

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

7:00_{PM} 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 7:50p.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 A. Dingee
Sean Powers
John C. Mullaney
Thomas Bowes
Henry N. Joyce
Ronald DeNapoli
Paul Dan Clifford

Others: Carolyn Murray, Town Solicitor
Licensing Board Members
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

None

CITIZEN CONCERNS/COUNCIL RESPONSE

None

OLD BUSINESS

Public Hearing

- **10 012 Mayor:** Title 5 Ordinances – Licenses and Permits

Motion: by Councilor Kokoros to open public hearing on Chapter 5-400 Amusement Games

Second: by Councilor Bowes

Vote: Unanimous

Councilor Dingee, Chairman of the Ordinance & Rules Committee, reported that the Committee voted one in favor, one against and one abstention on the proposed Chapter 5-400 Amusement Games Ordinance and therefore has no recommendation.

Carolyn Murray, Town Solicitor, commented that further revision to the proposed ordinance have been made since the Committee meeting on March 24th and presented Council Members with the revised proposed ordinance. Ms. Murray then read into the records the revised ordinance.

Councilor DeNapoli asked if a bowling alley came into town would they be excluded for operating a game room. Ms. Murray replied, no.

Joe Powers, Chairman of the Licensing Board commented that the Licensing Board held a public meeting at 6:30pm in the evening and are in still in session at this meeting. The Licensing Board is trying to achieve a strong ordinance that has safeguards to be sure the Town is protected. The ordinance is built on Massachusetts General Laws (MGL).

Councilor Mullaney asked Mr. Powers when the Licensing Board approved the liquor license for Dave and Buster's. Mr. Powers responded, December 2009.

Councilor Joyce asked the change in Section 5.400.020, Subsection G-2, asked if alcohol could be consumed in the game room. Ms. Murray responded yes. Only service is prohibited.

Linda Kopkind of Acorn Street presented a petition opposing the proposed game law. She felt the plaza already had major crime issues and the problems would end up in the neighborhoods.

Christopher Griffin of Hollingsworth Avenue was in favor of the proposed ordinance stating the amendments would only allow one establishment to "fit in".

Bob Campbell of Fallon Circle provided a petition opposing the change in the amusement games ordinance from residents in the Granite Park neighborhood.

John Bean of Hawthorne Road was in favor citing good for jobs and more tax revenue.

Alan Flowers of Fallon Circle commented the game room is connected with alcohol and it would only cause fights in the parking lot at the end of the night. The Council needs to defend the neighborhoods.

Councilor Joyce asked Mr. Flowers if the ordinance was changed to that no one under the age of 18 allowed into the game room would this change his mind. Mr. Flowers responded no. Alcohol will be in the restaurant and a couple of police officers won't make a difference. Councilor DeNapoli asked if no alcohol was served at all would that change his mind regarding the ordinance. Mr. Flowers replied yes.

Ed Foley, Business Agent for Local 17 commented that the ordinance protects the Town and it would provide the government revenue and create jobs.

Laurie Melchionda of Howie Road and Secretary of the North Braintree Civic Association (NBCA) read into the records a letter dated April 8, 2010 from Liz Page, Vice-President of the NBCA expressing the Board of Directors of the NBCA opposition to changing the current by-laws regarding amusement games and the proposed new ordinance amendment. Ms. Melchionda commented that any business going into the facility would create jobs and bring added revenue to the Town. Police reports from existing locations of the proposed establishment show an increase in credit card fraud and drunk driving. Councilor Joyce asked where she obtained the information. Ms. Melchionda replied on-line in the local newspapers that show police reports.

Ed Marks of French Avenue commented a proper ordinance will protect the Town and the welfare of the children.

David Shaw of Monatiquot Avenue commented over 100 residents had signed petitions opposing the ordinance. Jobs would be created regardless who goes into the building. The quality of life would be impacted; neighbors against. Currently there are two police officers on-site at the Plaza. The proposal is asking for 3+ police officers at the proposed site; telling you there will be problems. Again, whoever goes into the site will provide revenue for the Town.

James Turley of Burton Road commented he had written a letter to each of the Council Members opposing the change to the ordinance. He asked that members pay attention to the neighborhoods.

Howard Chadbourne of Audubon Avenue commented we need jobs. If you don't like the way the game room is operating, you can eliminate their license when it comes up for renewal.

John Haran of Walnut Street commented he had sent an email to all Council Members opposing the change to the ordinance. The proposed amendments would allow large amusement centers in Town.

Joseph Mosillo of Sampson Avenue commented it would bring employment and revenue into the Town.

Brian Mortimer of Strathmore Street commented that he lived in Somerville where a similar establishment operated; Good Times. It brought gangs from neighboring towns and there were shootings and stabbings.

Brian Richardson of Hobart Street commented he does not see it as neighborhood issue as the nearest home is 300+ yards away. The ordinance will bring in taxes and create jobs.

Mark Burns of Local 133 commented that members don't have money in their pockets. This would be a revenue source that helps the quality of life.

Barbara Black of Braintree commented; it's all about money. The ordinance is being changed for the applicant. It will be difficult to say no to other businesses that want to open a game room.

Councilor DeNapoli reported that he heard that there had were others interested in the Circuit City building however they were turned down. He feels amusement games by themselves are not bad but games and alcohol are bad.

Councilor Clifford commented that the majority of hits on his website were opposed the ordinance.

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

Motion: by Councilor Kokoros to close public hearing

Second: by Councilor Bowes

Vote: Unanimous

Motion: by Councilor DeNapoli to table

Second: by Councilor Bowes

Vote: For (7), Against (2-Dingee, Kokoros)

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

NEW BUSINESS

None

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 9:20p.m.

Respectfully submitted,

James M. Casey

Clerk of the Council