



City of Taunton
Municipal Council Meeting Minutes

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Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, February 10, 2015 at 9:20 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-Hanson, Croteau, Marshall, McCaul, Quinn, Pottier

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

Motion was made to go out of regular order of business to Communications from the Mayor. So Voted.

Communications from the Mayor:

Mayor Hoye thanked everyone from the DPW, the Parks, Cemeteries and Public Grounds Department, the School Department and the private contractors for their outstanding job during the recent snow storm. In the last two major storm events, there have been 75 calls to the DPW and in the past there would have been hundreds just with one storm. He asked for the residents to have continued patience and to please help shovel hydrants, sidewalks, crosswalks and bus stops. Council President Borges stated that she received a call from a resident on Washburn Street saying what a fabulous job the DPW did in the freezing cold on a pipe that was broken. Mayor Hoye discussed the positive feedback that the Mayor's Office has gotten. Councilor McCaul stated that when he spoke to the businesses downtown, they were grateful for the great job that was done clearing the sidewalks to keep their businesses open. He thanked the DPW for that effort also.

Motion was made to move back to the regular order of business to hearings. So Voted.

At this time, Council President Estele Borges began presiding over the meeting.

Hearings:

Hearing came up by assignment on the petition submitted by Antonio Bairos, 735 Whittenton St., Taunton and others for the acceptance of Westville Terrace as a public way in the City of Taunton. **Motion was made to open the hearing. So Voted.** The City Clerk read a communication from the Chairman, Taunton Planning Board who submitted a positive recommendation. **Motion was made to make part of the hearing. So Voted.** The City Clerk read a communication from the City Engineer who submitted a positive recommendation. **Motion was made to make part of the hearing. So Voted.** **Motion was made to make the map of Westville Terrace part of the hearing. So**

Voted. There was no one present to speak in favor or in opposition of the petition. **Motion was made to close the hearing and grant the petition as presented. So Voted.**

Hearing came up by assignment on the petition submitted by Brian Conway, Trustee, Conway Realty Trust, 2780 GAR Highway, Swansea and others for the acceptance of Barry Drive and Paige Way as public ways in the City of Taunton. **Motion was made to open the hearing. So Voted.** The City Clerk read a communication from the Chairman, Taunton Planning Board who submitted a positive recommendation. **Motion was made to make part of the hearing. So Voted.** The City Clerk read a communication from the City Engineer who submitted a positive recommendation. **Motion was made to make part of the hearing. So Voted. Motion was made to make the map of Barry Drive and Paige Way part of the hearing. So Voted.** There was no one present to speak in favor or in opposition of the petition. **Motion was made to close the hearing and grant the petition as presented. So Voted.**

Appointments:

Reappointment of William A. Manganiello, 100 Princess Kate Circle, Taunton to the Historic District Commission for a term of three (3) years expiring November 30, 2017. **Motion was made to move approval. So Voted.**

Reappointment of Norma Barbour, 83 Floral Street, Taunton to the Historic District Commission for a term of three (3) years expiring November 30, 2017. **Motion was made to move approval. So Voted.**

Reappointment of Barbara Mullen, 21 Guernsey Avenue, Taunton to the Historic District Commission for a term of three (3) years expiring November 30, 2017. **Motion was made to move approval. So Voted.**

Reappointment of Charles Flannery, 10 Belmont Street, Taunton to the Historic District Commission for a term of three (3) years expiring December 31, 2017. **Motion was made to move approval. So Voted.**

Reappointment of Robert Dickerman, 30 Ashland Street, Taunton to the Historic District Commission for a term of three (3) years expiring December 31, 2016. **Motion was made to move approval. So Voted. (See change in Council Minutes of February 17, 2015.)**

Communications from City Officers:

Com. from Treasurer/Collector notifying of a land court decree for property located at 65 Main Street. The City of Taunton is now the owner of the property and should make every effort to insure and secure the premises, as all responsibility and liability for this property now rests with the City of Taunton. **Motion was made to refer to the Building Commission to secure the property and to the Tax Possession Agent for disposal. So Voted.**

Com. from Detective Dennis Smith, Taunton Police Department submitting a response on Planet Petroleum, 274 Winthrop Street, Taunton. He stated that the two issues; 1. Cars

parked along the gates, which are not closed and 2. Too many cars parked near the stream behind the building, are not within the jurisdiction of the Police Department Licensing Division as they fall under Zoning Enforcement and or Conservation. Regarding hours of operation the only restriction of business hours is covered under City Ordinance Section 12-2. **Motion was made to refer to the Zoning Enforcement Officer. So Voted.** Section 12-2 (a) which states that generally, no shops, stores, or other places of trade or entertainment shall be kept open between 1:00am and 4:00am., except as hereinafter provided. **Motion was made to revisit that part of the ordinance to the Committee on Police and License for discussion to revise. So Voted.**

Petitions:

Hours of Operation License:

1. Broadway Quick & Clean Car Wash, Inc. located at 175 Broadway, Taunton
2. E-Z Clean Laundry Center, Inc., 173 Broadway, Taunton
3. E-Z Clean Laundry Center, Inc., 89 Winthrop St., Taunton
4. E-Z Clean Laundry Center, Inc., 11 Tremont St., Taunton

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

Petition submitted by Laura Moss, EcoATM, Inc. 10121 Barnes Canyon Road, San Diego, CA requesting a new Second Hand Article License for a vending style machine that collects used small electronic equipment and pays cash for the equipment located at 2 Galleria Mall Drive. **Motion was made to refer to the Committee on Police and License and Detective Smith. So Voted.**

Claim submitted by Stacey M. Van Zandt, 320 Myricks Street, East Taunton seeking reimbursement for damages to her automobile from hitting a pothole in front of 198 Williams Street, Taunton. **Motion was made to refer to the Law Department and DPW. So Voted.**

Claim submitted by Susan Diniz, 161 Jeffrey Lane, Taunton seeking reimbursement for damages to her automobile from hitting a pothole on Williams Street just before the Poole Street curve. **Motion was made to refer to the Law Department and DPW. So Voted.**

Claim submitted by Stephanie Tavares, 61 Pine Tree Lane, Taunton seeking reimbursement for damages to her automobile from hitting a pothole in front of 199 Williams Street, Taunton. **Motion was made to refer to the Law Department and DPW. 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 with the exception of the Committee on Public Property. So Voted. **Motion was made to approve the sale of Walker School to Taunton Revitalization Inc. and give the Mayor the authority to enter into a purchase and sales agreement. So Voted. Councilor Croteau voting in opposition.** Councilor Croteau stated that he voted in opposition for the recommendation because there are currently architectural plans to

develop the school into a 400 pupil elementary school. He stated that the City paid for those plans and would not be reimbursed for them until such time as construction begins. He discussed how the population will increase and there will be need for additional schools.

Unfinished Business:

Councilor Costa-Hanlon motioned to refer to the Committee on Solid Waste for an update on where we are on the Site assignment for the transfer station for the landfill. So Voted. Motion was made to refer to the Mayor's Office or the DPW Commissioner for an update on dealing with the recycling issue concerning the building's roof collapse. Motion was made to refer to WeCare for an update on the status of the gasification sludge plant. So Voted.

Orders, Ordinances, and Resolutions

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

AN ORDINANCE

Chapter 12

Licenses and Miscellaneous Business Regulations

Article V. Hawkers and Peddlers

Section 12-78.1 Tag Day Permit Requirements

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

SECTION 1. Article V of Chapter 12 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended by inserting a new Section 12-78.1 as follows:

Sec. 12-78.1 Tag Day Permit Requirements

(a) Definitions

“Tag Day” for the purposes of this ordinance, shall mean a person stationed in front of a business engaging in the in-person solicitation of immediate monetary donations on behalf of an organization from passersby and/or patrons of the business.

“Person” for the purposes of this ordinance shall mean natural person or legal entity, to include non-profit corporations.

(b) Permit Required

It is unlawful for any person to organize, hold or participate in a Tag Day except as provided by Ordinance. No person may organize, hold or participate in a Tag Day without (1) a permit from the City of Taunton and (2) permission from the business in

front of which a solicitor is to be stationed. The permit must be in the possession of a person in charge, who is readily available, during the period of solicitation. The permit must be produced for inspection upon request.

An application for a Tag Day permit shall be made to the Mayor's Office upon forms provided by the City, and such application shall be filed with the Mayor's Office at least 15 days prior to the date for which the permit is sought. The City may, for good cause shown, allow the filing of an application less than 15 days prior to the date for which the permit is sought.

(1) Each applicant must provide the name, phone number and address of the organization, and, name and telephone number of the responsible contact person applying for the permit. If the organization is not based within the City proof of an organization's establishment as a local chapter based within the City must be provided;

(2) Each applicant must state the purpose for which such solicitation is to be made and the use or disposition to be made of any receipts;

(3) All organizations must be based and have a street address within the corporate limits of the City or alternatively be a local City-based chapter of a larger umbrella organization, which is not based within the corporate limits of the City.

(4) All solicitors and soliciting organizations with a Post Office Box address must also have a street address in the City where their organization is based, works out of or where meetings are held.

(5) Soliciting organizations must present documentation depicting their not-for-profit status within current IRS guidelines. Permit will not be granted without proof of not-for-profit status.

(6) Soliciting organizations must use sealed cans for collecting funds.

(7) City of Taunton departments are exempt from this ordinance.

(b) Limitation of Permits

Permits shall be issued on a first-come first-served basis and shall be for one calendar day. No more than one soliciting organization will be permitted to solicit on any day. No more than two permits shall be issued to any one organization within the same calendar year, and the permits must be for separate days.

(c) Hours of Soliciting in a public place.

Solicitation activities are not to occur prior to 8:00 a.m. or after 8:00 p.m.

(d) Severability

The provisions of this section shall be deemed to be severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the remainder of the ordinance shall remain in effect.

SECTION 2. This Ordinance shall become effective immediately upon passage. Motion was made to approve the second reading and move to a third reading. So Voted.

Meeting adjourned at 9:40 P.M.

A true copy:

Attest:

A handwritten signature in cursive script that reads "Lm Blacwell".

City Clerk

RMB/SJS

CITY OF TAUNTON
MUNICIPAL COUNCIL
FEBRUARY 10, 2015

THE COMMITTEE ON POLICE AND LICENSE

PRESENT WERE: COUNCILOR SHERRY COSTA-HANLON, CHAIRMAN AND COUNCILORS CLEARY AND CROTEAU. ALSO PRESENT WERE POLICE CHIEF EDWARD WALSH AND POLICE CANDIDATES SARA REYNOLDS, WILLIAM ALMEIDA AND MICHAEL BOTELHO

MEETING CALLED TO ORDER AT 4:15 P.M.

1. MEET TO INTERVIEW POLICE CANDIDATES

SARA RAY REYNOLDS WAS INTERVIEWED FIRST. SHE CURRENTLY RESIDES AT 209 ½ SOUTH WALKER STREET IN TAUNTON. SHE IS A LIFE LONG TAUNTON RESIDENT AND HAS ALWAYS WANTED TO BE A POLICE OFFICER. SHE HAS BEEN IN THE UNITED STATES ARMY NATIONAL GUARD SINCE 2007 AND HER END OF SERVICE WILL BE MAY 22, 2015. SHE IS CURRENTLY EMPLOYED AS AN ADMINISTRATIVE ASSISTANT AT HIGHLAND-MARCH OFFICE BUSINESS CENTER IN MANSFIELD AND HAS BEEN THERE SINCE THE BEGINNING OF OCTOBER, 2014. SHE WOULD LIKE TO GO BACK TO SCHOOL. SHE HAS ATTENDED BRIDGEWATER STATE UNIVERSITY AND HAS 51 CREDITS TOWARD A BACHELOR OF SCIENCE DEGREE IN CRIMINAL JUSTICE. SHE IS ARTICULATE, RESPONSIBLE AND DOES NOT ABUSE SICK TIME.

THE SECOND INTERVIEW WAS WITH WILLIAM ALMEIDA. HE RESIDES AT 112 CRANESBILL ROAD IN TAUNTON. HE IS MARRIED. HE GREW UP IN TAUNTON AND HIS FATHER WAS A FALL RIVER POLICE OFFICER. HE WAS ON ACTIVE DUTY WITH THE UNITED STATES MARINE CORP FOR 4 YEARS, THE RESERVES FOR 2 YEARS AND HAS JUST RE-ENLISTED FOR 6 MORE YEARS. HE IS A SERGEANT, E-5. HE CURRENTLY WORKS FOR WALMART IN PLYMOUTH AS AN ASSISTANT STORE MANAGER AND IS RESPONSIBLE FOR ABOUT 40 EMPLOYEES. HE HAS NOT BEEN ENROLLED IN COLLEGE BUT WOULD LIKE TO GO BACK TO SCHOOL. HE DOES NOT ABUSE SICK LEAVE.

THE THIRD INTERVIEW WAS WITH MICHAEL BOTELHO. HE RESIDES AT 139-A SHORES STREET, TAUNTON WITH HIS WIFE AND TWO CHILDREN. HE IS A 2000 GRADUATE OF TAUNTON HIGH SCHOOL AND JOINED THE MARINE CORP IN AUGUST OF 2000. HE OBTAINED AN ARCHITECTURAL ENGINEER DEGREE AT NEW ENGLAND TECHNICAL SCHOOL. HE CURRENTLY WORKS AT PROFESSIONAL ELECTRICAL CONTRACTORS AND HAS BEEN THERE SINCE OCTOBER OF 2014. HE STATED THAT HIS CURRENT EMPLOYER WOULD GIVE HIM A GOOD RECOMMENDATION. IT WAS NOTED THAT HE HAS 7 OR 8 MOTOR VEHICLE ISSUES ON HIS RECORD. HE STATED THAT HE HAS A GOOD WORK ETHIC AND DOES WHAT HE IS TOLD TO DO. HE HAS AN HONORABLE DISCHARGE FROM THE U. S. MARINE CORP. IF HE BECOMES A POLICE OFFICER HE WOULD LIKE TO GO ON TO SCHOOL. HE DOES NOT ABUSE SICK TIME.

THE CHAIRMAN STATED THAT THE COMMITTEE WILL RECOMMEND 2 CANDIDATES FROM THE 5 CANDIDATES INTERVIEWED. IT WAS ALSO STATED THAT THE CHIEF CAN POSSIBLY GET THE CANDIDATES CHOSEN INTO THE ACADEMY IN MAY. THE COMMITTEE WILL MEET NEXT WEEK WITH THE CHIEF TO DISCUSS HIS AND HIS STAFF'S RECOMMENDATIONS.

THE CHIEF DID INFORM THE COMMITTEE THAT HE WILL NEED TO GET ALL THE OTHER REQUIRED TESTING DONE PRIOR TO THE MAY ACADEMY DATE SO THE COMMITTEE AND COUNCIL NEED TO MAKE A DECISION ON THE CANDIDATES NEXT WEEK. HE ALSO STATED THAT HE IS FUNDED FOR 4 OFFICERS IN HIS BUDGET, BUT THE GOAL NOW IS FOR 2, BUT THE COUNCIL CAN HIRE UP TO 4 FROM THIS GROUP.

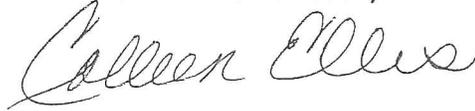
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THE COMMITTEE ON POLICE AND LICENSE – CONTINUED

MEETING ADJOURNED AT 5:59 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

CITY OF TAUNTON
FEB 10 2015
IN MUNICIPAL COUNCIL

REPORTS ACCEPTED RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
FEBRUARY 10, 2015

THE COMMITTEE ON FINANCE AND SALARIES

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

MEETING CALLED TO ORDER AT 6:01 P.M.

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

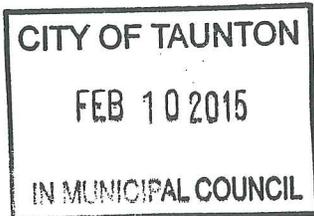
MOTION: MOVE APPROVAL OF THE PAYROLLS AND VOUCHERS FOR THE WEEK. SO
VOTED.

MEETING ADJOURNED AT 6:02 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
FEBRUARY 10, 2015

THE COMMITTEE ON PUBLIC PROPERTY

PRESENT WERE: COUNCILOR DEBORAH CARR, CHAIRMAN AND COUNCILORS QUINN, MARSHALL, POTTIER AND BORGES. ALSO PRESENT WERE WAYNE WALKDEN, BUILDING SUPERINTENDENT, MICHAEL MATTOS OF AFFORDABLE HOUSING AND SERVICES COLLABORATIVE INC. AND COLLEEN DOHERTY OF THE TAUNTON HOUSING AUTHORITY

MEETING CALLED TO ORDER AT 6:15 P.M.

1. MEET TO DISCUSS WALKER SCHOOL RFP.

THE CHAIRMAN NOTED THAT THERE HAD BEEN A LETTER FROM THE CITY SOLICITOR IN THE COUNCIL PACKET ON JANUARY 13 REGARDING THIS MATTER. SHE NOTED THAT THE LAST PARAGRAPH STATES THAT *BASED UPON A TOTALITY OF THE CIRCUMSTANCES, IT IS THE OPINION OF THIS OFFICE THAT THE PROPOSAL OF TAUNTON REVITALIZATION, INC. IS THE MOST ADVANTAGEOUS PROPOSAL. ACCORDINGLY, IT IS THE RECOMMENDATION OF THIS OFFICE THAT THE MUNICIPAL COUNCIL SHOULD AWARD THE CONTRACT TO TAUNTON REVITALIZATION, INC., AND SHOULD AUTHORIZE THE MAYOR TO SIGN A PURCHASE AND SALE AGREEMENT FOR THE SALE OF WALKER SCHOOL WITH TAUNTON REVITALIZATION, INC. IN ACCORDANCE WITH THE TERMS OF ITS PROPOSAL AND THE RFP.*

THE CHAIRMAN STATED THAT SHE WAS GOING TO HAVE MR. MATTOS AND MRS. DOHERTY GIVE AN OVERVIEW OF THEIR PROPOSAL. THERE WERE ONLY 2 RESPONSES TO THE RFP. SHE DID NOTE THAT BOTH RESPONSES WERE VERY CLOSE IN EVALUATION, BUT TAUNTON REVITALIZATION DID COME OUT ON TOP.

MR. MATTOS SAID THAT HE WOULD LET MRS. DOHERTY SPEAK ABOUT TAUNTON REVITALIZATION INC. HIS ORGANIZATION IS AFFORDABLE HOUSING AND SERVICES COLLABORATIVE INC. (AHSC). THIS IS A NON-PROFIT ORGANIZATION THAT HAS BEEN AROUND FOR ALMOST 14 YEARS. THEY WERE FOUNDED IN 2001 BY MEMBERS OF PEABODY PROPERTIES. THEY HAVE 7 BOARD MEMBERS, 2 OF WHICH ARE PEABODY EMPLOYEES AND THE REST ARE MADE UP OF PEOPLE FROM VARIOUS WALKS OF LIFE. THEY HAVE PARTICIPATED IN OVER 20 PROJECTS OF AFFORDABLE HOUSING AND DIFFERENT DEVELOPMENT PROJECTS OVER THE LAST 14 YEARS. THEY HAVE BEEN PRETTY SUCCESSFUL ONES AND A LOT OF THE DIFFERENT PROJECTS ARE MANAGED BY PEABODY PROPERTIES.

HE FURTHER NOTED THAT MRS. DOHERTY, THROUGH THE HOUSING AUTHORITY HAD SET UP A NON-PROFIT WHICH IS TAUNTON REVITALIZATION INC. THIS PROPOSAL IS A JOINT VENTURE PROPOSAL OF THE 2 NON PROFITS – AHSC AND TAUNTON REVITALIZATION INC. THEIR INDUSTRY OF CREATING HOUSING FOR AFFORDABLE HOUSING IS VERY COMPETITIVE IN TERMS OF APPLICATIONS SENT TO THE STATE FOR FUNDING AND THERE IS ONLY SO MANY DOLLARS THAT GO TOWARDS THESE THINGS. SO, TO HAVE 2 ORGANIZATIONS SUBMITTING COMPETING APPLICATIONS JUST DOES NOT MAKE ANY SENSE. YOU GET MORE ACCOMPLISHED WHEN YOU POOL RESOURCES TOGETHER ESPECIALLY NON-PROFIT ORGANIZATIONS.

THIS HOUSING WILL BE AFFORDABLE AT AFFORDABLE RATES. THEY PROPOSE 26 UNITS, APPROXIMATELY, WHICH CONTEMPLATES SOME NEW UNITS OUT IN THE BACK PORTION WHERE THE PARKING IS NOW, AND IN THE HISTORIC BUILDING ITSELF, THEY FIGURE THEY CAN GET ABOUT 16 UNITS, ALL 1 BEDROOM UNITS. THEY ARE THINKING ELDERLY PRIMARILY.

MRS. DOHERTY STATED THAT TAUNTON REVITALIZATION INC. (TRI) CAME TO REVITALIZATION THROUGH THEIR HOPE VI DEVELOPMENT REVITALIZATION PROJECT. ONE OF THE THINGS THAT THE HOUSING AUTHORITY HAD HOPED TO ACCOMPLISH WAS NOT ONLY TO FINISH OUT THEIR HOPE VI DEVELOPMENT

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THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED

BUT ALSO USE THAT AS A LAUNCHING PAD INTO OTHER MIXED HOUSING AND MIXED FINANCED HOUSING. SHE

NOTED THAT THEY HAD COME TO THE REALIZATION THAT STRAIGHT PUBLIC HOUSING DOLLARS ARE REALLY NOT OUT THERE ANYMORE AS THEY WERE MANY YEARS AGO, AND THEY NEED TO BE MORE CREATIVE. IT MAKES MORE SENSE TO HAVE THEM AN AFFILIATE NON-PROFIT WHICH HAS 2 HOUSING AUTHORITY MEMBERS AND 3 COMMUNITY MEMBERS ON THAT BOARD. TAUNTON REVITALIZATION INC. IS A LITTLE BIT NEWER THEN AHSC. THEY WERE DEVELOPED IN 2012, THEY ARE A 501C3 AND DID OBTAIN THAT STATUS FROM THE IRS. THIS PROJECT SITS WITHIN THE MISSION OF TRI. SHE ALSO NOTED THAT THE BUILDING IS A GOOD SIZE, THEY LIKE THE AREA AND THE HOUSING AUTHORITY IN GENERAL DOES NOT HAVE A LOT IN THAT AREA. THAT AREA HAS SOME NICE THINGS TO OFFER.

COUNCILOR QUINN ASKED IF THEY WERE HOPING TO GEAR THIS TOWARD ELDERLY AND VETERANS. MRS. DOHERTY NOTED THAT FOR A LOCAL ELDER TO COME IN AND APPLY, THEY ARE LOOKING AT A 2 YEAR WAIT ON THE LIST. THEY HAVE NO DOUBT THAT THEY HAVE THE POPULATION THERE. SHE ALSO NOTED THAT THEY HAVE WORKED A LOT WITH THE LOCAL VETERANS GROUP AND SHE THINKS THAT THEY WOULD LOVE TO SEE A VETERANS PREFERENCE STAY WITH THIS PROJECT. SHE ALSO NOTED THAT THERE IS NOT A LOT OF PLAY AREA, SO IT IS MORE SUITABLE TO A 1 BEDROOM MIXED. THERE WILL ALSO BE SOME ON SITE SERVICES FOR THE ELDERLY. IT WAS ALSO NOTED THAT SHE THINKS THERE WILL ALSO BE A STRUCTURE FOR THE RENTS.

MR. MATTOS SAID THAT ACHS IS STRATEGICALLY AFFILIATED WITH PEABODY PROPERTIES AND HAVE DONE A LOT OF WORK WITH THEM. THEY HAVE PRIMARILY DONE PROJECTS IN MASSACUSETTS, AND THEY HAVE DONE 1 IN RHODE ISLAND. THEY HAVE PROJECTS IN NEW BEDFORD, BROCKTON, LAWRENCE AND OTHER COMMUNITIES.

COUNCILOR POTTIER ASKED WHAT THE TIMELINE FOR THE PROJECT WOULD BE.

MR. MATTOS SAID THAT THEY HAD PROPOSED 2 ALTERNATIVES IN THE APPLICATION. ONE WAS IF ALL HAD GONE WELL, MEANING THAT THEY HAD BEEN ABLE TO GET THE AWARD IN DECEMBER, THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (DHCD) HAS A PRE-APPLICATION THAT IS DUE NEXT FRIDAY, SO THEY ARE PROBABLY GOING TO MISS THAT ONE. YOU HAVE TO HAVE A COMPETITIVE APPLICATION OTHERWISE THE STATE DOES NOT ACCEPT IT. IN ORDER TO BE COMPETITIVE THEY WOULD HAVE TO GET THE SITE PERMITTED AND THEY WOULD HAVE TO GET FEDERAL AND STATE HISTORIC TAX CREDIT EQUITY. IN ORDER TO BE ELIGIBLE FOR THAT, THEY WOULD HAVE TO APPLY TO MASS. HISTORICAL AND TO NATIONAL PARK SERVICE. THEY DO NOT HAVE ENOUGH TIME BETWEEN NOW AND MARCH TO PUT TOGETHER A COMPETITIVE APPLICATION TO DHCD FOR THEIR NEXT RENTAL ROUND. IN ORDER FOR THEM TO HAVE A COMPETITIVE APPLICATION THEY ARE HOPEFUL THAT THE NEW GOVERNOR'S ADMINISTRATION WILL FOLLOW SUIT WITH OTHER ADMINISTATIONS WHERE THEY HAD 2 CYCLES PER YEAR. THE NEXT APPLICATION WOULD BE AVAILABLE IN SEPTEMBER. THAT WOULD GIVE THEM PLENTY OF TIME TO GET THE SITE PERMITTED, TO SUBMIT THEIR APPLICATION TO MASS HISTORIC AND NATIONAL PARK SERVICE. THEY NEED TO MAKE IT A VERY STRONG, COMPETITIVE APPLICATION AND THEY FEEL THIS WOULD GIVE THEM ENOUGH TIME TO DO THIS. THEY WOULD GET STARTED ON IT THIS SPRING AND SUMMER.

MR. MATTOS SAID THAT AHSC WILL BE FUNDING THE PRE-DEVELOPMENT COSTS OF THE PROJECT SUCH AS ENGINEERING COSTS, ARCHITECTURAL COSTS AND ALL THOSE SORTS OF THINGS THAT IT TAKES TO GET THINGS GOING.

COUNCILOR MARSHALL NOTED THAT THIS PROJECT SEEMS KIND OF SMALL COMPARED TO OTHER PROJECTS THEY HAVE DONE.

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THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED

MR. MATTOS SAID THAT THEY HAVE DONE SMALLER PROJECTS AS WELL. A PROJECT THEY DID IN LAWRENCE WAS 16 UNITS, THEY HAVE DONE A 32 UNIT PROJECT IN BEVERLY. HE ALSO STATED THAT HE THINKS ANYTHING BELOW 16 UNITS DOESN'T BECOME THAT FINANCIALLY FEASIBLE.

COUNCILOR MARSHALL ASKED WHO THE 5 MEMBER BOARD OF THE TRI IS.

THEY ARE ALAN PELLETIER, PATRICK SULLIVAN, ROGER HOFFMAN, ARTHUR LOPES AND JOSEPH BAPTISTE, WHO ARE TAUNTON RESIDENTS. THEY OVERSEE THE NON-PROFIT.

COUNCILOR MARSHALL NOTED THAT IT WAS MENTIONED THAT THE PROJECT IS A COLLABORATION SPLIT BETWEEN TRI AND AHSC. DURING CONSTRUCTION, WHO WILL BE RESPONSIBLE FOR THE CONSTRUCTION PHASE?

MR. MATTOS SAID THAT BOTH NON-PROFITS WILL FORM A SINGLE PURPOSE LLC, A LIMITED LIABILITY COMPANY, THAT WOULD BECOME THE OWNER AND APPLICANT OF ALL THE DIFFERENT RESOURCES THAT IT TAKES TO FUND THIS, AND THEN THAT ENTITY WOULD BE THE ONE TO ENTER INTO A CONTRACT WITH THEIR GENERAL CONTRACTOR.

COUNCILOR MARSHALL ASKED IF THIS WOULD HAVE A BOARD OF DIRECTORS LIKE MOST OF THE OTHERS. THE LLC IS REALLY JUST A SHELL ORGANIZATION FOR LIABILITY PURPOSES TO PROTECT BOTH ORGANIZATIONS BUT AT THE END OF THE DAY THERE WOULD BE A MANAGING MEMBER OF THAT LLC, AND THAT WOULD BE THE ENTITY THAT WOULD SIGN THE CONTRACT. AHSC IS PUTTING UP THE FINANCIAL GUARANTEES SO THEY WOULD LIKE TO BE THE MANAGING MEMBER, HOWEVER TRI WOULD STILL BE A MEMBER OF THAT OWNER ENTITY.

COUNCILOR MARSHALL THEN ASKED, UPON COMPLETION, WHO IS GOING TO MANAGE THE PROJECT?

MR. MATTOS SAID THAT JUST FOR TAX CREDIT COMPLIANCE PURPOSES THE HOUSING AUTHORITY WOULD ENTER INTO A THIRD PARTY CONTRACT WITH PEABODY BECAUSE ANY INVESTOR WHO BUYS THE LOW INCOME HOUSING TAX CREDITS WHICH THEY WOULD BE ABLE TO GET EQUITY FOR WOULD WANT TO SEE A MANAGEMENT COMPANY THAT HAS LOW INCOME TAX CREDIT MANAGEMENT EXPERIENCE. THE HOUSING AUTHORITY DOES NOT HAVE THAT EXPERIENCE CURRENTLY, BUT THROUGH A THIRD PARTY CONTRACT WITH PEABODY THEY WOULD BE ABLE TO GET THAT EXPERIENCE AND THEY WOULD BE ABLE TO SATISFY THEIR TAX CREDIT INVESTORS. THE HOUSING AUTHORITY WOULD BE THE DAY TO DAY PHYSICAL MANAGEMENT COMPANY THAT WOULD MANAGE THE PROPERTY.

MRS. DOHERTY SAID THEY ARE LOOKING FORWARD TO WORKING WITH PEABODY AND LOOK FORWARD TO COLLABORATING WITH PEABODY ON THIS. IT WOULD GIVE THEM AN OPPORTUNITY TO MANAGE A LOW INCOME TAX CREDIT ALONG WITH THEM.

COUNCILOR MARSHALL ASKED WHAT THE FINANCIAL BENEFITS TO THE CITY WILL BE.

MR. MATTOS SAID THE PURCHASE PRICES WAS \$150,000. THEY PUT A 10% DEPOSIT DOWN WHICH IS CURRENTLY BEING HELD IN ESCROW BY THE CITY. EVEN THOUGH AHSC AND TRI ARE BOTH NON-PROFITS AND MAY BE EXEMPT FROM INCOME TAX, THEY ARE NOT EXEMPT FROM REAL ESTATE TAX. SO THE CITY IS GOING TO GET REAL ESTATE TAXES WHERE THE CITY PRESENTLY DOES NOT. THEY ARE PROPOSING TO PURCHASE WHERE THE BUILDING IS AND ALSO WHERE THE PLAYGROUND AREA IS. THIS WILL ALSO GO THROUGH THE SPECIAL PERMIT PROCESS WITH THE CITY.

THE CLOSING DATE WILL DEPEND ON FINANCING. THEY MAY HAVE TO GO INTO THE SECOND ROUND WHICH WOULD BE IN MARCH OF 2016, BUT THEY USUALLY GET FUNDED. THE SOURCE THAT THEY ARE CONTEMPLATING RIGHT NOW IS A LITTLE LESS COMPETITIVE, THERE ARE 2 DIFFERENT KINDS OF TAX CREDITS, AND THEY ARE PROPOSING TO USE THE ROUTE THAT IS A LITTLE LESS COMPETITIVE SO HOPEFULLY THEY WILL NOT RUN INTO THAT LONG OF A TIME PERIOD. WORSE CASE SCENARIO IS THEY DO NOT GET FUNDED UNTIL NEXT MARCH. THEN IT TAKES AT LEAST 2-3 MONTHS TO REVIEW ALL OF THE LOAN DOCUMENTS SO YOU WOULD BE LOOKING AT A JUNE CLOSING. THEY WOULD THEN START

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THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED

CONSTRUCTION IMMEDIATELY FOLLOWING THAT. IT TAKES TIME TO GET THERE, BUT ONCE YOU GET THE AWARD, YOU CAN JUST GO.

COUNCILOR CROTEAU ASKED THAT WHEN A MOTION IS MADE THAT THE MATTER BE SEPARATED, BECAUSE HE IS OPPOSED. HE STATED THAT THERE IS A NEED FOR A SCHOOL ON THAT SIDE OF THE RIVER BECAUSE THERE ARE A LOT OF HOUSES THERE. THERE ARE PLANS FOR WHICH A SIGNIFICANT AMOUNT OF MONEY WAS PAID TO BUILD A NEW SCHOOL THERE. UNFORTUNATELY IT DID NOT HAPPEN. THERE IS NOT A LOT OF AVAILABLE LAND IN THAT PART OF THE CITY. IF THIS PROJECT GOES FORWARD, HE URGED CAUTION FOR USING THE BACK END OF THAT BUILDING BECAUSE WHEN THE ARCHITECT PUT THE PLANS TOGETHER THE PLAN WAS TO TAKE DOWN THE SECTION THAT IS 3 STORIES. THE FRONT SECTION ON THE STREET IS 2 STORIES. THE BACK SECTION WAS RECOMMENDED TO BE TAKEN DOWN BECAUSE IT WAS NOT SUITABLE TO REHAB AS A SCHOOL. IT MAY BE SUITABLE TO REHAB FOR HOUSING.

COUNCILOR POTTIER NOTED THAT THE SCHOOL COMMITTEE AND SCHOOL DEPARTMENT DEEMED THIS AS SURPLUS PROPERTY.

COUNCILOR COSTA-HANLON ASKED THEM TO CONSIDER THE ISSUES WITH PUTTING ELDERLY POPULATION AND YOUNGER PEOPLE IN THE SAME COMPLEX AS IT BECOMES PROBLEMATIC SOMETIMES. SHE WOULD LIKE THEM TO ALSO CONSIDER VETERANS HOUSING.

IT WAS NOTED THAT THIS WILL BE ELDERLY HOUSING WITH A VETERANS PREFERENCE, AND THE NEED FOR AFFORDABLE ELDERLY HOUSING IS HUGE.

MOTION: TO INVITE MR. WALKDEN INTO THE MEETING. SO VOTED.

COUNCILOR MARSHALL ASKED WHY THIS GROUP AND NOT THE OTHER GROUP WAS CHOSEN.

MR. WALKDEN SAID BOTH GROUPS GAVE HIGH QUALITY RESPONSES. THE EVALUATION PROCESS THAT WAS DONE, THE CRITERIA THAT WAS USED CAME UP WITH THE UNANIMOUS DECISION THAT ONE TOPPED THE OTHER SLIGHTLY. THE TIMELINE WAS CLEARLY SPELLED OUT BY MR. MATTOS' GROUP, AND THE OTHER ISSUE WAS THERE WAS A LARGER SUM OF MONEY ON THE TABLE. THEY HAVE HAD GOOD EXPERIENCE WITH BOTH GROUPS.

COUNCILOR MARSHALL ASKED WHAT THE DIFFERENCE IN THE AMOUNT WAS IN THE PROPOSALS.

MR. WALKDEN SAID ONE WAS \$150,000 AND ONE WAS \$125,000.

COUNCILOR MARSHALL ASKED HOW MUCH SHORTER WAS THIS GROUPS TIME FRAME IN ORDER TO DO THE CLOSING?

MR. WALKDEN SAID THE TIMELINE SPELLED OUT BY NEIGHBORHOOD CORPORATION WAS NOT CLEAR AT ALL, IT WAS REALLY OPEN ENDED.

COUNCILOR MARSHALL NOTED THAT THE CLOSING FOR THIS IS PROJECTED FOR 2016, SO OTHER THEN THE 10% DEPOSIT AND THE PRICE DIFFERENCE, THERE WERE NO GUARANTEES. IF THEY DO NOT GET THE FUNDING, THIS GOES AWAY.

COUNCILOR MARSHALL ASKED HOW LONG DOES THE CITY HAVE IN THE CONTRACT THAT IS GOING TO BE SIGNED, THAT IF THEY DON'T PRODUCE CERTAIN MEASURABLES THE CITY CAN END THE CONTRACT AND PUT IT OUT FOR ANOTHER RFP. IS IT OPEN-ENDED? HE DOES NOT WANT THIS. IS THERE ANYTHING IN THERE THAT SAYS THEY ARE GOING TO MAKE A GOOD FAITH EFFORT AND THEY ARE GOING TO GO THROUGH 2 ROUNDS OF FUNDING AND IF THEY DON'T GET IT IT AUTOMATICALLY REVERTS BACK TO THE CITY.

IT WAS NOTED THAT THERE IS NO AGREEMENT OR CONTRACT YET. ALL WE HAVE IS THE PROPOSAL. THE LAW OFFICE IS ASKING TO AWARD THE CONTRACT TO TRI AND AUTHORIZE THE MAYOR TO SIGN A PURCHASE AND SALES AGREEMENT.

COUNCILOR MARSHALL ASKED IF THERE IS LANGUAGE SOMEWHERE THAT IF THIS DOES NOT COME TO FRUITION IN 24 OR 36 MONTHS THE PROJECT IS DEAD.

COUNCILOR CARR NOTED THAT WE ARE STUCK WITH THE BUILDING ANYWAY.

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FEBRUARY 10, 2015

THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED

COUNCILOR MARSHALL SAID HE WOULD LIKE AN ENDING OR PERFORMANCE DATE.
MR. WALKDEN SAID THE PURCHASE AND SALES AGREEMENT WOULD COVER ALL OF THIS.
COUNCILOR MARSHALL SAID HE IS NOT OPPOSED TO THE PROJECT AND THAT IT IS IN THE BEST INTEREST OF THE CITY FOR THIS TO HAPPEN.

COUNCILOR QUINN ASKED IF THE \$15,000 DEPOSIT WAS NON-REFUNDABLE.

MR. MATTOS SAID THAT WHEN THEY SUBMITTED THE DEPOSIT, THEIR ORIGINAL THOUGHT OR INTENTION WAS THAT IT WAS GOING TO GO TOWARDS THE ACQUISITION PRICE. HAVING SAID THAT, HE WOULD IN TURN LEAVE IT UP TO THE CITY TO DECIDE WHETHER OR NOT THEY NEED THIS BECAUSE IT IS GOING TO BE 12-18 MONTHS BEFORE THEY GET THEIR FINANCING AND ARE ABLE TO GO TO CLOSING. SO IN THAT TIME PERIOD, IF SOMETHING HAPPENS AND THE CITY NEEDS TO USE THAT MONEY FOR SOMETHING, HE DOES NOT THINK THEY WOULD BE OPPOSED TO THAT.

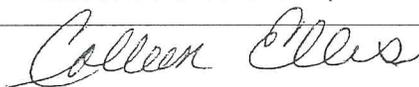
COUNCILOR QUINN SAID THAT IF THEY ARE NOT ABLE TO GET THEIR FINANCING, DOES THE CITY GET TO KEEP THIS \$15,000 OR IS IT EXPECTED TO GO BACK. SHE THEN NOTED THAT THIS WOULD BE IN THE PURCHASE AND SALES AGREEMENT ALSO.

MR. MATTOS SAID THAT IT IS HIS HOPE, THAT IF FOR SOME REASON THEY DO NOT GET FUNDING THE SECOND TIME, HE WOULD HOPE THAT THEY WOULD AT LEAST BE ABLE TO TALK BECAUSE ULTIMATELY THEY WOULD HAVE SO MUCH VESTED INTO THIS AT THAT POINT THAT THEY WOULD NOT WANT TO BAIL ON THIS.

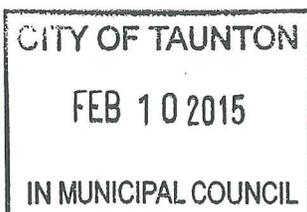
MOTION: TO AWARD THE CONTRACT TO TAUNTON REVITALIZATION INC. AND AUTHORIZE THE MAYOR TO SIGN A PURCHASE AND SALES AGREEMENT FOR THE SALE OF WALKER SCHOOL WITH TAUNTON REVITALIZATION INC. SO VOTED.

MEETING ADJOURNED AT 7:20 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.
COUNCILOR CROTEAU VOTING IN OPPOSITION.

CITY CLERK



CITY OF TAUNTON
MUNICIPAL COUNCIL
FEBRUARY 10, 2015

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS

PRESENT WERE: COUNCILOR ANDREW MARSHALL, CHAIRMAN AND COUNCILORS BORGES, COSTA-HANLON, CLEARY AND MCCAUL. ALSO PRESENT WERE ASSISTANT DPW COMMISSIONER TONY ABREAU, WATER DIVISION SUPERVISOR CATHAL O'BRIEN, TIM LEARY OF COLUMBIA GAS COMPANY, CRAIG FOLEY OF THE TMLP, KEIN HO OF BETA, BILL TRAVERS OF MASS DOT AND LISA SHALAPEDRO OF SRPEDD.

MEETING CALLED TO ORDER AT 7:35 P.M.

MOTION: TO GO OUT OF THE REGULAR ORDER OF BUSINESS AND HEAR ITEM NO. 2 FIRST. SO VOTED.

1. MEET WITH BRIAN GILLIS, FIELD ENGINEER FOR COLUMBIA GAS AND THE DPW COMMISSIONER TO DISCUSS ROADWAY MORATORIUM EXCAVATION FOR WASHINGTON STREET AT AVON STREET

MR. LEARY SAID THAT THEY HAVE AN ADVERSE PIPE AT THE INTERSECTION OF WASHINGTON AND AVON STREETS AND IT IS CURRENTLY UNDER MORATORIUM IN THAT AREA. THEY ARE LOOKING TO REPLACE 90 FEET OF CAST IRON PIPE WITH HIGH DENSITY PLASTIC PIPE.

QUESTIONED WAS WHETHER THE GAS COMPANY WAS MADE AWARE OF THE PAVING OF THIS STREET.

MR. LEARY SAID YES.

QUESTIONED ALSO WAS THE REASON WHY THE GAS COMPANY DID NOT DO THIS WORK PRIOR TO THE PAVING?

MR. LEARY SAID MISTAKES WERE MADE AT THE GAS COMPANY

THE DPW COMMISSIONER HAD SUBMITTED A LETTER REGARDING THIS MATTER IN WHICH HE REQUESTED THE FOLLOWING CONDITIONS AT A MINIMUM, IF THE COLUMBIA GAS WORK IS APPROVED AS PRESENTED:

THE DPW WOULD REQUIRE FINAL ROADWAY MILLING AND PAVING TO BE CURB TO CURB IN THE AREA OF THE TRENCH WORK LIMITS

NEW ADA COMPLIANT HANDICAPPED RAMPS AT THE FOLLOWING SIDEWALKS WOULD BE REQUIRED: WASHINGTON STREET AT AVON STREET = 2 RAMPS, WASHINGTON STREET AT JAMES STREET = 2 RAMPS. ALL TRENCH BACKFILL MATERIAL WOULD BE FLOWABLE FILL.

THE WORK SCHEDULE WOULD BE REQUIRED TO HAVE DAILY DPW APPROVAL BASED ON WEATHER CONDITIONS, AND FROM LATE FEBRUARY UNTIL EARLY MARCH THE DAILY TRENCH PAVEMENT WILL BE 4" TO THE TOP OF THE TRENCH BY THE END OF EACH WORKDAY.

MR. LEARY WAS ASKED IF THE GAS COMPANY AGREES TO THE STIPULATIONS AS OUTLINED IN THE LETTER.

MR. LEARY SAID THAT THEY ARE ABLE TO ALL BUT ONE. THEY HAVE A HARD TIME MEETING THE STIPULATION FOR THE 100% FLOWABLE FILL. THE REASON FOR THIS IS BECAUSE THEY MUST PUT SAND AROUND THE PIPE - 4 INCHES UNDERNEATH AND 6 INCHES ON TOP. IT WOULD BE DIFFICULT TO FLOWABLE FILL IT BECAUSE OF THE LENGTH OF THE TRENCH. HIS SUGGESTION WOULD BE, AND HE HAS GONE OVER ALL THE OTHER STIPULATIONS WITH THE ASSISTANT DPW COMMISSIONER, IS WHETHER THERE IS ANY WAY THAT THEY COULD USE AN ACCEPTABLE GRAVEL. THEIR STANDARDS ARE THAT THEY GET AT LEAST 95% COMPACTION.

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FEBRUARY 10, 2015

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

IT WAS NOTED THAT THE GAS COMPANY TRENCHES HAVE IMPROVED, BUT THEY ARE NOT WHERE THEY NEED TO BE.

MR. ABREAU SAID SINCE THE MOU WAS SIGNED THERE HAS BEEN IMPROVEMENT, BUT THERE IS STILL ROOM FOR IMPROVEMENT. AS FAR AS THE FLOWABLE FILL, HE KNOWS THE COMMISSIONER WAS ASKING FOR IT, SO IS THERE ANY WAY OF DOING THE LATERALS IN FLOWABLE FILL, IF IT IS NOT THE MAIN. MR. LEARY SAID THEY ARE NOT GOING TO HAVE ANY SERVICE LATERALS AS HE DOES NOT BELIEVE THERE ARE ANY. THEY ARE GOING TO BE DOING ABOUT 60 FEET ON WASHINGTON AND PROBABLY ANOTHER 30 FEET ON AVON STREET. HE DOES NOT THINK THEY ARE DOING ANY SERVICE LATERALS, BUT IF THEY DO, THEY WILL DO THEM WITH FLOWABLE FILL.

MR. MARSHALL ASKED WHERE THE TRENCH WILL BE IN RELATION TO THE TRAVEL LANE.

MR. LEARY SAID IT IS GOING TO BE IN THE RIGHT HAND LANE, ABOUT 4 FEET FROM THE CURB, SO IT WILL BE IN THE TRAVEL LANE.

COUNCILOR MARSHALL SAID HE IS MORE INCLINED TO LEAVE THE FLOWABLE FILL IN AS A CONDITION FOR THIS. HE KNOWS IT MAY BE HARD TO DO, BUT FLOWABLE FILL WILL NOT MOVE AND WON'T DROP. GRAVEL WILL DROP.

THE ASSISTANT DPW COMMISSIONER SUGGESTS THE FLOWABLE FILL ALSO.

MR. LEARY NOTED THAT THE FLOWABLE FILL WILL CAUSE A HUGE COST TO THE GAS COMPANY.

MOTION: TO APPROVE THE REQUEST OF THE GAS COMPANY TO DO THE WORK WITHIN THE 5 YEAR MORATORIUM AND TO MEET ALL FOUR CONDITIONS AS SET FORTH IN THE DPW COMMISSIONER'S LETTER DATED 2/3/2015. SO VOTED.

2. MEET WITH CRAIG FOLEY OF THE TMLP, KIEN HO OF BETA GROUP, WILLIAM TRAVERS OF MASS. DEPARTMENT OF TRANSPORTATION, STEPHEN SMITH OF SRPEDD AND THE DPW COMMISSIONER TO DISCUSS HARTS FOUR CORNERS INTERSECTION.

MR. HO REPORTED THAT A 25% PLAN WAS SUBMITTED TO DOT AND WAS REVIEWED. IT ADDRESSES SAFETY AND CAPACITY AT THE INTERSECTION. THERE HAD BEEN SOME TALK ABOUT THERE BEING 2 TRACKS, ONE DESIGN BEING DONE BY MASS. DOT AND ANOTHER SET OF PLANS THAT WERE GOING TO BE LOOKED AT AND FUNDED BY THE WAMPANOAG TRIBE AS PART OF THEIR DEAL. ALL OF THESE PLANS HAVE BEEN COMBINED INTO JUST 1 PLAN THAT EVERYONE HAS AGREED UPON. MR. HO REPORTED THAT THE DESIGN, FOR COUNTY STREET HEADING BOTH WAYS CALLS FOR AN EXCLUSIVE LEFT TURN LANE AND 2 THROUGH LANES. SIMILARLY ON HART STREET, BOTH DIRECTIONS THERE WILL ALSO BE A LEFT TURN LANE, A THROUGH LANE AND A RIGHT TURN LANE. THE INTERSECTION WILL BE FULLY PEDESTRIAN SAFE AND WILL IMPROVE THE CAPACITY AT THE INTERSECTION SIGNIFICANTLY.

IT WAS ALSO NOTED THAT THERE WILL HAVE TO BE LAND TAKINGS TO ACCOMMODATE THE LAYOUT. THERE WILL ALSO BE IMPROVEMENTS TO THE SIDEWALKS IN THE INTERSECTION ALSO.

WHEN THIS NEW DESIGN IS DONE, ALL THE SIGNAL EQUIPMENT WILL BE BRAND NEW. WHEN IT IS COMPLETED AND THE FINAL INSPECTION IS DONE IT WILL BE TURNED OVER TO THE TMLP FOR FUTURE MAINTENANCE. IN THE INTERIM WHILE WE WAIT FOR THIS TO HAPPEN, THE EXISTING TRAFFIC SYSTEM COULD BE FINE TUNED TO MAKE IT A LITTLE BETTER.

MR. TRAVERS FROM DOT STATED THAT RIGHT NOW IT IS AT 25% WHICH IS A PRELIMINARY ENGINEERING CONCEPT. WHEN DOT REVIEWS IT THEY REVIEW IT TO MAKE SURE EVERYTHING WORKS, THAT IT IS IN COMPLIANCE WITH STATE AND FEDERAL STANDARDS. THE DESIGN OVERALL WILL NOT CHANGE ESSENTIALLY FROM WHAT IS SEEN HERE TONIGHT, WITH PERHAPS SOME MINOR MODIFICATIONS. AS THE DESIGN PROGRESS THROUGH THE PROCESS, THE NEXT STEP WILL BE, ONCE DOT HAS AGREED ON THE CONCEPT, TO CONDUCT A DESIGN PUBLIC HEARING. THIS WILL BE OPEN TO THE PUBLIC TO

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

COMMENT AND OFFER SUGGESTIONS. FROM THAT THEY MOVE ON TO THE 75% SUBMISSION WHICH IS A MORE DETAILED SET OF PLANS AND OTHER DETAILED PROJECT DOCUMENTS THAT ARE REQUIRED FOR ADVERTISING FOR CONSTRUCTION. RIGHT NOW, WHERE THEY STAND, THEY STILL HAVE NOT APPROVED TO GO TO A PUBLIC HEARING. THERE ARE SOME ISSUES THAT HAVE TO BE WORKED OUT. THERE IS A DESIGN EXCEPTION IN FRONT OF THEM UNDER THE HEALTHY TRANSPORTATION DIRECTOR FOR BICYCLE AND PEDESTRIAN ACCOMODATIONS, SO HIS BEST GUESS RIGHT NOW IS THAT THEY PROBABLY WON'T GET TO A PUBLIC HEARING UNTIL LATE SPRING, EARLY SUMMER. RIGHT NOW IT IS SCHEDULED TO BE ADVERTISED LATE 2015 WHICH IS WITHIN THE FEDERAL FISCAL YEAR, AROUND NOVEMBER, 2015. HOWEVER, THE FUNDING THAT HAS BEEN IDENTIFIED FOR THIS IS IN FEDERAL FISCAL YEAR 2016, WHICH BEGINS OCTOBER 1 OF THIS YEAR AND RUNS THROUGH SEPTEMBER 30TH 2016, SO SOMEWHERE WITHIN THAT WINDOW.

MR. TRAVERS CONTINUED AND SAID JUST TO SPEAK ON THE FUNDING, THERE HAS BEEN \$1.9 MILLION DEDICATED TO THIS PROJECT. THE CURRENT ESTIMATE IS APPROXIMATELY \$3.5 MILLION, SO THE DIFFERENCE HAS TO BE MADE UP SOMEWHERE.

BASICALLY, YOU ARE LOOKING AT EARLY 2016 FOR ADVERTISING IF EVERYTHING GOES WELL.

MS. SHALAPEDRO INFORMED THE COMMITTEE THAT RIGHT NOW \$1.9 MILLION IS GUARANTEED FROM MASS. DOT IN BOSTON. IN THE NEXT ROUND OF THE TIP PROGRAM THEY MAY INCREASE THIS TO THE \$3.4 MILLION, THEN IT IS COMPLETELY FUNDED. IF THAT DOES NOT HAPPEN AND THEY STILL LEAVE IT AT THE \$1.9 MILLION, THEN THERE ARE SOME OTHER AVENUES SUCH AS FEDERAL HIGHWAY SAFETY, BUT IF NOT, THERE IS SOME TARGETED AREA MONEY THAT SRPEDD AND THEIR MEMBERS CONTROL. THE CITY CAN PETITION THAT GROUP WITHIN SRPEDD FOR THE DIFFERENCE BETWEEN THE \$3.4 MILLION AND THE \$1.9 MILLION.

COUNCILOR COSTA-HANLON ASKED IF THE \$3.4 MILLION INCLUDES THE COST FOR THE LANDTAKINGS. IT WAS NOTED THAT THE CITY WILL BE RESPONSIBLE FOR TAKINGS TO THE NORTH AND MASS. DOT IS RESPONSIBLE FOR LAND TAKINGS TO THE SOUTH OF THE INTERSECTION.

CONSTRUCTION COULD BEGIN ANYTIME BETWEEN LATE 2016 OR EARLY 2017 IF ALL GOES WELL.

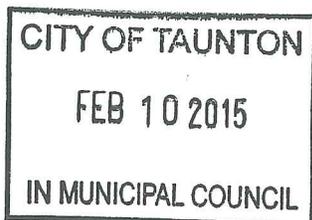
MOTION; TO ASK THE CITY ENGINEER TO WORK IN CONJUNCTION WITH MR. HO OF BETA, OUR TRAFFIC CONSULTANT, TO INCORPORATE THE RECOMMENDATIONS FROM THE TRAFFIC SAFETY AUDIT OF HARTS FOUR CORNERS AND THE INTERIM IMPROVEMENTS AND TO START THE PERMIT PROCESS SO THAT THE PROPOSED CHANGES CAN BE IMPLEMENTED. SO VOTED.

MEETING ADJOURNED AT 8:25 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
FEBRUARY 10, 2015

THE COMMITTEE OF THE COUNCIL AS A WHOLE

PRESENT WERE: COUNCIL PRESIDENT ESTELE BORGES AND COUNCILORS CARR, QUINN, MCCAUL, POTTIER, CROTEAU, COSTA-HANLON, MARSHALL AND CLEARY. ALSO PRESENT WERE MAYOR THOMAS HOYE, CITY SOLICITOR JASON BUFFINGTON, ADAM YOUNOLIS AND MR. MURPHY

MEETING CALLED TO ORDER AT 8:30 P.M.

1. MEET TO DISCUSS LANDFILL EXPANSION

THE MAYOR INFORMED THE COMMITTEE THAT THERE HAVE BEEN SOME EARLY DISCUSSIONS WITH WASTE MANAGEMENT. WHAT HE IS ASKING FOR THIS EVENING IS A MOTION FROM THE COUNCIL TO FORMALLY CONTINUE THOSE NEGOTIATIONS, SO THAT THEY MAY LOOK AT THE POSSIBILITY OF AN EXPANSION AT THE EAST BRITANNIA STREET LANDFILL.

HE FURTHER STATED THAT IT IS CERTAINLY IN THE CITY'S BEST INTEREST TO DO THIS. IT IS FORTUNATE THAT THE CITY HAS A LANDFILL WITHIN ITS BORDERS. IT IS STILL VIABLE. IT COULD POTENTIALLY BE VIABLE FOR THE NEXT 10 YEARS IF IT IS MANAGED CORRECTLY AND IF RECYCLING CONTINUES TO IMPROVE.

THE MAYOR ALSO SAID THAT WE ARE FORTUNATE IN THAT THE CURRENT CONTRACT PAYS THE CITY AN 18 % ROYALTY WHICH LAST YEAR WAS ABOUT \$830,000. HE DID NOTE THAT THIS NUMBER IS DOWN FROM WHERE IT WAS PROBABLY 6 OR 7 YEARS AGO. AT ONE POINT, THE CITY USED TO REAP ABOUT \$1.2 \$1.3 MILLION A YEAR. WITH THE RECESSION AND THE WAY THE ECONOMY HAS GONE, THAT NUMBER HAS DWINDLED. IT HAS GONE AS LOW AS \$670,000. AS THE ECONOMY IMPROVED, THE AMOUNT OF WASTE TAKEN IN AT THE LANDFILL HAS ALSO IMPROVED. ALSO, OUR RECYCLING RATES HAVE GONE UP. THE CITY'S COLLECTION COSTS ARE ABOUT \$1.4 MILLION A YEAR.

THE MAYOR FURTHER NOTED THAT IF THE LANDFILL WERE TO CLOSE TOMORROW AND THE CITY CONTINUED TO PICK UP TRASH AS WE DO NOW, BAG FEES WOULD GO UP TO OVER \$4.00 A BAG OR ALMOST \$5.00 A BAG. A FAMILY USING 2 BAGS PER WEEK WOULD COST THEM ABOUT \$520.00 A YEAR. HE DOES NOT WANT TO SEE THIS HAPPEN. HE FEELS THAT IT IS WISE THAT THE CITY AT LEAST ENTER INTO NEGOTIATIONS WITH WASTE MANAGEMENT AND HE IS ASKING FOR THAT SUPPORT HERE TONIGHT.

THE MAYOR SAID THAT THEY WANT TO TAKE A CLOSER LOOK AT THE EXISTING CONTRACT. THEY HAVE BROUGHT IN TIGHE AND BOND TO REVIEW THE CONTRACT AND ADAM YOUNOLIS AND DAVID MURPHY ARE HERE TONIGHT IF THE COUNCIL HAS ANY QUESTIONS, WITHOUT GIVING UP TOO MUCH DETAIL. THE MAYOR FURTHER STATED THAT THEY HAVE FOUND OUT THAT WE HAVE A DECENT DEAL, BUT ONE THAT THE CITY COULD IMPROVE UPON, AND THEY ARE GOING TO DO THAT THROUGH THE NEGOTIATIONS. THE TIME IS NOW AND WE CANNOT KEEP PUTTING THIS OFF. THE EXPANSION WILL SAVE THE TAXPAYERS MONEY AND GIVE US MORE TIME, AND RIGHT NOW THAT IS ALL WE CAN ASK FOR. THIS IS THE BEST DEAL FOR THE TAXPAYERS, AND THAT IS THE MAYOR'S ONLY INTEREST IN RAISING THE HEIGHT OF THE LANDFILL. HE FURTHER STATED THAT THE FACT IS THAT THE LANDFILL IS THERE, IT HAS BEEN FOR A NUMBER OF YEARS, AND HE DOES NOT THINK ANOUTHER 4, 5 OR 10 YEARS IS GOING TO CHANGE THE CHARACTERISTIC OF THE NEIGHBORHOOD AT ALL. HE FEELS THAT IT IS THE CITY'S JOB TO KEEP IT OPEN AND VIABLE AS LONG AS WE CAN.

HE AGAIN NOTED THAT THERE ARE SOME THINGS THAT COULD BE LOOKED AT IN THE CONTRACT THAT COULD PROLONG THE LIFE OF THE LANDFILL.

HE ASKED THAT THE COUNCIL SUPPORT A MOTION THIS EVENING TO ALLOW THE MAYOR'S OFFICE ALONG WITH THE CITY SOLICITOR'S OFFICE TO ENTER INTO FORMAL NEGOTIATIONS WITH WASTE

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FEBRUARY 10, 2015

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

MANAGEMENT AND SEEKING TO INCREASE THE HEIGHT OF THE LANDFILL OR VERTICAL EXPANSION OF THE CURRENT LANDFILL.

COUNCILOR POTTIER STATED THAT IT IS HIS UNDERSTANDING THAT IF WE WEREN'T TO GO UP, WASTE MANAGEMENT WOULD HAVE TO START PURSUING AN AVENUE OF CAPPING WHICH WOULD INCUR SOME REAL COSTS, THAT IF WE LATER ON DECIDE TO GO UP THERE WOULD BASICALLY BE SOME COSTS ON WASTE MANagements PART AND THAT COULD ADVERSELY EFFECT THE POSITION WE WOULD BE IN IN SO FAR AS THOSE NEGOTIATIONS, BECAUSE HE IS SURE THEY WOULD WANT TO RECOUP THOSE COSTS. THIS WOULD BE ANOTHER REASON TO SUPPORT THE MAYOR'S REQUESTS. HE ALSO NOTED THAT MR. YOUNOLIS PROVIDED A NUMBER OF POINTS TO THE COUNCIL, BUT THE \$1.87 MILLION OR ALMOST \$2 MILLION A YEAR WOULD HAVE TO BE RECOUPED SOMEHOW.E. IF IT WEREN'T TO COME FROM A BAG FEE, THEN WE ARE TALKING MAYBE A \$400 A YEAR ADDED COST TO THE RESIDENTS OR AS THE MAYOR MENTIONED, THE BAGS GOING UP TO ALMOST \$5.00 A BAG. HE WILL BE PREPARED TO MAKE A MOTION WHEN THE TIME COMES.

THE MAYOR STATED THAT WASTE MANAGEMENT NEEDS A DECISION EITHER WAY. IF THE CITY DOES NOT TAKE ADVANTAGE OF THIS AVENUE THAT IS AVAILABLE, THEY WOULD HAVE TO CLOSE AND CAP THE LANDFILL.

COUNCILOR CROTEAU SAID THAT HE HAD SOME NUMBERS FROM THE BOARD OF HEALTH 2 YEARS AGO AND BASED ON THOSE NUJBERS THE AUTHORIZED HEIGHT IS 220 FEET. AT THAT TIME, ACCORDING TO THE BOARD OF HEALTH NUMBERS, IT WAS 194 FEET. WE HAD 26 FEET TO GROW. HE HAD ASKED HOW MUCH IT HAD GROWN IN THE PREVIOUS 5 YEARS – 2008 TO 2013 – IT GREW ABOUT 16 FEET. SO IF IN 5 YEARS IT GREW 16 FEET, AND IT HAS 26 FEET TO GO, THEN FROM 2013 ON, WE CAN LOOK AT 6-8 FEET, SO IT STILL HAS SEVERAL YEARS OF GROWTH. HE WOULD LIKE CLARIFIED BY MR. YOUNOLIS AND MR. MURPHY, IS WHEN HE HAD A PREVIOUS DISCUSSION WITH MR. GREGORY OF WE CARE, HE INDICATED THAT WASTE MANAGEMENT WAS ON THE HOOK TO CAP AT \$4.5 MILLION.

COUNCILOR CLEARY STATED THAT HE THOUGHT THERE WAS LEGISLATION ON THE BOOKS THAT REQUIRES WASTE MANAGEMENT TO CAP THE LANDFILL PERIOD, WHATEVER IT COSTS. HE DOES AGREE THAT WE SHOULD MAKE A DECISION ON WHAT THE CITY IS GOING TO DO NOW.

HOWEVER, THERE ARE ITEMS IN THE CURRENT CONTRACT THAT ARE NOT FAVORABLE TO THE CITY AND IN ANY NEGOTIATIONS, YOU LOOK AT ALL THE ISSUES, AND MAKE DECISIONS AS TO WHICH ONES TO HOLD AND OTHERS THAT CAN BE BARGAINED. THERE IS ALSO CONCERNS THAT WASTE MANAGEMENT WILL TAKE IN A LOT OF TRASH FROM OUTSIDE THE CITY AND THE LANDFILL WILL NOT LAST AS LONG. SO IF THE CONTRACT IS NEGOTIATED AND SOME ITEMS IN THE CONTRACT BECOME MORE FAVORABLE TO THE CITY THE LANDFILL COULD LAST 15-20 YEARS.

COUNCILOR CLEARY WOULD LIKE TO HAVE A NEGOTIATED CONTRACT THAT IS MUCH MORE FAVORABLE TO THE CITY.

MOTION: TO INVITE MR. YOUNOLIS AND MR. MURPHY INTO THE MEETING. SO VOTED.

COUNCILOR CLEARY ASKED FOR A CLARIFICATION. HE STATED THAT WE ARE HERE TO AUTHORIZE THE MAYOR'S OFFICE AND THE CONSULTANTS TO NEGOTIATE A NEW CONTRACT WITH WASTE MANAGEMENT AND IF ANY ONE OF THE COUNCILORS HAS SOME CONCERNS ABOUT THE CURRENT CONTRACT THEN THEY SHOULD GET THAT INFORMATION TO THE MAYOR AND THE CONSULTANTS SO THEY CAN NEGOTIATE. SO THE COMMITTEE'S ONLY CONCERN THIS EVENING IS NOT NECESSARILY THE HEIGHT OF THE LANDFILL, IT IS TO ALLOW THEM TO NEGOTIATE AND THEN THEY WILL COME BACK, AS HE UNDERSTANDS IT, AND INFORM THE COUNCIL OF THE BENEFITS TO THE CITY TO BE INCLUDED IN THE CONTRACT. THIS IS NOT A LONG DISCUSSION ON THE LANDFILL, IT IS DO WE WANT THESE PEOPLE TO NEGOTIATE WITH WASTE MANAEMENT.

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FEBRUARY 10, 2015

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

COUNCILOR COSTA-HANLON NOTED THAT THAT THIS IS NOT A VOTE FOR OR AGAINST THE 40 FOOT EXPANSION, IT IS TO CONTINUE NEGOTIATIONS. THERE HAS BEEN A LOT OF RESEARCH DONE BY THE MAYOR'S OFFICE AND THIS HAS BEEN DISCUSSED A LONG TIME. THE ULTIMATE DECISION IS NOT GOING TO BE MADE TONIGHT, IT IS SIMPLY OPENING THE DOOR TO ALLOW THE CITY TO NEGOTIATE AND MOVE FORWARD.

COUNCILOR CROTEAU STATED THAT YOU NEED TO BE CAREFUL AS TO THE WORDING OF THE MOTION. HE WOULD LIKE A MOTION RECOMMENDATION FROM THE CITY SOLICITOR BASED ON CONVERSATIONS HAD WITH MR. YOUNOLIS AND THE CITY SOLICITOR.

COUNCILOR POTTIER MADE THE FOLLOWING MOTION:

MOTION: APPROVE EXPANSION OF THE TAUNTON MUNICIPAL LANDFILL UP TO 40 FEET IN HEIGHT CONTINGENT UPON A NEW AGREEMENT BETWEEN THE CITY AND WASTE MANAGEMENT AND TO REFER TO THE MAYOR'S OFFICE AND THE LAW DEPARTMENT TO ENTER INTO ACTIVE NEGOTIATIONS WITH WASTE MANAGEMENT AND TO BRING A REVISED CONTRACT BACK TO THE COUNCIL FOR ITS CONSIDERATION.

COUNCILOR POTTIER SAID THAT HE HAS EVERY CONFIDENCE IN THE ADMINISTRATION TO DRAFT SUCH AN AGREEMENT. THERE ARE SOME ITEMS THAT MR. YOUNOLIS HAD POINTED OUT THAT THE CITY MAY BE ABLE TO NEGOTIATE IN ITS FAVOR. THIS IS A PRETTY GOOD DEAL FOR THE CITY. A REAL COST THAT WE DO HAVE IS A \$2 MILLION HIT TO THE RESIDENTS OF TAUNTON SO HE WOULD LIKE TO SEE THE CITY MOVE FORWARD AND ACTIVELY ENTER INTO THESE NEGOTIATIONS WITH THE MAYOR'S OFFICE AND GIVE THEM THE GO AHEAD THAT WE BE AMENABLE TO A 40 FEET HEIGHT EXPANSION PROVIDED THAT THE CONTRACT COMES BACK AND IS SOMETHING THAT THE COUNCIL CAN WORK WITH.

COUNCILOR CROTEAU SECONDED THE MOTION AND ON DISCUSSION STATED THAT THE CONVERSATIONS HE HAD WITH MR. YOUNOLIS, THE CITY SOLICITOR AND THE MAYOR ARE SOMEWHAT DIFFERENT. HE THINKS THE MOTION LEAVES THE ISSUE OPEN TO INTERPRETATION. WHAT CAUSES LEGAL PROBLEMS AND GRIEVANCES AND ARBITRATION IS LANGUAGE. HE THINKS THAT THE DISCUSSIONS HE HAS HAD WITH THESE PEOPLE TIGHTENED THAT MOTION UP A LITTLE. ALSO, MR. CLEARY WAS MAKING REFERENCE TO THE FACT THAT THE ISSUE THIS EVENING IS TO AUTHORIZE NEGOTIATIONS SOLELY, AND THAT THE COUNCIL IS WILLING TO AT LEAST ALLOW THE MAYOR AND CITY SOLICITOR TO PUT THE ISSUE OF HEIGHT EXTENSION ON THE TABLE. THAT IS IT. HE WILL NOT VOTE TO AUTHORIZE THE EXTENSION OF THE LANDFILL BY 40 FEET THIS EVENING.

COUNCILOR MARSHALL SAID THAT HIS ONLY CONCERN IS THE WORDING OF THE MOTION. HE HAS NO PROBLEM WITH THE MOTION EXCEPT FOR ONE WORD – AND THAT IS “APPROVE”. HE IS PHILOSOPHICALLY IN FAVOR OF THE LANDFILL EXPANSION AND IT IS IN THE BEST INTEREST OF THE CITY OF TAUNTON FOR ITS LONG TERM FINANCIAL STABILITY. HOWEVER, HE IS NOT READY TONIGHT TO MAKE AN APPROVAL WITHOUT SEEING ANY OF THE DETAILS OF A CONTRACT, WHAT THE CITY IS GOING TO RECEIVE IN RETURN FOR THE EXPANSION.. HIS OTHER CONCERN IS WHY WOULD ANYONE COME TO THE TABLE TO NEGOTIATE IF THERE IS NOTHING TO BE GAINED, IF IT HAS ALREADY BEEN APPROVED. THE MOTION WAS TO AUTHORIZE AND APPROVE THE 40 FOOT EXPANSION AND AUTHORIZE THE MAYOR TO ENTER INTO NEGOTIATIONS WITH WASTE MANAGEMENT, BUT TO HIM THAT MEANS THE EXPANSION IS GOING TO HAPPEN NO MATTER WHAT WE END UP NEGOTIATING. HE WOULD LIKE TO SEE WHAT THE RETURN FOR OUR INVESTMENT WOULD BE BEFORE HE CAN AUTHORIZE THE EXPANSION. COUNCILOR QUINN SAID THAT SHE AGREES, WE DO NOT WANT TO APPROVE IT NOW. FOR ALL HERE THIS WOULD NOT BE WHAT WOULD BE CHOSEN IF THEY HAD ANOTHER ALTERNATIVE. SHE THINKS

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THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

IT HAS BEEN MADE CLEAR THAT THIS IS THE ONLY ALTERNATIVE WE HAVE AT THIS POINT. SHE THINKS MAYBE IF THE LANGUAGE SAYS THAT WE AUTHORIZE THEM TO MOVE FORWARD TO EXPAND IT UP TO 40 FEET AT THEIR DISCRETION SHE HAS FULL FAITH AND CONFIDENCE IN THE MAYOR AND THE LAW DEPARTMENT THAT THEY WILL NEGOTIATE WITH THE PROFESSIONAL OPINIONS OF MR. YOUNOLIS TO GET THE BEST DEAL FOR THE CITY. THIS MAY BE OUR ALTERNATIVE BUT IT IS NOT SOMETHING WE HAVE TO DO. WE GIVE THE MAYOR AND THE LAW DEPARTMENT THE AUTHORIZATION TO NEGOTIATE THIS UNDER TERMS THAT WOULD BE ACCEPTABLE TO THE COUNCIL.

COUNCILOR MARSHALL SAID WHAT WAS SAID WAS TO *APPROVE A 40 FOOT EXPANSION AND NEGOTIATIONS WITH WASTE MANAGEMENT.*"

THE CITY SOLICITOR SAID THAT HE THOUGHT HE HEARD COUNCILOR POTTIER USE THE WORDS "CONTINGENT UPON" SO TO HIM, WHAT HE UNDERSTOOD THE MOTION TO SAY WAS BASICALLY THEY WOULD APPROVE AN EXPANSION OF 40 FEET BUT IT WAS CONTINGENT UPON IF THERE WAS A CONTRACT NEGOTIATED THAT WAS ACCEPTABLE TO THE COUNCIL TO DELINEATE THE TERMS OF THE EXPANSION AND THAT IT WAS REFERRED TO THE MAYORS OFFICE AND THE LAW DEPARTMENT TO CONDUCT THOSE NEGOTIATIONS AND COME BACK TO THE COUNCIL. IF IT WAS ACCEPTABLE TO THE COUNCIL, BASICALLY 2 THINGS WOULD HAPPEN: IT WOULD BE EXPANDED BY 40 FEET AND THERE WOULD BE A NEW CONTRACT. THAT IS WHAT HE UNDERSTOOD THE MOTION STATED.

COUNCILOR MARSHALL THEN CLARIFIED THAT WHAT THE CITY SOLICITOR IS SAYING IS THAT IT WOULD REQUIRE A VOTE TONIGHT AND IT WOULD REQUIRE A VOTE AFTER A NEGOTIATED CONTRACT IS BACK BEFORE THE CITY COUNCIL FOR RATIFICATION BEFORE THE EXPANSION CAN TAKE PLACE.

THE CITY SOLICITOR ASKED FOR CLARIFICATION, BUT HE THOUGHT HE HEARD COUNCILOR POTTIER SAY *CONTINGENT UPON* WHICH TO HIM MEANS ONLY IF YOU DO THIS OTHER THING WHICH IS THE CONTRACT.

COUNCILOR MARSHALL IS FINE WITH THIS, HE JUST DOES NOT WANT THIS TO BE THE FINAL DECISION.

COUNCILOR POTTIER SAID THAT WHAT HE DID READ WAS *CONTINGENT UPON*.

THE MOTION WAS REPEATED, AND WAS AS FOLLOWS:

MOTION: APPROVE EXPANSION OF 40 FEET IN HEIGHT CONTINGENT UPON A NEW AGREEMENT BETWEEN THE CITY AND WASTE MANAGEMENT, AND ALSO TO REFER TO THE MAYOR'S OFFICE AND THE LAW DEPARTMENT TO ENTER INTO ACTIVE NEGOTIATIONS WITH WASTE MANAGEMENT AND TO BRING A REVISED CONTRACT BACK TO THE COUNCIL FOR ITS CONSIDERATION AND APPROVAL.

COUNCILOR CROTEAU SAID THERE IS A SHADE OF DIFFERENCE AND HE WOULD SUPPORT THE MOTION IF THE WORD *APPROVE* COMES OUT AND THE WORD *AUTHORIZE* IS INSERTED. HE FURTHER STATED *AUTHORIZE THE MAYOR AND THE CITY SOLICITOR TO ENTER INTO NEGOTIATIONS FOR THE CONSIDERATION OF RAISING*" OR SOMETHING TO THAT EFFECT. HE IS ASKING FOR A RECOMMENDATION FROM THE CITY SOLICITOR. HE WILL NOT VOTE TO AUTHORIZE A 40 FOOT EXPANSION THIS EVENING. HE WILL VOTE TO AUTHORIZE THE MAYOR AND CITY SOLICITOR TO NEGOTIATE.

COUNCILOR CARR STATED THAT SHE IS NOT INCLINED TO VOTE FOR A MOTION THAT SAYS APPROVAL OF THE EXPANSION. SHE SAID IT SEEMS TO MUDDY THE WATERS A LITTLE BIT. SHE DOES NOT SEE WHY THE COUNCIL CANNOT JUST VOTE TO GIVE THE MAYOR PERMISSION TO GO AHEAD AND NEGOTIATE A CONTRACT AND THEN IN THAT CONTRACT THEY CAN SAY FOR THIS, THIS, THIS AND THIS WE WILL GIVE A 40 FOOT EXPANSION. SHE DOES NOT UNDERSTAND WHY IT HAS TO BE IN THE MOTION. SHE WOULDN'T VOTE FOR THIS TONIGHT EITHER. SHE HATES TO SEE THE LANDFILL EXPANDED ESPECIALLY FOR THE NEIGHBORHOOD AROUND THERE, BUT SHE DOES NOT THINK WE HAVE A CHOICE, SO IF WE CAN GET A

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GOOD DEAL SHE WOULD BE INCLINED TO VOTE FOR IT, BUT SHE IS NOT INCLINED TO VOTE FOR ANY MOTION THAT SAYS THE COUNCIL IS APPROVING IT NOW.

COUNCILOR QUINN ASKED IF COUNCILOR POTTIER WAS CHANGING THE WORD APPROVE TO AUTHORIZE IN THE MOTION.

COUNCILOR POTTIER SAID YES.

COUNCILOR CROTEAU AGAIN SAID THAT HE IS ASKING FOR THE CITY SOLICITOR TO GIVE THE COMMITTEE THE ESSENCE OF THE MOTION, THE WORDING OF THE MOTION, BECAUSE YOU ARE JUST CHANGING THE WORD APPROVE TO AUTHORIZE WITHOUT CHANGING THE REST OF THE WORDING.

THE MOTION WAS CLARIFIED TO READ AS FOLLOWS:

MOTION: TO AUTHORIZE THE EXPANSION OF THE TAUNTON MUNICIPAL LANDFILL UP TO 40 FEET IN HEIGHT CONTINGENT UPON A NEW AGREEMENT BETWEEN THE CITY AND WASTE MANAGEMENT AND ALSO TO REFER TO THE MAYOR'S OFFICE AND THE LAW DEPARTMENT TO ENTER INTO ACTIVE NEGOTIATIONS WITH WASTE MANAGEMENT AND TO BRING A REVISED CONTRACT BACK TO THE COUNCIL FOR ITS CONSIDERATION AND APPROVAL.

COUNCILOR CROTEAU SAID THAT IS NOT THE MOTION HE IS GOING TO VOTE FOR.

COUNCILOR POTTIER NOTED THAT IT IS THE MOTION COUNCILOR CROTEAU SECONDED.

COUNCILOR CROTEAU SAID THAT HE SECONDED IT FOR DISCUSSION ONLY.

THE MOTION WAS PRESSED.

COUNCILOR CLEARY STATED THAT HE IS LOOKING TO AUTHORIZE THE CITY SOLICITOR AND THE MAYOR'S OFFICE, AND OUR CONSULTANTS TO NEGOTIATE WITH WASTE MANAGEMENT ABOUT THE EXPANSION OF THE LANDFILL. THAT IS ALL. THEY ARE AUTHORIZED TO NEGOTIATE ON THE EXPANSION OF THE LANDFILL. THAT IS ALL HE IS LOOKING FOR. IT IS UP TO THEM TO DO THE NEGOTIATING AND PART OF THE NEGOTIATIONS WILL BE THE EXPANSION OF THE LANDFILL.

COUNCILOR MARSHALL CLARIFIED THAT NOTHING HAPPENS AT THE LANDFILL UNTIL A SUCCESSFULLY NEGOTIATED CONTRACT COMES BACK TO THIS COUNCIL AND IS RATIFIED BY MAJORITY VOTE.

THE CITY SOLICITOR STATED THAT IS WHERE THE KEY TERM CONTINGENT UPON COMES IN. CERTAINLY HE WOULD LEAVE IT UP TO THE COUNCIL TO DETERMINE WHAT THE MOTION SHOULD OR SHOULD NOT BE, BUT THEY ARE INTERESTED IN SITTING DOWN WITH WASTE MANAGEMENT AND NEGOTIATING THE BEST POSSIBLE DEAL THEY CAN FOR THE CITIZENS OF THIS CITY TO BRING IT BACK TO THE COUNCIL FOR A VOTE UP OR DOWN.

COUNCILOR CROTEAU SAID THE WAY COUNCILOR CLEARY JUST EXPRESSED IT IS WHAT HE IS TRYING TO SAY. IT IS CLEARER, IT DOES NOT COMMIT THE COUNCIL TO ANYTHING, IT SIMPLY SAYS GO AHEAD AND NEGOTIATE AND BRING IT BACK TO THE COUNCIL.

THE MOTION WAS VOTED ON WITH COUNCILORS QUINN, POTTIER, MARSHALL AND BORGES VOTING IN FAVOR. COUNCILORS CARR, MCCAUL, COSTA-HANLON, CROTEAU AND CLEARY VOTING IN OPPOSITION. MOTION DOES NOT CARRY.

COUNCILOR CLEARY MADE THE FOLLOWING MOTION:

MOTION: TO AUTHORIZE THE CITY SOLICITOR AND MAYOR'S OFFICE TO WORK WITH CONSULTANTS TO NEGOTIATE WITH WASTE MANAGEMENT ON THE POSSIBLE EXPANSION OF THE LANDFILL IN RETURN FOR BENEFITS TO THE CITY, AND BRING THE CONTRACT BACK TO THE COUNCIL FOR APPROVAL.

MOTION CARRIES WITH ALL IN FAVOR. SO VOTED.

COUNCILOR MARSHALL ASKED THAT THE CONSULTANTS LOOK INTO, WHEN THEY START NEGOTIATING THE CONTRACT, HE WOULD LIKE TO SEE A SIGNIFICANT RE-USE PLAN FOR THE EXISTING LANDFILL,

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WHETHER IT BE GREEN TECHNOLOGIES, WIND, SOLAR, SOME TYPE OF RECREATION, WHAT IS IT GOING TO LOOK LIKE FOR THE REMAINDER OF ITS LIFE. AFTER IT IS CAPPED, AND NOT JUST A GRASS MOUND IN THAT AREA.

COUNCILOR CROTEAU THEN MADE THIE FOLLOWING MOTION:

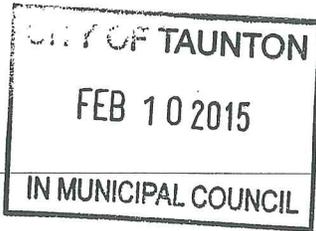
MOTION: THAT THE CONSULTANTS LOOK INTO WHEN NEGOTIATIONS ARE STARTED A SIGNIFICANT RE-USE PLAN FOR THE EXISTING LANDFILL. SO VOTED.

COUNCILOR CROTEAU THEN STATED THAT HE WOULD LIKE TIGHE AND BOND ALSO TO LOOK AT SLUDGE. COUNCILOR CLEARY STATED THAT WE HAVE NEGOTIATED WITH WE CARE TO TAKE CARE OF SLUDGE. HIS UNDERSTANDING IS THERE ARE 2 PROPOSALS, ONE FOR THE WATER SLUDGE AND ONE FOR THE SEWERAGE SLUDGE, AND TO THE BEST OF HIS KNOWLEDGE, WE ARE GOING TO HOLD WE CARE TO DEAL WITH THAT.

COUNCILOR CROTEAU WOULD LIKE TIGHE AND BOND TO INCLUDE IT IN THEIR ANALYSIS BECAUSE RIGHT NOW THERE IS SLUDGE GOING FROM MOZZONE BOULEVARD, A PRIVATE COMPANY, TO FITCHBURG AND FITCHBURGH IS GETTING \$140,000.00 BECAUSE WASTE MANAGEMENT WON'T LET THAT SLUDGE FROM MOZZONE BOULEVARD FROM A PRIVATE CONCERN GO TO OUR LANDFILL. NOW MAYBE WE DON'T WANT IT, HE DOES NOT KNOW..

COUNCILOR CROTEAU WOULD LIKE AN ANALYSIS OF THE SLUDGE FROM THE CONSULTANTS.

MEETING ADJOURNED AT 9:15 P.M.



RESPECTFULLY SUBMITTED,

Colleen Ellis

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

Rm Ble
CITY CLERK