

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

August 11, 2009

MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, August 11, 2009 beginning at 7:30 p.m.

Council Vice President Ryan was in the chair.

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

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

Not Present: Ronald DeNapoli
Leland A. Dingee, President

Also Present: Time Capsule Society Members
Michael Wilcox, Braintree Business Council
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

- **082-09** Braintree Time Capsule Society: Dedication Ceremony
Patrick Leonard of the Time Capsule Society presided over the dedication of the “Liberty Bell” that will be permanently on display in the Horace T. Cahill Auditorium. In addition, he requested Vice President Ryan to present on the Society’s behalf a book, a medal and a key to the Mayor.
- **079-09** Council President: Braintree Town Council Annual Report

Motion: by Councilor Randolph to accept the Town Council Annual Report

Second: by Councilor Joyce

Discussion: Councilor Clifford requested a suspension of the rules (Rule #23) to take same night action on adding the 2008-2009 Elder Affairs and Veteran Services Committee Report to the Town Council Annual Report.

Motion: by Councilor Clifford for suspension of the rules

Second: by Councilor Kokoros

Vote: Unanimous

Motion: by Councilor Randolph to accept the Town Council Annual Report as amended

Second: by Councilor Joyce

Vote: Unanimous

ANNOUNCEMENTS

- **080-09** Councilor Randolph: Thayer Public Library “Evening of Celebration”

APPROVAL OF MINUTES

June 9, 2009

Motion: by Councilor Randolph to Table to next meeting due to the fact two members are not present.

Second: by Councilor Joyce

Vote: Unanimous

July 14, 2009

Motion: by Councilor Randolph to approve

Second: by Councilor Joyce

Vote: Unanimous

CITIZEN CONCERNS/COUNCIL RESPONSE

None

OLD BUSINESS

Committee of Public Works: Chairman Charles Ryan

PUBLIC HEARINGS

- **09 045** Mayor: Request for Supplemental Appropriation – Superior Officers Association

Motion: by Councilor Randolph to open Public Hearing

Second: by Councilor Joyce

Vote: Unanimous

Councilor Mullaney read the motion as printed in the July 8, 2009 memo from Mayor Sullivan regarding the supplemental appropriation. Councilor Mullaney reported that the Committee on Ways & Means unanimously voted favorable action on the appropriation.

Vice President Ryan read the text of the July 8, 2009 memo from Mayor Sullivan into the records. He then asked for comments from members of the Council and the public. No comments came forward.

Motion: by Councilor Randolph to close Public Hearing

Second: by Councilor Joyce

Vote: Unanimous

Motion: by Councilor Mullaney to approve as read

Second: by Councilor Joyce

Vote: Unanimous

- **09 047** Councilor Clifford: Proposed Increases in Hotel/Motel Tax

Motion: by Councilor Clifford to open Public Hearing

Second: by Councilor Mullaney

Vote: Unanimous

Councilor Clifford explained that this proposal has been around for almost five years. It was first discussed at Town Meeting and approved on two separate occasions. Councilor Clifford then read the motion into the records.

Vice President Ryan asked if there were any comments from the public or members of the Council.

Michael Wilcox, Braintree Business Council, noted that the Massachusetts Lodging Association asked the State to apply the increase in Hotel/Motel tax across the State rather than the local option. He reminded Council members that many business travelers are price driven and is one of the reasons they would stay at hotels in Braintree rather than Boston. With the increase, it may drive these business travelers to communities who did not increase the hotel/motel tax.

Councilor Mullaney reported that the Committee on Ways & Means unanimously voted favorable action on the proposed increase in hotel/motel tax.

Motion: by Councilor Randolph to close Public Hearing
Second: by Councilor Joyce
Vote: Unanimous

Motion: by Councilor Clifford to approve as read
Second: by Councilor Randolph
Vote: Unanimous

Committee on Ways & Means: Chairman John Mullaney

- **09 046** Planning & Community Development Dept.: Land Transfer – 165 Pond Street

Councilor Mullaney read a memo from Kelly Phalen, Conservation Planner, dated July 8, 2009 into the records. He then reported that the Committee on Ways & Means voted favorable action on the proposed transfer of land. Councilor Mullaney then made the following motion:

“Pursuant to the May 7, 2007 Town Meeting vote of Article 12, and pursuant to the consent voted by the Conservation Commission, the care, custody, management and control of the following land [Lot 2 as shown on the plan entitled Approval Not Required Plan for 165 Pond Street, dated November 24, 2008 and revised December 16, 2008] is hereby transferred to the Conservation Commission for the conservation purposes set out under G.L. Ch. 40 § 8C.”

Motion: by Councilor Mullaney to approve as read
Second: by Councilor Randolph
Vote: Unanimous

Committee on Ways & Means: Chairman John Mullaney

- **032-09** Town Auditor: FY2009 Outside Auditor RFP

- Councilor Mullaney explained that the Committee received proposals to the RFP for audit services from six firms. Five of the firms met the minimum criteria and one did not. The five firms that met the minimum criteria were evaluated on the three areas outlined in the RFP and, based on information contained in each firm’s proposal, received a grade for each and then given an “Overall Composite Ranking” and “Final Ranking” score. After the ranking was determined, the Committee opened the pricing proposals for evaluation and to determine which firm offered the best proposal for the Town. It was determined that the existing firm, Powers & Sullivan, offered the best proposal and the Committee made a unanimous recommendation to the Council for Powers & Sullivan. The Chart below provides a summary of the evaluation of each firms proposal:

Motion: by Councilor Mullaney to appoint Powes & Sullivan as the Outside Auditor for FY 2009, FY2010 and FY2011 as outlined in the RFP
Second: by Councilor Randolph
Vote: Unanimous

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

None

NEW BUSINESS

- **081-09** Councilor Clifford: BHR Civic Group – Holbrook Transfer Station

Councilor Clifford requested a suspension of the rules (Rule #23) to take same night action on a resolution he would like members of the Councilor to take action on this evening.

Motion: by Councilor Clifford for suspension of the rules

Second: by Councilor Kokoros

Vote: Unanimous

Councilor Clifford then handed out a revised resolution which reads; “The Braintree Town Council resolves to support “The Braintree, Holbrook, Randolph Civic Group”, otherwise known as “The BHR Civic Group”, in their efforts to inform residents, secure petition signatures and engage our State legislators about the safety, health, environmental and property values hazards and cost we shall bear should the Holbrook proposed transfer station be approved for operation.

More specifically these concerns stem from the import of region waste and trash transported along the route 37 corridor including, Granite Street, Franklin Street, Washington Street, Pond Street and converging on South Street, a one hundred percent (100%) residential neighborhood, heading to the proposed Holbrook Waste Transfer Station at 3 Phillips Road in Holbrook.”

Councilor Clifford explained the work the Civic Group has completed to date and spoke of the New Bedford waste transfer station disaster which occurred earlier in the month.

Motion: by Councilor Clifford for approval of the resolution

Second: by Councilor Kokoros

Vote: Unanimous

Prior to adjournment Councilor Kokoros wanted to know what the format was for the interviews for the Town Clerk’s position would be. Councilor Mullaney explained that the interviews had been scheduled twenty minutes apart and all 9 Council Members could ask any question they saw fit. Councilor Kokoros the commented that he had some reservation on taking a vote on Friday evening due to the late hour the interviews may be completed. Vice Chairman Ryan explained that these concerns are more appropriate at the meeting on Friday evening.

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 9:57 p.m.

Respectfully submitted,
James M. Casey
Clerk of the Council