

CHARLES C. KOKOROS  
President  
District 1

LELAND A. DINGEE  
At Large

SEAN E. POWERS  
At Large

Charles B. Ryan  
At Large

John C. Mullaney  
District 2



Thomas M. Bowes  
Vice President  
District 3

HENRY N. JOYCE  
District 4

RONALD E. DENAPOLI  
District 5

PAUL "DAN" CLIFFORD  
District 6

## OFFICE OF THE TOWN COUNCIL

### February 28, 2012

## MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, February 28, 2012 beginning at 7:30p.m.

Council President Kokoros was in the chair.

The Clerk of the Council conducted the roll call.

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

Others: Joseph Sullivan, Mayor  
Peter Morin, Chief of Staff  
Edward Spellman, Finance Director  
Peter Kurzberg, Superintendent of Schools  
Paul Frazier, Police Chief  
Paul McSoley, Financial Coordinator-Police  
Karen Shanley, Director Human Resources  
Jeff Kunz, Library Trustee  
Eric Kinsherf, Town Auditor

### CORRESPONDENCE

None

## **ANNOUNCEMENTS**

- 001 12 – Council President: Sustainable Braintree 4TH Annual Green Gala
- 006 12 – Council President: BFFE – Jim Plunkett Night
- 007 12 – Council President: Prayers For Charlotte
- Councilor Bowes: Police Department Open House
- Councilor Joyce: Recreation Department Upcoming Events

## **APPROVAL OF MINUTES**

**Motion:** by Councilor Bowes to approve February 7, 2012 minutes

**Second:** by Councilor Ryan

**Vote:** Unanimous

## **CITIZEN CONCERNS/COUNCIL RESPONSE**

None

## **OLD BUSINESS**

- **12 001 – Council President: Review Town Council Rules , per Council Rule fifty-five**  
Committee on Rules and Ordinance Chairman, Councilor DeNapoli, reported that the committee was still reviewing the Council Rules and recommended that Order #12 001 be tabled until the committee completes their review.

**Motion:** by Councilor Bowes to Lay Order # 12 001 on the table

**Second:** by Councilor Ryan

**Vote:** Unanimous

- **12 002 – Council President: Review of Sub-committees**

Council President Kokoros reported that over the weekend he had decided that the Committee on Ways & Means will remain at five members and the Committee on Ordinance & Rules will remain at four members. He has appointed Councilor Mullaney and Councilor Powers to the Committee on Ways & Means and Councilor Dingee to the Committee on Ordinance & Rules. Additionally, he requested Committee Chairman DeNapoli lay to the table Order #12 002 and reconsider the size of sub-committees and report back with their recommendation at the next council meeting.

**Motion:** by Councilor DeNapoli to Lay Order # 12 002 on the table

**Second:** by Councilor Bowes

**Vote:** Unanimous

- **12 004 Councilor Clifford: Chapter 134 of the Acts of 2008 – Extension to FY2014**

Councilor Clifford, Chairman of the Committee on Ways & Means, reported that the Committee has recommended favorable action on Order #12 004.

**Motion:** by Councilor Clifford to approve Order #12 004

**Second:** by Councilor Bowes

**Vote:** Unanimous

- **12 005 Mayor: Referral of FY2012 Capital Plan**

**Motion:** by Councilor Bowes to Open the Public Hearing on Order #12 005

**Second:** by Councilor Ryan

**Vote:** Unanimous

Councilor Clifford, Chairman of the Committee on Ways & Means, reported that the Committee has recommended favorable action on Order #12 005.

Councilor Clifford reviewed two charts, prepared by the Town Auditor, detailing the Town's debt noting that the Town's debt ceiling is at \$290 million with the Town's current debt at \$141.8 million. He explained that the proposed capital plan is at \$11.75 million and will be offset by \$8.3 million in FY12 retiring debt; increasing the Town's debt to \$145.2; up \$3.45 million over a year ago. Councilor Clifford also provided a debt comparative to four towns (Beverly, Chelmsford, Falmouth and Fitchburg) with similar sized budgets as Braintree. The Comparable Town Average debt is at \$80.0 million with Braintree's debt, less Braintree Electric Light Department, at \$39.8 million.

Mayor Sullivan commented that the Capital Plans he has presented since the change in government has been focused on fiscal management in a prudent manner and have made a significant improvement to the town. Mayor Sullivan noted that the FY2012 Capital Plan has been built to address needs of several departments. Additionally, he is requesting \$150,000 to begin repairs to six of the twelve town parks. He will be requesting another \$150,000 to address the remaining six parks in next year's capital plan.

Councilor Kokoros read into the records the February 13, 2012 letter from Edward Spellman, Finance Director, which highlights the FY2012 Capital Plan.

Councilor Dingee asked if the MWRA Grant was a new program on I/I (Inflow/Infiltration) or was it a continuation of the existing program. Peter Morin, Chief of Staff, responded that it is a continuation of the existing program.

Councilor Kokoros asked if any additional members of the Council or anyone from the public would like to speak on Order # 12 005. No one came forward.

**Motion:** by Councilor Bowes to Close the Public Hearing on Order #12 005

**Second:** by Councilor Ryan

**Vote:** Unanimous

### **A. \$925,000 bond authorization request for a Fire aerial platform truck**

Councilor Bowes read the following motion: "That the Town of Braintree appropriates the sum of Nine Hundred Twenty-Five Thousand Dollars (\$925,000) to pay costs of purchasing and equipping an aerial platform fire truck for the use of the Fire Department, and for the payment of all other costs incidental and related thereto and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(9) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore. The amount authorized to be borrowed pursuant to this Order shall be reduced to the extent of any grants, gifts or other funds received by the Town to pay costs of purchasing and equipping the ladder truck described above, which amounts are expected to total approximately \$450,000."

**Motion:** by Councilor Bowes to approve Order #12 005 (A)

**Second:** by Councilor Ryan

**Vote:** Unanimous

### **B. \$3,023,000 bond authorization request for fourteen (14) capital projects:**

Councilor Bowes read the following motion: "That the Town of Braintree appropriates the sum of Three Million Twenty- Three Thousand Dollars (\$3,023,000) to pay costs of the following capital projects:

<b><u>Project</u></b>	<b><u>Amount</u></b>
(B1) School Remodeling Projects	\$700,000
(B2) Library Flooring replacement	\$190,000
(B3) Library Security	\$150,000
(B4) Library Building Improvements	\$ 75,000
(B5) Police Building Improvements	\$355,000
(B6) DPW Vactor Truck	\$300,000
(B7) DPW Dump Truck	\$ 85,000
(B8) DPW Pickup Truck	\$ 35,000
(B9) DPW Toro Mower	\$ 93,000
(B10) DPW Court Repairs Phase 1	\$150,000
(B11) DPW Building Improvement	\$275,000
(B12) DPW Drainage Construction	\$200,000
(B13) DPW Street Sweeper	\$165,000
(B14) Town Financial Software System	\$250,000

and for the payment of all other costs incidental and related thereto; that the amounts indicated above for each project are estimates and that the Mayor may allocate more funds to any one or more of such projects, and less to others, so long as, in the judgment of the Mayor, each of the

projects described above can be completed within the total appropriation made by this Order; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to the authorizing statutes described above, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore.”

**Motion:** by Councilor Bowes to approve Order #12 005 (B)

**Second:** by Councilor Ryan

**Vote:** Unanimous

## **C. \$245,000 in Supplemental Appropriations**

### **(C-1) Police Department Vehicles**

Councilor Bowes read the following motion: “That the sum of \$137,133 be transferred from the 9C reserve account and \$2,867 be transferred from the stabilization fund for a total of \$140,000 for the purpose of purchasing vehicles for the Police Department.”

**Motion:** by Councilor Bowes to approve Order #12 005 (C-1)

**Second:** by Councilor Ryan

**Vote:** Unanimous

### **(C-2) Police Department IT Equipment**

Councilor Bowes read the following motion: “That the sum of \$15,000 be transferred from the unemployment account for the purpose of purchasing IT related equipment for the Police Department.”

**Motion:** by Councilor Bowes to approve Order #12 005 (C-2)

**Second:** by Councilor Ryan

**Vote:** Unanimous

### **(C-3) Public Works Court Equipment**

Councilor Bowes read the following motion: “That the sum of \$15,000 be transferred from the stabilization fund for the purchase of purchasing court equipment for the Department of Public Works.”

**Motion:** by Councilor Bowes to approve Order #12 005 (C-3)

**Second:** by Councilor Ryan

**Vote:** Unanimous

### **(C-4) Public Works Sod Cutter**

Councilor Bowes read the following motion: “That the sum of \$5,000 be transferred from the stabilization fund for the purchase of purchasing a sod cutter for the Department of Public Works.”

**Motion:** by Councilor Bowes to approve Order #12 005 (C-4)

**Second:** by Councilor Ryan

**Vote:** Unanimous

**(C-5) Public Works Resurfacing Materials**

Councilor Bowes read the following motion: "That the sum of \$25,000 be transferred from the unemployment account for the purpose of purchasing resurfacing materials for the Department of Public Works."

**Motion:** by Councilor Bowes to approve Order #12 005 (C-5)

**Second:** by Councilor Ryan

**Vote:** Unanimous

**(C-6) Public Works Restroom Repairs**

Councilor Bowes read the following motion: "That the sum of \$35,000 be transferred from the stabilization fund for the purchase of making restroom repairs at the High School for the Department of Public Works."

**Motion:** by Councilor Bowes to approve Order #12 005 (C-6)

**Second:** by Councilor Ryan

**Vote:** Unanimous

**(C-7) Public Works Tractor**

Councilor Bowes read the following motion: "That the sum of \$10,000 be transferred from the unemployment account for the purpose of purchasing a tractor to pull the turf groomer for the Department of Public Works."

**Motion:** by Councilor Bowes to approve Order #12 005 (C-7)

**Second:** by Councilor Ryan

**Vote:** Unanimous

**D. \$35,000 in Supplemental Appropriation from the Water/Sewer Enterprise Account**

**Water/Sewer Department Vehicle**

Councilor Bowes read the following motion: "That the sum of \$35,000 be transferred from the Water Sewer Retained Earnings for the purpose of purchasing a vehicle for the Water Sewer Department."

**Motion:** by Councilor Bowes to approve Order #12 005 (D)

**Second:** by Councilor Ryan

**Vote:** Unanimous

## **E. \$32,000 in Supplemental Appropriation from the Golf Enterprise Account**

### **Golf Department Mower Sharpening Machine**

Councilor Bowes read the following motion: "That the sum of \$32,000 be transferred from the Golf Retained Earnings for the purpose of purchasing a mower sharpening machine for the Golf Enterprise Fund."

**Motion:** by Councilor Bowes to approve Order #12 005 (E)

**Second:** by Councilor Ryan

**Vote:** Unanimous

## **COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS**

None

## **NEW BUSINESS**

### **Refer to Committee on Ways & Means**

- **12 007 Mayor: Notice of Appointment – Commission on Disabilities: Judy Coletta**

**Motion:** by Councilor Bowes to refer Order 12 007 to Committee

**Second:** by Councilor Ryan

**Vote:** Unanimous

- **12 008 Town Clerk: Call of the Presidential Primary – March 6, 2012**

Council President Kokoros informed members that the applicant has requested same night action on Order #12 008. Unless there is objection, Council Order #12 008 will have same night action.

Councilor Dingee asked if the Town Clerk was present to discuss the need for same night action and when is the deadline to take action on this order. Council President Kokoros responded that the Town Clerk was out of the office today and was not aware when the deadline was.

Councilor Dingee commented that he had expressed his feelings towards same night action and this is the third meeting in a row that there is a request before the Council for same night action. He wanted to know why the Council was getting the paperwork at the last minute when knowledge of the election was known well in advance.

Councilor Ryan made a motion for same night action on Order #12 008.

**Motion:** by Councilor Ryan for same night action

**Second:** by Councilor Joyce

**Vote:** Unanimous

Councilor Bowes read the following motion: "IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, THE TOWN OF BRAINTREE IS HEREBY REQUIRED TO NOTIFY AND WARN THE INHABITANTS OF SAID TOWN WHO ARE QUALIFIED TO VOTE IN THE PRESIDENTIAL PRIMARY ON TUESDAY, MARCH 6, 2012 FROM 7:00 AM TO 8:00 PM, TO VOTE AT THE POLLING PLACES IN THEIR RESPECTIVE PRECINCTS FOR THE FOLLOWING PURPOSES:

To cast their votes in the Presidential Primary for the candidates of political parties for the following offices:

Democratic, Republican and Green-Rainbow Parties:

PRESIDENTIAL PREFERENCE	For This Commonwealth
STATE COMMITTEE MAN	Norfolk, Bristol & Plymouth Senatorial
District	
STATE COMMITTEE WOMAN	Norfolk, Bristol & Plymouth Senatorial
District	
STATE COMMITTEE MAN	Norfolk & Plymouth Senatorial District
STATE COMMITTEE WOMAN	Norfolk & Plymouth Senatorial
District	
TOWN COMMITTEES	For The Town Of Braintree"

**Motion:** by Councilor Bowes to approve Order # 12 008  
**Second:** by Councilor Ryan  
**Vote:** Unanimous

Councilor Kokoros instructed the Clerk of the Council to send a notice out reminding department heads the time frame for submitting paperwork to the Council for action.

**ADJOURNMENT**

It was unanimously voted to adjourn the meeting at 8:30p.m.

Respectfully submitted,  
James M. Casey  
Clerk of the Council

## Documents provided for Meeting

- February 7, 2012 Minutes
- 12 001 – Council President: Review Town Council Rules , per Council Rule fifty-five
- 12 002 – Council President – Review of Sub-committees (2012-2013 Committee Assignments, Town Council Rules – 2011; pages 8 and 9)
- 12 004 Councilor Clifford: Chapter 134 of the Acts of 2008 – Extension to FY2014
- 12 005 Mayor: Referral of FY2012 Capital Plan to Committee on Ways & Means
- 12 007 Mayor: Notice of Appointment – Commission on Disabilities: Judy Coletta
- 12 008 Town Clerk: Call of the Presidential Primary – March 6, 2012