



*City of Taunton  
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA  
Minutes, June 24, 2014 at 10:10 O'clock P.M.*

*Regular Meeting*

*Mayor Thomas C. Hoye, Jr. presiding*

*A moment of silence was observed in memory of Lawrence Red Bradshaw, a long-time Taunton Firefighter and the grandfather of Chief Tim Bradshaw, who passed away this week,*

*Prayer was offered by the Mayor*

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

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

**Communications from the Mayor:**

Mayor Hoye wanted to thank the Taunton Area Chamber of Commerce and the Downtown Taunton Foundation for their movie night which was a huge success. Last Friday, a few hundred people watched The Lego Movie. It was a well-attended, family focused event. He also wanted to thank Colleen Simmons for all of their planning. Mayor Hoye stated that hopefully they can plan another one soon. Mayor Hoye also mentioned the Relay for Life which was held last Friday at Bristol Plymouth. He stated that it was another well attended event and certainly the citizens of Taunton are dedicated to continue the fight against cancer. **Councilor Pottier motioned that the Council should send a thank you letter to Bristol Plymouth for hosting the event. So Voted.** Mayor Hoye stated that the Relay was later this year then it has been in other years. He would like to get it earlier on the calendar for next year. It was a great event. He mentioned the Kid's Track Series which has been very successful for the past two years is coming back for a third season starting this Thursday, June 26, 2014 at 6pm. Registration will start between 5:30 – 5:45pm. There are a large variety of age appropriate races from ages 3-14. Mayor Hoye stated that Family 4<sup>th</sup> Night will be held on Friday, June 27, 2014 at Hopewell Park. It will start at 6pm with the Toe Jam Puppet Band and Soul City at 7pm. Fireworks will be held at 9pm. Parking information is available on the City's website and also in the Taunton Gazette. Councilor Pottier asked Mayor Hoye where the fireworks will be set off from. Mayor Hoye stated that it would be in the vicinity of Taunton State Hospital.

**Communications:**

Com. from Budget Director requesting a transfer of \$2,000.00 from the FY14 Reserve Account into the budget of the City Clerk, Salaries and Wages Clerical Account to cover the Local 1144 contractual increase that was approved by the Municipal Council a few weeks back. He requested that the Council vote tonight so that it is done in time for year end, FY14. The remaining balance in the FY14 Reserve Account after this transfer will be \$141,400.74.

Councilor Croteau stated that the Committee on Finance and Salaries reviewed this with Mr. Enos tonight because he asked that it be passed tonight. The recommendation of the Committee on Finance and Salaries is for the Council to act on it tonight. **Motion was made to move approval. So Voted.**

Com. from Kate Gover, Taunton Fire Department requesting to pay prior year utility invoices. She is requesting that the City Council authorize a payment to Verizon in the amount of \$2,297.69 for various older prior fiscal year bills. A purchase order for this amount has already been approved securing the necessary funds to make the payment. Also, she requested an additional \$92.08 be approved by the City Council in addition to the funds already approved on March 11, 2014 to pay the TMLP prior fiscal year invoices. As with the Verizon bills, a Purchase Order has been approved securing the necessary funds to make this payment as well. Councilor Croteau stated that if in fact the bills are submitted prior to the close of the fiscal year the City is responsible for paying and any bill submitted after the close of the fiscal year we are not responsible to pay. **Motion was made to refer to the Committee on Finances and Salaries and also ask the auditor to be present at the meeting to discuss the reasons why the bills are being returned. So Voted.**

Com. from City Solicitor submitting an Ordinance Modernizing the Taunton Parking Commission. The members of the existing Parking Commission have reviewed this ordinance and are in agreement with its terms. This proposed ordinance is currently in proper form for a first reading. Councilor Cleary stated that the City Solicitor said the Ordinance is available for a first reading. **Motion was made to refer to the Committee on Ordinance and Enrolled Bills. So Voted.**

Com. from Commissioner, Parks, Cemeteries, Public Grounds submitting breakdown of the Revolving Account balance per the Auditor's Report dated June 10, 2014. The Revolving Account allows for municipalities to collect user fees for recreational programs to offset expenses for part time employees, program supplies and maintenance of recreational facilities in the City of Taunton. She attached a breakdown of the fees collected in FY14 as well as estimated expenses. **Motion was made to refer to the Committee of the Council as a Whole meeting where the budget will be discussed. It was also requested that any other department head that has a revolving account present the same breakdown for that same meeting. So Voted.**

Com. from General Manager, TMLP submitting a report of action on street lights on Brandy Lane. He is recommending transferring the cost of lighting from TLC Development, to the City of Taunton. Lights to be transferred would be 2-70w high pressure sodium lights on aluminum standard poles, 1 & 2 on Brandy Lane in Taunton, which is now a City approved street. Transfer of cost requested by TLC Development 490 Winthrop Street Taunton. Estimate cost is \$10.58 per month and does not include fuel adjustment credit. **Motion was made to move approval. So Voted.**

Com. from Director, Human Services submitting two (2) Disclosure Forms for two (2) part-time municipal employees to participate in the FY15 Taunton Senior Tax Work-off Program. After contacting the City Solicitor regarding the proper procedure to follow, it was determined that

both individuals must file a 20b Disclosure Form, have their municipal employer sign the form and then the forms must be approved by the Mayor and City Council. **Motion was made to move approval. So Voted.**

Com. from David LeClair, Race Director, HF Knights of Columbus Council #11510, 65 Woodlawn St., East Taunton requesting to conduct their 5<sup>th</sup> annual Running/Walking 5K Road Race for Charity event on Thursday, August 14, 2014 at 7pm. The race will begin and end in the parking lot of the Holy Family Parish Center located at 438 Middleboro Avenue and would also involve the use of East Taunton streets. The race will cover 3.1 miles of city streets. The race committee is requesting Police presence at the start of the race with particular attention to the runners/walkers on Middleboro Avenue as they cross the street after leaving the parking lot and before entering the Parish Center parking lot as the race ends. All plans for the race are in place but are on hold until final approval is granted by the City of Taunton. **Motion was made to move approval and refer to the Police and Fire Departments. So Voted. Councilor Pottier motioned that the sponsors remove any signs after the race. So Voted.**

Com. from Anthony and Marguerite Martin stating that they would like to recognize the wonderful job that the Taunton Firefighters and Police Officers had done when their garage caught on fire. They are proud of, and grateful to all of the crucial members of the Taunton Firefighters and Police Officers. They stated that there is no way to truly thank them all adequately. **Motion was made to receive and place on file and send a copy to the Fire Chief and Police Chief. So Voted.**

Council President Marshall stated that he received a three page letter from Massachusetts Municipal Association, One Winthrop Sq., Boston, MA regarding the Telecom Industry Proposals. The Massachusetts Municipal Association opposes the Telecom industry's proposals to remove local authority in siting of wireless antennas and equipment and encourages cities to do the same. **Motion was made for the City Clerk to include this letter in the packet next week and that it is reviewed and the Council be prepared to make a decision whether they will support Massachusetts Municipal Association's recommendation or not. So Voted.**

**Petitions:**

Petition submitted by Thomas Amato, Gatehouse Media Massachusetts II, Inc. –dba- Enterprise Publishing Company, LLC, 5 Cohannet Street requesting a renewal of their News Rack Licenses. **Motion was made to refer to Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Joan Kilroy, 1 Seaver St., East Taunton requesting a NEW Grade 1 Kennel License for 4-6 dogs to be located at 1 Seaver Street, East Taunton located in the Rural Residential District. **Motion was made to refer to the City Clerk's Office for a hearing in three weeks. So Voted.**

**Committee Reports:**

**Motion was made for Committee reports to be read by Title and Approved. So Voted.** Councilor Costa-Hanlon stated that the recommendation of the Police and License was to hire three police officers. She requested that it be taken out to have it approved by the Council

tonight if possible. She deferred to the City Clerk whether it should wait until Unfinished Business or if she should take it out of the Committee Reports. The City Clerk stated that it should be taken out of the Committee Reports. Councilor Pottier stated that it should be taken out of the recommendations. Mayor Hoye stated that it should be a roll call vote. **Recommendations adopted to reflect the votes as recorded in Committee Reports with the exception of the Committee on Police and License report. So Voted.** Councilor Costa-Hanlon stated that Item#6 on the Committee on Police and License had a unanimous recommendation that the three gentlemen who were interviewed today be offered conditional employment with the Taunton Police Department as Police Officers. She requested that they be pulled out as roll call votes. Motion was made to offer conditional employment with the Taunton Police Department to Andrew Pacino. Mayor Hoye stated that these are lateral transfers and not taken off the civil service list. The City Clerk questioned why they are being hired as a conditional employee rather than a full-time employee. Councilor Costa-Hanlon stated that she believed that they still had to go through PT and medical. Councilor Croteau stated that the appointment should be made contingent on a physical exam. He stated that he thought it was standard policy to give a new employee a physical. The City Clerk stated that she is sure they go through that with Human Resources. **Motion was made to offer Andrew Pacino a lateral transfer conditional on the requirements of Human Resources and a physical. On a roll call vote, nine (9) Councilors present, nine (9) Councilors voting in favor. Motion was made to offer John D. Peterson a lateral transfer conditional on the requirements of Human Resources and a physical. On a roll call vote, nine (9) Councilors present, nine (9) Councilors voting in favor. Motion was made to offer Kevin Viveros a lateral transfer conditional on the requirements of Human Resources and a physical. On a roll call vote, nine (9) Councilors present, eight (8) Councilors voting in favor, one (1) Councilor voting present. Councilor Carr voting present.** Mayor Hoye asked if there were any other motions taken at the Committee on Police and License. **Recommendations adopted to reflect the votes as recorded in Committee Reports for the Committee on Police and License. So Voted.**

**Unfinished Business:**

Councilor Carr stated that she has asked twice in the last four weeks for a list from the DPW of what the two street sweepers are doing and when. **Motion was made to receive a list from the DPW Commissioner as to which streets and when the two street sweepers are doing them. So Voted.**

**Orders, Ordinances, and Resolutions**

The City Clerk stated that the Stormwater Management Ordinance was given to her this evening. She requested that it be put into the packet for next week. **Motion was made to refer for next week. So Voted.**

**New Business:**

Councilor Pottier stated that he received a call regarding drug activity on Kilton Street. Mayor Hoye asked Councilor Pottier to send an e-mail to the Chief with the address. **Motion was made for the Police Chief to add that address to the list of places to keep an eye on. So Voted.**

Councilor Pottier stated that an issue had been referred to him by a member of the School Committee. Last fall, an ordinance was passed to have a "No Parking" sign in front of Bennett School and also to have new curb cuts for the crosswalk. The sign is not up and it has not been

painted yet. **Motion was made to refer that to the DPW and the Sign Division. So Voted.** Mayor Hoye stated that the curb cuts have been made but it needs to be painted.

Councilor McCaul stated that the flail mower should be sent to the lower end of Kingman Street near South Precinct Street, at the corner near the airport, because the stop sign is not easily visible. Councilor Borges requested that Vernon Street, Wales Street, First Street (from the baseball field to Flannery Park), and at the boat ramp on Bay Street be added to the list. Councilor Pottier also mentioned Stevens Street by the railroad crossing bridge. **Motion was made for the DPW to send the flail mower to those locations. So Voted.**

Councilor McCaul stated that he has received a few phone calls from residents regarding vehicles speeding through that area where Butler Street turns into Wilson Street. **Motion was made for the Safety Officer to review the problem at the four-way intersection of Van Buren Street and Butler Street. So Voted.**

Councilor Quinn stated that she has received a couple of phone calls regarding sand in the street on Morey's Bridge. Mayor Hoye stated that he believes that the street sweeper went over there today.

Councilor Quinn received a call regarding speeding on Range Avenue. **Motion was made to refer to the Safety Officer to check on the traffic and possibly put the radar trailer out there. So Voted.**

Councilor Quinn stated that she spoke with a few people over the weekend regarding "No Parking" signs on Fifth Avenue near the church. She was told that previously there were signs there, but they aren't anymore. **Motion was made to refer to the DPW Sign Division to look into it. So Voted.**

Councilor Carr stated that she received calls regarding the odor coming from the landfill. Councilor Pottier mentioned for people to make sure that they call the hotline number so the complaint can be registered. Councilor Carr stated that she calls them in herself, every time she gets a complaint. **Motion was made to refer to the Committee on Solid Waste. So Voted.**

Councilor Carr stated that there is a lot of construction going on from Broadway to Washington Street. There are several inches of sand in the gutters. **Motion was made for the street sweeper to go to that area. So Voted.**

Councilor Carr stated that there has to be a way to get recruits into the academy in a timely manner. Mayor Hoye stated that there are a lot of people who sit on those lists for a long time and they deserve the opportunity. **Motion was made for the Police Chief to create a plan for getting recruits into academies in a timely fashion and to present that in front of the Committee on Police and License. So Voted.**

Councilor Borges stated that there is a lot of trash and couches around the 500 Bay Street area. It was brought up at an all-area crime watch meeting that she attended last week. **Motion was made to refer to the Trash Enforcement Officer. So Voted.** Councilor Costa-Hanlon was told by the DPW Commissioner that there needs to some kind of changes to the ordinance to ensure

that the Trash Officer will be able to enforce. She questioned if anyone knew when those were coming down. Mayor Hoye stated that the Trash Enforcement Officer was here today working with the City Solicitor. He is doing a great job and is finding things that the trash company may be bypassing. Councilor Costa-Hanlon inquired about whether this is something that should be referred to the Committee on Ordinances and Enrolled Bills. The City Solicitor stated that he met with the Trash Officer at length today along with Attorney deAbreu and there is enough language in the ordinance now for him to go out and do his job. He stated that immediate enforcement of the ordinance is not an issue. They also met to discuss some potential revisions to the ordinance that could make it even easier for him to do his job. He stated that the Council can expect to hear a proposed ordinance in the near future, but now there is more than enough there to get his job done. Councilor Quinn stated that at 552 Bay Street, they did take all the black bags and put them in orange bags and they got picked up. Councilor Carr stated that she would like some information on that new position, how the public should notify him if there is a trash issue on their street and the hours that he works so people will know exactly what is going on with trash enforcement. **Motion was made to refer to the DPW Commissioner to give the Council a brief rundown of that information so that people will know what to do when they have a trash issue. So Voted.**

Councilor Borges stated that the property on 6 Reed Street is a blighted property. She wasn't sure if that has been an issue in the past that has been addressed. Mayor Hoye stated that if it is the same property it was addressed, slightly cleaned up and it is back to the state that it was in. Councilor Borges stated that it was overflowing onto the sidewalk. **Motion was made to refer to the Zoning Officer. So Voted.**

Councilor Borges discussed the possibility of "Stop" signs on Olney Street and Wales Street and on the intersection of Reed Street and Wales Street. **Motion was made to refer to the Safety Officer. So Voted.**

Councilor Borges stated that the issues that she brought up tonight were all concerns of residents at the all-area crime watch meeting that Jen Bastille took charge of last week. She stated that she and Councilor Quinn attended the meeting and told the residents that they would address those issues at this week's Council meeting.

Meeting adjourned at 10:38 P.M.

A true copy:

Attest:

  
City Clerk

RMB/SJS

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
JUNE 24, 2014

THE COMMITTEE ON FINANCE AND SALARIES

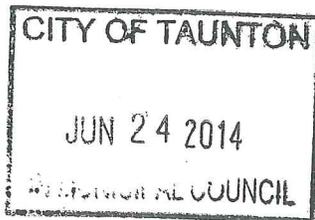
PRESENT WERE: COUNCILOR GERALD CROTEAU, CHAIRMAN AND COUNCILORS CARR AND POTTIER. ALSO PRESENT WAS BUDGET DIRECTOR GILL ENOS

MEETING CALLED TO ORDER AT 5:46 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.

- 2. MEET TO REVIEW MATTERS IN FILE  
THE BUDGET DIRECTOR INFORMED THE COMMITTEE THAT THERE WAS A REQUEST FOR A TRANSFER OF \$2,000 FROM RESERVE ACCOUNT TO THE CITY CLERK'S OFFICE IN THE PACKET. HE ASKED THAT THIS BE ACTED ON TONIGHT AS IT IS NEEDED TO COVER THE 1144 INCREASES.

MEETING ADJOURNED AT 5:47 P.M.



RESPECTFULLY SUBMITTED,

*Colleen M. Ellis*

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

*Am Blackwell*  
CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
JUNE 24, 2014

**THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS**

PRESENT WERE: COUNCILOR DONALD CLEARY, CHAIRMAN AND COUNCILORS BORGES AND QUINN. ALSO PRESENT WAS ASSISTANT CITY SOLICITOR DANIEL DEABREU

MEETING CALLED TO ORDER AT 5:59 P.M.

**1. MEET TO REVIEW DRAFT OF THE CITY OF TAUNTON STORMWATER MANAGEMENT ORDINANCE**

THIS ORDINANCE, ACCORDING TO THE DPW, IS ONE THAT THE CITY IS REQUIRED TO HAVE ON THE BOOKS IN ORDER TO BE IN COMPLIANCE WITH THE DEPARTMENT OF ENVIRONMENTAL AFFAIRS, BOTH BY THE STATE AND FEDERAL GOVERNMENT. SEVERAL WEEKS AGO A DRAFT WAS REVIEWED AND WAS REFERRED TO THE SOLICITOR'S OFFICE TO BE PUT IN PROPER ORDER AND TO MAKE SURE THAT THE LANGUAGE IS APPROPRIATE AND SUFFICIENT FOR THE DPW TO ADMINISTER AND ENFORCE THE ORDINANCE. A LETTER OF THE ASSISTANT CITY SOLICITOR DATED 6/16/14 TO THE CHAIRPERSON WAS READ. THE LETTER STATED THAT THE DRAFT WAS PREPARED BY THE BETA GROUP. THE COMMITTEE APPROVED THE CONCEPT OF THE ORDINANCE AND REFERRED IT TO HIM TO ENSURE IT IS IN COMPLIANCE WITH OTHER ORDINANCES OF THE CITY. AS LONG AS THERE WERE NO MAJOR CHANGES, IT WAS APPROVED TO GO TO THE FULL COUNCIL FOR APPROVAL. HE DID SUGGEST TO BETA THAT A NUMBER OF CHANGES BE MADE. THE FINAL CHANGES THAT HE MADE WERE TO ARTICLE III, SECTION 4. HE CHANGED THE BODY RESPONSIBLE FOR PROMULGATING REGULATIONS FROM THE DPW TO THE COMMITTEE ON THE DPW. HE ATTACHED THE LATEST VERSION OF THE DRAFT FOR REVIEW AND SUBMISSION TO THE COUNCIL.

**MOTION: TO APPROVE THE ORDINANCE AND REFER IT TO A FIRST READING. SO VOTED.**

**2. MEET TO REVIEW MATTERS IN FILE**

A. THE CHAIRMAN STATED THAT WHEN REVIEWING THE ORDINANCE COMMITTEE FILE, HE WAS NOT ABLE TO FIND A COPY OF THE CHANGES REQUESTED FOR THE FIRE DEPARTMENT FEES. ONE OF THE FEES WAS \$150 FOR A REMOTE RADIO BOX. IN THE ORDINANCE IT CHARGES A \$150.00 FEE FOR ORGANIZATIONS THAT HAVE A RADIO BOX. HIS UNDERSTANDING IS THAT SOME OF THESE ORGANIZATIONS COULD BE EXEMPT FROM THE \$150 FEE SUCH AS SCHOOLS, CHURCHES, ETC. MR. CLEARY HAS A COPY OF THE 500 AGENCIES OR BUILDINGS THAT HAVE RADIO BOXES. MR. CLEARY STATED THAT GUIDELINES NEED TO BE ESTABLISHED AS TO HOW TO DETERMINE IF SOMEONE IS EXEMPT. THE CITY SOLICITOR STATED THAT THIS SHOULD BE REFERRED TO THE SOLICITOR'S OFFICE FOR MORE RESEARCH.

MR. CLEARY STATED THAT AN ORDINANCE WOULD HAVE TO BE DRAFTED STATING THAT FOR INSTANCE, CERTAIN TYPES OF ORGANIZATIONS WOULD BE EXEMPT.

COUNCILOR QUINN ASKED IF THERE WERE OTHER ORDINANCES ON THE BOOKS WHERE FEES HAVE BEEN ESTABLISHED AND A LIST OF ENTITIES THAT MIGHT BE EXEMPT LIKE CHURCHES, PUBLIC BUILDINGS, NON-PROFITS. SHE STATED THIS MAY BE THE WAY TO GO, TO SEE IF THERE IS A SIMILAR ORDINANCE THAT TREATS THESE THE SAME WAY, IF THERE IS ONE.

THE CLERK OF COMMITTEES WAS ASKED TO PROVIDE ATTORNEY DEABREU WITH THE INFORMATION FROM THE PREVIOUS MEETING WHEN THIS WAS DISCUSSED.

COUNCILOR COSTA-HANLON NOTED THAT THE STATE HOSPITAL AND THE STATE AND COUNTY COURT HOUSES HAVE REACHED OUT TO HER ON THIS MATTER FOR EXEMPTION TO THIS FEE. SHE ASKED THAT THESE BE TAKEN INTO CONSIDERATION.

**MOTION: TO REFER THIS MATTER TO THE CITY SOLICITOR'S OFFICE. SO VOTED.**

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JUNE 24, 2014

**THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS – CONTINUED**

B. THE CHAIRMAN STATED ANOTHER ISSUE IN THE FILE WAS THE ISSUE OF THE POLE TAX, AND WHETHER OR NOT THEY COULD TAX DOUBLE POLES WITHIN THE CITY. THE CHAIRMAN READ A MEMORANDUM FROM THE CLERK OF COMMITTEES THAT STATED THAT THE TMLP IS NOT TAXED ON THEIR POLES AS THEY PAY A CERTAIN AMOUNT OF MONEY IN LIEU OF TAXES. AS FAR AS VERIZON POLES ARE CONCERNED, THE DEPARTMENT OF REVENUE SETS THE RATE AND DOES THE VALUATION FOR POLES AND WIRES, ETC. THE MONEY DOES COME TO THE CITY AS A PERSONAL PROPERTY TAX. IF THEY DO HAVE DOUBLE POLES, THEY ARE SUPPOSED TO BE NOTIFYING THE DEPARTMENT OF REVENUE SO THE DEPARTMENT CAN DO THEIR VALUATION. MR. CLEARY NOTED THAT A LIST WAS PROVIDED BY THE TMLP WHICH SHOWED 88 DOUBLE POLES WITHIN THE CITY.

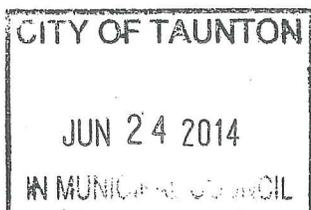
**MOTION: TO REFER THE LIST OF DOUBLE POLES TO THE ASSESSOR'S OFFICE TO FORWARD THE LIST OF VERIZON POLES TO THE DEPARTMENT OF REVENUE.**

COUNCILOR QUINN ASKED IF WE SHOULD AMEND THE MOTION TO SAY JUST THE POLES THAT VERIZON IS RESPONSIBLE FOR BECAUSE THE LIST SHOWED THE ONES THAT THE TMLP WAS RESPONSIBLE FOR. ON DISCUSSION, COUNCILOR CROTEAU STATED THAT HE THOUGHT THERE WERE 2 SEPARATE ISSUES HERE. THE FIRST ISSUE IS TAXING. HE WOULD QUESTION WHY D.O.R. WOULDN'T ALLOW THE TAX BECAUSE IF IT IS A DOUBLE POLE AND THEY ARE ONLY TAXED FOR ONE, THEY ARE GETTING 2 FOR 1. THE SECOND ISSUE IS THEIR FAILURE TO REMOVE POLES. IF THE POLE IS NOT IN USE, THEN OBVIOUSLY DOR IS NOT GOING TO APPROVE A TAX, BUT HE WOULD THINK THE ORDINANCE COULD ESTABLISH A FINE FOR POLES, IF YOU HAVE A DOUBLE POLE AND ONE OF THEM IS NOT IN USE, SO THAT IF THEY DO NOT REMOVE THE POLE, THEY ARE FINED SO MUCH PER DAY UNTIL IT IS REMOVED. NOW YOU ARE NOT DEALING WITH D.O.R, IT IS NOT A QUESTION OF A TAX, IT IS A FINE. COUNCILOR CLEARY NOTED THAT THE TMLP CLEARLY STATED THAT THE DOUBLE POLES ARE IN THE PROCESS OF CHANGING OVER WIRES, HOWEVER THEY ARE NOT BEING DONE VERY QUICKLY. THERE IS SOME KIND OF AN ORDER AS TO WHO DOES THE FIRST LAYER, SECOND LAYER, ETC. SO THERE ARE WIRES ON BOTH POLES. MR. CLEARY FURTHER NOTED THAT HE HAS NOT COME ACROSS ANY POLES THAT HAVE NO WIRES AND ARE JUST THERE. COUNCILOR CROTEAU STATED THERE MAY BE WIRES BUT IT DOES NOT MEAN THEY ARE FUNCTIONING. THERE IS A NEED TO IDENTIFY THE POLES THAT ARE NOT BEING USED. THE PROBLEM IS THAT THIS IS AN ADA ISSUE TOO.

**MOTION: TO ASK THE TMLP FOR CLARIFICATION AS TO WHETHER THERE ARE ANY TOTALLY INOPERABLE POLES STILL STANDING AND IF SO THEY SHOULD BE TAKEN DOWN IMMEDIATELY, BY EITHER VERIZON OR THE TMLP. SO VOTED.**

**MOTION: TO REFER TO THE LAW DEPARTMENT AS TO WHETHER THE CITY CAN FINE FOR DOUBLE POLES. SO VOTED.**

MEETING ADJOURNED AT 6:15 P.M.



RESPECTFULLY SUBMITTED,

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
JUNE 24, 2014

**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, GEORGE KENAAN OF HIGH CLASS LIMO, LATERAL POLICE CANDIDATES ANDREW PACINO, JOHN PETERSON AND KEVIN VIVEIROS

**MEETING CALLED TO ORDER AT 6:29 P.M.**

LETTER DATED 6/24/2014 OF POLICE CHIEF EDWARD WALSH WAS PROVIDED TO THE COMMITTEE. THE LETTER STATED THAT THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FOUND NOTHING THAT WOULD PREVENT THE APPROVAL OF THE PETITION OF ECO ATM, INC., 2 GALLERIA MALL DRIVE FOR RENEWAL OF SECOND HAND ARTICLE LICENSE, PETITION OF JOE'S FRESH SEAFOOD, 255 CAPE HIGHWAY FOR RENEWAL OF TEMPORARY FIXED VENDOR LICENSE, PETITION OF OLD COLONY SCRAP, INC., 655 WEST WATER STREET FOR RENEWAL OF JUNK COLLECTOR'S LICENSE AND PETITIONS OF BAHA BROS. PUB AND RESTAURANT, INC. D/B/A SANDBAR GRILL, 64 WEIR STREET AND ITALIAN SOCIAL CLUB OF TAUNTON, 2 COLUMBUS BOULEVARD FOR RENEWAL OF BILLIARD TABLE LICENSES.

THE LETTER ALSO STATED THAT THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FOUND SEVERAL PROBLEMS WITH THE PETITION OF GEORGE KENAAN, 70 SOLITUDE DRIVE FOR RENEWAL OF HIS LIVERY LICENSE D/B/A HIGH CLASS LIMO.

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

1. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITION OF ECO ATM, INC., 2 GALLERIA MALL DRIVE FOR RENEWAL OF THEIR SECOND HAND ARTICLE LICENSE  
**MOTION: MOVE APPROVAL. SO VOTED.**
2. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITION OF JOE'S FRESH SEAFOOD, 255 CAPE HIGHWAY FOR RENEWAL OF TEMPORARY FIXED VENDOR LICENSE  
**MOTION: MOVE APPROVAL. SO VOTED.**
3. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITION OF OLD COLONY SCRAP, INC., 655 WEST WATER STREET FOR RENEWAL OF JUNK COLLECTOR'S LICENSE  
**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. BAHA BROS. PUB & RESTAURANT, INC. D/B/A SANDBAR GRILL, 64 WEIR STREET – 2 TABLES  
**MOTION: MOVE APPROVAL. SO VOTED.**
  - B. ITALIAN SOCIAL CLUB OF TAUNTON, 2 COLUMBUS BOULEVARD – 1 TABLE  
**MOTION: MOVE APPROVAL. SO VOTED.**
5. MEET WITH THE POLICE CHIEF, DETECTIVE SMITH AND GEORGE KENAAN, 70 SOLITUDE DRIVE TO DISCUSS HIS PETITION FOR RENEWAL OF LIVERY LICENSE D/B/A HIGH CLASS LIMO – 1 VEHICLE

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JUNE 24, 2014

THE COMMITTEE ON POLICE AND LICENSE – CONTINUED

A LETTER DATED 6/16/2014 TO MR. KENAAN FROM DETECTIVE SMITH WAS READ. THE LETTER STATED THAT DETECTIVE SMITH WAS IN RECEIPT OF MR. KENAAN'S PETITION FOR RENEWAL OF THE LIVERY LICENSE DATED 4/17/14. THE APPLICATION STATED THAT HE WISHED TO RENEW THE CURRENT LICENSE FOR 1 VEHICLE. WHILE CONDUCTING A BACKGROUND INVESTIGATION IT WAS REVEALED THAT MR. KENAAN HAS MORE THAN 1 VEHICLE REGISTERED IN HIS NAME WITH LIVERY PLATES ASSIGNED BY THE REGISTRY OF MOTOR VEHICLES. DETECTIVE SMITH CONTACTED MR. KENAAN BY PHONE AND INQUIRED AS TO THE NUMBER OF VEHICLES HE HAD FOR THE BUSINESS. AT THAT TIME MR. KENAAN HESITATED AND THEN STATED 2. DETECTIVE SMITH INFORMED MR. KENAAN TO REAPPLY FOR THE APPROPRIATE NUMBER OF VEHICLES AND SUBMIT THE PROPER FEES REQUIRED FOR THE VEHICLES.

DETECTIVE SMITH'S LETTER FURTHER STATES THAT HE RESEARCHED AND DISCOVERED THAT MR. KENAAN CURRENTLY HAS 4 VEHICLES REGISTERED IN HIS NAME WITH LIVERY PLATES ASSIGNED. IT WAS FURTHER DISCOVERED THAT HE IS IN VIOLATION OF THE DECISION OF THE TAUNTON PLANNING BOARD'S ACCESSORY BUSINESS USE IN A RESIDENCE DATED 5/4/11 WHICH STATES THAT NO MORE THAN 1 VEHICLE SHALL BE USED IN CONJUNCTION WITH THIS BUSINESS AND THAT THE BUSINESS SHALL NOT EMPLOY ANY INDIVIDUAL THAT DOES NOT RESIDE AT THE LOCATION OF THE PROPOSED ACTIVITY. DETECTIVE SMITH SAID THAT AS STATED IN HIS LETTER THERE IS THIS DOCUMENT FROM PLANNING AND CONSERVATION WHICH HE SIGNED, THAT ALLOWS HIM TO OBTAIN THE LICENSE AND SPECIFICALLY STATED THE RESTRICTIONS INCLUDING THAT ONLY 1 VEHICLE WILL BE USED IN CONJUNCTION WITH THE BUSINESS AND THAT THE BUSINESS SHALL NOT EMPLOY ANY INDIVIDUAL THAT DOES NOT RESIDE AT THE LOCATION OF THE PROPOSED ACTIVITY. DETECTIVE SMITH ALSO DISCOVERED THAT THERE IS A DECLARATION OF RESTRICTIONS ON THE DEVELOPMENT WHERE HE LIVES WHICH IS ATTACHED TO HIS DEED.

DETECTIVE SMITH NOTED THAT HE ATTACHED A WORKERS' COMPENSATION INSURANCE AFFIDAVIT: GENERAL BUSINESS TO THE PACKET PROVIDED TO THE COUNCIL BECAUSE DURING THE CONVERSATION WITH MR. KENAAN HE STATED THAT HE ONLY HAS 1 VEHICLE AT HIS HOUSE BUT HE HAS SEVERAL VEHICLES THAT ARE STAGED AT OTHER PLACES, HIS EMPLOYEES HAVE THEM. THEY MAY BE IN A COMMERCIAL PARKING LOT, DETECTIVE SMITH IS NOT TOO SURE AS HE DID NOT GET INTO IT. HE ALSO NOTED THAT ON THE WORKERS' COMPENSATION AFFIDAVIT, MR. KENAAN CHECKED OFF THAT HE IS A CORPORATION AND ITS OFFICERS HAVE EXERCISED THEIR RIGHT OF EXEMPTION AND THAT HE HAS NO EMPLOYEES.

MR. KENAAN SAID THAT IN 2008 HE STARTED THE BUSINESS AND HAD 1 CAR. HE EXPANDED OVER TIME AND HE NOW HAS 4 CARS. WHEN DETECTIVE SMITH CALLED HIM, MR. KENAAN SAID THAT HE WANTED TO KEEP 2 CARS AT HIS LOCATION. DETECTIVE SMITH SAID THAT HE WAS TOLD HE WOULD HAVE TO COME BEFORE THE COUNCIL. HE WENT TO THE CITY CLERK'S OFFICE AND WAS TOLD TO TALK TO THE CITY PLANNER. THE CITY PLANNER RECOMMENDED THAT HE FIND A BUSINESS ADDRESS AND LOCATE THE VEHICLES AT THE BUSINESS ADDRESS. HE PROVIDED HIM WITH AN ADDRESS, 78 COHANNET STREET, AND MR. SCANLON TOLD HIM THERE WAS NOT ENOUGH ROOM THERE. HE THEN CALLED THE CITY CLERK'S OFFICE AND TOLD HER THAT THE OPERATION WAS OPERATING OUT OF HIS HOUSE FOR A LONG TIME WITH 1 CAR AT HIS HOUSE, HOWEVER THE OTHER VEHICLES ARE NOT KEPT THERE. HE WAS TOLD THAT SHOULD BE FINE.

THEN, DETECTIVE SMITH NOTIFIED HIM TO COME BEFORE THE COMMITTEE. HE AGAIN STATED THAT THE VEHICLES HE HAS ARE NEVER GARAGED ON HIS PROPERTY ON SOLITUDE DRIVE – ONLY THE 1, HE WANTED 2 BUT COULD NOT BECAUSE OF THE ZONING. WHEN THIS WAS ALL SAID AND DONE, THE OTHER 3 CARS ARE BEING GARAGED IN MARSHFIELD.

COUNCILOR CLEARLY STATED THAT HE FEELS MR. KENAAN WAS LESS THAN HONEST IN FILLING OUT HIS APPLICATION.

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**THE COMMITTEE ON POLICE AND LICENSE – CONTINUED**

MR. KENAAN SAID HE HAS SPOKEN TO A PROPERTY OWNER ON WINTHROP STREET AND COULD KEEP HIS CARS THERE AND ALSO HAVE AN OFFICE THERE. HE STATED THAT THE CITY CLERK'S OFFICE TOLD HIM HE COULD HOUSE THE OTHER CARS ELSEWHERE, THEN THE CITY PLANNER SAID HE NEEDED A BUSINESS ADDRESS. HE MUST MOVE HIS BUSINESS TO A BUSINESS ADDRESS. MR. KENAAN NEEDS TO REGISTER AS A BUSINESS. HE CAN HAVE AS MANY CARS AS HE WANTS AT THE WINTHROP STREET LOCATION BUT IF HE REGISTERS HIS BUSINESS AT HIS RESIDENCE, HE CAN ONLY HAVE 1 VEHICLE.

**MOTION: TO DENY THE APPLICATION AND MR. KENAAN WILL HAVE THE OPPORTUNITY TO RE-SUBMIT BUT NOT AT THE 70 SOLITUDE DRIVE ADDRESS. SO VOTED.**

**6. MEET TO INTERVIEW POLICE CANDIDATES**

**MOTION: IN THE FUTURE THE COMMITTEE ON POLICE AND LICENSE WILL NOT INTERVIEW CANDIDATES UNLESS RESUMES ARE SUBMITTED TO COLLEEN ELLIS, CLERK OF COUNCIL COMMITTEES. SO VOTED.**

THE FIRST CANDIDATE INTERVIEWED WAS ANDREW PACINO. HE HAS BEEN A SHARON, MA POLICE OFFICER FOR 5 ½ YEARS. THE REASON HE HAS APPLIED FOR THIS LATERAL TRANSFER IS THAT HE WANTS TO BE IN A BUSIER DEPARTMENT.

MR. PACINO ATTENDED SHARON HIGH SCHOOL AND GRADUATED IN 2002, THEN WENT TO SETON HALL AND GRADUATED WITH A BA IN CRIMINAL JUSTICE. HE CURRENTLY WORKS THE MIDNIGHT SHIFT. HIS CURRENT SALARY IS \$58,000 SO HIS SALARY ON THE TAUNTON POLICE DEPARTMENT WOULD BE COMPRABLE. HE HAS BEEN A FIELD TRAINING OFFICER WHILE WITH THE SHARON POLICE DEPARTMENT. HE HAS NO UNEXCUSED ABSENCES OR TARDINESS WITH THE DEPARTMENT. HE HAS PERFORMED TO STANDARD AND AT TIMES HAS EXCELLED. HE IS CERTIFIED AS A TASER INSTRUCTOR AND PROVIDES TRAINING TO DEPARTMENT PERSONNEL. HE ALSO PERFORMS DUTIES AS THE ASSISTANT COMPUTER SPECIALIST. HIS FATHER WAS A BOSTON POLICE OFFICER.

THE SECOND INTERVIEW WAS WITH JOHN PETERSON JR. HE HAS RESIDED AT 280 SCHOOL STREET IN TAUNTON FOR ABOUT 5 YEARS. HE IS CURRENTLY EMPLOYED BY THE WEST BRIDGEWATER POLICE DEPARTMENT AND HAS BEEN THERE FOR APPROXIMATELY 6 YEARS. HE GREW UP IN EAST BRIDGEWATER. HE ATTENDED BRIDGEWATER STATE COLLEGE AND GRADUATED WITH A POLITICAL SCIENCE DEGREE IN MAY OF 2004. HE WORKED FOR THE EAST BRIDGEWATER POLICE DEPARTMENT AS A DISPATCHER AND RESERVE OFFICER THEN WENT TO THE CUMBERLAND RHODE ISLAND POLICE DEPARTMENT FULL TIME. IN NOVEMBER OF 2008 HE WAS THEN HIRED BY THE WEST BRIDGEWATER POLICE DEPARTMENT AS A FULL TIME PATROL OFFICER. THE CUMBERLAND DEPARTMENT WANTED HIM TO STAY, BUT THE SALARY AND RETIREMENT ARE NOT AS GOOD IN RHODE ISLAND AS THEY ARE IN MASSACHUSETTS. HIS BASE SALARY IN WEST BRIDGEWATER IS ABOUT \$52,000.00. HE HAS A STRONG INTEREST IN COMPUTERS, HE DOES NOT ABUSE SICK TIME AND THERE IS NOTHING DEROGATORY IN HIS FILE. THERE ARE NO DISCIPLINE ISSUES. HE FEELS THAT THE TAUNTON POLICE DEPARTMENT OFFERS MORE OPPORTUNITIES WHERE HE CAN MOVE UP AND GROW.

THE LAST INTERVIEW WAS WITH KEVIN VIVEIROS. MR. VIVEIROS IS CURRENTLY A FAIRHAVEN POLICE OFFICER AND HAS BEEN FOR 9 YEARS. HE GRADUATED FROM FAIRHAVEN HIGH SCHOOL. HE SPEAKS PORTUGUESE AND HAS LIVED IN FAIRHAVEN HIS ENTIRE LIFE. HE CURRENTLY WORKS THE 4 P.M. TO MIDNIGHT SHIFT. HE FEELS THERE IS MORE OPPORTUNITY FOR ADVANCEMENT IN THE TAUNTON POLICE DEPARTMENT. HE WILL BE GIVING UP 10 YEARS OF SENIORITY IF HE IS HIRED AND HE IS AWARE OF THIS. HIS CURRENT SALARY IS \$53,000. HE FEELS THAT HE DOES NOT ABUSE SICK TIME AND HAS HAD NO DISCIPLINARY ISSUES.

THE CHIEF STATED THAT INITIALLY IT WAS INDICATED THAT THEY WERE LOOKING TO DO 2 LATERALS,

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**THE COMMITTEE ON POLICE AND LICENSE – CONTINUED**

AND THEY DID 9 INTERVIEWS AND SELECTED THE TOP 3 CANDIDATES TO BE INTERVIEWED BY THE COUNCIL. THE CHIEF SAID THE COUNCIL CAN HIRE 1, 2 OR 3 AS THEY ARE FUNDED FOR ALL OF THEM. IT JUST OFFSETS WHO THEY WILL HIRE FOR NEW HIRES WHEN THE LIST COMES DOWN FROM CIVIL SERVICE. THEY HAVE THE VACANCIES, THEY HAVE THE MONEY, SO THE QUESTION IS HOW COMFORTABLE THE COMMITTEE FEELS THEY ARE WITH THE CANDIDATES.

THE CHIEF RECOMMENDS MR. PACINO, HE FEELS THAT HE WAS THE BEST OF ALL. HE DID ALSO SAY THAT INTERNALLY MR. PETERSON AND MR. VIVEIROS TIED, BUT AFTER TONIGHT'S INTERVIEWS, HE FEELS THAT MR. PETERSON DID A BETTER JOB DURING HIS INTERVIEW WITH THE COUNCIL. THE CHIEF FEELS THAT ANY

OF THE 3 OF THEM WOULD BE AN ASSET TO THE DEPARTMENT. THEY ALL HAVE STRENGTHS. THE CHIEF FURTHER SAID THAT HE WOULD RECOMMEND ALL 3, IF THAT IS THE COUNCIL'S WISHES.

**MOTION: TO RECOMMEND TO THE FULL COUNCIL ANDREW PACINO AND JOHN PETERSON.**

THE MOTION WAS SECONDED BY COUNCILOR COSTA-HANLON.

ON DISCUSSION, COUNCILOR CLEARY STATED THAT THERE ARE 5 VACANCIES IN THE DEPARTMENT NOW AND WE SHOULD TAKE ADVANTAGE OF THE THREE CANDIDATES AS IT GIVES THE OPPORTUNITY TO GET THREE POLICE OFFICERS ON THE STREET. HE WANTS TO TAKE ALL 3.

COUNCILOR QUINN AGREES DUE TO THE VACANCIES ON THE DEPARTMENT.

COUNCILOR BORGES NOTED THAT ALL 3 ARE GOOD CANDIDATES, SO WHY WAIT. WE NEED TO HIRE OFFICERS.

COUNCILOR CARR STATED THAT HER PREFERENCE IS TO TAKE NO LATERALS. SHE IS CONCERNED ABOUT THE AMOUNT OF TIME IT TAKES TO GET A PERSON INTO THE POLICE ACADEMY. THERE SHOULD BE A FASTER WAY TO GET PEOPLE INTO THE ACADEMY. SHE ALSO NOTED THAT THE TOWN OF RAYNHAM HAS HIRED ABOUT 6 PEOPLE IN THE LAST FEW YEARS AND THEY DON'T SEEM TO HAVE AN ISSUE GETTING PEOPLE INTO AN ACADEMY. THEY DO HAVE A RESERVE LIST IN RAYNHAM. A RESERVE LIST WAS CREATED LAST TIME, SO SHE DOES NOT KNOW WHAT THE PROBLEM IS. HER INSTINCT IS TO GO WITH 2 AT THE MAXIMUM AND HIRE 3 THROUGH THE NORMAL PROCESS. SHE ALSO FEELS THAT ONE OF THE CANDIDATES HAD EXTENSIVE USE OF SICK TIME AND SHE WAS CONCERNED ABOUT THAT.

COUNCILOR MCCAUL AGREES THAT WE SHOULD PUT OFFICERS ON THE STREET, AND THAT A RESERVE LIST SHOULD BE INSTITUTED. BECAUSE THE PROCESS TAKES A LONG TIME, HE SUPPORTS PUTTING THESE 3 CANDIDATES ON THE FORCE.

COUNCILOR POTTIER QUESTIONED WHAT BENEFITS THEY WOULD BE BRINGING WITH THEM. THE CHIEF SAID THAT THEY DO NOT BRING BENEFITS WITH THEM AS THIS WAS NEGOTIATED WITH THE UNION A WHILE AGO. THE ONLY THING THEY CAN BRING WITH THEM IS THEIR RETIREMENT TIME AFTER THEY DEPOSIT THEIR MONEY INTO THE RETIREMENT SYSTEM. COUNCILOR POTTIER STATED THAT IF THERE ARE 5 OPENINGS, HE WOULD LIKE TO GET THESE FILLED AS QUICKLY AS POSSIBLE, AND HE UNDERSTANDS THE DELAY IN GETTING SOMEONE INTO THE ACADEMY.

COUNCILOR CROTEAU STATED THAT THE CITY NEEDS TO LOOK AT HIRING RESIDENTS OF TAUNTON, THERE IS A NEED TO LOOK AT HIRING TAUNTONIANS.

**THE MOTION WAS AMENDED AS FOLLOWS:**

**MOTION: TO RECOMMEND ALL 3 CANDIDATES, ANDREW PACINO, JOHN PETERSON AND KEVIN VIVEIROS TO THE FULL COUNCIL BASED ON THE RECOMMENDATION OF THE CHIEF.**

COUNCILOR CROTEAU ASKED TO HAVE ADDED TO THE AMENDED MOTION **TO TAKE A SERIOUS LOOK IN THE FUTURE TO HIRE TAUNTONIANS.**

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**THE COMMITTEE ON POLICE AND LICENSE – CONTINUED**

COUNCILOR CLEARY STATED THAT RECENTLY TAUNTON RESIDENTS WERE HIRED BY THE POLICE DEPARTMENT.

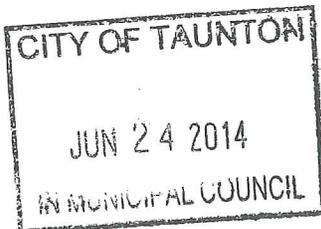
COUNCILOR COSTA-HANLON SECONDED THE MOTION, AND STATED THAT WE DO NOT HAVE TO TAKE A LOOK AT IN THE FUTURE HIRING TAUNTONIANS, WHAT WE SHOULD DO IS INSTRUCT THE DEPARTMENT HEAD THAT FOR THE NEXT YEAR THERE WILL BE NO FURTHER LATERALS, AND ANY FURTHER HIRINGS IN THE NEXT YEAR WILL BE NEW HIRES.

COUNCILOR CROTEAU DOES NOT WISH TO SAY THIS, HE IS JUST EXPRESSING HIS OPINION.

COUNCILOR CARR STATED THAT A YEAR AGO IT WAS DECIDED THAT THEY WERE NOT GOING TO TAKE ANY MORE LATERALS, YET HERE WE ARE HIRING LATERALS. NOTHING IS BEING DONE TO PREVENT THEM FROM GOING TO LATERALS, IT'S THE SAME EXCUSE ALL THE TIME, WE NEED TO PUT OFFICERS ON THE STREET. SHE SUGGESTED THAT THE COMMITTEE SHOULD MAKE A MOTION TO INSTRUCT THE CHIEF TO CREATE SOME PROCEDURE THAT WILL ALLOW THE CITY TO GET PEOPLE INTO THE ACADEMY IN A TIMELY MANNER SO THAT THE CITY CAN TAKE FROM OUR OWN KIDS ON THE LIST EVERY TIME.

**THE ABOVE MOTION AND AMENDMENT WERE VOTED ON AND PASSED BY UNANIMOUS VOTE OF THE COMMITTEE.**

MEETING ADJOURNED AT 8:48 P.M.



RESPECTFULLY SUBMITTED,

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

THE RECOMMENDATIONS FROM THE COMMITTEE ON POLICE AND LICENSE WAS TO HIRE THREE (3) POLICE OFFICERS. THE VOTE WAS UNANIMOUS PENDING EACH CANDIDATE PASSES THEIR PHYSICAL EXAM. THE THREE OFFICERS ARE: JOHN D. PETERSON, JR. EFFECTIVE DATE OF JULY 1, 2014, KEVIN VIVEIROS EFFECTIVE DATE OF JULY 6, 2014, AND ANDREW J. PACINO EFFECTIVE DATE OF JULY 13, 2014.

CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
JUNE 24, 2014

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

PRESENT WERE: COUNCIL PRESIDENT ANDREW MARSHALL AND COUNCILORS CLEARY, COSTA-HANLON, CROTEAU, POTTIER, MCCAUL, QUINN, CARR AND BORGES. ALSO PRESENT WERE EXECUTIVE DIRECTOR OF THE RETIREMENT BOARD PAUL SLIVINSKI, TREASURER/COLLECTOR BARBARA AUGER AND HUMAN RESOURCE DIRECTOR MARIA GOMES

**MEETING CALLED TO ORDER AT 8:52 P.M.**

**1. MEET WITH PAUL SLIVINSKI, EXECUTIVE DIRECTOR OF THE RETIREMENT BOARD TO DISCUSS 2013 RETIREMENT REPORT**

MR. SLIVINSKI REVIEWED THE 2013 RETIREMENT REPORT. HE STATED THAT THEY HAVE 19 INVESTMENT ADVISORS. HE ALSO NOTED THAT ASSETS IN 2012 TOTALED \$218 MILLION AND AT THE END OF THE YEAR IT WAS \$256 MILLION, SO IT HAS BEEN A GOOD YEAR, WITH 37.4 MILLION IN EXCESS INCOME. THERE ARE A TOTAL OF 2219 ACTIVE AND INACTIVE MEMBERS, RETIREES AND BENEFICIARIES OF THE RETIREMENT PLAN.

COUNCILOR POTTIER REQUESTED A COPY OF THE PERAC REPORT WHEN IT COMES OUT. MR. SLIVINSKI SAID IT IS SENT TO THE CITY CLERK'S OFFICE DIRECTLY AND SHOULD BE OUT ANYTIME.

**MOTION: TO MAKE THE 2013 ANNUAL STATEMENT PART OF THE RECORD. SO VOTED.**

**2. MEET WITH THE TREASURER/COLLECTOR AND HUMAN RESOURCE DIRECTOR TO DISCUSS COMPENSATION PLANS AND SMART FUND FOR CITY EMPLOYEES**

THE TREASURER/COLLECTOR INFORMED THE COMMITTEE THAT THE CITY IS 1 OF 8 COMMUNITIES THAT OFFERS AN INDEPENDENTLY RUN DEFERRED COMPENSATION PLAN. SHE COMPARED THE CITY BASED PLAN TO THE MASSACHUSETTS PLAN. SHE PROVIDED AN ANALYSIS TO THE COMMITTEE. SHE ALSO RECEIVED A CALL FROM AN INDEPENDENT COMPANY NOT RELATED TO THE GREAT WEST DEFERRED COMPENSATION PLAN, THAT ASKED TO COME IN AND TALK TO HER ABOUT OFFERING AN ADDITIONAL DEFERRED COMPENSATION PLAN. TO THE CITY ALLOWING THE EMPLOYEES TO HAVE 2 CHOICES. SHE PROVIDED A HANDOUT COMPARING THE COST, WHAT THE CITY'S FIDUCIARY RESPONSIBILITY WOULD BE IN ADMINISTERING THE PLAN, THE TYPES OF SUPPORT THAT YOU WOULD RECEIVE FROM THE COMPANIES AND THE LEVEL OF SUPPORT TO THE EMPLOYEES, THE INVESTMENT OPTIONS AND A COMPARISON OF OTHER COMMUNITIES.

WITH THE TAUNTON PLAN, THE ADMINISTRATIVE COST TO EMPLOYEES IS .3% AND THE FUND EXPENSES RANGE FROM .22% TO 1.38%. WHEN YOU COMPARE THAT TO THE MASSACHUSETTS SMART PLAN YOU CAN SEE THAT OUR EMPLOYEES ARE PAYING SIGNIFICANTLY MORE FOR THE PLAN OFFERED NOW THAN WHAT IS OFFERED THROUGH THE STATE SMART PLAN. THE ADMINISTRATIVE COSTS FOR THE STATE PLAN IS .08% AND THE FUNDING EXPENSES ARE .06%-.88%. THERE WOULD BE A SIGNIFICANT SAVINGS TO EMPLOYEES IF THE CITY DECIDED TO CHANGE FROM THE TAUNTON OFFERED PLAN TO THE STATE'S SMART PLAN. COMPARISON TO THE VENDOR THAT CAME IN WAS MORE DIFFICULT BECAUSE IT WOULD HAVE BEEN A NEGOTIATED ADMINISTRATIVE COST THAT THEY WOULD PROVIDE TO THE CITY, BUT SHE GOT A RANGE FROM THEM. THEY ARE CHARGING .1% TO FALL RIVER AND ON A COMPETITIVE BASIS CHARGE AS MUCH AS .50%. THE FUND EXPENSES ARE IN THE RANGE OF .73% TO 1.58%. THESE ARE NOT TOO FAR OFF FROM WHERE TAUNTON IS, BUT IS MUCH MORE COSTLY THEN THE STATE PLANS ARE. THE SHOCKER TO THE TREASURER/COLLECTOR WAS THE FIDUCIARY RESPONSIBILITY. UNDER THE TAUNTON PLAN THE CITY OWNS THAT FIDUCIARY RESPONSIBILITY WHICH OPENS THE CITY UP TO SOME LIABILITY. IN HER OPINION THIS IS RISKY FOR THE CITY TO WANT TO MANAGE THAT RESPONSIBILITY.

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THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

THEY ARE SUPPOSED TO BE MAINTAINING A PLAN DOCUMENT, SUPPOSED TO BE MANAGING THAT PLAN DOCUMENT AND MAKING SURE THAT THE OFFERINGS THAT WE OFFER TO EMPLOYEES ARE APPROPRIATE. SHE HAS CONTACTED THE REPRESENTATIVE THAT THE CITY USES. THERE HAVE BEEN MINIMAL UPDATES TO THE PLAN DOCUMENTS SINCE THE PLAN WAS PUT INTO PLACE. WHEN THE STATE CHANGED OVER TO THE STATE OFFERED PLAN AND THE CITY WAS GIVEN THE OPTION TO JOIN THE STATE PLAN, THE CITY CHOSE TO REMAIN INDEPENDENT. SHE IS LOOKING AT WHETHER OR NOT IT MAKES SENSE AT THIS POINT FOR THE CITY TO MAKE A CHANGE. SHE RECOMMENDS MAKING THAT CHANGE. MRS. AUGER NOTED THAT WE WOULD NOT BE ABLE TO FORCE OUR PEOPLE TO GO FROM ONE PLAN TO THE OTHER SO ADMINISTRATIVELY HER OFFICE WOULD HAVE TO MANAGE BOTH PLANS UNTIL PEOPLE WEED OUT. SHE CERTAINLY THINKS THAT THERE ARE A LOT OF COST SAVINGS TO OUR EMPLOYEES TO MAKE THE MOVE, SO SHE IS HOPING THAT THE EMPLOYEES WOULD SEE THE BENEFIT AND VOLUNTARILY MAKE THE CHANGE. IT CERTAINLY WOULD BE A RISK.

SHE ALSO NOTED THAT HER OFFICE IS VERY INVOLVED ADMINISTRATIVELY. IF AN EMPLOYEE HAS A HARDSHIP THEY MEET WITH THE GREAT WEST REPRESENTATIVE, BUT THE PAPERWORK THAT THEY WOULD NEED TO PROVIDE WOULD HAVE TO COME THROUGH HER OFFICE AND HAVE TO BE APPROVED BY HER OFFICE BEFORE THEY ARE ALLOWED TO WITHDRAW MONEY FOR A HARDSHIP. SHE FEELS THAT THIS IS A CONFIDENTIAL MATTER AND THAT EMPLOYEES WOULD FEEL MUCH BETTER IF THE PAPERWORK DID NOT HAVE TO COME THROUGH HER OFFICE AND THEY COULD MEET DIRECTLY WITH THE REPRESENTATIVE AND BE ABLE TO PROCESS PAPERWORK WITHOUT THAT KIND OF INFORMATION COMING THROUGH THE TREASURER'S OFFICE. THEY DO DEAL WITH CONFIDENTIAL INFORMATION ALL THE TIME BUT SHE FEELS THAT EMPLOYEES WOULD NOT HAVE TO DEAL WITH PEOPLE THAT THEY MAY BE FAMILIAR WITH OR KNOW ON A PERSONAL LEVEL.

ALL OF THE OPTIONS OFFERED ARE DIVERSIFIED PLANS.

AS A COMPARISON, MRS. AUGER SAID THAT THERE ARE 271 COMMUNITIES USING THE STATE'S SMART PLAN, AND 80 COMMUNITIES THAT ARE OFFERING AN INDEPENDENTLY RUN PLAN AND TAUNTON IS 1 OF THE 80. THE AXA PLAN IS OPERATING NOW IN SEVERAL NEIGHBORING CITIES AND TOWNS AND THEY ARE USUALLY OFFERED AS A SECOND OPTION. RIGHT NOW THERE ARE ABOUT 160 EMPLOYEES THAT ARE PARTICIPATING IN THE DEFERRED COMPENSATION PLAN, WHICH IS ABOUT 12% OF OUR EMPLOYEES. IT WAS NOTED THAT MAKING THE SWITCH WILL NOT COST THE CITY MONEY. IT WILL REDUCE THE WORK IN THE TREASURER'S OFFICE AS FAR AS ADMINISTRATIVE DUTIES GO.

MRS. AUGER NOTED THAT THERE IS NO LIMIT TO THE NUMBER OF PLANS OFFERED, BUT THERE ARE ADDITIONAL ADMINISTRATIVE DUTIES FOR EVERY PLAN THAT WE WOULD HAVE. IN THE AXA PLAN THE TREASURER'S OFFICE WOULD HAVE THE FIDUCIARY RESPONSIBILITY.

COUNCILOR MARSHALL NOTED THAT FOR THE CITY TO REMOVE ITSELF FROM FIDUCIARY RESPONSIBILITIES AND STILL SAVE THE EMPLOYEES ON ADMINISTRATIVE COSTS IS A NO BRAINER. ALL THE RESPONSIBILITY FALLS ON THE COMMONWEALTH, THE INVESTMENTS ARE A MUCH GREATER POOL. ALSO STATED WAS THAT THE AXA PLAN IS NOT BETTER THAN WHAT WE HAVE NOW. HOWEVER, YOU CANNOT MAKE PEOPLE SWITCH PLANS, BUT PROBABLY MOST WILL BECAUSE OF THE SAVINGS. COUNCILOR CARR ASKED IF THE CITY IS REQUIRED BY CONTRACT TO HAVE A CERTAIN NUMBER OF PLANS AND WHY CAN'T WE MAKE PEOPLE GO TO THE OTHER PLAN. PERHAPS PUT AN END DATE ON THAT PROGRAM AND GIVE PEOPLE AN END DATE TO EITHER SWITCH OVER OR MOVE THEIR MONEY AND ROLL IT OVER INTO WHATEVER THEY WISH TO ROLL IT OVER INTO. IT DOES NOT MAKE SENSE TO HER TO HAVE THE CITY TAKE THE RESPONSIBILITY AND GIVE THE ADDITIONAL WORK LOAD TO THE TREASURER'S OFFICE WHEN SOMEONE ELSE WILL DO IT FOR NOTHING AND IT IS A BETTER PLAN.

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

MS. AUGER STATED THAT WE COULD JOIN NOW AND WE WOULD JUST NEED TO WORK WITH THE STATE AND NOTIFY THE STATE. SHE FEELS IT WOULD BE ADVANTAGIOUS FOR THE CITY TO DO THIS AS SOON AS THE CITY GETS THROUGH THE MEDEX CHANGE THAT IS GOING ON NOW.

MRS. GOMES SAID SHE IS PREPARED TO HAVE MRS. AUGER BEGIN DISCUSSIONS WITH THE STATE IN ORDER FOR THE CITY TO START THIS PLAN. SHE FURTHER NOTED THAT FOR SEVERAL YEARS SHE WAS GIVEN THE IMPRESSION THAT WE WERE PART OF THE STATE PLAN AND IT WAS NOT UNTIL MRS. AUGER ARRIVED AND SHE DID MORE DETAILED RESEARCH THAT IT WAS DISCOVERED WE WERE NOT PART OF THE SMART PLAN. THE STATE DOES ALL OF THE HARD LIFTING, ALL OF THE LEG WORK, THEY CONSTANTLY GO OUT TO BID ON THE PLANS, SO IT IS MUCH MORE BENEFICIAL FOR EMPLOYEES.

MRS. GOMES STATED THAT WE DO NEED TO CHECK TO SEE IF THERE IS ANY OBLIGATION TO KEEP THE PLAN WE HAVE NOW IN EXISTANCE.

IT WAS ALSO NOTED THAT WITH THE STATE PLAN, THEY ARE WILLING TO COME IN ANYTIME TO EXPLAIN THE PLAN.

**MOTION: TO FURTHER THIS WITH A TARGET DATE TO HAVE EMPLOYEES SWITCHED OVER AND THE SMART PLAN IMPLEMENTED BY JANUARY 1<sup>ST</sup>. TO MAKE SURE THAT ALL CLARIFYING QUESTIONS HAVE BEEN ANSWERED, TO VERIFY WITH THE STATE ALL INFORMATION AND TREASURER/COLLECTOR IS TO CONSULT WITH THE LAW DEPARTMENT ON THIS. SO VOTED.**

**3. MEET TO DISCUSS BUDGET DELIBERATIONS**

**MOTION: TO RE-OPEN THE BUDGET HEARINGS. SO VOTED.**

COUNCILOR CROTEAU ASKED IF IT IS POSSIBLE FOR THE COUNCIL TO MAKE A MOTION AFTER JULY 1<sup>ST</sup> TO REFER SOMETHING TO THE SUPPLEMENTAL BUDGET.

COUNCILOR MARSHALL SAID YES.

COUNCILOR CARR ASKED IF THEY WERE GETTING AN UPDATE TO THE BUDGET OR HAS THE MAYOR MADE ANY CHANGES TO THE BUDGET BASED ON THE BUDGET HEARINGS? SHE NOTED THAT 1 OR 2 THINGS WERE SENT TO HIS OFFICE ASKING THAT THEY BE CHANGED.

MR. MARSHALL STATED THAT THE MAYOR AND MR. ENOS HAVE NOT COMMUNICATED TO HIM ANY CHANGES TO THE PRELIMINARY BUDGET THAT WAS PRESENTED ABOUT A MONTH AGO.

COUNCILOR CARR SAID SHE ALSO ASKED THE FIRE CHIEF FOR A REPORT ON THE SAFER GRANT BUDGET BECAUSE IT WILL RUN OUT IN NOVEMBER OR DECEMBER AND THAT MEANS THE CITY WILL BE PICKING UP THE SALARIES ON THOSE 8 FIREFIGHTERS FOR THE REST OF THE YEAR. SHE WANTS TO KNOW WHAT THE NUMBER IS FOR THAT AND AS OF YET SHE HAS NOT SEEN IT. THAT IS A CONSIDERATION SHE HAD FOR BUDGET BECAUSE SHE THINKS THAT THERE ARE A FEW THINGS THAT IF THEY ARE NOT BEEFED UP A LITTLE, SHE IS INCLINED TO VOTE NO ON THE BUDGET. EVERY YEAR THINGS ARE REFERRED TO SUPPLEMENTAL WHEN IT IS KNOWN THEY ARE NEVER GOING TO HAPPEN BECAUSE THERE ARE USUALLY 3 THINGS THAT HAPPEN IN SUPPLEMENTAL – POLICE AND FIRE OVERTIME AND SCHOOL FUNDING. SHE FURTHER STATED THAT THE ONLY OPTION AT THIS TIME TO GET THINGS FUNDED THAT THE COUNCIL WANTS IS TO VOTE NO ON THE BUDGET, UNLESS WE KNOW IF THE MAYOR IS GOING TO CHANGE SOMETHING.

THE MAYOR STATED THIS IS A GREAT THEORY, BUT PEOPLE WOULD NOT BE PAID, SO HE DOES NOT ADVISE THIS, BUT IT IS THE COUNCIL'S DECISION. THE MAYOR STATED THAT IN THIS BUDGET HE HAS GIVEN THE CITY CLERK 1 FULL TIME PERSON RATHER THAN A PART TIME PERSON. HE HAS NOT MADE OTHER CHANGES YET BECAUSE HE IS LOOKING AT NET SCHOOL SPENDING, WE NEED TO FIND OUT WHERE WE ARE ON THAT. HE IS TRYING TO VERIFY THE NUMBERS. HE WILL LOOK AT CAPITAL ITEMS IN

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

THE SUPPLEMENTAL BUDGET AND IS LOOKING INTO A 10 YEAR CAPITAL PLAN THAT WOULD PROBABLY BE DONE LATE SUMMER. BASICALLY THERE ARE NO SPECIFIC CHANGES IN THE BUDGET. THE MAYOR ALSO NOTED THAT HE WILL MAKE SURE THAT THE BUILDING DEPARTMENT GETS THE SOFTWARE THAT WAS REQUESTED.

COUNCILOR COSTA-HANLON STATED THAT THE BUDGET NEEDS TO REFLECT THE BOND FOR THE PARKING COMMISSION. ALSO, IS THIS A REVOLVING FUND, AND CAN SOME OF THE COST OF THE POLICE OFFICER BE PAID OUT OF THE PARKING COMMISSION BUDGET AS WELL AS SOME OF THE CHIEF'S SALARY. COULD IT POSSIBLY FUND ANOTHER POLICE OFFICER.

COUNCILOR MARSHALL STATED THAT HE DOES NOT THINK ANSWERS WILL BE PROVIDED IN THE NEXT 6 DAYS WHEN THE COUNCIL HAS TO ORDAIN THIS BUDGET. HE SUGGESTS, AND HE HEARS THE CONCERNS, AND NOTED THAT PERHAPS WE DO NOT NEED POLICE OFFICERS DOING CERTAIN JOBS AT ALL, SUCH AS THE METER WORK – THEY SHOULD BE DOING POLICE WORK AND NOT FIXING METERS – SO HE FEELS THIS MAY NEED SOME NEGOTIATIONS BECAUSE HE BELIEVES IT IS CURRENTLY POLICE WORK. THEY ARE ENTERING NEGOTIATIONS NOW. HE WOULD BE MORE IN FAVOR OF REMOVING THIS AS A POLICE OFFICER'S DUTY AND MAKING THIS MORE INDEPENDENT. THE ISSUE NEEDS GREAT DEBATE.

OBVIOUSLY WE CANNOT CHANGE ANYTHING NOW, BUT HE WOULD HAVE A COUNCIL AS A WHOLE MEETING THE 1<sup>ST</sup> OR 2<sup>ND</sup> WEEK IN JULY TO FIND OUT IF IT IS A REVOLVING ACCOUNT AND WHAT THAT ENTAILS. ALSO HAVING THE GREATER BROADER DISCUSSIONS AROUND WHO DOES WHAT FOR THE PARKING COMMISSION. ARE WE GOING TO PULL THOSE DUTIES FROM THE POLICE DEPARTMENT, ARE WE GOING TO ASK CIVILIANS TO DO IT AND RUN IT THROUGH THE PARKING COMMISSION, AND THE POINT ABOUT THE SALARIES IS A VALID POINT. HE DOES NOT KNOW HOW THIS WOULD BE DONE IN 6 DAYS AND ORDAIN THE BUDGET.

COUNCILOR COSTA-HANLON ALSO NOTED THAT THE DPW BUDGET REGARDING CRACK SEALING IS ALSO AN IMPORTANT ISSUE THAT NEEDS TO BE PUSHED IN SUPPLEMENTAL. SHE WOULD LIKE A VENUE TO DISCUSS ISSUES IN MORE DETAIL.

COUNCILOR MARSHALL SUGGESTED RATIFYING THE BUDGET AND THEN TACKLING ALL OF THE ISSUES.

**MOTION: REFER THE ISSUES TO COUNCIL AS A WHOLE TO BEGIN TO HAVE DISCUSSIONS REGARDING THE PARKING COMMISSION REVOLVING FUND AND THE PARKING COMMISSION ISSUES AROUND THE SALARY AND THE DUTIES. THIS WILL BE DISCUSSED THE 3<sup>RD</sup> WEEK IN JULY. SO VOTED.**

ON DISCUSSION, COUNCILOR CLEARY ASKED THAT THE CLERK EXTRACT THE ITEMS OUT OF THE BUDGET HEARING MINUTES REFERRED FOR FUNDING AND TO SUPPLEMENTAL BUDGET.

IT WAS ALSO NOTED THAT A LIST SHOULD BE ESTABLISHED OF FUNDING PRIORITIES AS WE GET CLOSER TO THE SUPPLEMENTAL AND ALSO TO WRAP IN THE 10 YEAR CAPITAL PLAN.

**MOTION: TO CLOSE THE BUDGET HEARINGS. SO VOTED.**

**4. MEET TO REVIEW MATTERS IN FILE**

DURING A PREVIOUS MEETING, THERE HAD BEEN DISCUSSION REGARDING THE CHAMBERLAIN SCHOOL PUMP STATION AND THAT MR. WALKDEN WAS LOOKING FOR FUNDING FOR THIS. COUNCILOR MARSHALL HAD REFERRED THIS TO THE DPW TO SEE IF THIS WAS IN THE ENTERPRISE.

THE COUNCIL PRESIDENT READ A LETTER THAT HE RECEIVED FROM THE DPW COMMISSIONER. THE LETTER STATED THAT THE DPW HAS HAD THE CHAMBERLAIN ELEMENTARY SCHOOL PUMP STATION UNDER CONTRACT WITH VEOLIA FOR OPERATIONS AND MAINTENANCE SINCE APRIL OF 2014. THE CITY OF TAUNTON DOES NOT EMPLOY ANY LICENSED WASTEWATER TREATMENT PLANT OPERATORS IN EITHER THE DPW OR THE SCHOOL DEPARTMENT, SO THE STATION UPGRADE HAS BEEN REPEATEDLY

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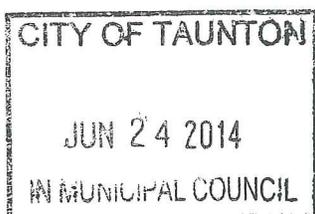
JUNE 24, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

EXPRESSED TO THE DPW BUILDING DIVISION AS AN URGENT MATTER. THE FUNDING FOR THE UPGRADE, OPERATION, AND MAINTENANCE OF THE STATION IS WITHIN THE DPW SEWER DIVISION BUDGET.

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

MEETING ADJOURNED AT 10:00 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 "J.M. Blackwell".  
CITY CLERK