



City of Taunton
Municipal Council Meeting Minutes

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Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, March 8, 2016 at 7:47 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.

Motion was made to go out of the regular order of business to Communications from the Mayor. So Voted. Stephanie Mancini, Executive Director of the Taunton YMCA is here for a quick presentation.

Communications from the Mayor:

Mayor Hoye introduced Stephanie Mancini, from the Taunton YMCA who will introduce her friends that are here along with a quick presentation on the Spin-a-Thon that has been done over the past couple of years. It is a tremendous fundraiser done by the Taunton YMCA. Stephanie Mancini, Lucy Griffin and Tony Figuerido were present to speak. Ms. Mancini announced that they will be holding their 5th Annual Spin-A-Thon on Saturday, March 12, 2016 which is a huge fundraiser for the YMCA. She spoke about how they have an annual campaign formally known as the Strong Kids Campaign. They raise money every year at the YMCA for family memberships, childcare, youth sports programs so financial assistance can be given to families in need. They do not turn anyone away. She spoke about various programs that they offer. She stated that they are able to do that because of their financial assistance and annual campaign. They raised over \$14,000.00 for this event last year and a little under \$133,000 in total last year. She spoke about the statistic sheet that the Councilors have received which shows where the money that was raised went in their branch. She invited the Councilors to spin on Saturday at the YMCA from 8am-2pm. There will be classes every hour on the hour with music. There will be testimonials throughout the day so you can see how the YMCA has helped out different people. She stated that it is as simple as reserving a bike for \$10 and choose an hour. They are asking folks to raise a minimum of \$100. She stated that because it is this Saturday, they will be accepting donations after the fact. They are hoping to achieve their goal of \$15,000 this Saturday. Their total goal this year is \$150,000. They are confident that they will get there. Councilor Cleary spoke about the baskets that are on display to be raffled off. Ms. Mancini stated that they started the raffle on February 26, 2016 and they will be pulling the winners on Saturday, March 12, 2016. There are 28 great baskets in the lobby. Lucy Griffin stated that along with the Spin-A-Thon event they also have an Open House from 10am-1pm. The Taunton

Community is welcome to join them. There will be a sports demonstration along with information about the Summer Fun Club as well as some upcoming Spring League programs. There will be tours and all new members who join that day pay \$0 down. They never turn anyone away. She explained that they have a little over 5,000 members and have grown 12% in membership since last year. Mayor Hoye announced that on Monday, March 14th at 2pm a press conference will be held in the Chester Martin Council Chambers with the Mashpee Wampanoag Tribe who will announce their plans on the Project First Light Destination Resort and Casino.

Motion was made to go back to the regular order of business. So Voted.

Hearing:

Continued Hearing:

On the petition of Ellen Lenehan, 500 Caswell Street, East Taunton for a Kennel License per City Ordinance Section 3-24 to allow: A Grade 1 (4-6 dogs) kennel license for personal use/dogs, NOT BUSINESS USE, at 500 Caswell Street, East Taunton. **Motion was made to re-open the hearing and invite the parties in. So Voted.** Com. from Animal Control Officer submitting update on inspection. He met with Ms. Lenehan and reviewed his findings. Animals can be left outside in the enclosed area, if dog/dogs start barking continuously while outside they can be left out for the maximum time of 30 minutes. If dog/dogs continue to bark after the 30 minutes, Ms. Lenehan will be in violation. Continued violations will result in loss of kennel license. **Councilor Marshall made a motion to make part of the record. So Voted.** Ellen Lenehan, 500 Caswell Street was present at the meeting. Councilor Carr asked if Ms. Lenehan if she agrees to the conditions that the Animal Control Officer put out. Ms. Lenehan agreed. Mayor Hoye asked if anyone was present to speak in favor of the petition. Mayor Hoye asked if there was anyone present to speak in opposition of the petition. Jacqueline Boudreau, 470A Caswell Street stated that the Dog Officer never spoke to her or asked any of her concerns. He came to the house and saw her daughter-in-law who is her tenant. She stated that he told her that it will pass no matter what Ms. Boudreau had to say. She stated that she had a lot of questions and concerns. She stated that she lives 180' from 7 dogs. She spoke about how her dogs can come and go as they want. Councilor Marshall asked Ms. Boudreau that when she found out that the Dog Officer spoke to her daughter in law did she call him. She stated that she did and he told her that it was going to pass no matter what she says. Councilor Marshall wanted to confirm that she did speak to the Dog Officer because he thought he heard her say that she hadn't. Ms. Lenehan stated that she called him to ask why he didn't come talk to her. Councilor Marshall asked if when she spoke to the Dog Officer she told him all of her concerns. She stated that she didn't because he said it would pass so why bother. Councilor Croteau stated that he has been working very closely with the Animal Shelter for some time and it all depends on how messages are interpreted. He stated that if this or something else is meeting all requirements and regulations then the person in charge has no choice but to give a positive recommendation. He stated that there has been a public accusation here. He asked which Dog Officer it was. She stated that it was Manny. Councilor Croteau stated that he is as confused as Councilor Marshall is. On one hand Ms. Boudreau has stated several times that she did not speak to the Dog Officer. Councilor Croteau stated that a public accusation has been made without the person being present to respond. He thinks

that Mr. Massa should be asked for a response. Mayor Hoye stated that she has made some accusations and to say that the City will pass this just because of \$70.00 is inaccurate. He stated that if it is the right thing to do it will be passed and if it is not the right thing to do the Council will vote against it. **Motion was made to close public input. So Voted.** Councilor Cleary wanted to go on record to say that the Council has been very attentive and has listened to the concerns two weeks ago. They did not have the information so they directed the Dog Officer to go out and inspect it. He came back with a recommendation. He stated that the Council clearly did listen to the citizen and the concerns. To the best of his knowledge, this particular kennel has been in place for eight years. According to the Dog Officer, there have been no complaints about it. The Council has been fair with the review of this renewal. He stated that it doesn't necessarily mean that the neighbors are going to be happy, but the fact is that it has been eight years and the Dog Officer is recommending it. Councilor Borges stated that she spoke to Mr. Massa on Friday and he had told her that he went out to inspect the property and speak to some people in the neighborhood. He had no issues and would continue to monitor the situation as we move forward. She has no reason not to grant this petition. Council President Quinn stated that in his letter he stated that there are parameters and if the dogs are barking too long the neighbors can call him and she would be in jeopardy of losing her kennel license if there are repeat violations. She stated that going forward; they have to make sure there is compliance. Mayor Hoye stated that a review can be done in 3-6 months. Councilor Cleary asked if this is done annually. Mayor Hoye confirmed. **Councilor Cleary made a motion to close the hearing, approve the kennel license and contact the Dog Officer in six months to see if there have been any problems. So Voted.**

HEARING:

Continued Hearing: On the petition submitted by Attorney David T. Gay, Gay & Gay P.C. 73 Washington St., PO Box 988, Taunton on behalf of his client, Sally A. Koss; Stephen Koss, Trustee, 630 Park Street, Stoughton for a Special Permit to allow: A 36 unit multi-family residential development on Dean Street (parcels 55-576 and 55-575) located in the Urban Residential District issuance of a Special Permit. **Motion was made to re-open the hearing and invite the parties into the enclosure. So Voted.** Com. from Chairman, Taunton Planning Board submitting recommendation with conditions. The Planning Board voted (5 members in favor, 1 member opposed, and 1 member absent) to send a positive recommendation to the Municipal Council for the Special Permit with five conditions. **Motion was made to make part of the record. So Voted.** Com. from City Planner submitting a letter in regards to the proposed 36 residential units on parcels 55-756 and 55-757 Dean Street. In reviewing the revised proposal he recommends that any approval included the conditions recommended by the Planning Board in their March 4, 2016 recommendation letter and that any decision reference the most recent plan dated September 8, 2015 and revised through February 24, 2016. **Motion was made to make part of the record. So Voted.** Atty. Matthew Costa from Gay & Gay, PC, 73 Washington Street; Steven Koss, Petitioner and Nick Dufresne, Thompson Farland Professional Engineers/Land Surveyors were present to speak. Atty. Costa stated that this was before the Council back in the beginning of February. At that time a full presentation was made by David Gay and the Council had the matter referred back to the Planning Board in light of the changes that the petitioner made to the plan. They went back before them and presented the revised plan and results from soil testing

that were done on site. They are pleased that upon review by the Planning Board, they voted to make a positive recommendation. He spoke about what the Planning Board's letter outlines. He stated that Recommendation #3 was that they have to show sufficient fire apparatus access around whole site for Site Plan Review which is fine. There was a concern but there is a letter in the record with the Council from the Fire Department that didn't raise that issue. He stated that Recommendation #4 which stated that they must submit 21E Certificate for the Site Plan Review is absolutely fine. He stated that Recommendation #5 stated that they submit a detailed Storm Water Management Plan for the Site Plan Review. He stated that one of the biggest sticking points with the Planning Board was whether the site can be designed in such a way that storm water can be controlled. The point that they urged at the Planning Board meeting and they would also urge the Council is that if the Special Permit is approved, it needs to go back before the Planning Board for a Site Plan Review. At that time a detailed Storm Water Management Plan would need to be presented. He stated that the soil testing that was done and discussed at the Planning Board meeting indicates that there will be some fill needed but the Planning Board was satisfied to the extent that they changed their recommendation. He spoke about the two conditions of the plan that the Petitioner would like the Council to consider not imposing. The first one was to reduce the number of units from 36 to 30 units. He stated that this requirement significantly affects the economic feasibility of the project to the extent that it is a real issue. The impact on traffic flow abutters, six units is a very minor change but has a significant economic impact. Additionally, this ties into the point that a full Site Plan Review will be needed for this project, a detailed Storm Water Management Plan will need to be designed and for all of the pieces of the puzzle to come together the petitioner needs to be able to work with 36 units. He stated that it is a distressed property and there are old buildings that need to be taken down. The old pavement needs to be broken up and taken away and soil will need to be brought on site to make the storm water plan work which is expensive. He stated that Mr. Koss has emphasized that he would like to design a nice project. This limitation would force it to be built in a way which instead of the best materials being used, lesser materials would be used. They are respectfully requesting that the Council grant the petition with the 36 units. He stated that the other condition that is problematic is #2 the restriction to "right turn only" when exiting between the hours of 7am-9am and 4pm-6pm. The reason for that is basically the enforcement issue. The sign might be there but if there is a clear path of traffic and there is not an issue getting out, people may be tempted to take the left turn. The traffic light at Arlington Street slows down the traffic flow. He stated that the people who live there will become accustomed to the traffic flow. Those are the two recommended conditions that they are requesting the Council not to impose. He stated that the Planning Board will have further opportunity to impose conditions in that process. Councilor Croteau stated that he supports 36 units; the initial proposal was 60 apartments. He thinks that the reduction from 60 to 36 is significant and he has no problem with it. He stated that as far as traffic is concerned, there was concern expressed about the intersection at the first meeting that he attended of the Zoning Board of Appeals. A comment was made at that meeting from one of the members of the Board had sat for 15 minutes at that traffic light trying to get through that area. He purposely went out of his way and drove through there and has never had to wait beyond the normal traffic light. Councilor Carr asked what the original number of units was. Atty. Gay stated that when it was originally proposed it was either 60 or 61 units. Councilor Carr asked if the Planning Board gave a reason as to why they were reducing it to 30. Atty.

Gay stated that one or two board members desired a lesser number of units and it was a compromise that the Planning Board struck. She asked if it was because they wanted fewer units or if it was to free up space for something else. He stated that one issue that came up at the Planning Board meeting was the design of a Storm Water Management System. Councilor Carr asked when the traffic study was done. He stated that it was January 2014 based on a study that was done in December 2013. Councilor Carr asked if they did a traffic count of cars. He stated that they counted cars on Dean Street and made calculations based on how this development would affect traffic there. They looked at accident data at the Dean Street and Arlington Street intersection. They didn't list the number of cars overall on Dean Street per hour in the report but they used that information to calculate that 61 units would present about a 1% impact on traffic volumes. Councilor Carr asked if they requested that the traffic only turns right during certain hours, where do they think that it is going to go. He is not sure. Councilor Pottier stated that he appreciates the concern of the enforcement issue but we have "no right turns" all over the place. He stated that it is a pain for the residents more than anything. If they can't get out of their driveway between 7am-9am they will complain to the building's management. He doesn't see it as a reasonable stipulation from the Planning Board. It's only for the residents, it doesn't really improve safety. He asked if a vehicle was traveling east on Route 44 and were to take a left, would there be enough room for a car to go past on the right hand side. Atty. Costa stated that there is one lane of traffic there and he thinks that there may be enough room. Councilor Pottier asked if they would be principally market rate units. He stated that there will be 3 studios and the balance will be single and double units. Councilor Pottier asked if there would be rentals and market rentals. He stated that there would be market rentals and maybe some affordable units, but only up to 20%. Councilor Pottier spoke about how market driven, lower impact developments that make sense to the community are a win-win all around and he is supporting this proposal. Council President Quinn stated that when this was before the Council previously, it was addressed as a 36 unit and she stated that it seemed to have general support. She stated that they were asked to refer it back for some more detail on the plan for the benefit of the Planning Board. They could make sure that there was appropriate access for the Fire, good landscaping, and a green area for the tenants and she thinks they have done that. She stated that at that time there was no discussion about reducing the number of units and she can accept the economic feasibility issue that they have. As far as the traffic, she goes up and down Route 44 all the time and there all different businesses along that road. She doesn't ever see anyone having difficulty getting in and out of those places. One of the issues is that it is a busy street and the traffic is slower. For this relatively minimal number of living units she does not see a great impact. She would rather see a sign not being put up and address it if it is a problem afterwards. She stated that it is going back to Site Plan Review for further recommendations. Councilor McCaul stated that he took a ride there today to get a sense of the traffic from the Pub 99 to Dean Street and he found that there was very heavy traffic in that area. He asked if the building would be mixed use. Atty. Costa stated that it would be residential. Councilor McCaul stated that the reason he is asking is because if there was a school bus trying to enter the location with that kind of traffic he is not sure how it would get in and out of there. Atty. Costa stated that there are similar developments where a school bus stops on Dean Street. He is not sure if the bus would go on site or stop on the street. It would be a decision for the schools. He stated that they cannot discriminate against children, there probably will be some kids living there.

Councilor McCaul asked if it is located in a historical area. Atty. Costa stated that the house that is on Dean Street would have to be reviewed by the Historical District Commission. Councilor McCaul stated that in order to get a demo permit, they would have to get permission from the Historical Commission. Atty. Costa agreed and stated that it is because of the age of the building. **Councilor McCaul made a motion to have the Historical Commission review this and report back to the Council on whether they will grant permission to get a demo permit before the Council moves forward with this. So Voted.** Atty. Costa stated that the City has a demolition delay ordinance which can impose a period of delay but he doesn't believe that it can prohibit the ultimate demolition of the building. He stated that generally what would happen is a demolition permit would be requested, it would be referred to the Historical District Commission and they would make a determination that it is not habitable. Councilor McCaul stated that it was mentioned that the traffic study was done in 2013. Atty. Gay stated that it was done in 2013. Councilor McCaul stated that at the ZBA meeting there was a traffic study that was done in 2009-2011 and if that is the case they are looking at a 5 year old study. He stated that traffic patterns do change. He would like an answer on that. Councilor Croteau stated that he is confused; he thought that the Attorney stated that the traffic study was done in December 2013 not 2009. He stated that it is a two year old study, not a seven year old one. Councilor Croteau stated that the most recent study was 2013. Councilor McCaul asked if they could get clarification from a member of the ZBA that is in the audience. Council President Quinn stated that there will be public input later in the meeting. Councilor McCaul stated that because it was previously New Jersey Rubber, he would feel more comfortable knowing that a 21E for contamination be shown that they passed before the permit is granted. Councilor Marshall stated that it is the wrong site; it was never part of New Jersey Rubber. He stated that this was the former James C. Goff Masonry site. Councilor Dermody stated that a lot of his questions and concerns have been answered. He thanked Mr. Koss for respecting the process. He stated that as far as the Planning Board's recommendations, he understands the economics of this. He stated that if the Council gives a positive recommendation and it goes back to the Planning Board all they can do is add additional conditions. He stated that he didn't hear a real good reason why the units went from 36 to 30; he would like to find that out. He understands the economics; they started out at a very large number and are reduced market rate units which is what is needed in the City. He spoke about the redevelopment of the property and as Councilor Pottier stated, to get someone to clean up these properties without using taxpayer's dollars is a huge value. He discussed how this is abutting the Historic District. Just a few thousand yards away is the historic building at Longmeadow Nursing Home. He stated that the brand new facility is set back. He asked how visible is this from Dean Street to the building itself. Atty. Costa stated that it is set back as far as it can go on the lot, approximately 230 feet. He also spoke about the landscaping and the placement of the trees and how they will screen the property. Councilor Dermody stated that he is in support of this but was concerned about the process. Councilor Borges stated that she has concerns with the 7am-9am and the afternoon restrictions. She does not see how that is going to help. She thinks that it will make it worse, there will be cars pulling into the Girl's Club where there are young children. She doesn't think that it is a good idea. As far as reducing the number of units from 36 to 30, she couldn't find a good reason for that number to change. She stated that she supported it when it was 36. The reason to refer it back to the Planning Board was so that they can review the changes that were made to the Site Plan. She has no issues with

the plan that is being proposed this evening. She is happy to see that there is development happening in that area. Councilor Cleary stated that it is a plus project for Taunton. He didn't have a problem with the 36 before; he thought that it was good that it went from 61 to 36. He thinks that it is good use of the property. He stated that Mr. Koss is making an investment in Taunton and spoke about the profit margins and the economic impact of reducing the project to 30 units. He is not concerned about the traffic. The lights at Dean Street are more than sufficient to calm traffic. He is in support of the project. He spoke about the process that Mr. Koss has been through and doesn't want investors to think that we are not receptive to investors coming into Taunton. Councilor Marshall asked Atty. Costa if when they were at the Planning Board and talking about reducing the number of units from 36 to 30, was there any mention of reducing the size of the footprint of the building. Atty. Costa stated that when they voted on the conditions it was really just to lower the number of units. Councilor Marshall asked if they had concerns about the parking because it is tight with the 36 units. Atty. Costa stated that he thinks that they were satisfied that there was extra parking, they needed 72 but they have 80 spaces. Councilor Marshall stated that it doesn't make sense to him to reduce the number of spaces without reducing the footprint. Councilor Marshall asked because they are applying for this Special Permit under the Inclusionary Zoning By-Law, are there any requirements that the units or a percentage of them must be affordable. Atty. Costa stated that this is a regular Special Permit application, it is not inclusionary. Councilor Croteau stated that the green arrow at the lights is very quick. He stated that there is ample room for vehicles to go by on the right if you are stopped to turn which does not hold up traffic. He stated that this project has been on the table for two years. If the Historical Commission was a problem or concern he is sure that it would have come up. It is not in the Historical District, it just abuts it. Councilor Carr stated that a building does not have to be in the Historical District to require a demolition permit; any building requires one from the Historical Commission. She asked if they applied for one yet. Atty. Costa stated that it is a completely separate process. Mr. Koss could apply for a demolition permit right now; you don't need a Special Permit to do that. She stated that when they apply for the permit it will be sent to the Historical Commission regardless. Mayor Hoye asked if there was anyone here to speak in favor of the petition. Mayor Hoye asked if there was anyone present to speak in opposition of the petition. Wayne Berube, 88 Dean Street stated that he is a sitting member of the Zoning Board of Appeals but is here tonight as a resident of Dean Street. He stated that he and his wife have owned property at the corner of Dean Street and Longmeadow Road for 36 years. He spoke about how traffic is a problem at all times of the day. He stated that it was one of the major issues that was dealt with when the petitioner came before the Zoning Board. He discussed how traffic is bumper to bumper on Fridays and Saturdays. He typically doesn't use Dean Street because of it. He stated that the ideal entryway would have been Arlington Street which he has been told is infeasible because of the railroad. It would be a much less intrusive entry than the location that is being talked about. He stated that Mr. Carr on the Planning Board was the one who inquired most about the traffic circumstances. He has extensive Police background and awareness of traffic accidents. He stated that it is a unique location for danger due to the fact that the traffic light is very close to the entrance of the facility. Also, when looking towards Raynham, the curve which created a blind side coming out motivated the suggestion of a "Right Turn Only". Sometimes the "Right Turn Only" is the safest way to do it. He stated that it should be recorded with the DOT so that it can become enforceable and stated that it is a very dangerous entrance and

egress location. His understanding of why it should be reduced from 36 to 30 units was the fact of the high water table on the site. He stated that it would be 14" below the ground and they were talking about as much as two feet of fill. He stated that with an over saturation of units there, that it was a disaster for the site. He stated that Joshua Borden stated that he would suggest to his clients if they were to locate there that they don't have any more than 24 units. He urged the Board to consider 24 units. It also had to do with the ability of safety vehicles to get in there. He stated that he is opposed to the project because of living there. His house is in the Historic District, he believes that the facility has to be keeping with a degree of aesthetics that complies with the Historic District. He spoke about how it is a wet site and he has pictures that show the incredible amount of surface water on the site. He spoke about how he is against it and doesn't think that it is a safe traffic situation. He discussed how he would like to see a 21E and hopes that they can control the water on the site. He spoke about trying to get out of side streets onto Dean Street when there is a lot of traffic. He stated that there is credibility to reducing the number of units from 36 to 30. He asked the Council to take that into consideration. He stated that he spoke to the Chairman of the Historic District Commission and he advised him that any activity in the Historic District has to go for clearance through them. Charles Flannery, 10 Belmont Street asked if either picture shows 30 vs 36 units. Atty. Costa stated that this rendering was made at the beginning of this process. He stated the building shown is four stories tall and the building that they are proposing is three stories tall. He stated that this is an illustration to show what the project is. Mr. Dufresne explained their concept plan and what it was based on. Mr. Flannery asked if it reflects any suggestions of the Planning Board. He stated that it does not. He spoke about the Planning Boards suggestions. He stated that he has been collecting signatures on a petition starting at the end of Belmont Street and intended on getting 100 signatures. He stated that the first 15 people that he spoke with had no knowledge of the project. Their main concern is the speedway that Belmont Street has become in the past three years since it was repaved. He stated that people use it as a shortcut to bypass Dean Street and it will only get worse. He stated that he would vote to send the entire project back to the Planning Board and let them see the revised plan and settle on a number. There were obviously reasons why they want to reduce the number to 30 units. Councilor Croteau stated that if this is an example of someone trying to invest money in the community and short circuiting the process and this has been going on for two years then they are not very good at short circuiting. **Councilor Borges made a motion to close public input. So Voted.** Councilor McCaul asked if the traffic study was done in 2013 or 2009. He is concerned about how the traffic has changed in that area. He was told that it was 2013. **Councilor Borges made a motion to approve the Special Permit with conditions #3, #4, & #5 as recommended by the Planning Board and omit conditions #1 & #2; reducing the units from 36 to 30 and the restrictions of the right turn only. So Voted.** Councilor Marshall stated that in making his decision, projects of this complexity need several governmental approvals along the way and they have to start somewhere. He believes that the City has a good check and balances system with other Boards. He stated that the Council can approve this but if they can't get the Historic District Commission's approval then it will be dead in the water. He spoke about all the processes that have to be gone through for the project to proceed. He does hear Atty. Berube's concerns and agrees that the best option would be to come out on Arlington Street but it is unfortunately not an option. He is comfortable with the way this is going. Councilor Carr stated that regarding the condition on the right hand turn, she

doesn't have a strong feeling either way on that. Some of the residents and the Planning Board seem to think that it would be a safety issue. She doesn't think that the right turn only would affect whether someone moves in or not. She asked how they feel about about that particular condition. Atty. Costa thinks that it is more of an issue if it is there than if it's not. There are other similar developments on Dean Street where there is no sign like that and people are able to get in and out. Councilor Carr stated that she agrees and if it is something that is being asked for and doesn't have a big effect on the project, she would just assume to go along with it. Atty. Costa stated that it really limits the egress during those times of the day. Councilor Borges stated that the reason why she made that motion is because Council President Quinn made a good point and if it is an issue in the future, it can always be brought up to the Committee on Police and License to take a look at it. **Motion was made to close the hearing and excuse the parties. So Voted.**

Appointments:

Re-appointment of Charles Thayer, 30 Dean Street, Taunton to the Historic District Commission for a term of two (2) years expiring March 31, 2018. **Councilor Borges made a motion to approve. So Voted.**

Re-appointment of Joseph Norte, 45 Village Circle, Taunton to the Historic District Commission for a term of two (2) years expiring March 31, 2018. **Councilor Marshall made a motion to approve. So Voted.**

Re-appointment of Jordan H.F. Fiore of 425 Winthrop Street to the Historical Commission for a term of (3) years, which will expire the last day of February 2019. **Motion was made to approve. So Voted.**

Re-appointment of Dr. William F. Hanna of 68 Duffy Drive to the Historical Commission for a term of (3) years, which will expire the last day of February 2019. **Councilor Marshall made a motion to approve. So Voted.**

Communications from City Officers:

Com. from Budget Director requesting to pay a prior year bill from United Site Services in the amount of 107.00. The Deluxe Restroom (10.00) and Weekly Service (97.00) occurred from 5/27/15 thru 6/23/15. **Councilor Marshall made a motion to approve. So Voted.**

Com. from Fire Chief requesting that the City Council appoint Private Brian Gordon acting Lieutenant in accordance with all Civil Service rules and regulations to fill the current vacancy of Lieutenant Aaron Gilbert who has been out of work beyond 30 days due to a medical leave of absence. The following appointment change is requested. Private Brian J. Gordon to be reassigned to Provisional Lieutenant. **Councilor Cleary made a motion to approve the request. So Voted.**

Com. from Executive Director of Retirement submitting Calendar Year 2016 Retirement Expense Budget for informational purposes. Council President Quinn made a motion to receive and place on file. **Councilor Pottier made a motion to refer to the Committee on Finance and Salaries. So Voted.**

Com. from City Planner submitting ADA Transition Update. He has attached a copy of the working spreadsheets detailing all of the safety issues (completed and open). In total, there are 107 issues in the report classified as safety issues by the consultant. 86 have been completed and 21 are unresolved and open. He has detailed each open item below by spreadsheet and then each item details the building, responsible party, the item number, the issue and any notes he has received from the responsible party. **Councilor McCaul made a motion to refer to the ADA Committee. So Voted.**

Communications from Citizens:

Com. from Jeff Anderson, East Taunton Resident expressing concerns regarding the Taunton Municipal Airport. He would like clarification and identification of the parties who Bob Adams has had prior meetings with. He has been informed that there is not one member on the board who is a resident of East Taunton. He would feel better if there were at least two members on the association from East Taunton who had the community as well as the environments concerns and best interests truly at heart. Councilor Borges made a motion to refer to the Needs of the Airport in two weeks and invite the Commission in to address some of the concerns that the citizen has. She wanted to address a few points on this letter. The Needs of the Airport is actually a City Council Committee it is not the Commission. She stated that the Mayor does not appoint the Taunton Airport Association or the Taunton Pilots Association. She believes that those are the only two associations that are part of the airport separately. As far as the February 2nd meeting, it was presented to the general public and it was regarding concerns that were brought up by the Taunton Pilots Association. Councilor Marshall spoke about how he was at the meeting and it was said that there would be no jet port. He stated that as far as Mr. Adams as an individual and a member of the Commission, he is not sure if he broke any Open Meeting Laws but he doesn't think it is the Council's responsibility for him to disclose who he had the meetings with. Councilor Pottier stated that there was talk that if we were getting jets that we need to get jet fuel. He stated that he has talked to the Mayor and they would never support something like that. He doesn't think the Council would support it. He stated that there was some talk at that meeting which has led to some confusion and suspicions from the people in that neighborhood. They think that even though that is what was agreed to and is what is being said, there is still some activity going on behind the scenes. Councilor Marshall stated that they were talking about the runways not being long enough for jets. Councilor Marshall stated that he would support asking the airport Commission in a letter if there is a planned expansion to make it a jet port. He doesn't see the need to have them come down and explain the letter. Mayor Hoyer stated that the jet fuel has been proposed by the Taunton Pilots Association because it supports a different type of plane. They are not necessarily bigger planes. He stated that it has been on the table for some time and doesn't mean that the airport is going to expand. He stated that he has spoken to Mr. Anderson and told him that it is not going to happen. He stated that who Mr. Adams speaks to is his business, but as the Mayor of the City he can say that there has been no communication between the Tribe and this City of doing anything with the airport right now. He stated that there is a lot of inaccurate information in this letter. He thinks that he is referring to the Taunton Airport Commission as opposed to the Taunton Airport Association. Mayor Hoyer apologized to Mr. Anderson publically because this letter was sent to his office some time ago and got lost and never made it to the City Clerk's Office but made sure it was here this week. He thinks that this should be referred back to the Airport

Commission. Council President Quinn stated that she was at the meeting on December 30, 2015 and thinks that it was a little more of a casual conversation. There was interest from certain other people about charters. She asked if she is correct in stating that if there were going to be any expansion of the airport, it would have to come before the Council and Public Hearings would be held. Mayor Hoye confirmed. Council President Quinn appreciates Mr. Anderson's concerns as a resident of East Taunton to know what is going on. There has been a lot of controversy among different players at the airport but to her knowledge none of that affects expansion of the airport. Mayor Hoye stated that if the Taunton Airport does not draw in more business, they are going to struggle. We have talked about a new administration building which is called a terminal. He thinks that people have the wrong idea; it is going to replace the building that is there now. It will cost the City a small fortune in ADA and Life Safety upgrades if that building is going to continue to be used. In his opinion, we would be better off for 5% of the project, funding a new building. He stated that it will have better amenities for people visiting; there also could be a new restaurant at some point. He stated that it doesn't necessarily imply that there will be a major expansion. It is the same prototype that has gone on through the Commonwealth. Councilor Quinn asked if allowing longer runways is on the table. Mayor Hoye stated that it is not. **Councilor Borges made a motion to refer this letter to the Airport Commission. So Voted.** Councilor Borges asked if the City is going to fund the 5% of the project that we would be responsible for as opposed to it coming out of the airport. Mayor Hoye stated that the Council would have to approve it but because of what has to be done there it is a good investment on the City's behalf.

Com. from Carolyn Basler stating that she had the pleasure of speaking with Bristol County Sheriff Thomas Hodgson. During that conversation, she mentioned that she had not seen his department's clean-up crews in Taunton in a long time. His response was that they had to be invited. The streets of our City are a mess with litter. Any available assistance to resolve this situation should be welcomed. Councilor Pottier stated that it is a great idea and it is something that we have done before. Mayor Hoye stated that he spoke to the Sheriff at an event today and his office has been a presence in this community as long as he has been involved in City government. They continue to support the Park, Cemeteries and Public Grounds Department over the past couple of years. Their vandalism crew comes in and takes care of graffiti quite often. Also, Marilyn uses them a couple of times a summer over at the cemetery. He is not sure where this is coming from but at the same time, any further support that they can give us will be referred to the DPW. We have used the Department of Correction's crews over the past couple of years on the streets. He stated that we will continue that relationship and continue to build upon a relationship with the Sheriff's department. He also spoke about how the crews have also done some painting. They are both great resources and any time that they can be utilized they will be. **Councilor Croteau made a motion to refer to the DPW. Councilor Pottier made a motion to refer to the Parks, Cemeteries and Public Grounds Department and the Mayor's Office to coordinate the efforts in the City. So Voted.**

Com. from Richard Conte, 49 Lakeview Place, Taunton requesting to purchase parcel #25-52 on Lakeview Ave. He already owns parcels 25-50/25-51 which abut parcel 25-52. He would like to obtain land 25-52 with hope to build a house on lots 25-50 / 25-51 / 25-52. **Councilor Marshall made a motion to refer to the Committee on Public Property and to the Law Office to see if these properties fall under the Abutters**

Ordinance and the findings to the Committee on Public Property in two weeks. So Voted.

Com. from Ernest Cardoza, Greater Taunton Area Allied Veterans Council, 82 Ingell St., Unit 4, Taunton stating that in conjunction with its annual Memorial Day Parade, the GTAAVC seeks the gratis use of the city-owned thirty-two foot box trailer for its reviewing stand on the east side of the Taunton Green. Like other years, its movement, placement and use will be coordinated with the appropriate City department. **Motion was made to move approval. So Voted.**

Petitions:

Hours of Operation License

1. Broadway Quick & Clean Car Wash, Inc. located at 175 Broadway, Taunton
2. E-Z Clean Laundry Center, Inc. located at 11 Tremont Street, Taunton
3. E-Z Clean Laundry Center, Inc. located at 89 Winthrop Street, Taunton
4. E-Z Clean Laundry Center, Inc. located at 173 Rear Broadway, Taunton

Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.

Petition submitted by Richard Henderson, President, Taunton Development/MassDevelopment Corporation requesting to amend the Zoning Map of Taunton by changing the zoning designation of property located off Bay Street and Dever Drive which include Lots A, B1, B2-A, B3R, and B4-A from Industrial District to Business District. **Councilor Borges made a motion 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.

New Business:

Councilor Pottier made a motion to refer to the DPW to update the dates for yard pick up for this calendar year. So Voted.

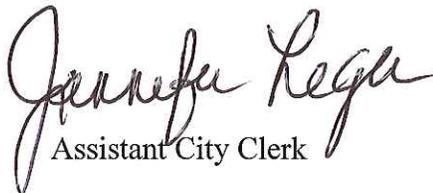
Council President Quinn made a motion to refer to the Trash Enforcement Officer and the Police Department to look into the matter of increased trash and dumping on Prospect Hill Street and to receive an update on the cameras from the Police Chief. So Voted. She stated that it has been asked about several times and she doesn't know if there are any cameras in that area. She wasn't sure if they could be put in that area or if there are some, she would like to know where they are and if they are working and being monitored. She stated that the Neighborhood Solid Waste Committee donated several of them several years ago. She stated that every Earth Day we do a clean-up and there is piles of trash there. Mayor Hoyer stated that he believes that it was cleaned up this past week. He stated that it definitely needs enforcement and we will definitely be working with the DEP. He stated that dumping is a problem everywhere.

Councilor Carr wanted to go on record thanking the City Clerk's Office and all of the Poll Workers for a job well done on Election Day. She stated that a lot of the time other departments are thanked and she thinks that the City Clerk's Office is not thought about because there are no complaints because it is always done so well. Councilor Dermody would like to commend the City Clerk's Office, Registrar of Voters and everyone who pitched in over the weekend with the ballots that needed to be redone. He stated that a lot of that came from Boston and it was a tremendous undertaking that had to get done. He stated that there were a lot of hours put in and it is deeply appreciated. Councilor Borges thanked the Taunton Nursing Home and all of their staff for their deficiency free survey from the DPH. She thinks that it is great news and she congratulated them for all of their hard work. **Councilor Cleary made a motion to send them a letter from the Council stating that they are greatly impressed with their recent audit and their hard work. Councilor Carr made a motion to send thank you letters to all of the departments that have been mentioned. Councilor Croteau motioned that based on reading the article in the Taunton Daily Gazette, Heidi Paquin, Director of Nursing should be singled out. So Voted.** He stated that he has heard many comments about all the work that she has done in the past year.

Meeting adjourned at 9:42 P.M.

A true copy:

Attest:


Assistant City Clerk

JLL/SJS

CITY OF TAUNTON
MUNICIPAL COUNCIL
MARCH 8, 2016

THE COMMITTEE ON FINANCE AND SALARIES

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

MEETING CALLED TO ORDER AT 6:14 P.M.

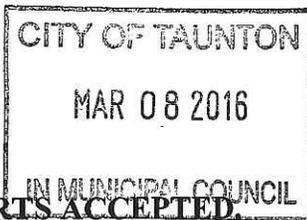
- 1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS
- MOTION:** MOVE APPROVAL OF THE PAYROLL WARRANT IN THE AMOUNT OF
\$2,874,522.67. SO VOTED.
- MOTION:** MOVE APPROVAL OF THE INVOICE WARRANT IN THE AMOUNT OF
\$4,631,775.61. SO VOTED.

MEETING ADJOURNED AT 6:15 P.M.

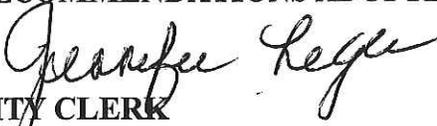
RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED.
RECOMMENDATIONS ADOPTED.


Asst. CITY CLERK

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CITY OF TAUNTON RECEIVED
MUNICIPAL COUNCIL CITY CLERK'S OFFICE
MARCH 8, 2016

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THE COMMITTEE ON POLICE AND LICENSE

PRESENT WERE: COUNCILOR DAVID POTTIER, CHAIRMAN AND COUNCILORS MCCAUL AND BORGES. ALSO PRESENT WAS POLICE CHIEF EDWARD WALSH

MEETING CALLED TO ORDER AT 7:21 P.M.

1. MEET WITH THE POLICE CHIEF TO DISCUSS INTERVIEW OF LATERAL CANDIDATE

The Chief said they are looking to look at one lateral and one person off the list. Background checks have been done and the Councilors have been provided with those documents. The Chief is here asking when the Committee would like to have them in for interviews. The Chairman asked how many were going to be interviewed at this point, to which the Chief answered one lateral and one off the list. They have the one person off the list and they actually received an extended list last week and they are looking at some of those candidates.

MOTION: TO SCHEDULE THE INTERVIEWS FOR MONDAY, MARCH 14 AT 6:30 P.M. SO VOTED.

2. MEET WITH THE POLICE CHIEF TO DISCUSS SPECIALS

The Chief said that in early January he sent a correspondence to the Committee electronically relative to his retired officers working details. As the Council is aware, retired officers work details as covered under bargaining agreements even though collective bargaining agreements don't apply to retirees. We, for some reason have never done anything relative to granting them powers. Most of the communities in our area have done Home Rule Petitions over the last 30 plus years to do this, but the City has never done it. One of the things he has done, and has provided the Committee with, is a draft of a Home Rule Petition which would basically give them the authority to appoint a retiree as a Special Police Officer. Most of the retirees now are working under the auspice of being Constables. This will clear up any legal confusion about this. He has talked to both Unions and they are supportive of this since it impacts their members in a positive way. He would like to get this going, move forward with it and deal with it. Councilor Pottier asked how seniority counts insofar as picking the assignments, do they get top of the line, bottom of the line?

The Chief said that what happens is if they have details, it is offered to the members of the Department first who are on active duty. If a member of the Department does not opt for a detail, and they have a lot of details they cannot fill, it is offered to the retirees that are interested in working details. There is a short list of people. If they cannot fill it that way then they go to out of town departments.

Councilor Borges said that she would like to take a look at this, review it and meet in another week or two to discuss it.

The Chairman also asked to have City Solicitor Buffington review the draft.

MOTION: TO HAVE THE CITY SOLICITOR REVIEW THIS DRAFT AND MEET IN 2 WEEKS TO FURTHER DISCUSS IT. SO VOTED.

Councilor Carr asked if they are working as Constables now are they considered employees of the City?

The Chief said he thinks it is a very questionable situation right now. He also said he thinks that

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MARCH 8, 2016

THE COMMITTEE ON POLICE AND LICENSE – CONTINUED

any Constable technically is considered a special municipal employee but he has questions about their authority. What most communities do is a Home Rule Petition to create specials and he thinks to fill that gap this is what he needs to do.

Councilor Carr asked if they would be sworn in as special officers for the City at some point in time? The Chief said yes.

Councilor Carr asked what happens in the event that one of these officers is hurt doing something.

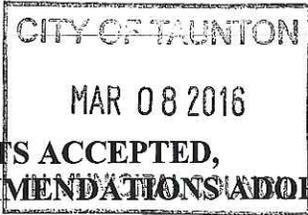
The Chief said it is defined in the draft that he provided. He also noted that if a retired officer is working a detail and gets hurt, the City owns the injury.

MEETING ADJOURNED AT 7:27 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED,
RECOMMENDATIONS ADOPTED.


Asst CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
MARCH 8, 2016

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS

PRESENT WERE: COUNCILOR DEBORAH CARR, CHAIRMAN AND COUNCILORS DERMODY, MARSHALL, CLEARY AND CROTEAU. ALSO PRESENT WERE DPW COMMISSIONER FRED CORNAGLIA, ASSISTANT DPW COMMISSIONER TONY ABREAU, WATER DIVISION SUPERVISOR JON CHASE AND KEN HO OF BETA GROUP

MEETING CALLED TO ORDER AT 6:44 P.M.

1. MEET TO DISCUSS COMPLETE STREET GRANT

The Chairman noted that this Committee met 2 weeks ago on this matter only to introduce the subject and to let everyone have some time to look over the information. She further said that Ken Ho of Beta will provide a presentation on Complete Streets. Since the last meeting, Councilor Carr said she had some time to look over the policy they had and she felt that it could be a little stronger so it is being worked on. The Policy will not be discussed tonight, and the Committee will just get a presentation from Mr. Ho on the program. Councilor Carr also said that the policy will be forwarded to Councilors this week and she will schedule a meeting in 2 weeks for a vote on the policy.

Councilor Croteau said that he wants to know how much the City is going to get, not just in money, how much money the City is going to get plus what are the benefits and down the road what is it going to cost the City.

Mr. Ho said in terms of dollar amount this Complete Street Program was approved late last year. The amount that they have is \$12.5 Million for 2 years. Right now it is programmed for 2 years. About a year or two ago they had a total of \$50 Million but only \$12.5 Million is programmed and allowed to be used for 2016 and 2017. There is still money left for the future. Every community is allowed a maximum of \$400,000.00 to do construction – just construction. What they also allow on top of the \$400,000.00 is \$50,000.00 to help you establish a plan of action, which Mr. Ho will get into a little later.

Mr. Ho continued stating that there are 3 simple tiers that you have to follow to get into the program. The first thing is to attend a meeting and the City has done that.

The next step is to create a policy to be submitted to MassDOT. Based on this policy, there are 10 elements that you have to meet that are all-related to safety for pedestrian, vehicle, transit and all the various modes of transportation, including bicycles. They will grade you based on this policy. You have to score at least 80 and above to go to the next level.

Once you submit the policy, if it passes, the next step is to create a plan. It could be 10 projects, it could be 5 projects. You can apply for \$50,000.00 that they will provide to the City to come up with that plan. The \$50,000.00 can be spent then they will reimburse you, or you can wait for them to send you a check and then you start. It is up to the City.

Once you have created the plan, they will review it and follow the steps of the agreement. Mr. Ho said if the project is \$300,000, usually the rule of thumb is the design of the roadway and sidewalk is about 10%, so the design fee is the city's obligation. Once you have the project done, they will assign to you whatever that amount is. Then they will give you the notice to proceed then the City can hire a contractor and get it done.

PAGE TWO

MARCH 8, 2016

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED

Mr. Ho said that the nicest thing about this project is that unlike a TIP project that has a long process of design review, in this case, the design is almost like a City project, your own project. You get it done, submit the improvement, they give you the funds to go out and build. It is that simple. Once the first project is completed you can go right to tier 3 for the next one. Right now there is funding for 2016 and 2017.

Councilor Marshall asked if the City opts into this plan, would the City have to follow their specifications? If we sign up for this will the City be mandated to put in certain requirements that Mass DOT wants, for example, the layout requires 56 foot wide layout. Right now our Ordinances require a 50 foot layout, even new construction, never mind an older section of the City. So his concern is that yes, you can get the \$400,000.00, but if you have to add 12 feet to a layout and a land taking for a bike path that is going to eat up more than \$400,000.00 in additional land taking. His questions are around some of that. So let say we opt into this plan and we are going to redo Main Street under our existing Chapter 90 moneys, would we have to follow any of the specs or guidelines in the Complete Street Program or do you only have to follow those for projects where you ask for that additional funding for the Complete Streets Program.

Councilor Marshall's other question is if this is a separate program from the TIP program? For example he knows they have talked about putting Route 138 on the TIP from District Court to the Raynham line.

It was noted that this has been done, it is on the TIP.

Councilor Marshall said his concern is that if we opt into the Complete Streets Program are we going to have to do what they want under the Complete Streets Program. Obviously they are pushing for bike paths, etc. He just does not want to accept \$400,000.00 now to maybe cost the City more money later on because now we will have to put in a 6 foot bike path, a 5 foot greenery and a 6 foot sidewalk where we may not have that existing room within the existing layout and now we are doing all this land taking to meet this requirement of the Complete Streets Program.

Mr. Ho said that there is a section in the program that talks about this. Mr. Marshall is correct because that is the whole idea of Complete Streets - you want to provide safety accommodations for all users, not just vehicles. That is what they would like you to do. If you have a right of way constraint, you cannot be taking property from someone's front yard, to add in the lane. He said there are exceptions, there are variants that you could not follow. They know there are hardships and that we do not live in a perfect world. Not everywhere can you get a 55 foot cross section, there are houses, property, businesses.

Councilor Marshall said that he assumes that these would be like competitive graded programs, there is only so much money, so he would have to imagine that if you could meet the 56 foot layout, cross section, you would get a better grade than a community that can only meet a 44 foot section.

Mr. Ho said no.

Councilor Marshall then asked how the projects are funded. Say there is \$18 million of projects submitted, there is only \$12.5 available, so someone is going to go. How are they going to rate those projects.

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED

Mr. Ho said he thinks that because, and there are ratings, but, because this project is new, the sooner you get everything in order the better off you are in terms of getting the funding. There is a guideline in terms of schedule. If you can submit the policy and get approved by May 1st, they estimate that in about 6-7 months, if everything goes smoothly, that is when you will get your funding. It is about a 6 or 7 month period; so the longer you wait, the longer it will take to disseminate the funding. In terms of design, whether it is 6 feet, can you get it, can you get 55 feet, he thinks those are design elements that need to be worked out. He does not think those are elements that they will penalize you for because you cannot provide those.

Councilor Marshall asked if the DPW team had identified a specific areas, a street that is not currently on the list for the Chapter 90 money that they think would be a bonus to get and apply for this funding.

The DPW Commissioner said Kilmer Avenue, County Street – County Street does not have a layout meaning there is no recorded layout and it is one of the main streets in the City of Taunton, also Fremont Street is another one that does not have a layout. Those streets do not conform, but Kilmer Avenue would conform. There are a few other streets that they have in mind. The first thing is to have the policy in place.

Councilor Marshall said, in his opinion, the more that you can meet what they would like the better you will rate on their funding scale.

Councilor Marshall also said, to be clear, none of this, by signing up to Complete Streets, ties us to this layout, in any of our existing roadways or our TIP programs, because first to redo the plans on just say for Route 138, just to redo those to try to see if the City could meet this, would be costly.

The DPW Commissioner said they have not done anything for Broadway because they do not have the funding but it is scheduled for 2019. They did pay for the layout plans and he believes it was about \$50,000.00.

Councilor Marshall just doesn't want what they have already gotten done to be null and void because they would have to meet all these requirements.

Mr. Ho said he does not think this is going to happen, and the reason is because these folks realize that \$400,000.00 is not a lot of money so if they were to look at that cross section as a criteria you could maybe only get done 250 feet, perhaps only 150 feet done. He does not think that is being realistic for \$400,000.00. He thinks that what is going to happen is that you have a lot of deficiency sidewalks and that is something you could use this for, \$150-\$200,000.00. None of the roadway construction is going to be in a full depth construction because with \$400,000.00 you cannot do that. You are talking about construction where you are replacing sidewalks, making sure ADA ramps are met, if there is a traffic signal and you need to adjust or upgrade the equipment, so all of this helps to improve safety.

Mr. Abreu asked Mr. Ho, stating that Linden Street has a binder coat on it, so is that some type of road that you could finish with this funding.

Mr. Ho said yes because that is going to help improve safety of vehicles and all users that use that road. He said anything that has to do with improvements of any mode of transportation, whether it is mill and layout and continuation of a roadway is all part of the complete streets.

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MARCH 8, 2016

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED

The DPW Commissioner said Plain Street would be another one because they do not have enough room for 2 sidewalks.

Councilor Carr said that we have sent our representatives to the school and they have certificates of completion for that. Then the City has applied to be in a compact, and you get extra points on your application for that, 4 extra points on the application for that, which the City has done. The next step is to approve the Policy. She wants to go back to the bicycle paths and other things that in the policy part there are exceptions. In other words it is our policy and we write it however we want to write it. So we can put in our policy that it would be an exception to our policy that we put in a bike path if the street width did not allow for a bike path. It is not like they are going to make you take land by eminent domain and put in a bike path. That is an exception. When she read it, she looked at it more as a way to do sidewalks, to do ADA ramps, because ADA is a part of it, pedestrians are a part of it, so anything that is better for pedestrians is a part of it. We can apply for this and become part of this, but if it the City decides to never take a dollar, we do not have to take money from it. So, if they said in order to get money from this you would have to do this, if we did not want to do it, we just wouldn't do it and wouldn't get the funds.

Councilor Carr asked if the projects are pre-approved by somebody, in other words do they look at our policy and look at what we have submitted to make sure we are abiding by our policy, or is it up to the City to make sure that we are abiding by the policy.

Mr. Ho said they will look at the policy, and if you pass the policy and pass tier 2 which is the plan that you are going to put together for the projects, they will look at the number 1 project and if it is a sidewalk which is a no brainer, they will give you the money and you get it done. Now for the 2nd project, they will look at how the process for the first project went, did you meet all the requirements, and if everything checks out then they will move to the next project. They will look at the policy to make sure you commit to the improvements.

Councilor Carr then asked once something is done, and something in the policy wasn't done correctly or wasn't followed, what would happen.

Mr. Ho said he would like to think that most likely that would not happen because they would do the design and make sure that it would fit the policy that they put together. They would have to review it and before they issued a check would make sure that we are on the same page, otherwise you are not going to get the check.

Councilor Croteau said that he is concerned regarding Project 1, then we come in with project 2, then they are going to look at Project 1 so his concern is that instead of us submitting project 2 that they are going to come in and say you have to do the following, something that we have not even proposed.

Councilor Carr also noted that as she read through this, communities that have shovel ready projects will have a better chance of getting more of the money because they are going to give money to people who are ready to go because they have to spend the money within a year. If you do not have a project ready to go and it can't be completed within that year then you are not getting the money. The more shovel ready projects the better.

Councilor Cleary made the following motion:

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MARCH 8, 2016

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED

MOTION: TO TAKE THE DRAFTED POLICY UNDER DISCUSSION AND MEET IN 1 WEEK AND VOTE UP OR DOWN THE RECOMMENDED POLICY.

The motion was seconded. On discussion, Councilor Carr said the policy that she gave the Council is going to change, there will be a new one. She will send it to the Council this week. She was not going to schedule this until the 22nd of March to allow time for the Councilors to look at it.

The above motion was changed to read as follows:

MOTION: TO TAKE THE DRAFTED POLICY UNDER DISCUSSION AND MEET IN 2 WEEKS AND VOTE UP OR DOWN THE RECOMMENDED POLICY. SO VOTED.

2. MEET TO REVIEW MATTERS INF ILE

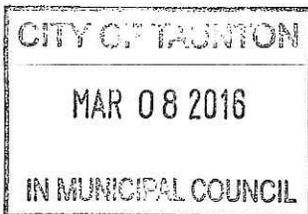
The DPW Commissioner provided a letter dated 3/3/16 regarding Sidewalk Project – Plain and Pratt Streets – Construction Start Date. The letter stated that the DPW infrastructure team has determined that it is beneficial to the City to authorize LAL Construction to commence construction of the Plain and Pratt Streets sidewalk construction contract about three weeks ahead of the expiration of the winter (November 1st to April 1st) moratorium period prohibiting working in City streets. They make this recommendation due to the generally mild winter they have experienced and their desire to get an early start on this important infrastructure project. The construction work would be suspended should inclement weather occur that might otherwise adversely affect traffic flow.

They respectively request approval of the request to waive the winter moratorium restriction for this project with an authorization date to commence work on March 14, 2016.

MOTION: MOVE APPROVAL. SO VOTED.

MOTION: LETTER OF DPW COMMISSIONER TO BE PART OF THE RECORD. SO VOTED.

MEETING ADJOURNED AT 7:20 P.M.



RESPECTFULLY SUBMITTED,

A handwritten signature in cursive script that reads "Colleen M. Ellis".

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED,
RECOMMENDATIONS ADOPTED.

2551. CITY CLERK



CITY OF TAUNTON

**ORDER #18
FY 2016
MARCH 8, 2016**

In Municipal Council *20*.....

Ordered, That

THE SUM OF ONE HUNDRED SEVEN DOLLARS AND

NO CENTS (\$107.00) BE AND HEREBY IS TRANSFERRED FROM GOLF COURSE ACCOUNT

N. 61-640-5200-5599

TO: GOLF COURSE ACCOUNT NO. 61-640-5520-5599

..... *Clerk.*