



*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, February 9, 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.

Communications from the Mayor:

Mayor Hoye stated that a great job was done by the DPW, the private contractors, the Parks, Cemeteries and Public Grounds Department, the Police Department and everyone else that participated in snow plowing over the past couple of days. He spoke about how he was very happy with the conditions of the roads.

Appointments:

Council President Quinn announced the appointments to the Taunton Nursing Home Board. Joseph Martin, Theresa Schwartz and Ed Boiros, who is the resident representative, have all been appointed.

Communications from City Officers:

Com. from Michael Sylvia, Acting Fire Chief responding on overtime paid during the first 90 day leave of absence of Private Brian Soares. The Deputy Chief's Office examined the schedules that Private Soares was scheduled to work for the period of 10/19/2015 through 1/16/2016. The overtime paid during this particular 90 day leave of absence cost the City less money than if Private Soares remained on duty and received his Regular Pay and benefits. Councilor Carr stated that this was her request and she always votes in opposition of 90 day leaves. She thanked Deputy Chief Sylvia for doing the work. She did speak to the Chief about this on Friday, and he said that depending on the time of the year, the amounts can fluctuate greatly. If it happened in the summer, he probably would have had to fill it every single day. The issue is that they only paid 222 hours and the person was really out approximately 500 hours. The question is how they covered the other 300 hours. It could have been less call ins, less vacations used, less people out on injury. There are a lot of factors as to why the overtime would be up or down. She thanked them and if the City saved money, it is great. She is still opposed to the 90 day leave but she is not opposed to the City saving money. **Councilor Cleary made a motion to receive and place on file. So Voted.**

Com. from City Solicitor requesting the opportunity to meet with the Municipal Council in executive session at the February 9, 2016 meeting. The purpose of the meeting is to discuss strategy with respect to ongoing litigation. It is his opinion that an open meeting on this topic may have a detrimental effect on the litigating position of the Municipal Council. **Councilor Marshall motioned to refer this to the end of the agenda. So Voted.**

Com. from Police Chief requesting to participate in police promotional exams. Chief – Assessment Center only, no written test; Deputy Chief – Assessment Center only, no written test; Lieutenant – Written Test for 40%, Assessment Center of 50% and training and experience of 10%. The Chief's exam is in May and the Lieutenant's exam is scheduled for October. Councilor Marshall asked if the Deputy Chief is the same test as the Captains as we do not have a Deputy Chief. The City Clerk stated that we don't have a Deputy Chief and she thinks that it is supposed to be a Captain. She will email the Chief on this issue. Councilor Marshall stated that if we don't need a Captain's test, he would like to know why. Councilor Cleary stated that he had the same question. Councilor Carr asked if there was something in writing what they need to take to become Chief or Deputy Chief. She stated that both of them said no written test which means it will be totally an assessment by a Board of some sort. She thinks that it should be in writing somewhere as to how those tests are given. She doesn't think that Deputy Chief was a mistake; she thinks that the Chief would like a Deputy Chief. She is pretty sure that Capt. Reardon has to retire this year so we will need another captain. She thinks that we need some clarification on the positions. The Lieutenant's position is part of the Supervisor's contract so she is sure it must say in that contract what they have to take for the exam. The other two needs discussion. **Councilor Borges made a motion to refer to the Committee on Police and License for discussion. So Voted.** The City Clerk stated that what usually happens is the Chief will meet with the Committee on Police and License and between him and the Council they will come up with an assessment center evaluation. She stated that this letter describes what the Chief wants done.

Com. from Chairman, Taunton Planning Board advising that the Taunton Planning Board received a Site Plan Review application for property at 500 West Water Street for the construction and operation of four 2.49 MW Electrical Output, Ultra Low Sulfur Distillate Fired Reciprocating Internal Combustion Engine Generators on concrete pads as well as construction of service drive, subsurface utilities and associated grading and landscaping, submitted by Taunton Municipal Lighting Plant. The DIRB will meet to review this petition on Tuesday, February 16, 2016 at 9:30AM in the Taunton Planning Board Office, 15 Summer Street., Annex Bldg., and the Taunton Planning Board will meet to review this petition on Thursday, March 3, 2016 at 5:30PM in the Chester R Martin Municipal Council Chambers, 141 Oak St., Taunton, MA. **Councilor Marshall made a motion to receive and place on file. So Voted.**

Com. from Chairman, Taunton Planning Board advising that the Taunton Planning Board received a Site Plan Review application for property at 491 West Water Street for Auto Sales & Auto Repair, submitted by applicant George Antoun and owner Brian Moore. The DIRB will meet to review this petition on Tuesday, February 16, 2016 at 9:45AM in the Taunton Planning Board Office, 15 Summer Street., Annex Bldg., and the Taunton Planning Board will meet to review this petition on Thursday, March 3, 2016 at 5:30PM

in the Chester R Martin Municipal Council Chambers, 141 Oak St., Taunton, MA. **Councilor Dermody made a motion to receive and place on file. So Voted.**

Com. from Chairman, Taunton Planning Board advising that the Taunton Planning Board received a Site Plan Review application for property at 182 Broadway to allow auto sales & auto repair, submitted by Ghazi Fadlallah, 93 Green Street., Rockland, MA. The DIRB will meet to review this petition on Tuesday, February 16, 2016 at 9:00AM in the Taunton Planning Board Office, 15 Summer Street., Annex Bldg., and the Taunton Planning Board will meet to review this petition on Thursday, March 3, 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 advising that the Taunton Planning Board received a Form J Plan – Waiver of Frontage – to the re-configuration of 4 lots into 6 lots – for property located on Hoover Street, known as Property I.D. 91-286, 91-297, 91-298 and 91-301., submitted by Marcelino Leite, 1765 Oak Grove Dr. North Dighton, MA. The Taunton Planning Board will hold a public hearing on this petition on Thursday, March 3, 2016 at 5:30PM in the Chester R Martin Municipal Council Chambers, 141 Oak St., Taunton, MA. **Councilor McCaul made a motion to receive and place on file. So Voted.**

Communications from Citizens:

Com. from Ernest Cardoza, 5 New Carver St., Raynham extending an invitation from the Greater Taunton Area Allied Veterans Council to its Memorial Day Parade on Monday, May 30, 2016. Formation will begin at 12:30pm on Dartmouth, Coram, Bradford and Adams Streets and begins at 1:15pm. **Councilor Pottier made a motion to refer to the Mayor's Office and the Council President. So Voted.**

Petitions:

Petition submitted by Ellen Lenahan, 500 Caswell Street, East Taunton requesting a New Grade 1 (4-6 dogs) Kennel License for personal use dogs, (NOT Business use) to be located at 500 Caswell Street, East Taunton. **Councilor Marshall made a motion to refer to the City Clerk to set up the appropriate 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.

Unfinished Business:

Councilor Cleary asked the City Clerk if she has gone forward with the Civil Service list for firefighters that the Council requested and voted on. She stated that she has and they have been coming in and signing.

New Business:

Councilor Pottier stated that when we went to expand our recycling efforts, we allowed residents to put recycling stickers on a barrel. His understanding is that the DPW no longer has the stickers available for residents. **Motion was made to refer to the**

Committee on Solid Waste and the DPW to ask what the status is on recycling stickers. So Voted.

Councilor Pottier made a motion to refer Grove Avenue, which is between Highland Avenue and Smith Avenue, to the DPW and the City Engineer's Office to tell the Council the status of the street and regardless of the status, if there is something that can be done to remediate the problem in the neighborhood. So Voted. It is a short, cut through street that has a couple of new housing developments on it. He has been told that the street has never been accepted by the City and it is in a terrible state of disrepair, plows cannot even be sent down there. Councilor Dermody asked Councilor Pottier how old the houses are. Councilor Pottier stated that he thinks some of them are relatively new. Councilor Dermody does not recall that coming through the Planning Board. Councilor Borges stated that they closed in July of 2015. Mayor Hoye stated that typically when you have new homes permitted, roadway improvements need to be done. He is wondering if that happened in this particular case. **Councilor Dermody made a motion for the City Planner to send something to the Council by next week. So Voted.**

Councilor Pottier stated that he has been in communication with Councilor Borges on this issue. When parking bans are implemented, sometimes it is challenging to Home Health Aides who are visiting some of our senior population because they can't shovel their driveways. It is difficult for them to park when there is a ban. Mayor Hoye suggested that they put a note on their dashboard saying that they are visiting. Mayor Hoye stated that he has never had that complaint come through his office. The idea behind parking bans is not to tow cars; it is to clear the streets so they can be plowed. Most of the time, before any car is towed, there is an effort made to find out who's car it is and ask them to move it. The ones that they have trouble with are the cars that are sitting there for days covered in snow. If they are going into a house during the day quickly, they shouldn't have a problem. Councilor Borges stated that she has been doing home health for some time and has never run into that situation. She has either revisited the patient later in the day or she has parked in the street and left her phone number and name on the dashboard and you are in and out of the house before anything even happens. She doesn't think that we are looking to tow people's cars. She doesn't know that a policy needs to be created. She stated that it could be an issue in the future. She doesn't want people to think that the Police are out there just trying to tow cars. **Councilor Pottier made a motion to refer to the Committee on Police and License to discuss with the Police Chief if there are any alternatives that can be offered to people who may stop by to visit some of the seniors in our community on a short-term basis. So Voted.**

Councilor Pottier stated that he started a job at the Department of Transportation today so if any issues come before the Council regarding South Coast Rail, GATRA, or the airport he will be making further disclosures. He wanted to let the public know that it is the reason why he would be making those disclosures at the time. Mayor Hoye then congratulated him.

Council President Quinn stated that she is following up on the parking ban and how it has been an issue with the weather we have had. She wants to remind people while the parking ban is in effect they can park in the parking garage. The Parking Commission

has had some issues with people parking in the reserved spots in the parking garage, which is not allowed. She stated that they will be ticketed. Any of the other spaces can be taken in the garage just not the reserved ones. Mayor Hoye stated that it is new and it will have to be added to the notices. He stated that parking bans are put in place for everyone's safety.

Councilor Carr thanked the Building Department for all of the work that they have done to get the Councilors new microphones. She has received a couple of phone calls over the past couple of weeks from people asking if there was a way that the Council could have wireless microphones vs. the desk microphones. All they hear while watching the meetings is papers shuffling. These microphones are a lot more sensitive than the old ones. **Motion was made to refer to the Building Department for their consideration. So Voted.** Mayor Hoye stated that the School Committee uses similar microphones to these but they have a kill switch. He doesn't think cordless mikes are the answer in these chambers. He thinks that it is something that can be looked into in the future. He does check the meetings on VIMEO and to him the sound seems better.

Councilor Carr made a motion to refer to the Committee on Finance and Salaries to meet with the Treasurer/Collector, Auditor and the City Solicitor about the Diff MOA for the recreational land on the old Paul A. Dever site and the accounts that will be set up to hold those funds. So Voted.

The Mayor stated that the Council will go into Executive Session on a roll call vote. They will not be meeting back out in the Council Chambers. Any motion that may or may not be made will be available for full disclosure once the minutes are released. **On a roll call vote, nine (9) Councilors present, nine (9) Councilors voting in favor.**

Meeting adjourned at 8:00 P.M.

A true copy:

Attest:


City Clerk

RMB/SJS

CITY OF TAUNTON
MUNICIPAL COUNCIL
FEBRUARY 9, 2016

THE COMMITTEE ON FINANCE AND SALARIES

PRESENT WERE: COUNCILOR GERALD CROTEAU, CHAIRMAN AND COUNCILORS CARR AND
CLEARY. ALSO PRESENT WAS BUDGET DIRECTOR GILL ENOS

MEETING CALLED TO ORDER AT 6:20 P.M.

1. **MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS**
MOTION: MOVE APPROVAL OF THE PAYROLL WARRANT IN THE AMOUNT OF
\$2,872,874.23 AND THE VOUCHER WARRANT IN THE AMOUNT OF
\$2,360,550.37. SO VOTED.

2. **MEET TO REVIEW REQUESTS FOR FUNDING**

The Budget Director's first request was from the Assessor's office requesting to pay a prior year salary item in the amount of \$99.22 because the step increase was missed back on June 1, 2015. It is to be transferred from the 5100 account into the 5520 account which is the prior year expense for payroll.

Councilor Carr said that this is the second or third one of these that the Committee has had recently. She asked what was being done to prevent this as she is not getting how this is happening. When a person hits their anniversary they are supposed to get these increases, so how is it that this does not happen.

Mr. Enos said that they would have to ask Human Resources that question. He does know that they put the code sheets in when the anniversaries are coming up, but he does not know how they keep track of it.

Councilor Carr made the following motion:

MOTION: THAT THE COMMITTEE RECEIVE AN EXPLANATION FROM MRS. GOMES AS TO WHY THE STEP INCREASES ARE MISSED. SO VOTED.

MOTION: MOVE APPROVAL OF REQUEST TO TRANSFER \$99.22 FROM ASSESSOR'S ACCOUNT NO. 01-141-5100-5102 TO ACCOUNT NO. 01-141-5520-5102. SO VOTED.

Councilor Croteau noted that they are under no obligation to pay it if it is from a previous fiscal year.

The next request was from the Registrar of Voters Office requesting \$16,193.59 in order to pay the retirement buyout for Ms. Machnick. The recommendation is to take it out of the Reserve Account. Her last day was February 5, 2016.

Councilor Cleary asked if the Human Resource Department had approved these figures.

Mr. Enos said that they had and their approval was attached to the letter.

Councilor Cleary made the following motion:

MOTION: MOVE APPROVAL OF REQUEST OF REGISTRAR OF VOTERS OFFICES TO TRANSFER \$16,193.59 FROM RESERVE ACCOUNT NO. 1-132-5200-5784 AS FOLLOWS:

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CITY CLERK

PAGE TWO

FEBRUARY 9, 2016

THE COMMITTEE ON FINANCE AND SALARIES – CONTINUED

\$13,000.00	TO REGISTRAR OF VOTERS ACCOUNT NO. 01-162-5100-5191
\$1,880.73	TO REGISTRAR OF VOTERS ACCOUNT NO. 01-162-5100-5197
\$794.90	TO REGISTRAR OF VOTERS ACCOUNT NO. 01-162-5100-5193
\$517.96	TO REGISTRAR OF VOTERS ACCOUNT NO. 01-162-5100-5145.

SO VOTED.

The last request was a communication from the Budget Director regarding the funding of the COTMA contract and the individual employment contracts for the non-union personnel. Mr. Enos said that the only change he would like is that he missed something in the City Clerk's office in the amount of \$757.00, so he asked to amend his initial request from \$118,765.00 to \$119,522.00. He recommends taking this out of the Reserve Account.

Councilor Cleary made the following motion:

MOTION: TO MOVE APPROVAL OF THE CONTRACT FUNDING.

The Motion was seconded by Councilor Croteau.

On discussion, Councilor Carr said she did not vote for 4 of the contracts so she would like those taken out or she will vote in opposition on them. She will vote in favor of everyone else but the 4 Mayor's Office contracts that she voted in opposition to.

Councilor Croteau asked to have them separated and they will take 2 votes.

Councilor Carr said that if Mr. Enos does not have the numbers relating to the 4 contracts, they can make the motion to approve all except the 4 positions that she voted in opposition to before.

The 4 positions are the Chief of Staff, the City Solicitor, the Assistant City Solicitor and the Confidential Legal Assistant.

Mr. Enos said the Chief of Staff amount would be \$7028.00 plus \$351.00. the Confidential Legal Assistant would be \$3,505.00, The City Solicitor would be \$3,099.00 and the Assistant City Solicitor would be \$2,231.00.

Councilor Croteau questioned what the motion was.

Councilor Cleary said his motion was to approve the contract funding in the amount of \$119,522.00.

Councilor Croteau said that is the Motion unless the Committee wants to split the motion.

Councilor Cleary said that Councilor Carr wants to split the motion, and that is alright.

Councilor Croteau asked what the tally was on the 4 positions.

Mr. Enos said it is \$16,214.00. Subtracting that amount from the \$119,522.00 leaves \$103,308.00.

MOTION: TO APPROVE THE CONTRACT FUNDING FOR ALL CONTRACTS EXCEPT THE CHIEF OF STAFF, CITY SOLICITOR, ASSISTANT CITY SOLICITOR AND CONFIDENTIAL LEGAL ASSISTANT.

COUNCILORS CROTEAU AND CARR VOTED IN FAVOR, COUNCILOR CLEARY VOTED IN OPPOSITION. MOTION CARRIES. SO VOTED.

MOTION: TO APPROVE THE FUNDING FOR THE CONTRACTS FOR THE CHIEF OF STAFF, CITY SOLICITOR, ASSISTANT CITY SOLICITOR AND CONFIDENTIAL LEGAL ASSISTANT.

PAGE THREE

FEBRUARY 9, 2016

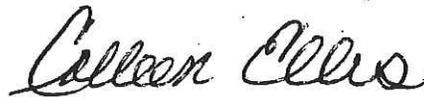
THE COMMITTEE ON FINANCE AND SALARIES – CONTINUED

COUNCILORS CROTEAU AND CLEARY VOTED IN FAVOR, COUNCILOR CARR VOTED IN OPPOSITION. MOTION CARRIES. SO VOTED.

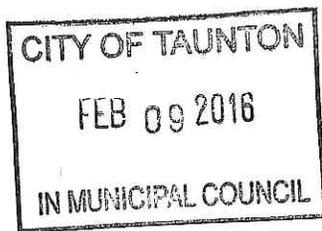
The Budget Director reported that the balance in the Reserve Account after these transfers will be \$541,959.59.

MEETING ADJOURNED AT 6:36 P.M.

Respectfully submitted,



Colleen M. Ellis
Clerk of Council Committees



REPORTS ACCEPTED,
RECOMMENDATIONS ADOPTED.



CITY CLERK



CITY OF TAUNTON

ORDER #13
FY 2016
FEBRUARY 9, 2016

In Municipal Council 20.....

Ordered, That **THE SUM OF NINETY NINE DOLLARS AND TWENTY-TWO
CENTS (\$99.22) BE AND HEREBY IS TRANSFERRED FROM ASSESSOR'S ACCOUNT NO.**

01-141-5100-5102

TO: ASSESSOR'S ACCOUNT NO. 01-141-5520-5102

..... *Clerk.*



CITY OF TAUNTON

ORDER #14
FY 2016
FEBRUARY 9, 2016

In Municipal Council 20.....

Ordered, That **THE SUM OF SIXTEEN THOUSAND ONE HUNDRED
NINETY THREE DOLLARS AND FIFTY NINE CENTS (\$16,193.59) BY AND HEREBY IS
TRANSFERRED FROM RESERVE ACCOUNT NO. 1-132-5200-5784 AS FOLLOWS:**

- \$13,000.00 TO REGISTRAR OF VOTERS ACCOUNT NO. 01-162-5100-5191**
- \$1,880.73 TO REGISTRAR OF VOTERS ACCOUNT NO. 01-162-5100-5197**
- \$794.90 TO REGISTRAR OF VOTERS ACCOUNT NO. 01-162-5100-5193**
- \$517.96 TO REGISTRAR OF VOTERS ACCOUNT NO. 01-162-5100-5145.**

..... *Clerk.*



CITY OF TAUNTON

ORDER #15
FY 2016
FEBRUARY 9, 2016

In Municipal Council 20.....

Ordered, That

**THE SUM OF ONE HUNDRED NINETEEN THOUSAND
FIVE HUNDRED TWENTY TWO DOLLARS AND NO CENTS (\$119,522.00) IS HEREBY
TRANFERRED FROM RESERVE ACCOUNT NO. 01-132-5200-5784**

TO: THE ACCOUNTS AS LISTED ON THE ATTACHED LIST.

..... *Clerk.*