



*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, February 18, 2014 at 8:52 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, Quinn, McCaul, Pottier
Croteau, Costa-Hanlon, Marshall, and Cleary
Council Carr was absent.*

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

Communication from the Mayor:

The Mayor thanked the Municipal Council, Department Heads and residents who attended the community forum on heroin abuse last evening. It was a very worthwhile and informative session. He stated that he has another meeting this week with Chief Walsh to discuss the next steps for this problem. Top priority is increased enforcement and giving people the opportunity to access resources. It was a fantastic meeting and a tribute to the residents who told their own heartfelt stories of their families. Any suggestions moving forward would be appreciated both from the Council and also from the community at large. It is important that everyone is working together on this issue that is not only affecting Taunton, but affecting Southeastern Massachusetts and the east coast. The Mayor stated that some individuals have asked why he scheduled a meeting like this because it highlights a negative issue in the community. But the way he looks at it, is that there are a lot of positive things going on in the community and it is the City's job to deal with issues that are not so great.

Communications:

Com. from City Solicitor– Purchase of land located at 56 Taunton Green, Taunton. The parcel of land is located on the corner of Taunton Green and Weir Street. The closing date is scheduled for March 7, 2014 and at this time he is requesting the Council's approval on the following: An official vote to acquire the parcel for general municipal purposes in accordance with the terms of the agreement; an appropriation of \$199,000.00 to effectuate the acquisition and associated costs; and a transfer of \$199,000.00 from Stabilization to the Law Department. **Motion was made to approve. Councilor Cleary asked if there was any money owed to the City by the company. Solicitor Buffington informed that the money owed to the City is incorporated in the price and is referenced in item 4-Title Deed, Section (d). Councilor Cleary asked about the 10% brokerage fee. Solicitor Buffington stated that it is not coming out of the City's pocket and that back taxes will be paid once the purchase price is received. The**

Mayor stated that his office fully supports this transaction. Councilor Pottier stated that this has been attractive land and marketed before. The City has received appraisals and or at least professional opinions as far as the price. The Mayor's Office and Law Department has been diligent on this property. So Voted. Councilor Marshall stated that the Mayor's Office has fast-tracked this piece of property because there is a greater good that the City would like to take to finally fix the intersection. The BETA Group has been working on designing a new traffic plan and sidewalk plan and the goal was to wrap this in with the completion of the downtown sidewalk repair program that will be starting in the next month or two. **Councilor Marshall motioned to refer the plans to the DPW Commissioner for a meeting in two weeks for an update. The Mayor stated that the City will use the area as Green Space or possibly a couple of parking spots. The main priority is to correct the intersection because it is very difficult for trucks. It also gives the City control of the property. The Mayor noted that the property was on the market for ten (10) years. So Voted.** Since the City has the sale, Councilor Costa-Hanlon asked if it be an appropriate time to release the Executive Session minutes so that the general public can see the information on the appraisals, etc. **Councilor Costa-Hanlon motioned to release the Executive Session minutes. So Voted.**

Com. from Treasurer/Collector – Requesting additional funding in the amount of \$6,610.76 for the COTMA contract. **Motion was made to refer to the Committee on Finance and Salaries and the Mayor's Office. So Voted.**

Com. from Chairman, Taunton Planning Board – Notifying of a public meeting for the review of a Site Plan for 440 Winthrop Street. The Development Impact Review Board is scheduled to meet on Tuesday, February 25, 2014 and the Planning Board will hold their meeting on Thursday, March 6, 2014. **Motion was made to receive and place on file. So Voted.**

Com. from Superintendent of Schools – Massachusetts School Building Authority – requesting a vote verification for two types of grant programs: 1) The Accelerated Repair Program for the repair or replacement windows, roofs, and/or boilers in otherwise structurally sound facilities; and 2) the Core Program, the MSBA's general program designed to identify school building projects that are beyond the scope of Accelerated Repair. The Priority School is James L. Mulcahey Elementary School. The Accelerated Repair Program is Joseph H. Marti Middle School, East Taunton Elementary School, Edmund H. Bennett Elementary School, Hopewell Elementary School, Taunton Alternative High School, Joseph C. Chamberlain Elementary School. **Councilor Croteau motioned to schedule a meeting with the School Department and the City Council Long-Range Planning Committee. So Voted. Motion was made to approve the Statements of Interest, Priority School and Accelerated Repair Program. So Voted.** Councilor Costa-Hanlon asked if the Mayor should recommend or appoint the Council President to the City's SBA. The Mayor stated that there are no current projects and that this may go through them at some point. The priority school is the Mulcahey Elementary School. The Mayor stated that the City was denied last year for these projects and is now re-submitting. If approved, then it will be subjected to funding along with the reimbursement from the MSBA.

Petition:

Petition submitted by Patricia Barrett, 390 Broadway, Raynham requesting a renewal of her Temporary Fixed Vendor's License for Arthur's Flower Shop to sell flowers at 16 Washington Street, Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Claim submitted by Jennifer Mello, 4980 North Main Street #528, Fall River seeking reimbursement for damages to her automobile from hitting a pothole on South Crane Avenue near Checkerberry Lane and the railroad tracks. **Motion was made to refer to the Law Department and DPW Commissioner for the potholes. So Voted.**

Claim submitted by Victor Pacheco and Susana Monteiro, 16 Webster Street, Apt. 2, Taunton seeking reimbursement for damages to their automobile from hitting a pothole on Hart Street right after the curve from Plain Street. **Motion was made to refer to the Law Department and DPW Commissioner for the potholes. So Voted.**

Claim submitted by Phillip Kostka, 14 Emily Road, Attleboro seeking reimbursement for damages to his automobile from hitting a pothole on Tremont Street near house #586. **Motion was made to refer to the Law Department and DPW Commissioner for the potholes. So Voted.**

Claim submitted by Paul Rocha, 9 Charles Street, Taunton seeking reimbursement for damages to his automobile from hitting a pothole on Charles Street near the school entrance. **Motion was made to refer to the Law Department and DPW Commissioner for the potholes. So Voted.**

Petition submitted by Ken Motta, Field Engineering Co., Inc. 4 Court Street, Suite 104, Taunton on behalf of Taunton Development/MassDevelopment Corporation for the acceptance of Constitution Drive in the Myles Standish Industrial Park, Taunton. **Motion was made to refer to the City Clerk to schedule a public hearing. So Voted.**

Petition submitted by Ken Motta, Field Engineering Co., Inc. 4 Court Street, Suite 104, Taunton on behalf of Taunton Development/MassDevelopment Corporation for the acceptance of Independence Drive in the Myles Standish Industrial Park, Taunton. **Motion was made to refer to the City Clerk to schedule a public hearing. So Voted.**

Petition submitted by Ken Motta, Field Engineering Co., Inc. 4 Court Street, Suite 104, Taunton on behalf of Taunton Development/MassDevelopment Corporation for the acceptance of John Hancock Road in the Myles Standish Industrial Park, Taunton. **Motion was made to refer to the City Clerk to schedule a public hearing. So Voted.**

Petition submitted by Russell Burke, BSC Group, 33 Waldo Street, Worcester on behalf of his client, Taunton Development/MassDevelopment Corporation requesting the acceptance of Pioneer Way in the Myles Standish Industrial Park, Taunton. **Motion was made to refer to the City Clerk to schedule a public hearing. So Voted.**

Petition submitted by Russell Burke, BSC Group, 33 Waldo Street, Worcester on behalf of his client, Taunton Development/MassDevelopment Corporation requesting the acceptance of Charles Colton Drive in the Myles Standish Industrial Park, Taunton. **Motion was made to refer to the City Clerk to schedule a public 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.

Orders, Ordinances and Resolutions

Ordinance for a third reading to be ordained on a roll call vote

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 approval. On a roll call vote, eight (8) Councilors present, eight (8) Councilors voting in favor. Councilor Carr was absent.**

New Business:

Councilor Pottier noted that on the current list of the tax title balances, that the Jefferson Development has a balance of \$521. **Councilor Pottier motioned to refer to the Treasurer's Office for an explanation on the balance and why it went down so much. So Voted.**

Councilor Pottier motioned to refer to the Committee of the Council as a Whole, the email that the Mayor sent to Council members from the DPH regarding marijuana dispensaries. So Voted. He also asked what process will be coming forward and if Mr. Delahunt's group will be coming in. Councilor Marshall informed that a Special Permit is required and a pre-review is scheduled for March 11, 2014 with a hearing scheduled for March 18, 2014. Councilor Pottier stated that it was mentioned that some communities has asked for and received annual stipends for police detail. He said that the City is allowed to do this in negotiations. The Mayor stated he will be meeting with

Mr. Delahunt within the next week or two; therefore, any suggestions could be forwarded to his office or Solicitor Buffington.

Councilor Pottier motioned to refer to the DPW Sign Division the Trescott Street sign on Main Street to be replaced. So Voted.

Councilor Pottier motioned to meet with Mr. Glynn, the Cable Advisory Commission and the Committee of the Council as a Whole regarding the sound being broadcasted on television for possibly any thoughts or plans they may have in improving the issue. So Voted. Councilor Croteau informed that the problem is between Comcast and Verizon. The Mayor stated that he received a communication from Mr. Glynn regarding the issue and will forward to Council members tomorrow. He said the problem is with TMLP and there is a linkage problem between Verizon and Comcast. The issue needs to be resolved.

Councilor Pottier asked for an update on the Home Rule Petition for added Liquor Licenses. The Mayor stated that it was with the Committee of the Council as a Whole, who voted on the 2 plus 2 and that Councilor McCaul was to sign the Petition. The City Clerk stated that the Petition was signed and information has been sent to Representative O'Connell. **Councilor Pottier stated that former Councilor Colton was involved in this and motioned to forward his name and number along with any information needed to Representative O'Connell. He said there were a number of meetings on this subject as well as a well-attended public hearing for which this passed 7-2. Councilor Pottier stated that he would like to see this move forward seeing that it was the will of Council at that time. So Voted.**

Motion was made to adjourn at 9:15 p.m. So Voted.

A true copy:



Attest:

City Clerk

RMB/dmc

CITY OF TAUNTON
MUNICIPAL COUNCIL
FEBRUARY 18, 2014

THE COMMITTEE ON FINANCE AND SALARIES

PRESENT WERE: COUNCILOR GERALD CROTEAU, CHAIRMAN AND COUNCILOR POTTIER. ALSO
PRESENT WAS BUDGET DIRECTOR GILL ENOS

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

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

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

2. MEET TO REVIEW REQUESTS FOR FUNDING

THE BUDGET DIRECTOR PRESENTED SEVERAL TRANSFERS TO VARIOUS DEPARTMENTS DUE TO THE
RATIFICATION OF THE COTMA ACCOUNT. FUNDS WILL BE TAKEN FROM THE RESERVE ACCOUNT.

**MOTION: MOVE APPROVAL OF THE FOLLOWING TRANSFERS FROM RESERVE ACCOUNT
NO. 1-132-202-5784**
\$600.00 TO ACCOUNT NO. 1-111-201-5100 – CLERK OF COMMITTEES SALARY
**\$2,733.64 TO ACCOUNT NO. 01-145-0201-5100-00-000 – TREASURER -
DEPARTMENT HEAD**
**\$2,112.24 TO ACCOUNT NO. 01-145-0201-5101-00-000 – TREASURER –
ASSISTANT DEPARTMENT HEAD**
**\$1,764.88 TO ACCOUNT NO. 01-145-0201-5102-00-000 – TREASURER – OFFICE
MANAGER**
**\$2,273.79 TO ACCOUNT NO. 1-510-201-5100 – BOARD OF HEALTH –
DEPARTMENT HEAD**
**\$2,020.86 TO ACCOUNT NO. 1-510-201-5101 – BOARD OF HEALTH –
ASSISTANT DEPARTMENT HEAD**
**\$1,705.98 TO ACCOUNT NO. 1-510-201-5110 – BOARD OF HEALTH - PUBLIC
HEALTH NURSE**
**\$2,031.10 TO ACCOUNT NO. 1-510-201-5109 – BOARD OF HEALTH - COMPLY
OFFICER**
**\$6,194.58 TO ACCOUNT NO. 1-510-201-5116 – BOARD OF HEALTH - SANITARY
INSPECTORS (4)**
**\$2,145.22 TO ACCOUNT NO. 1-161-201-5100 – CITY CLERK – DEPARTMENT
HEAD**
**\$1,554.28 TO ACCOUNT NO. 1-161-201-5101 – CITY CLERK – ASSISTANT
DEPARTMENT HEAD**
**\$2,285.54 TO ACCOUNT NO. 1-175-201-5100 – DEPARTMENT OF PLANNING
AND CONSERVATION - DEPARTMENT HEAD**
**\$1,585.25 TO ACCOUNT NO. 1-175-201-5101 – DEPARTMENT OF PLANNING
AND CONSERVATION - ASSISTANT DEPARTMENT HEAD**
**\$2,561.42 TO ACCOUNT NO. 1-182-201-5101 – OFFICE OF ECONOMIC AND
COMMUNITY DEVELOPMENT – ASSISTANT EXECUTIVE DIRECTOR**

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THE COMMITTEE ON FINANCE AND SALARIES - CONTINUED

\$4,145.44 TO ACCOUNT NO. 1-182-201-5102 – OFFICE OF ECONOMIC AND
COMMUNITY DEVELOPMENT – FISCAL MANAGER
\$2,062.32 TO ACCOUNT NO. 1-291-201-5100 – EMERGENCY MANAGEMENT
AGENCY – DIRECTOR
\$1,556.08 TO ACCOUNT NO. 1-291-201-5101 – EMERGENCY MANAGEMENT
AGENCY – ASSISTANT DIRECTOR
\$2,650.00 TO ACCOUNT NO. 1-400-201-5100 – DEPARTMENT OF PUBLIC
WORKS – COMMISSIONERS
\$2,445.00 TO ACCOUNT NO. 1-400-201-5101 – DEPARTMENT OF PUBLIC
WORKS – ASSISTANT COMMISSIONERS
\$1,785.00 TO ACCOUNT NO. 1-400-201-5102 – DEPARTMENT OF PUBLIC
WORKS – FISCAL AGENT
\$3,000.00 TO ACCOUNT NO. 1-400-201-5173 – DEPARTMENT OF PUBLIC
WORKS – TRAVEL
\$13,000.00 TO ACCOUNT NO. 1-400-201-5191 – DEPARTMENT OF PUBLIC
WORKS – SICK BUYBACK
\$18,685.00 TO ACCOUNT NO. 1-400-201-5197 – DEPARTMENT OF PUBLIC
WORKS – VACATION BUYBACK
\$2,537.44 TO ACCOUNT NO. 1-410-201-5100 – CITY ENGINEER
\$1,448.01 TO ACCOUNT NO. 1-410-201-5109 – ENGINEER – OFFICE MANAGER
\$1,745.07 TO ACCOUNT NO. 1-410-201-5145 – ENGINEER – OFFICE MANAGER
– LONGEVITY WHILE STILL IN 1144A THROUGH JUNE, 2013
\$2,537.44 TO ACCOUNT NO. 1-492-0201-5100 – BUILDING DEPARTMENT –
DEPARTMENT HEAD
\$6,936.66 TO ACCOUNT NO. 1-492-0201-5101 – BUILDING DEPARTMENT –
INSPECTORS
\$1,750.27 TO ACCOUNT NO. 1-492-0201-5102 – BUILDING DEPARTMENT –
OFFICE MANAGER
\$2,144.83 TO ACCOUNT NO. 1-493-0201-5108 - - BUILDING DEPARTMENT
HVAC SYS MANAGER
\$88,745.71 TO ACCOUNT NO. 1-493-0201-5109 – BUILDING DEPARTMENT –
MISC. EMPLOYEES
\$2,686.98 TO ACCOUNT NO. 1-500-0201-5100 – HUMAN SERVICES –
DEPARTMENT MANAGER
\$1,718.43 TO ACCOUNT NO. 1-500-0201-5101 – HUMAN SERVICES –
ASSISTANT DEPARTMENT MANAGER
\$1,420.36 TO ACCOUNT NO. 1-500-0201-5108 – HUMAN SERVICES - SENIOR
DROP IN CENTER COORDINATOR
\$1,197.75 TO ACCOUNT NO. 1-500-0201-5110 – HUMAN SERVICES – SAFE
NEIGHBORHOOD INITIATIVE PROGRAM ADVISOR

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THE COMMITTEE ON FINANCE AND SALARIES - CONTINUED

\$657.98 TO ACCOUNT NO. 1-500-0201-5116 – HUMAN SERVICES – ELDER
OUTREACH DIRECTOR

\$57.95 TO ACCOUNT NO. 1-500-0201-5145 – HUMAN SERVICES – HEAD
CLERK/LONGEVITY

\$851.00 TO ACCOUNT NO. 1-549-201-5102 – HUMAN RESOURCES – OFFICE
MANAGER

\$2,575.50 TO ACCOUNT NO. 1-630-201-5100 – PARKS, CEMETERIES & PUBLIC
GROUND – DEPARTMENT HEAD

\$1,227.50 TO ACCOUNT NO. 1-630-201-5102 – PARKS, CEMETERIES & PUBLIC
GROUND – RECREATION SUPERVISOR

\$33,597.74 TO ACCOUNT NO. 1-630-201-5109 – PARKS, CEMETERIES & PUBLIC
GROUND – 1144 LABORERS UNION PAY INCREASE – OTHER EMPLOYEES

\$2,000.00 TO ACCOUNT NO. 1-630-201-5130 – PARKS, CEMETERIES & PUBLIC
GROUND – OVERTIME

\$1,834.00 TO ACCOUNT NO. 1-945-201-5100 – RISK MANAGER
SO VOTED.

MOTION: MOVE APPROVAL OF THE TRANSFER OF \$3,000.00 FROM TREASURER'S
ACCOUNT NO. 01-145-0202-5173-00-000 – TRAVEL ALLOWANCE TO ACCOUNT
NO. 01-145-0201-5173-00-000 – SALARIES AND WAGES. SO VOTED

MOTION: MOVE APPROVAL OF THE FOLLOWING TRANSFERS FOR THE ASSESSOR'S
DEPARTMENT:

\$2,109.70 FROM ASSESSORS ACCOUNT NO. 1-141-202-5320 – REVAL SERVICE
CONTRACT TO ACCOUNT NO. 1-141-201-5101 – ASSISTANT DEPARTMENT
HEAD (2)

\$651.23 FROM ASSESSORS ACCOUNT NO. 1-141-202-5320 – REVAL SERVICE
CONTRACT TO ACCOUNT NO. 1-141-201-5109 – ASSISTANT ASSESSOR

\$861.61 FROM ASSESSORS ACCOUNT NO. 1-141-202-5320 – REVAL SERVICE
CONTRACT TO ACCOUNT NO. 1-141-201-5107 – CLERICAL PROMOTION 1144

\$13,000.00 FROM ASSESSORS ACCOUNT NO. 1-141-202-5320 – REVAL SERVICE
CONTRACT TO ACCOUNT NO. 1-141-201-5193 – UNUSED SICK LEAVE BUYOUT

\$2,799.30 FROM ASSESSORS ACCOUNT NO. 1-141-202-5320 – REVAL SERVICE
CONTACT TO ACCOUNT NO. 1-141-201-5191 – UNUSED PERSONAL BUYBACK

\$21,535.01 FROM ASSESSORS ACCOUNT NO. 1-141-201-5100 – DEPARTMENT
HEAD PAYROLL TO ACCOUNT NO. 1-141-201-5197 – UNUSED VACATION
BUYOUT. SO VOTED.

THE BUDGET DIRECTOR STATED THAT AFTER THE TRANSFER OF \$238,568.25 THE BALANCE IN THE
RESERVE ACCOUNT WILL BE \$337,150.74.

COUNCILOR CROTEAU ASKED THE BUDGET DIRECTOR TO PROVIDE HOW MUCH THERE WAS IN RESERVES
LAST YEAR AT THIS TIME AND HOW MUCH WAS SPENT FROM MARCH 1ST THROUGH JUNE 30TH OF 2013.

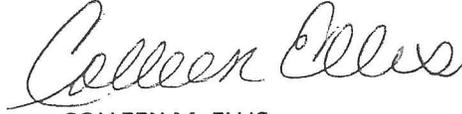
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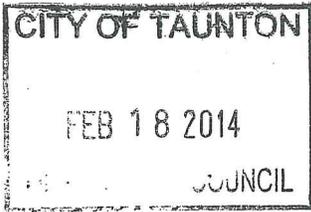
THE COMMITTEE ON FINANCE AND SALARIES - CONTINUED

MEETING ADJOURNED AT 5:51 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
FEBRUARY 18, 2014

THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS

PRESENT WERE: COUNCILOR DONALD CLEARY, CHAIRMAN AND COUNCILORS BORGES AND QUINN. ALSO PRESENT WAS ASSISTANT CITY SOLICITOR DANIEL DEABREU

MEETING CALLED TO ORDER AT 6:10 P.M.

1. MEET WITH THE ASSISTANT CITY SOLICITOR TO REVIEW THE PROPOSED STORM WATER ORDINANCE

THE COMMITTEE HAS HAD THE OPPORTUNITY TO REVIEW THE STORMWATER ORDINANCE SUBMITTED BY MR. FEDERICO OF BETA. THE CHAIRMAN STATED THAT HE UNDERSTANDS THAT THE MAJOR REASON FOR THIS IS TO ESTABLISH THE CITY'S LEGAL AUTHORITY TO ENSURE COMPLIANCE WITH THE PROVISIONS OF THIS ORDINANCE THROUGH INSPECTION, MONITORING AND ENFORCEMENT. THE CITY WANTS TO MAKE SURE THAT THE ONLY THING THAT GOES INTO THE STORMWATER DRAINS IS STORM WATER, AND TO MAKE SURE THERE ARE NO INAPPROPRIATE CONNECTIONS TO THE STORM WATER SYSTEM. THIS WILL MAKE SURE THAT THE CITY HAS AN ORDINANCE ON THE BOOKS THAT WILL ALLOW THE CITY TO PROSECUTE ANY INDIVIDUALS, AND TO FINE IF NECESSARY, THE INDIVIDUALS WHO MAY BE CAUGHT POLLUTING THE STORM WATER.

IT WAS NOTED THAT WHERE IT SAYS *SURFACE WATER DISCHARGE PERMIT*, MR. CLEARY QUESTIONED WHO GETS THIS PERMIT. MR. FEDERICO STATED THAT IT IS AWARDED BY THE STATE, ISSUED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION THAT AUTHORIZES THE DISCHARGE OF POLLUTANTS TO WATERS OF THE COMMONWEALTH OF MASSACHUSETTS.

MR. FEDERICO SAID THE CITY DOES NOT ISSUE DISCHARGE PERMITS, IT IS ONLY THE STATE THAT ISSUES THESE. HE FURTHER STATED THAT THIS ORDINANCE GIVES THE CITY THE AUTHORITY AND JUSTIFICATION TO BE IN CHARGE AND THEY CAN FINE PEOPLE WHO DO PUT SOMETHING IN THE STORMWATER. IT WAS FURTHER NOTED THAT CHAPTER 40 ALLOWS THE CITY TO BRING A COMPLAINT AGAINST SOMEONE WHO VIOLATES THE ORDINANCE. THE DEPARTMENT OF PUBLIC WORKS WILL BE THE ENFORCEMENT.

COUNCILOR CLEARY ALSO NOTED THAT THE FINES, WHICH IS \$300/DAY, SEEMS TO BE A SIGNIFICANT FINE.

ATTORNEY DEABREU NOTED THAT \$300 A DAY IS THE MAXIMUM THE CITY COULD FINE UNDER CHAPTER 40. HE ALSO STATED THAT CHAPTER 40 ALLOWS THE CITY TO BRING A CRIMINAL COMPLAINT AGAINST SOMEBODY WHO VIOLATES ITS ORDINANCES, AND THE PENALTY FOR A CRIMINAL VIOLATION WOULD BE A FINE. SECTION 21D GIVES THE CITY AND THE ALLEGED VIOLATOR THE OPTION OF RESOLVING IT CIVILLY. IF IT IS RESOLVED CIVILLY, IT DOESN'T MAKE IT TO THE CRIMINAL STAGE.

MOTION: TO APPROVE THE CONCEPT OF THE ORDINANCE AS WRITTEN AND REFER IT TO THE ASSISTANT CITY SOLICITOR TO ENSURE IT IS IN COMPLIANCE WITH OTHER ORDINANCES OF THE CITY AND THAT THERE ARE NO MAJOR CONFLICTS, THEN IT WILL GO TO THE FULL COUNCIL FOR APPROVAL. IF THERE ARE MAJOR CHANGES, IT WILL BE BROUGHT BACK TO THE COMMITTEE. SO VOTED.

2. MEET WITH THE ASSISTANT CITY SOLICITOR TO REVIEW THE 50/50 ORDINANCE

THE CHAIRMAN STATED THAT THERE IS AN ORDINANCE ON THE BOOKS THAT STATED THAT AT LEAST 50% OF THE EMPLOYEES WOULD BE TAUNTON RESIDENTS. THERE HAS BEEN SOME COURT CHALLENGES TO THAT KIND OF LANGUAGE IN OTHER COMMUNITIES WHICH IS NOT ENFORCEABLE, SO THE CITY IS LOOKING TO SEND A MESSAGE, BUT NOT ABSOLUTELY, UNEQUIVOCALLY REQUIRE IT, THAT IT WOULD LIKE THE CONTRACTORS TO MAKE A GOOD FAITH EFFORT TO EMPLOYEE TAUNTON RESIDENTS AND USE

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THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS - CONTINUED

LOCAL BUSINESSES FOR SUPPLIES WHENEVER FEASIBLE, AND WHEN THE COSTS ARE COMPETITIVE TO OTHER SOURCES.

THE ASSISTANT CITY SOLICITOR STATED THAT THE COURT, IN ANOTHER CASE INVOLVING A COMMUNITY NEAR TO US, FOUND THAT THE 50/50 ORDINANCE VIOLATED THE UNITED STATES CONSTITUTION PRIVILEGES AND IMMUNITY CLAUSE BECAUSE IT DISCRIMINATED AGAINST PEOPLE AND THEIR RIGHT TO PURSUE A LIVELIHOOD ON THE BASIS OF WHERE THEY LIVED, AND IT SAID THAT YOU COULD NOT DO THAT CONSISTENT WITH THE CONSTITUTION.

COUNCILOR CLEARY STATED THAT THE CHANGE STATES *TO THE EXTENT ALLOWABLE BY LAW, CONTRACTOR SHALL WORK IN GOOD FAITH WITH THE CITY TO EMPLOY OR CAUSE ITS CONTRACTORS TO EMPLOY CITY RESIDENTS DURING CONSTRUCTION, AND PURCHASE GOODS AND SERVICES FROM LOCAL VENDORS PROVIDED THAT THE COST AND QUALITY IS COMPETITIVE WITH OTHER SOURCES.*

THE ASSISTANT CITY SOLICITOR NOTED THAT THE CAVEOT *TO THE EXTENT ALLOWABLE BY LAW* WHICH IS DESIGNED TO PROTECT THE ORDINANCE NOR FIND THAT IT IS UNCONSTITUTIONAL.

COUNCILOR QUINN NOTED THAT THE FIRST PART OF THE ORDINANCE GIVES THE DEPARTMENT HEAD OR WHOEVER THE PARTY IS THAT IS NEGOTIATING THE CONTRACT DISCRETION WHETHER OR NOT TO USE THAT LANGUAGE IN THE CONTRACT.

COUNCILOR COSTA-HANLON STATED THAT WHEN WE DID HAVE A 50/50 ORDINANCE IT REQUIRED A COMMITTEE, WHICH DURING THE HIGH SCHOOL RENOVATION PROJECT, A COUPLE OF THINGS WERE FOUND IN TRYING TO ENFORCE THIS. FIRST IN THE DEFINITIONS, YOU MAY WANT TO ASK FOR SOME KIND OF SPECIFIC DOCUMENTATION, ASK THAT THEY PROVIDE A LICENSE, BECAUSE THERE WERE A LOT OF COMPLAINTS WHEN THEY TRIED TO ENFORCE THIS REGARDING WHO WAS REALLY A RESIDENT. YOU MAY WANT TO SAY ANY RESIDENT THAT CAN PROVE THROUGH SATISFACTORY EVIDENCE THAT THEY ARE A RESIDENT OF TAUNTON

THE CHAIRMAN STATED THAT THE CITY SOLICITOR DID USE THE LANGUAGE *BONAFIDE TAUNTON RESIDENT*

THE ASSISTANT CITY SOLICITOR STATED THAT AS A POLICY MATTER MAY BE THIS SHOULD SUBJECT TO FURTHER INVESTIGATION BY THE COMMITTEE, FOR EXAMPLE, IF THE DPW IS PUTTING OUT A REQUEST FOR BIDS, HE DOES NOT KNOW WHAT AUTHORITY THE DPW WOULD HAVE TO ASK FOR ANY IDENTIFICATION FROM THE EMPLOYEES OF A CONTRACTOR THAT IT IS HIRING. TO FORCE THIS TOO MUCH, HE WOULD FEAR RUNNING AFOUL OF THE CONSTITUTION. HE FEELS THE LANGUAGE HERE IS GENERAL ENOUGH TO SHOW THAT THE CITY WOULD LIKE IT TO BE INCLUDED AND WOULD LIKE THE CONTRACTORS TO TAKE THAT INTO CONSIDERATION. IF WE WANT TO GO FURTHER WITH VERIFICATION, HE FEELS IT WOULD HAVE TO BE SUBJECT TO MORE DISCUSSION BY THE COMMITTEE.

COUNCILOR QUINN STATED THAT SHE DOES NOT HAVE A PROBLEM WITH ADDING *BONAFIDE TAUNTON RESIDENT*, AS THIS TIGHTENS IT UP A LITTLE BIT.

IT WAS FURTHER NOTED THAT THE FIRST RECOMMENDATION WAS TO TAKE THIS ORDINANCE OUT, BUT THE CITY DOES STILL WANT TO SEND THE MESSAGE TO ENCOURAGE THE CONCEPT OF USING TAUNTON RESIDENTS.

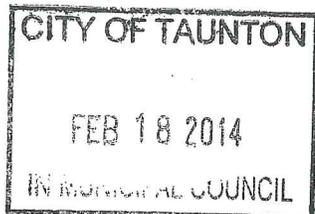
MOTION: TO ADD THE WORDS "*BONA FIDE*" BEFORE RESIDENT IN SECTION 2—305 OF THE ORDINANCE AND APPROVE THE ORDINANCE AS AMENDED. SO VOTED.

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THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS - CONTINUED

MEETING ADJOURNED AT 6:36 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 "CPM Blackwell".
CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
FEBRUARY 18, 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 ASSISTANT DFPW COMMISSIONER TONY ABREU, WATER DIVISION SUPERVISOR CATHAL O'BRIEN, ATTORNEY MATT COSTA, JOHN STEWART OF ARISTA DEVELOPMENT. ASSISTANT CITY SOLICITOR DANIEL DEABREU, JOE FEDERICO OF BETA, HARRY MCPHERSON, SUSAN STAWNIAK AND ATTORNEY NICK SHUTAUFF, AND BRENDAN LOFTUS

MEETING CALLED TO ORDER AT 6:41 P.M.

1. MEET WITH THE DPW TEAM TO DISCUSS REQUEST FOR ROAD OPENING PERMIT FOR THE NEW WALGREENS TO BE LOCATED AT HIGH AND WINTHROP STREETS

A LETTER DATED 1/30/14 TO THE DPW COMMISSIONER FROM JOHN STEWART, PROJECT MANAGER, ARISTA WINTHROP STREET LLC WAS READ. THE LETTER STATED THAT THEY ARE REQUESTING A WAIVER OF THE CITY OF TAUNTON'S STREET OPENING MORATORIUM. THEY ARE PREPARING TO DEMOLISH 2 PROPERTIES – 57 WINTHROP STREET AND 119 HIGH STREET – AND NEED TO GET THE GAS SHUT OFF AT THE MAIN. THEY HAVE BEEN TOLD BY THE GAS COMPANY THAT THEY CANNOT DO THIS UNTIL MID APRIL DUE TO THE MORATORIUM.

THE LETTER FURTHER STATED THAT THEY WILL SUFFER A HARDSHIP IF THEY HAVE TO WAIT UNTIL THE MIDDLE OF APRIL AND THEY WILL ALSO JEOPARDIZE THEIR DELIVERY TO THEIR TENANT, AS IT IS A 7 MONTH CONSTRUCTION PROCESS, AND THEY WILL NOT TAKE DELIVERY AFTER OCTOBER 15, 2014. THEY WILL FOLLOW ANY SPECIFIC DETAILS THE CITY RECOMMENDS IN THE OPENING AND REPAIR. THEY WILL COME BACK LATER THIS SUMMER TO ADDRESS ANY SHORTCOMINGS.

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

ATTORNEY COSTA STATED THAT THIS REQUEST IS TO SHUT OFF UTILITIES IN CONNECTION WITH THE DEMOLITION OF THE 2 BUILDINGS AT THE SITE, THE APARTMENT BUILDING AT THE CORNER OF WINTHROP AND HIGH STREETS AND THE FORMER ELKS LODGE. HIS CLIENT WAS INFORMED THAT THE GAS LINE IS WITHIN THE PAVED AREA OF THE STREET LAYOUT. THIS REQUEST IS JUST FOR THE PURPOSE OF SHUTTING OFF THE GAS. THERE WILL BE A SMALL OPENING AND HIS CLIENT WILL COOPERATE WITH WHATEVER CONDITIONS THE DPW AND THE GAS COMPANY HAVE WITH RESPECT TO MAKING SURE THAT THE ROAD IS PASSABLE, THAT THE PATCH IS NOT A PROBLEM FOR THE CITY, THAT THERE IS NO INCONVENIENCE TO THE CITY OR PROBLEMS CREATED TO THE CITY. BECAUSE OF THE TIMING OF THIS, IF THE DEMOLITION WORK CAN'T START BETWEEN NOW AND APRIL, IT WILL SET THE WHOLE PROJECT BACK AND CREATE A SERIOUS HARDSHIP. WALGREENS NEEDS TO TAKE POSSESSION BY OCTOBER 15, 2014 AND IF THAT DOES NOT HAPPEN, THERE WILL BE SERIOUS RAMIFICATIONS FOR HIS CLIENT, WHO IS THE DEVELOPER.

ATTORNEY COSTA FURTHER STATED THAT THIS WILL BE A SMALL OPENING, ABOUT 4 FEET BY 4 FEET. COUNCILOR MARSHALL ASKED WHEN THIS DEADLINE WAS GIVEN, DIDN'T HIS CLIENT UNDERSTAND THAT THERE WAS THIS MORATORIUM WAS IN PLACE, AND IS IN FACT A STATEWIDE MORATORIUM.

ATTORNEY COSTA STATED THAT WALGREENS HAS A POLICY WHERE THEY WILL NOT TAKE POSSESSION OF A STORE BETWEEN OCTOBER 15 AND SOMETIME IN JANUARY BECAUSE THEY DO NOT HAVE THE PERSONNEL TO MOVE IN, STOCK THE SHELVES, BRING IN ALL THE EQUIPMENT, ETC.

MR. STEWART STATED THAT ON MANY OCCASIONS, MANY OF THE GAS COMPANIES ALLOW THEM TO CUT AND CAP AT THE CURB AS OPPOSED TO GOING OUT TO THE MAIN. COLUMBIA GAS HAS A POLICY

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FEBRUARY 18, 2014

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

THAT THEY HAVE TO GO TO THE MAIN. MR. STEWART SAID THAT HE HAD NOT EXPERIENCED THIS BEFORE AND HADN'T DONE BUSINESS BEFORE WITH COLUMBIA GAS.

COUNCILOR MARSHALL ASKED WHERE THE PATCH WOULD BE, MORE ON THE HIGH STREET SIDE OR THE WINTHROP STREET SIDE, OR WILL THERE BE TWO.

MR. STEWART SAID THERE WILL BE 2, ONE FOR THE APARTMENT BUILDING AND ONE FOR THE ELKS BUILDING. ONE OPENING WILL BE ON HIGH STREET AND ONE WILL BE ON WINTHROP STREET.

THE ASSISTANT DPW COMMISSIONER STATED THAT THIS HAS BEEN DONE IN THE PAST, BUT THEY PUT STRINGENT CONTROLS ON IT AND THEY HAVE SOMEONE FROM THE DPW OVERSEEING THE CUTS. HE FURTHER STATED THAT MR. STEWART WILL OWN THESE CUTS FOR 9 MONTHS OR THROUGH 1 WINTER, SO THEY WILL BE RESPONSIBLE FOR MAINTAINING THEM.

COUNCILOR MARSHALL ASKED ABOUT PUTTING IN A STEEL PLATE OVER THE PATCH, THEN IN APRIL YOU COULD TAKE OUT THE PLATE AND PAVE THE ROAD. HE SUGGESTED MAKING THE PLATE FLUSH WITH THE ROAD. IF THIS IS GOING TO BE DONE, THE GOAL IS TO LIMIT THE LIABILITY TO THE CITY IF THERE IS A PROBLEM WITH THESE CUTS.

MOTION: MOVE APPROVAL OF THE REQUEST WITH THE REQUIREMENTS OF THE DEPARTMENT OF PUBLIC WORKS AND FULL APPROVAL OF THE DEPARTMENT OF PUBLIC WORKS. ALSO, THE DPW IS TO HAVE A 24 HOUR EMERGENCY NUMBER OF THE DEVELOPER IN THE EVENT THERE ARE ANY ISSUES OR PROBLEMS WITH THESE CUTS. SO VOTED.

2. MEET TO DISCUSS SEWER ABATEMENTS

THE FIRST ABATEMENT APPLICATION DISCUSSED WAS PARCEL 101-6, HARRY AND EILEEN MCPHERSON, FOR PROPERTY ON WINTHROP STREET.

MR. FEDERICO STATED THAT THIS PARCEL IS ON WINTHROP STREET TOWARDS THE DIGHTON LINE. PARCEL 101-6 HAS A TOTAL AREA OF 4.71 ACRES. THE AREA WITHIN THE HIGHWAY BUSINESS DISTRICT, THAT IS THE 450 FOOT SETBACK THAT THEY HAVE, IS 4.38 ACRES. WITH THE 50% REDUCTION THAT THEY DID FOR ALL THE BUSINESSES ON WINTHROP STREET, REDUCES THIS TO 2.19 ACRES. THEY FURTHER REDUCED IT DOWN TO 1.38 ACRES BECAUSE THEY HAVE A GRINDER PUMP CONNECTION AND THE MOST THEY RECOMMEND IS 4 SEWER UNITS WITH A GRINDER PUMP CONNECTION.

THEIR BETTERMENT IS BASED ON 1.38 ACRES FOR 4 UNIT FOR A TOTAL OF \$79,258.00.

MR. FEDERICO SAID THAT THE SEGREGANSET RIVER, WHICH HIS PROPERTY ABUTS IS A WATER BODY FOR DRINKING WATER FOR THE TOWN OF SOMERSET AND IS ALSO OVER GROUND WATER AQUIFUR FOR THE TOWN OF DIGHTON, DRINKING WATER AQUIFUR.

MR. MCPHERSON FEELS STATED THAT HE FIGURES HE HAS A LOT HERE WITH 150 FOOT FRONTAGE WITH A GOING PRICE OF ABOUT \$30,000.00, HE FEELS THAT HE SHOULD BE CHARGED FOR JUST 1 LOT – 150 BY 400 FEET.

MR. FEDERICO SAID THAT THERE IS ABOUT 40-50 FEET OF FRONTAGE FOR ACCESS TO THE PROPERTY, SO A ROAD COULD BE PUT IN AND THE PROPERTY WOULD BE LIMITED TO 4 LOTS BECAUSE OF THE GRINDER PUMP.

MR. FEDERICO RECOMMENDS MAINTAINING THE BETTERMENT OF \$79,258.00 UNLESS EVIDENCE CAN BE PROVIDED SHOWING WETLANDS ENCROACHING. THEY USED THE SAME FORMULA AS APPLIED TO ALL OF WINTHROP STREET, AND MR. PHERSON'S WAS REDUCED FURTHER BECAUSE OF THE GRINDER PUMP. COUNCILOR MARSHALL DID INFORM MR. MCPHERSON THAT HE COULD TAKE UP TO 20 YEARS TO PAY THIS BETTERMENT.

MR. MCPHERSON SAID THE ASSESSED VALUE FOR THE LAND IS ONLY \$53,000.00.

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

MR. FEDERICO READ A LETTER DATED 1/7/14 TO THE DPW COMMISSIONER FROM MR. MCPHERSON. THE LETTER STATED THAT THE WESTERLY PART OF THE PARCEL BORDERING THE SEGREGANSETT RIVER IS RESTRICTED BY THE MASSACHUSETTS RIVER PROTECTION LAW. UNDER THE LAW, 200 FEET FROM THE HIGH BANK OF THE RIVER OR STREAM IS PROTECTED. NO BUILDING ACTIVITY CAN BE CONDUCTED UNLESS NO OTHER LAND IS AVAILABLE ON THE PARCEL. ON THIS PARCEL THERE IS PLENTY OF ALTERNATIVE LAND SERVICED BY 2 SEWER OUTLET STUBS THEREFORE THERE IS NO HARDSHIP. TO SUBDIVIDE THIS PARCEL AND TAKE ADVANTAGE OF THE SEWER SYSTEM WOULD BE EXTREMELY HARD AS THEY WOULD THEN BE CREATING THEIR OWN HARDSHIP. HE HAS CONSULTED WITH BOTH THE CITY PLANNER AND THE TAUNTON CONSERVATION, THEY BELIEVE THEIR VIEWS ARE SHARED BY BOTH KEVIN SCANLON AND THE CONSERVATION DIRECTOR. THE SEGREGANSETTS RIVER IS ALSO A CLASS A WATER SUPPLY FOR THE TOWNS OF DIGHTON AND SOMERSET AND ANY LEAKAGE OF ORES, CHEMICALS OR SEWERAGE FROM ACTIVITIES ON THIS SECTION OF THE PARCEL WOULD ENDANGER THE DRINKING WATER SUPPLY FOR THESE TOWNS. DUE TO THE FACT THERE IS NO SEWER SERVICE STUBS INSTALLED BY THE SEWER DEPARTMENT FOR THIS SECTION PARCEL 101-27, THEY FEEL THE CITY OF TAUNTON WOULD LIKE TO HAVE IT BOTH WAYS TO CHARGE FOR THE SEWER SYSTEM AND AT THE SAME TIME PREVENT THEM FROM TAKING ADVANTAGE OF THE SEWER SYSTEM.

ALSO, REGARDING PARCEL 101-6 (WHICH IS THE PARCEL BEING DISCUSSED NOW, THE SAME MASSACHUSETTS RIVER PROTECTION LAW APPLIES TO PARCEL 101-27 ALSO APPLIES TO THIS PARCEL 101-6. MR. MCPHERSON BELIEVES THAT THERE IS AN EASTERLY AREA OF THE PARCEL THAT CAN BE BUILT UPON. HE WAS SHOWN A PLAN BY THE SEWER DEPARTMENT WHERE ONLY 1 SEWER OUTLET STUB HAD BEEN INSTALLED ON THE LAND. THE STUB WAS PLACED ON THE EASTERLY SIDE OF THE LAND. WHEN HE QUESTIONED WHY THERE WAS ONLY 1 STUB, HE WAS TOLD THAT THERE WAS NO NEED TO INSTALL A STUB ON THE WESTERLY SIDE OF THE LAND BECAUSE THE LAND WAS UNDIVIDABLE.

THE LETTER FURTHER STATES THAT HE FEELS THIS PLACES AN UNNECESSARY FINANCIAL BURDEN ON HIM BECAUSE THIS LAND IS CLEARLY RESTRICTED BY THE MASSACHUSETTS RIVER PROTECTION LAW AND HAS BEEN CONFIRMED BY KEVIN SCANLON AND THE TAUNTON CONSERVATION DIRECTOR.

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

MOTION: TO MAINTAIN THE BETTERMENT ASSESSMENT OF \$79,258.00. SO VOTED.

THE SECOND LOT IS PARCEL 101.27 ALSO OWNED BY HARRY MCPHERSON.

MR. FEDERICO SAID THAT THIS LOT IS 4.78 ACRES, WAS REDUCED BY 50% TO 2.39 ACRES AND FURTHER REDUCED TO 1.38 ACRES BECAUSE OF A GRINDER PUMP SO IT IS LIMITED TO 4 UNITS. HE RECOMMENDS MAINTAINING THE BETTERMENT.

MOTION: TO MAINTAIN THE BETTERMENT OF \$79,258.00 AND TO PROVIDE MR. MCPHERSON WITH A SENIOR DEFERRAL APPLICATION PACKET. SO VOTED.

NEXT WAS PROPERTY AT LOT 88-90 – WINTHROP STREET OWNED BY SUSAN STAWNIAK. SHE WAS PRESENT AND REPRESENTED BY HER ATTORNEY NICK SHUTAUFF.

MR. FEDERICO STATED THAT THIS PROPERTY IS 3.06 ACRES, WITH 50% BEING 1.53 ACRES FOR A FULL ASSESSMENT OF \$87,184.00.

MR. FEDERICO INFORMED THE COMMITTEE THAT MICHELE RESTINO, THE CITY OF TAUNTON CONSERVATION AGENT WENT OUT TO VIEW THE PROPERTY AND PROVIDED A LETTER DATED 9/3/13 WHICH STATED THAT THE PROPERTY IS ENTIRELY WITHIN PRIORITY HABITAT OF RARE SPECIES AND ESTIMATED HABITAT OF RARE WILDLIFE ACCORDING TO THE NATURAL HERITAGE ENDANGERED SPECIES PROGRAM (NHESP). IN ADDITION, A MAJORITY OF THE PROPERTY IS WETLAND. THERE IS A STEEP DROP-OFF FROM THE EDGE OF THE ROAD TO ESSENTIALLY WHERE THE WETLANDS BEGIN AT ELEVATION 82. IT DOES NOT LOOK AS THOUGH THERE IS ENOUGH ROOM BETWEEN THE WETLANDS AND THE UPLANDS, NOR ANY AREA OUTSIDE OF NHESP IN WHICH TO BUILD ANY STRUCTURE ON THE PROPERTY.

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED**MOTION: LETTER TO BE PART OF THE RECORD. SO VOTED.**

MR. FEDERICO FURTHER STATED, BASED ON THIS LETTER, THAT HE RECOMMENDS A FULL ABATEMENT IN THE AMOUNT OF \$87,184.00.

MOTION: MOTION TO APPROVE THE ABATEMENT IN THE AMOUNT OF 87,184.00. SO VOTED.

NEXT WAS PROPERTY AT LOT 89-177 – 450 WINTHROP STREET OWNED BY BRENDAN LOFTUS. MR. FEDERICO STATED THAT THE ENTIRE PARCEL IS 12.2 ACRES WITHIN THE HIGHWAY BUSINESS DISTRICT. THEY USED 8.03 ACRES THEN WITH THE 50% REDUCTION YOU END UP WITH 4 ACRES OR 11.7 UNITS WHICH TURNED OUT TO BE \$231,830.00. UPON FURTHER INSPECTION OXBOW ASSOCIATES WENT OUT THERE AND THEY DELINEATED THE WETLANDS, AND THIS IS ALSO UNDER THE NATURAL HERITAGE ENDANGERED SPECIES PROGRAM. MR. FEDERICO ALSO READ A LETTER FROM TAUNTON CONSERVATION AGENT MICHELE RESTINO WHICH STATED THAT SHE REVIEWED THE WETLAND EVALUATION NARRATIVE BY OXBOW ASSOCIATES AND SHE IS IN AGREEMENT WITH HIS ASSESSMENT OF THE PROPERTY. SHE REVIEWED THE DELINEATION AND AGREE WITH THE PLACEMENT OF THE FLAGS. IN ADDITION TO HIS DELINEATION OF THE WETLAND AREA, THE PROPERTY IS ALSO WITHIN THE NATURAL HERITAGE ENDANGERED SPECIES PROGRAM PRIORITY HABITAT OF RARE SPECIES AND ESTIMATED HABITAT OF RARE WILDLIFE. THIS ADDITIONAL LAYER OF SPECIAL STATUS MAKES IT PARTICULARLY DIFFICULT FOR FUTURE DEVELOPMENT ON THE SITE.

THE LETTER FURTHER STATED THAT THE CONSERVATION COMMISSION HAS, AT A MINIMUM, A 25-FOOT WETLAND PROTECTION ZONE WHICH OXBOW ASSOCIATES OUTLINED ON THE PHOTO OF THE PROPERTY. ALTHOUGH THERE IS AN UPLAND AREA TO THE SOUTHEAST, IT IS NOT ACCESSIBLE WITHOUT FILLING WETLANDS AND DISTURBING NHESP HABITAT AND THERE IS NO OPTION FOR REPLICATION, MAKING IT DIFFICULT FOR ANY FUTURE DEVELOPMENT.

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

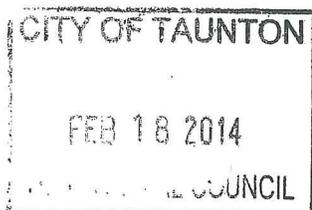
MR. FEDERICO CONTINUED AND STATED THAT BASED ON THIS INFORMATION, THERE IS ONLY 2.8 ACRES OF USEABLE LAND ON THIS PROPERTY WHICH WORKS OUT TO BE AN ASSESSMENT OF \$118,890.00. THE ORIGINAL ASSESSMENT WAS \$231,830.00, THE ABATEMENT WOULD BE FOR \$112,940.00 LEAVING THE REMAINING ASSESSMENT AT \$118,890.00.

MR. LOFTUS STATED THAT THE INITIAL AMOUNT WAS TOTALLY SCEWED, THE NUMBERS ARE TERRIBLE. HE SUGGESTS THAT THE COUNCIL REVIEW THE FORMULA.

IT WAS NOTED THAT THE COUNCIL FELT THIS WAS THE MOST FAIR AND EQUITABLE WAY TO DO THIS. MR. LOFTUS FEELS THAT THE COUNCIL DID NOT REALIZE WHAT THESE NUMBERS WERE GOING TO BE.

MOTION: TO APPROVE THE ABATEMENT OF \$112,940.00 AND THE ASSESSMENT BE REDUCED FROM \$\$231,830.00 TO \$118,890.00. SO VOTED.

MEETING ADJOURNED AT 7:49 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, likely of the City Clerk.

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
FEBRUARY 18, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE

PRESENT WERE: COUNCIL PRESIDENT ANDREW MARSHALL AND COUNCILORS CLEARY, COSTA-HANLON, CROTEAU, POTTIER, MCCAUL, QUINN AND BORGES. ALSO PRESENT WAS KEVIN SHEA, EXECUTIVE DIRECTOR OF THE OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT

MEETING CALLED TO ORDER AT 8:00 P.M.

1. MEET WITH KEVIN SHEA, EXECUTIVE DIRECTOR OF THE OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT TO DISCUSS RESOLUTION REVOKING THE CERTIFIED PROJECT STATUS OF AGAR SUPPLY COMPANY, INC., 225 JOHN HANCOCK ROAD

MR. SHEA PROVIDED A PACKET OF INFORMATION WHICH CONTAINED 2 LETTERS FROM THE STATE TELLING THE CITY THAT THEY HAVE DECERTIFIED THE AGAR TIF PROJECT IN THE INDUSTRIAL PARK. THE STATE OVER THE PAST FEW YEARS HAS TAKEN THE RESPONSIBILITY TO MONITOR AND DECERTIFY THESE PROGRAMS. THE BOTTOM LINE IS WHY THEY DECERTIFIED THEM, AND THAT IS THE COMPANY WAS SUPPOSED TO HAVE RETAINED 398 JOBS AND CREATED 25. THEY FELL 2 SHORT OF THEIR RETAINAGE TO 396, AND DID NOT CREATE THE 25. BASICALLY THEY WERE SHORT 27 JOBS AND THE STATE DECERTIFIED THEM. THE LETTER FROM THE STATE JUST TELLS THE CITY THAT THEY HAVE DONE THIS AND IT IS UP TO THE CITY TO DECERTIFY OR NOT THE LOCAL TAX BREAK. MR. SHEA ALSO PROVIDED IN THE PACKET A COPY OF THE AGREEMENT THAT WAS SIGNED IN 2009, IT IS ACTUALLY AN AMENDMENT TO AN AGREEMENT THAT AGAR HAD GOING BACK TO 2000. THROUGHOUT THE FIRST PERIOD THEY WERE COMPLIANT WITH EVERYTHING, THE INVESTMENT AND THE JOBS. THEY WERE ACTUALLY COMPLIANT UP TO FISCAL YEAR 12 WITH THE STATE, IT WAS THE YEAR FY12 THAT THEY WERE DECERTIFIED BECAUSE OF THE LACK OF JOBS. THE INVESTMENT WAS THERE AND IT WAS DONE PRETTY MUCH RIGHT AWAY. THEY BUILT A 50,000 SQUARE FOOT BUILDING WHICH WAS CONSTRUCTED A YEAR PRIOR TO THE PROPERTY BEING ASSESSED. BASICALLY NOW IT IS UP TO THE COUNCIL TO ACT ON THIS TO DECERTIFY OR NOT. COUNCILOR POTTIER ASKED IF THE COMPANY WAS PROTESTING THE DECERTIFICATION.

MR. SHEA SAID NO, AND AGAR HAS BEEN BOUGHT OUT BY REINHART OUT OF ILLINOIS. THERE IS AN APPEAL PPROCESS THAT GOES ALONG WITH THIS AND THEIR ATTORNEY WAS NOTIFIED. HE SENT A LETTER BACK CHOOSING NOT TO PURSUE THE APPEAL PROCESS.

COUNCILOR POTTIER STATED THAT HIS CONCERN IS THAT THE EXEMPTION RATE HAS DECREASED TO 5% SO IT WAS VERY WEIGHTED TOWARD THE COMPANY IN THE BEGINNING, SO THAT IS WHY THE COMPANY IS PROBABLY NOT FIGHTING IT. THE PROBLEM HE HAS IS THAT OUT OF A 7 YEAR AGREEMENT WE HAVE 35% LEFT, YET THEY HAVE RECEIVED UPWARDS OF 90% OF THE TOTAL BENEFIT. THE CHALLENGE HE HAS AS A COUNCILOR IS THAT IT IS SO WEIGHTED IN FAVOR OF THE APPLICANT THAT WE DON'T HAVE A CLAW BACK PROVISION IN THE AGREEMENT TO GET BACK ANY OF THIS MONEY. HE ASKED IF THE CITY COULD STRUCTURE THE AGREEMENT DIFFERENTLY, AND IF THERE IS A CLAW BACK.

MR. SHEA STATED THAT HE IS NOT AWARE OF ANY CLAWBACK.

COUNCILOR POTTIER ASKED IF THERE WERE ANY TIF'S THAT MR. SHEA IS AWARE OF THAT AREN'T SO FRONT END LOADED LIKE THIS WHERE THE ORGANIZATION RECEIVES ABOUT 80% OF THE BENEFIT DURING THE FIRST HALF OF THE AGREEMENT HE UNDERSTANDS WHY THE COMPANY WANTS IT BUT IT KIND OF LEAVES THE CITY HOLDING THE BAG.

MR. SHEA SAID THAT OTHER COMMUNITIES HAVE SPLIT UP AND WEIGHED THE BENEFIT – PART FOR INVESTMENT, PART FOR JOBS, FOR EXAMPLE, AGAR COULD MAKE THE CASE THAT THEY PUT THE INVESTMENT IN THE GROUND AND WHETHER THIS TIF IS DECERTIFIED OR RUNS RIGHT TO THE END, THE CITY IS GOING TO BE TAKING THAT INCREMENTAL VALUE FOR EVER. THE CITY TIF'S AREN'T STRUCTURED

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THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

THAT WAY, FOR INSTANCE IF YOU FALL BELOW THE JOB LEVEL, YOU STILL GOT SOME BENEFIT BECAUSE YOU PUT THE INVESTMENT IN THE GROUND AND IT IS ALWAYS GOING TO STAY THERE, AND MAY GET PENALIZED A LITTLE BIT FOR THE LACK OF JOBS.

COUNCILOR POTTIER STATED THAT HE IS LOOKING FOR WAYS FOR THE TIF TO BE MORE BALANCED.

COUNCILOR COSTA-HANLON ASKED WHY WE CANNOT DECERTIFY THEM AS OF 2012 AND WHY NOT GO BACK TO 2012 AND CHARGE THEM.

MR. SHEA SAID BECAUSE THERE IS NO CLAW BACK.

COUNCILOR COSTA-HANLON STATED THAT IT DOESN'T SAY THAT THE CITY HAS TO WAIT FOR THE STATE TO DECERTIFY. THEY FAILED TO MEET THE STANDARD IN 2012. SHE FEELS THAT THIS SHOULD BE REFERRED TO THE CITY SOLICITOR AS SHE WOULD LIKE THIS EXPLORED.

COUNCILOR COSTA-HANLON ALSO STATED THAT SHE IS UNDER THE UNDERSTANDING THAT THE COUNCIL REVIEWS THESE TIFS EVERY YEAR, AND IS THIS STILL BEING DONE.

MR. SHEA SAID YES.

COUNCILOR QUINN STATED THAT IN THE REVIEW PROCESS THEY WERE NOT DECERTIFIED IN 2012. THAT IS WHY WE CANNOT GO BACK. SHE FURTHER ASKED WHETHER THE CITY HAS TO WAIT FOR THE STATE TO DECERTIFY OR CAN THE CITY, WHEN IT DOES ITS ANNUAL REVIEW AND FINDS THEY ARE 27 JOBS SHORT, CAN DECERTIFY ON ITS OWN WITHOUT THE STATE. BECAUSE, SHE NOTED, CONCEIVABLY WE HAVE LOST 2 YEARS OF TAXES.

MR. SHEA STATED THAT WITHIN THAT TIME PERIOD THERE IS ALSO AN APPEAL PERIOD WHICH USES SOME TIME, BUT BASICALLY WE DO HAVE TO WAIT FOR DECERTIFICATION BECAUSE IT IS A 2 YEAR PROCESS, AND THE STATE HAS TO BE FIRST.

COUNCILOR QUINN NOTED THAT IT DOES SAY, SINCE WE ARE IN FISCAL YEAR 13, IF THE COMPANY HAS NOT YET RECEIVED THE BENEFIT FOR THE FISCAL YEAR, WE CAN GET THE FULL TAX RATE. SHE WOULD MAKE THE ARGUMENT THAT WE CAN GET THE BENEFIT FOR FY 13 BECAUSE WE ARE STILL IN FY 13. SHE ASKED THAT MR. SHEA LOOK INTO GETTING THE FISCAL YEAR FOR FY 13, AND DEFINITELY 2014.

COUNCILOR CLEARY STATED THAT HE BELIEVES WE ARE NOT ALLOWED TO GO BACK, BECAUSE IT SAYS IF SUCH BENEFITS HAVE ALREADY BEEN RECEIVED, SO WE CANNOT GO 1 OR 2 YEARS BACK. IF THEY HAVEN'T PAID THEIR TAXES FOR THIS YEAR, THEY WOULD BE SUBJECT TO DECERTIFICATION SO THEY WOULD NOT GET THE BENEFIT FOR FY 13.

MOTION: TO RATIFY THE MASSACHUSETTS ECONOMIC ASSISTANCE COORDINATING COUNCIL DECERTIFICATION OF AGAR SUPPLY COMPANY, INC., TAUNTON, MASSACHUSETTS, REVOKING ITS LOCAL CERTIFIED PROJECT STATUS AND ANY AGREEMENT RELATED THERETO.

ON DISCUSSION, COUNCILOR CROTEAU STATED THAT HE WOULD LIKE TO SEE THE NUMBERS IN THE MOTION RELATIVE TO THE TAXES THAT MAY BE DUE.

COUNCILOR MARSHALL NOTED THAT WE DO NOT KNOW WHAT THEY HAVE PAID. HE FEELS THAT WE SHOULD LEAVE IT UP TO THE ASSESSOR TO ASSESS THE FY 14 NUMBERS.

COUNCILOR CROTEAU STATED THAT HE RESPECTFULLY REQUESTS TO SEE THE NUMBER FROM THE ASSESSOR BEFORE WE FINALIZE THIS.

COUNCILOR QUINN STATED THAT SHE DOES NOT THINK IT REALLY MATTERS IF THEY HAVE PAID THE TAXES OR NOT. IT IS JUST THE ASSESSMENT. THE MOTION COULD BE THAT WE APPROVE THE DECERTIFICATION AND THAT THE ASSESSORS ASSESS THE FULL TAXES FOR 2014.

COUNCILOR BORGES ALSO FEELS THAT THIS SHOULD BE LEFT UP TO THE TAX ASSESSOR.

COUNCILOR COSTA-HANLON SAID THAT SHE WOULD AGREE WITH IT BUT SHE DOES NOT WANT TO BOX OURSELVES INTO FY 2014 BECAUSE AGAIN, SHE THINKS WE NEED A LEGAL OPINION AS TO THAT WORDING, AS SHE FEELS THE WORDING IS CLEAR, THAT ONCE IT IS DECERTIFIED, WE

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THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

CAN GO BACK TO THE FIRST FISCAL YEAR IN WHICH THE COMPANY FAILED TO MEET THE COMMITMENTS. SHE WOULD LIKE THE CITY SOLICITOR TO LOOK AT THIS WORDING.

COUNCILOR MARSHALL CLARIFIED THE ABOVE MOTION TO READ:

MOTION: TO RATIFY THE MASSACHUSETTS ECONOMIC ASSISTANCE COORDINATING COUNCIL DECERTIFICATION OF AGAR SUPPLY COMPANY, INC., TAUNTON, MASSACHUSETTS, REVOKING ITS LOCAL CERTIFIED PROJECT STATUS AND ANY AGREEMENT RELATED THERETO, AND HAVE THE ASSESSORS ASSESS THE FULL FY 2014 TAX VALUE. SO VOTED.

MOTION: TO GET A LEGAL OPINION FROM THE CITY SOLICITOR'S OFFICE RELATIVE SPECIFICALLY TO PARAGRAPH 5 AND DETERMINE WHETHER WE CAN IN FACT GO BACK TO THE FIRST FISCAL YEAR IN WHICH THE COMPANY FAILED TO MEET ITS COMMITMENT, WHICH ACCORDING TO THE INFORMATION IS FISCAL YEAR 2012. SO VOTED.

MOTION: THE ASSESSOR'S OFFICE IS TO LET THE COUNCIL KNOW WITHIN 1 WEEK WHAT THE FULL FY 2014 ASSESSMENT FOR AGAR WILL BE. SO VOTED.

MOTION: PACKET OF INFORMATION PROVIDED BY MR. SHEA TO BE PART OF THE RECORD. SO VOTED.

MR. SHEA PROVIDED A HANDOUT SHOWING THE CURRENT LIST OF THE CITY OF TAUNTON'S TAX INCREMENT FINANCE PROJECTS. THIS DOCUMENT DOES INCLUDE AGAR. CURRENTLY THERE ARE 11 TIF'S. THE COMPANIES, ADDRESSES AND THE DURATION AND THE CHAPTER 59 VALUES – WHICH WOULD BE THE VALUES WITHOUT THE BREAK – AND THE FY 13 VALUES WOULD BE IN THE OTHER COLUMN.

MR. SHEA FURTHER STATED THAT WHAT THEY PAY EACH YEAR IN TAXES VARIES BECAUSE EACH ONE OF THEM IS IN A DIFFERENT YEAR IN TERMS OF THE PERCENTAGE. HE FURTHER STATED THAT THE IMPORTANT THING IS THE CHAPTER 59 VALUE WHICH WOULD BE WITHOUT THE TAX BREAK.

HE ALSO NOTED WITH AGAR, WITHOUT THE TIF THE VALUATION WOULD BE \$18,386,400, WHICH IS THE CHAPTER 59 VALUATION ON AGAR.

COUNCILOR BORGES ASKED MR. SHEA TO CLARIFY THAT HE GETS A REPORT YEARLY FROM EACH ONE OF THESE COMPANIES WITH INFORMATION REGARDING HOW MANY JOBS,, ETC. SHE ASKED WHAT OTHER METHODS ARE IN PLACE, DOES HE ACTUALLY GO OUT THERE OR IS IT JUST A REPORT THAT THEY SEND TO MR. SHEA.

MR. SHEA SAID THAT THE COMPANIES SEND THE REPORT TO THE STATE AND THE STATE SENDS HIM A COPY.

COUNCILOR BORGES ASKED IF THE CITY GETS A COPY RIGHT AWAY, OR IS IT SOMETHING THAT TAKES A WHILE.

MR. SHEA SAID HE GETS IT WHEN IT IS FILED.

COUNCILOR MARSHALL STATED THAT HE REMEMBERS SITTING ON THE COUNCIL WHEN HE USED TO GET THEIR OWN CERTIFICATION LETTERS, THROUGH MR. SHEA'S OFFICE, AND THEIR OWN STATEMENT OF COMPLIANCE THROUGH MR. SHAFER. WHY DON'T WE STILL GET OUR OWN LOCAL INFORMATION.

MR. SHEA SAID THE STATE HAD CHANGED THE PROCESS A FEW YEARS BACK.

COUNCILOR MARSHALL ASKED IF THERE WAS ANY REASON WHY THE COUNCIL COULD NOT ASK TO GET THEIR OWN REPORT.

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THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

MR. SHEA SAID WE COULD, BUT WE PRETTY MUCH GET IT A DAY OR 2 FROM WHEN THE STATE GETS IT. THERE IS NOT A BIG GAP OF TIME.

COUNCILOR CROTEAU ASKED THAT IF WE KNOW WHEN THE DATA IS FORWARDED TO THE STATE AND MR. SHEA DOESN'T HAVE IT WITHIN A WEEK, THEN CAN WE GO TO THE COMPANY AND ASK FOR IT? MR. SHEA SAID YES. COUNCILOR CROTEAU SAID HE SUGGEST WE DO THAT.

COUNCILOR COSTA-HANLON SAID SHE IS CONCERNED, WITH AGAR FOR EXAMPLE, THAT IN 2012 THEY FAILED TO COMPLY, SO ITS 2 YEARS AND NOW THEY ARE BEING DECERTIFIED. SHE IS HOPING THE LEGAL OPINION SHOWS THAT WE CAN GO BACK TO 2012. IF WE CAN'T, THEN IT SEEMS LIKE WE WERE HURT BY THAT 2 YEAR LAG TIME. IF WE HAD KNOWN AGAR FAILED, WE WOULD HAVE ASKED FOR DECERTIFICATION BECAUSE THE CITY CAN REQUEST IT ON ITS OWN.

MR. SHEA SAID THAT GOING FORWARD, BASICALLY WHAT THEY ARE DOING, AND THIS IS CONTAINED IN THE HANDOUT, THEY ARE DOING LOCAL TIF ONLY AND JOBS ARE NOT BEING REQUIRED, IT IS STRICTLY BASED ON INVESTMENT. GOING FORWARD THIS WILL MAKE IT EASIER, BECAUSE YOU EITHER PUT THE MONEY IN THE GROUND OR YOU DON'T. IF THEY BUILD A BUILDING OR AN ADDITION, THEN THEY HAVE MET THE TERMS OF THE AGREEMENT.

COUNCILOR COSTA-HANLON THEN STATED THAT HER QUESTION IS THAT SHE THOUGHT THE 20 YEARS WAS BASICALLY TO GIVE SOMEONE THE OPPORTUNITY TO GET THE JOBS GOING, BECAUSE TO MR. SHEA'S POINT YOU EITHER INVEST OR YOU DON'T. ARE WE TALKING THAT NOW THE EDIP WILL BE LESS THAN 20 YEARS, ARE THEY LOOKING AT ONLY HAVING IT 5 YERS IF WE ARE ONLY DOING CAPITAL IMPROVEMENTS. HER UNDERSTANDING IS THAT WE ALWAYS GAVE THEM THE 20 YEARS MOSTLY FOR THE JOB CREATION NOT THE CAPITAL INVESTMENT.

MR. SHEA SAID THEY HAVE CHANGED THIS, WHAT THEY HAVE DONE IS THAT NOW THEY ARE REQUIRING SIGNIFICANT OUT OF STATE SALES, A THRESHOLD OF 25%, SO EXCEPT FOR SOME OF THE REALLY BIG COMPANIES, YOU ARE NOT GOING TO SEE TOO MANY COMPANIES THAT MEET THIS THRESHOLD REQUIREMENT.

MR. SHEA FURTHER STATED THAT THE LOCAL TIFS WILL NOT INCLUDE ANYTHING WITH THE INVESTMENT TAX CREDITS OR ANY OF THE STATE BENEFITS ANYMORE. THEY ARE GOING TO ALLOW A LOCAL TAX BREAK AND IT IS NOT EVEN GOING TO REQUIRE JOBS. YOU WILL GET THE STATE BENEFITS IF YOU MEET THE 25% OUT OF STATE SALES.

COUNCILOR QUINN ASKED AS A FOLLOW UP THAT IN THE FUTURE IF IT IS JUST LOCAL TIF FUNDING THERE WON'T BE ANY REPORTING TO THE STATE, SO THAT THE CITY WOULD FIND OUT ALMOST IMMEDIATELY IF THERE WAS A PROBLEM.

MR. SHEA SAID THAT WE WILL KNOW RIGHT AWAY FROM OUR BUILDING DEPARTMENT BECAUSE IT IS ALL BASED ON THE INVESTMENT, ONCE THEY GO OUT THERE AND SOMEBODY FROM THE ASSESSOR'S GOES OUT AND ASSESSES IT, WE WILL KNOW THEY ARE COMPLIANT. UNDER THE LOCAL INCENTIVES, IT SAYS JOB CREATION IS ENCOURAGED SO THERE WON'T BE ANY NEED TO REVIEW THIS. THEY WILL BE COMPLIANT BEFORE THEY GET THE TAX BREAK.

MR. SHEA STATED THAT THE EXISTING TIF'S WILL STILL REPORT TO THE STATE, BUT NEW ONES WILL NOT. QUESTIONED WAS WHAT THE DATE THE REPORTS ARE DUE TO THE STATE. MR. SHEA SAID THE 3RD WEEK IN AUGUST EVERY YEAR.

MOTION: THAT A REVIEW OF THE EXISTING 10 TIF'S BE DONE IN THE SECOND WEEK OF SEPTEMBER, 2014. SO VOTED.

COUNCILOR CEOTEAU SUGGESTED THAT THIS COMMITTEE MEET WITH THE TDC TO DISCUS CURRENT DEVELOPMENTS.

COUNCILOR MARSHALL STATED THAT HE IS WORKING WITH LOU RICCIARDI, WHO HAS OFFERED TO COME IN AND PROVIDE THE COUNCIL WITH AN UPDATE. HE IS IN THE PROCESS OF WORKING OUT A

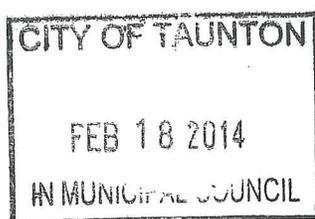
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FEBRUARY 18, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

DATE, AND HOPEFULLY IT WILL BE MID MARCH.
COUNCILOR COSTA-HANLON ASKED WHAT THE CITY IS DOING TO REACH OUT TO A COUPLE OF COMPANIES THAT ARE MOVING OUT, SHE IS THINKING ABOUT SWANKS AND SHAWS. CAN MR. SHEA COME BACK TO DISCUSS WHAT THE CITY IS DOING AS FAR AS OUTREACH. IT WAS DECIDED THAT THIS WILL BE LEFT IN THE HANDS OF THE COUNCIL PRESIDENT TO SET THIS UP AND THE COUNCILORS ARE TO PROVIDE SPECIFIC PROPERTIES TO MR. SHEA.

MEETING ADJOURNED AT 8:47 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 "Rm Blawie".

CITY CLERK



CITY OF TAUNTON

In Municipal Council

ORDER #20

FY 2014

FEBRUARY 18, 2014

20

Ordered, That

THE SUM OF ONE HUNDRED NINETY NINE THOUSAND

DOLLARS AND NO CENTS (\$199,000.00) BE AND HEREBY IS TRANSFERRED FROM

STABILIZATION ACCOUNT NO. 84-145-8000-5960-00-000)

TO: LAW DEPARTMENT ACCOUNT NO. 01-151-0203-5810-00-000

..... Clerk.



CITY OF TAUNTON

In Municipal Council

ORDER #21

FY 2014

FEBRUARY 18, 2014

20

Ordered, That

THE SUM OF SIX HUNDRED DOLLARS AND NO CENTS

(\$600.00) BE AND HEREBY IS TRANSFERRED FROM RESERVE ACCOUNT NO.

1-132-202-5784

TO: CLERK OF COMMITTEES ACCOUNT NO. 1-111-201-5100 – SALARY

..... *Clerk.*



CITY OF TAUNTON

ORDER #22

FY 2014

FEBRUARY 18, 2014

20

In Municipal Council

Ordered, That

THE SUM OF SIX THOUSAND SIX HUNDRED TEN DOLLARS

AND SEVENTY-SIX CENTS (\$6,610.76) BE AND HEREBY IS TRANSFERRED FROM RESERVE

ACCOUNT NO. 1-132-202-5784 AS FOLLOWS:

\$2,733.64	TO ACCOUNT NO. 01-145-0201-5100-00-000 – TREASURER – DEPARTMENT HEAD SALARY
\$2,112.24	TO ACCOUNT NO. 01-145-0201-5101-00-000 – TREASURER – ASSISTANT DEPARTMENT HEAD SALARY
\$1,764.88	TO ACCOUNT NO. 01-145-0201-5102-00-000 – TREASURER – OFFICE MANAGER SALARY

..... Clerk.



CITY OF TAUNTON

In Municipal Council

ORDER #23

FY 2014

FEBRUARY 18, 2014

20.....

Ordered, That

THE SUM OF FOURTEEN THOUSAND TWO HUNDRED

TWENTY SIX DOLLARS AND THIRTY ONE CENTS (\$14,226.31) BE AND HEREBY IS

TRANSFERRED FROM RESERVE ACCOUNT NO. 1-132-202-5784 AS FOLLOWS:

\$2,273.70	TO BOARD OF HEALTH ACCOUNT NO. 1-510-201-5100 – DEPARTMENT HEAD
\$2,020.86	TO BOARD OF HEALTH ACCOUNT NO. 1-510-201-5101 – ASSISTANT DEPARTMENT HEAD
\$1,705.98	TO BOARD OF HEALTH ACCOUNT NO. 1-510-201-5110 – PUBLIC HEALTH NURSE
\$2,031.10	TO BOARD OF HEALTH ACCOUNT NO. 1-510-201-5109 – COMPLY OFFICER
\$6,194.58	TO BOARD OF HEALTH ACCOUNT NO. 1-510-201-5116 – SANITARY INSPECTORS (4)

..... *Clerk.*



CITY OF TAUNTON

In Municipal Council **ORDER #24**
FY 2014
FEBRUARY 18, 2014 *20*.....

Ordered, That

**THE SUM OF THREE THOUSAND SIX HUNDRED NINETY
NINE DOLLARS AND FIFTY CENTS (\$3,699.50) BE AND HEREBY IS TRANSFERRED FROM
RESERVE ACCOUNT NO. 1-132-202-5784 AS FOLLOWS:**

\$2,145.22 TO CITY CLERK ACCOUNT NO. 1-161-201-5100 – DEPARTMENT HEAD

**\$1,554.28 TO CITY CLERK ACCOUNT NO. 1-161-201-5101 – ASSISTANT DEPARTMENT
HEAD**

..... *Clerk.*



CITY OF TAUNTON

In Municipal Council **ORDER #25**
FY 2014
FEBRUARY 18, 2014 *20*.....

Ordered, That

THE SUM OF THREE THOUSAND EIGHT HUNDRED

SEVENTY DOLLARS AND SEVENTY NINE CENTS (\$3,870.79) BE AND HEREBY IS

TRANSFERRED FROM RESERVE ACCOUNT NO. 1-132-202-5784 AS FOLLOWS:

**\$2,285.54 TO PLANNING AND CONSERVATION ACCOUNT NO. 1-175-201-5100 –
DEPARTMENT HEAD**

**\$1,585.25 TO PLANNING AND CONSERVATION ACCOUNT NO. 1-175-201-5101 –
ASSISTANT DEPARTMENT HEAD**

..... *Clerk.*



CITY OF TAUNTON

In Municipal Council ORDER #26
FY 2014
FEBRUARY 18, 2014 20.....

Ordered, That

THE SUM OF SIX THOUSAND SEVEN HUNDRED SIX

DOLLARS AND EIGHTY SIX CENTS (\$6,706.86) BE AND HEREBY IS TRANSFERRED

FROM RESERVE ACCOUNT NO. 1-132-202-5784 AS FOLLOWS:

\$2,561.42 TO OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT ACCOUNT
NO. 1-182-201-5101 – ASSISTANT EXECUTIVE DIRECTOR SALARY

\$4,145.44 TO OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT ACCOUNT
NO. 1-182-201-5102 – FISCAL MANAGER SALARY

..... Clerk.



CITY OF TAUNTON

In Municipal Council **ORDER #27**
FY 2014
FEBRUARY 18, 2014 *20*.....

Ordered, That

THE SUM OF THREE THOUSAND SIX HUNDRED

EIGHTEEN DOLLARS AND FORTY CENTS (\$3,618.40) BE AND HEREBY IS TRANSFERRED

FROM RESERVE ACCOUNT NO. 1-132-202-5784 AS FOLLOWS:

\$2,062.32 TO EMERGENCY MANAGEMENT ACCOUNT NO. 1-291-201-5100 – DIRECTOR SALARY

\$1,556.08 TO EMERGENCY MANAGEMENT ACCOUNT NO. 1-291-201-5101 – ASSISTANT DIRECTOR SALARY

..... *Clerk.*



CITY OF TAUNTON

ORDER #28
FY 2014
FEBRUARY 18, 2014

In Municipal Council 20.....

Ordered, That

THE SUM OF FORTY ONE THOUSAND FIVE HUNDRED SIXTY FIVE DOLLARS AND NO CENTS (\$41,565.00) BE AND HEREBY IS TRANSFERRED FROM RESERVE ACCOUNT NO. 1-132-202-5784 AS FOLLOWS:

- \$2,650.00 TO DEPARTMENT OF PUBLIC WORKS ACCOUNT NO. 1-400-201-5100 – COMMISSIONER
- \$2,445.00 TO DEPARTMENT OF PUBLIC WORKS ACCOUNT NO. 1-400-201-5101 – ASSISTANT COMMISSIONER
- \$1,785.00 TO DEPARTMENT OF PUBLIC WORKS ACCOUNT NO. 1-400-201-5102 – FISCAL AGENT
- \$3,000.00 TO DEPARTMENT OF PUBLIC WORKS ACCOUNT NO. 1-400-201-5173 – TRAVEL
- \$13,000.00 TO DEPARTMENT OF PUBLIC WORKS ACCOUNT NO. 1-400-201-5191 – SICK/BUYBACK
- \$18,685.00 TO DEPARTMENT OF PUBLIC WORKS ACCOUNT NO. 1-400-201-5197 – VACATION BUY BACK

..... *Clerk.*



CITY OF TAUNTON

In Municipal Council **ORDER #29**
FY 2014
FEBRUARY 18, 2014 *20*.....

Ordered, That

THE SUM OF FIVE THOUSAND SEVEN HUNDRED

THIRTY DOLLARS AND FIFTY TWO CENTS (\$5,730.52) BE AND HEREBY IS TRANSFERRED

FROM RESERVE ACCOUNT NO. 1-132-202-5784 AS FOLLOWS:

\$2,537.44	TO CITY ENGINEER ACCOUNT NO. 1-410-201-5100 – SALARY
\$1,448.01	TO CITY ENGINEER ACCOUNT NO. 1-410-201-5109 – OFFICE MANAGER SALARY
\$1,745.07	TO CITY ENGINEER ACCOUNT NO. 1-410-201-5145 – OFFICE MANAGER – LONGEVITY WHILE STILL IN 1144A THROUGH JUNE, 2013

..... *Clerk.*



CITY OF TAUNTON

In Municipal Council **ORDER #30**
FY 2014
FEBRUARY 18, 2014 *20*.....

Ordered, That

THE SUM OF ONE HUNDRED TWO THOUSAND ONE

HUNDRED FOURTEEN DOLLARS AND NINETY ONE CENTS (\$102,114.91) BE AND HEREBY

IS TRANSFERRED FROM RESERVE ACCOUNT NO. 1-132-202-5784 AS FOLLOWS:

\$2,537.44	TO BUILDING DEPARTMENT ACCOUNT NO. 1-492-0201-5100 – DEPARTMENT HEAD SALARY
\$6,936.66	TO BUILDING DEPARTMENT ACCOUNT NO. 1-492-0201-5101 – INSPECTORS
\$1,750.27	TO BUILDING DEPARTMENT ACCOUNT NO. 1-492-0201-5102 – OFFICE MANAGER
\$2,144.83	TO BUILDING DEPARTMENT ACCOUNT NO. 1-492-0201-5108 – HVAC SYS. MGR.
\$88,745.71	TO BUILDING DEPARTMENT ACCOUNT NO. 1-493-0201-5109 – MISC. EMPLOYEES

..... *Clerk.*



CITY OF TAUNTON

In Municipal Council **ORDER #31**
FY 2014
FEBRUARY 18, 2014 *20*.....

Ordered, That

THE SUM OF SEVEN THOUSAND SEVEN HUNDRED

THIRTY NINE DOLLARS AND FORTY FIVE CENTS (\$7,739.45) BE AND HEREBY IS

TRANSFERRED FROM RESERVE ACCOUNT NO. 1-132-202-5784 AS FOLLOWS:

\$2,686.98	TO HUMAN SERVICES ACCOUNT NO. 1-500-0201-5100 – DEPARTMENT MANAGER
\$1,718.43	TO HUMAN SERVICES ACCOUNT NO. 1-500-0201-5101 – ASSISTANT DEPARTMENT MANAGER
\$1,420.36	TO HUMAN SERVICES ACCOUNT NO. 1-500-0201-5108 – SENIOR DROP-IN CENTER COORDINATOR
\$1,197.75	TO HUMAN SERVICES ACCOUNT NO. 1-500-0201-5110 – SAFE NEIGHBORHOOD INITIATIVE PROGRAM ADVISOR
\$657.98	TO HUMAN SERVICES ACCOUNT NO. 1-500-0201-5116 – ELDER OUTREACH DIRECTOR
\$57.95	TO HUMAN SERVICES ACCOUNT NO. 1-500-0201-5145 – HEAD CLERK/ LONGEVITY

..... *Clerk.*



CITY OF TAUNTON

In Municipal Council **ORDER #32**
FY 2014
FEBRUARY 18, 2014 *20*.....

Ordered, That

THE SUM OF EIGHT HUNDRED FIFTY ONE DOLLARS

AND NO CENTS (\$851.00) BE AND HEREBY IS TRANSFERRED FROM RESERVE

ACCOUNT NO. 1-132-202-5784

TO: HUMAN RESOURCES ACCOUNT NO. 1-549-201-5102 – OFFICE MANAGER

..... *Clerk.*



CITY OF TAUNTON

In Municipal Council

ORDER #33
FY 2014
FEBRUARY 18, 2014

20

Ordered, That

THE SUM OF THIRTY NINE THOUSAND FOUR HUNDRED

DOLLARS AND SEVENTY FOUR CENTS (\$39,400.74) BE AND HEREBY IS TRANSFERRED

FROM RESERVE ACCOUNT NO. 1-132-202-5784 AS FOLLOWS:

- \$2,575.50 TO PARKS, CEMETERIES & PUBLIC GROUNDS ACCOUNT NO. 1-630-201-5100 – DEPARTMENT HEAD
- \$1,227.50 TO PARKS, CEMETERIES & PUBLIC GROUNDS ACCOUNT NO. 1-630-201-5102 – RECREATION SUPERVISOR
- \$33,597.74 TO PARKS, CEMETERIES & PUBLIC GROUNDS ACCOUNT NO. 1-630-201-5109 – OTHER EMPLOYEES
- \$2,000.00 TO PARKS, CEMETERIES & PUBLIC GROUNDS ACCOUNT NO. 1-630-201-5130 - OVERTIME

..... Clerk.



CITY OF TAUNTON

ORDER #34
FY 2014
FEBRUARY 18, 2014

In Municipal Council 20.....

Ordered, That

THE SUM OF ONE THOUSAND EIGHT HUNDRED

THIRTY FOUR DOLLARS AND NO CENTS (\$1,834.00) BE AND HEREBY IS TRANSFERRED

FROM RESERVE ACCOUNT NO. 1-132-202-5784

TO: RISK MANAGER ACCOUNT NO. 1-945-201-5100

..... *Clerk.*



CITY OF TAUNTON

In Municipal Council **ORDER #35**
FY 2014
FEBRUARY 18, 2014 *20*.....

Ordered, That

THE SUM OF THREE THOUSAND DOLLARS AND NO

CENTS (\$3,000.00) BE AND HEREBY IS TRANSFERRED FROM TREASURER ACCOUNT

NO. 01-145-0202-5173-00-000

TO: ACCOUNT NO. 01-145-0201-5173-00-000 - SALARIES AND WAGES

..... *Clerk.*



CITY OF TAUNTON

In Municipal Council **ORDER #36**
FY 2014
FEBRUARY 18, 2014 *20*.....

Ordered, That

**THE SUM OF NINETEEN THOUSAND FOUR HUNDRED
 TWENTY ONE DOLLARS AND EIGHTY FOUR CENTS (\$19,421.84) BE AND HEREBY IS
 TRANSFERRED FROM ASSESSORS ACCOUNT NO 1-141-202-5320 – REVAL SERVICE
 CONTRACT AS FOLLOWS:**

\$2,109.70	TO ACCOUNT NO. 1-141-201-5101 – ASSISTANT DEPARTMENT HEAD (2)
\$651.23	TO ACCOUNT NO. 1-141-201-5109 – ASSISTANT ASSESSOR
\$861.61	TO ACCOUNT NO. 1-141-201-5107 – CLERICAL
\$13,000.00	TO ACCOUNT NO. 1-141-201-5193 – UNUSED SICK LEAVE BUYOUT
\$2,799.30	TO ACCOUNT NO. 1-141-201-5191 – UNUSED PERSONAL BUYBACK

..... *Clerk.*



CITY OF TAUNTON

In Municipal Council

ORDER #37
FY 2014
FEBRUARY 18, 2014

20

Ordered, That

THE SUM OF TWENTY ONE THOUSAND FIVE HUNDRED
THIRTY FIVE DOLLARS AND ONE CENT (\$21,535.01) BE AND HEREBY IS TRANSFERRED
FROM ASSESSORS ACCOUNT NO. 1-141-201-5100 – DEPARTMENT HEAD (PAYROLL)

TO: ACCOUNT NO. 1-141-201-5197 – UNUSED VACATION BUYOUT

..... *Clerk.*