable action on the Order.

Councilor Joyce requested from the Mayor's Office clarification for constables appointed or reappointed since January 2008 if they would need to be reappointed since the statue was not in effect. Council President directed the Clerk of the Council to obtain an answer to the questions for Councilor Joyce.

Councilor Clifford asked if there was a limit to the number on constables the town could appoint. Councilor Dingee replied he believed there was a cap based on a similar question that was asked when he was a member of the Board of Selectmen.

Motion: by Councilor Kokoros to approve

Second: by Councilor Bowes

Vote: For (6), Against (0), Absent (3-Powers, Mullaney, DeNapoli)

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

None

NEW BUSINESS

Refer to Committee on Ways & Means

- **10 072 Board of Assessors:** FY2011 Tax Levy
- **10 075 Mayor:** Proposed Order Allowing Refunding of Bonds
- **10 076 Mayor:** Proposed Orders for the Issuance of Green School Bonds

Councilor Kokoros provided a first reading of the motions on Order 10 075 and 10 076 as printed in the November 9, 2010 memo from Mayor Sullivan.

Motion: by Councilor Kokoros to refer Orders 10 072, 10 075 and 10 076 to Committee

Second: by Councilor Bowes

Vote: For (6), Against (0), Absent (3-Powers, Mullaney, DeNapoli)

- **10 077 Mayor:** Supplemental Appropriation – AFSCME Contract

Council President Ryan informed members that Order 10 077 was received late today and asked if there were any objections to referring the Order submitted by the Mayor’s Office to Committee this evening.

Motion: by Councilor Kokoros to refer Order 10 077 to Committee

Second: by Councilor Bowes

Vote: For (6), Against (0), Absent (3-Powers, Mullaney, DeNapoli)

Refer to Committee on Public Works

- **10 073 Verizon:** Joint Petition with BELD – 531 Pond Street

Motion: by Councilor Kokoros to refer Order 10 073 to Committee

Second: by Councilor Bowes

Vote: For (6), Against (0), Absent (3-Powers, Mullaney, DeNapoli)

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 8:25p.m.

Respectfully submitted,
James M. Casey
Clerk of the Council

Documents provided for Meeting

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- **057 10 Council Joyce:** Julie O'Connell's Christmas Show Fundraiser
- **061 10 Council Joyce:** Braintree Recreation Department Events
- **058 10 Council Dingee:** Braintree Rotary Club Thanksgiving Dinner
- **063 10 Council Dingee:** Thayer Public Library Events
- **November 3, 2010 Minutes**
- **054 10 Council President:** 2011 Town Council Meeting Calendar
- **10 074 Mayor:** Decision to Disapprove Chapter 5-550 Gasoline Stations Ordinance (Order 10-012)
- **048 10 Council President:** Council Reappointment Policy
- **10 069 NationalGrid:** Petition – Myrtle Street
- **10 070 Mayor:** Acceptance of Statue – Funeral Benefits for Police Officers and Firefighters
- **10 071 Mayor:** Acceptance of Statue – Appointment of Constables
- **10 072 Board of Assessors:** FY2011 Tax Levy
- **10 075 Mayor:** Proposed Order Allowing Refunding of Bonds
- **10 076 Mayor:** Proposed Orders for the Issuance of Green School Bonds
- **10 073 Verizon:** Joint Petition with BELD – 531 Pond Street