

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 3, 2012

MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, January 3, 2012 beginning at 6:47p.m.

Council President Ryan was in the chair.

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.

Newly revised Commonwealth of Massachusetts Open Meeting Laws allow local board members to participate remotely in board meetings, subject to the following conditions: 1) The Chief Executive Officer of the Town must authorize remote participation; and 2) remote participation can only be employed when a member is unable to attend a meeting due to personal illness, personal disability, emergency, military service or geographic distance.

Councilor Clifford expressed to the Mayor that he would be out of state attending a family wedding on January 3, 2012 and would like to participate in the Town Council meeting on January 3, 2012. In a memo from Mayor Sullivan dated December 19, 2011, Mayor Sullivan authorized the use of remote participation in the January 3, 2012 meeting only; revoking this authorization effective January 4, 2012.

At approximately 6:45pm the Clerk of the Council reached Councilor Clifford by telephone and placed him on speakerphone to allow participation in the meeting.

Prior to roll call, Council President Ryan announced that Councilor Clifford would be participating in the Council Meeting remotely due to geographic distance, and as prescribed under 940 CMR 29.10(5). Additionally, the Council President noted that all votes taken while a member is participating remotely shall be by a roll call vote.

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

Present: Charles B. Ryan, President
Charles Kokoros, Vice President
Leland Dingee
Sean Powers
John C. Mullaney
Thomas Bowes
Henry N. Joyce
Ronald DeNapoli
Paul Dan Clifford (Remotely; withdrew from meeting at 7:03pm)

Others: Joseph C. Sullivan, Mayor
Peter Morin, Chief of Staff
Mark Cusack, State Representative
Peter Nagle, NationalGrid Representative
Dennis Regan, NationalGrid Representative
Joseph Powers, Town Clerk
Jeff Kunz, Library Trustee
Terri Stano, Library Directory

Reorganization of Town Council

At this time Joseph Powers, Town Clerk, asked for a motion to open up nominations for Council President. A motion was made by Councilor Kokoros and seconded by Councilor Bowes. The Clerk of the Council conducted a roll call vote with all members voting in the affirmative.

Clerk Powers asked for nominations for President. Councilor Bowes nominated Councilor Kokoros. Nomination was seconded by Councilor DeNapoli. Clerk Powers asked Councilor Kokoros if he would accept the nomination. Councilor Kokoros responded “yes”. Clerk Powers asked if there were any other nominations. There were no other nominations presented.

Clerk Powers asked for a motion to close nominations for Council President. A motion was made by Councilor Joyce and seconded by Councilor DeNapoli. The Clerk of the Council conducted a roll call vote with all members voting in the affirmative.

On a motion by Councilor Ryan and seconded by Councilor Bowes to accept by acclamation the nomination of Councilor Kokoros for President. The Clerk of the Council conducted a roll call vote with all members voting in the affirmative.

Joseph Powers, Town Clerk, asked for a motion to open up nominations for Council Vice-President. A motion was made by Councilor Ryan and seconded by Councilor DeNapoli. The Clerk of the Council conducted a roll call vote with all members voting in the affirmative.

Clerk Powers asked for nominations for Vice-President. Councilor Ryan nominated Councilor Bowes. Nomination was seconded by Councilor Kokoros. Clerk Powers asked Councilor Bowes if he would accept the nomination. Councilor Bowes responded “yes”. Clerk Powers asked if there were any other nominations. There were no other nominations presented.

Clerk Powers asked for a motion to close nominations for Council Vice-President. A motion was made by Councilor Ryan and seconded by Councilor DeNapoli. The Clerk of the Council conducted a roll call vote with all members voting in the affirmative.

On a motion by Councilor Ryan and seconded by Councilor Dingee to accept by acclamation the nomination of Councilor Bowes for Vice-President. The Clerk of the Council conducted a roll call vote with all members voting in the affirmative.

Town Clerk Powers read into the records a certification dated January 3, 2012 attesting that School Committee Members Heger and Devin, Council Members Dingee, Powers, Ryan, Kokoros, Mullaney, Bowes, Joyce and DeNapoli, and Mayor Sullivan were duly sworn to the faithful discharge of their duties.

Motion: by Councilor Bowes to accept certification letter
Second: by Councilor DeNapoli
Vote: For (8), Against (0), Absent (1-Clifford)

Council President Kokoros was in the Chair.

CORRESPONDENCE

- 002 12 – Council President: Introduction of New Library Director – Terri Stano
Jeff Kunz, Library Trustee, introduced the new Director of the Braintree Library, Terri Stano.

ANNOUNCEMENTS

- 001 12 – Council President: Sustainable Braintree 4TH Annual Green Gala
- – Councilor Bowes: Christmas Tree Pickup
- – Councilor Ryan: February 7th Bi-Centennial Time Capsule Committee

APPROVAL OF MINUTES

Motion: by Councilor Bowes to approve December 20, 2011 minutes
Second: by Councilor Ryan
Vote: For (7), Against (0), Abstain (1-DeNapoli), Absent (1-Clifford)

CITIZEN CONCERNS/COUNCIL RESPONSE

None

OLD BUSINESS

- **11 061 – NationalGrid: Petition Elm Street/Elmlawn Road**

Councilor DeNapoli, Chairman of the Public Works Committee, reported that the committee recommends favorable action with staff comments on all three petitions.

Motion: by Councilor Bowes to approve Order # 11 061

Second: by Councilor DeNapoli

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

- **11 062 – NationalGrid: Petition Hobart Street/Oakland Street**

Motion: by Councilor Bowes to approve Order # 11 062

Second: by Councilor DeNapoli

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

- **11 063 – NationalGrid: Petition Fairmont Avenue**

Motion: by Councilor Bowes to approve Order # 11 063

Second: by Councilor DeNapoli

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

- **11 059 – Mayor: Notice of Appointment – Joan Carroll to Arts Lottery Committee**

Councilor Mullaney, Chairman of the Committee on Ways & Means, reported that the committee has recommended favorable action on the appointment of Joan Carroll and Threse Jarrett to the Arts Lottery Committee.

Motion: by Councilor Bowes to approve Order # 11 059

Second: by Councilor DeNapoli

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

- **11 060 – Mayor: Notice of Appointment – Therese Jarrett to Arts Lottery Committee**

Motion: by Councilor Bowes to approve Order # 11 060

Second: by Councilor DeNapoli

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

Council President Kokoros called for a ten minute recess at 7:20pm. At 7:30pm the Council President called the meeting back to order.

- **11 064 – Mayor: FY2012 Line Item Transfers**

Councilor Mullaney, Chairman of the Committee on Ways & Means, reported that there are four line item transfer requests. The first request is needed to fund the General Insurance line item to account for increased costs for additional property the Town had picked-up; one being the BELD site on Allen Street. Requests 2 through 4 are to replenish three DPW accounts as a result of costs associated with the cleanup after Hurricane Irene.

11 064 (1): Councilor Bowes made the following motion “THAT THE SUM OF \$40,000 BE TRANSFERRED FROM THE FINANCE DEPARTMENT /PROGRAM 01- AMNINISTRATION /9C RESERVE ACCOUNT TO THE FINANCE DEPARTMENT/ PROGRAM 09 INSURANCE GENERAL – INSURANCE GENERAL LINE ITEM.”

Motion: by Councilor Bowes to approve Order # 11 064(1)

Second: by Councilor Ryan

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

11 064 (2): Councilor Bowes made the following motion “THAT THE SUM OF \$15,000 BE TRANSFERRED FROM THE FINANCE DEPARTMENT /PROGRAM 01- AMNINISTRATION /9C RESERVE ACCOUNT TO THE DEPARTMENT OF PUBLIC WORKS/PROGRAM 06- HIGHWAY-TREE REMOVAL LINE ITEM.”

Motion: by Councilor Bowes to approve Order # 11 064(2)

Second: by Councilor Ryan

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

11 064 (3): Councilor Bowes made the following motion “THAT THE SUM OF \$11,500 BE TRANSFERRED FROM THE FINANCE DEPARTMENT /PROGRAM 01- AMNINISTRATION /9C RESERVE ACCOUNT TO THE DEPARTMENT OF PUBLIC WORKS/PROGRAM 06-HIGHWAY - LEAF MULCH EXPENSES LINE ITEM.”

Motion: by Councilor Bowes to approve Order # 11 064(3)

Second: by Councilor Ryan

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

11 064 (4): Councilor Bowes made the following motion “THAT THE SUM OF \$31,000 BE TRANSFERRED FROM THE FINANCE DEPARTMENT /PROGRAM 01- AMNINISTRATION /9C RESERVE ACCOUNT TO THE DEPARTMENT OF PUBLIC WORKS/PROGRAM 06-HIGHWAY – OVERTIME LINE ITEM.”

Motion: by Councilor Bowes to approve Order # 11 064(4)

Second: by Councilor Ryan

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

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

None

NEW BUSINESS

Refer to Committee on Ways & Means

- 11 065 – Mayor: Appropriation Community Preservation Fund – Sunset Lake Stormwater Improvement

Motion: by Councilor Bowes to refer Order # 11 065 to committee

Second: by Councilor Ryan

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

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 7:38p.m.

Respectfully submitted,
James M. Casey
Clerk of the Council

Documents provided for Meeting

- December 20, 2011 Minutes
- 002 12 – Council President: Introduction of New Library Director – Terri Stano
- 001 12 – Council President: Sustainable Braintree 4TH Annual Green Gala
- 11 061 – NationalGrid: Petition Elm Street/Elmlawn Road
- 11 062 – NationalGrid: Petition Hobart Street/Oakland Street
- 11 063 – NationalGrid: Petition Fairmont Avenue
- 11 059 – Mayor: Notice of Appointment – Joan Carroll to Arts Lottery Committee
- 11 060 – Mayor: Notice of Appointment – Therese Jarrett to Arts Lottery Committee
- 11 064 – Mayor: FY2012 Line Item Transfers
- 11 065 – Mayor: Appropriation Community Preservation Fund – Sunset Lake Stormwater Improvement