



*City of Taunton
Municipal Council Meeting Minutes*

~

*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, February 29, 2016 at 7:40 O'clock A.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, Cleary, and Marshall
Councilor Borges was absent.*

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

Communications from the Mayor:

Mayor Hoye stated that he will be in Washington, D.C. tomorrow to discuss EPA along with Fred Cornaglia, Joe Federico and Tony DeAbreau.

Communications from City Officers:

Com. from Director, Department of Human Services stating that due to the retirement of Mary Ann Riva, Senior Center Coordinator for the Dept. of Human Services/Taunton Council on Aging, additional funding will be required to cover her sick, vacation and personal time buyback. The total buyback amount is \$25,631.44. **Motion was made to refer to the Committee on Finance and Salaries and the Mayor's Office. So Voted.**

Com. from Chairman, Taunton Planning Board advising that they have received a Site Plan Review for property at 342 Winthrop Street to allow the construction of a 4,576 sq.ft. convenience store, 2,080 sq.ft. car wash, 4 pump island with 8 fueling posts dispensing station for cars, and 4 pump island with 3 fueling posts fuel dispensing station for trucks, submitted by Steven Hinton, owned by Matt St. Germain. The DIRB will be meeting to review this petition on Tuesday, March 22, 2016 at 9:00AM in the Taunton Planning Board Office, 15 Summer St., Annex Bldg. and the Taunton Planning Board will meet to review this petition on Thursday, April 7, 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.**

Petitions:

Claim submitted by Lucia Chaves, 165 Winthrop St., Taunton seeking reimbursement for damages to her automobile from a sinkhole on Tremont St. near the corner of Clifford St., Taunton. **Motion was made to refer to the Law Department and the DPW. So Voted.**

Joint petition submitted by Verizon New England Inc. and Taunton Municipal Light Plant proposing to place new facilities - Pole 2 on Edson Street, Taunton. **Motion was made to refer to the City Clerk to schedule a public hearing. So Voted.**

Joint petition submitted by Verizon New England Inc. and Taunton Municipal Light Plant proposing to place new facilities - Pole 55S on Prospect Hill Street, Taunton. **Motion was made to refer to the City Clerk to schedule a public hearing. 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.

ORDERS, ORDINANCES AND RESOLUTIONS

Ordinance for a first reading to be passed to a second reading

**AN ORDINANCE
Chapter 13
Motor Vehicles and Traffic**

Article III STOPPING, STANDING AND PARKING

Section 13-89.1 Handicapped parking generally

Be it ordained by the Municipal Council of the City of Taunton and by authority of the same as follows:

SECTION 1. Chapter 13 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended as follows:

Delete paragraph (c) of Section 13-89.1 and replace with: "(c) Any and all fines collected from handicap parking violations in the City of Taunton shall be disposed of pursuant to Section 2-279 of these ordinances.

SECTION 2. All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately. Motion was made to approve the first reading and move to a second reading. So Voted.

Ordinance for a first reading to be passed to a second reading

**AN ORDINANCE
Chapter 2
Administration**

Article IX COMMISSION ON THE AFFAIRS OF THE HANDICAPPED

Be it ordained by the Municipal Council of the City of Taunton and by authority of the same as follows:

SECTION 1. Chapter 2 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended as follows:

- a) Strike the title of Article IX of Chapter 2 "COMMISSION ON THE AFFAIRS OF THE HANDICAPPED" and replace with "COMMISSION FOR INDIVIDUALS WITH DISABILITIES".
- b) Delete Section 2-276 and replace with:
2-276 Function and Purpose

The Taunton Commission for Individuals with Disabilities, hereinafter called the commission, shall, in accordance with General Laws chapter 40 section 8J, (1) research local problems of people with disabilities; (2) advise and assist municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities; (3) coordinate or carry out programs designed to meet the problems of people with disabilities in coordination with programs of the Massachusetts office on disability; (4) review and make recommendations about policies, procedures, services, activities and facilities of departments, boards and agencies of the City of Taunton as they affect people with disabilities; (5) provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability; and, (6) coordinate activities of other local groups organized for similar purposes. (Reference: G.L. c. 40 §8J)

- c) Delete Section 2-277 and replace with:
2-277 Obligations and Structure

The commission shall keep records of its meetings and actions and shall file an annual report with the Municipal Council. In any year in which the City prints an annual report, the annual report of the commission shall be contained therein. The commission shall have at least ten meetings annually. The commission shall consist of not less than five nor more than nine members. The members shall be appointed by the mayor, subject to the provisions of the city charter. A majority of commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of the City of Taunton. The terms of the first members of the commission shall be for one, two or three years, and so arranged so that the term of one-third of the members expires each year, and their successors shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired

term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

Said commission may receive gifts of property, both real and personal, in the name of the City of Taunton, subject to approval by the Municipal Council, such gifts to be managed and controlled by said commission for the purposes of Section 2-276 in accordance with G.L. c. 40 §8J. (Reference: G.L. c. 40 §8J)

- d) Delete Section 2-278 and replace with:
2-278 Administration

The Committee on Disabilities of the Municipal Council shall oversee the commission and serve as the point of contact between the commission and the Municipal Council. Commission members shall serve without compensation. The commission may from time to time as it deems prudent or necessary in the discharge of its duties request that it, or one or more designated representatives, meet with the Committee on Disabilities, which request may be accommodated in the reasonable discretion of the chairperson of said committee. A meeting with the commission may also be initiated by the chairperson of said committee. Any recommendations by the commission for the expenditure of funds derived from collected handicapped parking fines shall be made in writing to the chairperson of the Committee on Disabilities.

- e) Delete Section 2-279 and replace with:
2-279 Handicap Parking Fines

In accordance with General Laws chapter 40 section 22G, all funds received from fines assessed for violations of handicap parking in the City of Taunton shall be deposited by the Treasurer in a separate account and shall be used solely for the benefit of persons with disabilities in accordance with this section. Said account shall be kept separate and apart from all other monies. Said account was established prior to the enactment of this ordinance (see Sec. 13-89.1) and all funds presently in said account may be expended as provided herein. Expenditures from said account, including accrued interest, if any, shall be made upon recommendation of the commission on disabilities in accordance with the accepted procedures of the City of Taunton for the disbursement of funds, including approval of the mayor and municipal council. The City Auditor is designated as the City Accountant for the purposes of this section and shall submit annually a report of said account to the mayor and municipal council for review and a copy of said report shall be forwarded to the bureau of accounts. (Reference c. 40 §22G)

All funds from said account may be expended solely for the benefit of persons with disabilities to the extent permitted by Massachusetts General Laws c. 40 §22G, as same may be amended from time to time. The commission shall make recommendations for expenditure in writing to the chairperson of the Committee on Disabilities. The Committee on Disabilities shall consider all said

recommendations and report any approved recommendation to the municipal council for approval.

SECTION 2. All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately. Motion was made to approve the first reading and move to a second reading. So Voted.

Ordinance for a first reading to be passed to a second reading

**AN ORDINANCE
CHAPTER 9
HEALTH AND SANITATION**

**ARTICLE VI. TAUNTON NURSING HOME
Sec. 9-100 AND Sec. 9-100.1**

Be it ordained by the Municipal Council of the City of Taunton and by authority of the same as follows:

SECTION 1. Article VI of Chapter 9 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended as follows:

- a.) In Section 9-100, Appointment and qualifications of directors, strike “a member of the clergy” and replace with “an attorney, preferably with experience in elder law, or, in the alternative, a professional with elder law experience”;
- b.) In Section 9-100, Appointment and qualifications of directors, after the word “nurse”, insert “with nursing home experience”;
- c.) In Section 9-100.1, Directors, terms of office, appointment of administrator, strike “clergyman” and replace with “attorney or professional with elder law experience”.

SECTION 2. All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage. Motion was made to approve the first reading and move to a second reading. So Voted.

New Business:

Councilor Pottier made a motion to refer to the Safety Officer to determine if “No Parking” can be placed on one side of Oxford Street as a new business opened at the corner and there are cars parked on both sides. So Voted.

Councilor Pottier spoke about a Community Compact System Signing Ceremony. He stated that he is a Department of Transportation Employee. Councilor Croteau discussed how he thought that the Council did not vote yes and asked if they do vote for the

Community Compact, are we obligated for complete streets? He was told no. Councilor Croteau stated that he is concerned about complete streets down the road. Councilor Marshall stated that he does not want to be tied up with bike paths, which is an issue. It has held up Hart's 4 Corners. He asked if we will be required to create bike paths.

Councilor Marshall made a motion to refer to the Safety Officer to determine if "No Parking" can be placed on Randall Street from School Street from near the Unemployment Office to the Fire Department. So Voted. Councilor Cleary voting in opposition. Councilor Cleary stated that you can't do no parking everywhere. Councilor Croteau stated that you cannot get a fire truck down that street and agrees that it should be referred to the Safety Officer.

Meeting adjourned at 8:00 A.M.

A true copy:

Attest:


Assistant City Clerk

JLL/SJS

CITY OF TAUNTON
MUNICIPAL COUNCIL
FEBRUARY 29, 2016

THE COMMITTEE ON FINANCE AND SALARIES

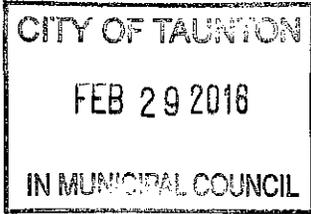
PRESENT WERE: COUNCILOR GERALD CROTEAU, CHAIRMAN AND COUNCILOR CLEARY

MEETING CALLED TO ORDER AT 7:31 A.M.

- 1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS
- MOTION:** MOVE APPROVAL OF THE PAYROLL WARRANT IN ABSENTIA. SO VOTED.
- MOTION:** MOVE APPROVAL OF THE VOUCHER WARRANT IN THE AMOUNT OF \$1,463,137.22. SO VOTED.

MEETING ADJOURNED AT 7:34 A.M.

RESPECTFULLY SUBMITTED,



Colleen Ellis
 COLLEEN M. ELLIS
 CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED,
RECOMMENDATIONS ADOPTED.

Jennifer Rege
 ASSISTANT CITY CLERK

RECEIVED
 CITY CLERK'S OFFICE
 2016 FEB 29 A 8:13
 FEB 29 2016
 CITY CLERK