



*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, April 19, 2016 at 7:00 O'clock P.M.*

Regular Meeting

Mayor Thomas C. Hoye, Jr. presiding

Prayer was offered by the Mayor

*Present at roll call were: Councilor's Marshall, Cleary, Borges, Dermody, McCaul
Quinn, Pottier, Carr, and Croteau*

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

HEARING:

On the petition submitted by John Zajac, Lopes Co., 565 Winthrop St., Taunton and others for the acceptance of Bluegrass Circle as a public way in the City of Taunton. **Motion was made to open the hearing and invite the parties into the enclosure. So Voted.** Com. from City Engineer stating that construction work on Bluegrass Circle has been adequately completed. All required layout bounds have been set, and an acceptable as-built plan received. He recommends that Bluegrass Circle be accepted as a public way. **Motion was made to make part of the record. So Voted.** Com. from Vice Chairman, Taunton Planning Board advising that at the regular scheduled meeting held on March 3, 2016 the Taunton Planning Board voted to send a positive recommendation to the Municipal Council to accept Bluegrass Circle as a public way in the City of Taunton. **Motion was made to make part of the record. So Voted.** Map. Mr. Zajac was present to speak. Councilor Carr stated that she had made a motion in the past that anytime there is a public hearing and any department heads send in communications, that they would be present. She stated that the City Engineer is not here. She asked if this was off of Tremont Street. He confirmed. She then asked if this was the new development off of Old Tremont Street. He confirmed. She asked if there are sidewalks in the development. He stated that there are. She asked if they are handicap accessible and if there are any telephone poles in the sidewalks. He stated that the sidewalks were made with the specifications that were approved by the Planning Board. There are curb cuts in them where necessary. Councilor Croteau stated that there is a letter from the City Engineer recommending that we approve this request. Councilor Cleary asked him to describe the development. Mr. Zajac then explained the details of the development. Mayor Hoye asked if anyone was present to speak in favor or in opposition of this petition. There was nobody present to speak either way. **Motion was made to close public input. So Voted. Motion was made to move approval. So Voted. Motion was made to close the hearing. So Voted.**

Communications from the Mayor:

Mayor Hoye stated that Earth Day is coming up and he hopes everyone considers helping out. He stated that the street sweepers have been out regularly and it is starting to look a lot better. He stated that Earth Day will be held on Saturday, April 30, 2016.

Communications from City Officers:

Com. from Commissioner, Department of Public Works requesting a transfer of funds in the amount of \$100,000 from Vehicle Maintenance Division Gasoline Supplies to Oil and Road Construction Repairs and Maintenance. **Motion was made to refer to the Committee on Finance and Salaries. So Voted.** Councilor Carr stated that she has had some discussions with the DPW Commissioner about this. Luckily, because of the cost of gas there is a large amount of surplus in gas. We definitely need the attention to the sidewalks and the ADA issues. **Councilor Carr made a motion to approve the transfer. So Voted.** Mayor Hoye stated that it can also be used towards our allotments.

Com. from Commissioner, Parks, Cemeteries and Public Grounds requesting an appropriation to fund tree trimming along Caswell, Davis, Field, Glebe, Kingman, Rocky Woods Streets and South Crane Avenue. The total cost to fund the tree contract and police detail required is \$22,093.20. This will allow for an additional 4 weeks of tree trimming along target tree areas. Councilor Carr stated that it should be referred to the Mayor's Office for funding. **Councilor Carr made a motion for Marilyn Greene to consider adding the following roads for consideration; South Boundry Road and Fremont Street from South Boundary to the Forekicks area there are a lot of trees right along the edge of the street that are dead.** Councilor Croteau made a motion to refer to the Law Department. He stated that several years ago the Council discussed trees that are on private property which overhang sidewalks. He felt at the time that the City should prune those trees even though they are on private property. There was a problem where a lot of children walk to school and they had to get off the sidewalk into the road. There could be legal implications so he thinks that it should be referred. Mayor Hoye stated that it has to be identified where the money would come from. It has to go to the Mayor's Office and the Committee on Finance and Salaries. He stated that as far as the legal issues it is not any different then what is being done now. **Motion was made to refer to the Committee on Finance and Salaries and the Mayor's Office. So Voted.**

Com. from Superintendent of Buildings stating that the City was notified that the Department of Public Safety had levied two fines against the City. The first in the amount of \$20,000 for operation of a chair lift at the E. Pole School without a current Certificate of Inspection and the second in the amount of \$5600 for operation of an elevator at Taunton High School without a current Certificate of Inspection. On both issues, the City position held that the fines should be waived. Appeals were filed and a hearing was conducted on November 23, 2015 by DPS, attended by Assistant City Solicitor, Dan deAbreau, Linda Buckley, President of Buckley Elevator Company, and himself. A decision was rendered by the hearing officer and delivered to the City in the past week waiving all fines. In his opinion the Assistant City Solicitor should be complimented for the way in which he delicately argued and defended the City position while taking care not to offend DPS as he demonstrated that some actions and communications by DPS employees invalidated the DPS position the City was solely at fault, thereby triggering the fines. The City Solicitor stated that it was ridiculous that we

were fined for this; it is something that is going on all over the state. He stated that Mr. Walkden filed an initial appeal which was denied. He spoke about the appeal process which followed that. **Motion was made to receive and place on file. Councilor Cleary motioned for a letter of appreciation to be sent to the Assistant City Solicitor. So Voted.** Councilor Carr stated that she is thankful for Mr. deAbreau's work but asked who in the City is responsible to make sure that all of the elevators have up to date certificates. She stated that even if they are not used there should be somebody with a list of all of the elevators and chairlifts that make sure they are inspected properly and on time. Mayor Hoyer stated that it is ultimately the Building Department. The City Solicitor stated that there is now a process in place for that.

Com. from Chairman, Taunton Planning Board stating that they have received a Form J Plan – Waiver of Frontage Requirements – to divide one lot into two lots – for land located on North Walker Street, known as Property I.D. 63-64, submitted by Antonio Lima, 172 Auburn St., Bridgewater, Ma. The Taunton Planning Board will hold a public hearing on this matter on Thursday, May 5, 2016 at 5:30PM in the Chester R Martin Municipal Council Chambers, 141 Oak Street, Taunton, MA. **Motion was made to receive and place on file. So Voted.**

Com. from Treasurer Collector announcing that the City of Taunton received a rating increase from Standard & Poor's, a municipal credit rating agency, which assigned a rating of 'AA Stable' up from "AA-" on the City's underlying long-term debt. The bonds refinanced \$7,889,300 principal amount of General Obligation Bonds of 2008 and \$4,485,000 principal amount of General Obligation Bonds of 2009. The refunded bonds were originally issued for a variety of purposes including school, water, sewer and fire station. Mayor Hoyer thanked Mrs. Auger and the whole financial team for their diligence in these matters. He stated that a letter regarding Free Cash will be on the agenda next week. Councilor Cleary stated that it is very good news for the City. He stated that Mrs. Auger and Mr. Enos do a great job. He spoke about the attached audit and how it was very detailed. **Motion was made to send a letter of appreciation to the Budget Director and the Treasurer/Collector. So Voted.** Councilor Pottier stated that this is a very positive report and he gives credit to all involved. **Motion was made to place on the City's website. So Voted.**

Com. from Alexandre Magalhaes, Superintendent-Director, Bristol-Plymouth Regional Technical School District submitting City of Taunton FY 2017 total assessment which was \$3,428,132. **Motion was made to refer to the Mayor's Office, the Budget Director, and the Council President to schedule a public hearing. So Voted.**

Com. from Donna Maher, Chief Operating Officer, Morton Hospital requesting to reverse one way traffic flow on Governor's Road which runs perpendicular to Washington Street and their ambulance only entrance. Directing the traffic flow toward the hospital will ensure a direct and unrestricted route to the hospital from the downtown area for EMS personnel, ensuring patients receive timely and immediate care without the risk of limited or delayed access to our facility. **Council President Quinn made a motion to refer to the Committee on Police and License and the Police Chief. Councilor Cleary motioned to get the recommendations from the Safety Officer and the Police Chief before the Committee on Police and License does anything with this. So Voted.**

Councilor Pottier stated that Councilor Dermody had previously brought this up and it is sitting with the Committee on Police and License. He stated that it is a great idea. Councilor Cleary stated that the Safety Officer and the Police Chief need to be involved with this. Councilor Dermody stated that the Safety Officer has met with Ms. Maher and has had input from Fire Chiefs from surrounding towns which support this and especially AMR. He stated that this issue has been around since the talk of the new emergency room and the expansion of Morton about three years ago. Councilor Cleary spoke about the observations that he and Councilor Dermody have had regarding taking a left off of Broadway onto Governor Street.

Petitions:

Petition submitted by James Silvia, Jr., 45 Baylies Road, Taunton for a renewal of his Antique Dealer License located at 45 Baylies Road, Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Ernest Cardoza requesting a renewal of the Billiard Table License for David F. Adams Post #611 Athletic Association, Inc. located at 82 Ingell Street, Unit 4, Taunton. (1 Table) **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by David Boyer, 56 Fiddlers Way, East Taunton requesting a renewal of his Junk Dealer's License for Scrap Bros. Recycling located at 56 Fiddlers Way, E. Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Brenda Hendricks, 48 Danforth Street, Taunton requesting a renewal of her Second Hand Article License for Collector's Emporium Inc. located at 388 Bay Street, Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Denis Tetreault requesting a renewal of his Old Gold, Pawn Broker, and Second Hand Article Licenses for Tetreault Enterprises, Inc. -dba- Fall River Pawn Brokers located at 48 Taunton Green, Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Gabriel Pires, 29 Orchard St., Taunton requesting a renewal of his Livery License for Link Transport Systems, Inc. located at 447 Broadway, Taunton. (7 Vehicles) **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Albert Tucan, 157 1¼ Shores St., Taunton requesting a renewal of his two Livery Licenses for T&F Transportation of Taunton, Inc. -dba- Alexander's Limousine and Taunton Motorized Carriage Company Inc. located at 295 Broadway, Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Albert Tucan, 157 ¼ Shores St., Taunton requesting a renewal of a Hackney Carriage and Taxi Stand License for Taunton Cartage Co. -dba- Checker Cab and Taunton Cartage Co. -DBA- Cozy Cab located at 295 Broadway, Taunton. (2 Stands) **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Ted Burke, President, 555 Constitution Realty LLC for a name change of a Flammable Storage License located at 555 Constitution Drive, Taunton. *Old Name: Ginsberg Taunton Properties LLC. New Name: 555 Constitution Realty LLC.* (Deed on file in the City Clerk's Office) The City Clerk stated that the deed is on file in her office. It is just a formality for a name change. **Motion was made to approve the name change. So Voted.**

Committee Reports:

Motion was made for Committee reports to be read by Title and Approved. So Voted. Recommendations adopted to reflect the votes as recorded in Committee Reports. So Voted.

Meeting adjourned at 7:40 P.M.

A true copy:

Attest:

A handwritten signature in cursive script, appearing to read "pm BeacruEe".

City Clerk

RMB/SJS

CITY OF TAUNTON
MUNICIPAL COUNCIL
APRIL 19, 2016

THE COMMITTEE ON FINANCE AND SALARIES

PRESENT WERE: COUNCILOR GERALD CROTEAU, CHAIRMAN AND COUNCILORS CARR AND CLEARY. ALSO PRESENT WERE BUDGET DIRECTOR GILL ENOS, TAUNTON NURSING HOME ADMINISTRATOR JOHN BRENNAN AND TAUNTON NURSING HOME FISCAL AGENT MICHELLE MERCARDO

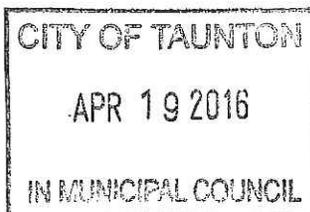
MEETING CALLED TO ORDER AT 5:55 P.M.

1. **MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS**
MOTION: MOVE APPROVAL OF THE PAYROLL WARRANT IN THE AMOUNT OF \$2,903,832.93 AND THE INVOICE WARRANT IN THE AMOUNT OF \$661,455.78. SO VOTED.

2. **MEET TO REVIEW REQUESTS FOR FUNDING**
DISCUSSED REQUEST OF TAUNTON NURSING HOME TO TRANSFER \$75,000.00 FROM SALARIES AND WAGES TO PROCESS THEIR 4TH QUARTER USER FEE. IT WAS STATED THAT THE ADMINISTRATOR BUDGETED \$525,000.00 BUT THAT IT CAME IN HIGHER. THE CONCERN OF THE COMMITTEE WAS WHETHER THERE WOULD BE SUFFICIENT MONEY IN SALARIES AND WAGES TO GET THROUGH TO THE END OF JUNE. MR. BRENNAN STATED THAT HE BELIEVES THEY WILL NOT BE IN A DEFICIT IN SALARIES AND WAGES AT THE END OF THIS YEAR. COUNCILOR CROTEAU ASKED THAT WHEN THEY BUDGET FOR NEXT YEAR THEY TAKE A LOOK AT THE PAST HISTORY FOR THE LAST FIVE YEARS.
MOTION: MOVE APPROVAL OF THE TRANSFER OF \$75,000.00 FROM TAUNTON NURSING HOME SALARIES AND WAGES ACCOUNT NO. 64-520-5100-5111 TO ACCOUNT NO. 64-520-5200-5790. SO VOTED.

3. **MEET TO REVIEW MATTERS IN FILE**
IT WAS NOTED THAT THE CITY RECEIVED THE STANDARD AND POORS EVALUATION AND THERE WERE 9 VERY STRONG COMMENTS AND 6 STRONG COMMENTS. ONE ISSUE WAS THE ONE NEGATIVE WHICH WAS \$1.3 MILLION THAT THE CITY PAID TO THE TAUNTON NURSING HOME. MR. ENOS SAID THERE WAS A DEFICIT IN THE ENTERPRISE ACCOUNT AND IT HAD TO BE MADE UP BY THE GENERAL SIDE OF GOVERNMENT. HE ALSO REPORTED THAT FREE CASH IS ABOUT \$5 MILLION, AND REGARDING WATER AND SEWER, ONE IS \$3.4 MILLION AND ONE IS \$4.3 MILLION.

MEETING ADJOURNED AT 6:19 P.M.



RESPECTFULLY SUBMITTED,

Colleen M. Ellis

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

Rm Blanchard
CITY CLERK



CITY OF TAUNTON

In Municipal Council

ORDER #22

FY 2016

APRIL 19, 2016

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Ordered, That

THE SUM OF SEVENTY FIVE THOUSAND DOLLARS AND

NO CENTS (\$75,000.00) BE AND HEREBY IS TRANSFERRED FROM TAUNTON NURSING

HOME ACCOUNT NO. 64-520-5100-5111

TO: ACCOUNT NO. 64-520-5200-5790

Clerk.