



City of Taunton
Municipal Council Meeting Minutes

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Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, August 23, 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 Croteau, Carr, Pottier, Quinn, McCaul
Dermody, Borges, and Cleary
Councilor Marshall was absent.

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

Communications from the Mayor:

Mayor Hoye stated that the City was wired funds today in the amount of \$768,610 from the Mashpee Wampanoag Gaming Authority for the land takings at Hart's Four Corners. He knows that there were a lot of folks who doubted that it would come in, but kudos to the Tribe in being true to their word. More importantly, that this project is moving forward for the citizens of Taunton. He thinks that Hart's Four Corners is something that they have all worked towards collectively and he is glad it is finally coming to fruition. The City's portion of it has been picked up by the Mashpee Wampanoag Tribe which is good news. **Councilor Cleary motioned to send a letter of appreciation to the Tribe for standing up to their commitment. So Voted.** He stated that he knows that they are going through difficult times with the courts and there is some doubt out there but they still came across. He thinks that it would be appropriate for the Council to go on record to appreciate their continued commitment to the City of Taunton. Mayor Hoye announced that the End of the Summer Festival will be held this Friday, August 26, 2016 to make up for the 4th of July rainout. The Big Nazo will perform from 6pm-7pm, and Ball in the House will perform from 7pm-9pm which will be followed by a fireworks display. There will be parking available at Coyle Cassidy and Holy Rosary. He thanked GATRA who will be running the shuttle busses from the Pleasant Street lots. He also thanked Frank Gay for his help there. There will be food trucks and other entertainment for the kids. He spoke about how it will be a great family event and he hopes to see some new faces this year. Mayor Hoye stated that the Miles with the Mayor, which has been a staple of the past four years held September, will be moved back to Saturday, October 22, 2016 to the Taunton Green. It will be called Scream on the Green which will be held at 6pm. There will be some children's events and trick or treating available. It will be a traditional 5K along with a fun run.

Appointments:

Appointment of Richard Enos, 31 Lydia Drive, Taunton to the Conservation Commission to fulfill the remainder of Rene Chapman's term which expires February 1, 2017.

Councilor Borges recused herself from this as she has a personal conflict. So Voted. Motion was made to move approval. So Voted.

Communications from City Officers:

Com. from Superintendent of Buildings requesting to pay a prior year invoice to the Commonwealth of Mass. Department of Public Safety (Boiler Inspection Program) for \$50.00. They received the invoice after the close of the Fiscal Year. **Motion was made to approve. So Voted.**

Com. from Executive Director of Retirement notifying of the retirement for Superannuation of Joseph Santos Jr., an employee of the Taunton Fire Department on September 5, 2016 under the provisions set forth in Section #5 of Chapter 32 of the General Laws of Massachusetts. **Motion was made to receive and place on file and send the appropriate scroll. So Voted.**

Com. from Chairman, Taunton Planning Board notifying that they have received a Form J Plan – Waiver of Frontage Requirement – for the division of one lot into two lots – for land located at 80 Woodbine Street submitted by Kathy Rose-Nixon, Beverly DeMoranville, and Donald Rose, 80 Woodbine Street, Taunton, MA. The Taunton Planning Board Office will hold a public hearing on this proposal on Thursday, September 1, 2016 at 5:30PM in the Chester R Martin Municipal Council Chambers, 141 Oak St., Taunton, MA. **Motion was made to receive and place on file. So Voted.**

Com. from Chairman, Taunton Planning Board notifying that they have received a Site Plan Review for property at 101 Prince Henry Drive for the construction of a solid waste transfer station, submitted by Gil Lopes, New England Recycling (NER). The DIRB will meet to review this petition on Tuesday, September 20, 2016 at 9:00AM in the Taunton Planning Board Office, 15 Summer Street, Annex Bldg., and the Taunton Planning Board will meet to review petition on Thursday, October 6, 2016 at 5:30PM in the Chester R Martin Municipal Council Chambers, 141 Oak St., Taunton, MA. **Motion was made to receive and place on file. So Voted.** Councilor Cleary stated that he isn't sure what the City's position should be on this particular waste transfer station. We do have an agreement with WeCare which is supposed to establish a transfer station in that same area. He knows that Lopes is ahead of the game. He is disappointed that WeCare may be getting bumped out of the establishment of a transfer station which may be our only alternative when the closing of the dump happens. This seems to be a setback for those plans. Councilor Cleary made a motion to request comments from WeCare and the DPW. He stated that the City has to take a position in front of the Planning Board to say whether or not it is in support of Lopes. He doesn't know what the situation is. Councilor Carr asked if that will require the City Council to provide any kind of a special permit to operate. Mayor Hoye stated that he believes that they have already gone before the Board of Health which is the specific permitting authority for Solid Waste facilities. He believes that it has gone through that with flying colors and they would also need a permit from the DEP. He is not positive if it would have to come before the Council or not, but it is something that can be checked out. Councilor Carr stated that she would like to know only because there are residents close to that area and she thinks that it needs to be taken into consideration. She stated that she did visit the site early in the process and at the time Mr. Lopes said he was most interested in more demolition and

that type of transfer and not necessarily municipal solid waste transfer. She thinks that this would allow for municipal solid waste transfer. Mayor Hoye stated that it would and he thinks that it still the case. Councilor Croteau agreed with both Councilors Cleary and Carr and before final permission is given he would like a definite explanation of all of the legal intricacies involved in waste management in Taunton. He hopes that their meeting doesn't result in final approval. Mayor Hoye would recommend a referral to the City Planner. Mayor Hoye spoke about how there is no clear answer in solid waste collection in southeastern Massachusetts. He stated that we luckily got an extension that should take us several more years and hopefully beyond that. He stated that there is no clear picture to what is happening with the landfill being extended which we didn't expect a few years ago. The rush to open a transfer station in Taunton by WeCare just isn't there because we have the solid waste facility on East Britannia Street. He stated that we need some clarity and direction on where we are going. He spoke about how we looked at trash to energy but that was not allowed at the point in time that we were looking for it. He thinks that if the City had known at the time that it wouldn't be allowed then we wouldn't have purchased the land that it did. He stated that we need to have a clear picture as to what we are going to do not just in the next two or three years but beyond that. Councilor Croteau stated that is why he said what he did. He would not want to make any additional commitments at this point in time until it is a lot clearer. He has looked at the numbers from the Board of Health on several occasions and they are very simple and straight forward. He would say that going up another forty feet based on the current amount of tonnage coming in to the landfill, it will be good for another 15-20 years. The landfill is not increasing much more than two feet per year. The current height before the increase was good for another six to eight years. He stated that the question is where is Wes Gregory from WeCare and how much he has deposited into the City's bank account. He stated that Mr. Gregory told him in a private conversation in Mr. Cornaglia's office about eight years ago that he needs to understand that when the private sector and the public sector enters into an agreement, the private sector has to make a profit. He stated that he fully understood that and he wanted him to make a profit because if he didn't he would go out of business. Councilor Pottier stated that it looks like the applicant is not providing this in conjunction to any plan with the City or any agreement with the City. It looks like a potential private funded, private use facility. He is all for finding out what he would like to do there but he doesn't see anything here that is contingent to any agreement upon the City. He stated that on Councilor Croteau's point on Mr. Gregory's plan it may be a good idea to refer to the Committee on Solid Waste. He knows that they were doing some additional work. Mayor Hoye stated that it is pretty much completed and is fully operational right now and he believes that all of the equipment has been installed. He toured it about a month ago with Councilor Marshall. It is complete and we should finally start to see some profits from that which we haven't. Councilor Pottier stated that it might be a good idea to bring that before the Council, because in the past they didn't have the equipment necessary to streamline the operation. Mayor Hoye spoke about the roof collapse. Mayor Hoye stated that he is sure that Wes and or Keith DaRosa would come in and speak about the state of the operation. He suggested that the Council go over and take a look at the facility, it is impressive. Councilor Pottier stated that as far as the IWT plans he believes that at the beginning there was some perception from the State. He is questioning if the 10 year plan that was implemented is automatically carried over to the next administration. He asked if the Mayor or our legislative contingent could talk to Secretary Beaton to see if they have any

plans on reinvestigating what the solution is. He stated that it is a problem not just in the City or in Southeastern Massachusetts. He stated that perhaps there is some thought as to what the administration is doing to raise the moratorium on gasification or whatever type of procedures that the DEP is proposing or some other plan or designs. Councilor Croteau stated that the fact that there may not be any public money involved in this doesn't negate the fact that permission is needed from the City. It doesn't alter the situation that someone is looking to go into the waste business that the City is heavily involved in. If this was a private corporation he would not be looking to approve competition. He stated that before any permission is given to anyone to operate waste facilities; we need to clarify what we have before it gets more complicated than what it is already. Waste Management, who manages our facility also owns three facilities within a 50 mile radius of this one. When he questioned them they have no debt on any of them. **Councilor Cleary made a motion to notify Wes Gregory at WeCare that Lopes is planning on establishing a transfer site adjacent to the area where we are looking at. He would like to know how this would impact our agreement with WeCare. So Voted. Motion was made to refer this to The City Planner for an opinion. So Voted. Councilor Pottier made a motion to refer to the Committee on Solid Waste for discussion at a later date. So Voted.**

Com. from Gregory Glynn, Taunton Municipal Network stating that over the last year or so, the Taunton Municipal Network has upgraded and improved our camera system to improve the coverage of City meetings. With all of these improvements they now have several pieces of equipment that have been retired and are out of service. The equipment is still usable, its monetary value is well below \$5000 and they would like to have this equipment deemed "surplus". They request that this equipment be deemed "surplus" so that the Taunton Municipal Network may donate this equipment to the Taunton Municipal Network for use as security monitoring equipment. Councilor Carr asked if this is monitoring equipment because we are always looking for cameras in the City to monitor trash sites where people throw trash and those types of things. She thinks that the City may have some use for them ourselves but she is not sure of what exactly the capabilities are of the equipment. Gregg Glynn stated that it is a closed system type of monitoring. They will use it at their facility in the fuel area so they can keep track of who is in there and maybe at one of the gates. It is not something that they will put out in the field. He stated that they will probably be upgrading when they get into their new facility but this will get them through. He stated that it is early technology, not the internet stuff that is out there now. He stated that there will also be PA system equipment that they may look at taking over just for their house system. **Motion was made to move approval. So Voted.**

Communications from Citizens:

Com. from Lovern Gordon, President and Founder of Love Life Now Foundation, Inc., requesting to conduct the 2nd Annual Motorcycle Ride in memory of Jennifer Martel on September 18, 2016 at 12pm at the Lafayette Club. **Motion was made to move approval, place on the website and notify Police, Fire and Ambulance. So Voted.**

Com. from Robby Walsh, Executive Director, Bike to the Beach for Autism, 1990 K St. NW, Second Floor, Washington, DC notifying of their annual cycling event that will be using some of the road in Taunton, MA on September 3, 2016. The purpose of their charity event is to raise awareness and support for autism and the efforts of their primary

ride partner, Autism Speaks. Councilor Cleary stated that there is no attached map. **Motion was made to move approval pending the approval of the Police Chief and for them to provide a sketch of the streets so the Police know what streets will be used. 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.

Unfinished Business:

Tabled for one week - Com. from Attorney David Gay, Gay & Gay PC 73 Washington St., Taunton on behalf of the Project Building Committee concerning the Mulcahey/Hopewell School Project. He enclosed a draft of a Motion that he believes could be made at the City Council meeting to clarify the fact that the property at the Westside playground area has been designated by the Municipal Council to be under the control of the City of Taunton School Department for purposes of constructing a new Mulcahey School and related facilities. Mayor Hoyer stated that the Law Department has asked for one more week to look into this. Councilor Croteau stated that he is concerned about the situation. The Superintendent of Schools made a recommendation at a Building Committee meeting to refer the matter to the School Attorney. The School Attorney looked into the situation with another attorney relative to the deed. He believes that people have had copies of the information and it was discussed again at another Building Committee meeting. He stated that we are not dealing with the State Department of Education anymore, we are dealing with MSBA. He is personally concerned with the projected cost of the building, however if the State is willing to also fund enough space to replace Hopewell which is 100 years old and on an adequate site. He stated that we are currently engaged in a feasibility study and we had a similar situation on Norton Avenue. It is a 60 acre piece of property with 15 acres in the front which was given to the softball league. He stated that this is the situation on the Mulcahey property, the land in the back was given over about 70 years ago. He stated that this is all detailed in the Attorney's report when researching the deed. He asked the softball league to give the land back to the City and the Council voted to award the 15 acres to the School Department for the construction of the schools. He spoke about another situation involving the federal government with the issue of the spotted turtles. He stated that he hopes that this gets clarified asap because we are dealing with a state bureaucracy and are only in the feasibility stage. We should move on this as soon as possible before it gets too complicated. Mayor Hoyer explained how the City Solicitor is just asking for one more week. Council President Quinn wanted to confirm that they are just looking for one additional week. Mayor Hoyer confirmed. Councilor Carr stated that the difference here as opposed to the softball league is when something becomes Park & Recreation land then it is overseen by another commission. She doesn't want the Council to say that everything is okay and to go ahead if it really should be the Park & Recreation Commission giving permission. Mayor Hoyer stated that we will be building a new school there. **Motion was made to table for one additional week. So Voted.**

Council President Quinn spoke about the on an issue that came up last week regarding the property on Berkley Street. She wanted to clarify that over the course of this summer,

she has been trying to get a meeting together with the neighbors on Berkley Street who have some issues along with the business owner. Due to many vacation schedules which included that of some Councilors who have expressed to her an interest in being part of that meeting and some of the neighbors. She thought it would be productive to have a meeting of all parties on a non-Council night so they would be free to spend as much time as needed and to have an open conversation. She stated that it will be put onto the Council agenda for next week where they will meet with the neighbors and listen to their concerns. She wanted to let that be known that she has been trying and it has been difficult during the summer months to get that together. Councilor Croteau wanted to confirm that the meeting will take place next week, August 30th sometime after 5:30pm during a Committee of the Whole meeting. Council President Quinn confirmed. Mayor Hoyer stated that Lopes have been trying to set something up with the neighbors before then so hopefully that will happen. Councilor Pottier expressed appreciation to the City Solicitor's Office which has offered some guidance as well that may or may not have been followed or paid attention to. Councilor Croteau stated that the people of Berkley Street asked to appear before the Council and if he did not agree with them it wouldn't matter. He would be just as passionate of them protecting their right to appear before the people who represent them. He would not support having the meeting during the day.

Orders, Ordinances and Resolutions:

Order for a second reading to be Ordained on a roll call vote

Ordered That,

\$649,000.00 is appropriated to pay costs of developing a public park, for recreational purposes, along the Taunton River, expected to be known as the Weir Village Riverfront Park, belonging to the City of Taunton (the "City"), located at 414 West Water Street, and shown on Assessor's Map 92, Parcel 331, including, but not limited to, a walking path, new lighting, and public access, and all other costs incidental and related thereto (the "Project"), for which project the City has been awarded a grant from The Commonwealth of Massachusetts (the "Commonwealth") through its Parkland Acquisitions and Renovations for Communities ("PARC") grant program; the Treasurer, with the approval of the Mayor, is authorized to borrow \$649,000 under G.L. c.44, §7(25) or any other enabling authority, provided that the amount authorized to be borrowed for the Project shall be reduced by the amount of grants, reimbursements and/or any other funds available to pay costs of the Project, received prior to the issuance of bonds or notes for the Project;

That said Project be developed for municipal purposes, namely open space and recreation purposes, under the provisions of G.L. c.45, §14, as it may hereafter be amended, and other Massachusetts statutes relating to recreation, to be managed and controlled by the Parks, Cemeteries and Public Grounds Commission of the City;

That the Mayor be authorized to file on behalf of the City any and all applications or agreements deemed necessary for grants and/or reimbursements from the Commonwealth under the Urban Self-Help Act (301 CMR 5.00) and to accept any such grants and/or other monies; and that the Mayor be authorized to enter into all agreements and to accept any other grants and sources of funding for the Projects, and execute any and all instruments as may be necessary on behalf of the City to affect said Project; and

That the Treasurer is authorized to file an application with the appropriate officials of the Commonwealth to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized by this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith. **Motion was made to ordain. On a roll call vote, eight (8) Councilors present, eight (8) Councilors voting in favor. Councilor Marshall was absent.**

Order for a second reading to be Ordained on a roll call vote

Ordered That,

\$535,000.00 is appropriated for the cost of environmental remediation of hazardous materials from the former F.B. Rogers Silver Factory, belonging to the City of Taunton (the "City"), located at 414 West Water Street, and shown on Assessor's Map 92, Parcel 331, including but not limited to, excavation of impacted soils, sampling, offsite disposal of soils, removal and disposal of subsurface concrete, and all other costs incidental and related thereto; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$535,000 under G.L. c.44, §7(25) or §7(32) or any other enabling authority;

That the Mayor be and is hereby authorized to enter into any and all contracts and other agreements necessary for the remediation of hazardous materials from the former F.B. Rogers Silver Factory, and is further authorized to take any and all other action necessary to carry out the terms, purposes, and conditions to administer any such contracts or agreements, and to effectuate the purposes of this Order; and That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized by this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith. Councilor Cleary asked if this is reimbursable. Mayor Hoyer stated that it will not be coming out of the General Fund it will be coming out of the Block Grant. Councilor Cleary asked if it had anything to do with the bond that was just approved. Mayor Hoyer stated that it is not but it is the same project. He stated that we hear a lot about the Block Grant money and Congressman Kennedy has worked hard to recoup some of the funds that have been lost over the years. He stated that the funding just isn't there anymore to do some of the things that we want to do. We are taking advantage of it to the fullest to get the former FB Rogers site remediated. It will be a beautiful park and he is really excited about it. **Motion was made to ordain. On a roll call vote, eight (8) Councilors present, eight (8) Councilors voting in favor. Councilor Marshall was absent.**

New Business:

Councilor Pottier made a motion to refer the overflowing dumpsters at Taunton Woods to the Board of Health. So Voted. He stated that he got a report about that and the management there is negligent in taking consideration of Board of Health issues.

Councilor Borges referred Planet Petroleum to the Zoning Enforcement Officer who may be violating some of the conditions that were set forth by the Zoning Board. So Voted.

Councilor Borges made a motion to refer to the Trash Enforcement Officer the area of Vernon Street and Wales Street. So Voted. She stated that there is trash along the side the road. Mayor Hoye stated that in last year's budget, which was approved by the Council, a couple of people were approved to help with the trash pickup in certain areas. It was an 8-12 week program. He stated that we got a late start on it because the budget is not formally approved until June 30, 2016. Those positions have been advertised so hopefully we can take advantage of them until November which will help with trash with the City. He spoke about the good job that the street sweepers have been doing along with the Vegetation Management Program which is starting to show dividends so if we can keep the ball rolling on that it will be great.

Meeting adjourned at 7:45 P.M.

A true copy:

Attest:



Rm Blauvelt
City Clerk

RMB/SJS

CITY OF TAUNTON
MUNICIPAL COUNCIL
AUGUST 23, 2016

THE COMMITTEE ON FINANCE AND SALARIES

PRESENT WERE: COUNCILOR GERALD CROTEAU, CHAIRMAN AND COUNCILORS CARR
AND CLEARY

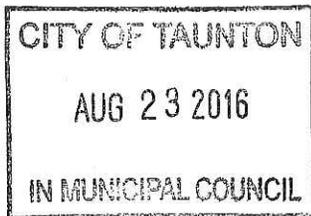
MEETING CALLED TO ORDER AT 6:49 P.M.

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

MOTION: MOVE APPROVAL OF THE INVOICE WARRANT IN THE AMOUNT OF
\$3,358,215.10. SO VOTED.

MOTION: MOVE APPROVAL OF THE PAYROLL WARRANT IN THE AMOUNT OF
\$1,402,693.31. SO VOTED.

MEETING ADJOURNED AT 6:50 P.M.



RESPECTFULLY SUBMITTED,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

CITY CLERK

RECEIVED
CITY OF TAUNTON
2016 AUG 24 11 A 8:41
CITY CLERK



CITY OF TAUNTON

In Municipal Council ORDER #2
FY 2017
AUGUST 23, 2016 20.....

Ordered, That

THE SUM OF FIFTY DOLLARS AND NO CENTS

(\$50.00) BE AND HEREBY IS TRANSFERRED FROM BUILDING DEPARTMENT

ACCOUNT NO. 1-493-5200-5258 – PUBLIC BUILDING REPAIRS

TO: ACCOUNT NO. 1-493-5500 – 5258 – PUBLIC BUILDING REPAIRS PRIOR YEAR

..... Clerk.