



*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, June 18, 2013 at 9:50 o'clock P.M.*

Regular Meeting

Mayor Thomas C. Hoye, Jr. presiding

Prayer was offered by the Mayor

Present at roll call were:

*Councilor's Marshall, Cleary, Colton, Medeiros, Costa-Hanlon,
Pottier, McCaul, Carr, and Barbour*

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

Hearings:

None

Communications from the Mayor:

The Mayor informed that on Saturday at the Whittenton Fields, the Mayor's Office along with Home Depot will be combining efforts to clean-up the area to get it ready for Lacrosse Fields. The Mayor stated that he strongly supports the sport especially with the School Committee discussing tomorrow night potentially adding it to Taunton High School.

The 10th Annual Jeff Bartel Golf Tournament is scheduled at the Rehoboth Country Club on Friday, June 21, 2013.

The Mayor stated that he received a thank you note from Irene Fernandes who wanted to express her gratitude to Estelle Borges and the City for recognizing her recently with a collage.

The Mayor informed that the Cabbies will be hosting an ice cream social tomorrow night celebrating Cancer Survivalship.

Appointments:

At this time, the Mayor appointed to the City Charter Advisory Committee, City Solicitor Jason Buffington as Chair of the Committee as well as the following volunteer members for a term of 1 year to expire in June 2014: former Mayor Joseph Amaral, former City Councilor Kevin Martin, former City Solicitor David Gay, former City Solicitor Orlando deAbreu, City Councilor and Attorney Sherry Costa-Hanlon, and long-time School Committee member Josephine Almeida. **Motion was made to move approval. So Voted. Councilor Costa-Hanlon voted present.** Councilor Cleary stated that he appreciated the quality of candidates selected for the Committee and the most significant thing that may come out of the Charter would be the role of the City Council. He stated

that if the Council is going to be impacted the most, they need to be well informed about the process. If public meetings are going to be available, then Council should be able to attend. The Council will be the ones who will need to deliberate the recommendations from the Committee for approval or not. If the Council has not heard the rationale behind the recommendations, it may be a difficult process. He feels that members need to participate as often as possible. Councilor Cleary would like Councilors to be present for these meetings and to be included in the communications or minutes that come from these meetings. The Mayor stated that there will be several steps in this process. This Committee is an Advisory Committee only. He also didn't want to include too many elected officials on the committee due to the Open Meeting Law. The Mayor stated that once the recommendations are received, he will add his suggestions and forward the entire package to the Council for their recommendations. He envisions the entire process to take about 6 months or longer. Once the Charter is approved by the City Council, it then goes to the voters in the City of Taunton. The Mayor said no one will be left out of the process. The process will also be open for people to make suggestions. Councilor Pottier thanked the Mayor for his selection of Committee Members. He also stated that his only concern is the timeline for the package to go before the voters. The Mayor stated that he does not see it ready for the fall this year. He also informed that the Town of Melrose completed their Charter about 3-4 years ago and used individuals from the Kennedy School of Government-Harvard University for their specifics. The Mayor stated that there are certainly management aspects of the City that need to be tightened up. Councilor Barbour asked if it would be possible to consider an individual for the committee that has never been linked through office or served or employed through City Government. That way, there would be someone on the Committee to look at things through a different set of eyes. The Mayor stated that this Committee is advisory only and by no means will they be deciding on anything. They may have ideas, but will not have the final say. If there was an individual out there who was interested, he would certainly listen; but ultimately it will be the voters who will have the final say in the ballot boxes. Councilor Carr asked the Mayor to put together a timeline of the process for the members of the Council. City Solicitor Buffington stated that the Advisory Committee will present, in writing, a report to the Mayor; in turn, the Mayor will review and submit his recommendations to the Council. The Council will then vote on the recommendations presented or may vote to recommend a series of certain changes. From there, it becomes a Home Rule Petition which requires both approval of the Mayor and the approval of the majority of the City Council; it then will be sent to the Legislator which will need to be passed by the House and Senate. The petition will then need to be signed by the Governor or his veto. Following the approval from the Governor, the Charter will go onto the ballot for the citizens of the City for their approval or denial. Solicitor Buffington stated that the decision would be up to the Council; although whatever is sent to the Legislator must have the approval of both the Council and the Mayor.

Communications from City Officers:

Com. from Assistant Director of Retirement – Notifying of a retirement for Superannuation of Stanley F. Czepiel, Jr. an employee of the Fire Department of July 6, 2013. **Motion was made to move approval and send appropriate scroll. So Voted.**

Com. from Police Chief – Requesting to deposit the following gift checks into the Gift Account: from Target a gift check in the amount of \$1000 to support expenses for National Night Out and from Quadgraphic a gift check in the amount of \$250 to support the K-9 Program. **Motion was made to move approval. So Voted.**

Com. from Executive Director, Board of Health – Requesting re-approval of existing Asbestos Permitting Program Revolving Account. The Board of Health expects spending not to exceed the amount of \$10,000. **Motion was made to move approval. So Voted.**

Com. from Executive Director, Board of Health – Requesting re-approval of existing Consulting and Engineering Services Revolving Account. The Board of Health expects spending not to exceed the amount of \$70,000. **Motion was made to move approval. So Voted.**

Com. from Executive Director, Board of Health – Requesting re-approval of existing Flu Clinic/Nursing Supplies Revolving Account. The Board of Health expects spending not to exceed the amount of \$30,000. **Motion was made to move approval. So Voted.**

Com. from Director/Agent – Requesting additional funding in the amount of \$20,000 for our Veterans Benefits Account. The State will reimburse the City of Taunton at a rate of 75%, making \$5,000 as the actual total for this request. **Motion was made to move approval. So Voted.**

Com. from City Solicitor – Submitting an Ordinance pertaining to Municipal Access for compensating those individuals who operate video equipment at public meetings. **Motion was made to move to a first reading and to forward a copy to the Committee on Ordinance and Enrolled Bills for their review and recommendations. So Voted.**

Com. from City Solicitor – Submitting a proposed Ordinance regarding Building Permit Fees for a new set of schedules for certain inspections and permits. **Motion was made to move to a first reading. So Voted.** Councilor Cleary stated that the Technology Sur-Charge Fee Chart includes the 4% increase. This evening, the Auditor stated that the 4% charge would need to be separated out. He informed that they would be coming back with chart containing a separate column listing the 4% fee charge. City Solicitor Buffington stated that this has already been taken care of in Section 4-41. Councilor Cleary stated that the Auditor clearly directed the Building Department to come up with an additional chart so that the fees are separate (permit fee and technology fee). Councilor Carr informed that it just came up tonight, the Auditor stated that both fees will need to be separated out. Solicitor Buffington stated that there is nothing wrong with this law, this law does not need to be change and is perfectly acceptable the way it is.

Com. from City Solicitor – Submitting a response regarding appointment of Constables. A recommendation for the Municipal Council to accept G.L. c.41, §91. **Motion was made to refer to the Committee on Police and License for their next meeting. So Voted.**

Com. from City Solicitor – Substantial credit on City's insurance premium. A refund from HUB International in the amount of \$46,772 on its FY2013 insurance premium for motor vehicles that the City no longer used or even still possesses. A total of one

hundred seven (107) vehicles were removed from the policy. **Motion was made to receive and place on file and to send letters of recommendation to Ms. Barber and Mr. Smith. So Voted.**

Com. from Joao Arruda, President, Holy Trinity Holy Ghost Brotherhood of Taunton, 29 Winter St., Taunton – Informing of a procession and extending an invitation to its annual feast on the 21, 22 and 23rd of June on the grounds of the Ward Five Club. **Motion was made to move approval and notify Police, Fire and Ambulance. So Voted.**

Com. from Anne Marie Matulis – Notifying of an event “This is how it Feels.” The event is scheduled for Saturday, June 29th, 2013 at the St. Thomas Church Hall, 111 High Street, Taunton. **Motion was made to refer to the Council President. So Voted.**

Com. from Bill Lippincott, Co-Chair, Norton Founder’s Day Picnic and Fireworks Committee, 70 East Main St., Norton – Requesting rental of the portable stage for June 22, 2013 at the Henry Yelle School field at 64 W. Main Street, Norton. **Motion was made to move approval and refer to the DPW Commissioner. So Voted.**

Com. from The Friends of SRS, 400 Farmington Ave., Cranston – Submitting an application for license to conduct a one day game commonly called “Beano” at 82 Ingell Street on Thursday, July 31, 2013. **Motion was made to move approval upon clarification of day and date. So Voted.**

Com. from City Solicitor – Requesting approval of a revolving fund for the payment of the GEO TMS electronic permitting system. **Motion was made to move approval. So Voted. Motion, that pursuant to G.L. c.44, §53E1/2, a Technology Fee Revolving Fund is hereby established for Fiscal Year 2013 in the City of Taunton; and further, that (1) the fund may be expended for the purpose of paying the cost of the acquisition and maintenance of all equipment and software and the training and administrative expenses associated with the GEO TMS electronic permitting system in the City of Taunton, (2) the departmental receipts which shall be created to the revolving fund shall be all revenue collected pursuant to Section 4-44 of the Revised Ordinances of the City of Taunton, as amended, (3) the board, department or officer authorized to expend from such fund is the Budget Director, and (4) the total limit which may be expended from such fund in Fiscal Year 2013 shall be \$100,000.00.** Councilor Cleary informed that the Auditor stated they would not like the account to be called Revolving Fund, rather than GEO Technology Agency Fee. Councilor Carr stated that the reason behind the Auditor wanting it called an agency fee is because it is not the City’s money. Solicitor Buffington stated that the Revolving Fund was established by an Ordinance back in October/November and now this issue is arising in June. All Revolving Funds need to be re-authorized for the following fiscal year. Solicitor Buffington stated that if the Council is not going to re-authorize this Revolving Fund tonight for the next fiscal year, then Council will need to approve prior to the end of the fiscal year. Councilor Cleary stated that the Council is not opposed to approving; it is just a grammar correction. City Solicitor stated that a Revolving Fund is a special creature of statute; there are specific laws that apply to Revolving Funds. He stated that when the City first looked at this in the fall, the mechanism for the funding was

discussed. Discussion regarding this was brought up with the Budget Director, who in the motion, would be the person authorized to spend the money. Solicitor Buffington stated that they spoke with a company who deals with numerous municipalities through MA, all of whom are subject to the same general laws of MA, and was informed that they are all set-up through a Revolving Fund. Councilor Carr stated that the 4% fee is relatively new and some of the Cities/Town throughout MA may have purchased their software outright; this may be the reason why they do not have the Agency Fee. **Motion pressed. Councilor Carr voting in opposition. So Voted.**

Petitions:

Petition submitted by Barbara Gendron requesting a renewal of her Temporary Fixed Vendor License for Mr. G's Hot Dog Connection located at 408 Winthrop St., Taunton. **Motion was made to refer to Committee on Police and License and the Police Chief. So Voted.**

Claim submitted by Ronald Lewis, Jr., 120 Eldridge St. #8, Taunton seeking reimbursement for damages to his automobile from hitting a pothole/sink hole between 82 and 96 Eldridge St., Taunton. **Motion was made to refer to the contractor doing the work. So Voted.**

Committee Reports:

Motion was made for Committee reports to be read by Title and Approved except for Committee on Solid Waste. Motion was made to separate items #1 and #2 of the Committee on Solid Waste. Motion was made to approve the curbside contract. The vote that came out of Committees was: Councilors Carr and Barbour voting in opposition of accepting the contract. Motion was made to pull out the motion to send a letter to the TDMC asking to reconsider an invite for IWT to discuss options to allow them into the industrial park. Councilors Pottier and Costa-Hanlon voted no. Motion was made to approve the letter to the TDMC. The motion that came out of Committees was: Councilors Cleary, Colton, Medeiros, Costa-Hanlon, McCaul, and Pottier voting in opposition. Voting in favor was Councilors Carr, Barbour, and Marshall. Motion was made to approve the contract for curbside collection. Councilors Carr and Barbour voting in opposition. Voting in favor were Councilors Cleary, Colton, Medeiros, Costa-Hanlon, McCaul, Marshall and Pottier. Reports accepted recommendations adopted for the other motions made at the Committee on Solid Waste.

Unfinished Business:

Councilor Barbour stated that Solid Waste will be coming before the Committee in three weeks from tonight to discuss the expansion that they have requested. Councilors are urged to have any requests for them ready. **Councilor Barbour motioned to invite the Executive Director of the Board of Health, the DPW Commissioner, Water Supervisor, and Law Department representative to the Committee meeting. So Voted.**

Councilor Barbour motioned to request an update from Commissioner Cornaglia on the MaxWest Gasification for the water treatment plant to the Committee on Solid Waste or Committee on DPW in six weeks. So Voted.

Councilor Barbour motioned to invite Bristol/Plymouth School Committee Members to a meeting of the Committee to the Council as a Whole meeting by the end of July to discuss how the school has grown and expansion of their districts. So Voted.

Orders, Ordinances, and Resolutions

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

AN ORDINANCE

Chapter 2: Administration

Article XIX: Municipal Access

Be it ordained by the Municipal Council of the City of Taunton and by authority of the same as follows:

SECTION 1. Chapter 2 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended by adding at the end thereof the following Article:

ARTICLE XIX: MUNICIPAL ACCESS

Section 2-371. Department of Municipal Access.

There is hereby established a Department of Municipal Access. This department shall be under the general supervision of the Office of the Mayor. The purpose of the department is to recruit and compensate qualified individuals with the requisite training and experience to operate video, audio, and other equipment necessary to record and broadcast public meetings of elected and appointed boards, commissions, and other such public bodies of the city.

Section 2-372. Supervisor. Video technicians. Appropriations. Compensation.

Subject to approval of the Municipal Council, the Mayor shall annually designate an individual to be the Supervisor of the department who shall be qualified by training and experience. Subject to appropriation, the Supervisor shall be paid a flat-fee stipend on a monthly basis to perform such duties; provided, however, that in no event may the Supervisor work more than nineteen and one-half hours per week. There shall be no full-time employees of the department.

Subject to appropriation, the Mayor shall designate individuals, based on training and experience, to perform the duties of a video technician for one or more meetings. Nothing herein shall prevent the Supervisor from performing the duties and receiving the compensation of a video technician at any particular meeting. Both the Supervisor and any video technicians so designated shall be considered special municipal employees for all purposes under G.L. c.268A, unless disqualified from such designation by another applicable provision of law.

A video technician shall be compensated on a per-meeting basis at such rate as is determined by the Mayor after consideration of the written recommendation of the Supervisor and the total amount appropriated for said purpose. There shall be only one uniform rate of compensation for all meetings and for all video technicians.

Section 2-373. Reimbursement of Expenses

To the fullest extent provided by law, all expenses of the department shall be reimbursed in full from funds paid by cable television providers under contract with the city.

SECTION 2. All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective on July 1, 2013.

Motion was made to move from a first reading to a second reading. So Voted.

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

**AN ORDINANCE
Chapter 4 - Buildings
ARTICLE III. Building Code**

Be it ordained by the Municipal Council of the City of Taunton and by authority of the same as follows:

SECTION 1. Article III of Chapter 4 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended by striking out Section 4-41, Section 4-41.1, Section 4-41.2, and Section 4-41.3 and inserting in place thereof the following sections:--

Section 4-41. Fee schedules for certain permits. Applicability of Section 4-44.

There are hereby established fee schedules for certain permits, which are more specifically delineated in Sections 4-41.1 through 4-41.5, inclusive. The fee schedules delineated in said sections shall be deemed to be inclusive of the Technology Fee Surcharge established by Section 4-44. No person shall undertake, authorize, allow, or cause any work referenced in Sections 4-41.1 through 4-41.5, inclusive, to be done without first applying for and obtaining permits therefor.

Section 4-41.1. Building inspections and permits. Fee Schedule.

The fee schedule for building inspections and permits shall be as follows:

USE OR APPLICATION	TYPE OF PERMIT	DESCRIPTION	Fee
A, E, I, & R	106 STATE	ALL MANDATED STATE INSPECTIONS - (<= 3000 sq ft)	\$104.00
A, E, I, & R	106 STATE	ALL MANDATED STATE INSPECTIONS - (> 3000 sq ft)	\$260.00

A, E, I, & R	107 STATE	ALL MANDATED STATE INSPECTIONS - (> 13000 sq ft)	\$364.00
Commercial	Building	ALL NEW CONSTRUCTION, ADDITIONS, ALTERATIONS, REPAIRS, DEMOLITION, FOUNDATIONS, PERMANENT STRUCTURES	1.2% CONTRACT PRICE plus 4% of permit fee (or \$0.50 PER SQ. FT. plus 4% of permit fee) (\$104 min.)
Commercial	Building	CERTIFICATE OF OCCUPANCY (per unit)	\$104.00
Commercial	Building	Signs	\$104.00
Commercial	Building	TEMP CERTIFICATE OF OCCUPANCY (per unit)	\$312.00
Commercial	Building	TEMPORARY STRUCTURES, TENTS, TRAILERS, ETC	\$104.00
Commercial	Building	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE
Commercial	Building	SOLAR PANELS/WIND GENERATORS	0.8% CONTRACT PRICE plus 4% of permit fee (\$104 min.)
Other	Building	Permit Replacement	\$26.00
Other	Building	Reinspection	\$52.00
Residential	Building	ALL NEW CONSTRUCTION, ADDITIONS, ALTERATIONS, REPAIRS, DEMOLITION, FOUNDATIONS, PERMANENT STRUCTURES	1% CONTRACT PRICE plus 4% of permit fee (or \$0.40 PER SQ. FT. plus 4% of permit fee) (\$52 MIN.)
Residential	Building	Canopies, Tents, Awnings	\$78.00
Residential	Building	CERTIFICATE OF OCCUPANCY (per unit)	\$104.00
Residential	Building	Fireplace, Chimney, Solid Fuel Burning Appliance	\$52.00
Residential	Building	TEMP CERTIFICATE OF OCCUPANCY (per unit)	\$312.00
Residential	Building	TEMPORARY STRUCTURES, TENTS, TRAILERS, ETC	\$52.00
Residential	Building	TEMPORARY TENTS	\$26.00
Residential	Building	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE
Residential	Building	SOLAR PANELS WIND GENERATORS	\$26.00

Section 4-41.2. Electrical inspections and permits. Fee Schedule.

The fee schedule for electrical inspections and permits shall be as follows:

USE OR APPLICATION	TYPE OF PERMIT	DESCRIPTION	FEE
Commercial	Electrical	All electrical work	1.5% of CONTRACT PRICE plus 4% of permit fee (\$78 min.)
Commercial	Electrical	Construction Office Trailers	\$78.00
Commercial	Electrical	Industries (annual fee)	\$260.00
Commercial	Electrical	Solar panels/Wind Generators	0.8% of CONTRACT PRICE plus 4% permit fee (\$78 min.)
Other	Electrical	Carnivals, Circuses, Concessions	\$156.00
Other	Electrical	Reinspection	\$52.00
Other	Electrical	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE
Residential	Electrical	New Single Family Dwelling	\$124.80
Residential	Electrical	New Multi Family Dwelling (each unit)	\$124.80
Residential	Electrical	Addition/Remodel/Garage/Shed (per unit)	\$62.40
Residential	Electrical	Major Appliance (range, dryer, A/C, water heater)	\$52.00
Residential	Electrical	Appliance Replacement	\$26.00
Residential	Electrical	Minimum Electrical Fee (work not categorized)	\$52.00
Residential	Electrical	New Modular/Mobile Home	\$78.00
Residential	Electrical	Service: upgrade/repair/temporary (single meter)	\$52.00
Residential	Electrical	Service: upgrade/repair/temporary (multiple meters)	\$104.00
Residential	Electrical	Smoke/Heat/Co Detectors (stairwell/hallway)	\$20.00 per stairwell plus 4% of permit fee (\$52 MIN.)
Residential	Electrical	Smoke/Heat/Co Detectors (within dwelling unit)	\$20.00 per unit plus 4% of permit fee (\$52 MIN.)
Residential	Electrical	Swimming Pools (above ground)	\$52.00
Residential	Electrical	Swimming Pools (in ground)	\$78.00
Residential	Electrical	Solar panels/Wind Generators	\$26.00

Section 4-41.3. Plumbing inspections and permits. Fee Schedule.

The fee schedule for plumbing inspections and permits shall be as follows:

USE OR APPLICATION	TYPE OF PERMIT	DESCRIPTION	FEE
Commercial	Plumbing	ALL COMMERCIAL PLUMBING	1.5% CONTRACT PRICE plus 4% of permit fee (\$104 min.)
Commercial	Plumbing	Re-inspection fee	\$52.00
Commercial	Plumbing	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE
Residential	Plumbing	Application Fee	\$52.00
Residential	Plumbing	Backflow Preventors (testable)	\$31.20
Residential	Plumbing	Fixtures (each)	\$10.40
Residential	Plumbing	Underground Service	\$41.60
Residential	Plumbing	Replacement appliance only	\$31.20 flat fee
Residential	Plumbing	Re-inspection fee	\$52.00
Residential	Plumbing	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE

Section 4-41.4. Gas inspections and permits. Fee Schedule.

The fee schedule for gas inspections and permits shall be as follows:

USE OR APPLICATION	TYPE OF PERMIT	DESCRIPTION	FEE
Commercial	Gas	All Commercial gas work	1.5% CONTRACT PRICE plus 4% of permit fee (\$104 min.)
Commercial	Gas	Re-inspection Fee	\$52.00
Commercial	Gas	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE
Residential	Gas	Application Fee	\$52.00
Residential	Gas	Appliances (each)	\$10.40
Residential	Gas	Underground Service	\$41.60
Residential	Gas	Re-inspection Fee	\$52.00
Residential	Gas	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE

Section 4-41.5. Sheet metal inspections and permits. Fee Schedule.

The fee schedule for sheet metal inspections and permits shall be as follows:

USE OR APPLICATION	TYPE OF PERMIT	DESCRIPTION	FEE
Commercial	Sheet Metal	ALL SHEET METAL WORK	1.5% CONTRACT PRICE plus 4% of permit fee (\$104 min.)
Commercial	Sheet Metal	Reinspection	\$52.00
Commercial	Sheet Metal	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE
Residential	Sheet Metal	(1 & 2 Family)	\$52.00
Residential	Sheet Metal	(multi-family per unit over 2)	\$52 plus \$20.80 per unit over 2
Residential	Sheet Metal	Reinspection	\$52.00
Residential	Sheet Metal	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE

SECTION 2. Said Article III of said Chapter 4, as amended, is hereby further amended by striking out Section 4-42 and inserting in place thereof the following section:--

Section 4-42. Penalty for work done without permit.

Any person who undertakes, authorizes, allows or causes work to be done without first applying for and obtaining the appropriate permit as set forth in Sections 4-41 through 4-41.5, inclusive, shall be subject to a fine in the amount of three (3) times the fee that would otherwise be applicable to the work subject to the permit. The Building Commissioner may also, in his sole discretion, and in addition to any other remedies or sanctions available to him by law, seek injunctive relief against any person in violation of this section.

SECTION 3. All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage.

Motion was made to move from a first reading to a second reading. So Voted.

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

Ordered That,

The Loan Order of the City of Taunton adopted on May 12, 2009 and approved by the Mayor on May 14, 2009, which order appropriated and authorized the borrowing of \$8,331,000 to pay costs of various improvements of the City's wastewater system, is hereby amended so as to permit the borrowing authorized there under for the additional purposes of sewer improvements and extension projects on Baylies Road and Matthew's

Landing. Motion was made to move from a first reading to a second reading. So Voted.

Ordinance for a second reading to be passed to a third reading

AN ORDINANCE

Chapter 8

Garbage, Trash, and Refuse

Be it ordained by the Municipal Council of the City of Taunton and by authority of the same as follows:

SECTION 1. Chapter 8, Section 8-28 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended by striking out paragraphs (a)-(d) of said section 8-28 and inserting the following language:

- a) Purpose and Intent. It is the purpose and intent of this section to eliminate nuisances in the city. Nuisances, such as dilapidated buildings, overgrowth, debris, trash, stagnant pools of water, property having defective weather protection and vacant or abandoned buildings, cause and contribute to blight within neighborhoods and commercial areas of the city and adversely affect the property values for adjacent and surrounding property. Such nuisances on property also impair the public health and safety. This ordinance is intended to further the objectives of and to act in concert with any existing state or local laws.
- b) The owner or person in control of any private property or business property shall at all times maintain the premises free of litter: provided, however that this section shall not prohibit the storage of litter in authorized private receptacles for collection or as otherwise provided for by law.
- c) The owner or person in control of any lot shall at all times, control the growth of any wild plants or cultivated plants, or the existence of any obstruction, so as not to interfere or obstruct the view of a reasonable person to oncoming traffic who is exiting from any private driveway or private way onto a public way or a way to which the public has right of access.
- d) Litter shall be defined for the purposes of section (a) as: any paper, cardboard, cans, bottles, plastic goods, glass goods, used construction material, roof shingles, boards with nails, cut lumber less than 3 feet in length, used motor vehicle parts, boat parts, engine parts, or other mechanical parts, household appliances or any other object, that a reasonable person would believe has been discarded or otherwise left outside, uncovered, and exposed to the weather unused for the purpose for which it was manufactured.
- e) Property Standards. All property in the City of Taunton shall be maintained in accordance with the following property standards:

(1) General. All property, whether occupied or vacant, shall be maintained in good repair and a safe and sanitary condition as provided herein, so as to not cause or contribute to the creation of a hazardous or blighted area or to affect adversely the public health and safety or property value of adjacent or surrounding property.

(2) Overgrowth within 100 feet of a residence. All property shall be maintained free of vegetation over twelve (12) inches high that is or may reasonably become infested with rodents, vermin, or other animals, or create a fire safety hazard. All property shall be kept free of overgrown, decayed, dead, or hazardous trees, shrubs, or any other vegetation that poses a hazard to the health and safety of any person in the vicinity of the property, including any persons traveling on any portion of any public way, or any surrounding property

(3) Structures. All structures, including any buildings, fences, storage sheds, or any element thereof shall be maintained in a structurally sound condition and in good repair, including proper weather protection and waterproofing, and shall be maintained in a condition so as to not cause or contribute to creation of a fire safety hazard.

(4) Accumulation of Trash, Rubbish or Debris. All property shall be maintained in a clean and sanitary manner and free from the accumulation of litter, rubbish, trash or other debris, except in closed receptacles intended for such use.

f) Removal of Nuisance. It shall be unlawful for the owner of any property in the city to violate any one or number of the property standards contained in sections (b) – (e) and any such property violation shall be deemed to be a public nuisance. The Building Commissioner, the Board of Health, the Building Inspector, the Zoning Enforcement Officer, the Fire Chief or the Police Chief shall declare the property a public nuisance and order the property owner to remove the nuisance within ten (10) days after service of notice of the violation. Such notice shall be presented to the owner, in the manner described in G.L. c. 111, sec. 124. The notice shall contain the following information:

1. The street address and description of the property sufficient for identification of the property.

2. A statement that the property has been declared a public nuisance because of the presence of a nuisance on the property.

3. A concise description of the condition on the property that have led to the determination that the property is a public nuisance.

4. A statement that the nuisance shall be removed from the property within ten (10) days from service of the notice and that if the owner fails to remove the nuisance within the time frame specified that the owner will be in violation of this ordinance and subject to the penalties described therein.

g) Violations.

(1) If the owner fails to remove such nuisance within the time frame provided in section (f) the city may enter the property and remove or cause to be removed the

nuisance and the owner shall reimburse the city for the expense incurred for such removal. The sum so expended may be recovered by the city as provided in G.L. c. 111, sec. 125.

(2) This section may also be enforced by any lawful method, criminal process or by non-criminal disposition as provided in General Laws Chapter 40, sec. 21D. Each occasion on which a violation is identified will be considered a separate offense and any person in violation of this section shall be subject to fines as follows:

First violation:	\$ 50.00
Second violation:	\$100.00
Third violation:	\$200.00
Fourth and each subsequent violation:	\$300.00

h) Definitions. The following words and phrases, when used in this section, shall have the following meanings:

Nuisance – a failure to satisfy any one or more of the property standards set forth in section (b) herein.

Owner – any person who owns, possesses, manages, or controls any property. For any property which is the subject of foreclosure proceedings, this ordinance may be enforced against the mortgagee.

Property – any land, building, structure of real property, including any fixtures attached thereto, or any personal property located within the city.

Person – means any individual, voluntary association of individuals, business entity or organization whether incorporated or not.

Severability

If any provisions of this ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the ordinance shall remain in effect.

SECTION 2. All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage.

Motion was made to move from a second reading to a third reading. So Voted.

*From the June 11, 2013 Council Meeting,
A motion was made to reconsider the following ordinance:*

Ordinance for a third reading to be ordained on a roll call vote

AN ORDINANCE

Chapter 2. Administration

ARTICLE III Officers

Division 7. Inspector of Weights and Measures

Section 2.153.1. Fee schedule

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

That Section 2.153.1 of the Revised Ordinances of the City of Taunton, as amended, is and hereby is further amended by adding thereto the following:

Change of Fees as indicated below:

Balance and Scales

Scale with capacity over 10,000 lbs.	\$150.00
Scale with capacity over 5,000 to 10,000 lbs.	\$100.00
Scale with capacity of 1,000 to 4,999 lbs.	\$ 75.00
Scale with capacity of 100 to 999 lbs.	\$ 50.00
Scales/balances of 10 to 100 lbs.	\$ 30.00
Scales/balances under 10 lbs.	\$ 20.00

Weights

Avoirdupois (each)	\$ 5.00
Metric (each)	\$ 5.00
Apothecary (each)	\$ 5.00
Troy (each)	\$ 5.00

Capacity Measures

One gallon or less	\$ 15.00
Vehicle Tanks	\$ 50.00

Liquid Measuring Meters

Inlet ½" or less: Oil, Grease	\$ 2.00
Inlet more than ½" to 1": Gasoline Meters	\$ 25.00
Inlet more than 1": Vehicle Tank Meters	\$ 60.00
Inlet more than 1": Bulk Storage	\$ 75.00

Other Devices

Reverse Vending Machine	\$ 15.00
Taxi Meters	\$ 30.00
Odometer	\$ 30.00
Fabric Measuring	\$ 15.00
Wire/Rope/Cordage	\$ 15.00

Linear Measures

Yarn Sticks	\$ 15.00
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Automated Electronic Retail Checkout System

One to three scanners	\$ 100.00
Four to eleven scanners	\$ 200.00
Twelve or more scanners	\$ 300.00

All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage. **Nine (9) Councilors present, three (3) Councilors voting in favor and six (6) voting in opposition. Councilors Barbour, McCaul, Pottier, Costa-Hanlon, Colton and Marshall voting in opposition. Motion does not carry. Ordinance did not pass.**

New Business

Councilor Pottier informed that Church in the Park is scheduled this year for August 24, 2013. He stated that he is not asking for a motion tonight, but hopes that the Council would give them the same consideration at they did last year.

Councilor Pottier stated that a resident tonight spoke to him and Councilor Barbour about speeding on Range Avenue as well as noise from residents who have motorcycles with loud mufflers. **Councilor Pottier motioned to refer to Committee on Police and License and the Police Chief as well as the Safety Officer for speeding signs. Additionally, that the radar and the radar trailer be stationed on Range Avenue. So Voted.**

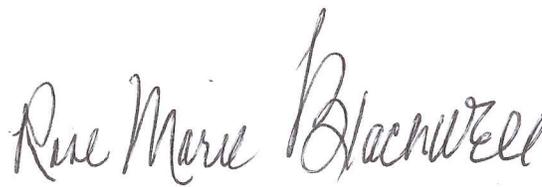
Councilor Pottier motioned to refer to the DPW Commissioner to have the flail mower go to Stevens Street especially near the railroad tracks heading toward the cemetery as vehicles are moving across the center line due to the growth. So Voted.

Councilor Barbour motioned for the City Clerk's Office to notify all Departments that all contracts should filed with her office, in a timely manner, for the convenience of the Administration and public. So Voted.

Motion was made to adjourn at 10:40 p.m. So Voted.

A true copy:

Attest:


City Clerk

RMB/dmc

CITY OF TAUNTON
MUNICIPAL COUNCIL
JUNE 18, 2013

THE COMMITTEE ON FINANCE AND SALARIES

PRESENT WERE: COUNCILOR DEBORAH CARR, CHAIRMAN AND COUNCILORS CLEARY AND COLTON. ALSO PRESENT WERE BUDGET DIRECTOR GILL ENOS, PARKS, RECREATION & PUBLIC GROUNDS DIRECTOR MARILYN GREENE, CITY AUDITOR ANN HEBERT, ACTING TREASURER/COLLECTOR JAYNE ROSS, CITY ENGINEER MARK SLUSARZ, BUILDING COMMISSIONER ROBERT PIROZZI, MATTHEW BURNS OF THE AUTOMATION DEPARTMENT, DIRECTOR OF BOARD OF HEALTH HEATHER GALLANT, CITY PLANNER KEVIN SCANLON AND KATHY GRIEN OF THE ASSESSORS OFFICE

MEETING CALLED TO ORDER AT 5:50 P.M.

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

MOTION: MOVE APPROVAL OF THE PAYROLL WARRANT IN THE AMOUNT OF \$1,034,897.39. SO VOTED.

MOTION: MOVE APPROVAL OF THE INVOICE WARRANT IN THE AMOUNT OF \$518,202.15. SO VOTED..

2. MEET TO REVIEW REQUESTS FOR FUNDING

MOTION: MOVE APPROVAL OF REQUEST OF PARKS, CEMETERIES AND PUBLIC GROUNDS TO TRANSFER \$25,000.00 FROM SALARIES AND WAGES ACCOUNT NO. 1-630-201-5109 TO ACCOUNT NO. 1-630-203-5870 – CAPITAL OUTLAY TO PURCHASE TWO 2001 AERIAL LIFT CERTIFIED BUDKET TRUCKS FROM THE T.M.L.P. SO VOTED.

THE COMMISSIONER OF PARKS, CEMETERIES AND PUBLIC GROUNDS HAD ALSO SUBMITTED A LETTER REQUESTING THE COUNCIL’S APPROVAL TO TRANSFER ANY ACCOUNT BALANCE IN THE CURRENT FY 12/13 REVOLVING ACCOUNT TO THE FY 13/14 REVOLVING ACCOUNT.

MOTION: MOVE APPROVAL OF REQUEST OF PARKS, CEMETERIES AND PUBLIC GROUNDS TO TRANSFER ANY ACCOUNT BALANCE IN THE CURRENT FY 12/13 REVOLVING ACCOUNT TO THE FY 13/14 REVOLVING ACCOUNT.

REQUEST A DOLLAR AMOUNT LIMIT NOT TO EXCEED \$300,000.00 FROM JULY 1, 2013 TO JUNE 30, 2014 TO INCLUDE:

SUMMER PROGRAM	\$200,000.00
WINTER PROGRAM	\$ 25,000.00
SPRING PROGRAM	\$ 25,000.00
FALL PROGRAM	\$ 25,000.00
SPECIAL EVENTS – TRIPS	<u>\$ 25,000.00</u>
	\$300,000.00

SO VOTED.

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JUNE 18, 2013

THE COMMITTEE ON FINANCE AND SALARIES - CONTINUED**3. MEET WITH BUDGET DIRECTOR GILL ENOS, ACTING TREASURER/COLLECTOR JAYNE ROSS, CITY AUDITOR ANN HEBERT, AND ALL DEPARTMENT HEADS CURRENTLY USING THE GEO TMS SYSTEM**

THE CHAIRMAN STATED THAT A FEW WEEKS BACK, THE BUDGET DIRECTOR HAD MENTIONED THAT WE WERE GOING TO HAVE TO TRANSFER FUNDS FROM GENERAL FUNDS TO PAY THE GEO TMS BILL. SHE HAD SOME CONCERNS WITH THAT BECAUSE TO HER, THIS IS NOT THE WAY IT SHOULD BE DONE. THERE SHOULD HAVE BEEN AN ACCOUNT SET UP FOR THE FEES AND A SEPARATE ACCOUNT FOR THE PERMITS. THIS WAY WE WOULD HAVE A CLEAN WAY OF ACCOUNTING FOR BOTH THE PERMIT FEES THAT ARE COMING IN AND THE TECHNOLOGY FEE TO BE PAID OUT.

AS SHE UNDERSTANDS IT, OVER THE LAST COUPLE OF WEEKS THERE HAS BEEN A MEETING TO ADDRESS THIS MATTER.

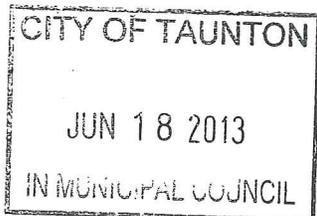
THE CITY AUDITOR STATED THAT THAT SHE WANTS THE DEPARTMENT TO VERIFY THE FEE THAT IS CHARGED IS CORRECT. THE CITY IS ACTUALLY THE HOLDER OF THE TECHNOLOGY FEE UNTIL THE BILL COMES DUE. EACH DEPARTMENT WILL HAVE THEIR OWN ACCOUNT NUMBER PERTAINING TO THESE TECHNOLOGY FEES. RIGHT NOW THE BUILDING DEPARTMENT IS THE ONLY DEPARTMENT USING THIS SYSTEM. NOW THERE MUST BE TWO SEPARATE CHARGES – THE PERMIT FEE PLUS THE GEO TECHNOLOGY FEE. IT WAS NOTED THAT GEO TMS WILL PRODUCE BILLS FOR EACH DEPARTMENT, THIS WILL PROVIDE ANOTHER WAY TO TRACK THE FEES, BECAUSE IF A BILL IS RECEIVED FROM GEO TMS THAT IS HIGHER THAN WHAT IS IN THAT DEPARTMENT'S ACCOUNT, THERE WILL BE A WAY OF CHECKING AND TRACKING. THE BUILDING DEPARTMENT IS CURRENTLY GOING BACK TO SEPARATE THE PERMIT FEES FROM THE TECHNOLOGY FEE AT THE REQUEST OF THE CITY AUDITOR BEFORE THE END OF THE FISCAL YEAR. IT WAS NOTED THAT THERE WERE CONFIGURATION PROBLEMS WITH THE CITY'S NETWORK, AND THAT THE CITY'S NETWORK IS SUBPAR. THEY HAVE FOUND ALL THE BUGS, AND THEY WILL CONTINUE TO WORK WITH THE BUILDING DEPARTMENT. THE FIRE DEPARTMENT WILL PROBABLY BE THE NEXT DEPARTMENT TO HAVE THE GEO TMS SYSTEM.

KATHY GRIEN FROM THE ASSESSOR'S OFFICE STATED THAT BEFORE ANY OTHER DEPARTMENT GETS DONE, THE ASSESSORS SHOULD BE DONE FIRST AS EVERYTHING TIES INTO THAT DEPARTMENT.

IT WAS NOTED THAT THERE SHOULD BE A PRIORITY LIST AS TO WHAT DEPARTMENTS SHOULD GO ON THIS SYSTEM FIRST. COUNCILOR CARR STATED THAT SHE FEELS THAT BEFORE THE FIRE DEPARTMENT GOES ONTO THIS SYSTEM THE ASSESSOR'S OFFICE SHOULD BE DONE.

A MEETING WILL BE HELD THE SECOND WEEK IN SEPTEMBER FOR ANOTHER UPDATE ON THE GEO TMS SYSTEM.

MEETING ADJOURNED AT 6:49 P.M.



RESPECTFULLY SUBMITTED,

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

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

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

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
JUNE 12, 2013

THE COMMITTEE ON FIRES AND WIRES

PRESENT WERE: COUNCILOR DAVID POTTIER, CHAIRMAN AND COUNCILORS CARR AND MCCAUL. ALSO PRESENT WERE COUNCILORS BARBOUR AND COSTA-HANLON, CHIEF TIMOTHY BRADSHAW AND HUMAN RESOURCE DIRECTOR MARIA GOMES.

MEETING CALLED TO ORDER AT 6:44 P.M.

1. MEET FOR PRE-SCREENING INTERVIEW PROCESS FOR FIRE DEPARTMENT APPLICANTS

THE FIRST INTERVIEW WAS WITH JEFFREY INGARGIOLA OF 46 CROSSOVER LANE, TAUNTON. HE IS 30 YEARS OLD, HAS LIVED IN TAUNTON FOR 3 YEARS, IS MARRIED AND HAS A 1 ½ YEAR OLD DAUGHTER. HE IS CURRENTLY EMPLOYED AS A CORRECTIONS OFFICER IN SUFFOLK COUNTY AND HAS BEEN THERE SINCE 2005. HE SERVED 8 YEARS IN THE MILITARY AND WAS ON ACTIVE DUTY IN IRAQ. HE HAD ONE OUI WHEN HE WAS 19 YEARS OLD WHICH WAS CONTNUED WITHOUT A FINDING. THERE ARE NO OTHER ISSUES. HE HAS SOME BASIC CPR TRAINING. HE HAS NEVER BEEN DISCIPLINED EITHER IN THE MILITARY OR AT HIS PLACE OF EMPLOYMENT.

THE SECOND INTERVIEW WAS WITH MIGUEL PACHEBAT. HE IS A RESIDENT OF TAUNTON AND HAS BEEN FOR OVER 20 YEARS, AND RESIDES AT 18 MONICA STREET. HE IS MARRIED AND HAS 1 CHILD. HE IS CURRENTLY EMPLOYED AT BRIGHAM AND WOMEN'S HOSPITAL AS AN EMERGENCY SERVICE ASSISTANT AND HAS BEEN THERE SINCE 2002. HE WAS IN THE ARMY AND SERVED IN IRAQ. HE IS CURRENTLY A RESERVIST WITH THE ARMY AND IS A SERGEANT. HE SERVED IN IRAQ. HE HAS HIS EMT CERTICIATE. HE IS ALSO FLUENT IN SPANISH, BOTH SPEAKING AND WRITING. HE HAS BEEN DISCIPLINED AT HIS CURRENT JOB ONCE WHEN HIS FATHER WAS ILL AND HE TOOK SOME TIME OFF. HE WAS NOT FAMILIAR WITH FMLA AND THIS SITUATION WAS RECTIFIED.

THE THIRD INTERVIEW WAS WITH ZACHARY STROJNY OF 39 NINA WAY, EAST TAUNTON. HE HAS A 2 YEAR OLD SON. HE SERVED IN THE MARINE CORP FOR 4 YEARS AND SERVED A TOUR IN IRAQ AND A TOUR IN AFGHANISTAN. HE CURRENTLY WORKS FOR LOOMIS WHICH IS LOCATED IN THE MYLES STANDISH INDUSTRIAL PARK. HE IS ALSO A FULL TIME STUDENT AT BRISTOL COMMUNITY COLLEGE STUDYING FIRE SCIENCE WITH A 3.6 GPA. HE KNOWS BASIC FIRST AID AND CPR. HE HAS NEVER BEEN DISCIPLINED BY HIS EMPLOYER OR WHILE HE WAS IN THE MILITARY.

THE FOURTH INTERVIEW WAS WITH ROBERT RODRIQUEZ OF 159 BROADWAY, TAUNTON. HE IS MARRIED AND HAS 2 DAUGHTERS. HE WAS IN THE ARMY AND WAS A COMBAT ENGINEER. HE IS CURRENTLY EMPLOYED BY MASTRIA NISSAN AS A SALES PERSON. HE HAS LIVED IN TAUNTON SINCE 2011. HE HAS NEVER BEEN DISCIPLINED EITHER IN THE MILITARY OR AT HIS PLACES OF EMPLOYMENT. HE HAS NEVER MISSED A DAY OF WORK AND IS NEVER LATE. HE ALSO HAS NEVER TAKEN A SICK DAY.

THE FIFTH INTERVIEW WAS WITH JESSIE HARVEY WHO CURRENTLY RESIDES IN ATTLEBORO. SHE IS CURRENTLY EMPLOYED WITH RHODE ISLAND HOSPITAL AS A PATIENT CARE TECH II/PARAMEDIC, AND HAS BEEN THERE SINCE FEBRUARY, 2013. SHE WAS ALSO PREVIOUSLY EMPLOYED BY THE ATTLEBORO FIRE DEPARTMENT AND LEFT DUE TO AN OFF THE JOB INJURY. SHE WAS EMPLOYED THERE FROM APRIL, 2007 TO SEPTEMBER, 2009. SHE WAS ALSO PREVIOUSLY EMPLOYED WITH THE HINGHAM FIRE DEPARTMENT AS A FIREFIGHTER/PARAMEDIC FROM MAY, 2005 TO APRIL 2007. SHE HAS MANY CERTIFICATIONS.

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JUNE 12, 2013

THE COMMITTEE ON FIRES AND WIRES - CONTINUED

SHE STARTED HER DEGREE PROGRAM IN FIRE SCIENCE BUT IS NOW IN A BRIDGE PROGRAM FOR NURSING. SHE HAS NO MILITARY SERVICE. WHILE SHE WAS EMPLOYED IN ATTLEBORO, SHE HAD AN INCIDENT WHERE SHE REFUSED A BREATHALIZER AND LOST HER LICENSE. THIS DID NOT IMPACT HER JOB IN ATTLEBORO BECAUSE SHE WAS OUT OF WORK AT THE TIME. SHE LOST HER LICENSE ORIGINALLY FOR 180 DAYS, BUT IT WAS KNOCKED DOWN TO A 45 DAY SUSPENSION. SHE CAN READ AND UNDERSTAND SPANISH BUT SPEAKS IT MARGINALLY. SHE WAS INVOLVED WITH A CIVIL SERVICE CASE WITH THE CITY OF ATTLEBORO DUE TO A BACK INJURY. SHE ALSO CLAIMED THAT THE CITY OF ATTLEBORO HAS TAMPERED WITH HER FILE AND SHE HAS FILED A REQUEST TO VIEW HER FILE UNDER MASS. GENERAL LAWS. SHE STATED THAT SHE HAS NEVER OBTAINED A COPY OF HER FILE.

MRS. GOMES OF OUR HUMAN RESOURCES DEPARTMENT STATED THAT SHE WILL SCHEDULE A FUNCTIONAL CAPACITY EVALUATION TEST WHICH WILL PINPOINT HER INJURY AND EVALUATE WHETHER SHE CAN DO THE JOB AS A FIREFIGHTER.

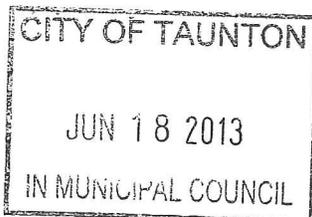
DISCUSSED WAS HER DISCHARGE FROM ACTION AMBULANCE.

SHE WAS DISCIPLINED IN ATTLEBORO FOR BEING LATE.

SHE WAS TOLD THAT IF SHE IS HIRED AS A TAUNTON FIREFIGHTER, THIS WOULD BE HER PRIMARY JOB AND SHE IS EXPECTED TO BE ON TIME AND SHOW UP FOR WORK.

MOTION: TO RECOMMEND TO THE FULL COUNCIL MIGUEL PACHEBAT AND ROBERT RODRIGUEZ CONTINGENT ON MR. RODRIGUEZ RESIDENCY IN TAUNTON BEING 1 YEAR OR LONGER AND PROVIDING HIS DIPLOMA OR G.E.D. SO VOTED.

MEETING ADJOURNED AT 9:25 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 "Rose Marie Paunceell".

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
JUNE 18, 2013

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS

PRESENT WERE: COUNCILOR ANDREW MARSHALL, CHAIRMAN AND COUNCILORS COLTON, MCCAUL, MEDEIROS AND BARBOUR. ALSO PRESENT WERE ASSISTANT CITY SOLICITOR DANIEL DEABREU, D.P.W. COMMISSIONER FRED CORNAGLIA, ASSISTANT D.P.W. COMMISSIONER TONY ABREAU AND JOSEPH FEDERICO OF BETA GROUP

MEETING CALLED TO ORDER AT 6:59 P.M.

1. MEET WITH THE D.P.W. COMMISSIONER, ASSISTANT CITY SOLICITOR DAN DEABREU AND JOE FEDERICO FROM BETA TO DISCUSS SEWER ABATEMENT REQUESTS:

- a. JEFFREY CHAVES, 114 WILLIAMS STREET
- b. TDJ REALTY LLC OF 344 WINTHROP STREET

ASSISTANT CITY SOLICITOR DEABREU STATED THAT THIS IS RELATED TO THE RECENTLY COMPLETED SEWER PROJECT. THE PRESENTATION WAS MADE, THE ASSESSMENTS WERE DETERMINED, EACH OF THE INDIVIDUALS WAS NOTIFIED. THE LAW PROVIDES THAT AN INDIVIDUAL AGAINST WHOM A BETTERMENT IS ASSESSED HAS THE ABILITY TO FILE A REQUEST FOR AN ABATEMENT WITH THIS BOARD AND THE BOARD SHALL GRANT THE ABATEMENT TO THE EXTENT NECESSARY TO ENSURE THAT NO ASSESSMENT EXCEEDS THE AMOUNT OF THE BENEFIT OR ADVANTAGE RECEIVED BY THE INDIVIDUAL. THE APPLICATION FOR THE ABATEMENT IS RECEIVED BY THE CLERK, THE CLERK HAS FORWARDED EACH ONE TO THE D.P.W. AND D.P.W. AND BETA HAVE INVESTIGATED EACH APPLICATION AND COME UP WITH A RECOMMENDATION.

COUNCILOR MEDEIROS CLARIFIED THAT THE COMMITTEE'S DECISION MAKING AUTHORITY TONIGHT IS TO GRANT IN WHOLE OR IN PART OR DENY WHAT THE RECOMMENDATION FROM THE D.P.W. IS, THE COMMITTEE DOES NOT HAVE TO DO THE FULL AMOUNT, THEY CAN DO SOMETHING ELSE AS THEY SEE FIT.

ATTORNEY DEABREU SAID THAT THIS IS CORRECT.

CHAIRMAN MARSHALL STATED THAT THE REQUESTS HAVE COME IN AND THERE HAVE BEEN MORE THAN JUST TWO, BUT WE ARE READY FOR TWO THIS EVENING, THERE WILL BE MORE COMING IN THE NEXT COUPLE OF WEEKS. HE FURTHER STATED THAT WHAT HAPPENS IS THE REQUEST IS TAKEN THEN FORWARDED TO THE D.P.W. AND THEY ASSIGN IT TO BETA GROUP TO INVESTIGATE BECAUSE THERE ARE COMPLICATED ISSUES. A REPORT IS PROVIDED BY BETA GROUP AND THE COMMITTEE CAN EITHER ACCEPT THE RECOMMENDATION, DENY THE RECOMMENDATION OR MAKE CHANGES TO THE RECOMMENDATION, WHATEVER THE COMMITTEE SEES FIT.

THE FIRST APPLICATION DISCUSSED WAS FOR JEFFREY CHAVES, 114 WILLIAMS STREET.

MR. FEDERICO PROVIDED A MEMORANDUMS REGARDING THIS ABATEMENT REQUEST.

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

MR. FEDERICO STATED THAT THIS HOMEOWNER ACTUALLY OWNS 2 PARCELS OF LAND. ONE OF THE PARCELS OF LAND IS SMALL, IT IS 6,100 SQUARE FEET. THEY GAVE BOTH PARCELS A "Y" CONNECTION TO THE SEWER SO THEY COULD HOOK UP TO THE SEWER SYSTEM, ONE CONNECTION IN FRONT OF THE HOUSE AND ONE CONNECTION ON THIS EXTRA PARCEL OF LAND. THE PARCEL OF LAND, IS 6100 SQUARE FEET, AND YOU NEED 15,000 SQUARE FEET FOR A BUILDABLE LOT IN THAT NEIGHBORHOOD, SO FOR THAT REASON MR. FEDERICO IS RECOMMENDING GRANTING HIM AN ABATEMENT. MR. CHAVES HAS AGREED TO SIGN A DEED RESTRICTION AND SHOULD HE EVER BUILD ON THAT LOT THE CITY WOULD GET THE BETTERMENT ASSESSMENT FOR THE PROPERTY.

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

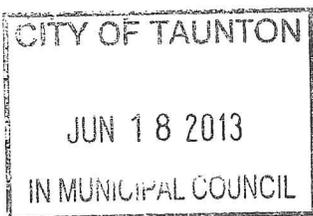
MOTION: TO GRANT THE REQUEST FOR ABATEMENT WITH THE CONDITION THAT THE HOMEOWNER SIGN A DEED RESTRICTION AS STATED BY MR. FEDERICO THAT IF THE LOT EVER BECAME BUILDABLE THEN THE FULL BETTERMENT WILL BE CHARGED, WORKING IN CONCERT WITH ALLOWING THE LAW DEPARTMENT TO MAKE THIS HAPPEN WITH WHATEVER MEANS IS NECESSARY UNDER THE ABATEMENT STATUTE. SO VOTED.

THE SECOND APPLICATION IS FOR TDJ REALTY OF 344 WINTHROP STREET. MR. FEDERICO SAID THAT THIS IS A SLIGHTLY LARGER LOT. THE ORIGINAL BETTERMENT AMOUNT WAS FOR \$130,866.00. THIS PROPERTY IS WHERE FOGG AUTO SALES IS LOCATED. THEIR PROBLEM IS THAT THERE IS CONTAMINATED PROPERTY ON THE LOT SO THERE IS A FENCE THAT CORDONS OFF THE AREA THAT THEY CANNOT USE. THERE IS AN ENVIRONMENTAL COMPANY THAT IS CLEANING UP THAT PROPERTY, SO IT IS IN THE PROCESS. HE CANNOT USE THAT ADDITIONAL LAND. MR. FEDERICO STATED THAT HE IS ASKING THAT HE PAY THE BETTERMENT OF \$60,692 AND DEFER THE REMAINING \$70,174 UNTIL SUCH TIME AS THE REMAINDER OF THE PARCEL IS AVAILABLE FOR USE. IN ALL LIKELIHOOD, IT WILL BE RESTRICTED USE.

MOTION: MOVE APPROVAL AND REFER TO ASSISTANT CITY SOLICITOR DEABREU TO MAKE SURE THAT THE PROPER LANGUAGE IS PROVIDED SO THAT THE \$70,174 AT SOME TIME WILL BE RECOVERABLE WHEN THE OWNER IS ABLE TO EXPAND OR DEVELOP ONTO HIS PROPERTY. SO VOTED.

THE CHAIRMAN NOTED THAT ON SEWER ABATEMENTS, THERE ARE APPROXIMATELY 7 OR 8 MORE THAT ARE BEING INVESTIGATED AND HE DOES NOT ANTICIPATE COMING BACK ON THESE UNTIL MID JULY, POSSIBLE JULY 9TH.

MR. FEDERICO WAS ASKED TO SEND AN E-MAIL WITH A LIST OF THE PROPERTIES TO THE COUNCIL. IT WAS NOTED THAT THE PETITIONERS OF THE ABATEMENTS DISCUSSED TONIGHT HAVE TO BE NOTIED WITHIN 10 DAYS OF THE COMMITTEE'S DECISION.



RESPECTFULLY SUBMITTED;

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

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

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

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
JUNE 18, 2013

THE COMMITTEE ON SOLID WASTE

PRESENT WERE: COUNCILOR DANIEL BARBOUR, CHAIRMAN AND COUNCILORS CARR, COSTA-HANLON, MARSHALL AND POTTIER. ALSO PRESENT WERE ASSISTANT CITY SOLICITOR DANIEL DEABREU, D.P.W. COMMISSIONER FRED CORNAGLIA, ATTORNEY ROD HOFFMAN, FRANK CAMPBELL OF I.W.T. AND ATTORNEY TED ALEIXO FOR I.W.T.

MEETING CALLED TO ORDER AT 7:19 P.M.

1. MEET WITH ATTORNEY ROD HOFFMAN AND FRANK CAMPBELL OF I.W.T. FOR AN UPDATE ON THE PROPOSED SOLID WASTE PROJECT

MR. CAMPBELL REPORTED THAT I.W.T. IS MAKING GOOD PROGRESS. THEY ARE CLOSE TO HAVING THE FULL AMOUNT OF WASTE NEEDED, CLOSE TO HAVING THE GASOLINE OFF TAKE AGREEMENTS AND ARE MAKING GOOD PROGRESS WITH THE INVESTORS. THEY HAVE MET WITH D.E.P. ON SEVERAL OCCASSIONS. IT WAS NOTED THAT D.E.P.'S MODIFICATION TO THE MORATORIUM HAD ALLOWED FOR 350,000 TONS OF WASTE FOR THE WHOLE STATE, BUT DETERMINED THAT I.W.T. WOULD BE GRANDFATHERED AND THE PROJECT WOULD NOT COUNT TOWARDS THE 350,000 TONS A YEAR ALLOWED UNDER THE MODIFICATION TO THE MORATORIUM.

MR. CAMPBELL PROVIDED A SHEET SHOWING THIS DOCUMENTATION FROM D.E.P.

COUNCILOR POTTIER STATED HE WOULD LIKE A COPY OF THE ENTIRE DOCUMENT, NOT JUST THIS ONE PAGE.

MOTION: DOCUMENT PROVIDED BY MR. CAMPBELL TO BE PART OF THE RECORD.

MR. CAMPBELL NOTED THAT IT TOOK 4 MONTHS TO GET THE NEWS THAT I.W.T.'S PROJECT WOULD BE GRANDFATHERED.

HE FURTHER NOTED THAT THE ALEC RICH SITE IS A CHALLENGE. D.E.P. HAS JUDGED THAT THE MOST WET LANDS THAT CAN BE DISTURBED IS 5000 SQUARE FEET. THIS IS AN ISSUE WITH THE ALEC RICH SITE. THEREFORE, THEY HAVE BEEN ACTIVELY WORKING ON THIS, BUT ALSO HAVE BEEN LOOKING AT OTHER SITES. THEY WOULD LIKE TO STAY IN TAUNTON, BUT MR. CAMPBELL STATED THAT NO MATTER WHERE THEY GO, THEY WILL NOT WALK AWAY FROM THEIR AGREEMENT WITH THE CITY OF TAUNTON. THEY WILL HONOR THE COMMITMENTS IN THE AGREEMENT.

MR. CAMPBELL STATED THAT THEY SHOULD HAVE A FULL REPORT IN MID-JULY.

IT WAS NOTED THAT THE BIG ISSUE WITH THE SOLID WASTE COMMITTEE IS FINANCING. MR. CAMPBELL STATED THAT THEY MIGHT HAVE TWO INVESTORS THAT WOULD DO 50% EACH. THEY ARE SPEAKING WITH EQUITY PEOPLE AND FEEL THAT THEY ARE IN PRETTY GOOD SHAPE.

THE CURRENT DROP DEAD DEADLINE DATE IS AUGUST 28, 2013. MR. ALEIXO NOTED THAT BOTH HE AND MR. CAMPBELL WORK ON THIS EVERYDAY. HIS OPINION IS THAT D.E.P. IS NOT GOOING TO PERMIT THE ALEC RICH SITE, SO THEY NEED TO FIND AN ALTERNATIVE SITE. THE LOGICAL PLACE, MR. ALEIXO STATED IS THE NEW INDUSTRIAL PARK. HOWEVER, THEY WERE NOT EVEN ALLOWED TO MAKE A PRESENTATION TO THE TAUNTON DEVELOPMENT CORPORATION. THEY ARE VERY CLOSE, CLOSE ON THE GASOLINE, CLOSE ON THE WASTE, BUT THEY JUST NEED A SITE. HE AGAIN STATED THAT I.W.T. WILL HONOR ALL THE FINANCIAL ISSUES WITH THE CITY AS AGREED UPON. THEY ARE LOOKING FOR ANOTHER SITE, BUT EVEN IF THEY LOCATE OUTSIDE OF THE CITY OF TAUNTON, THEY ARE STILL LIABLE TO THE CITY FOR ALL PAYMENTS. ATTORNEY HOFFMAN SAID THAT WITH THE CONTRACT, THE FINANCIAL COMMITMENTS TO THE CITY OF TAUNTON DO NOT CHANGE IF THEY LOCATE OUT OF THE CITY. THEY ARE ONLY OUT OF THE FINANCIAL OBLIGATIONS IF THE ENTIRE PROJECT GOES AWAY. ATTORNEY HOFFMAN WAS ASKED TO FORWARD THIS PART OF THE CONTRACT TO THE COMMITTEE.

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THE COMMITTEE ON SOLID WASTE - CONTINUED

MR. CAMPBELL AGREES THAT THE LOGICAL PLACE IS THE INDUSTRIAL PARK AND DID STATE THAT THEY ARE STILL PURSUING USING THE RICH SITE AND THE LOPES SITE BUT DUE TO THE WETLANDS, IT PROBABLY WON'T WORK. THEY ARE WORKING ON THIS MATTER.

THE CHAIRMAN STATED THAT HE FEELS IT IS DISTURBING THAT THE COUNCIL HAS NO SAY ON WHAT DOES GO INTO THE INDUSTRIAL PARK, AND HE IS BAFFLED THAT THE CITY DOES NOT HAVE CONTROL OVER THE PHASE IV AND V. THE PRIOR ADMINISTRATION NEVER DISCLOSED THAT THIS WAS GOING TO HAPPEN, AND WHEN COUNCILOR CARR AND HE ATTENDED A MEETING WITH I.W.T., THE RECEPTION WAS LESS THEN WELCOMING.

THE CHAIRMAN THINKS THAT THIS COMMITTEE SHOULD GO ON RECORD AND REQUESTING THAT THE TDC/MDC RECONSIDER THE OPPORTUNITY FOR THIS PROJECT TO GO TO THE INDUSTRIAL PARK. HE DOES NOT REALLY SEE WHERE WE ARE BEING TOLD BY AN OUTSIDE OUTFIT THAT WE CANNOT CONTROL THE CITY TAXPAYER LAND.

MR. CAMPBELL STATED THAT HE ASKED THE T.D.C. WHAT THEIR OBJECTION WAS, AND THE ANSWER WAS THAT THEY DID NOT WANT THAT WASTE COMING THROUGH THE PARK. MR. CAMPBELL TOLD THEM THAT HE HAD A SOLUTION FOR THAT.

COUNCILOR BARBOUR STATED THAT HE WAS TOLD THIS FACILITY WOULD NOT BE SUITABLE FOR THE INDUSTRIAL PARK, BUT YET WE HAVE A DOG GROOMER IN THE PARK.

HE THINKS IT WAS VERY NARROWMINDED THAT THE DOOR WAS SHUT BEFORE I.W.T. HAD A CHANCE TO WALK THROUGH AND MAKE THEIR PRESENTATION.

MOTION: TO SEND A COMMUNICATION TO THE T.D.C./M.D.C. ASKING THAT THEY RECONSIDER THIS PROJECT AS IT IS IN THE BEST INTEREST OF THE CITY, AND THIS COMMITTEE THINKS THAT WE SHOULD BE AFFORDED PROPERTY THERE.

THE MOTION WAS SECONDED BY COUNCILOR MARHSALL, ON DISCUSSION:

COUNCILOR MARSHALL ASKED HOW MANY ACRES WERE NEEDED. MR. CAMPBELL SAID 40 ACRES UPLAND. USING THE ALEC RISH SITE AND PIPING THE REST OF THE STUFF, HOW MUCH WOULD THEY NEED. MR. CAMPBELL SAID 25 ACRES.

COUNCILOR MARSHALL ASKED WHY WE COULDN'T EMINENT DOMAIN IT AND I.W.T. MAKE THE PAYMENTS. IF THIS IS THE LAST STRAW, COUNCILOR MARHSALL WOULD SUPPORT THIS. HE WOULD LIKE TO KNOW WHAT THE LEGAL OPTIONS ARE REGARDING EMINENT DOMAIN.

ATTORNEY ALEIXO STATED THAT THIS COULD TAKE ANOTHER YEAR, AND HE FEELS THAT THEY WOULD HAVE TO MOVE QUICKER.

COUNCILOR COSTA-HANLON STATED THAT THE ALEC RICH SITE WAS BOUGHT BY THE CITY, THE CITY CHOSE THIS SITE AND IT IS NOT FAIR TO CAST DISPERSIONS ON ANOTHER BODY. THE PROJECT HAS CHANGED OVER TIME AND BEFORE SENDING ANYTHING TO THE TDC/MDC SHE WANTS TO KNOW WHAT THE CITY'S AUTHORITY IS OVER THIS LAND. SHE IS NOT COMFORTABLE WITH THE MOTION AND WANTS TO HEAR WHAT THE CITY SOLICITOR HAS TO SAY.

COUNCILOR BARBOUR STATED HE WOULD LIKE THEM TO RECONSIDER DUE TO THE IMPORTANCE OF THIS PROJECT TO THE CITY.

COUNCILOR MARSHALL STATED THAT HE THOUGHT THAT THEY WERE ASKING FOR RECONSIDERATION AS THIS PROJECT IS TOO BIG TO THE CITY SO IT WARRANTS A LETTER TO THE T.D.C. TO TAKE ANOTHER LOOK.

COUNCILOR CLEARLY STATED HE AGREES WITH COUNCILOR COSTA-HANLON. THE T.D.C./M.D.C. IS RESPONSIBLE TO MANAGE THE LAND SO WE GET THE BEST RETURN ON THE CITY'S INVESTMENT UP THERE. HE THINKS THEY HAVE THE AUTHORITY TO SAY EITHER IT FITS OR IT DOESN'T FIT. THE SECOND POINT HE WANTED TO MAKE IS THAT THERE IS A HUGE UNDERGROUND WATER RESOURCE THERE. THIS HAS NOT EVEN BEEN DISCUSSED.

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THE COMMITTEE ON SOLID WASTE - CONTINUED

COUNCILOR MCCAUL STATED THAT IF THE T.D.C. SAYS THAT THEY DO NOT WANT THIS PROJECT, WHAT IS THE ALTERNATIVE. COUNCILOR MARSHALL SAID THERE IS NO ALTERNATIVE. COUNCILOR MCCAUL SAID IF THERE IS NO ALTERNATIVE, WE DON'T HAVE A BIGGER SITE AVAILABLE FOR I.W.T., WE NEED TO MOVE ON, LOOK AT THE OTHER ALTERNATIVE AND SAY WE CARE IS THE PROJECT WE NEED TO MOVE FORWARD ON. WE HAVE BEEN WAITING WAY TOO LONG.

COUNCILOR MARSHALL STATED THAT WE HAVE A CONTRACT AGREEMENT WITH I.W.T. SO THE CITY CANNOT WALK AWAY FROM A LEGAL OBLIGATION AND CONTRACT JUST AS I.W.T. CANNOT DO THIS. IT WAS ALSO NOTED THAT EVEN IF I.W.T. LOCATES OUTSIDE OF THE CITY THEY WILL HONOR ALL CONTRACT OBLIGATION, SO THE CITY OF TAUNTON WILL STILL GET THE HOST FEES, ETC.

COUNCILOR POTTIER STATED THAT IF THEY GO TO ANOTHER COMMUNITY, WON'T THAT COMMUNITY WANT HOST PAYMENTS ALSO.

MR. CAMPBELL SAID THAT THEY CAN DO IT AND CAN SATISFY BOTH CITYIES.

ON THE MOTION, COUNCILORS POTTIER AND COSTA-HANLON VOTED IN OPPOSITION.

COUNCILORS BARBOUR, CARR AND MARSHALL VOTED IN FAVOR. MOTION CARRIES.

ATTORNEY HOFFMAN WILL PROVIDE ALL CONTRACTUAL OBLIGATIONS TO THE COUNCIL.

2. MEET WITH THE ASSISTANT CITY SOLICITOR AND D.P.W. COMMISSIONER TO DISCUSS THE CURBSIDE CONTRACT AGREEMENT.

THERE IS A PROPOSED CONTRACT ON THE TABLE WITH WE CARE.

ATTORNEY DEABREU STATED THAT THERE WAS ONLY A CHANGE TO ONE OF THE SIGNATURE LINES AND THERE MAY BE SOME VERY MINOR CHANGES TO THE FORMAT OF THE CONTRACT, BUT IT IS ESSENTIALLY AS IT WAS PRESENTED.

COUNCILOR BARBOUR ASKED IF THERE WAS ANY TYPE OF GUARANTEED METHOD BUILT IN ON THE 30% ON THE RECYCLABLE RECOVERY – THAT THE CITY WOULD BE MAKING 30% ON RECYCLABLES, WHERE NOW WE JUST GET A LITTLE BIT OF MONEY ON THE CARDBOARD. MOVING FORWARD THE CITY WILL GET 30% ON ALL RECYCLABLE PRODUCTS COLLECTED. HE HAD ASKED IF THERE WAS A GUARANTEE BUILT IN, OR A FLOOR BUILT IN, WHAT THE ACCOUNTING MECHANISM WOULD REPRESENT, SO HE ASKED WHAT CAME BACK ON THAT QUESTION.

ATTORNEY DEABREU STATED THAT THE AGREEMENT DID NOT CONTEMPLATE ANY FLOOR MECHANISM AND COMMISSIONER CORNAGLIA MAY BE ABLE TO SPEAK MORE ON THAT, BUT IT IS ATTORNEY DEABREU'S UNDERSTANDING THAT THE BELIEF OF THE PARTIES IS THAT WHERE THERE IS LITTLE OR NONE UNDER THE CONTRACT WE ARE NOW UNDER, BUT IF WE MOVE FORWARD WITH THIS NEW CONTRACT, THE ITEMS WILL BE BROUGHT TO THE LOCATION IN BROCKTON, AND WHEN THE CITY'S CENTER IS OPEN IT WILL BE BASED ON WEIGHT. MR. CORNAGLIA STATED THAT HE HOPES THAT THE BENEFIT WILL BE BASED ON RECYCLABLES COMING FROM OTHER COMMUNITIES ALSO.

COUNCILOR BARBOUR STATED THAT NOW, ONE OF THE BIGGEST ISSUES WITH WASTE MANAGEMENT IS THAT NO ONE WATCHES THE SCALE HOUSE AND NOBODY KNOWS WHAT IS GOING IN, NOBODY KNOWS WHAT WE ARE GETTING PAID BECAUSE WE HAVE NO ONE IN THE SCALE HOUSE, WE HAVE NO GUARANTEED MINIMUM AND THERE IS NOTHING THAT PREVENTS THEM FROM TAKING TRASH TO ANOTHER WEIGH SCALE. HE IS NOT COMPARING THE 2 COMPANIES HE IS LOOKING AT THE DECISIONS THAT HAVE COME DOWN YEARS AGO AND HAVE NOW PLACED THE CITY IN A VERY DIFFICULT SPOT. TIPPING FEES HAVE DECREASED SIGNIFICANTLY AND IT HAS BEEN ATTRIBUTED TO LACK OF MONITORING THE WEIGH STATION AT THE LANDFILL AND CONTRACT LANGUAGE THAT WOULD GUARANTEE A MINIMUM, AND NO LANGUAGE THAT PREVENTS THEM FROM TAKING TRASH TO ANOTHER COMMUNITY. ATTORNEY DEABREU STATED THAT IT IS HIS UNDERSTANDING THAT THE 30% WHICH IS SOMETHING THE CITY HAD NOT BEEN RECEIVING UNDER THE CITY'S PRIOR CURBSIDE CONTRACT WITH ALLIED, SO IT WILL

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THE COMMITTEE ON SOLID WASTE - CONTINUED

BE MORE THAN WE WERE RECEIVING IN THE PAST. AGAIN, THIS IS ONLY AN INTERIM MEASURE UNTIL SUCH TIME AS THE MRF IS UP AND OPERATING AND AT THAT TIME, THE PRIOR NEGOTIATED AGREEMENT WILL TAKE OVER AND THAT ALSO HAS THE 30% IN IT.

COUNCILOR POTTIER NOTED THAT THE TIPPING FEE IS DOWN PERHAPS BECAUSE MORE PEOPLE ARE RECYCLING AND LESS TRASH IS BEING GENERATED AND GOING INTO THE LANDFILL, WHICH IN TURN HAS ALLOWED THE LANDFILL TO STAY OPEN LONGER AND BUY THE CITY TIME TO COME UP WITH A NEW SOLUTION.

IT WAS NOTED THAT THE MOU IS FOR 2 YEARS WITH THE CITY'S OPTION TO EXTEND FOR TWO ADDITIONAL YEARS. THE CONTRACT IS WITH WE CARE WHO IS GOING TO SUB-CONTRACT WITH ALLIED SO THE PEOPLE IN THE CITY WILL SEE THE SAME TRUCKS ON THE STREET. THE CITY WILL GET THE \$20,000 FOR THE COMPLIANCE OFFICER OUT OF THE M.O.U. ALSO RIGHT NOW THE CITY ONLY GETS ROYALTIES ON THE CARDBOARD, THAT ALLIED CURRENTLY COLLECTS, AND UNDER THE MOU, THE CITY WILL GET 30% ON THE TOTAL RECYCLABLES THAT IS COLLECTED, AND ONCE THE MRF IS IN, THE CITY WILL GET 30% OF ALL OF THE RECYCLABLES THAT ARE DISPOSED OF AT THE MRF. IT WILL ALSO BE 2% OVER LAST YEARS PRICE.

MOTION: MOVE APPROVAL

THE MOTION WAS SECONDED AND ON DISCUSSION,

COUNCILOR CARR ASKED IF THE AC'S WERE OR WERE NOT IN THE PRESENT AGREEMENT. MR. CORNAGLIA SAID THE AIR CONDITIONERS ARE IN THE PRESENT CONTRACT AND THEY WOULD HAVE TO BE CALLED IN TO MAKE AN APPOINTMENT TO BE PICKED UP. SHE ASKED WHY TV'S WERE NOT BEING PICKED UP, WHY WASN'T THIS PUT INTO THE CONTRACT.

IT WAS STATED THAT THERE WOULD BE A COST TO THE CITY FOR THIS AND THAT PEOPLE CAN BRING TV'S TO THE LANDFILL FOR FREE.

THE MAYOR STATED THAT THERE IS MORE OF A RECYCLABLE VALUE WITH AIR CONDITIONERS AND WHITE GOODS, THERE IS NO VALUE WITH THE TV'S.

COUNCILOR CARR STATED THAT PERHAPS THERE COULD BE A MINIMUM CHARGE TO PICK UP TV'S. SHE ALSO ASKED WHY ALLIED OR WE CARE CANNOT SUPPLY A FLOOR NUMBER FOR RECYCLABLES. ALLIED CAN LOOK AT TONNAGE BUT THEY CANNOT DETERMINE A FLOOR NUMBER. IT WAS NOTED THAT RECYCLABLES ARE A COMMODITY SO PRICES GO UP AND DOWN SO THAT IS WHY A FLOOR NUMBER CANNOT BE PROVIDED. THE D.P.W. WILL GET REPORTS ON THE TONNAGE OF RECYCLABLES SO THEY WILL BE ABLE TO MONITOR THE TONNAGE.

THEY ARE ALSO ADDRESSING THE ORGANICS PROBLEM, WILL BE DOING THE SCHOOL DUMPSTERS AND WILL TAKE ON PUBLIC EDUCATION IN A MUCH MORE AGGRESSIVE FASHION.

ON THE MOTION, COUNCILORS BARBOUR AND CARR VOTED IN OPPOSITION, COUNCILORS MARSHALL, COSTA-HANLON AND POTTIER VOTING IN FAVOR. MOTION CARRIES.

3. MEET TO REVIEW MATTERS IN FILE

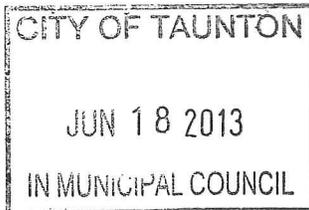
THE CHAIRMAN STATED THAT IN 3 WEEKS WASTE MANAGEMENT WILL COME BEFORE THIS COMMITTEE TO DISCUSS THE EXPANSION OF THE LANDFILL. THE CHAIRMAN ASKED THAT COUNCILORS PROVIDE ALL OF THEIR CONCERNS AND QUESTIONS TO HIM.

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THE COMMITTEE ON SOLID WASTE - CONTINUED

MEETING ADJOURNED AT 8:38 P.M.



RESPECTFULLY SUBMITTED,

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

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

Motion was made to separate items #1 and #2 from the Committee on Solid Waste. Motion was made to approve the curbside contract. The vote that came out of Committees was: Councilors Carr and Barbour voting in opposition of accepting the contract. Motion was made to pull out the motion to send a letter to the TDMC asking to reconsider an invite for IWT to discuss options to allow them into the industrial park. Councilors Pottier and Costa-Hanlon voted no. Motion was made to approve the letter to the TDMC. The motion that came out of Committees was: Councilors Cleary, Colton, Medeiros, Costa-Hanlon, McCaul, and Pottier voting in opposition. Voting in favor was Councilors Carr, Barbour, and Marshall. Motion was made to approve the contract for curbside collection. Councilors Carr and Barbour voting in opposition. Voting in favor were Councilors Cleary, Colton, Medeiros, Costa-Hanlon, McCaul, Marshall and Pottier. Reports accepted, recommendations adopted for the other motions made at the Committee on Solid Waste.

A handwritten signature in cursive script that reads "Rose Marie Blackwell".

Rose Marie Blackwell
City Clerk

CITY OF TAUNTON
MUNICIPAL COUNCIL
JUNE 18, 2013

THE COMMITTEE OF THE COUNCIL AS A WHOLE

PRESENT WERE: COUNCILOR JOHN MCCAUL, PRESIDENT AND COUNCILORS MARSHALL, CLEARY, COLTON, MEDEIROS, COSTA-HANLON, POTTIER, CARR AND BARBOUR.

MEETING CALLED TO ORDER AT 8:45 P.M.

1. BUDGET HEARING

BRISTOL PLYMOUTH REGIONAL TECHNICAL HIGH SCHOOL \$390

A LETTER HAD BEEN RECEIVED FROM SUPERINTENDENT RICHARD GROSS DATED 6/11/2013 WHICH STATED THAT THE CLERK OF COMMITTEES ASKED IF HE WOULD BE ATTENDING THE MEETING TONIGHT. HE INFORMED THE CLERK THAT HE WOULD BE OUT OF TOWN ON THAT DATE AND DID NOT HAVE ANY NEW INFORMATION TO PROVIDE. HOWEVER, HE LET THE CLERK KNOW THAT IF ANY OF THE COUNCIL MEMBERS HAVE ANY QUESTIONS, THEY SHOULD FEEL FREE TO CALL HIM AND HE WILL ADDRESS ANY QUESTIONS OR CONCERNS THEY MAY HAVE REGARDING THE 2014 ASSESSMENT. HE ALSO SHARED THAT IF NEEDED, HE COULD CONVENE A SPECIAL MEETING OF THE SCHOOL COMMITTEE FOR CITY OFFICIALS WHO WOULD LIKE TO ASK QUESTIONS ABOUT THE 2014 ASSESSMENT.

THE LETTER FURTHER STATED THAT HE WOULD BE OUT OF TOWN JUNE 18TH AND AGAIN FROM JUNE 21 THROUGH JULY 1ST.

MOTION: LETTER TO BE PART OF THE RECORD.

MOTION WAS SECONDED AND ON DISCUSSION

COUNCILOR BARBOUR ASKED THAT THE RECORD SHOW THAT BP DID NOT ATTEND THE MEETING AND ONLY UNTIL THE COUNCIL OFFICE REACHED OUT THAT WE RECEIVED SUCH A COMMUNICATION. IF WE DID NOT REACH OUT, THEY WOULD HAVE NO INTENTIONS ON APPEARING AS OTHER DEPARTMENTS AND SCHOOLS HAVE DONE.

COUNCILOR CLEARY STATED FOR CLARIFICATION THAT THIS COUNCIL DID RECEIVE A LETTER ON APRIL 2ND THAT SUMMARIZED THEIR 2014 BUDGET. HE IS NOT SAYING THIS IS THE SAME AS A PRESENTATION, BUT BASED ON THE INFORMATION PUT IN THE LETTER AND E-MAIL IT PROVIDED THE 2013 BUDGET, THE 2014 BUDGET, THE OVERALL 5.7% INCREASE, MENTIONED THE STUDENT ENROLLMENT OF 699 STUDENTS WHICH MADE UP 53% OF THE ENROLLMENT AT BRISTOL PLYMOUTH. IT SAID THE CITY'S MINIMUM CONTRIBUTION FOR FY 14 WOULD BE \$4,326,732.00 AS OPPOSED TO THE YEAR BEFORE WHICH WAS \$4,341,148.00. IT IS NOT A LOT, BUT OUR ACTUAL BUDGET ALLOCATION WENT DOWN FOR 2014. MR. CLEARY STATED THAT HE TOOK THE FY 14 BUDGET DIVIDED IT BY 699 STUDENTS, IT ROUGHLY CAME OUT TO PER PUPIL BUDGET OF ABOUT \$6,189.00, WHICH HE FEELS IS JUST ABOUT THE SAME AS IT WAS LAST YEAR. THERE WERE NOT A LOT OF INCREASES. IT WOULD HAVE BEEN NICE TO GET SOME OF THE ADDITIONAL INFORMATION AS WE GET FROM TAUNTON PUBLIC SCHOOLS ABOUT THE SAT SCORES, WHAT SOME OF THE NEW PROGRAMS ARE, WHAT THEY ARE UNABLE TO DO WITH THE BUDGET. BUT, THIS IS THE INFORMATION HE DID PROVIDE TO US AND HE MISTAKENLY THOUGHT THAT WAS SUFFICIENT.

COUNCILOR BARBOUR STATED THAT MOTIONS WERE MADE TO HAVE ALL PEOPLE HERE WHO RECEIVE MONEY FROM THE CITY. THE STUDENT NUMBERS FOR TAUNTON ARE DOWN BECAUSE OTHER COMMUNITIES HAVE BEEN INVITED INTO THE SCHOOL. THERE ARE TWO ELECTED MEMBERS FROM TAUNTON WHO COULD HAVE ATTENDED A MEETING. THE COUNCIL WOULD HAVE LIKED TO ASK HOW THEY HAVE OPENED UP THE SCHOOL TO OTHER COMMUNITIES WITHOUT HAVING A DIALOGUE WITH TAUNTON. HE FURTHER STATED THAT THE COUNCIL OWES IT TO THE TAXPAYERS TO SCRUTINIZE AND ASK QUESTIONS ON THE BUDGET.

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THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

ON THE MOTION TO MAKE DR. GROSS'S LETTER PART OF THE RECORD, COUNCILORS BARBOUR AND CARR VOTED IN OPPOSITION. COUNCILORS MARSHALL, CLEARY, COLTON, MEDEIROS, COSTA-HANLON, POTTIER AND MCCAUL VOTING IN FAVOR. MOTION CARRIES. COUNCILOR COSTA-HANLON STATED THAT SHE WENT TO THE DEPARTMENT OF EDUCATION SITE AND GOT A LOT OF INFORMATION. WHAT WAS INTERESTING TO HER, AND SHE WOULD HAVE LIKED TO SEE DR. GROSS HERE, IS THAT THE NET SCHOOL SPENDING FOR BP, THE \$4.3 MILLION, IS 100% OF NET SCHOOL SPENDING. THE TAUNTON PUBLIC SCHOOLS ARE GETTING 93% AND ARE REFERRING THE BALANCE TO THE SUPPLEMENTAL BUDGET. JUST TO BE FAIR, FOR PARADOY, SHE WOULD LIKE TO MAKE A MOTION THAT THE COUNCIL DO THE SAME FOR BRISTOL PLYMOUTH THAT WE DO FOR OUR OWN SCHOOLS, WHICH IS IN THIS BUDGET APPROVE 93% AND REFER THE BALANCE OF IT TO THE SUPPLEMENTAL. SHE WOULD LIKE TO DISCUSS THIS ABSENT A MOTION, BUT THIS WAS A WAKE UP CALL FOR HER. SHE NEVER REALIZED THAT EVERY SINGLE TIME THAT THERE HAS BEEN A REQUEST FOR BRISTOL PLYMOUTH, THAT REQUEST IS 100% OF NET SCHOOL SPENDING, AND WE ALWAYS SEEM TO ALLOW IT WHEN OUR OWN SCHOOLS WE REFER OFF. WE HAVE THE SAME OBLIGATION. SHE IS CONCERNED ALSO, BECAUSE THIS IS THE FIRST TIME SHE HAS HEARD OUR BUDGET DIRECTOR SAY THAT HE IS CONCERNED THAT WE MAY BE IN VIOLATION OF THE NET SCHOOL SPENDING AND WE MAY GET SANCTIONED THIS YEAR. SHE KNOWS THAT THE MAYOR HAS OBLIGATED TO 96% AND THAT WILL PROBABLY MOST LIKELY MEET OUR OBLIGATION, BUT SHE FEELS THAT THE COUNCIL INSTEAD OF SIMPLY REFERRING TO SUPPLEMENTAL, SHE THINKS HAS THE AUTHORITY TO REDUCE ANY BUDGET. SHE IS COMFORTABLE MAKING THE MOTION TO REDUCE THE BRISTOL PLYMOUTH BUDGET TO 93% WHICH IS EXACTLY WHAT IS BEING DONE FOR TAUNTON PUBLID SCHOOLS. SHE WOULD ALSO LIKE THE COUNCIL TO CONSIDER, AND SHE HAS CALCULATED THAT AMOUNT, WHICH WOULD PUT THE BP BUDGET AT \$3.866 MILLION WHICH WOULD BE A REDUCTION OF \$302,876.24, BECAUSE THE COUNCIL DOES HAVE THE AUTHORITY TO ADD TO A SCHOOL BUDGET. WE CANNOT ADD ANYTHING ELSE TO THE BUDGET, BUT UPON THE REQUEST OF A SCHOOL COMMITTEE OR UPON THE REQUEST OF A REGIONAL SCHOOL DISTRICT, CANADD. SHE IS ASKING THAT THE COUNCIL CONSIDER ADDING THAT \$302,000.00 TO THE TAUNTON SCHOOL BUDGET, WHICH STILL IS NOT GOING TO PUT THEM AT THE 95%, BUT WILL AT LEAST GIVE US A LITTLE BIT MORE PARODY. IF WE DO THIS, IT WOULD BRING THE TAUNTON SCHOOL BUDGET UP TO STILL LESS THAN 95%.

MOTION: TO CUT THE BRISTOL PLYMOUTH BUDGET LINE ITEM 5694 WHICH IS THE SCHOOL ASSESSMENT BY \$302,871.24, WHICH WOULD REPRESENT 93% OF THE NET SCHOOL SPENDING ASSESSMENT, WHICH WOULD MAKE THAT BUDGET \$3,866,369.11

COUNCILOR CARR SECONDED, ON DISCUSSION.

COUNCILOR CARR ASKED WHETHER WE ARE GOING TO REFER ANYTHING TO SUPPLEMENTAL BUDGET, ARE WE GOING TO REFER A SPECIFIC AMOUNT, SAY THE SAME PERCENTAGE AS WE PAY THE TAUNTON SCHOOL SYSTEM, HOW WOULD COUNCILOR COSTA-HANLON WORD THE REFERAL?

COUNCILOR COSTA-HANLON SAID THAT SHE WOULD CUT AND REFER THE BALANCE TO EQUAL WHAT THE COMMITMENT HAS BEEN FROM THE MAYOR FOR THE TAUNTON PUBLIC SCHOOLS WHICH IS 96%. SHE WOULD AMEND THE MOTION AND **REFER TO SUPPLEMENTAL FOR THE BP BUDGET WHAT WOULD BRING IT UP TO 96% WHICH WOULD BE ON PAR WITH WHAT THE CITY IS PAYING THE TAUNTON PUBLIC SCHOOLS.**

ON DISCUSSION, COUNCILOR COLTON STATED THAT HE UNDERSTANDS THE ARGUMENT ON PARODY AND IS DISAPPOINTED THAT DR. GROSS DID NOT COME HERE, BUT HIS CONCERN IS, AND HE WOULD LIKE TO GET AN ANSWER FROM SOMEONE, THE BUDGET DIRECTOR IS NOT HERE, THE CITY SOLICITOR IS NOT

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THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

HERE, BEFORE WE DO THIS. ARE WE JUST CREATING, WE HAVE A PROBLEM WITH TAUNTON PUBLIC SCHOOLS POTENTIALLY, ARE WE NOW JUST CREATING 2 PROBLEMS IN TERMS OF GETTING OURSELVES SANCTIONED FOR NET SCHOOL SPENDING. INSTEAD OF ONE PROBLEM, WE ARE JUST CREATING 2 PROBLEMS.

COUNCILOR COSTA-HANLON SAID WE WON'T AS LONG AS THE SUPPLEMENTAL HAS THE 96%. WE HAVE BEEN UNDER THE NET SCHOOL SPENDING FOR THE LAST 3 YEARS FOR TAUNTON PUBLIC SCHOOLS. WE HAVE NEVER BEEN UNDER THE NET SCHOOL SPENDING FOR BRISTOL PLYMOUTH. IT WOULD BE INCUMBENT UPON THE MAYOR TO GET THAT AT SUPPLEMENTAL. SHE IS JUST FREEING UP MONEY IN THE BUDGET TO MEET THE NEEDS OF THE TAUNTON PUBLIC SCHOOLS.

COUNCILOR POTTIER STATED THAT IF WE CUT BRISTOL PLYMOUTH TO THE SAME LEVEL AS THE TAUNTON SCHOOL DEPARTMENT AND HAVE THAT MONEY GO TO THE TAUNTON SCHOOL DEPARTMENT, THEN WE ARE NOT IN PARODY.

COUNCILOR COSTA HANLON SAID THAT WE CAN ONLY REQUEST THIS, BUT IT IS HER INTENTION THAT IT SHOULD GO TO SHORE UP THE TAUNTON SCHOOL DEPARTMENT BUDGET. ALSO, FROM WHAT SHE CAN SEE, BRISTOL COUNTY AGRICULTURAL HIGH SCHOOL HAS ALWAYS BEEN FUNDED AT 100%.

COUNCILOR POTTIER ASKED IF SHE WAS GOING TO CUT THAT BUDGET ALSO.

COUNCILOR COSTA-HANLON SAID WE CAN, BUT IT IS SUCH A SMALL BUDGET SHE DOES NOT SEE IT HAVING ANY IMPACT IN HELPING US TOWARDS THE NET SCHOOL SPENDING FOR TAUNTON PUBLIC SCHOOLS.

COUNCILOR POTTIER STATED THAT ANOTHER CHALLENGE TO HER REASONING IS THAT HE BELIEVES THAT WHAT WE CONTRIBUTE TO BRISTOL PLYMOUTH ON A PER STUDENT BASIS IS ABOUT \$6,000 WHERE THE AVERAGE SCHOOL PER CHILD COST FOR TAUNTON PUBLIC SCHOOLS IS \$10-12,000.00. YOU CANNOT PENALIZE BRISTOL PLYMOUTH FOR GETTING MORE BANG FOR THE BUCK.

COUNCILOR CARR STATED THAT THE COST TO EDUCATE A STUDENT AT BRISTOL PLYMOUTH IS ABOUT \$13-\$15,000 AND THAT THE \$6,000 DOES NOT INCLUDE THE STATES PORTION.

COUNCILOR CLEARY STATED THAT THE LAW SAYS THAT UPON RECOMMENDATION OF THE SCHOOL COMMITTEE WE COULD VOTE BY 2/3 VOTE TO INCREASE THE TOTAL APPROPRIATION TO THE SCHOOLS. INTERPRETING THIS, WE DO NOT HAVE A RECOMMENDATION FROM ANYBODY TO CHANGE THE APPROPRIATION.

COUNCILOR COSTA-HANLON SAID IN THE HANDOUT FROM THE TAUNTON PUBLIC SCHOOLS THEY ASKED FOR THE 97% NET SCHOOL SPENDING.

COUNCILOR CLEARY SAID THEY WERE ADVOCATING, BUT THERE WAS NO FORMAL VOTE BY THE SCHOOL COMMITTEE. THE SECOND POINT IS THAT HE AGREES WITH COUNCILOR COLTON IN THAT WE ARE NOT HAPPY BEING AT 96% WITH THE TAUNTON PUBLIC SCHOOLS BUT IT IS A TREMENDOUS FINANCIAL COMMITMENT ON THE PART OF THE CITY TO EVEN DO THAT AND THEN WE ARE GOING TO GO AHEAD AND ARBITRARILY CUT BRISTOL PLYMOUTH'S ALLOCATION TO 96%, AND THEN MAY BE IN TROUBLE FOR 2 SCHOOLS, WHICH MAKES NO SENSE TO HAVE 1 PROBLEM AND THEN CREATE 2 PROBLEMS.

COUNCILOR CLEARY STATED THAT HE IS NOT INTERESTED IN PARTICIPATING IN THIS DYSFUNCTIONAL RELATIONSHIP BETWEEN MEMBERS OF THIS COUNCIL AND BRISTOL PLYMOUTH..

COUNCILOR COSTA-HANLON STATED THAT THIS IS JUST TO CUT, YOU ONLY NEED 5 VOTES. IT IS ARBITRARY THAT ONE SCHOOL GETS 100% ALL OF THE TIME AND ANOTHER GETS 93%. IF WE CAN ONLY AFFORD 93%, THEN WE CAN ONLY AFFORD 93% FOR EVERYBODY.

ON THE MOTION, VOTING IN FAVOR WAS COUNCILORS COSTA-HANLON AND CARR. VOTING IN OPPOSITION WAS COUNCILOR BARBOUR, POTTIER, MEDEIROS, COLTON, CLEARY, MARSHALL AND MCCAUL. MOTION DOES NOT CARRY.

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JUNE 18, 2013

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

MOTION: TAKE BUDGET UNDER ADVISEMENT. COUNCILORS MCCAUL, MARSHALL, CLEARY, MEDEIROS AND POTTIER VOTING IN FAVOR, COUNCILORS COSTA-HANLON, CARR AND BARBOUR VOTING IN OPPOSITION. MOTION CARRIES.

2. MEET TO REVIEW FISCAL YEAR 2014 CITY BUDGET.

COUNCILOR COSTA-HANLON NOTED THAT IN THE MINUTES FROM JUNE 3RD BUDGET HEARING, AND SHE FEELS THAT WE CAN REFER TO SUPPLEMENTAL BUT IF WE DO NOT PROVIDE THE MEANS WITHIN THIS BUDGET TO FUND THEM WE ARE NOT REALLY DOING WHAT WE SHOULD. THE COUNCIL SHOULD BE RESPONSIBLE AND CUT TO PROVIDE FOR THESE ITEMS.

ONE OF THE ITEMS REFERRED TO SUPPLEMENTAL BUDGET IS THE 2 ADDITIONAL POLICE OFFICERS. SHE SAID THE ESTIMATE SHE RECEIVED FROM THE POLICE DEPARTMENT AND THE TREASURER'S OFFICE IS THAT THE AVERAGE COST OF HAVING 2 POLICE OFFICERS INCLUDING THE BENEFITS WOULD BE ABOUT \$130,00.00. SHE FURTHER STATED THAT COUNCILOR CARR PROVIDED HER WITH A RUN AMOUNT OF WHAT IS LEFT IN EACH DEPARTMENT, WHICH THE DATE OF THE RUN SHE REFERRED TO IS JUNE 13, 2013. COUNCILOR MEDEIROS, ON A POINT OF INFORMATION, STATED THAT HE HAD NEVER RECEIVED THIS DOCUMENT.

COUNCILOR COSTA-HANLON SAID THAT IN BUDGET 197 PARKING COMMISSION, THE TOTAL BUDGET WAS \$415,503.00 TO DATE OF JUNE 13TH, THE ONLY AMOUNT SPENT WAS \$180,000 SO THERE IS A BALANCE OF \$235,000.00. SHE CANNOT IMAGINE THAT THIS WOULD BE SPENT IN THE NEXT TWO WEEKS. THEREFORE, SHE IS ASKING THE COUNCIL TO CONSIDER REDUCING THIS LINE ITEM RELATING TO IMPROVEMENTS.

MOTION: TO REDUCE LINE ITEM 5830 IN THE PARKING COMMISSION BUDGET BY \$130,000.00, WHICH IS FOR THE CAPITAL IMPROVEMENT FOR THE PARKING GARAGE.

COUNCILOR CLEARY STATED THAT ANY MONEY IN THE 2013 BUDGET THAT IS REMAINING EVENTUALLY WILL END UP IN THE FREE CASH ACCOUNT, SO IN EFFECT WE DID THIS. BY REFERRING IT TO THE MAYOR'S OFFICE FOR SUPPLEMENTAL BUDGET, WE ARE HOPING THAT THERE IS A SUFFICIENT AMOUNT OF FREE CASH FOR HIM TO FILL THOSE 2 POSITIONS, AND IN FACT THE MAYOR SAID, WITH ALL THE RECOMMENDATIONS WE MAKE, HE WOULD BE MOST INTERESTED IN THOSE 2 POSITIONS. THE MONEY IS GOING TO END UP IN THE FREE CASH ACCOUNT AND THAT IS WHAT THE MAYOR IS GOING TO USE FOR THE SUPPLEMENTAL BUDGET.

COUNCILOR COSTA-HANLON SAID THERE ARE NO GUARANTEES IN THE SUPPLEMENTAL BUDGET. SHE FURTHER STATED THAT THE COUNCIL REFERS ALL THESE THINGS TO SUPPLEMENTAL BUDGET WITHOUT CUTTING AND THIS IS NOT RESPONSIBLE.

THE MAYOR STATED THAT THE SPECIFIC BUDGET ITEM THAT COUNCILOR COSTA-HANLON IS REFERRING TO FOR A CUT, IS A REVOLVING ACCOUNT AND THAT MONEY WILL BE USED FOR THE COMPLETE RESURFACING OF THE PLEASANT STREET LOT AND ALSO THERE ARE MAJOR REPAIRS NEEDED AT THE PARKING GARAGE.

COUNCILOR POTTIER STATED THAT A NUMBER OF ITEMS WERE REFERRED TO THE SUPPLEMENTAL BUDGET. THESE ITEMS WERE NOT A WISH LIST, THEY WERE IMPORTANT TO THE COUNCIL AND THE COMMUNITY. HE ALSO STATED WE DO NOT KNOW WHAT FREE CASH IS GOING TO BE, AND HE DOES NOT WANT TO HIRE SOME GUYS NOW, AND THEN HAVE SOME DIRE NEWS COME DOWN AND END UP HAVING TO LAY THEM OFF IN A COUPLE OF MONTHS. THEN YOU WILL ALSO HAVE THE COSTS OF

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JUNE 18, 2013

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

EMPLOYMENT, WE WOULD HAVE TO SEND THESE GUYS TO THE ACADEMY, SO WE WOULD NOT BE GETTING A RETURN ON OUR INVESTMENT IF THEY WERE LAID OFF. HE SAID THAT HE KNOWS THAT THE MAYOR AND GILL WILL TRY TO FILL ALL THE REQUESTS THAT WERE SENT TO THEM. THE MAYOR ALSO STATED THAT EVERYONE AGREES THAT POLICE ARE A PRIORITY. HE DID CAUTION THAT WE DO NOT WANT TO HAVE A STRUCTURAL DEFICIT. WE DON'T WANT TO HIRE PEOPLE THAT WE CAN ONLY AFFORD TO PAY THIS YEAR AND NEXT YEAR.

COUNCILOR MARSHALL STATED THAT IF \$130,000 IS CUT OUT OF THE REVOLVING ACCOUNT AND WE DO NOT GET THE 2 POLICE OFFICERS BY THE MAYOR, THEN THE MONEY GOES INTO THE GENERAL FUND, AND NOW WE WOULD NOT BE ABLE TO DO THE PROJECTS THE MONEY WAS ORIGINALLY INTENDED FOR. HE ALSO STATED THE CERTIFICATION IN NEGATIVE FREE CASH WAS DUE TO HUMAN ERROR. HE IS CONFIDENT THAT PROBLEM HAS BEEN CORRECTED. THE MAYOR IS GOING TO HAVE SOME TOOLS TO WORK WITH AND SAID THAT POLICE OFFICERS ARE A PRIORITY. HE HAS A TRACK RECORD OF MAKING UP NET SCHOOL SPENDING IN THE SUPPLEMENTAL BUDGET. COUNCILOR MARSHALL DOES NOT SEE THE MERIT IN CUTTING \$130,000 AS IT DOES NOT GUARANTEE GETTING THE POLICE OFFICES BUT IT DOES MEAN THAT WE WILL NOT GET THE PROJECTS DONE REGARDING PARKING ISSUES.

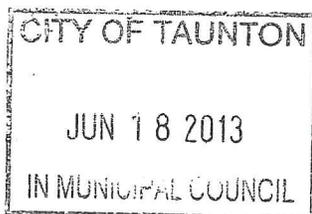
COUNCILOR MEDEIROS STATED THAT ALL 9 COUNCILORS WANT MORE POLICE OFFICERS ON THE STREET, BUT WE ALSO NEED TO TAKE CARE OF WHAT WE HAVE. HE IS LOATH TO TAKE AWAY MONEY FOR WHAT HE FEELS IS A PRIORITY AND HE WILL NOT CUT FUNDS FOR THE MAINTENANCE FOR STRUCTURES.

COUNCILOR COLTON ALSO STATED THAT ALL COUNCILORS WANT MORE POLICE OFFICERS. HE FURTHER STATED THAT THE PARKING GARAGE IS FULL EVERYDAY, HAS NOT BEEN MAINTAINED FOR YEARS, BUT THAT WE CAN SALVAGE IT AND MAKE IT WORK. THE MONEY IN THIS REVOLVING ACCOUNT IN THE PARKING COMMISSION BUDGET CAN ONLY BE SPENT ON PARKING ISSUES.

CITY SOLICITOR BUFFINGTON SAID THAT COUNCILOR COLTON IS RIGHT. THE FUNDS ARE NOT APPROPRIATED FROM THE GENERAL FUND, THEY MUST BE USED FOR PARKING RELATED ISSUES AND CANNOT BE USED FOR POLICE OFFICERS.

ON THE MOTION, COUNCILORS CARR AND COSTA-HANLON VOTED IN FAVOR, COUNCILORS MCCAUL, BARBOUR, POTTIER, MEDEIROS, COLTON, CLEARY AND MARSHALL VOTED IN OPPOSITION. MOTION DOES NOT CARRY.

MEETING ADJOURNED AT 9:45 P.M.



RESPECTFULLY SUBMITTED,

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

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

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

CITY CLERK



CITY OF TAUNTON

In Municipal Council

ORDER #27
FY 2013
JUNE 18, 2013

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Ordered, That

THE SUM OF TWENTY FIVE

THOUSAND DOLLARS AND NO CENTS (\$25,000.00) BE AND HEREBY IS TRANSFERRED
FROM PARKS, CEMETERIES AND PUBLIC GROUNDS ACCOUNT NO. 1-630-201-5109 –
SALARIES AND WAGES

TO: ACCOUNT NO. 1-630-203-5870 – CAPITAL OUTLAY

..... Clerk.