



*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, March 4, 2014 at 7:03 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 Cleary, Marshall, Costa-Hanson, Croteau, Pottier, McCaul, Quinn, Carr, and Borges
Councilor McCaul and Cleary left early.*

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

Communication from the Mayor:

The Mayor thanked everyone, the Councilors, Elected Officials, and all the citizens of Taunton who came out to wish a warm welcome home to Michelle Picard, Olympic Silver Medalist at the welcome home event at the Silver City Galleria last week. She was very proud to be a Tauntonian and to be a part of the team. Since she has come home, she has been very involved in the community.

Appointments:

At this time, the Mayor, appointed Kevin Scanlon, Planner and Conservation Director, Wayne Walkden, Superintendent of Buildings, Marilyn Greene, Parks, Cemeteries and Public Grounds Director, Maria Gomes, Human Resource Director, Alyssa Gracia, Chief of Staff and Chairman of Public Property Committee and Robert Folcik member of the Commission for Individuals with Disabilities to the Designer Selection Committee. **Motion was made to move approval. So Voted.**

At this time, the Mayor, appointed Joseph Norte, 55 Village Circle, Taunton to the Historic District Commission for a term of two years expiring March 2016. **Motion was made to move approval. So Voted.**

At this time, Councilor Marshall read the recommendation for appointment of Lisa M. LaBelle, MMA as a finalist to the position of Assessor. **Motion was made to move approval for Lisa M. LaBelle as Assessor for the City of Taunton. So Voted.**

At this time, Ms. LaBelle was sworn in by the Assistant City Clerk.

Motion was made to go out of order. So Voted.

Com. from City Clerk for the appointment of Two (2) permanent full-time Police Officers, Jeremy T. Derosier and Casey S. Holmes. **Motion was made to move approval. On a roll call vote, nine (9) Councilors present, nine (9) Councilors voting in favor of appointing Jeremy T. Derosier and Casey S. Holmes as permanent full-time Police Officers. So Voted. Motion was made to invite into the enclosure Jeremy T. Derosier and Casey S. Holmes along with their families and the Police Chief. So Voted.** At this time, Jeremy T. Derosier and Casey S. Holmes were sworn in by the Assistant City Clerk.

Motion was made to recess at 7:13pm. So Voted.

Motion was made to return to the regular order of business at 8:11pm. So Voted.

Communications:

Com. from City Treasurer/Collector regarding Jefferson Development Property taxes owed to the City. Parcel 38-137 located at 437 Whittenton Street has an outstanding balance of \$401,607.69 and parcel 38-107 located at 0 Whittenton Street has an outstanding balance of \$521.14. **Motion was made to receive and place on file. Councilor Pottier previously brought this up because he always remembered that Jefferson was such a large number and on the last report the number had decreased. So Voted.**

Com. from Attorney David Gay, 73 Washington St. P.O. Box 988, Taunton – Property located at Assessors Map 61, Lots 10 and 11. Notice of intent to sell for other use. **Motion was made to refer to the Committee on Public Property. Councilor Carr stated that she spoke to the City Solicitor regarding what the property owner was asking the Council to do. The City Solicitor stated to her that it gives the City the first right to purchase the land if so desired. She said that she would entertain this in Public Property, although this is not Public Property. Councilor Carr asked for the maker of the motion to include a communication from the Mayor as to the interest in the property. So Voted.**

Com. from Fire Chief submitting the Fire Prevention Fee Schedule request for several items in the City of Taunton's revised Ordinances, Chapter 7, Sec. 7-46 to be considered for revision. **Motion was made to refer to the Committee on Fires and Wires. So Voted.**

Com. from Joshua Freeman, 15 Michael Road, Raynham – Requesting information on plans to possibly repave the Taunton Green and streets radiating from it, including Court Street, Cohannet Street, Winthrop Street and Weir Street. **Motion was made to receive and place on file. The Mayor stated that the City will be celebrating the 150th celebration in October to coincide with the Liberty and Union Weekend. Motion was made to have the minutes of the discussions for the 150th celebration forwarded to Mr. Freeman. The Mayor said all the streets around the Green should be paved in this construction season. So Voted.**

Com. from Police Chief regarding the Leonard Street Parking Garage temporary closure due to noted defects upon examination of the structure. **Motion was made to refer to the Committee of the Council as a Whole. So Voted.**

Com. from Colleen Simmons, Taunton Business Improvement District & Downtown Taunton Foundation requesting use of the portable stage on May 17, 2014 for the 4th Annual Taunton Creates public art festival and a waiver of the fee. **Motion was made to move approval and refer to the Risk Management and DPW Commissioner. So Voted.**

Communication read by Councilor Marshall from the DPW Commissioner regarding gas line relocation prior to the demolition of the Star Theatre. The gas company is requesting a road opening permit prior to April 1, 2014. The gas line is located in the parking lot between Leonard Court and Merchants Lane. **Motion was made to refer to the Committee on the Department of Public Works. So Voted.**

Communication read by Councilor Marshall from the Budget Director requesting a transfer of \$32,331 from Golf Stabilization Account and \$56,209 from Golf Retained Earnings Account for the John Parker Golf Course to remove a tank and the installation of a new roof on the clubhouse. Councilor Croteau asked if there may be any additional expenditure that is usually covered by the accounts mentioned. He asked if there will be sufficient funding available between now and the end of the fiscal year. The Mayor stated that they do not anticipate any additional expenditures. The City Solicitor stated that he has been assisting the Golf Commission with the solicitation of bids for these matters and these items were prioritized for immediate action. These are capital projects that have been in the planning stages for a while. **Motion was made to approve and to include a report from the Business Director as to what the annual amount of these accounts are so that the Council knows exactly how soon it will be replenished and whether or not during this period of time there be any further demands on the money that would need to come from the General Fund. The City Solicitor informed that \$15,000 per year is what the operator pays. The Golf Commission has been building up the funds over the years for this purpose. Funds from the Retained Earnings will eventually go into the Golf Stabilization Account. Councilor Carr said that she never heard of the Golf Retained Earnings Account. The Mayor stated that Mr. Enos could forward a report to the Council for clarification on the funds. Councilor Marshall motioned to refer to the Committee on Finance and Salaries for next week. So Voted.**

Claim submitted by Beth Zager, 7 Deerfield Drive, Berkley seeking reimbursement for damages to her automobile from hitting a pothole on Broadway between Dunkin Donuts and Cumberland Farms. **Motion was made to refer to the City Solicitor and DPW Commissioner for the pothole. So Voted.**

Claim submitted by Mary St. Martin, 1160 Norton Ave., Taunton seeking reimbursement for damages to her automobile from hitting a pothole on Harvey Street near the train tracks. **Motion was made to the City Solicitor and DPW Commissioner for the pothole. So Voted.**

Claim submitted by Joaquim Tavares, 14 Liberty St., East Taunton seeking reimbursement for damages to his automobile from hitting a pothole on County Street heading west between Trucchi's and Cumberland Farms. **Motion was made to refer to the City Solicitor and DPW Commissioner for the pothole. So Voted.**

Claim submitted by Robert Fox, 170 Highland Street unit 106, Taunton seeking reimbursement for damages to his automobile from hitting a pothole on Tremont Street in the 900 address range. **Motion was made to the City Solicitor and DPW Commissioner for the pothole. So Voted.**

Claim submitted by Derek Rocha, 82 Landing Drive, Taunton seeking reimbursement for damages to his automobile from hitting a pothole on Berkley Street near the intersection of Landing Drive. **Motion was made to the City Solicitor and DPW Commission for the pothole. So Voted.**

Committee Reports:

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

Unfinished Business:

Councilor Pottier asked for information as to who will be doing the demolition work at the Star Theatre. The Mayor stated that the City is ready to award the contract within a week. **Councilor Pottier motioned to refer to the Committee on Solid Waste folder correspondence from Peter Richer about updated numbers regarding what the City would make in revenue and cost avoidance for a dump expansion. The Mayor stated that the correspondence should already be in their folder. So Voted.**

New Business:

Councilor Carr asked to refer to the Committee on Ordinance and Enrolled Bills no "parking signs, violators will be towed" in the area of Four Kicks on Fremont Street. **Councilor Carr motioned to refer to the Safety Officer this issue for his review first and to forward a recommendation to the Committee on Police and License. Councilor Carr said that cars were parked on both sides of the street over the past weekend, as there is no shoulder in the area. Two cars were not able to travel through the area let alone a fire truck or safety vehicle. The Mayor stated that the Police Chief is under the impression that by right, because it is rural residential, he could implement no parking signs. Therefore, if he can do that, he will and then following it up with the Committee on Ordinance and Enrolled Bills. Councilor Carr stated that there may have been some confusion as to the entrances and parking in the facility parking lot and individuals were parking on the street. So Voted.**

Councilor Carr asked if the Star Theatre will be coming before the Committee on Public Property or the Committee of the Council as a Whole. In other words, how does the bid get chosen? The Mayor stated that his office will be handling the process, although he is not opposed of it coming before the Municipal Council. Councilor Carr said that it may be a good thing for transparency purposes to inform everyone who will be involved in the demolition. **Councilor Carr motioned to have the bid process come before the Committee on Public Property. Councilor Croteau stated that he thought the Council went through this process before relative to an emergency demolition. The state had previously given permission to engage in a contract without going out to bid. The Mayor stated that he does not recall how the selection was done previously. Councilor Croteau stated that if the City has not been through the process that information could be obtained through the State. So Voted.**

Councilor Carr stated that on January 21st she made a motion for a presentation from the Legal Office on the Marijuana Bill and the rights and responsibilities of the Council when accepting proposed marijuana clinics and what the law requires. At the time of her motion, she asked for it in two weeks, but it now has been five to six weeks. The pre-review is scheduled next week; therefore she would like to have that information. The Mayor stated that he forwarded all the information from the DPH to the Councilors. The City Solicitor stated that it is a Special Permit under zoning. Councilor Carr asked if Council could vote for it either up or down. The City Solicitor stated that Councilor can vote within the guidelines of the law in regards to Special Permits in general. **Councilor Carr motioned to refer to the Law Department for information on the Marijuana Bill and Special Permits. So Voted.**

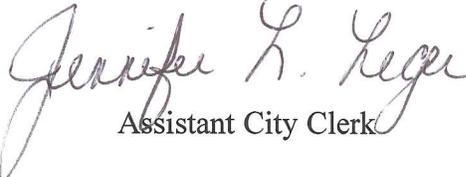
Councilor Pottier informed that the Veteran Marker Memorial Fund is selling tickets for a pasta dinner fundraiser for April 5, 2014. He asked for the information on the fundraiser to be place on the City website if it is not already.

Councilor Croteau motioned for a report from the Superintendent of Buildings on DCAMM Regulations relative to the award of a no-bid emergency. So Voted.

Motion was made to adjourn at 8:45 p.m. So Voted.

A true copy:

Attest:


Assistant City Clerk

CITY OF TAUNTON
MUNICIPAL COUNCIL
MARCH 4, 2014

THE COMMITTEE ON FINANCE AND SALARIES

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

MEETING CALLED TO ORDER AT 5:45 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 A LETTER FROM THE ADMINISTRATIVE ASSISTANT OF THE FIRE DEPARTMENT REQUESTING TO PAY THREE PRIOR YOUR BILLS FROM THE TMLP AND ONE FROM COLUMBIA GAS TOTALLING \$3,152.17.

IT WAS NOTED THAT WHEN THIS WAS READ AT THE FULL COUNCIL MEETING, CHAIRMAN CROTEAU HAD ASKED FOR AN EXPLANATION ON THESE BILLS, WHY ARE THEY LATE.

MOTION: HOLD THIS TRANSFER UNTIL FURTHER INFORMATION AS TO WHY THEY ARE LATE IS PROVIDED BY THE FIRE DEPARTMENT. SO VOTED.

MEETING ADJOURNED AT 5:47 P.M.

RESPECTFULLY SUBMITTED,



Colleen M. Ellis

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

Jennifer L. Regan
ASSISTANT CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
MARCH 4, 2014

THE COMMITTEE ON PUBLIC PROPERTY

PRESENT WERE: COUNCILOR DEBORAH CARR, CHAIRMAN AND COUNCILORS QUINN, MARSHALL, POTTIER AND BORGES. ALSO PRESENT WERE POLICE CHIEF EDWARD WALSH, JOE FEDERICO AND MARK GERSHMAN OF BETA, AND EDWARD VALADAO, CHAIRMAN OF THE PARKING COMMISSION

MEETING CALLED TO ORDER AT 5:55 P.M.

1. MEET WITH THE POLICE CHIEF AND REPRESENTATIVE OF BETA TO DISCUSS THE LEONARD STREET PARKING DECK

THE CHAIRMAN STATED THAT THIS MEETING WAS CALLED BECAUSE THERE WAS AN EMERGENCY CLOSING OF THE PARKING DECK DUE TO POOR CONDITIONS, SO THE COMMITTEE IS MEETING TO DISCUSS WHETHER TO PUT OUT BIDS TO REPAIR IT, OR DECIDE WHAT TO DO WITH IT.

A LETTER DATED 2/28/14 TO CHIEF EDWARD WALSH FROM MARK GERSHMAN OF BETA WAS READ. THE LETTER STATED THAT HE VISITED THE LEONARD STREET MUNICIPAL PARKING GARAGE ON 2/27/14 FOR THE PURPOSE OF OBSERVING THE CITY'S RECENT CONCERNS OVER THE CONTINUING DETERIORATION OF THE STRUCTURE. BASED ON HIS OBSERVATIONS, IT IS APPARENT THAT THE ONGOING WATER LEAKAGE AND FAILURE OF THE DECK JOINTS IS CAUSING CONTINUED DETERIORATION TO THE STRUCTURE'S VARIOUS CONCRETE COMPONENTS. IN PARTICULAR THE CAST-IN-PLACE CONCRETE SUPPORT BEAMS ALONG COLUMN LINES C AND D; THE ENDS OF THE STEMS OF SOME PRECAST TEE BEAMS; THE FLANGES OF TEE BEAMS AT THE WELDED CONNECTION POINTS; AND AREAS OF THE CONCRETE TOPPING SLAB ON THE TOP DECK ARE ALL EXPERIENCING THE MORE ADVANCED STAGES OF DETERIORATION. AS A RESULT, NUMEROUS LOCALIZED AREAS OF CONCRETE WERE OBSERVED TO BE IN IMMINENT DANGER OF SPALLING AND FALLING FROM THE BEAMS SUPPORTING THE UPPER DECK.

OF ADDITIONAL CONCERN IS THE CONCRETE SUPPORT BEAM LOCATED ADJACENT TO THE ENTRANCE TO THE ELECTRICAL ROOM. THIS BEAM HAS EXPERIENCED THE MOST SIGNIFICANT DETERIORATION RESULTING IN THE LOSS OF CONCRETE COVER OVER THE STEEL REINFORCEMENT AND EXTENSIVE CORROSION OF THE EXPOSED STEEL REINFORCEMENT. FURTHERMORE, MANY OF THE BOLTS WITHIN THE EXTERIOR SPANDREL BEAM TO COLUMN CONNECTIONS WERE OBSERVED TO BE CORRODING WITH THE NOTED FAILURE OF ONE OF THE BOLTS AT ONE PARTICULAR LOCATION.

THE EXTENSIVE DETERIORATION OF THE CONCRETE SUPPORT BEAM ADJACENT TO THE ELECTRICAL ROOM COUPLED WITH THE NUMEROUS LOCATIONS OF CONCRETE READY TO SPALL OFF AND FALL PRESENT AN IMMEDIATE THREAT TO PUBLIC SAFETY. THEREFORE, THEY RECOMMEND THAT THE CITY CLOSE THE PARKING STRUCTURE TO ALL PUBLIC ACCESS AS SOON AS POSSIBLE.

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

THE POLICE CHIEF STATED THAT WHEN HE RECEIVED THE LETTER HE HAD THE GARAGE CLOSED WITHIN 24 HOURS, AND IT IS STILL CLOSED RIGHT NOW. HE NOTIFIED THE PEOPLE WHO WERE USING BY FLYERS PLACED ON CARS. THESE PEOPLE CAN USE THEIR PARKING PASSES ON PLEASANT STREET AND COURT STREET, OR THEY COULD TURN IN THEIR PASS AND GET A REFUND. ONLY 5 HAVE CHOSEN TO DO THAT. MR. GERSHMAN STATED THAT THE FIRST TIME BETA WAS ASKED TO LOOK AT THE GARAGE WAS IN 2006. THEN THEIR REPORT WAS UPDATED IN 2009, THEN MOST RECENTLY THEY WERE BACK OUT THERE IN 2013 AND THEN IN FEBRUARY OF THIS YEAR.

QUESTIONED WAS WHETHER THERE WAS ANY TYPE OF MAINTENANCE DONE ON THE PARKING GARAGE AS A RESULT OF THE REPORTS GENERATED.

PAGE TWO

MARCH 4, 2014

THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED

THE CHIEF SAID THAT TO HIS KNOWLEDGE THE ONLY REPAIRS THAT HAVE BEEN DONE TO THE PARKING GARAGE OVER THE LAST 20 YEARS WAS THAT BRISTOL PLYMOUTH WAS IN AND DID SOME ELECTRICAL REPAIRS, BUT TO HIS KNOWLEDGE NO STRUCTURAL REPAIRS HAVE BEEN DONE SINCE IT OPENED.

MR. GERSHAMN STATED THAT THE STEEL BEAMS ARE CORRODING WITH LARGE PIECES OF CONCRETE READY TO FALL OFF. SOME OF THE CONCRETE HAS ALREADY FALLEN.

MR. GERSHMAN STATED THAT THERE ARE A COUPLE OF OPTIONS. EITHER REPAIR THE GARAGE OR TAKE OFF THE UPPER DECK AND JUST BE DONE WITH IT.

MR. GERSHMAN SAID THAT RIGHT NOW THERE ARE 240 SPACES IN THE GARAGE. IF THE UPPER DECK IS REMOVED AND THE RAMP IS REMOVED THAT GOES TO THE UPPER DECK, YOU WOULD BE ABLE TO GET ABOUT 129 SPACES FROM THE ORIGINAL 240, SO YOU WOULD LOSE ABOUT 110 SPACES.

COUNCILOR POTTIER ASKED IF THERE WERE ANY COST ESTIMATES AVAILABLE.

MR. GERSHMAN SAID THAT IF THE CITY WANTED TO JUST DO ALL THE STRUCTURAL REPAIRS IT WOULD COST ABOUT \$700,000. IF THE CITY WANTED TO DO A FULL UPGRADE – THE ELECTRICAL, THE PLUYMING, SURVEILANCE CAMERAS, ATTENDANTS BOOTH THAT WOULD BE ABOUT \$1.3 MILLION. IF THE CITY WANTED TO DEMO THE UPPER DECK THAT WOULD BE ABOUT \$400,000 TO \$450,000.

THE CHIEF STATED THAT LOOKING AT THE REVENUE STREAM FROM PARKING, THEY ARE MAKING A LITTLE BIT MORE THAN THEY ARE SPENDING RIGHT NOW AS FAR AS COSTS, SO BASED UPON THAT AND WITH THE TICKET REVENUE THAT'S BEEN COMING IN, HE WOULD REQUEST THAT THE TICKET MONEY COMING IN BE RE-ALLOCATED TOWARDS THE DEBT SERVICE ON A BOND FOR THIS PROJECT. IT IS QUITE POSSIBLE THEY WOULD SURVIVE JUST WITH THE REVENUES COMING IN, BUT HE WOULD RATHER NOT TAKE THAT CHANCE. HE WOULD RATHER ENSURE THAT THERE IS SUFFICIENT FUNDING COMING IN.

COUNCILOR MARSHALL ASKED WHAT THE RECOMMENDATION OF THE PARKING COMMISSION WAS.

THE CHIEF SAID THAT THE PARKING COMMISSION'S RECOMMENDATION IS TO GO FORWARD WITH THE REPAIRS OF THE DECK – THE \$1.3 MILLION. IT MAKES NO SENSE TO REPAIR THE DECK AND KEEP THE HAPHAZARD ELECTRICAL THAT IS THERE.

COUNCILOR MARSHALL QUESTIONED IF WE WERE TO DO THIS, WOULD THEY GO BACK TO ATTENDANTS.

THE CHIEF SAID NO, HE THINKS THE GAME PLAN NOW IS TO MOVE FORWARD IN ALL OF THE PARKING FACILITIES WITH ELECTRONIC KIOSKS. THEY ARE ALSO LOOKING AT CHARGING AN INCREASED RATE AT THE DECK, BASICALLY LEASING A SPACE, DUE TO THE FACT THAT PEOPLE COMPLAIN THAT THEY LEAVE FOR LUNCH AND WHEN THEY COME BACK THEY CANNOT GET A PARKING SPACE. IF NOT THEY WOULD LOOK AT KIOSKS FOR THE PARKING GARAGE, AND THE CHIEF IS LOOKING AT KIOSKS FOR THE COURT STREET LOT AS WELL. THE ATTENDANTS NOW COST \$70,000/YEAR AND THEY WORK MONDAY THROUGH FRIDAY, 19.5 HOURS A WEEK.

THE CHIEF FURTHER STATED THAT THE TREASURER HAS SOME NUMBERS REGARDING THE BOND, HOWEVER THE CHIEF DID NOT HAVE THEM. HE DID STATE THAT BOTH THE TREASURER AND THE BUDGET DIRECTOR FELT COMFORTABLE WITH THE NUMBERS THAT THE TREASURER CAME UP WITH. HE BELIEVES IT WAS A 20 YEAR BOND.

COUNCILOR MARSHALL ASKED THE CHIEF IF HE WAS COMFORTABLE WITH THE PARKING REVENUES AND THEN QUESTIONED WHETHER THE PARKING TICKET FEES CAN BE REALLOCATED TO THIS, BECAUSE NOW THEY GO TO THE GENERAL FUND. THE CHIEF SAID HE BELIEVES THAT YOU CAN FOR A SPECIAL PURPOSE. QUESTIONED WAS HOW MUCH THE PARKING TICKET FEES WERE. THE CHIEF SAID THAT TRADITIONALLY THEY DID NOT HAVE THE REVENUE STREAM FROM THE TICKETX BECAUSE THERE WASN'T THE ENFORCEMENT THAT THERE IS NOW. THE REVENUE STREAM HAS INCREASED DRAMATICALLY SINCE THE PEOPLE WERE HIRED

PAGE THREE

MARCH 4, 2014

THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED

COUNCILOR MARSHALL THEN ASKED IF THE PARKING COMMISSION HAD DECIDED HOW MUCH THEY CAN AFFORD OUT OF PARKING REVENUES TO PAY THE BOND. THE CHIEF SAID THEY COULD PROBABLY PAY ALL OF IT, BUT THAT IS A QUESTION THAT THE BUDGET DIRECTOR COULD ANSWER.

MR. FEDERICO SAID THAT THEY CAN PROBABLY GET A BID OUT IN 30-45 DAYS, BUT IT WOULD PROBABLY BE ABOUT 3 MONTHS BEFORE YOU COULD START CONSTRUCTION. IT WOULD PROBABLY TAKE 1 CONSTRUCTION SEASON TO DO ALL THE WORK.

COUNCILOR MARSHALL SAID THAT HE WOULD LIKE TO SEE THE SPLIT FOR WHAT THE PARKING COMMISSION WILL BE AND ALSO THE REALLOCATION OF THE TICKET REVENUE.

COUNCILOR QUINN FEELS THAT THE OPTION OF TAKING DOWN THE SECOND LEVEL SHOULD BE ELIMINATED DUE TO THE FACT THAT THE GARAGE IS FULL JUST ABOUT EVERY DAY.

IT WAS NOTED THAT IT HAD BEEN DISCUSSED PUTTING A THIRD LEVEL ON THE DECK. HOWEVER, YOU ARE LOOKING AT \$4 MILLION AND THE COST FOR JUST THE STUDY IS \$200,000-\$300,000. THE CHIEF SAID HE DOES NOT THINK THE CITY CAN AFFORD IT. THE ENTIRE PARKING DECK REVENUE NOW IS ABOUT \$80-\$90,000 A YEAR. THIS DOES NOT INCLUDE EXPENSES OF PERSONNEL, ELECTRICITY AND WATER AND SEWER. THE CHIEF SAID ELECTRICITY IS APPROXIMATELY \$10,000 PER YEAR, PERSONNEL IS APPROXIMATELY \$35,000 PER YEAR.

COUNCILOR CROTEAU ASKED HOW FEASIBLE A THIRD DECK WOULD BE WITH THE PROBLEMS THAT WE HAVE NOW.

MR. GERSHMAN SAID IT WOULD COST ABOUT \$4 MILLION TO ADD A THIRD DIECK.

COUNCILOR COSTA-HANLON STATED THAT AT ONE POINT POSSIBLY DURING A BUDGET HEARING, THE PARKING COMMISSION FELT THEY COULD AFFORD TO PAY A BOND FOR, SHE THINKS, THE FIGURE WAS \$700,000 AT THAT TIME.

THE CHIEF SAID THAT THE PARKING COMMISSION NEEDS TO ADJUST THE RATE FOR THE PARKING DECK AS IT IS LOW. IT NEEDS TO BE SUFFICIENTLY HIGH ENOUGH TO BALANCE OUT THE COST OF THE BOND THEY ARE LOOKING AT FOR THE REPAIRS. THEY ARE TAKING IN A SUBSTANTIAL AMOUNT OF MONEY RIGHT NOW THROUGH COLLECTIONS ON THE PARKING TICKETS. HE WOULD LIKE TO SEE A PART OF THIS, AS A PRECAUTION, GO TOWARDS THIS, IF NEED BE, IN CASE THERE ARE ANY SHORTFALLS OF REVENUE IN ANY GIVEN YEAR.

COUNCILOR COSTA-HANLON STATED THAT SHE FEELS THE MONEY FROM THESE VIOLATIONS SHOULD GO TOWARDS PARKING IN THE DOWNTOWN, BECAUSE THAT IS REALLY THE ONLY PLACE WHERE THEY TICKET.

THE CHIEF AGAIN STATED THAT THEY ARE LOOKING AT AN OPTION OF LEASING A PARKING SPOT AT THE GARAGE.

COUNCILOR CROTEAU ASKED WHEN WE GO OUT TO BID, CAN WE PUT IN THE BID TO THE ENGINEERING FIRM THAT ALONG WITH THE PLANS TO FIX THE GARAGE THERE WILL BE A RECOMMENDED MAINTENANCE PLAN WITH A COMPANY AND COST OF THAT MAINTENANCE PLAN, SO HOPEFULLY OVER THE LONG RUN WE WILL SAVE MONEY. ALSO BEFORE A VOTE IS TAKEN TO BOND THIS AMOUNT OF MONEY, HE WOULD LIKE ACTUAL NUMBERS OF REVENUE AND EXPENSES FROM THE PARKING COMMISSION FOR THE LAST 5 YEARS.

COUNCILOR CARR STATED THAT SHE DOES NOT FEEL REAL COMFORTABLE WITH THE PARKING COMMISSION MONEY PAYING THE BOND. SHE DOES NOT FEEL A VOTE SHOULD BE TAKEN TONIGHT AS SHE WOULD LIKE TO WAIT A COUPLE OF WEEKS, GET ALL THE FIGURES, GET SOME INPUT FROM THE MAYOR'S OFFICE AS TO WHETHER HE WISHES TO TOUCH ANY OF THE TICKETING REVENUE THAT GOES INTO THE GENERAL FUND.

THE CHIEF SAID THAT ONE OF THE THINGS THE PARKING COMMISSION HAS BEEN ADAMANT ABOUT ON THIS IS THAT WE NEED A MAINTENANCE PLAN. WE CAN'T ALLOW OURSELVES TO GET INTO THIS

PAGE FOUR

MARCH 4, 2014

THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED

SITUATION AGAIN. HE ALSO SAID THAT IN FY 2013 THE PARKING COMMISSION TOOK IN \$195,889.55 BETWEEN ALL THE PARKING METERS, KIOSKS, ETC. THIS DOES NOT INCLUDE THE TICKETING MONEY. HE BELIEVES THE TICKETING MONEY WAS PROBABLY, AT LEAST LAST YEAR, ABOUT \$200,000. COUNCILOR CLEARY STATED THAT HE FEELS THE \$400,000 OPTION IS BEST. THE HISTORY OF MAINTENANCE OF THE PARKING DECK IS NOT GOOD AND HE IS CONCERNED WITH THE PARKING COMMISSION AFFORDING THE BOND. HE FURTHER STATED THAT WE WILL BE GOING DOWN THIS SAME ROAD IN 20 YEARS AND WILL THEN HAVE TO SPEND MORE MONDY. HE FEELS THAT WE NEED TO DO AN INVENTORY OF PARKING SPACES.

THE CHIEF NOTED THAT IT IS \$400,000 JUST FOR THE DEMO OF THE SECOND FLOOR. IT DOES NOT INCLUDE CREATING THE NEW LOT THERE. IT WAS OVER \$200,000 TO DO THE PLEASANT STREET LOT. COUNCILOR CARR STATED THAT THE COMMITTEE NEEDS MORE FIGURES, SOME ADDITIONAL INFORMATION FROM A WHOLE BUNCH OF PEOPLE, WE NEED MORE ACCURATE MONEY FIGURES, MORE ACCURATE PARKING FIGURES, WHATS AVAILABLE, WHATS USED, WHATS UNUSED AND BETTER FIGURES FOR THE DIFFERENT OPTIONS THAT WERE DISCUSSED.

MR. EDWARD VALADAO WAS INVITED INTO THE ENCLOSURE. HE STATED THAT IN HIS OPINION ANY MONEY EXPENDED ON PARKING FACILITIES SHOULD NOT COME OUT OF THE GENERAL FUND. IT SHOULD BE PAID FOR BY THE USERS. HE FURTHER NOTED THAT THE CITY HAS EXPENDED MONEY FOR STUDIES WITH BETA MANY TIMES, BUT NOTHING EVER GOT DONE. HE FEELS THAT THE PARKING COMMISSION CAN AFFORD THE DEBT SERVICE ON THE BOND. ELIMINATING THE PERSONNEL WILL HELP TO COVER THE DEBT SERVICE.

HE ALSO STATED THAT AS FAR AS GALLIGAN COURT IS CONCERNED, THE DRAINAGE ISSUES NEED TO BE ADDRESSED BEFORE ANYTHING CAN BE DONE ON THAT LOT. REGARDING TRESMOTT STREET, IT PROBABLY JUST NEEDS TO BE PAVED. HE DOES NOT AGREE THAT THE SECOND LEVEL OF THE PARKING DECK SHOULD BE DEMOLISHED. THIS IS AN ASSET WE NEED TO PRESERVE, AND THERE MUST BE A MAINTENANCE PROGRAM. WE NEED PROFESSIONAL CONTRACTORS IN THERE.

COUNCILOR QUINN AGREED THAT WE NEED THE NUMBERS AND TO HAVE A DISCUSSION WITH THE BUDGET DIRECTOR.

COUNCILOR MARSHALL STATED THAT BETA CAN CONTINUE ON WITH THE RFP PROPOSAL IN DRAFT FORM, SD THAT WE DON'T LOSE 3 WEEKS TIME, AND THAT THIS MATTER CAN BE CONTINUED FOR 3 WEEKS. HE ALSO SAID THAT WE NEED TO KNOW THE SCOPE OF SERVICES.

COUNCILOR CARR STATED THAT THE BIGGEST ISSUE WITH THIS IS MAINTENANCE AND THAT AS PART OF THE PROPOSAL THERE NEEDS TO BE A MAINTENANCE PLAN. SHE WOULD ALSO LIKE TO KNOW HOW MUCH PARKING IN THE OTHER LOTS IS NOT USED, AND THAT THE CITY SHOULD PUT A PREMIUM PRICE FOR PARKING AT THE DECK.

COUNCILOR CROTEAU STATED THAT HE WANTS INCLUDED IN THE RFP A PLAN FOR GALLIGAN COURT AND TRESMOTT STREET PARKING LOTS. HE THINKS THAT YOU MAY GET A BETTER PRICE FROM A CONTRACTOR IF THE ADDITIONAL WORK IS INCLUDED.

THE CHIEF STATED THAT THE DRAINAGE WILL BE DONE THIS SPRING ON GALLIGAN'S COURT. ALSO, THEY HAVE LOOKED AT TRESMOTT STREET AND WOULD HAVE A COST ON THAT AS WELL.

MOTION: TO CONTINUE THIS FOR THREE WEEKS, GET THE FINANCIAL INFORMATION FROM THE BUDGET DIRECTOR ALONG WITH THE UTILIZATION STUDIES OF THE PARKING GARAGE AND THE UTILIZATION OF THE LOTS. INSTRUCT THE BETA GROUP TO CONTINUE THE RFP PROCESS TO DRAFT FORM, NOT TO PUBLISH IT,

ON DISCUSSION, COUNCILOR CLEARY ASKED THAT A CONSTRUCTION TIMELINE BE PROVIDED FOR EACH OF THE OPTIONS DISCUSSED, AND HOW LONG THE DECK WILL BE CLOSED DOWN.

SO VOTED.

PAGE FIVE

MARCH 4, 2014

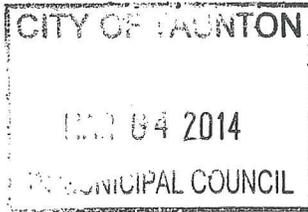
THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED

MEETING ADJOURNED AT 6:50 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



JENNIFER K. HEGE
ASSISTANT CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
MARCH 4, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE

PRESENT WERE: COUNCIL PRESIDENT ANDREW MARSHALL AND COUNCILORS CLEARY, CROTEAU, COSTA-HANLON, POTTIER, MCCAUL, QUINN, CARR AND BORGES. ALSO PRESENT WERE LUIS CONTRERA AND JOSE LOPEZ OF EL MARIACHI RESTAURANT AND LEE ANN TAVARES OF THE TAUNTON SKATE PARK COMMITTEE

MEETING CALLED TO ORDER AT 7:11 P.M.

- 1. MEET FOR A PRE-REVIEW HEARING ON SPECIAL PERMIT MODIFICATION FOR AN ENTERTAINMENT USE IN CONJUNCTION WITH A RESTAURANT AT 44-47 TAUNTON GREEN, LOCATED IN THE CENTRAL BUSINESS DISTRICT**

THEY WOULD LIKE TO HAVE A SOLO GUY PLAY AT THE RESTAURANT TABLES, IT WILL NOT BE A BAND OR A DJ. IT IS A MARIACHI GUY WITH A GUITAR. THERE ARE NO CHANGES TO THE HOURS OF OPERATION.

MOTION: REFER THIS MATTER TO THE HEARING NEXT WEEK. SO VOTED.

- 2. MEET WITH LEE ANN TAVARES AND TAUNTON SKATE PARK COMMITTEE TO DISCUSS POTENTIAL LOCATION FOR A SKATE PARK**

MRS. TAVARES INFORMED THE COMMITTEE THAT THEY WERE PREVIOUSLY APPROVED TO BUILD A 10,000 SQUARE FOOT SKATE PARK BEHIND THE ORIGINAL CITY HALL AND POLICE STATION. THE AREA PREVIOUSLY WAS A DEGRADED PARKING LOT, AND THEY HAD PROVIDED NECESSARY IMPROVEMENTS TO PROVIDE A SKATE PARK AND ALSO TO DO SOME ENVIRONMENTAL IMPROVEMENTS. THEIR PROJECT WAS PICKED UP BY THE GATEWAYS COMMUNITY PROGRAM IN WHICH THEY PROVIDED A RIVERWALK PARK. THIS WAS ULTIMATELY APPROVED WITHOUT THE SKATE PARK. THEY WOULD REALLY LIKE TO HAVE PERMISSION TO GO FORWARD WITH THE SKATE PARK SO THEY CAN MOVE FORWARD WITH THEIR FUNDRAISING AND GET THIS PARK BUILT.

SHE FURTHER STATED THAT THE COMMITTEE IS NOT ASKING FOR MONEY FROM THE CITY AS ORIGINALLY PROPOSED. THEY WILL PAY FOR THE SKATE PARK THROUGH FUNDRAISING, GRANTS, IN KIND SERVICES, ETC. THEY FEEL THAT THE SKATE PARK IS NECESSARY IN THE CITY AS THERE IS A GREAT INTEREST IN SKATEBOARDING AND BMX RIDING. THEIR GOAL IS TO PROVIDE A FREE 10,000 SQUARE FOOT CUSTOM CONCRETE SKATE PARK.

COUNCILOR POTTIER ASKED IF THE SITE THEY WERE LOOKING AT BEHIND CITY HALL WAS THE SAME SITE THEY HAD LOOKED AT BEFORE. HE ALSO ASKED IF THIS IS THE ONLY SITE THEY ARE ACTIVELY LOOKING AT.

MRS. TAVARES SAID THAT THIS IS THE SITE THEY FEEL PROVIDES A SAFE VISIBLE AREA AND AN AREA THAT IS EASILY ACCESSIBLE TO ALL.

COUNCILOR POTTIER ASKED IF THE ADMINISTRATION SUPPORTS THIS SITE. MRS. TAVARES SAID YES. COUNCILOR POTTIER NOTED THAT THERE HAVE BEEN A NUMBER OF OTHER COMMUNITIES THAT HAVE HAD SKATE PARKS AND HAVE EITHER CLOSED THEM OR REMOVED THEM DUE TO A BUNCH OF ISSUES THAT THEY HAVE HAD. WHAT COMFORT LEVEL DOES THE SKATE PARK COMMITTEE HAVE THAT THIS WON'T HAPPEN HERE.

MRS. TAVARES STATED THAT MANY OF THE SKATE PARKS THAT HAVE CLOSED WERE PUT UP QUICKLY AND WERE DESIGNED TO JUST GIVE THE KIDS A FEW RAMPS. THEY WEREN'T UTILIZED BY THE TRUE SKATEBOARDERS, THE TRUE ATHLETES OF THIS SPORT. A LOT OF TIMES THEY WERE MADE OF MATERIAL

PAGE TWO

MARCH 4, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

THAT WAS NOT DURABLE, THEY WERE IN AREAS THAT WERE NOT SO DESIRABLE. SHE ALSO NOTED THAT FOXBOROUGH CLOSED THEIR PARK BUT HAVE RE-OPENED IT WITH IMPROVEMENTS.

MRS. TAVARES STRESSED THAT THEY HAVE BEEN COMING BEFORE THE COUNCIL AND DIFFERENT COMMITTEES FOR APPROVAL AND ONE OF THE THINGS THAT THEY WANT EVERYBODY TO KNOW IS THAT THEY ARE HERE TO STAY. THEY HAVE A MAINTENANCE PLAN FOR THE PARK, THEY DO NOT WANT TO JUST BUILD IT AND WALK AWAY FROM IT.

COUNCILOR POTTIER ASKED WHAT THE COMMITTEE IS LOOKING FOR TONIGHT.

MRS. TAVARES SAID THEY ARE LOOKING TO HAVE THE COUNCIL REAFFIRM THE ORIGINAL APPROVAL SO THAT THEY CAN GO FORWARD. THEY NEED TO FUNDRAISE AND THEY CANNOT DO THAT WHEN THEY DO NOT EVEN HAVE A LOCATION.

COUNCILOR POTTIER ASKED HOW MANY ADDITIONAL PARKING SPOTS WOULD BE GIVEN UP IF THE SKATE PARK WERE TO BE LOCATED THERE. MRS. TAVARES SAID NONE. IT WILL BE LOCATED ON THE GRASSY AREA OF THE EXISTING PARK, NOTHING IS CHANGING REGARDING PARKING.

COUNCILOR POTTIER ASKED IF THERE WOULD BE PROBLEMS LOCATING THE SKATE PARK THERE BECAUSE THE PARK WAS PUT IN WITH GRANT MONEY.

MRS. TAVARES STATED THAT SHE HAD A COMMUNICATION FROM EOEА BECAUSE SHE HAD CONTACTED THEM IN ORDER TO CONFIRM THAT THEY CAN IN THE EYES OF THE STATE STILL CONSTRUCT THE SKATE PARK IN THE ORIGINAL AREA BEHIND THE ORIGINAL CITY HALL/POLICE DEPARTMENT.

THE ANSWER WAS SURE, THE OPEN SPACE PIECE WAS LEFT AS LAWN WITH THAT INTENT.

MOTION: E-MAIL AND SITE PLAN TO BE PART OF THE RECORD. SO VOTED.

COUNCILOR BORGES ASKED WHO WOULD MAINTAIN THIS PARK. MRS. TAVARES SAID THAT THE COMMITTEE WILL MAINTAIN IT AND THAT 10% OF THEIR FUNDRAISING DOLLARS WILL GO INTO A SPECIAL FUND STRICTLY FOR MAINTENANCE. THE MAINTENANCE OF CONCRETE WOULD BE CHIPS AND POSSIBLE GRAFFITI. IT IS NOT PRECAST CONCRETE IT IS POURED IN PLACE CONCRETE.

THEY WILL HAVE SIGNS WITH RECOMMENDATIONS AS FAR AS SAFETY, BUT AS FAR AS REQUIRING HELMETS THEY WON'T HAVE ANYONE THERE TO ENFORCE IT.

COUNCILOR CARR ASKED IF WE COULD PUT SOMETHING ON PARK LAND, DOES IT HAVE TO GO BEFORE THE PARK AND RECREATION COMMISSION. SHE IS ALSO CONCERNED WITH INSURANCE AND LIABILITY ISSUES. SHE ALSO SAID THAT SHE IS NOT SURE YOU CAN HOLD THE COMMITTEE TO MAINTAINING THE SKATE PARK AND SHE DOES NOT WANT TO SEE IT FALL TO THE PARK AND RECREATION DEPARTMENT. SHE DOES WANT IT TO GO TO THE PARK AND RECREATION COMMISSION FOR REVIEW AND SHE WOULD LIKE THE SAFETY AND INSURANCE LIABILITY DISCUSSED.

THE MAYOR DID SAY THAT SOME KIND OF A MAINTENANCE/SECURITY TYPE AGREEMENT WITH PARK AND RECREATION WOULD HAVE TO BE WORKED OUT, AND THEY WOULD HAVE TO ALSO WORK WITH RISK MANAGEMENT AND THE POLICE CHIEF.

COUNCILOR MARSHALL NOTED THAT A LOT OF THE PARK DESIGN WAS NON IMPERVIOUS MATERIALS BECAUSE THE IDEA WAS TO CLEAN UP THE SEDIMENT THAT WAS COMING OFF OF THE PARKING LOT BEHIND CITY HALL AND THE POLICE DEPARTMENT, THAT IS WHY THEY WANTED IT TO BE GRASS AND THE VEGETATION TO CLEAN UP THE RUN OFF INTO THE THREE MILE RIVER. HE HAS CONCERNS THAT THE E-MAIL DOESN'T ADDRESS THAT WITH A 10,000 SQUARE FOOT IMPERVIOUS SURFACE HOW THE RUN OFF IS GOING TO BE HANDLED.

MRS. TAVARES STATED THAT BEFORE THE RIVER WALK THERE WAS NO STORMWATER CONTROL THERE IS A DETENTION BASIN THAT WOULD HANDLE THE RUN OFF.

COUNCILOR QUINN STATED THAT THE INSURANCE LIABILITY IS AN ISSUE FOR HER.

COUNCILOR MCCAUL FEELS THAT THIS IS A GREAT IDEA BUT HE ALSO HAS CONCERNS ABOUT LIABILITY.

PAGE THREE

MARCH 4, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

COUNCILOR CROTEAU ASKED IF THE GROUP HAD LEGAL STANDING, ARE THEY INCORPORATED OR A NON-PROFIT GROUP RECOGNIZED BY LAW. MRS. TAVARES SAID THEY DON'T HAVE THE 501C3 BUT THEY DO HAVE AN EIN NUMBER. HE STATED THAT THIS IS CITY LAND SO THE CITY IS PRIMARILY RESPONSIBLE. HE ASKED THAT A REVIEW OF THIS MATTER BE DONE BY THE CITY SOLICITOR WITH A RESPONSE TO THE COUNCIL, HE WOULD LIKE A REVIEW OF THIS BY RISK MANAGEMENT WITH A RESPONSE TO THE COUNCIL AND A REVIEW FROM THE POLICE CHIEF WITH A RESPONSE TO THE COUNCIL. HE FEELS THAT THEY NEED TO MAKE SURE THAT THIS IS WELL THOUGHT OUT.

COUNCILOR COSTA-HANLON STATED THAT SHE IS IN SUPPORT OF THIS. SHE ALSO STATED THAT THE FRIENDS OF BOYDEN WAS FORMED SO THEY COULD HAVE IN KIND SERVICES. THIS HAS BEEN DONE FOR THE CITY OFTEN. THEREFORE, THERE IS A MECHANISM THAT THE CITY ALREADY HAS. SHE DOES, HOWEVER THINK THAT THIS DOES HAVE TO GO TO PARK AND RECREATION.

MRS. TAVARES STATED THAT WITH A 501C3 THERE IS A LOT OF TIME AND MONEY INVOLVED SO THEY ARE LOOKING TO PIGGY BACK ON ANOTHER. SHE FURTHER STATED THAT THEY WERE GIVEN AN ACCOUNT WITHIN THE CITY THAT IS STRICTLY FOR THE SKATE PARK, AND IT IS STILL THERE TODAY. THAT IS WHERE THEIR MONEY IS. THEY COULD DO A 501C3, BUT THEY WOULD BE FUNDRAISING FOR A 501C3 AND NOT A SKATE PARK. THAT IS WHY THEY WERE HOPING TO PIGGY BACK ON ANOTHER NON-PROFIT. COUNCILOR COSTA-HANLON SAID THAT SHE WAS THINKING OF FRIENDS OF BOYDEN AND THAT THEY ARE PARTICULARLY USED FOR IN KIND SERVICES AND CONTINUED MAINTENANCE.

COUNCILOR COSTA-HANLON ALSO STATED THAT WHAT SHE WOULD LIKE TO DO INSTEAD OF HAVING THE SKATE PARK COMMITTEE COME BACK IS, SHE THINKS, A PROPER REVIEW WOULD BE TO FORWARD IT TO PARK AND RECREATION COMMISSION WITH THE CAVEOT THAT UPON THEIR APPROVAL AND UPON THIS COUNCIL GETTING THE INFORMATION REQUESTED, SPECIFICALLY THE LIABILITY ISSUE, THE VOTE OF THE COMMISSION THAT THEY ARE SUPPORTIVE OF IT AND THEY UNDERSTAND THAT IT WILL BE UNDER THEIR JURISDICTION, AND THAT THERE BE SOME KIND OF AGREEMENT SIMILAR TO WHAT THEY HAVE WITH FRIENDS OF BOYDEN.

MOTION: TO SUPPORT THE SKATE PARK PENDING THE APPROVAL OF THE PARK AND RECREATION COMMISSION AND ALL THE ISSUES OUTLINED, AND TO FRAME THE WORKING RELATIONSHIP SIMILAR AS TO THEY HAVE WITH FRIENDS OF BOYDEN.

COUNCILOR MARSHALL STATED THAT HE COULD NOT SUPPORT THIS MOTION TONIGHT BECAUSE THERE ARE TOO MANY UNKNOWNNS FOR HIM. ONE OF THE BIGGEST UNKNOWNNS FOR HIM IS THAT HE THOUGHT THAT THEY WERE A 501C3 AND IF THEY DO NOT BECOME A 501C3 OR IF THEY DON'T PIGGY BACK OFF OF SOMEBODY, THE COMMITTEE IS GOING TO BE EXTREMELY LIMITED IN RAISING FUNDS. ANY GRANT APPLICATION THEY APPLY FOR WILL WANT TO SEE THAT THEY ARE A 501C3. THE BIGGEST CONCERN HE HAS RIGHT KNOW IS THAT HE DOES NOT KNOW LEGALLY IF THE COUNCIL, WITHOUT THEM BEING A RECOGNIZED 501C3 THROUGH THE COMMONWEALTH, IS JUST DEALING WITH A GROUP OF CITIZENS, AND NOW WE ARE GOING TO TURN OVER CITY LAND IN A NO BID CONTRACT. HE DOES NOT BELIEVE THAT THE COUNCIL HAS THE LEGAL AUTHORITY TO ENTER INTO AN AGREEMENT OR SET ASIDE A SPECIFIC PIECE OF PROPERTY TO AN INDIVIDUAL WITHOUT SOME TYPE OF RFP, PUBLIC BID PROCESS OR SOMETHING LIKE THAT.

COUNCILOR MARSHALL ASKED IF THEY HAD THOUGHT OF FINDING A PIECE OF PROPERTY AND THEN HAVE THE CITY TURN IT OVER TO THEM AND THEY CAN MAINTAIN IT AS BOTH LITTLE LEAGUES AND THE SOCCER LEAGUE DOES. MRS. TAVARES SAID THAT THOSE ORGANIZATIONS CHARGE A FEE. COUNCILOR MARSHALL SAID THAT HE WANTS TO SEE THIS A REALITY, BUT THERE ARE TOO MANY QUESTIONS FOR HIM RIGHT KNOW. HE ALSO HAS A HUGE CONCERN WITH THE IN KIND DONATIONS

PAGE FOUR

MARCH 4, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

BECAUSE THE IN KIND DONATIONS HAVE TO BE INSPECTED BY THE CITY, BECAUSE IF THIS IS BUILT, EVENTUALLY THE GOAL IS TO TURN IT OVER TO THE CITY FOR MAINTENANCE. THE CITY WOULD HAVE TO APPROVE THE CONTRACTORS OR APPROVE THE PRODUCT AT THE END OF IT BECAUSE ULTIMATELY THE CITY WILL BE RESPONSIBLE FOR THE IN KIND DONATIONS AND MAINTENANCE FOR THE NEXT 10, 15, 20 YEARS.

COUNCILOR MARSHALL SAID THAT HE IS ALSO CONCERNED THAT WITH THE RE-BUILDING OF CITY HALL, THERE IS ALREADY A PARKING PROBLEM

COUNCILOR CLEARY THANKED THE SKATE PARK COMMITTEE FOR THEIR EFFORTS, AND HE BELIEVES THE 501C3 IS THE WAY TO GO.

MRS. TAVARES STATED THAT THEY ARE NOT OPPOSED TO THE 501C3, BUT THEY NEED A LOCATION BEFORE THEY CAN DO ANYTHING. WITHOUT A LOCATION, THEY CANNOT MOVE FORWARD.

COUNCILOR CLEARY STATED THAT PERHAPS A MOTION SHOULD BE MADE TO REFER THIS TO THE CITY SOLICITOR TO EXPLAIN WHAT THE COUNCIL CAN DO NEXT.

MOTION: TO REFER THIS MATTER TO THE CITY SOLICITOR TO DETERMINE WHAT THE CAPABILITY OF THE COUNCIL IS, AND WHAT CAN THE COUNCIL DO ABOUT THE SKATE PARK COMMITTEE'S REQUEST TO ACCESS THIS LAND.

COUNCILOR CROTEAU STATED THAT HE AGREES WITH COUNCILOR MARSHALL, AND THAT THIS WILL NEVER BE THEIR HOME, THEY WILL BE A TENANT. IF ANYONE GETS HURT, THEY WON'T SUE THE SKATE PARK COMMITTEE, THEY WILL SUE THE CITY. HE AGAIN STATED THAT HE WANTS TO HEAR FROM THE CITY SOLICITOR, WANTS THE INSURANCE IMPLICATIONS INVOLVED, AND HE WANTS TO HEAR FROM THE POLICE CHIEF. HE ALSO WANTS TO HEAR FROM THE PARK AND RECREATION COMMISSION ALSO.

COUNCILOR QUINN STATED THAT SHE THINKS WE OUGHT TO MOVE THIS FORWARD, FOLLOWING UP ON THE MOTION, CONTINUE IT FOR 2 WEEKS, GET THE INFORMATION FROM THE CITY SOLICITOR ON WHAT THE COUNCIL'S ABILITY IS TO APPROVE THIS, GET THE INFORMATION FROM MARILYN GREENE ON THEIR POSITION, GET INFORMATION FROM THE POLICE CHIEF. SHE ALSO STATED THAT THE 501C3 ISSUE WILL BE AN ISSUE FOR THE SKATE PARK COMMITTEE, AND GOING FORWARD, IF THEY GET SATISFACTORY ANSWERS FROM THESE VARIOUS ENTITIES, THEN IF THE COUNCIL DECIDES IT IS A GOOD IDEA, SHE THINKS THAT THIS COULD BE MADE SUBJECT TO THE 501C3.

COUNCILOR MARSHALL SAID THAT 2 WEEKS IS NOT ENOUGH TIME, THAT 3-4 WEEKS WOULD BE BETTER.

COUNCILOR CARR ALSO STATED THAT SHE IS CONCERNED WITH THE IN KIND SERVICES FOR CONSTRUCTION, AND HOW CAN YOU HOLD SOMEONE OFFERING IN KIND SERVICES TO THE FIRE.

THE MOTION WAS CLARIFIED TO READ AS FOLLOWS:

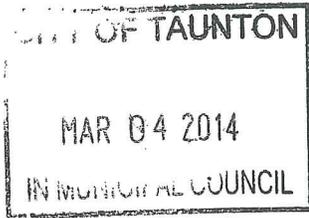
MOTION: REFER THIS PROPOSAL TO THE LAW OFFICE, PARK, CEMETERIES AND PUBLIC GROUNDS COMMISSION, RISK MANAGEMENT AND THE POLICE CHIEF TO HAVE A RESPONSE TO THE COMMITTEE IN THREE WEEKS – MARCH 25, 2014. THEY ARE TO HAVE A REPRESENTATIVE PRESENT AT THE MEETING IN 3 WEEKS OR THEY ARE TO PROVIDE SOMETHING IN WRITING. COPIES OF ALL RESPONSES TO BE FORWARDED TO MRS. LEE ANN TAVARES, AND SHE IS TO BE THE CONTACT PERSON FOR THE SKATE PARK COMMITTEE. SO VOTED.

PAGE FIVE

MARCH 4, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

MEETING ADJOURNED AT 8:05 P.M.



RESPECTFULLY SUBMITTED,

A handwritten signature in cursive script that reads "Colleen M. Ellis".

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

A handwritten signature in cursive script that reads "Jennifer K. Regan".
ASSISTANT CITY CLERK