



*City of Taunton  
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA  
Minutes, March 25, 2014 at 10:35 o'clock P.M.*

*Regular Meeting*

*Council President Andrew J. Marshall presiding*

*Prayer was offered by Councilor Marshall*

*A moment of silence for Mr. Ted Gay, Editor Emeritus of the Taunton Daily Gazette*

*Present at roll call were: Councilor's Cleary, Marshall, Costa-Hanlon, Croteau,  
Pottier, McCaul, Quinn, Carr and Borges.*

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

Councilor Marshall read a communication declaring a city-wide parking ban beginning midnight this evening through 5:00pm on Wednesday due to a possible storm.

**Hearing:**

On the petition of BSC Group, 33 Waldo Street, Worcester on behalf of their client, Taunton Development/MassDevelopment Corporation, 33 Andrews Parkway, Devens, MA and others for the acceptance of Charles F. Colton Road as a public way in the City of Taunton. **Motion was made to open the hearing and invite into the enclosure all interested parties. So Voted.** Present was Mike Mitchell, Taunton Development/Mass Development, Russell Burke, BSC Group, and Bob Field, Field Engineering 4 Court Street, Taunton. The City Clerk read communication from the City Engineer submitting a positive recommendation. **Motion was made to make it a part of the record. So Voted.** Communication from the Chairman, Taunton Planning Board submitting a positive recommendation. **Motion was made to make it a part of the record. So Voted.** Three (3) Maps of roadway. **Motion was make it a part of the record. So Voted.** Mr. Burke informed that the proposed is part of the Myles Standish Industrial Park extension. Charles F. Colton Road is one of the two roads that have been constructed and built as part of the park and is being requested for acceptance by the City. Councilor Carr asked if the road will be staying like it is as a cul-de-sac and are there any interested businesses for the area. Mr. Burke stated that the plan is for the three roads into the park and the two roads before the Council this evening may connect with one another. It will depend on the nature of the business and the common everyday use. Mr. Field stated that an as-built was done for the road ways and they are built according to the plans with all utilities. The lay-out was inspected to make sure the boundaries are all set and that the construction was according to the plans accepted. There will be public drainage and Conservation has approved. Councilor Costa-Hanlon asked if there happen to be a tenant that wishes to expand the road for some reason, who would be paying for the expansion. Mr. Mitchell informed that they designed both roads with a cul-de-sac because it fits the master plan. The master plan will allow eleven (11) lots to be opened

up or should a larger user come in between them, it will allow access from two different roads and it may make more sense to join the roads. Regardless, all the utilities will be joined. The Corporation has been paying for the entire infrastructure. None of it has come from the city. Grants have been inquired through MA Works and EDA. He also informed that they will be starting another new road soon with further grant money. Councilor Carr informed that there are cars coming into the cul-de-sac doing donuts, and asked if there is anything that can be done. No one present speaking in favor of or in opposition of the petition. **Motion was made to close the hearing and grant the petition. So Voted.**

On the petition of BSC Group, 33 Waldo Street, Worcester on behalf of their client, Taunton Development/MassDevelopment Corporation, 33 Andrews Parkway, Devens, MA and others for the acceptance of Pioneer Way as a public way in the City of Taunton. **Motion was made to open the hearing. So Voted.** The City Clerk read a communication from the City Engineer submitting a positive recommendation. **Motion was made to make it a part of the record. So Voted.** Communication from the Chairman, Taunton Planning Board submitting a positive recommendation. **Motion was made to make it a part of the record. So Voted.** Mr. Mitchell informed that this is the second of two roads being proposed for acceptance in the Myles Standish Industrial Park expansion. The same conditions apply as to the previously requested road and this road has been built in accordance to the definitive plan inspected by the city and approved by the DPW and City Engineer. Three (3) maps of roadway were submitted. **Motion was made to make them a part of the record. So Voted.** No one present speaking in favor of or in opposition of the petition. **Motion was made to close the hearing and grant the petition. So Voted.**

On the petition of Field Engineering, Inc. 11D Industrial Dr., P.O. Box 1178, Mattapoisett on behalf of their client, Louis M. Ricciardi, President, Taunton Development Corporation, 1380 Bay St., Building A., Taunton and others for the acceptance of Independence Drive as a public way in the City of Taunton. **Motion was made to open the hearing. So Voted.** The City Clerk read a communication from the City Engineer submitting a positive recommendation. **Motion was made to make it a part of the record. So Voted.** Two (2) Maps of the roadway were submitted. **Motion was made to make them a part of the record. So Voted.** The City Clerk read a communication from the Chairman, Taunton Planning Board submitting a positive recommendation. **Motion was made to recognize Mr. Borden, Member of the Planning Board. So Voted.** Mr. Borden stated that the Planning Board was waiting for a letter of memorandum of understanding between the TDC and the DPW that was received today. The letter was requested by Taunton Planning Board Members so that there is a memorandum on the extension for repair to John Quincy Adams Road. The Planning Board did not want to accept the extension and leave John Quincy Adams Road out. The City Clerk read a letter from Louis M. Ricciardi, TDC informing that they have voted to proceed with the finalizing and upgrade plans for John Quincy Adams Road with the Taunton Department of Public Works. Also, they will continue to cooperate in working with the City of Taunton to bring the remaining acceptable roadways in the Industrial Park to the conditions suitable for acceptance and to proceed with the process of applying for the acceptance of these roadways in the city. **Motion was made to make it a part of the record. So Voted.** Mr. Borden stated that all four roads came to the

Planning Board at the same time, but they did not want to accept them until they received something in writing from the TDC stating that John Quincy Adams Road would be fixed, finished and approved. Therefore, that is why the Planning Board wrote the first letter with a negative determination. Since the letter was received today, the Planning Board is recommending a positive determination. Mr. Field stated that there is no issue with the roadways before Council this evening. The Planning Board just wanted a commitment that they would keep proceeding with work on the remaining streets in the park and complete within a timely manner. Councilor Marshall stated that John Quincy Adams roadway is not before Council at this time for a road acceptance. However, it is in poor condition and more importantly the DPW had concerns regarding the roadway. Therefore, before the Planning Board would issue a positive recommendation, the City and DPW wanted a letter of memorandum of understanding. The TDC recognized that there was some deficiencies on John Quincy Adams Road and that they would work together to bring those deficiencies up to an appropriate level in which the City could accept the streets. The TDC is going through the process in order to get all these streets accepted to turn over the maintenance to the city. The city is currently plowing and maintaining to the streets. Councilor Carr stated that she is disappointed in the constant number of communications that get read to Council from the City Clerk's desk, the Mayor's desk or even the City Solicitor's desk that are different than what is contained in their packets. She said she would have liked a list of all roads that are in need of being updated in the Myles Standish Industrial Park. She said the park is twenty years old and if it had to wait another week for that road to be accepted, so be it. Councilor Carr stated that once all the roads come before Council. There is one road in the park that she does not want to pass and it probably will not pass with the City Engineer. No one present speaking in favor of or in opposition of the petition. **Motion was made to close the hearing and grant the petition. So Voted.**

On the petition of Field Engineering, Inc. 11D Industrial Dr., P.O. Box 1178, Mattapoisett on behalf of their client, Louis M. Ricciardi, President, Taunton Development Corporation, 1380 Bay St., Building A., Taunton and others for the acceptance of Constitution Drive as a public way in the City of Taunton. **Motion was made to open the hearing. So Voted.** The City Clerk read a communication from the City Engineer submitting a positive recommendation. **Motion was made to make it a part of the record. So Voted.** Communication from the Chairman, Taunton Planning Board submitting a positive recommendation. **Motion was made to make a part of the record. So Voted. Motion was made to make a part of the record Mr. Ricciardi's previously read letter regarding the TDC vote to precede with the finalizing and upgrade plans for John Quincy Adams Road with the Taunton Department of Public Works. So Voted.** Three (3) Maps of the roadway. **Motion was made to make them a part of the record. So Voted.** Mr. Field stated that the proposed is for the entire length of Constitution Drive from John Quincy Adams Road around to John Hancock Road. The entire roadway is built out and there are no big lots on it and there are no sidewalks. No one present speaking in favor of or in opposition of the petition. **Motion was made to close the hearing and grant the petition. So Voted.**

On the petition of Field Engineering, Inc. 11D Industrial Dr., P.O. Box 1178, Mattapoisett on behalf of their client, Louis M. Ricciardi, President, Taunton Development Corporation, 1380 Bay St., Building A., Taunton and others for the

acceptance of John Hancock Road as a public way in the City of Taunton. **Motion was made to open the hearing. So Voted.** The City Clerk read a communication from the City Engineer submitting a positive recommendation. **Motion was made to make it a part of the record. So Voted.** **Motion was made to make a part of the record Mr. Ricciardi's previously read letter regarding the TDC vote to precede with the finalizing and upgrade plans for John Quincy Adams Road with the Taunton Department of Public Works. So Voted.** Communication from the Chairman, Taunton Planning Board submitting a positive recommendation. **Motion was made to make it a part of the record. So Voted.** Three (3) Maps of the roadway were submitted. **Motion was made to make them a part of the record. So Voted.** Councilor Carr requested clarification of the City Engineer's letter. Mr. Field informed there was a lot of patching and cutting for utility so an overlay was done from Pioneer Drive down the cul-de-sac. He said the road is already public from Myles Standish Blvd to almost John Quincy Adams Road. Therefore, the request is from John Quincy Adams Road to the cul-de-sac near Perkins Paper and it does not include the tow road. No one speaking in favor of or in opposition of the petition. **Motion was made to close the hearing and grant the petition. So Voted. Motion was made to excuse all interested parties. So Voted.**

Councilor Marshall informed that April 15, 2014 is the scheduled date with TDMDC for Myles Standish Industrial Park Phase IV and V.

**Communication from the Mayor:**

Reappointment of Robert Pirozzi as Inspector of Buildings/Building Commissioner for an appointment effective immediately for a period of three years. **Motion was made to move approval. So Voted.**

Reappointment of Mary Jane Benker as Local Inspector (Building Inspector/Zoning Enforcement Officer) effective immediately for a period of three years. **Motion was made to move approval. So Voted.**

Appointment of Paul White as Local Inspector (Building Inspector/Zoning Enforcement Officer) effective immediately for a period of three years. **Motion was made to move approval for appointment as of March 3, 2014. Councilor Carr asked if this was a new position and if so, if there was a resume for this individual. The City Clerk said that this is a Mayor's appointment. The position is by State Law and City Ordinance. Councilor Croteau stated that this position was funded in the budget last June with the approval of the Council. Councilor Marshall stated that for clarification, it may have been in the Supplemental Budget. So Voted.**

**Communications:**

Com. from Building Inspector/Zoning Enforcement Officer – Chateau Estates – Hart St. – Burnt Apartment Building. The letter informed that attempts to contact the building owner have been unsuccessful. The office has formed a Board of Survey consisting of the Fire Chief, the City Engineer and one disinterested party to provide a report on the above referenced building. **Motion was made to request a copy of the report be sent to the City Council. So Voted.**

Com. from Human Resource Director pursuant to the recent ratification of Noreen Skwarto's contract. The request is for a transfer of \$1,800 from the Management Consulting Account to Clerical Line Item. Councilor Carr stated that she requested a list for all the people who have individual contracts to be brought before the Committee on Finance and Salaries for review, which has not been done as of yet. Therefore, she is not sure who ratified the contract. **Motion was made to refer to the Committee on Finance and Salaries along with the other contracts along with a copy of the ratified contract. So Voted.**

Com. from Regina Garland and Deanna DiMarzi, Boston Children's Hospital's Miles for Miracles. Invitation extended to all to attend a fundraiser at the Trescott Street Gallery on March 28, 2014 from 6:00 till 9:00pm. **Motion was made to receive and place on file and to place on the City's website. So Voted.**

Com. from Eugene Benson, Executive Director, Massachusetts Association of Conservation Commissions, 10 Juniper Road, Belmont, MA notifying of successful completion of the Massachusetts Association of Conservation Commission Fundamentals for Conservation Commissioners by Marla Isaac. **Motion was made to receive and place on file and to send a letter of congratulations to Ms. Isaac and everyone who has completed the Massachusetts Association of Conservation Commission Fundamentals. So Voted.**

Com. from Superintendent of Buildings regarding the bid for Star Theater Demolition Project. **Motion was made to refer to Committee Reports. So Voted.**

**Councilor Pottier motioned to receive and place on file a letter from the Human Services Department regarding the Senior Tax Abatement Program and to place the information on the City's website. So Voted.**

**Addition of second location to existing Class II Auto License**

Petition submitted by Nafez Salem, 5 Tyler Court, Warren, RI, Walt's Auto Specialty, Inc. located at 289 Broadway requesting to add the property located at 287 Broadway to his existing license. **Motion was made to refer to the Committee on Police and License and Police Chief. So Voted.**

Claim submitted by Jennifer Bernard, 80 West Lake Dr., Taunton seeking reimbursement for damages to her automobile from hitting a pothole in front of 32 Field St., Taunton. **Motion was made to refer to the Law Department and DPW for pothole. So Voted.**

Claim submitted by Michael R. Bolduc, 8 Quail Drive, Taunton seeking reimbursement for damages to his automobile from hitting a pothole on Broadway near the end of James St. heading toward Walgreens. **Motion was made to refer to the Law Department and DPW for pothole. So Voted.**

Claim submitted by Christine Costa, 621 Berkley St., Berkley seeking reimbursement for damages to her automobile from hitting a pothole on Berkley Street at the intersection of Jerome Street (460 Berkley St.). **Motion was made to refer to the Law Department and DPW for pothole. So Voted.**

Petition submitted by Daryl Crossman, Right of Way Manager, Verizon New England, Inc., 385 Myles Standish Blvd., Taunton requesting to relocate pole P12 – Washington Street and remove/abandon poles 9, 10, and 11 Washington St., Taunton. **Motion was made to schedule a public hearing at the discretion of the City Clerk. So Voted.**

**Committee Reports:**

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

**Orders, Ordinances and Resolutions:**

**Ordinance for a first reading to be passed to a second reading**

**AN ORDINANCE**

**Chapter 13**

**ARTICLE II. OPERATION OF VEHICLES**

**Sec 13-47. Left turns prohibited at designated streets.**

*Be it ordained by the Municipal Council of the City of Taunton as follows:*

That Section 13-47 of the Revised Ordinances of the City of Taunton, as amended, be and hereby is further amended as follows:

**Insert: “St. Mary’s School, 90 Washington Street, onto Washington Street.”**

All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage. **Motion was made to move from a first reading to a second reading. So Voted.**

**Ordinance for a first reading to be passed to a second reading**

**AN ORDINANCE**

**Chapter 13**

**ARTICLE III. STOPPING, STANDING AND PARKING**

**Sec 13-82. Prohibited parking places.**

*Be it ordained by the Municipal Council of the City of Taunton as follows:*

That Section 13-82 of the Revised Ordinances of the City of Taunton, as amended, be and hereby is further amended as follows:

**Delete the provision in the existing ordinance that reads "Second Street, both sides, from Somerset Avenue to Charles Street between the hours of 8:00 and 9:00 am and between the hours of 2:00 pm and 3:00 pm except for school buses on school days"**

**Insert: "Second Street, north side, from Somerset Avenue to Staples Avenue."**

**Insert: "Second Street, south side, from Somerset Avenue to Charles Street, from 8:00 a.m. to 4:00 p.m. on School Days. Student Pick Up and Drop Off is permitted."**

**Insert: "Charles Street, east side, from Second Street to the southern boundary of 10 Charles Street."**

**Insert: "Charles Street, west side, from Second Street to the southern boundary of 9 Charles Street."**

**Insert: "Third Street, south side, for fifty feet in both directions from the point on the south side of Third Street opposite the intersection of Charles Street and Third Street."**

**Insert: "Porter Street, in front of 51 Porter Street."**

**Insert: "North Walker Street, both sides, from Winthrop Street to North Walker Street Extension."**

**Insert: "Whittenton Street, both sides, from Warren Street to the southern boundary of 536 Whittenton Street."**

**Delete: "Church Street, from the intersection of Broadway, south side, running for a distance of two hundred sixty feet"**

**Delete: "Church Street, southwest side, 4:00 P.M. to 7:00 p.m. on Saturdays and 7:00 a.m. to 12:00 noon on Sundays."**

**Insert: "Church Street, south/west side, from Broadway to Adams Street, for the entire length of the street."**

All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage. **Motion was made to move from a first reading to a second reading. So Voted.**

**New Business:**

Councilor Pottier stated that there are cars parking at the lot that the City just purchased on the Green. He said he is not sure if the City has liability, but there is only crushed stone on the lot. He asked if the City should be thinking about doing something about

that just in case someone parks there and punctures a tire. **Motion was made to refer to the Police Chief and Risk Management. So Voted.**

Councilor Pottier stated that he received a call from a resident who lives on Middleboro Avenue, East Taunton near the bend in the road. He said it is dangerous because the resident has a handicapped son who takes a van. **Motion was made to refer to the Safety Officer and Committee on Police and License for a "slow due to children" sign. So Voted.**

Councilor Pottier stated that he spoke to the City Solicitor today because he has had multiple reports on the Winthrop Street fire regarding non-public safety or non-fire personnel having access to fire apparatus and/or being able to cross over the yellow police tape. **Councilor Pottier motioned to have the Assistant City Solicitor investigate as to the whether or not the City has liability for this type of instance with a report for two weeks. So Voted.**

Councilor Cleary informed that he had telephone calls this week regarding issues at three different locations. He said he contacted the Board of Health regarding a home on Tremont Street, the Water Department regarding Friend Street, and TMLP for an electric box on Granit Street. After contacting the respectful departments, all issues have been taken care of. He said he appreciates the cooperation from the Departments.

Motion was made to adjourn at 11:30 p.m. So Voted.

A true copy:

Attest:



City Clerk

RMB/dmc

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
MARCH 25, 2014

**THE COMMITTEE ON FINANCE AND SALARIES**

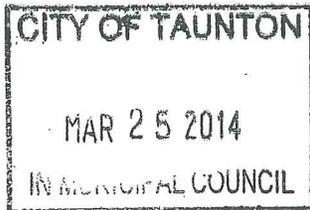
PRESENT WERE: COUNCILOR GERALD CROTEAU, CHAIRMAN AND COUNCILORS CARR AND  
POTTIER

MEETING CALLED TO ORDER AT 5:57 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.

MEETING ADJOURNED AT 5:58 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 25, 2014

**THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS**

PRESENT WERE: COUNCILOR DONALD CLEARY, CHAIRMAN AND COUNCILORS BORGES AND QUINN. ALSO PRESENT WAS SAFETY OFFICER CHRIS WILLIAMS.

**MEETING CALLED TO ORDER AT 6:02 P.M.**

**1. MEET TO DISCUSS PROPOSED ORDINANCE CONCERNING LEDDY SCHOOL TRAFFIC**

A LETTER DATED 9/30/2013 OF SAFETY OFFICER CHRIS WILLIAMS HAD BEEN RECEIVED BY THE COMMITTEE WHICH EXPLAINED THE GRIDLOCK THAT THEY ARE EXPERIENCING AT LEDDY SCHOOL SINCE IT CHANGED FROM AN ELEMENTARY SCHOOL TO A PRESCHOOL PROGRAM. WHAT IS HAPPENING IS THAT INSTEAD OF HAVING A MORNING START AND AN EVENING DISMISSAL, THEY ACTUALLY HAVE 3 OR 4 SESSIONS THERE AND THERE IS CONSTANT LOADING ON AND OFF OF BUSES, ETC.

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

THE SAFETY OFFICER IS RECOMMENDING NO PARKING ON THE NORTH SIDE OF SECOND STREET FROM SOMERSET AVENUE TO STAPLES AVENUE, NO PARKING ON THE EAST SIDE OF CHARLES STREET FROM SECOND STREET TO THE EASTERN BOUNDARY OF 10 CHARLES STREET, NO PARKING ON THE WEST SIDE OF CHARLES STREET FROM SECOND STREET TO THE EAST BOUNDARY OF 11 CHARLES STREET. ALSO IN FRONT OF THE SCHOOL ON THE SOUTH SIDE OF SECOND STREET DOUBLE SIGNS (TWO PER POST) ONE BEING RESTRICTIVE NO PARKING 8 AM TO 4 PM SCHOOL DAYS AND BELOW A PERMISSIVE SIGN THAT READS STUDENT PICK UP/DROP OFF ONLY.

ALSO, IN ORDER TO INSURE BUSES CAN EXIT THE ONE WAY CHARLES STREET ONTO THIRD STREET ONE HUNDRED FEET OF NO PARKING ON THE SOUTH SIDE OF THIRD STREET THE LOCUS BEING CENTERED ON CHARLES STREET.

THIS WILL REQUIRE 45 STANDARD SIZE 12' X 18' SIGNS.

COUNCILOR QUINN STATED THAT SHE WAS CONCERNED ABOUT THE FUNERAL HOME AND WHETHER THIS WAS AN ISSUE FOR THEM.

OFFICER WILLIAMS SAID IT HASN'T BEEN AN ISSUE SO FAR, AND THAT BY COMMON SENSE THE CARS WILL NOT BE TICKETED. IT IS ALREADY NO PARKING ON THIS NORTH SIDE OF SECOND STREET.

MR. MORAN OF CRAPO HATHWAY FUNERAL HOME ADDRESSED THE COMMITTEE. HE STATED THAT HIS CONCERN IS IF THEY HAVE A FUNERAL AND THE SCHOOL VANS ARE UNLOADING, IS THERE A WAY FOR THE CROSSING GUARD TO ALLOW THE CARS TO GO PASS THE BUSES EVEN THOUGH THE LIGHTS ARE ON, SO THAT THE PEOPLE CAN TURN INTO THE PARKING LOT OF THE FUNERAL HOME. THIS CAUSES A BACKUP ON SOMERSET AVENUE.

COUNCILOR CLEARY STATED THAT IF THE CROSSING GUARD IS THERE AND ALLOWS THAT, AS THEY DO AT ST. MARY'S SCHOOL, HE WOULD NOT HAVE A PROBLEM WITH THAT.

OFFICER WILLIAMS SAID THAT THERE IS A STATE LAW THAT THEY ARE NOT TO PASS THE BUSES WHEN THE LIGHTS ARE FLASHING. HE FURTHER STATED THAT HE COULD NOT SEE THIS HAPPENING IF THERE WERE 3 OR 4 VANS THERE. THE CROSSING GUARDS ARE NOT THERE TO DO TRAFFIC, THEY ARE SIMPLY THERE FOR THE SAFETY OF THE CHILDREN AND THE PARENTS.

IT WAS RECOMMENDED THAT THE SAFETY OFFICER MEET WITH THE CROSSING GUARD AND MR. MORAN, AND ALSO THAT MR. MORAN SPEAK TO THE TRAFFIC OFFICER, OFFICER LOTT.

MR. MORAN WAS ASKED IF HE WAS HAPPY WITH NO PARKING ON THE NORTH SIDE OF THE STREET. MR. MORAN SAID THAT YOU WOULD NOT BE ABLE TO GET A FIRE TRUCK UP THERE, SO HE DOES NOT HAVE A PROBLEM WITH IT.

**MOTION: TO APPROVE THE NO PARKING ADJUSTMENTS IN THE LEDDY SCHOOL AREA. SO VOTED.**

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MARCH 25, 2014

THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS - CONTINUED

2. **MEET TO DISCUSS PROPOSED ORDINANCE FOR NO PARKING IN FRONT OF 51 PORTER STREET**  
 THE SAFETY OFFICER STATED THAT HE RECENTLY ESTABLISHED THAT THE RESIDENT REQUESTING THIS SIGNAGE IS STILL IN NEED OF HAVING A VAN PICK HIM UP AT CURBSIDE DAILY AND WOULD REQUEST AN ORDINANCE FOR A NO PARKING SIGN IN FRONT OF 51 PORTER STREET AS THIS WOULD ACCOMPLISH THE NEEDED RESULT.  
**MOTION:** TO APPROVE THE RECOMMENDATION FOR NO PARKING IN FRONT OF 51 PORTER STREET AS WRITTEN. SO VOTED.
  
3. **MEET TO DISCUSS PROPOSED ORDINANCE FOR NO PARKING ON NORTH WALKER STREET FROM 403 WINTHROP STREET RUNNING NORTH**  
 THE SAFETY OFFICER IS RECOMMENDING NO PARKING IN THIS AREA. THE AREA PROPOSED TO BE SO DESIGNATED WOULD BE FROM 403 WINTHROP STREET RUNNING NORTH ON NORTH WALKER STREET EXTENSION BOTH SIDES OF THE STREET. THIS WOULD UTILIZE 4 NO PARKING SIGNS TWO EACH SIDE OF NORTH WALKER STREET EXTENSION 60' FROM WINTHROP STREET AND TWO EACH SIDE AT 130' FROM WINTHROP STREET.  
**MOTION:** TO APPROVE THE SAFETY OFFICER'S RECOMMENDATION FOR NO PARKING SIGNS ON BOTH SIDES OF THE STREET. SO VOTED.
  
4. **MEET TO DISCUSS PROPOSE ORDINANCE FOR NO PARKING ON WHITTENTON STREET FROM WARREN STREET TO 583 WHITTENTON STREET**  
 THE SAFETY OFFICER IS RECOMMENDING THAT WHITTENTON STREET BE POSTED BOTH SIDES FROM WARREN STREET TO 536 WHITTENTON STREET NO PARKING.  
**MOTION:** MOVE APPROVAL OF THE RECOMMENDATION OF THE SAFETY OFFICER. SO VOTED.
  
5. **MEET TO DISCUSS PROPOSED ORDINANCE FOR NO LEFT TURN SIGN ON WASHINGTON STREET OPPOSITE EXIT FROM ST MARY'S SCHOOL**  
 IT WAS NOTED THAT PEOPLE EXITING THE ST. MARY'S SCHOOL PARKING LOT WANT TO TAKE A LEFT TURN TOWARDS BROADWAY. THIS IS DIFFICULT WITH THE LOADING AND UNLOADING OF THE SCHOOL BUSES. THE SAFETY OFFICER IS RECOMMENDING THAT THERE BE NO LEFT TURN ALLOWED AT THAT EXIT.  
**MOTION:** TO APPROVE THE RECOMMENDATION OF THE SAFETY OFFICER. SO VOTED.
  
6. **MEET TO DISCUSS PROPOSED ORDINANCE FOR NO PARKING ON THE SOUTH SIDE OF CHURCH STREET**  
 THE SAFETY OFFICER IS RECOMMENDING THAT THE SOUTH SIDE OF CHURCH STREET, WHICH IS THE ST. MARY'S SCHOOL SIDE BE NO PARKING, THEREFORE, THE ORDINANCE WILL BE DELETED THAT SAYS *CHURCH STREET, FROM THE INTERSECTION OF BROADWAY, SOUTH SIDE, RUNNING FOR A DISTANCE OF TWO HUNDRED SIXTY FEET'* AND ALSO DELETE THE SECTION OF THE ORDINANCE THAT SAYS *CHURCH STREET, SOUTHWEST SIDE, 4:00 P.M. TO 7:00 P.M. ON SATURDAYS AND 7:00 A.M. TO 12:00 NOON ON SUNDAYS.*  
 INSERTED WILL BE NO PARKING ON *CHURCH STREET, SOUTH/WEST SIDE, FROM BROADWAY TO ADAMS STREET FOR THE ENTIRE LENGTH OF THE STREET.*  
**MOTION:** MOVE APPROVAL OF THE SAFETY OFFICER'S RECOMMENDATION. SO VOTED.

PAGE THREE

MARCH 25, 2014

THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS - CONTINUED

**MOTION:** TO MAKE THE LETTER AND PACKET RECEIVED FROM THE CITY SOLICITOR DATED 3/20/2014 PART OF THE RECORD. SO VOTED.

**MOTION:** TO REFER ALL OF THE ABOVE ORDINANCES TO FIRST READING TONIGHT. SO VOTED.

THE CHAIRMAN NOTED THAT THERE WAS ONE OTHER ITEM WHICH IS AN ISSUE ON FREMONT STREET NEAR FORE KICKS. THERE HAVE BEEN NUMEROUS COMPLAINTS FROM RESIDENTS CONCERNING PARKING ON FREMONT STREET ON BOTH SIDES WHICH MAKES IT VERY DIFFICULT FOR TRAFFIC TO GET THROUGH THERE.

THE SAFETY OFFICER IS RECOMMENDING THAT A NO PARKING ZONE ON BOTH SIDES OF FREMONT STREET AND HE ALSO BELIEVES THAT THIS BEING ZONED RURAL/RESIDENTIAL THERE IS NO NEED FOR A CITY ORDINANCE. THE SAFETY OFFICER STATED THAT IF THE COUNCIL AGREES THEN IT SHALL BE POSTED NO PARKING TOW ZONE ON BOTH SIDES OF FREMONT STREET FROM 203 FREMONT STREET NEAR THE RAILROAD TRACKS TO THE NORTHERN BOUND OF 231 FREMONT STREET.

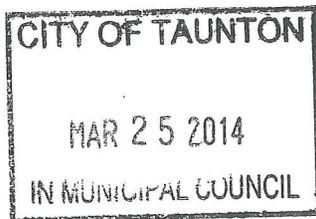
**MOTION:** TO APPROVE THE SAFETY OFFICER'S RECOMMENDATION. SO VOTED.

**7. MEET WITH THE POLICE CHIEF FOR AN UPDATE ON DRAFT ORDINANCE ON CRIMINAL NUISANCE PROPERTIES**

THE CHAIRMAN PROVIDED A DRAFT ORDINANCE ON CRIMINAL NUISANCE PROPERTIES. HE FURTHER STATED THAT LANDLORDS ARE ENCOURAGING THE DOCUMENTATION OF INCIDENTS ON THEIR PROPERTY BECAUSE IT IS DIFFICULT TO USE A PARTICULAR INCIDENT IF IT IS NOT DOCUMENTED.

THE POLICE CHIEF WAS ALSO PROVIDED A COPY OF THIS DRAFT AND WHEN THIS DRAFT IS REVIEWED AND IS REASONABLE, IT WILL BE TAKEN TO THE LANDLORD ASSOCIATION FOR THEIR INPUT AND REVIEW. THIS MATTER WILL BE PUT ON THE AGENDA FOR A FUTURE MEETING. A COPY WILL BE FORWARDED TO ALL COUNCILORS BY E-MAIL.

MEETING ADJOURNED AT 6:35 P.M.



RESPECTFULLY SUBMITTED,

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
MARCH 25, 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, PARKING COMMISSION MEMBER EDWARD VALADAO, BUDGET DIRECTOR GILL ENOS, MARK GERSHMAN OF BETA, BUILDING SUPERINTENDENT WAYNE WALKDEN, ASSISTANT CITY SOLICITOR DANIEL DEABREU, AND ALAN HANSCOMB OF BETA

**MEETING CALLED TO ORDER AT 6:40 P.M.**

**1. MEET WITH THE POLICE CHIEF, ED VALADAO OF THE PARKING COMMISSION AND BETA FOR FURTHER DISCUSSION ON THE PARKING DECK**

THE POLICE CHIEF PROVIDED A DOCUMENT FOR THE COUNCILORS. IT CONTAINED AN INVENTORY OF PARKING DOWNTOWN. ALSO INCLUDED IN THE PACKET WAS FY 2013 PARKING EXPENDITURES. THE CHIEF INFORMED THE COMMITTEE THAT \$77,522.75 WAS SPENT IN NON-PERSONNEL EXPENSES, \$118,946.80 IN PERSONNEL COSTS WITH A TOTAL EXPENSES FOR FY 2013 OF \$196,469.55. ALSO IN THE PACKET WAS A DOCUMENT SHOWING REVENUE FOR PARKING. IT LISTED THE SOURCES SUCH AS THE PARKING DECK, LOT, PASSES, KIOSKS, METERS, ETC. THE TOTAL PARKING REVENUE WAS \$313,500.90. THE DIFFERENCE BETWEEN HOW MUCH THEY TOOK IN AND HOW MUCH THEY SPENT WAS \$117,031.35. HE ALSO STATED THAT HE IS SHOWING THAT THEY WROTE A TOTAL OF \$242,760.00 IN PARKING TICKETS, OF WHICH THEY HAVE COLLECTED \$202,160.00. THE REMAINING AMOUNT DUE IN PARKING TICKETS IS \$40,600.00. THE CHIEF FURTHER NOTED THAT THESE WERE COLLECTED THROUGH KELLY AND RYAN, SO THESE ARE THEIR NUMBERS.

ALSO ATTACHED TO THE DOCUMENT WAS A PRINTOUT SHOWING PARKING REVENUE FOR FISCAL YEAR 2014 TO DATE. ALSO INCLUDED WAS THE FISCAL YEAR 2014 PARKING EXPENDITURES TO DATE. THERE ARE PROBABLY ADDITIONAL CHARGES THIS YEAR THAT WERE NOT CAPTURED LAST YEAR BECAUSE ADDITIONAL PERSONNEL WAS ADDED FOR PARKING OFFICERS, AND THEY ALSO BOUGHT SOME CAPITAL EQUIPMENT TO DO SOME WORK AT THE PARKING FACILITIES.

COUNCILOR CARR NOTED THAT THE COMMITTEE HAD ASKED FOR A SURVEY OF WHAT PARKING WAS USED, AND WHAT WAS EMPTY.

THE CHIEF SAID THAT PRIOR TO THE DECK CLOSING, IT WAS FULL EVERY DAY. THE COURT STREET LOT TRADITIONALLY WAS 33% FULL, NOW DUE TO THE DECK CLOSING IT IS ABOUT 40% FULL. PLEASANT STREET WAS ABOUT 20% FULL, BUT NOW BECAUSE OF THE DECK CLOSING, IT IS FULL. MAIN STREET, FROM THE GREEN TO THE COURT HOUSE IS USUALLY FULL, FROM THE OLD WOOLWORTH BUILDING TO CITY HALL IS PRETTY EMPTY.

THE CHIEF NOTED THAT BEHIND CITY HALL WAS NOT COUNTED BECAUSE IT IS NOT REALLY SERVICING ANYONE BACK THERE. IT IS USED MOSTLY BY THE POLICE DEPARTMENT AND MARION MANOR.

COUNCILOR MARSHALL NOTED THAT IN 2014 ROUGHLY \$194,000.00 WAS BROUGHT IN, NOT INCLUDING PARKING TICKET REVENUE.

THE CHIEF DID SAY THAT THEY HAD ADDITIONAL EXPENSES THAT WERE NOT ANTICIPATED THIS YEAR IN ADDITION TO BRINGING IN SOME ADDITIONAL PERSONNEL. HE ALSO NOTED THAT PERSONNEL COSTS AT THE DECK WILL GO BECAUSE THEY WILL PUT IN A KIOSK, COURT STREET WILL ALSO HAVE A KIOSK, SO THOSE PERSONNEL EXPENSES WILL BE GONE.

COUNCILOR CROTEAU REVIEWED SOME OF THE INFORMATION IN THE PACKET AND ASKED THAT THE FOLLOWING MOTION BE MADE BY A COMMITTEE MEMBER, AND SAID MOTION WAS MADE..

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THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED

**MOTION: THAT THE POLICE CHIEF PROVIDE A PROJECTION OF EXPENDITURES FOR THE REST OF FISCAL YEAR 2014 AND AN ESTIMATED BUDGET FOR THE NEXT FISCAL YEAR IN TWO WEEKS. SO VOTED.**

COUNCILOR COSTA-HANLON STATED THAT IT WAS HER UNDERSTANDING THAT THE BUDGET WAS SUPPOSED TO INCLUDE SOME CAPITAL IMPROVEMENTS, BUT SHE DID NOT KNOW WHAT WAS ANTICIPATED. SHE THOUGHT IT WAS THE PARKING GARAGE, SO THE BUDGET HEARING MINUTES MAY BE HELPFUL ALSO.

**MOTION: THAT THE BUDGET HEARING MINUTES BE PROVIDED TO THE COUNCILORS. SO VOTED.**

COUNCILOR CLEARY NOTED THAT THE TOTAL NUMBER OF PARKING SPACES DOWNTOWN IS 1055. THE CHIEF AGAIN NOTED THAT THESE DO NOT INCLUDE THE PARKING BEHIND CITY HALL.

THE CHIEF NOTED THAT THEY COULD USE MORE, AND THAT SOME DEVELOPERS DOWNTOWN ARE PUSHING FOR RESIDENTIAL PARKING ON STREET AND THAT THEY HAVE NOT BEEN ABLE TO MAINTAIN RESIDENTS DOWNTOWN BECAUSE OF NO ON STREET PARKING.

MR. VALADAO NOTED THAT THE PARKING COMMISSION 5 YEARS AGO PHYSICALLY COUNTED ALL PARKING SPACES DOWNTOWN. THERE WERE SOME CONCERNS WITH PORTIONS OF COHANNET STREET, PORTIONS OF MAIN STREET, IN THAT THERE WERE A LOT OF LOADING DOCKS. THEY WERE THERE BY ORDINANCE, BUT WERE NO LONGER USED. THEY ALSO COUNTED EVERY SINGLE SPOT BEHIND CITY HALL, AND YEARS AGO, BEHIND CITY HALL WAS ALL METERED. AT THAT TIME, THERE WERE 1310 PARKING SPACES. WHEN THE COURT HOUSE OPENED ON COHANNET STREET, METERS WERE INSTALLED IN THAT AREA, BUT HAVE SINCE BEEN REMOVED. HE BELIEVES THAT IF IT WAS RECONFIGURED, THEY COULD PROBABLY GET ANOTHER 40 SPACES DOWNTOWN, AND HE KNOWS A LOT OF THE DEVELOPERS HAVE STATED THAT THEY WANT RESIDENT PARKING STICKERS FOR MIXED USE BUILDINGS.

COUNCILOR POTTIER NOTED THAT IF CITY HALL GOES BACK TO SUMMER STREET THERE WILL BE A NEED FOR 100/200 SPACES.

COUNCILOR QUINN ALSO NOTED THAT THERE ARE A LOT OF VACANCIES DOWNTOWN, SO IF THESE BUILDINGS BECOME OCCUPIED, MORE PARKING WILL BE NEEDED.

COUNCILOR MARSHALL QUESTIONED THAT FACT THAT THE COMMITTEE WAS TO DISCUSS THE ABILITY OF THE COMMISSION TO PAY THE BOND.

MR. GERSHMAN OF BETA STATED THAT THE LAST TIME HE MET WITH THE COUNCIL, HE WAS ASKED TO MOVE FORWARD WITH A DRAFT FOR THE REHAB OF THE PARKING DICK. THEY HAVE DONE THIS AND HAVE STARTED TO PREPARE THE PLANS. THERE ARE A LOT OF CONCRETE REPAIRS NEEDED, PAVING AND DRAINAGE WORK IS NEEDED ALSO. THE COST IS \$1.3-1.4 MILLION FOR THE TOTAL RE-HAB.

ALSO, THE DEMOLITION OF THE UPPER DECK – TAKING THE SECOND LEVEL OFF AND PAVING THE GROUND LOT WOULD COST BETWEEN \$450,000-\$500,000 TO DO EVERYTHING.

COUNCILOR CARR NOTED THAT THE COUNCIL NEEDS TO MAKE A DECISION AS TO WHETHER TO DO A FULL RE-HAB OR DEMOLITION OF THE UPPER PART OF THE DECK. SHE ALSO NOTED THAT THE COMMITTEE DOES NOT HAVE FIGURES FROM THE TREASURER FOR THE \$1.4 MILLION BOND SO IT MAY BE BEST TO WAIT A WEEK ON THIS IN ORDER TO GET THE FINANCIAL FIGURES. ALSO QUESTIONED WAS WHETHER THE CHIEF DISCUSSED WITH THE MAYOR USING THE TICKETING MONEY FOR THE BOND. THE COMMITTEE WANTS TO SEE A MAINTENANCE PLAN AND HOW MUCH THAT WILL COST, AND TO MAKE SURE THAT THE MAINTENANCE DOES INDEED HAPPEN.

COUNCILOR POTTIER STATED THAT THERE WAS A 20 YEAR DEBT SERVICE SCHEDULE TOTALING JUST A LITTLE OVER \$2 MILLION, SO IT WOULD BE ABOUT \$100,000 A YEAR FOR 20 YEARS, THIS IS AT 4.5%.

COUNCILOR POTTIER NOTED THAT THE PARKING COMMISSION IS CLEARING WELL OVER \$100,000 AND

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**THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED**

THAT IS WITH THE STAFFING, SO IF STAFFING IS REDUCED, YOU ARE TALKING ABOUT \$150,000 JUST WITH PARKING REVENUE LESS EXPENSES, NOT EVEN LOOKING AT THE TICKET REVENUE. IF WE WERE ABLE TO USE THIS TICKET MONEY, THE REVENUE WOULD HAVE TO BE MADE UP IN THE CITY BUDGET.

COUNCILOR MARSHALL STATED THAT IN HIS OPINION, IF THE NUMBERS BEAR OUT, DO WE DO THE BOND WITH NO OBLIGATION OF THE CITY. IT IS ALSO HIS OPINION THAT WE NEED THE SECOND FLOOR ON THE PARKING DECK.

THE CHIEF NOTED ALSO THAT IF THE DECK IS REHABED, THE COST TO PARK THERE WILL NOT REMAIN THE SAME. THE PRICE WILL GO UP, THE FEES IN THE DECK WILL BE HIGHER. PREMIUM PARKING CARRIES A PREMIUM PRICE.

COUNCILOR MARSHALL NOTED THAT IF THE FEES ARE RAISED, THIS MONEY SHOULD BE SET ASIDE FOR THE OPERATION AND MAINTENANCE OF THE PARKING DECK.

**MOTION: TO APPROVE THE RECONSTRUCTION OF THE COMPLETE DECK AND AUTHORIZE THE CITY TREASURER WORKING WITH THE BUDGET DIRECTOR TO ENTER INTO A 20 YEAR BOND TO BE PAID BY THE PARKING COMMISSION.**

MOTION WAS SECONDED, AND ON DISCUSSION THE BUDGET DIRECTOR INFORMED THE COMMITTEE THAT THIS IS A DESCENDING BOND, BUT THAT A LEVEL PAYMENT BOND SHOULD BE EXPLORED ALSO.

COUNCILOR CARR WANTS TO SEE A MAINTENANCE PLAN AND HOW IT WILL BE FINANCED.

THE CHIEF SAID THAT HE IS NOT SURE HE CAN GET A PLAN RIGHT NOW. MR. VALADAO SAID THE BIGGEST COST WOULD BE SEALING THE CONCRETE AND BETA MAY BE ABLE TO COME UP WITH A FIGURE FOR THAT PART OF THE MAINTENANCE.

COUNCILOR CARR SAID THAT SHE WANTS TO MAKE SURE THAT THE MONEY WILL BE THERE TO COVER THE MAINTENANCE.

THE CHIEF SAID THAT THIS IS A BETA QUESTION. THEY HAVE HAD SOME CONVERSATIONS WITH BETA AND THAT AS PART OF THE PROJECT A MAINTENANCE PLAN IS REQUIRED. THE CHIEF HAS BOUGHT A SWEEPER AND A BOBCAT FOR THE DECK, BUT IT WON'T PICK UP THE PIECES OF THE CONCRETE THAT HAVE FALLEN. THEY ARE ADDRESSING THE ISSUE OF THE MAINTENANCE PLAN, BUT HE IS NOT SURE THAT THERE WILL BE A PLAN BEFORE THE DECK IS DONE, BEFORE CONSTRUCTION THEY REALLY WON'T NEED TO KNOW WHAT WILL HAVE TO BE DONE, HOW OFTEN, WHETHER IT IS YEARLY OR NOT, WHAT THE INSPECTION PLAN WILL ENTAIL, ETC.

COUNCILOR CARR SAID THAT HER CONCERN IS THAT WILL THERE BE FUNDS TO KEEP THIS MAINTENANCE PLAN IN PLACE.

MR. VALADAO SAID YEARS BACK IT WAS NOTED THAT IN A CERTAIN AMOUNT OF YEARS THE DECK WOULD HAVE TO BE SEALED. YOU WOULD NEED TO SEAL THE CONCRETE. THIS WAS NEVER DONE, EVEN THOUGH IT WAS A BIG ISSUE. PERHAPS BETA WOULD BE ABLE TO COME UP WITH A FIGURE.

COUNCILOR CARR WANTS TO MAKE SURE THE MONEY WILL BE THERE TO COVER THE MAINTENANCE.

SHE WANTS TO MAKE SURE THAT THE PARKING REVENUES CAN SUPPORT THE MAINTENANCE ALSO.

IT WAS NOTED THAT AT THIS TIME, NEITHER THE CHIEF NOR MR. VALADAO HAVE ANY IDEA AS TO WHAT THE COST OF THE MAINTENANCE PLAN WOULD BE.

THE CHIEF SAID THEY HAVE SOMEONE TO CLEAN AND SWEEP THE DECK. THE DECK MAY NEED TO BE SEALED IN A FEW YEARS AND WHATEVER THAT STUFF IS, THEY KNOW THEY NEED TO DO THIS. THE PARKING COMMISSION IS TAKING AN ACTIVE ROLE IN THIS, AND THEY WANT TO MAKE SURE THAT THE DECK IS MAINTAINED. IN PART OF THE RFP THERE WILL BE A MAINTENANCE PLAN.

COUNCILOR CARR QUESTIONED WHAT THE LIFE OF THE DECK WOULD BE WITH THESE REPAIRS.

THE CHIEF SAID THAT QUESTION WAS ASKED, AND BETA HAS INDICATED TO THEM THAT IF THE THESE REPAIRS ARE DONE, THE DECK SHOULD LAST AT LEAST 15 YEARS.

COUNCILOR BORGES ASKED TO HAVE ADDED TO THE MOTION THAT A MAINTENANCE PLAN BE

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**THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED**

PROVIDED.

COUNCILOR CROTEAU ASKED TO HAVE THE MOTION CLARIFIED, AND COUNCILOR MARSHALL STATED THAT HIS MOTIONS IS AS FOLLOWS:

**MOTION: TO APPROVE GOING FORWARD WITH THE REHABILITATION OF THE PARKING DECK AS PRESENTED BY BETA, AND AUTHORIZING THE MAYOR'S OFFICE, BUDGET DIRECTOR AND TREASURER TO ENTER INTO A 20 REVENUE BOND IN THE AMOUNT OF \$1.3 MILLION AS PER THE SCHEDULE OF THE TREASURER AS PROVIDED. ALSO A MAINTENANCE PLAN IS TO BE SUPPLIED.**

COUNCILOR CROTEAU THEN QUESTIONED THAT IF THIS MOTION IS APPROVED THAT THE NEXT STEP IS FOR BETA TO PREPARE SOME SPECIFICATIONS TO GO OUT TO THE CENTRAL REGISTER FOR AN ARCHITECT AND FOR A FURTHER SUBMISSION FOR A CONTRACTOR.

COUNCILOR MARSHALL STATED THAT BETA IS THE CONSULTANT AND THEY ARE DESIGNING THE PLANS. THE NEXT STEP WOULD BE TO GO OUT FOR RFP FOR BID FOR CONTRACTORS.

COUNCILOR CROTEAU SAID THAT THE NEXT STEP IS FOR A CONTRACTOR, SO HE WOULD ASK TO HAVE INCLUDED IN THE MOTION THE STIPULATION THAT A JOINT EFFORT ON THE PART OF BETA AND THE CONTRACTOR WILL BE TO PROVIDE THE CITY WITH A MAINTENANCE PLAN BEFORE FINAL PAYMENT IS MADE TO EITHER BETA OR THE CONTRACTOR.

COUNCILOR MARSHALL CLARIFIED THAT THEY ARE TO SUPPLY AN OPERATIONS AND MAINTENANCE PLAN PRIOR TO THE FINAL PAYMENT TO THE CONTRACT.

COUNCILOR CROTEAU SAID THAT IT WOULD BE A JOINT EFFORT BY BETA AND THE CONTRACTOR. HE WOULD LIKE THIS ADDED TO THE MOTION.

**IT WAS AGREED TO ADD THIS TO THE MOTION.**

COUNCILOR COSTA-HANLON NOTED THAT HER CONCERN IS THAT WE ARE PROPOSING TO SPEND \$1.3 MILLION ON THE LEONARD STREET PARKING GARAGE AND WE HAVE THE GALLIGAN COURT PARKING LOT THAT IS IN SERIOUS DISREPAIR AND HAS BEEN FOR QUITE SOME TIME, SO SHE THINKS IT IS OBVIOUS THAT EVEN WHEN WE JUST HAVE A PARKING LOT IT NEEDS TO BE MAINTAINED. IF THIS MONEY COMES OUT OF THE BUDGET, WHAT HAPPENS TO THE REST OF THE LOTS AS ALL ARE GOING TO NEED OPERATION AND MAINTENANCE PLANS.

THE CHIEF SAID THAT THERE HAVE BEEN LONG DISCUSSIONS ABOUT GALLIGANS COURT. GALLIGANS COURT IS PART OF THE CURRENT SEWER PROJECT AND IT WOULD NOT BE COST EFFECTIVE TO SINK MONEY IN TO DOING EXTENSIVE WORK THERE AT THE CURRENT TIME AND THEN HAVE THE LOT DUG UP AND HAVE TO SPEND MONEY A SECOND TIME. HE CANNOT JUSTIFY PUTTING MONEY INTO THAT LOT TO PAVE IT, STRIPE IT, ETC. TO ONLY HAVE IT RIPPED UP BECAUSE IT IS PART OF THE SEWER PROJECT. IT MAKES NO SENSE TO DO ANYTHING WITH IT UNTIL THAT SITUATION IS RESOLVED.

COUNCILOR COSTA-HANLON SAID THAT IS HER CONCERN, IT HAS BEEN GOING ON A VERY LONG TIME. SHE IS CONCERNED THAT IT IS NEVER GOING TO BE ADDRESSED AND IF IT IS, THAT THE STREAM OF REVENUE COMING IN IS ALREADY EARMARKED TO PAY THE BOND FOR THE DECK.

COUNCILOR MARSHALL STATED THAT AS ALL KNOW, THERE HAVE BEEN SIGNIFICANT CONCERNS UNDERNEATH THE GALLIGANS COURT THAT HAVE BEEN IDENTIFIED IN OUR CONSENT DECREE ORDER WITH THE EPA. THOSE ITEMS HAVE BEEN ENGINEERED AND ADDRESSED IN PHASES 8, 9 AND 10 ITT HAS BEEN BID AND CONSTRUCTION IS STARTING IN A WEEK, APRIL 1<sup>ST</sup>. WE ALL KNOW THAT THOSE CONCERNS IN PHASES 8, 9 AND 10 BENEATH GALLIGANS COURT WILL BE ADDRESSED, AND A COLLECTIVE DECISION WAS MADE PLANNING WISE THAT IT DID NOT MAKE SENSE TO REPAVE GALLIGANS COURT LAST CONSTRUCTION SEASON TO THEN GO OUT AND DIG IT UP THIS YEAR TO REPLACE THE DRAINAGE AND THE WATER AND REMOVE THE I & I THAT NEEDS TO BE REMOVED FROM GALLIGANS COURT AND THE

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**THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED**

SEWER SYSTEM. THE WORK HAS BEEN SCHEDULED, IT HAS BEEN CONTRACTED AND IT IS ON THE SCHEDULE TO START THIS CONSTRUCTION SEASON. WHEN THE LOT IS DONE IT WILL BE TURNED OVER TO THE PARKING COMMISSION, AND THERE IS FUNDING FOR REPAVING, AND ONCE AND FOR ALL IT WILL BE DONE. IT HAS BEEN A LONG PROCESS BUT THERE IS AN END IN SIGHT.

MR. VALADAO STATED THAT THE PARKING COMMISSION REMAINS COMMITTED TO PAVE THAT LOT. COUNCILOR CARR ASKED IF THIS WOULD BECOME A PAID LOT, AND THE CHIEF SAID IT WOULD BE UP TO THE COUNCIL. IT IS THE PARKING COMMISSION'S RECOMMENDATION THAT A KIOSK BE INSTALLED THERE AND MAKE IT A REVENUE STREAM, BUT IT IS UP TO THE COUNCIL.

COUNCILOR POTTIER NOTED THAT ALL THE REVENUE WILL NOT BE SUCKED UP BY THE DECK, AND THAT THE REVENUE SHOULD BE SUFFICIENT.

**THE MOTION WAS VOTED ON AND ALL VOTED IN FAVOR. SO VOTED.**

COUNCILOR CLEARY AGAIN ASKED ABOUT SCHOOL STREET PARKING. THE CHIEF SAID HE MET WITH SOME BUSINESS OWNERS LAST WEEK AND HE IS RECOMMENDING MAKING IT 30 MINUTE PARKING AT LEAST TEMPORARILY. THE CHIEF MET WITH CITIZENS FOR CITIZENS AND MR. DESANTIS, AND THEY BOTH THINK THIS IS REASONABLE.

COUNCILOR CLEARY FEELS THAT YOU NEED AT LEAST AN HOUR.

THE CHIEF SAID THAT THE SERVICES THERE FEEL THAT 30 MINUTES IS A REASONABLE COMPROMISE.

**2. MEET WITH THE LAW DEPARTMENT AND BUILDING SUPERINTENDENT TO DISCUSS BIDS FOR DEMOLITION OF STAR THEATER BUILDING.**

MR. WALKEN STATED THAT HE IS LOOKING FOR \$635,555.00 WHICH INCLUDES THE LOW BID CONTRACTOR PLUS \$25,000 TOWARDS THE FIRE WATCH WHICH THEY FIGURE WILL BE ABOUT \$5,000.00 A WEEK FOR ABOUT 5 WEEKS. ALSO THEY ARE HOPING FOR A LITTLE BIT OF A CONTINGENCY JUST TO DEAL WITH SOME OF THE UNFORESEEN SITUATIONS THAT MIGHT OCCUR, FOR INSTANCE ONCE THE BUILDING IS DEMOLISHED, THERE IS A PARTY WALL BETWEEN THE 2 PROPERTIES WITH A GRANITE STONE FOUNDATION, SO UPON EXCAVATION THEY MAY NEED TO DO A ONE SIDED CONCRETE POUR. THEY MAY NEED SOME MONEY TO WORK WITH TO KEEP THE PROJECT GOING. THERE IS ALSO AN ALTERNATE OF \$27,000 TO COVER THE COST TO IMPROVEMENTS TO THE PARTY WALL WHICH WILL BECOME AN EXTERIOR WALL. ONCE IT IS EXPOSED IT MAY REQUIRE SOME TREATMENT.

COUNCILOR BORGES NOTED THAT THERE IS A SIGNIFICANT DIFFERENCE BETWEEN THE HIGHEST AND MIDDLE BIDDER, AND ASKED IF THEY WERE DOING THE SAME WORK.

MR. WALKDEN SAID THERE WERE 3 GOOD CONTRACTORS THAT CAME IN. THE HIGHEST BIDDER DIDN'T SPEND MUCH TIME HERE AND CERTAINLY COVERED HIMSELF PRETTY WELL. THE MIDDLE CONTRACTOR IS A GOOD CONTRACTOR AND WE HAVE USED HIM ON THE F.B. ROGERS BUILDING. HOWEVER, MR. WALKDEN DID IMMEDIATELY SPEAK TO THE LOW BIDDER AFTER THE BID, AND SPOKE ABOUT HIS ABILITY TO PERFORM, IT TURNS OUT THAT THIS COMPANY IS ONE OF THE LARGEST IN MASSACHUSETTS AND ONE OF THE FINEST. THEY HAVE A VERY GOOD TRACK RECORD. THE TIMING IS JUST RIGHT FOR THEM TO BE ABLE TO STEP IN AT THAT LOW BID PRICE BECAUSE THEY ARE A LITTLE BIT SLOW AS THEY ANTICIPATE THE SUMMER WORK, SO IT IS A GOOD TIME FOR THEM. HE IS CONVINCED THAT THEY HAVE A GOOD CONTRACTOR TO DO THE JOB.

MR. HANSCOMB OF BETA SAID THAT THEY HAVE A GOOD PLAN, GOOD SCOPE OF WORK AND A GOOD ENGINEER. THEY HAVE NO RESERVATIONS WITH THIS CONTRACTOR AND THERE WAS NO REASON TO DISQUALIFY HIM.

COUNCILOR QUINN NOTED THAT THE BIGGEST PART IS THE DEMOLITION AND DISPOSAL OF THE DEBRIS.

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**THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED**

THEY AGGRESSIVELY PRICED THE BID BECAUSE OF TIMING, THEY HAVE JOBS IN THE SUMMER SO THIS WAS A FILL IN JOB FOR THEM.

COUNCILOR MARSHALL SAID THAT JDC IS A GOOD COMPANY, THAT THIS BUILDING HAS TO BE DISMANTLED AND NOT JUST KNOCKED DOWN. HE IS COMFORTABLE WITH THEM.

ALSO, COUNCILOR MARSHALL STATED THAT THE MAYOR ASKED HIM TO READ A LETTER DATED 3/24/14 WHICH STATED THAT HE IS WRITING TO NOTIFY THE COUNCIL OF HIS SUPPORT OF THE TRANSFER OF THE AMOUNT OF \$635,555.00 FROM THE STABILIZATION ACCOUNT NUMBER 84-145-8000 TO THE BUILDING DEPARTMENT ACCOUNT NUMBER 01-493-0202-5310 FOR THE PURPOSES OF THE DEMOLITION OF STAR THEATRE.

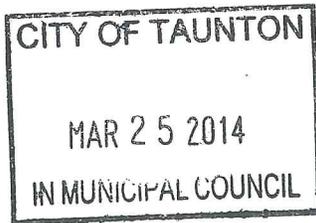
**MOTION: LETTER TO BE PART OF THE RECORD.**

COUNCILOR POTTIER ASKED WHEN THIS COULD GET STARTED.

MR. HANSCOMB STATED THAT THE CONTRACTS WILL BE PREPARED TOMORROW MORNING AND WILL BE DELIVERED TO JDC. THEY WILL ISSUE A NOTICE OF AWARD TOMORROW MORNING WHICH WILL ALLOW THEM TO SECURE THEIR BONDS. THEY HAVE BEEN ASKED TO GET STARTED QUICKLY, AND THEY EXPECT INITIATING WORK SOON – IT WILL PROBABLY BE UNDERWAY WITHIN A MONTH. AT THIS POINT THEY ARE ALSO WORKING WITH THE ABUTTER ON A CONSTRUCTION EASEMENT.

**MOTION: TO AWARD THE CONTRACT AND AUTHORIZE THE TRANSFER OF \$635,555.00 FROM THE STABILIZATION ACCOUNT. SO VOTED.**

MEETING ADJOURNED AT 8:24 P.M.



RESPECTFULLY SUBMITTED,

COLLEEN M. ELLIS

CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
MARCH 25, 2014

**THE COMMITTEE OF THE COUNCIL AS A WHOLE**

PRESENT WERE COUNCIL PRESIDENT ANDREW MARSHALL AND COUNCILORS CLEARY, COSTA-HANLON, CROTEAU, POTTIER, MCCAUL, QUINN, CARR AND BORGES. ALSO PRESENT WERE PETER HIGGINS AND GREG GLYNN OF THE CABLE COMMISSION. LAWRENCE NEWMAN AND JAMES MORAN, PARK COMMISSIONERS, MARILYN GREENE, DIRECTOR OF PARKS, CEMETERIES AND PUBLIC GROUNDS, LEE ANN TAVARES OF THE SKATE PARK COMMITTEE,, AND SUSAN BARBER, RISK MANAGER AND ANTHONY SHETLER, PROFESSIONAL SKATEBOARDER

**MEETING CALLED TO ORDER AT 8:31 P.M.**

**1. MEET WITH THE CABLE COMMISSIONERS AND GREGORY GLYNN REGARDING THE COUNCIL MEETING BROADCASTS**

IT WAS NOTED THAT COUNCILORS HAVE RECEIVED NUMEROUS COMPLAINTS ABOUT THE QUALITY AND SOUND OF THE BROADCAST.

MR. GLYNN STATED THAT THE AUDIO ISSUE WAS A WIRE AT CITY HALL THAT HAD GOTTEN DISCONNECTED OR BROKEN BUT HAS BEEN FIXED. AS FAR AS THE PICTURE QUALITY, THEY HAVE NO CONTROL OVER THIS, BUT IT WILL BE ADDRESSED DURING NEGOTIATIONS.

MR. HIGGINS STATED THAT THERE IS A HEARING THURSDAY NIGHT WITH THE DEPARTMENT OF TELECOMMUNICATIONS. THE WINDOW FOR NEGOTIATIONS WITH COMCAST IS NOW OPEN, SO HE IS HOPING THAT THEY CAN TAKE ADVANTAGE OF A FEW THINGS. HE FURTHER STATED THAT COMCAST IS NOT RESPONSIBLE FOR THE CITY'S MOVE TO THIS LOCATION. IF CITY HALL WAS AT SUMMER STREET, THINGS WOULD BE DIFFERENT. HOWEVER, THINGS COULD SOUND AND LOOK BETTER AND HE IS HOPING THAT COMCAST WILL STEP UP TO THE PLATE.

IT WAS ALSO NOTED THAT THE EQUIPMENT THE CITY HAS IS OLD.

MR. HIGGINS SAID THAT THE COMCAST CONTRACT IS UP IN 2016. THERE IS A SEPARATE CONTRACT WITH VERIZON, BUT THEY ARE SIMILAR.

COUNCILOR CROTEAU ASKED IF THE COUNCIL COULD GET A LIST OF WHAT IS NEEDED AND THE COST TO THE CITY FOR THE EQUIPMENT, AND ALSO, A LIST OF WHAT COMCAST SHOULD PROVIDE TO GET A BETTER PICTURE.

IT WAS NOTED THAT THERE IS NOTHING CONTRACTUALLY BINDING FOR COMCAST TO PROVIDE THE CITY WITH ANY MORE MONEY.

COUNCILOR CROTEAU STATED THAT THE SOUND IS STILL AN ISSUE AND HE WOULD LIKE SOMEONE PRO BONO TO MAKE RECOMMENDATIONS REGARDING THE COUNCIL CHAMBERS, WHETHER IT BE A FALSE CEILING OR WHATEVER.

MR. PESTANA REMINDED THE COUNCIL THAT EVERYTHING HERE WAS TO BE TEMPORARY. EQUIPMENT WAS BROUGHT FROM CITY HALL AND IT HAD TO BE MODIFIED. THE QUALITY OF THE AUDIO IS GOOD, BUT THERE IS A LOT OF ROOM FOR IMPROVEMENT. THE QUESTION IS HOW FAR DO YOU WANT TO GO.

COUNCILOR QUINN ASKED THAT THE COMMISSIONERS GET BACK TO THE COUNCIL WITH WHAT CAN BE DONE TO IMPROVE THE BROADCASTING AND WHAT CAN THE CITY GET FROM COMCAST. SHE WOULD LIKE THEM TO SUPPLY REASONABLE SUGGESTIONS ON HOW THE CITY CAN MAKE THIS BETTER.

IT WAS NOTED THAT THE MICROPHONES NEED TO BE IMPROVED.

COUNCILOR CROTEAU WOULD LIKE TO SEE A WRITTEN REPORT AS TO WHAT WE NEED TO DO.

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MARCH 25, 2014

**THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED**

**MOTION:** TO GET A WRITTEN REPORT IN FOUR WEEKS FROM MR. GLYNN, UTILIZING THE RESOURCES OF PETER HIGGINS AND TOM PESTANA AS TO WHAT THE CITY NEEDS TO DO TO IMPROVE THE QUALITY OF THE BROADCASTING. ALSO, PROVIDE INFORMATION AS TO WHAT IS NEEDED AND THE COST FOR STREAMING. SO VOTED.

COUNCILOR CARR STATED THAT SHE FEELS THAT WE NEED MORE SPEAKERS IN THE CHAMBERS. MR. PESTANA SAID THAT IF MORE SPEAKERS WERE INSTALLED THE FEED BACK WOULD BE WORSE.

**2. MEET WITH PARK AND RECREATION DIRECTOR AND COMMISSIONERS, CITY SOLICITOR AND RISK MANAGER REGARDING THE PROPOSED SKATE PARK.**

MRS. GREENE PROVIDED A LETTER TO THE COUNCILORS DATED 3/19/2014. THAT LETTER STATED THAT SHE ATTACHED A COPY OF A LETTER FROM KURT GAERTNER, MANAGER OF THE GATEWAY CITY PARKS PROGRAM INFORMING THE CITY THAT THERE ARE NO STATE RESTRICTIONS TO ALLOW FOR SKATE BOARD FACILITY AT MILL RIVER PARK.

THE COMMISSION HAS MET WITH MRS. TAVARES AS WELL AS MAYOR HOYE AND OFFERED OTHER PROPOSED SITES. THE COMMISSION ALSO INFORMED MRS. TAVARES THAT A SKATE PARK WAS INCLUDED IN THE FUTURE DEVELOPMENT OF THE WARNER BLVD. PARCEL OF LAND. UNFORTUNATELY THE CITY HAS NOT BEEN ABLE TO SECURE FUNDING TO BEGIN THIS PROJECT.

THE PARKS, CEMETERIES AND PUBLIC GROUNDS COMMISSION WILL NOT BE MEETING UNTIL MONDAY, MARCH 31, 2014. THEY APPLAUD THE GROUP'S EFFORT IN SECURING A SITE FOR THIS PROJECT. AT THIS TIME, THE COMMISSION IS UNABLE TO COMMENT ON A SUITABLE LOCATION FOR DEVELOPMENT OF THIS SKATE PARK PROJECT.

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

A LETTER DATED 3/24/14 OF CITY SOLICITOR JASON BUFFINGTON WAS READ IN WHICH HE STATED THAT THE ISSUE OF A PROPOSED SKATEBOARD PARK ON CITY OWNED LAND WAS REFERRED TO THE LAW OFFICE FOR INPUT. AS AN INITIAL MATTER, IT IS DIFFICULT TO RENDER A REASONABLY DETAILED LEGAL ANALYSIS WITHOUT KNOWING THE PRECISE DETAILS OF EXACTLY WHAT IS BEING PROPOSED. HIS OFFICE HAS NOT BEEN PROVIDED WITH ANY PARTICULARS AS TO BUSINESS PLANS FOR FUNDRAISING, PROCUREMENT, CONSTRUCTION (INCLUDING PREVAILING WAGE ISSUES), AND CONTRACTOR SELECTION. IT IS ALSO UNCLEAR TO HIM WHAT PLANS IF ANY ARE BEING CONSIDERED FOR OPERATING, SECURING, STAFFING AND MAINTAINING SUCH A FACILITY AFTER IT IS BUILT.

HE FURTHER STATED THAT THE LAW DEPARTMENT DID MEET WITH A REPRESENTATIVE FROM HUB INTERNATIONAL, THE CITY'S INSURANCE BROKER, AS WELL AS THE CITY'S INDEPENDENT INSURANCE ADVISOR. BOTH GENTLEMEN EXPRESSED SIGNIFICANT LIABILITY CONCERNS WITH SUCH AN UNDERTAKING, AND CAUTIONED AGAINST A SCENARIO WHERE A SKATEBOARD PARK IS BUILT BY OTHERS AND THEN TURNED OVER TO THE CITY FOR MAINTENANCE, SECURITY AND OPERATIONS. UPON RECEIPT OF THE DETAILS REQUESTED, HIS OFFICE WILL BE PLEASED TO OFFER FURTHER INPUT ON THIS MATTER.

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

REQUEST WAS MADE TO PROVIDE COUNCILORS WITH COPIES OF THESE LETTERS.

THE RISK MANAGER STATED THAT SHE MET WITH THE INSURANCE AGENT AND ADVISOR. THEY ARE FAMILIAR WITH SKATE PARKS, HOWEVER, THE MUNICIPALITIES STARTED THE PROJECT AND SAW IT THROUGH TO THE END. THIS IS THE SUGGESTION BECAUSE IT WILL LIMIT THE LIABILITY ON THE CITY'S BEHALF. THE CITY WOULD HAVE TO BUILD IT. THE CITY WOULD HAVE TO OVERSEE IT.

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THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

MRS. TAVARES INFORMED THE COMMITTEE THAT REGARDING THEIR CONCERNS WITH THE 501C3, SHE HAS RECEIVED A DONATION FROM AN ATTORNEY WHO WILL DO THIS, OR THERE MAY BE ANOTHER OPTION WHERE THEY WOULD BE UNDER THE UMBRELLA OF ANOTHER.

MRS. GREENE SAID THAT THE LOCATION THE COMMITTEE WANTS IS AN ISSUE, AND THE OTHER IS THE LEGAL END. THE COMMISSION IS HESITANT TO VOTE UNTIL ALL ISSUES ARE IRONED OUT. SHE FURTHER STATED THAT OTHER SITES HAVE BEEN OFFERED INCLUDING WARNER BOULEVARD AND ALSO THERE IS AN AREA AT THE MULCAHEY SCHOOL THE COMMISSION WOULD NOT VOTE ON THE LAND BEHIND CITY HALL UNTIL THE HISTORIC DISTRICT COMMISSION, POLICE CHIEF AND CITY SOLICITOR APPROVE IT OR A SITE IS DETERMINED.

MRS. TAVARES ASKED IF IT WOULD BE APPROVED IF THEY GOT A SIGN OFF FROM THE HISTORIC DISTRICT COMMISSION, THE CHIEF AND THE CITY.

MRS. GREENE STATED FURTHER STATED THAT BEHIND CITY HALL IS SUPPOSED TO BE A PASSIVE AREA, AND THAT THE TREND IS TO INCORPORATE OTHER FACILITIES WHETHER IT BE A BASEBALL FIELD, SOFTBALL FIELD, AS THIS IS THE ONLY SUCCESSFUL WAY THESE OPERATE – WHERE YOU HAVE AN AREA THAT IS TRULY A MARRIAGE OF OTHER PARTICIPANTS AND PROGRAMS.

MRS. TAVARES READ FROM A LETTER OF KURT GAERTNER OF THE GATEWAY CITY PARKS PROGRAM IN WHICH HE STATES THAT *THE MILL RIVER PARK WAS ORIGINALLY DESIGNED TO INCLUDE A SKATE PARK IN THE PORTION OF THE PARK THAT IS PRESENTLY FLAT LAWN. THE DRAINAGE SYSTEM IS SIZED TO ACCOMMODATE THE IMPERVIOUS SURFACE ASSOCIATED WITH THE SKATE BOARD FACILITY. ONLY AFTER IT BECAME APPARENT THAT CONSTRUCTION OF THE OVERALL PARK PROJECT WOULD BE DELAYED BY LENGTHY AND UNCERTAIN PERMITTING OF THE SKATE PARK COMPONENT DID WE DECIDE TO PROCEED WITHOUT IT. IT WAS THEIR ASSUMPTION THAT THE SKATE PARK COULD BE PERMITTED AND BUILT LATER, AS IS NOW CONTEMPLATED.*

SHE FURTHER STATED THAT PUTTING THE SKATE PARK BEHIND CITY HALL WILL MARRY 2 ITEMS – THE WALKING TRAILS AND THE SKATE PARK. THIS LOCATION HAS EVERYTHING – THERE IS LIGHTING, IT IS CENTRALLY LOCATED, THE STORM WATER MANAGEMENT HAS BEEN DESIGNED AND IT HAS ALREADY BEEN APPROVED BY THE STATE.

COUNCILOR POTTIER ASKED IF THE SKATE PARK COMMITTEE HAD BEEN BEFORE THE HISTORIC DISTRICT COMMISSION YET.

MRS. TAVARES SAID NO, THEY WERE WAITING FOR APPROVAL TO USE THIS AREA.

IT WAS NOTED THAT IF THE CITY DOES THIS PROJECT NO IN-KIND DONATIONS CAN BE ACCEPTED. THE CITY WILL HAVE TO DO THIS FROM THE BEGINNING, PUT IT OUT TO BID, ETC. IN ORDER TO LIMIT THE CITY'S LIABILITY.

MRS. GREENE NOTED SOME ISSUES WITH OTHER PARKS LOCATED IN PLYMOUTH AND EAST BRIDGEWATER.

ANTHONY SHETLER, A PROFESSIONAL SKATE BOARDER NOTED THAT THESE WERE DESIGNED TERRIBLY, THAT A COMPANY CAME IN AND MADE A LOT OF MONEY THROWING THESE PARKS TOGETHER, BUT THEY WERE NOT BUILT PROPERLY.

COUNCILOR BORGES STATED THAT SHE IS NOT OPPOSED TO THE SKATE PARK, BUT THE ISSUE OF LIABILITY IS A CONCERN FOR HER. THE CITY, AS STATED BY THE RISK MANAGER, NEEDS TO TAKE THIS FROM BEGINNING TO END.

MRS. TAVARES STATED THAT THEY WELCOME WORKING WITH THE CITY, BUT SHE DOES WANT THE CITY HALL LOCATION CONSIDERED. SHE ALSO NOTED THAT WHEN THIS WAS ALL STARTED IN 2006, SHE WAS TOLD THAT THE LIABILITY IS THE SAME AS A POOL OR WITH ANY PARK, YOU USE IT AT YOUR OWN RISK.

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**THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED**

COUNCILOR MARSHALL NOTED THAT ONE THING THE CITY HALL FIRE PROVED WAS THAT THE CITY WAS GROSSLY UNDER INSURED. THEY HAVE TAKEN A FULL LOOK AT THE LIABILITY AND IT HAS BEEN ADDRESSED.

THE RISK MANAGER STATED THAT CONSTRUCTION IS A CONCERN AND SHE WOULD RATHER THAT THE CITY BE IN CONTROL OF THE CONSTRUCTION AND THE DEVELOPMENT – THE CITY MUST HAVE 100% CONTROL.

THE CHIEF STATED THAT HE IS NOT OPPOSED TO A SKATE BOARD PARK BUT FEELS THE LOCATION BEHIND CITY HALL IS NOT IDEAL. HE SUGGESTED THE LIBERTY AND UNION PARK ON MAIN STREET, OR PERHAPS IN THE WEIR AREA.

COUNCILOR CROTEAU STATED THAT WHAT NEEDS TO BE DONE IS THAT THE CITY NEEDS TO MAKE A DECISION FIRST AS TO WHETHER THE CITY IS WILLING TO DO THIS. HE ALSO QUESTIONED THAT IF THE CITY IS INVOLVED FROM DAY ONE, THE CITY WILL CHOOSE THE CONTRACTOR WITH THE RECOMMENDATION FROM THE SKATE PARK PEOPLE, SO THE CITY WOULD BE THE OWNER OF THE PROPERTY AND THE SKATE PARK COMMITTEE WOULD BE A TENANT, UNLESS THE CITY GAVE THEM THE LAND. HE STATED THAT THE CITY NEEDS TO LEASE THE LAND TO THE SKATE PARK COMMITTEE. THE CITY MAY ACCEPT LEGAL RESPONSIBILITY BUT NOT FINANCIAL RESPONSIBILITY – WHAT IS THE LIABILITY TO THE CITY IF THE LAND IS LEASED.

THE RISK MANAGER STATED THAT THEY WOULD HAVE TO HAVE FULL INSURANCE. COUNCILOR CROTEAU FURTHER NOTED THAT THE ISSUE OF IN KIND SERVICES NEEDS TO BE EXPLORED BECAUSE IT HAS BEEN DONE AND IN FACT THE SOFT BALL FIELD AT THE HIGH SCHOOL WAS BUILT ENTIRELY WITH IN KIND SERVICES. MRS. GREENE AGAIN STATED THAT SHE IS NOT OPPOSED TO THE SKATE PARK BUT THERE MUST BE AN IDENTIFIED AREA AND A MARRIAGE OF OTHER SPORTS.

MRS. TAVARES NOTED THAT THE LOCATION BEHIND CITY HALL WOULD MARRY 2 ITEMS – WALKING TRAIL AND THE SKATE PARK. THERE IS LIGHTING, IT IS CENTRALLY LOCATED AND HAS ALREADY BEEN APPROVED BY THE STATE.

COUNCILOR BORGES MADE THE FOLLOWING MOTION:

**MOTION: TO REFER TO PARKS, CEMETERIES AND PUBLIC GROUNDS, THE LAW DEPARTMENT AND THE SKATE PARK COMMITTEE TO DISCUSS THESE ISSUES. SO VOTED.**

COUNCILOR CLEARY STATED THAT ALL THAT IS HAPPENING IS THAT THERE ARE OBSTACLES BEING THROWN IN FRONT OF THE SKATE PARK COMMITTEE. THE PARK BEHIND CITY HALL WAS ORIGINALLY DESIGNED WITH A SKATE PARK, AND IF WE SEND THIS TO PARK AND RECREATION, IT WILL COME BACK HERE AGAIN. HE FURTHER STATED THAT AS FAR AS HE IS CONCERNED THE SKATE PARK COULD GO HERE, AND HE WOULD GIVE HIS APPROVAL WITH THE STIPULATION THAT NO CONSTRUCTION IS TO BEGIN UNTIL ALL FUNDING IS IN PLACE, AND THE HISTORIC DISTRICT COMMISSION AND PARK AND RECREATION APPROVE IT:

THE RISK MANAGER STATED THAT THERE ARE MANY PROCEDURES TO FOLLOW REGARDING IN KIND SERVICES, AND THESE WOULD HAVE TO BE ADHERED TO.

COUNCILOR QUINN STATED THAT SHE WOULD GO ALONG WITH COUNCILOR BORGES MOTION, THAT SHE IS NOT PARTICULARLY OPPOSED TO THE LOCATION BEHIND CITY HALL AND SHE RESPECTS THE OPINIONS OF THE CHIEF AND PARK AND RECREATION. SHE FURTHER STATED THAT THE COMMITTEE NEEDS TO PURSUE THE 501C3 STATUS AND BECOME A LEGALLY RECOGNIZED GROUP, AND ENCOURAGES THEM TO MEET WITH PARK AND RECREATION TO SEE IF THERE IS A BETTER LOCATION.

COUNCILOR CARR QUESTIONED WHETHER IT WAS THE PARKING COMMISSIONS DECISION AS TO WHAT GOES INTO A PARK. THAT THE COUNCIL HAS NO VOTE ON THIS, AND THAT NOW THAT THIS PARK IS A CITY PARK, IF PARK AND RECREATION SAYS NO, THEN THE SKATE PARK CANNOT GO THERE. ALSO,

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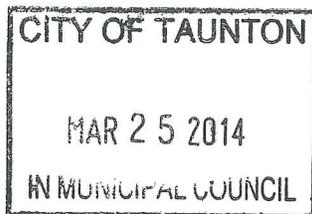
THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

HISTORIC DISTRICT COMMISSION CAN GIVE THEIR SUPPORT, BUT THEY TOO HAVE NO STANDING TO SAY THAT THE SKATE PARK CAN GO THERE.

COUNCILOR MARSHALL STATED THAT THE STUMBLING BLOCK IS THAT THIS HAS BEEN PRESENTED IN A NON-TRADITIONAL WAY. THE CITY DOES NOT WANT TO MAINTAIN THE LIABILITY OF THE PARK IF IT IS NOT IN CONTROL. HE FURTHER STATED THAT YOU CAN HAVE IN KIND SERVICES IF THE SKATE PARK COMMITTEE WANTS TO BUILD IT, MAINTAIN IT AND OWN THE LIABILITY INSURANCE. THE PROBLEM IS THAT ONCE IT IS BUILT, THEY WANT TO TURN OVER THE LIABILITY TO THE CITY.

THE MOTION WAS VOTED ON WITH 8 COUNCILORS VOTING IN FAVOR, COUNCILOR CLEARY VOTING IN OPPOSITION. MOTION CARRIES.

MEETING ADJOURNED AT 10:29 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 Beachwell".  
CITY CLERK



# CITY OF TAUNTON

ORDER #42

FY 2014

MARCH 25, 2014

*In Municipal Council* ..... 20.....

*Ordered, That*

**THE SUM OF SIX HUNDRED THIRTY FIVE THOUSAND**

**FIVE HUNDRED FIFTY FIVE DOLLARS AND NO CENTS (\$635,555.00) BY AND HEREBY**

**IS TRANSFERRED FROM STABILIZATION ACCOUNT NO. 84-145-8000**

**TO: BUILDING DEPARTMENT ACCOUNT NO. 01-493-0202-5310**

..... *Clerk.*