

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

August 5, 2008

MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, August 5, 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
John C. Mullaney
Thomas Bowes
Henry N. Joyce
Paul Dan Clifford
Charles Kokoros
Ronald DeNapoli

Absent: Harold J. Randolph

Also Present: Carolyn Murray, Town Solicitor
Members of the Press

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

CORRESPONDENCE

None

ANNOUNCEMENTS

- Councilor Bowes informed the public that heavy equipment would be arriving at the BELD facility between 3:00a.m. and 7:00am from August 6 – 8 and August 11 – 13.
- Councilor Kokoros congratulated Councilor Clifford on Governor Patrick’s signing of the Citizen Solider Bill. Councilor Clifford indicated that the bill would become effective in September 2008 and those who served in the military should contact Braintree’s Veteran Agent, Reynold Barnes to determine eligibility.

APPROVAL OF MINUTES

- **June 17, 2008 (Executive Session)**
Motion: by Councilor Ryan to accept minutes
Second: by Councilor Kokoros
Vote: Unanimous
- **July 14, 2008 (7:15p.m.)**
Motion: by Councilor Ryan to accept minutes
Second: by Councilor Kokoros
Vote: Unanimous
- **July 14, 2008 (7:30p.m.)**
Motion: by Councilor Ryan to accept minutes
Second: by Councilor Kokoros
Vote: Unanimous

CITIZEN CONCERNS/COUNCIL RESPONSE

None

OLD BUSINESS

- **08 044 Mayor: Borrowing Authorization – Water & Sewer/Tri-Town (\$700,000)**

Motion: by Councilor Ryan to open public hearing

Second: by Councilor Kokoros

Vote: Unanimous

MOTION: “That the sum of \$700,000 be raised and appropriated as Braintree’s share of designing and preparing construction documents for a new Tri-Town regional Water Treatment Plant and facility for the public water supply, including purchasing related equipment, engineering and other consulting services related thereto, other site improvements incidentally or directly related thereto, and for the purpose of acquiring easements or other interests in land related thereto by gift, purchase, or eminent domain. To meet this appropriation, the Treasurer, with the approval of the Mayor and Town Council, is authorized to borrow said sum, under Massachusetts General Laws Chapter 44, Section 8, or any other enabling statute. Further, that the Mayor and Treasurer are authorized to take all action necessary to carry out the objectives of this vote.”

Discussion: Council: Councilor Ryan stated that it was important that the Town move forward with building a new water treatment plant.

Public: No Comments.

Motion: by Councilor Ryan to close public hearing

Second: by Councilor Kokoros

Vote: Unanimous

Motion: by Councilor Ryan to approve as read

Second: by Councilor Kokoros

Vote: Unanimous

Committee of Ways & Means

Chairman John Mullaney reported that the Committee voted favorable action on each of the following requests:

- 08 041 Mayor: Notice of Appointment – Director of Municipal Licenses & Inspections
- 08 045 Mayor: Notice of Appointment - Conservation Commission
- 08 046 Mayor: Notice of Appointment – Director of Municipal Finance

Committee on the Department of Public Works

- Resident Complaint: Adams Street

Chairman Charles Ryan reported that the Committee voted to recommend to the Council that a recommendation be made by the Council to the Mayor that A. Graziano Inc. clean in accordance with conditions number 35 (Operating Conditions) and 37 (Site Maintenance) of the July 18, 2005 Special Permit/Site Plan Review Decision #05-8 “Project: 40 Arnold Street/A. Graziano, Inc.”

Other

- 08 041 Mayor: Notice of Appointment – Director of Municipal Licenses & Inspections

Motion: by Councilor Ryan to approve the appointment of Marybeth E. McGrath for appointment to the position of Director of Municipal Licenses and Inspections.

Second: by Councilor Kokoros

Vote: Unanimous

- 08 045 Mayor: Notice of Appointment - Conservation Commission

Motion: by Councilor Ryan to approve the appointment of following seven individuals for appointment to the Conservation Commission:

Patrick Flynn
Matthew Hobin
Dan McMorrow
Gail Poliner Feldman
Gus Murphy
Kathleen Waldron
Alan Weinberg

Second: by Councilor Kokoros

Vote: Unanimous

- 08 046 Mayor: Notice of Appointment – Director of Municipal Finance

Council President Dingee asked members of the Council for a suspension of the rules (Rule #23) to take same night action on Order # 08 046 because the 30-day time period for Council review of the appointment for the Director of Municipal Finance would expire on August 18th, a day before the next scheduled meeting of the Council.

Motion: by Councilor Ryan for a suspension of rules.

Second: by Councilor Mullaney

Vote: Unanimous

Motion: by Councilor Ryan to approve the appointment of Edward Spellman to the position of Director of Municipal Finance.

Second: by Councilor Kokoros

Vote: Unanimous

- Resident Complaint: Adams Street

Motion: by Councilor Ryan that a recommendation be made by the Council to the Mayor that A. Graziano Inc. clean in accordance with conditions number 35 (Operating Conditions) and 37 (Site Maintenance) of the July 18, 2005 Special Permit/Site Plan Review Decision #05-8 “Project: 40 Arnold Street/A. Graziano, Inc.”

Second: by Councilor DeNapoli

Discussion: Councilor Joyce asked if Graziano Inc. was notified of the complaint and asked to attend the DPW meeting. Councilor Ryan informed members that Attorney Kerr represented Graziano Inc. at the DPW meeting.

Vote: Unanimous

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

None

REPORTS OF COMMITTEES

None

NEW BUSINESS

- 08 047 Town Clerk: Call of the State Primary Election, September 16, 2008

Council Vice-President read into the Council records Order # 08 047; “In the name of the Commonwealth, The Town of Braintree is hereby required to notify and warn the inhabitants of said Town, who are qualified to vote in the State primary election on Tuesday, September 16, 2008 from 7:00 a.m. to 8:00 p.m. for the following purpose: To cast their votes in the State Primary for the candidates for political parties for the following offices: Senator in Congress for the Commonwealth; Representative in Congress, Ninth District; Councillor, Second and Fourth District; Senator in General Court, Norfolk and Plymouth District and Norfolk, Bristol and Plymouth District; Register of Probate, Norfolk County; County Commissioners, Norfolk County; and County Treasurer, Norfolk County.”

Motion: by Councilor Ryan for approval.

Second: by Councilor Kokoros

Vote: Unanimous

- 08 048 Mayor: Acceptance of Statue – Payment of Bills in Excess of Appropriations

Motion: by Councilor Ryan to refer to Committee of Ways & Means.

Second: by Councilor Kokoros

Discussion: Carolyn Murray stated that the Council needs to accept this statue to pay for any unpaid bills that may come before the Council in the future. As of this date, she indicated that she was not aware of any unpaid bills.

Vote: Unanimous

- 08 049 Drain Easement: 233 Hayward Street

Motion: by Councilor Ryan to refer to Committee of the Department of Public Works.

Second: by Councilor Kokoros

Vote: Unanimous

- Discussion: Town Auditor – Requested by Councilor Mullaney

Motion: by Councilor Ryan to refer to Committee of Ways & Means.

Second: by Councilor Kokoros

Vote: Unanimous

- Discussion: Constructing Council goals and Objectives – Requested by Councilor Clifford
Councilor Clifford thought Councilors should express their interest and opinions on goals and objectives. Councilor Kokoros stated he would like to promote the benefits of recycling and communicate these benefits to residents. Council President Dingee said a first step to getting that information out would be through the Town's Web site. Councilor Mullaney stated that the Town's Web site is not up-to-date and he spoke with the Mayor's Chief of Staff regarding the Clerk of the Council working with the Town's web site representative to develop a web page for the Town Council that would provide Council information including meeting schedules, agenda's, and meeting minutes. The Council President directed the Clerk of the Council to begin working on developing a Town Council web page.

It was unanimously voted to adjourn the meeting at 8:19 p.m.

Respectfully submitted,
James M. Casey
Clerk of the Council