



*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, March 12, 2013 at 8:45 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 Marshall, Cleary, Medeiros, Costa-Hanson,

Pottier, McCaul, Carr and Barbour

Absent – Councilor Colton

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

Communications from the Mayor:

None

Communications:

Com. from City Auditor – Requesting appointment of Sandra Kingsbury as Interim City Auditor to sign Warrants. **Motion was made to move approval. So Voted.**

Com. from Teri Bernert, Director-Downtown Taunton Foundation, 8 Trescott Street, Suite 1, Taunton – Requesting use of the portable stage and a waiver of fees. **Motion to move approval pending date of event. So Voted.**

Com. from Ernest Cardoza, 5 New Carver Street, Raynham – Extending an invitation to the Memorial Day Parade, May 27th beginning at 12:30pm. **Motion was made to refer to Council President. So Voted.**

Com. from Chairman, Board of Assessors – Submitting a response regarding the Veteran's Tax Work off Program. **Motion was made to refer to Committee of the Council as a Whole and request information from Board of Assessors as to the implementation of this program being any different from our Senior Program. So Voted.**

Extra Communication submitted by Councilor Barbour – He informed that the Taunton High School Pride Night for 7th graders is scheduled for March 14th from 6-7:30pm. **Motion was made to receive and place on file. So Voted.**

Claims

Claim submitted by Kerry Champagne, 931 Dighton Woods Circle, Dighton seeking reimbursement for damages to her vehicle from hitting a pothole on Middleboro Ave., East Taunton near the Taunton House of Pizza. **Motion was made to refer to City Solicitor and DPW Commissioner. So Voted.**

Claim submitted by Lucia Cordeiro, 400 Gibbs St., Fall River seeking reimbursement for damages to her vehicle from hitting a pothole in front of 79 South St., Taunton. **Motion was made to refer to City Solicitor and DPW Commissioner. So Voted.**

Claim submitted by Sharon Gioioso, 16 Jethol Dr., Assonet seeking reimbursement for damages to her vehicle from hitting multiple potholes on Route 79 heading east just past the Star Drive-In. **Motion was made to refer to City Solicitor and DPW Commissioner. So Voted.**

Claim submitted by Lisa Kirkland, 14 Arabian Dr., Taunton seeking reimbursement for damages to her vehicle from hitting a pothole on Broadway in the vicinity of Gaff's. **Motion was made to refer to City Solicitor, DPW Commissioner and/or Mass Highway. So Voted.**

Claim submitted by Paul Pinheiro, 33 Grace Circle, East Taunton seeking reimbursement to his vehicle from hitting a pothole on Route 79 near the auto auction. **Motion was made to refer to City Solicitor and DPW Commissioner. So Voted.**

Claim submitted by Jon Scharpenter, 120 Precinct St., Lakeville seeking reimbursement for damages to his automobile from hitting a pothole on Route 79 near 536 Myricks Street. **Motion was made to refer to City Solicitor and DPW Commissioner. So Voted.**

Petition submitted by Taunton Municipal Lighting Plant and Verizon New England Inc. proposing to place one (1) new joint pole location EL-2S on Berkley Street, Taunton. **Motion was made to schedule a Public Hearing in three weeks at the City Clerk's discretion. 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 Barbour motioned to refer to the DPW Commissioner, Althea Street, Wildwood Avenue, and Cameron Avenue for pothole repairs and to ask if they could be put on the list as an accepted public way. Councilor McCaul motioned to add Columbus Blvd. So Voted. The City Clerk spoke to the DPW Commissioner on this matter.

Councilor Barbour motioned to have the DPW Commissioner report back to the Municipal Council the status of city sewer on Cavalier Avenue. So Voted.

Councilor Pottier motioned for a presentation from the DPW Commissioner on the process of plowing the City streets. So Voted.

Councilor Carr motioned to accept as part of the record the Bristol Plymouth Annual Report. So Voted.

Orders, Ordinances, and Resolutions

Order for a second reading to be ordained on a roll call vote

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 move approval. On a roll call vote, eight (8) Councilors present, eight (8) Councilors voting in favor. Councilor Colton was absent. So Voted. The Mayor requested the City Clerk to forward copy to the Building Department.

New Business:

None

Meeting adjourned at 8:55pm

A true copy:

Attest:


City Clerk

RMB/dmc

CITY OF TAUNTON
MUNICIPAL COUNCIL
MARCH 12, 2013

THE COMMITTEE ON FINANCE AND SALARIES

PRESENT WERE: COUNCILOR DEBORAH CARR, CHAIRMAN AND COUNCILOR CLEARY. ALSO
PRESENT WAS WATER DIVISION SUPERVISOR CATHAL O'BRIEN

MEETING CALLED TO ORDER AT 6:00 P.M.

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

**MOTION: MOVE APPROVAL OF THE INVOICE WARRANT IN THE AMOUNT OF
\$1,148,291.16. SO VOTED.**

**MOTION: MOVE APPROVAL OF THE PAYROLL WARRANT IN THE AMOUNT OF
\$997,004.35. SO VOTED.**

**2. MEET WITH THE WATER DIVISION SUPERVISOR TO DISCUSS HIS REQUEST FOR A TRANSFER
FOR THE PROSPECT HILL RESERVOIR COVER AND TO PURCHASE 2 TRUCKS**

MR. O'BRIEN STATED THAT \$3.2 MILLION WAS REQUESTED IN TRANSFERS. \$3 MILLION FOR WORK TO BE BID AND \$200,000.00 FOR EQUIPMENT. REGARDING THE \$3 MILLION, IT IS ESTIMATED TO COST ABOUT \$1 MILLION TO DO THE RESERVOIR COVER. THERE IS A SOFT FLOATING COVER ON IT, IT IS VERY LARGE, AND THERE IS A LOT OF WEAR AND TEAR ON IT. THIS COVERS 22.5 MILLION GALLONS OF OUR DRINKING WATER AND PROVIDES FIRE PROTECTION FOR MOST OF THE CENTER OF THE CITY. IT IS OLD AND IT NEEDS TO BE REPLACED. CURRENTLY THE WATER QUALITY IS FINE, THE WATER IS SAFE. IF THIS COVER TEARS, IT COULD CAUSE PROBLEMS, THERE WOULD BE ISSUES WITH IT BEING UNCOVERED IF IT WERE TO TEAR AND RIP. IT IS A LOT CHEAPER TO DO IT BY BID RATHER THAN IN AN EMERGENCY. THEY ARE HOPING IT WILL COST ABOUT \$750,000.00 PLUS DESIGN. IT WOULD ALSO INVOLVE SOME DRAINAGE IMPROVEMENTS OUT THERE AND SOME TREE REMOVAL. THEY WOULD LIKE TO BID THIS IN THE SPRING AND HAVE IT INSTALLED IN THE SUMMER. THE OTHER \$2 MILLION IS FOR WATER MAIN WORK, AND MR. O'BRIEN WILL PROVIDE THE COMMITTEE WITH A LIST OF STREETS THAT WILL BE WORKED ON. THEY WILL LOOK TO RE-BUILD THE HARRIS STREET PUMPING STATION IN THE FUTURE.

THE \$200,000.00 IS TO REPLACE 2 VEHICLES. ONE IS A SERVICE VEHICLE DUMP TRUCK AND A SERVICE VEHICLE WHICH IS A UTILITY VEHICLE AT THE TREATMENT PLANT. THEY HAVE A DUMP TRUCK THAT IS OUT OF SERVICE AND JUNKED SO THE WATER DIVISION IS DOWN TO 1 DUMP TRUCK NOW. THIS TIME OF YEAR THEY SET IT UP WITH A SANDER AND IF THERE IS A MAIN BREAK THEY HAVE TO PULL THE SANDER OUT. THEY NEED TO HAVE THE 2 TRUCKS. THEY ARE LOOKING TO REPLACE IT WITH A 6-WHEELER, WHICH IS SOMEWHERE IN THE \$100,000 RANGE. THERE IS ALSO A TRUCK WITH A CAB FOR SAMPLING WHICH THEY WILL CONVERT TO A CRANE TRUCK. THEY NEED TO REPLACE THE SAMPLER TRUCK AND THIS WILL ALSO BE SNOW READY.

**MOTION: MOVE APPROVAL OF THE REQUEST OF THE WATER DEPARTMENT TO
TRANSFER \$200,000.00 FROM WATER FREE CASH ACCOUNT NO. 60-000-0141-
3590-00-000 TO WATER ACCOUNT NO. 60-450-203 – EQUIPMENT AND
CAPITAL. SO VOTED.**

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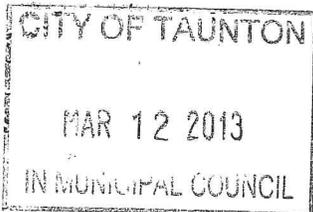
THE COMMITTEE ON FINANCE AND SALARIES - CONTINUED

MEETING ADJOURNED AT 6:11 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



R.M. Blackwell
CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
MARCH 12, 2013

THE COMMITTEE ON PUBLIC PROPERTY

PRESENT WERE: COUNCILOR DAVID POTTIER, CHAIRMAN AND COUNCILORS MARSHALL, BARBOUR, CARR AND COSTA-HANLON. ALSO PRESENT WERE BUILDING SUPERINTENDENT WAYNE WALKDEN AND NEIGHBORHOOD CORP. DIRECTOR DEAN HARRISON

MEETING CALLED TO ORDER AT 6:21 P.M.

1. MEET WITH THE BUILDING SUPERINTENDENT AND NEIGHBORHOOD CORP. TO DISCUSS THE WALKER SCHOOL PROPERTY

LETTER OF WAYNE WALKDEN, BUILDING SUPERINTENDENT DATED 3/7/2013 REGARDING HIS RECOMMENDATION TO DISPOSE OF PUBLIC PROPERTY – THE VACANT WALKER SCHOOL WAS READ. HIS LETTER STATES THAT THE NEIGHBORHOOD CORPORATION PROPOSAL MEETS THE CRITERIA AS SET FORTH IN THE RFP, WITH ONE EXCEPTION, THAT BEING A PROPOSED CLOSING DATE OF 18-19 MONTHS. THE MUNICIPAL COUNCIL MAY CONSIDER A COUNTER PROPOSAL MORE FAVORABLE TO THE CITY IN TERMS OF A CLOSING DATE. OVERALL, HE FEELS THIS IS A GOOD PROPOSAL FOR THE CITY DESPITE THE APPRAISAL VALUE. HE RECOMMENDS WORKING TO RESOLVE THE TIMING ISSUE AND MOVE FORWARD WITH THE PROPOSAL.

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

MR. WALKDEN STATED THAT HE FEELS IT WOULD BE UP TO THE PROPSEER AT THIS POINT TO EXPLAIN WHAT THE TIMING ISSUE IS AND THEN ARMED WITH THIS INFORMATION THE COUNCIL COULD MAKE A DECISION. TO HOLD BACK ANY LONGER, MR. WALKDEN FEELS, WOULD BE DISINGENOUS TO THE PROPOSER. THE PROPOSAL WAS SUBMITTED ON JANUARY 9TH SO IT HAS BEEN ABOUT 60 DAYS. THEY WOULD LIKE TO SEE A DECISION MADE AS SOON AS POSSIBLE.

MR. HARRISON STATED THAT THERE IS A DIFFERENCE BETWEEN THE PRICE THAT THEY OFFERED IF THEY COULD CLOSE WITHIN A PERIOD OF TIME OR TAKING THE PROPERTY NOW. THE MAIN REASON FOR THAT IS THE FUNDING THAT IS NEEDED TO CARRY THE BUILDING WILL COME DIRECTLY OUT OF THE NEIGHBORHOOD CORPORATION'S ACCOUNT. WHILE THEY ARE WORKING TO PURCHASE THE PROPERTY AND OFFER THE PRICE LATER ON, IN THAT TIME THEY WILL HAVE THE FINANCING LINED UP TO BE ABLE TO FUND THE FULL PURCHASE PRICE. HE STATED THAT FUNDING FOR NON-PROFITS ARE VERY SCARCE, THEY RUN ON A VERY TIGHT OPERATING BUDGET EACH YEAR AND OBVIOUSLY TRY NOT TO EXPEND A LARGE AMOUNT OF MONEY UNTIL THEY HAVE THE FINANCING SECURED WHICH IS VERY IMPORTANT. ON TOP OF THAT, MR. HARRISON STATED, IF THEY DO TAKE CONTROL EARLIER AT A REDUCED PRICE, THEY HAVE TO CARRY COSTS ASSOCIATED WITH THE BUILDING FOR MAINTENANCE, THERE IS A ROOF LEAK THAT THEY WILL HAVE TO DEAL WITH RIGHT AWAY, AND PROPERTY INSURANCE ALONE ON A VACANT BUILDING WHICH IS NOT SPRINKLERED IS VERY EXPENSIVE. THIS WOULD BE A \$4.5 MILLION RENOVATION/REHAB FOR THE DEVELOPMENT, BETWEEN THE HISTORIC REHAB MONEY THEY WOULD GET IN TAX CREDITS PLUS THE OTHER FUNDING, IT WILL BE ABOUT A \$3 MILLION INVESTMENT FROM THOSE FUNDS AND ABOUT \$1 MILLION FROM STATE FINANCING AND ABOUT \$400,000-\$500,000 MORTGAGE DEBT.

THEY WILL SET THIS UP AS AN ENTITY WHICH IS A FOR PROFIT, WHICH THEY DO FOR THE FINANCING ONLY. THE PROPERTY WILL BE PAYING TAXES JUST LIKE ANY OTHER PRIVATE DEVELOPMENT. NEIGHBORHOOD CORPORATION WILL SET THIS UP AS AN LLC AND WILL BE THE OWNER AND MANAGING MEMBER. TO USE THE TAX CREDIT PROGRAM, THEY WILL NEED TO HAVE AN INVESTMENT PARTNER, BUT THEY ARE JUST ACTING AS THE PASS THROUGH FOR THE TAX CREDIT. THEY HELP THEM RAISE THE

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THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED

EQUITY, THE NEIGHBORHOOD CORP. SELLS THEM THE TAX CREDITS AND THEY PROVIDE THE EQUITY TO NEIGHBORHOOD CORP.

COUNCILOR BARBOUR ASKED IF THIS COMMITTEE DECIDES TO SELL THE PROPERTY FOR THE \$75,000 WHAT IS THE TIME FRAME AS HE DOES NOT WANT TO ALLOW THIS TO GO 18-19 MONTHS, HE THINKS THIS IS TOO FAR OUT.

MR. HARRISON STATED THAT THE DATE FOR CLOSING WILL DEPEND ON GETTING THE FUNDS FOR THE PROPERTY. THEY WOULD LIKE A YEAR. THERE ARE FOUR ROUNDS FOR SUBMITTING APPLICATIONS FOR TAX CREDITS AND YOU USUALLY GET ABOUT \$200,000 AT A TIME SO IT WILL TAKE THEM AT LEAST A YEAR TO SECURE AS MUCH OF THE TAX CREDITS THAT THEY POSSIBLY CAN.

COUNCILOR MARSHALL STATED THAT HE DOES NOT WANT TO LET THIS PROPERTY GO FOR \$1.00, BUT DID NOT KNOW IF THIS WAS POSSIBLE OR NOT, BUT HE ASKED IF NEIGHBORHOOD CORP. WAS ABLE TO CLOSE IN 120 DAYS, COULD THE CITY DEFER THE PAYMENT OF THE \$75,000 UNTIL NEIGHBORHOOD CORP. GETS THEIR FUNDING IN PLACE IN 18 MONTHS.

MR. HARRISON SAID THEY COULD WORK WITH THIS.

COUNCILOR MARSHALL PROPOSED COMING TO SOME COMPROMISE WHERE NEIGHBORHOOD CORP. COULD ACCESS THE PROPERTY, SECURE IT, START DOING WHAT THEY NEED TO DO BECAUSE THEY WOULD HAVE SITE CONTROL AND THEN THIS PROPERTY WOULD BE OFF THE CITY'S RESPONSIBILITY AND LIABILITY, AND WHEN THEY GET FUNDING, THEY WOULD PAY THE CITY THE \$75,000.00.

COUNCILOR COSTA-HANLON ASKED ABOUT THE EASEMENTS THAT HAD BEEN DISCUSSED WITH ATTORNEY ALAN MEDEIROS. NEIGHBORHOOD CORP. WILL WORK WITH ATTORNEY MEDEIROS ON THE EASEMENT ISSUES.

SHE ALSO STATED THAT COUNCILOR MARSHALL'S COMPROMISE WOULD WORK BECAUSE NEIGHBORHOOD CORP. WOULD HAVE SITE CONTROL.

COUNCILOR CARR ALSO AGREED WITH COUNCILOR MARSHALL'S SPROPOSED COMPROMISE.

MOTION: TO SEND THIS CONCEPTUAL APPROVAL TO THE LAW OFFICE TO WORK WITH THE NEIGHBORHOOD CORPORATION AND DETERMINE WHETHER THIS CAN BE DONE AND TO STRUCTURE SOME TYPE OF AGREEMENT THAT WE ARE GOING TO EXECUTE THE RFP, TRANSFER TITLE OF THE PROPERTY AND DELAY PAYMENT OF THE \$75,000.00 FOR A YEAR TO 18 MONTHS. LAW OFFICE TO REPORT BACK TO COMMITTEE WITHIN ONE MONTH. SO VOTED.

MR. WALKDEN STATED THAT HE RECALLS IN THE CITY ORDINANCES THAT THERE IS A STIPULATION THAT ON THE SALE OR TRANSFER OF PUBLIC PROPERTY THAT THERE NEEDS TO BE A 10% DEPOSIT OF THE PURCHASE PRICE. HE THINKS THAT THIS CAN BE WAIVED BY A 2/3 VOTE OF THE CITY COUNCIL.

MOTION: TO REFER THIS TO THE LAW OFFICE FOR CLARIFICATION. SO VOTED.
CHAIRMAN AND ALL COUNCILORS PRESENT VOTED IN FAVOR OF THE MOTIONS.

2. MEET TO DISCUSS ADDITIONAL FUNDING REQUEST FOR CONSTRUCTION AND MOVING EXPENSES FOR NEW CITY ENGINEER'S OFFICE AT D.P.W. SITE

MR. WALKDEN PROVIDED A DOCUMENT SHOWING THE COSTS FOR THE DPW ALTERATIONS FOR THE CITY ENGINEER'S OFFICE AND REPORTED THAT THE BUDGET FOR THE ENGINEER OFFICE WAS \$10,000. THEY ARE CURRENTLY AT \$16,000. THERE WERE COSTS INVOLVED IN THE CONSTRUCTION OF THE OFFICE THAT EXCEED THE \$10,000 ALLOTMENT, SUCH AS A SPRINKLER EXTENSION AND HVAC WORK. IT IS ALSO GOING TO COST ANOTHER \$968.00 TO MOVE THE OFFICE TOMORROW.

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THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED

COUNCILOR COSTA-HANLON STATED THAT SHE IS COMFORTABLE WITH MOST OF WHAT WAS PRESENTED HERE, BUT SHE NOTED THAT THE REASON THIS IS BEING DONE IS TO HAVE THE TREASURER/COLLECTOR MOVE INTO THE MAXHAM SITE. SHE ASKED HOW CLOSE IS THIS TO HAPPENING.

MR. WALKDEN SAID IF HE CAN GET THE ENGINEER MOVED TOMORROW, HE SHOULD BE ABLE TO START WORKING ON THE AUDITOR'S OFFICE NEXT WEEK. HE DOES WANT TO STRIP OUT THE CHALKBOARDS AND FRAME A COUPLE OF THE WALLS. THERE WILL BE 7 PEOPLE COMING INTO THAT SPACE. HE HOPES TO HAVE THEM IN BY APRIL, AND THE TREASURER/COLLECTOR IN BY THE END OF MAY OR IN JUNE AT THE LATEST. HE ALSO STATED THAT HE WANTS TO TACKLE THE HANDICAPPED BATHROOMS AFTERWARDS, AND HE HAS TO LOOK TO DESIGN 4 HANDICAPPED BATHROOMS – 2 MEN, 2 WOMEN. IF HE CAN GET THIS WORK DONE WITH CITY WORKERS AND STAY WITHIN THE BUDGET HE WILL CERTAINLY DO THAT. COUNCILOR MARSHALL NOTED THAT MR. WALKDEN WAS GIVEN \$63,000 TO CONSTRUCT THE ADA RAMP IN THE COUNCIL CHAMBERS, RENOVATE THE EXISTING RESTROOMS, INSTALL A BASIC FIRE ALARM SYSTEM, REMODEL THE DPW AREA AND MOVE THE CITY ENGINEER THERE, REMODEL THE ENGINEER'S OFFICE TO ACCOMMODATE THE CITY AUDITOR, REMODEL THE VETERANS DIRECTOR OFFICE TO ACCOMMODATE THE RISK MANAGER AND LEGAL SECRETARY, REMODEL THE EXISTING LAW DEPARTMENT TO ACCOMMODATE THE TREASURER AND REMODEL THE FRONT FOYER AREA TO ACCOMMODATE THE TREASURER/COLLECTOR PAYMENT COUNTERS. AS FAR AS HE IS CONCERNED, MR. WALKDEN IS STILL UNDER BUDGET BECAUSE HE HAD \$63,000 TO SPEND AND HE HAS ONLY SPENT \$16,000. MR. WALKDEN NEEDS TO MAKE THIS WORK WITH THE REMAINDER OF THE MONEY. HE DOES NOT WANT TO TAKE ANY MORE OUT OF THE INSURANCE MONEY. THERE IS NO MORE MONEY AND MR. WALKDEN NEEDS TO DO EVERYTHING THAT NEEDS TO BE DONE WITH THIS \$63,000.

COUNCILOR BARBOUR NOTED THAT \$4,400 WAS SPENT ON STEEL DOORS AT THE ENGINEER'S NEW OFFICE AND TO HIM IT IS OVER KILL AS SOME WERE USED ON A CLOSET. HE STATED THAT MR. WALKDEN MUST HONOR THE BUDGET.

MOTION: THAT THE \$63,000 IS TO BE TREATED AS A LUMP SUM FOR ALL OF THE PROJECTS INCLUDING THE NEW ENGINEER'S OFFICE, MOVING THE ENGINEERING OFFICE TO THE D.P.W., RENOVATING THE ENGINEERING OFFICE TO ACCOMMODATE THE CITY AUDITOR, RENOVATE THE VETERANS OFFICE AND MOVE THE RISK MANAGER AND LEGAL SECRETARY TO THAT OFFICE, MOVE THE TREASURER TO THE EXISTING LAW OFFICE, RELOCATE THE MAYOR'S SECRETARY, AND CONSTRUCT A GLASS ENCLOSURE FOR PAYMENTS /PAYMENT WINDOWS AND TO SATISY THE FIRE DEPARTMENT RELATIVE TO THE FIRE SUPPRESSION SYSTEM. IT WAS REFERRED TO THE COMMITTEE REPORTS FOR THE EXACT ITEMS. MR. WALKDEN NEEDS TO DO EVERYTHING THAT WAS DISCUSSED FOR THE \$63,000.00. SO VOTED.

CHAIRMAN AND ALL COUNCILORS PRESENT VOTED IN FAVOR.

3. MEET TO REVIEW MATTERS IN FILE

COUNCILOR MARSHALL ADDRESSED THE ISSUE OF THE PROBLEM WITH TURKEY VULCHERS. HE SAID THAT THIS IS A PROBLEM THROUGHOUT THE STATE. HE HAD HEARD THAT NEW JERSEY HAD FOUND THAT IF THEY HANG A CARCAS WITH ITS WINGS SPREAD OUT, IT DISTURBS THE VULCHERS AND THEY MOVE ON. COUNCILOR BARBOUR ASKED WHEN THE COMMITTEE WOULD BE DISCUSSING THE PLANS FOR CITY HALL. MR. WALKDEN STATED THAT HE RECEIVED UPDATED DRAWINGS TODAY AND THAT THEY ARE TRYING TO FIGURE OUT THE PARKING SITUATION.

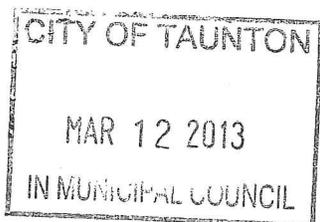
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THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED

MOTION: MEET IN 2-3 WEEKS TO DISCUSS THE CITY HALL PLANS AND TO ESTABLISH SOME DATES FOR A TIMELINE AS TO WHEN THIS PROJECT WILL ACTUALLY BEGIN – SHOVEL TO THE GROUND. SO VOTED.

MEETING ADJOURNED AT 7:05 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 "Rm Blackwell".

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
MARCH 12, 2013

THE COMMITTEE ON POLICE AND LICENSE

PRESENT WERE: COUNCILOR SHERRY COSTA-HANLON, CHAIRMAN AND COUNCILORS CLEARY AND BARBOUR. ALSO PRESENT WERE POLICE CHIEF EDWARD WALSH, DETECTIVE DENNIS SMITH, JAMES BURKE OF A & B REALTY TRUST, MANUEL SARMENTO OF PRESTIGY AUTO, MR. WILLIAM FRAZER OF DE-ANTH MOTORS AND ATTORNEY WILLIAM ROUNDS REPRESENTING DE-ANTH MOTORS

MEETING CALLED TO ORDER AT 7:07 P.M.

MOTION: TO GO OUT ON THE REGULAR ORDER OF BUSINESS AND ADDRESS ITEM NO. 2 ON THE AGENDA. SO VOTED.

COUNCILOR BARBOUR STATED THAT HE WISHED TO BE VOTED AS PRESENT ON THE TRANSFER PETITION OF JAMES BURKE D/B/A A & B REALTY TRUST AS HE REPRESENTS MR. BURKE ON REAL ESTATE MATTERS.

MOTION: SO VOTED.

2. **MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITION OF JAMES BURKE D/B/A A & B REALTY TRUST, 288 BROADWAY TO TRANSFER HIS CLASS II LICENSE TO MANUEL SARMENTO OF PRESTIGE AUTO MART INC. D/B/A PRESTIGE 3 TO BE LOCATED AT 288 BROADWAY**

A LETTER DATED 2/15/2013 OF ATTORNEY EDWARD ROSTER WAS READ IN WHICH HE STATED THAT A & B REALTY TRUST IS THE PRESENT HOLDER OF A CLASS II AUTOMOBILE LICENSE FOR PREMISES AT 288 BROADWAY, TAUNTON. THE TRUST HAS RECENTLY ENTERED INTO A LEASE AND OPTION TO PURCHASE WITH PRESTIGE AUTO MART, INC. OF THE PROPERTY AT 288 BROADWAY, TAUNTON. PRESTIGE AUTO MART, INC. CONDUCTS A SIMILAR AUTOMOBILE BUSINESS IN WESTPORT, MA. HE RESPECTFULLY SUBMITS THAT THE CLASS II AUTOMOBILE LICENSE PRESENTLY HELD BY A & B REALTY TRUST AT 288 BROADWAY, TAUNTON BE TRANSFERRED TO PRESTIGE AUTO MART, INC. AT THE SAME ADDRESS (288 BROADWAY, TAUNTON) FOR ONE YEAR OR UNTIL PRESTIGE AUTO MART, INC. PURCHASES THE PROPERTY, AT WHICH TIME, THE CLASS II AUTOMOBILE LICENSE SHOULD BECOME THE ABSOLUTE LICENSEE OF THE PROPERTY. IN THE EVENT THAT PRESTIGE AUTO MART, INC. DOES NOT PURCHASE THE PROPERTY, THEN IN THAT EVENT, HE RESPECTFULLY REQUESTS THAT THE CLASS II AUTOMOBILE LICENSE REVERT BACK TO A & B REALTY TRUST.

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

THE CHIEF STATED THAT THEY HAVE LOOKED AT THIS AND THEY DO NOT HAVE A PROBLEM WITH THE TRANSFER. THEY HAVE A PROBLEM WITH THE CONDITIONALNESS OF THE LICENSE TRANSFER. HE DOES NOT THINK THAT THE COMMITTEE CAN TEMPORARILY ASSIGN A LICENSE AND TRY TO ENFORCE THE CIVIL AGREEMENT AFTERWARDS. HE DOES NOT THINK THEY HAVE AN ISSUE WITH THE LICENSE BEING TRANSFERRED, BUT HE THINKS THAT IF THERE IS AN ISSUE WITH THE BUSINESS RELATIONSHIP AT SOME POINT IN THE FUTURE, THAT WOULD BE AMONG THE PARTIES, NOT THE CITY.

COUNCILOR CLEARY ASKED WHO CURRENTLY HAS THE LICENSE. IT IS A & B REALTY TRUST. HE IS REQUESTING A TRANSFER OF HIS LICENSE TO PRESTIGE.

DETECTIVE SMITH STATED THAT THE POLICE DEPARTMENT DOESN'T THINK THE POLICE OR THE CITY COUNCIL NEEDS TO BE INVOLVED IN AN AGREEMENT IF IT GOES SOUR.

MR. BURKE STATED THAT HE WANTS TO KEEP THE LICENSE WITH THE PROPERTY.

AS FAR AS THE COMMITTEE IS CONCERNED, IF THE LICENSE IS TRANSFERRED, MR. SARMENTO HAS THE LICENSE. MR. BURKE'S LEGAL STANDING REGARDING THE LICENSE CEASES.

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THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

MOTION: MOVE APPROVAL OF THE TRANSFER OF THE CLASS II LICENSE FROM A & B REALTY TRUST TO PRESTIGE AUTO MART, INC. D/B/A PRESTIGE 3, 288 BROADWAY, TAUNTON. SO VOTED.

LETTER DATED 3/12/2013 OF CHIEF EDWARD WALSH WAS READ IN WHICH HE STATED THAT (1) THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FINDS NOTHING THAT WOULD PREVENT THE APPROVAL OF THE PETITION FOR RENEWAL OF CLASS II AUTO LICENSE OF WM. FRAZIER D/B/A DE-ANTH MOTORS, 115 BROADWAY (WHOLE SALE ONLY). (2) THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FINDS NOTHING THAT WOULD PREVENT THE APPROVAL OF THE PETITION FOR TRANSFER OF CLASS II AUTO LICENSE FROM A & B REALTY TRUST, 288 BROADWAY TO MANUEL SARMENTO D/B/A PRESTIGE 3 LOCATED AT 288 BROADWAY. (3) THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FINDS NOTHING THAT WOULD PREVENT THE APPOINTMENT OF THE FOLLOWING AS CONSTABLES: (A) DAVID MEOLA, 660 SOUTH PRECINCT ST., EAST TAUNTON – CIVIL PROCESS ONLY – RENEWAL AND (B) MICHELLE PACHECO, 14 MECHANIC STREET, TAUNTON – CIVIL PROCESS ONLY – NEW.

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

MOTION: THAT A RESPONSE BE SENT TO ATTORNEY ROSTER THAT HIS LETTER WAS READ INTO THE RECORD AND THAT THE COMMITTEE DID NOT WANT TO GET INVOLVED IN ANY KIND OF A CONDITIONAL LICENSE TRANSFER THEREFORE THE COMMITTEE DID NOT TAKE ANY ACTION ON HIS LETTER BUT DID APPROVE THE TRANSFER OF THE LICENSE TO PRESTIGE AUTO MART INC. D/B/A PRESTIGE 3. ALSO IF THERE WERE TO BE ANY TRANSFER FROM THE 288 BROADWAY LOCATION, PRESTIGE AUTO MART WOULD HAVE TO COME BACK BEFORE THIS COMMITTEE. SO VOTED.

MOTION: TO MOVE TO ITEM NO. 4 ON THE COMMITTEE AGENDA. SO VOTED.

4. MEET WITH THE POLICE CHIEF FOR A REVIEW OF THE CLASS II WHOLESALE LICENSES IN THE CITY & DISCUSS LICENSE REQUIREMENTS SUCH AS HAVING AN OFFICE & SEPARATE ENTRANCE
- DETECTIVE SMITH STATED THAT CLASS II LICENSES COME UNDER CHAPTER 140, SECTION 58-69. CHAPTER 60 SAYS THE REGISTRARS RULES AND REGULATIONS WILL BE ENFORCED. WHEN YOU GO TO THE REGULATIONS IT SAYS DEALERS BUSINESS TO BE SITUATED WITHIN A PERMANENT BUILDING OR CURRENTLY AFFIXED STRUCTURE INCLUDING AN OFFICE, TRAILER OWNED OR LEASED BY THE DEALER FOR THE DEALER'S EXCLUSIVE USE, LOCATED AT THE ADDRESS OF THE RECORD NOTED ON THE DEALERS LICENSE. EXCEPT FOR A DEALER WHO EXCHANGES VEHICLES OR TRAILERS SOLELY ON A WHOLESALE BASIS, THE DEALER SHALL BE OPEN TO THE PUBLIC. THE BUILDING STRUCTURE OR OFFICE TRAILER SHALL HAVE ADEQUATE OFFICE SPACE TO CONDUCT THE BUSINESS. IF MORE THAN ONE BUSINESS IS LOCATED IN THE SAME BUILDING OR STRUCTURE, THE DEALER SHALL MAINTAIN SEPARATE AND EXCLUSIVE ENTRANCE UNLESS THE MULTIPLE BUSINESSES ARE OWNED OR CONTROLLED BY THE SAME INDIVIDUAL. WHERE DE-ANTH IS GOING AT 115 BROADWAY, HE WILL NOW BE IN COMPLIANCE. A WHOLESALE LICENSE HOLDER CANNOT SELL TO THE GENERAL PUBLIC, JUST DEALER TO DEALER..
- COUNCILOR BARBOUR ASKED THAT IF THE COMMITTEE DID NOT AGREE WITH THIS, COULD THE CITY CREATE AN ORDINANCE SPECIFICALLY FOR WHAT THEY EXPECT FOR A WHOLESALE LICENSE. HE SAID THAT WE ARE MAKING WHOLESALE LICENSES MORE COMPLICATED WHY CAN'T WE MAKE IT EASIER. THE CHIEF STATED THAT THIS IS THE LAW, YOU CAN MAKE IT HARDER BUT NOT EASIER AS THIS IS WHAT

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MARCH 12, 2013

THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

THE LAW REQUIRES.

IT WAS NOTED THAT THERE ARE 2 WHOLESALE LICENSES IN THE CITY OF TAUNTON.

IT WAS ALSO NOTED THAT THE STATE HAS DONE AWAY WITH WHOLESALE LICENSES, BUT THE COUNCIL CAN ALLOW THEM, BUT THEY MUST MEET THE MINIMUM REQUIREMENTS AS STATED BY LAW.

1. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON APPLICATION OF WILLIAM FRASIER D/B/A DE-ANTH MOTORS FOR RENEWAL OF THEIR CLASS II WHOLESALE LICENSE

IT WAS NOTED THAT IN THE LETTER OF THE POLICE CHIEF DATED 3/12/2013 IT STATED THAT THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FINDS NOTHING THAT WOULD PREVENT THE APPROVAL OF THE PETITION FOR RENEWAL OF CLASS II AUTO LICENSE OF WILLIAM FRAZIER D/B/A DE-ANTH MOTORS, 115 BROADWAY (WHOLESALE ONLY)

DETECTIVE SMITH STATED THAT HE VISITED THE BUSINESS AND THEY ARE NOW IN COMPLIANCE. HE STILL DOES NOT HAVE A SIGN, BUT DETECTIVE SMITH WAS INFORMED THAT IT HAS BEEN ORDERED. COUNCILOR BARBOUR STATED THAT WHEN THIS APPLICATION CAME UP, MR. FRAZIER AND MR. ROMA HAVE A PARTNERSHIP OF SOME SORT AND DEBORAH BOTELLIO, AN ABUTTER TO MR. ROMA'S RESIDENCE, AND ALSO ON BEHALF OF OTHER NEIGHBORS REQUESTED THAT THE COMMITTEE CLEARLY PUT IN THE LICENSE THAT VEHICLE STORAGE, MAINTENANCE, REPAIRS, ETC. WILL NOT BE DONE AT MR. ROMA'S HOME ON FREMONT STREET.

COUNCILOR BARBOUR ASKED THAT WHEN THIS LICENSE IS APPROVED, JUST AS AN ADDED COURTESY TO THE RESIDENTS PUT THIS IN.

COUNCILOR CLEARY ASKED IF THIS WAS THE SAME LICENSE THAT WAS DENED PREVIOUSLY BECAUSE IT WAS INACTIVE. AFTER DETECTIVE SMITH MET WITH MR. FRAZIER, ALL ISSUES HAVE BEEN CORRECTED. MR. FRAZIER BELIVES HE WILL NOW BE ACTIVELY OPERATING THE BUSINESS.

MOTION: TO APPROVE THE LICENSE BASED ON THE RECOMMENDATIONS OF DETECTIVE SMITH AND THE CHIEF.

DEBORAH BOTELLIO OF 49 FREMONT STREET ADDRESSED THE COMMITTEE. SHE STATED THAT SHE IS SPEAKING ON BEHALF OF HERSELF AND OTHER NEIGHBORS WHO COULD NOT ATTEND THE MEETING. THEIR CONCERN IS THAT IF MR. ROMA IS A PARTNER IN THIS MATTER, THAT THEY ARE GUARANTEED BY THIS CITY COUNCIL THAT THOSE AUTOMOBILES ARE NOT GOING TO SHOW UP AT 47 FREMONT STREET, BE REPAIRED AT MIDNIGHT AT 47 FREMONT STREET. THIS IS THE NEIGHBOR'S CONCERN. SHE FURTHER STATED THAT MR. ROMA ORIGINALLY SENT A LETTER TO THIS COUNCIL, THAT SHE SAW AND IS PUBLIC RECORD AND WAS IN THE PACKET, SO THIS IS WHY THE NEIGHBORS ARE CONCERNED.

THE MOTION WAS SECONDED. SO VOTED.

3. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON THE FOLLOWING APPLICATIONS FOR APPOINTMENT AS CONSTABLE:

A. DAVID MEOLA, 660 SOUTH PRECINCT STREET., EAST TAUNTON - RENEWAL

MOTION: MOVE APPROVAL – CIVIL PROCESS ONLY

B. MICHELLE PACHECO, 14 MECHANIC STREET, TAUNTON – NEW

MOTION: MOVE APPROVAL – CIVIL PROCESS ONLY

5. MEET TO DISCUSS PROCESS FOR REVIEWING LICENSES PRIOR TO RENEWAL

THE CHAIRMAN STATED THAT THIS IS JUST PART OF THE DISCUSSION THAT THE COMMITTEE HAD ABOUT CONSTABLES AND ACTUALLY SOME OF THE CLASS II LICENSES. SHE QUESTIONED DOES THE COMMITTEE OR THE CHIEF AND DETECTIVE SMITH AS ENFORCEMENT ENTITIES HAVE A RIGHT TO BRING-

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MARCH 12, 2013

THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

ANYONE WHO HAS A LICENSE THAT IS GRANTED UNDER THIS COMMITTEE'S AUTHORITY BEFORE RENEWAL. THE CHIEF SAID YES.

A LETTER DATED 3/12/2013 OF THE POLICE CHIEF WAS READ. THE LETTER STATED THAT HE HAD BEEN DIRECTED TO PROVIDE THE COMMITTEE A LIST OF LICENSES THAT THE MUNICIPAL COUNCIL ISSUES. HE BELIEVES THAT THIS IS A LEGAL QUESTION THAT SHOULD MORE APPROPRIATELY BE ADDRESSED TO THE LAW DEPARTMENT. IN THE INTERIM, HOWEVER, HE BELIEVES THE FOLLOWING LIST COMPRISES THOSE LICENSES THAT THE POLICE DEPARTMENT IS INVOLVED IN UNDER CHAPTER 12 OF THE CITY OF TAUNTON ORDINANCES, THAT PASS THROUGH THE COMMITTEE ON POLICE AND LICENSES.

HOURS OF OPERATION

ANTIQUÉ DEALERS

BILLIARD TABLES

BOWLING ALLEYS

FORTUNE TELLERS

HACKNEY – TAXI

JUNK DEALERS

JUNK COLLECTORS

LIVERY

NEWS PAPER VENDING MACHINES

OLD GOLD

PAWN BROKERS

SECOND HAND ARTICLE LICENSES

TEMPORARY FIXED VENDORS

TRANSIENT VENDORS

THE AFOREMENTIONED ARE ISSUED MAY 1ST AND EXPIRING APRIL 30TH THE FOLLOWING YEAR.

CLASS II AUTO LICENSES ARE ISSUED BY CALENDAR YEAR.

CLASS III AUTO LICENSES ARE REQUIRED TO HAVE A PUBLIC HEARING AND ARE ISSUED BY THE FULL COUNCIL

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

THE CHAIRMAN ASKED, REGARDING THE LICENSES ISSUED IN THE CHIEF'S LETTER, IF HE WAS COMFORTABLE THAT EITHER THE CHIEF OR DETECTIVE SMITH COULD BRING ANY OF THESE LICENSES TO THE COMMITTEE BEFORE THE RENEWAL PERIOD, FOR THE COMMITTEE TO MAKE A DECISION AS TO WHETHER THEY WOULD DO ANYTHING WITH THEM IF THERE WAS AN ISSUE WITH THE LICENSE. SHE ALSO ASKED HOW REALISTIC IS IT THAT THE CHIEF HAS THE STAFF TO BE ABLE TO LOOK AT EVERY SINGLE ONE OF THE REQUIREMENTS AND TO BE ABLE TO GO OUT AND ENFORCE. THE CHIEF SAID YES, IT IS NOT JUST DETECTIVE SMITH DOING THIS.

6. MEET TO DISCUSS POLICE CHIEF'S CONTRACT

THE CHIEF REPORTED THAT HE HAS MET WITH THE MAYOR AND CITY SOLICITOR TO DISCUSS HIS CONTRACT, BUT IT WAS DECIDED BECAUSE OF THE OTHER ISSUES WITH THE UNIONS AT THE TIME, THEY FELT IT WOULD PROBABLY BE BEST TO WAIT UNTIL THOSE WERE SETTLED.

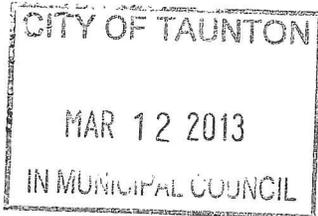
MOTION: UPDATE IN 4 WEEKS. SO VOTED.

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MARCH 12, 2013

THE COMMITTEE ON POLICE AND LICENSE – CONTINUED

MEETING ADJOURNED AT 7:45 P.M.



RESPECTFULLY SUBMITTED,

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

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

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

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
MARCH 12, 2013

THE COMMITTEE OF THE COUNCIL AS A WHOLE

PRESENT WERE: COUNCILOR JOHN MCCAUL, PRESIDENT AND COUNCILORS BARBOUR, CARR, POTTIER, COSTA-HANLON, MEDEIROS, CLEARY AND MARSHALL. (COUNCILOR COLTON WAS ABSENT). ALSO PRESENT WERE CITY SOLICITOR JASON BUFFINGTON, HUMAN RESOURCE DIRECTOR MARIA GOMES, AIRPORT COMMISSIONERS CHARES MENARD, FRED TERRA AND CAROLYN BASLER AND AIRPORT MANAGER DAN RAPOSA.

MEETING CALLED TO ORDER AT 7:54 P.M.

1. MEET WITH THE CITY SOLICITOR TO DISCUSS COLLECTIVE BARGAINING MEMORANDA OF AGREEMENT WITH TAUNTON POLICE PATROLMEN'S ASSOCIATION, TAUNTON POLICE SUPERVISORY PERSONNEL ASSOCIATION AND TAUNTON FIRE FIGHTERS, LOCAL 1391, IAFF.

THE CITY SOLICITOR INFORMED THE COMMITTEE THAT A FEW WEEKS AGO THREE AGREEMENTS HAD BEEN FORWARDED TO THE COUNCIL, THE TAUNTON POLICE PATROLMEN'S ASSOCIATION, THE TAUNTON POLICE SUPERVISORY PERSONNEL ASSOCIATION AND THE TAUNTON FIRE FIGHTERS, LOCAL 1391, IAFF. THE SOLICITOR ALSO HAD PROVIDED THIS EVENING TO THE COUNCIL A SPREADSHEET DETAILING COSTS FOR IMPLEMENTING THE CONTRACTS. THE NUMBERS HAVE BEEN PROVIDED NOT ONLY BY THE RESPECTIVE DEPARTMENTS, BUT BY THE BUDGET DIRECTOR AND HUMAN RESOURCE DIRECTOR.

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

ALL 3 OF THE CONTRACTS COVERED THE TIME PERIOD FOR FISCAL YEARS 2012, 2013 AND 2014. FISCAL YEAR 2012 BEGAN ON JULY 1, 2011 SO THAT ENTIRE FISCAL YEAR HAS ALREADY GONE BY. WE ARE PRESENTLY IN FISCAL YEAR 2013, 8 ½ MONTHS OF THAT FISCAL YEAR HAVE GONE BY. SO IT WILL COVER THE REST OF THIS FISCAL YEAR AS WELL AS THE NEXT FISCAL YEAR. ALL 3 OF THESE CONTRACTS CALL FOR A 1% RAISE IN THE 1ST YEAR, 2% RAISE IN THE 2ND YEAR, 3% RAISE IN THE 3RD YEAR. THE 1% RAISE IN THE FIRST YEAR, ALL 3 OF THESE BARGAINING UNITS HAVE AGREED TO WAIVE THE RETROACTIVITY FOR THE 1ST YEAR.

SOME OF THESE COLLECTIVE BARGAINING SESSIONS HAD ALREADY BEGUN UNDER THE PRIOR ADMINISTRATION SO IN SOME RESPECTS, PARTICULARLY WITH THE FIRE UNION, THEY WERE ALREADY UNDER A SET OF GROUND RULES THAT THEY HAD TO HONOR WITH RESPECT TO HOW NEGOTIATIONS WERE CONDUCTED. WHEN THIS ADMINISTRATION TOOK OFFICE, THE MAYOR GAVE DIRECTION TO MRS. GOMES AND THE SOLICITOR TO NOT ONLY TRY TO IMPLEMENT AN AGREEMENT THAT IS FAIR AND REASONABLE FOR BOTH THE EMPLOYEES AND THE CITY BUT ALSO TO HAVE AN EYE ON THE LONG TERM FISCAL EFFECTS AND THE FISCAL STABILITY OF THE CITY. THE SOLICITOR WAS PLEASED TO TELL THE COUNCIL THAT THEY WERE ABLE TO NEGOTIATE SOME ITEMS THAT ARE FAVORABLE TO THE CITY IN THE LONG TERM, THAT ALLOWS THE CITY TO PLAN BETTER FISCALLY, AND THAT SOME ITEMS THAT ADDRESS THAT ADDRESS SIGNIFICANT UNFUNDED LIABILITIES THAT WE HAVE NOW. THESE 2 ITEMS ARE PARTICULARLY IN THE AREA OF SICK LEAVE BUYBACK. RIGHT NOW MEMBERS OF THOSE UNIONS ARE NOT LIMITED IN THE NUMBER OF DAYS THAT THEY CAN ACCUMULATE AND BUY BACK UPON RETIREMENT. UNDER THESE PROPOSALS FOR ALL HIRES GOING FORWARD THERE IS A MAXIMUM LIMIT ON THE NUMBER OF DAYS EMPLOYEES CAN BUY BACK, AND THAT IS CAPPED AT 200 DAYS. THERE IS ALSO A PROVISION IN ALL 3 OF THE CONTRACTS WITH RESPECT TO VACATION TIME. THESE 3 CONTRACTS DO NOT IN ANY WAY DECREASE OR INCREASE THE AMOUNT OF VACATION TIME AN EMPLOYEE CAN ACCUE AND DOES NOT IN ANY WAY CHANGE THE NUMBER OF YEARS YOU HAVE TO BE EMPLOYED HERE IN ORDER TO ACCUMULATE "X" WEEKS OF VACATION. WHAT THEY WERE ABLE TO DO, AND THIS DOES

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MARCH 12, 2013

THE COMMITTEE OF THE COUNCIL AS A WHOLE – CONTINUED

COME INTO EFFECT IN PUBLIC SAFETY SIDE UNIONS, IS THAT YOU HAVE EMPLOYEES THAT COME TO THE CITY HAVING WORKED IN SOME OTHER GOVERNMENTAL AGENCY, SUCH AS THE PRISON SYSTEM. THE CURRENT WAY AN EMPLOYEE EARNS VACATION TIME ACRUED IS BASED ON THE TOTAL NUMBER OF CREDITABLE YEARS OF SERVICE THAT HE OR SHE HAS IN THE ENTIRE CONTRIBUTORY RETIREMENT SYSTEM. WHAT THEY HAVE BEEN ABLE TO NEGOTIATE SIMILAR TO THE SICK LEAVE BUYBACK IS FOR VACATION TIME ACRUEDS TO BE BASED ONLY UPON TIME ACTUALLY EMPLOYED IN THE POLICE OR THE FIRE DEPARTMENT.

THE SOLICITOR ALSO STATED THAT THEY WERE ABLE TO SETTLE ALL GRIEVANCES AND UNFAIR LABOR PRACTICE CHARGES AGAINST THE CITY. ONE OF THE UNIONS, WHICH THE SOLICITOR THINKS IS THE POLICE SUPERVISORS UNION, THEY WERE ABLE TO NEGOTIATE A CHANGE OF THE PAY DAY FROM THURSDAYS TO FRIDAYS. HE BELIEVES THAT THIS WILL GIVE THEM THE ABILITY TO IMPLEMENT FRIDAY PAYDAY ACROSS THE BOARD ON THE CITY SIDE OF GOVERNMENT, SO THAT MAY BENEFIT THE TREASURER'S OFFICE. ONE OF THE OTHER THINGS THEY WERE SUCCESSFUL IN CHANGING IS THE COMPLAINT PROCEDURE, OTHERWISE KNOWN AS THE 3 MEMBER PANEL. THE CITY HAD FELT THAT THE COMPLAINT PROCEDURE REALLY SHOULD ONLY APPLY TO COMPLAINTS INITIATED BY CITIZENS AND NOT NECESSARILY INTERNAL DISCIPLINE. IN THE PREVIOUS ROUND OF CONTRACTS, THE PATROLMEN'S UNION HAD MADE THAT CHANGE AND IN THIS CONTRACT WITH THE POLICE SUPERVISORS UNION THEY HAVE MADE THAT CHANGE AS WELL.

HE IS ASKING THE COMMITTEE TO TAKE A VOTE TO RATIFY THESE MEMORANDA OF AGREEMENT. IT WAS NOTED THAT THESE CONTRACTS MEAN OVER \$1 MILLION IN COSTS TO THE CITY, AND IT WAS ASKED IF THE MAYOR FEELS THIS WILL PLACE AN UNDUE HARDSHIP ON THE CITY.

THE MAYOR STATED THAT HE KNOWS WHAT THE CITY CAN AFFORD, AND WE ARE IN GOOD SHAPE. HE FEELS CONFIDENT THAT THE NUMBERS ARE SOLID.

MOTION: TO APPROVE THE THREE CONTRACTS AS PRESENTED BY THE MAYOR AND THE CITY SOLICITOR - TAUNTON POLICE PATROLMEN'S ASSOCIATION, TAUNTON POLICE SUPERVISORY PERSONNEL ASSOCIATION AND TAUNTON FIRE FIGHTERS, LOCAL 1391, IAFF. SO VOTED.

ALL EIGHT COUNCILORS PRESENT VOTING IN FAVOR.

2. MEET IN EXECUTIVE SESSION TO DISCUSS CLAIM FILED BY ATTORNEY PAUL HEALEY ON BEHALF OF ELAINE COSTANZO.

MOTION: ON A ROLL CALL VOTE, ALL COUNCILORS PRESENT VOTED TO GO INTO EXECUTIVE SESSION TO DISCUSS POTENTIAL PENDING LEGAL ACTION. SO VOTED.

MOTION: ON A ROLL CALL VOTE, ALL COUNCILORS PRESENT VOTED TO COME OUT OF EXECUTIVE SESSION. SO VOTED.

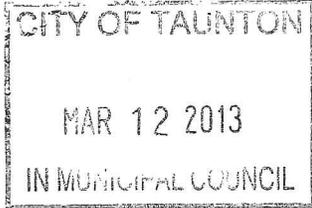
NO VOTES WERE TAKEN AND NO MOTIONS WERE MADE IN EXECUTIVE SESSION.

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MARCH 12, 2013

THE COMMITTEE OF THE COUNCIL AS A WHOLE – CONTINUED

MEETING ADJOURNED AT 8:36 P.M.



RESPECTFULLY SUBMITTED,

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

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

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

CITY CLERK



CITY OF TAUNTON

ORDER #16
FY 2013
MARCH 12, 2013

In Municipal Council 20.....

Ordered, That

THE SUM OF TWO HUNDRED

THOUSAND DOLLARS AND NO CENTS (\$200,000.00) BE AND HEREBY IS TRANSFERRED FROM
WATER DEPARTMENT ACCOUNT NO. 60-000-0141-3590-00-000

TO: WATER DEPARTMENT ACCOUNT NO. 60-450-203 - WATER – CAPITAL EQUIPMENT

..... *Clerk.*