



*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, July 1, 2013 at 7:40 O'clock A.M.*

Regular Meeting

Mayor Thomas C. Hoye, Jr. presiding

Prayer was offered by the Mayor

*Present at roll call were: Councilors Cleary, Colton, Medeiros, Pottier, McCaul,
Carr, Barbour
Councilors Costa-Hanlon and Medeiros were absent*

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

Communications from the Mayor:

The Mayor thanked Marilyn and Alyssa for their work putting together the fireworks event. The event went off without a hitch and it was fun for all.

The Mayor stated that beginning Thursday, July 11, 2013 at 6:00 PM the first week of the track series will be at the Robert Lane Track at Taunton High School and is open to ages 3-12. A \$1.00 donation provides a shirt, as well as water and a snack each week.

Appointments:

None

Communications:

Com. from City Clerk for the appointment of one (1) Permanent Full-time Fire Lieutenant. **Motion was made to appoint Jason Boiros. On a roll call vote, seven (7) Councilors present, seven (7) Councilors voting in favor of appointing Jason Boiros effective July 7, 2013. Councilors Marshall and Costa-Hanlon were absent. So Voted.**

Com. from City Clerk for the appointment of one (1) Permanent Full-time Fire Captain. **Motion was made to appoint Matthew J. Arruda. On a roll call vote, seven Councilors present, seven (7) Councilors voting in favor of appointing Matthew J. Arruda effective July 7, 2013. Councilors Marshall and Costa-Hanlon were absent. So Voted.**

Com. from Fire Chief submitting a response regarding the 437 Whittenton Mills fire details. He states that the total amount due from Jefferson Development Partners LLC for unpaid fire details and fines since 2011 is \$172,501.94. The Council questioned when do we decide that it's too much money owed and say that's it? They stated that when the owner wants something to happen, he jumps through hoops to make it happen. They

asked if there are liens on the property and the Mayor stated there are. The Mayor stated the fire watch is on the back building. Councilor McCaul stated there should be a time frame on payments. Councilor Pottier would like payment in 30 days and no more fire watches or the building should be shut down. He stated this has been for 8 years. He stated we are paying the money for the fire watch and hope we can receive the money back. He also stated businesses are paying rent and we should shut down the business if it is possible because it is not safe. **Councilor Barbour motioned to refer to the Committee on Fires and Wires, the Mayor's Office and the Budget Director to find out where the fees come from. Additionally, that the Treasurer respond whether tax title possession is even possible. Councilor Pottier motioned that the City Solicitor send a letter within two weeks requesting partial payment or potential shut down of the building. Councilor Carr motioned to ask Kevin Shea to look for other locations for the businesses located in the 437 Whittenton Mills in the event that it closes. So Voted.**

Com. from Teri Bernert, Director, Downtown Taunton Foundation and Taunton BID requesting a temporary closure of Trescott Street from Main Street and Trescott to the entrance to the Trescott Street Lot on September 14, 2013 from 12:00 PM-12:00 AM for the 2nd annual "Paint the Downtown" event scheduled for 6:00 PM – 10:00 PM. Additionally, they are requesting the City to erect a 10 x 15 temporary stage in the Baron Loft Parking Lot for entertainment at the event. **Motion was made to move approval. So Voted.**

Petitions

Application submitted by Joseph Latimer requesting a renewal of his Constable License desiring to serve Civil Process. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Claim submitted by Mark Slavick, 19 Hoffman St., Taunton seeking reimbursement for damages to his automobile from hitting a pothole near 17 Justine Lane, Taunton. **Motion was made to refer to the City Solicitor and the DPW (The Assistant City Clerk Spoke with Arnold at the DPW on this matter). So Voted.**

Committee Reports:

The Committee on Finance and Salaries

Meet to review the weekly vouchers and payrolls for city departments. Motion was made to move approval of the payroll warrant in absentia. So Voted. Motion was made to approve the invoice warrant in the amount of \$3,852,573.21. So Voted.

Orders, Ordinances, and Resolutions

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

Ordered That,

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

purposes of sewer improvements and extension projects on Baylies Road and Matthew's Landing. **On a roll call vote, seven (7) Councilors present, seven (7) Councilors voting in favor. Councilors Costa-Hanlon and Marshall were absent.**

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

Chapter 2: Administration

Article XIX: Municipal Access

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

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

ARTICLE XIX: MUNICIPAL ACCESS

Section 2-371. Department of Municipal Access.

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

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

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

Subject to appropriation, the Mayor shall designate individuals, based on training and experience, to perform the duties of a video technician for one or more meetings. Nothing herein shall prevent the Supervisor from performing the duties and receiving the compensation of a video technician at any particular meeting. Both the Supervisor and any video technicians so designated shall be considered special municipal employees for

all purposes under G.L. c.268A, unless disqualified from such designation by another applicable provision of law.

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

Section 2-373. Reimbursement of Expenses

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

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

Motion was made to pass to a third reading. So Voted.

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

Chapter 4 - Buildings

ARTICLE III. Building Code

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

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

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

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

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

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

USE OR APPLICATION	TYPE OF PERMIT	DESCRIPTION	Fee
A, E, I, & R	106 STATE	ALL MANDATED STATE INSPECTIONS - (\leq 3000 sq ft)	\$104.00
A, E, I, & R	106 STATE	ALL MANDATED STATE INSPECTIONS - ($>$ 3000 sq ft)	\$260.00
A, E, I, & R	107 STATE	ALL MANDATED STATE INSPECTIONS - ($>$ 13000 sq ft)	\$364.00
Commercial	Building	ALL NEW CONSTRUCTION, ADDITIONS, ALTERATIONS, REPAIRS, DEMOLITION, FOUNDATIONS, PERMANENT STRUCTURES	1.2% CONTRACT PRICE plus 4% of permit fee (or \$0.50 PER SQ. FT. plus 4% of permit fee) (\$104 min.)
Commercial	Building	CERTIFICATE OF OCCUPANCY (per unit)	\$104.00
Commercial	Building	Signs	\$104.00
Commercial	Building	TEMP CERTIFICATE OF OCCUPANCY (per unit)	\$312.00
Commercial	Building	TEMPORARY STRUCTURES, TENTS, TRAILERS, ETC	\$104.00
Commercial	Building	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE
Commercial	Building	SOLAR PANELS/WIND GENERATORS	0.8% CONTRACT PRICE plus 4% of permit fee (\$104 min.)
Other	Building	Permit Replacement	\$26.00
Other	Building	Reinspection	\$52.00
Residential	Building	ALL NEW CONSTRUCTION, ADDITIONS, ALTERATIONS, REPAIRS, DEMOLITION, FOUNDATIONS, PERMANENT STRUCTURES	1% CONTRACT PRICE plus 4% of permit fee (or \$0.40 PER SQ. FT. plus 4% of permit fee) (\$52 MIN.)
Residential	Building	Canopies, Tents, Awnings	\$78.00
Residential	Building	CERTIFICATE OF OCCUPANCY (per unit)	\$104.00
Residential	Building	Fireplace, Chimney, Solid Fuel Burning Appliance	\$52.00
Residential	Building	TEMP CERTIFICATE OF OCCUPANCY (per unit)	\$312.00
Residential	Building	TEMPORARY STRUCTURES, TENTS, TRAILERS, ETC	\$52.00

Residential	Building	TEMPORARY TENTS	\$26.00
Residential	Building	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE
Residential	Building	SOLAR PANELS WIND GENERATORS	\$26.00

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

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

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

			(\$52 MIN.)
Residential	Electrical	Swimming Pools (above ground)	\$52.00
Residential	Electrical	Swimming Pools (in ground)	\$78.00
Residential	Electrical	Solar panels/Wind Generators	\$26.00

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

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

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

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

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

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

Residential	Gas	Appliances (each)	\$10.40
Residential	Gas	Underground Service	\$41.60
Residential	Gas	Re-inspection Fee	\$52.00
Residential	Gas	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE

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

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

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

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

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

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

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

Motion was made to pass to a third reading. So Voted.

New Business:

Councilor Barbour motioned that the DPW Commissioner repair the potholes on Disamar Road and that he respond whether this roadway is on the list for resurfacing. So Voted.

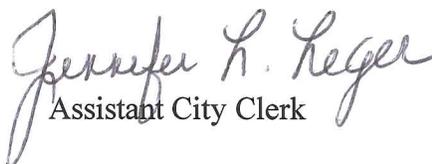
Councilor Barbour stated that residents whose properties are properly escrowed are now receiving late notices and fees. Therefore, he motioned that the Treasurer/Collector provide a response on this matter in two weeks. So Voted.

The Council briefly discussed the fact that Barnum School will become a surplus property once the classes are moved to Leddy School.

Meeting adjourned at 8:00 A.M.

A true copy:

Attest:


Assistant City Clerk

JLL