

LELAND A. DINGEE  
President

CHARLES RYAN  
Vice President

HAROLD RANDOLPH  
At Large

CHARLES KOKOROS  
District 1

JOHN MULLANEY  
District 2



THOMAS BOWES  
District 3

HENRY JOYCE  
District 4

RONALD DENAPOLI  
District 5

PAUL "DAN" CLIFFORD  
District 6

## OFFICE OF THE TOWN COUNCIL

**April 7, 2009**

### MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, April 7, 2009 beginning at 7:40 p.m.

Council President Dingee was in the chair.

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

Present: Leland A. Dingee, President  
Charles B. Ryan, Vice-President  
Harold Randolph  
Charles Kokoros  
John C. Mullaney  
Thomas Bowes  
Henry N. Joyce  
Ronald DeNapoli  
Paul Dan Clifford

Also Present: Eric Kinsherf, Town Auditor  
Paul McSoley, Police Department Staff Executive  
Thomas Reynolds, Light Commissioner  
Anthony Agnitti Light Commissioner  
James Regan, Light Commissioner

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

- **033-09** Council President: FY2010 Budget Vote - Meeting Dates
- **039-09** Councilor Clifford: Request for joint meeting with BELD Commissioners

Councilor Clifford provided a handout outlining the reason for a joint meeting with BELD Commissioners.

BELD Commissioner, Thomas Reynolds, asked to speak to the Council. The Council Clerk informed Mr. Reynolds BELD did not post a meeting notice and with all three Commissioners present an open meeting violation may occur if comments represented the views of all Commissioners. Mr. Reynolds stated that he was aware that the meeting was not posted and the Commissioners intentionally did not sit together because of it. He further stated his comments would be his own and not of the Commissioners.

Councilor Clifford made a motion to request the BELD Commissioner's appear before the Council at their April 28, 2009 meeting to allow Council Members to understand BELD's FY2010 cost saving plans and how it plans on working with other Town Departments in order to gain maximum expense reductions.

**Motion:** by Councilor Clifford as stated above  
**Second:** by Councilor Randolph  
**Vote:** Unaminious

BELD Commissioner, Anthony Agnitti, requested to speak to Council Members as a Braintree citizen. Council President Dingee informed him as long as it was as a citizen then he would allow him to speak.

Councilor Clifford left the Council Chambers at 8:05pm.

## ANNOUNCEMENTS

- **034-09** Town Clerk: Dog License Registration
- **035-09** Health Department: Annual Rabies Clinic
- **036-09** DPW: Leaf Compost Site
- **037-09** DPW: Water Flushing Program
- **038-09** Health Department: Norfolk County Mosquito Control Program
- **040-09** Community Events: Family Movie Night
- **041-09** Community Events: Beautify Braintree Day
- **042-09** Community Events: Independence Day Celebration Parade

## APPROVAL OF MINUTES

**March 18, 2009**

**Motion:** by Councilor Ryan to accept minutes  
**Second:** by Councilor Randolph  
**Vote:** For (8), Against (0), Did not Vote (1-Clifford)

## CITIZEN CONCERNS/COUNCIL RESPONSE

None

## OLD BUSINESS

### **PUBLIC HEARING: Order #09 006**

- **09 006** Mayor: Request for Transfer of Funds for Police Department

**Motion:** by Councilor Ryan to open Pulic Hearing

**Second:** by Councilor Randolph

**Vote:** For (8), Against (0), Did not Vote (1-Clifford)

Council President informed the public that a legal notice was placed in the newspaper as required by law.

Councilor Ryan read into the record a memo dated February 27, 2009 from Mayor Sullivan regarding the subject request. After the memo was read, the Council President asked if anyone from the audience would like to speak on the matter at hand. No members of the public came forward.

Councilor Clifford returned to the Council Chambers at 8:15p.m.

The Council President then asked if any members of the Council would like to speak. Councilor Bowes asked Paul McSoley, Police Department Staff Executive, about the overtime costs at the South Shore Plaza. Mr. McSoley that the Plaza were billed on a quarterly basis at \$30,000 per quarter and payments have been received to the end of the current fiscal year. The agreement calls for two police officers to be at the Plaza from 2:30pm until 10:00pm, Monday through Friday. Overtime costs for the first six months of the fiscal year amounted to \$67,000 and the Town was reimbursed \$60,000.

**Motion:** by Councilor Ryan to close Pulic Hearing

**Second:** by Councilor Randolph

**Vote:** Unaminious

At this time, Councilor Ryan read the motion as written in the February 27, 2009 memo from Mayor Sullivan.

**Motion:** by Councilor Ryan to approve as read

**Second:** by Councilor Randolph

**Vote:** Unaminious

- **09 007** Mayor: Notice of Appointment – Metropolitan Area Planning Council

**Motion:** by Councilor Mullaney to appoint Sandra Kunz to the Metropolitan Area Planning Council.

**Second:** by Councilor Ryan

**Vote:** Unaminious

- **029-09** Councilor Mullaney: Fraud Risk Management Program

Councilor Mullaney began the discussion by outlining a letter from Eric Kinsherf, Town Auditor, dated March 9, 2009. Mr. Kinsherf followed by explaining the purpose of the program. He explains that the program is designed to reduce the risk of fraud by improving controls. He states that it is noted in a report based on the Association of Certified Fraud Examiners that 7% of revenues are lost to fraud. In addition, the report found that a fraud tip line can reduce fraud risk by up to 60%. He explains that he would like to put a fraud reporting form on the new Town Web Site. The form would be sent directly to himself to ensure confidentiality.

Councilor Kokoros asked if the fraud risk program would look at how SEMASS reports tonnage. Mr. Kinsherf explained that would be an area that he would be looking at.

Councilor Joyce asked that could he look into at the current policies on recording town assets, vacation, sick time and overtime.

The Council President asked that the online reporting form be reviewed to ensure that the information is encrypted and be reviewed by the Town Solicitor prior to putting it on line.

- Motion:** by Councilor Mullaney to to begin a Fraud Risk Management Program effective July 1, 2009 with a review of BELD.
- Second:** by Councilor Randolph
- Vote:** For (8), Against (0), Abstain (1-Clifford)

- **003 09 Councilor DeNapoli: Ordinance to ban the outside use of marijuana in public places, enforceable by a fine.**

Councilor DeNapoli reported that on a unanimous vote of members of the Committee on Ordinance & Rules, it voted favorable to recommend the Prohibition on Marijuana Policy be presented at a public hearing on April 28, 2009. At this time, Councilor DeNapoli read the proposed policy.

- Motion:** by Councilor DeNapoli to hold a public hearing on the proposed policy
- Second:** by Councilor Mullaney
- Vote:** Unaminious

- **030 09** Councilor Clifford: Committee Tracking Program

Councilor DeNapoli reported that the proposed tracking program was rejected by the Committee on Ordinance & Rules.

## NEW BUSINESS

### REFER TO COMMITTEE

#### **Committee on Ways & Means: Chairman John Mullaney**

- **032-09** Town Auditor: FY2009 Outside Auditor RFP
- **09 009** Mayor: Request for Borrowing Authorization for School Building Project
- **09 010** Mayor: Request for Transfer of Funds for Fire Department

**Motion:** by Councilor Ryan to move Council item 032-09 and order numbers 09 009 and 09 010 to the Committee on Ways & Means

**Second:** by Councilor Randolph

**Vote:** Unanimous

#### **Committee on Public Works: Chairman Charles Ryan**

- **09 008** Verizon/BELD: Joint Pole Petition

**Motion:** by Councilor Ryan to move order 09 008 to the Committee on Public Works

**Second:** by Councilor Randolph

**Vote:** Unaminious

It was unanimously voted to adjourn the meeting at 8:53 p.m.

Respectfully submitted,  
James M. Casey  
Clerk of the Council