



*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, February 26, 2013 at 7:20 O'clock P.M.*

Regular Meeting

Mayor Thomas C. Hoye, Jr. presiding

Prayer was offered by the Mayor

Present at roll call were:

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

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

Hearing:

Hearing came up by assignment upon the petition of the City of Taunton to adopt a Zoning change in relation to the newly passed Medical Marijuana law

Council motioned to open the Hearing. So Voted. Council motioned to invite in Kevin Scanlon, Director AICP into the enclosure. So Voted. Com. from Director of Planning and Conservation –Submitting Zoning Ordinance-Add to Section 2.1 Definitions the following definition; Add to Section 5.2 Business and Industrial Use Regulations. **Motion was made to receive and place on file. So Voted.** For clarification purposes, Mr. Cleary informed that the proposal is for a location to be within a Business Industrial Zone. Com. from Chairman, Planning Board – Submitting recommendations. **Motion was made to receive and place on file. So Voted.** Mr. Scanlon wanted to clarify that the Planning Board was not proposing the adoption of a zoning ordinance but rather a city ordinance for licensing procedures that would go with the zoning rights. The package given to Council contains two proposals. The zoning proposal is for governing where and how they operate; which is better suited for licensing purposes. Previously, the Council asked for a map as to the proposed locations. Mr. Scanlon produced a map and reviewed the potential locations with the Council. He reminded all that it would require a Special Permit approved by the City Council. The Planning Board is also not advocating any setback requirements. Mr. Scanlon stated that between here to Myles Standish Industrial Park, that there are deed covenant restrictions that the TDC put in place on the properties. Councilor Carr expressed concerns with residential areas bordering the industrial parks. She asked if there was anything that could be done to protect the neighborhoods in those areas especially if the Council cannot require setbacks. Mr. Scanlon reminded the Council of the definition for SP2; and it is at the discretion of the Council to permit. The Industrial District was decided on for this type of business due its intense use rather than residential. With not knowing the regulations or adopted licensing procedures, Mr. Scanlon felt that these locations were more prudent. The concerns that Councilor Carr had with the business being proposed

for industrial parks, was the possibility of policing the area. She had envisioned this type of business to be similar to a storefront location. The recommendations from Councilor Medeiros proposes setbacks from residential zones or public or private schools; therefore, Councilor Costa-Hanlon said that if it is not incorporated into the actual zoning, she would like the recommendation to be reviewed and incorporated within the ordinances or policies for special permits. Mr. Cleary said that we could take all these recommendations under advisement when an application is received for a permit. Councilor Marshall agreed with the industrial district location as proposed. Mr. Scanlon informed that a Special Permit would always go with the property and licenses would go with the individual. Mr. Scanlon informed that a Special Permit will lapse if not used for 24 months. Councilor Marshall asked if the time frame could be changed to 6 months. Mr. Scanlon informed that he believes the time frame is State Law. The proposed ordinances are just some of the items that have been looked at for licensing procedures through the Board of Health and Police Department. Councilor Marshall also had concerns with the proposed ordinance on Medical Marijuana Cultivation-Hardship. He said he would need additional information on the requirements set by DPH for Hardships because the City's requirement may differ. The drafting of the Ordinances for a Special Permit is good as far as the Council having the ability of oversee the business. Councilor Medeiros had concerns with not having the zoning ordinances to technical. He also disagrees with Mr. Scanlon's comments on the setbacks. If the Council does move forward to allow this type of business and a Special Permit is issued, it may be better to have some enforcement mechanisms. If approved, Mr. Scanlon suggested that the Council add a condition. After the review process, Council would not have the authority to revoke the license or refer any issues to the Zoning Enforcement Officer. Councilor Marshall asked if a Special Permit could be revoked. Mr. Scanlon said that he is not aware of any law that would allow the Council to revoke a permit.

No one speaking in favor of or in opposition. **Councilor Carr motioned to approve the Zoning proposal as presented with a two-year expiration of the Special Permit for which the Special Permit would need to be re-applied for after two years So Voted.**

Councilor Medeiros informed that Section D – (7) states that Special Permits should lapse after two years. Councilor Cleary suggested the Council move forward with the proposal for zoning, in an industrial area, with Special Permit approved by Council.

Councilor Marshall discussed with Mr. Scanlon the setback requirements and asked why it is not being considered for this project. Councilor Marshall asked if a new Zone could be created "Medical Marijuana District." Mr. Scanlon informed that he is not recommending that at this time. At the present, DPH Regulations have not been received yet. **Councilor Marshall motioned to approve the Zoning Ordinance as Mr. Scanlon has presented it. Once the DPH regulations are approved that the Zoning Ordinance are brought back for review once the DPH regulations are released. Motion to send to the Committee on Ordinance and Enrolled Bills and Police & Fire Committees. Refer this issue for drafting of a Draft Ordinance to address the concerns on Pages 4, 5 & 6 of the agenda called An Ordinance – Amending Section 7 of the City of Taunton Zoning Ordinance. City Planner asked the Council to state the intent of the motion and that is to approve the recommendations submitted by the Planning Board, and Mr. Scanlon, and that is to accept Section 2.1 & Section 5.2 only. Councilor Medeiros voting in opposition. Vote was 8-1. Motion was made to close the Hearing. So Voted.**

Councilor Carr withdrew previous Motion.

Communications from the Mayor:

Due to conditions at Watson's Pond, the Easter Egg Hunt this year will not be scheduled; although, an activity will be conducted indoors for the children and he is working with the School Department.

Appointments:

None

Communications:

Com. from Director, Veterans Services – Submitting request for additional finding in the amount of \$275,000. **Motion was made to refer to the Mayor's Office and Committee on Finance and Salaries. So Voted.**

Com. from Fire Chief – Submitting unpaid fire detail information. **Motion was made to refer to Committee on Fires & Wires and to request the Fire Chief to be present to discuss the balances due. Also, a request to the Chief to remove any bills from the list that may have been paid or is City property. Information was requested to be sent back to the Council on the Whittenton Mills property that was recently permitted with a balance due. So Voted.**

Com. from City Solicitor – notifying of Court decision for 107-111 Main Street, Docket No. 10-CV-00127. The Court has ordered the Defendant in this case to perform substantial work to the building located 107-111 Main Street to ensure its structural integrity. **Motion was made to receive and place on file with a letter of commendation to be forwarded to the Law Department. So Voted.**

Councilor Cleary asked if a pedestrian safe walk-way should be installed around the existing fence in front of the building. The Mayor said that the building was to be secured by this date, although has not been.

Com. from City Solicitor – Submitting Memoranda of Agreement.

Mayor Hoyer requested the information to be forward to Committee to the Council as a Whole pending one addition Memoranda Agreement. **Motion was made to refer to the Committee of the Council as a Whole. So Voted.**

Petitions:

None

Committee Reports:

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

Councilor Medeiros Motioned to vote present on Public Property. So Voted.

Motion was made to approve all Committee Reports with the exception of Public Property including the easement for Walker School. Vote was 8-1, Councilor Carr voting in opposition.

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

Unfinished Business:

MOTION TO TABLE – *Motion was made from the February 19, 2013 Council Meeting to discuss the renewal of William Garcia Constable License.*

Motion was made to take off the Table the discussion of William Garcia's Constable License. So Voted. Motion was made to invite in Mr. Garcia, Attorney Karsher and Chief Walsh. So Voted. Councilor Cleary reviewed the decision of the Committee on Police & License vote of 2-1 to not move forward with the Chief's recommendation. The recommendation from Chief Walsh was not to re-new Mr. Garcia's Constable License. Recently, during a Council Meeting it was referred to a full Council Meeting for a Council vote. Following a review of the Chief's recommendation and if Council so choose not to adopt, then the Chief would recommend placing a tighter restriction on Mr. Garcia's license. The restriction would consist of Civil Process only with no right of arrests. Councilor Medeiros asked if the Council could shorten the license renewal time for Mr. Garcia rather than 3 years. Chief Walsh informed that the normal re-newel process is for three years. Councilor Cleary informed that Mr. Garcia supplied additional information on his participating with the National Guards and Military Police. **Motion was made to receive and place on file the additional information supplied by Mr. Garcia. So Voted.** Chief Walsh had concerns with decisions and actions previously performed by Mr. Garcia. After conversing with his Command Staff and Department, he could not in good faith recommend renewing Mr. Garcia's license due to liability to the City. Chief Walsh informed that a Constable must submit a Bond to the City to be licensed although he feels that it would not protect the City under any City Right Charge. During Mr. Garcia's last three years of service, he has performed over 300 Power of Arrests and has issued 50 arrest warrants. Councilor Costa-Hanlon asked Council Members to grant Mr. Garcia his normal powers of Constable for a time period of one-year and review after that time. It also was the first time that she has heard about the City's liability from Constables and she would like to receive clarification on this. On behalf of Mr. Garcia, Attorney Karsher explained the incident that occurred in Mansfield upon Mr. Garcia serving papers. Chief Walsh reviewed the recorded requests/incidents from Mr. Garcia over the past three years. **Motion was made for public input not to exceed 3 minutes per individual. So Voted.** Mr. Garcia agreed to public input. Thomas Garvin Sr. stated his daughter resides at 419 Bay Street. On March 23, 2012 he was present on the property where his daughter lives with his grandson Michael. Michael was driving his vehicle. Mr. Garvin informed that Mr. Garcia's vehicle was on the property when he arrived to get his grandson off the school bus. Mr. Garcia approached Mr. Garvin's vehicle to question why he was on the property and added that he did not belong there. He felt that during his time on the property, he was bullied and humiliated by Mr. Garcia. Michael Goslin, 6 Silver Street. Mr. Goslin stated that he was present with Mr. Garvin during the incident at 419 Bay Street on March 23, 2012. William Rutherford, President of the Policemen Association. Mr. Rutherford informed that the recommendation from the Chief is a discipline for the actions of Mr. Garcia. Ed Correia, 156 Field Street spoke as a character witness for Constable Garcia. Mr. Correia spoke of Mr. Garcia's outstanding acts and standings within the City. He feels that the allegations brought up against Mr. Garcia do not warrant his license not being renewed. Attorney Karsher spoke of Mr. Garcia's accomplishments throughout the years and his business which is his livelihood. **Motion was made to renew Mr. Garcia's Constable License, unrestricted, for a time period of one-year. During the one-year, if any incidents occur, the Chief is to review with the Committee on Police**

and License and Mr. Garcia's license could to be revoked at that time. Vote was 4-5, Councilor Carr, Medeiros, Costa-Hanlon, Cleary and Marshall voting in the opposition. Motion does not pass. Motion was made to grant a full three-year Constable License with no restrictions. Seconded for discussion. Councilor Barbour asked for clarification on Council's voting procedure from City Solicitor Buffington. City Solicitor Buffington informed that Council could reconsider a vote at any time. Motion was made to retract the motion to grant a full three-year Constable License with no restrictions. So Voted. Motion was made to reconsider the vote to issue a Constable License, un-restricted, for a time period of one year. During the one-year, if any incidents occur, the Chief is to review with the Committee on Police and License and Mr. Garcia's license could be revoked at that time. Vote was 7-2, Councilor Marshall and Carr voting in opposition. Mr. Garcia said that under the State Law, his License would need to be granted for three-years; although, he has no problem with the Council issuing a special condition for review after one year. Council reviewed the vote due to the fact that some of the members needed clarification on the number of years granted for Mr. Garcia License. Motion was made to reconsider the previous vote: *To issue Mr. Garcia a Constable License, unrestricted, for a time period of one year. During that one-year, if any incidents occur, the Chief is to review with the Committee on Police and License and Mr. Garcia's license could be revoked at that time.* Vote was 7-2, Councilor Marshall and Carr voting in the opposition. Motion was made to issue Mr. Garcia a Constable License, unrestricted, for a time period of three-years with a one-year probationary period for review by the Chief at that time along with a report to be presented to Committee on Police & License and the Council. Vote was 5-4. Voting in favor was Councilor Barbour, McCaul, Pottier, Costa-Hanlon and Medeiros. Voting in opposition was Councilor Carr, Colton, Cleary and Marshall. Councilor Barbour motioned to excuse Mr. Garcia, Attorney Karsher and Chief Walsh. So Voted.

Orders, Ordinances and Resolution:

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

**AN ORDINANCE PERTAINING TO THE DENIAL,
REVOCATION, OR SUSPENSION OF LOCAL LICENSES AND
PERMITS FOR FAILURE TO PAY MUNICIPAL TAXES OR CHARGES**

Chapter 4	Chapter 7	Chapter 12	Chapter 18
Buildings	Fire Prevention and Protection	Licenses and Miscellaneous Business Regulations	Police

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

SECTION 1. Section 4-43 of Article III of Chapter 4 of the Revised Ordinances of the City of Taunton, as amended, is hereby repealed.

SECTION 2. Subsection (2) of Section 7-48 of Article II of Chapter 7 of the Revised Ordinances of the City of Taunton, as amended, is hereby repealed.

SECTION 3. The first sentence of subsection (4) of said Section 7-48 of said Article II of said Chapter 7, as amended, is hereby further amended by striking out the words “police details” and inserting in place thereof the following words:-- fire details

SECTION 4. Article I of Chapter 12 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended by striking out the entirety of Section 12-1 and inserting in place thereof the following section:--

Section 12-1. Licenses and Permits; denial, revocation, or suspension

(a) This ordinance is enacted pursuant to, and under the authority of, Massachusetts General Laws, Chapter 40, Section 57, the provisions of which have been accepted by the City of Taunton.

(b) The purpose of this ordinance is to set forth a mechanism by which any licensing or permitting authority in the City of Taunton may deny any application for, or revoke or suspend a building permit or any local license or permit, including renewals and transfers, issued by any board, officer, or department of the City of Taunton for any person, corporation or business enterprise, who has neglected or refused to pay any local taxes, fees, assessments, betterments, or any other municipal charges, including amounts assessed under the provisions of G.L. c. 40, § 21D, or with respect to any activity, event, or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate whose owner has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges.

(c) For the purposes of this ordinance, the term “local taxes, fees, assessments, betterments or other municipal charges” shall be construed to include, without limitation, police details, fire details, proceeds from the sale of official City of Taunton waste bags, or any other sum lawfully due to the City of Taunton.

(d) The treasurer/collector shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

(e) The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the treasurer/collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the treasurer/collector; provided, however, that written notice is given to

the party and the treasurer/collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The treasurer/collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation, or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued by the treasurer/collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges as of the date of issuance of said certificate.

(f) Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

(g) The Municipal Council may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in G.L. c. 268A, § 1, in the business or activity conducted in or on said property.

(h) This ordinance shall not apply to the following licenses and permits:

Type of License/Permit	Citation to
License/Permit	
(1) Open burning permit	G.L. c. 48, § 13
(2) Bicycle permit	G.L. c. 85, § 11A
(3) Sales of articles for charitable purposes	G.L. c. 101, § 33
(4) Child work permits	G.L. c. 149, § 69
(5) Licenses to clubs or associations dispensing food or beverages	G.L. c. 140, § 21E
(6) Dog licenses	G.L. c. 140, § 137
(7) Licenses for fishing, hunting, trapping	G.L. c. 131, § 12
(8) Marriage licenses	G.L. c. 207, § 28
(9) Permits for theatrical events and public exhibitions	G.L. c. 140, § 181

(i) If any provision of this section is held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

SECTION 5. Subsection (2) of Section 18-71 of Article III of Chapter 18 of the Revised Ordinances of the City of Taunton, as amended, is hereby repealed.

SECTION 6. All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage.

Motion was made to pass to a third reading. So Voted.

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

Ordered, That

\$486,741.00 is appropriated, in addition to the \$270,000 previously appropriated (a total of \$756,741) for the purpose of paying costs of a roof repair/replacement at Galligan School, 15 Sheridan Street, Taunton, MA including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Taunton may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the City of Taunton's Building Committee. To meet this appropriation, the Treasurer with the approval of the Mayor is authorized to borrow said amount under Chapter 44 of the General Laws or any other enabling authority. The City of Taunton acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs The City of Taunton incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Taunton; provided that any grant that the City may receive from the MSBA for the project shall not exceed the lesser of (i) 74 percent of eligible, approved costs, as determined by MSBA, or (ii) the total maximum grant amount determined by the MSBA ; provided that the borrowing authorized pursuant to this order shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Taunton and the MSBA; and that the Mayor is authorized to take any other action necessary to carry out this project.

Motion was made to pass to a second reading. So Voted.

Old Business:

Councilor Barbour reminded everyone of the City-wide Spelling Bee scheduled for tomorrow night.

New Business:

Due to a presentation from South Coast Rail on March 19th, Councilor Pottier requested that the Sub-Committee be kept light or the Committee to the Council as a Whole meet first. **Motion was made to refer the issue of the railroad tracks over Danforth Street to CSX. So Voted.**

Councilor Costa-Hanlon motioned to refer to the Safety Officer, Mr. Williams a parking situation on Pine Hill and Garden Street. So Voted.

Motion was made to refer to the Law Department and Committee on Ordinances and Enrolled Bills to draft a Home Rule Petition regarding carry-out liquor and to forward communication for Council on the License Commission. So Voted.

Motion was made to refer to the Law Office the possibility of liability issues for Constables with a report back to Council following their review within 6 weeks. Also, all information to be forwarded to Detective Smith. So Voted.

Motion was made to refer to the Committees on Salaries and Wages the correspondence from Mr. Enos dated February 21st. So Voted.

Council Barbour informed that this week the city had two loses - Mr. Souza of the Committee on Individuals with Disabilities and longtime educator Mrs. Gilman. He apologized for not asking for a moment of silence at the beginning of the meeting and offered his prayers and thoughts to the families.

Councilor Carr asked if there has been a day scheduled for picked up of limbs and branches throughout the city. The Mayor informed that there has not been a date schedule as of yet.

Councilor Barbour requested correspondence to be forwarded to the Department of Public Works requesting that residents be allowed to bring branches and such to their facility.

Meeting adjourned at 9:15P.M.

A true copy:

Attest:

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

City Clerk

RMB/dmc

CITY OF TAUNTON
MUNICIPAL COUNCIL
FEBRUARY 26, 2013

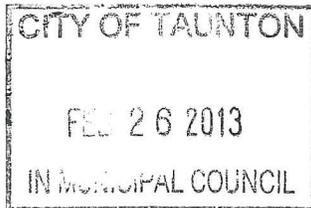
THE COMMITTEE ON FINANCE AND SALARIES

PRESENT WERE: COUNCILOR DEBORAH CARR, CHAIRMAN AND COUNCILORS CLEARY AND COLTON

MEETING CALLED TO ORDER AT 5:37 P.M.

1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS
MOTION: MOVE APPROVAL OF THE PAYROLL WARRANT IN THE AMOUNT OF \$891,626.62. SO VOTED.
MOTION: MOVE APPROVAL OF THE INVOICE WARRANT IN THE AMOUNT OF \$1,555,369.03. SO VOTED.

MEETING ADJOURNED AT 5:39 P.M.



RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
FEBRUARY 26, 2013

THYE COMMITTEE ON PUBLIC PROPERTY

PRESENT WERE: COUNCILOR DAVID POTTIER, CHAIRMAN AND COUNCILORS MARSHALL, BARBOUR, CARR AND COSTA-HANLON. ALSO PRESENT WERE ASSISTANT CITY SOLICITOR DANIEL DEABREU, BUILDING SUPERINTENDENT WAYNE WALKDEN, ATTORNEY ALAN MEDEIROS AND DEAN HARRISON, EXECUTIVE DIRECTOR OF NEIGHBORHOOD CORP.

MEETING CALLED TO ORDER AT 5:54 P.M.

1. MEET WITH BUILDING SUPERINTENDENT WAYNE WALKDEN AND ATTORNEY ALAN MEDEIROS REGARDING EASEMENTS AND WALKER SCHOOL PROPERTY

THE CHAIRMAN REMINDED THE COMMITTEE THAT ATTORNEY MEDEIROS IS LOOKING FOR A SEWER EASEMENT AT THE BACKEND OF THE PROPERTY AND HE ALSO HAS A PERMANENT EASEMENT FOR DRAINAGE ON THIS SAME PROPERTY BUT THERE IS NO DEFINITION AS TO WHAT THAT ENTAILS. LAST WEEK ATTORNEY MEDEIROS STATED THAT IF HE WAS GRANTED THE NEW SEWER EASEMENT, HE WOULD EXPUNGE THE DRAINAGE EASEMENT.

MR. DEAN HARRISON OF NEIGHBORHOOD CORP., WHICH WAS THE ONLY BIDDER ON THE WALKER SCHOOL PROPERTY, STATED THAT HE SEES NO PROBLEM WITH THE CITY MOVING AHEAD WITH THE REQUEST FOR THE NEW EASEMENT.

COUNCILOR BARBOUR ASKED MR. WALKDEN IF HE HAD ASKED THE APPRAISER WHAT THE VALUE OF THE LAND TAKING WOULD BE FOR THE EASEMENT. MR. WALKDEN SAID HE HAD JUST RECEIVED THE APPRAISAL THIS MORNING SO HE HAD NOT.

ATTORNEY MEDEIROS INFORMED THE COMMITTEE THAT THERE WOULD BE NO TAKING OF LAND, HE WOULD JUST BE RUNNING A PIPE UNDERGROUND. ALL HE IS LOOKING FOR IS AN EASEMENT TO RUN THE PIPE UNDER THE GROUND, THAT IS ALL HE WANTS.

COUNCILOR BARBOUR ASKED IF THE EASEMENT IS GRANTED AND THE CURRENT EASEMENT IS EXPUNGED, IS IT REQUIRED TO PLACE A VALUE ON THE EASEMENT.

ATTORNEY DEABREU STATED THAT IT MIGHT BE CONSIDERED THE DISPOSITION OF PROPERTY AND THE ACQUISITION OF PROPERTY IF YOU WERE TO FOREGO THE EASEMENT THAT IS ACROSS THE PROPERTY. BUT IF WE WERE TO PROCEED ACCORDING TO 30B TO START WITH THE GRANTING OF THE EASEMENT, IT WOULD HAVE TO BE DECLARED AVAILABLE, ANY RESTRICTIONS ON THE PROPERTY WOULD HAVE TO BE ENUNCIATED BY THIS COMMITTEE, AND IN THIS CASE THE RESTRICTION BEING SOLELY FOR THE PURPOSE OF A SEWER EASEMENT, AND THEN THE VALUE WOULD HAVE TO BE DETERMINED.

QUESTIONED WAS WHETHER IT IS SAFE TO ASSUME THAT THE VALUE COULD BE NEGOTIATED IN LIEU OF A DOLLAR AMOUNT PER SQUARE FOOT OR THE EXCHANGING OF THE EXPUNGING OF THE CURRENT EASEMENT.

ATTORNEY DEABREU STATED THAT HE DOESN'T KNOW THAT 30B CONTEMPLATES A SWAP FOR LACK OF A BETTER WORD. HE SUPPOSES IF THE ACQUIRING OF THE DRAINAGE EASEMENT THAT IS NOW SAID TO EXIST, WOULD ALSO HAVE TO GO THROUGH 30B BECAUSE THIS IS A UNIQUE PROPERTY. THE INTEREST IN THE PROPERTY WOULD BE THE DRAINAGE EASEMENT, THE VALUE OF THAT WOULD HAVE TO BE DETERMINED. IF THE VALUES WERE CLOSE, THEN THEY COULD BE EXCHANGED DEPENDING ON WHETHER THE VALUES WERE IDENTICAL OR NOT. IF ONE WERE CONSIDERED, IF THE SALE WERE TO BE CONSIDERED FOR LESS THAN THE VALUE OF THE ACQUISITION, YOU MAY HAVE TO PUBLISH THAT PUBLICLY.

COUNCILOR BARBOUR QUESTIONED THAT IF THE COMMITTEE WERE TO APPROVE THE EASEMENT TONIGHT FOR THE SOLE PURPOSE OF CONNECTING SEWER FOR THAT RESIDENT, AND WE ACCEPTED THE

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FEBRUARY 26, 2013

THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED

OFFER FROM THE APPLICANT THAT SAID HE WOULD EXPUNGE HIS GENERAL DRAINAGE EASEMENT AS PART OF THAT AGREEMENT, WHAT WOULD WE THEN DO? REFER IT TO THE LAW OFFICE FOR DETERMINATION IF FURTHER VALUE HAS TO BE ASSESSED ON THAT EASEMENT?

ATTORNEY DEABREU STATED THAT HE THINKS THE MOST THE COMMITTEE COULD DO AT THIS POINT WOULD BE THE FIRST STEP, TO DECLARE IT AVAILABLE AND TO PLACE RESTRICTIONS ON IT. HE THINKS IT MIGHT BE PREMATURE TO SAY THAT IT WILL BE IN EXCHANGE FOR THE ELIMINATION OF THE DRAINAGE EASEMENT BECAUSE BEFORE YOU CAN GET TO THAT STEP, YOU WOULD NEED TO PLACE A VALUE ON THE EASEMENT THAT THE COMMITTEE IS PROPOSING TO GRANT.

ATTORNEY MEDEIROS SAID ON ONE HAND HE IS OFFERENG TO EXPUNGE AN EXISTING EASEMENT, THE VALUE OF WHICH HAS NOT BEEN DETERMINED IN EXCHANGE FOR THE GRANTING OF AN EASEMENT WHICH ONCE THIS SEWER LINE IS HOOKED UP TO HIS PROPERTY, WILL GENERATE REVENUE FOR THE CITY OF TAUNTON, IN ALL LIKELIHOOD FOR DECADES TO COME. HOW UNDER THOSE CIRCUMSTANCES CAN YOU SAY THAT THE SEWER EASEMENT WOULD BE EQUAL VALUE OR GREATER VALUE THAN THE DRAINAGE EASEMENT THAT WOULD BE EXPUNGED. CERTAINLY TO THE PARTY THAT IS LOOKING TO PURCHASE THE PROPERTY IT IS IN THEIR BEST INTEREST TO HAVE THAT DRAINAGE EASEMENT REMOVED FROM THE RECORD, AND THE CITY WOULD REALIZE INCOME LATER ON FROM THE SEWER TIE IN.

ATTORNEY DEABREU STATED THAT HE IS NOT SUGGESTING THAT THE CITY WOULDN'T BENEFIT, IT MAY WELL BE A WIN/WIN SITUATION FOR ALL PARTIES, BUT THERE IS A PROCEDURE THAT THE CITY WOULD BE REQUIRED TO FOLLOW UNDER 30B, AND HE DOES NOT THINK THAT WE CAN GET TOO FAR AHEAD OF OURSELVES, THE MOST THE CITY COULD DO AT THIS POINT IS INDICATE IT'S PREFERENCE TO GO THAT COURSE OF ACTION AND THEN THE VALUE OF THE TWO WOULD HAVE TO BE DETERMINED.

COUNCILOR POTTIER ASKED IF AN ALTERNATIVE COULD BE TO GO AHEAD WITH THE SALE AND HAVE ATTORNEY MEDEIROS AND NEIGHBORHOOD CORP. WORK IT OUT?

ATTORNEY MEDEIROS SAID NO, THAT THE CITY IS GOING TO HAVE TO LET THEM TIE IN TO THE SEWER LINE ON RIVERVIEW STREET.

MR. HARRISON OF THE NEIGHBORHOOD CORP. ASKED IF THE CITY DECIDES TO GO AHEAD WITH THEIR PROPOSAL, THAT THEY MAKE THAT A CONDITION OF THE PROPOSAL IN THE TRANSFER TO ALLOW A 20 FOOT WIDE EASEMENT TO BE PLACED ON THE PROPERTY. HE WOULD AGREE TO IT, BECAUSE HE IS AGREEING TO IT TODAY.

COUNCILOR CARR STATED THAT SHE HAS RESERVATIONS ABOUT PROVIDING ANYTHING THROUGH A PARTY THAT DOESN'T EVEN OWN THE LAND YET. SHE FEELS THAT THE BEST WAY TO DO THIS IS TO LET THE NEIGHBORHOOD CORP. TAKE POSSESSION OF THE LAND FIRST AND LET ATTORNEY MEDEIROS AND THE NEIGHBORHOOD CORP. WORK IT OUT THEMSELVES. IF WE DO IT AS A CITY, THERE IS GOING TO BE A CHARGE FOR THAT LAND, WE HAVE TO THROUGH 30B.

ATTORNEY MEDEIROS STATED THAT HE IS NOT BUYING THAT LAND, ALL HE WANTS IS THE EASEMENT, THE RIGHT TO RUN A PIPE.

COUNCILOR CARR FURTHER STATED THAT 30B SAYS BY GIVING HIM THAT EASEMENT THERE IS A VALUE TO THAT 20 SQUARE FEET, AND BECAUSE IT IS PUBLIC LAND, THE COUNCIL CAN'T JUST SIT HERE AND SAY GO AHEAD YOU CAN TAKE IT AS A PRIVATE CITIZEN.

ATTORNEY MEDEIROS SAID THE DRAINAGE EASEMENT THAT WOULD BE EXPUNGED ON THE PROPERTY IS NOT CLEARLY DEFINED AND IT WOULD BE TO THE BENEFIT OF THE CITY AND THE PURCHASER TO HAVE THAT EASEMENT WIPED OUT.

COUNCILOR CARR STATED THAT THEY WERE PROVIDED WITH AN APPRAISAL SHOWING THAT THIS PROPERTY IS WORTH \$1 MILLION, SO SHE DOES NOT SEE HOW THE COUNCIL COULD CONSIDER SELLING IT FOR \$75,000 OR \$1.00.

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THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED

COUNCILOR MARSHALL STATED THAT HE DOES NOT THINK IT CAN WAIT FOR THIS TO BE WORKED OUT BECAUSE THE APPRAISAL ALONE IS GOING TO THROW A MONKEY WRENCH INTO THE PROCESS. THERE ARE BENEFITS TO BOTH PARTIES – ATTORNEY MEDEIROS WILL GET SEWER, THE BENEFIT TO THE CITY IS THAT THIS WILL CLEAR UP POTENTIAL ISSUES THAT COULD COME UP WITH THE DEVELOPMENT OF THIS PROPERTY BECAUSE WE DO NOT KNOW WHERE THE EASEMENT IS, IF IT IS A MEANDERING EASEMENT THROUGH THE PARKING LOT, THEN YOU CANNOT PUT A STRUCTURE ON IT – IT JUST FURTHER MUDDIES THE WATERS FOR WHO EVER WANTS TO DEVELOP THAT PROPERTY. HE FURTHER STATED THAT HE BELIEVES WE HAVE TO FOLLOW THE ADVICE OF THE CITY'S LEGAL COUNSEL AND GET A VALUE FOR THE EASEMENT – NOT THE PROPERTY – THE VALUE OF WHAT THE EASEMENT IS WORTH. ON THE OTHER HAND, THEY NEED TO GET THE VALUE OF THE EASEMENT THAT IS GOING TO BE EXPUNGED AND HOPEFULLY THE NUMBERS ARE VERY SIMILAR. IT WILL COME BACK TO THE COMMITTEE FOR FINAL APPROVAL, BUT HE FEELS THAT TONIGHT THE COMMITTEE SHOULD GO FORWARD WITH THE GRANTING OF THE EASEMENT ALONG WITH THE ADVICE OF LEGAL COUNSEL AND FOLLOW CHAPTER 30B AND START THE APPRAISAL OR THE PRIVATE PARTY DO THE APPRAISAL WORK SO THAT WE CAN GET THAT 20 FOOT STRIP APPRAISED. THE COMMITTEE SHOULD TAKE THE STEP TO MOVE FORWARD.

COUNCILOR COSTA-HANLON STATED THAT SHE IS CONCERNED WITH THE APPRAISAL FOR \$1 MILLION. SHE WAS THINKING OF MAKING A MOTION THAT WE VALUE THE EASEMENT AT \$2000 BASED ON THE CALCULATIONS FROM THE \$1 MILLION WORKING DOWN AND AT LEAST THAT WOULD GIVE OUR LAW OFFICE SOME DIRECTION AS TO WHERE WE ARE GOING TO GO AS FAR AS HOW WE NEED TO PROCEED UNDER CHAPTER 30B. THEN, PERHAPS MAKE A MOTION THAT THE VALUE OF THE DRAINAGE EASEMENT BE ABOUT THAT AND AT LEAST MOVE ON FROM THERE. IF WE WAIT FOR NEIGHBORHOOD CORP., BASED ON THIS APPRAISAL, THERE WILL BE SOME ISSUES FOR A LONG TIME. THE COMMITTEE SHOULD CONSIDER PUTTING A NOMINAL VALUE ON BOTH EASEMENTS.

COUNCILOR BARBOUR NOTED THAT HE ONLY RECEIVED THE SUMMARY PAGES OF THE APPRAISAL AND HE DOESN'T AGREE WITH THE FACE VALUE OF THE APPRAISAL. HE WOULD LIKE TO LOOK AT THE FULL APPRAISAL. THE BOTTOM LINE IS THAT THE COMMITTEE HAS A REQUEST FOR AN EASEMENT, THE LAW OFFICE HAS PROVIDED THE GUIDANCE THEY WERE ASKED FOR, HE DOES NOT HAVE A PROBLEM SUPPORTING THE EASEMENT SUBJECT TO THE GUIDANCE OF THE LAW OFFICE BECAUSE THAT IS THEIR FUNCTION. HE DOES NOT FEEL THE COMMITTEE CAN ESTABLISH A VALUE ON THE EASEMENT THE APPLICANT IS LOOKING FOR, AND HE DOES NOT THINK THEY CAN ESTABLISH A VALUE ON THE EASEMENT THAT IS CURRENTLY THERE.

COUNCILOR CARR NOTED THAT COUNCILOR COSTA-HANLON WAS TALKING ABOUT THE COMMITTEE SETTING A VALUE ON THE EASEMENTS, AND LAST WEEK THE ASSISTANT CITY SOLICITOR SAID THAT THE VALUE HAD TO BE CALCULATED BY AN APPRAISER.

ATTORNEY DEABREU SAID THAT THE STATUTE SAYS THAT THE VALUE MUST BE DETERMINED BY USING PROCEDURES CUSTOMARILY ACCEPTED BY THE APPRAISING PROFESSION AS VALID. THERE IS A GUIDE BY THE INSPECTOR GENERAL THAT HE WOULD SAY SUGGESTS THAT THE WAY TO DO THIS IS THROUGH AN APPRAISER. IT DOES NOT SAY YOU MUST USE AN APPRAISER, IT SAYS YOU MUST ASSESS THE VALUE BY METHODS CUSTOMARILY ACCEPTABLE IN APPRAISAL. SHE ALSO POINTED OUT THAT SHE DOES NOT FEEL THAT THE LAW OFFICE HAS GIVEN THE COMMITTEE ANY DIRECTION, THEY JUST ARE ANSWERING QUESTIONS, THEY ARE NOT SAYING WE SHOULD DO IT OR SHOULDN'T DO IT. SHE FURTHER STATED THAT IF THE \$1 MILLION APPRAISAL IS ANYWHERE NEAR THE ACTUAL AMOUNT THEN NEIGHBORHOOD CORP. MAY NOT BUY THE PROPERTY, THEY MAY PULL OUT OF THE DEAL. IF THIS WAS HER PROPERTY AND SHE WAS TRYING TO SELL IT SHE WOULD NOT BE GRANTING EASEMENTS OVER IT.

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THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED

MOTION: THAT THE COMMITTEE MOVE FORWARD TO THE LAW OFFICE GRANTING APPROVAL OF THE EASEMENT AS REQUESTED AND THAT THE LAW OFFICE UNDER 30B WORK OUT THE COMPENSATION THAT IS REQUIRED. THE LAW OFFICE IS TO WORK WITH THE APPLICANT ON THE REASONABLE COST OF THE APPRAISALS AS WELL.

COUNCILORS POTTIER, MARSHALL, BARBOUR AND COSTA-HANLON VOTING IN FAVOR. COUNCILOR CARR VOTING IN OPPOSITION. MOTION CARRIES.

THE CHAIRMAN STATED THAT HE INFORMED THE BUILDING SUPERINTENDENT TO PROVIDE A SUMMARY OF THE APPRAISAL. IF ANY COUNCILORS WOULD LIKE A COPY THEY CAN CONTACT MR. WALKDEN. COUNCILOR BARBOUR STATED THAT HE WOULD NOT BE WILLING TO LET THE WALKER BUILDING GO FOR \$1.00.

MOTION: APPRAISAL FOR WALKER SCHOOL BUILDING TO BE PART OF THE RECORD. SO VOTED.

IT WAS NOTED THAT THERE WAS ONLY 1 SUBMISSION TO THE RFP SO THE CITY WILL HAVE TO WEIGH THIS OUT – SHOULD WE KEEP IT AND GET NOTHING OR LET IT GO.

COUNCILOR MARSHALL STATED THAT THE COUNCIL NEEDS MORE INFORMATION. THERE ARE COSTS TO THE CITY NOW DUE TO THIS BUILDING. ALSO, A COST NEEDS TO BE DETERMINED TO DEMO THE BUILDING, AND IF WE DEMO IT, THERE HAS TO BE A STUDY DONE. HE FURTHER STATED THAT NO CITY AGENCY WANTS THE BUILDING, THE HOUSING AUTHORITY DOES NOT WANT IT, SO A DECISION WILL HAVE TO BE MADE TO EITHER DISPOSE OF IT OR KEEP IT. THE SOONER WE GET RID OF IT THE SOONER IT WILL GET BACK ON THE TAX ROLLS. HOW MUCH ARE WE GOING TO SPEND WHEN WE CAN LET IT GO AND GET IT BACK ON THE TAX ROLLS.

COUNCILOR COSTA-HANLON STATED THAT MAYBE WE SHOULD AT THIS POINT TO MOVE THINGS ALONG AND GET AN ESTIMATE OF WHAT IT WOULD COST TO TAKE THE BUILDING DOWN, WHILE THE COMMITTEE IS REVIEWING THE APPRAISAL.

MR. WALKDEN SAID THAT THERE ARE A FEW EXCLUSIONS IN THE APPRAISAL THAT THE COUNCIL HAS NOT SEEN. THEY HAVEN'T DONE ANY KIND OF ASSESSMENT ON THE BUILDING AS FAR AS HAZARDOUS MATERIALS, THE COST OF GUTTING OUT THAT BUILDING, THE COMPANY DOING THE APPRAISAL IS NOT ANALYZING THE BUILDING CODE THE SAME WAY NEIGHBORHOOD CORP. WOULD. THE BUILDING PRETTY MUCH IS GOING TO HAVE TO BE GUTTED OUT AND UPGRADED BY CODE JUST LIKE WE WOULD BE DOING AT CITY HALL. THE APPRAISAL DOES NOT TAKE THIS INTO ACCOUNT SO YOU WILL SEE THE VALUE COME WAY DOWN. IT IS NOT WORTH \$1 MILLION IN ITS PRESENT CONDITION. HE ALSO DOESN'T THINK IT WOULD MAKE SENSE TO CONSIDER A PRE-DEMO SURVEY AT THIS POINT BECAUSE THE BUILDING DOES HAVE TOO MUCH VALUE, IT DOESN'T MAKE SENSE TO CONTEMPLATE TAKING DOWN A BUILDING THAT DOES HAVE SOME VALUE. IT HAS VALUE TO THE NEIGHBORHOOD CORP. AND VALUE BACK TO THE COMMUNITY, SO HE FEELS IT IS A WRONG CANDIDATE FOR DEMOLITION.

COUNCILOR COSTA-HANLON STATED SHE WOULD LIKE TO HAVE SOMEONE GO THROUGH THE EXCLUSIONS AT THE SAME TIME THAT THE COUNCIL IS REVIEWING THE APPRAISAL. WE CANNOT LET THIS SIT.

COUNCILOR POTTIER STATED THAT THERE MUST BE A WAY TO GET AROUND THE \$1 MILLION APPRAISAL IN SO FAR AS WE WENT THROUGH THE PROPER PROCESS IN ADVERTISING THE PROPERTY, SOLICITED AS MANY AS WE COULD BUT WE STILL ONLY GOT THIS ONE NUMBER. THE ONLY ONE WE HAVE IS FOR THE \$75,000.00. SOONER OR LATER COMMON SENSE HAS TO PREVAIL.

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THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED

MOTION: TO ASK THE LAW DEPARTMENT WHETHER SENDING THIS OUT TO RFP AND GETTING ACTUAL BIDS FROM THE PRIVATE SECTOR DOES SOMETHING TO SUPERCEDE THE REQUIREMENTS OF 30B FOR THE VALUE.

COUNCILOR MARSHALL SECONDED THIS MOTION ON DISCUSSION HE STATED THAT ALL 30B SAYS IS THAT YOU HAVE TO DO AN APPRAISAL AND IT HAS TO BE A FAIR AND PUBLIC PROCESS. THE RFP COVERS THE FAIR AND EQUITABLE PROCESS AND HE THINKS THAT JUST BECAUSE WE HAVE A VALUE OF \$1 MILLION, 30B DOESN'T SAY THAT YOU HAVE TO SELL IT FOR THE VALUE, IT SAYS YOU JUST CAN'T SELL IT TO THE NEIGHBOR NEXTDOOR WITHOUT A PUBLIC PROCESS. THE RFP PROCESS IS CLEARLY A PUBLIC PROCESS AND THAT IS WHY WE DID THE RFP. ANYONE COULD HAVE BID ON THIS BUILDING, AND ANYONE AND EVERYONE HAD AN OPPORTUNITY. IT WAS IN THE CENTRAL REGISTER. COUNCILOR MARSHALL SAID HE DOES NOT BELIEVE WE HAVE ANY ISSUES AROUND 30B, HE FEELS THAT THERE ARE ISSUES AMONGST THE COUNCILORS AROUND VALUE AND WANTING TO DISPOSE OF THE PROPERTY FOR A CERTAIN NUMBER. IT IS OUR STRUGGLE HERE AS A COMMUNITY OR THIS COMMITTEE AROUND WHETHER WE WANT TO DISPOSE OF THE BUILDING AFTER WE SEE THE NUMBER FOR THE PROPOSAL THAT HAS BEEN SUBMITTED. THIS IS CLEARLY A DIFFERENT QUESTION AND A LEGITIMATE QUESTION, BUT IT IS A DIFFERENT QUESTION THAN 30B. THE QUESTION THEN BECOMES NOW THAT YOU HAVE THIS INFORMATION, ARE YOU WILLING TO ACCEPT THE ONE AND ONLY PROPOSAL THAT WAS SUBMITTED THROUGH THE PUBLIC PROCESS TO DISPOSE OF THE BUILDING. IF WE DO NOT ACCEPT THE PROPOSAL, THEN A PLAN WILL HAVE TO BE DEVELOPED TO MAINTAIN THE BUILDING. THE PLAN CANNOT BE TO DO NOTHING. THERE HAS TO BE A PLAN TO REHAB FOR SOME USE, BUT MORE IMPORTANTLY HOW IS IT GOING TO BE FUNDED.

MOTION: TO ASK THE LAW OFFICE TO MAKE SURE REGARDING 30B, THEN REFER THE APPRAISAL TO A MEETING OF THE PUBLIC PROPERTY COMMITTEE TO DISCUSS, AFTER MR. WALKDEN HAS HAD A CHANCE TO REVIEW THE RFP, AND GIVE HIS RECOMMENDATION ON WHETHER WE MOVE FORWARD WITH THE RFP PROPOSAL OR NOT. IF NOT, WE NEED A PLAN B. HAVE THE NEIGHBORHOOD CORP. PRESENT TO DISCUSS WHAT THEY WANT TO DO WITH THIS PROPERTY AND TO BRING IN ANY ARTIST RENDERINGS IF THEY HAVE THEM. TO MEET IN TWO WEEKS.

2. MEET WITH BUILDING SUPERINTENDENT WAYNE WALKDEN TO DISCUSS HIS ANNUAL PUBLIC BUILDING CONDITION REPORT FOR 2013.

MR. WALKDEN STATED THAT WITH THIS REPORT HE IS TELLING THE COMMITTEE WHERE WE ARE AT AND WHAT WE HAVE TO DO. INSTEAD OF COMING IN WITH JUST A BUNCH OF PROBLEMS, HE HAS PROVIDED THE SOLUTIONS.

REGARDING LEONARD SCHOOL, MR. WALKDEN SPOKE TO THE BETA GROUP TODAY WHO HAS BEEN DOING THE SAMPLING AND THE PRE-DEMOLITION SURVEY, AND THEY WILL HAVE THE SPECS COMPLETELY DRAFTED OVER THE NEXT 1-2 WEEKS. AS SOON AS THIS IS DONE, THEY WILL MOVE ON TO 110 COUNTY STREET. SAMPLING HAS BEEN DONE ON BOTH SITES AND THEY DO HAVE SOME IDEA OF WHAT THE ISSUES ARE. AS FAR AS THE LEONARD SITE, THERE IS POTENTIALLY SOME INTEREST BY ANOTHER PARTY IN THE SITE WHICH MIGHT LEAD TO SOME MORE QUESTIONS AS TO WHAT WE DO WITH THAT PROPERTY. IF THERE WAS GENUINE INTEREST IN BUYING THE WOOD STRUCTURE IN THE FRONT COULD THAT LAND BE DIVIDED OFF, COULD THERE BE OTHER ACCESS TO THE REAR SECTION. IT WAS NOTED THAT THERE WAS A MOTION MADE ABOUT PUTTING THAT LAND ASIDE FOR SCHOOL USE. MR. WALKDEN SAID THAT HE IS TALKING ABOUT DIVIDING THE FRONT BUT MAINTAINING THE REST OF THE ACRES. IT MAY BE POSSIBLE TO ELIMINATE THE FRONT SECTION BECAUSE THAT IS GOING TO BE AN

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THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED

ISSUE BECAUSE IT IS TOO NARROW. THE CITY MAY BE REQUIRED TO TAKE OTHER LAND TO INCREASE THE WIDTH OF THE FRONT.

AT THE GOLF COURSE, THEY ARE REMOVING THE UNDERGROUND TANK AND GOING TO DO AN ABOVE THE GROUND TANK. D.E.P. IS INVOLVED WITH THAT AND WE HAVE GOTTEN A NEGATIVE DETERMINATION FROM THEM WHICH MEANS THAT WE CAN MOVE FORWARD. THE PROJECT SHOULD BE DONE SHORTLY.

MR. WALKDEN WANTED TO BRING TO THE COMMITTEE'S ATTENTION THAT AT CENTRAL FIRE THERE IS HAZARDOUS WASTE BELOW THE OLDER SECTION. THE PROBLEM THERE IS THAT A COUPLE YEARS AGO THEY TRIED TO DO A DRAINAGE SYSTEM CAP BECAUSE THEY KEEP GETTING FLOODING IN THERE AND SOME OF THE NEW EQUIPMENT IS STARTING TO CORRODE. THERE IS A D.E.P. NOTICE ON THIS AND THE CITY IS PAYING A \$2,000 ANNUAL ASSESSMENT TO D.E.P. THE LOW QUOTE TO CLEAN THIS UP WAS \$53,000.00. THE PRICE EXCEEDS THE BUILDING DEPARTMENT'S ABILITY TO FUND.

AT THE EAST TAUNTON FIRE STATION, THE FLOOR DECK IS ROTTING UNDER THE CONCRETE FLOOR DECK IN THE APPARATUS BAYS AND HE NEEDS TO GET A STRUCTURAL ENGINEER IN THERE SOME TIME THIS YEAR TO DETERMINE WHAT IS NEEDED TO MAKE REPAIRS THERE.

AT THE WEIR FIRE STATION THERE IS THE SAME SITUATION WITH THE FLOOR DECK.

THERE IS A CONCEPT PLAN REVISION BEING DONE ON CITY HALL WHICH SHOULD BE READY IN ABOUT 1 WEEK. PRESENTATION SHOULD BE HAPPENING IN ABOUT 4 WEEKS FROM NOW.

THE DPW OPS CENTER IS THE PLAN THAT WAS DONE TO MOVE THE ENGINEER DOWN TO THE FORMER TRAFFIC AREA. THE OFFICES HAVE BEEN FRAMED OUT, THEY HAVE BEEN BOARDED UP, THE SPRINKLER HEADS ADJUSTED, ELECTRICAL IS IN AND THE FIRE ALARM WILL BE DONE TOMORROW. THEY SHOULD FINISH UP IN A COUPLE OF WEEKS. A MOVING COMPANY WILL PROBABLY BE NEEDED TO MOVE THE ENGINEERING OFFICE WHEN THE TIME COMES.

AT THE TEMA TRAILER THERE IS STILL A REQUIREMENT TO DO A HANDICAPPED RAMP DOWN THERE BUT MR. WALKDEN HAS TO PUT THAT OFF UNTIL AFTER JULY 1ST.

AT THE MAXHAM SCHOOL BUILDING HE HAS TO DEAL WITH FINDING SPACE FOR THE TREASURER'S OFFICE AS THEY NEED MORE THAN ONE CLASSROOM. HE WILL BE MEETING WITH THE MAYOR TO DISCUSS THIS.

ALSO WITH THE MAXHAM BUILDING THE CITY ELECTRICIAN HAS INFORMED MR. WALKDEN THAT WIRING MUST BE UPGRADED FOR SAFETY WHICH WILL COST ABOUT \$50,000.00.

THE PARKING GARAGE IS IN BAD SHAPE AND SOME EMERGENCY REPAIRS HAVE BEEN MADE THERE. HE INFORMED THE PARKING COMMISSION THAT WE NEED TO REFRESH THE BETA PROPOSAL AND WE NEED A REPAIR AND LONG TERM MAINTENANCE PLAN. THIS NEEDS TO BE DONE SOON.

AT THE LIBRARY MAJOR REPAIRS ARE NEEDED TO THE ELEVATOR WHICH WOULD BE ABOUT \$100,000.00. BARNUM AND SEVERAL SCHOOLS ARE GOING TO BE SUBMITTED FOR MSBA CONSIDERATION. AT FRIEDMAN SCHOOL SOME ASSESSMENT WORK IS BEING DONE BY BETA ON THE GYM FLOOR.

AT GALLIGAN SCHOOL THE ROOF REPLACEMENT PROJECT WAS APPROVED BY MSBA. THE TOTAL BUDGET IS \$756,741 AND THE MSBA GRANT WAS \$524,220.

MOTION: TO REFER TO THE PUBLIC PROPERTY COMMITTEE AND FINANCE AND SALARIES TO ANSWER WHERE THE MONEY IS COMING FROM FOR OUR SHARE OF THE GALLIGAN SCHOOL ROOF PROJECT. SO VOTED.

MR. WALKDEN NOTED ISSUES WITH HOPEWELL SCHOOL AND MULCAHEY SCHOOL. HOPEWELL SCHOOL HAS BOILER ISSUES AND MULCAHEY NEEDS MAJOR RENOVATION WORK IN THE OLD SECTION AND THE GYM. THIS IS A HIGH PRIORITY ISSUE.

THERE IS A MEETING SCHEDULED REGARDING TAUNTON HIGH SCHOOL TO FIGURE OUT HOW THEY ARE

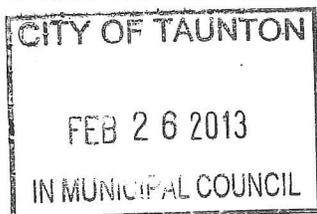
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THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED

GOING TO FUND AND MOVE FORWARD WITH THE RENOVATION PLAN FOR THE STADIUM. THERE ARE ALSO SECURITY ENHANCEMENTS NEEDED AT TAUNTON HIGH SCHOOL. COUNCILOR MARSHALL ASKED IF THE ITEMS IN THE ESTIMATED COSTS FOR 2013 COLUMN ARE FUNDED. MR. WALKDEN SAID NO, THE STADIUM RENOVATION IS NOT FUNDED, HE CAN FUND A PORTION OF THE SECURITY ENHANCEMENTS. THE \$46,000 FOR LEONARD IS FUNDED, MR. WALKDEN PAID THE \$2,900 FOR WALKER, THE \$56,000 FOR CENTRAL FIRE STATION IS NOT FUNDED, THE \$3,000 FOR EAST TAUNTON FIRE STATION MR. WALKDEN CAN FUND THAT OUT OF HIS BUDGET AS WELL AS WEIR FIRE STATION'S \$3,000. THE OPS CENTER WAS TAKEN OUT OF THE SETTLEMENT MONEY. THE \$63,000 FOR MAXHAM ALSO CAME OUT OF THE SETTLEMENT. THE \$50,000 FOR ELECTRICAL AT MAXHAM IS NOT FUNDED. THE \$13,000 FOR THE LIBRARY IS FUNDED. THE \$10,000 FOR FRIEDMAN, MR. WALKDEN SAID IF HE HAS TO HE CAN FUND THIS, AND THE FUNDS FOR THE CITY'S SHARE OF GALLIGAN WILL BE DISCUSSED. THE \$32,000 FOR HOPEWELL IS NOT FUNDED YET. THE \$70,000 FOR THE OLD POLE SCHOOL IS FUNDED AND THE \$2,000,000 AND \$150,000 AT TAUNTON HIGH SCHOOL IS NOT FUNDED. COUNCILOR CARR STATED THAT REGARDING THE ENHANCED SECURITY FOR THE TAUNTON HIGH SCHOOL FOR WHICH MR. WALKDEN HAS A PLAN, SHE FEELS IT SHOULD BE DONE BY A PROFESSIONAL COMPANY THAT DEALS WITH SECURITY.

MEETING ADJOURNED AT 6:59 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. ** COUNCILOR MEDEIROS VOTING PRESENT ON ITEM #1

 A handwritten signature in cursive script that reads "RM Blackwell".

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
FEBRUARY 26, 2013

THE COMMITTEE OF THE COUNCIL AS A WHOLE

PRESENT WERE: COUNCIL PRESIDENT JOHN MCCAUL AND COUNCILORS MARSHALL, CLEARY, COLTON, MEDEIROS, COSTA-HANLON, POTTIER, CARR AND BARBOUR. ALSO PRESENT WAS RUSSELL ORCUTT

MEETING CALLED TO ORDER AT 7:00 P.M.

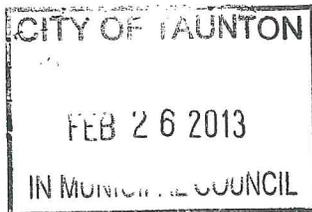
1. MEET FOR A PRE-REVIEW HEARING ON SPECIAL PERMIT FOR ENTERTAINMENT IN CONJUNCTION WITH AN ART SPACE AT 3 TRESMOTT STREET LOCATED IN THE CENTRAL BUSINESS DISTRICT

MR. ORCUTT SAID HE IS GOING TO OPEN UP AN ART SPACE THAT WILL HAVE A GALLERY IN THE FRONT. HE WILL HAVE LOCAL ARTISTS ON DISPLAY. IN THE BACK THERE WILL BE A ROOM WHERE THERE WILL BE CLASSES, WORKSHOPS AND LIVE MUSIC. THEY WILL ALSO BE ABLE TO HAVE INDEPENDENT FILMS THERE. THERE WILL BE NO ALCOHOL OR FOOD SERVICED, JUST POSSIBLY A VENDING MACHINE.

MOTION: CONTINUE TO NEXT WEEK FOR HEARING. SO VOTED.

MR. ORCUTT WAS ASKED TO E-MAIL PACKETS THAT HE HAD PREPARED TO THE CLERK OF COUNCIL COMMITTEES.

MEETING ADJOURNED AT 7:05 P.M.



RESPECTFULLY SUBMITTED,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

CITY CLERK