

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

**January 5, 2010**

### MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, January 5, 2010 beginning at 7:35 p.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 E. Powers  
John C. Mullaney  
Thomas Bowes  
Henry N. Joyce  
Ronald DeNapoli  
Paul Dan Clifford

Others: Eric Kinsherf, Town Auditor  
Joseph Powers, Town Clerk

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**

- **004-10** Proclamation: Chris Marinelli

## **ANNOUNCEMENTS**

- **001-10** Councilor Mullaney: Thayer Public Library – Electronics Collection Day
- **003-10** Health Department: H1N1 Flu Clinic
- Council President Ryan: 2<sup>nd</sup> Annual Green Gala
- Councilor Clifford: BHR Civic Association

## **APPROVAL OF MINUTES**

**December 15, 2009**

**Motion:** by Councilor Kokoros to approve

**Second:** by Councilor Joyce

**Vote:** For (8), Against (0), Abstain (1-Powers)

## **CITIZEN CONCERNS/COUNCIL RESPONSE**

None

## **OLD BUSINESS**

### **Committee on Ordinance & Rules: Chairman Ronald DeNapoli**

- **09 061 Councilor Mullaney:** License to sell Liqueurs and Cordials

**Motion:** by Councilor Kokoros to open Public Hearing

**Second:** by Councilor Joyce

**Vote:** Unanimous

Councilor Mullaney noted that the Committee on Ordinance & Rules has recommended that the Public Hearing be continued until the next Council meeting, January 20<sup>th</sup> as the Town Clerk, Joseph Powers, was unable to attend the Committee meeting and would like to speak on the issue.

**Motion:** by Councilor Kokoros to continue Public Hearing until January 20, 2010

**Second:** by Councilor Joyce

**Vote:** Unanimous

### **Committee on Ways & Means**

- **09 063 Mayor:** Request for Appropriation – Community Preservation Fund

**Motion:** by Councilor Kokoros to open Public Hearing

**Second:** by Councilor Joyce

**Vote:** Unanimous

Councilor Mullaney read into the records a memo from Mayor Sullivan, dated December 10, 2009, outlining his request for the Community Preservation Fund appropriation.

Councilor Joyce noted that the Town Auditor, Eric Kinsharf, has reported that there were sufficient funds in the account to support the transfer.

Council President Ryan asked if any other member of the Council or the public would like to speak on the issue. No other comments came forward.

**Motion:** by Councilor Kokoros to close Public Hearing

**Second:** by Councilor Joyce

**Vote:** Unanimous

Councilor Mullaney read the motion as written in Mayor Sullivan's December 10, 2009 memo.

**Motion:** by Councilor Mullaney to approve appropriation

**Second:** by Councilor Kokoros

**Vote:** Unanimous

## NEW BUSINESS

### SAME NIGHT ACTION

**Motion:** by Councilor Kokoros for same night action on **Order #'s 10 002, 10 003 & 10 006**

**Second:** by Councilor Bowes

**Vote:** Unanimous

**Motion:** by Councilor Kokoros to take Order **10 006**

**Second:** by Councilor Powers

**Vote:** Unanimous

- **10 006 TOWN CLERK:** Call to Election January 19, 2010

Town Clerk, Joseph Powers read his January 4, 2010 letter to the Council which outlined the request for the "Call to Election". Mr. Powers also noted that because the election was scheduled the day after a holiday, the deadline for absentee ballots would be Friday, January 15 at 5:00pm.

**Motion:** by Councilor Kokoros to approve

**Second:** by Councilor Powers

**Vote:** Unanimous

- **10 002 MAYOR:** Adoption of Chapter 183 of the Acts of 2009

Council President Ryan read into the records a memo from Mayor Sullivan, dated December 30, 2009, outlining his request for his request for Council Adoption of Chapter 183 of the Acts of 2009.

Councilor Clifford noted that the state did not have enough resources to approve the tax rate in a timely manner.

**Motion:** by Councilor Kokoros to approve

**Second:** by Councilor Mullaney

**Vote:** Unanimous

- **10 003 MAYOR:** Authorization to Incur Snow and Ice Deficit

Councilor Kokoros read into the records a memo from Mayor Sullivan, dated December 30, 2009, outlining his request for his request for authorization to incur a snow and ice deficit.

Councilor Joyce noted that approximately 400 Thousand Dollars has now been spent on snow removal.

Councilor Kokoros read the motion as written in Mayor Sullivan's December 30, 2009 memo.

**Motion:** by Councilor Kokoros to approve

**Second:** by Councilor Bowes

**Vote:** Unanimous

#### **REFER TO COMMITTEE**

#### **Committee on Ways & Means**

- **10 001 COUNCILOR MULLANEY:** Increase in Meals Tax

Councilor Clifford expressed his opposition to presenting this order to the Committee. He sees no reason for increasing the meals tax. Councilor DeNapoli concurred with Councilor Clifford.

Councilor Kokoros stated he did not support the increase in meals tax. He explained, unlike the Hotel/Motel Tax, this increase tax would impact small business and residents.

Councilor Dingee stated, at this time he has not taken a position on this order. He explained, the reason the order is before the Council is to send it to Committee to be reviewed and to make a recommendation. It allows the means for holding a public hearing on the subject and allows the council to get input from residents.

Councilor Mullaney explained that there is a need for addition funds next fiscal year. The Town lost 675 Thousand Dollars in Local aid and did not fill various positions to make up that shortfall.

It is anticipated that the Town will lose additional Local Aid this upcoming fiscal year. The added funding from this .75% increase in the meals tax could be used to support the schools and public safety. This order should go before committee for study.

Councilor Joyce and Councilor Bowes agreed that the order should go before committee for study and to allow the public to weigh-in on the issue.

**Motion:** by Councilor Kokoros to refer to Committee

**Second:** by Councilor Mullaney

**Vote:** For (5), Against 4-Clifford, DeNapoli, Kokoros, Powers)

- **10 004 MAYOR:** Line Item Transfer for Water and Sewer

**Motion:** by Councilor Kokoros to refer to Committee

**Second:** by Councilor Joyce

**Vote:** Unanimous

- **10 007 MAYOR:** Notice of Appointment – Fire Chief

**Motion:** by Councilor Bowes to refer to Committee

**Second:** by Councilor Mullaney

**Vote:** Unanimous

#### **Committee on Department of Public Works**

- **10 005 MAYOR:** Grant of Easement in Mill Lane – Algonquin Gas

**Motion:** by Councilor Kokoros to refer to Committee

**Second:** by Councilor Joyce

**Vote:** Unanimous

#### **ADJOURNMENT**

It was unanimously voted to adjourn the meeting at 8:20p.m.

Respectfully submitted,

James M. Casey

Clerk of the Council