

**MINUTES OF THE TOWN COUNCIL
Town Hall Council Chambers
December 3, 2007**

Present: Michael Smart, President
Jack Carey
Kenneth J. DiFazio
Ed Harrington
Thomas J. Lacey
Arthur E. Mathews
Michael Molisse
Patrick O'Connor
Greg Shanahan
Kevin Whitaker

Not Present: Jane Hackett, Chief of Staff

Also Present: Maureen Duffy, Town Auditor
Franklin Fryer, Town Clerk
George Lane, Town Solicitor
James Wilson, Chief Financial Officer

Recording Secretary: Janet Murray

President Smart called the Town Council Meeting to order at 7:30pm.

ANNOUNCEMENTS

Welcome/Introduction of Newly Elected Braintree Town Council

Councilor Kay introduced members of the newly elected Town Council for the Town of Braintree who were present this evening.

Councilor DiFazio announced that the Meredith Way planned unit development proposal for 21 individual units is scheduled to be before the Board of Zoning Appeals. Discussion of the proposal will continue on 1/9/07 at the McCullough Building, Whipple Center Conference Room.

Councilor DiFazio announced that the Meredith Way development proposal will be before the Conservation Commission for a notice of intent on Wednesday 12/13/07 at 7:30pm at the Town Hall.

Councilor DiFazio announced that the proposal before the Planning Board to rezone to a 40R overlay district property near Central Square will be discussed on Tuesday, 12/11/07 at the McCulloch Building, Whipple Center Conference Room at 7:30pm.

Councilor Molisse announced that the December recreation flyer is out and is available on line and at town hall.

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Councilor Molisse announced that the Commonwealth of Massachusetts Department of Conservation and Recreation will have a grand reopening of the (Connell) skating rink and pool on 12/8/07 1:30 to 4:00 at 220 Broad Street.

Councilor Matthews announced that the Community Preservation Committee will meet this Thursday 12/6/07 at 7pm at the McCulloch Building, Whipple Center Conference Room.

Councilor Harrington announced that the Board of Zoning Appeals meeting to discuss the Dunkin Donut proposal at Park and Columbian Street has been continued to 1/9/08 at the McCulloch Building, Whipple Center Conference Room at 7:00pm.

Citation Issuance-2007 Weymouth High School Girls' Soccer Team

Councilor Kay introduced the Weymouth High School Girls' Soccer Team and congratulated them for their outstanding season. She presented certificates of recognition to each of the team members and coaches.

Citation Issuance-2007 Weymouth High School Boys' Soccer Team

Councilor Kay introduced the Weymouth High School Boys' Soccer Team and congratulated them for their outstanding season. She presented certificates of recognition to each of the team members and coaches.

MINUTES

Town Council Meeting-September 24, 2007 (tabled from November 13, 2007)

A MOTION was made by Councilor Mathews to TAKE OFF THE TABLE the minutes of the 11/24/07 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 11/24/07 as amended and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

Budget/Management Committee Meeting-November 8, 2007

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 11/8/07 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

Public Works Committee Meeting-November 13, 2007

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 11/13/07 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

Town Council – December 3, 2007

Town Council Meeting-November 13, 2007

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 11/13/07 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

Town Council Meeting-November 19, 2007

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 11/19/07 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

CITIZEN'S CONCERN/COUNCIL RESPONSE

PUBLIC HEARINGS

07 138 - National Grid Utility Petition-Columbian Street

A MOTION was made by Councilor Mathews to OPEN the Public Hearing on item number 07 138 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

The abutters were notified on 11/23/07. There was no public comment.

Steven Breton from National Grid appeared before the Council. He stated that National Grid is petitioning to install two 4" conduits at Columbian on the northeast corner of Main Street.

Council President Smart asked if this was for telephone and primary service. He stated that the telephone company was notified but he was not aware if they had any plans.

A MOTION was made by Councilor Mathews to CLOSE the Public Hearing on item number 07 138 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to take item number 07 138 under 2-9(b) and was seconded by Councilor Molisse and UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to APPROVE item number 07 138 and was seconded by Councilor Molisse.

Councilor Kay asked why this was being taken under 2-9(b). Council President Smart stated that with Route 18 under significant repair at this time, it seemed in the best interest of the town to take care of this immediately.

The MOTION passed UNANIMOUSLY.

COMMUNICATION FROM MAYOR, TOWN OFFICERS, AND TOWN BOARDS

07 139 - Tax Classification Reaffirm and Ratify Prior Vote-Action Requested Under 2-9b

Mr. Wilson stated that this item is a vote to reaffirm the prior vote taken by the Council on 11/19/07.

A MOTION was made by Councilor Mathews to take item number 07 139 under 2-9(b), same night action and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

Mr. Wilson stated that the Department of Revenue (DOR) had approved the tax rate in November. A public hearing was held and a vote taken on 11/19/07. DOR called on 11/27/07 and indicated that it is customary for the public hearing to be held after this date. Mr. Wilson was contacted and asked by DOR to initiate this reaffirming vote. DOR acknowledged that the prior hearing and vote were proper.

A MOTION was made by Councilor Mathews to APPROVE the reaffirmation and ratify the vote taken of item number 07 139 on November 19, 2007 and was seconded by Councilor Kay.

Councilor Lacey asked if there is an issue with not having the public hearing after the date of the letter and if something was sent to the town.

Mr. Wilsons stated that DOR is not looking for anything further than this reaffirmation vote.

The MOTION was UNANIMOUSLY VOTED.

07 140 - Reserve Fund Transfer-Conservation Fund

This is a reserve fund transfer of \$10,000 which had been misapplied.

A MOTION was made by Councilor Mathews to REFER item number 07 140 to the Budget/Management Committee and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

07 141 - Reserve Fund Transfer-Transitional Audit

This is a reserve fund transfer in the amount of \$7500 for a transitional audit.

A MOTION was made by Councilor Mathews to REFER item number 07 141 to the Budget/Management Committee and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES

Budget Management Committee – Chairman DiFazio

07 136 - Donation Accounts-Raymond Brooke

This item was referred on 11/13/07. The Committee met on 12/3/07. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE item number 07 136 and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

ADJOURNMENT

At 8:05 pm there being no further business, Councilor Mathews MOTIONED to adjourn and Councilor Kay seconded and was UNANIMOUSLY VOTED.

Approved by: _____
Michael Smart, President