

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

September 6, 2011

MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, September 6, 2011 beginning at 7:30p.m.

Council President Ryan was in the chair.

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

Present: Charles B. Ryan, President
Leland Dingee
Sean Powers
John C. Mullaney
Thomas Bowes
Henry N. Joyce
Ronald DeNapoli
Paul Dan Clifford

Not Present: Charles Kokoros, Vice President

Others: Christine Stickney, Director of Planning/Community Development
Joseph Powers, Town Clerk
Dennis Regan, NationalGrid Representative

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

- 028 11 – Council President: Liberty School 5k Road Race/Walk
- 031 11 – Councilor Joyce: Remembering Amanda Fundraiser
- 033 11 – Council President: Household Hazardous Waste Collection Day
- 034 11 – Council President: September 11 Memorial Ceremony
- **Councilor Joyce:** Recreation Department Upcoming Events
- **Councilor Bowes:** Norfolk County Register of Deeds Braintree Office Hours
- **Councilor Bowes:** Senator Keenan Town Hall Meeting on Casino Bill

APPROVAL OF MINUTES

Council President Ryan noted that the town clerk should be added to the attendance list.

Motion: by Councilor Bowes as amended

Second: by Councilor Dingee

Vote: For (6), Against (0), Absent (1-Kokoros), Abstain (2-DeNapoli, Joyce)

CITIZEN CONCERNS/COUNCIL RESPONSE

None

OLD BUSINESS

- **11 039 – NationalGrid: Petition – French Avenue**

Councilor DeNapoli, Chairman of the Committee on Public Works, reported that the Committee has recommended favorable action on the petition with staff recommendations.

Motion: by Councilor DeNapoli

Second: by Councilor Clifford

Vote: For (8), Against (0), Absent (1-Kokoros)

- **11 040 – NationalGrid: Petition – Commercial Street**

Dennis Regan, Representative for NationalGrid, reported that the petition was being withdrawn at the customer's request.

- **11 041 – Councilor Powers: Amend Chapter 2-320 – Town Seal**

Councilor Dingee, Chairman of the Ordinance & Rules Committee, reported that the Committee has recommended favorable action with an amended motion. The amendment addressed concerns from Committee members that, as originally written, users of the town seal would be required to seek approval each time they were to use it.

Motion by Councilor Bowes “To amend Chapter 2-320 Town Clerk by adding a new subsection “P” to Section 2.320.0020 Powers and Duties:

- P. The town seal, or any reproduction or facsimile thereof, shall not be used, unless authorized by law, without the written authorization of the town clerk. Once the town seal has been validated, via written approval by the town clerk, there is no need to receive further authorization.”

Motion: by Councilor Bowes

Second: by Councilor Joyce

Vote: For (8), Against (0), Absent (1-Kokoros)

- **11 038 – Mayor: Appropriation from Community Preservation Fund – All Soul’s Church**

Motion: by Councilor Bowes to Open Public Hearing

Second: by Councilor Joyce

Vote: For (8), Against (0), Absent (1-Kokoros)

Councilor Mullaney, Chairman of the Committee on Ways & Means, reported that the Committee has recommended favorable action. The Committee had raised the question of a constitutional conflict with religious organizations. Christine Stickney, Director of Planning/Community Development commented that it did not. Under the Community Preservation Act the funding request needs to meet three conditions; 1) it be in a local historic district, 2) be eligible for the historical national register, and 3) the Historic Commission deems the building to be of historic significance. The above request meets all three requirements.

Council President Ryan asked if any member of the Council or the Public would like to comment on the matter at hand. No one offered comments.

Motion: by Councilor Bowes to Close Public Hearing

Second: by Councilor Joyce

Vote: For (8), Against (0), Absent (1-Kokoros)

Councilor Bowes read the following motion: “In accordance with the provisions of Chapter 44B of the General Laws and with the recommendation of the Community Preservation Committee, that the sum of \$82,511.00 be appropriated from the Community Preservation Act Historical Fund for the purpose of restoring the All Souls Church as outlined in their application dated 2/28/11 and as revised 5/27/11, subject to the following conditions: 1) a historical preservation restriction shall be recorded against the property; and 2) a Community Preservation Act grant agreement must be signed prior to the start of any work. Said funds are to be expended under the direction of the Community Preservation Committee and by the Director of Planning and Community Development.”

Motion: by Councilor Bowes

Second: by Councilor Mullaney

Vote: For (8), Against (0), Absent (1-Kokoros)

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

- 032 11 – Council President: Environmental Protection Agency – Clean Harbors Settlement

Council President Ryan read into the records the August 16, 2011 letter from Mayor Sullivan to Mr. H. Curtis Spalding, Administrator of the Environmental Protection Agency, New England Region. The Council President stepped down from the chair and made a motion to support Mayor Sullivan on this issue.

Motion: by Councilor Ryan

Second: by Councilor Mullaney

Vote: For (8), Against (0), Absent (1-Kokoros)

NEW BUSINESS

Refer to Committee on Ways & Means

- 11 034 – Contributory Retirement Board: Proposal to Increase Allowance To Widows of Disabled Public Employees
- 11 042 – Mayor: Appropriation from Community Preservation Fund – Town Clerk Historical Records Preservation Project Phase I
- 11 043 – Mayor: Appropriation from Community Preservation Fund – Town Clerk Vital Records

Motion: by Councilor Bowes to refer all Orders to the Committee on Ways & Means

Second: by Councilor Joyce

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

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 8:10p.m.

Respectfully submitted,
James M. Casey
Clerk of the Council

Documents provided for Meeting

- **August 10, 2011 Minutes**
- 11 039 – NationalGrid: Petition – French Avenue
- 11 040 – NationalGrid: Petition – Commercial Street
- 11 041 – Councilor Powers: Amend Chapter 2-320 – Town Seal
- 11 038 – Mayor: Appropriation from Community Preservation Fund – All Soul’s Church
- 032 11 – Council President: Environmental Protection Agency – Clean Harbors Settlement
- 11 034 – Contributory Retirement Board: Proposal to Increase Allowance To Widows of Disabled Public Employees
- 11 042 – Mayor: Appropriation from Community Preservation Fund – Town Clerk Historical Records Preservation Project Phase I
- 11 043 – Mayor: Appropriation from Community Preservation Fund – Town Clerk Vital Records