



*City of Taunton  
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA  
Minutes, January 20, 2015 at 7:15 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 Borges, Carr, Cleary, Costa-Hanlon, Croteau,  
Marshall, McCaul, Quinn, Pottier*

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

**Communications from the Mayor:**

On this date, Mayor Hoye addressed the Council on the State of the City.

**Motion was made for a ten (10) minute recess. So Voted.**

**The Municipal Council was called back to order.**

**Communications from City Officers:**

Com. from Police Chief requesting to deposit a donation. The Police Department received a gift check in the amount of \$50.00 from Bears on Board, Inc. to support their expenses for providing teddy bears for children in crisis situations. **Motion was made to approve. So Voted.**

Com. from Commissioner, Parks, Cemeteries, and Public Grounds requesting an appropriation of \$7,700.00. The Taunton Municipal Airport Commission has been notified by the FAA of tree obstructions that penetrate the visual surface of the runway during nighttime flying. **Motion was made to get further information from the airport manager on what this actually entails and refer to the Committee on Finance and Salaries. Councilor Carr added to the motion that she would like a communication from the Parks, Cemeteries and Public Grounds Commission or the Airport Commission because she is not sure if it is customarily a City expense or if the Airport does its own grounds keeping. So Voted.**

**Communications from Citizens:**

Com. from Bristol County Mosquito Control Project, 140 North Walker St., Taunton stating that they are in the process of contacting their listing of excluded property owners as a reminder for their property to continue to be excluded from any type of pesticide applications, they must contact their City or Town Clerk's Office. **Motion was made to receive and place on file and place on website and the Municipal Access Channel. So Voted.**

**Communications in the hands of Councilors:**

Councilor Pottier stated that in December the Committee on Solid Waste met with members of the DPW crew and Mass DEP to discuss updating the Solid Waste regulations for the City. He stated that he has a communication from the Assistant City Solicitor which stated that he was informed on December 9, 2014 that the Committee on Solid Waste approved the changes to the regulations as proposed and referred to his office the question of whether there were any inconsistencies with Ordinance 8-28. He stated that he is of the opinion that the regulations and the ordinance are not inconsistent with each other and no further action need be taken by the Committee at this time. **Motion was made that the City adopt and approve the regulations. So Voted.**

Councilor Costa-Hanlon stated that she has two communications from the Police Chief relating to the interviews that will be conducted for new candidate hires. The first one states that Mr. Jacome is ineligible for appointment to the Police Department based upon his age. MGL 31:58A has been accepted which sets the maximum entry age as 31 and 364 days, and 35 and 364 days for veterans when they take the test. It appears that Mr. Jacome was 37 when he took the exam and as a result, his name should not have been placed on the certification list for Taunton. Based upon this, the Police Chief will not be notifying him to attend the Council interviews as legally he cannot be appointed to the Taunton Police Department. Councilor Pottier questioned how many candidates there are for how many spots. Councilor Costa-Hanlon stated that there are five (5) candidates for potentially four (4) positions, although all four (4) do not have to be filled from this list. She stated that they are in compliance with Civil Service with having nine (9) people on the list. The command staff originally put six (6) people forward to be interviewed and now there are five (5). Councilor Pottier is concerned that four (4) people could possibly be hired out of five (5) interviewed. Councilor Croteau stated that the Committee does not have to hire any of them if they feel that they are not ideal candidates. He stated that all of the City Councilors are invited to attend the interviews and their input will be weighed when the recommendation to the Full Council is made. Councilor Cleary stated that the Chief said that there will be a new list in April and the Committee may want to consider hiring two (2) now and to wait for the new list for the other two (2). The second communication stated that the Police Chief has checked with the MPTC and as of right now, there are only four (4) seats left in academies for this fiscal year. Based upon the City's hiring process, he does not believe that the seats will be able to be secured. With this in mind, we realistically will not be able to place a new body into the Police Academy until the summer. He suggested that the Council may want to carefully consider the current roster of candidates and decide whether to hire all from this list or wait to see the new candidates from the new exam in April. **Motion was made to refer to the Committee on Police and License. So Voted.** Councilor Costa-Hanlon stated that based on this she had sent out an email thinking that six (6) would be interviewed and that some would be done early in the afternoon next Tuesday because they felt like they had a deadline issue. Since that is not the case, she is suggesting that the interviews be held during the regular Committee on Police and License meeting. She stated that she will schedule two (2) at the next meeting and the others the week after. Councilor Cleary stated that he is not comfortable scheduling the interviews during the Committee on Police and License meetings because it will back up everything. Councilor Costa-Hanlon stated that it is important that it is televised and that three people could reasonably be interviewed during the meetings. She will look into another time if they can be televised.

Councilor Pottier stated that this came up in the past and he is questioning whether there is an option to not have it televised due to sensitive information that can be brought up during the interviews. Councilor Croteau stated that having been through the process, he is in favor of televising interviews. **Motion was made to refer to the Council as a Whole the issue of televising. So Voted.**

**Petitions:**

Petition submitted by Antonio Bairos, 735 Whittenton St., Taunton and others for the acceptance of Westville Terrace in the City of Taunton. **Motion was made to refer to the City Clerk to schedule a hearing. So Voted.**

Petition submitted by Brian Conway Trustee, Conway Realty Trust requesting the acceptance of Barry Drive and Paige Way located in Conway Estates as public ways in the City of Taunton. **Motion was made to refer to the City Clerk to schedule a hearing. So Voted.**

**Committee Reports:**

Motion was made for Committee reports to be read by Title and Approved. So Voted. Recommendations adopted to reflect the votes as recorded in Committee Reports. So Voted.

**Unfinished Business:**

**Councilor Marshall motioned to get an update from the City Treasurer as to where we stand with converting our current differed compensation provider in two (2) weeks. So Voted.**

Council President Borges stated that the Council will be reviewing the rules of the Council the second week of February.

Councilor Costa-Hanlon wanted to update an issue that Councilor McCaul had brought up about looking into a Stop Sign at the corner of Washington and Whittenton Streets. Both she and Councilor McCaul referred this to the School Department because there were issues with safety at the bus stop. She stated that someone rode that route today and the Council should be receiving an update of the status of the bus stop so it can be referred to the Safety Officer.

**Orders, Ordinances, and Resolutions**

At the December 23, 2014 meeting of the Municipal Council, a motion was made to move approval of the acceptance of MGL Chapter 200A § 9A. To update office procedures dealing with the disposition of abandoned property. **On a roll call vote, nine (9) Councilors present, nine (9) Councilors voting in favor.**

**New Business:**

Councilor Pottier stated that last evening, many Councilors attended the Martin Luther King Jr. celebration. He would like to extend the Council's wishes for a wonderful event to the Taunton Clergy Association. It was a wonderful way to kick off this year's term.

**Motion was made to send a communication congratulating them for another fabulous event. So Voted.**

Councilor Quinn congratulated and thanked Betsy Rabel from the Curiosity Factory and Liz Palowski from the Taunton High Science Department for hosting the Invention Convention last Saturday at Martin Middle School. She stated that she had the privilege of being one of the judges along with Councilor Pottier and Senator Pacheco. There were fifty to sixty children there with some very nice inventions.

Councilor Carr stated that about three weeks ago there was a hearing for a permit. She asked the applicant about his obligations being paid to the City. She was informed by the City Solicitor that the Council could not hold that against the person if they owed the City taxes or other obligations. **Motion was made that the Law Department provide the Council in the next four (4) weeks with a copy of the law that prohibits the Council from refusing to give out a permit based on that and whatever procedure it may take to allow the Council to do that. So Voted.** The City Solicitor stated that about two years ago this issue came up and an eight (8) or nine (9) page legal opinion was written and it was recommended to the Council that it take specific action. There were some Ordinances on the books that conflicted with General laws of Massachusetts which you can't have. It was recommended that those Ordinances be repealed and that they will be replaced. There are mechanisms in place for refusing to grant a permit or license to citizens who are significantly behind on their financial obligations to the City. There is a specific statute on that which is Chapter 40 §57. That law gives cities and towns specific authority to do this but there are specific guidelines that the City has to follow in order to do that. He stated that he would be happy to get the Councilors a copy of the legal opinion as well as the Ordinance in March 2013 that the Council passed. He stated that the first step in that process is the creation of a list by the Treasurer/Collector.

**Councilor Marshall motioned to refer the request for the transfer of \$500,000.00 for roadway improvements to the Committee on Finance and Salaries. So Voted.**

Meeting adjourned at 8:45 P.M.

A true copy:

Attest:

  
City Clerk

RMB/SJS

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
JANUARY 20, 2015

**THE COMMITTEE ON FINANCE AND SALARIES**

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

MEETING CALLED TO ORDER AT 5:50 P.M.

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

MEETING ADJOURNED AT 5:51 P.M.

RESPECTFULLY SUBMITTED, ✓

*Colleen Ellis*  
 COLLEEN M. ELLIS  
 CLERK OF COUNCIL COMMITTEES

CITY OF TAUNTON
JAN 20 2015
IN MUNICIPAL COUNCIL

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

*Rm Blackwell*  
 CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
JANUARY 20, 2015

**THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS**

PRESENT WERE: COUNCILOR DONALD CLEARY, CHAIRMAN AND COUNCILORS BORGES AND QUINN. ALSO PRESENT WERE ASSISTANT CITY SOLICITOR DANIEL DEABREU, POLICE CHIEF EDWARD WALSH AND TREASURER/COLLECTOR BARBARA AUGER

**MEETING CALLED TO ORDER AT 6:09 P.M.**

**2. MEET TO REVIEW PROPOSED TAG DAY ORDINANCE**

THE CHAIRMAN NOTED THAT HE HAD REVIEWED THE ORDINANCE AND STATED THAT HE DID NOT REALLY HAVE ANY PROBLEMS WITH THE ORDINANCE EXCEPT ON PAGE TWO WHERE IT SAYS *THAT THE ISSUED PERMIT FROM THE CITY MUST BE IN THE POSSESSION OF A PERSON AT THE LOCATION WHERE THE SOLICITATION IS OCCURRING AND MUST BE PRODUCED FOR INSPECTION UPON REQUEST.* HE STATED THAT HE HAS DONE MANY TAG DAYS AND AT EVERY LOCATION, AND THERE COULD BE UP TO 20-25 LOCATIONS, THERE ARE DIFFERENT SHIFTS. SOMEONE MAY BE THERE FROM 7-9, AND THE NEXT STUDENT MAY NOT SHOW UP THERE TILL 9:15, SO THEY MAY NOT BE THERE TO TRANSFER THE POSSESSION OF THE PERMIT. HIS UNDERSTANDING IS THAT MOST OF THE TAG DAY ORGANIZATIONS HAVE A CENTRAL LOCATION FOR THE DAY, SO THERE WOULD BE SOMEONE IN CHARGE, ON DUTY, WHO COULD MAINTAIN THE PETITION. HE SUGGESTED THAT THIS BE CHANGED TO READ SOMETHING LIKE *THE PERMIT MUST BE IN THE POSSESSION OF A PERSON IN CHARGE DURING THE PERIOD OF SOLICITATION, WHO SHALL BE AVAILABLE.*

COUNCILOR QUINN ASKED THAT LANGUAGE BE ADDED TO READ THAT *THE PERSON SHALL BE AVAILABLE DURING THE ENTIRE PERIOD OF THE SOLICITATION.*

THE ASSISTANT CITY SOLICITOR STATED THAT THE WISHES OF THE COMMITTEE ARE THAT THE PERMIT MUST IN THE POSSESSION OF A PERSON IN CHARGE DURING THE PERIOD OF SOLICITATION WHO IS AVAILABLE TO REPORT TO THE LOCATION WHERE THE SOLICITATION HAS OCCURRED.

FURTHER CLARIFICATION WAS DETERMINED THAT THE LANGUAGE SHALL BE *THE PERMIT SHALL BE IN THE POSSESSION OF A PERSON IN CHARGE DURING THE PERIOD OF SOLICITATION AND MUST BE ACCESSIBLE AND AVAILABLE DURING THE ENTIRE PERIOD OF SOLICITATION AND THAT PERSON MUST BE ABLE TO PRODUCE THE PERMIT FOR INSPECTION UPON REQUEST.*

**MOTION:** MOVE APPROVAL OF THE ORDINANCE WITH THE NOTED CHANGE, REFER IT TO THE ASSISTANT CITY SOLICITOR TO MAKE THE CHANGE AND TO PROVIDE THE ORDINANCE TO THE CITY CLERK FOR NEXT WEEK'S AGENDA. SO VOTED.

**1. MEET WITH THE POLICE CHIEF TO DISCUSS PROPOSED ORDINANCE CHANGES RELATIVE TO THE USE OF CREDIT CARDS IN THE PARKING KIOSKS AND FEE STRUCTURE FOR THE PARKING DECK.**

THE POLICE CHIEF INFORMED THE COMMITTEE THAT THEY HAD A CONVERSATION WITH THE SOFTWARE VENDOR FOR THE KIOSKS THAT THE CITY HAS. THEY ARE TELLING HIM THAT THEY CANNOT DO THE OPTION THAT THE PARKING COMMISSION WANTED TO DO WITH THE EQUIPMENT WE HAVE WHICH WAS A DUAL PRICE. THER WOULD BE ONE FEE, WITH A DISCOUNT FOR CASH. THE CHIEF ALSO SPOKE WITH THE TREASURER COLLECTOR ON THIS, AND THEY ARE LOOKING TO REDRAFT THE ORDINANCE AND COME BACK TO THE COMMITTEE IN 2 WEEKS. THE CONCERN IS THE CITY LOSING MONEY ON THE CREDIT CARD FEES, SO THEY NEED TO LOOK AT HOW TO ABSORB THOSE FEES.

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THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS - CONTINUED

QUESTIONED WAS HOW OTHER COMMUNITIES ARE DOING THIS, AND THE CHIEF NOTED THAT MOST WHO OFFER THIS USE A THIRD PARTY VENDOR. THERE IS A FEE CHARGED BY THE CITY WHEN PEOPLE PAY THEIR BILLS SUCH AS WATER, SEWER, TAXES WITH A CREDIT CARD.

COUNCILOR QUINN NOTED THAT THE LEONARD STREET GARAGE WILL BE MORE THAN ALL OF THE OTHER PLACES. THE CHIEF SAID THAT IS CORRECT IN ORDER TO PAY FOR THE DEBT SERVICE FOR THE REPAIRS TO THE DECK. SHE FURTHER NOTED THAT THE PLAN WOULD BE TO HAVE THE RESERVED PARKING ON THE LOWER LEVEL, AND ASKED IF IT WAS THE OPPOSITE BEFORE. THE CHIEF SAID THERE WAS NO RESERVE PARKING BEFORE, JUST MONTHLY PARKING AND THE MAIN COMPLAINT THEY GOT ON THAT WAS THAT PEOPLE WOULD LEAVE FOR LUNCH AND BE UNABLE TO GET A PARKING PLACE WHEN THEY RETURNED. THIS SYSTEM WAS NOT WORKING SO THEY ARE ADDRESSING THIS ISSUE FOR THE PEOPLE WHO USE IT REGULARLY WHILE ALSO GUARANTEEING A REVENUE STREAM TOWARDS THE DEBT.

COUNCILOR QUINN SAID THAT IF YOU RESERVE THE LOWER DECK, AREN'T THE MAJORITY OF THE PEOPLE WHO WILL BE USING THAT FROM THE BANK. THE CHIEF SAID NOT NECESSARILY. THE CHIEF ALSO NOTED THAT THERE MAY BE A SLIGHT DROP OFF WITH THOSE EMPLOYEES DUE TO THE INCREASED RATES BECAUSE THEY PAY THIS OUT OF THEIR POCKET, THEY DO NOT GETREIMBURSED BY THE BANK. THE DECK PARKING WILL GO FROM \$30/MONTH TO \$60/MONTH AND \$300/YEAR TO \$600/YEAR.

COUNCILOR CARR STATED THAT SHE FEELS THE RATES ARE TOO LOW.

QUESTIONED WAS THE HANDICAPPED ACCESSIBTY TO THE DECK AND WHY THERE IS NO ELEVATOR. THE CHIEF SAID THAT THE ENGINEER STATED AN ELEVATOR IS NOT NECESSARY. HE WAS ASKED TO BRING THE INFORMATION NOTING THAT AN ELEVATOR IS NOT NECESSARY TO THE NEXT MEETING. IT WAS ALSO NOTED THAT HANDICAP PARKING IS ON THE FIRST LEVEL. THE TREASURER COLLECTOR AND THE CHIEF WILL CONTACT THE CLERK OF COMMITTEES WHEN THEY ARE READY TO SCHEDULE THIS BEFORE THE COMMITTEE AGAIN.

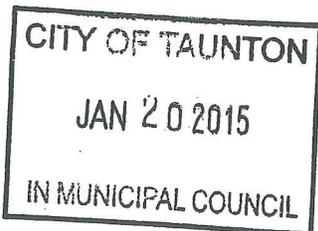
COUNCILOR BORGES ASKED THAT THEY BRING BACK THE RATE ISSUE TO THE COMMISSION, BUT THE CHIEF CAUTIONED THAT YOU CANNOT GO TOO HIGH BECAUSE PEOPLE WILL NOT USE THE DECK.

MEETING ADJOURNED AT 6:30 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK