



*City of Taunton
Municipal Council Meeting Minutes*

~

*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, April 14, 2015 at 8:30 O'clock P.M.*

Regular Meeting

Mayor Thomas C. Hoye, Jr. presiding

Prayer was offered by the Mayor

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

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

**Motion was made to go out of regular order of business to Mayor's Communication.
So Voted.**

Communications from the Mayor:

Mayor Hoye announced the continuation of the paving schedule which will be done with the remainder of the Chapter 90 money that Governor Baker released. This does not include the \$500,000.00 that was authorized in the supplemental budget. He stated that there will be \$1.4M of Chapter 90 money in the FY16 budget. He stated that the list is already being worked on. He stated that with the remainder of the Chapter 90 money, there will be additional roads added. 1. Cohannet Street from Highland Street to Warner Blvd.; 2. Eldridge Street; 3. Hamilton Street from Adams to Hopewell Street; 4. Highland Street from Oak Ct. to Fisher St; 5. Myricks Street from Exit 10 to the Lakeville Town Line; 6. Plain Street from Pratt Street to Berkley Street and 7. Pratt Street from Plain Street to 36 Pratt Street. He stated that it will be up on the website tomorrow. Another street that needs to be addressed very quickly is Dana Street. Mayor Hoye invited everyone to the Opening Ceremonies Saturday at noon at Taunton Western Little League. Mayor Hoye stated that Taunton Eastern Little League President A.J. Marshall announced the Opening Ceremonies next Saturday at noon at the Taunton Eastern Little League. Mayor Hoye stated that the Opening Ceremonies for Taunton Girls Softball is at noon also. He stated that he will be at the softball opening ceremonies because he is a coach. He stated that Minor League opening ceremonies at Taunton West Little League is right after that. Mayor Hoye stated that Earth Day is April 25, 2015 and he encouraged residents to organize their own Earth Day projects. He has gotten inquiries about certain neighborhoods. The bags can be picked up behind Marion Manor at 9am. Mayor Hoye wished Craig Silvia a Happy 50th Birthday.

Motion was made to go back to the regular order of business. So Voted.

HEARING:

Upon the petition of Attorney David T. Gay, Gay & Gay PC, 73 Washington St., Taunton on behalf of his client, Martignetti Corporation and others to discontinue in part and modify the layouts of Pioneer Way and Charles F. Colton Road, public ways and Dever Drive which is a private way, in the City of Taunton. Com. from City Engineer submitting a recommendation that the Municipal Council approve the following, as shown on the accompanying plans: 1. Discontinue a portion of Pioneer Way and the associated access and utility easement; 2. Discontinue a portion of Charles F. Colton Road; 3. Accept the alteration of Pioneer Way; 4. Accept the alteration of Charles F. Colton Road. **Councilor Cleary made a motion to make part of the hearing. So Voted.** Com. from Planning Board forwarding a positive recommendation to discontinue and modify the layout of Pioneer Way in accordance with the plan submitted and abandon the appurtenant utility easement, both with the condition that if the new turn-around has to be constructed it will be constructed to Planning Board standards by Martignetti Corp. or its heirs or assigns at no cost to the City. **Councilor Cleary made a motion to make part of the record, including the two or three diagrams. So Voted.** Com. from Attorney Matthew Costa stating that the office represents Martignetti Companies and they enclosed a revised discontinuance/alteration plan showing the proposed discontinuance in part and modification of the layout of Charles F. Colton Road. Also enclosed was a legal description which corresponds with the revised plan. The plan is filed on behalf of our client in accordance with the recommendations made by the Taunton Planning Board at its meeting on April 2, 2015. The only change to this plan, compared with the originally filed plan, is that the area shown as "Alteration Section 2" is to be part of the Colton Road layout instead of the Dever Drive layout, as recommended by the Planning Board. **Councilor Cleary made a motion to make part of the record. So Voted.** Attorney Matthew Costa, Taylor Dowdy, Project Manager BSC Group and Henry C. Suominen, Jr. Project Manager Commercial Construction Consulting, Inc. are present tonight. Atty. Costa stated that the two petitions with respect to Pioneer Way and Charles F. Colton Road are both made in connection with the Site Development by Martignetti Companies of a 117 acre parcel of land in the Myles Standish Industrial Park. The land is a substantial portion of the site that was formally the Paul Dever School which is being acquired by the Martignetti Companies from the Taunton Development Corp/Mass Development Corp. The site is to be used as Martignetti's corporate headquarters and as its major distribution center. The project has been through the Site Plan Review process with the Planning Board. He then discussed the Site Plan for the area that includes Pioneer Way and Charles F. Colton Road. Mayor Hoye stated that this wouldn't be necessary if several parcels were scheduled to go in this location but since Martignetti bought the whole thing that necessitated this request here tonight. Councilor Cleary stated that he had a chance to visit the site today and was given a tour by Mark Slusarz, Kevin Shea and Mike Ferreira. He stated that it is a very logical adjustment to the site. Originally, the Industrial Commission planned on dividing that site into two or three sites. The roads were designed in a way to give access, but with Martignetti coming in with such a large piece the road will not be extended. He stated that from what he could see, these are very logical adjustments that will improve the flow of traffic. Martignetti will take on a lot of responsibility maintaining the grounds, roads and the entrances including the plowing. He stated that they are going to keep Pioneer Road open and use it as their main entrance. Another entrance will be on John Hancock Rd. and Colton Rd. will be a rotary. He stated that it seems to make a lot of sense when you

look at the site and it is another step in the tremendous investment being made into the Industrial Park. He thinks that the City is continuing to have a good relationship with Martignetti and he will be voting in support of this. Councilor Pottier stated that TDC/Mass Development is in favor of this and he is certain that it is not going to adversely impact the manageability of the rest of the development. He stated that as mentioned by both Mayor Hoye and Councilor Cleary when this was first envisioned they did not realize it would be such a win-win all around going in. He is in favor of this. Councilor Marshall asked him if the discontinuance wasn't done on Colton Dr. would there still be access to the site there. He stated that there would be, there is a planned access point so the changes are intended to make the circulation work, both on and off the site and between Colton Rd. and Dever Dr. He stated that when it was looked at, the best way to manage the traffic at that point would be to design the rotary concept. Councilor Marshall stated that if the discontinuance wasn't done and the rotary was not inserted, then Dever Dr. would actually be a perpendicular intersection. He agreed. Councilor Marshall asked which way the trucks would be coming from if the main entrance is on Pioneer Way. He stated that both main entrances will be used for different purposes. The main truck entrance will be on Colton Road and the main entrance for traffic to the main office of the corporate headquarters would be on the Pioneer Way side of the building. Councilor Marshall asked if Dever Drive goes to Bay Street. Councilor Cleary confirmed and stated that based on what was said today, there will be no trucks on Dever Drive. Councilor Marshall wanted to confirm that the trucks will not go down Bay Street into the new Dever Drive and that they will have to take a right into the Myles Standish Industrial Park. He confirmed that it is the plan. Councilor Marshall discussed the route that the trucks would take in the Industrial Park. Councilor Marshall asked if there was any type of study of making it a rotary rather than a T intersection. He stated that they designed the rotary to ITE standards and it is appropriately sized. The interior curb will be sloped granite to allow trailers to ride up the curb if needed. It is appropriately sized on the outside to allow that entire movement all the way around. He stated that it was the City Engineer and the Planning Board Chair, who have experience with roundabout that suggested the process. Councilor Marshall stated that during a shift change, making a four way stop would slow things down. He explained how the roundabout would work to slow traffic down. Councilor Croteau stated that he has a concern about the property on the corner of John Hancock Blvd. and Pioneer Way. He stated that there is an existing business there, Silver City Canine Training. The building has a rear parking lot and access to that is off of Pioneer Way. His understanding from looking at the map is that Pioneer Way would be closed off because the building is actually going across Pioneer Way. He stated that access to the building will be off of Pioneer Way between the close off and Silver City Canine Training. He said that the owner is not here this evening because as an abutter, he was not notified. Councilor Croteau asked because of the change in Pioneer Way, would that adversely affect the operation of that business. He stated that the plan is not to alter that portion of Pioneer Way in anyway. He confirmed that they will continue to have access to their parking lot. Councilor Croteau questioned if Martignetti takes the responsibility of maintaining Pioneer Way does that mean they own it. He stated that they will not. Councilor Croteau wanted to confirm that the City will own Pioneer Way. He stated that it is a public way. Councilor Croteau stated that he wants to be sure that accepting responsibility does not mean ownership. He questioned if the individual has a problem with the plowing or maintenance of the road, should they call Martignetti. He stated that hopefully there won't be that problem and they will make sure that there is good communication. They will make sure that the road is properly

plowed and they will provide continuous access. Councilor Croteau stated that in looking at the map is it safe to say that there will be 800 people working in that facility. Most of them will be driving alone, so that is a few cars. He questioned if most of the traffic will go up Pioneer Way or come in from Bay Street. He stated that it should be a combination of both. A lot of the traffic issues have been worked out during the MEPA process for the overall park. He stated that the way the site is divided, the front half is dedicated towards the corporate headquarters and that would be passenger automobile traffic. The truck access is coming off of Colton Drive. Each section will be gated and each employee will have some type of card or punch access. He stated that automobile traffic will have the ability to exit in either direction. Councilor Croteau stated that he has had discussions with a number of people in the last week; he heard that there is a significant possibility that Martignetti will erect a second building in the next ten years of equal square footage of 800,000 square feet. Councilor Croteau stated that it will make a lot of automobile and truck traffic. He stated that it is important to emphasize that it was reviewed during the MEPA process and this development, including the potential future build out was contemplated in that overall square footage. Councilor Croteau stated that an 800,000 square foot building is a very large facility with 800 workers. He stated that when he heard that a second building of similar size was being contemplated it made sense why 117 acres was wanted. He stated that he wants to be sure that the property at the corner of John Hancock Blvd and Pioneer Way will not be adversely affected now or in the future because of the presence of this construction and what is being done to Pioneer Way. Councilor Quinn asked him to confirm that Lot 7, which is where the public park on Pioneer Way will be owned by Martignetti along with Lot 8 and Lot 10R. He confirmed. Councilor Quinn asked about the other lot shown as 530 John Hancock Inc. as the owner, who the business owner is. He stated that Exel Logistics is the owner. Councilor Quinn questioned if they would be affected by this. He stated that they don't use Pioneer Way as access, they use John Hancock Rd. He stated that 530 John Hancock Rd. was developed before Pioneer Road was built. He stated that they had a meeting to introduce the Martignetti development with them and make them aware of the site development that was being proposed. They are aware of the site plan. Councilor Quinn questioned if the cul-de-sac, possibly Pioneer Way and the roundabout at Colton Dr. will be maintained by Martignetti. He discussed the concepts that are shown on the site plan, including how Martignetti prefers not to build out the cul-de-sac and that Pioneer Way will travel in a straight line without the first cul-de-sac and enter the Martignetti property. There is another turn around on the Martignetti site. Councilor Quinn questioned if it was all set for fire apparatus and emergency personnel. He stated that it is correct and they have run the truck movements for emergency vehicles. Councilor Quinn stated that they would have to go before the Planning Board to change that to get permission to not build that. He confirmed. Councilor Quinn asked if they already approve that that does not have to be built. He stated that the Site Plan shows that it is not being constructed. Councilor Costa-Hanlon wanted to confirm that what they are presenting is exactly what they presented to the Taunton Planning Board on April 9th. He confirmed. Councilor Costa-Hanlon asked if they agreed to all of the stipulations and modifications of the description that Martignetti and its heirs are responsible for all construction of the round about and all future maintenance of the islands created at no cost of the City. He stated that it was all agreed to. Councilor Costa-Hanlon asked if a motion was made that the hearing be approved pending everything that the Taunton Planning Board requested, if he would be okay with that. He stated that he would be. Councilor Costa-Hanlon stated that during the MEPA process, what the assumed travel numbers of the passenger

vehicles were. He stated that he was not part of the MEPA process and that was done by TDNBC representing Martignetti. Councilor Costa-Hanlon stated that when talking about the utility easement, when she was on the Conservation Committee, she does not remember that being a utility easement. She is concerned and questioned if they have spoken to the Conservation Commission about that part of it and whether they are on board with that. She stated that as part of that development, the utility easement was very important but that is not what she recalls it being. He stated that she is correct, it is a detention infiltration pond that was designed to take, at the time, Lot 7, Lot 8 and a portion of Lot 9's runoff. The development is now contemplating consolidating all of those lots. They thought it would make sense to start over and are actually relocating the pond. He stated that they are in the middle of going through a Conservation Commission review and they don't have an order of conditions yet but are gearing up towards that goal. Councilor Costa-Hanlon wanted to confirm that the Conservation Commission would be looking at the runoff and the flow off of the property. He confirmed that it is in the process and under review right now. Councilor Costa-Hanlon stated that she usually likes the Council being the last stop in case there are any changes. She asked if there was any reason that they came before the Council before the Conservation Commission. He stated that it is Martignetti's problem to make it work and they will have to. He stated that they have gone through the site plan review process with the Taunton Planning Board and they have seen the site plans as they relate to proposed drainage. He stated that with the site plan that Martignetti has the existing easement which is labeled on the plans as a utility easement but it is for a detention basin. It doesn't work with the site plan and is inconsistent with the interest that is being sold to Martignetti companies. He stated that it is why it was recommended by the Planning Board and the City Engineer, in connection with this process, so that Martignetti can go to their closing without this encumbrance on their land. He stated that hopefully the Council would be comfortable with the input and the vetting that takes place in such a detailed level with the Conservation Commission, the Planning Board and every entity that reviews this that the drainage will work. Councilor Costa-Hanlon wanted to confirm that they need this sooner than later. She stated that she is inclined to vote on this but she knows that detention basin is working right now on that property which does not have anything on it. She stated that if the City Planner and the City Engineer think that it is a good idea, and if there is not time to get input from the Conservation Commission, she would reluctantly agree, but will state on record that she has her concerns. He stated that it is an issue of having different approvals concurrently happening. He stated that unfortunately the Conservation process can be slow but the site cannot be modified until the approvals are in place. Council President Borges wanted to confirm that the flow of the traffic is going down Colton Road and the truck traffic is going behind the building separate than the flow of the automobiles and the employees. He confirmed. Councilor Carr asked if the trucks coming to this building are owned by Martignetti or if there are independent distributors that come in to pick up. He stated that there are two types of trucks that come to the site; ones that come directly from manufacturers that deliver products which are not owned by the company and the trucks that are used to deliver product to customers are part of the Martignetti fleet. He stated that inbound trucks would be under contractors. Councilor Carr asked how they would tell the inbound trucks which roads to use. He stated that they have a bill of lading process and there will be a bill of lading address used. He stated that the Dever Road section will be posted as no trucks. The directions that they will use into the site will be through the Myles Standish Industrial Park not through Bay Street. Councilor Carr stated that as it stands today, 18 wheelers

that come up the road and try to go into a back road that is not even an access road into the park. She believes that they must be sent by the GPS because there is no other reason for them to go there. She stated that she can see people trying to come off of Bay Street and up Bassett Street. She stated that she is giving them the heads up that this could become an issue. Councilor Carr stated that it was stated that the Fire Department said that they don't have an issue with sending big trucks around the roundabout. She asked why they would want to send them around it when it looks like there would be a big issue to navigate. She asked if it would just be easier to just go through an intersection. He stated that it is a traffic calming device especially in a situation where there is a T intersection and then when looking at the old design, there is a cul-de-sac at the end. Councilor Carr asked if there is a road in front of the building or is it a driveway and also if there is public access all around the building. He stated that the access road will be gated with a secure gate and video monitors. Councilor Carr asked what kind of gate will be used. He stated that it will be a non-passible gate so the road will be private. Councilor Carr asked what would happen if there was an emergency, would the Fire Department and Police Department have access. He confirmed. Councilor Carr asked if it was all parking lots on the side where Pioneer Way was discontinued. He confirmed. Councilor Carr asked what street is at the bottom left center of the map. It was confirmed that it is Jessie Lane. She asked if they are well beyond the buffer to the Paul A. Dever State School houses where the parking is. Councilor Marshall asked Atty. Costa to show him where, under the new discontinuance, Pioneer Way ends. Atty. Costa then showed him where it ends. Councilor Marshall asked if the cul-de-sac is not built, and it is just a straight road, how the public would know where their property is. He stated that there will be signs. Councilor Marshall asked if people are supposed to do three point turns to turn around if they go down there. He stated that they could come down to the roundabout in front of their building to turn around if needed. Councilor Marshall stated that a public way is never allowed to end in a dead end, there is always a T intersection or a cul-de-sac required. He questioned why we would vary from that and what if a delivery truck missed its stop and went down there to turn around. He stated that they think it will be pretty infrequent and if someone gets misdirected, the site will accommodate their ability to make the turn and leave the site. Councilor Marshall stated that there is no way, with the way this is constructed now to make a clear determination of when you are leaving a public way onto private property. Mr. Slusarz stated that he agrees that having the cul-de-sac will be a more visual key that says this is the end of the public way. He stated that he has gone through subdivisions where Phase I ends in a cul-de-sac and then it continues on from the cul-de-sac and is accepted as a public way. It then makes a public way that goes through with the cul-de-sac in the middle. He stated that just because the cul-de-sac is there it doesn't mean that it is the end of the public way. He stated that this road will act more like a driveway than anything else as there are only two properties there. The likelihood of somebody coming over there and making a wrong turn especially if there is a sign for Martignetti near the intersection is not very likely. Councilor Marshall asked if there was going to be any gating at that entrance. He stated that there is not. Mr. Slusarz asked that in the letter from the Planning Board, did it say that they did not want the cul-de-sac built nor did they want it. He stated that there was no definitive answer on the letter. He stated that the issues with the traveling public won't be an issue because they can just drive in and turn around. He stated that it is not an uncommon issue with all different developments including shopping centers. He stated as long as it is not an issue for the people using the roads and Martignetti is willing to assume the risks that are involved with someone driving down and turning around on

their property. They don't foresee an issue with it. Councilor Marshall asked if they are getting a utility easement all the way up the rest of the private way. He stated that there is proposed a utility easement connecting between the new cul-de-sac on Pioneer Way and the round a bout at Colton Rd. He stated that the easement is being requested to be recorded in it's as-built condition so they can get the actual centerline of the line and offset it at the required distance. Councilor Marshall asked if there was sewer there. He stated that it would be private. Councilor Marshall asked what utilities are present on the already built portion of Pioneer Way. He stated that there is water, electric, telephone, gas, duct banks and some drainage. They discussed how the new utilities would work. Ms. Mitchell, who is the Vice President of Mass Development and the project manager of Taunton Development Corp., is present to speak in favor of this petition. She stated that the Mass Development Corp. has sat down with Martignetti Corp. and has asked the same questions that have been asked tonight regarding safety, access for abutters, etc. She stated that they have been satisfied that this plan does meet the requirements and they have requested on the purchase and sale agreement that the discontinuance be accepted before they would be prepared to close on the project. She stated that it is very important for the project and the schedule to be able to close and that is why they came before the Council before going to Conservation. In regards to the MEPA questions, that is something that Mass Development Corp. can answer. She stated that it is their requirement and this park development which anticipates not just Martignetti's first phase but as Councilor Croteau mentioned, the next phase as well as the last of the development lots in the Life Science part of the Park were taken into account on the MEPA analysis. It dictated what had to be done in order to maintain the traffic that is anticipated to come out of there. She stated that they understand that there are issues and concerns on Bay Street. She discussed how an extra lane is going into the project on Dever Drive as well as traffic lights that the construction has already been started on. She stated that they understand that this development is going to trip their other MEPA impact. She stated that they will be looking at other traffic light requirements that they have fulfilled, widening and striping of roads which are all requirements of the state that have been heavily looked into. She stated that they have budgeted for the litigation and are prepared to move forward with them and they are excited that they have such a good company to kick this off. She asked that if the Council makes a motion tonight, that the motion is contingent upon the sale of the property to the Martignetti Company. She stated that if the sale does not go through for any reason, it will go back to the way it was. Councilor Cleary stated that Dever Drive is not part of the request right now but he asked if there will be traffic lights on Bay Street. She stated that lights are going to be put in at this development at the entrance to the park that is part of the Dever Drive development. Todd Riebesehl of 1344 Bay Street is present to speak in opposition of the petition. He stated that he can barely get out of his driveway now and with another 800 employees working at the site and another proposed building for another 800 employees there will be no way that he will be able to get out of his driveway. He stated that when Dever was accepted as Phase IV and Phase V, the question was asked whether there would be an egress or entrance to the park through Bay Street and the answer was no. Mayor Hoyer asked who told him that. Mr. Riebesehl stated that it was at a City Council meeting. Mayor Hoyer stated that the life sciences portion of the project has discussed a possible entrance on Bay Street, not designed for heavy vehicle flow to the park itself. Mr. Riebesehl asked what would stop people from using that as an egress or entrance from the Industrial Park. Ms. Mitchell stated that they are required to make sure there is another connection that will come through for passenger cars. Mr. Riebesehl stated that

they were told there would be no entrance or exit. He stated that it should be on some paperwork somewhere. Mayor Hoye stated that it has never been before this Council. Mr. Riebesehl stated that when Perkins Paper went in, they only got a 50' buffer zone between the road and they fought for it so they ended up with 300'. He stated that it was done at the same meeting. Councilor Carr stated that it was the meeting that took place to take the land from the City and give it to the TDC for the Industrial Park for Phase IV and Phase V. She stated that it was at a public meeting for a change in Zoning for the park under Mayor Crowley. Councilor Croteau asked when the meeting took place and where it took place. Councilor Carr stated that it was at the old City Hall Council Chambers. It wasn't a Council meeting; it was at a public hearing to change the Zoning. Mayor Hoye stated that he guesses that it was 6 or 7 years ago. **Council President Borges made a motion to close the hearing, excuse Atty. Costa and the representatives from Martignetti and approve the discontinuance and alterations as listed by the City Engineer contingent upon the sale and meet all the requirements set forth by the Planning Board. So Voted. Councilor Croteau made a motion asking the City Clerk to research the minutes of the meeting that Todd Riebesehl is making reference to. So Voted.**

Motion was made to recess to go to the Committee of the Whole. So Voted.

Communications from City Officers:

Com. from City Solicitor reporting that the administration has reached an agreement with the Taunton Police Patrolman's Association for a successor collective bargaining agreement. **Councilor Costa-Hanlon motioned to refer to the Committee of the Whole in two weeks. Council President Borges motioned to invite the City Solicitor and Human Resources Director to the meeting. Councilor Pottier motioned to receive a redline version of the agreement if available. So Voted.**

Com. from Executive Director, Office of Economic and Community Development submitting a Council Order which would allow the City Treasurer, with the approval of the Mayor, to refinance the City's two outstanding US Department of Housing and Urban Development Section 108 loans (Robertson on the River and HOPE VI) **Councilor Costa-Hanlon made a motion to approve. So Voted.**

Com from Chairman, Taunton Planning Board stating that they were in receipt of the Proposed Zoning Changes to the City Zoning Ordinance relative to Floodplains and Administrative Changes. The Planning Board voted to refer this proposal to the public hearing process which will require a public hearing by the Municipal Council and the Planning Board. The Planning Board's public hearing on these changes will be on Thursday, May 7, 2015 at 5:30PM at Chester R. Martin Municipal Council Chambers, 141 Oak St., Taunton, MA. **Councilor Costa-Hanlon made a motion to refer to the City Clerk to schedule a public hearing. So Voted.**

Com. from Chairman, Taunton Planning Board stating that they have received a Site Plan Review for the construction of a 200,000 square foot industrial warehouse building with vehicular parking, trailer storage, pavement and sidewalks, storm water and utility infrastructure improvements and landscaping, submitted by Conroy Development Corp., property owned by Taunton Development/Mass Development Corp. The DIRB will meet on this on Tuesday, April 28, 2015 at 9:30AM in the Taunton Planning Board Office, 15

Summer St., Annex Bldg. and then the Planning Board will meet on this proposal on Thursday, May 7, 2015 at 5:30PM at Chester R Martin Municipal Council Chambers, 141 Oak St., Taunton, MA. **Motion was made to receive and place on file. So Voted.** Councilor Pottier asked if this is being built on spec or if it was for a particular client. Mayor Hoye stated that he believes that it is being built on spec.

Com. from Chairman, Taunton Planning Board stating that the Taunton Planning Board received a Site Plan Review for the construction of a 282,000 square foot building to be utilized as a newspaper printing operation, including printing, inserting and distribution and the remainder of the building, approx., 46,000 sq.ft. to be utilized for accessory office space, submitted by Boston Globe Properties LLC. The DIRB will meet on this on Tuesday, April 28, 2015 at 10:00AM in the Taunton Planning Board Office, 15 Summer St., Annex Bldg., and then the Planning Board will meet on this proposal on Thursday, May 7, 2015 at 5:30PM at Chester R. Martin Municipal Council Chambers, 141 Oak St., Taunton, MA. **Motion was made to receive and place on file. So Voted.** Councilor Pottier questioned if this was a new building or if it was a redevelopment. Mayor Hoye stated that he believed that this was to redevelop that.

Com. from Chairman, Taunton Planning Board stating that the Taunton Planning Board received a Site Plan Review for 207 Hart Street for a 7,200 square foot Early Child Care Development Center and the addition of 135 parking spaces, submitted by Stephen Poelaert, Supervisor of Buildings and Grounds, Bristol Plymouth Regional Technical School. The DIRB will meet on this on Tuesday, April 28, 2015 at 9:00AM in the Taunton Planning Board Office, 15 Summer St., Annex Bldg., and then the Planning Board will meet on this proposal on Thursday, May 7, 2015 at 5:30PM at Chester R. Martin Municipal Council Chambers, 141 Oak St., Taunton, MA. **Motion was made to receive and place on file. So Voted.** Councilor Carr stated that she asked for the fees to be waived for our own stadium and was told that our fees were not being waived. Mayor Hoye stated that typically if the fees were included in the bid specs, they would be charged and if they weren't they would be waived. He stated that sometimes what happens is contractors include the fees in their bid and then try to beat the system and ask for a waiver. This project is being done in house so that is not the case. He stated that he will double check on the stadium.

Com. from Police Chief requesting that the Municipal Council formally waive the assessment center component for the 2014 Police Lieutenant's Exam and directs the City's Civil Service Coordinator to so notify the state's Human Resources Division. **Councilor Costa-Hanlon made a motion to approve. So Voted.**

Com. from Executive Director, Retirement submitting the annual statement for the Financial Condition of the City of Taunton Contributory Retirement System year ending December 31, 2014. **Councilor Cleary made a motion to receive and place on file. So Voted.**

Com. from Administrator, Taunton Nursing Home stating that the Taunton Nursing Home is surveyed by the Mass Department of Public Health on behalf of the federal government (CMS-Centers for Medicare and Medicaid Services). The survey process is a rigorous review of services provided by the nursing home. The survey process often results in DPH issuing a statement of deficiencies and this year, TNH received such a

statement. In response to the survey findings, TNH is required to submit a Plan of Correction to DPH to show that TNH has corrected the deficiencies and is compliant with all applicable state and federal laws regarding nursing home standards. TNH has corrected the deficiencies cited by DPH and is now in full compliance with the regulatory requirements. A standard part of this process often results in CMS issuing a fine based on the deficiencies. As a result of this year's survey, TNH has been fined \$23,562.50. **Councilor Pottier motioned to get something from Mr. Brennan stating the nature of the deficiencies and the mediations taken to correct them. Councilor Cleary motioned that Mr. Brennan come before the Committee of the Whole and present the list and report. Council President Borges motioned for the report to include what the differences were and if the deficiencies are the same as in previous years. Councilor Croteau stated that he heard that the initial fine was \$75,000.00. Councilor Croteau motioned that when Mr. Brennan appears he would like to know why they are getting fined if Taunton Nursing Home continues to provide excellent service. He would like to know if the fine is \$75,000.00 or \$23,000.00 or somewhere in between. He motioned that it be scheduled as the last item in the meeting so that there may be more people watching.** Councilor Carr stated that in the letter from TNH it stated that the fine is \$23,562.30 so the \$75,000.00 rumor is not true. Mayor Hoye stated that if you waive your right of appeal you can pay the lesser amount.

Communications from Citizens:

Com. from Stephen Poelaert, Supervisor of Buildings and Grounds, Bristol-Plymouth Regional Technical School, 207 Hart Street, Taunton requesting a waiver for the Site Plan Review fee of \$1,400.00 charged by the City of Taunton's Planning Board. This fee is for the Site Plan Review of a new Early Childhood Education facility located on the School's property at 207 Hart Street, Taunton, MA. **Motion was made to waive the fee. So Voted.**

Petitions:

Hours of Operation

1. McDonald's Restaurant located at 282 Winthrop St., Taunton

Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.

Petition submitted by Peter Hebert, 30 Avalon Dr., Taunton requesting a renewal of his Billiard Table License for Baha Bros. Pub & Restaurant, Inc. -dba- Sandbar Grill located at 64 Weir St., Taunton. (2 Tables) **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by James Perry, 433 Robinson St., Raynham requesting a renewal of his Old Gold License for Perry Jewelers, Inc. located at 400 Broadway, Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Brenda Hendricks, 48 Danforth St., Taunton requesting a renewal of her Second Hand Article License for Collector's Emporium, Inc. located at 388 Bay St., Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Raymond Beauvais, 53 E. Glen Dr., Taunton requesting a renewal of his Second Hand Article License for Beauvais Bicycle Shop located at 181 Whittenton Street, Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by John Anderson, 38 Corporate Circle, Albany, NY requesting a renewal of the Second Hand Article License for Record Town, Inc. –dba- FYE #1594 located at 2 Galleria Mall Drive, Suite 104, East Taunton to purchase used electronics from customers. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Laura Moss requesting a renewal of the Second Hand Article License for ecoATM, Inc. located at 2 Galleria Mall Drive, East Taunton to buy used electronics for kiosk machine #1. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Patricia Barrett, 390 Broadway, Raynham requesting a renewal of the Temporary Fixed Vendor License for Arthur's Flower Shop to be located at 16 Washington St., Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Claims

Claim submitted by Mara Daly, 63 Evert Dr., Raynham seeking reimbursement for damages to his automobile from hitting a pothole on South Crane Avenue in the vicinity of Forge Road and Checkberry Lane. **Motion was made to refer to the City Solicitor and the DPW. So Voted.**

Claim submitted by Kurt Gloekler, 115 Morrison Rd., E. Taunton seeking reimbursement for damages to his automobile from hitting a pothole on Old Colony Avenue in the vicinity of Mill River Condominiums. **Motion was made to refer to the City Solicitor and the DPW. So Voted.**

Claim submitted by Sean Parkinson, 114 S. Meadow Rd., Carver seeking reimbursement for damages to his automobile from hitting a pothole in front of 186 High Street. **Motion was made to refer to the City Solicitor and the DPW. So Voted.**

Claim submitted by Daniel dos Santos, 144 Staples St., E. Taunton seeking reimbursement for damages to his automobile from hitting a pothole on Caswell Street near the former East Side Pizza. **Motion was made to refer to the City Solicitor and the DPW. So Voted.**

Claim submitted by William Tinney, 30 Water Street, Quincy seeking reimbursement for damages to his automobile from hitting numerous potholes on South Crane Avenue between the railroad tracks and Misty Lane. **Motion was made to refer to the City Solicitor and the DPW. So Voted.**

Claim submitted by Maria Lourenco, 61 Oakridge Dr., Taunton seeking reimbursement for damages to a post and rail fence that was damaged when a City dump truck dumped

snow onto it. **Motion was made to refer to the City Solicitor and the DPW. 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 Quinn stated that with the start of the nice weather she has received a couple of complaints about the parking on Lakeview Avenue. **Motion was made to refer to the Safety Officer to report back to the Council on the status of the parking on Lakeview Avenue. So Voted.** Council President Borges stated that the Safety Officer went out today and met with some of the neighbors. She stated that she emailed the Chief and Councilor Costa-Hanlon to let them know that he met with them and they are working on something.

Council President Borges motioned to refer 16 Scadding Street back to the Zoning Enforcement Officer for an update on that property. So Voted. Council President Borges stated that she has received some complaints on that property.

Council President Borges motioned to refer to the DPW the condition of General Cobb Street. So Voted.

Council President Borges motioned to refer to the Committee on Solid Waste the trash issue and bring WeCare back to the table to have a discussion about the trash and recycling being all over the place. So Voted. She stated that she has received calls on that and it is not just trash from the snow melting. She stated that she spoke to Paul Allison today and in the contract it says that the City can withhold some of the money that is paid to them if they are not doing their job. Mayor Hoyer stated that on the recycling issue, there have been some initial discussions with other vendors in working with WeCare. There are a lot of things that could be done, maybe a larger collection bin. **Motion was made to move the Executive Session until the end of the meeting. So Voted.**

Orders, Ordinances, and Resolutions

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

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 ordain the ordinance as a third reading. On a roll call vote, nine (9) Councilors present, nine (9) Councilors voting in favor.**

Ordered That,

To reduce interest costs, the Treasurer, with the approval of the Mayor, is authorized to issue refunding bonds pursuant to G.L. c.44, §21A to refund all or any portion of the remaining principal of and redemption premium and interest on any bonds of the City outstanding as of the date of adoption of this Order, and for the payment of all costs incidental and related thereto, and that the Mayor and the Treasurer are each authorized to take any and all other action necessary to carry out the purposes of this Order. Motion was made to approve. **Councilor Pottier motioned for a report from the Treasurer, after the fact, confirming what the savings will be for the refunding. On a roll call vote, nine (9) Councilors present, nine (9) Councilors voting in favor.**

New Business:

Councilor Pottier stated that the Grampy's parking lot and the lot across the street is an eyesore. He stated that there was a collection bin there and it is now gone. **Motion was made to refer to the Board of Health and the Trash Enforcement Officer to try to remediate the two sites. So Voted. Councilor Cleary motioned to refer to the Police Department as far as observing the site more often. So Voted.**

Mayor Hoyer stated that he has thought about regulating the collection bins as they are not always well kept. He stated that some communities have banned them. **Councilor Pottier motioned to refer the Committee on Solid Waste. So Voted.**

Councilor Pottier stated that there was an emergency incident at the Taunton State Hospital site a couple of weeks ago. He reached out to Joyce O'Conner who is the CEO of the Department of Mental Health part of the facility. She is willing to conduct a tour of the facility for interested Councilors on Wednesday, April 22, 2015 at 4:00PM. Councilor Marshall stated that Councilor Pottier requested a tour from the Department of Youth Services and he believes that that are in the process of responding back to him. Councilor Marshall stated that he was told to invite the Council and the Mayor. Councilor Pottier stated that he will get the information for any Councilor that is interested. Councilor Marshall stated that he will forward any information from DYS and forward that to Councilor Pottier.

Councilor Marshall motioned to refer a request from Lt. Casey for an extension of his employment beyond the age of 65 for one year to the Committee of the Whole for next week's discussion. So Voted. Councilor Pottier stated that this has been discussed

before and asked if this was retracted with no prejudice before. (The letter actually states 2 years)

Councilor Carr motioned to refer to the Committee on Police and License two businesses that have been brought to her attention that are operating without a license. The first one is a fortune teller operating without a license at 1850 Bay Street and the second one located at 585 County Street has articles for sale daily and they do not hold a Second Hand Article License. So Voted.

Councilor Carr stated that she received a phone call from a resident of Blueberry Lane who is complaining about trash, broken bottles, condoms, and many other things on the corner of Blueberry Lane and South Crane Ave. She stated that the woman said that she has called the DPW several times. Councilor Carr stated that it isn't the DPW that would pick that up and isn't sure exactly who should do that. **Motion was made to refer to the Mayor's Office. So Voted.** Mayor Hoye stated that the street sweeper could be sent out there.

Councilor McCaul stated that a few weeks ago there was a discussion about the fraternization policy. He stated that he knows that Councilor Costa-Hanlon and Councilor Croteau have been talking about that. Motion was made to refer to the HR Director to look at putting together a fraternization policy and report back to the Council. Councilor Borges stated that Councilor Costa-Hanlon had previously made that motion.

Motion was made to go into Executive Session to consider the purchase, exchange, lease or value of real property. Mayor Hoye stated that the meeting will not be coming back into open session after the Executive Session. Councilor Cleary asked if there would be no votes taken in Executive Session because the Council will not come back into session. Mayor Hoye stated that votes can be taken which will be released when the Executive Session minutes are released when the Council votes to do that. **On a roll call vote, nine (9) Councilors present, nine (9) Councilors voting in favor.**

Meeting adjourned at 11:00 P.M.

A true copy:

Attest:



City Clerk

RMB/SJS

CITY OF TAUNTON
MUNICIPAL COUNCIL
APRIL 14, 2015

THE COMMITTEE ON FINANCE AND SALARIES

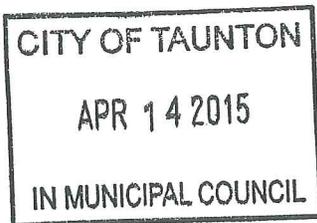
PRESENT WERE: COUNCILOR GERALD CROTEAU, CHAIRMAN AND COUNCILORS CARR AND
POTTIER

MEETING CALLED TO ORDER AT 5:44 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 5:45 P.M.

RESPECTFULLY SUBMITTED,



Colleen Ellis
COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

RM Blacwell
CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
APRIL 14, 2015

THE COMMITTEE ON POLICE AND LICENSE

PRESENT WERE: COUNCILOR SHERRY COSTA-HANLON, CHAIRMAN AND COUNCILORS CLEARY AND CROTEAU. ALSO PRESENT WERE POLICE CHIEF EDWARD WALSH, DETECTIVE DENNIS SMITH, PAUL PATNAUDE, HENRY JOHNSON, TONY LIMA TIM MCCARTHY, AND ATTORNEY FRANK BIEDAK

MEETING CALLED TO ORDER AT 6:10 P.M.

A LETTER DATED 4/14/2015 FROM POLICE CHIEF EDWARD WALSH WAS PROVIDED TO THE COMMITTEE WHICH STATED:

1. THAT THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FINDS NOTHING THAT WOULD PREVENT THE APPROVAL OF THE FOLLOWING PETITIONS FOR LIVERY LICENSES:
 - A. GEORGE KENAAN, 70 SOLITUDE DRIVE D/B/A HIGH CLASS LIMO LOCATED AT 632 WINTHROP STREET, WITH VEHICLES BEING STORED AT 597 WINTHROP STREET – 2 VEHICLES – RENEWAL
 - B. RICHARD ANDREW, 41 FIRST ST. D/B/A RIRI'S ALL ACCESS, LOCATED AT 41 FIRST ST. – 1 VEHICLE – NEW
 - C. STEPHEN ROWAN, 24 BEACON ST. D/B/A STELLA'S LIVERY, 24 BEACON ST. – 1 VEHICLE – RENEWAL
2. THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FINDS NOTHING THAT WOULD PREVENT THE APPROVAL OF THE PETITION OF JAMES SILVIA, 45 BAYLIES ROAD FOR RENEWAL OF ANTIQUE DEALERS LICENSE FOR MEMORABLE MEMORABILIA, 45 BAYLIES ROAD
3. THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FINDS NOTHING THAT WOULD PREVENT THE APPROVAL OF THE PETITION OF GEORGE PERRY, 52 WORCESTER STREET FOR RENEWAL OF JUNK DEALER'S LICENSE FOR HUB CAP KING, 94 TREMONT STREET
4. THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FINDS NOTHING THAT WOULD PREVENT THE APPROVAL OF THE FOLLOWING PETITIONS FOR RENEWAL OF BILLIARD TABLE LICENSES:
 - A. WILLIAM DESA, 14 WHITTENTON STREET FOR THE BILLY CLUB CAFÉ, 53 GROVE STREET – 1 TABLE
 - B. WILLIAM SANFT, 15R SHORES ST. D/B/A WILLY J'S PUB, 599 WINTHROP STREET – 2 TABLES
5. THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FINDS NOTHING THAT WOULD PREVENT THE APPROVAL OF THE PETITION OF SYLVESTER ENGLISH, 162 OAK ST., #18 FOR RENEWAL OF TEMPORARY FIXED VENDOR LICENSE FOR KINFOLKS AWARD WINNING BBQ, 5 CAPE ROAD

1. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON THE FOLLOWING PETITIONS FOR LIVERY LICENSES:

- A. **GEORGE KENAAN, 70 SOLITUDE DRIVE D/B/A HIGH CLASS LIMO LOCATED AT 632 WINTHROP STREET WITH VEHICLES BEING STORED AT 597 WINTHROP ST. – 2 VEHICLES – RENEWAL**

MOTION: MOVE APPROVAL. SO VOTED.

- B. **RICHARD ANDREW, 41 FIRST ST. D/B/AS RIRI'S ALL ACCESS, LOCATED AT 41 FIRST ST. – 1 VEHICLE – NEW**

MOTION: MOVE APPROVAL. SO VOTED.

- C. **STEPHEN ROWAN, 24 BEACON ST. FOR STELLA'S LIVERY, 24 BEACON ST. – 1 VEHICLE - RENEWAL**

MOTION: MOVE APPROVAL. SO VOTED.

PAGE TWO

APRIL 14, 2015

THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

2. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITION OF JAMES SILVIA, 45 BAYLIES ROAD FOR RENEWAL OF ANTIQUE DEALERS LICENSE FOR MEMORABLE MEMORABILIA, 45 BAYLIES ROAD
MOTION: MOVE APPROVAL. SO VOTED.

3. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITION OF GEORGE PERRY, 52 WORCESTER STREET FOR RENEWAL OF JUNK DEALER'S LICENSE FOR HUBCAP KING, 94 TREMONT STREET
MOTION: MOVE APPROVAL. SO VOTED.

4. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON THE FOLLOWING PETITIONS FOR RENEWAL OF BILLIARD TABLE LICENSES:
 - A. WILLIAM DESA, 14 WHITTENTON STREET FOR THE BILLY CLUB CAFÉ, 53 GROVE STREET – 1 TABLE
MOTION: MOVE APPROVAL. SO VOTED.
 - B. WILLIAM SANFT, 15R SHORES ST. D/B/A WILLY J'S PUB, 499 WINTHROP STREET – 2 TABLES
MOTION: MOVE APPROVAL. SO VOTED.

5. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITION OF SYLVESTER ENGLISH, 162 OAK ST., #18 FOR RENEWAL OF TEMPORARY FIXED VENDOR LICENSE FOR KINFOLKS AWARD WINNING BBQ, 5 CAPE ROAD
MOTION: MOVE APPROVAL. SO VOTED.

6. MEET WITH DETECTIVE SMITH AND MR. HENRY JOHNSON TO FURTHER DISCUSS APPLICATION FOR CLASS II LICENSE FOR HANK HOOPTY'S CHEAP AND RELIABLE SALES, 405 WINTHROP STREET

THE CHAIRMAN NOTED THAT THE COMMITTEE WAS SUPPOSED TO RECEIVE 2-3 ITEMS FROM MR. JOHNSON, WHICH WERE SUPPOSED TO BE SENT TO DETECTIVE SMITH, SO SHE ASKED TO HEAR FROM DETECTIVE SMITH FIRST.

DETECTIVE SMITH SAID THAT HE WAS GIVEN ABOUT 10 MINUTES BEFORE THE MEETING BEGAN A STANDARD FORM COMMERCIAL LEASE. NAMED IN IT WAS MR. TIMOTHY MCCARTHY, WHO IS THE PROPERTY OWNER, WHO LEASES THIS PROPERTY TO MR. TONY LIMA. THE LEASE WAS DATED 3/17/2015. THE PREVIOUS MOTION MADE IN THIS COMMITTEE, IT WAS NOTED WAS THAT MR. JOHNSON WAS TO PROVIDE A TIMELINE, WORK SCHEDULE OR OUTLINE AS TO WHEN EACH OF THE MAJOR ITEMS WILL BE COMPLETED BY TODAY'S DATE. HE WAS TO INCLUDE NOT JUST THE DIRB ITEMS, BUT EVERYTHING ON THE PLAN AND PROVIDE A COPY OF THE LEASE.

DETECTIVE SMITH WAS ASKED IF HE RECEIVED ANY OF THE OTHER INFORMATION TO WHICH HE ANSWERED THAT THE LEASE WAS THE ONLY DOCUMENT HE HAD RECEIVED EARLIER TONIGHT. DETECTIVE SMITH ALSO STATED THAT THE LEASE PROVIDED TO HIM DOES NOT HAVE MR. JOHNSON'S NAME ON IT. DETECTIVE SMITH HAS NOT SEEN THE TIMELINE.

MR. JOHNSON STATED THAT HE IS IN THE PROCESS OF WRITING UP A LEASE WITH MR. LIMA. THE CHAIRMAN THEN ASKED FOR THE OUTLINE OF THE WORK SCHEDULE.

PAGE THREE

APRIL 14, 2015

THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

MR. PATNAUDE SAID THAT HE THOUGHT THAT THEY WERE JUST GOING TO GO THROUGH THE DIRB CONDITIONS AND PROVIDE A DATE FOR COMPLETION.

THE CHAIRMAN NOTED THAT IT APPEARS THAT MR. PATNAUDE IS GOING TO RELY ON THE CONDITIONS THAT WERE OUTLINED IN THE TAUNTON PLANNING BOARD'S DECISION.

COUNCILOR CROTEAU SAID THAT IS NOT WHAT HE ASKED FOR. HE FURTHER STATED THAT FRANKLY HE IS GOING TO MAKE A MOTION TO DENY THE REQUEST FOR THE LICENSE.

MOTION: TO DENY THE REQUEST FOR THE LICENSE.

COUNCILOR CROTEAU FURTHER NOTED THAT MEETINGS HAVE BEEN HELD ON SEVERAL OCCASIONS, THAT A LEASE WAS PRESENTED TO DETECTIVE SMITH BEFORE THIS MEETING WHICH IS A LEASE BETWEEN THE PROPERTY OWNER, MR. MCCARTHY AND MR. LIMA, NOT MR. JOHNSON. IN ADDITION, IT WAS VERY CLEAR THAT A TIMELINE WAS TO BE SET UP WHICH WOULD CORRELATE TO THE 17 ITEMS ON THE DOCUMENT PRESENTLY BEING DISCUSSED. ALL WE HAVE IS THE SAME DOCUMENT THAT WAS HAD AT THE LAST MEETING AND THE MEETING BEFORE THAT. HE FURTHER NOTED THAT THE COMMITTEE TRIED TO ACCOMMODATE MR. JOHNSON AND IS CONCERNED AS TO WHAT WOULD HAPPEN WITH THIS BUSINESSES BASED ON THE INABILITY TO PROCESS A LICENSE. IF YOU CANNOT PROCESS A LICENSE, HOW CAN YOU CONDUCT A BUSINESS.

COUNCILOR COSTA-HANLON SECONDED THE MOTION.

ON DISCUSSION, COUNCILOR CROTEAU SAID THAT THE COMMITTEE HEARD ABOUT THE LEASE LONG BEFORE MARCH OF 2015 SO IT LEADS HIM TO CONCLUDE THAT WHEN DISCUSSIONS WERE FIRST STARTED THAT THERE WASN'T ANY LEASE EVEN THOUGH THEY WERE TOLD THERE IS. THE LEASE PROVIDED IS BETWEEN MR. MCCARTHY AND MR. LIMA AND IS NOT BETWEEN EITHER ONE OF THESE GENTLEMEN AND MR. JOHNSON.

MR. JOHNSON SAID HE PROVIDED EVERYTHING REQUESTED. THEY CAN PROVIDE THE DATES AND THEY ARE WRITING THE LEASE TONIGHT. HE FURTHER NOTED THAT MR. LIMA IS GOING TO BE A PART OWNER OF THIS BUSINESS WITH HIM, AND HE WAS TOLD BY THE CITY CLERK TO WAIT UNTIL TONIGHT'S MEETING BEFORE ADDING MR. LIMA TO THE APPLICATION. HE SAID HE HAS TO ADD MR. LIMA TO THE LICENSE IN ORDER TO COMPLETE THE WORK, BUT THEY HAVE FOLLOWED EVERYTHING ELSE.

COUNCILOR CROTEAU SAID HE MADE IT VERY CLEAR THAT MR. JOHNSON WAS TO PROVIDE A DOCUMENT THAT CORRELATED TO THE DOCUMENT THAT IS ON THE TABLE, SO EACH ONCE OF THE 17 ITEMS WOULD HAVE A DATE IN WHICH IT IS TO BE COMPLETED.

MR. LIMA SAID THAT HE RENTED THE BUILDING WITH AN OPTION TO BUY OVER A YEAR AGO, SO THE LEASE JUST CAME UP AND IT WAS RENEWED. IT HAD BEEN FOR 1 YEAR NOW IT IS A 3 YEAR LEASE. HE SAID THAT THEY HAVE TO MEET THE CITY'S REQUIREMENTS REGARDING THIS LICENSE BUT THAT MR. JOHNSON DOES NOT HAVE THE MONEY TO DO IT. MR. LIMA HAS THE MONEY AND WILL DO THE WORK, IN FACT THEY HAVE ALREADY STARTED. HOWEVER, MR. JOHNSON NEEDS TO PUT MR. LIMA ON THE LICENSE.

COUNCILOR CROTEAU SAID, FOR THE RECORD, THAT AT A PREVIOUS MEETING MR. JOHNSON SAID THAT HE HAS BEEN LOOKING TO START THE BUSINESS FOR 10 YEARS. THE COMMITTEE HAS MET 3 TIMES AND MR. JOHNSON IS NO FURTHER AHEAD THEN WHEN IT WAS STARTED.

MR. JOHNSON SAID THIS IS NOT TRUE.

THE CHAIRMAN STATED THAT SHE WANTED TO GET TO THE TIMELINE. SHE ADDRESSED MR. PATNAUDE AND ASKED HIM IF IT IS HIS POSITION THAT HIS TIMELINE IS NOT WRITTEN AND IS NOT GOING TO BE PRESENTED TO THE COMMITTEE, HE IS SIMPLY GOING TO GIVE THE COMMITTEE A TIMELINE READING THROUGH THE DIRB CONDISTIONS.

MR. PATNAUDE SAID HE ASSUMED THE COMMITTEE WAS GOING TO BE GOING THROUGH THAT LIST AND HE WOULD PROVIDE A REVISED COMPLETION DATE.

PAGE FOUR

APRIL 14, 2015

THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

THE CHAIRMAN SAID THAT WAS NOT HER UNDERSTANDING OF WHAT WAS ASKED.

MR. PATNAUDE SAID THAT SOME OF THE ITEMS ARE GOING TO BE DONE A LOT SOONER, JULY 15TH OF THIS YEAR.

COUNCILOR COSTA-HANLON ASKED IF THAT WAS EVERYTHING ON THE LIST AND EVERYTHING ON THE PLAN. MR. PATNAUDE SAID YES.

COUNCILOR CLEARY SAID THAT THIS IS STILL A CONVOLUTED PROCESS. MR. JOHNSON WAS TOLD, AND IT WAS A DIFFICULT MEETING LAST TIME, AND IN FACT 2 OUT OF THE 3 MEMBERS VOTED TO DENY MR. JOHNSON THE LICENSE. IT WAS THROUGH SOME ADDITIONAL DISCUSSION THAT THE VOTE WAS RECONSIDERED. IT STATES CLEARLY THAT MR. JOHNSON WAS TO DEVELOP A TIMELINE AND WORK SCHEDULE AND PROVIDE A LEASE. HE DOES NOT HAVE A LEASE. THE FINAL DIRECTION WAS TO PROVIDE THIS LEASE. THE MOTION ALSO NOTED THAT MR. JOHNSON WAS TO PROVIDE ALL OF THIS INFORMATION FOR TODAY WITH NO FURTHER CONTINUANCES.

COUNCILOR CROTEAU STATED THAT WHEN THE LEASE WAS REQUESTED IT WAS SUPPOSED TO BE BETWEEN MR. JOHNSON AND THE OWNER. FOR THE RECORD, MR. TIMOTHY MCCARTHY OWNS THE PROPERTY. THERE IS NO WAY HE WILL VOTE TO GIVE A LICENSE ON THIS PROPERTY THAT MR. JOHNSON DOES NOT OWN OR HAVE A LEASE ON.

MR. LIMA AGAIN NOTED THAT BECAUSE MR. JOHNSON DID NOT HAVE THE MONEY, HE WOULD DO THE WORK AND MR. JOHNSON WAS TO PUT HIM ON THE LICENSE. THE CITY CLERK TOLD MR. JOHNSON TO WAIT UNTIL AFTER THIS MEETING BEFORE DOING THAT.

COUNCILOR CROTEAU THEN ASKED TO PRESS THE MOTION.

THE MOTION TO DENY THE LICENSE WAS VOTED ON AND ALL COMMITTEE MEMBERS VOTED TO DENY THE LICENSE REQUEST. SO VOTED.

7. MEET TO DISCUSS LETTER OF ATTORNEY BIEDAK REGARDING DENNIS BORGES C.A.C. – R. & C LICENSING TRANSFER REQUEST.

ATTORNEY BIEDAK INFORMED THE COMMITTEE THAT MR. BORGES IS AWAY AND ASKED THAT THIS MATTER BE POSPONED FOR TWO WEEKS. THE COMMITTEE WILL SCHEDULE THIS FOR APRIL 28, 2015.

8. MEET WITH THE POLICE CHIEF FOR AN UPDATE ON THE TOW CONTRACT

THE POLICE CHIEF WOULD LIKE TO HAVE LIEUTENANT MCCABE AT THE MEETING TO DISCUSS THIS, BUT HE WAS UNAVAILABLE THIS EVENING.

MOTION: CONTINUE THIS MATTER TO MAY 5TH. DOCUMENTS TO BE PRESENTED TO THE COMMITTEE ONE WEEK PRIOR TO THAT MEETING – APRIL 28, 2015. SO VOTED.

9. MEET WITH THE POLICE CHIEF FOR AN UPDATE ON THE CLASS II LICENSE APPLICATION

THE POLICE CHIEF AND DETECTIVE SMITH REQUESTED MORE TIME TO WORK ON THIS MATTER.

MOTION: TO MEET IN 6 WEEKS ON THIS MATTER, AND THE COUNCIL IS TO HAVE THE PROPOSAL TWO WEEKS PRIOR TO THIS MEETING. SO VOTED.

10. MEET TO REVIEW MATTERS IN FILE

A. DETECTIVE SMITH SAID THERE ARE A COUPLE OF ISSUES REGARDING LEONARD'S ON BAY STREET. HE BROUGHT THIS MATTER UP TO THE COMMITTEE BECAUSE THERE SEEMED TO BE A LACK OF ACTION ON THEIR APPLICATION FOR A CLASS II LICENSE. THEY SENT A LETTER TO THE CHAIRMAN ASKING THAT THEIR APPLICATION BE KEPT OPEN AND TO PUT THEIR MATTER ON THE AGENDA WITH THE

PAGE FIVE

APRIL 14, 2015

THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

COMMITTEE WHEN POSSIBLE. THEY ARE WORKING WITH THE CITY PLANNER AS WELL AS AN ENGINEERING COMPANY TO PROVIDE PROPER DOCUMENTATION AND BLUE PRINTS REQUIRED. ROBERT MARTIN, WHO WANTS TO HAVE THE MARLI MOTORS LICENSE TRANSFERRED TO HIM ALSO PROVIDED A LETTER THAT STATED THAT HE HAS PRESENTED KEVIN SCANLON WITH PLANS FOR RM MOTOR SALES. MR. SCANLON WAS NOT SATISFIED WITH THE PLANS AND HE IS IN THE PROCESS OF HAVING NEW ONES DRAWN UP. DETECTIVE SMITH ALSO STATED THAT HE HAS RECEIVED NOTICE THAT THE SITE PLAN REVIEW IS SCHEDULED.

COUNCILOR COSTA-HANLON STATED THAT DETECTIVE SMITH HAD ASKED THE COMMITTEE TO TAKE THEM OFF DUE TO LACK OF ACTION, HOWEVER ONCE HE SENT THEM LETTERS, HE WAS NOTIFIED THAT THEY HAVE BEEN WORKING ON THEIR LICENSES, SO THEY ARE TO BE REINSTATED.

COUNCILOR CROTEAU SAID THAT BASED ON SOME OF THE THINGS THAT HAVE HAPPENED, INCLUDING TONIGHT, THAT THERE SHOULD BE A LETTER FROM EACH ONE OF THE INDIVIDUALS TO THE CHAIR, ASKING TO RE-START THEIR APPLICATIONS.

COUNCILOR COSTA-HANLON SAID R & C ALREADY DID.

COUNCILOR CROTEAU SAID AS FAR AS HE IS CONCERNED THEIR APPLICATION IS NO LONGER GOOD, IT IS NULL AND VOID, AND THEY CAN APPLY AGAIN, NOT TO RENEW, BUT IT WILL BE A NEW APPLICATION.

COUNCILOR COSTA-HANLON SAID THAT SHE THINKS THAT THE COMMITTEE HAS TO COMPLY WITH DETECTIVE SMITH'S LETTER WHICH STATED THAT IF THEY DO NOT GET BACK TO HIM IT WILL BE CONSIDERED NULL AND VOID, AND THEY BOTH HAVE GOTTEN BACK TO DETECTIVE SMITH.

COUNCILOR CROTEAU THEN SAID THEY NEED TO RECEIVE ANOTHER LETTER TO THE EFFECT THAT IT IS STILL THE SAME APPLICATION BUT THEY HAVE A CERTAIN PERIOD OF TIME IN WHICH TO COMPLETE IT OTHERWISE THE APPLICATION WILL BE NULL AND VOID. THEY NEED TO RECEIVE A RETURN RECEIPT CERTIFIED LETTER TO THE EFFECT THAT WHATEVER WE THINK IS REASONABLE, 2 MONTHS, 3 MONTHS, BE REASONABLE AND FAIR, BUT THEY NEED TO RECEIVE A LETTER STATING THAT IF THEIR APPLICATION IS NOT IN A CONDITION SUFFICIENT TO WARRANT A MEETING WITH THIS COMMITTEE THE APPLICATION IS NULL AND VOID.

IT WAS STATED THAT A FAIR TIMELINE COULD BE 3 MONTHS.

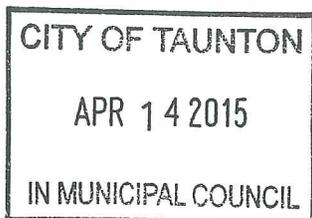
MOTION: THAT LEONARD'S TOWING, REPAIR AND PERFORMANCE AND MARLI MOTORS WHO IS SEEKING TO TRANSFER TO RM MOTOR SALES RECEIVE A LETTER FROM DETECTIVE SMITH, CERTIFIED MAIL RETURN RECEIPT REQUESTED, INFORMING THEM THAT THEY HAVE 3 MONTHS TO GET THEIR APPLICATION IN FULL AND COMPLETE ORDER SO THAT IT CAN BE HEARD BY THIS COMMITTEE. OTHERWISE FOR THE NEW APPLICATION (LEONARDS) THEY WILL HAVE TO GO TO THE BOTTOM OF THE LIST AND FOR MARLI MOTORS THEY WOULD HAVE TO APPLY FOR A WHOLE NEW RENEWAL. SO VOTED.

MEETING ADJOURNED AT 6:54 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.


CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
APRIL 14, 2015

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS

PRESENT WERE: COUNCILOR ANDREW MARSHALL, CHAIRMAN AND COUNCILORS BORGES, COSTA-HANLON, CLEARY AND MCCAUL. ALSO PRESENT WERE DPW COMMISSIONER FRED CORNAGLIA, ASSISTANT DPW COMMISSIONER TONY ABREAU, WATER DIVISION SUPERVISOR CATHAL O'BRIEN AND JOE FEDERICO OF BETA.

MEETING CALLED TO ORDER AT 7:05 P.M.

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

2. MEET TO REVIEW MATTERS IN FILE

THE CHAIRMAN INFORMED THE COMMITTEE THAT MR. FEDERICO WOULD LIKE TO PROVIDE A BRIEF UPDATE ON A SEWER PROJECT DOWNTOWN.

MR. FEDERICO STATED THAT THIS IS A CONTINUATION OF CONSTRUCTION WORK FROM LAST YEAR FOR REPAIR AND LINING OF THE SEWERS THROUGH THE CENTER OF THE CITY. WHAT THEY WILL BE DOING NEXT IS COURT STREET, AND THERE ARE PUMPS SET UP ON PLEASANT STREET AND THEY ARE BY-PASSING THE FLOW. THEY WILL BE LINING COURT STREET, WHICH WILL TAKE ABOUT A WEEK TO A WEEK AND A HALF, THEN THEY ARE GOING TO APPROACH THE CENTER OF THE CITY. THEY WILL BE LINING MAIN STREET. THERE WILL BE 3 PUMPS SET UP IN THE TRIANGLE IN THE CENTER OF THE CITY THAT INTERSECTS BROADWAY, MAIN AND WEIR STREET. THEY WILL PROBABLY BE THERE FOR 2-3 MONTHS AS THEY ARE BY-PASSING THE SEWER. THEY HAVE TO GO DOWN LINCOLN STREET AND WEIR STREET AND THEY WILL BE BY-PASSING THAT AND LINING THE SEWER ON WEIR STREET AS WELL AS THE DRAIN. THEY WILL BE LINING THE SEWER ON TAUNTON GREEN ALSO AND THEN ON BROADWAY. BROADWAY WILL BE 1-2 WEEKS. THEY WILL HAVE A COUPLE OF PUMPS SET UP AT TAUNTON GREEN AT THE CORNER IN THE SIDEWALK RIGHT BY THE LIGHTS ACROSS FROM THE NEW INTERSECTION THAT IS THERE. HOPEFULLY, ALL THIS WILL BE DONE WITHIN 2-2 ½ MONTHS.

COUNCILOR MARSHALL NOTED THAT WHEN YOU SAY PUMPS, YOU ARE ALSO GOING TO HAVE THE ACCOMPANYING ABOVE GROUND SEWER MAINS.

MR. FEDERICO SAID THAT THEY ARE DEPRESSING EVERYTHING BELOW GRADE. HE FURTHER NOTED THAT WEIR STREET IS EXTREMELY COMPLICATED. THEY WILL BE GOING OVER THE BRIDGE ON WEIR STREET BUT OTHER THEN THAT THEY THINK THEY CAN GET IN WEIR STREET TO DEPRESS THE PIPE. IN ALL CIRCUMSTANCES, THEY WOULD LIKE TO BE BELOW GRADE, AND THEY THINK THEY CAN DO THAT. HE FURTHER SAID THAT THE ONLY THING YOU WILL SEE WOULD BE THE PUMPS. THEY SHOULD BE QUIET WITH NO ODOR. THEY WILL OPERATE 24 HOURS A DAY, 7 DAYS A WEEK. THE ONES AT THE GREEN WILL ONLY BE THERE A MONTH TO A MONTH AND A HALF, SO HOPEFULLY BY JULY 4TH THEY WILL BE OUT OF THERE.

THERE WILL BE ONE SHORT PERIOD OF TIME WHEN THEY WILL HAVE A COUPLE OF PUMPS IN THE MIDDLE OF THE STREET, TAUNTON GREEN, BUT IT SHOULD ONLY BE FOR A COUPLE OF DAYS.

COUNCILOR CLEARY NOTED THAT THE BUSINESSES DOWNTOWN HAVE TAKEN A BEATEN THE LAST COUPLE OF YEARS WITH THE SIDEWALK PROJECTS AND HE WANTS TO EMPHASIZE TO THE SUPERVISORS THAT THEY HAVE TO BE COGNIZANT OF THE IMPACT ON LOCAL BUSINESSES. HE HAS SEEN A TREND IN TAUNTON WHERE THEY JUST CLOSE THE ROAD AND THEY HAVE 2 POLICE OFFICERS NOT DIRECTING TRAFFIC, THEY JUST CLOSE THE ROAD. THERE IS NO CHANCE THAT PEOPLE CAN GET IN AND PARK NEAR A STORE TO DO BUSINESS. THIS CAN HAVE A SERIOUS IMPACT ON SOME SMALL BUSINESSES. HE WOULD

PAGE TWO

APRIL 14, 2015

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

LIKE THE TRAFFIC TO KEEP FLOWING THROUGH THE AREAS. HE REALIZES IT IS EASIER JUST TO CLOSE THE ROAD, BUT THE FACT IS IT IS NOT FAIR TO THE BUSINESSES. HE WANTS TO KEEP THE ROADS OPEN. COUNCILOR MARSHALL NOTED THAT IT IS HIS UNDERSTANDING THAT MOST OF THE WORK WILL BE DONE AT NIGHT. MR. FEDERICO SAID THAT IS CORRECT. THEY ARE OFF THE ROAD BY 7 A.M. MR. FEDERICO SAID HE IS VERY MUCH AWARE OF THE BUSINESSES IN THE AREA.

MOTION: THAT THE PROJECT SUPERVISOR MAKE EVERY EFFORT TO NOT CLOSE STREETS UNLESS IT IS AN EXTREME SAFETY ISSUE. SO VOTED.

MOTION: WHY DO WE HAVE TO CLOSE PLEASANT STREET, AND WHY, ESPECIALLY BY THE HOSPITAL, CAN'T ONE WAY TRAFFIC BE MAINTAINED. SO VOTED.

COUNCILOR COSTA-HANLON ASKED THAT THE BUSINESSES BE NOTIFIED.

MR. FEDERICO SAID THIS IS BEING DONE.

COUNCILOR COSTA-HANLON ALSO SAID IT IS NOT JUST A MATTER OF CLOSING THE ROADS, BUT OFTEN THEY PUT NO PARKING SIGNS UP, SO SHE ASKED THAT THEY BE COGNIZANT OF WHEN THE NO PARKING SIGNS ARE BEING PUT UP AS A LOT OF THE BUSINESSES RELY ON THERE BEING PARKING IN THE AREA. THE MAYOR STATED THAT THEY ARE DEALING WITH 50 YEARS OF NEGLECT. HE DOES NOT WANT TO SEE ROADS CLOSED AS THIS WILL BE INCONVENIENT.

COUNCILOR MARSHALL NOTED THAT IN 2 WEEKS THERE WILL BE A COMPLETE UPDATE OF ALL DPW PROJECTS.

COUNCILOR CARR ALSO WANTS THE GAS COMPANY TO KNOW THAT THIS WORK IS BEING DONE SO THEY DO NOT COME BACK AND DIG UP THE ROAD AFTER IT IS PAVED.

1. MEET WITH THE DPW TEAM TO DISCUSS THE NEW ASPHALT RECYCLER

THE ASSISTANT DPW COMMISSIONER STATED THAT IN THE PAST YEAR, WORKING WITH THE MAYOR'S OFFICE AND THE DPW THEY HAVE BEEN WORKING ON AND TRYING TO FACILITATE BETTER POT HOLE REPAIR. THEY HAVE TRIED TO COME UP WITH A SOLUTION TO BETTER SERVE THE CITIZENS WITH PROMPT AND TIMELY POT HOLE REPAIR.

THEY LOOKED AT A FEW DIFFERENT MACHINES. OUT OF ALL OF THEM, THEY FOUND ONE THAT IS A RECYCLE MACHINE THAT THEY THINK, ALTHOUGH IT IS EXPENSIVE, WILL DO THE JOB. IT WILL SAVE THE CITY MONEY, AND MR. ABREAU PROVIDED A COST ANALYSIS TO THE COMMITTEE.

HE SAID THAT THERE WOULD BE A SIGNIFICANT SAVINGS TO THE CITY. THERE WOULD BE ONE PERSON RUNNING THIS MACHINE AND THE COST SAVINGS OVER 2-3 YEARS WOULD PAY FOR IT.

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

IT WAS NOTED THAT THEY WILL BE ABLE TO MAKE THEIR OWN ASPHALT USING RECYCLABLE MATERIAL, MEANING WRAP THEY HAVE THAT THEY HAVE TAKEN OUT OF THE ROADS, AND JUST RECYCLING IT THROUGH THIS MACHINE. THERE IS A CHANCE THAT THEY COULD SELL THIS MIX TO OTHER COMMUNITIES. THEY WILL ALSO BE ABLE TO OPTIMIZE THE GUYS THAT THEY HAVE.

THEY SPOKE TO THE PEOPLE IN THE TOWN IN CONNECTICUT THAT HAS ONE OF THESE MACHINES. THE LIFE OF THE EQUIPMENT IS ABOUT 10 YEARS, AND THEY HAVE SPENT ABOUT \$8,000 IN MAINTENANCE. IT WAS NOTED THAT THIS HAS TO BE BID IN ORDER TO FOLLOW PROCUREMENT LAWS, SO IT WOULD BE A COUPLE OF MONTHS BEFORE THIS CAME TO THE CITY.

COUNCILOR BORGES SAID BASED ON THE PRESENTATION AND WHAT SHE HAS LOOKED INTO HERSELF, SHE FEELS THAT IT IS A GOOD CONCEPT.

COUNCILOR MCCAUL STATED THAT HE FEELS THIS IS A WIN/WIN FOR THE CITY.

COUNCILOR CLEARY ASKED HOW YOU MAINTAIN THE HIGH QUALITY OF THE MATERIAL. IT WAS NOTED THAT IT WILL BE MATERIAL FROM OUR OWN STREETS. HE ALSO NOTED THAT MAINTENANCE IS AN ISSUE

PAGE THREE

APRIL 14, 2015

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

AS THE DPW DOES NOT HAVE ENOUGH STAFF TO DO THE MAINTENANCE. THIS MACHINE IS EXPENSIVE AND WILL REQUIRE MAINTENANCE, AND THEY DO NOT WANT TO HEAR THAT THE MACHINE IS DOWN ALL THE TIME. WILL THE CURRENT MAINTENANCE PEOPLE BE ABLE TO TAKE CARE OF THIS MACHINE.

MR. ABREAU SAID THAT THEY WILL HAVE TRAINING, BUT THAT THE DAILY MAINTENANCE IS A GREAS GUN FOR ALL THE FITTINGS. COUNCILOR CLEARY FURTHER NOTED THAT HE THINKS BASED ON THE DATA PROVIDED AND THE INFORMATION FROM OTHER COMMUNITIES, IT SEEMS LIKE AN EXPENSIVE BUT BENEFICIAL INVESTMENT OF CITY FUNDS. HE WOULD LIKE THE DPW TO KEEP TRACK OF WHAT IS SPENT AND WHAT THEY ARE SAVING ONCE THEY HAVE THIS MACHINE.

COUNCILOR COSTA-HANLON CONFIRMED THAT PEOPLE WILL BE TRAINED TO OPERATE THIS MACHINE, AND THAT THE DPW WILL HAVE 2 HOT BOXES RUNNING. SHE ASKED IF THEY HAD THE STAFF NEEDED TO RUN THIS.

THE DPW COMMISSIONER SAID YES.

COUNCILOR COSTA-HANLON ASKED IF THERE WAS ANY WAY A PORTION OF THE COST COULD COME OUT OF THE ENTERPRISE ACCOUNT. SHE FURTHER NOTED THAT BASED ON WHAT SHE HAS SEEN HERE, IT WILL BE A COST SAVINGS TO THE CITY.

THE MAYOR INFORMED THE COMMITTEE THAT THIS IS SOMETHING THAT THEY HAVE BEEN TALKING ABOUT FOR WELL OVER A YEAR. THIS PARTICULAR MACHINE IS A BETTER FIT FOR THE CITY AND IS EASIER TO MAINTAIN. THIS TO HIM IS ABOUT A DELIVERY OF SERVICE. THE DPW CANNOT KEEP UP WITH THE DEMANDS REGARDING POTHOLES. THIS IS THE BEST COURSE OF ACTION AND HE SUPPORTS THE PURCHASE.

COUNCILOR MARSHALL STATED THAT HE IS HAPPY THAT THE MAYOR WANTS A NEW WAY AND TO DELIVER SERVICE. HE WHOLEHEARTEDLY SUPPORTS THAT. BUT, WE CAN BUY ALL THE ASPHALT RECYCLERS, AND EVERYTHING ELSE, BUT IF WE HAVE NO ONE TO RUN THEM IT DOESN'T MATTER. HE IS IN MUCH MORE SUPPORT OF ADDING ADDITIONAL STAFF TO THE DPW STREET DIVISION THEN BUYING NEW EQUIPMENT. HE IS NOT OPPOSED TO THIS BUT THERE MUST BE A BALANCED APPROACH. HE QUESTIONED WHAT WILL NOT BE GETTING DONE IF ONE OR TWO GUYS ARE MAKING ASPHALT.

COUNCILOR CROTEAU SAID HE DOES NOT THINK IT IS GOING TO SAVE \$75,000, AND THEY NEED TO TAKE A CLOSER LOOK AT THE NUMBERS.

COUNCILOR POTTIER STATED THAT IF THE CITY PURCHASES THIS, HE WANTS IT TO BE USED. HE IS NOT AGAINST THE IDEA, BUT HE WOULD LIKE TO KNOW THE AVERAGE LIFE EXPECTANCY. HE WOULD LIKE SOME NUMBERS AND ADDITIONAL INFORMATION. HE ALSO ASKED IF THE COMPANY WOULD ALLOW THE CITY TO USE A DEMO MACHINE. THE DPW WAS TOLD THAT THEY DO NOT DO THAT.

COUNCILOR QUINN IS GENERALLY SUPPORTIVE AND IS IN SUPPORT OF MOVING THE PROCUREMENT PROCESS ALONG.

COUNCILOR CARR STATED THAT SHE HAS SOME CONCERNS ESPECIALLY WITH MANPOWER. SHE ASKS CONSISTENTLY FOR THE STREET SWEEPER TO BE RUN, 2 OF THEM, 24 HOURS A DAY, AND ON MOST OCCASIONS SHE GETS THE RESPONSE THAT WE DO NOT HAVE THE MANPOWER TO DO THIS.

COUNCILOR MARSHALL NOTED THAT THE STREET SWEEPER WAS OUT LAST NIGHT PREPARING FOR SOME CONSTRUCTION WORK AND CAUGHT ON FIRE, SO WE ARE DOWN TO ONE. IT WAS A TOTAL LOSS.

COUNCILOR CARR ASKED IF THERE WAS A SMALLER MACHINE LIKE THIS AVAILABLE. THE ANSWER WAS NO.

ALSO QUESTIONED WAS HOW THIS MACHINE IS GOING TO BE PAID FOR.

COUNCILOR MARSHALL STATED THAT THE MAYOR HAS A FUNDING SOURCE FOR THIS 1 TIME CAPITAL PURCHASE.

THE MAYOR WILL BE ASKING FOR A 1 TIME TRANSFER OUT OF STABILIZATION.

COUNCILOR CARR STATED THAT SHE WOULD LIKE TO SEE STAFF ADDED TO THE DPW.

PAGE FOUR

APRIL 14, 2015

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

MOTION: TO INSTRUCT THE DPW TEAM TO BEGIN THE PROCUREMENT PROCESS. SO VOTED.

2. MEET TO REVIEW MATTERS IN FILE.

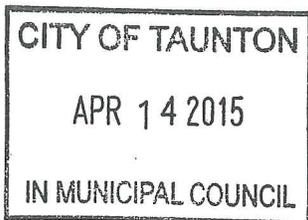
THE CHAIRMAN NOTED THAT THE DPW COMMISSIONER HAS BEEN GIVEN A REQUEST FOR A ROAD OPENING PERMIT FOR COLTON DRIVE WHICH IS UNDER THE 5 YEAR MORATORIUM. THIS MATTER WILL BE HEARD IN 2 WEEKS.

MEETING ADJOURNED AT 8:28 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
APRIL 14, 2015

THE COMMITTEE OF THE COUNCIL AS A WHOLE

PRESENT WERE: COUNCIL PRESIDENT ESTELE BORGES AND COUNCILORS CLEARY, MARSHALL, COSTA-HANLON, CROTEAU, POTTIER, MCCAUL, CARR AND QUINN. ALSO PRESENT WAS CITY SOLICITOR JASON BUFFINGTON

MEETING CALLED TO ORDER AT 9:54 P.M.

1. MEET WITH THE CITY SOLICITOR AND HUMAN RESOURCE DIRECTOR TO DISCUSS TAUNTON POLICE SUPERVISORY PERSONNEL ASSOCIATION CONTRACT

COUNCILOR CLEARY NOTED THAT THE CONTRACT IS 1%, 2% AND 2% WHICH SEEMS TO BE REASONABLE AND IS IN LINE WITH THE OTHER UNIONS.

THE CITY SOLICITOR STATED THAT THERE IS A DEFERRED COMPENSATION CLAUSE IN THE CONTRACT WHICH IS AT NO COST TO THE CITY. THERE IS ALSO BETTER LANGUAGE IN THE LINE OF DUTY INJURY SECTION. THE CHIEF WANTED TO ADD THE FATIGUE RULE WHICH MANDATES AT LEAST A 6 CONSECUTIVE HOUR REST PERIOD DURING ANY ONE 24 HOUR PERIOD WHICH IS NOW IN THE CONTRACT AND THE UNION AGREED TO INSERT SOME LANGUAGE INTO THE CONTRACT THAT THE CITY WAS LOOKING FOR REGARDING ALLOWING THE CITY TO HIRE CIVILIANS TO ENFORCE CITY ORDINANCES AND NON CRIMINAL STATUTES, RULES AND REGULATIONS. THAT LANGUAGE IS NOW IN THERE.

COUNCILOR COSTA-HANLON NOTED THAT THIS IS AN OPPORTUNITY TO HAVE A NON-FRATERNIZATION POLICY AND IT WOULD HAVE TO BE, IN HER OPINION, STARTING WITH THIS CONTRACT WITH THE SUPERVISORS. SHE WOULD ALSO LIKE TO SEE A COMMUNICATIONS POLICY WHICH IS NOT IN THE CONTRACT. SHE WOULD LIKE TO HAVE SOME KIND OF DISCUSSION ON THIS.

COUNCILOR CROTEAU STATED THAT HE WOULD LIKE TO SEPARATE THE ISSUE AND INSTEAD OF NEGOTIATING A NON-FRATERNIAZATION POLICY HE WOULD PREFER TO HAVE THE COUNCIL DEVELOP A NON-FRATERNIZATION POLICY ENACTED TO ORDINANCE OR WHATEVER THE COUNCIL WANTS TO DO WITH IT. HE WOULD PREFER NOT TO NEGOTIATE IT.

COUNCILOR CARR ASKED WHAT THE TOTAL DOLLAR AMOUNT FOR THE LIFE OF THE CONTRACT IS. THE CITY SOLICITOR SAID IT IS \$208,162.14.

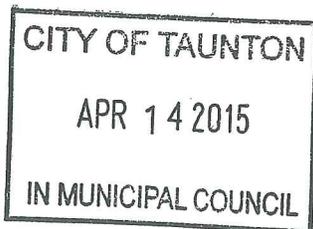
MOTION: MOVE APPROVAL OF THE CONTRACT. SO VOTED.

MEETING ADJOURNED AT 10:06 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK