



*City of Taunton  
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA  
Minutes, January 28, 2014 at 7:10 o'clock P.M.*

*Regular Meeting*

*Mayor Thomas C. Hoye, Jr. presiding*

*Cub Scout, Pack 28 led the Pledge of Allegiance*

*Prayer was offered by the Mayor*

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

**Motion was made to recess at 7:20pm. So Voted.**

**Motion was made to reconvene the regular Municipal Council Meeting at 8:31pm.  
So Voted.**

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

**Communications from the Mayor:**

The Mayor stated that the City is encouraging everyone who may have a community event scheduled to inform his office so that they can publicize it on the City's website.

**Communications:**

Com. from Daniel Mansour Barbour – Expressing gratitude for his years of service serving the citizens of Taunton. **Motion was made to receive and place on file. Councilor Carr stated that she wishes Mr. Barbour the very best in the future. Councilor Croteau expressed his appreciation to Mr. Barbour for his services. So Voted.**

Com. from Assistant Director of Retirement – Notifying of a retirement for Superannuation of Paul Allison, employee of the Fire Department on March 2, 2014. **Motion was made to accept and send appropriate scroll and a letter of thanks from the Municipal Council for his efforts in the community. So Voted. Councilor Pottier motioned to refer to the Committee on Fires and Wires to be added to the list. So Voted.**

Com. from Building Inspector/Zoning Enforcement Officer – Submitting a response on the burnt building at Chateau Estates. It is the understanding of the Building Inspector/Zoning Enforcement Officer that an architect is working on plans to replace the structure. A time frame for reconstruction will be obtained and the department will continue to monitor the situation. **Motion was made to receive and place on file. So Voted. Councilor Carr stated that the Department Heads in charge of making sure**

that Rules and Regulations are followed, should not be holding off because someone states they are working on something. Councilor Carr motioned that if there is not an ordinance in place which requires the landlords/owners of buildings that have been destroyed by fire to replace or tear down buildings within a certain period of time that it is referred to the Committee on Ordinance and Enrolled Bills to create such an ordinance. **So Voted.**

Com. from Building Inspector/Zoning Enforcement Officer – Submitting a response on 84 Hart Street. After investigation of the property, it was revealed that the property was secure at grade level, not open to the weather and there was no evidence found of anyone living there. **Motion was made to receive and place on file. So Voted.**

Com. from City Solicitor – Requesting to meet in executive session regarding Nancy Gero v. City of Taunton. **Motion was made to refer to the end of the meeting tonight. So Voted. Councilor Costa-Hanlon voting present.**

Com. from Superintendent of Buildings – Requesting an appropriation of funds in the amount of \$102,114.91 due to COTMA and 1144 contractual pay increases. **Motion was made to refer to the Committee on Finance and Salaries and the Mayor's Office. So Voted.**

Com. from Police Chief – Requesting a transfer of funds in the amount of \$55,000 for the purpose of purchasing two (2) new unmarked cruisers. **Motion was made to refer to the Committee on Finance and Salaries and the Mayor's Office. So Voted.**

Com. from Robert Folcik, Chairman, Elks Relocation Committee, P.O. Box 482, Taunton – Requesting assistance locating new property to construct a new building. He stated their intent is to build a new lodge in Taunton and they would need a buildable lot approximately 1.5-2 acres in size and located in an area zoned for such a use. **Motion was made to refer to the Committee on Public Property. Councilor Cleary asked if the Committee on Public Property, Mayor, or City Solicitor could come to their understanding as to the land available, it would be most helpful to the Lodge. He said that any odd piece of land on the old Pole School property between the Pole School and Amory may be a win win situation if they were willing to purchase the land and then the City could be able to tear down the eye sore of the old Pole School. Therefore, the City may be able to take care of two problems at once if the City could get a reasonable price for the land and apply to the school that might solve two issues. The Mayor stated that it would be a very expensive proposition to tear down the old Pole School because of the environmental issues. Councilor Pottier asked if members of the Council would have to disclose if they were members of the Elks. The Mayor stated there is no financial vote. Councilor Pottier stated that most, if not all Councilors are members. Councilor Croteau stated that the letter does state it will need to go to competitive bid. He stated that the competitive bid process does state that the City has the right to refuse any and all bids. Councilor Cleary stated absolutely. The Mayor stated it would go through the normal criteria absolutely. Councilor Carr stated that she understands that Mr. Folcik and the Elks are asking the City if we have any land, but if anyone who is listening that has an acre and a half or two acres of land in the downtown area, she thinks that is**

where they want to stay in that central area somewhere, that they should feel free to contact Mr. Folcik at the Lodge of Elks to see if that is something they would be willing to look into. Councilor Marshall stated that he would like to refer to the City Engineer and City Planner to report back any known properties that meet the criteria as stated in the letter. **So Voted.**

Councilor Marshall said that he had one communication that was supposed to be brought up tonight during the Committee on the Department of Public Works meeting on matters in file, but Mr. Cornaglia had forgot. Commissioner Cornaglia's correspondence stated that the Weights and Measures Department 1998 Ford Ranger has been condemned by the Vehicle Maintenance Division and cannot pass the vehicle inspection. The frame is severely corroded and is unsafe to drive and that he is currently able to purchase a replacement vehicle through the Greater Boston Police Council bid contract although funding is not available. He is requesting assistance for the purchase in the amount of \$34,289. **Councilor Marshall motioned to refer to the Committee and Finance and Salaries and the Mayor's Office. So Voted.**

Councilor Costa-Hanlon stated that she has communication that was emailed to her from Richard Faulkner, 11 Maple Avenue, Taunton, MA dated January 28, 2014. Mr. Faulkner asked to have an issue addressed. He asked that Mr. Hoye request that any City of Taunton emblem, insignia or badge be removed from any social media that is being used to promote any kind of endorsement from the City of Taunton unless the City has given the person/persons a fully written explanation of permission to be displayed in writing explaining that the City endorses and believes that the decision and statements made by the person or persons that were granted permission. Councilor Costa-Hanlon stated that sometime back, there was a gentleman who asked to use the emblem, and Council had to vote on it. She doesn't know if Council remembers, but it was someone who was writing a book or something and wanted to use the City's emblem. The Mayor stated that he is not sure what Mr. Faulkner is talking about. Councilor Cleary stated that it is common sense; you don't represent the City or any kind of recommendations unless it is a vote of the full Council. As an individual you could do it, but you cannot sign off as Council member on Council paper. He does not know why Council needs to do anything with it; it is the way you are supposed to do it. Councilor Costa-Hanlon stated that it is referred to the Mayor and City Solicitor whether it is an issue or not. The Mayor asked if there is a specific issue. Councilor Marshall stated that there are certain social media sites that reference the City of Taunton where they cut and paste the City's seal and if anyone is new to the City, you would not realize that this is not the City's official website. He said there are several sites out there in the social media that has cut and paste the City's logo and he thinks this is what he is referring to and that those opinions are not the official positions of the City. Councilor Costa-Hanlon stated that we had to make a vote before for someone to use our seal. The Mayor asked again if there is a certain situation or certain site that they need to know about. The letter is kind of general. Councilor Costa-Hanlon will forward the email. Councilor Carr stated that it only makes sense that the city seal should be protected somehow. Everybody should not be able to throw the City seal on anything they want to throw it on. Therefore, if the City does not have a copyright that would protect the seal, then Councilor Carr would request that the City Solicitor look into doing this and if the gentlemen who wrote the letter would like to contact his office to give specifics of something he saw, then we can look

into it. Councilor Croteau stated that the City should contact Mr. Faulkner and if there is not an ordinance then there should be one stating that if someone uses the seal, a statement should be included which states that “this does not mean that the City of Taunton approves”. Councilor Croteau pressed the motion. City Solicitor stated that there are State Statues that deal with authorization for the use of the City Seal. He said he has no idea as to what the gentlemen who wrote the letter is talking about. It wouldn’t be beyond the bounds of reasonable speculations to say that he may be saying there is a candidate or political figure who might be using it and if that is the case, MGL, Chapter 268A clearly states, as does the campaign finance laws state that there should not be anybody in the private/political setting using the city seal. **Councilor Costa-Hanlon motioned to refer to the Mayor’s Office or City Solicitor to determine if the City needs to do anything relative to protecting the emblem or if someone needs Council’s permission to use it. So Voted.**

**Petitions:**

Application submitted by Ian Daley requesting 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. Councilor Cleary stated that he was going to refer it to the Mayor because the last item on the agenda under Orders, Ordinances and Resolutions turns that authority over to the Mayor. Councilor Costa-Hanlon stated that if that passes, she would be happy to refer everything in Police and License to the Mayor. So Voted**

Claim submitted by Erica Sousa, 97 School St., Taunton seeking reimbursement for damages to her vehicle from hitting a pothole on Route 44/Dean St. near the Nursing Home.

Claim submitted by Brian Crowley, 22 Cooper St., Taunton seeking reimbursement for damages to his vehicle from hitting a pothole on Pratt St. near Talbot Avenue and a second one on Hart St. near the railroad tracks.

Claim submitted by Abilio Cunha, 163 Williams St., Taunton seeking reimbursement for damages to his vehicle from hitting a pothole on Tremont St. at the intersection of Crapo St., Taunton.

Claim submitted by Jay Gubala, 57 Shirley Road, Raynham seeking reimbursement for damages to his vehicle from hitting a pothole at 66 Richmond St., Taunton near Shirley Road.

Claim submitted by John Stahl, 7 Dean St., Taunton seeking reimbursement for damages to his vehicle from hitting a pothole on Tremont St. near the intersection of Clifford St., Taunton.

Claim submitted by Charles Sault, 230 Marquista Ave., E. Falmouth seeking reimbursement for damages to his vehicle from hitting a pothole on Tremont St. near Crapo St., Taunton.

**Motion was made to refer the above to the Law Office and DPW Commissioner. So Voted.**

Petition submitted by Verizon New England Inc. proposing to place new facilities (MH 155C) and conduit on Washington Street, Taunton. **Motion was made to refer to the City Clerk to schedule a hearing. So Voted.**

Petition submitted by Verizon New England Inc. proposing to place new facilities (MH 154A & MH 154B) and conduits on Washington Street, Taunton and remove/abandon MH 154 on Washington Street, 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 Cleary stated that a Board of Health notice on the door of a trailer located at 21 Clay Street dating back to 2009 states that it was condemned for human habitation. He said that the property is in deplorable condition and he has received telephone calls from neighbors who would like something done with the property; either the removal of the trailer or clean-up the area. He stated that the Board of Health acted in 2009 and they must have acted six (6) months ago when he brought this up. There is no one living there and it is an abandoned property. **Councilor Cleary motioned to refer to the Board of Health and Building Department to come back to Council with recommendations as to what the next steps would be to get the area cleaned up. So Voted.**

Councilor Costa-Hanlon stated that last year she referred the lack of a structured program for city teens, but she will refer it again. There is currently no organization or structured program for the teens in the City and she realizes that the City has been talking about it. **Councilor Costa-Hanlon motioned to refer to the Youth and Recreation Committee to discuss with the Mayor, the possibility of structured summer programs for teenagers as the City currently has no programs for individuals 13 years and up. So Voted.**

**Councilor Croteau motioned to refer to the Committee on Police and License the issue with the traffic light at the intersection of Purchase Street and Rt. 138 for a status update. So Voted.**

**Orders, Ordinances and Resolutions:**

From the October 16, 2013 Committee on Police and License, the Council motioned to accept G.L. c. 41, § 91 which would allow the Mayor the flexibility to appoint a Constable for any period of time, up to three years. **Motion was made to move approval. On a roll call vote. Nine (9) Councilors present, nine (9) Councilors voting in favor. So Voted.**

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

AN ORDINANCE ELIMINATING THE FEE FOR BURNING PERMITS

Chapter 7

FIRE PREVENTION AND PROTECTION

Section 7-46. Fees for inspections, permits, etc.

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

**SECTION 1.** Chapter 7, Section 7-46, of the revised Ordinances of the City of Taunton, as amended, is hereby further amended by striking “\$5.00” from line (12) of the Fee Schedule therein, and inserting in place thereof “No Fee”.

**SECTION 2.** All ordinances of parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage. **Motion was made to move from a first reading to a second reading. So Voted. Councilor Carr asked if residents will still have to come in to obtain a permit. The Mayor stated that residents will still have to come in to obtain the permit and they will need to call the Fire Department to verify that they can burn. He stated that the City was working on a press release, but it was not quite ready yet, to obtain a permit through GeoTMS. The process is essentially to eliminate foot traffic that comes into the City Clerk’s Office for the permits. The City was thinking of doing a longer duration for the permit, but the ruling of the State Fire Marshall is that a permit needs to be obtained on a yearly basis. It is the intent of the City to make them available through the GeoTMS system for registering and printing of permits. The most important thing is that residents will need to call each and every day that they plan on burning to see if you have permission by the Fire Department to do so. Councilor Carr asked if the GeoTMS people will go along with something that has no fee, because they get a cut of each permit. The Mayor stated that they did not have a problem with it. If there are any issues, there are mechanisms that Mr. Arikian could arrange through the City’s website where residents could register and do it that way. The plan right now is to go through GeoTMS so that people can do it both here at the City Hall in the City Clerk’s Office and online. The Mayor stated that as soon as everything is ready, a press release will be released. Councilor Cleary asked for clarification of the records, he said he is not sure how it was eliminated. He said the Ordinance has not been eliminated. When doing an Ordinance, people question eliminating the Ordinance. He said he is not sure who or how this was started to eliminate the fire permit fees. The Mayor informed that the City Council had voted on this before the end of the year to begin immediately. The Mayor stated that they were going to be collecting fees around the first of the year, so a vote was taken at that point.**

**New Business:**

Councilor Pottier stated that he has a clarification of something that was run in the Taunton Gazette over the weekend and the only reason he is doing this is because often things get put into the paper and if they go unchallenged they become true and people accept them as fact. The article in the paper talks about two new companies, developer cites taxes as red tape and obstacles and Mr. Louis Ricciardi, who everyone knows is involved in the TDC, does a great job. The quote in the paper states "where in the years past, Taunton was ranked in the middle of the pack, in terms of attractive tax rates for businesses, has allowed itself to become one of the top two or three most expensive in that regard." He assumes that Mr. Ricciardi meant in this area, because he has the DOR rates for 2014 for Commercial/Industrial and Taunton is at \$31.19, which is high; it is in the top ten percent. But Everett is \$40.95, Framingham is \$40.92, Holyoke is \$39.72. He stated that Taunton is ranked 29 out of 351 communities for industrial rates in the Commonwealth. The argument is that if anyone wants to make an argument that Taunton is high is yes, but we are not top 1, 2, or 3 as it was mentioned in the article. He said he is only saying this because people read things and tend to believe things. Mr. Ricciardi has his facts straight, but he probably meant in this part of the State which is true but Taunton is nowhere near the top 1 or 2 in the State which the article implies. Councilor Pottier said he just wanted to get this out there and that he can share the information with any of his fellow Councilors who wants to see the tax rate for the Commonwealth. The Mayor stated that it needs to be noted too that no matter what the tax rate is, it is the assessment and it depends on the formula used. The bottom line is what you pay in your bill. Taunton tax rate is \$31.19 and Boston is \$31.18 assuming the evaluations in Boston are a little higher than Taunton. Councilor Pottier stated that he appreciates the sediment behind his comments, but he just wanted to clarify that Taunton is not the top 2, 3, 4, or 20 in the Commonwealth. Councilor Croteau stated that he is not in favor of further reducing business and commerce tax portions. However, he has previously voted and given each application on its merits, a TIF. There were several pictures in the article and one of them depicted Aguiar; who does receive a TIF. He said he would not consider himself anti-business and he would again vote for TIF's to attract a company. TIF's are on the table, whether a TIF was discussed with either one of these applicants were not mentioned in the article. These companies come here because of the excellent location and the excellent job that TMLP does with electric rates. Businesses in commerce look upon Taunton favorably. They save a lot more money on their electric bills than they would elsewhere. Councilor Croteau stated that he has done consulting for several years for different cities and when he looked at the amount of money these school districts pay in these cities for electricity. He stated that businesses come to the Industrial Park because of location, electric rates and possibility a TIF. None of these were mentioned in the article. The Mayor stated water and sewer as well.

Councilor Costa-Hanlon stated that the Committee on Police and License will need to meet next week regarding a hearing for possible termination of a contract between the Taunton Police Department and City Towing entity. **Councilor Costa-Hanlon motioned to refer to the Committee on Police and License and the Police Chief. So Voted.**

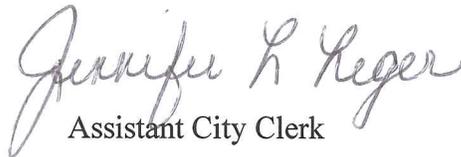
Councilor McCaul motioned to refer to the City Clerk's office to call for a test/exam for the Deputy Fire Chief and Fire Chief. Councilor Carr stated that Civil Service administers a test every year. So Voted.

Motion was made at 9:10pm to enter into Executive Session regarding Nancy Gero vs. City of Taunton. On a roll call vote, nine (9) Councilors present, eight (8) Councilors voting in favor. The Mayor stated that the Executive Session is to discuss strategies with respect to literacy and that Council will not be reconvening following Executive Session. So Voted. Councilor Costa-Hanlon voting present.

Motion was made to adjourn at 9:10pm. So Voted.

A true copy:

Attest:

  
Assistant City Clerk

JLL/dmc

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
JANUARY 28, 2014

**THE COMMITTEE ON FINANCE AND SALARIES**

PRESENT WERE: COUNCILOR GERALD CROTEAU, CHAIRMAN AND COUNCILORS CARR AND POTTIER. ALSO PRESENT WERE DPW COMMISSIONER FRED CORNAGLIA, ASSISTANT DPW COMMISSIONER TONY ABREAU AND WATER DIVISION SUPERVISOR CATHAL O'BRIEN

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

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

**MOTION: MOVE APPROVAL OF THE PAYROLL WARRANT AND THE INVOICE WARRANT FOR THE WEEK. SO VOTED.**

**2. MEET TO REVIEW MATTERS IN FILE**

MR. O'BRIEN WAS PRESENT TO PROVIDE CLARIFICATION ON SOME PAYMENTS TO WE CARE THAT WERE HELD LAST WEEK, PENDING MORE INFORMATION. MR. O'BRIEN SAID THAT THE CITY IS PAYING WE CARE FOR THE CURB SIDE PICK UP AND HAS BEEN AS OF JULY 1, 2013.

IT WAS QUESTIONED WHEN THE CITY WILL GET HOST BENEFITS FROM WE CARE. THE CITY WILL NOT RECEIVE THEM UNTIL THEIR FACILITY ON MOZZONE BOULEVARD OPENS.

DISCUSSED ALSO WAS WHEN THE ESTIMATED CLOSURE OF THE LANDFILL WILL BE. IT WAS STATED THAT IT COULD BE 2016, BUT PROBABLY LATER THAN THAT BECAUSE IT IS SINKING, AND TRASH BEING PUT INTO THE LANDFILL HAS REDUCED DUE TO RECYCLING. ALSO IF AN EXPANSION IS ALLOWED, THAT WOULD PUSH THE DATE ALSO. THE COMMITTEE ASKED THE DPW COMMISSIONER FOR AN ESTIMATE AS TO HOW MUCH IT WILL COST THE CITY ONCE THE LANDFILL CLOSES TO DISPOSE OF OUR TRASH.

IT WAS ALSO NOTED THAT WE CARE WILL PAY FOR A FEASIBILITY STUDY ON THE LANDFILL.

A NEW FLYER IS BEING PREPARED FOR RESIDENTS, BUT THE DPW COMMISSIONER STATED THAT THERE ARE SOME ISSUES WITH IT. HE FURTHER SAID THAT ONE MAJOR ISSUE IS SINGLE STREAM RECYCLING, RIGHT NOW WE ARE DUAL STREAM. THE DPW COMMISSIONER SAID THAT IF WE CAN DO THE SINGLE STREAM, WE CAN IMPROVE RECYCLING. IF WE IMPROVE RECYCLING THE CITY WILL IMPROVE THE REVENUE. THIS WILL ALSO EXTEND THE LIFE OF THE LANDFILL BECAUSE THERE WILL BE LESS TRASH. THE FLYER IS DUE TO BE OUT ON FEBRUARY 1, BUT HE WOULD LIKE TO SEE IF IT COULD BE POSTPONED UNTIL MARCH 1<sup>ST</sup>. IT WAS NOTED THAT PERHAPS SOLID WASTE COULD MEET NEXT WEEK TO DISCUSS THIS FLYER.

COUNCILOR CARR ASKED WHAT FIGURE WOULD THE DPW USE FOR THE COST OF DISPOSAL OF OUR SOLID WASTE SOMEPLACE ELSE. THE DPW COMMISSIONER STATED THAT THE REALITY IS YOU HAVE WASTE MANAGEMENT, ALLIED AND WE CARE – THESE ARE OUR OPTIONS. MR. O'BRIEN NOTED THAT A GENERAL RULE OF THUMB WOULD BE DOUBLE THE CONTRACT WE HAVE NOW. SO IT WOULD BE \$1.5 MILLION, PLUS YOU LOSE \$1 MILLION FOR THE YEARLY REVENUE, SO IT COULD BE A MINIMUM OF \$3 MILLION – PROBABLY CLOSER TO \$2 MILLION AND CHANGE.

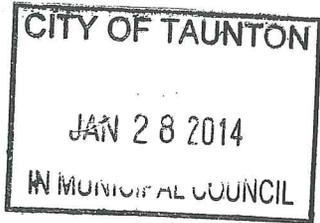
**MOTION: TO RELEASE THE PAYMENT OF THE VOUCHERS FOR WE CARE THAT WERE HELD LAST WEEK. SO VOTED.**

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JANUARY 28, 2014

THE COMMITTEE ON FINANCE AND SALARIES – CONTINUED

MEETING ADJOURNED AT 6:15 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 "Joseph R. Rega".  
ASSISTANT CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
JANUARY 28, 2014

**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 DPW COMMISSIONER FRED CORNAGLIA, ASSISTANT DPW COMMISSIONER TONY ABREAU, WATER DIVISION SUPERVISOR CATHAL O'BRIEN AND MARK GERSHMAN OF BETA

**MEETING CALLED TO ORDER AT 6:17 P.M.**

**1. MEET TO DISCUSS WASHINGTON STREET BRIDGE PROJECT**

THIS MEETING WAS HELD BECAUSE THE COMMITTEE HAD VOICED CONCERNS AT A MEETING ABOUT 9 MONTHS TO A YEAR AGO REGARDING COORDINATING ROAD CLOSURES, TRAFFIC TIE-UPS THAT WILL RESULT FROM THE CLOSURE OF THE BRIDGE. THE CHAIRMAN STATED THAT HE KNOWS THEY ARE GOING TO LEAVE 1 LANE OPEN, BUT THIS IS A MAJOR ARTERY TO GET FROM DOWNTOWN TO THE NORTHERN SECTION OF TAUNTON AND THROUGH ROUTE 140. THE DPW OFFICE HAD BEEN ASKED TO PLAN WITH MASS HIGHWAY, SINCE THIS IS A MASS HIGHWAY PROJECT, BUT NOW THAT THERE IS A CONTRACTOR IN PLACE, TO TRY TO GET AN UPDATE AS TO WHERE WE ARE AND SECOND TO VOICE ANY TRAFFIC MITIGATION OR CONCERNS THAT THE CITY HAS. IT WAS NOTED THAT PEOPLE HAVE BEEN OUT THERE SURVEYING, SO THEY ARE GETTING READY TO PROCEED.

A LETTER DATED 1/23/2014 FROM THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION DISTRICT 5 CONCERNING THE BRIDGE REPLACEMENT WAS READ. IT STATED THAT THE PRE-CONSTRUCTION MEETING WAS HELD 1/14/2014 AND THE CONTRACTOR HAS SUBMITTED THEIR BASELINE SCHEDULE WHICH IS CURRENTLY UNDER REVIEW. WEATHER PERMITTING, THE CONTRACTOR WILL START PHASE I LANE SHIFTS DURING THE FIRST WEEK OF FEBRUARY.

THE CONTRACT PRICES IF \$4,127,078.61.

THE LETTER FURTHER STATED THAT THE WORK UNDER THIS CONTRACT INCLUDES THE REMOVAL OF THE EXISTING TWO SPAN BRIDGE AND CONSTRUCTION OF A SINGLE SPAN REPLACEMENT BRIDGE WITH THE WIDENING OF WASHINGTON STREET TO FOUR LANES OF TRAFFIC. THE WORK ALSO INCLUDES INSTALLING HIGHWAY GUARDRAIL TRANSITIONS, INSTALLATION OF GUARDRAILS, EXCAVATION, FULL DEPTH ROADWAY CONSTRUCTION, MILLING AND RESURFACING, SIDEWALK CONSTRUCTION, GRANITE CURB, WHEELCHAIR RAMP RECONSTRUCTION, DRAINAGE AND UTILITY MODIFICATIONS, LANDSCAPING AND SIGNING. THE PROJECT ALSO INCLUDES THE RECONSTRUCTION AND SIGNALIZATION OF THE INTERSECTION AT WASHINGTON STREET AND FREDERICK R. MARTIN SR. PARKWAY.

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

A LETTER DATED 12/18/2013 TO CITY ENGINEER MARK SLUSARZ FROM KEN ANTUL, MAS BUILDING AND BRIDGE INC. WAS READ. THE LETTER STATED THAT MAS BUILDING AND BRIDGE (MAS) HAD BEEN GRANTED NOTICE TO PROCEED ON THE PROJECT ON 12/16/2013. IN ACCORDANCE WITH CONTRACT DOCUMENTS AND SPECIAL PROVISIONS, MAS IS TO SUPPLY ALL AFFECTED UTILITY OWNERS WITH A 30 DAY NOTICE. THIS LETTER IS HEREBY NOTIFYING THE TAUNTON DPW THAT WORK WILL BE COMMENCING IN AREAS NEAR THEIR UTILITIES.

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

THE COMPLETION DATE IS 2016, AND IT PROVIDES THE SIGNALIZATION OF MARTIN PARKWAY AND THE MILL POND APARTMENTS.

THE DPW COMMISSIONER STATED THAT THEY HAVE WORK TO DO THEMSELVES WITH SEWER AND WATER ON COURT STREET WHICH WILL GIVE THEM ENOUGH TIME TO DO THAT. THERE IS A MEETING SCHEDULED FOR THURSDAY MORNING AT THE DPW WITH MASS HIGHWAY AND THE BRIDGE PEOPLE,

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JANUARY 28, 2014

**THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED**

AND BASICALLY WHAT THE DPW COMMISSIONER IS ASKING FOR TONIGHT IS THE GO AHEAD OF ABOUT A MONTH AND A HALF EARLY, FOR THE PERMITS. THE CITY HAS JURISDICTION OVER THE PERMITS. THE BRIDGE ENGINEER FROM BETA SAID THAT THERE WERE ALSO CONSTRAINTS WITH THE ARMY CORP. THE PROJECT HAS AN ORDER OF CONDITIONS FROM THE CITY, AN ARMY CORP PERMIT AND A CHAPTER 91 PERMIT, AND IT HAS A TIME OF YEAR RESTRICTION FROM THE DEPARTMENT OF FISH AND WILDLIFE FOR INSTREAM WORK. THE CONTRACTOR IS FORBIDDEN TO DO ANYTHING TO THE RIVER BETWEEN APRIL 1<sup>ST</sup> AND JUNE 30<sup>TH</sup>, SO HE IS REALLY TRYING TO START IN EARLY FEBRUARY TO GET THE RIVER WORK COMPLETED BEFORE APRIL 1<sup>ST</sup>.

THE PROJECT WILL BE A FULL BRIDGE REPLACEMENT. THE PROJECT STARTS JUST WEST OF FREDERICK MARTIN PARKWAY, AND THAT INTERSECTION WILL BE SIGNALIZED WITH THE COMPLETE BRIDGE REPLACEMENT. IT WILL EXTEND JUST BEYOND PARK STREET AND A LITTLE DOWN COURT STREET. IT WILL START IN FEBRUARY, WILL BE DONE IN STAGES, AND THERE WILL BE 1 LANE OF TRAFFIC OPEN IN EACH DIRECTION THROUGHOUT THE CONSTRUCTION. THE BRIDGE WILL BE WIDENED TO 4 LANES, 2 IN EACH DIRECTION. THERE WILL ALSO BE A SHUT DOWN BECAUSE VERIZON HAS 9 MONTHS WORK OF WORK IN ORDER TO SPLICE OVER THEIR CABLES. ONCE VERIZON HAS DONE THIS, THE CONTRACTOR WILL COME BACK AND FINISH THE PROJECT. THAT IS WHY IT IS OUT UNTIL 2016.

THE MEETING ON THURSDAY MORNING WILL BE WITH THE SAFETY OFFICER ALONG WITH MASS HIGHWAY AND THEY WILL BE DISCUSSING THE DETOURS, ETC. THEY HAVE TO BE CAUTIOUS ON THE ROUTE TO THE HOSPITAL. IT WAS AGAIN STATED THAT 1 LANE IN EACH DIRECTION WILL REMAIN OPEN DURING THE PROJECT.

IT WAS ALSO NOTED THAT THE LANDTAKING HAVE BEEN DONE.

THE DPW WAS REQUESTED TO ASK MASS DOT IF THERE IS MONEY LEFT, IF THEY WOULD CONSIDER DOING SIDEWALKS THE SAME AS WERE DONE DOWNTOWN.

ALSO DISCUSSED WAS THAT IF THE TRAFFIC DOES BACK UP TO THE INTERSECTION OF WASHINGTON AND TREMONT STREETS, THE CITY WILL HAVE TO WORK WITH MASS DOT REGARDING THE TIMING OF THE LIGHTS AT THAT INTERSECTION.

COUNCILOR COSTA-HANLON STATED THAT THE CITY SHOULD LET THE RESIDENTS OF MILL POND AND THE BUSINESSES IN THE AREA KNOW WHAT IS GOING TO BE GOING ON. SHE FURTHER STATED THAT SHE FEELS THAT THERE SHOULD BE A MEETING WITH THE RESIDENTS OF MILL POND.

COUNCILOR MARSHALL STATED THAT HE WILL HAVE ONE INFORMATIONAL MEETING AT MILL POND. HE STATED THAT HE WOULD DO THIS AFTER THEY GET THE FINALIZATION OF THE PLANS AND THE CONSTRUCTION SCHEDULE. ALSO, THE DPW CAN SEND OUT LETTERS TO ALL ABUTTERS.

**MOTION: TO ALLOW THE DPW COMMISSIONER'S OFFICE TO EXTEND THE CONSTRUCTION SEASON TO START FEBRUARY 1<sup>ST</sup> INSTEAD OF APRIL 1<sup>ST</sup> AND TO GRANT THE PERMIT. SO VOTED.**

2. **MEET TO DISCUSS WATER DIVISION SUPERVISOR'S REQUEST TO WRITE OFF UNCOLLECTABLE UTILITY CHARGES FOR PERIODS FROM 1984-1999 FOR UNPAID WATER AND SEWER USAGE**  
THE WATER DIVISION SUPERVISOR STATED THAT THIS IS PART OF THE CITY'S INDEPENDENT AUDIT AND THE UPGRADE OF THEIR FINANCIAL SOFTWARE. THEY WANT THEM TO PURGE RECORDS OF UNCOLLECTABLE BILLS SO THAT THEY CAN MOVE FORWARD AND GET THE SYSTEM UP TO DATE. THERE ARE 3 CATEGORIES – UNPAID WATER AND SEWER, WHICH ARE MOSTLY CITY BUILDINGS THAT DON'T EXIST ANYMORE. THERE ARE ALSO PLUG UP FEES WHICH ARE UNCOLLECTABLE. AND THE THIRD ITEM IS THAT THERE ARE 3 BUSINESSES THAT DON'T EXIST ANYMORE AND THESE ARE FOR TRASH BAG FEES THAT

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**THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED**

THEY CANNOT COLLECT. THE TRASH BAG FEES TOTAL \$1,995.00. THE WATER FEES TOTAL \$4,928.31 AND SEWER FEES ARE \$1,886.21.

**MOTION: TO APPROVE THE REQUEST TO WRITE OFF THE UNPAID FEES FOR TRASH, SEWER AND WATER. SO VOTED.**

**3. MEET WITH THE DPW TEAM TO DISCUSS PROPOSED TAUNTON STORM WATER ORDINANCE**

THE STORM WATER ORDINANCE IS NEEDED TO MEET THE REQUIREMENTS OF THE GENERAL PERMIT FOR STORM WATER DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4S) AS REGULATED BY THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM. THE GENERAL PERMIT REQUIRES THE PERMITTEES TO HAVE REGULATORY MECHANISMS FOR 3 ITEMS:

1. EFFECTIVELY PROHIBIT NON STORMWATER DISCHARGES FROM ENTERING THE CITY OF TAUNTON'S STORM SEWER SYSTEM.
2. REQUIRE SEDIMENT AND EROSION CONTROL AT CONSTRUCTION SITES
3. ADDRESS POST CONSTRUCTION RUNOFF FROM NEW DEVELOPMENT AND REDEVELOPMENT.

IT WAS FURTHER NOTED THAT THE CITY HAS PERMITTING REQUIREMENTS THAT ADDRESSES SOME OF THESE ISSUES THROUGH THE PLANNING BOARD AND CONSERVATION COMMISSION; HOWEVER, THESE ONLY APPLY IN CERTAIN PROJECTS. THE GENERAL PERMIT REQUIRES ALL CONSTRUCTION SITES OVER 1 ACRE TO BE REGULATED. UNDER THE CITY'S CURRENT ORDINANCES AND REGULATIONS, IT IS POSSIBLE THAT A CONSTRUCTION PROJECT COULD BE OVER 1 ACRE AND NOT REQUIRE THOSE PERMITS. IN ADDITION, THE CITY DOES NOT HAVE AN ORDINANCE TO STOP ILLICIT CONNECTIONS INTO THE STORM SEWER SYSTEM. THE PROPOSED STORMWATER ORDINANCE ADDRESSES THESE REQUIREMENTS. UNTIL THE CITY PASSES THESE ORDINANCES, IT IS OPEN TO POTENTIAL FINES IF THE USEPA WERE TO AUDIT THE CITY.

QUESTIONED WAS HOW THIS WOULD EFFECT NEW DEVELOPMENT. IT WAS NOTED THAT IT SHOULD NOT ADD ANY RED TAPE.

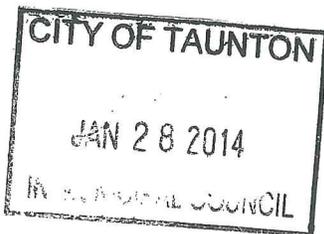
IT WAS NOTED THAT THIS ORDINANCE WOULD ALSO BE A HUGE BENEFIT TO THE DEVER WELLS.

**MOTION: TO REFER THE DRAFT TO THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS. SO VOTED.**

**4. MEET TO REVIEW MATTERS IN FILE**

IT WAS NOTED THAT DUE TO THE FREEZE/THAW CYCLES, POT HOLES ARE POPPING UP, SO RESIDENTS ARE URGED TO LET THE DPW KNOW BY CONTACTING THEM OR USING THE MOBILE APP.

**MEETING ADJOURNED AT 7:05 P.M.**



RESPECTFULLY SUBMITTED,

*Colleen Ellis*

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

*Jennifer R. Regan*  
ASSISTANT CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
JANUARY 28, 2014

**THE COMMITTEE OF THE COUNCIL AS A WHOLE**

PRESENT WERE: COUNCIL PRESIDENT ANDREW MARSHALL AND COUNCILORS CLEARY, COSTA-HANLON, CROTEAU, POTTIER, MCCAUL, QUINN, CARR AND BORGES. ALSO PRESENT WERE PARK AND RECREATION DIRECTOR MARILYN GREENE, MEGHAN O'BRIEN OF O'BRIEN & SONS, BILL NAPOLITANO OF SRPEDD, CITY SOLICITOR JASON BUFFINGTON AND ELISE SCULLY FROM THE BUSINESS IMPROVEMENT DISTRICT

**MEETING CALLED TO ORDER AT 7:20 P.M.**

**1. MEET WITH MARILYN GREEN OF PARKS, CEMETERIES AND PUBLIC GROUNDS TO DISCUSS PROPOSED SPLASH PARKS GRANT APPLICATION**

MRS. GREENE PASSED OUT A COPY OF SOME DOCUMENTS IN REGARD TO THE GRANT APPLICATION UNDER THE GOVERNOR'S BACKYARD GRANT APPLICATION THROUGH THE DIVISION OF CONSERVATION SERVICES.

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

THIS GRANT ROUND IS NEW TO THE DIVISION OF CONSERVATION SERVICES. THIS IS TO FUND A PARK, SPLASH PAD OR RENOVATION OF A PARK. THE GRANT APPLICATION MUST BE IN BY FEBRUARY 13<sup>TH</sup>. THE MAXIMUM AWARD FOR EACH COMMUNITY IS \$200,000.00 WITH THE CITY'S CONTRIBUTION OF \$50,000.00, SO THE TOTAL GRANT FOR EACH COMMUNITY WOULD BE \$250,000.00, WITH THE \$200,000 BEING REIMBURSED. THE CITY WOULD HAVE TO FUND, THROUGH THE MAYOR AND MUNICIPAL COUNCIL THE FULL AMOUNT OF MONEY AND THEN WOULD BE REIMBURSED FOR \$200,000.00.

ONE OF THE CRITERIA FOR THIS IS THAT WE HAVE AN ACCEPTED OPEN SPACE RECREATION PLAN, AND THEY ARE IN THE PROCESS OF GETTING IT UPDATED AND SUBMITTED, SO THAT BY THE TIME THE GRANT AWARD IS COMPLETE WHICH HAS TO BE BY DECEMBER OF THIS YEAR, WE COULD QUALIFY FOR IT.

MRS. GREENE NOTED THAT THEY ARE LOOKING FOR SPECIFIC PROJECTS AND SPECIFIC AREAS, AND THEN THE STATE WILL MAKE A DETERMINATION AS TO WHERE IT IS PLACED.

MRS. GREENE SAID BASICALLY THE COUNCIL NEEDS TO VOTE TO ACCEPT THE MONEY, SO IF WE FUND IT 100%, THEN WE WOULD BE REIMBURSED.

THE GRANT APPLICATION IS DUE BY FEBRUARY 13, 2014 AND THE PROJECT MUST BE COMPLETE BY DECEMBER, 2014.

MRS. GREENE IS CURRENTLY WORKING THROUGH SRPEDD ON THE OPEN SPACE AND RECREATION PLAN, AND THIS PLAN MUST BE APPROVED BY DECEMBER 2014.

MRS. GREENE IS RECOMMENDING A SPLASH PAD BECAUSE IT COULD BE OPEN LONGER THAN THE POOL. SHE ALSO FEELS THAT IT COULD BE LOCATED AT HOPEWELL PARK WHICH WOULD BE IN THE MIDDLE OF THE ENVIRONMENTAL JUSTICE AREA.

COUNCILOR CARR FEELS THAT IT SHOULD BE LOCATED SOMEWHERE OTHER THAN AT HOPEWELL PARK.

MRS. GREENE STATED THAT THERE IS ENVIRONMENTAL JUSTICE AREA CRITERIA, AND THE CITY MUST MEET THIS CRITERIA. THIS AREA RUNS THROUGH DOWNTOWN AND IN THE HOPEWELL PARK AREA.

IT WAS NOTED THAT MEMORIAL PARK JUST SKIRTS THAT AREA.

MEGHAN O'BRIEN STATED THAT A SPLASH PAD HAS 0 DEPTH, YOU CAN SET THE OPERATING TIMES, AND YOU MUST TOUCH THE ACTIVATOR TO TURN IT ON. YOU WILL NOT NEED A LIFEGUARD, HOWEVER, YOU CAN CHOOSE TO HAVE SOMEONE THERE. YOU WILL NEED AN ELECTRICAL SOURCE, AND WATER SOURCE AND A CONNECTION BACK TO THE SEWER. IT WAS NOTED THAT MRS. GREENE SPOKE TO THE RISK MANAGER AND THERE IS NO ADDITIONAL INSURANCE LIABILITY.

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JANUARY 28, 2014

**THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED**

WITH A SPLASH PAD WITH A CONCRETE PAD THERE IS LESS MAINTENANCE THEN THERE IS FOR CLOSING A POOL.

A LETTER DATED 1/27/2014 OF MAYOR THOMAS HOYE WAS READ IN WICH HE STATES THAT HIS OFFICE IS IN SUPPORT OF PARKS, CEMETERIES AND PUBLIC GROUNDS COMMISSIONER MARILYN GREENE'S PROPOSAL TO APPLY FOR THE "OUR COMMON BACKYARD GRANT PROGRAM", TO POTENTIALLY LOCATE A SPRAY PARK WITHIN OUR COMMUNITY.

HE FURTHER STATED THAT IF AWARDED, THIS PARK WILL PROVIDE AN ADDITIONAL RECREATIONAL OPPORTUNITY FOR OUR CITY'S YOUNG FAMILIES. HIS OFFICE IS PREPARED TO FUND THE SHARE OF THE PROJECT SHOULD IT BE AWARDED, AND HE RESPECTFULLY REQUESTS THAT THE COUNCIL APPROVE THIS PROPOSAL.

ADDITIONALLY, HIS LETTER STATED THAT WHILE ON THE SUBJECT OF RECREATIONAL OPPORTUNITY, HE WOULD REQUEST THAT THE COMMITTEE OF THE WHOLE MEET WITH LEE ANN TAVARES AND THE TAUNTON SKATE BOARD COMMITTEE TO POTENTIALLY DESIGNATE A DESTINATION FOR A SKATE PARK. THIS PROJECT WOULD NOT INVOLVE CITY FUNDS AS THE TAUNTON SKATE BOARD COMMITTEE IS EXPECTING TO SECURE PRIVATE FUNDING, BUT THE COMMITTEE IS UNABLE TO PROCEED WITHOUT A DESIGNATED PARK LOCATION.

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

IT WAS NOTED THAT THE CITY WOULD BE RESPONSIBLE FOR GETTING THE WATER 20 FEET FROM THE TIE IN AND THE CONTRACTOR WOULD PUT IN THE REST. THERE WILL BE SHADE AND BENCHES PROVIDED. QUESTIONED WAS STAFFING, AND MRS. GREENE NOTED THAT IF IT IS LOCATED AT HOPEWELL, THERE IS CURRENT STAFF THERE. HOWEVER, NO STAFFING IS NEEDED SO IT COULD PROBABLY STAY OPEN TILL 8 P.M. AND COULD ALSO BE OPEN ON THE WEEKENDS. THEY ARE ALSO PROPOSING ADDITIONAL NIGHT SECURITY.

THE SIZE OF THE SPLASH PAD IS 66 FEET BY 39 FEET WITH A 5 FOOT NO SPRAY ZONE AT THE PERIMETER. THE ONE PROPOSED DOES NOT HAVE A RUBBER FLOOR.

DISCUSSED WAS THE WEAR AND TEAR ON CONCRETE VS A RUBBER FLOOR. IT WAS STATED THAT THE CONCRETE WILL CRACK BUT RUBBER WILL NOT. MS. O'BRIEN DID SAY THAT IF THE CONCRETE CRACKS, SOMETIME THE RUBBER WILL ALSO CRACK. IF A RUBBER FLOOR IS PUT IN THIS SPLASH PAD, IT WILL COST AN ADDITIONAL \$80,000.00.

NO FIGURES WERE AVAILABLE YET TO BRING THE WATER TO EITHER HOPEWELL PARK OR TO THE MEMORIAL PARK LOCATION.

COUNCILOR CARR STATED THAT SHE WOULD BE CONCERNED ABOUT SECURITY AND THAT THIS WOULD HAVE TO BE LIT AND NEED CAMERAS.

**MOTION: TO INVITE THE WATER DIVISION SUPERVISOR, CATHAL O'BRIEN, INTO THE ENCLOSURE. SO VOTED.**

MR. O'BRIEN STATED THAT IT WOULD BE CHEAPER TO PUT THE SPLASH PAD AT HOPEWELL BECAUSE THERE IS ALREADY SEWER AND WATER THERE.

COUNCILOR CLEARLY STATED THAT PERHAPS THIS SHOULD BE PUT IN EAST TAUNTON.

MRS. GREENE STATED THAT THEY DO NOT STAFF ANY PLAYGROUNDS, AND THERE IS NO PLAYGROUND IN EAST TAUNTON DUE TO VANDALISM.

COUNCILOR MARSHALL STATED THAT HIS CONCERN WITH PUTTING THIS AT HOPEWELL PARK IS THAT WITH THE BASKETBALL COURTS IN CLOSE PROXIMITY TO THE SPLASH PAD YOU WILL HAVE 2 WORLDS COLLIDING, WHICH IS NOT GOOD. HE DOES NOT REALLY WANT IT NEXT TO THE BASKETBALL COURT.

MRS. GREENE SAID THAT THEY PLAN WAS TO PUT IT DIRECTLY BEHIND THE POOL.

QUESTIONED ALSO WAS WHY CAN'T THE WATER DEPARTMENT USE CAPITAL IMPROVEMENT MONEY RATHER THAN USE GRANT MONEY TO RUN THE WATER.

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**THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED**

MRS. GREENE SAID THAT SHE WILL PRESENT BOTH LOCATIONS EQUALLY – HOPEWELL PARK AND MEMORIAL PARK – THE STATE WILL VIEW BOTH SITES AND THEN MAKE A DETERMINATION.

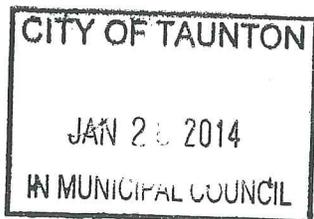
**MOTION: TO MOVE APPROVAL AND ALLOW MRS. GREENE TO APPLY FOR THE GRANT.  
SO VOTED.**

**2. MEET WITH THE CITY SOLICITOR AND REPRESENTATIVES OF BID TO DISCUSS MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND BID**

THE CITY SOLICITOR STATED THAT HE HAD NEGOTIATED WITH BID IN SEPTEMBER AND OCTOBER, CONCLUDING THOSE NEGOTIATIONS IN OCTOBER, WHICH RESULTED IN THE MEMORANDUM OF UNDERSTANDING. THEY HAVE BEEN OPERATING UNDER THIS AGREEMENT BUT IT HAD JUST NOT BEEN FORMALIZED.

**MOTION: TO MOVE APPROVAL OF THE MEMORANDUM OF UNDERSTANDING WITH BID.  
SO VOTED.**

MEETING ADJOURNED AT 8:26 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 "Jennifer H. Leger".
 

ASSISTANT CITY CLERK