City of Taunton
Municipal Council Meeting Minutes
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Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, June 30, 2014 at 7:45 O'clock A.M.

Regular Meeting
Mayor Thomas C. Hoye, Jr. presiding
Prayer was offered by the Mayor
Present at roll call were: *Councilors Borges, Carr, Quinn, McCaul, Croteau, Costa-Hanlon, and Marshall*
Councilors Pottier and Cleary were absent

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

Communications from the Mayor:
None

Appointments:
None

Communications:
Com. from Chairman, Board of Health requesting additional staffing for a part-time Public Health Nurse and a part-time Clerical position. **Motion was made to refer to the Mayor's Office. So Voted.**

Com. from Craig Foley, Transmission and Distribution Manager, TMLP regarding what would be required for solar street lights to produce enough lumens for a street light application. The cost is two to three thousand dollars more than just the LED fixture and the size of the solar panel is too large to install on poles with primaries and secondaries on them. Mr. Foley stated they are completing a trial of LED lights and will be establishing new rates in the very near future. **Motion was made to receive and place on file. So Voted.**

Com. from Treasurer/Collector notifying of a Land Court Decree on 430 Winthrop Street assessed to Leif H. Nelson. **Motion was made to refer to the Building Department and the Tax Possession Agent/Risk Manager. So Voted.**

Com. from Kathleen Campanirio, 110 North Walker Street, Taunton requesting re-evaluation of the Westville side of North Walker Street which has a 45 mile an hour speed limit as other major roadways are posted at 35 miles per hour. **Motion was made to refer to the Committee on Police and License and the Safety Officer for two (2) weeks. So Voted.**

Com. 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 to send a letter to MMA in opposition. So Voted.**

An extra communication was read from the Superintendent of Public Buildings requesting a transfer of funds in the amount of $1,000.00 to pay invoices. **Motion was made to move approval. So Voted.**

Petitions:

Claim submitted by Sandra Moreira, 17 Oak Ave., Taunton seeking reimbursement for damages to her automobile from hitting a pothole between 22 and 25 Oak Ave., Taunton. **Motion was made to refer to the City Solicitor. So Voted.**

Claim submitted by Jon Albert, 151 Weir St., Taunton seeking reimbursement for damages to his automobile from hitting a pothole and manhole cover in front of 151 Weir St., Taunton. **Motion was made to refer to the City Solicitor. So Voted.**

Committee Reports:

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

Unfinished Business:

Continued from the Municipal Council Meeting of June 17, 2014: Com. from Michael Horrigan, General Manager, TMLP - Submitting report of action on street lights. **Motion was made to continue for two weeks. So Voted.**

Orders, Ordinances, and Resolutions

FY2015 Preliminary Budget for a second reading to be ordained on a roll call vote

	Salary & Wages	Other Expenses	Capital Expenses	Total Budget
General Government	$ 3,151,429.57	$ 2,312,847.58	$ 55,000.00	$ 5,519,277.15
Public Safety	$ 23,848,060.66	$ 1,722,069.00	$ 112,423.35	$ 25,682,553.01
Education	$ -	$ 75,658,875.00	$ -	$ 75,658,875.00
Public Works/Facilities	$ 3,201,603.31	$ 5,409,103.76	$ 622,134.96	$ 9,232,842.03
Health/Citizen Services	$ 1,406,450.06	$ 1,098,568.68	$ -	$ 2,505,018.74
Culture & Recreation	$ 1,727,935.41	$ 743,695.55	$ 22,170.00	$ 2,493,800.96
Debt & Interest	$ -	$ 7,529,234.50	$ -	$ 7,529,234.50
Miscellaneous	$ -	$ 9,041.80	$ -	$ 9,041.80
Employee Benefits	$ 71,065.88	$ 46,120,938.78	$ -	$ 46,192,004.66
Other Financing Uses	$ -	$ 9,851,770.00	$ -	$ 9,851,770.00
Enterprise Accounts	$ 6,625,914.44	$ 17,160,529.94	$ 18,540.00	$ 23,804,984.38
Total Budget	$ 40,032,459.33	$ 167,616,674.59	$ 830,268.31	$ 208,479,402.23

On a roll call vote, seven (7) Councilors present, six (6) Councilors voting in favor. Councilor Carr voting in opposition. Councilors Cleary and Pottier were absent.

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

AN ORDINANCE

Chapter 19

Sewers and Drains

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

SECTION 1. Chapter 19 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended by inserting the following sections 19-4.1 through 19-4.20.

City of Taunton Stormwater Management Ordinance

GENERAL PROVISIONS

Section 19-4.1. Purpose

The purpose of this ordinance is to protect the health, safety, general welfare, and environment by regulating illicit connections and discharges to the storm drain system and controlling the adverse effects of construction site stormwater runoff and post-construction stormwater runoff which is necessary for the protection of the City of Taunton's water bodies and groundwater. This ordinance establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) permit process.

The objectives of this ordinance are:

1. To comply with state and federal statutes and regulations relating to stormwater discharges;
2. To prevent pollutants from entering the City's MS4;
3. To prohibit illicit connections and unauthorized discharges to the City's MS4 and require their removal;
4. To establish minimum construction and post-construction stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;
5. To establish provisions for the long-term responsibility for, and maintenance of, structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety; and
6. To establish the City's legal authority to ensure compliance with the provisions of this ordinance through inspection, monitoring and enforcement.

Section 19-4.2. Defintions.

For the purposes of this ordinance, the following shall mean:

Agriculture. The normal maintenance or improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act and its implementing regulations.

Alter. Any activity, which will measurably change the ability of a ground surface area to absorb water or will change existing surface drainage patterns. The term "alter" shall include "alteration of drainage characteristics" and "conducting land disturbance activities."

Authorized Enforcement Agency. The City of Taunton Department of Public Works, its employees or agents, designated to enforce this ordinance.

Best Management Practices (BMPs). An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.

Clean Water Act. The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Clearing. Any activity that removes vegetative surface cover.

Construction Activity. Activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbance of 1 acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Construction and Waste Materials. Excess or discarded building or site materials, including but not limited to concrete truck washout, chemicals, litter and sanitary waste at a construction site that may adversely impact water quality.

Development. The modification of land to accommodate a new use or expansion of use, usually involving construction.

Discharge of Pollutants. The addition from any source of any pollutant or combination of pollutants into the municipal separate storm sewer system, Wetland Resource Areas, or into the Waters of the United States or Commonwealth of Massachusetts from any source.

Erosion. The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles

Estimated Habitat of Rare Wildlife and Certified Vernal Pools. Habitats delineated for state-protected rare wildlife and certified vernal pools for use with the Wetlands Protection Act Regulations (310 CMR 10.00) and the Forest Cutting Practices Act Regulations (304 CMR 11.00).

Grading. Changing the level or shape of the ground surface.

Groundwater. All water beneath the surface of the ground.

Grubbing. The act of clearing land surface by digging up roots and stumps.

Hazardous Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illegal Discharge. Any direct or indirect non-storm water discharge to the storm drain system, except as exempted in Section 7 of this ordinance.

Illicit Connections. An illicit connection is defined as either of the following:

> Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or,
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> Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Impervious Surface. Any material or structure on or above the ground that prevents water from infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and rooftops.

Industrial Activity. Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

Infiltration. The act of conveying surface water into the ground to permit groundwater recharge and the reduction of stormwater runoff from a project site.

Land Disturbance. Construction activities including clearing, grading, and excavating which removes the vegetative ground cover and/or covers the existing vegetative cover with fill or any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material.

Low Impact Development (LID). LID incorporates non–structural and natural approaches to new and redevelopment projects to reduce adverse effects on water quality and the natural environment by conserving natural areas, reducing impervious cover, and better integrating stormwater treatment.

Massachusetts Endangered Species Act. (G.L. c. 131A) and its implementing regulations (321 CMR 10.00) which prohibit the "taking" of any rare plant or animal species listed as Endangered, Threatened, or of Special Concern.

Massachusetts Stormwater Management Policy. The Policy issued by the Department of Environmental Protection, and as amended, that coordinates the requirements prescribed

by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act G.L. c. 131 § 40 and Massachusetts Clean Waters Act G.L. c. 21, §. 23-56.

Municipal separate storm sewer system (MS4) or municipal storm drain system. The system of conveyances designed or used for collecting or conveying storm water, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the City of Taunton.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit. means a permit issued by Environmental Protection Agency or jointly with a State that authorizes the discharge of pollutants to waters of the United States.

New Development. Any construction or land disturbance on a lot, or on a portion of a lot, that is currently in a vegetated state.

Nonpoint Source Pollution. Pollution from many diffuse sources caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and man–made pollutants, finally depositing them into water resource areas.

Non-Storm Water Discharge. Any discharge to the storm drain system that is not composed entirely of storm water.

Nuisance. An activity or condition posing a danger to public health and safety.

Outfall. The point at which stormwater flows out from a point source discernible, confined and discrete conveyance into waters of the Commonwealth.

Owner. A person with a legal or equitable interest in property.

Person. Any individual, association, organization, partnership, firm, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the ferederal government, to the extent permitted by law, and any officer, employee, or agent of such person.

Point Source. Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or may be discharged.

Pollutant. Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or non point source, that is or may be introduced into the City of Taunton municipal storm drain system or Waters of the United States or Waters of the Commonwealth of Massachusetts. Pollutants shall include without limitation:

1. Paints, varnishes, and solvents;
2. Oil and other automotive fluids;
3. Non-hazardous liquid and solid wastes and yard wastes;

4. Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, accumulations and floatables;
5. Pesticides, herbicides, and fertilizers;
6. Hazardous materials and wastes;
7. Sewage, fecal coliform and pathogens;
8. Dissolved and particulate metals;
9. Animal wastes;
10. Rock, sand, salt, soils;
11. Construction wastes and residues;
12. Vegetable oil and waste vegetable oil;
13. And noxious or offensive matter of any kind.

Pre-Construction. All activity in preparation for construction.

Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Priority Habitat Of Rare Species. Habitats delineated for rare plant and animal populations protected pursuant to the Massachusetts Endangered Species Act and its regulations.

Process Wastewater. Water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

Recharge. The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

Redevelopment. Development, rehabilitation, expansion, demolition or phased projects that disturb the ground surface or increase the impervious area on previously developed sites.

Runoff. Rainfall, snowmelt, or irrigation water flowing over the ground surface.

Sediment. Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

Sedimentation. The process or act of deposition of sediment.

Site. Any lot or parcel of land or area of property where land-disturbing activities are, were, or will be performed.

Slope. The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance.

Soil. Any earth, sand, rock, gravel, or similar material.

Stabilization. The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or retard erosion.

Stormwater. Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Stormwater Pollution Prevention Plan. A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to Stormwater, Stormwater Conveyance Systems, and/or Receiving Waters to the Maximum Extent Practicable.

Strip. Any activity which removes the vegetative ground surface cover, including tree removal, clearing, grubbing, and storage or removal of topsoil.

Surface Water Discharge Permit. A permit issued by the Department of Environmental Protection (DEP) pursuant to 314 CMR 3.00 that authorizes the discharge of pollutants to waters of the Commonwealth of Massachusetts.

Toxic or Hazardous Material or Waste. Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as Toxic or Hazardous under G.L Ch.21C and Ch.21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.000.

Uncontaminated. Water containing no pollutants.

Wastewater. Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

Watercourses. A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

Waters of the Commonwealth. All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

Wetland Resource Areas. All wetlands and watercourses protected under the Massachusetts Wetlands Protection Act and the City of Taunton Conservation Ordinance.

Section 19-4.3. Severability

The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Ordinance.

DISCHARGES TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM

Section 19-4.4. Applicability

This ordinance shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

Section 19-4.5. Authority
The Department of Public Works shall administer, implement, and enforce the provisions of this ordinance. Any powers granted or duties imposed upon the authorized enforcement agency may be delegated in writing by the Commissioner of the authorized enforcement agency to persons or entities acting in the beneficial interest of or in the employ of the agency.

Section 19-4.6. Regulations
The Committee on the Department of Public Works may promulgate rules, regulations and a permitting process to effectuate the purposes of this ordinance. Failure of the Committee on the Department of Public Works to promulgate such rules and regulations shall not have the effect of suspending or invalidating this ordinance.

Section 19-4.7. Prohibited Activities

1. **Prohibition of Illegal Discharges.** No person shall dump, discharge, cause or allow to be discharged into the municipal separate storm sewer system, into a watercourse, or into the waters of the Commonwealth any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water.

2. **Prohibition of Illicit Connections.** No person shall construct, use, allow, maintain, or continue any illicit connection to the municipal separate storm sewer system, regardless of whether the connection was permissible under applicable law, regulation, or custom at the time of connection.

3. **Obstruction of Municipal Separate Storm Sewer System.** No person shall obstruct or interfere with the normal flow of storm water into or out of municipal separate storm sewer system without prior approval from the authorized enforcement agency.

4. **Exemptions.** The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

    a. Discharge or flow resulting from fire fighting activities;

    b. The following non-storm water discharges or flows are exempt from prohibitions of non-storm waters provided that the source is not a significant contributor of a pollutant to the municipal separate storm sewer system:

        i. Water line flushing or flow from other potable water sources;

        ii. Landscape irrigation or lawn watering;

        iii. Rising groundwater;

iv. Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005 (20), or uncontaminated pumped groundwater;

v. Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space pumps, or air conditioning condensation, conducted in such a way as not to cause a nuisance;

vi. Springs;

vii. Non-commercial washing of vehicles and temporary fund-raising car wash events;

viii. Natural riparian habitat or wet-land flows;

ix. Discharges from street sweepers of minor amounts of water during operations

x. Normal maintenance or improvement of land in agricultural or aquacultural use conducted in such a way as not to cause a nuisance.

c. The following non-storm water discharges or flows are exempt from prohibitions of non-storm waters provided that the authorized enforcement agency is verbally notified prior to the activity:

i. Discharges specified in writing by the authorized enforcement agency as being necessary to protect public health and safety;

ii. Dye testing is an allowable discharge;

iii. Discharges from de-chlorinated swimming pool water provided it is allowed to stand for one week prior to draining, or tested for chlorine levels with a pool test kit prior to draining (less than one parts per million chlorine), and the pool is drained in such a way as not to cause a nuisance.

d. The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

Section 19-4.8. Suspension of Municipal Separate Storm Sewer System Access

1. **Suspension due to Illicit Discharges in Emergency Situations.** The authorized enforcement agency may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or Waters of

the United States. If the violator fails to comply with a suspension order issued in an emergency, the authorized enforcement agency may take such steps as deemed necessary to prevent or minimize damage to the MS4 or Waters of the United States, or to minimize danger to persons.

2. **Suspension due to the Detection of Illicit Discharge.** Any person discharging to the MS4 in violation of this ordinance may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The authorized enforcement agency will notify a violator of the proposed termination of its MS4 access. The violator may petition the authorized enforcement agency for a reconsideration and hearing. A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the authorized enforcement agency.

Section 19-4.9. Industrial or Construction Activity Discharges

Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the authorized enforcement agency prior to the allowing of discharges to the MS4.

Section 19-4.10. Notification of Spills

In addition to other requirements of local, state, or federal law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or water of the U.S. or Commonwealth, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of a release of oil or hazardous materials, said person shall immediately notify emergency response agencies of the occurrence via Taunton Fire Department. In the event of a release of non-hazardous materials, said person shall notify the Department of Public Works in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Department of Public Works, 90 Ingell Street, Taunton, MA 02780, within three business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

Section 19-4.11. Enforcement

1. **Regulatory Controls.** The Department of Public Works or its authorized agent shall enforce this ordinance, and the regulations promulgated there under, as well as the terms and conditions of all permits, notices, and orders, and may pursue all civil and criminal remedies for such violations.
2. **Civil Relief.** If anyone violates the provisions of this ordinance, regulations, permit, notice, or order issued there under, the Department of Public Works may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to abate or remediate the violation.

3. **Orders.** The Department of Public Works may issue a written order to enforce the provisions of this ordinance or the regulations there under, which may include:
    a. Elimination of illicit connections or discharges to the storm drainage system;
    b. termination of access to the storm drainage;
    c. performance of monitoring, analysis, and reporting;
    d. cessation of unlawful discharges, practices, or operations; and
    e. remediation of contamination in connection therewith.

    If the Department of Public Works determines that abatement or remediation of contamination is required, the order shall set forth a deadline for completion of the abatement or remediation. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the city may, at its option, undertake such work, and expenses thereof shall be charged to the violator or property owner. Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the city, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Department of Public Works within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Department of Public Works affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the cost shall become a municipal charge against the property owner. The Department of Public Works shall impose a municipal charges lien as provided in G.L. c. 40 s. 58 and so notify the Collector. The passage of this ordinance by the Municipal Council shall constitute a separate vote for this type of charge.
4. **Criminal And Civil Penalties.** Any person who violates any provision of this ordinance, valid regulation, or the terms or conditions in any permit or order prescribed or issued there under, shall be subject to a fine not to exceed three hundred dollars ($300.00) for each day such violation occurs or continues or subject to a civil penalty, which may be assessed in an action brought on behalf of the city in any court of competent jurisdiction.
5. **Non-Criminal Disposition.** As an alternative to criminal prosecution or civil action, the City of Taunton may elect to utilize the non-criminal disposition procedure set forth in G.L. Chapter 40, s 21D. The Department of Public Works shall be the enforcing entity. The penalty for the First violation (1st) shall be one hundred dollars ($100.00). The penalty for the Second violation (2nd) shall be two hundred dollars ($200.00). The penalty for the Third violation (3rd) and subsequent violations shall be three hundred dollars ($300.00). Each calendar day in which a violation occurs or continues shall constitute a separate offense.
6. **Entry To Perform Duties Under This Ordinance.** To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Department of Public Works, its agents, or officers, and employees may enter upon privately owned property for the purpose of performing their duties under this ordinance and regulations and may make or cause to be made such

examinations, surveys or sampling as the Department of Public Works deems reasonably necessary.

7. **Appeals.** The decisions or orders of the Department of Public Works shall be final. Further relief shall be to a court of competent jurisdiction.
8. **Remedies Not Exclusive.** The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law.

Section 19-4.12. Transitional Provisions
Residential property owners shall have one hundred and eighty (180) days from the effective date of the ordinance to comply with its provisions provided good cause is shown for the failure to comply with the ordinance during that period.

STORMWATER MANAGEMENT SYSTEMS ON PRIVATE PROPERTY

Section 19-4.13. Applicability
No person may undertake a construction activity, including clearing, grading and excavation that results in a land disturbance that will disturb equal to or greater than one acre of land or will disturb less than one acre of land but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than one acre of land without a permit from the Authorized Enforcement Agency or as otherwise provided in this ordinance.

Any person that fails to follow the requirements of a Stormwater Management Permit and the related Erosion and Sedimentation Control Plan, and Operations and Maintenance Plan issued under the Authorized Enforcement Agency Regulations shall be in violation of the City of Taunton Ordinances.

Section 19-4.14. Exemptions
The activities are exempt from requirements of Article III of this ordinance:

1. Maintenance of existing landscaping, gardens or lawn areas associated with a single family dwelling conducted in such a way as not to cause a nuisance;
2. Construction of fencing that will not substantially alter existing terrain or drainage patterns;
3. Construction of utilities other than drainage (gas, water, electric, telephone, etc.) which will not alter terrain or drainage patterns;
4. Normal maintenance and improvement of land in agricultural or aquacultural use; and
5. Disturbance of one or more acres of land that are subject to jurisdiction under the Wetlands Protection Act and demonstrate compliance with the Massachusetts Stormwater Management Policy as reflected in a valid Order of Conditions issued by the Conservation Commission.

Section 19-4.15. Administration
The City of Taunton Department of Public Works shall administer, implement and enforce Article III of this ordinance. Any powers granted to or duties imposed upon the City of Taunton Department of Public Works may be delegated in writing to its employees or agents. Henceforth, the City of Taunton Department of Public Works shall

be referred to as the "Administrating Authority" or "Authorized Enforcement Agency" of Article III of this ordinance.

Section 19-4.16. Rules and Regulations
The Committee on the Department of Public Works shall adopt, and may periodically amend, rules and regulations relating to the procedures and administration of Article III of this ordinance. Failure by the Committee to promulgate such rules and regulations shall not have the effect of suspending or invalidating this ordinance.

Section 19-4.17. Permits and Procedure
Permit procedures and requirements, including permit submittals, right-of-entry, fee schedule, and review process shall be defined and included as part of the regulations promulgated under Article III, Section 4 of this ordinance.

Section 19-4.18. Performance Standards
Criteria for erosion and sediment control and post-construction stormwater management, including stormwater performance standards, shall be defined and included as part of the regulations promulgated under Article III, Section 4 of this ordinance.

Section 19-4.19. Waivers

1. The Department of Public Works may waive strict compliance with any requirement of this ordinance or the rules and regulations promulgated hereunder, where:
   a. such action is allowed by federal, state and local statutes and/or regulations; and
   b. is in the public interest; and
   c. is consistent with the purpose and intent of this ordinance and/or regulations.
2. The process for granting a waiver shall be defined and included as part of the regulations promulgated under Article III, Section 4 of this ordinance.

Section 19-4.20. Enforcement

1. **Regulatory Controls.** The Department of Public Works or its authorized agent shall enforce this ordinance, and the regulations promulgated there under, as well as the terms and conditions of all permits, notices, and orders, and may pursue all civil and criminal remedies for such violations.
2. **Orders.** If the City determines that a person's failure to follow the requirements of this ordinance or the rules and regulations is creating an adverse impact to a water resource, the City may issue a written order to the person to remediate the adverse impact.

   If the Department of Public Works determines that abatement or remediation of contamination is required, the order shall set forth a deadline for completion of the abatement or remediation. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the city may, at its option, undertake such work, and expenses thereof shall be charged to the violator or property owner. Within thirty (30) days after completing all measures necessary to abate the violation or to perform

remediation, the violator and the property owner will be notified of the costs incurred by the town, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Department of Public Works within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Department of Public Works affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the cost shall become a municipal charge against the property owner. The Department of Public Works shall impose a municipal charges lien as provided in G.L. c. 40 s. 58 and so notify the Collector. The passage of this ordinance by the Municipal Council shall constitute a separate vote for this type of charge.

3. **Criminal And Civil Penalties.** Any person who violates any provision of this ordinance, valid regulation, or the terms or conditions in any permit or order prescribed or issued there under, shall be subject to a fine not to exceed three hundred dollars ($300.00) for each day such violation occurs or continues or subject to a civil penalty, which may be assessed in an action brought on behalf of the city in any court of competent jurisdiction.
4. **Appeals.** The decisions or orders of the Department of Public Works shall be final. Further relief shall be to a court of competent jurisdiction.
5. **Remedies Not Exclusive.** The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law.

SECTION 2. All ordinances or parts thereof inconsistent herewith are hereby repealed. **Motion was made to pass to a second reading. So Voted.**

New Business:
None

Meeting adjourned at 7:55 A.M.

A true copy:

Attest: Rm Blackwell
City Clerk

RMB/JLL

CITY OF TAUNTON
MUNICIPAL COUNCIL
JUNE 10, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE

PRESENT WERE: COUNCILOR ANDREW MARSHALL, CHAIRMAN AND COUNCILORS BORGES, CARR, QUINN, MCCAUL, POTTIER, CROTEAU, COSTA-HANLON AND CLEARY. ALSO PRESENT WERE GILL ENOS, BUGET DIRECTOR, ANN BISSON AND CHARLENE BONENFANT FROM HUMAN SERVICES, CITY AUDITOR ANN HEBERT, TREASURER/COLLECTOR BARBARA AUGER, VETERANS SERVICES DIRECTOR BOLIVAR RUBIANO, KATHY GREIN AND LISA LABELLE FROM THE ASSESSOR'S OFFICE, JENNIFER LEDGER, ASSISTANT CITY CLERK, CITY PLANNER KEVIN SCANLON, EXECUTIVE DIRECTOR OF EOECD KEVIN SHEA, HUMAN RESOURCES DIRECTOR MARIA GOMES, AND PARK, RECREATION AND PUBLIC GROUNDS DIRECTOR MARILYN GREENE

MEETING CALLED TO ORDER AT 6:00 P.M.

1. **BUDGET HEARINGS**

HEALTH AND HUMAN SERVICES

1. HUMAN SERVICES #500

MS. BISSON PROVIDED TO THE COMMITTEE AN ANNUAL REPORT. SHE ALSO NOTED THAT THE COMMUNITY RELATIONS COUNCILOR WAS NOT FUNDED AND THAT THIS IS NOT A NEW POSITION. CHARLENE BONENFANT WAS PROMOTED TO ASSISTANT DIRECTOR WHICH CAUSED THE VACANCY IN THIS POSITION.

MOTION: **TO REFER TO THE MAYOR FOR AN EXPLANATION AS TO WHY THIS POSITION WAS CUT. SO VOTED.**

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

GENERAL GOVERNMENT

1. AUDITOR #135

THIS BUDGET IS PRETTY MUCH THE SAME AS LAST YEAR. QUESTIONED WAS HOW MUCH LONGER HER DEPARTMENT WOULD HAVE A CONTRACTED EMPLOYEE. MRS. HEBERT STATED THAT THIS WILL BE ONGOING.

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

THE COMMITTEE REQUESTED A COPY OF THE CONTRACT THAT THE CITY HAS WITH MR. COPPOLA.

2. TREASURER FORECLOSURE #145

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

3. TREASURER/COLLECTOR #144

IT WAS NOTED THAT THE HARPERS PAYROLL LINE ITEM WAS REDUCED BY $30,000. MS. AUGER STATED THAT THEY ARE CONVERTING TO A NEW SOFTWARE AND THEY WILL BE DOING PAYROLL IN HOUSE.

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

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JUNE 10, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE – BUDGET HEARINGS - CONTINUED

4. TAX TITLE #147
MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

DEBT AND INTEREST
1. DEBT – LONG TERM (Principal) #710
COUNCILOR CROTEAU STATED THAT THE CITY IS STILL PAYING FOR PLANS FOR WALKER SCHOOL
MOTION: TREASURER TO PROVIDE HOW MUCH WAS THE TOTAL BOND FOR WALKER SCHOOL AND HOW MUCH IS STILL OWED. SO VOTED.
MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. ALSO TREASURER IS TO PROVIDE ALL COUNCILORS WITH A DEBT SCHEDULE. SO VOTED.

2. INTEREST – LONG TERM DEBT #751
MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

3. INTEREST – SHORT TERM DEBT #752
MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

EMPLOYEE BENEFITS
1. UNEMPLOYMENT COMPENSATION #913
MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

2. HOSPITAL & GROUP INSURANCE #914
THERE IS AN INCREASE IN EMPLOYEE BASED HMO AND PPO PLANS, BUT THE CITY HAS BEEN PRETTY SUCCESSFUL IN KEEPING THE RATES DOWN.
MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

3. MEDICARE #915
MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

HEALTH & CITIZEN SERVICES
1. VETERANS #543
DISCUSSED WAS THAT THE CITY IS REIMBURSED 75% OF ALL BENEFITS PAID OUT. IT USUALLY TAKES 18 MONTHS FOR THE REIMBURSEMENT. THE DEPARTMENT IS ALSO IN THE PROCESS OF HIRING A NEW INVESTIGATOR.
MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

GENERAL GOVERNMENT
1. ASSESSOR #141
THEY HAVE NOT FILLED THE ASSISTANT ASSESSOR'S POSITION, BUT IT IS STILL LISTED AS A VIABLE POSITION, IT EXISTS, BUT THEY ARE CHOOSING NOT TO FILL IT AT THIS TIME. THEY HAVE A SECOND CLERICAL POSITIONS INSTEAD OF THE ASSISTANT ASSESSOR POSITION.
MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

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JUNE 10, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE – BUDGET HEARINGS - CONTINUED

2. CITY CLERK #161

THE CITY CLERK'S OFFICE IS REQUESTING A NEW PART TIME POSITION. THEY ARE DOWN 1 ½ PEOPLE SINCE THE LAYOFFS TOOK PLACE. THE MAYOR DID NOT FILL THE 2ND PART TIME POSITION.
IT WAS ALSO NOTED THAT REGARDING THE DOG LICENSES NOW BEING DONE WITH GEO TMS, IT TAKES MORE TIME AND IS COSTING THE CITY MONEY. THERE ALSO NEEDS TO BE AN ORDINANCE DONE TO CHARGE THE FEE ON THE DOG LICENSES.
THE ASSISTANT CITY CLERK SAID THAT GEO TMS IS NOT USER FRIENDLY, THEY HAVE HAD ISSUES WITH PAYMENTS AND IT IS TAKING LONGER. QUESTIONED WAS WHETHER THE DEPARTMENT HAD SPOKEN TO GEO TMS AND MR. ARIKIAN OF THE IT DEPARTMENT. MS. LEDGER SAID YES, BUT THEY ARE STILL HAVING SOME ISSUES.

MOTION: **THAT GEO TMS IS NOT TO COLLECT THE DOG LICENSE FEES UNTIL THE PROGRAM IS CORRECTED.**

THE MOTION WAS SECONDED, ON DISCUSSION COUNCILOR CLEARY STATED THAT HE DOES NOT FEEL HE IS IN A POSITION TO VOTE ON THIS AND THAT THE COMMITTEE SHOULD SPEAK TO THE I.T. PERSON FIRST. WE SHOULD NOT DENY PAYMENT UNTIL THE COMMITTEE SPEAKS TO THE I.T. PERSON.

THE MOTION WAS VOTED ON AND CARRIED WITH AN 8-1 VOTE. COUNCILOR CLEARY VOTING IN OPPOSITION.

COUNCILOR CARR NOTED THAT WITHIN A YEAR THERE WAS SUPPOSED TO BE A REVIEW OF GEO TMS. SHE IS NOT SURE HOW LONG THE CITY HAS BEEN USING THEM.

MOTION: **TO HAVE THE I.T. DEPARTMENT PROVIDE THE DATE THAT GEO TMS WAS PUT INTO THE CITY AND THAT AN UPDATE BE PROVIDED TO THE COMMITTEE OF THE COUNCIL AS A WHOLE REGARDING GEO TMS.**

COUNCILOR COSTA-HANLON STATED THAT SHE WANTS TO HEAR FROM THE DEPARTMENT HEADS THAT USE GEO TMS, AND ASKED TO HAVE ADDED TO THE MOTION: **THAT THE DEPARTMENT HEADS ARE TO BE HERE FOR THAT MEETING ALSO. SO VOTED.**

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT AND HAVE DISCUSSION ON PART TIME PERSON THIS BUDGET SEASON BEFORE THE BUDGET IS ORDAINED. SO VOTED.**

3. PLANNING AND CONSERVATION #175

THERE IS AN INCREASE IN THIS BUDGET DUE TO AN INCREASE IN THE STIPENDS FOR THE BOARDS. COUNCILORS CARR AND COSTA-HANLON EXPRESSED DISAPPOINTMENT THAT THERE WAS NO REQUEST FOR FUNDING FOR A MASTER PLAN. THEY HAVE BEEN ASKING FOR SEVERAL YEARS TO HAVE THIS DONE, AND IN FACT THE ADA PLAN WAS JUST REQUESTED AND MONEY WAS MADE AVAILABLE. IT SEEMS THAT MONEY CAN NEVER BE FOUND FOR THE MASTER PLAN BUT CAN BE FOUND FOR EVERYTHING ELSE.

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

4. EOECD #182

MR. SHEA SAID THAT THE BUDGET IS BASICALLY WHAT WAS REQUESTED. THEY ARE IN THE PROCESS OF HIRING A GRANT WRITER. IT WAS OFFERED TO ONE INDIVIDUAL BUT WAS DECLINED.
COUNCILOR CROTEAU STATED THAT HE WANTS TO SPEAK AT A LATER DATE WITH MR. SHEA REGARDING THE 16% VACANCY RATE AT THE INDUSTRIAL PARK. HE WOULD LIKE TO HAVE CONTACT MADE WITH THE OWNERS OF THE EMPTY BUILDINGS TO SEE WHAT THEY ARE DOING TO PROMOTE THEIR BUILDINGS, AND

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THE COMMITTEE OF THE COUNCIL AS A WHOLE – BUDGET HEARINGS - CONTINUED

ALSO, WHAT CAN MR. SHEA'S OFFICE DO TO HELP THEM.
HE ALSO WOULD LIKE TO SEE AT THE END OF A YEAR, HOW MUCH THE NEW GRANT WRITER HAS GENERATED AND HOW MUCH IS DISCRETIONARY.
QUESTIONED WAS WHETHER THE SALARY FOR THE GRANT WRITER COULD BE NEGOTIATED AND BE A MERIT BASED PAY. IT WAS NOTED THAT THIS POSITION WILL BE A COTMA POSITION.
COUNCILOR CROTEAU SAID THAT HE WOULD SUPPORT THE POSITION REPORTING TO MR. SHEA RATHER THAN COTMA. QUESTIONED WAS WHETHER THIS CAN BE TAKEN OUT OF COTMA.
FURTHER DISCUSSION WAS HAD REGARDING THE FACT THAT A MASTER PLAN MAY BE NEEDED IN ORDER TO GO AFTER BUSINESS RELATED GRANTS. COUNCILOR COSTA-HANLON WOULD LIKE TO SEE THE NEW GRANT WRITER PURSUE THESE TYPES OF GRANTS.

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

HEALTH & CITIZEN SERVICES

1. PERSONNEL/TRAINING #549

THE BUDGET IS PRETTY MUCH THE SAME AS LAST YEAR ACCORDING TO MRS. GOMES.

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

COUNCILOR COSTA HANLON WOULD LIKE MRS. GOMES TO PREPARE AN ESTIMATE FOR MORE INDEPTH TRAINING ON SUICIDE PREVENTION AND AWARENESS, WORK PLACE VIOLENCE AND WHATEVER THE DIRECTOR FEELS MAY BE NEEDED. SHE WOULD LIKE THE COST AND ALSO OVERTIME COSTS FOR PEOPLE TO ATTEND.

EMPLOYEE BENEFITS

1. WORKMEN'S COMPENSATION #912

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

2. DISABILITY RETIREMENT #916

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

CULTURE & RECREATION

1. RECREATION, CEMETERY & PUBLIC GROUNDS #630

IT WAS NOTED THAT $899,000 WAS ASKED FOR AND $804,000 WAS APPROVED. QUESTONED WAS WHAT THE DIFFERENCE WOULD MEAN. MRS. GREEENE SAID THAT ONE MAINTENANCE PERSON AND SOME PART TIME SEASONAL MAINTENANCE POSITIONS WERE NOT FUNDED. MRS. GREENE NOTED THAT THEY DO THINGS ON A ROTATION BASIS BUT NEVER TRULY CATCH UP. THE DEPARTMENT HAS 10 PEOPLE NOW BUT HAD A STAFF OF 21 PREVIOUSLY. DISCUSSED WERE OVERTIME EXPENSES AND THESE CAN BE DUE TO WEATHER OR SATURDAY BURIALS.
THE MAYOR DID APPROVE THE PURCHASE OF A NEW VEHICLE SO THEY WILL BE DOING SOME PLOWING. SHE HAD ASKED FOR 2 BUT ONE WAS DENIED. SHE HAD TO TAKE 2 OF THE DEPARTMENT'S VEHICLES OUT OF SERVICE.
MRS. GREENE WAS ASKED TO LOOK INTO TAKING ADVANTAGE OF THE SENIOR TAX WORK OFF PROGRAM.
COUNCILOR MARSHALL STATED THAT HE FEELS THAT IT IS NECESSARY TO PUT TRASH BARRELS BACK IN THE PARKS, BUT HE REALIZES IT IS A MANNING ISSUE.

THE COMMITTEE OF THE COUNCIL AS A WHOLE – BUDGET HEARINGS - CONTINUED

IN HER BUDGET SHE HAD REQUESTED $40,000 FOR ROAD WORK IN THE MAYFLOWER CEMETERY BUT THAT WAS ALSO NOT FUNDED IN THIS BUDGET.

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

MOTION: **TO RECESS THE COMMITTEE MEETING (8:59 P.M.). SO VOTED.**

MOTION: **TO CALL THE MEETING BACK TO ORDER (9:16 P.M.). SO VOTED.**

HEALTH & CITIZEN SERVICES

1. COMMISSION OF HANDICAPPED AFFAIRS $548

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

CULTURE & RECREATION

1. AIRPORT #650

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

2. MUNICIPAL ACCESS 696

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

HEALTH & CITIZEN SERVICES

1. HEAD START #542

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

PUBLIC SAFETY

1. ANIMAL CONTROL #292

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

EDUCATION

1. BRISTOL COUNTY AGRICULTURAL SCHOOL #380

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

DISCUSSED WAS THAT THERE ARE A COUPLE OF WAYS TO FIGURE THE ASSESSMENT SO IT WAS REQUESTED THAT THE BUDGET DIRECTOR CONTACT THE DEPARTMENT OF EDUCATION TO COME IN OR AT LEAST PROVIDE OPTIONS AS TO HOW TO FIGURE OUR COSTS FOR THE SCHOOL. IF NO ONE CAN COME IN, THEN THE CITY COULD SEND A DELEGATION TO OBTAIN THE INFORMATION.

MR. CLEARY STATED THAT HE WOULD GET THE INFORMATION AND HE WILL ALSO CALL MR. DEMPSEY AT BRISTOL COUNTY AGRICULTURAL SCHOOL.

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

GENERAL GOVERNMENT

1. ELECTIONS & REGISTRATIONS #162

MOTION: **COUNCILOR POTTIER TO VOTE PRESENT. SO VOTED.**

MOTION: **TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.**

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JUNE 10, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE – BUDGET HEARINGS - CONTINUED

CULTURE & RECREATION

1. CABLE COMMISSION #695

IT WAS NOTED THAT THE COMMISSION MEMBERS ALSO GOT AN INCREASE IN THEIR STIPEND.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

GENERAL GOVERNMENT

1. LICENSE COMMISSION #165

THERE WAS AN INCREASE IN THE STIPENDS PAID TO THE COMMISSION MEMBERS.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

MISCELLANEOUS

1. SRPEDD #840

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

GENERAL GOVERNMENT

1. RESERVE ACCOUNT #132

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. ALSO THE BUDGET DIRECTOR IS TO PROVIDE THE AMOUNT EXPENDED FROM THIS ACCOUNT GOING BACK 5 YEARS – ITEMIZED – FOR NEXT WEEK. SO VOTED.

PUBLIC SAFETY

1. POLICE AND TRAFFIC SIGNAL #293

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

2. FISH WARDEN #296

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

PUBLIC WORKS/FACILITIES

1. STREET LIGHTING #424

COUNCILOR CLEARY NOTED THAT THIS COSTS $615,000 A YEAR AND THAT MONEY COULD BE SAVED IF EVERY 3RD STREET LIGHT WAS SHUT OFF. HE FURTHER STATED THAT THIS ACCOUNT NEEDS TO BE MONITORED.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

CULTURE & RECREATION

1. GOLF COURSE #640

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

2. HISTORIC DISTRICT COMMISSION #690

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

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JUNE 10, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE – BUDGET HEARINGS - CONTINUED

MOTION: **TO RECESS THE COMMITTEE MEETING (9:35 P.M.) SO VOTED.**

RESPECTFULLY SUBMITTED,

Colleen Ellis

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

CITY OF TAUNTON
JUN 30 2014
IN MUNICIPAL COUNCIL

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

RM Blackwell

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
JUNE 11, 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 SUZANNE DUQUETTE AND CHARLES CROWLEY OF THE LIBRARY, DR. RICHARD GROSS OF BRISTOL PLYMOUTH HIGH SCHOOL, MAYOR THOMAS HOYE, POLICE CHIEF EDWARD WALSH AND LIEUTENANT DANIEL MCCABE, COLLEEN ELLIS, CLERK OF COMMITTEES, PAUL ARIKIAN, IT DIRECTOR, TEMA DIRECTOR RICHARD FERREIRA, JASON BUFFINGTON, CITY SOLICITOR, BOARD OF HEALTH DIRECTOR HEATHER GALLANT, FRED CORNAGLIA, DPW COMMISSIONER, TONY ABREU, ASSISTANT DPW COMMISSIONER, CATHAL O'BRIEN, WATER DIVISION SUPERVISOR, ANGELA SANTOS, DPW FISCAL AGENT, PAUL SLIVINSKI, EXECUTIVE DIRECTOR OF RETIREMENT BOARD, TAUNTON NURSING HOME ADMINISTRATOR JOHN BRENNAN, FIRE CHIEF TIMOTHY BRADSHAW, CAPTAIN DAVID SANTOS AND KATE GLOVER, THE ADMINISTRATIVE ASSISTANT FOR THE FIRE DEPARTMENT, AND WAYNE WALKDEN AND ROBERT PIROZZI OF THE BUILDING DEPARTMENT

MEETING CALLED BACK FROM RECESS AT 6:07 P.M.

1. BUDGET HEARINGS

CULTURE AND RECREATION

1. LIBRARY #610

THIS BUDGET REFLECTS WHAT IS NEEDED TO MEET THE STATE CERTIFICATION. THEY DO HAVE 2 STAFF VACANCIES AND THEY HOPE TO GET THE MAYOR'S APPROVAL TO FILL THEM.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

EDUCATION

1. B-P REGIONAL HIGH SCHOOL #390

THE ASSESSMENT HAS DECREASED FROM 4.3 MILLION TO 4 MILLION. THERE ARE 631 TAUNTON STUDENTS AT THE SCHOOL. QUESTIONED WAS HOW MANY TAUNTON STUDENTS ARE ON THE WAITING LIST. DR. GROSS DID NOT KNOW, BUT DID STATE THAT THEY HAVE WAITING LISTS FROM ALL OF THE CITIES AND TOWNS THAT THEY SERVE. THE ADDITIONAL TOWNS REQUESTED TO BE A PART OF BRISTOL PLYMOUTH WERE DIGHTON AND REHOBOTH. THE COMMISSION OF EDUCATION APPROVED THEIR REQUEST.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

MOTION: TO GO OUT OF ORDER AND HEAR THE MAYOR'S BUDGET. SO VOTED.

GENERAL GOVERNMENT

1. MAYOR #121

IT WAS NOTED THAT THERE WILL BE AN INCREASE IN THE MAYOR'S SALARY TO $110,000 BEGINNING IN JANUARY. COUNCILOR CARR INDICATED THAT SHE THOUGHT BY ORDINANCE THAT THE MAYOR'S SALARY WAS TIED INTO CPI, BUT THE MAYOR INFORMED HER THAT IT EXPIRED IN 2012.
THE INCREASE IS JUST OVER $12,000 WITH $6,000 BEING FUNDED IN THIS BUDGET.

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JUNE 11, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE – BUDGET HEARINGS - CONTINUED

COUNCILOR COSTA-HANLON STATED THAT LONGEVITY IN THE MAYOR'S STAFF IS A CONCERN. SHE ASKED IF THERE HAD BEEN ANY THOUGHT TO ROLLING IN LONGEVEITY. HE WILL DISCUSS THIS IN THE FUTURE.
COUNCILOR COSTA-HANLON ALSO STATED THAT SHE WOULD LIKE TO SEE TRAVEL LINKED TO IF YOU USE IT YOU GET RE-IMBURSED, IT WOULD BE FOR ACTUAL TRAVEL. SHE ALSO WOULD LIKE
THE CAREER INCENTIVE LOOKED AT.
AS FAR AS THE TRAVEL ALLOWANCES GO, THE MAYOR SAID THAT MOST CITIES AND TOWNS PROVIDE VEHICLES, BUT THAT HE AND HIS STAFF HAVE TO USE THEIR OWN CARS, SO IT IS NOT ONLY GAS EXPENSES, IT IS WEAR AND TEAR ON THEIR PERSONAL VEHICLES.
MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

GENERAL GOVERNMENT

1. PARKING COMMISSION #197

THE POLICE CHIEF REPORTED THAT THERE IS STILL WORK TO DO ON THE PLEASANT STREET LOT, ALSO ON THE TRESCOTT STREET LOT WHICH THEY HOPE TO MAKE INTO A PAY LOT. THE ENTIRE PARKING DECK COSTS WERE BONDED.
COUNCILOR COSTA-HANLON DISCUSSED THE REVOLVING ACCOUNT IN THIS BUDGET.
MOTION: THAT THE LAW DEPARTMENT PROVIDE THE ORDINANCE THAT ALLOWS A REVOLVING FUND IN THIS BUDGET.
THE CHIEF SAID THAT IT IS A STATE LAW.
THE MOTION WAS SECONDED AND VOTED ON WITH COUNCILORS BORGES, CARR, QUINN, MCCAUL, COSTA-HANLON AND CLEARY VOTING IN FAVOR. COUNCILOR POTTIER VOTING IN OPPOSITION. MOTION CARRIES.
COUNCILOR COSTA-HANLON REQUESTED THAT THE CHIEF LOOK INTO THE PARKING COMMISSION PAYING SOME OF OFFICER BERNIER'S SALARY.
MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

PUBLIC SAFETY

1. POLICE

IT WAS NOTED THAT THE PERSONNEL NUMBER REMAINS THE SAME. THE ONLY ADDITION IS THE PERSON INVOLVED WITH THE SAFE NEIGHBORHOOD INITIATIVE THAT HAS BEEN MOVED FROM THE HUMAN SERVICES DEPARTMENT TO THE POLICE DEPARTMENT.
LINE ITEM 5588 WAS CUT $10,000 FROM THE REQUESTED AMOUNT OF $55,000.00. THE CHIEF NOTED THAT HE WILL NEED FUNDS TO SEND THE RECRUITS TO THE ACADEMY AND WILL BE LOOKING FOR ADDITIONAL MONEY FOR THE ADDITIONAL HIRES.
THE CHIEF REQUESTED FUNDING FOR SOME TECHNOLOGY UPGRADES AS THE COMPUTERS THEY USE ARE VERY OLD. HE ALSO REQUESTED FUNDING FOR SOME NEW VEHICLES BUT DID NOT RECEIVE ANY. THE DEPARTMENT ALSO NEEDS NEW COMMUNICATION EQUIPMENT.
THE CHIEF PROVIDED A BREAKDOWN OF THE STAFF WHICH SHOWED THAT THE MEDIAN AGE OF THE DEPARTMENT IS 49.
HE NEEDS MORE OFFICERS TO MEET MINIMUM MANNING AND IN FACT HE DOES NOT HAVE ENOUGH BODIES TO FILL ALL THE SLOTS IN THE SCHEDULE.
THIS COMING YEAR HE ANTICIPATES 2 MANDATORY BUYOUTS AND THERE ARE 6 OTHER OFFICERS BEYOND THE YEARS AND AGE SO THEY COULD ALSO POTENTIALLY RETIRE.
DISCUSSED AT LENGTH WAS THAT THE DEPARTMENT NEEDS RESTRUCTURING. BOTH THE FIRE CHIEF AND THE POLICE CHIEF HAVE TALKED ABOUT A CENTRAL DISPATCH WHICH COULD POSSIBLY BE MANNED BY CIVILIANS.

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JUNE 11, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE – BUDGET HEARINGS - CONTINUED

THE CHIEF REQUESTED $3 MILLION IN OVERTIME BUT WAS GIVEN $2 MILLION. HE NEEDS MORE BODIES, CARS, COMMUNICATION EQUIPMENT, BUT BASICALLY THE BUDGET WAS LEVEL FUNDED.
IT WAS NOTED THAT HE WILL HAVE 4 MORE OFFICERS IN 2015 THAT WERE PREVIOUSLY FUNDED DUE TO THE FACT THAT 2 OFFICERS WERE HIRED, AND HE WILL BACKFUL SOME OPENINGS DUE TO RETIREMENTS AND DEATHS IN THE DEPARTMENT.
COUNCILOR CROTEAU STATED THAT HE WOULD LIKE TO SEE AN ADDITIONAL 5 OFFICERS IN 2015. THE CHIEF NOTED THAT BY THE TIME BACKGROUND CHECKS ARE COMPLETED AND ALL OTHER NECESSARY STEPS ARE DONE, IT WOULD BE IMPOSSIBLE TO GET THEM INTO AN ACADEMY AND READY TO BE ON THE STREETS IN 2015.
COUNCILOR CROTEAU ALSO NOTED THAT THE LINE ITEM FOR EQUIPMENT WAS CUT. HE WOULD LIKE TO KNOW THE SPECIFIC PIECES OF EQUIPMENT THAT WILL BE EFFRECTED BY THIS CUT.

MOTION: REFER TO THE SUPPLEMENTAL BUDGET FOR 5 MORE OFFICERS IN FISCAL YEAR 2015.

MOTION DID NOT PASS WITH A 4-5 VOTE.

MOTION: REFER TO POLICE AND LICENSE COMMITTEE AND SUPPLEMENTAL BUDGET 2 ADDITIONAL HIRES FOR THE POLICE DEPARTMENT AND EXPLANATION ON THE CUT IN EQUIPMENT LINE ITEM.

MOTION CARRED WITH 7-2 VOTE. COUNCILORS COSTA-HANLON AND BORGES VOTING IN OPPOSITION.

COUNCILOR MARSHALL VOICED CONCERNS WITH THE USE OF THE LIMITED RESOURCES THE DEPARTMENT HAS. HE ASKED IF THE CHIEF, AS THE MANAGERIAL PERSON, CAN RE-ALIGN THE RESOURCES IN THE DEPARTMENT TO OFFSET THE PATROLS. CAN THE CHIEF RE-ASSIGN SOMEONE FROM A SPECIAL ASSIGNMENT TO PATROL?
THE CHIEF CAN BUT HE WOULD HAVE TO DEAL WITH THE RAMIFICATIONS OF COLLECTIVE BARGAINING.
THE CHIEF WAS ASKED TO COME UP WITH A MANAGEMENT PLAN AND WORK WITH THE UNIONS TO ADDRESS THE MANNING ISSUES. TEMPORARY MANAGERIAL MOVES ARE WHAT COUNCILOR MARSHALL IS LOOKING FOR. HE WOULD LIKE THE CHIEF TO WORK WITH THE UNIONS BUT ALSO QUESTIONED WHETHER THE CHIEF COULD DO THIS UNILATERALLY. THERE NEEDS TO BE A HARD DISCUSSION ON THIS MATTER IN ORDER TO INCREASE PATROLS.
COUNCILOR CROTEAU ASKED HOW MANY POLICE PATROLMAN THE CITY WILL HAVE ON THE STREET ON JUNE 30, 2014. THEN AT SOME TIME BEFORE JUNE 30, 2015 THERE WILL BE 7 MORE THAN THE NUMBER ON JUNE 30, 2014. IF 2 MORE HIRES ARE SUPPORTED IN THE SUPPLEMENTAL BUDGET, THEY SHOULD BE ON THE STREET BY JUNE 30, 2015.
DISCUSSED AGAIN WAS THE CUTS IN THE BUDGET FOR NEW COMPUTER EQUIPMENT AND NEW CRUISERS, AND THE FACT THAT THE FLEET OF THE DEPARTMENT IS AGING AND MANY VEHICLES HAVE A LARGE NUMBER OF MILES ON THEM.

MOTION: TO REFER THE FUNDING FOR COMPUTERS AND VEHICLES TO THE SUPPLEMENTAL BUDGET. SO VOTED.

COUNCILOR CARR NOTED THE DIFFICULTY IN GETTING POTENTIAL OFFICERS INTO THE POLICE ACADEMY. SHE STATED THAT TAUNTON SHOULD RUN ITS OWN ACADEMY.
THE CHIEF STATED THAT THIS COULD BE COSTLY. HE ALSO NOTED THAT IF THE CITY DOES GET THE CASINO, WE WOULD PROBABLY HAVE TO RUN OUR OWN ACADEMY.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

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JUNE 11, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE – BUDGET HEARINGS - CONTINUED

GENERAL GOVERNMENT

1. MUNICIPAL COUNCIL #111

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

2. OFFICE SERVICES #159

MOTION: TO REFER THE $4200 INCREASE IN THE STIPEND TO SUPPLEMENTAL BUDGET. SO VOTED.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

GGNERAL GOVERNMENT

1. AUTOMATION #155

QUESTIONED WAS HOW THE GEO TMS SYSTEM IS WORKING. IT WAS REPORTED THAT THE BUILDING DEPARTMENT ISSUES HAVE BEEN ADDRESSED, THAT THE CITY CLERK HAD DIFFICULTY WITH THE DOG LICENSE PROGRAM BUT IT IS WORKING PROPERLY, THE COMPANY RESPONDS AS IT SHOULD FOR SUPPORT, AND THAT EVERYTHING THAT HAS BEEN BROUGHT TO THE ATTENTION OF THE I.T. DEPARTMENT HAS BEEN ADDRESSED. IT WAS NOTED THAT THIS DISCUSSION SHOULD BE DONE IN A COUNCIL AS A WHOLE MEETING AND NOT DURING THE BUDGET HEARINGS.

MR. ARIKIAN STATED THAT THE BUDGET IS WHAT HE REQUESTED BUT COUNCILOR CROTEAU NOTED A DIFFERENCE OF $55,000 IN SALARIES AND WAGES. COUNCILOR CROTEAU ASKED WHAT THE DIFFERENCE BETWEEN THE REQUEST AND WHAT THE MAYOR ALLOWED REPRESENTED.

MR. ARIKIAN STATED THAT THE NETWORK ADMINISTRATOR POSITION WAS NOT FUNDED..

MOTION: TO REFER TO THE COMMITTEE OF THE COUNCIL AS A WHOLE TO DISCUSS THE PROBLEMS WITH THE GEO TMS SOFTWARE. PRIOR TO THAT MEETING THE I.T. DIRECTOR IS TO MEET WITH THE CITY CLERK AND ANY OTHER DEPARTMENTS HAVING ISSUES TO RESOLVE THE CONCERNS. SO VOTED.

MOTION: MR. ARIKIAN IS TO PROVIDE A REPORT SHOWING WHAT WILL NOT GET DONE IN HIS DEPARTMENT DUE TO NOT HAVING THE NETWORK ADMINISTRATOR POSITION. SO VOTED.

MOTION: TO REFER TO A COMMITTEE OF THE COUNCIL AS A WHOLE MEETING TO HAVE A DISCUSSION WITH THE I.T. DIRECTOR ON THE VoIP PROJECT.
REQUEST WAS MADE TO HAVE THE I.T. DIRCTOR PROVIDE THE COST OF ALL OF THE PHONE LINES, THE COST TO DO THE NEW SYSTEM AND HOW LONG IT WILL TAKE TO RECOUP THAT COST. SO VOTED.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT AND REFER THE NETWORK ADMINISTRATOR POSITION TO THE SUPPLEMENTAL BUDGET. SO VOTED.

PUBLIC SAFETY

1. EMERGENCY MANAGEMENT #291

MR. FERREIRA STATED THAT HE HAS RECEIVED SOME GRANTS AND WAS ABLE TO OBTAIN SOME NEW EQUIPMENT.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

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JUNE 11, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE – BUDGET HEARINGS - CONTINUED

GENERAL GOVERNMENT

1. LAW #151

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

2. MAINTENANCE OF TAX POSSESSION

QUESTIONED WAS THE $32,000 FOR PROF. TECH LINE ITEM AND WHAT IT REPRESENTS.
THE CITY SOLICITOR STATED THAT THERE MAY BE SERVICES NEEDED TO BE ENGAGED WHEN A PROPERTY IS TAKEN BY THE CITY. SOMETIMES THIS MIGHT INVOLVE SUBSTANTIAL WORK THERE IS A $25,000 INCREASE IN THIS LINE ITEM FROM LAST YEAR DUE TO THE CITY OBTAINING A PROPERTY THAT WILL REQUIRE SUBSTANTIAL CLEAN UP WORK.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

EMPLOYEE BENEFITS

3. RISK MANAGEMENT #945

QUESTIONED WAS THE $17,500 PROF./TECHNICAL LINE. IT WAS NOTED THAT THIS IS FOR THE INSURANCE ADVISOR. WE ARE IN THE 2ND YEAR OF A 3 YEAR CONTRACT AND THE CITY SOLICITOR ANTICIPATES NEEDING HIM BEYOND THE 2 YEARS.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

2. CLAIMS FOR DAMAGES #946

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

HEALTH & CITIZEN SERVICES

1. BOARD OF HEALTH #510

IT WAS NOTED THAT THERE WAS A REQUEST FOR $40,000 UNDER THE EQUIPMENT AND CAPITAL LINE ITEM FOR REPLACEMENT LIGHTING AND GENERATOR. THEY DID NOT RECEIVE THIS MONEY. THE DIRECTOR STATED THAT THEY REQUESTED THAT SOME NEW LIGHTING BE INSTALLED IN THEIR BUILDING, BUT THE BUILDING DEPARTMENT ADDRESSED THE LIGHTING ISSUE AND IT HAS HELPED. THE GENERATOR WOULD BE USED TO POWER THE VACCINE REFRIGERATORS IN THE BUILDING IN THE EVENT OF A POWER OUTAGE. IT WOULD BE VERY EVPENSIVE IF THE VACCINES HAD TO BE REPLACED. THE TAUNTON NURSING HOME HAS LET THEM USE THEIR EQUIPMENT WHEN THEY HAVE KNOWLEDGE OF A STORM COMING.
THERE WAS ALSO NOTED A DISCREPENCY IN THE SALARY ITEM, BUT THE BUDGET DIRECTOR MADE AN ADJUSTMENT DUE TO THE 1144 CONTRACT BEING SETTLED.

MOTION: TO REFER $20,000 OF THE CAPITAL REQUEST FOR A GENERATOR TO THE SUPPLEMENTAL BUDGET AND TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

GENERAL GOVERNMENT

1. ENVIRONMENTAL COORDINATION #196

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT.

ON DISCUSSION, AN INCREASE OF ABOUT $20,000 WAS NOTED IN THE SUPPLIES AND MATERIALS LINE ITEM. THE DPW COMMISSIONER STATED THAT THIS IS FOR REMEDIATION WORK AND TESTING.

SO VOTED.

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JUNE 11, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE – BUDGET HEARINGS - CONTINUED

PUBLIC SAFETY

1. SEALER OF WEIGHTS AND MEASURES #244

IT WAS NOTED THAT THIS BUDGET IS PRETTY MUCH LEVEL FUNDED. THERE ARE 2 PART TIME PEOPLE, BOTH OF WHO ARE LICENSED AND WORK 19.5 HOURS EACH.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

PUBLIC WORKS/FACILITIES

1. DPW COMMISSIONER'S OFFICE #400

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

2. ENGINEERING #410

A CLERK WAS REQUESTED IN THE BUDGET BUT NOT FUNDED.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

3. OIL AND ROAD CONSTRUCTION #421

IT WAS NOTED THAT WHAT WAS REQUESTED WAS A LOT MORE THAN WAS BUDGETED. QUESTIONED WAS WHAT THE RAMIFICATIONS WOULD BE.

THE DPW COMMISSIONER STATED THAT THE CRACK SEAL WOULD PRESERVE THE ROADS, AND THAT HE WILL USE $60,000 FROM CHAPTER 90 MONEY TO DO SOME OF THIS. TO ASK FOR IT IN THE SUPPLEMENTAL BUDGET WOULD BE TOO LATE AS THERE IS A CERTAIN WINDOW OF TIME WHEN THIS CAN BE DONE. THEY WILL TRY TO DO IN THE AREA OF $120,000 WHICH MEANS THAT THERE WILL BE A STREET THAT DOES NOT GET PAVED.

IT WAS ALSO NOTED THAT IN THE REPAIR/MAINTENANCE OF STREETS, REQUESTED WAS $385,000 BUT RECEIVED WAS $200,000. THE DPW COMMISSIONER SAID THEY REQUESTED THE INCREASE BECAUSE OF THE RECORD NUMBER OF POTHOLE ISSUES THEY HAVE HAD.

MOTION: REFER TO THE MAYOR SOME KIND OF AN INCREASE IN THIS BUDGET. SO VOTED.

THE DPW COMMISSIONER STATED THAT THEY WILL BE PAVING THE UPPER PART OF TREMONT STREET. QUESTIONED WAS HOW THAT STREET WAS CHOSEN. THE COMMISSIONER SAID IT WAS CHOSEN AS A RESULT OF NUMBEROUS POT HOLE ISSUES. ALSO ROUTE 79, MYRICKS STREET WILL BE PAVED THIS YEAR AS WELL AS WORCESTER STREET DUE TO THE NUMBER OF COMPLAINTS.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

4. STREETS AND DRAINS #422

THREE POSITIONS WERE REQUESTED BUT NOT FUNDED IN THE BUDGET, HOWEVER, THEY ARE GETTING A TEMPORARY PERSON. QUESTIONED WAS THE OVERTIME LINE ITEM AT $80,000. THIS IS JUST FOR EMERGENCIES SO HIRING THREE PEOPLE WOULD NOT ALLEVIATE THIS OVERTIME.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

THE 3 POSITIONS ARE REPLACEMENT POSITIONS, THEY WERE NOT FUNDED LAST YEAR EITHER.

MOTION: REFER THE THREE OPEN POSITIONS TO THE MAYOR FOR SUPPLEMENTAL BUDGET. SO VOTED.

5. SNOW REMOVAL #423

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

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JUNE 11, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE – BUDGET HEARINGS - CONTINUED

6. TRASH PICK UP #433

MOTION: TO REFER TO THE SOLID WASTE COMMITTEE TO FUND ONE PERSON TO BE EMPLOYED BY THE CITY TO BE AT THE LANDFILL TO MONITOR LOADS COMING IN AND OUT . PERSON TO BE PAID BY WASTE MANAGEMENT. SO VOTED.

COUNCILOR CLEARY STATED THAT HE IS STILL INTERESTED IN HAVING THE ½ SIZE BAG DISCUSSION.

MOTION: TO REFER DISCUSION OF THE DIFFERENT SIZE BAGS TO SOLID WASTE. COUNCILORS MARSHALL, COSTA-HANLON, CROTEAU AND POTTIER VOTING IN OPPOSITION. COUNCILORS BORGES, CARR, QUINN, MCCAUL, AND CLEARY VOTING IN FAVOR. MOTION CARRIES.

DISCUSSED WAS THAT THE DISTRIBUTOR WILL BE INCREASING THE COST OF THE TRASH BAGS TO THE CITY AS OF JULY 1, 2014. THE DPW COMMISSIONER DID NOTE THAT THEY ORDERED SORT OF A STOCKPILE BEFORE THE PRICE WENT UP.

MOTION: BASED ON THE FACT THAT THE COST OF THE BAGS IS GOING UP AS OF JULY 1ST, THE MEETING TO DISCUSS THE ½ SIZE BAGS IS TO BE SCHEDULED BEFORE JULY 1ST. COUNCILORS BORGES, QUINN, POTTIER, COSTA-HANLON AND MARSHALL VOTING IN OPPOSITION. COUNCILORS CARR, MCCAUL, CROTEAU, AND CLEARY VOTING IN FAVOR. MOTION DOES NOT CARRY.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

7. WWTP & SEWER MAINTENANCE #443

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

8. VEHICULAR MAINTENANCE #480

IT WAS NOTED THAT $7,000 WAS REQUESTED FOR A CAMERA AT THE DPW. THE COMMITTEE ASKED THAT THE DPW CHECK WITH MR. PESTANA OF THE BUILDING DEPARTMENT TO SEE IF HE COULD INSTALL THE CAMERA AT THE DPW ON OVERTIME AND WHAT THE COST WOULD BE.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

9. WATER #450

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

EMPLOYEE BENEFITS

1. NON-CONTRIBUTORY PENSION #909

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

2. PENSION FUND #910

MR. SLIVINISK REPORTED THAT THE PENSION IS A LITTLE OVER 70% FUNDED AND WILL BE FULLY FUNDED IN 2030.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

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JUNE 11, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE – BUDGET HEARINGS - CONTINUED

HEALTH & CITIZEN SERVICES

1. TAUNTON NURSING HOME #520

MR. BRENNAN REPORTED THAT THE CENSUS IS UP, MEDICARE IS DOWN. THEY ARE DOING A LOT OF HOSPICE WORK. HE ALSO NOTED THAT COLLECTIONS ARE GETTING TOUGHER AND THEY HAVE MORE LIENS IN PLACE THEN IN THE PAST. HE IS WORKING ON A GRANT REQUEST WITH THE DEPARTMENT OF ENERGY FOR NEW WINDOWS. HE IS ALSO PURSUING ADDITIONAL REIMBURSEMENTS.

MOTION: THAT A REPORT BE PROVIDED SHOWING WHAT WAS AUTHORIZED AS THE BOTTOM LINE BUDGET, AS APPROVED LAST JULY 1ST, WHAT IT IS AT NOW, AND WHAT IT WILL BE WHEN THE BOOKS ARE CLOSED. SO VOTED.

MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

PUBLIC SAFETY

1. FIRE #220

THE FIRE CHIEF WAS ASKED IF THERE WAS ANYTHING THAT HE WANTED IN THE BUDGET THAT WAS NOT FUNDED.

THE CHIEF STATED THAT HE WOULD LIKE THE FUNDING FOR TURN OUT GEAR AND ALSO THAT HE HAD REQUESTED A PART TIME CLERK IN THE CHIEF'S OFFICE.

MOTION: TO REFER TO SUPPLEMENTAL BUDGET THE FUNDING FOR THE CLERK IN THE CHIEF'S OFFICE. SO VOTED.

MOTION: THAT THE CHIEF PREPARE AN ENGINE REPLACEMENT REPORT. HE IS TO DO AN ANALYSIS OF THE DEPARTMENT'S FLEET, TO SEE WHAT WOULD HAPPEN IF THE LINE ITEM FOR NEW ENGINES AT $120,000 BECOMES $240,000. SO VOTED.

THE CHIEF ALSO NOTED THAT HE HAD ALSO ASKED FOR THE MICROWAVE RADIO SYSTEM AS DID THE POLICE CHIEF. THIS REQUEST WAS NOT FUNDED.

MOTION: TO REFER TO THE SUPPLEMENTAL BUDGET THE $70,000 REQUEST FOR THE MICROWAVE RADIO SYSTEM TO WORK IN CONJUNCTION WITH THE POLICE DEPARTMENT, AND ALSO REFER REQUEST OF THE POLICE DEPARTMENT.

SOME COUNCILORS WOULD LIKE TO KNOW MORE ABOUT THE TECHNOLOGY OF THIS RADIO SYSTEM POSSIBLY IN THE COMMITTEE OF THE COUNCIL AS A WHOLE

THE ABOVE MOTION WAS AMENDED AS FOLLOWS:

MOTION: TO SCHEDULE A MEETING TO DISCUSS THIS TECHNOLOGY WITH BOTH THE POLICE CHIEF AND THE FIRE CHIEF PRESENT. SO VOTED.

DISCUSSED WAS OVERTIME. THE CHIEF STATED THAT HE WILL SPEND $1.2-$1.3 MILLION IN OVERTIME. COUNCILOR CLEARY STATED THAT HE THOUGHT HIRING THE NEW FIREFIGHTERS WOULD HELP WITH THE OVERTIME COSTS.

THE CHIEF SAID THERE IS MUCH OVERTIME BECAUSE THE DEPARTMENT IS STILL SHORT STAFFED. HIS GOAL IS TO KEEP ALL STATIONS OPEN AND KEEP THE RESPONSE TIMES DOWN.

MOTION: THE COMMITTEE IS TO RECEIVE A REPORT ON OVERTIME USAGE FOR THIS FISCAL YEAR BROKEN DOWN BY CATEGORY, - SICK TIME, VACATION TIME, FIRE CALL INS, ETC. REPORT TO BE PROVIDED IN 1 MONTH. SO VOTED.

DISCUSSED WAS THAT THE SAFER GRANT EXPIRES ON DECEMBER 28, 2014. THE CHIEF STATED THAT IN THE BUDGET THERE IS FUNDING FOR 8 INDIVIDUALS FOR ½ YEAR.

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JUNE 11, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE – BUDGET HEARINGS - CONTINUED

MOTION: THE CHIEF IS TO PROVIDE INFORMATION AS TO HOW FAR THE SAFER GRANT WILL COVER AND HOW FAR THE REGULAR BUDGET WILL COVER. SO VOTED.
MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

PUBLIC WORS/FACILITIES

1. SUPERINTENDENT OF PUBLIC BUILDINGS #492
MR. PIROZZI STATED THAT THIS BUDGET DID NOT FUND A REQUESTED FULL TIME ELECTRICAL INSPECTOR AND AN ADDITIONAL VEHICLE. THERE ARE 4 INSPECTORS SHARING 3 VEHICLES.
MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

GENERAL GOVERNMENT

1. CITY HALL MAINTENANCE #192
MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

PUBLIC WORKS/FACILITIES
1. REPAIRS OF PUBLIC BUILDINGS #493
MR. WALKDEN REQUESTED $2 MILLION AND RECEIVED $1.8 MILLION. HE NOTED THAT A SOFTWARE REQUEST IN THE AMOUNT OF $7,150.00 WAS CUT AND THAT THIS IS A VALUABLE TOOL THAT HE USES.
MOTION: THAT THE MAYOR BE ASKED TO RETURN THIS ITEM TO THE BUDGET AND NOT THROUGH THE SUPPLEMENTAL BUDGET.
ON DISCUSSION, COUNCILOR CLEARY ASKED RATHER THEN THE MOTION THAT WAYNE WALKDEN, THE BUDGET DIRECTOR AND THE MAYOR MEET AND DISCUSS THIS AND COME BACK WITH A DECISION – TO FUND IT OR NOT.
THE ABOVE MOTION WAS NOT VOTED ON.
MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

2. PUBLIC BUILDINGS/ADA #496
MOTION: TO TAKE THE BUDGET UNDER ADVISEMENT. SO VOTED.

MEETING RECESSED AT 11:45 P.M.

RESPECTFULLY SUBMITTED,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

CITY OF TAUNTON
JUN 30 2014
IN MUNICIPAL COUNCIL

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.
Kim Blackwell
CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
JUNE 17, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE

PRESENT WERE: COUNCIL PRESIDENT ANDREW MARSHALL AND COUNCILORS BORGES, CARR, QUINN, MCCAUL, POTTIER, CROTEAU, COSTA-HANLON AND CLEARY. ALSO PRESENT WERE HUMAN RESOURCE DIRECTOR MARIA GOMES, SCHOOL SUPERINTENDENT JULIE HACKETT, ASSISTANT SUPERINTENDENT OF FINANCE AND OPERATIONS JOHN CABRAL, SCHOOL COMMITTEE MEMBERS CAROL DOHERTY, DAVID SOUZA, JOSEPH MARTIN, PETER CORR AND JORDAN FIORE, AND BUILDING COMMISSIONER WAYNE WALKDEN

MEETING CALLED TO ORDER AT 6:06 P.M.

1. **BUDGET HEARINGS**

EDUCATION **#300**

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

DR. HACKETT PROVIDED A HANDOUT WHICH OUTLINED THE PURPOSES OF THE PRESENTATION, THE TAUNTON PUBLIC SCHOOL STRATEGIC PLAN AND STRATEGIC GOALS.

THE SUPERINTENDENT SUBMITTED A PRELIMINARY BUDGET TO THE SCHOOL COMMITTEE FOR $77,012,585, THAT WOULD BE A REQUESTED APPROPRIATION. AS OF JUNE THEY REDUCED THAT TO $75,862.585 SO THEY HAD TO GO BACK AND CUT ABOUT $1 MILLION FROM THE PROPOSED BUDGET. DR. HACKETT SAID THAT THE PROPOSED BUDGET WAS MODEST. THEY HAD TO SUPPLEMENT THE BUDGET WITH ADDITIONAL REVENUES. IN MARCH, THEY PROPOSED USING ABOUT $2 MILLION WHICH MEANS THAT THEY HAD TO BACKFILL WITH REVOLVING AND OTHER SOURCES. IN JUNE THEY HAD TO INCREASE THAT BECAUSE OF THE FUNDING SITUATION AND BECAUSE OF THE APPROPRIATION THEY WERE GETTING. THEY UPPED THAT TO $3.6 MILLION WHICH WAS A DIFFERENCE OF $1.6 MILLION. THE CITY APPROPRIATION THEY HAD HOPED FOR WAS TO BE AROUND $75 MILLION WHICH IS 98%. THE CITY APPROPRIATION THAT THEY GOT IN TOTAL WAS $72,251,444 WHICH WAS RIGHT AROUND 95%. THERE WAS A DIFFERENCE OF ABOUT $2.7 MILLION FROM WHAT THEY HAD HOPED. JUST AS A REMINDER, DR. HACKETT SAID THAT THE 100% IS THE REQUIREMENT, EVEN AT 98% THEY WERE TRYING TO BE REASONABLE WITH THOSE FIGURES.

IN THE FY 15 BUDGET THEY HAVE ADDITIONAL STAFF DUE TO CLASS SIZES INCREASE. THEY HAVE ABOUT 170 NEW STUDENTS TO THE SYSTEM SO THEIR ENROLLMENT HAS GONE UP. SOME OF THAT IS DUE TO SCHOOL CHOICE. THEY HAD A 30% INCREASE IN ENGLISH LANGUAGE LEARNERS IN 1 YEAR ALONE SO THEY NEED ADDITIONAL STAFF. ANOTHER ADDITION IS IN MENTORING AND ADDITIONAL MENTAL HEALTH SUPPORTS INCLUDING AN ADDITIONAL GUIDANCE AT TAUNTON HIGH SDCHOOL, PEER MEDIATION AND COMMUNITY FACILITATORS.

SOME OF THE THINGS THAT THEY HAD WANTED OR HOPED FOR THAT WERE NOT IN THE BUDGET, AND HAD TO BE CUT WERE AFTER SCHOOL AND VACATION SCHOOL, CURRICULUM UPGRADES, GUIDANCE WRAP AROUND SUPPORTS, POSITIVE INTERVENTIONS AND BEHAVIORAL SUPPORTS, BEFORE AND AFTER SCHOOL INTRAMURALS, CLUBS AND ACTIVITIES AND TAUNTON EDUCATOR PIPELINE.

DR. HACKETT NOTED THAT A FEW YEARS BACK $600,000 WAS BUDGETED FOR SCHOOL SUPPLIES, NOW IT IS $240,000, $300,000 WAS BUDGETED FOR LIBRARY SUPPLIES, NOW $52,000 IS BUDGETED. SCHOOL COUNCILS WERE BUDGETED AT $250,000 NOW THEY GET NOTHING AND MAINTENANCE OF EQUIPMENT WAS BUDGETED AT $1 MILLION AND IS NOW BUDGETED AT $55,000.

DR. HACKETT ALSO NOTED THAT UNMET EDUCATIONAL NEEDS INCLUDE SUPPORT FOR AT RISK POPULATIONS, INSTRUCTIONAL COACHES WHO PROVIDE SUPPORTS/INTERVENTIONS FOR STRUGGLING LEARNERS, NO AFTER SCHOOL SUPPORT, CURRICULUM REVISION IS SIGNIFICANTLY UNDERFUNDED AND

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JUNE 17, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

MATERIALS ARE LACKING, ELEMENTARY AND MIDDLE SCHOOL CURRICULUM SUPERVISORS/TEACHER LEADERS ARE NEEDED, GUIDANCE COUNSELORS STILL DOUBLE AS SPECIAL EDUCATION TEAM LEADERS, LIBRARY RESOURCES AND A BUDGET ARE DESPERATELY NEEDED. MENTAL HEALTH SUPPORTS AND SERVICES INCLUDING SOCIAL ADJUSTMENT COUNCILORS AND BEHAVIOUR SPECIALISTS ARE ALSO AN UNMET EDUCATIONAL NEED. REGARDING PHYSICAL EDUCATION, THEY HAVE ADDED STAFF, HOWEVER, MORE TEACHERS ARE NEEDED TO ADEQUATELY ADDRESS STUDENT NEEDS. ALSO GENERAL FUNDS DEDICATED TO PROFESSIONAL DEVELOPMENT HAVE DECREASED OVER THE PAST SEVERAL YEARS AND ADMINISTRATIVE SUPPORT FOR NEW INITIATIVES IS NEEDED.

DR. HACKETT POINTED OUT ON PAGE 11 OF THE HANDOUT THAT THE $83,736,225 IS WHAT THE STATE SAYS THE CITY OF TAUNTON NEEDS TO SPEND BASED ON ALL OF THE CHILDREN THEY HAVE IN THE SYSTEM. UNDER THE VOCATIONAL, THERE ARE 728 STUDENS ENROLLED IN CHAPTER 74 PROGRAM. IN FY 11 THEY HAD ABOUT 50 STUDENTS ENROLLED IN CHAPTER 74 PROGRAMS. WHAT THIS MEANS IS THAT FOR EVERY CHILD WHO TAKES A VOCATIONAL EDUCATION COURSE SUCH AS CULINARY AND GRAPHIC ARTS, THEY GET MORE MONEY FOR THOSE CHILDREN. IT IS A VERY GOOD THING FOR THE SCHOOL, AND THAT IS WHY THERE WAS AN INCREASE IN THE CHAPTER 70 MONEY. THEY WENT FROM 50 TO ABOUT 728 STUDENTS AND WENT FROM A $637,000 ASSESSMENT IN 2011 TO $9.4 MILLION IN FY 15.

DR. HACKETT FURTHER NOTED THAT THE REQUIRED NET SCHOOL SPENDING, WHICH IS SET BY THE STATE, AND REQUIRED IS 100%. IF YOU COMBINE THE FOUNDATION NUMBER OF $83.7 MILLION WITH THE SHORTFALL, THE REQUIRED NET SCHOOL SPENDING, IT COMES TO $88.4 MILLION. THE INDIRECT COSTS ARE AT ABOUT $11.8 MILLION AND THE TRANSPORTATION AND CROSSING GUARDS ARE AT ABOUT $5.7 MILLION. THE CITY APPROPRIATION THAT THEY HAVE BEEN PROMISED IS $72.2 MILLION, $76.6 MILLION IS 100%. COUNCILOR CROTEAU ASKED IF THE $72.2 MILLION, WHICH IS THE AMOUNT OF THE APPROPRIATION, INCLUDES TRANSPORTATION AND TRAFFIC GUARDS.

DR. HACKETT SAID NO.

COUNCILOR CROTEAU NOTED THAT THE APPROPRIATION THE COUNCIL WILL BE ASKED TO MAKE WILL BE MORE THAN $72.2 MILLION.

DR. HACKETT STATED THAT IN FY 2011 THERE WAS A $2 MILLION SHORTFALL. THE CARRYOVER/PENALTY WAS 2.8%, IN FY 2012 THE SHORTFALL WAS $2.8 MILLION AND THE CARRYOVER/PENALTY WENT UP TO 3.7%. IN FY2013 THE SHORTFALL WAS $3.8 MILLION AND THE CARRYOVER/PENSALTY WENT UP TO $4.9% AND IN FY 2014 THE SHORTFALL WAS $4.6 MILLION WITH A CARRYOVER/PENALTY AT 5.86%.

DR. HACKETT NOTED THAT 100% NET SCHOOL SPENDING IS THE LAW AND FAILURE TO COMPLY WITH AT LEAST 95% OF THIS REQUIREMENT MAY RESULT IN NON-APPROVAL OF A MUNICIPALITY'S TAX RATE, ENFORCEMENT ACTION BY THE ATTORNEY GENERAL AND LOSS OF STATE AID.

DR. HACKETT SAID THAT THE MESSAGE THEY GOT FROM ROGER HATCH OF DESE WAS THAT IF $687,000 ISN'T DEALT WITH IT COULD IMPACT STATE AID.

DR. HACKETT STATED THAT IN THE MAYOR'S BUDGET PRESENTATION IT WAS STATED THAT 43% OF THE BUDGET IS FOR EDUCATION. THIS IS NOT JUST FOR TAUNTON PUBLIC SCHOOLS. IT INCLUDES BRISTOL PLYMOUTH AND BRISTOL COUNTY AGRICULTURAL HIGH SCHOOLS. THE SCHOOL DEPARTMENT HAS ABOUT TWICE AS MANY EMPLOYEES AS CITY EMPLOYEES. ALSO, THE PERCENT OF THE BUDGET FOR EDUCATION IS NOT AS HIGH AS LIKE DISTRICTS.

IN THE HANDOUT DR. HACKETT LISTED OUT THE PRCENTAGES OF CITY BUDGETS OF OTHER SUBURBAN SCHOOL DISTRICTS IN THE STATE AND ALSO PROVIDED WHERE TAUNTON RANKS IN PER PUPIL EXPENDITURES IN THE 24 URBAN DISTRICTS. TAUNTON HAS HAD THE LOWEST RATE FOR THE PAST 6 YEARS.

DR. HACKETT ALSO STATED THAT THE CITY'S TOTAL BUDGET IS $178 MILLION. UNRESTRICTED AID REFLECTS A VERY SMALL PERCENT OF THE TOTAL BUDGET. CHAPTER 70 AID HAS INCREASED AS

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JUNE 17, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

UNRESTRICTED HAS DECREASED. FOR THE PAST 5 YEARS THEY HAVE BEEN GETTING JUST WHAT THE STATE GIVES AND NO MORE.

THE TAUNTON PUBLIC SCHOOLS HAS MANAGED TO MAKE IT WORK BY CLOSING 5 SCHOOLS, CONSOLIDATING 650+ EIGHTH GRADE STUDENTS FROM 4 MIDDLE SCHOOLS INTO THE HIGH SCHOOL, CONVERTING MULCAHEY MIDDLE SCHOOL INTO AN ELEMENTARY SCHOOL AND REDISTRICTING THE REMAINING MIDDLE SCHOOL STUDENTS AND RELOCATING AN ALTERNATIVE EDUCATIONAL PROGRAM AND ALL CENTRAL ADMINISTRATIVE OFFICES TO EXISTING SCHOOLS. THEY HAVE ALSO BUILT IN-HOUSE PROGRAMS FOR STUDENTS WITH SPECIAL NEEDS AND HAVE SAVED ON TRANSPORATION COSTS AND HAVE INCREASED THE NUMBER OF IN-HOUSE SUPPORT SERVICES AND THERAPIES AND SAVED ON COSTLY OUTSIDE CONTRACTS.

THE SCHOOL DEPARTMENT HAS ALSO DECREASED THE NUMBER OF OUT-PLACEMENTS, REDUCED THE NUMBER OF 1:1 TEACHER ASSISTANTS BY 75%, REDUCED THE NUMBER OF TEACHER ASSISTANTS , LOWERED OUT-PLACEMENT TUITION RATE FOR STUDENTS AT A SAVINGS OF $700,000, THEY HAVE A NEW TRANSPORTATION CONTRACT WITH A SAVINGS OF $750,272 AND HAVE PURSUED MILLIONS OF ADDITIONAL DOLLARS IN GRANTS INCLUDING COMPETITIVE GRANTS.

THE SCHOOL DEPARTMENT CONTINUES TO AGGRESSIVELY PURSUES GRANTS. SOME RECENT CITY EXPENSES ASSUMED BY THE SCHOOL DEPARTMENT, INCLUDING SURVEILLANCE, SAFETY, ADA COMPLIANCE, LIBRARY, TECHNOLOGY ETC. TOTAL $2.5 MILLION. THE SCHOOL COMMITTEE HAS PLEDGED TO PUT $250,000 INTO THE TENNIS COURTS, AND $500,000 INTO THE STADIUM.

DR. HACKETT ALSO NOTED SOME POINTS OF PRIDE OF THE SCHOOL DEPARTMENT. SHE INFORMED THE COMMITTEE THAT TAUNTON IS ONE OF THE FIRST FULLY INCLUSIVE SCHOOL DISTRICTS IN MA. THE DROPOUT RATE HAS BEEN CUT IN HALF, THEY HAVE THE HIGHEST GRADUATION RATE IN THE HISTORY OF THE TAUNTON PUBLIC SCHOOLS. ALSO TAUNTON HAS BEEN NAMED THE 2013 DONALD D. JOHNSON OPERATIONS AND EFFICIENCY AWARD WINNER. THEY HAVE INCREASED VOCATIONAL OPPORTUNITIES FOR STUDENTS AND HAVE AN EXTREMELY LOW EDUCATOR TURNOVER. THEY HAVE AMONG THE HIGHEST ATTENDANCE RATES IN HISTORY. THEY HAVE RECEIVED STATE AND NATIONAL AWARDS IN ALL AREAS INCLUDING CONSISTENT SHOWING AT THE INTERNATIONAL SCIENCE FAIR. THEY HAVE HIGHER POST-SECONDARY RATES AND DRAMATIC IMPROVEMENT IN TIER I COLLEGE ACCEPTANCES. THERE ARE ALSO FEWER STUDENTS LEAVING THE SYSTEM WITH MORE CHOOSING TAUNTON PUBLIC SCHOOLS. GALLIGAN SCHOOL HAS RECEIVED COMMENDATION STATUS FOR THE LAST 2 YEARS AND HAD A TOP 5 HIGHEST MATH GROWTH SCORES IN MA. HOPEWELL SCHOOL WAS NAMED A NATIONAL BLUE RIBBON SCHOOL

IT WAS ALSO NOTED THAT TAUNTON IS A COMPREHENSIVE HIGH SCHOOL OFFERING COURSES TO READY STUDENTS FOR COLLEGE AND CAREER. TAUNTON HIGH SCHOOL STUDENTS RANKED FIRST COMPARED TO THEIR COUNTERPARTS IN VOCATIONAL SCHOOLS THROUGHOUT MASSACHUSETTS. TAUNTON RANKS AT THE TOP AMONG URBAN SCHOOLS FOR COMBINED SAT SCORES. TAUNTON'S SAT READING SCORES ARE THE HIGHEST AMONG URBAN SCHOOLS IN THE COMMONWEALTH AND TAUNTON'S SAT MATH SCORED THE HIGHEST AMONG URBAN SCHOOLS IN THE COMMONWEALTH FOR THE PAST 5 YEARS.

IN CLOSING, DR. HACKETT STATED THAT MORE FUNDS ARE NEEDED TO MEET STUDENT NEEDS AND INCREASING DEMANDS ON PUBLIC EDUCATION. NET SCHOOL SPENDING STILL NEEDS TO BE ADDRESSED. EARLY, AGGRESSIVE AND ONGOING COST-SAVING MEASURES AND REVENUE GENERATING STRATEGIES HAVE HELPED THE TAUNTON PUBLIC SCHOOLS SURVIVE AND TAUNTON PUBLIC SCHOOLS REMAINS HIGHLY COMPETITIVE AND THE STUDENTS CONTINUE TO THRIVE.

COUNCILOR POTTIER ASKED IF THE CALCULATION ON NET SCHOOL SPENDING INCLUDES EMPLOYEE BENEFITS? ARE EMPLOYEE BENEFITS REFLECTED IN THE SCHOOL DEPARTMENT'S BUDGET AS WELL? DOES THE SCHOOL DEPARTMENT GET HIT FOR HEALTH CARE COSTS?

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THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

DR. HACKETT SAID THE HEALTH BENEFITS ARE NOT, BUT THEY WILL BE SOON DUE TO LEGISLATION. DR. HACKETT SAID THAT THE AGREEMENT SOME YEARS AGO WAS $300,000 ASSIGNED TO THE SCHOOL, SO IT IS WRONG TO SAY THAT THEY ARE NOT BEING HIT. THEY ARE BEING HIT WITH THAT AMOUNT.
COUNCILOR CROTEAU SAID THE $300,000 IS GOING TO BE $500,000, SO THERE IS AN IMPACT OF $200,000 MORE, BUT YOU ARE NOT GONG TO FIND THOSE NUMBERS IN THE BUDGET. THOSE NUMBERS ARE CONTAINED IN INDIRECT COSTS. THE $83 MILLION YOU WOULD NEVER SEE IN THE SCHOOL BUDGET. WHAT YOU ARE GOING TO SEE IS DIRECT COSTS PLUS INDIRECT COSTS, THOSE 2 COME UP TO 95% OF NET SCHOOL SPENDING. THE INDIRECT COSTS, WHETHER MEDICAL INSURANCE OR NOT, ARE NOT GOING TO BE FOUND IN THIS BUDGET. HE FURTHER STATED THAT NEXT YEAR IT IS GOING TO GO TO $500,000, A $200,000 IMPACT BECAUSE YOU ARE ALREADY IN THERE FOR $300,000. IT IS NOT A MAJOR IMPACT ON THE BUDGET, THE NUMBER HE WANTS TO FOCUS ON IS HOW MUCH DO WE HAVE TO HAVE TO MEET 95%.
COUNCILOR POTTIER CONTINUED SAYING THAT IF THE CITY IS SUPPOSED TO GIVE THE SCHOOL DEPARTMENT $83.7 MILLION AND INCLUDED IN THE $83.7 MILLION IS $8 MILLION IN HEALTH CARE COSTS, WE ARE GIVING THEM $72 MILLION – BUT HEALTH CARE COSTS ARE NOT INCLUDED IN THAT $72 MILLION? SO ARE WE CLOSE TO THE $83 MILLION?
DR. HACKETT SAID THAT THE AMOUNT IS $72.2 MILLION FOR THE CITY'S APPROPRIATION.
COUNCILOR POTTIER CONTINUED SAYING THAT IF THE CITY NEEDS TO GIVE THE SCHOOL DEPARTMENT $83.8 MILLION AND INCLUDED IN THAT IS $8 MILLION IN HEALTH CARE COSTS.
DR. HACKETT SAID THE FOUNDATION FIGURE IS $83.7 MILLION AND INDIRECT COSTS ARE $11.8 MILLION AND THOSE ARE THINGS LIKE BUILDING OVERSIGHT, INSURANCE COSTS, BUT NOT THE RETIREE HEALTH CARE.
COUNCILOR POTTIER REQUESTED A COPY OF ALL OF THE INDIRECT COSTS.
COUNCILOR COSTA-HANLON STATED THAT IN THE BUDGET THAT SHE HAS IN FRONT OF HER THE ALLOCATION IS $71,251,444 AND THAT IS WHAT THE SCHOOL DEPARTMENT REQUESTED AND THAT IS WHAT THE MAYOR ALLOWED. SHE FURTHER STATED THAT WITHOUT AN ACCURATE REQUEST BY THE SCHOOL DEPARTMENT, THE COUNCIL CANNOT REFER TO THE SUPPLEMENTAL BUDGET. IT DOESN'T MEAN THAT THE MAYOR CANNOT DO THIS ON HIS OWN, BUT FROM HER PERSPECTIVE THE COUNCIL CANNOT ADD TO THE BUDGET. HER CONCERN IS THAT THE SUPERINTENDENT IS TELLING THE COUNCIL THAT SHE REQUESTED $72.2 AND IN THE COUNCIL PACKET IT IS $71.2 THAT IS AN ISSUE. WHAT IS IN FRONT OF THE COUNCIL IS THAT THE SCHOOL DEPARTMENT REQUESTED $71,251,444. COUNCILOR COSTA-HANLON SAID SHE IS NOT LOOKING FORWARD TO $1.6 MILLION IN THE SUPPLEMENTAL BUDGET. SHE FURTHER STATED THAT THE COUNCIL CANNOT ADD TO THE BUDGET. IF DEPARTMENT HEADS DO NOT ASK FOR THE MONEY, THE COUNCIL CANNOT APPROPRIATE.
DR. HACKETT STATED THAT THEY DID NOT REQUEST $71 MILLION, THEY REQUESTED $72.2. SHE FURTHER STATED THAT SHE CANNOT BE RESPONSIBLE FOR HOW IT IS ACCOUNTED FOR ON THE CITY SIDE SHE CAN ONLY TELL THE COUNCIL WHAT HER FIGURES ARE. HOW THE CITY MEETS THAT 95% IS UP TO THE COUNCIL AND THE MAYOR. SHE HAS PROVIDED THE INFORMATION. THIS IS A STATE LAW AND THERE IS NO WRIGGLE ROOM AROUND THE 95%.

MOTION: **THAT THE HANDOUT PROVIDED BY THE SUPERINTENDENT BE MADE PART OF THE RECORD.**

THE MOTION WAS SECONDED.

ON A POINT OF INFORMATION, COUNCILOR CROTEAU SAID THE SUPERINTENDENT DID REQUEST THE $72 MILLION. THERE IS AN AGREEMENT, WHATEVER NUMBER IS IN THE BUDGET BOOK GIVEN TO THE CITY COUNCIL, AND WHAT HAPPENED LAST YEAR WAS THAT THE SUPERINTENDENT REQUESTED A NUMBER AND THE NUMBER IN THE BUDGET BOOK IS NOT THAT NUMBER. YOU TAKE WHAT THE MAYOR HAS

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THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

AGREED TO DO IN THE SUPPLEMENTAL AND YOU ADD IT TO WHAT IS IN THE BUDGET BOOK, AND IT COMES OUT TO WHAT THE SUPERINTENDENT REQUESTED. THE SUPERINTENDENT AND SCHOOL COMMITTEE HAVE NO CONTROL ON HOW THESE NUMBERS ARE SET UP. THE COUNCIL CANNOT ADD TO THE BUDGET, BUT IT CAN MAKE A REQUEST IN A MEETING, SO WHETHER THAT REQUEST IS MADE BY THE COUNCIL OR NOT, HE WILL MAKE A REQUEST AT SOME POINT THAT WE LOOK AT SUPPLEMENTAL AND HAVE TO TAKE INTO CONSIDERATION THAT $1 MILLION, WHICH IS NOT A MILLION ANYMORE. THERE IS ANOTHER $600,000 FLOATING OUT THERE RECORDED BY THE STATE DEPARTMENT OF EDUCATION THIS WEEK ON LAST YEAR'S AGREEMENT. WE ARE $600,000 SHORT FROM LAST YEAR SO WE HAVE TO COME UP WITH $1.6 MILLION IN THE SUPPLEMENTAL OR THE CITY WILL BE FINED.

THE MOTION WAS VOTED ON AND SO VOTED.

THE MAYOR ADDRESSED THE COMMITTEE AND STATED THAT WHATEVER THE 95% NUMBER IS WILL BE MADE UP IN THE SUPPLEMENTAL BUDGET. IT WILL PROBABLY BE THE $1.6 MILLION. THE CITY DOES NOT HAVE A CHOICE.

COUNCILOR CARR STATED THAT THIS IS NOT THE FIRST TIME THAT SHE HAS HEARD THE STATEMENT THAT THIS IS NOT WHAT WAS REQUESTED. SHE DOES NOT THINK IT IS THE BUDGET DIRECTOR'S PEROGATIVE TO CHANGE THE REQUESTED AMOUNT. WHATEVER PEOPLE REQUEST IS WHAT SHOULD SHOW UP IN THAT COLUMN. OBVIOUSLY THE MAYOR CAN ALLOW WHATEVER AMOUNT HE WISHES TO ALLOW, BUT THE REQUESTED AMOUNT SHOULD BE ACCURATE. SHE ASKED THE MAYOR TO PLEASE FORWARD THIS TO THE BUDGET DIRECTOR FOR FUTURE REFERENCE.

COUNCILOR CARR STATED THAT SHE GETS AGGRAVATED WITH THE FACT THAT THE CITY HAS NO ISSUE GIVING THE OTHER 2 SCHOOLS 100%, YET WHEN IT COMES TO OUR OWN SCHOOL DISTRICT WE CANNOT GIVE THEM 100%.

COUNCILOR QUINN CLARIFIED THAT THE SCHOOL DEPARTMENT REQUESTED $75 MILLION, AS A REDUCED AMOUNT PREVIOUSLY SUBMITTED, AND SOMEHOW CAME TO THE $72.2 MILLION AND APPROVED WAS THE $71.2 MILLION. SO THAT $1 MILLION IS OBVIOUSLY SOMETHING THAT IS GOING TO BE ADDRESSED IN THE SUPPLEMENTAL.

COUNCILOR CROTEAU ASKED TO LET THE RECORD SHOW THAT WHAT IS ON THE TABLE FOR THE COUNCIL RIGHT NOW DOES NOT MEET 95%. UP UNTIL A COUPLE OF DAYS AGO, THE AMOUNT NECESSARY WAS $1 MILLION MORE IN THE SUPPLEMENTAL. BUT IF THAT MONEY IS NOT IN THE SUPPLEMENTAL WE ARE NOT GOING TO MEET 95%. HIS UNDERSTANDING IS THE FINE IS APPROXIMATELY $700,000. PEOPLE NEED TO UNDERSTAND THIS IS NOT A 1 TIME FINE. THIS COMES OFF OF THE CHAPTER 70 ALLOCATION NEVER TO RETURN, SO OVER A PERIOD OF TIME THIS COMMUNITY WILL LOSE AT LEAST $7 MILLION. THAT $700,000 IS NOT BACK FOR RE-ALLOCATION THE FOLLOWING YEAR. YOU CANNOT AFFORD TO FALL BELOW THAT NUMBER, AND WHAT HE WANTS TO SEE AND MAKE SURE THAT IN THE $72.2 THERE ISN'T ANY MONEY FOR SOMETHING THAT ANNOT BE CHARGED TO NET SCHOOL SPENDING. THEREFORE IT IS NOT JUST WHETHER OR NOT IT IS IN THE SCHOOL BUDGET, ITS WHETHER OR NOT IT IS IN INDIRECT COSTS. YOU FACTOR THAT TRANSPORTATION MONEY IN THERE, YOU MAKE A MISTAKE, YOU ARE GOING TO GET FINED PERIOD. THE PROBLEM IS ALL OF THIS IS FACTORED ON THE END OF THE YEAR REPORT. THAT IS WHERE THIS MOST RECENT REVELATION COMES FROM - THE END OF THE YEAR REPORT. THE END OF THE YEAR REPORT WAS FILED LAST OCTOBER. IT WAS JUST AUDITED NOW. WE ARE NOT TALKING ABOUT A PROBLEM GOING INTO NEXT YEAR, WE ARE TALKING ABOUT A PROBLEM THIS YEAR. THAT IS WHERE THAT $700,000 COMES FROM. THAT REPORT WAS FILED IN OCTOBER 2013, THE STATE DEPARTMENT OF EDUCATION RELEASED THE AUDIT FINDINGS JUST WITHIN THE LAST COUPLE OF DAYS, WHEN THIS FISCAL YEAR IS ALMOST OVER. IF THEY ARE LATE IN FILING THE AUDIT, MAYBE THEY WOULD GIVE US AN EXTENSION, A WAIVER. IF THIS IS NOT CLEARED UP WE COULD GET FINED NOW.

COUNCILOR CLEARY STATED THAT THE CITY HAS A LOT OF NEEDS, PENSIONS HAVE GONE UP, MEDICAL

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THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

COSTS HAVE GONE UP, SALARIES HAVE GONE UP, THE BONDS HAVE GONE UP, SO AUTOMATICALLY THE CITY IS PROBABLY FACING $3 MILLION IN INCREASES PLUS WE NEED TO INCREASE THE MONEY TO THE SCHOOLS. HE AGREES WE NEED TO SHOOT FOR THE 95%. HE FURTHER STATED THAT MORE THAN 60% OF THE SCHOOL BUDGET COMES FROM THE STATE AND FEDERAL GOVERNMENT. HE WOULD ASK FOR $1 MILLION INCREASE TO THE SCHOOL BUDGET TO AVOID FALLING UNDER THE 95% AND TO STRENGTHEN SOME OF THE CUTS MADE OVER THE YEARS..

COUNCILOR MARSHALL NOTED THAT THERE WAS A MOVE ON BEACON HILL ABOUT CHANGING THE LEGISLATION AROUND ALLOWING RETIREE EMPLOYEE HEALTH COSTS. RIGHT NOW THAT IS A NUMBER THAT IS ALL BORNE ON THE CITY SIDE. FROM THE LITERATURE HE HAS BEEN READING, IT SEEMS TO BE GROWING SOME STEAM THAT THERE WILL BE SOME TYPE OF LEGISLATION THAT WE MAY BE ALLOWED TO COUNT THIS.

IT WAS NOTED THAT IT DID PASS.

COUNCILOR MARSHALL ASKED IF ANY CALCULATIONS HAD BEEN DONE REGARDING THIS. HE THINKS IT IS ABOUT $4.8 MILLION IN EMPLOYEE RETIREE HEALTH COSTS.

DR. HACKETT SAID IT WILL BE ABOUT $500,000 WHICH WILL BE ON THE SCHOOLS TO COME UP WITH. THIS WILL HELP REACH THE 95% AND MAY EVEN ENABLE THE CITY TO REACH THE 96-97%

MOTION: **THAT THE COUNCIL GO ON RECORD SUPPORTING AN INCREASE TO THE 95% THRESHOLD.**

ON DISCUSSION, COUNCILOR CROTEAU STATED THAT IF IT IS NOT ADDED TO THE MOTION, HE WANTS IT STATED IN THE MINUTES THAT THE COUNCIL IS APPROVING THE $72.2 MILLION IN ORDER TO MEET THE 95% PENDING THE AUDIT DISCUSSIONS WITH THE STATE DEPARTMENT OF EDUCATION AND WHATEVER NUMBER THAT COMES OUT OF THAT, IS TO BE INCREASED BY THAT NUMBER IN THE SUPPLEMENTAL BUDGET.

COUNCILOR MARSHALL CLARIFIED THE MOTION AS FOLLOWS:

MOTION: **TO REFER TO THE MAYOR'S OFFRICE FOR SUPPLEMENTAL FUNDING IN THE SUPPLEMENTAL BUDGET TO FUND THE TAUNTON PUBLIC SCHOOLS TO THE 95% NET SCHOOL SPENDING.**

MOTION WAS SECONDED ON DISCUSSION.REQUEST WAS MADE TO ADD TO THE MOTION THAT THE COUNCIL IS TO BE PRESENTED WITH THAT NUMBER.

SO VOTED.

MOTION: **TAKE BUDGET UNDER ADVISEMENT. SO VOTED.**

MOTION: **TO RECESS THE BUDGET HEARINGS UNTIL NEXT WEEK TO HAVE FULL DELIBERATIONS ON THE ENTIRE BUDGET. SO VOTED.**

MOTION: **FOR A 2 MINUTE RECESS (7:42 P.M.) SO VOTED.**

MOTION: **TO CALL THE MEETING BACK TO ORDER (7:51 P.M.) SO VOTED.**

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THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

MEETING ADJOURNED AT 9:25 P.M.

RESPECTFULLY SUBMITTED,

Colleen Ellis

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

CITY OF TAUNTON
JUN 30 2014
IN MUNICIPAL COUNCIL

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

CITY CLERK