



*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, January 8, 2013 at 8:20 o'clock P.M.*

Regular Meeting

Mayor Thomas C. Hoyer, Jr. presiding

At this time, the Mayor asked for a moment of Silence for June Strojny, member of the Historic District Commission who passed away this morning.

Prayer was offered by the Mayor

Present at roll call were:

*Councilor Barbour, Carr, McCaul, Pottier, Costa-Hanson,
Medeiros, Colton, Cleary, Marshall*

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

Hearings:

Hearing came up by assignment on the petition submitted for renewal of Class III Motor Vehicle Licenses:

1. Arthur's Auto Junk Yard, 147 Fremont Street
2. Automotive Recovery Services, Inc.,-dba-Insurance Auto Auction, 580 Myricks Street
3. Caramelo's Auto Body, Inc., 2 Porter Street
4. Harry's Auto Wrecking, 68 Whitsborough Street
5. Reynold's Auto Wrecking, Inc., 733 So. Precinct Street
6. Tony's Auto Wrecking, 303 Broadway

Motion was made to open the hearing. So Voted. The City Clerk stated that All Tax Status are paid in full for each of the above six petitioners. The City Clerk read a communication from the Police Department, Licensing Division submitting a recommendation from the Chief stating that he does not find anything that would prevent renewal for the above mentioned Class III Motor Vehicle Licenses. **Motion was made to make part of the record. So Voted.** No one speaking in favor of or in opposition. **Motion was made to close the hearing and grant the licenses as presented based upon the recommendations. So Voted.**

Communications from the Mayor:

The Mayor informed that the State of the City Address is scheduled for next Tuesday at 7pm.

Appointments:

Appointment of Municipal Council President. John McCaul. **Motion was made to move approval. On a roll call vote, nine (9) Councilors present, eight (8) Councilors voting in favor. Councilor McCaul voting present.**

Re-appointment of Director of Planning and Conservation, Kevin Scanlon for a term of three (3) years which will expire the last day of January 2016. **Motion was made to move approval. On A roll call vote, nine (9) Councilor's present, nine (9) Councilor's voting in favor of.**

Councilor Barbour motioned to request that he vote present on this matter. So Voted. Appointment to the License Commission, Bruce Thomas of 48 Church Green, to serve the remainder of Joseph Rose's tenure who was re-appointed in July 2012 for a term of four (4) years, which will expire the last day of July 2016. **Motion was made to move approval. So Voted.** The Municipal Council has obtained a copy of Mr. Thomas's resume. Councilor Costa-Hanlon stated that prior to Mr. Rose's retirement, he suggested expanding the Commission. The Mayor informed that according to MGL the Commission can only have three members.

Communications:

Com. from Executive Director, Retirement – Notifying of a retirement for Ordinary Disability of Mark M. Dupras, an employee of the Fire Department effective December 19, 2012. **Motion was made to move approval and forward appropriate scroll. Councilor Pottier motioned to refer to the City Clerk for a Civil Service list. So Voted.**

Com. from Wendy Graves – Submitting her resignation from employment as Treasurer/Collector effective December 21, 2012. **Motion was made to receive and place on file. So Voted.**

Com. from City Clerk – Requesting to pay a prior year invoice in the amount of \$260.60 to IKON/RICOH USA, Inc. **Motion was made to move approval. So Voted.**

Com. from City Engineer – Requesting approval of a Traffic Control Signal Permit at the intersection of Taunton Green and Broadway. **Motion was made to move approval. So Voted.**

Com. from Safety Officer – Parking issue at Whittenton Street and Fifth Avenue during hours of Mass at St. Jude the Apostle Church at 249 Whittenton Street. **Motion was made to refer to the Committee on Ordinances and Enrolled Bills, City Engineer's Office and DPW Commissioner. So Voted.**

Com. from Executive Director, Retirement – Notifying of the City's retirement system investment performance – Taunton ranks number 5 with an annualized investment return of +9.54%. **Motion was made to accept and place on file and to forward a letter of accommodation to Mr. Slivinski and Board Members for their performance with the retirement funds. So Voted.**

Com. from Mayor Hoye – Notifying of certified general fund free cash for FY2012 in the amount of \$2,096,231. **Motion was made to forward a report to Committee on Finance and Salaries. So Voted. Councilor Costa-Hanlon motioned to request the**

City Solicitor's Office begin preparation on an RFP to solicit bids for the FY2013 Audit. So Voted.

Com. from Building Commissioner – Submitting the Building Permit Record for December 2012. **Motion was made to refer to the Mayor's Office. So Voted.**

Com. from Assistant Executive Director, Board of Health – Informing on 14 Winthrop Street. Upon inspection of business, it was deemed necessary to enter into an agreement for voluntary closure based on violations found. **Motion was made to refer to BID or Neighbor Corp for grants available for the property owner and to refer to the Mayor's Office on Economic Development. Also, for the City Clerk to notify Council when the letters are sent out and to include in the letters that Council is requesting a response within a month. So Voted.**

Com. from Bill Cowin, Tallage LLC, 165 Tremont Street, Suite 305, Boston – Notifying of presence at Massachusetts Municipal Association Annual Meeting on January 25th at the Hynes Convention Center in Boston. **Motion was made to receive and place on file. So Voted.**

Councilor Costa-Hanlon submitted a communication from Chris Williams, Safety Officer regarding Bennett School. The visibility of traffic while exiting the driveway is obstructed by parked vehicles. Mr. Williams recommended a no parking zone on North Walker Street on the same side as the school only extending 75 feet north and 75 south of the school's driveway. **Motion was made to refer to Committee on Ordinances and Enrolled Bills. So Voted.** Mr. Williams' letter also mentioned the need for the sidewalk at Bennett School to be updated because of the horse-shoe driveway. **Motion was made to refer to the City Engineer for a study to include a curb-cut and to refer to the Americans with Disability Act Committee. So Voted.**

Petitions:

Application submitted by Nathaniel Greene requesting a renewal of his Constable License desiring to serve Civil Process. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Application submitted by Thomas Centofanti requesting a renewal of his Constable License desiring to serve as a Crossing Guard and to serve Civil Process and all other. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Hours of Operation License – Hess Express, 943 County Street, Taunton for May 2, 2011 and 2012. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Claim submitted by David Menice, 72 Duffy Drive, Taunton seeking reimbursement for his mailbox which was destroyed on December 30, 2012 by snow plow trucks. **Motion was made to refer to the City Solicitor's Office. So Voted.**

Special Permit submitted by Russell Orcutt, 27 Flintlock Road, Taunton to allow entertainment in conjunction with an art space at 3 Trescott Street located in the Central Business District. **Motion was made to refer to the City Clerk's Office to schedule a Public Hearing. So Voted.**

Committee Reports:

Motion was made for Committee reports to be read by Title and Approved except for Committee on Police and Licenses. So Voted.

Councilor Costa-Hanlon informed that during the Committee on Police and License, there were three (3) Class II Licenses that failed to file their renewals and that the Committee voted to deny all three applicants. Following the meeting, the City Clerk informed that Thomas Auto Sales had filed for their renewal, therefore, **Councilor Costa-Hanlon motioned for Thomas Auto Sales to be pulled out and allow their application to continue for review. In addition, to deny the renewal of Class II Licenses for A & B Realty Trust and Breno's Collision Sales, Inc.** Councilor Costa-Hanlon informed that either applicant (A & B Realty Trust or Breno's Collision Sales, Inc.) would need to apply with the City Clerk's Office as a New License. Councilor Barbour stated that he feels very strongly with asking people to be in compliance. Also, the recommendation of the Police Chief was to deny the renewals. **Therefore, Councilor Costa-Hanlon motioned to amend the motion and allow A & B Realty Trust and Breno's Collision Sales, Inc. to come back before the Committee on Police and Licenses on January 22, 2013. In addition, applications will need to be filed and all taxes and bills owed to the City must be paid in full. So Voted.**

Recommendations adopted to reflect the votes as recorded in Committee Reports. So Voted.

Councilor Carr motioned for the City Clerk's Office to send a letter to license holders reminding them of the date that their license has to be renewed by. In the future, if their license is not in by the correct date, they will have to go to the end of the line. So Voted.

Unfinished Business:

None

Orders, Ordinances, and Resolutions

Resolution

◦Resolution submitted by Bristol County Savings Bank, 35 Broadway, Taunton Designating public depository and authorizing withdrawal of Municipal Public Monies for the City of Taunton, 144 Oak Street, Taunton (designation of Interim City Treasurer) **Motion was made to move approval. So Voted.**

New Business:

Councilor Pottier asked if there was any way that we could allow individuals to make a single copy of documents obtained from City Hall at the copier located in the foyer of City Hall, maybe after checking with someone. The City Clerk informed that the Law does not allow the City to make copies of Certified Records. The Mayor stated that he

has seen many times when individuals were using the copier and Ms. Punda had to tell them that it is for City Hall use only.

Councilor Pottier asked if we are progressing toward accepting credit cards in the City Clerk's Office. The City Clerk informed that she spoke to the Budget Director and presently they are investigating.

Councilor Marshall motioned to refer to the Mayor's Assistant to explore the possibility of having people subscribe to text alerts (schools, DPW, Public Safety, general awareness, etc.). To see what technology is out there and cost to set-up a system. So Voted.

Councilor Barbour motioned that the Acting Treasurer/Collector release the top one hundred names of the highest paid city employees, whenever she feels it is appropriate to release this information. So Voted.

Councilor McCaul motioned that the DPW Commissioner investigate the crosswalks in the vicinity of the Thomas Apartments and St. Mary's Church for the possibility of placement of curb cuts at said location as citizens are having a difficult time going over the curb when they are coming from the Thomas Apartments to St. Mary's Church. In addition, to forward to City Engineer and Mr. Scanlon. So Voted.

Meeting adjourned at 9:05pm

A true copy:

Attest:

A handwritten signature in cursive script that reads "Rose Marie Blackwell". The signature is written in dark ink and is positioned to the right of the word "Attest:".

City Clerk

RMB/dmc

CITY OF TAUNTON
MUNICIPAL COUNCIL
JANUARY 8, 2013

THE COMMITTEE ON FINANCE AND SALARIES

PRESENT WERE: COUNCILOR DEBORAH CARR, CHAIRMAN AND COUNCILORS CLEARY AND COLTON. ALSO PRESENT WERE HUMAN RESOURCE DIRECTOR MARIA GOMES AND ACTING TREASURER/COLLECTOR JAYNE ROSS

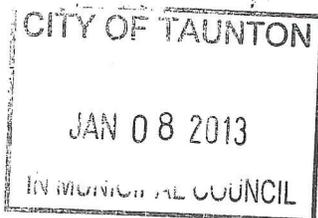
MEETING CALLED TO ORDER AT 5:42 P.M.

- 1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS
MOTION: MOVE APPROVAL OF THE PAYROLL WARRANT IN THE AMOUNT OF \$2,773,143.95. SO VOTED.
MOTION: MOVE APPROVAL OF THE INVOICE WARRANT IN THE AMOUNT OF \$1,562,159.25. SO VOTED.

- 2. MEET WITH THE HUMAN RESOURCE DIRECTOR AND ACTING TREASURER/COLLECTOR JAYNE ROSS TO DISCUSS ACTION PLAN FOR HIRING PERMANENT TREASURER/COLLECTOR
 THE JOB DESCRIPTION IS UPDATED AND HAS BEEN APPROVED BY THE UNION. THE ADVERTISEMENT WILL BE IN THE LOCAL NEWSPAPER AND POSTED THROUGHOUT THE CITY. THE POSTING WILL GO OUT TO LOCAL COLLEGES AND WILL BE PUT ON THE MASSACHUSETTS COLLECTOR TREASURER ASSOCIATION WEB PAGE. IT WILL ALSO BE POSTED IN THE BEACON AND ON THE MMA WEBSITE. IT WILL BE PUT OUT LOCALLY AND NATIONALLY. THE COST TO ADVERTISE WILL BE ABOUT \$1,500-\$2,000.
 THE LAST TIME THE INTERVIEWS WERE CONDUCTED BY THE MUNICIPAL COUNCIL. THE HUMAN RESOURCE DIRECTOR WOULD LIKE TO SUGGEST, IN ADDITION, DEVELOPING A SEARCH COMMITTEE MADE UP OF A COUPLE OF REPRESENTATIVES AND 2-3 COUNCILORS, CONSISTING OF POSSIBLY OUR EXTERNAL AUDITOR DOMINIC COPPOLA, THE BUDGET DIRECTOR, AND MRS. GOMES AS A PRELIMINARY SCREENING COMMITTEE, THEN THE SECOND PHASE WOULD BE CONDUCTED BY THE COUNCIL. SHE WILL LEAVE THE POSTING OPEN UNTIL THE POSITION IS FILLED, AND SHE NOTED THAT THE SALARY IS COMPETITIVE. SHE IS HOPING TO HAVE THIS POSITION FILLED IN 2 MOINTHS. SHE WILL KEEP THE COMMITTEE UPDATED ON THE APPLICATIONS THAT COME IN.

- 3. MEET TO REVIEW MATTERS IN FILE
 THE CHAIRMAN INFORMED THE COMMITTEE THAT SHE HAS SPOKEN TO THE CITY AUDITOR REGARDING THE FY 2011 AUDIT. THEY ARE WAITING FOR SOME FINAL RESPONSES FROM DEPARTMENT HEADS AND SHE HOPES TO GET THE AUDIT TO THE COMMITTEE IN THE NEXT 2-3 WEEKS.

MEETING ADJOURNED AT 5:58 P.M.



RESPECTFULLY SUBMITTED, 1

Colleen Ellis

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

Rm Blackwell
CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
JANUARY 8, 2013

THE COMMITTEE ON POLICE AND LICENSE

PRESENT WERE: COUNCILOR SHERRY COSTA-HANLON CHAIRMAN AND COUNCILORS CLEARY AND BARBOUR. ALSO PRESENT WERE POLICE CHIEF EDWARD WALSH AND DETECTIVE DENNIS SMITH

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

LETTER OF POLICE CHIEF EDWARD WALSH DATED 1/8/2013 WAS READ IN WHICH IT WAS STATED THAT THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FINDS NOTHING THAT WOULD PREVENT THE APPROVAL FOR RENEWAL THE FOLLOWING CLASS II AUTO SALES LICENSES WITH RESTRICTIONS AS NOTED:

- A. TOP QUALITY AUTO SALES, INC, 397 WINTHROP STREET (70 VEHICLE LIMIT)
- B. M. H. HAMIE & SON INC. D/B/A MIKE'S AUTO SALES, 594 WINTHROP STREET
(12 VEHICLE MAX 5 IN FRONT, REMAINING 7 IN REAR, HOURS LIMITED TO M-F 9-5, SAT 9-2, NO NIGHTS, NO SUNDAYS)
- C. R & F MOTORS, INC. 35 DANA STREET
- D. NORTHEAST AUTO EXCHANGE, 577 WINTHROP STREET
(10 CLASSIC OR VINTAGE VEHICLES, LICENSE NOT TRANSFERABLE)
- E. ROUTE 14 MOTORS, LLC D/B/A ROUTE 138 MOTOR CAR COMPANY, 420 BROADWAY
(87 VEHICLE LIMIT)

MATTER IN FILE:

THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FINDS NOTHING THAT WOULD PREVENT THE APPROVAL FOR RENEWAL THE CLASS II AUTO SALES LICENSE OF MANN CLAN INC. D/B/A AUTO GALLERY, 283 BROADWAY (33 VEHICLE LIMIT)

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

1. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON THE FOLLOWING APPLICATIONS FOR CLASS II LICENSES:
 - A. TOP QUALITY AUTO SALES INC., 397 WINTHROP STREET
MOTION: MOVE APPROVAL – 70 VEHICLE LIMIT. SO VOTED.
 - B. M. H. HAMIE & SON INC. D/B/A MIKE'S AUTO SALES, 594 WINTHROP STREET
MOTION: MOVE APPROVAL WITH 12 VEHICLE MAX, 5 IN FRONT, REMAINING 7 IN REAR, HOURS LIMITED TO M-F 9-5, SAT 9-2, NO NIGHTS, NO SUNDAYS. SO VOTED.
 - C. R & F MOTORS, INC., 35 DANA STREET
MOTION: MOVE APPROVAL – NO RESTRICTIONS. SO VOTED.
 - D. NORTHEAST AUTO EXCHANGE, 577 WINTHROP STREET
MOTION: MOVE APPROVAL FOR 10 CLASSIC OR VINTAGE VEHICLES, LICENSE NOT TRANSFERABLE). SO VOTED.
 - E. ROUTE 14 MOTORS, LLC D/B/A ROUTE 138 MOTOR CAR COMPANY, 420 BROADWAY
MOTION: MOVE APPROVAL – 87 VEHICLE LIMIT. SO VOTED.

2. MEET TO REVIEW MATTERS IN FILE
MOTION: MOVE APPROVAL OF RENEWAL OF THE CLASS II AUTO SALES LICENSE OF MANN CLAN INC. D/B/A AUTO GALLERY, 283 BROADWAY – 33 VEHICLE LIMIT. SO VOTED.

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JANUARY 8, 2013

THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

A SECOND LETTER FROM THE POLICE CHIEF DATED JANUARY 8, 2013 WAS READ. THE LETTER STATED THAT HE REQUESTS THAT THE FOLLOWING CLASS II AUTO SALES LICENSE HOLDERS WHO HAVE APPLIED FOR RENEWAL FOR THE 2013 CALENDAR YEAR BE ASKED TO APPEAR BEFORE THE COMMITTEE OF POLICE AND LICENSE ON JANUARY 22, 2013. THE TAUNTON POLICE LICENSE DIVISION HAS VARIOUS ISSUES AND OR CONCERNS WHICH NEED TO BE DISCUSSED BEFORE THE APPLICATIONS CAN GO FORWARD.

- A. ACME FABRICATION
91 ARLINGTON STREET
- B. BEST PRICE
12 CAPE ROAD
- C. DE-ANTH MOTORS
115 BROADWAY
- D. HAPPY BEAR
54 COTTAGE STREET
- E. K & L AUTO SALES
80 COHANNET STREET
- F. PROFESSIONAL CAR ZONE
381 WEIR STREET

THERE ARE CURRENTLY THREE LICENSEE'S THAT AS OF THIS DATE FAILED TO RE-APPLY FOR RENEWAL AS REQUIRED BY CITY ORDINANCE ON OR BEFORE DECEMBER 1, 2012.

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

MOTION: THAT THE LIST, A-F, BE NOTIFIED IMMEDIATELY THAT THEIR LICENSES ARE NOT RENEWED AND ARE CONSIDERED INACTIVE IN THE EYES OF THIS COUNCIL, AND THEY ARE NOT TO BE USED. ALSO THEY ARE TO APPEAR BEFORE THIS COMMITTEE ON JANUARY 22, 2013, AND NO FURTHER EXTENSIONS WILL BE GRANTED FROM THAT POINT.

MR. CLEARY SECONDED THE MOTION ON DISCUSSION. MR. CLEARY ASKED IF THESE BUSINESSES WERE OPEN AND OPERATING TODAY. THE POLICE CHIEF STATED THAT IT IS A MATTER OF OPINION. THIS IS ONE OF THE ISSUES AS SOME HAVE NOT SOLD CARS IN A YEAR TO A YEAR AND A HALF. THEY ARE NOT ACTUALLY OPERATING BUT THEY HAVE A LICENSE. THE CHIEF STATED THAT HE FELT IT IS BEST TO BRING THEM BEFORE THE COUNCIL TO DISCUSS THEIR ISSUES.

MOTION WAS VOTED ON AND PASSED.

THE CHIEF INFORMED THE COMMITTEE THAT THE THREE THAT HAVE NOT APPLIED TO DATE ARE A & B REALTY AT 289 BROADWAY, BRENO'S AT 480 WINTHROP STREET AND THOMAS AUTO SALES AT 445 WINTHROP STREET.

COUNCILOR BARBOUR SAID THAT THESE THREE, TECHNICALLY ARE PASSED THE DEADLINE FOR APPLICATIONS, SO IN HIS OPINION THESE LICENSES SHOULD NOW BE IN THE POSSESSION OF THE CITY. HE FURTHER STATED THAT THE COMMITTEE HAS HAD THIS DISCUSSION THE LAST FEW YEARS, BUT LAST YEAR SPECIFICALLY THAT PEOPLE TAKE ADVANTAGE OF THE PROCESS AND DETECTIVE SMITH'S GENEROSITY IN HELPING THEM THROUGH THE PROCESS. EITHER WE RUN THIS LIKE A BUSINESS OR WE CAN CONTINUE THE COUNTRY CLUB MENTALITY AND LET PEOPLE COME AND GO WHEN THEY PLEASE AND LET PEOPLE USE THEIR LICENSES WHEN THEY PLEASE EVEN THOUGH THEY ARE NOT VALID. HE FURTHER STATED THAT THE PEOPLE KNOW THE VALUE OF THESE LICENSES, THERE IS NO EXCUSE AND EVERY YEAR THERE ARE PROBLEMS.

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JANUARY 8, 2013

THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

MOTION: TO NOTIFY A & B REALTY, BRENO'S AND THOMAS AUTO SALES THAT THEIR LICENSES ARE NO LONGER VALID, THAT THEY HAVE FAILED TO COMPLY IN THE PROPER TIME FRAME AND IF THEY WISH TO RE-APPLY AND THERE IS A LICENSE AVAILABLE THEY CAN DO SO THROUGH THE PROPER APPLICATION PROCESS.

COUNCILOR CLEARY SECONDED THE MOTION, ON DISCUSSION MR. CLEARY ASKED IF WE HAVE HAD PROBLEMS WITH THESE COMPANIES BEFORE.

DETECTIVE SMITH STATED THAT EVERY YEAR, THOMAS IS NEW, THIS IS THEIR FIRST YEAR FOR RENEWAL AS THEY OBTAINED THEIR LICENSES IN NOVEMBER OF 2011 THEN RENEWED IN DECEMBER OR LATE JANUARY OF 2012, SO FAR NOTHING THIS YEAR. BRENO'S AND A & B REALTY ARE LATE EVERY YEAR. DETECTIVE SMITH FURTHER STATED THAT HE IS JUST TRYING TO BRING THIS FORWARD BECAUSE IT HAS BEEN STATED THAT *UNDER CITY ORDINANCE SECTION 12-15, APPLICATIONS FOR RENEWAL OF LICENSES UNDER SECTION 59 OF CHAPTER 140 AS AMENDED SHALL BE MADE ON OR BEFORE THE FIRST DAY OF DECEMBER IN THE YEAR CURRENT IF THE APPLICANT IS THEN THE HOLDER OF SUCH LICENSE. ANY CLASS II LICENSE WHICH REMAINS INACTIVE FOR A PERIOD OF ONE YEAR SHALL REVERT TO THE CITY.* THERE IS A TOTAL NUMBER OF 50 LICENSES IN THE CITY OF TAUNTON. COUNCILOR CLEARY STATED THAT BASED ON THE LAST SENTENCE READ, IT HAS TO BE A YEAR BEFORE WE TAKE THEIR LICENSE, SO HE FEELS THAT THEY SHOULD BE INVITED TO THE SAME MEETING ALSO. COUNCILOR COSTA-HANLON SAID IT HAS BEEN A YEAR. THE LAST TIME WE HAVE HAD A RE-APPLICATION FOR ANY OF THESE WOULD BE DECEMBER OF 2011, BECAUSE THEY DID NOT FILE DECEMBER 1, 2012. THEY HAVE MISSED THE DEADLINE FOR DECEMBER 1, 2012, FOR THE CALENDAR YEAR OF 2013. MR. CLEARY SAID HE THINKS WE SHOULD INVITE THEM TO THE MEETING ON JANUARY 22ND. THE CHIEF STATED THAT TECHNICALLY, IF THEY DO NOT SUBMIT BY THE DATE THE COMMITTEE CANNOT ACT UPON IT. THAT IS THE ISSUE THEY HAVE HAD FOR YEARS AND WE ARE IN MARCH AND APRIL DEALING WITH THESE ISSUES. HE IS NOT NECESSARILY OPPOSED TO BRINGING THEM IN TO TALK WITH THEM, BUT TECHNICALLY DO THEY HAVE A LICENSE RIGHT NOW?

COUNCILOR BARBOUR FURTHER STATED THAT WITH A & B THE COMMITTEE HAS GRACIOUSLY THROWN THEM LIFE LINES, BRENO IS A WELL KNOWN, FINE REPUTATION BUSINESS IN THE COMMUNITY, AND THE THIRD, THOMAS AUTO SALES, WAS ISSUED DURING THE CROWLEY ADMINISTRATION. THESE LICENSES ARE THEIR GOLD, THEY KNOW BETTER THAN ANYONE THE VALUE OF A LICENSE AND THE LACK OF THE VALUE OF A LICENSE IN A BUSINESS. THIS COMMITTEE IS NOT BABYSITTERS. THE COMMITTEE IS SITTING HERE WEEK AFTER WEEK ASKING PEOPLE TO COME IN AND THEN THEY HAVE THE NERVE TO TELL THE COMMITTEE THAT THAT DATE DOESN'T WORK, BUT THESE PLACES DID NOT APPLY OR DID NOT APPLY ON TIME, SO THEIR APPLICATION COULD NOT BE CONSIDERED, AND DESPITE ALL OF THIS, YOU HAVE NO VALID LICENSE BUT ARE STILL OPERATING A BUSINESS. HE IS NOT SAYING HURT THE SMALL BUSINESS PERSON, BUT HE IS BEING REALISTIC. WE GO THROUGH THIS YEAR AFTER YEAR. HE DOES NOT UNDERSTAND WHY WE HAVE TO KEEP HOLDING THEIR HANDS, EITHER THEY WANT THE LICENSE OR THEY DON'T.

COUNCILOR BARBOUR FURTHER STATED THAT THE CITY CLERK HAS A LIST, AND HE IS GOING TO ASK FOR IT, OF ABOUT 30 PEOPLE WHO WOULD LIKE LICENSES. HE HAS NO PROBLEM INVITING THE THREE THAT HAVE NOT APPLIED IN AND HEAR THEIR REASONS, BUT TECHNICALLY A – F AND THE 3 THAT ARE MENTIONED, DO NOT HAVE A LICENSE RIGHT NOW IN HIS OPINION. THE LICENSE IS NOT ACTIVE, IT WAS NOT VOTED ON BY THIS BODY FOR 2013, THEY NEED TO BE NOTIFIED THAT THEY DO NOT HAVE AN ACTIVE LICENSE, THEY SHOULD NOT BE AT AUCTIONS, THEY SHOULD NOT BE SELLING THEM.

COUNCILOR CLEARY SAID HE FEELS THAT THE 3 INDIVIDUALS SHOULD GET THE SAME LETTER BEING SENT TO THE FIRST 5 – THAT THEY ARE INACTIVE AT THE TIME, THAT THEY ARE TO BE HERE ON JANUARY 22ND.

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JANUARY 8, 2013

THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

COUNCILOR COSTA-HANLON SAID THAT THE COMMITTEE SHOULD CONSIDER, IF THEY WANT A RENEWAL ALL PAPERWORK SHOULD BE SUBMITTED BEFORE JANUARY 22ND.

COUNCILOR BARBOUR NOTED THAT THE DEADLINE HAS ALREADY PASSED.

COUNCILOR COSTA-HANLON SAID SHE DOES NOT WANT TO GIVE THEM AN AUDIENCE IF THEY HAVEN'T FILLED OUT THE APPLICATION.

COUNCILOR BARBOUR SAID THEY SHOULD ALSO KNOW, LETTERS A-F PLUS THE THREE, THAT EVEN THOUGH THEIR APPLICATION MAY NOW COME IN – THE LATTER 3 - THAT DOESN'T MEAN THAT IT IS GUARANTEED IT IS GOING TO BE APPROVED BY THIS COMMITTEE.

COUNCILOR COSTA-HANLON SAID LETS BE CLEAR, THE FIRST 6 – A – F HAVE ALREADY APPLIED BUT THERE ARE SOME ISSUES, THEY HAVE NOT MISSED THE DEADLINE. THE OTHER 3 HAVE MISSED THE DEADLINE, AND ALL SHE IS SAYING IS THAT SHE IS RETICENT TO GIVE ANYONE AUDIENCE THAT HASN'T DONE WHAT THEY ARE SUPPOSED TO DO. SHE AGREED WITH COUNCILOR BARBOUR THAT IT MAY NOT BE RENEWED, BUT SHE DOESN'T SEE WHY THOSE 3 SHOULD NOT AT LEAST FILE, AND IF THEY DON'T FILE BEFORE JANUARY 22ND, THEN WE SHOULD CONSULT WITH THE CITY SOLICITOR AND FIND OUT WHATARE RIGHTS ARE. IT LOOKS LIKE FROM THE ORDINANCE WE HAVE TO WAIT FOR A YEAR FOR IT TO BE INACTIVE BEFORE IT REVERTS BACK TO THE CITY, HOWEVER WE CAN STILL DENY. NOTHING KEEPS THE COMMITTEE FROM DENYING BASED ON THE FACT THAT THEY HAVE NOT MET THE DEADLINE OF FILING. SHE SEES THESE AS 2 DIFFERENT THINGS, ONE THING IS REVERTING BACK TO THE CITY, THE OTHER IS WHETHER WE ARE GOING TO RENEW AN APPLICATION. SHE FURTHER STATED THAT SHE AGREES WITH COUNCILOR BARBOUR THAT SOMETHING HAS TO BE DONE. THERE ARE 6 PEOPLE THAT WE HAVE PROBLEMS WITH BUT AT LEAST FILED, THEY DESERVE THE COMMITTEE'S TIME AND ATTENTION. THERE ARE 3 THAT HAVEN'T EVEN FILED, SO IF THEY ARE NOT GOING TO FILE, JANUARY 22ND DISCUSSION CAN TAKE PLACE AS TO WHAT IS GOING TO HAPPEN.

THE POLICE CHIEF STATED THAT HE DEALS WITH THIS IN THE LICENSE COMMISSION ALL THE TIME. IF YOUR LICENSE ISN'T RENEWED ON THE DATE THAT IT IS DUE TO BE RENEWED, YOU DO NOT HAVE A LICENSE FOR THE NEW YEAR. THERE ARE 3 PEOPLE HERE THAT HAVE NOT APPLIED FOR RENEWAL, TECHNICALLY THEY HAVE NO STANDING TO HAVE A HEARING BEFORE THIS COMMITTEE, BECAUSE THEY DON'T HAVE A LICENSE. TECHNICALLY, SOMEONE ELSE IN THE COMMUNITY WHO IS WAITING FOR A LICENSE HAS STANDING TO COME IN AND ASK FOR THAT LICENSE. THERE ARE 3 LICENSES THE COMMITTEE IS SAYING IT MAY GIVE TO PEOPLE WHO DO NOT HAVE STANDING BECAUSE THEY ARE NOT ON THE LIST. THE BOTTOM LINE IS AS OF JANUARY 1 THEY DO NOT HAVE A LICENSE, SO HE IS NOT SURE WHAT STANDING THEY HAVE TO COME BEFORE THE COMMITTEE. AS ANYTHING OTHER THAN A NEW APPLICANT AT THIS POINT.

COUNCILOR COSTA-HANLON STATED THAT THERE ARE TWO ISSUES. A DISCUSSION HAD BEEN HELD ABOUT HOW THE APPLICATIONS ARE PROCESSED. THEY ARE ACCEPTED. THE OTHER 3 HAVE NOT FILED. THE CHIEF STATED THAT THEY MAY NOT FILE, THAT IS THE ISSUE, WE DON'T KNOW WHAT THEY ARE DOING. SO DO WE HOLD IT IN ABEYANCE FOREVER BECAUSE THEY MAY FILE IN FEBRUARY, MARCH OR WHENEVER.

COUNCILOR COSTA-HANLON SAID THAT WE HAVE IN THE PAST.

COUNCILOR BARBOUR STATED THAT WE NEED TO STOP THAT PRACTICE. COUNCILOR COSTA-HANLON AGREED.

COUNCILOR BARBOUR CLARIFIED HIS PREVIOUS MOTION AS FOLLOWS:

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JANUARY 8, 2013

THE COMMITTEE ON POLICE AND ICENSE - CONTINUED

MOTION: THAT LETTERS A-F LISTED IN THE CHIEF'S LETTER BE SENT A LETTER THAT THEY ARE TO APPEAR BEFORE THIS COMMITTEE ON JANUARY 22ND WITH COMPLETE APPLICATION, WHATEVER OUTSTANDING MATTERS THERE ARE NEED TO BE FULLY RESOLVED. THEY ARE TO BE FURTHER NOTIFIED THAT THE LICENSE THEY HAVE CURRENTLY IN HAND THAT THEY HAVE ENJOYED IN THE 2012 CALENDAR YEAR IS NOT TO BE USED UNTIL SUCH TIME AS THIS COMMITTEE MEETS WITH THE CHIEF AND DETECTIVE SMITH FOR A RECOMMENDATION ON THE GRANTING OF THE APPLICATION.

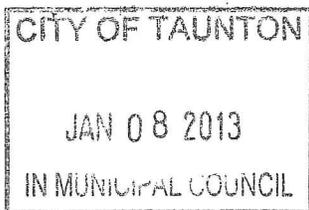
COUNCILORS BARBOUR AND COSTA-HANLON VOTING IN FAVOR. COUNCILOR CLEARY VOTING IN OPPOSITION. MOTION CARRIES.

MOTION: THE CITY CLERK IS TO PROVIDE THE POLICE CHIEF AND DETECTIVE SMITH AS WELL AS THIS COMMITTEE A COPY OF THE LIST THE CLERK HAS OF PEOPLE WAITING FOR CLASS II LICENSES. SHE IS ALSO TO PROVIDE THE PROCESS FOR PEOPLE BEING PLACED ON THE LIST, HOW IT IS COMPILED AND HOW IT IS MAINTAINED. SO VOTED.

COUNCILOR COSTA HANLON STATED THAT SHE WOULD LIKE TO DISCUSS THE LICENSING PROCESS AND THE TAX STATUS ISSUES.

MOTION: TO PLACE THIS MATTER ON THE AGENDA ON JANUARY 22, 2013. SO VOTED.

MEETING ADJOURNED AT 6:28 P.M.



RESPECTFULLY SUBMITTED,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

THE COMMITTEE REPORTS FOR THE COMMITTEE ON POLICE AND LICENSE WERE NOT ACCEPTED. MOTION WAS MADE TO ALLOW THOMAS AUTO SALES TO BE CONTINUED ON REVIEW AS THEIR APPLICATION IS ALREADY WITH THE CITY CLERK. AMEND THE MOTION TO ALLOW A&B REALTY TRUST AND BRENO AUTO SALES (THE PETITIONERS) TO COME BACK BEFORE THE COMMITTEE ON POLICE AND LICENSE FOR JANUARY 22, 2013. THE APPLICATIONS HAVE TO BE FILLED OUT AND ALL TAXES AND BILLS TO THE CITY MUST BE PAID IN FULL.

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
JANUARY 8, 2013

THE COMMITTEE ON SOLID WASTE

PRESENT WERE: COUNCILOR DANIEL BARBOUR, CHAIRMAN AND COUNCILORS CARR, COSTA-HANLON, MARSHALL AND POTTIER. ALSO PRESENT WERE ATTORNEY RODNEY HOFFMAN, PAUL GAGNON, SUPARNA CHAKLADAR AND ANTHONY FALBO OF FORTISTAR, PETER RICHER AND ARRON SMITH OF WASTE MANAGEMENT AND KEVIN DEQUETTE AND ADAM VICKSTROM OF THE BOARD OF HEALTH.

MEETING CALLED TO ORDER AT 6:34 P.M.

1. **MEET WITH ATTORNEY ROD HOFFMAN FOR AN UPDATE ON THE SIGNED CONTRACT BETWEEN I.W.T., WE CARE AND THE CITY OF TAUNTON**
2. **MEET WITH ATTORNEY ROD HOFFMAN TO DISCUSS POST EXECUTION OF CONTRACT AND TO DISCUSS AND ESTABLISH THE NECESSARY AND REQUIRED TIMELINES FOR PERMITTING, FINANCING, ETC.**

AN E-MAIL RECEIVED FROM ATTORNEY HOFFMAN TO THE CLERK OF COMMITTEES WITH AN ATTACHMENT ENTITLED CITY OF TAUNTON SOLID WASTE MANAGEMENT FACILITY CONTRACTS; EXECUTIVE SUMMARY STATUS UPDATE HAD BEEN PROVIDED TO ALL COUNCILORS.

MOTION: DOCUMENT TO BE PART OF THE RECORD. SO VOTED.

ATTORNEY HOFFMAN INFORMED THE COMMITTEE THAT HE HAD PROVIDED SIGNED COPIES OF ALL CONTRACTS BETWEEN THE CITY, I.W.T. AND WE CARE TO THE SOLICITOR'S OFFICE. ALL CONTRACTS ARE ON CD'S, AND ATTORNEY HOFFMAN WILL PROVIDE THE CLERK OF COMMITTEES WITH COPIES OF THIS CD.

THE CONTRACTS WERE SIGNED BY ALL PARTIES ON DECEMBER 12, 2012, SO THE TIMEFRAMES BEGIN TO RUN FROM THAT DATE, IN PARTICULAR THE I.W.T. TIMEFRAME TO OBTAIN PRELIMINARY FINANCING. ATTORNEY HOFFMAN INFORMED THE COMMITTEE THAT THE CONTRACTORS HAVE SCHEDULED A SERIES OF MEETINGS THE WEEK OF JANUARY 21ST. THESE MEETINGS WILL BE BETWEEN WE CARE AND I.W.T. TO ORGANIZE HOW THEY ARE GOING TO PROCEED WITH THE SITE ASSIGNMENT. ATTORNEY HOFFMAN HAS SUGGESTED TO THEM THAT THEY MEET WITH THE BOARD OF HEALTH AND VARIOUS CITY OFFICIALS TO GET THIS GOING. THE MAIN ISSUE ATTORNEY HOFFMAN FEELS IS GOING TO BE FOR I.W.T. WITH MASS. D.E.P.

THE D.E.P. PUTS OUT A SOLID WASTE PLAN EVERY ONCE IN A WHILE. IN DECEMBER THEY ISSUED THEIR PLAN FOR A PERIOD 2010-2020. FROM THE PROSPECTIVE OF THIS PROJECT, THE GOOD NEWS IS THAT THEY HAVE ACKNOWLEDGED THAT THE KIND OF INCINERATION OR GASIFICATION THAT IS BEING PROPOSED IS ACCEPTABLE, BUT AS SET FORTH IN THE PLAN THEY HAVE PROPOSED A LIMIT OF 350,000 TONS PER YEAR. THIS IS LESS THAN THE 500,000 TONS PER YEAR PLANNED CAPACITY OF THE I.W.T. FACILITY. THIS IS AN ISSUE.

ATTORNEY HOFFMAN STATED THAT D.E.P. HAD PREVIOUSLY SENT A LETTER TO THEN MAYOR CROWLEY SAYING THIS PROCESS IS WITHIN THE CONCEPT OF THE STATE PLAN, SO IT IS NOT CLEAR HOW THE NEW SOLID WASTE MASTER PLAN RELATES TO THIS PREVIOUSLY ISSUED MASS D.E.P. LETTER. THE D.E.P. SOLID WASTE PLAN IS NOT CAST IN STONE. I.W.T. HAS BEEN IN CONTACT WITH SENATOR PACHECO WHO HAS ASKED THAT MASS. D.E.P. ASSIGN A SPECIFIC STAFFER TO BE THE POINT PERSON FOR THE I.W.T. PROJECT. I.W.T. HAS REQUESTED THAT THE CITY TAKE APPROPRIATE ACTIONS WITH THE STATE IN SUPPORT OF THE I.W.T. PROJECT.

THEORETICALLY THIS COULD PUT THE I.W.T. PROJECT OUT OF BUSINESS, BUT ATTORNEY HOFFMAN THINKS, NOT JUST WITH HIS EXPERIENCE WITH D.E.P., BUT IT IS SOMETHING THAT HAS TO BE WORKED ON. HE WILL HAVE A BETTER IDEA AFTER THE MEETINGS TAKE PLACE.

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JANUARY 8, 2013

THE COMMITTEE ON SOLID WASTE – CONTINUED

COUNCILOR BARBOUR STATED THAT IN TERMS OF THE EXECUTIVE SUMMARY, HE THOUGHT THEY WERE GOING TO SEE A LITTLE BIT MORE OF A LIST, NOW THE CONTRACT IS SIGNED, BY THIS DATE THE FINANCING PACKAGE MUST BE DONE, PERMITTING IS TO BE DONE BY THIS DATE, ETC. HE WAS LOOKING FOR A LIST OF WHAT WAS SUPPOSED TO BE DONE AND THE DATE IT IS TO BE COMPLETED.

COUNCILOR POTTIER STATED THAT HE IS NOT AS HOPEFUL AS ATTORNEY HOFFMAN IS. THERE ARE STILL HUGE STUMBLING BLOCKS THAT MUST BE OVERCOME.

COUNCILOR COSTA-HANLON STATED THAT SHE WAS LOOKING FOR IN THE EXECUTIVE SUMMARY TAKING EVERY MAJOR PARAGRAPH BOILING IT DOWN TO 2-3 SENTENCES, SO THAT THEY COULD LOOK AT THE DOCUMENT, LOOK AT THE SUMMARY AND KNOW WHAT IT SAYS, KNOW WHAT THE DEADLINES ARE, ETC. SHE IS LOOKING FOR REAL DATES. COUNCILOR COSTA-HANLON ALSO NOTED THAT SHE IS FRUSTRATED WITH WHAT APPEARS TO BE A LACK OF ENGAGEMENT WITH D.E.P. SHE IS GLAD THAT THERE WILL BE A POINT PERSON, BUT SHE IS HOPING THAT THE COUNCIL KNOWS THE NAME OF THAT POINT PERSON IN THE D.E.P. AND SHE ALSO THINKS THAT A MOTION WAS MADE THAT ANY MEETINGS WITH THE D.E.P. - WITH EITHER I.W.T. OR WE CARE OR THE COMBINED ENTITY - THE COMMITTEE WAS TO BE NOTIFIED. ATTORNEY HOFFMAN WILL REACH OUT TO BOTH ENTITIES TO HAVE NOTIFICATION PROVIDED OF MEETINGS WITH D.E.P. AND WHO THE CONTACT PERSON IS AT D.E.P.

MOTION: THAT THE COMMITTEE BE NOTIFIED OF THE FULL SCHEDULE OF MEETINGS OF BOTH I.W.T. AND WE CARE WITH D.E.P., WITH WHOM AND WHO THE CONTACT PERSON IS AT D.E.P. SO VOTED.

ATTORNEY HOFFMAN NOTED THAT HE HAS SPOKEN WITH THE MAYOR AND CITY SOLICITOR SUGGESTING THAT IT MIGHT BE APPROPRIATE TO CONSIDER RETAINING ATTORNEY HOFFMAN FOR THE ONGOING OVERSIGHT AND ALSO A.R.I. FOR TECHNICAL ASPECTS. THE MAYOR SAID THIS IS APPROPRIATE. THE COMMITTEE WOULD LIKE TO SEE A BUDGET FROM BOTH ATTORNEY HOFFMAN AND A.R.I.

COUNCILOR MARSHALL NOTED THAT ONCE THE COUNCIL GETS THE MEMORANDUM AND THE DATES, THEY NEED TO STOP LEANING ON ATTORNEY HOFFMAN. THERE IS NOTHING TO BE REALLY DONE UNTIL THE FIRST DATE IS TRIGGERED. HE ALSO REQUESTED A GRAFT OF THE DATES/DEADLINES. IF THE COUNCIL NEEDS A.R.I., THEY WOULD LIKE A PROPOSAL. HE STATED THAT IT IS TIME TO GIVE THIS A REST AND WAIT FOR THE FIRST 8 MONTH DEADLINE. HE ALSO STATED THAT HE HAD NO PROBLEM IF ONE OF THE COMMITTEE MEMBERS WANTS TO ATTEND ONE OR ANY OF THE MEETING WITH D.E.P., BUT HE FEELS THAT THEY SHOULD NOT SPEAK ON BEHALF OF THE COMMITTEE. HE FURTHER STATED THAT THE CITY'S OBLIGATIONS HAVE BEEN MET, THE PARTIES NOW NEED TO DO THEIR THING TO MOVE THIS ALONG.

COUNCILOR COSTA-HANLON ASKED IF THERE WERE TRIGGERS IN THE CONTRACT FOR CONSULTANTS TO BE PAID. COUNCILOR MARSHALL STATED THAT THIS MONEY WAS FOR REIMBURSEMENT FOR EXPENSES ALREADY PAID OUT.

3. MEET WITH REPRESENTATIVES OF WASTE MANAGEMENT, MINNESOTA METHANE AND REPRESENTATIVES OF THE BOARD OF HEALTH TO DISCUSS THE ONGOING ODOR NUISANCES AND COMPLAINTS IN REGARD TO THE TAUNTON LANDFILL GAS COLLECTION SYSTEM

THE CHAIRMAN STATED THAT THERE WAS A MEETING AT THE BOARD OF HEALTH AT WHICH COMPLAINTS WERE VOICED REGARDING THE ODOR FROM THE LANDFILL. SUPARNA CHAKLADAR OF FORTISTAR DID A PRESENTATION ON WHAT IS GOING ON THERE.

ANTHONY FALBO ALSO OF FORTISTAR ADDRESSED THE COMMITTEE. HE STATED THAT ODOR ISSUES ARE A CONCERN FOR THEM ALSO. HE FURTHER STATED THAT THE BIGGEST PROBLEM IS GETTING THE ODOR COMPLAINTS QUICK ENOUGH. THE LANDFILL IS VERY DYNAMIC. IT IS A SYSTEM THAT NEEDS TO BE IN

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JANUARY 8, 2013

THE COMMITTEE ON SOLID WASTE – CONTINUED

BALANCE AT ALL TIMES. THEY DO NOT DISCOUNT THAT THERE HAVE BEEN ODOR COMPLAINTS, BUT BY THE TIME THEY REACH THEM, THERE ARE NO ODORS WHEN THEY RESPOND TO THE SITE. WASTE MANAGEMENT ALSO NOTIFIES THEM OF COMPLAINTS REGARDING ODOR.

THEY ARE ADDING 6 NEW WELLS AT THE LANDFILL. THEY HAD A MEETING WITH MASS. D.E.P. TODAY, AND THEY WOULD HAVE APPROVED IT RIGHT AWAY IF THEY HAD KNOWN THERE HAD BEEN ODOR COMPLAINTS. THEY WILL STRESS TO D.E.P. THAT THESE WELLS WILL BE A PUBLIC BENEFIT.

IT WAS ALSO NOTED THAT SUPARNA CHAKLADAR WILL BE AT EVERY MEETING OF THE BOARD OF HEALTH FOR THE NEXT SEVERAL MONTHS, THEY HAVE A SUPERVISOR THAT LIVES A SHORT DISTANCE AWAY AND HE IS ALSO AT THE SITE EVERY DAY.

IT WAS DISCUSSED THAT RESIDENTS ARE SOMETIMES RELUCTANT TO CALL IN WITH THEIR COMPLAINTS, BUT THEY NEED TO CALL IN. THERE IS ALWAYS ONE OPERATOR ON CALL.

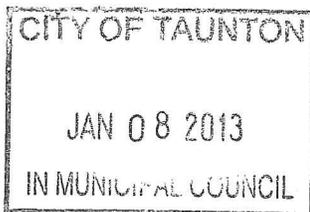
COUNCILOR MARSHALL NOTED THAT THE PROBLEM SOMETIMES IS THAT THEY ARE NOT RECEIVING THE COMPLAINTS, SO HOW HAS THE PROCESS CHANGED IN ORDER FOR THEM TO GET THE COMPLAINTS QUICKLY.

A MAILING WILL BE SENT OUT AND THERE IS A LINK ON THE BOARD OF HEALTH WEBSITE.

COUNCILOR MARSHALL WOULD LIKE TO SEE SOMETHING ON THE CITY'S WEBSITE WHERE A CONSTITUENT COULD CLICK ON AN ODOR LINK, OR A RESIDENT COULD TEXT THEIR ODOR COMPLAINTS IN. HE WOULD LIKE TO SEE SOME TYPE OF LINK ON THE BOARD OF HEALTH WEBSITE SO PEOPLE CAN REPORT THE ODOR ISSUE QUICKER AND THAT FORTISTAR GETS IT QUICKLY.

THE CHAIRMAN INFORMED THE COMMITTEE THAT WASTE MANAGEMENT HAS ASKED FOR AN EXPANSION OF THE LANDFILL, AND COUNCILOR BARBOUR ASKED THAT WASTE MANAGEMENT ARRANGE A SATURDAY TRIP FOR COUNCILORS TO GO TO THE TOP OF THE LANDFILL.

MEETING ADJOURNED AT 7:26 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 "Dm Blachut".

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
JANUARY 8, 2013

THE COMMITTEE OF THE CONCIL AS A WHOLE

PRESENT WERE: COUNCIL PRESIDENT RYAN COLTON AND COUNCILORS MARSHALL, CLEARY, MEDEIROS, COSTA-HANLON, POTTIER, MCCAUL, CARR AND BARBOUR. ALSO PRESENT WERE CITY SOLICITOR JASON BUFFINGTON, INSURANCE CONSULTANT BRADLEY SMITH AND RISK MANAGER SUSAN BARBER

MEETING CALLED TO ORDER AT 7:32 P.M.

1. MEET WITH THE RISK MANAGER FOR A STATUS REPORT REGARDING THE CITY'S INSURANCE COVERAGE

THE RISK MANAGER INFORMED THE COMMITTEE THAT WHEN THEY WENT TO RENEW THE INSURANCE POLICY THIS PAST YEAR, SHE WANTED TO MAKE SURE THAT WE WERE ADEQUATELY INSURED AND THAT WE WEREN'T EXPOSED TO ANY LIABILITY THAT WE WERE UNAWARE OF. SHE MET WITH THE ADMINISTRATION AND THEY THOUGHT IT WOULD BE BEST IF WE HAD AN INDEPENDENT ADVISOR REVIEW OUR POLICY. HE WOULD BE ABLE TO ADVISE ON WHAT WE WAS MISSING, WHAT COULD IMPROVE.

THE CITY SOLICITOR STATED THAT WHEN IT CAME TIME TO RENEW THE CITY'S INSURANCE FOR THE FISCAL YEAR WE ARE IN RIGHT NOW, THEY LOOKED AT THE EXISTING POLICY AND NOTICED THAT IT APPEARED THAT A PROFESSIONAL REVIEW OF THE CITY'S COMPLEX INSURANCE NEEDS HAD NOT BEEN DONE IN QUITE SOME TIME. THE SOLICITOR INTRODUCED MR. BRADLEY SMITH WHO HAS OVER 30 YEARS EXPERIENCE IN THE FIELD OF COMMERCIAL INSURANCE, HE HAS A DEGREE IN ECONOMICS AND HE IS LICENSED BY THE MASSACHUSETTS OFFICE OF CONSUMER AFFAIRS, DIVISION OF INSURANCE AS AN INSURANCE ADVISOR.

THE SOLICITOR FURTHER STATED THAT THEY DID AN RFP TO HIRE AND WERE VERY IMPRESSED WITH HIS CREDENTIALS. HE HAS BEEN TREMENDOUSLY HELPFUL IN ASSESSING THE DEFICIENCIES IN THE CITY'S PREVIOUS INSURANCE PROGRAM AND MAKING RECOMMENDATIONS ON HOW TO FIX THE DEFICIENCIES BOTH IN THE SHORT TERM AND THE LONG TERM.

MR. SMITH STATED THAT IN MAY, HE MET WITH THE RISK MANAGER AND THE CITY SOLICITOR REGARDING THEIR CONCERNS WITH INSURANCE. HE REVIEWED THE POLICIES AND FOUND 15-20 SUBSTANTIAL ITEMS. ONE OF THE MOST IMPORTANT THINGS TO UNDERSTAND WAS THAT HE WAS ONLY LOOKING AT THE POLICIES, HE DID NOT DO AN INDEPT REVIEW OF ALL OF THE DEPARTMENTS. THE CITY HAS 25-27 DEPARTMENTS ALL HAVING DIFFERENNT INSURANCE NEEDS. IN ORDER TO REALLY DO AN INDEPTH INSURANCE REVIEW, YOU WOULD HAVE TO GO THROUGH EACH AND EVERY ONE OF THEM. HE OBVIOUSLY DID NOT HAVE TIME TO DO THIS BECAUSE THE PROCESS WAS STARTED THE FIRST DAY OF JUNE AND THE RENEWAL WAS THE LAST DAY IN JUNE. ALL HE TRIED TO DO AT THAT POINT IN TIME WAS TO MAKE SURE THAT THE RENEWAL QUOTE CAME IN APPLES TO APPLES, WHAT YOU HAD IN THE PAST, AND ALSO TO TRY TO FILL IN ANY HOLES THAT WERE VISIBLE IMMEDIATELY. THEY ENDED UP WITH A PROGRAM THAT WAS MUCH BETTER THAT WHAT WAS HAD IN THE PAST, PROVIDED MUCH BETTER COVERAGES AND IN CERTAIN AREAS THE DEDUCTIBLES ARE MUCH LOWER. THEY ENDED UP WITH COVERAGES WHERE THE PRIOR YEAR WE WOULD HAVE ACTUALLY HAD CLAIMED PAID, BUT BECAUSE OF THE PROGRAM WE HAD, THE CLAIMS WEREN'T PAID BECAUSE OF EITHER DEDUCTIBLE ISSUES OR COVERAGE ISSUES.

MR. SMITH FURTHER STATED THAT THE PROGRAM IS NOT WERE IT SHOULD BE TO THE EXPOSURE THAT THE CITY HAS. THERE ARE STILL MANY EXPOSURES THAT THE CITY IS SELF INSURING THAT HE DOESN'T KNOW THE CITY REALIZES ARE SELF INSURING.

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JANUARY 8, 2013

THE COMMITTEE OF THE COUNCIL AS A WHOLE – CONTINUED

HE ALSO STATED THAT THEY SWITCHED BROKERS AT THIS POINT IN TIME. THE NEW BROKER AT NO COST TO THE CITY EVALUATED EACH BUILDING AND DETERMINED THE COVERAGE.

MR. SMITH THEN REVIEWED ALL OF THE CITY'S COVERAGE INCLUDING ORDINANCE AND LAW COVERAGE, CRIME COVERAGE AND NOW WE HAVE COVERAGE FOR INDIVIDUAL ITEMS WHICH WE DID NOT HAVE BEFORE. SOME OTHER AREAS THAT HAD COVERAGE ISSUES WERE THAT WE DID NOT HAVE DOWNSTREAM DAM COVERAGE, NO COVERAGE ON VACANT BUILDINGS, AND NO PULUTION COVERAGE ON TANKS WITH FUEL.

HE INFORMED THE COMMITTEE THAT THE RENEWAL IS COMING UP AGAIN IN JUNE AND THERE IS STILL A LOT OF WORK TO DO. HE HAS NOT EVEN TALKED TO THE DEPARTMENTS AS YET, SO HE DOESN'T KNOW WHAT IS GOING ON OR WHAT THEY REALLY NEED. THE FIRST THING HE IS GOING TO DO ON THE RENEWAL PROCESS IS IN JANUARY HE WILL BE CONTACTING AT LEAST 8 AGENCIES AND ASKING THEM IF THEY WOULD LIKE TO BID ON BEING THE CITY'S AGENT. EVEN THOUGH WE DO HAVE A NEW AGENT THIS YEAR, HE HAS TOLD THEM THEY WERE JUST BROUGHT IN AT THE LAST MINUTE AND HE THINKS WE SHOULD GO THROUGH THE BIDDING PROCESS. HE WILL BE LOOKING AT AT LEAST 3 LOCAL AGENTS, AT LEAST 1 NATIONAL AGENT AND 2-3 REGIONAL AGENTS. HE HAS ALREADY TALKED TO 2 LOCAL AGENTS AND THEY ARE WILLING TO INTERVIEW FOR THE POSITION. MR. SMITH WILL INTERVIEW THEM ALL AND HE WILL CHOOSE THE 3 BEST. HE WILL THEN BRING THEM IN TO INTERVIEW WITH THE RISK MANAGER AND CITY SOLICITOR, AND THEY WILL END UP PICKING ONE OF THE AGENTS AS THE AGENT FOR THE CITY. THEN THEY WILL GO OUT AND GET THE QUOTES, AND THERE ARE ONLY ABOUT 3 COMPANIES THAT WILL ACTUALLY BE ABLE TO QUOTE THE CITY.

COUNCILOR POTTIER ASKED THAT THE PUBLIC PROPERTY COMMITTEE BE UPDATED ON THE PROGRESS BEING MAKE.

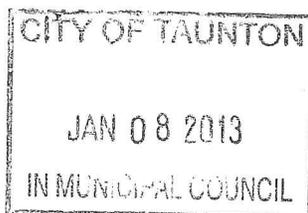
COUNCILOR COSTA-HANLON STATED THAT SHE HAS RESERVATIONS ABOUT ANY PART OF THE CITY BEING SELF INSURED.

DOCUMENTS HAD BEEN PROVIDED TO THE COMMITTEE WHICH INCLUDED A LISTING OF THE COVERAGE AND PREMIUMS, A PUBLIC ENTITY PROPOSAL FOR THE CITY OF TAUNTON DATED 7/1/2012-7/1/2013 AND MRL BRADLEY SMITH'S RESUME.

MOTION: DOCUMENTS TO BE PART OF THE RECORD. SO VOTED.

COUNCILOR MEDEIROS ASKED ON THE 2011 -2012 COMPARISON, IT WAS NOTED THAT 15 SUMMER SUMMER STREET IS INCLUDED IN 2012, DOES THAT MEAN WE ARE INSURING THE OLD CITY HALL NOW. MR. SMITH STATED THAT THE CITY HAD NO INSURANCE ON IT FOR A LONG TIME CAUSE IT WAS VANCANT AND THERE WAS A VACANCY CLAUSE ON THE OLD POLICY. ON THE RENEWAL, THEY WERE TOLD THAT WE HAD A VACANT BUILDING, BUT THAT WE WOULD LIKE TO HAVE THIS INSURED. THEY AGREED AND WE HAVE \$3.2 MILLION OF COVERAGE ON THAT BUILDING AS IT STANDS RIGHT NOW.

MEETING ADJOURNED AT 8:11 P.M.



RESPECTFULLY SUBMITTED,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

CITY CLERK



CITY OF TAUNTON

ORDER #17
FY 2013
JANUARY 8, 2013

In Municipal Council 20.....

Ordered, That

THE SUM OF TWO HUNDRED

SIXTY DOLARS AND 60 CENTS (\$260.60) BE AND HEREBY IS TRANSFERRED FROM

CITY CLERK ACCOUNT NO. 1-161-202-5281

TO: CITY CLERK ACCOUNT NO. 1-161-206-5281 – PRIOR YEAR

..... *Clerk.*