

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

September 2, 2008

MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, September 2, 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
John C. Mullaney
Thomas Bowes
Henry N. Joyce
Paul Dan Clifford
Ronald DeNapoli
Charles Kokoros (arrived 7:40p.m.)

Also Present: Representative Joseph Driscoll
Thomas Whalen, Director of Public Works

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

- Representative Joseph Driscoll provide Council Members with an overview of the State FY09 annual budget and touched upon a number of grants and bonding items that were approved.
- Council Vice-President Ryan presented a proclamation for the 2008 United Nations Day that was unanimously adopted by the Council.
- Councilor Joyce provided information on upcoming Braintree Babe Ruth activities.
- Councilor Bowes informed residents of an upcoming open meeting he will hold on September 25th at 7:00p.m. at the Braintree Yacht Club to discuss various issues impacting District 3. In addition, Councilor Bowes gave an update on the BELD power plant construction.
- Councilor Clifford provided information regarding a fuel assistance program he would like to explore and has asked residents who are interested to contact him.
- Councilor Kokoros gave thanks to the Mayor for resolving the problem with the overnight work at the South Shore Plaza.

APPROVAL OF MINUTES

- **August 19, 2008**

Motion: by Councilor Ryan to accept minutes

Second: by Councilor Randolph

Vote: For (7); Abstain (1) Kokoros

CITIZEN CONCERNS/COUNCIL RESPONSE

None

OLD BUSINESS

Report from Committee on Public Safety: Chairman Thomas Bowes

- Committee Chairman Bowes provided an overview of the public safety meeting that was held at the Skyline Apartments on August 20, 2008.

Report from Committee on the Department of Public Works: Chairman Charles Ryan

- **08 049 Drain Easement: 233 Hayward Street**
Committee Chairman Ryan reported that the Committee voted to recommend favorable action.
- **08 051 Mayor: Release of Restriction on Land Adjacent to South Shore Plaza**
Committee Chairman Ryan reported that the Committee voted to recommend favorable action.

Council Action

- **08 049 Drain Easement: 233 Hayward Street**

Council Vice-President Ryan read the following motion: “That the Town Vote to surrender any interest it may hold in a portion of the drainage easement across the properties of 227 and 233 Hayward Street, the portion being from station 0+33 to Station 2+27 on the drainage baseline shown on a plan drawn by G. H. Delano, Chief Engineer, dated September 8, 1938, and entitled: “The Commonwealth of Massachusetts, Department of Public Works, Town of Braintree Plan showing drainage outlet” which is recorded at the Norfolk County Registry of Deeds at Book 2212, Page 609 and further that the Mayor and Department of Public Works be authorized to take any actions necessary to carry out this vote.”

Motion: by Councilor Ryan to approve as read

Second: by Councilor Randolph

Vote: Unanimous

- **08 051 Mayor: Release of Restriction on Land Adjacent to South Shore Plaza**

Council Vice-President Ryan read the following motion: “That the restriction, as voted by the Special Town Meeting of December 11, 1956, placed upon lots 197 and B, as recited in a deed from the Town of Braintree to Federated Department Stores, Inc. Dated April 22, 1957 and filed with the Norfolk Registry District of the Land Court as document number 191013 (Deed) and as shown on a plan entitled “subdivision of land in Braintree, Mass.” Dated December, 1956 by H. A. Hamilton, registered surveyor, recorded with the Norfolk Registry of Deeds as plan number 573 of 1957 in plan book 204 and on land court plan number 10219-O (Plan), whereby said deed limited the use of lots 197 and B to the construction, paving, maintenance, repair and use of same for roads and parking of vehicles, be rescinded and that lots 197 and B are hereby released from said restriction, subject to the Department of Environmental Protection’s approval of same, if required. Further, that this vote shall not alter any rights or interests that the Town of Braintree has with respect to its well and well house located on lot 198 and as shown on the aforementioned plan. The Mayor is hereby authorized to execute all documents and take any action necessary to carry out this vote.”

Motion: by Councilor Ryan to approve as read

Second: by Councilor Randolph

Vote: Unanimous

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

Report from Special Committee on Personnel Issues: Chairman John Mullaney

- Chairman Mullaney reported that the committee has been working with the Mary Flanders, the Mayor’s Human Resources Consultant, regarding a personnel policy for non-union employees. He was hopeful that a final proposal would be completed within a few weeks.

NEW BUSINESS

Committee of Ways & Means

- 08 052 Mayor: Notice of Appointment – Insurance Advisory Committee
- 08 053 Mayor: Acceptance of G.L. Chapter 32B, Section 19 (Group Insurance Commission)
- 08 054 Mayor: Request for Re-Appropriation and Supplemental Appropriation (\$425,536)
- 08 055 Mayor: FY08 Unpaid Bills (\$11,193)
- 08 056 Mayor: Requests for Supplemental Appropriations (\$33,617.05)

Motion: by Councilor Ryan to refer Orders 08 052 through 08 056 to Committee of Ways & Means

Second: by Councilor Randolph

Vote: Unanimous

Committee on the Department of Public Works

- 08 057 National Grid: Petition to install gas line service – Elliot Street

Motion: by Councilor Ryan to refer Order 08 057 to Committee on the Department of Public Works

Second: by Councilor Randolph

Vote: Unanimous

It was unanimously voted to adjourn the meeting at 8:23 p.m.

Respectfully submitted,
James M. Casey
Clerk of the Council