



*City of Taunton  
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA  
Minutes, March 31, 2015 at 7:17 O'clock P.M.*

*Regular Meeting*

*Mayor Thomas C. Hoye, Jr. presiding*

*Prayer was offered by the Mayor*

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

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

Mayor Hoye stated that it is Sexual Assault Awareness Month and there are several members of New Hope and the Children's Advocacy Center here. **Motion was made to invite Marcia Szymanski from New Hope and Michelle Naranjo from the Children's Advocacy Center into the enclosure to present the citation and speak about the great work that they are doing throughout the community. So Voted.** Mayor Hoye stated that there are two citations here tonight. Marcia stated that New Hope has been around since 1979 and is an agency that provides services to victims of domestic and sexual assault. She stated that they provide 24 hour on call medical advocacy at Morton Hospital to any victims of sexual assault and their families. They also have community counseling in the City where victims of domestic or sexual assault can receive free counseling and advocacy. She spoke about how they do a lot of work with Taunton High School and they believe that prevention is key and provide the students with information on how to have healthy relationships. She stated that New Hope believes that everyone deserves the right to live a life free of violence. Michelle Naranjo thanked everyone for recognizing April as Child Abuse and Sexual Assault Prevention Month. She stated that they work very closely with the Detective Unit at the Taunton Police Department and have a wonderful partnership so that when children are victims of abuse there is an investigation and path of healing that is based on best practices. She discussed how the Children's Advocacy Center has been around for 7 and a half years and they are fast approaching serving 3,200 victims of child sexual abuse. She stated that they have had an 83% increase in the services that they provide from when their doors opened in 2007 until the end of 2014. She stated that there is a local financial institution, Bristol County Savings Bank, which has offered support to develop their education and outreach program towards the goal of prevention. She discussed how they now have a designated education and outreach coordinator position and just in the past six weeks, they have provided training to the staff on first responder recognizing and mandated reporting. She discussed all of the locations in the City that they have been to promoting prevention. She stated that they have materials here today that talk about keeping their kids safe. Mayor Hoye read the proclamation stating that April is Sexual Assault Awareness Month and Child Abuse Prevention Month. **Motion was made to adopt the proclamation.**

**So Voted.** Mayor Hoye thanked the women and their entire teams for coming in this evening. He then invited Shaunna O'Connell into the enclosure to present her proclamation. She thanked both women for the important work that they do in our community and across this region every day. She stated that she sees it first hand, always reaching out to the Legislature and the communities and doing so much good work helping families with the education and awareness about a subject that is difficult to talk about. She stated that they give people hope and guidance through very difficult situations. She has two citations from the House of Representatives. She discussed how the entire Legislative delegation is supportive of them. She stated that Representative Patricia Haddad has worked with them for many years as well as Representative Keiko Orrall. She then read and presented both citations to New Hope and the Children's Advocacy Center.

**Hearing:**

On the proposed adoption of the Housing Development Incentive Program (M.G.L. c. 40V) in the City of Taunton:

**HOUSING DEVELOPMENT INCENTIVE ZONE PROGRAM**

The Housing Development Incentive Program (HDIP) is intended to provide the City of Taunton's downtown and its surrounding areas with a development tool to increase residential growth, expand the diversity of the housing stock, support economic development, and promote neighborhood stabilization. The Taunton HDIP area (HD Zone) will enable developers to apply for local tax incentives as well as state tax credits to conduct redevelopment projects that lead to the creation of market rate housing.

Testimony will be taken on whether the City of Taunton shall approve both the designation of the Housing Development Zone and the proposed activities in the Housing Development Zone Plan. **Motion was made to open the hearing and invite Michael Ferreira and Kevin Shea into the enclosure. So Voted.** Mr. Shea discussed how they are here tonight seeking the Council's approval to adopt a designation of a Housing Development Center Zone. He stated that he had sent the Zone Plan by e-mail to the Council last week. He discussed how the HDIP established through (M.G.L. c.40V) provides Gateway Cities with a development tool to increase residential growth, expand the diversity of the housing stock, support economic development, and promote neighborhood revitalization in designated areas. The program basically provides two tax incentives to developers to undertake substantial rehabilitation of properties for lease or sale at multi-unit market rate. 1. A local option real estate tax exemption on all the increased property value resulting from the improvements, which is the incremental value and 2. The state tax credits for qualified substantial rehab expenditures that are awarded for rolling application process through the state. This has been through the State Department of Housing and Community Development. They may approve an executed Housing Development Tax Increment Agreement between the developer and the Gateway City. They are the ones who ultimately approve it of no less than 10% and no more than 100% of the increment on the market rate units in a project for not less than 5 years and not more than 20 years. Secondly, award a State Development Tax Credit of up to \$2M to the developer of the project, not to exceed 10% of the qualified substantial expenditure of the market units. This program through c.40V is similar to a program that

the Council has been used to over the past several years, which is the TIF program. Half of the Gateway Cities have submitted proof of grants by the HCD. He stated that one of the things that they are here for tonight is to get the Council's approval to submit the plan. The zone that was picked was based upon realistic market that developers would come in and build market rate housing. Market Rate Housing is considered 110% of the median income. In the plan, it is roughly \$48,000.00. He stated that it is the area starting from downtown to the Arlington Street and Dean Street area to the old Columbia Electric site on Oak Street. He stated that they expanded it a little bit down South of the downtown but not into the census tract that traditionally has a lot of development of affordable housing. The rule is that you have to have 80% market rate units. The goal is to increase the residential growth and promote neighborhood stabilization. He stated that the City of Taunton, by definition, is a Gateway City so we qualify there. The Housing Development Zone is any geographic area categorized by the need for market rate housing. The housing plans detail the construction that they are trying to do. The definition of substantial rehab is that it is located in the HD Zone and it will result in two or more units of market rate housing for sale or lease. There is a minimum of 80% of the units per project at market rate. There are no restrictions on the size of the projects. They must do substantial rehab of existing property, which is at least \$30,000.00 worth of work. The basis for the exemption is that any affordable unit that may be mixed in with commercial, the exemption is based just on the value of the market rate units. The Tax Increment Exemption is for a period of no less than five (5) years and no more than twenty (20) years. On the state investment tax credit side, the tax credit for the developer is up to 10% of the qualified substantial rehab cost and a credit of up to \$2M per project. He discussed the process of what happens after the application is put in; it becomes a rolling process with the state. People can come in and negotiate with the City and come to the Council to approve the individual projects and then it goes to the State for approval. The program requires that the HD Zone and Plan be approved, that there is an execution of the HD Tax Increment Exemption Agreements between the City and the developers, which is similar to the TIF process. Only certified HD projects are eligible for tax incentives and the DHCD reviews the certified HD projects once every two years and an annual report of findings is done. There is a monitored process on this to make sure the units are still market units. A market unit is defined as a residential unit priced at 110% of the area's household median income. Those are the minimum qualifications of the program. He stated that he has a letter from a developer interested in participating in this program in the downtown area. The proposed resolution that has been drafted asks the Council's authorization of permission to submit the Plan to the HCD for their approval, be able to give additional information and authorize the Mayor to negotiate the projects. Mayor Hoye stated that this does not entitle a developer to a project, approving this tonight will just give the Council a tool to use in the future if a project is deemed worthy. Councilor Pottier stated that he would welcome any tool that will further revitalize the downtown area. He discussed how it would come back to the Council because up to 100% of a tax break could be granted up to twenty (20) years. He asked if there is any overlayment of this zone with a trans-oriented development zone and if there were bonus credits or other grants available for something like that. Mr. Shea stated that it does dovetail the two TOD's, one of which was built with Hope VI and the second one which is over by Dean and Arlington Street which has had inquiries from the property owner. The Council approved that as a TOD five or six years ago and it is encompassed in that area. Councilor Marshall stated that Mr. Shea said that under the language the

Council can adopt tonight, it could be up to the Council that the max amount of local real estate tax could be reduced up to 100%. He questioned if the Council will have a say if there is certain things that they would want added to the agreement at the time. Mr. Shea stated that it would work the same way that it does when a developer would come before the Council with a presentation of a project. Councilor Marshall asked if it was just for housing. Mr. Shea confirmed. Councilor Marshall asked what the benefit is to the City. He discussed what the benefits are of TIF's. Mr. Shea stated that this program is geared towards redevelopment as an incentive of underutilized and vacant properties. It will bring taxes in for the City. Councilor Marshall asked if it would go towards the affordable housing cap. Mr. Shea stated that it is a market rate that has to be 80%. Councilor Marshall asked if this would allow any change in density. Mr. Shea stated that people would still have to follow zoning. Councilor Marshall asked if this program was geared toward larger developers and discussed how smaller, local developers may be scared off by the process. Mr. Shea stated that it is intended for good sized projects. Councilor Marshall asked who has expressed interest in potentially taking advantage of this program. Mr. Shea stated that there is one here tonight and he has had others expressing interest over at the property of Columbia Electric and the property at Dean and Arlington Streets. Councilor Marshall asked if the area includes the F.B. Rogers site. Mr. Shea stated that it does not and the reason is that it is in one of the lower income census tracts in the City where a lot of affordable housing is done. The whole intent of the program is to do market rate housing of 110% of the median income. Councilor Marshall discussed other areas that are not on the map. Mr. Shea stated that the plan of the map could be amended by the Council at a later time. Councilor Marshall asked what the other Gateway Cities are granting for tax breaks. Mr. Shea stated that he wasn't quite sure and he knows that a project was completed in Chelsea and one in downtown Pittsfield. Councilor Marshall asked if there were any in a community the size of Taunton. Mr. Shea stated that half of the Gateway communities have been approved and he is not sure what the number of the tax breaks were for the individual projects. Councilor Marshall asked if you are allowed to stagger the tax breaks. Mr. Shea said it is based on the merits of each individual project and becomes the negotiation at the Council's discretion in terms of the final vote. Mayor Hoye stated that economic development doesn't always mean increased tax revenues; it can also be the revitalization of properties. He stated that if you clean one property up, you will create economic development as a result of these types of projects. He stated that it doesn't always mean that you will get revenue from a particular project but hopefully it will create and build upon other projects. Mayor Hoye stated that what a TIF does, like with Martingnetti, brings jobs with them and creates excise tax and its own little economy. He stated that it is like what Forekicks is doing. If you talk to people who go to places like Home Plate and El Mariachi on weekends, a lot of those places are now filled with families, which is good for all of us. These projects may not necessarily create a huge tax benefit themselves but you hope they create other advantages to the city. That is how the Gateway Cities are building themselves up. Mayor Hoye stated that we have done some great things here, we have the Industrial Park and now we have to do more things with Whittenton and the Weir. Councilor Costa-Hanlon stated that she understands the need to develop the larger properties that are run down but she also understands what Councilor Marshall is saying. She stated that they have talked about a similar TIF for smaller businesses and she knows that it is coming. She stated that she would really like to see something in Whittenton, because of Whittenton Mills and Reed & Barton. She

stated that a lot of Councilors have been waiting for the TIF for the smaller businesses. She knows that it comes down from the State but stated that the Council should be stronger advocates for that because it is an important part of the downtown piece. She asked if Mr. Shea has anticipated how it will impact parking. She stated that all of us struggle with the parking situation downtown and she knows that the parking commission is addressing that. She stated that the lot behind Galligan's Court is still in limbo and it was thought that money could be used from the DPW for that, but it is not able to be used. She stated that the lot behind the real City Hall would impact the Leonard Block. Mr. Shea stated that they are trying to put the tool in place to create the incentive. At the point when each developer comes in and follows zoning and special permits, any parking issues would be addressed. Councilor Costa-Hanlon asked what kind of review process there is and what the longest running one of these plans that has come to a Gateway community. Mr. Shea stated that the program has only been in place for a couple of years, and only half of the Gateway Cities have approved plans right now. Councilor Costa-Hanlon asked if they are market rate. Mr. Shea stated that at least 80% of the project has to be market rate or they wouldn't qualify for the state tax credits. She stated that she understands the Mayor's point stating that it is an important tool for downtown but she is cautiously optimistic and hopes that it will go beyond just these four. She asked how this could be marketed going forward and if there is any kind of advertising budget. Mr. Shea stated that everything is put on the website and a lot of developers know where the incentives are. Councilor Quinn stated that she likes the idea of the concept of the project and that it could expand beyond the boundaries of the immediate downtown. She is disappointed that it doesn't go into other areas that she thinks are in desperate need of some attention such as downtown Whittenton, downtown East Taunton and the downtown Weir sections. She looks at this as a good stimulus for improvement on those properties. Councilor Quinn discussed the ways that the Council can control the amounts and the length of the tax breaks. She stated that she would like to see more taxes come in but she is also in favor of the area being made to look better. She asked if there is any reason that the HD district can include a little perimeter around Whittenton, East Taunton and the Weir areas. She stated that she sees a lot of development potential in those areas and is wondering if it is too late to include them. Mr. Shea stated that it is not too late and it was based on the income levels per the census tract. He stated that it also has to be continuous. He stated that, for example, if a developer wanted to do Whittenton Mills it could be designated as another HD zone. Councilor Quinn questioned if it was a program requirement that the income has to be at a certain level in the district. Mr. Shea confirmed. Mayor Hoye stated that as far as Whittenton goes, they have been out there trying to expand the façade program. He stated that most of the feedback from the Whittenton business owners says that they want to see sidewalks. He stated that sidewalks have been talked about, not for this budget cycle but for the next one, with some of the community grant money that was utilized downtown. He stated that it is on the front burner in the next couple of years. He also stated that some of the business owners could take advantage of the façade money which is out there and available for people to utilize. Council President Borges stated that most of her questions have been answered but she thinks that we also have the Business Improvement District that will help to market and promote it. Councilor McCaul stated that he would like to echo what Councilor Quinn was saying that it would be a good idea to have those other programs added to the district. He stated that he has seen similar programs in the City of Lynn. They had a problem with their downtown district losing business and they tried to figure

out how to revitalize the area. He stated that they put apartments and condos above the businesses and it turned Lynn around. He thinks it is a good idea and we are going in the right direction. Councilor Cleary stated that the City has invested a tremendous amount of money on the sidewalks, the road, and the utilities that have been placed under the ground which is right for redevelopment. He stated that it hasn't happened on the second and third floors in some of the older buildings because it is expensive and that this may be the tool to bring it all together. He stated that it will make it worthwhile for people to invest in these major undertakings and develop some market value properties that will put foot traffic in the downtown. He discussed how this is a logical next step to the development and revitalization of downtown. Mayor Hoye asked if anyone is here to speak in favor of the petition. Jay Dorsey, 147 Highland Street stated that as the president of the Business Improvement District he is very much concerned about taxes and this is a very good tool. This tool can be used in the underutilized buildings downtown. He stated that pretty much all of the first floor businesses downtown are locally owned and they will benefit from having more people there. He discussed the expenses of trying to get market rate housing projects off the ground in the downtown area. He stated that the threshold is only a minimum of two units. He thinks that it is a win-win for everyone. Mr. Shea stated that he has a letter from Jeremy Wilkin, director of real estate, Urban Edge. It stated that he would like to offer support in the creation of the Taunton Housing Development Incentive Zone in the City. Urban Edge has been interested in partnering with the Downtown Taunton Foundation on the redevelopment of the Union block which would provide market rate and affordable apartments over viable retail in the historical buildings in the Downtown. The use of funding that will generate from the HDIP is critical in making projects like the Union block financially feasible. **Motion was made to make part of the record. So Voted.** Nobody was present to speak in opposition of the petition. Councilor Pottier stated that Urban Edge is a very well-known developer in the Massachusetts community for both market and affordable housing. **Motion was made to make the packet that was presented by Mr. Shea be made part of the record. So Voted.** The City Clerk read the Resolution approving the Housing Development Incentive Plan Zone and Map. **Motion was made to approve the resolution as read. So Voted. Motion was made to close the hearing. So Voted.**

**Communications from the Mayor:**

Mayor Hoye stated that he had the chance to speak with a couple of Councilors about an asphalt recycler that the DPW will attempt to purchase. He stated that we will have to go through the 30b process so he will not ask for any appropriation this evening. He then shared photos with the Councilors of the Bagela Asphalt Recycler. He stated that for asphalt to fill our potholes, it costs about \$80.00 a ton. If the City purchases this machine, which is about \$175,000.00, it will reduce the cost to about \$25.00 a ton. He stated that the other incentive is that it can be used year round, throughout the winter, so the City would not be at the mercy of the asphalt plants. The DPW team has done a lot of research on this and has looked at several different machines to try to find the best one. He stated that as soon as they figure out the proper procurement process with this, he will request an appropriation. **Councilor Croteau asked for a recommendation from Fred Cornaglia to be discussed next week in the Committee on the DPW. So Voted.**

Com. from Mayor – Request for Traffic Safety Improvements Winthrop Street (US Route 44) at North Walker Street – Taunton, MA. Mayor Hoye stated that it

talks about the issue of the intersection of North Walker and Winthrop Streets that has been discussed numerous times. For years it did not have the traffic counts to warrant a light for pedestrian and driver safety, it now does. The request will now be forwarded to the DOT to get on the TIP. He stated that currently Harts Four Corners is being looked at for funding in 2016. The Gorden Owen Riverway is right behind it on the funding schedule. The DOT is going to be asked for the intersection at North Walker and Winthrop Streets to be next in line. He stated that it should happen in the next few years unless there is a development at the intersection, it could be sooner. Councilor Croteau wanted to confirm the order of the priority. Mayor Hoye stated that for funding that currently exists it is Hart's Four Corners, Gorden Owen Riverway and then the DOT will be asked to put North Walker and Winthrop Street on the list now that it qualifies. **Motion was made to make letter part of the record. So Voted.**

**Appointments:**

Appointment of Nuno Medeiros, Full Time Firefighter who is from our re-employment list and from Fall River. **Motion was made to invite Mr. Medeiros into the enclosure to be sworn in. On a roll call vote, nine (9) Councilors present, nine Councilors voting in favor.** Mayor Hoye welcomed Mr. Medeiros and Chief Bradshaw into the enclosure. Nuno Medeiros was then sworn in by the City Clerk.

Appointment of Ethel Fraga - Trustee of the Public Library. **Motion was made to approve. So Voted.**

**Motion was made to recess at 7:30pm. So Voted.**

**Communications from City Officers:**

Com. from Director, Department of Human Services stating that they have received a donation in the amount of \$25.00 for the purpose of assisting elders of Taunton. At this time, they respectfully requested that the Department of Human Services be allowed to deposit this donation in the Elder Emergency Gift Account. **Motion was made to move approval. So Voted.**

Com. from City Solicitor responding to a request from the Council for the opinion of his office as to who would conduct performance evaluations of department heads. Based on his review of the COTMA contract, individual employment contracts, the City charter, and applicable city ordinances, he has determined the following:

<b><u>Position</u></b>	<b><u>Evaluator</u></b>	<b><u>Source of Authority</u></b>
COTMA-member Department Heads	Mayor	COTMA contract
COTMA-member DPW Division Heads	DPW Commissioner	COTMA contract
Director, Human Resources	Mayor	Contract
Executive Director, OECD	Mayor	Contract
Chief of Staff to Mayor	Mayor	Contract
Budget Director	Mayor	Contract
City Solicitor	Mayor	Charter
Fire Chief	Council	Ordinance
Police Chief	Council	Ordinance

**Motion was made to refer to the City Solicitor to provide the Council with the specific language from the contracts in two weeks. So Voted.** Mayor Hoye stated that he believes that all of the contracts are on the website.

**Communications from Citizens:**

Com. from Wendy Melo, Director, The Escola Portuguesa @ Taunton Sports Club requesting use of the stage and waiver of fees for their May 30, 2015 celebration which will take place outdoors at 1pm at the Taunton Sports Club. They are planning to set up from 9am-12pm. **Motion was made to approve the fee being waived and refer to the DPW to see if it is available on May 30, 2015. So Voted.** Mayor Hoye stated that it is a great event and it is open to the public.

**Petitions:**

Petition submitted by Sylvester English, 162 Oak St. #18, Taunton requesting a renewal of his Temporary Fixed Vendor License for Kinfolks Award Winning BBQ LLC located at 5 Cape Road, Taunton. **Motion was made to refer to the Committee on Police and License. So Voted.**

Petition submitted by George Perry, 52 Worcester St., Taunton requesting a renewal of his Junk Dealer's License for Hub Cap King located at 94 Tremont Street, Taunton. **Motion was made to refer to the Committee on Police and License. So Voted.**

Petition submitted by Stephen Rowan, 24 Beacon St., Taunton requesting a renewal of his Livery License for Stella's Livery Service located at 24 Beacon St., Taunton. **Motion was made to refer to the Committee on Police and License. So Voted.**

Petition submitted by William Sanft, 15R Shores St., Taunton requesting a renewal of his Billiard Table License, Will-O-Bee, Inc. -dba- Willy J's Pub located at 599 Winthrop St., Taunton. **Motion was made to refer to the Committee on Police and License. So Voted.**

Petition submitted by William DeSa, 14 Whittenton St., Taunton requesting a renewal of his Billiard Table License for The Billy Club Café located at 53 Grove St., Taunton. **Motion was made to refer to the Committee on Police and License. So Voted.**

Petition submitted by James Silvia, Jr., 45 Baylies Road, Taunton requesting a renewal of his Antique Dealers License for Memorable Memorabilia located at 45 Baylies Road, Taunton. **Motion was made to refer to the Committee on Police and License. So Voted.**

Chester Fortun, 330 County St., Taunton requesting reimbursement for damages to his automobile from hitting a pothole in front of 286 Broadway. **Motion was made to refer to the Law Department and the DPW. So Voted.**

Claim submitted by Christine Costa, 621 Berkley St., Berkley requesting reimbursement for damages to her automobile from hitting a pothole in front of 421 Berkley St., Taunton. **Motion was made to refer to the Law Department and the DPW. So Voted.**

Claim submitted by Sandra Saccocia, 41 County St., Berkley requesting reimbursement for damages to her automobile from hitting a pothole on Middleboro Avenue near Park Place and Lake Rico. **Motion was made to refer to the Law Department and the DPW. So Voted.**

Claim submitted by Nolan Gajdascz, 308 Somerset Ave., Taunton requesting reimbursement for damages to his automobile from hitting a pothole on Plain Street at the intersection of Beacon St. **Motion was made to refer to the Law Department and the DPW. So Voted.**

Special Permit submitted by Elizabeth Thompson, Esq. Duval & Klasnick LLC, 210 Broadway, Suite 204, Lynnfield, on behalf of her client, Varsity Wireless, LLC who entered into a land agreement with George B. Hudson, land owner for a 145 foot tall monopole wireless communications facility within a 60' x 52' fenced compound area to be located at 201 Alfred Lord Boulevard, Taunton. **Motion was made to refer to the City Clerk's Office to schedule a public hearing. So Voted.**

**Committee Reports:**

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

**Unfinished Business:**

Councilor Carr stated that during the Committee on Finance and Salaries apparently there was a motion that was neglected to be made that the City Treasurer needed since the money was not approved for a salary increase. **Motion was made to retroactively adjust the salary for the previous six weeks, back to February 12, 2015 for the position of DPW Fiscal Agent. Councilors Costa-Hanlon, Croteau and Carr voted in favor, Councilors Borges, Marshall, Pottier, McCaul, Quinn and Cleary voting in opposition. Motion does not carry.**

**Motion was made to send a request as stated by the City Treasurer to the City Solicitor for advice regarding the issue of the retroactive pay. So Voted.** Councilor Carr stated that until an agreement is worked out and money is legally put into place to pay it, there is no money to pay it. Councilor Marshall agreed that there is no money to pay it but six Councilors voted not to take money away from the Fiscal Agent. He stated that the same six people need to approve a transfer next week in that amount if they do not want to remove that salary from her. He stated that is one issue and the other is that the DPW Commissioner needs to find money in his budget and do a transfer, which will require the Committee on Finance and Salaries approval. Councilor Croteau stated that if the City Solicitor feels that the City is not legally required to recoup the money then the Council is free to vote that way, if not, it has to be recouped. He stated that it is not a personal situation or a question of her service.

Orders, Ordinances, and Resolutions

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

Ordered That,

**\$250,000** is appropriated for the purpose of financing the repair, replacement and/or upgrade of subsurface disposal systems, or for loans to property owners for such purposes, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Mayor, City Council, and Treasurer, is authorized to borrow \$250,000 and issue bonds or notes therefor under Chapter 111, Section 127B½ of the General Laws, Chapter 29C of the General Laws or pursuant to any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor, determines that they should be issued as limited obligations and may be secured by the local system for revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor, is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and; that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project. **Motion was made to approve the first reading and move to a second reading. So Voted.**

New Business:

Councilor Pottier stated that the street sweeper will be coming out soon. Mayor Hoye stated that it was out today.

Councilor Pottier stated that the Do Not Call List seems to not be working. **Motion was made to refer to the Congressmen's Office that the Do Not Call List isn't being enforced or something is happening that the scammers are getting through that somehow and anything that they can do to bring some relief to the residents would be greatly appreciated. So Voted.**

Councilor Croteau motioned to get a status report from the Police Chief and the Safety Officer on the intersections in East Taunton that have been under question to put up additional Stop Signs. **So Voted.**

Councilor Croteau motioned to get a status report from the Police Chief about the parking garage. **So Voted.**

Councilor Croteau motioned to get a timeline on the Taunton High School bleachers. **So Voted.**

Meeting adjourned at 9:40 P.M.

A true copy:

Attest:

  
City Clerk

RMB/SJS

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
MARCH 31, 2015

**THE COMMITTEE ON FINANCE AND SALARIES**

PRESENT WERE: COUNCILOR GERALD CROTEAU, CHAIRMAN AND COUNCILORS CARR AND POTTIER. ALSO PRESENT WERE CITY SOLICITOR JASON BUFFINGTON, BUDGET DIRECTOR GILL ENOS, HUMAN RESOURCE DIRECTOR MARIA GOMES, ASSISTANT D.P.W. COMMISSIONER TONY ABREU AND COTMA PRESIDENT JIM HOWLAND

**MEETING CALLED TO ORDER AT 5:46 P.M.**

1. **MEET TO REVIEW THE WEEKLY VOUCHERS AND PAYROLLS FOR CITY DEPARTMENTS**  
**MOTION: MOVE APPROVAL OF THE VOUCHERS FOR THE WEEK. SO VOTED.**
2. **MEET WITH THE MAYOR, CITY SOLICITOR, BUDGET DIRECTOR, HUMAN RESOURCE DIRECTOR, ASSISTANT DPW COMMISSIONER AND PRESIDENT OF COTMA TO DISCUSS INCREASE IN SALARY FOR THE DPW FISCAL AGENT**

IT WAS NOTED THAT THE MAYOR WAS NOT GOING TO BE ABLE TO ATTEND THIS MEETING, BUT THAT THE CITY SOLICITOR WOULD BE PRESENT.

COUNCILOR CROTEAU MADE THE FOLLOWING STATEMENT. HE STATED THAT WE ARE HERE TO DISCUSS THE SITUATION THAT BEGAN WITH THE SUBMITTED INTENT TO RETIRE ON BEHALF OF ANGELA SANTOS. AT THAT POINT OF TIME, HE WAS TOLD, THAT THE COMMISSIONER AT THE DPW HAD A PROPOSAL AND ASKED MRS. SANTOS TO STAGGER HER VACATION WITH THE INTENT TO HIRE A RÉPLACEMENT AND TO ASK HER DURING THIS STAGGERED PERIOD, WHICH WAS TO END AT THE END OF APRIL, TO TRAIN THE NEW PERSON. SUBSEQUENT TO THAT THERE WAS DISCUSSIONS THAT SUPPOSEDLY DID NOT INVOLVE THE COMMISSIONER, AND A DECISION WAS MADE FOR A \$5,000 INCREASE IN SALARY AND TO POST AND HIRE A SECOND PERSON WITH THE INTENT THAT MRS. SANTOS WAS NOT GOING TO RETIRE, WHAT TRANSPIRED BETWEEN THE INITIAL INTENT TO RETIRE AND THE SUBSEQUENT PROPOSAL, HE IS NOT CLEAR ON. HE HAS TALKED TO A NUMBER OF PEOPLE, BUT THERE IS A NEED FOR CLARITY AND THAT IS WHY THIS MEETING WAS CALLED. HE FURTHER STATED THAT HE IS GOING TO ASK MRS. CARR TO SPEAK TO THE ISSUE AS SHE MADE A MOTION AT THE LAST MEETING TO DISCUSS THE ISSUE THIS EVENING. COUNCILOR CARR STATED THAT SHE DID MAKE THE MOTION TO WITHHOLD THE NEW SALARY BECAUSE SHE HAD BEEN APPROACHED BY SEVERAL PEOPLE IN THE UNION WHO WERE UPSET BY THE FACT THAT THIS SINGULAR PERSON IN THE UNION WAS GIVEN A RAISE THAT NO ONE KNEW ABOUT. SHE WAS UPSET BECAUSE IN HER ESTIMATION, AND SHE AND THE CITY SOLICITOR HAVE DIFFERENT OPINIONS ON THIS, BUT SHE FEELS THIS WAS AN OPENING OF A CONTRACT, IT WAS A CONTRACT THAT THE COUNCIL ORIGINALLY APPROVED, THERE WAS ADDITIONAL MONIES AFFORDED TO PAY OUT FROM THAT CONTRACT, AND SHE BELIEVES THAT THE CONTRACT SHOULD HAVE COME BEFORE COUNCIL FOR APPROVAL BEFORE IT WAS APPROVED BY THE MAYOR AND PAID OUT BY THE TREASURER AND THE AUDITOR. THE MEETING WAS CALLED IN ORDER TO FULLY UNDERSTAND WHAT TRANSPIRED AND TRY TO MAKE SURE THIS DOES NOT HAPPEN AGAIN – BECAUSE THIS IS ALMOST THE SAME SITUATION WE HAD ABOUT A YEAR AND A HALF AGO – AND IT WAS THOUGHT THAT IT WAS ALL STRAIGHTENED OUT. APPARENTLY IT WAS NOT BECAUSE IT HAPPENED AGAIN.

COUNCILOR CARR CONTINUED STATING THAT SHE ASKED YESTERDAY FOR A LIST OF NAMES, IF THERE WERE ANY THAT HAD GOTTEN THE SAME TYPE OF AN UPGRADE. MRS. GOMES RETURNED AN E-MAIL SAYING THAT SHE NEEDED TIME TO WORK ON THAT. COUNCILOR CARR SAID SHE DOES NOT KNOW IF THIS IS GOOD OR BAD BECAUSE SHE WAS HOPING THAT IT WOULD BE ONLY A FEW NAMES, MAYBE IT HAPPENS RARELY, BUT PERHAPS THAT IS NOT THE CASE IF TIME IS REQUESTED TO INVESTIGATE THIS.

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COUNCILOR CARR SAID THAT SHE ASKED ALL OF THE PEOPLE PRESENT TO BE HERE BECAUSE THEIR NAMES APPEARED ON THE PAPERWORK SOMEWHERE OR THEIR POSITIONS WERE INVOLVED IN THIS UPGRADE. SHE WOULD LIKE EVERYONE TO EXPLAIN WHAT THEIR ROLE WAS IN THIS WHOLE SCENARIO. COUNCILOR CARR ASKED MRS. GOMES, SAYING THAT SHE READ THROUGH THE COTMA CONTRACT LAST NIGHT AND SHE DID NOT SEEN ANYWHERE IN THE CONTRACT THE MENTION OF AN UPGRADE COMMITTEE.

MRS. GOMES SAID THAT THIS HAS NOTHING TO DO WITH THE CITY, IT IS STRICTLY A UNION ISSUE. THEY DO NOT GET INVOLVED WITH THEIR UPGRADE COMMITTEE.

COUNCILOR CROTEAU ASKED, IF HUMAN RESOURCES DID NOT GET INVOLVED, THEN WHERE DID THE REQUEST COME FROM FOR THE SALARY INCREASE. ARE WE SAYING THAT THE REQUEST WAS INITIATED BY MR. HOWLAND? WHO INITIATED THE REQUEST.

MRS. GOMES SAID THAT SHE COULD ANSWER THAT, BUT THE QUESTION SHE THOUGHT MRS. CARR WAS ASKING WAS ABOUT AN UPGRADE COMMITTEE AND THAT THE CITY DOES NOT HAVE ANY INVOLVEMENT IN THE UNION UPGRADE COMMITTEE. SHE DOES NOT EVEN KNOW HOW IT WORKS OR WHO IS ON THE COMMITTEE.

COUNCILOR CROTEAU SAID THEY WERE TOLD THAT THE REASON THE \$5,000 SALARY INCREASE WAS PUT ON THE TABLE WAS BECAUSE AN AGREEMENT WAS MADE BETWEEN COTMA AND THE CITY.

MRS. GOMES SAID THE CITY DEALS DIRECTLY WITH THE COTMA PRESIDENT AND HOW THEY DEAL WITH THEIR INTERNAL ORGANIZATION IN DOING UPGRADES THE CITY DOES NOT GET INVOLVED WITH. THAT IS A UNION ISSUE. MAYBE THE PRESIDENT OF THE UNION CAN ANSWER THE QUESTION REGARDING UPGRADES.

MR. HOWLAND SAID THAT COTMA DOES HAVE AN UPGRADE COMMITTEE WITHIN THE ASSOCIATION. AS FAR AS WHERE THE AGREEMENT WAS GENERATED, IT WAS NOT GENERATED ON COTMA'S BEHALF, IT CAME TO HIM BY THE CITY.

COUNCILOR CROTEAU ASKED WHERE DID IT COME FROM.

MR. HOWLAND SAID IT ENDED UP ON HIS DESK IN AN ENVELOPE. IT WAS RECEIVED BY HIM UNSIGNED FOR HIM TO REVIEW. HE SAID THAT HE DID NOT KNOW WHO SUBMITTED IT TO THE CITY, BUT IT WAS REVIEWED BY HIM.

COUNCILOR CROTEAU THEN ASKED, AFTER REVIEW, WHO DID MR. HOWLAND GET BACK TO.

MR. HOWLAND SAID HE GOT BACK TO MRS. GOMES.

COUNCILOR CROTEAU ASKED WHY HE GOT BACK TO MRS. GOMES IF IT WASN'T SIGNED?

MR. HOWLAND SAID BECAUSE SHE IS THE HUMAN RESOURCE DIRECTOR AND ANY OF THESE ISSUES WOULD GO BACK TO HER OFFICE IN ACCORDANCE WITH THE WAY THIS HAS TYPICALLY BEEN DONE.

COUNCILOR CROTEAU ASKED MRS. GOMES IF SHE KNEW WHO THE DOCUMENT THAT WAS PLACED ON MR. HOWLAND'S DESK CAME FROM.

MRS. GOMES SAID THE DOCUMENT WAS ORIGINATED IN HER OFFICE ON BEHALF OF THE MAYOR. THE ORIGINAL UPGRADE REQUEST CAME FROM FRED CORNAGLIA AND THAT DATES BACK AT LEAST 3 YEARS AGO.

COUNCILOR CROTEAU SAID WE ARE TALKING ABOUT NOW. HE UNDERSTANDS THAT MR. CORNAGLIA HAD THAT DISCUSSION SEVERAL YEARS AGO, BUT HE DID NOT HAVE IT NOW.

COUNCILOR CROTEAU CONTINUED SAYING THAT A REQUEST WAS SENT BY MRS. GOMES TO MR. HOWLAND.

MRS. GOMES SAID ON BEHALF OF THE MAYOR.

COUNCILOR CROTEAU ASKED WHAT HAPPENED THEN.

MR. HOWLAND SAID IT WAS REVIEWED, THE ITEMS THAT WERE LISTED WERE ALL IN COTMA'S FAVOR SO HE AGREED TO IT AND IT WAS SENT BACK FOR MRS. GOMES SIGNATURE AND AUTHORIZATION.

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MRS. CARR THEN STATED "MR. HOWLAND, YOU ARE IN THE HABIT OF JUST MAKING AN AGREEMENT ON BEHALF OF YOUR UNION WITHOUT YOUR UNION MEMBERSHIP VOTING ON THAT AGREEMENT?"

MR. HOWLAND SAID THAT HE IS NOT WILLING TO DISCUSS THE OPERATIONS OF COTMA AT THIS TABLE.

MRS. CARR SAID SHE DOES NOT REALLY UNDERSTAND WHY MR. HOWLAND WOULD NOT DISCUSS IT BECAUSE IF SHE WERE A MEMBER OF THE ASSOCIATION SHE WOULD BE VERY CONCERNED.

MR. HOWLAND SAID THE MEMBERSHIP HAS A WAY TO DEAL WITH THIS IF THEY CHOOSE TO.

COUNCILOR CARR THEN ASKED IF MR. HOWLAND WAS WILLING TO TELL THE COMMITTEE HOW THE UPGRADE COMMITTEE WAS FORMED.

MR. HOWLAND SAID THERE IS AN UPGRADE COMMITTEE ELECTED BY THE UNION.

COUNCILOR CROTEAU ASKED IF MR. HOWLAND HAD A MEETING WITH THE UPGRADE COMMITTEE.

MR. HOWLAND SAID HE DID NOT..

COUNCILOR CROTEAU SAID TO MR. HOWLAND "SO YOU MADE THIS DECISION ENTIRELY ON YOUR OWN?"

MR. HOWLAND SAID NOT ENTIRELY, BUT HE DID NOT INCLUDE THIS AS AN UPGRADE WITH THE UPGRADE COMMITTEE BECAUSE OF THE CHANEL THAT IT TOOK TO GET TO HIM. THERE IS A PROCESS THAT HE WOULD NORMALLY USE THAT WAS FOLLOWED OVER THE LAST COUPLE OF YEARS. THAT WOULD BE TYPICALLY THAT REQUESTS WOULD COME FROM A DEPARTMENT HEAD TO COTMA AS THE ASSOCIATION, THEY WOULD BE VETTED BY THE UPGRADE COMMITTEE, APPROVED AND THEN FORWARDED FROM HIM TO THE CITY.,

COUNCILOR CROTEAU ASKED WHAT WAS DIFFERENT WITH THIS ONE.

MR. HOWLAND SAID THIS ONE CAME DIRECTLY FROM THE CITY TO HIM, IT WAS NOT GENERATED THROUGH THE OFFICE OR THROUGH THE DEPARTMENT TO COTMA.

HE FURTHER SAID THAT IF THE CITY OFFERS A MEMBER A RAISE, HE WOULD BE SILLY NOT TO SAY YES. IS IT EXPECTED THAT I WOULD ASK THE CITY NOT TO GIVE ONE OF HIS MEMBERS A RAISE.

COUNCILOR CROTEAU SAID YES, BECAUSE EVERYTIME YOU DO THAT YOU SET A PRECEDENT.

COUNCILOR CROTEAU ASKED MR. HOWLAND IF HE HAD AN EXECUTIVE BOARD. MR. HOWLAND SAID YES.

COUNCILOR CROTEAU SAID THAT THERE WERE AT LEAST 2 PEOPLE ON THE EXECUTIVE BOARD WHO KNEW NOTHING ABOUT THIS.

MR. HOWLAND SAID THAT IS POSSIBLE.

COUNCILOR CARR SAID SHE FINDS THIS A LITTLE TROUBLING. HER BIGGEST ISSUE IS THAT SHE FELT THAT THIS CONTRACT, AND IT IS A CONTRACT AND IT DID REQUIRE A \$5000 INCREASE IN SALARY, AND MAYBE ONLY \$2500 WAS FOR THIS FISCAL YEAR, WAS NEGOTIATED AND SIGNED BY THE MAYOR AND THE COTMA UNION WITHOUT THE KNOWLEDGE OF THE CITY COUNCIL. AGAIN, SHE WILL STATE THAT THEY APPROVED THE ORIGINAL CONTRACT AND THE COUNCIL APPROVES ALL THE CONTRACTS FOR ALL CITY EMPLOYEES. SHE DOES NOT FEEL, WHEN THERE IS A CHANGE TO IT, THAT SHOULD BE ANY DIFFERENT. SHE FURTHER STATED THAT THIS IS NOT MR. HOWLAND'S ISSUE, IT IS AN ISSUE WITH THE MAYOR'S OFFICE. AND HUMAN RESOURCES PERHAPS, AND SHE HOPES THAT SHE WILL GET TO THAT.

COUNCILOR CARR NOTED THAT ON THE ADDENDUM THAT WAS SIGNED, IF YOU LOOK AT THE SALARY FOR THE FISCAL AGENT/ADMIN. ASSISTANT DPW, WHEN YOU GO TO STEP 7 WHICH IS MRS. SANTOS CURRENT SALARY SHE BELIEVES, THE NEXT STEP THE SALARY GOES DOWN.

MRS. GOMES SAID THIS IS A TYPOGRAPHICAL ERROR THAT WAS DISCOVERED AFTERWARDS. IT HAS BEEN CORRECTED. THERE IS A STANDARD PERCENTAGE BETWEEN THOSE STEPS. IT WAS CLARIFIED THAT THE FISCAL AGENT/ADMIN. ASSISTANT DPW TITLE WAS CHANGED TO FISCAL AGENT DPW OPERATIONS. THERE IS NO ONE IN THE FISCAL AGENT/ADMIN. ASSISTANT DPW POSITION.

COUNCILOR CARR SAID THAT AT ONE TIME THEY HAD ON THEIR DESKS A JOB POSTING FOR SOMEBODY CALLED AN OFFICER MANAGER POSITION, WHICH SHE JUST ASSUMED THAT THIS WAS MRS. SANTOS

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POSITION AND SINCE SHE WAS RETIRING THIS WAS TO FILL HER POSITION. AS COUNCILOR CARR INVESTIGATED SHE FOUND OUT THIS WAS NOT THE CASE AND THAT THE OFFICE MANAGER WAS A WHOLE NEW POSITION. SHE ASKED WHO DID THE JOB DESCRIPTIONS THAT WERE ON THE OFFICE MANAGER POSTING BEFORE.

MR. ABREAU SAID THE JOB DESCRIPTIONS COME FROM HUMAN RESOURCES SO HE DOES NOT KNOW. COUNCILOR CARR THEN WENT THROUGH THE LIST OF JOB DUTIES THAT WERE ON THE POSTING FOR THE OFFICE MANAGER AND THE MAJORITY OF THEM WERE STATED BY THE ASSISTANT DPW COMMISSIONER AS BEING DONE BY MRS. SANTOS.

COUNCILOR CARR NOTED THAT THEY ARE PRETTY MUCH ALL DONE BY MRS. SANTOS, SO IF THESE DUTIES ARE BEING GIVEN TO AN OFFICE MANAGER, WHAT IS MRS. SANTOS GOING TO DO NOW? COUNCILOR CARR FURTHER STATED THAT A POSITION IS BEING CREATED IN EXCESS OF \$50,000 AND THAT PERSON WILL BE DOING EVERYTHING THAT MRS. SANTOS DID, SO WHAT IS IT NOW THAT MRS. SANTOS IS NOW GOING TO BE DOING.

THE ASSISTANT DPW COMMISSIONER SAID HE HAS NOT SEEN THE JOB POSTING HIMSELF.

COUNCILOR CARR SAID NOBODY HAS SEEN A JOB POSTING FOR THE POSITION BECAUSE NO ONE KNEW IT EXISTED. SHE FURTHER NOTED THAT ATTACHED TO THE MEMORANDUM OF AGREEMENT THERE WAS A RED LINED DOCUMENT WHICH WAS CHANGED FOR THE PURPOSE OF THE CONTRACT, BUT SHE WOULD LIKE TO KNOW WHAT EXACTLY THIS NEW POSITION IS GOING TO DO. SHE ASKED MRS. GOMES FOR A JOB DESCRIPTION FOR THE FISCAL AGENT DPW OPERATIONS BECAUSE EVERYTHING ON THE LIST MRS. SANTOS DID BEFORE.

COUNCILOR CROTEAU AS A POINT OF INFORMATION SAID THAT HE IS CONCERNED WHEN MRS. GOMES MAKES REFERENCE TO IT BEING NEGOTIATED BETWEEN THE MAYOR'S OFFICE AND THE UNION BECAUSE IT SOUNDS TO HIM THAT IT WAS AN INDEPENDENT DECISION MADE BY THE PRESIDENT OF THE UNION AND THE UNION WAS NOT INVOLVED AT ALL.

MRS. GOMES SAID SHE IS NOT GOING TO COMMENT ON THIS AS SHE HAS NO INVOLVEMENT IN THIS. COUNCILOR CROTEAU NOTED THAT MRS. GOMES SAID THAT THIS WAS A CONTRACT NEGOTIATED BETWEEN THE UNION AND THE CITY, BUT IT WAS NOT.

MRS. GOMES SAID SHE WOULD CORRECT HERSELF. THAT WAS THE JOB DESCRIPTION THAT WAS ATTACHED TO THE DOCUMENTATION. IT WAS SENT OVER TO THE UNION REGARDING THE UPGRADE AND THE SECOND MOA THAT WAS CREATED CONDENSED 4 OFFICE MANAGER POSITIONS WITHIN THE DEPARTMENT OF PUBLIC WORKS INTO 1 OFFICE MANAGER POSITION.

COUNCILOR CROTEAU THEN SAID TO MRS. GOMES THAT SHE THEN HAD NO REASON TO QUESTION WHETHER THIS WAS A VOTE BY THE UNION EXECUTIVE COMMITTEE.

MRS. GOMES SAID THEY HAVE NEVER ASKED THAT QUESTION.

COUNCILOR CROTEAU SAID HE ALWAYS ASKED FOR THINGS IN WRITING FROM UNIONS.

COUNCILOR CARR NOTED THAT IN THE MOA IF SHE GOES TO PRIMARY AND ESSENTIAL DUTIES AND RESPONSIBILITIES, THE FIRST ONE SAYS COORDINATES THE FINANCIAL AFFAIRS OF THE DPW COMMISSIONER'S OFFICE AND ITS DIVISIONS THAT ARE DIRECTLY MANAGED BY THE COMMISSIONER. IT SEEMS TO HER THAT SOMETHING IN THE OFFICE MANAGER'S POSTING LOOKS THE SAME. SHE IS CONCERNED ABOUT WHAT THE DIFFERENCE IS BETWEEN THESE 2 POSITIONS. SHE WOULD LIKE TO HAVE A LIST OF DUTIES SIMILAR TO THE POSTING RATHER THAN A RED LINED LIST FOR THE 2 POSITIONS.

**MOTION: THAT THE COMMITTEE ON FINANCE AND SALARIES BE PROVIDED A LIST OF DUTIES FOR THE FISCAL AGENT DPW OPERATIONS. SO VOTED.**

COUNCILOR CARR THEN ASKED HOW DO WE RESOLVE THE ISSUE OF THE CONTRACT? SHE ASKED HOW MANY TIMES THIS HAS BEEN DONE IN THE PAST FOR OTHER EMPLOYEES? SHE HAD PREVIOUSLY ASKED FOR THIS INFORMATION FOR THE PAST 2 YEARS.

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MRS. GOMES SAID IN THE AREA OF 12-15.

THESE ARE NOT JUST COTMA, THEY ARE 1144 ALSO.

COUNCILOR CARR ASKED IF THERE ARE ANY EMPLOYEE OUTSIDE OF THEIR NORMAL 3 YEAR APPROVED CONTRACT, WHO CAME IN SOMEWHERE IN THE MIDDLE AND ASKED FOR AN INDIVIDUAL UPGRADE. SHE WOULD LIKE TO HAVE A LIST OF THOSE PEOPLE AND ALSO THE AMOUNT OF MONEY ASSOCIATED WITH THE UPGRADE AS WELL. SHE WOULD LIKE TO SEE WHAT IS GIVEN OUT WITH NO APPROVAL FROM THIS BODY IN MONEY.

COUNCILOR CARR ASKED MR. ENOS HOW IT IS THAT WE ARE ABLE TO PAY THESE PEOPLE WITH MONEY THAT IS NOT BUDGETED IN THEIR SALARY LINE ITEM.

MR. ENOS NOTED THAT IF THE DEPARTMENT HEAD HAD EXTRA MONEY IN THE SALARIES AND WAGES LINE ITEM HE DID NOT HAVE TO COME IN TO REQUEST FUNDS. IF A TRANSFER HAD TO BE DONE IT WOULD HAVE COME IN FRONT OF FINANCE AND SALARIES.

COUNCILOR CARR THEN ASKED MR. ENOS WHAT HE WOULD DO NORMALLY AS A BUDGET DIRECTOR IF THIS CONTRACT WAS SIGNED, WOULD HE AUTOMATICALLY PUT IN A REQUEST FOR TRANSFER OR WOULD HE WAIT UNTIL ALL OF THE SALARY HAD BEEN EXHAUSTED AND THEN ASK FOR THE ADDITIONAL MONEY NEEDED.

MR. ENOS SAID HE WOULD NOT DO IT RIGHT AWAY, BECAUSE HE DOESN'T GET THE CODE SHEET RIGHT AWAY. HE GETS IT AFTER THE FACT WITH THE SIGNED MOA. HE WOULD NOTIFY THE DEPARTMENT TO PUT A TRANSFER IN

COUNCILOR CROTEAU SAID THAT HE DOES NOT RECALL MR. ENOS COMING BEFORE THIS COMMITTEE SINCE JANUARY WITH A REQUEST FOR MONEY FOR AN UPGRADE. HE THEN ASKED IF WE ARE TALKING ABOUT UPGRADES THAT WERE AGREED TO DURING CONTRACT NEGOTIATIONS, OR ARE WE TALKING ABOUT UPGRADES THAT WERE AGREED TO BY SOMEBODY - HE IS KIND OF CONFUSED AS TO WHO AGREES TO UPGRADES - BEFORE THE BUDGET WAS PUT TOGETHER SO THAT THE UPGRADE WAS INCLUDED IN THE BUDGET OR ARE WE TALKING ABOUT UPGRADES DURING THE FISCAL YEAR AND MONEY HAD TO BE FOUND SOMEPLACE. IF WE ARE TALKING ABOUT UPGRADES THAT TOOK PLACE AFTER JULY 1<sup>ST</sup> AND MONEY HAD TO BE FOUND BECAUSE IT WAS NOT BUDGETED, THEN THAT IS A PROBLEM.

COUNCILOR POTTIER NOTED THAT THERE WERE A NUMBER OF UPGRADES FUNDED IN THE SUPPLEMENTAL BUDGET.

COUNCILOR CROTEAU SAID THAT HE IS CONCERNED WITH THOSE THAT WERE NOT IN THE BUDGET OR THE SUPPLEMENTAL BUDGET. HE ALSO STATED THAT HE HAS NEVER HEARD OF A PRESIDENT OF A UNION MAKING AN AGREEMENT WITH THE EMPLOYER.

COUNCILOR CARR CONTINUED STATING THAT SHE IS SPECIFICALLY REFERRING TO THIS POSITION WHICH WAS NOT BUDGETED FOR, WAS NOT IN THE SUPPLEMENTAL BUDGET, AND DID REQUIRE ADDITIONAL FUNDS TO SUPPORT. SHE SAID THAT SHE IS ASSUMING, AND SHE KNOWS THAT THERE ARE 4 PEOPLE IN THE DEPARTMENT AND THEY HAVE BEEN THERE ALL YEAR, SO UNLESS THEIR SALARIES WERE PADDED, WE KNOW THERE IS NO MONEY IN SALARIES AND WAGES, SO THEN IT IS COMING FROM A DIFFERENT LINE ITEM,

THE BUDGET DIRECTOR SAID THAT THEY WOULD HAVE TO TRANSFER MONEY FROM OTHER EXPENSES WITHIN THE DPW COMMISSIONER'S OFFICE TO DO THIS.

COUNCILOR CROTEAU THEN NOTED THAT A TRANSFER REQUEST HAS TO COME BEFORE THIS COMMITTEE, AND THAT THE BUDGET DIRECTOR HAS COME BEFORE THE COMMITTEE MANY TIMES. HE ALWAYS ASKS WHERE THE MONEY IS COMING FROM AND HOW MUCH IS LEFT, SO THIS \$5,000 WOULD HAVE HAD TO HAVE BEEN VOTED ON AS A TRANSFER.

MR. ENOS SAID YES, AND THAT HE HAD DRAFTED TWO LETTERS. ONE WAS REQUESTING A TRANSFER OF

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\$2,200 FROM THE DPW COMMISSIONERS OFFICE COMPUTER SOFTWARE TO DPW COMMISSIONER'S OFFICE FISCAL AGENT IN ORDER TO COVER THE REQUESTED SALARY INCREASE AND A SECOND LETTER THAT STATED IN ORDER TO FUND THAT PORTION OF THE MOA WITH COTMA THAT ALSO ELIMINATED 4 OTHER DPW OFFICE MANAGERS, HE RESPECTFULLY REQUESTS \$13,471.20 FOR THE NEW POSITION OF OFFICE MANAGER – DPW FROM THE RESERVE ACCOUNT. THE SAME MOA ALSO ESTABLISHED THE POSITION OF ELECTRICAL INSPECTOR IN THE BUILDING DEPARTMENT, BUT THIS PORTION OF THE MOA WAS ALREADY FULLY FUNDED.

COUNCILOR CARR CONTINUED NOTING THAT THE MONEY WAS COMING FROM OTHER EXPENSES. SHE FURTHER SAID THAT WHEN SHE SPOKE TO THE DPW COMMISSIONER HE WAS PRETTY MUCH UNAWARE OF THE UPGRADE. SO, BEFORE AN UPGRADE GOES THROUGH, DO WE NOT FIGURE OUT WHERE THE MONEY IS COMING FROM FIRST?

MR. ENOS SAID THIS SHOULD BE DONE.

COUNCILOR CARR THEN ASKED IF THIS WAS DONE PRIOR OR WAS IT DONE POST.

MR. ENOS SAID IT WAS DONE POST BECAUSE HE WAS NOTIFIED AFTER THE FACT.

COUNCILOR CARR THEN SAID IT SEEMS TO HER THAT THIS WAS DONE UNDER SOME TYPE OF CLOAK OF DARKNESS. NOBODY KNOWS WHATS GOING ON AND EVERYTHING IS DONE OUT OF THE ORDINARY AND IT REALLY RAISES SUSPICION. SHE CAN UNDERSTAND WHY PEOPLE ARE UPSET ABOUT THIS ESPECIALLY THE MEMBERS OF THE UNION. THE MEMBERS OF THE UNION ARE STILL RESIDENTS OF THE CITY AND TAXPAYERS IN THE CITY AND THEY DESERVE TO BE TREATED FAIRLY. SHE ALSO SAID THAT THE UNION MEMBERS, IN HER OPINION, HAVE SOME ISSUES TO ADDRESS ALSO.

COUNCILOR CARR ALSO SAID THAT GOING THROUGH ORDINANCES, ONE ORDINANCE SHE DID SEE WAS 6-50 WHICH STATES THAT *THE CITY AUDITOR SHALL INFORM THE MUNICIPAL COUNCIL IN WRITING OF ALL SALARY AND WAGE INCREASES GRANTED IN ANY DEPARTMENT OR OFFICE OF THE CITY, EXCEPT SUCH AS HAVE BEEN PREVIOUSLY AUTHORIZED BY THE MUNICIPAL COUNCIL.* THIS WOULD BE A PRIME EXAMPLE OF SUCH. SHE ALSO STATED THAT SHE DOES NOT THINK, IN THE YEARS SHE HAS BEEN HERE, THAT SHE HAS EVER RECEIVED SUCH A NOTIFICATION.

**MOTION: THAT THE FINANCE AND SALARIES COMMITTEE NOTIFY THE CITY AUDITOR THAT SHE SHOULD REFERENCE CITY ORDINANCE SECTION 6-50 TO REPORT ALL SALARY INCREASES TO THE CITY COUNCIL GOING FORWARD WHICH HAVE NOT BEEN PREVIOUSLY APPROVED BY THE CITY COUNCIL.**

COUNCILOR POTTIER SECONDED THE MOTION ON DISCUSSION. HE ASKED WHO ACTUALLY CODES IN THE SALARIES WHEN THERE ARE CHANGES.

MRS. GOMES SAID EACH DEPARTMENT INITIATES A CODE SHEET. THESE GO TO THE AUDITOR AND THE TREASURER.

THE CITY SOLICITOR STATED THAT FOR THE LAST SEVERAL WEEKS THIS COMMITTEE HAS SIGNED THE PAYROLL WARRANT.

COUNCILOR POTTIER STATED THAT HE DOES NOT MEMORIZE A THOUSAND SALARIES SO JUST LOOKING AT THE WARRANT THE COMMITTEE WOULD NOT BE ABLE TO TELL IF THERE WERE ANY SALARY INCREASES.

COUNCILOR CARR ALSO STATED THAT DEPARTMENT HEADS NEED TO REVIEW THE CHARTER AND THE ORDINANCES SO THAT THEY ARE AWARE OF WHAT THEIR RESPONSIBILITIES ARE AS WELL.

COUNCILOR CROTEAU SAID THAT WHEN A UNION AND MANAGEMENT SIT DOWN AND MAKE A SEPARATE AGREEMENT WITH AN INDIVIDUAL OVER A SALARY INCREASE - THAT IS A CONTRACT. HE ALSO EXPECTS TO BE NOTIFIED IF SOMETHING IS CHANGING IN THE PAYROLL BECAUSE HE IS NOT GOING TO GO THROUGH HUNDREDS OF PAYROLLS.

COUNCILOR CARR SAID AT THIS POINT SHE DOES NOT KNOW WHAT THE NEXT STEP IS. SHE AT THIS

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POINT DOES NOT FEEL COMFORTABLE VOTING ON THIS. SHE ALSO NOTED THAT LAST WEEK THERE WAS ANOTHER POSTING ON THE COUNCILORS DESKS. SHE ASKED MRS. GOMES WHY THEY RECEIVED A SECOND COPY OF THE NEW OFFICE MANAGER POSTING.

MRS. GOMES SAID THE POSTING WAS EXTENDED FOR AN EXTRA 30 DAYS.

COUNCILOR CARR ASKED IF PEOPLE APPLIED FOR THE JOB.

MRS. GOMES SAID SOME PEOPLE DID APPLY FOR THE JOB BUT THEY DID NOT HAVE A LARGE POOL OF CANDIDATES SO THEY EXTENDED THE POSTING. HOWEVER, AS OF TODAY THAT POSTING WAS WITHDRAWN – SHE WAS ASKED BY THE MAYOR TO WITHDRAW THE POSTING.

COUNCILOR CROTEAU THEN ASKED MR. ENOS ABOUT THE LETTERS HE SUBMITTED, ONE OF WHICH WAS FOR \$13,000 FOR THE OFFICE MANAGER POSITION. COUNCILOR CROTEAU ASKED WHY ARE THEY BEING ASKED FOR \$13,000 FOR THE OFFICE MANAGER POSITION IF IT HAS BEEN WITHDRAWN.

MR. ENOS SAID HE JUST FOUND OUT ABOUT THAT JUST NOW.

COUNCILOR CARR SAID THAT SHE IS NOT COMFORTABLE VOTING ON THIS TODAY, SHE IS NOT IN FAVOR OF THIS IF THE UNION DOES NOT TAKE A VOTE. IT IS HER PERSONAL BELIEF THAT THIS IS A WAY TO CIRCUMVENT THE NEGOTIATION WHEN YOU CAN'T GET SOMETHING THROUGH THE GENERAL BODY, YOU ARE GOING TO GET WHAT YOU CAN GET THROUGH AND GO BACK LATER AND GET PIECES WHERE YOU WANT THEM. SHE DOES NOT THINK THAT IS THE FAIR WAY TO DO IT.

THE CITY SOLICITOR SAID THAT THIS IS NOT WHAT HAPPENED.

COUNCILOR POTTIER FOR THE RECORD SAID THAT HE HAS RESPECT FOR THE EMPLOYEE IN QUESTION AND SHE HAS MANY YEARS OF SERVICE TO THE CITY AND THIS IS NO REFLECTION ON HER WORK.

ATTORNEY BUFFINGTON SAID THAT THERE IS OBVIOUSLY SOME MEMBERS OF COTMA THAT ARE NOT PLEASED WITH ANOTHER MEMBER OF COTMA GETTING AN INCREASE. THIS IS AN INTERNAL UNION ISSUE. REGARDING THE UPGRADE COMMITTEE THAT WAS SPOKEN OF EARLIER, THAT WOULD NEVER BE FOUND IN THE UNION CONTRACT WITH THE CITY AS IT IS ONE OF SEVERAL SUB-COMMITTEES SET UP AND THEY ARE FREE TO CONDUCT THEIR INTERNAL AFFAIRS WITHOUT INTERFERENCE FROM THE CITY, JUST LIKE THE CITY IS ABLE TO CONDUCT ITS INTERNAL AFFAIRS WITHOUT UNION TELLING IT WHAT TO DO. HE CONTINUED BY STATING THAT THIS WAS AN AGREEMENT THAT WAS ENTERED INTO PURSUANT TO THE COLLECTIVE BARGAINING STATUTE. THE UNION MEMBERS SELECT A REPRESENTATIVE TO NEGOTIATE AGREEMENTS COVERING ALL MEMBERS OF THE UNION. THERE IS DISCONTENT THAT MR. HOWLAND SIGNED AN AGREEMENT ON BEHALF OF THE UNION. HE FURTHER NOTED THAT THE UNION ATTORNEY CONFIRMED THAT THE PRESIDENT'S SIGNATURE ON THESE TYPES OF DOCUMENTS IS NOT UNUSUAL. THE CITY SHOULD REFRAIN FROM ENGAGING IN INTERNAL UNION DISPUTES. HE FURTHER STATED THAT THE LAW SAYS THE MAYOR MAKES AN AGREEMENT WITH THE EXCLUSIVE REPRESENTATIVE OF THE UNION AND IF THERE IS A COST ITEM THEN IT COMES BEFORE THE COUNCIL. IN THIS PARTICULAR CASE, THE COST ITEM WOULD BE WHETHER OR NOT THERE IS AN APPROPRIATION NECESSARY TO FUND THIS, SO YES IN THIS INSTANCE THERE IS A COST TO INCREASE THE FISCAL AGENT UPGRADE AND FOR THE OFFICE MANAGER. HE ALSO SAID NOT TO FORGET THAT SOME OF THIS WAS DONE DURING THE RE-ORGANIZATION OF THE DPW AND 4 POSITIONS WERE ABOLISHED, THE OFFICE MANAGERS FOR THE DPW, WATER, SEWER AND STREET DEPARTMENTS.

THE CITY SOLICITOR SAID HE KNOWS THAT THE MAYOR ASKED IF THE MONEY WAS IN THE BUDGET, AND THE ANSWER WAS YES. THERE WAS MONEY IN OTHER EXPENSES, NOT IN SALARY AND WAGES AND THAT IS WHY THE BUDGET DIRECTOR SUBMITTED THE TRANSFER REQUESTS.

COUNCILOR CROTEAU SAID THAT HE AGREES WITH THE CITY SOLICITOR REGARDING THE LAW, BUT THE INTERPRETATION OF THE LAW IS THE ISSUE. THE SITUATION IS CLEAR – THERE ARE VERY FEW WORDS THAT DO NOT COST MONEY. THIS SITUATION IS VERY CLEAR. THAT REQUEST HAS TO COME BEFORE THE CITY COUNCIL, STARTING WITH FINANCE AND SALARIES, WHETHER THERE IS MONEY IN THE BUDGET OR

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**THE COMMITTEE ON FINANCE AND SALARIES - CONTINUED**

NOT. HE DOES NOT FEEL THAT THE FRAMERS OF THE CHARTER HAD IN MIND GIVING THE AUTHORITY TO THE PEOPLE WHO REPRESENT YOU TO ARBITRARILY INCREASE SALARIES. HE DOES NOT EVER RECALL AN AGREEMENT WITH A UNION WITH PRIVATE DISCUSSIONS WITH THE PRESIDENT OF THE UNION, PRIVATE DISCUSSIONS WITH THE TEACHERS ASSOCIATION, BECAUSE THE AGREEMENT ALWAYS WAS THAT THE AGREEMENT ARRIVED AT WOULD BE TAKEN BACK TO THE SCHOOL COMMITTEE AND THE UNION FOR A VOTE. HE IS NOT GOING TO SUPPORT THIS AND IT HAS NOTHING TO DO WITH THE INDIVIDUAL, BUT HE WILL NOT SUPPORT THE INCREASE IN SALARY. COUNCILOR CROTEAU ALSO SAID THAT HE HAS HAD DISCUSSIONS WITH THE COMMISSIONER. YES THERE WAS A RE-ORGANIZATION. THERE WAS ONLY ONE PROBLEM, MR. CORNAGLIA, THE COMMISSIONER OF THE DPW WAS NOT INVOLVED. THIS COUNCIL APPOINTED MR. CORNAGLIA TO DO A JOB. THIS COUNCIL GAVE MR. CORNAGLIA THE AUTHORITY TO RUN THE DPW. THIS COUNCIL HAS THE RESPONSIBILITY TO RESPECT THAT AUTHORITY. HE FURTHER NOTED THAT EVERYTHING WAS GOING OK. AN INTENT TO RETIRE WAS SUBMITTED. A SOUND ADMINISTRATIVE PLAN WAS PUT IN PLACE. THAT PLAN WAS TO ASK THE INDIVIDUAL TO TRAIN THE NEXT PERSON. SOMEHOW THIS TURNED INTO AN INCREASE IN HER SALARY AND A SECOND POSITION. HE IS NOT GOING TO SUPPORT THIS. IF THIS PERSON IS GOING TO RETIRE, THEN HER RETIREMENT NEEDS TO BE ACCEPTED. IF SHE DECIDES TO STAY, THEN SHE IS TO REMAIN AT HER PRESENT SALARY. IT WAS ASKED IF ANYONE WOULD LIKE TO ASK MR. CORNAGLIA ANY QUESTIONS, BUT NO ONE DID.

**MOTION:** TO AUTHORIZE THE DPW COMMISSIONER TO MEET WITH MRS. SANTOS TO DISCUSS AGAIN WHAT IS GOING TO HAPPEN.

THE MOTION WAS SECONDED, AND ON DISCUSSION AND COUNCILOR COSTA-HANLON NOTED THAT THERE ARE CONCERNS ABOUT THIS PROCESS AND HOPES THAT THE COMMITTEE WILL CONSIDER SOME SORT OF OVERVIEW WHEN IT COMES TO ANY TYPE OF ALLOCATION OUT OF BUDGETS NOT JUST WAGES AND HOPEFULLY CONSIDER SOME KIND OF TRAINING FOR DEPARTMENT HEADS. SHE ASKED THAT THE COMMITTEE CONSIDER A MORE DETAILED PROCESS. SHE WOULD LIKE TO SEE ONGOING EDUCATION AND OVERSIGHT OF DEPARTMENT HEADS WHEN IT COMES TO SPENDING OUTSIDE THE BUDGET AND WHAT IS A VALID CONTRACT TO ACCEPT.

COUNCILOR MARSHALL STATED THAT NO VOTE HAS BEEN TAKEN YET, BUT HE NOTED THAT THE VOTE TO FUND THE INCREASE FOR THE FISCAL AGENT IS PROBABLY NOT GOING TO PASS, BUT WE WILL WAIT AND SEE. THE OTHER POSTING HAS BEEN REMOVED WHICH IS THE OFFICE MANAGER. AND IS BEING SENT BACK TO DPW. HE WOULD LIKE TO BE INVOLVED IN THESE CONVERSATIONS AS CHAIRMAN OF THE DEPARTMENT OF PUBLIC WORKS COMMITTEE. HE ALSO SAID THAT HE DOES NOT WANT THIS TO REFLECT POORLY ON THE CURRENT EMPLOYEE BECAUSE IT IS MORE A PROBLEM WITH THE PROCESS.

**THE MOTION WAS VOTED ON AND PASSED. SO VOTED.**

**MOTION:** TO DENY BOTH REQUESTS BROUGHT BY BUDGET DIRECTOR GILL ENOS.

THE MOTION WAS SECONDED AND ON DISCUSSION, COUNCILOR POTTIER SAID THAT HE WOULD PREFER TO TABLE THESE.

COUNCILOR CROTEAU THEN ASKED FOR A MOTION TO DENY THE FUNDING FOR THE OFFICE MANAGER WHICH HAS BEEN TAKEN DOWN ANYWAY.

COUNCILOR POTTIER AGAIN NOTED THAT HE WOULD LIKE TO TABLE BOTH ISSUES, RATHER THEN DENY. COUNCILOR CLEARY NOTED THAT COUNCILOR POTTIER MAKES A GOOD POINT. WHEN THE DEPARTMENT IS PREPARING THE BUDGETS, THEY MAY POSSIBLY COME BACK WITH SOMETHING.

THE CITY SOLICITOR SAID THAT IF THE COUNCIL REJECTS THE REQUEST FOR APPROPRIATION, THEN THAT ACTION WOULD RETURN THE ISSUE BACK TO THE UNION AND THE MAYOR FOR NEGOTIATION.

COUNCILOR POTTIER SAID THAT WITH THE CITY SOLICITOR'S STATEMENT HE IS OK WITH THE MOTION TO DENY BOTH REQUESTS.

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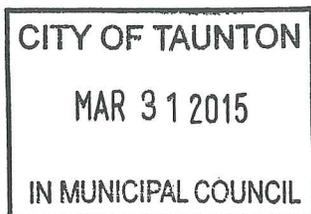
MARCH 31, 2015

THE COMMITTEE ON FINANCE AND SALARIES - CONTINUED

THE MOTION TO DENY BOTH REQUESTS BROUGHT BY BUDGET DIRECTOR GILL ENOS WAS VOTED ON AND SO VOTED.

MOTION: TO APPROVE THE PAYROLL WITH THE ADJUSTMENTS AS INDICATED WITH THIS EVENINGS VOTES WHICH IS TO PAY MRS. SANTOS AT HER PREVIOUS SALARY RATE. SO VOTED.

MEETING ADJOURNED AT 7:13 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 31, 2015

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

PRESENT WERE: COUNCIL PRESIDENT ESTELE BORGES AND COUNCILORS CARR, QUINN, MCCAUL, POTTIER, CROTEAU, COSTA-HANLON, MARSHALL AND CLEARY. ALSO PRESENT WERE LAURIE GONSALVES, DAVID GONSALVES, APRIL CABRERA, PROGRAM MANAGER WITH THE COMMUNITY AFFAIRS UNIT WITH THE BRISTOL COUNTY DISTRICT ATTORNEY'S OFFICE, BARRY SANDERS, A SOCIAL WORKER IN THE AREA, JULIETTE YEBOAH-ROOMES, A SOCIAL WORKER IN THE AREA, STATE REPRESENTATIVE SHAUNA O'CONNELL, PAUL MACHADO OF THE DISTRICT ATTORNEY'S OFFICE AND JOANNE PETERSON OF LEARN TO COPE.

**MEETING CALLED TO ORDER AT 7:39 P.M.**

**1. MEET WITH ADVISORY BOARD FORMED TO DETERMINE THE FEASIBILITY OF PUTTING A DRUG COURT IN TAUNTON**

COUNCILOR COSTA-HANLON, WHO IS A MEMBER OF THE ADVISORY COMMITTEE, STATED THAT THEY ARE WORKING ON BRINGING AN ADULT DRUG COURT TO TAUNTON. SHE IS ASKING HER FELLOW COUNCILORS, THE MAYOR, THE CHIEF OF POLICE, THE FIRE CHIEF AND ANY OTHER CITY OF TAUNTON OFFICIAL TO CONSIDER A MOTION OR A LETTER, OF RECOMMENDATION FOR THEM TO MOVE FORWARD THEIR APPLICATION.

MR. MACHADO OF THE DISTRICT ATTORNEY'S OFFICE SAID THAT IN MASSACHUSETTS THERE ARE CURRENTLY 15 SPECIALTY COURTS AND THEY ADDED 8 LAST YEAR. THE JUDICIARY HAS INDICATED THAT THEY WANT TO ADD AN ADDITIONAL 8 DRUG COURTS. THE JUDICIARY AND WITH THE ASSISTANCE OF THE LEGISLATURE PROVIDING SOME MONEY FOR SPECIALTY COURTS, HAS REALLY DECIDED AND RECOGNIZED HOW EFFECTIVE DRUG COURTS CAN BE.

MR. MACHADO SAID THAT ACCORDING TO THE FACT SHEET FROM THE MASS. COURT SYSTEM, WHICH TALKS ABOUT THE EFFECTIVENESS OF DRUG COURTS IN NOT ONLY HELPING THE PERSON BUT REDUCING CRIME AND MORE IMPORTANTLY SAVING COSTS. IT IS MORE COST EFFECTIVE TO PROVIDE TREATMENT THEN INCARCERATION.

HE FURTHER NOTED THAT DRUG COURTS STARTED 26 YEARS AGO IN MIAMI. IT IS THE MOST STUDIED ASPECT OF THE JUDICIAL SYSTEM. STUDIES INDICATE IT IS EXTREMELY EFFECTIVE WHEN RUN CORRECTLY. MR. MACHADO STATED THAT LAST YEAR IT WAS DECIDED THAT THE JUDICIARY WANTED TO EXPAND 8 MORE DRUG COURTS. AN ADVISORY COMMITTEE WAS FORMED AND THE COMMITTEE CAN MAKE A CASE FOR LOCATING THE DRUG COURT IN THAT COMMUNITY. THEY ARE CURRENTLY IN THE ADVOCACY STAGE FOR A TAUNTON DRUG COURT.

HOW PEOPLE ARE REFERRED TO DRUG COURT IS CHANGING. THE FOCUS NOW IS TO FIND OFFENDERS EARLIER EVEN PRE-DISPOSITION. MR. MACHADO NOTED THAT MANY INCARCERATED 18 AND 19 YEAR OLD HAVE BEEN PRESCRIBED MEDICATION AFTER AN INJURY. WHEN THEY ARE INCARCERATED IT IS MORE DIFFICULT FOR THEM TO TURN THEIR LIFE AROUND. WHEN THEY COME OUT, THEY CANNOT GET A JOB AND OFTEN RELAPSE. MANY OF THOSE WHO RELAPSE ARE WAITING TO GET TREATMENT. WHEN THEY ARE INCARCERATED THEY ARE NOT GETTING THE TREATMENT NEEDED SO THEY TEND TO RELAPSE. A DRUG COURT WOULD BE A TOOL IN THE ARSENAL AND IT IS HAVING A POSITIVE EFFECT. DRUGS DO NOT DISCRIMINATE, AND SHORT TERM TREATMENT DOES NOT WORK. IT IS IMPORTANT THAT THE LEGISLATURE HAS PARTNERED WITH THIS. DRUG COURTS OFFER STRONGER SUPPORT AND SUPERVISION SO IT IS A GOOD INVESTMENT TO MAKE.

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

THE MAYOR THEN SPOKE AND STATED THAT THE DRUG COURT HAS HIS SUPPORT AND IS AN IMPORTANT PIECE OF THIS PUZZLE. HE IS WILLING TO GO ANYWHERE TO SPEAK ON THIS MATTER IF NEEDED. COUNCILOR CLEARY SAID THAT THIS IS AN EXCELLENT RESOURCE TO FIGHT A SERIOUS PROBLEM. MR. MACHADO NOTED THAT IF THE FUNDING IS AVAILABLE, A DECISION REGARDING THE DRUG COURT WOULD PROBABLY BE MADE IN JULY. THE JUDICIARY WILL DECIDE WHERE TO LOCATE AND THE ADVISORY COMMITTEE WANTS TO MAKE IT KNOWN THAT TAUNTON WANTS AND HAS A NEED TO HAVE A DRUG COURT HERE.

COUNCILOR CLEARY ASKED IF A SAMPLE LETTER OF SUPPORT COULD BE PROVIDED TO THE CLERK SO THAT THE COUNCILORS COULD SIGN IN SUPPORT OF THE DRUG COURT. HE IS SUGGESTING THAT ONE BE SENT TO EACH OF THE SPECIALTY COURT PERSONNEL.

**MOTION: THAT IT GO ON RECORD THAT THE TAUNTON MUNICIPAL COUNCIL IS IN SUPPORT OF THE PROPOSAL AND ADVOCATING FOR A DRUG COURT IN THE CITY OF TAUNTON.**

**THE MOTION WAS SECONDED.**

ON DISCUSSION COUNCILOR MARSHALL STATED THAT HE WOULD LIKE THE COUNCIL TO ALSO ADVOCATE FOR A JUVENILE DRUG COURT. HE SAID IT WOULD BE EXTREMELY HELPFUL TO HAVE A JUVENILE DRUG COURT HERE.

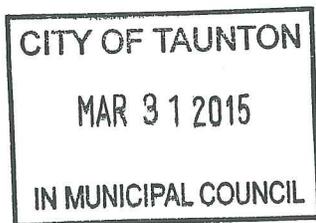
MR. MACHADO SAID THAT THERE IS ONE IN NEW BEDFORD AND ONE IN FALL RIVER. THESE ARE THE ONLY 2 IN MASSACHUSETTS. HE SAID THAT THEY ARE ADDING A JUVENILE DRUG COURT IN TAUNTON WHICH WILL SERVE ATTLEBORO. IT WILL NOT BE ABLE TO SERVE CLIENTS UNTIL OCTOBER.

**THE MOTION WAS VOTED ON AND PASSED BY UNANIMOUS VOTE. SO VOTED.**

COUNCILORS MCCAUL, QUINN AND BORGES ALL VOICED THEIR SUPPORT OF THIS MATTER.

COUNCILOR COSTA-HANLON NOTED THAT THEY HAVE THE SUPPORT OF THE CHIEF OF POLICE, JENNIFER BASTILLE OF THE SAFE NEIGHBORHOOD INITIATE, AND SAID THAT A LETTER FROM THE POLICE CHIEF WOULD BE HELPFUL ALSO.

**MEETING ADJOURNED AT 8:32 P.M.**



RESPECTFULLY SUBMITTED,

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

CITY CLERK