



*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, January 6, 2015 at 7:05 O'clock P.M.*

Regular Meeting

Mayor Thomas C. Hoye, Jr. presiding

A moment of silence was observed in memory of Senator Edward Brook, the first African-American to serve in the U.S. Senate.

Prayer was offered by the Mayor

Present at roll call were: Councilors Cleary, Marshall, Costa-Hanlon, Croteau, Pottier, McCaul, Quinn, Carr, and Borges

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

Communications from the Mayor:

Mayor Hoye thanked Greg Glynn and Tom Pestana for their work on the microphones and the new cameras. The sound and the picture quality have improved. He then wished everyone a Happy New Year. He stated that Councilor Costa-Hanlon has been pursuing contracts for the Fire Chief and the Police Chief that have been ongoing for some time. He stated that he hopes to be able to get to that within the next month or two.

Hearing:

A continued hearing came up by assignment upon the petition of Jeffrey P. Sanders, Percy Law Group, 4 Court St. Taunton on behalf of his client, Taunton Mills, LLC, 1 River Rd., Carlisle, Ma and others for the discontinuance of Brook Street Ext. as a Public Way in the City of Taunton. **Motion was made to invite the parties into the enclosure. So Voted.** Attorney Melinda Kwart from Percy Law Group located at 4 Court Street in Taunton and the developer, Russell Barnaby who resides at 750 Whittenton Street were present. Attorney Kwart apologized for the confusion of the last hearing. She discussed how the residents who objected to the discontinuance were under the impression that the discontinuance was for the whole Brook Street Ext. and not just the section from East Whitehall Street to Oak Street. She discussed how the DPW had issues and she spoke with the Law Department in City Hall about resolving those issues. She stated that they have proposed language to grant the City an easement for access to the property for underground utility systems. Also, there might be an environmental cleanup that needs to be done even though her client has already negotiated with the DEP and has a compliance plan underway that would result in the cleanup of the site. She has spoken to a member of the TMLP who is present this evening and they would like an easement to access their utilities. A letter from the DPW Commissioner was read by the Assistant City Clerk. **Motion was made to make part of the record. So Voted.** Councilor Marshall asked for the background of the project. Mr. Barnaby explained that

the property at 96, 98, 100, and 104 Oak Street on the south side of Brook Street Ext. is what will be developed. The four properties plus the 450' discontinuance of Brook Street will be for 80% market rate loft style apartments, 20% affordable units, and approximately 149 parking spaces. Brook Street Ext., which is paved, is being proposed to be used for parking facilities for the 62 units that will be developed. It is a \$14M development project including acquisition costs of the three properties, hard construction costs and soft construction costs which include accounting and legal costs. The ground under 100-104 Oak Street possibly has ground water contamination. A Phase II Environmental Assessment has been done and the cleanup of the three properties is part of the development scheme as well. He discussed the cleanup of the Cobb Brook. Atty. Kwart stated that it is a win-win for the City. Councilor Pottier wanted to disclose that he works for the organization that may be involved in the financial mechanism of the project. Councilor Costa-Hanlon asked why the discontinuance needs to be done before the conservation and other channels. Mr. Barnaby stated that he agrees with her. He stated that the discontinuance doesn't need to be approved tonight. Councilor Quinn asked who owns the property now. Mr. Barnaby stated that the properties at 98 Oak Street and 104 Oak Street are under agreement. 104 Oak Street is in some distress because of back taxes. He stated that his business partner owns 100 Oak Street which also owes back property taxes. He stated that without the discontinuance of Brook Street Ext., they do not have parking. It was suggested to them to do this sooner than later. They only want to discontinue the 450' closest to Oak Street. Historic Tax Credits will be used to rehab 98 and 104 Oak Street. He stated that he will provide the Council with more information during the Special Permit Hearing. Councilor Cleary stated that he was nervous about the potential contamination and asked if they knew what they were getting into. Mr. Barnaby stated that they have \$45,000.00 for a Phase II study which he will make available to the Council as well. He discussed the cleanup and what it may involve. Councilor Cleary asked about the burnt down property. Mr. Barnaby discussed that it will be new construction of approximately 40 apartments. He then discussed the uses of the other buildings. Councilor Cleary stated that he agrees with Councilor Costa-Hanlon that he is not in the position to vote on something when he has so many questions about it. Councilor Marshall asked what the square footage of the discontinuance will be. Mr. Barnaby stated that he will find that out for him. Councilor Marshall asked if the portion of Brook Street Ext. is not discontinued how many parking spots they would be short. Mr. Barnaby stated that he will get an answer for him on that. Councilor Marshall stated that he is not ready to vote on this tonight. He would like to know what City utilities are underneath the parking lot. Councilor Marshall suggested the petition be withdrawn without prejudice and resubmit at a later date possibly as a special permit. Council President Borges asked if the representatives from the DPW and TMLP could be heard from as they are present tonight. Craig Foley, TMLP stated that this road goes back to 1921 when we had pole easements and pole locations approved. The pole locations are to the left of the easements and to the right there is a duct tank that goes from there to someone's yard. His biggest concern is keeping easements for the poles and the underground duct tank. He discussed how pole relocation is expensive and they will try to mitigate how close the wires are to the construction. Cathal O'Brien, from the DPW stated that he agrees with Mr. Foley. He discussed the underdrain issues and the 24" sewer main. He stated that they would mirror the same things that the TMLP spoke about. Councilor Quinn asked if the reason that 450' is being asked for is because it is as far as the public way goes. Mr. Barnaby stated that the 450' helps to satisfy the assumed

parking requirements of the project. Councilor Cleary stated that Cobb Brook is a big issue and it needs to be cleaned up. **Motion was made to allow petitioner to withdraw without prejudice. So Voted.**

Appointments:

Election of Municipal Council President. Council President Marshall nominated Councilor Borges for Council President. **On a roll call vote, nine (9) Councilors present, eight (8) Councilors voting in favor. Councilor Borges voting present.** Councilor Borges thanked the Mayor and the Council for all of their support. She discussed the great job that Councilor Marshall has done over the past year. Mayor Hoye thanked Councilor Marshall for his support throughout the year.

2015 Election of City Officials
For a Three-Year Term Expiring January 2018

Board of Assessors	Scott DeSantis
Board of Health	Dr. Joseph Nates
Clerk of Council Committees	Colleen Ellis
Trustee of the Public Library	Carol Funke
Sealer of Weights & Measures	David Enos
Sealer of Weights & Measures	David A. Charbonneau

Motion was made to approve the list as presented. So Voted.

2015 Election of Fish Wardens
For a One-Year Term Expiring January 2016

James Buffington	503 Burt Street
Frederick Caiozza, Jr.	49 Davenport Street
Dennis Furtado	51 Rosewood Drive
Albert Silvia	1347 Somerset Avenue
Michael DaRosa	15 Middle Street

Motion was made to approve as read. So Voted.

Communications:

Com. from Executive Director Retirement System notifying of the retirement for Superannuation of Manuel P. DaRosa, an employee of the Taunton Police Department on December 31, 2014 under the provisions set forth in §5 of Chapter 32 of the General Laws of Massachusetts. **Motion was made to accept and send a scroll of appreciation to Officer DaRosa. So Voted.**

Com. from Executive Director Retirement System notifying of FY2016 Pension Fund Appropriation. The Taunton Retirement Board voted on December 17, 2014 to certify the amount of \$14,943,906.00 for the FY2016 Pension Fund Appropriation. **Motion was made to refer to the Budget Director and the Committee on Finance and Salaries. So Voted.**

Com. from Executive Director Retirement System submitting the calendar year 2015 Retirement Expense Budget for informational purposes. **Motion was made to refer to the Committee on Finance and Salaries. So Voted.**

Communications in the hands of Councilors:

Councilor Marshall stated that he received a letter from the Taunton Area Community Table requesting a waiver for permit and inspection fees for the new meal center known as TACT soon opening in the Whittenton section of the City. This new meal center is community based and located at the former St. John's Church on Bay Street. They plan to open a Family Café Night on Thursday, January 15, 2015 and any money that can be saved on inspection and permit fees can be put towards purchasing food and supplies for the new meal center. Councilor Croteau stated that he serves on the Board of Directors and was wondering if that would prohibit him from voting. **Motion was made to approve the three permit fee waivers. So Voted. Councilor Croteau voting present.**

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 motioned to refer to the ADA Sub Committee; 1. The status of the transitional doc., 2. The situation of the double poles throughout the City. and 3. The parking meter bases. Councilor Costa-Hanlon stated that she would like a discussion about the fees to be added into the motion. So Voted. Councilor Pottier stated that once the transitional doc is received a meeting for ADA will be held to handle the issues.

Councilor McCaul stated that a few months ago he requested that the Safety Officer look into Whittenton and Washington Streets regarding a four-way Stop Sign or a light to be put up. The residents are concerned because there is a bus stop there and it is a safety issue when the children get off the bus. **Motion was made to refer to the Safety Officer for an update. So Voted.**

Councilor Quinn stated that she received a communication regarding the recycling issue this past week. She stated that she spoke to Mr. Rosa to find out what the problem was. Not only was there a holiday which caused a delay, the City took in twice as much recycling as normal last week. Mayor Hoyer stated that as of this morning, they are still catching up. He thanked the residents for their patience and hopefully it will get back on track. Councilor Pottier stated that next year he would like to notify residents better of the delay of trash pickup due to Christmas and New Year's falling on a weekday.

Councilor Croteau stated that in the Committee on Police and License he asked the Police Chief about the intersections in East Taunton which has been a concern for some time. The Chief stated that he will check with some of the Police Officers due to the Safety Officer being out ill. **Motion was made to re-refer the issue of the intersections in East Taunton to the Police Department. So Voted.**

Councilor Croteau stated that he spoke to the School Department regarding outside lighting at some of the schools. He stated that he hasn't heard anything yet. He stated that the process can get involved because there is a need for special trucks with hoists.

Motion was made to refer this to the Building Department, the School Department and the TMLP for an inventory of outside lighting at all of the schools as it gets dark early and the situation could be dangerous. It needs to be corrected as soon as possible. So Voted.

Council President Borges stated that a light is flickering and another light is out behind the Taunton Police Station. She stated that she has called the TMLP and the parts have been ordered to fix them.

New Business:

Councilor Marshall stated that he spoke to the Assistant City Solicitor and motioned to refer to the Committee on the Department of Public Works to meet with the DPW Commissioners Office, Attorney DeAbreu, and representatives from Verizon and the TMLP in February to discuss possibly drafting an MOU with the two utilities and the DPW. He is requesting that when a pole is damaged in the middle of the night, if possible, the pole should be placed outside of the sidewalk and the debris should be taken care of. So Voted.

Councilor Costa-Hanlon discussed the Martin Luther King Celebration on January 19, 2015 at 7PM at the Liberty Church on Winthrop Street. It is a wonderful celebration and this year Bishop Lunsford will be honored as this is the first year that it will be held without him.

Councilor Costa-Hanlon stated that awhile back there was a discussion about the City pursuing grants for totes for recycling. She stated that it should be looked into if there are any grants available and the State said that they would provide some. The DPW has some figures; the most recent estimate was \$63.00 per tote. **Motion was made to refer to the Committee on Solid Waste. So Voted.**

Councilor McCaul stated that the Police Station will be open this evening for the homeless due to the fact that it will be -24 degrees with the wind chill. Also, Matthew 25:40 Mission's homeless outreach center at the First Parish Church is going to be opening up at 4am. Mayor Hoyer stated that the Police Station is always open, the City would rather not have people sleeping in there, but rather than them being out in the cold, it certainly is an option. He stated that he does not want to see people suffer especially in the cold that is expected for Wednesday night into Thursday.

Meeting adjourned at 8:00 P.M.

A true copy:

Attest:


Assistant City Clerk

JLL/SJS

CITY OF TAUNTON
MUNICIPAL COUNCIL
JANUARY 6, 2015

THE COMMITTEE ON FINANCE AND SALARIES

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

MEETING CALLED TO ORDER AT 5:51 P.M.

- 1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS
MOITION: MOVE APPROVAL OF THE VOUCHERS FOR THE WEEK. SO VOTED.
MOTION: MOVE APPROVAL OF THE PAYROLLS IN ABSENTIA FOR THE WEEK. SO VOTED.

MEETING ADJOURNED AT 5:52 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

CITY OF TAUNTON
JAN 06 2015
IN MUNICIPAL COUNCIL

REPORTS ACCEPTED. RECOMMENDATIONS ADOPTED.


ASSISTANT CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
JANUARY 6, 2015

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS

PRESENT WERE: COUNCILOR ANDREW MARSHALL, CHAIRMAN AND COUNCILORS BORGES, COSTA-HANLON, CLEARY AND MCCAUL. ALSO PRESENT WERE WATER DIVISION SUPERVISOR CATHAL O'BRIEN AND ATTORNEY NIKOLAUS SCHUTTAUF, AN ASSOCIATE AT ATTORNEY BRENNAN'S OFFICE.

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

1. MEET WITH THE D.P.W. TEAM AND ATTORNEY EDMUND BRENNAN TO DISCUSS REQUEST FOR WATER MAIN EXTENSION FOR 3 MILL STREET, MIDDLEBORO, MA

ATTORNEY SCHUTTAUF STATED THAT HIS CLIENT, MR. STEVEN KAHIAN, IS REQUESTING AN EXTENSION OF THE WATER MAIN TO SERVICE 3 MILL STREET. THE CURRENT LINE ENDS AT 5 MILL STREET, WHICH MR. KAHIAN ALSO OWNS, AND NOW HE IS REQUESTING PERMISSION TO EXTEND IT TO 3 MILL STREET. THIS IS A 2 FAMILY RESIDENCE. THE EXISTING LINE STOPS AT THE EXISTING HYDRANT SO IT WOULD BE APPROXIMATELY 100 FEET.

COUNCILOR MARSHALL ASKED ABOUT THE 1 ½ INCH DOMESTIC SERVICE FROM THE HYDRANT TO THE EXISTING HOUSE.

MR. O'BRIEN STATED THAT JUST SEEING THE PLANS THIS EVENING, IF THE COUNCIL WANTED TO EXTEND THE LINE AND WHICH THE WATER DIVISION HAS NO OBJECTION TO, THEY WOULD HAVE TO GO BY THE DEPARTMENT'S SPECIFICATIONS. MR. O'BRIEN SAID IN PARTICULAR THEY LIKE TO SEE SERVICES NO CLOSER THAN 10 FEET TO A HYDRANT SO YOU CAN FLUSH WITHOUT STAGNATE WATER, A WET TAP FOR PROTECTION PURPOSES.

COUNCILOR MARSHALL ASKED WHY NOT PUT THE WATER MAIN DOWN THE MIDDLE OF THE ROAD, AND IS THERE POTENTIAL CUSTOMERS ON THE OTHER SIDE OF THE STREET?

MR. O'BRIEN SAID YES. THIS WAS DONE BY THE APPLICANT, IT IS THEIR DESIGN, THEY LAID THIS OUT, HE BELIEVES. HE CANNOT SPEAK FOR THEIR CLIENT, BUT THEY PUT IT IN THIS LOCATION, AND THERE IS AN EASEMENT AND IT SHOULD HAVE BEEN RECORDED PREVIOUSLY THAT ALLOWS THE DEPARTMENT TO GET INTO THERE. THERE ARE CUSTOMERS ON BOTH SIDES OF THE STREET THAT COULD TIE IN, THEY HAVE A RIGHT TO, IT IS THE CITY'S PUBLIC MAIN AT THIS POINT AND THE CITY'S EASEMENT THAT THEY HAVE GIVEN.

COUNCILOR MARSHALL SAID THIS IS HIS CONCERN WITH A 1 ½ INCH DOMESTIC SERVICE.

MR. O'BRIEN SAID FOR THE RECORD THAT CITY SPECIFICATIONS WOULD REQUIRE THAT THE 8 INCH MAIN OR GREATER WOULD BE EXTENDED TO THE EDGE OF PROPERTY, TO THE NEXT PROPERTY, THERE WOULD BE A HYDRANT 10 FEET BEYOND AND THEN THEY COULD HAVE THEIR 1 ½ SERVICE IF THEY CHOSE. SO THAT WOULD BE SEPARATE FROM WHETHER THE COUNCIL CHOSE TO MOVE FORWARD, THEY WOULD LOOK AT THIS DURING THE REVIEW PROCESS, PRIOR TO THEM GETTING ADDITIONAL PERMISSION.

ATTORNEY SCHUTTAUF SAID THAT HE BELIEVES IT WOULD BE AN 8 INCH MAIN FROM THE EXISTING HYDRANT TO THE BORDER WHERE THE PROPERTY BEGINS THEN A 1 ½ INCH LINE TO THE HOUSE. THERE WOULD BE A VALVE CONNECTING THE 8 INCH LINE TO THE 1 ½ INCH DOMESTIC SERVICE LINE.

MR. O'BRIEN ALSO STATED THEY WOULD REQUIRE A VALVE AT THE END FOR FUTURE EXPANSION - LIKE A COUPLING IN THE EVENT THERE IS FUTURE PROPERTY FURTHER DOWN THAT MAY PETITION THE COUNCIL.

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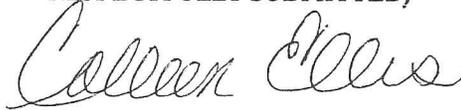
THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED

COUNCILOR MARSHALL QUESTIONED WHY THIS IS BEING DONE PROPERTY BY PROPERTY. AGAIN, THE DPW WOULD WANT A VALVE AT THE END SO IF THE LINE WERE TO BE EXTENDED THEY COULD DO SO, AND THE DPW IS TO HAVE THE RIGHTS OF ACCESS SO THE ABUTTERS COULD TIE IN. IT WAS ALSO NOTED THAT THE EASEMENT ABUTS THE PUBLIC WAY OF MILL STREET. THE ATTORNEY DID STATE THAT THEY ARE AGREEABLE TO THE CHANGES. IT WAS ALSO NOTED THAT ANY MOTION WOULD HAVE TO BE PENDING A NEW PLAN WITH THE DPW REQUIREMENTS.

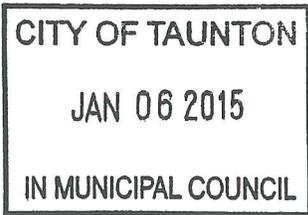
MOTION: TO GRANT THE REQUEST AND PETITIONER IS TO COMPLY WITH ALL TAUNTON DEPARTMENT OF PUBLIC WORKS WATER DIVISION SPECIFICATIONS AND PROVIDE A STAMPED PLAN TO THE WATER DIVISION FOR THEIR APPROVAL PRIOR TO ANY PERMITS BEING ISSUED. SO VOTED.

MEETING ADJOURNED AT 6:55 P.M.

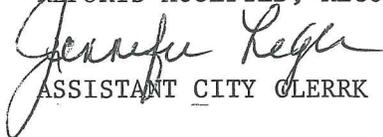
RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



ASSISTANT CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
JANUARY 6, 2015

THE COMMITTEE ON POLICE AND LICENSE

PRESENT WERE: COUNCILOR SHERRY COSTA-HANLON, CHAIRMAN AND COUNCILORS
CLEARY AND CROTEAU. ALSO PRESENT WAS CHIEF EDWARD WALSH

MEETING CALLED TO ORDER AT 6:11 P.M.

THE POLICE CHIEF PROVIDED A LETTER DATED 1/6/15 WHICH STATED THAT THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FINDS NOTHING THAT WOULD PREVENT THE APPROVAL OF THE LIST OF PETITIONS ON THE COMMITTEE AGENDA FOR RENEWAL OF CLASS II AUTO LICENSES WITH THE NOTED RESTRICTIONS.

1. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITIONS FOR RENWAL OF THE FOLLOWING CLASS II LICENSES:

A. A & M AUTO SALES, 424 WINTHROP STREET

MOTION: MOVE APPROVAL – 15 VEHICLE LIMIT AND TO PLACE ON LICENSE THAT THE VEHICLE LIMIT SHALL MEAN THE TOTAL DISPLAYED AND STORED VEHICLES. SO VOTED.

B. MIKE'S AUTO SALES, 594 WINTHROP STREET

MOTION: MOVE APPROVAL – 12 CARS ONLY, 5 CARS IN FRONT, 7 CARS IN REAR, HOURS OF OPERATION M-F 9-5, SAT. 9 AM -2 PM – NO NIGHTS, NO SUNDAYS. LICENSE TO STATE THAT THE VEHLCE LIMIT SHALL MEAN THE TOTAL DISPLAYED AND STORED VEHICLES. SO VOTED.

C. TOP QUALITY AUTO, 397 WINTHROP STREET

MOTION: MOVE APPROVAL – 61 VEHICLE LIMIT AND TO PLACE ON LICENSE THAT THE VEHICLE LIMIT SHALL MEAN THE TOTAL DISPLAYED AND STORED VEHICLES. SO VOTED.

D. HILLTOP MOTORS, 1 LAWTON AVENUE

MOTION: MOVE APPROVAL – 4 VEHICLE LIMIT AND TO PLACE ON LICENSE THAT THE VEHICLE LIMIT SHALL MEAN THE TOTAL DISPLAYED AND STORED VEHICLES. SO VOTED.

2. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITION TO TRANSFER CLASS II LICENSE FROM PREMIUM MOTORS, 340 WINTHROP STREET TO LEO'S AUTO SALES, 350R WINTHROP STREET

COUNCILOR COSTA-HANLON ASKED IF THE RENEWAL OF THIS LICENSE HAD ALREADY BEEN APPROVED, AND NOW THIS TRANSFER IS REQUESTED?
THE CHIEF SAID HE BELIEVES SO.

COUNCILOR COSTA-HANLON STATED THAT SHE THOUGHT THE RENEWAL SHOULD BE DONE FIRST AND THEN THE TRANFER. YOU CANNOT TRANSFER UNTIL YOU RENEW.

COUNCILOR CLEARY ASKED IF A MOTION WAS NEEDED TONIGHT TO APPROVE THE CLASS II LICENSE OF PREMIUM MOTORS. COUNCILOR COSTA-HANLON SAID THAT IT WAS NOT ON THE AGENDA TONIGHT, TO RENEW THE CLASS II LICENSE. SHE FURTHER NOTED THAT THERE IS AN ISSUE PENDING WITH A LICENSE THAT ASKED FOR A RENEWAL, DID NOT COME AND GET THE RENEWAL, AND THEN THERE WAS A SUBSEQUENT REQUEST TO TRANSFER. THE COMMITTEE DID NOT ALLOW THE TRANSFER BECAUSE BASICALLY THE COMMITTEE DID NOT HAVE A LICENSE TO

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THE COMMITTEE ON POLICE AND LICENSE – CONTINUED

RENEW. SHE BELIEVES THE DEADLINE FOR RENEWAL WAS DECEMBER 31ST. THE CHIEF NOTED THAT THE PETITION TO TRANSFER HAD AN OCTOBER DATE. COUNCILOR CROTEAU STATED THAT THE LICENSE HAS NOT BEEN RENEWED. HE HEARD THAT THE DEADLINE WAS DECEMBER 31ST SO THEREFORE THERE IS NO LICENSE. THE CHIEF STATED THAT THE ONLY ISSUE IS THAT THEY HAD THE REQUEST FOR THE TRANSFER PRIOR TO DECEMBER.

COUNCILOR CROTEAU ASKED FOR AN OPINION FROM THE CITY SOLICITOR WHETHER OR NOT A VOTE ON THIS MATTER IS GOING TO EFFECT THE STATUS OF THE ONE THE CITY IS HAVING A PROBLEM WITH.

MOTION: TO REFER THIS TO THE CITY SOLICITOR TO REVIEW THE RELATIONSHIP WITH R & C AUTO LLC D/B/A BORGES AUTO. TO CONTINUE THIS MATTER FOR TWO WEEKS. SO VOTED.

3. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON THE FOLLOWING PETITIONS TO OPERATE BETWEEN THE HOURS OF 1 A.M. AND 4 A.M. AS PER CITY ORDINANCE SEC. 12-2:

A. CVS, 204 WINTHROP STREET

MOTION: MOVE APPROVAL. SO VOTED.

B. WORK OUT WORLD, TAUNTON LLC, 50 O'CONNELL WAY, EAST TAUNTON

MOTION: MOVE APPROVAL. SO VOTED.

4. MEET TO REVVIEW MATTERS IN FILE

A. COUNCILOR COSTA-HANLON ASKED THE CHIEF FOR AN UPDATE REGARDING THE FACT THAT THEY HAD THE LIST OF NEW HIRES, AND SHE KNOWS THAT THE CHIEF AND HIS COMMAND STAFF WERE DOING SOME OF THE INTERVIEWS. THE CHIEF STATED THAT HE HOPES TO HAVE THE INTERVIEWS DONE NEXT WEEK AND MAYBE THE WEEK AFTER BRINGING IT TO THE COMMITTEE.

B. COUNCILOR COSTA-HANLON ALSO STATED THAT IN STOUGHTON AND ANOTHER CITY, THERE WERE OFFICERS THAT WERE DENIED PROMOTION AND THEY WERE ON THE TOP OF THE CIVIL SERVICE LIST. THEY FILED A LAW SUIT THAT IS GOING TO BE HEARD AT THE SUPREME JUDICIAL COURT. SHE ASKED IF THE CHIEF HAD GOTTEN AN UPDATE ON IT OR MAYBE THIS COMMITTEE COULD ASK FOR A SYNOPSIS FROM THE LAW DEPARTMENT BECAUSE SHE KNOWS THEY HAVE GONE THROUGH A NUMBER OF APPEALS AND IT HAS TRIGGERED SOME INPUT FROM CIVIL SERVICE. SHE ASKED IF THE CHIEF HAD HEARD ANYTHING ABOUT IT. THE CHIEF SAID THAT HE KNOWS THERE ARE ISSUES IN BOSTON AND OTHER COMMUNITIES WHERE THEY ARE ALLEGING RACIAL DISPARITY IN THE PROMOTIONAL PROCESS BASED UPON THE CIVIL SERVICE TEST. HE ALSO KNOWS THERE HAVE BEEN SEVERAL LAW SUITS THAT HAVE GONE UP AS FAR AS APPEALS TO THE S.J.C. HE IS NOT SURE IF THE STOUGHTON SITUATION IS SIMILAR TO THAT. HIS PERSONAL OPINION, AND AT SOME POINT HE WILL PROBABLY BE COMING TO THIS COMMITTEE, RELATIVE TO THE CIVIL SERVICE TESTING PROCESS AT LEAST FOR SERGEANT, THERE IS A 99% FAILURE RATE AT LEAST FOR THE TAUNTON POLICE DEPARTMENT ON THE SERGEANTS TEST, SO AT SOME POINT, TAUNTON LIKE OTHER COMMUNITIES MAY NEED TO LOOK AT HOW WE TEST WITH CIVIL SERVICE. THERE IS A MECHANISM IN PLACE WHERE YOU CAN BRING AN OUTSIDE TESTING AGENCY IN INSTEAD OF USING THE STATE TEST. THE FAILURE RATE ACROSS THE STATE FOR THE LAST 3 TESTS HAS BEEN IN THE HIGH 90'S. EVENTUALLY THIS NEEDS TO BE LOOKED AT BECAUSE IF HE STARTS LOOKING AT PROMOTIONS IN THE NEXT YEAR THERE IS NO LIST TO USE.

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THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

COUNCILOR COSTA-HANLON NOTED THAT THE CASES SHE REFERRED TO DEAL WITH THE MUNICIPALITY'S AUTHORITY TO GO OUTSIDE OF THE LIST AND NOT TAKE THE TOP PERSON, SHE DOES NOT REMEMBER HEARING ANYTHING ABOUT RACIAL DISPARITY. SHE DOES KNOW THAT THE ATTORNEY GENERAL'S OFFICE FILED A BRIEF SUPPORTING THE 2 TOWNS THAT DID DECIDE TO GO OUTSIDE OF THE NUMERICAL ORDER.

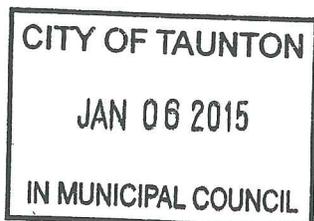
THE CHIEF SAID THIS WOULD BE A BY-PASS SITUATION. THERE HAVE BEEN OTHER CHALLENGES TO THE TESTING PROCESS INCLUDING IN THE FEDERAL COURTS BECAUSE OF THE ISSUES WITH THE TESTS.

THE CHIEF WAS ASKED TO GATHER INFORMATION ON THE COURT CASE AND ALSO OTHER TOWNS/CITIES THAT DO NOT USE THE CIVIL SERVICE TEST.

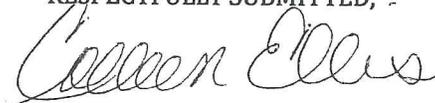
C. COUNCILOR COSTA-HANLON ALSO NOTED THAT SHE HAD E-MAILED THE CHIEF REGARDING SOME OF THE ORDINANCES AND THE CHIEF WAS GOING TO LOOK INTO THIS, BUT REGARDLESS OF THE ORDINANCES DISCUSSED IN THAT E-MAIL, THE CHIEF WAS ASKED TO PROVIDE THE COMMITTEE WITH AN UPDATE, A WISH LIST, OF WHAT HE WOULD LIKE DONE IN HIS DEPARTMENT IN THE NEXT YEAR. ALSO INCLUDE THE SUPPORT STAFF. IT WAS REQUESTED TO DO THIS FOR 5 YEARS OUT ALSO.

D. COUNCILOR CROTEAU ASKED ABOUT THE STATUS WITH THE INTERSECTIONS IN EAST TAUNTON. THE CHIEF SAID HE AND THE SAFETY OFFICER WILL GET BACK TO COUNCILOR CROTEAU.

MEETING ADJOURNED AT 6:28 P.M.



RESPECTFULLY SUBMITTED, -



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



ASSISTANT CITY CLERK