



*City of Taunton  
Municipal Council Meeting Minutes*

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*Elizabeth Pole School, 215 Harris Street  
Minutes, December 7, 2010 at 7:45 O'clock P.M.*

*Regular Meeting*

*Mayor Charles Crowley presiding*

*Prayer was offered by the Mayor*

*Present at roll call were: Councilor's Colton, Croteau, Carr, Buffington, Marshall,  
Hoye, Costa-Hanlon, Pottier, Barbour*

At this time a moment of silence was observed for Norman DeCosta and Susan Leddy who have both passed away

Record of preceding meeting was read by Title and Approved. So Voted.

Motion was made to revert out of the regular order of business to Committee Reports. So Voted.

Committee reports read by title and approved. Motion was made that the Committee on Police and License be approved. Adopted as voted in Committees. Motion was made to approve the transfer of Helvio Silveira from Raynham Police Department back to the Taunton Police Department. **On a roll call vote, Nine (9) Councilors Present, Nine (9) Councilors voting in favor. Helvio Silveira was sworn in by the City Clerk.**

Motion was made to remain out of the regular order of business to communication on page 13. So Voted.

Com. from Assistant City Solicitor submitting a letter sent to the President and CEO of Esterline Technologies requesting to postpone the auction of equipment at Haskon Division site, Taunton until February 2011. **Motion was made to make part of the hearing.** The spokesperson for the Haskon Group of people stated that the company has postponed the auction until January 17, 2011 and will be negotiating with the company tomorrow. The spokesperson stated that they have an appraisal and hopefully Esterline will work with them. They also thanked the City Council and Senator Pacheco for their letters of support. The Mayor asked the Peter, the spokesperson present him with a copy of the appraisal. That the Law Department draft a Home Rule Petition for next week's Council Meeting for the eminent domain. Councilor Buffington stated we should follow up with our new State Legislator. Councilor Costa-Hanlon with drew her motion to receive an update concerning the home rule petition from our Law Department in a few weeks. So Voted.

**Motion was made to revert back to the regular order of business. So Voted.**

**Communications:**

Com. from Director, Human Resources requesting a transfer of funds in the amount of \$330.00 for drug testing for DOT compliance. **Motion was made to refer to the Committee on Finance and Salaries and the Mayor's Office. So Voted.**

Com. from Director, Human Services requesting to deposit a donation into the Taunton Council on Aging Gift Account in the amount of \$6,333.33 from Columbia Gas of Massachusetts for the purposes of serving elders of Taunton. **Motion was made to move approval. So Voted.**

Com. from Director, Human Services requesting permission to destroy a typewriter, scanner, keyboard, partitions, file cabinet, wireless microphone and two (2) eight-foot tables. **Motion was made to move approval. So Voted. Councilor Barbour asked that Ms. Estey, Ms. Gomes, and Ms. Blackwell check out the partitions to see if they can use them.**

Com. from Building Commissioner providing an update on blighted properties located at 390 Washington Street which is still awaiting approval of the Department of Environmental Protection for demolition, 17 Third Avenue which has a permit in place to erect a new dwelling on the lot, and that he has no firm date for the demolition of 348 Winthrop Street. **Motion was made to receive and place on file and thank Mr. Pirozzi for his response. So Voted.**

Com. from City Engineer responding to request regarding the movement of school zone/speed limit signs at the closed Maxham School and Walker School to be used at Barnum School and Hopewell School. **Motion was made to refer to Committee Reports. So Voted.**

Com. from Gerard Perry, Director of Accounts, Massachusetts Department of Revenue notifying of the Fiscal Year 2011 tax rate certification for Taunton. **Motion was made to receive and place on file. So Voted.**

Com. from Building Commissioner submitting the Building Permit Record for November 2010. **Motion was made to refer to the Mayor's Office. So Voted.**

Com. from Assistant City Solicitor providing a copy of a letter sent to Michael Strojny, Esquire, New State Highway, Raynham regarding the land swap with Taunton Municipal Airport in which he discusses two additional issue the Airport Commission has raised. **Motion was made to receive and place on file. So Voted.**

Com. from City Auditor submitting a response regarding money transferred to General Fund relating to City Health Trust. **Councilor Hoye motioned that the Treasurer, Auditor City Solicitor and submit a response for next week to the Council on the following question: Do we know why on May 28, 2010 \$900,112.18 went from the Employee Trust Fund to the City Trust Fund and then in turn went to the General Fund? Also, that they provide account numbers for these accounts. A motion was**

made that the City Solicitor provide an opinion on the legality of the above transfer that is in question. Also, that the Committee on Finance and Salaries meet with the Treasurer, Auditor, City Solicitor to answer the above questions. The City Auditor is to address the City Trust to the General Fund but it does not address the Employee Trust Fund to the City Trust Fund. The Mayor stated the RFP went out and they will have all the answers when the independent evaluation comes in. So Voted.

**Petitions and Claims:**

**The following are RENEWALS for Class II Licenses:**

1. Loftus Auto City, Inc. located at 450 Winthrop St., Taunton
2. Cambra's Auto Sales located at 117 Summer St., Taunton
3. After Hours Auto Sales located at 20 North Avenue, Taunton
4. Richard P. Costa -dba- Taunton Auto Sales & Truck Sales located at 603 Winthrop Street, Taunton
5. A & M Auto Exchange located 424 Winthrop St., Taunton
6. Winthrop Street Motors, Inc. located at 347 Winthrop St., Taunton
7. Taunton Service Center, Inc. -dba- Taunton Service Center Auto Sales located at 48 Broadway, Taunton
8. Caramelo's Auto Body located at 2 Porter Street, Taunton
9. Mike's Auto Sales located at 594 Winthrop St., Taunton
10. Amorim Auto Sales, Inc. located at 265 Longmeadow Road, Taunton
11. Advantage automotive located at 600 Winthrop St., Taunton
12. Scott's Service Center, Inc. located at 129-131 Ingell St., Taunton
13. M&M Service Center, Inc. -dba- Broadway Getty located at 63 Broadway, Taunton
14. Professional Car Zone located at 381 Weir St., Taunton
15. Bristol Motors located at 147 Fremont St., Taunton
16. Cruisin Classics located at 632 Winthrop St., Taunton
17. Westville Auto located at 380 Winthrop St., Taunton
18. RTE 44 Tire Shack located at 585 Richmond St., East Taunton
19. Lopes Used Truck and Equipment Sales -dba- G. Lopes Construction Inc. located at 490 Winthrop St., Taunton
20. Mello's Auto Repair & Sales located at 45 South Street, Taunton
21. New England Auto located at 157 W. Water St., Taunton

**Motion was made to refer the list as read to the Committee on Police and License and the Police Chief. So Voted.**

**Transfer of Class II License**

Petition submitted by Anthony Roma -DBA- De-Anth Motors located at 295 Broadway, Taunton requesting to transfer his Class II License to William G. Fraser -dba- De-Anth Motors to be located at 295 Broadway. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

**Claim**

Claim submitted by Raymond Oberg, 1559 Bay Street, Unit 56, Taunton for relief for damages. **Motion was made to refer to the City Solicitor and submit a copy to each Councilor. So Voted.**

**Committee Reports:**

Motion was made for the remainder of the Committee reports to be read by Title and Approved. Motion was made to approve the Committee on Finance and Salaries except for ARI. The Chairman of Finance and Salaries, Councilor Croteau explained what the Committee Reports is on this issue. The Committee discussed the letter from the City Auditor that numerous amounts of monies have been paid to ARI for the trash project and Councilor Croteau stated he asked the Committee on Finance and Salaries to suspend all future payments for clarification of the situation. We had \$110,000.00 budgeted. Councilor Croteau stated he has spent with ARI in excess of \$800,000.00. He stated he approved this project for electricity not fuel cells. Councilor Carr stated she was present at the meeting with Mr. Wilson last week and he stated we are going forward with said project and stated we are very fortunate to have Mr. Bender working for us. Councilor Marshall stated he would like to have Mr. Bender on a tight leash for consultant services. Councilor Marshall stated we should not suspend the consultant, before any work is done on the project, it should be submitted to the Council for approval first. Councilor Buffington motioned that the Committee Reports on the Committee on the Department of Public Works be read by title approved. Recommendations adopted. So Voted. Move Committee on Finance and Salaries that all Committee reports be accepted, except any matter pertaining to ARI to read by title and approved. So Voted. Recommendations adopted. So Voted. On a roll call vote, a favorable vote was made to suspend all future payments with ARI. Motion did not carry. Councilors Croteau and Costa-Hanlon voting in favor of the suspension. Councilors Colton, Carr, Buffington, Marshall, Hoye, Pottier, Barbour voting in opposition. Councilor Pottier motioned that Mr. Enos come back to the Committee with the amount of monies ARI has been billed, the exact amounts and how we are paying for it. Ask the Mayor or Budget Director how can we rein some of these costs in? Councilor Pottier motioned that the City Auditor submit to them, a list of all invoices by dollar amount for ARI. Additionally, they motioned to that she provide a copy of all invoices itemized to the Committee on Finance and Salaries for next week. So Voted.

**Unfinished Business:**

Councilor Barbour motioned that the Committee on Solid Waste meet next week or the week after to review the meeting that the Mayor and Council President had with the CEO of IWT. Additionally, to discuss the meeting of the Chestnut Hill bio-energy firm. So Voted.

Councilor Barbour stated that the recent issue if City Hall is safe to enter post fire and pre-construction demolition has been ongoing. Motion was made to send the three reports to provide to Mr. Lopes and the employees of the City Clerk's Office. Councilor Barbour stated he feels that the atmosphere in City Hall is safe, the girls in the Clerk's Office who have been exposed are still not satisfied. Therefore, a motion was made that at the union's expense, through Mr. Lopes and the Building Department, an updated test can be conducted on the environment under the direction of the Law Department.

Councilor Costa-Hanlon stated she is not comfortable with having the union take samples. She feels the City should test and does not feel comfortable allowing anyone to go into our workspace to retrieve samples. Councilor Costa-Hanlon asked who in the City is responsible, who is the compliance officer. The Mayor stated Attorney Estey. The Council is stating the union can go in and test. **Motion was seconded. Councilor Carr, Barbour, and Marshall voting no. Motion did not pass.** Councilor Marshall motioned that the Council receive a copy of the responses that are going to be sent to the Executive Office of Labor and Workforce Development addressing the three items that were mentioned in the letter sent via certified mail to Mayor Charles Crowley. Additionally, the Municipal Council stated they received a confidential report from the Human Resource Officer. Therefore, they requested that the Mayor submit the responses for next week's meeting as the Municipal Council will discuss the confidential report the Human Resource Officer submitted to them along with the reports from the Mayor in the Committee to the Council as a Whole conducted in Executive Session. So Voted.

Councilor Pottier motioned to refer to the Council President to schedule the interviews for the Treasurer/Collector interviews in the Committee to the Council as a Whole on December 21, 2010. So Voted.

Councilor Buffington motioned that the executive session minutes of the Municipal Council Meeting from June 4, 2002 be released and the Councilors receive a copy of these minutes. So Voted.

Councilor Buffington motioned that the City Auditor and Treasurer/Collector update the Municipal Council on the bond (Joseph Warner Blvd., Sopher – eminent domain) which was approved by the Municipal Council on June 4, 2002 to borrow \$1,000,000.00. Were the bonds ever issued? Were some bonds issued? How many dollars were issued, was the \$850,000 payment bond money from the Sopher money? If the \$1,000,000.00 was bonded, where is the money and how much is left? So Voted.

**New Business:**

Councilor Barbour motioned to send a letter of gratitude to Marilyn Greene for the fine job she did decorating the Taunton Green and for her part in the parade. Also that a letter of gratitude be sent to the Parade Committee. So Voted.

Councilor Barbour stated that Emma Lopes just celebrated her 101<sup>st</sup> Birthday and motioned that the Mayor's Office send out a citation from him and the Council. So Voted. *(The City Clerk spoke with Mimi in the Mayor's Office and she stated she would take care of this.)*

Councilor Costa-Hanlon motioned that the Mayor update the Council concerning the contract with Morton Hospital/EMS as to the expiration of the EMS contract. So Voted.

Councilor Croteau motioned that the Committee on Public Property tentatively schedule a date of January 10, 2011 (Monday) for an Open public Forum to discuss Public Facilities, including City Hall, with business and residents. At the Municipal Council Meeting of December 14, 2010 a location will be discussed. So Voted.

Motion was made to recess to Committees. So Voted.

Meeting adjourned at 9:25 P.M.

A true copy:

Attest:

A handwritten signature in black ink, appearing to be "Rm [unclear]", written in a cursive style.

City Clerk

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
DECEMBER 7, 2010

**THE COMMITTEE ON FINANCE AND SALARIES**

PRESENT WERE: COUNCILOR GERALD CROTEAU, CHAIRMAN AND  
COUNCILORS POTTIER AND COSTA-HANLON

MEETING CALLED TO ORDER AT 6:00 P.M.

1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS

**MOTION:** MOVE APPROVAL OF THE VOUCHERS FOR THE WEEK

**MOTION:** MOVE APPROVAL OF THE PAYROLL FOR THE WEEK

**COUNCILORS CROTEAU AND POTTIER VOTING IN FAVOR. COUNCILOR COSTA-HANLON VOTING IN OPPOSITION. MOTION CARRIES.**

2. MEET TO REVIEW INFORMATION PROVIDED BY THE CITY AUDITOR CONCERNING THE AMOUNT OF MONIES PAID TO ARI FOR THIS FISCAL YEAR AS A RESULT OF INVOICES SUBMITTED FOR THIS FISCAL YEAR

DISCUSSED WAS A REPORT FROM THE CITY AUDITOR WHERE IT APPEARED THAT \$155,000 HAS BEEN PAID TO ARI. THERE IS AN INVOICE, #166708, FOR \$80,000. IT WAS NOTED THAT \$110,000 WAS BUDGETED FOR ARI FOR THIS FISCAL YEAR.

**MOTION:** TO SUSPEND ALL FUTURE PAYMENTS AND COMMITMENTS TO A.R.I. EFFECTIVE DECEMBER 8, 2010.

DISCUSSED WAS THAT IF PAYMENTS ARE SUSPENDED, WHO WILL DO THE WORK WHEN NEEDED. THE CITY SHOULD NOT HAVE SOMEONE WHO IS BIDDING ON THE PROJECT, SUCH AS I.W.T., ADVISING THE CITY. ALSO, IT WAS NOTED THAT WE CANNOT BLAME MR. BINDER FOR ALL OF THE ISSUES WITH THE PROJECT. THE CITY WILL NEED TECHNICAL ADVICE DOWN THE ROAD.

IT WAS NOTED THAT IT IS NOT CERTAIN IF THE \$155,000 FIGURE IS WHAT WAS SPENT. THERE IS A NEED TO SPEAK TO THE AUDITOR TO CLARIFY AND TO DETERMINE IF WE ARE OVER BUDGET ALREADY.

THE MAYOR STATED THAT I.W.T. WANTS TO GO FORWARD AND THEY ARE LOOKING FOR OTHER SOURCES OF FUNDING. THEY HAVE SUCCESSFULLY COMPLETED THE PHASE I APPLICATION AND ARE WILLING TO GO FORWARD WITH THE APPLICATION FOR PHASE II WHICH COSTS \$750,000.

**COUNCILORS CROTEAU AND COSTA-HANLON VOTED IN FAVOR OF THE MOTION. COUNCILOR POTTIER VOTED IN OPPOSITION. MOTION CARRIES.**

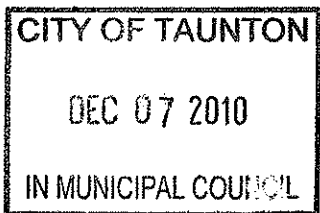
**MOTION:** THAT THE AUDITOR AND BUDGET DIRECTOR MEET WITH THE COMMITTEE TO PROVIDE A TOTAL AMOUNT THAT A.R.I. HAS BILLED FROM JULY 1, 2010 TO THE PRESENT. HOW MUCH WAS PAID. WAS IT ALLOCATED IN THE BUDGET OR SUPPLEMENTAL BUDGET. WHAT ACCOUNT NUMBER WAS THE MONEY IN. ALSO, IF THERE IS A DIFFERENCE BETWEEN HOW MUCH WAS ALLOCATED AND HOW MUCH WAS SPENT, WHERE IS THE EXTRA MONEY COMING FROM. COPIES OF ALL INVOICES PAID TO DATE TO BE PROVIDED TO THE COMMITTEE.

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DECEMBER 7, 2010

THE COMMITTEE ON FINANCE AND SALARIES – CONTINUED

MEETING ADJOURNED AT 6:26 P.M.



RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED EXCEPT FOR ARI BE READ BY TITLE AND APPROVED. SO VOTED. RECOMMENDATIONS BE ADOPTED (EXCEPT FOR ARI MATTERS) THE MAYOR STATED THAT A FAVORABLE VOTE ON THE ROLL CALL MEANS THAT THEY WILL DISCONTINUE WITH ARI. COUNCILOR CROTEAU STATED THAT IS CORRECT. ON A ROLL CALL VOTE, NINE (9) COUNCILORS PRESENT, TWO COUNCILORS VOTING IN FAVOR WHICH WERE COUNCILOR COSTA-HANLON AND COUNCILOR CROTEAU. VOTING IN OPPOSITION WERE SEVEN COUNCILORS WHICH WERE COUNCILORS COLTON, CARR, BUFFINGTON, MARSHALL, HOYE, POTTIER AND BARBOUR. MOTION DOES NOT CARRY.



CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
DECEMBER 7, 2010

**THE COMMITTEE ON POLICE AND LICENSE**

PRESENT WERE: COUNCILOR JASON BUFFINGTON, CHAIRMAN AND  
COUNCILORS HOYE AND BARBOUR. ALSO PRESENT WERE  
CHIEF EDWARD WALSH, DETECTIVE DENNIS SMITH, ATTORNEY  
PEITNIK AND JAMES BURKE

**MEETING CALLED TO ORDER AT 6:34 P.M.**

1. **MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF JAMES F. BURKE, A & B REALTY TRUST, 288 BROADWAY FOR RENEWAL OF CLASS II LICENSE FOR 2010, AND RENEWAL OF CLASS II LICENSE FOR 2011**  
**MOTION: MOVE APPROVAL**
2. **MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF AURELIO SOUSA D/B/A BRISTOL SPORT ZONE, 260 WEST WATER STREET TO OPERATE BETWEEN THE HOURS OF 1 A.M. & 4 A.M. AS PER CITY ORDINANCE SEC. 12-2**  
**MOTION: MOVE APPROVAL**
3. **MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF LILLIAN AMARO ROCHA, 915 MIDDLEBORO AVE., E. TAUNTON FOR RENEWAL OF TEMPORARY FIXED VENDOR LICENSE FOR 515 MIDDLEBORO AVE. TO SELL CHRISTMAS TREES AND WREATHS EVERYDAY IN NOVEMBER AND DECEMBER, 9AM-9PM.**  
**MOTION: MOVE APPROVAL**
4. **MEET WITH THE POLICE CHIEF TO DISCUSS THE GATE ON FREMONT STREET NEAR THE INDUSTRIAL PARK AND THE QUARRY**  
THE CHIEF REQUESTED SOME ADDITIONAL TIME TO LOOK INTO THIS FURTHER. THE CLERK WAS REQUESTED TO PUT THIS ON THE AGENDA IN TWO WEEKS.
5. **MEET TO REVIEW MATTERS IN FILE**
  - A. DETECTIVE SMITH INFORMED THE COMMITTEE THAT THERE HAD BEEN A REQUEST TO PUT UP A WELCOME HOME BANNER FOR CASEY HOLMES OF THE U.S. MARINE CORP. THE WEEK OF DECEMBER 21<sup>ST</sup>.  
**MOTION: MOVE APPROVAL**
  - B. A LETTER WAS SUBMITTED BY THE POLICE CHIEF REGARDING THE PETITION OF JERRY OLANIAN REQUESTING A SECOND HAND ARTICLE LICENSE FOR 18 BROADWAY. THIS WAS FORWARDED TO THE CITY SOLICITOR FOR A LEGAL OPINION SEVERAL MONTHS AGO AND HE HAS NOT HEARD ANYTHING.  
**MOTION: THE CITY SOLICITOR IS TO PROVIDE A LEGAL OPINION IN ONE WEEK**  
REQUEST WAS MADE TO PUT THIS ON THE AGENDA IN TWO WEEKS.

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DECEMBER 7, 2010

**THE COMMITTEE ON POLICE AND LICENSE – CONTINUED**

ALSO THE LETTER RECOMMENDED THAT THE COMMITTEE INVITE THE FOLLOWING PETITIONERS TO THE NEXT SCHEDULED MEETING TO DISCUSS THE STATUS OF THEIR PETITIONS:

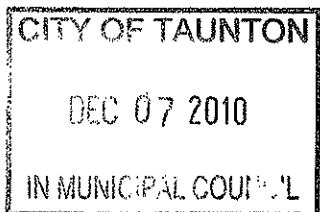
1. ANTHONY ROMA D/B/A DE-ANTH MOTORS, 295 BROADWAY – REQUEST FOR TRANSFER OF LICENSE – LACK OF LOCATION
2. THE OWNER/OPERATOR OF WHITTENTON FLEA MARKET AT 437 WHITTENTON STREET, NO CURRENT SECOND HAND LICENSE – OUTSTANDING TAXES
3. MATTHEW ZAMORA, MINOR'S TREASURES, 96 HIGH STREET, SECOND HAND LICENSE – OUTSTANDING TAXES/CHIEF'S CONCERNS
4. SHANE SANTOS, 151 BAY STREET – SECOND HAND LICENSE, OUTSTANDING TAXES, CHIEF'S CONCERNS
5. GAFF'S THIRD BASE, 316 BROADWAY - BILLIARD TABLE LICENSE - REQUEST TO BE IN COMPLIANCE WITH CITY ORDINANCE SECTION 12-2 (HOURS OF OPERATION) – OUTSTANDING DETAIL BILLS.

THE CHAIRMAN WILL INVITE THE ABOVE-NAMED INDIVIDUALS TO A POLICE AND LICENSE MEETING IN THE NEAR FUTURE.

C. THE POLICE CHIEF IS REQUESTING THE COMMITTEE'S CONSIDERATION ON THE REQUEST OF PATROLMAN HELVIO SILVERIA OF THE RAYNHAM POLICE DEPARTMENT FOR A LATERAL APPOINTMENT TO THE TAUNTON POLICE DEPARTMENT UNDER THE RULES OF CIVIL SERVICE. PATROLMAN SILVERIA PREVIOUSLY SERVED WITH THE DEPARTMENT BETWEEN 1995 AND 2006. ALL PRE-EMPLOYMENT SCREENING HAS BEEN COMPLETED AND HE IS RECOMMENDED WITHOUT RESERVATION.

**MOTION: TO RECOMMEND TO THE FULL COUNCIL THE LATERAL TRANSFER OF HELVIO SILVEIRA UNDER THE RULES OF CIVIL SERVICE.**

MEETING ADJOURNED AT 6:45 P.M.



RESPECTFULLY SUBMITTED,

*Colleen Ellis*

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

*Rm Blackwell*  
CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
DECEMBER 7, 2010

**THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS**

PRESENT WERE: COUNCILOR THOMAS HOYE, CHAIRMAN AND COUNCILORS BUFFINGTON, MARSHALL, CROTEAU AND POTTIER. ALSO PRESENT WERE FRED CORNAGLIA, D.P.W. COMMISSIONER, TONY ABREAU, ASSISTANT D.P.W. COMMISSIONER, CATHAL O'BRIEN, WATER DIVISION SUPERVISOR, JOHN LAWRENCE, STREET DIVISION SUPERVISOR AND TONY MOURA AND JAIME PIZANO OF VHB ENGINEERING

**MEETING CALLED TO ORDER AT 6:50 P.M.**

**1. MEET WITH THE D.P.W. COMMISSIONER TO DISCUSS LIST OF PROPOSED STREETS TO BE ACCEPTED.**

A LETTER DATED 12/6/2010 OF PAUL PATNEAUDE, PE OF EARTH SERVICES CORPORATION WAS READ. HE STATED THAT HE HAS REVIEWED THE INFORMATION PROVIDED BY SEVERAL OTHER MASSACHUSETTS COMMUNITIES RELATIVE TO ACCEPTANCE OF ROADWAYS AS PUBLIC. DOCUMENTATION PROVIDED BY LEGAL COUNCIL WITHIN THESE COMMUNITIES STATES THAT IF ROADWAYS HAVE HAD OPEN AND NOTORIOUS USE AND HAVE BEEN USED AND MAINTAINED AS PUBLIC WAYS FOR AT LEAST A PERIOD OF 20 YEARS, THEY ARE PUBLIC WAYS BY PRESCRIPTIVE EASEMENT.

HE HAS CONSULTED WITH THE TAUNTON CITY SOLICITOR'S OFFICE ON THIS MATTER AND THEY ARE IN AGREEMENT THAT ROADWAYS MAY BECOME PUBLIC IN THIS MATTER. ATTACHED TO HIS LETTER IS A LISTING OF 98 ROADWAYS THAT HE BELIEVE SATISFY THIS CRITERIA, AS THEY HAVE BEEN USED AND MAINTAINED BY THE CITY SINCE AT LEAST THE EARLY 1940'S. THEREFORE, IT WAS RECOMMENDED THAT THE MUNICIPAL COUNCIL CONSIDER APPROVING THE ATTACHED LISTING OF ROADWAYS TO BE ACCEPTED AS PUBLIC STREETS.

IT WAS NOTED THAT THE NEXT STEP IS A PUBLIC HEARING.

IT WAS FURTHER NOTED THAT THE CITY ENGINEER BY LETTER OF 12/7/2010 RECOMMENDS NOT APPROVING VINCENT DRIVE. IT IS AN UNCONSTRUCTED GRAVEL WAY BETWEEN SCADDING STREET AND SHORE DRIVE. THERE IS ONE VACANT LOT ON THIS STREET AND CONSTRUCTION OF A ROADWAY WOULD BE DIFFICULT.

ALSO, THE D.P.W. COMMISSIONER REQUESTED THAT BEDFORD STREET BE TAKEN OFF OF THE LIST.

**MOTION: TO SEND THE LIST TO THE CITY CLERK FOR PUBLIC HEARING, EXCLUDING BEDFORD STREET AND VINCENT DRIVE.**

**MOTION: COUNCILOR POTTIER VOTING PRESENT ON POWERS STREET AS HE LIVES ON THAT STREET.**

**MOTION: THE PARKING COMMISSION IS TO BE INVITED TO THE PUBLIC HEARING.**

THE D.P.W. COMMISSIONER WILL COME BACK BEFORE THE COMMITTEE IN MARCH OR APRIL WITH ANOTHER LIST.

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DECEMBER 7, 2010

**THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED**

**2. MEET WITH THE D.P.W. COMMISSIONER FOR AN UPDATE ON THE HARTS FOUR CORNERS INTERSECTION**

THE D.P.W. COMMISSIONER STATED THAT HE IS ASKING THE COMMITTEE FOR THE GO AHEAD TO BEGIN THE SURVEY WORK AND MOVE FORWARD WITH THE CONTRACT WITH VHB ENGINEERING. HE WANTS TO PRESENT THE 25% PLAN TO MASS HIGHWAY BY APRIL 1<sup>ST</sup>. THE TRAFFIC COUNTS WILL BE DONE AFTER THE FIRST OF THE YEAR, AS DOING THEM NOW WITH THE HOLIDAYS COMING UP WOULD NOT PROVIDE A TRUE COUNT. THE TIME FRAME FOR THE WORK IS THAT THEY WOULD BEGIN THE SURVEYING IN THE NEXT WEEK OR SO, THE TRAFFIC COUNT TO BE DONE THE FIRST OF THE YEAR AND HOPEFULLY GET IT TO MASS HIGHWAY THE END OF FEBRUARY.

**MOTION: TO GRANT THE D.P.W. COMMISSIONER PERMISSION TO MOVE FORWARD WITH THE CONTRACT WITH VHB, AND TO MEET WITH MASS. HIGHWAY**

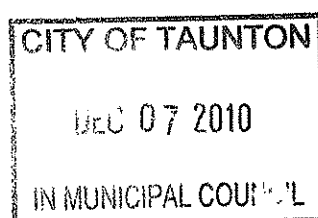
THE D.P.W. COMMISSIONER ALSO STATED THAT THE TAUNTON DEVELOPMENT CORPORATION WILL PAY 25% OF THE COST OF THE DESIGN PLANS. DISCUSSED WAS WHETHER THERE IS ANY OTHER MITIGATION FUNDS FROM ANY DEVELOPMENT ON COUNTY STREET SUCH AS TARGET, HOME DEPOT AND THE RESTAURANTS, AND THAT THE REPORTS FROM THE PLANNING DEPARTMENT REGARDING THE DEVELOPMENT SOUTH OF THE INTERSECTION WOULD SHOW THIS.

**MOTION: THAT THE CITY PLANNER PROVIDE COPIES OF ALL DECISIONS REGARDING ALL DEVELOPMENT SOUTH OF THE HARTS FOUR CORNERS INTERSECTION.**

**3. MEET TO REVIEW MATTERS IN FILE**

- A. THE WATER DIVISION SUPERVISOR REPORTED THAT PLEADWELL STREET AND MADOR AVENUE HAVE NEW WATER MAINS THAT ARE UP AND RUNNING.
- B. THE METER RENEWAL PROJECT IS NOW IN THE LAW OFFICE FOR REVIEW.
- C. THE D.P.W. COMMISSIONER PROVIDED A MEMORANDUM OF CITY ENGINEER MARK SLUSARZ IN WHICH HE REQUESTS THAT A PREVIOUS MEMORANDUM REGARDING SCHOOL ZONES BE DISREGARDED. HE STATED THAT THE SCHOOL ZONE DESIGNATIONS FOR ILLUMINATED SIGNS WAS MEANT FOR THE BARNUM AND HOPEWELL SCHOOLS, NOT THE BARNUM AND LEDDY SCHOOLS.
- D. MR. LAWRENCE, STREET DIVISION SUPERVISOR, REPORTED THAT THE PLOWS AND SANDERS ARE READY

**MEETING ADJOURNED AT 7:14 P.M.**



RESPECTFULLY SUBMITTED:

*Colleen Ellis*

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

*Rm Blackwell*  
CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
DECEMBER 7, 2010

**THE COMMITTEE OF THE COUNCIL AS A WHOLE**

PRESENT WERE: COUNCIL PRESIDENT DEBORAH CARR AND COUNCILORS BARBOUR, POTTIER, COSTA-HANLON, HOYE, MARSHALL, BUFFINGTON, CROTEAU AND COLTON. ALSO PRESENT WERE MAYOR CHARLES CROWLEY, HUMAN RESOURCES DIRECTOR MARIA GOMES, CITY SOLICITOR JANE ESTEY AND ASSISTANT CITY SOLICITOR JORDAN FIORE

**MEETING CALLED TO ORDER AT 7:25 P.M.**

**1. MEET TO DISCUSS REVISED CONTRACT FOR THE HUMAN RESOURCE DIRECTOR**

DISCUSSED WAS SOME LANGUAGE IN THE PARAGRAPH ENTITLED EDUCATIONAL INCENTIVE. THE CURRENT LANGUAGE STATES "THE DIRECTOR MAY RECEIVE AN ASSOCIATE'S, BACHELOR'S, MASTER'S OR DOCTORATE LEVEL DEGREE IN POLITICAL SCIENCE, PUBLIC ADMINISTRATION OR ANY FIELD, DETERMINED BY THE ASSISTANT MAYOR, TO BE ASSOCIATED WITH THE DUTIES OF THE DIRECTOR OF HUMAN SERVICES." COUNCILOR COSTA-HANLON REQUESTED THAT "ASSISTANT MAYOR" BE CHANGED TO "MAYOR".

SHE ALSO STATED THAT SHE HAD CONCERNS WITH THE BUY BACK AND SOME OTHER THINGS.

COUNCILOR MARSHALL STATED THAT WHILE THE 1144 CLERICAL, 1144 NURSING HOME, LIBRARY AND POLICE SUPERVISORS RECEIVED ABOUT 5.5%, THE HUMAN RESOURCES TOTAL IS 9.5% OVER FOUR YEARS. HE STATED THAT IN THESE TOUGH ECONOMIC TIMES, FISCAL PRUDENCE WAS SHOWN WITH THE OTHER CONTRACTS AND THE HUMAN RESOURCE DIRECTORS SHOULD ALSO HAVE HERS AT 5.5%.

MRS. GOMES STATED THAT HER CONTRACT GOES BEYOND ONE YEAR, IS IT S A THREE YEAR CONTRACT. THE MAYOR STATED THAT SHE ALSO GETS LESSER COMPENSATION IN SOME AREAS THAN HER PREDECESSOR.

COUNCILOR CARR STATED THAT SHE DOES NOT FIND THE CONTRACT TO BE OUT OF LINE.

**MOTION: TO ACCEPT THE CONTRACT**  
**COUNCILORS CROTEAU, CARR, HOYE, POTTIER AND BARBOUR VOTING IN FAVOR. COUNCILORS MARSHALL AND COSTA-HANLON VOTING IN OPPOSITION. MOTION CARRIES.**

**2. MEET IN EXECUTIVE SESSION TO DISCUSS THE SOPER/WARNER BOULEVARD LAND**

IT WAS NOTED THAT THE CITY SOLICITOR HAD NOT YET ARRIVED.

**MOTION: TO RECESS THE COMMITTEE MEETING (7:35 P.M.)**

**MOTION: TO CALL THE MEETING BACK TO ORDER (9:33 P.M.)**

THE CITY SOLICITOR STATED THAT IT IS APPROPRIATE TO GO INTO EXECUTIVE SESSION TO DISCUSS THIS MATTER.

PAGE TWO

DECEMBER 7, 2010

THE COMMITTEE OF THE COUNCIL AS A WHOLE – CONTINUED

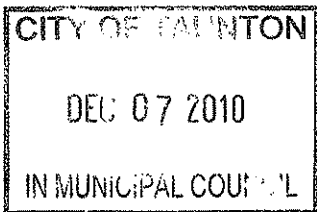
MOTION: ON A ROLL CALL VOTE, ALL COUNCILORS PRESENT VOTED TO GO INTO EXECUTIVE SESSION.

MOTION: ON A ROLL CALL VOTE, ALL COUNCILORS PRESENT VOTED TO COME OUT OF EXECUTIVE SESSION.

- 3. MEET IN EXECUTIVE SESSION WITH THE CITY SOLICITOR FOR AN UPDATE ON PENDING LAWSUITS

MOTION: TO CONTINUE DISCUSSION ON THIS MATTER UNTIL NEXT WEEK.

MEETING ADJOURNED AT 10:21 P.M.



RESPECTFULLY SUBMITTED,

*Colleen Ellis*

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

*RM Blumattell*  
CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
DECEMBER 7, 2010

**THE COMMITTEE ON THE NEEDS OF THE AIRPORT**

**THIS COMMITTEE MEETING WAS POSTPONED UNTIL DECEMBER 21, 2010**