

CHARLES C. KOKOROS
President
District 1

LELAND A. DINGEE
At Large

SEAN E. POWERS
At Large

CHARLES B. RYAN
At Large

JOHN C. MULLANEY
District 2



THOMAS M. BOWES
Vice President
District 3

HENRY N. JOYCE
District 4

RONALD E. DENAPOLI
District 5

PAUL "DAN" CLIFFORD
District 6

OFFICE OF THE TOWN COUNCIL

August 14, 2012

MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, August 14, 2012 beginning at 7:30p.m.

Council President Kokoros was in the chair.

The Clerk of the Council conducted the roll call.

Present: Charles Kokoros, President
Thomas Bowes, Vice President
Leland Dingee
Sean Powers
John C. Mullaney
Ronald DeNapoli
Paul Dan Clifford

Not Present: Henry N. Joyce
Charles B. Ryan

Others: Eric Kinsherf, Town Auditor
Christine Stickney, Director Planning & Community Development
Matthew Meese, Historical Society
John Garland, Attorney for Scott Palmer
Members of DAV Post 29

CORRESPONDENCE

- 032 12 Council President: Disabled American Veterans Memorial Highway

Members called for a five minute recess at 7:45pm; with the Council President calling the meeting back to order at 7:50pm.

ANNOUNCEMENTS

- 033 12 Council President: Senator Joyce Braintree Town Hall Office Hours
- Councilor Bowes: Police Chief Retirement Party

APPROVAL OF MINUTES

- **July 17, 2012**

Motion: by Councilor Bowes to approve July 17, 2012 minutes

Second: by Councilor DeNapoli

Vote: For (5), Against (0), Absent (2-Joyce, Ryan), Abstain (2-DeNapoli, Clifford)

- **July 31, 2012**

Motion: by Councilor Bowes to approve July 31, 2012 minutes

Second: by Councilor DeNapoli

Vote: For (3), Against (0), Absent (2-Joyce, Ryan), Abstain (2-Bowes, Dingee, DeNapoli, Clifford)

CITIZEN CONCERNS/COUNCIL RESPONSE

None

OLD BUSINESS

Committee on Public Works

- **12 034 NationalGrid: Petition for Gas Main – Thayer Road and Atlas Road**

Councilor Powers, Vice-Chairman on the Committee on Public Works, commented that the Committee was unable to meet on this Order prior to the Council meeting due to scheduling conflicts however; staff had provided a favorable recommendation on the gas line petition.

Motion: by Councilor Bowes to approve Order 12 034 with staff recommendations

Second: by Councilor DeNapoli

Vote: For (7), Against (0), Absent (2-Joyce, Ryan)

Committee on Ways & Means

- **12 033 Mayor: Appropriation from Community Preservation Fund – Gallivan House Roof**

Motion: by Councilor Bowes to open public hearing

Second: by Councilor DeNapoli

Vote: For (7), Against (0), Absent (2-Joyce, Ryan)

Councilor Clifford, Chairman of the Ways & Means Committee, reported that the Committee has recommended favorable action on Order 12 033.

Council President Kokoros asked members of the Council or those in attendance if they would like to speak on the issue.

Councilor DeNapoli commented that he does not support using CPA funds on roof repairs.

Matthew Meese of the Braintree Historical Society explained that the roof of the Gallivan House roof is in need of immediate repairs. The Community Preservation Committee has reviewed their funding application and approved \$38,000 to repair the roof of this historic significant property. Mr. Meese commented that once the roof is repaired the apartment in the building could be rented and the rent would be used to pay off the mortgage on the property.

Motion: by Councilor Bowes to close public hearing

Second: by Councilor DeNapoli

Vote: For (7), Against (0), Absent (2-Joyce, Ryan)

Motion: by Councilor Clifford to approve Order 12 033

Second: by Councilor Bowes

Vote: For (6), Against (1-DeNapoli), Absent (2-Joyce, Ryan)

- **021 12 Councilor Clifford: Policy and Procedure Manual**

Councilor Clifford explained that the Policy and Procedure Manual was prepared by the Town Auditor, Eric Kinsherf, and is a work-in-progress. Councilor Clifford then provided an overview of each of the sections within the manual.

Motion: by Councilor Bowes to approve the Policy and Procedure Manual

Second: by Councilor DeNapoli

Vote: For (7), Against (0), Absent (2-Joyce, Ryan)

Committee on Ordinance & Rules

- **12 030R Christine Stickney: Flood Insurance Rate Maps and Amendment to ZBL Section 608 (Revised)**

Motion: by Councilor Powers to open public hearing

Second: by Councilor DeNapoli

Vote: For (7), Against (0), Absent (2-Joyce, Ryan)

Councilor Powers, Chairman of the Ordinance & Rules Committee, reported that FEMA informed the Town that a section of the previously approved ordinance was missing a “Velocity Zone” and it needed to be added by a new vote of the Council. The Committee recommends favorable action on Order 12 030R.

Council President Kokoros asked members of the Council or those in attendance if they would like to speak on the issue. No member of the Council or public spoke on the issue.

Motion: by Councilor Bowes to close public hearing

Second: by Councilor DeNapoli

Vote: For (7), Against (0), Absent (2-Joyce, Ryan)

Motion: by Councilor Bowes to approve Order 12 030R

Second: by Councilor Powers

Vote: For (7), Against (0), Absent (2-Joyce, Ryan)

- **12 009 Scott Palmer: Rezone of 7-11 Independence Avenue**

Motion: by Councilor Bowes to open public hearing for continuation of the public hearing

Second: by Councilor Powers

Vote: For (6), Against (1-DeNapoli), Absent (2-Joyce, Ryan)

Council President noted that two members of the Council were absent and a request was made to continue the public hearing until September 4, 2012.

Councilor Mullaney commented that the issue had been postponed several times and he believes it should be discussed this evening. Residents would like to speak on the issue. The Clerk of the Council noted that a two-thirds vote is required on Order 12 009. With the absence of the two Councilors the petitioner requested that it be continued. An email was sent to Patrick Barry, President of the Independence Avenue Association, earlier in the day informing him that Order 12 009 would be tabled due to the absence of two council members and asked him to notify members of his association to avoid having these people come to the meeting; only to have it tabled once again. He confirmed receipt of the email and was thankful of the notification.

Motion: by Councilor Bowes to Table Order 12 009 until September 4th at 7:30pm

Second: by Councilor Powers

Vote: For (5), Against (2-DeNapoli, Mullaney), Absent (2-Joyce, Ryan)

- **12 035 Councilor Mullaney: Amendment to Title 2, Chapter 2-200, Mayor, Section: 2.200.010 Powers, In General**

Motion: by Councilor Powers to open public hearing

Second: by Councilor Bowes

Vote: For (7), Against (0), Absent (2-Joyce, Ryan)

Councilor Powers, Chairman of the Committee on Ordinance and Rules reported that the Committee made an unfavorable recommendation on Order 12 035.

Councilor Clifford, Chairman of the Committee on Ways and Means reported that the Committee had made an unfavorable recommendation on Order 12 035 and the Committee recommends that Order 12 035 be sent back to the Committee on Ordinance & Rules for further study.

Councilor Mullaney commented that seventy town employees are making more than the Mayor; including the Chief of Staff who makes \$109,000. Employees over the last five years have received an increase of 10% in their salaries while the Mayors salary has remained at \$105,000.

Councilor DeNapoli noted that maybe we should be paying other employees less than the Mayor. The Quincy City Council is paid \$27,000; should Braintree Councilors get this?

Councilor Clifford commented that he is a strong proponent of what the Mayor has done. But he would like to find out what criteria other communities had used to grant a raise to the Mayor. Council Clifford noted that Town Administrators/Managers are paid higher salaries than Mayors. This could be attributable to educational requirements for the position. Additionally, the Mayor of Quincy is paid \$122,000 with a population of 92,000 residents. The Mayor of Weymouth is paid \$110,000 with a population of 53,000 residents. Mayor Sullivan is paid \$105,000 with a population of 35,000 residents.

Councilor Dingee agreed that the Mayor should receive an increase but what is the right compensation. This issue needs further review.

Councilor Mullaney commented that the Police Chief receives \$123,000, the Fire Chief \$135,000, the Superintendent of Schools \$170,000 and the twelve principals between \$109,000 and \$123,000.

Councilor Kokoros explained that the Mayors salary was established by the Charter based on what the Executive Secretary was making at the time in the change of government. The issue should be discussed further.

Council President Kokoros asked members of the Council or those in attendance if they would like to speak on the issue.

Vincent Joyce, Braintree Resident, commented that he supports Councilor Mullaney proposal. Mr. Joyce listed a number various town employees making over \$100,000. The proposed raise of \$25,000 is miniscule in a \$100 million dollar budget. Braintree citizens evaluate the Mayor at the ballot box.

Joseph O'Brien and Edward Talbot, Braintree Residents, both spoke in support of Councilors Mullaney proposal.

Motion: by Councilor Bowes to close public hearing

Second: by Councilor Powers

Vote: For (7), Against (0), Absent (2-Joyce, Ryan)

Motion: by Councilor Mullaney to send Order 12 035 back to committee

Second: by Councilor Bowes

Vote: For (7), Against (0), Absent (2-Joyce, Ryan)

At 8:45pm Councilor Clifford and Councilor Mullaney left the auditorium.

- **029 12 Councilor Powers: Review of Job Description – Town Clerk**

Councilor Powers, Chairman on the Committee on Personnel Issues, reported that the committee met on August 13th and review of the Council Rules it was noted that the Town Council is governed by Roberts Rules of Orders – Newly Revised Edition and under Roberts Rules the Chairman can appoint a parliamentarian and there is no need to make any changes to the job description.

Councilor Dingee asked if the job description was unchanged. Councilor Powers responded that no changes were made.

No action was taken on Order 029 12.

COMMUNICATION AND REPORTS FOR THE MAYOR AND TOWN BOARDS

NEW BUSINESS

- **12 037 Town Clerk: Call of the Election for the State Primary on Thursday, September 6, 2012**

Councilor Bowes read into the records the motion as printed in the July 23, 2012 memo from Town Clerk Powers.

Motion: by Councilor Bowes to approve Order 12 037

Second: by Councilor Powers

Vote: For (5), Against (0), Absent (2-Clifford, Mullaney, Joyce, Ryan)

Refer to the Committee on Ways & Means

- **12 036 Mayor: Acceptance of Land from Jeanne (Kennedy) Adams – Cliff Road Parcels**

Motion: by Councilor Bowes to refer Order 12 036 to Committee

Second: by Councilor Powers

Vote: For (5), Against (0), Absent (2-Clifford, Mullaney, Joyce, Ryan)

Refer to the Committee on Public Works

- **12 038 NationalGrid: Petition for Gas Main – Wildwood Avenue**

Motion: by Councilor Bowes to refer Order 12 038 to Committee

Second: by Councilor Powers

Vote: For (5), Against (0), Absent (2-Clifford, Mullaney, Joyce, Ryan)

Refer to the Committee on Ordinance & Rules

- **12 039 Gregory & Michael Shea, Trustee: Rezone of 90 Church Street
(Former South Shore Chrysler Site)**

Motion: by Councilor Bowes to refer Order 12 039 to Committee

Second: by Councilor Powers

Vote: For (5), Against (0), Absent (2-Clifford, Mullaney, Joyce, Ryan)

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 8:50p.m.

Respectfully submitted,
James M. Casey
Clerk of the Council

Documents provided for Meeting

- July 17, 2012
- July 31, 2012
- 032 12 Council President: Disabled American Veterans Memorial Highway
- 12 034 NationalGrid: Petition for Gas Main – Thayer Road and Atlas Road
- 12 033 Mayor: Appropriation from Community Preservation Fund – Gallivan House Roof
- 021 12 Councilor Clifford: Policy and Procedure Manual
- 12 030R Christine Stickney: Flood Insurance Rate Maps and Amendment to ZBL Section 608 (Revised)
- 12 009 Scott Palmer: Rezone of 7-11 Independence Avenue
- 12 035 Councilor Mullaney: Amendment to Title 2, Chapter 2-200, Mayor, Section: 2.200.010 Powers, In General
- 029 12 Councilor Powers: Review of Job Description – Town Clerk
- 12 037 Town Clerk: Call of the Election for the State Primary on Thursday, September 6, 2012
- 12 036 Mayor: Acceptance of Land from Jeanne (Kennedy) Adams – Cliff Road Parcels
- 12 038 NationalGrid: Petition for Gas Main – Wildwood Avenue
- 12 039 Gregory & Michael Shea, Trustee: Rezone of 90 Church Street
(Former South Shore Chrysler Site)