



City of Taunton
Municipal Council Meeting Minutes

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Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, May 24, 2016 at 7:04 O'clock P.M.

Regular Meeting

Mayor Thomas C. Hoye, Jr. presiding

Prayer was offered by the Mayor

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

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

HEARING:

On the petition of the Ghazi Fadlallah, 91-93 Green Street, Rockland, MA 02370 for: A new Class II License, Rt. 138 Auto Center, Inc. to be located at 182 Broadway, Taunton. **Motion was made to open the hearing and invite the parties in. So Voted.** Ghazi Fadlallah, 91-93 Green Street, Rockland, MA and Detective Smith were present. Det. Smith stated that Mr. Fadlallah has had a Wholesale/Auto Sales license in Salem, NH since 2010. He has a five year rental agreement at 182 Broadway. He completed a Site Plan Review and received approval from the Planning Board on March 3, 2016. He was given a limit of 30 vehicles for display and 8 vehicles for storage in conjunction with the auto repair that he has there. He stated that he visited his site today and took photographs. The place looks nice and he has met almost all of the 16 conditions put on him from the Planning Board and the DIRB. He stated that the Police Department sees no reason not to issue this license. Councilor Croteau asked to hear the conditions that he has not met. Detective Smith then read the conditions. Councilor Croteau asked Det. Smith if he foresees any problems. Det. Smith stated that he does not and out of all the applicants that he has seen in the past six years, this gentleman has really cleaned up the property. He stated that everything is in compliance with what the DIRB and the Planning Board requested. Mr. Fadlallah spoke about what they have done at the property and what they are planning to do when the weather gets better. Councilor Pottier asked where it is located. Mr. Fadlallah stated that it is next to Hong Kong City. Councilor Pottier asked how many cars. Det. Smith stated that it is 30 vehicles on display and 8 vehicles for repair. Council President Quinn asked if this hasn't been approved yet, how do they have cars displayed already. Mr. Fadlallah stated that they have a business out of New Hampshire which they have had since 2010 and spoke about how they bought the cars and are storing them until they get the license. Council President Quinn asked Det. Smith if this was acceptable. Det. Smith stated that it is and this new system went into effect on January 1, 2016. Councilor Carr asked Det. Smith if until all of the DIRB conditions have been met the business can't open. He confirmed. She asked if there is a water/oil separator. Det. Smith stated that there is and it is very expensive. Mr. Fadlallah spoke about how they are working on it and they are paying for it. He also spoke about how he has a 15 year lease. Det. Smith stated that he will go on

record saying that if the Council issues him this license tonight and puts him on double secret probation and come November when it is renewal time; if he is not in compliance he is not getting a renewal. Mr. Fadlallah spoke about how they will do what needs to be done. Councilor Carr stated that she is trying to protect the City's end of this and if the State comes in and starts testing things and we end up with oil where it shouldn't be, then it falls on the City. Det. Smith spoke about how Mr. Fadlallah is very committed. Councilor Dermody asked when they started this process. Mr. Fadlallah stated that it has been over 5-6 months. Councilor Dermody asked how much money he has spent. Mr. Fadlallah stated that it is between \$50,000 and \$60,000. Councilor Dermody spoke about how they should be helped in the permitting process. Mayor Hoyer asked if anyone is present to speak in favor or opposition of this petition. There was nobody present to speak either way. **Councilor Marshall made a motion to close the hearing and grant the license. So Voted.** Councilor Carr asked what the hours of operation will be. Det. Smith stated that they are Monday-Friday 8am-6pm and Saturdays from 8am-4pm.

HEARING:

On the petition of the George Antoun, 1151 Washington St. Apt. 1, Norwood, MA 02062 for: A new Class II License, Taunton Tire & Auto Service, Inc. to be located at 491 West Water Street, Taunton. **Motion was made to open the hearing and invite the parties into the enclosure. So Voted.** George Antoun, 1151 Washington Street, Norwood, MA and Edmund Jreij of 1151 Washington Street, Norwood, MA were present. Det. Smith stated that this property is located at 22 Fifth Street and 491 West Water Street. It is the corner lot where the old tannery was. They have a five year rental agreement with a five year option from the property owner, Brian Moore of Bay State Properties. They completed their Site Plan Review from the Planning Board on March 3, 2016. There is a limit of 8 vehicles for display and 5 vehicles for storage in conjunction with the auto repair. He visited their site today and has photos and a diagram of what their property will look like. Councilor Carr asked if this business is already operating. Det. Smith stated that they have been selling tires there for several years. Councilor Carr asked why this is a new license. Det. Smith stated that it is because they are going to sell automobiles there. Councilor Carr asked where they are going to display the cars. Det. Smith stated that it is right on the side of the building. There is a cement pad where a building was previously. Council President Quinn asked if there were conditions from the DIRB on them. Det. Smith stated that there were 12 conditions and then described them. He stated that they also had to go in front of the ZBA. Their process was a little longer and they started back with their hearings in August, 2015. Council President Quinn asked if they have complied with all of those things. Det. Smith stated that as far as he knows they are still a little short on the fence. He spoke about their conditions. He stated that to his knowledge, they haven't sold any cars. It would be difficult for them to sell any cars because they don't have a license and if a person bought a car they would not be able to register it. Councilor McCaul asked what the hours of operations would be. Det. Smith stated that it will be from 8am-5pm, Monday through Friday and 8am-3pm on Saturdays. Councilor Cleary asked if they are going to keep the same site. Det. Smith stated that they are. Mayor Hoyer asked if anyone is present to speak in favor or opposition of this petition. There was nobody present to speak either way. **Councilor Marshall made a motion to close the hearing and grant the license. So Voted.**

Communications from the Mayor:

Mayor Hoye stated that he will go back to holding Open Door Days this spring. It will be held on Thursday, May 26th at the Mediterranean Grill at 12:30pm; Tuesday, May 31st at 9:30am at Jimmy's Restaurant. He stated that it is a good opportunity to meet in a less formal setting. It worked out really well in the fall when he did them.

At this time, the Mayor presented the FY2017 City Budget. The Mayor made a brief slide presentation. **Motion was made to refer the Committee of the Whole. So Voted.**

Communications from City Officers:

Com. from Assistant City Solicitor –Ordinance Section 8-27 Illegal Dumping Amount of Fine and Ordinance Section 12-78 Hawkers and Peddlers (typographical error). He stated that herewith a draft of an ordinance that changes the amount of the fine for illegal dumping to \$300, which is the maximum permitted by statute. Also, please see herewith a draft of an ordinance to correct a typographical error. These changes were approved by the committee on ordinances, and the full council adopted the recommendation, on October 21, 2014. They were not enacted at the time. He asked that each ordinance to be moved for a first reading, assuming the Council still deems it appropriate. **Motion was made to move from a first reading to a second reading. So Voted.**

Com. from City Solicitor advising that pursuant to MGL, Chapter 60, Section 77B, the Tax Possession Custodian will be holding a series of public auctions of tax possession properties. On Wednesday, June 22, 2016 at 6:00PM at Temporary City Hall, an auction will be conducted. On the same date and time, the Treasurer's Office will auction off the following land pf low value parcels. **Motion was made to receive and place on file. 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 Pottier stated that he brought something up about a year ago regarding Kilton Street. There was some work done there and the asphalt was never cleaned up. **Motion was made to refer to the DPW to street sweep the Kilton Street area. So Voted.**

Councilor Croteau has received a number of phone calls from the Berkley Street area regarding McCabe Sand & Gravel. There are concerns being raised regarding possibly two accidents on Jerome Street early in the morning with large vehicles coming from McCabe Sand & Gravel. **Motion was made that the concerns from the people on Berkley Street be referred to the Council of the Whole and the Mayor's Office. So Voted.** Mayor Hoye stated that they have already initiated talks with the Zoning Enforcement Officer because they have gotten the same complaints. Councilor Carr stated that she also received phone calls about the situation there. **Motion was made that the Council President invite the City Solicitor to attend the meeting of the Council of the Whole and have some sort of plan that can be instituted that would give the Council some rights to set business hours. So Voted.** Councilor Croteau stated that the issue that came up today was that with a letter from the City Planner was

being interpreted erroneously as something where he sent an email to the agency but the present ordinance states that there should be no disturbing work between 1am-4am. He stated that he believes that the Council can change the ordinance to 9pm-6am. He spoke about his understanding of the grandfather issue. He stated that there are some things that can be discussed to come up with a reasonable solution.

Council President Quinn received a request from a Lt. Dan McCabe for the Council to take another look at the licenses for ice cream trucks and vendors pursuant to a new state law. **Motion was made to refer to the Committee on Ordinances and Enrolled Bills to take a look at that next week. So Voted.**

Council President Quinn stated that last week she sat in the back of the Council chambers and she knows that a lot of complaints have been received over time about the microphones and the ability to hear from the back. She stated that she has experienced it first hand and it is horrible. You can't hear it at all and in discussion with the Building Department and the City Clerk it has come to light that the speakers in the back are non-operational as well as the City Clerk's microphone and sometimes Councilor Marshall's microphone. **Motion was made to ask Tom Pestana to address these issues immediately so that when people are in the chambers they will be able to hear. So Voted.**

Councilor McCaul stated that a couple of weeks ago he brought up the issue of parking on the corner of Leonard Street and School Street on the left hand side. He had an opportunity to review the minutes and on December 15, 2015 it was voted that with the recommendation of the Safety Officer that there should be no parking on the left side. It was supposed to be sent to the Committee on Ordinances and Enrolled Bills to ordain it and there needs to be more clarification on that. **Motion was made to refer to the Committee on Ordinances and Enrolled Bills and the City Solicitor to move forward with this. So Voted.**

New Business:

Councilor Pottier made a motion to refer the speeding on Lothrop Street to the Safety Officer and the Police Chief. So Voted.

Councilor Pottier stated that there was an accident around 221 Winthrop Street where a telephone was involved. **Motion was made to refer to the DPW to take a look at whatever was left over there. So Voted.**

Councilor Pottier stated spoke about the roadwork on High Street and Route 44 and how he didn't know if it was a temporary or a final coat but it is starting to crumble. **Motion was made to refer to the DPW. So Voted.**

Councilor Pottier asked if there was a train situation today. Mayor Hoye stated that nobody called his office but he heard that CSX was timing the trains. Motion was made to refer to the DPW. Councilor Borges stated that she received the same calls and contacted CSX today, and will follow up tomorrow. She stated that it also happened in East Taunton by the railroad tracks by Home Plate. She stated that they have changed their route and come through Taunton at 4:30am right near Luka B signs by the Eagles

Club. She stated that they are stopping traffic for a very long time at 6:50am instead of 4:30am. She did make CSX aware of that and asked if there was some sort of schedule change because it has been happening for the past two weeks. They are supposed to get back to her tomorrow. She stated that if the time is going to be changed, people should be made aware of that.

Councilor Borges made a motion to refer the lights at the intersection of High and Weir Streets to the TMLP to look at because they are not turning green on left when turning on High Street. So Voted. She stated that the left arrow stays yellow and does not turn green.

Councilor Borges made a motion to refer to the DPW an uncompleted project which resulted in a hole in the street at 14 Hoover Street. So Voted.

Councilor Borges asked about the caretaker's house at the Boyden Park. She stated that something happened there this weekend and people brought to her attention that the building is in disrepair. Mayor Hoye stated that the building needs to be razed. He stated that it falls under the Park & Rec and Conservation Commissions. He stated that there was some discussion a couple of years ago with the Fire Department regarding doing a controlled burn. **Motion was made to refer to the Fire Chief regarding doing a controlled burn and to the Building Superintendent regarding the cost of razing that building. So Voted.**

Councilor Cleary made a motion to refer to the Safety Officer and the Committee on Police and License the possibility of no parking on one side of Whittenton Street from Washington Street to Broadway. So Voted.

Councilor Marshall made a motion for the DPW Commission to meet with the DPW to discuss establishing a set of regulations and codifying new traffic light installation design specifications. So Voted. He stated that if you look at the new traffic lights that are installed at the new Dever Drive and Bay Street are very nice and that is the set of specifications that he would like to see at every set of lights that are new or redone.

Orders, Ordinances and Resolutions:

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

AN ORDINANCE

Chapter 8

Garbage, Trash and Refuse

Article II

Section 8-27. Illegal dumping; penalty for same.

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

SECTION 1. The second sentence of Section 8-27, Chapter 8, of the Revised Ordinances of the City of Taunton, as appearing, is hereby amended by striking the phrase “seven hundred dollars (\$700)” and replacing same with “three hundred dollars (\$300)”

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.

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

AN ORDINANCE

Chapter 12

Licenses and Miscellaneous Business Regulations

Article V. Hawkers and Peddlers

Section 12-78 Licenses required for soliciting money or selling goods

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

SECTION 1. In order to correct a typographical error, Chapter 12, Section 12-78 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended as follows:

1. Delete the words “corn mission” and replace with “commission”.

SECTION 2. This Ordinance shall become effective immediately upon passage. Motion was made to approve the first reading and move to a second reading. So Voted.

Meeting adjourned at 8:45 P.M.

A true copy:

Attest:



City Clerk

RMB/SJS

CITY OF TAUNTON
MUNICIPAL COUNCIL
MAY 24, 2016

THE COMMITTEE ON FINANCE AND SALARIES

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

MEETING CALLED TO ORDER AT 6:30 P.M.

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

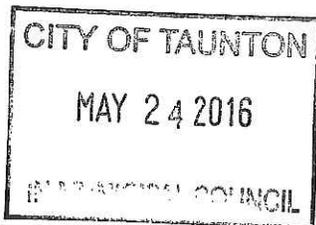
MOTION: MOVE APPROVAL OF THE INVOICE WARRANT IN THE AMOUNT OF
\$3,101,881.44. SO VOTED.

MOTION: MOVE APPROVAL OF THE PAYROLL WARRANT IN THE AMOUNT OF
\$1,139,162.81. SO VOTED.

2. MEET TO REVIEW REQUESTS FOR FUNDING

MOTION: MOVE APPROVAL OF REQUEST OF CITY CLERK FOR AN APPROPRIATION OF
\$150,000.00 TO PURCHASE NEW VOTING COMPUTERS FOR ELECTIONS.
FUNDS TO BE TRANSFERRED FROM RESERVE ACCOUNT NO. 01-132-5200-5784
TO CITY CLERK ACCOUNT NO. 01-161-5300-5849. SO VOTED.

MEETING ADJOURNED AT 6:35 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.

A handwritten signature in cursive script that reads "Ron Blackwell".

CITY CLERK