



**MUNICIPAL COUNCIL AGENDA  
TEMPORARY CITY HALL  
141 OAK STREET, TAUNTON, MA 02780**

**OCTOBER 18, 2016 – 7:00 PM**

**INVOCATION  
ROLL CALL  
RECORDS**

**HEARING:**

On the petition of Attorney William Rounds, 115 Broadway, Taunton on behalf of his client Louis Borges, Jr., 123 Hart St., Taunton for the issuance of a Special Permit to allow:

An 8 unit multifamily residential development at 123 Hart Street, Taunton located in the Urban Residential District.

- Com. from Chairman, Taunton Planning Board – submitting a positive recommendation
- Com. from Conservation Agent – Submitting comments
- Com. from Anicet Teves, Sanitary Sewer Collections System Supervisor, Veolia Water – Submitting comments
- Com. from Adam Vickstrom, Assistant Executive Director, Board of Health – Submitting comments
- Com. from City Planner – Submitting comments

**COMMUNICATIONS FROM THE MAYOR**

**APPOINTMENTS**

**COMMUNICATIONS FROM CITY OFFICERS**

Pg. 1 Com. from Administrative Assistant, Retirement – Notifying of a retirement

Pg. 2 Com. from Kevin Shea, Executive Director, Office of Economic and Community Development, 45 School St., Taunton – Notifying of issuance of RFP

RECEIVED  
CITY CLERK'S OFFICE  
2016 OCT 14 11:04 AM  
CITY

## **COMMUNICATIONS FROM CITIZENS**

### **PETITIONS**

#### **Hours of Operation License (Black Friday)**

1. Bath & Body Works located at 2 Galleria Mall Dr., East Taunton
2. New York & Co. located at 2 Galleria Mall Dr., East Taunton
3. Macy's located at 2 Galleria Mall Dr., East Taunton
4. Game Stop located at 2 Galleria Mall Dr., East Taunton
5. The Red Store located at 2 Galleria Mall Dr., East Taunton
6. PCX Clothing Co. located at 2 Galleria Mall Dr., East Taunton
7. AP Pretzels of MA, Inc. –dba- Wetzels Pretzels located at 2 Galleria Mall Dr., East Taunton
8. Torrid located at 2 Galleria Mall Dr., East Taunton
9. Kohl's Department Store located at 80 Depot Drive, Taunton

#### **Hours of Operation License**

1. Dunkin Donuts located at 5 Washington St., Taunton

#### **Miscellaneous**

Petition submitted by Attorney Matthew Costa, Gay & Gay PC 73 Washington St., PO Box 988, Taunton on behalf of his client Commonwealth Community Care, Inc., 11 Beacon St., Suite 720, Boston for a special permit for a medical marijuana dispensary and cultivation facility at 30 Mozzone Boulevard, parcels 108-14 located in the Industrial District (**Public Hearing Required**)

## **COMMITTEE REPORTS**

### **UNFINISHED BUSINESS**

#### **From the Municipal Council Meeting of October 11, 2016:**

Com. from Holy Ghost Society of East Taunton requesting use of the bandstand trailer for Saturday, June 17, 2017.

Motion was made to continue to the October 18, 2016 for a determination on the availability of the City's bandstand trailer. Additionally, to determine whether the Holy Ghost Society of East Taunton is a 501c3

The City Clerk spoke with Lisa Gregg at the DPW who schedules use of the bandstand trailer. Lisa informed the City Clerk that she has already received a request by the Relay for Life organization for June 16-17, 2017.

**ORDERS, ORDINANCES AND RESOLUTIONS**

**NEW BUSINESS**

**Respectfully submitted,**

A handwritten signature in black ink that reads "Rm Blackwell". The signature is written in a cursive style with a large, looped initial "Rm".

**Rose Marie Blackwell  
City Clerk**



Denise J. Paiva, Secretary

## TAUNTON PLANNING BOARD

City Hall

15 Summer Street – Annex Building  
Taunton, Massachusetts 02780

Phone 508-821-1051

Fax 508-821-1665

October 7, 2016

Honorable Mayor Thomas Hoye, Jr. and  
Members of the Municipal Council  
141 Oak St.  
Taunton, MA 02780

C/O Rosemarie Blackwell, City Clerk

**RE: SPECIAL PERMIT - 123 HART STREET**

Dear Mayor Hoye and Members of the Municipal Council:

Please be advised that on October 6, 2016 the Taunton Planning Board reviewed the Special Permit for 123 Hart Street for an 8 unit multi-family residential development located at 123 Hart Street parcels 93-126 and 93-272., submitted by Louis Borges, Jr.,

The Board voted to send a positive recommendation to the Municipal Council to grant this Special Permit/Site Plan Review. Attached are the department comments from Conservation Commission, Veolia Water, Board of Health, and City Planner.

Very truly yours,

Robert P. Campbell, Chairman  
TAUNTON PLANNING BOARD

RCP/djp

Hearing

10-4-16

Hearing



City of Taunton, Massachusetts  
**CONSERVATION  
COMMISSION**  
15 Summer Street  
Annex Building  
Taunton, Massachusetts 02780

Phone 508-821-1095 Fax 508-821-1665

*Conservation Commissioners*

Steven Turner, Chair  
Neil Kelly, Vice Chair  
Debbie Botellio  
Richard Enos  
Ernest Enos  
Luis Freitas  
Marla Isaac

October 3, 2016

Robert Campbell, Chair  
Members of Taunton Planning Board  
15 Summer Street  
Taunton, MA 02780

**RE: Special Permit – 123 Hart Street, 8-unit multi-family**

Dear Mr. Campbell and Members of the Taunton Planning Board,

There may be wetlands located on an adjacent property to the southeast. This area should be checked. There seems to be a large amount of pervious area converted to impervious. I see only two catchbasins and a very large underground infiltration/recharge system. Even though this is an effective system, why not utilize bioretention in order to meet Stormwater Standards? Who will maintain the system?

In addition, on the landscape plan they intend to plant Kwanzon Cherry and *Pinus strobis*. Kwanzon Cherry has a short life span of 15-25 years and is susceptible to disease and many pests such as aphids, spider mites, and tent caterpillars. *Pinus strobis* is Eastern White Pine and the detail states assorted evergreens. They should be very specific as Eastern White Pines grow tall and can threaten homes once they are full grown. I have received many calls regarding this issue in the past few years due to high winds. I would recommend shorter varieties of evergreens and eliminate the pines.

Sincerely,

  
Michele Restino  
Conservation Agent

*Hearing*



August 11, 2016

Fred Cornaglia  
City of Taunton  
Department of Public Works Commissioner  
90 Ingell Street  
Taunton, MA 02780

Re: Site plan review comments of 123 harts -8 family units

Fred:

- The proposed sewer plan will require a doghouse access MH installed over connection point to city sewer. Dog house detail plan will need to be added to plans
- Sanitary sewer detail plans need to be in compliance with Taunton Sanitary Sewer Specifications (such as but not limited to Trench detail, MH sewer detail, MH frame detail).
- The proposed sewer plan will require and access MH on southwest building, proposed upstream pipe segment in place of clean out.
- The proposed plans will require a backwater valve protection on each lateral pipe exiting the building foundation. This requirement will be waived for each building if they do not have a foundation basement and all fixtures are above the flat slab.

Sincerely,  
Anicet Teves,  
Sanitary Sewer Collections System Supervisor

Cc:  
Tony Abreau, Assistant DPW Commissioner  
Kevin Scanlon, City Planner

rec'd 9-2-16.



**City of Taunton**  
**Board of Health**  
45 School Street  
Massachusetts 02780-3212

BOARD MEMBERS  
DR. BRUCE E. BODNER  
DR. THADDEUS A. FIGLOCK  
DR. JOSEPH F. NATES

*Hearing*

HEATHER L. GALLANT, MPH, RS, CHO  
EXECUTIVE DIRECTOR

ADAM S. VICKSTROM  
ASSISTANT EXECUTIVE DIRECTOR

September 1, 2016

**TO:** Planning Board

**FROM:** Adam S. Vickstrom  
Assistant Executive Director  
Board of Health

**RE:** Special Permit – 375 - 379 Bay Street, 54 Unit Multi Family  
Special Permit – 123 Hart Street, 8 Unit Multi Family

**The Board of Health has reviewed the following**

**Special Permit – 375 - 379 Bay Street, 54 Unit Multi Family**

The lots will be serviced by municipal water and sewer. All dwellings must comply with the Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II. As noted on the plans, any dumpster must sit atop a concrete pad and be fenced in with 6ft stockade or chain link fence with privacy slats.

**Special Permit – 123 Hart Street, 8 Unit Multi Family**

The lots will be serviced by municipal water and sewer. All dwellings must comply with the Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II. All dumpsters must sit atop a concrete pad and be fenced in with 6ft stockade or chain link fence with privacy slats.



*City of Taunton, Massachusetts*  
**DEPARTMENT OF  
PLANNING AND CONSERVATION**

*15 Summer Street  
Taunton, Massachusetts 02780*

*Hearing*

*Kevin R Scanlon, Director/ Planner AICP  
Michele Restino, Conservation Agent*

*Phone 508-821-1051, 508-821-1043  
Phone 508-821-1095 Fax 508-821-1665  
www.taunton-ma.gov*

*August 23, 2016*

Robert P Campbell, Chairperson  
Members of the Planning Board  
15 Summer Street, City Hall  
Taunton, MA 02780

**RE: Special Permit – 123 Hart Street**

Dear Mr Campbell and Planning Board Members:

This letter is in regards to a requested Special Permit for an 8 family at 123 Hart Street. The Planning Board needs to send a recommendation to the Municipal Council on this request

I have no issues or concerns with this request. A separate site plan review will be required if the use is approved.

If you have any additional questions, please contact me at 508-821-1051.

Sincerely,

Kevin R Scanlon,  
Director AICP



**BOARD OF  
RETIREMENT**

**CHAIRMAN**  
Ann Marie Hebert

Peter H. Corr  
Dennis M. Smith  
Gill Enos  
Barry J. Amaral

**CITY OF TAUNTON**  
**Contributory Retirement System**  
104 Dean St., Suite 203  
Taunton, Massachusetts 02780  
(508) 821-1052  
Fax (508) 821-1063

**EXECUTIVE  
DIRECTOR**  
Paul J. Slivinski

**ASSISTANT  
DIRECTOR**  
Kathy A. Maki

October 12, 2016

Hon. Thomas C. Hoye, Jr., Mayor  
Taunton Municipal Council  
141 Oak St., Temporary City Hall  
Taunton, MA 02780

Dear Mayor Hoye:

Please be advised of the retirement for Superannuation of Michael Foster, an employee of the Taunton Police Department on December 31, 2016 under the provisions set forth in Section #5 of Chapter 32 of the General Laws of Massachusetts.

Please pay regular compensation and accumulated benefits up to and including the date of retirement.

If you have any questions, please feel free to contact our office.

Respectfully yours,

  
Karen Medeiros  
Administrative Assistant

cc: M. Foster  
E. Walsh, Police Chief  
Treasurer  
Auditor  
HR  
City Clerk  
file

retirement letter



2.

**CITY OF TAUNTON**  
*Office of Economic  
And Community Development*  
45 School Street  
Taunton, Massachusetts 02780  
Phone (508) 821-1030  
Fax (508) 821-1091

KEVIN J. SHEA  
Executive Director

MICHAEL J. FERREIRA  
Assistant Executive Director

October 11, 2016

Honorable Mayor Thomas Hoye  
Council President Jeanne Quinn  
Members of the Municipal Council  
City Hall  
141 Oak Street  
Taunton, MA 02780

Dear Mayor Hoye, Council President Quinn, and Members of the Municipal Council,

I would like to take this opportunity to inform you that the Office of Economic and Community Development (OECD) is issuing an RFP on October 17, 2016 that will solicit proposals from qualified consultants to develop a comprehensive Master Plan for the City of Taunton.

The Master Plan will be crafted in accordance with state regulations and will focus on a number of key elements. Those include: *land use and zoning; housing; economic development; natural and historic resources; open space and recreation; public services and facilities; and transportation.*

In managing the Master Plan project, OECD is committed to an interactive and collaborative process that will seek input and insight from a variety of sources including the general public, professional practitioners, community leaders, and City boards and departments. To accomplish that goal, a number of public meetings and targeted forums will be held.

As you may know, the City has not updated its Master Plan since 1998. Therefore, OECD views this as a critical opportunity to shape an exciting vision for the City's future that is based on a thorough assessment of where we are as a community and where we would like to be in the years ahead.

Thank you for your time and attention to this matter. If you have any questions or need any additional information, please let me know.

Sincerely,

Kevin Shea, Executive Director



## Taunton Nursing Home

350 Norton Avenue • Taunton, Massachusetts 02780  
Tel. (508) 822-1132 • Fax (508) 880-8663

September 27, 2016

Mayor Thomas C. Hoye, Jr.  
141 Oak Street  
Temporary City Hall  
Taunton, MA 02780

Dear Honorable Mayor Hoye,

The Taunton Nursing Home Board of Directors would like to take this opportunity to respond to your letter dated August 18, 2016. In our response we will review the systems that we are putting in place to improve monitoring of the facility moving forward, how they will improve our operating and financial processes. We will also be identifying our future obstacles and how this effects the future expectations of the TNH. Over the last six months the Board has begun working with the Administrator, Director of Nursing, and all departments to start implementation of these systems for all aspects of resident care, finances, and employee staffing.

The following are the systems we are working towards:

1. Board of Directors will continue one monthly Monday night meeting for entire calendar year.
2. Development of patient-per-day (PPD – Patient per Day) tracking for all expenses and staffing levels based on the resident daily/weekly census.
  - This report will identify the Base PPD's required by State and Federal requirements and compare where the TNH falls within these guidelines.
  - The PPD report will cover staffing expense guidelines and facility actual PPD along with all other ancillary expenses. This report will be a rolling daily budget based on the daily census.
3. Development of monthly reports from vital information submitted to Board:
  - Nursing – Staffing and resident quality assurance
  - Finance – AR and Expenses
  - Admission/marketing – Referrals and marketing efforts

4. Systems to be implemented to immediately address current collection issues along with implementing a new process to guarantee better collections moving forward:
  - Hired account receivable consultant to review all outstanding AR balances and is expected to bill/rebill if possible.
    1. The Board will be provided with a full AR review of consultant's review and when to expect collections of any funds billed/rebilled.
    2. The consultant will continue to assist with AR collections until the new Fiscal Agent has settled into her position.
  - AR Reports updates will be expected at the monthly Board Meeting.
  - Administrator will review AR weekly with Fiscal Agent and Admission Coordinator to address concerns immediately.
  - Administrator will review AR accounts greater than 60 days.

As you are aware the budget presented for FY 2017 was in the total of amount of \$ 8,567,840.85. The facility projected that it will bill on an average of 92 residents per day with the total revenue amount of \$ 7,835,500.00. All parties are aware of the difference of revenue versus budget projecting a shortfall of \$ 732,340.85.

The Board and the facility have reviewed several areas where we may improve expenses and revenue and we have made recommendations to help in these areas. BUT even with these improvements (reducing expenses, improving census/revenue and collecting 100% cash), the Board needs to strongly express to all who have an financial interest in the Taunton Nursing Home, these improvements will NOT reduce the large yearly deficient we face each year.

Our biggest obstacles are due to the following:

- Limited Potential Admissions/Census and higher revenue generated payers.
  - The Facility receives an adequate amount of referrals, but most do not fall within our current resident services and population. The facility is trying to guarantee potential admissions fit into the services they can provide.
  - We lose potential referrals, because we cannot accept major insurance payers like other SNF facilities. To allow major insurance payers to admit to our facility would need to become JCAHO accredited, which requires a large out-front cost along with a large monthly fee. Due to this cost, the TNH has not been able to consider this option. If we consider this option, any potential revenue increase would need to cover the cost of the accreditation along with helping to compensate for the low State Medicaid Rates, which this is not an option at this time.

- Low Revenue Rates
  - Currently our Private pay rate is lower than any other SNF in our area, the Board tried to increase these rates to a current average rate, but received resistance from families and council members. We did increase the rate but lower than we planned and lower than the standard average rate.
  - Medicare census and rate are limited due to the type of admissions/referrals previously mentioned.
  - Majority of Census is Mass Medicaid, which runs an average daily rate of \$ 206.95/day. This rate is lower than our daily expense cost of (\$ 242.00) by \$ 35.05 per day, multiply this by our average census per month or per year our loss is irreversible.
- Large Indirect Costs - Salary/Benefit Packets
  - Our Indirect Costs per year is \$ 1,671,762.79. Salary/Benefits is historically a large expense for a Skilled Facility. For the TNH our salary package is average but our benefits package is way above average. These costs to the facility, (salaries, benefits and pensions) contribute to a large part of the yearly shortfall. We understand these areas may not be able to be changed but they are a large factor in our shortfall.
    - a. Salaries – even though the hourly rates are normal, the current benefit/union agreement affects the salary totals paid out.
    - b. Benefits – Health Insurance costs have increased dramatically over the years, and the historical low increase of revenue does not cover this increase in the benefit package. Also, the facilities contribution to the health insurance package is much higher than average public nursing homes. High quantity of Holiday/Sick and Vacation time requires coverage from other staff which tends to require overtime pay, along with worked Holiday pay. Both are higher than the normal at the TNH.
    - c. Pensions – Pension are NOT normally part of a nursing homes expense/budget.

The Board hopes this information helps you and the City Council in understanding the large obstacle the TNH faces in independently trying to run a financially solvent facility. In our current operational structure, independent financial stability is not possible. The Boards understanding is while the TNH is an ‘Enterprise Account’ of the City, they are expected to cover their own expenses. Unfortunately, the years of the TNH being able to do this is no longer a viable option. The TNH and the Board are making all the internal changes possible, and because the Board is not in a position to make changes to the financial structure, we need you and the City Council to decide what can or cannot be done. The Board feels one of these decisions needs to be “Should the TNH be left as an Enterprise Account”.

The Board of Directors and Administrator will continue to work together to reduce the budget shortfall by constantly managing expenses monthly and looking for improved revenue

6

possibilities while maintaining our priority goal of continuing to provide excellent resident care for all our residents.

The Board of Directors appreciates the Mayors and City Councilors continued support.

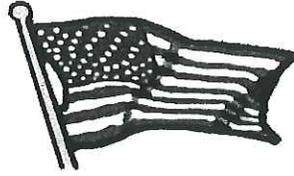
Respectfully Submitted,

*Board of Directors*

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Taunton Nursing Home

cc: Michelle Mercado, Administrator  
Gill Enos, Budget Director  
Jeanne Quinn, Municipal Council President  
City Council Clerk



RECEIVED  
CITY CLERK'S OFFICE

2016 OCT 14 A 9:49

TAUNTON, MA

CITY CLERK

OCTOBER 18, 2016

HONORABLE THOMAS C. HOYE, JR., MAYOR  
COUNCIL PRESIDENT JEANNE M. QUINN  
AND MEMBERS OF THE MUNICIPAL COUNCIL

**PLEASE NOTE:** THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR TUESDAY, OCTOBER 18, 2016 AT 5:30 P.M. AT THE TEMPORARY CITY HALL AT MAXHAM SCHOOL, 141 OAK STREET, TAUNTON, MA. 02780, IN THE CHESTER R. MARTIN MUNICIPAL COUNCIL CHAMBERS

**5:30 P.M. THE COMMITTEE ON FINANCE AND SALARIES**

1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS
2. MEET TO REVIEW REQUESTS FOR FUNDING
3. MEET TO REVIEW MATTERS IN FILE

**PLEASE NOTE:** A "MEETING" OF THE ENTIRE MUNICIPAL COUNCIL, AS SAID TERM IS DEFINED IN MASS. GEN. L. C. 30A, §18 MAY OCCUR CONCURRENTLY WITH THIS COMMITTEE MEETING

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

1. MEET WITH WAYNE WALKDEN ON BEHALF OF THE TAUNTON CITY HALL PROJECT BUILDING COMMITTEE FOR A BRIEF PRESENTATION
2. MEET FOR A PRE-REVIEW FOR A SPECIAL PERMIT FOR A 65 UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT AT 377-379 BAY STREET LOCATED IN THE BUSINESS DISTRICT AND URBAN RESIDENTIAL DISTRICT.
3. MEET TO REVIEW MATTERS IN FILE

**PLEASE NOTE:** A "MEETING" OF THE ENTIRE MUNICIPAL COUNCIL, AS SAID TERM IS DEFINED IN MASS. GEN. L. C. 30A, §18 MAY OCCUR CONCURRENTLY WITH THIS COMMITTEE MEETING

RESPECTFULLY,

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES