



City of Taunton
Municipal Council Meeting Minutes

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Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, May 31, 2016 at 8:01 O'clock P.M.

Regular Meeting

Mayor Thomas C. Hoye, Jr. presiding

Prayer was offered by the Mayor

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

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

Motion was made to go out of regular order of business to Appointments. So Voted.

Appointments:

Appointment of the newest members of the Taunton Nursing Home Board of Trustees. John Dernoga and Kimberly Wilbur. **Council President Quinn made a motion that they be invited into the enclosure to be sworn in. So Voted.** John Dernoga and Kimberly Wilbur were then sworn in by the Assistant City Clerk.

Reappointment of William Tranter, 198 White Pine Drive, Taunton to the Board of Registrar of Voters for a term of four (4) years expiring April 2020. **Motion was made to approve. So Voted.** Mayor Hoye stated that Mr. Tranter could not be here this evening but he wanted the Mayor to express that he is very excited about his reappointment.

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

Hearing:

Petition submitted by Attorney Timothy Sullivan, Goulston & Storrs, 400 Atlantic Ave., Boston, MA on behalf of BG Taunton LLC for a flammable storage license to store 22,000 gallons of Class IIIB Inks in five (5) above ground storage tanks at the location of 300 Constitution Drive, Taunton, MA. **Motion was made to open the hearing and invite in the parties. So Voted.** Timothy Sullivan, Goulston & Storrs, 400 Atlantic Avenue, Boston, MA and Tony Sigiagi from the Boston Globe were present to answer any questions on behalf of BG Taunton LLC. Mr. Sullivan stated that they were here about this time last year for Site Plan approval. The Globe is in the process of moving their Boston printing operation to the site on 300 Constitution Drive. They are here for the Flammable Storage license tonight as it was noted for the inks on the property. There is 22,000 gallons of inks and two 5,000 gallon tanks of blank ink; three 3,000 gallon tanks of colored ink and portable containers with a total of 3,000 gallons which are big ink cartridges for the printing press which move around. The other tanks are stationary.

He stated that they are all located inside the facility and spoke about preventative measures that are being taken in case of a spill. It is manned 24 hours a day with in house security which if there was any issue it would be picked up on quickly. Mayor Hoyer asked if the Council had any questions, there were none. Mayor Hoyer asked if anyone was present to speak in favor or against this petition. There was nobody present to speak either way. Deed on File. The Assistant City Clerk then read the communication from Captain Bastis, Taunton Fire Department submitting a positive recommendation. **Motion was made to make part of the record. So Voted.** Two (2) Maps of Tank Location. **Councilor Marshall made a motion to close the public hearing and grant the petition. So Voted.**

Hearing:

Petition submitted by Attorney David Gay, Gay & Gay PC, 73 Washington St., P.O. Box 988, Taunton on behalf of his client, Martignetti Companies and others for the discontinuance of Pioneer Way as a public way in the City of Taunton. **Motion was made to open the hearing and invite the parties into the enclosure. So Voted.** Com. from City Engineer submitting a positive recommendation. Com. from Chairman, Taunton Planning Board submitting a positive recommendation. **Motion was made to make part of the record. So Voted.** Attorney David Gay, 73 Washington Street was present to speak along with Hank Suominen, Martignetti Companies. Attorney Gay stated that this is the last portion of the public way that was still in existence while the dog training kennel was still operating which has been relocated. This roadway will only go to Martignetti's property and does not access anything else. He stated that if this is approved by the Council, the next step would be a deed from Taunton Development and Mass Development to Martignetti which would own the whole parcel. Councilor Cleary asked what the address will be. Hank Suominen stated that it will actually have two addresses. The first one will be 500 John Hancock Road which will be the corporate and mailing address. The truck port, which is where all the shipping and receiving will take place, is located at 100 Charles F. Colton Road. No one spoke in favor or opposition. Councilor Carr asked if the end of John Hancock Blvd. will now be the entrance driveway and if they will plow and take care of that road. She asked if there is proper drainage on that part of the road. He confirmed. **Motion was made to close the hearing and grant the petition. So Voted.**

Communications from City Officers:

Com. from Budget Director requesting that \$52,981.69 be transferred from the Certified Sewer Retained Earnings into the fund 32 Capital Projects-Sewer in order to eliminate the deficit in the said accounts. **Motion was made to refer to the Committee on Finance and Salaries. So Voted.**

Com. from Budget Director requesting \$100,000.00 be transferred to the OPEB Trust from the Hospital/Group Insurance account in order to begin funding of the City's OPEB liability. **Motion was made to refer to the Committee on Finance and Salaries. So Voted.**

Com. from Director Agent Veterans Affairs requesting an additional \$30,000 in funding for their Veterans Benefits Account. The State will reimburse the City of Taunton at a

rate of 75%, making an actual total for the \$7,500. **Motion was made to refer to the Committee on Finance and Salaries. So Voted.**

Com. from Treasurer Collector requesting that \$435,839.96 be transferred from the Certified Water Retained Earnings account into Payments on behalf of Other Governments account. The request represents the appropriation referenced under the Loan Authorization approved by Council and the Mayor dated May 24, 2016. **Motion was made to move approval. So Voted.** Councilor Cleary asked after a half million dollars is taken out of that account what is left. Mayor Hoye stated that he doesn't have the figure in front of him but he believes the figure is around \$4M. Councilor Cleary stated that he thought this would be referred to the Committee on Finance and Salaries. Mayor Hoye stated that it has already been approved but he can get the number to him. Councilor Croteau stated that it is within a couple hundred thousand of what Mayor Hoye said which was about \$4M.

Com. from Chairman, Taunton Planning Board stating that they have received a Form J – Waiver of Frontage Requirements – to divide one lot into two lots - for property on Greystone Street and Cornell Avenue – submitted by Edith Lawrence, 2489 County St., Dighton, MA. The Taunton Planning Board will meet to review petition on Thursday, June 2, 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.**

Communications in the hands of Councilors:

Mayor Hoye stated that he has a communication from a group of Friedman School students from Mrs. Ruggerio's class that would like to come in and talk about naming the turtle crossing after a woman who grew up here in Taunton. He stated that they would like to come in next week. **Motion was made to invite the students to the Council meeting next week. So Voted.**

Petitions:

Hours of Operation

1. McDonald's Restaurant located at 282 Winthrop St., Taunton

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

Petition submitted by James Sidney Peryar, Vice President of Automotive Recovery Services, Inc. –DBA- Insurance Auto Auctions located at 580 Myricks St., East Taunton for the renewal of their Junk Collector's License. **Motion was made to refer to the Committee on Police and License and the Chief. So Voted.**

Petition submitted by Flavio Costa, Treasurer of Best Buy Stores, LP located at 2 Galleria Mall Drive, Taunton requesting a renewal of their Second Hand Article License to buy used electronics. **Motion was made to refer to the Committee on Police and License and the Chief. So Voted.**

Petition submitted by Lisa Phillips, 722 King St., Raynham seeking reimbursement for damages to her automobile from a softball hitting her automobile during a Taunton High

School Girls Softball Game while parked at Triumph Head Start of Gordon Owen Riverway, Taunton. **Motion was made to refer to the Law Department. 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 the Committee on Finance and Salaries and the Committee on Ordinances and Enrolled Bills. So Voted. Councilor Marshall stated that there was a vote taken tonight during the meeting of the Committee on Public Property and it was that a motion was made, seconded and approved for 1. To remove Options A, B & D from the City Hall renovation schedule and another motion was made to create a working sub-committee with the Council President, the Chairman of the Committee on Public Property, the Mayor and the Building Commissioner to continue to work forward and report back to the Committee on Public Property. **Councilor Marshall motioned to approve the sub-committee report on the motion to create a sub-committee. So Voted.** Councilor Croteau asked if those meetings will all be posted. Councilor Marshall stated that they will ask the City Solicitor what they need to do legally. Councilor Croteau stated that if they are not posted then he will have serious questions about that group meeting. He would personally wish to be contacted not by email of the dates that they will be meeting. Councilor Cleary stated that it should go for all of the Councilors. **Councilor Marshall stated that the other motion that was made, seconded and approved by the Committee 4-1 was the removal of Options A, B & D of the City Hall renovation project as possible designs from the table. On a roll call vote, nine (9) Councilors present, four (4) Councilors voting in favor, five (5) Councilors voting in opposition. MOTION DOES NOT CARRY. Voting in favor were Councilors Marshall, Borges, Quinn and Carr. Voting in opposition were Councilors Cleary, Dermody, McCaul, Pottier and Croteau.** Councilor Marshall stated that he will schedule another meeting of the Committee on Public Property for the renovation of City Hall. Mayor Hoyer stated that this needs to move forward at some point. Councilor Pottier spoke about the benefits of coming up with a set financial parameter that the Council could use to move forward. Mayor Hoyer stated that the debt schedule is a little bit deceiving because East Taunton Elementary will be coming off of it which includes payments from MSDA. Councilor Croteau stated that he had mentioned the money coming in from the State. He spoke about Hopewell and Mulcahey being the first priority because the State has agreed to finance them. Mayor Hoyer stated that it is a priority and spoke about issues at the Mulcahey and Hopewell buildings. **Councilor Borges made a motion to eliminate Options A & B from the City Hall discussion from the Committee on Public Property meeting.** She stated that it seems like those are two options that the majority is not interested in. Councilor Cleary stated that he believes that Option B is very workable. It takes advantage of the demolished Star Theater and makes a new entrance on that side, puts the elevators in, gets all of the departments in and it makes good use of Maxham School. He would be opposed to eliminate Option B. Councilor Croteau stated that he believes that the first motion that needs to be made would be to reconsider. Mayor Hoyer stated that it is technically a different motion and he will allow it. Councilor Pottier asked if what is being done is adding a \$32M option instead of a \$27M option. He confirmed. Council President Quinn stated that what we are voting on is whether we are interested in renovating the old brick portion or building new in that area. She doesn't think that it involves a price tag. She stated that they are still in the beginning stage of determining what will be part of

that. She does not have any interest in renovating the brick building which she thinks will be a money pit. Councilor Borges stated that Option A & B also have the annex which she doesn't think that any of the Councilors want to keep. Mayor Hoye stated that it should have been eliminated from every plan. Councilor Borges stated that the reason for her motion was that when the Committee on Public Properties meets they can narrow it down a little more. Councilor Croteau asked if the City Solicitor could answer based on the way the charter works, he doesn't think that it is a question of the Council liking to support the Mayor's number. He doesn't think that the Council has a choice the charter says that the Mayor controls the money. Mayor Hoye stated that he will have to see solid evidence that it is financially prudent to go much north of \$20M. Mayor Hoye stated that if we don't put a price tag on this it will just keep going around in circles. He would like to move this forward. Councilor Dermody stated that he knows what he would like to see. He thinks that a permitting center here would work. He does not like the idea of keeping the brick structure or the brick annex. He would like to see the most feasible number that everyone can work with. **Councilor Borges withdrew her motion. Councilor Cleary withdrew his second of the motion.** Councilor Borges would like to add that Options A & B to include keeping the brick building, the chambers and the annex. Councilor Croteau stated that some time ago, the front two stories of the building was put on the National Historic Register and a lot of people were excited. He stated that if we are interested in the historical aspect, history took place in the brick structure, not in the front two stories. Councilor Marshall stated that the Mass Historical District Commission, the experts in the State say that the brick section is far less of a significant historical value than the front section. It has been received in writing stating that the brick section can be razed because it has been renovated so many times. It has lost any historical value. The limestone section even though it is newer has the historic. Councilor Croteau stated that the Council Chambers and Mayor's Office is in the brick section. He spoke about how he has witnessed historical moments in the brick section. Councilor Carr stated that renovating old buildings is never cost effective. She stated that anyone who will sit here and vote to renovate sections of the building that are 200-300 years old is asking for trouble. As far as dollar amounts go, she thinks that you have to look at Taunton High School renovation that was approved for \$104M and we ended up paying \$112M. She spoke about how we always go beyond the number. She won't support Options A or B.

Unfinished Business:

Councilor Borges stated that there have been complaints regarding the train trouble on Hart Street. She was able to contact CSX and MassRail and the issue was mechanical it wasn't that they were changing crew. She wanted to let people know that it wouldn't happen all the time. She stated that as far as changing the crew they planned that out two hours before so they don't plan to stop their trains in the middle of the intersection. They called dispatch. The other issue was on Tremont and Oak Street which the train should be back on schedule and not be coming through at 6:50am. It was an isolated incident.

Orders, Ordinances and Resolutions:

Council President Quinn stated that the Committee on Ordinances and Enrolled Bills met earlier this evening with Lt. Dan McCabe relative to an ordinance for the fingerprinting of various vendors in the City, but most importantly ice cream vendors. She stated that he cannot issue ice cream vendor licenses because they need to be fingerprinted but they

can't be because there is not an ordinance for it. She stated that she has put forth an ordinance for a first reading but she wanted to get clarification from the Mayor as to whether it can be on for a first reading tonight. Mayor Hoye stated that the rules can be suspended because it is time sensitive. He stated that you need six votes to suspend the rule first and then it can be voted on. **Council President Quinn motioned to suspend the rules so that the ordinance can be moved to a first reading tonight. So Voted. Council President Quinn made a motion to move the ordinance relative to the licensing and miscellaneous business regulations to a first reading. So Voted.** Mayor Hoye stated that he thinks the vendors can go through the State to get their licenses as well. Councilor Cleary made a motion to refer to the Assistant City Solicitor for his final approval. Council President Quinn stated that it was referred to him during the Committee meeting.

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

AN ORDINANCE

Chapter 12

Licenses and Miscellaneous Business Regulations

Sec. 12-4

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

SECTION 1. That the following section 12-4 be inserted in the Revised Ordinances of the City of Taunton, following section 12-3.

Section 12-4: Criminal History Check Authorization

(a) *Applicant's Submission to Fingerprinting by the Police Department.* Any applicant for a license to engage in any of the following occupational activities with the City of Taunton shall submit a full set of fingerprints taken by the Taunton Police Department within ten (10) days of the date of the application for a license for the purpose of conducting a state and national criminal record background check to determine the suitability of the application for the license:

- i. Hawker and Peddler
- ii. Liquor Licensee
- iii. Manager or alternate manager of a Liquor Licensee
- iv. Solicitors and Canvassers
- v. Dealers in Junk, Second-Hand Articles and Antiques
- vi. Second-Hand Motor Vehicle Dealer
- vii. Hackney Carriage Operator
- viii. Ice Cream Truck Vendor
- ix. Door to door solicitors

(b) *Notice to applicant.* At the time of fingerprinting, the Police Department must notify each individual who is fingerprinted that his or her fingerprints will be used to check such individual's national and state criminal history records.

- (c) *Police Department Processing of Criminal Record Background Checks.* The Police Department shall transmit fingerprints it has obtained pursuant to this ordinance to the Identification Section of the Massachusetts State Police, the Massachusetts Department of Criminal Information Services and the Federal Bureau of Investigation (FBI) as may be necessary for the purpose of conducting fingerprint based state and national criminal records background checks of license applicants specified in section (a) of this ordinance. The Police Department is authorized to receive and utilize state and FBI records in connection with such background checks, consistent with this ordinance. The state and FBI criminal history will not be disseminated to unauthorized entities.
- (d) *Applicant notification of results.* The Police Department shall provide the applicant with a copy of the results of his or her fingerprint based criminal record background check and provide the applicant the opportunity to complete, or challenge the accuracy of, the information contained in said record, including in the FBI identification record. The Police Department must also supply applicants with information regarding the procedures for obtaining a change, correction or updating a criminal record, including a copy of 28 CFR Part 16.34 pertaining to FBI identification records.
- (e) *Police communication of results to licensing authority.* The Police Department shall communicate the results of fingerprint based criminal record background checks to the applicable licensing authority within the City, but only after complying with subsection (d) of this ordinance. The Police Department shall in addition render to the licensing authority its evaluation of the applicant's suitability for the proposed occupational activity based upon the results of the criminal records background check and any other relevant information known to it. In rendering its evaluation, the Police Department shall consider all applicable laws, regulations and City policies bearing on an applicant's suitability. The Police Department shall indicate where the applicant has been convicted of, or is under pending indictment for, a crime that bears upon his or her suitability, or any felony, or any misdemeanor that involved force or the threat of force, controlled substance or a sex related offense.
- (f) *Reliance on results.* Licensing authorities of the City shall utilize the results of the fingerprint based criminal record background checks for the sole purpose of determining the suitability of the applicant for the proposed occupational activity which is the subject of the license applications specified in section (a), above. A City licensing authority may deny an application for a license on the basis of the results of a fingerprint based criminal record background check if it determines that the results of the check render the subject unsuitable for the proposed

occupational activity. The licensing authority shall consider all applicable laws, regulations and City policies bearing on an applicant's suitability in making this determination. The licensing authority shall not deny a licensed based on information in a criminal record unless the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.

(g) *Compliance with law.* Implementation of this ordinance and the conduct of fingerprint based criminal background checks by the City shall be in accordance with all applicable laws. The Chief of Police is authorized to promulgate regulations for the implementation of this ordinance. The City shall not disseminate criminal record information received to unauthorized persons or entities.

(h) *Fees.* The fee charged by the Police Department for the purpose of conducting fingerprint based criminal record background checks shall be one hundred dollars (\$100.00) per application processed. A portion of the fee, as specified in G.L. c. 6, §172B 1/2, shall be deposited into the Firearms Fingerprint Identify Verification Trust Fund, and the remainder of the fee may be retained by the City for costs associated with the administration of the fingerprinting system.

SECTION 2. All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage.

New Business:

Councilor Cleary spoke about blighted properties and how he is not sure how to deal with them. He stated that there are two properties that he and Council President Quinn have referred several times before. One is on 19 Monica Street and the other is on 13 Monica Street which has been in tax lien since 2013. They are not even paying taxes on that property. He stated that last week he received complaints about two properties on Winter Street. He stated they are 73 Winter Street and 54 Winter Street which has been in tax lien for 3 or more years. He would like to know what the City can do about blighted properties. He stated that he could refer it to the Building Department and the Board of Health and he will ask that they look at the four properties again. He would like to know what happens next. Mayor Hoye stated that when he gets referrals for blighted properties he looks at what the best course of action is. Sometimes, the only course of action is the Building Department. If there are Board of Health issues, they have the most authority. Councilor Cleary stated that two or three of these properties have old cars on them. Mayor Hoye stated that this isn't just a problem in Taunton. Councilor Cleary stated that we need a set procedure as to what should be done with blighted properties. He would like a better understanding of what their options are to take action against the people who own the properties. Mayor Hoye recommended having a meeting with Bob Pirozzi, Mary Jane Benker and Adam from the Board of Health. Mayor Hoye spoke about how some of the issues that we think that are violations are not actually violations. Councilor

Cleary asked if we can take action on the ones in tax liens. Mayor Hoye stated that it depends on where it is in the process. He stated that it would be a question for the City Treasurer. He spoke about the time in between that is difficult. Council President Quinn stated that she was told that there is a four to five year wait on Land Court in Boston. She stated that our Law Department does what they are supposed to do and they take the property. Before the City can proceed with the sale of the property, it has to go through the Land Court. Councilor Croteau stated that he was going to mention what Council President Quinn spoke about. He spoke about the process that the City has to go through for the properties.

Councilor Carr stated that last week Councilor Marshall requested a copy of the line item salaries from the Budget Director, they are usually included in the budget but they weren't for each person. Mr. Enos provided the Council with a document tonight but it shows for most people their weekly pay but not their yearly salary. She stated that when she goes back to last year's budget she can't compare unless she multiplies it out. **Motion was made for the Budget Director to provide the Council with an updated copy of everyone's yearly salary to see if there are any big differences in anyone's salary and so it can be made part of the Official Budget Presentation. So Voted.** Mayor Hoye stated that since the contracts are approved by the Council, they will not see a big fluctuation in salaries.

Council President Quinn wanted to let everyone know that the Budget Hearings will be held the next two Monday nights, June 6th and June 13th, both starting at 6PM in the Council Chambers. She stated that relevant department heads will be invited to attend, some will not. Councilor Croteau asked if there was a list of which department heads will attend on which night. Council President Quinn stated that there is no list yet.

Meeting adjourned at 8:45 P.M.

A true copy:

Attest:


Assistant City Clerk

JLL/SJS

CITY OF TAUNTON
MUNICIPAL COUNCIL
MAY 31, 2016

THE COMMITTEE ON FINANCE AND SALARIES

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

MEETING CALLED TO ORDER AT 6:00 P.M.

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

MOTION: MOVE APPROVAL OF THE INVOICE WARRANT IN THE AMOUNT OF
\$702,192.56. SO VOTED.

MOTION: REQUEST THE TAUNTON NURSING HOME TO PROVIDE AN EXPLANATION OF
THE \$450.00 SUNDRIES FOR INDIVIDUAL – WHY SO MUCH LARGER THEN THE
OTHERS. SO VOTED.

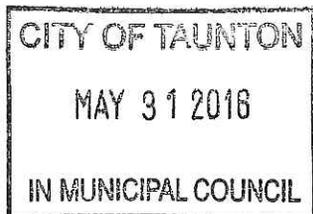
MOTION: MOVE APPROVAL OF THE PAYROLL WARRANT IN THE AMOUNT OF
\$3,996,771.41. SO VOTED.

MEETING ADJOURNED AT 6:03 P.M.

RESPECTFULLY SUBMITTED, ' 1



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



ASSISTANT CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
MAY 31, 2016

THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS

PRESENT WERE: COUNCILOR JEANNE QUINN, CHAIRMAN AND COUNCILORS CLEARY AND MCCAUL. ALSO PRESENT WAS DETECTIVE LIEUTENANT DANIEL MCCABE

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

1. MEET WITH LT. MCCABE TO DISCUSS LICENSING OF ICE CREAM TRUCKS/VENDORS

Lt. McCabe said that the reason this ordinance is being done is that in his conversations with other licensing officials from other communities, he found out that the way the City has been doing some of its licensing does not exactly comply with the law. He further said ice cream truck vendors are at the forefront due to the time of the year, and he has 6 of them on his desk right now that he cannot process because the law requires that they have a finger print based background check. The law also requires an Ordinance in order to do so.

Lt. McCabe said there are 5 or 6 bullet points that the Ordinance must have, it must reference the statute, it must require fingerprinting, it must authorize the use of FBI records for the purpose of conducting fingerprint based state and national criminal checks, it has to identify specific categories of applicants to be screened and the Ordinance must clearly state the FBI will not disseminate to unauthorized entities.

In Lt. McCabe's quest to find some of the different ordinances from various communities, those listed in the draft ordinance are the general classifications of licenses that have already been approved in various towns but the only add on for the City of Taunton is #9, the door to door solicitors.

Councilor Quinn asked if this had been forwarded to the Law Department.

Lt. McCabe said that he had forwarded it to the Chief and assumes that the Chief forwarded it to the Law Department.

Councilor Cleary said that he feels this Ordinance is well written, its fair and is a step in the right direction as far as safety dealing with people who deal with the public. He feels the \$100 fee is reasonable.

Lt. McCabe said the \$100 fee is one that he has seen in every other community. He further noted that \$30 of it will go to the state, and that is by statute.

Councilor Cleary said that since it is not sure whether this has been referred to the City Solicitor's Office, he suggests when a motion is made it be referred to the Assistant City Solicitor for his approval, but he would like to see this be referred for a first reading tonight.

Councilor Quinn asked if the Firearms Fingerprint Identify Verification Trust Fund is a state fund, and asked if that is where the \$30 goes. Lt. McCabe said yes and \$70 would go to the City. She also noted that she would like the word "subject" be changed to "applicant" throughout the Ordinance. Councilor Quinn also noted that in paragraph (d) they have the opportunity after submitting the application to complete or challenge the accuracy of the information, and asked if it should be changed to "add to". She questioned what the meaning is there, and that the language there is not correct.

Lt. McCabe said that the way he reads this section is that if they are saying there is an incomplete in the record they can complete or challenge the accuracy of the information contained in the report that comes back.

PAGE TWO

MAY 31, 2016

THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS – CONTINUED

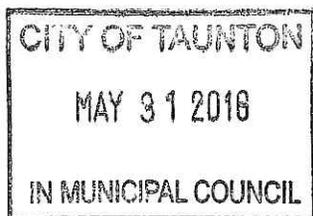
MOTION: TO APPROVE THE REVISED ORDINANCE AND SUBMIT TO THE FULL COUNCIL FOR INITIAL READING AND AT THE SAME TIME SUBMIT IT TO THE ASSISTANT CITY SOLICITOR FOR HIS FINAL REVIEW AND TO ADDRESS A COUPLE OF THE SMALL CHANGES THAT WERE JUST BROUGHT UP AND THAT THE FINAL DRAFT BE READY FOR THE SECOND READING. SO VOTED.

MEETING ADJOURNED AT 6:30 P.M.

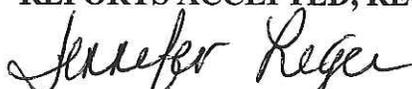
RESPECTFULLY SUBMITTED, r



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



ASSISTANT CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
MAY 31, 2016

THE COMMITTEE ON PUBLIC PROPERTY

PRESENT WERE: COUNCILOR ANDREW MARSHALL, CHAIRMAN AND COUNCILORS BORGES, QUINN, POTTIER AND CARR. ALSO PRESENT WAS WAYNE WALKDEN, SUPERINTENDENT OF BUILDINGS

MEETING CALLED TO ORDER AT 6:37 P.M.

1. MEET WITH WAYNE WALKDEN, BUILDING SUPERINTENDENT TO DISCUSS CITY HALL RENOVATION PROJECT

The Chairman said that he spoke to the Mayor and he will try to join the meeting a little bit later for this discussion.

Councilor Marshall stated that he hopes the Councilors have had a chance to digest all of the information that had been previously provided to them, and he is asking Mr. Walkden to provide the short version of that, answer questions, and it is his hope that the Committee will be able to knock a couple of options off the list tonight and keep the process moving forward. Right now there are 4 options plus a Maxham permitting center, and he would like to get a consensus to whittle this down to a couple of options tonight.

Mr. Walkden put together a one page sheet to provide an idea of what this boils down to. Mr. Walkden said that if you look at all the departments that occupied the old City Hall at the time of the fire, you had the Auditor, Building Department, City Clerk, Clerk of Committees, a Council Chamber, Engineering, Human Resources, IT, the Law Department, Mayor's Office, Planning and Conservation was out back in the Annex, TEMA was in the basement, Tax Assessor and Tax Collector, Veterans and the Water Department. The Water Department moved at a later date down to the DPW. What is shown in the next column on the handout is that you can look at Options A or B, they are roughly the same size, and at the same time, if we were to combine a smaller version of City Hall, potentially, with the use of the Maxham building, what they found is that they could leave the Building Department here at Maxham, add the Board of Health to this building; the Fire Chief is willing to come here as long as he has a satellite office to work in at the Central Station, there is room for Fire Prevention and Planning and Conservation in this Maxham building. Under Options A or B all of the financial and operational departments would go back to City Hall, including the City Clerk, Clerk of Committees, Human Resources, IT, Law, Auditor, and it would bring in the Office of Economic Development which is located off of School Street; of course you would have the Mayor's Office, Registrar of Voters, the Media Center, Tax Assessor, Treasurer Collector and Veterans. Under that scenario that is how it would set up. Mr. Walkden also said that he did a plan of the existing condition of this building – Maxham – and added the departments that could remain could make full use of this building without any issue. On top of that there would be room for a shared conference room that would service the entire building. Public Records could be stored here from various departments also. This building works.

Mr. Walkden said under Options C or D is where you want to bring most if not all departments back to City Hall including the Office of Economic Development and the Board of Health. This is the most expensive option which is in the \$32 Million plus range. If we are able to trim the size of City Hall from 60,000 square feet to 40,000 square feet or something close to that we are

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THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED

able to use this building in a smaller scenario. Mr. Walkden said you have to understand that construction costs most recent numbers were \$390 per square foot plus 28% for soft costs, so if you had a 40,000 square foot building at almost \$400 per square foot, you are close to \$16 Million plus almost another 30%. That is what you would end up with if you have a smaller version of City Hall, so you will still be around a \$20 Million price tag versus \$32 Million for the biggest option.

Mr. Walkden said the handout kind of blends everything together, it summarizes everything. It does not have the numbers to go along with it, but he should be able to answer the Committee's questions.

Councilor Marshall asked how much square footage were Options A and B at City Hall. Mr. Walkden said about 36,000 to 40,000 square feet. Option C is about 57,000 square feet and Option D is about 60,000 square feet.

Councilor Marshall said if he is reading the document right, if the City were to go with Option C everything fits in City Hall except for the Fire Chief and Fire Prevention.

Mr. Walkden said right, they did not consider adding them.

Councilor Marshall asked, with the program analysis, the Building Department needs how much? Mr. Walkden said about 2350 square feet, Board of Health needs 5128 square feet, Planning and Conservation needs 2338 square feet, Fire Prevention needs 1000 square feet and the Fire Chief needs 1000 square feet.

Councilor Marshall said that if they have option B it's about 40,000, and 12,000 additional square feet is needed to put everyone at City Hall, then we need about 52,000 square feet.

Mr. Walkden said the other thing you have to look at is the support spaces, the more people you have you need more support, the more occupants the bigger the bathrooms, so those expand a little bit so that is why you get closer to the 57,000 square feet.

Councilor Marshall then said he is not opposed to a Maxham permitting center but he just doesn't know if we need to carry another building if we are that close. He agrees that they need to pare down Option C from 57,000 square feet to somewhere around 50,000 and make it work. He thinks that may be how it has to work, you have to put in the stuff by code but the rest of the program analysis isn't by code it is by what is best practice, so they may be able to shave off a little from each department, even 5% or 10% from each department. Everyone could take a little bit less and instead of 3 conference rooms maybe 2 conference rooms, and there is nothing that says that they cannot shrink some of the program analysis space to fit a number that they want, and then all could be in one building.

Mr. Walkden said that a 40,000 square foot building would be about \$16 Million plus another 30% which is close to \$5 Million.

Councilor Marshall noted that instead of \$20 Million, with \$25 Million everyone could go back to City Hall instead of \$20 Million and you still maintain Maxham School as a permitting Center He said he thinks now it is less about money and more about coming up with the square footage and making it fit.

Councilor Borges noted that at the last meeting Councilor Carr asked about Park and Recreation, but she does not see that on the document provided.

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Mr. Walkden said they have a solution for Park and Recreation at the location where they are at right now. The only reason the conversation ever came up about Park and Recreation was because of the ADA Transition Plan that said that they couldn't offer a program with accessibility with the way that building is now. He has been there with Kevin Scanlon and they came up with a plan to keep them there without spending very much money. They have offices they can continue to use and the City can continue to support that building and keep it operational indefinitely.

Councilor Borges said that Options A and B had 36,000 square feet and then it jumped up to 57,000 square feet with Maxham permitting center, there is only a total of 12,000 feet between all of those different departments, so why is it that we need 59,000 square feet.

Mr. Walkden said 59,000 square feet is based upon the most recent version of program analysis. That includes looking at the space that everybody is currently using today and trying to determine is that the space that these people need right now or going forward. Also is there any potential for expansion of some departments which there are some departments that may increase by one or two people over time, so there is an allowance for that factored in. The architect came up with those numbers first after consulting with all the department heads. Mr. Walkden also said he has been out there twice on his own to confirm that those numbers are reasonable. At first glance you look at those numbers and they seem high, but when you go out there and look at what they have today and what their needs are they do seem reasonable. He was going to suggest to the Council that before we finalize any of the program analysis numbers that there should at least be a small sub-committee formed to include one or two councilors that can look at all of the space requirements that he has looked at and confirm the numbers that we have – that they make sense or don't make sense.

Councilor Borges asked, with full use of this building (Maxham) what kind of costs will the City be looking at.

Mr. Walkden said about \$163,000 is the cost that he came up with.

Councilor Quinn said aside from the square footage of Options A and B, and she knows Option A retains the old brick building that is still there, she asked if Option B does also. Mr. Walkden said yes.

Councilor Quinn said that the option that they had talked about before, with providing Option C or D with not everybody there does not show on the handout. The Council had asked what it would look like to scale down the proposed dream City Hall with everything there and keep either Maxham, or potentially the Eldridge Street Armory property, but there is nothing on the handout that shows what is needed for square footage in Option C or D because Mr. Walkden has kind of put everything in City Hall with Options C and D. Mr. Walkden said they did.

Councilor Quinn said personally she would like to see, she does not like Options A or B, and she does not think they have any potential of renovating that old brick building in the back. She does not think that will be cheaper in the long run, although the initial price tag certainly looks cheaper, when you start digging things out there are always more problems than were anticipated, so she is not in favor of A or B. She would be in favor of C or D with some departments here or on Eldridge Street. This is not on the document provided this evening.

Mr. Walkden said that is correct, it is not there, it would be another Option.

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Councilor Quinn said that is what she would be looking for.

Mr. Walkden said when you begin to gut out the rest of the building, they already know there are problems with the bricks, they have cracked walls behind the bricks, so you will have a bunch of unforeseen issues that will have to be paid for that are not included in the price.

Under Option C, by downsizing Option C, they could probably do more work on that building to restore it but still you are not looking at a brand new building under Option C.

Councilor Quinn said personally, she would like to see Options A and B off the table, but if we took, as Councilor Marhsall suggested, Option C and downsized it, whether it is reducing the size of all of the departments, which may not work, but she looks at the amount of space that each department has requested to her is their dream space. That is fine and she is sure it is realistic but one thing they have to realize is that when we build, it will be more efficient. Someone who is utilizing 1800 square feet now and needs 2300 in the new building may not need it because the space would be designed for that department, so you can make your space more efficient. She also noted that Mr. Walkden noted increased growth in certain departments; you will also have better document storage. The storage needs should go down significantly with computer storage, etc. Her thought was, and she was kind of hoping to see Option C without some of these departments and what that would look like. She does not see that here. If Eldridge Street is on the table at some point, she does not want to see a lot of money put into this building, or make City Hall too big where we have a better place for some departments.

Councilor Pottier asked how many square feet were occupied in this building.

Mr. Walkden said about 22,600.

Councilor Pottier said from Option A or B who on the list is either in or not in this building?

Aren't they all in this building?

Mr. Walkden said OECD.

Councilor Pottier then said we are making 22,000 square feet work now for everybody except OECD, and he has been to OECD and they don't have a lot of room where they are now. So, we are talking about taking this space that we are in now and adding 50%, that is for Option A and B which is thought of being small by some, but we are making 22,000 square feet work now. We may be cramped here, but we are operating here. The other thing is what would happen to this building, and if you are talking about bringing Fire Prevention over here, what would happen to the building they are currently in.

Mr. Walkden said that building would be closed, and probably sold.

Councilor Pottier said if we were to look at Option C or D, it would help him make a decision in so far as what would we be doing with this space. What would be done with this Maxham building?

Mr. Walkden said that he had considered it for a police station, but that does not work, it would have to be completely renovated.

Councilor Carr said that she agrees with Councilor Quinn. She does not see how you would want to throw money into a building that is going to start out too small, and it is going to be too small. The whole idea was to move everybody into City Hall so that if a citizen has business, they can go to City Hall, to one spot and do it. The way this is set up, if we do not go to an Option that holds everybody, then they are still going to have to go to City Hall, to this permitting building,

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THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED

to DPW for Engineering. She does not see why you would want to make it work in a smaller building. If the Council is going to invest taxpayer's money, she thinks it should be for a building that is going to move into the future, which should have room for expansion and growth. We are not going to get smaller, that never happens, we are always growing. Yes, we operate in this building but it is very difficult. She further said she admires the departments for doing what they are able to do here in this building, they are very cramped and on top of each other in most cases. She would not be in favor of Option A and B; she is in favor of an option that has everybody or at least as close to everyone as we can in the building. She thought the original idea was to be able to shut down buildings because it costs a significant amount of money to heat buildings, light buildings clean buildings and insure those buildings. If you close them down and put everybody in one building, you have all those costs for one building not 3 or 4. Councilor Carr also said that she does not feel that Park and Recreation should stay where they are. It bothers her that there is going to be money spent on that building at all. They should come out of there and they could certainly use this building, because they cannot go to City Hall because they cannot put their trucks and Christmas display items and all that in that building, but this building, to her, might be a good fit for Park and Recreation.

Councilor Carr said the School Department closed this building for a reason, they shut it down and left for a reason, so to say that we can use it into the future for as long as we can is something else that would have to be looked at. Dollar amounts would have to be seen as to what it would cost to keep buildings open, to do all of the things that you have to do to responsibly keep a building and keep it open. We do not want to keep a building and not fix the roof or do the things that need to be done to it. Councilor Carr said she is leaning to Option C or D.

Councilor Borges noted that after listening to everyone on the Committee, it doesn't sound like Options A, B or D are even options, so she thinks that the Committee should make a motion to take those off the table and look at Option C and modifying Option C.

The Mayor addressed the Committee and said that he has been very clear on what he wanted, and that he guesses what he needs to do is put a price tag on it. He does not see signing off on anything that costs much north of \$20 Million. He does not think it is in the taxpayer's best interest or the City's best interest right now to do that. We have talked about what departments he would like to see stay here, and he thinks that is an option right now. He thinks that the permitting center is a good option. Would he like to see everyone downtown – absolutely – but there are problems with that. There are parking concerns and other problems that have to be taken into consideration. Not so much for the taxpayers, but for the employees. He would love to build the biggest Option, but he does not think it will be supported by the taxpayers, he does not think it is a responsible decision for the Council to make. He also said that he is a little frustrated, because when Option D was originally talked about before it came to the Council, they were supposed to take into consideration some of the departments possibly staying here or going into Eldridge Street which we do not have yet so it is hard to talk about that. That is not what we got from the report inevitably and when he saw it he was disappointed and frustrated. To say that he is getting a little edgy about this is an understatement. The time for talking is over it is time to

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THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED

make some hard decisions. He can live with various designs, we can talk about what departments will go where, but to say that we are going to spend upwards of \$30 Million is irresponsible at this point.

He continued stating that financially things are getting better, but at the same time he does not think they would do the City justice by staying in this building. Is it functional? At the very least it is functional. For people coming from out of town it is not how we want to present the City of Taunton is in an old school.

The Mayor also said this School was shut down mainly because it did not have the students, it did not have the high enough numbers to justify keeping it open. The building is in decent shape, but does need some updating. He thinks they can make it work especially as a permitting center. He also said he would like to put a date on when a decision will be made because it just keeps getting put off.

Councilor Pottier said that when he lived through the discussions of Options A, B and C he thought that there was some discussion of having a public safety complex, so when the police moved their space would be available for extra space for City Hall. Secondly, the way that government services are provided are changing, there are all kinds of things being done on line; fewer people will be coming into City Hall, not more people. He agrees that City Hall needs to be downtown. He also said he echoes the Mayor's sentiments that we can make it work, and again, talking about the numbers we are currently occupying 25,000 square feet here and we would be moving in to 36,000 square feet so it is in increase of almost 50%, and we are making it work. He is not saying people aren't challenged here, they are, but we are making it work at a decent price.

Councilor Marshall said that the only thing he does not want to get lost in Councilor Pottier's number is that the area that needs to be for common areas, the walls, toilets, they have estimated, no matter what Option we have it is about the same, 15,000 square feet – elevators, common walls, toilets, handicapped accessibility so the 30,000 square feet, whatever is decided for program space they need to add about 15,000 for the total project. You have to build to today's standards and meet all new requirements.

Councilor Carr said she has a problem with the Mayor saying he will not approve something north of \$20 Million. We do not have an issue approving a school that the City will pay \$17 Million for and is going to service 400 students. We do not have any figures, and asked the Mayor if he had the figures for what the bonding for \$20 Million would be.

The Mayor said he did not have it in front of him. He also said that he is not going to support \$30 Million. He has been clear about that. He understands what the Councilor is saying but on the school project they are reimbursed 75%.

Councilor Pottier said that \$20 Million for 30 years at 5%, which is a little high, is \$1.3 Million a year.

Councilor Carr said until we actually have numbers for \$20 Million, \$25 Million, \$30 Million, whatever it is, we cannot determine if the City can afford it. She also said that \$20 Million will give us a new City Hall but will give the minimum of what we need.

The Mayor said that he does not want to give us the minimum, but at the same time he agrees with Councilor Pottier, times are changing, people are paying on line, you do not have the foot

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THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED

traffic that you had 20 years ago. He likes the idea of the permitting center and feels that is the way to go. Right now, with the Police Station where it is, there is not enough parking to make a full City Hall work. He also noted that the insurance case is still out there. He also wants a building that will last and be a legacy.

Councilor Quinn said that she initially wanted everyone together but seeing the price tag for that, she sees the good of having a permitting center. She also doesn't want to build a building that is too small so there is a need to address the realistic square footage needed. It makes sense to have the permitting departments all together and she is open to having them here or perhaps on Eldridge Street. She further said that Option C needs to be reduced because the permitting Center will be someplace else, and the Committee needs to get the numbers.

Councilor Marshall said he agrees with a lot of what the Councilors are saying and a lot of what the Mayor is saying, but he thinks there is still some room to negotiate and could come to some type of common ground. He agrees that a permitting center is important, but a permitting center can be anywhere as long as they are all in one location. He would like to see a one stop shop at a government center and the way to do that is to whittle down the program spaces so you could still put more people into that building. If everyone were to take a 10% reduction, if you had 1000 square feet, you would lose 100 square feet, and as was said the Board of Health is in about 2500 square feet and their target is to get 4500 square feet in Option C. He took a 50,000 square foot building, multiplied that by the \$400 per square foot that would be \$20 Million, and soft costs is another \$6 Million, so for \$26 Million with the soft costs you are talking about a building that has 50,000 square feet in it, so with that you could put all of the people in that building if everyone took a little less space. Then you could close the Oak Street Fire Station, the Board of Health Building and could move Park and Recreation out of Harris Street and close that building. Three City buildings could be closed and disposed of.

Councilor Croteau said that he will not support the construction of new space when we have ample space in several locations in the City. The suggestion or thought to use this building is one of the more practical solutions he has heard. If we are really concerned with making life easier for our citizens this building with all the permitting departments will be more convenient. Councilor Cleary said that he is disappointed with the conversation tonight, and based on what he is listening to we are still at square one. After all the discussion they have had, and all the numbers being thrown around, he believes a combination and a rehabbed City Hall is a very practical approach to meeting the needs of the City. By doing that we can still close 3 buildings. All the Council has to do is tell the architect that we want a combination between Maxham and City Hall and this is what we want in each building and give them the figures. He further said C and D are not going to work; we are not going to put everybody back in City Hall. We have known that for a while. It is time to make a decision, to make a recommendation to the architect and have them put it together. It is time to make a decision and to inform the architect as to what we want.

Councilor Borges said rehabbing City Hall is out of the question for her. She cannot see us rehabbing City Hall and making it work.

Councilor Borges made the following motion.

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THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED

MOTION: TO REMOVE OPTIONS A, B AND D AND TO COME UP WITH A MODIFIED OPTION C, USING MAXHAM SCHOOL FOR A PERMITTING CENTER.

Mr. Walkden again requested that a subcommittee be put together.

Councilor Marshall said that A & B are not options for him, renovating is not an option and the brick section needs to come down. It is hard to come up with a number and the Committee needs to work with the Mayor on parameters. He will support Wayne Walkden in forming the sub-committee.

Mr. Walkden noted that if you reduce the size of Option C, it is not Option C anymore; it would be an Option E. No one asked him for an Option E, that's why you don't have an Option E. He provided what the Council asked for, and there was no communication asking him for something that you do not see here. He provided what was asked of him. Mr. Walkden said he cannot give the Council another version of Option C because it is no longer Option C.

Councilor Quinn said what they want to see, and she does not think they need to have the architect do more work, that now we have Option C and what can we do with it.

Mr. Walkden said he is asking for help. He is asking the Council to set up a sub-committee to verify and confirm the numbers he put together.

Councilor Marshall said that he agrees that A and B is not an option for him. Renovating City Hall is also not an option for him and the brick section needs to come down. It is hard to come up with a number, and the Council needs to work with the Mayor on the parameters and he will support Mr. Walkden in forming a sub-committee.

Councilor Borges said that she is comfortable with Councilors Quinn, Marshall, Mayor Hoyer and Mr. Walkden being on that sub-committee

Councilor Cleary said that if you look at the handout from Mr. Walkden, there is no difference between A and B and C and D. If you take the Building Department out, The Board of Health out, Planning and Conservation out, it is the exact same thing in A and B Options. They are all going to be in the same building. So why do you jump from a \$20 Million project to the parameters of a \$30 Million project when you can do the same thing for \$20 Million. He also said that the architect said that the brick building cannot be renovated. He would be opposed to eliminating A and B.

Councilor Croteau said that with every one of the 8 projects the school department did they always had a number. You have to start with a number.

THE MOTION WAS VOTED ON WITH COUNCILORS MARSHALL, BORGES, QUINN AND CARR VOTING IN FAVOR. COUNCILOR POTTIER VOTING IN OPPOSITION. MOTION CARRIES.

Councilor Pottier noted that he would like to have this split out in full Council.

Councilor Borges made the following Motion.

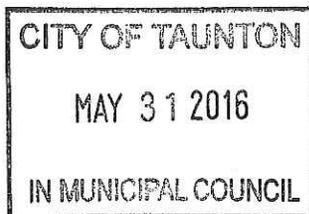
MOTION: TO CONTINUE WITH THE SUB-COMMITTEE REQUESTED BY MR. WALKDEN WITH COUNCIL PRESIDENT QUINN, THE CHAIR OF PUBLIC PROPERTY ANDREW MARSHALL, THE MAYOR AND MR. WALKDEN ON THIS COMMITTEE TO DISCUSS THE FUTURE OF CITY HALL AND THE DIFFERENT OPTIONS AND BRING THAT BACK TO THIS COMMITTEE. SO VOTED.

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THE COMMITTEE ON PUBLIC PROPERTY -- CONTINUED

MEETING ADJOURNED AT 7:53 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.
COUNCILOR MARSHALL MOTIONED TO APPROVE THE SUB-COMMITTEE REPORT ON THE MOTION TO CREATE A SUB-COMMITTEE. SO VOTED. COUNCILOR MARSHALL STATED THAT THE OTHER MOTION THAT WAS MADE, SECONDED AND APPROVED BY THE COMMITTEE 4-1 WAS THE REMOVAL OF OPTIONS A, B & D OF THE CITY HALL RENOVATION PROJECT AS POSSIBLE DESIGNS FROM THE TABLE. ON A ROLL CALL VOTE, NINE (9) COUNCILORS PRESENT, FIVE (5) COUNCILORS VOTING IN OPPOSITION. FOUR (4) COUNCILORS VOTING IN FAVOR. MOTION DOES NOT CARRY. VOTING IN OPPOSITION WERE COUNCILORS CLEARY, DERMODY, MCCAUL, POTTIER AND CROTEAU. VOTING IN FAVOR WERE COUNCILORS MARSHALL, BORGES, QUINN AND CARR.

A handwritten signature in cursive script that reads "Jennifer Regan".
ASSISTANT CITY CLERK



CITY OF TAUNTON

In Municipal Council ORDER #27
FY 2016
MAY 31, 2016 20.....

Ordered, That

**THE SUM OF FOUR HUNDRED THIRTY FIVE
THOUSAND EIGHT HUNDRED THIRTY NINE DOLLARS AND NINETY-SIX CENTS
(\$435,839.96) BY AND HEREBY IS TRANSFERRED FROM CERTIFIED WATER
RETAINED EARNINGS ACCOUNT NO. 60-3590-3590**

TO: PAYMENTS ON BEHALF OF OTHER GOVERNMENTS ACCOUNT NO. 89-145-8910-4740

..... *Clerk.*