

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

**April 12, 2010**

**6:30<sub>PM</sub> MINUTES**

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Monday, April 12, 2010 beginning at 6:30p.m.

Council President Ryan was in the chair.

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

Present: Charles B. Ryan, President (arrived at 6:45pm)  
Charles Kokoros, Vice President  
Leland A. Dingee  
Sean Powers  
John C. Mullaney  
Thomas Bowes  
Henry N. Joyce  
Ronald DeNapoli (arrived at 6:40pm)  
Paul Dan Clifford

Others: Joseph C. Sullivan, Mayor  
Peter Morin, Chief of Staff  
Carolyn Murray, Town Solicitor  
Robert Campbell, Town Engineer  
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**

None

## **ANNOUNCEMENTS**

None

## **APPROVAL OF MINUTES**

- April 6, 2010

**Motion:** by Councilor Bowes to approve

**Second:** by Councilor Dingee

**Vote:** For (6), Against (0), Abstain (1-Powers), Absent (2-DeNapoli, Ryan)

## **CITIZEN CONCERNS/COUNCIL RESPONSE**

None

## **OLD BUSINESS**

### **Public Hearing**

- **10 036 Mayor:** Adoption of Order – Union, Middle and Lisle Streets

**Motion:** by Councilor Dingee to re-open public hearing

**Second:** by Councilor Bowes

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

Mayor Sullivan commented that he had met with three property owners to discuss their concerns and reservations and would do his level best to address these concerns. He explained that the project was eligible for Stimulus Funding however there is a tight time frame in getting the project ready to get the funding.

Councilor DeNapoli arrived at 6:40pm.

Councilor Mullaney commented that the resident would have difficulty getting in and out of their driveways and asked if they could mitigate this issue to make it better. Mayor Sullivan responded that two of the three driveways could be repositioned to satisfy these residents.

Mr. and Mrs. Metro commented that their property would be impacted the most from the land taking. Mrs. Metro claimed this was the fourth time land had been taking from their property. They acknowledged that they met with the Mayor he was quite accommodating however; he would not give them what they really wanted, for it not to happen. The traffic issues occur only in the mornings and lasts for approximately two hours. They were told adjusting the light cycle would not work. They would like it to be tried before spending money on the project.

Councilor Ryan arrived at 6:45pm.

Anthony Yelmokas of 406 Middle Street, a property owner to be impacted by the road project commented that the traffic problems are only in the mornings and would like the Town to try adjusting the light cycle before moving forward on the project.

Councilor Mullaney asked Mr. Yelmokas if he were given a more than fair price for the land taking would that matter. Mr. Yelmokas commented that a tree his late wife planted would be taken down and it would matter when he went to sell his home.

Patricia Walsh of 656 Middle Street commented that the issue with the lights was brought up three years ago and nothing was done. It is unfair that the road taking is being brought up now before testing the lights. She felt that the project should be put on hold to test the lights.

Councilor Ryan commented that the Town would be receiving \$5 million dollars of Federal money to repair this intersection as well as repair Union Street. He was in favor of the project and it should not be tabled indefinitely.

Bob Campbell, Town Engineer, remarked that a signal analysis takes into account the betterment of the whole intersection and adjusting the timing on Middle Street would not resolve the traffic problems. The MassHighway Department had sent letters to residents in 2007 commenting that the staggering of the lights would not work. Traffic modeling is very efficient and he was confident that the evaluations of the intersection were done properly.

Councilor Dingee asked what the reconstruction of the intersection would do to improve the intersection. Mr. Campbell commented that it would make Middle Street work better by having two lanes of traffic. The left lane would be for left turns and the new right light would be for right turns and straight thru traffic. It would clear Middle Street quicker.

Councilor Ryan asked if he could work with the residents to address their issues. Mr. Campbell commented that they would replace any trees and shrubs that are to be removed as well as provide alternate curb openings for the resident driveways.

Elizabeth Flaherty of 404 Union Street wanted to know what was going to happen on Union Street. Mr. Campbell replied that the right turning lanes in each direction would be eliminated and there would now be one lane in each direction.

Council President Ryan asked if there were any other comments. No one came forward.

**Motion:** by Councilor Kokoros to close public hearing

**Second:** by Councilor Bowes

**Vote:** Unanimous

Councilor Kokoros read the first of the two motions as printed in the March 23, 2010 memo from Carolyn Murray, Town Solicitor.

Councilor Dingee asked how this would affect residents when they want to sell their property. Ms. Murray explained that it would come up on a title search for three-years of recording. The rights would pass to the new owners.

**Motion:** by Councilor Kokoros  
**Second:** by Councilor DeNapoli  
**Discussion:** Council President called for a roll-call vote  
**Vote:** For (7), Against (2-Mullaney/Joyce)

Councilor Kokoros read the second of the two motions as printed in the March 23, 2010 memo from Carolyn Murray, Town Solicitor.

**Motion:** by Councilor Kokoros  
**Second:** by Councilor Bowes  
**Discussion:** Council President called for a roll-call vote  
**Vote:** For (7), Against (2-Mullaney/Joyce)

## **COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS**

### **NEW BUSINESS**

None

### **ADJOURNMENT**

It was unanimously voted to adjourn the meeting at 7:35p.m.

Respectfully submitted,  
James M. Casey  
Clerk of the Council