



*City of Taunton  
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA  
Minutes, July 21, 2015 at 11:07 O'clock P.M.*

*Regular Meeting*

*Mayor Thomas C. Hoye, Jr. presiding*

*Prayer was offered by the Mayor*

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

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

**Communications from the Mayor:**

Mayor Hoye congratulated the Taunton Eastern Little League 10 year old All Stars for advancing to the State Finals. He stated that it is the first time it has ever been done in the TELL. Councilor Marshall stated that they will play Thursday, Friday and Saturday at Hollingsworth Park in Braintree. He stated that there are directions on their website. Mayor Hoye congratulated the Taunton Girls Softball 10U Tornadoes who won their third consecutive championship this past weekend. He stated that also in softball, the 10U and 12U Dynamites won championships this weekend. He stated that it was a great weekend in youth sports. Councilor Marshall stated that all three district little league championships came through Taunton this year. Taunton East won the 9's & 10's, Taunton West won the 11 year old division and Taunton Youth won the 12 year old division. Mayor Hoye stated that when it cools off they can invite some of the young men and women into the enclosure. Mayor Hoye stated that next week Superintendent Hackett will be present to discuss the MSBA loan program for the accelerated repairs of Bennett and Martin Schools to make them more energy efficient, assist the City in some of its ADA needs and the feasibility study of the replacement of the Mulcahey and Hopewell Schools. He stated that Hopewell is the oldest school and Mulcahey is in need of repair. He stated that the MSBA has been very helpful and the City will get 74% reimbursement. **Council President Borges motioned to refer the James Mulcahey School MSBA and the eligibility process to the Committee of the Whole for next week. So Voted.**

**Motion was made to go out of the regular order of business to page 7 of the agenda. So Voted.**

Com. from Assistant City Solicitor seeking direction from the Council. It was reported to his office that the property at 2106 County Street, East Taunton, known as Carpenter's Glen, is the subject along with another property in Wareham of a pending refinancing transaction which will allow for major renovations of the property. It appears that the City through the Office of Economic Development, is one of several lenders and the City

has a reverter interest in the property. **Council President Borges motioned to invite the representative from South Shore Housing Development and the Executive Director from the Office of Economic Development into the enclosure. So Voted.** Mayor Hoyer stated that his office is in favor of this transaction. Carl Nagy-Koechlin, Executive Director of South Shore Housing Development, Kingston, MA was present to speak. He gave a presentation on this matter. Councilor Carr asked if he was just talking about the 32 rental units. He confirmed. Councilor Carr asked Mr. Shea if it was correct that the City loaned \$245,000.00 to South Shore Housing Development. He stated that it was a grant but basically it was a lien on the property for an affordable housing restriction. The restriction as opposed to a mortgage is based on the property to ensure the affordability for a 20 year period. Councilor Carr asked what the reverter issue is. He stated that it was placed on the property back in the 1980's as a mechanism so that if they didn't provide housing on the City owned property, the City had a right to get the property back. She wanted to confirm that it was grant money. He confirmed. Councilor Quinn wanted to confirm that there was no time limit on the reverter, that it was just in case the property ceased to be used for public purpose. Mr. Nagy-Koechlin stated that was his understanding of it. She then asked what is the amount of the new debt that the City will be subordinate to. He stated that there are two properties that are being financed together, Carpenter's Glen in Taunton and Cranberry Manor in Wareham. He stated that the share of the first mortgage of Carpenter's Glen is \$1.7M from Eastern Bank. He stated that it is replacing debt from the Mass Housing Partnership. Councilor Croteau asked what kind of motion they are looking for. Mr. Nagy-Koechlin stated that they are looking for a motion that authorizes the Mayor to sign the master subordination agreement. Councilor Croteau asked what happens if the Mayor doesn't sign it. Mr. Nagy-Koechlin stated that it prevents them from moving forward with this plan and prevent the renovations of the property. Councilor Croteau asked what liability the City assumes. Mr. Nagy-Koechlin stated that there is no liability. Councilor Costa Hanlon asked if it will stay as affordable housing. He confirmed and stated that the affordability restrictions that they are agreeing to are in perpetuity. **Councilor Croteau made a motion to approve the project and make part of the record. Council President Borges motioned to make the Master Subordination Agreement that the Law Department has been reviewing part of the record. So Voted.**

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

**Communications from City Officers:**

Com. from Mayor Hoyer stating that his office along with the building department plans to seek qualifications from Energy Services Companies to potentially conduct an energy savings performance contract project with the City. **Council President Borges motioned to refer to the Committee of the Whole on August 11, 2015. Councilor Croteau motioned to ask the appropriate personnel from the TMLP to be invited to the meeting. So Voted.**

Com. from Director, Taunton Public Library responding to grant questions. **Councilor Marshall motioned to receive and place on file and if the Council has further questions they can be referred to the Committee of the Whole. He would like to thank the Library Director for the detailed information. Councilor Cleary motioned to send a copy of the letter to the Grant Writer. So Voted.**

Com. from City Auditor advising of the Assistant City Auditor's resignation and requesting permission to replace the position. **Council President Borges made a motion to refer to the Human Resource Director and send the appropriate scroll thanking her. So Voted.** Mayor Hoye spoke about how she has done a great job and has filled in for lengthy periods of time for the City Auditor. He stated that her sense of humor will be missed in City Hall.

**Communications from Citizens:**

Com. from Dianne Kleinberger, 205 Yankee Peddler Dr., Somerset, Brittany's Motorcycle Ride requesting a police escort for their event being held on Sunday, August 16, 2015 at The Lafayette Club, 18 Lakeview Ave., Taunton, MA. Motorcycle Registration is from 9am to 10:45am and the ride leaves at 11am. **Council President Borges motioned to refer to the Police Chief and approve the motorcycle escort from the Police. So Voted.** Councilor Cleary asked if this is something that is normally done. Mayor Hoye stated that this was a former student of his that passed away from Juvenile Huntington's Disease and this is probably about the 5<sup>th</sup> year that they have had it.

Com. from Paul Maggiore, Maggiore Companies, 13 Wheeling Ave., Woburn requesting to purchase the Attleboro Junction site. **Councilor Marshall motioned to refer to the Chair of the Committee on Public Property and the City Solicitor's Office to set up the appropriate agenda item either in executive or public session as they deem fit. So Voted.** Mayor Hoye stated that he believes that the City has to set a minimum bid if in fact the Council declares it surplus. Councilor Marshall asked if it needs to be declared surplus. Mayor Hoye stated that it does because that is the process.

**Petitions:**

Petition submitted by David Gilbert, 165 Hummingbird Lane, East Taunton and others requesting acceptance of Hummingbird Lane, Mockingbird Way, Bluejay Lane, Kingfisher Way and Cormorant Street as public ways in the City of Taunton (Public Hearing Required) **Motion was made to refer to the City Clerk to schedule a public hearing. So Voted.**

Claim submitted by Brenna Mota, 150 Tremont Street, Taunton seeking reimbursement for damages to her automobile from hitting a pothole on Cleveland Rd. near 150 Tremont St., Taunton. **Motion was made to refer to the Law Department and the DPW. So Voted.**

Claim submitted by Maureen Silvia, 17 Oak St. Apt. 1, Taunton seeking reimbursement for damages to her automobile from hitting a pothole on Washington Street near Dunkin Donuts. **Motion was made to refer to the Law Department and the DPW. So Voted.**

**Committee Reports:**

Motion was made for Committee reports to be read by Title and Approved. So Voted. Recommendations adopted to reflect the votes as recorded in Committee Reports except in the Committee on Public Property and the Committee on the DPW. So Voted. Councilor Carr stated that in the Committee on Public Property a vote was taken to approve the sale of Barnum School for \$1 to Triumph Head Start which was referred to

the Law Department for the proper agreement. She stated that the vote in the Committee was 5-0 with Councilor Cleary voting present. Councilor Croteau asked that it be broken out. **Councilor Pottier made a motion to approve. So Voted. Councilor Croteau voting in opposition.** Councilor Marshall stated that the Committee on the Department of Public Works met this evening and the Committee granted 4-1 the request of Mr. DaCosta to waive the 5 year moratorium with the recommendation of the Assistant DPW Commissioner to allow him to cut into Spring Street under the moratorium. **Councilor Pottier made a motion to approve the recommendation. Councilors Cleary, Costa Hanlon, Croteau, Pottier, McCaul and Borges voting in favor. Councilors Marshall, Quinn and Carr voting in opposition. Motion carries. Councilor Marshall motioned to move the recommendations as adopted in the committees. So Voted.**

**Unfinished Business:**

Councilor Pottier stated that he had referred a situation on 51 Disamar Road about a month ago to the DPW. The resident didn't have issues with drainage in front of his house prior to the City resurfacing the road. He now does. **Motion was made to refer to the DPW and if nothing can be done or they don't think it's prudent to do anything, he would like to have a written response on what their figuring is. So Voted.**

**Council President Borges motioned to refer the discussion on the action plan to the ADA Committee. So Voted.** Mayor Hoyer stated that he will be meeting with all of the department heads in August to get the action plan in motion. He would like to hold off until that meeting is held.

Council President Borges stated that the Parking Commission met today and as far as the poles on Cohannet Street, they tried to cap them with PVC piping but that did not work as people removed them so they will reevaluate it.

Councilor Costa Hanlon stated that about three weeks ago the City Solicitor gave the Councilors an outline of the standards of review on the department heads. The Police Chief and the Fire Chief are by ordinance. **Motion was made to refer to the Committee on Police and License and the Committee on Fires and Wires to work with the City Solicitor's office and the Mayor's Office to come up with a review for the Police and Fire Chiefs. So Voted.**

Council President Borges stated that the Zoning Enforcement Officer has received information about 616 Bay Street. She was able to find out who the new owner is and their contact information. She has contacted the bank to take care of the overgrowth and the grass on that property which is on the corner of Bay and Richard Streets.

Council President Borges wanted to thank the Taunton Police Department for keeping an eye on the Park Street area that she had made a motion about last week. She has been contacted by the residents saying that they have noticed some changes over there. Mayor Hoyer stated that he received a communication from Ann Bisson who had a positive intervention with the help of the Taunton Police Department with a couple of homeless individuals and they were able to put them in contact with the proper services. He

thanked the Police Chief for setting the wheels in motion, Ann and her office, Charlene, the two police officers and everyone else who participated for doing a great job.

**Orders, Ordinances, and Resolutions**

Com. from Budget Director submitting a resolution requesting that the Municipal Council go on record to support the purchase of a new street sweeper (2015 International Tempco Sweeper 600). The financial terms will be as follows:

Cost of Sweeper	\$239,046.00
Down Payment from Insurance Recovery (FY16)	<u>\$ 95,064.33</u>
Amount to be Financed	\$143,981.67

He is asking for an affirmative vote so the City can fund it over the next two fiscal years, FY17 and FY18. **Motion was made to move approval. So Voted.**

**New Business:**

Councilor Costa-Hanlon stated that she and Council President Borges attended a media event for the suicide prevention focus on males between the ages of 40 and 50. Ann Marie Matulis asked that she say something about the community forum that will be held on July 27<sup>th</sup> at 7:00pm at Holy Family Parish. She stated that if people are interested they can contact her. **Motion was made to put the link on the City's website. So Voted.**

Councilor Costa Hanlon stated that she had a constituent ask whether the City could post why the flags are at half-mast particularly on the Green. Mayor Hoyer stated that sometimes it is difficult because it happens on a weekend. He stated that most of them go to Alyssa and if not, they go to Marilyn Greene. **Motion was made to refer to the Park, Cemeteries and Public Grounds Department to post it on the City's website. So Voted.**

**Councilor Costa Hanlon motioned that the people that own Benjamin's be contacted to mow the property. So Voted.** She stated that they should be maintaining the property.

**Councilor Quinn motioned that the handout given to the Councilors by David Littlefield on the Taunton Community Safety Coalition be made part of the record. So Voted.**

Councilor Carr stated that a constituent had called her regarding the grass on the lot that used to be Art's Bakery on Washington Street. She stated that it is a dangerous intersection and it is difficult to see with the grass that high. **Motion was made to refer to the Zoning Enforcement Officer to get in touch with the owner of the property to mow the lawn. So Voted.**

Councilor Carr stated that there was a road opening approved that had a moratorium still on it and there is nobody from our DPW that goes and supervises the road closings. She stated that the City does not know if they are putting flowable fill or what they are doing with that opening. She discussed how a person from the DPW should be responsible to sign off on that road being closed properly so that if the City has issues after that, they

know that someone was there and took responsibility for it. Councilor Costa Hanlon stated that Councilor Marshall brought up that we don't have anyone when there is any road work at all. She stated that on East or West Britannia Street there was road construction that was left open when the job was done that was not properly sealed. She thinks that there should always be someone from the DPW on site and when the contractor is gone for the day, it should be closed up properly and there should be proper warnings for drivers. Councilor Cleary stated that an ordinance was just passed and in the ordinance the DPW was involved in making sure that the gas company provided the bond that will cover all of its projects and if they were not satisfied with the quality of the work that the City could drop on that bond. He stated that the DPW came in and asked particularly for that ordinance for the gas company. Councilor Carr stated that there is still nobody from the City that verifies that it is closed properly and that is what she would like to see. **Councilor Carr motioned to refer to the DPW and the Law Department the MOA with the Gas Company. Motion was made for the MOA to reflect a payment for someone at the DPW (Supervisor or manager) whenever they request a road opening; that they pay someone (from the DPW) to go there and make sure that the road is closed properly. Councilor Marshall motioned to refer that to the Committee on the DPW for a more detailed discussion. So Voted.**

Meeting adjourned at 11:45 P.M.

A true copy:

Attest:



City Clerk

RMB/SJS

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
JULY 21, 2015

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

PRESENT WERE: COUNCIL PRESIDENT ESTELE BORGES AND COUNCILORS CLEARY, MARSHALL, CROTEAU, COSTA-HANLON, POTTIER, MCCAUL, QUINN AND CARR. ALSO PRESENT WAS SENATOR MARC PACHECO

**MEETING CALLED TO ORDER AT 5:36 P.M.**

**1. MEET WITH SENATOR PACHECO, REPRESENTATIVE ORRALL AND FRIENDS OF MASSASOIT STATE PARK TO DISCUSS THE PARK AND IT'S REVITALIZATION**

A LETTER FROM STATE REPRESENTATIVE KEIKO ORRALL WAS READ IN WHICH SHE INFORMED THE COMMITTEE THAT SHE WOULD BE UNABLE TO ATTEND THE MEETING DUE TO A HEARING IN BOSTON. SHE FURTHER NOTED THAT MASSASOIT STATE PARK HAS BEEN A PRIORITY FOR HER OFFICE AND WITH THE HELP OF THE BAKER/POLITO ADMINISTRATION THEY HAVE BEEN ABLE TO MAKE GREAT STRIDES THIS SEASON. THE SENATOR AND REPRESENTATIVE ORRALL HAVE WORKED WITH REPRESENTATIVE HADDAD AND DCR OFFICIALS TO PROVIDE GREATER ACCESS TO THE COMMUNITY AS WELL AS PROVIDE OPPORTUNITIES FOR GROUPS TO USE THE PARK. THE FRIENDS OF MASSASOIT HAVE BEEN INVALUABLE IN BRINGING THIS PARK TO THE ATTENTION OF BOTH THE FORMER AND CURRENT ADMINISTRATION. SHE FURTHER NOTED, THAT AS FAR AS UPDATES, THE FIRST BUILDING ON THE RIGHT AS YOU ENTER THE PARK IS BEING RENOVATED AND SERVES AS A GARAGE FOR DCR VEHICLES. THE BUILDING AT THE MAIN ENTRANCE IS BEING SPRUCED UP AND PRIMARY ELECTRICAL POWER IS BEING RESTORED WITH THE HELP OF TMLP. THE MAIN GATE OF THE PARK IS NOW OPEN 10-4:00 P.M. WEDNESDAY THROUGH SUNDAY WITH DCR STAFF ONSITE. THIS IS A GREAT IMPROVEMENT PROVIDING ACCESS TO THE AREAS NEAR THE BACK OF THE PARK.

SHE ALSO SAID THAT THERE ARE PLANS TO HOLD 2 MOVIE NIGHTS ON JULY 29<sup>TH</sup> AND AUGUST 12<sup>TH</sup> DEPENDING ON THE WEATHER. CAMPING IS NOT AVAILABLE BUT THEY ARE HOPEFUL THAT AT SOME FUTURE DATE THIS WILL BE RESTORED AS WELL. THEY ARE HOPING TO GET AN ASSESSMENT OF THE WATER AND SEWER SITUATION TO DETERMINE THE NEEDS OF BATHROOM FACILITIES. MASS FISHERIES HAS BEEN ACTIVE AT THE PARK RESTORING FISH LADDERS AND THE OFFICE OF DAM SAFETY ALSO HAS WORK FOR THE BIG BEAR HOLE DAM.

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

**MOTION: THAT A LETTER BE SENT TO REPRESENTATIVE ORRALL THANKING HER FOR HER WORK ON THIS MATTER. SO VOTED.**

AN E-MAIL WAS RECEIVED FROM CHUCK KOWALKER OF THE FRIENDS OF MASSASOIT IN WHICH HE STATES THAT HE WILL NOT BE ABLE TO ATTEND TONIGHT'S MEETING DUE TO A FAMILY SITUATION. HE WOULD LIKE TO APPEAR BEFORE THE COUNCIL TOWARDS THE END OF SUMMER. THEY ARE GOING TO HAVE ANTHORR CLEAN UP SOMETIME AT THE END OF SUMMER/FALL. ONCE THEY PLAN A DATE, HE WILL LET THE COUNCIL KNOW. HE HAS SPOKEN TO MR. JOHN DUBOIS ABOUT ATTENDING THIS MEETING AND HE SAID THAT HE WOULD TRY AND MAKE IT. MR. DUBOIS IS THE MAN IN CHARGE AT MASSASOIT AND HE IS DOING A GREAT JOB. HE ASKED TO PLEASE MENTION THEIR FRIENDS OF MASSASOIT STATE PARK PAGE. IT IS UPDATED FREQUENTLY AND IS INFORMATIVE. HE FEELS THAT MASSASOIT CAN BE A FANTASTIC PROJECT FOR THE CITY OF TAUNTON. THERE WILL BE COUNTLESS VOLUNTEER OPPORTUNITIES AVAILABLE. A CLEAN, HEALTHY AND VIBRANT PARK WILL BENEFIT EVERYONE.

**MOTION: E-MAIL TO BE PART OF THE RECORD. SO VOTED.**

SENATOR PACHECO SAID THAT HE HAS BEEN WORKING WITH REPRESENTATIVE ORRALL FOR 2 YEARS ON THIS ISSUE. HE FURTHER NOTED THAT THE PARK IS NOT OPEN ON MONDAY AND TUESDAY, BUT IS OPEN THE REST OF THE WEEK. ON THE WEEKENDS THERE ARE STAFF THERE. THERE IS A FULL TIME PARK

PAGE TWO

JULY 21, 2015

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

SUPERVISOR, A SHORT TERM SEASONAL PARK SUPERVISOR AND A SHORT TERM SEASONAL LABORER. FULL CAMPING IS NOT AVAILABLE YET. THIS WILL BE A SIGNIFICANT INVESTMENT WHICH THEY HAD FUNDED IN THE \$2.2 BILLION TRANSPORTATION BOND AUTHORIZATION THAT HAD PASSED THE LEGISLATURE. THE AUTHORIZATION IS THERE TO HAVE THE REST OF THE INVESTMENT IMPLEMENTED, BUT THE AUTHORIZATION HAS TO BE DRAWN DOWN. THE ADMINISTRATION HAS DRAWN DOWN SOME FUNDS AND THEY HAVE MOVED SOME OPERATIONAL DOLLARS AROUND TO GET WHERE WE ARE, BUT IN TERMS OF A LARGER INVESTMENT THAT NEEDS TO BE DONE -- THAT HAS NOT BEEN DONE YET. THE LEGISLATURE HAS ACTED ON IT, THE REST OF THE DECISION WILL BE WITH THE EXECUTIVE BRANCH TO THE EXTENT THAT THEY WOULD LIKE TO SEE MORE INVESTMENT DONE THERE. FOR EXAMPLE, FISHING AT THE PARK, THE BEACH AREA, CAMPING AND EVEN VERY BASIC TYPE CAMPSITES ARE NOT ABLE TO BE ACCOMPLISHED YET. THEY ARE CONTINUING TO MOVE FORWARD ON THIS.

SENATOR PACHECO DID NOTE THAT REPRESENTATIVE ORRALL IS NOT HERE TONIGHT BECAUSE SHE IS ACTUALLY AT A HEARING WHERE THEY ARE STILL TAKING TESTIMONY AND THE COMMITTEE THAT SHE SITS ON WILL BE GOING INTO EXECUTIVE SESSION TO DISCUSS SOME BILLS FROM THE JOINT COMMITTEE THAT SHE IS AT THE STATE HOUSE WITH RIGHT NOW. SO, HE WOULD LIKE TO HAVE ANOTHER MEETING WITH REPRESENTATIVE ORRALL AND MAYBE HAVE THE FRIENDS OF MASSASOIT COME TOO. HE FEELS THAT THIS MEETING SHOULD BE IN THE FALL OR THE VERY END OF THE SUMMER.

SENATOR PACHECO ALSO SAID THAT HE HAS HAD SEVERAL MEETINGS WITH THE GENERAL MANAGER OF THE TMLP REGARDING THE ELECTRICAL AT THE PARK. THEY HAVE GONE ABOVE AND BEYOND IN ASSISTING. THEY ARE ALSO TRYING TO WORK WITH SOME ELECTRICAL UNIONS TO USE THIS PROJECT AS A TRAINING.

SENATOR PACHECO ALSO SAID THAT MOVIES WILL BE SHOWN ON 4 NIGHTS, JULY 22, 29 AND AUGUST 12 AT MASSASOIT AND AUGUST 13 AT WATSON'S POND.

COUNCILOR POTTIER MADE THE FOLLOWING MOTION:

**MOTION: THAT ANOTHER MEETING BE SET UP WITH SENATOR PACHECO, REPRESENTATIVE ORRALL AND THE FRIENDS OF MASSASOIT STATE PARK SO VOTED.**

COUNCILOR POTTIER ALSO NOTED THE HARD WORK PUT IN BY SENATOR PACHECO, REPRESENTATIVE ORRALL AND THE FRIENDS OF MASSASOIT.

SENATOR PACHECO SAID HE WOULD LIKE TO UNDERSCORE WHAT HAS DEVELOPED, WHICH IS THE DEVELOPMENT OF A \$2.2 BILLION BOND BILL AT THE STATE LEVEL. THEY TOOK TESTIMONY FROM ALL AROUND THE COMMONWEALTH. THIS IS NOT THE ONLY AREA WITH STATE PARKS AND PONDS. THEY TOOK THESE ISSUES AND PUT THEM INTO A \$2.2 BILLION BOND BILL. MANY OF THE INVESTMENTS AUTHORIZED HAVE TO DO WITH MANY OF THE COMMUNITIES IN HIS DISTRICT. ONE WAS THE INVESTMENT IN MEMORIAL PARK, AND A NUMBER OF INVESTMENTS IN SOME OF THE BALL FIELDS. COUNCILOR MARSHALL SAID THE COUNCIL SHOULD GO ON RECORD REQUESTING THE ADMINISTRATION AT THIS TIME TO RELEASE THE REST OF THE AUTHORIZED FUNDING THAT HAS BEEN PASSED AND ALLOCATED.

COUNCILOR MARSHALL MADE THE FOLLOWING MOTION:

**MOTION: THAT THE COUNCIL GO ON RECORD AND SEND A LETTER REQUESTING THE BAKER ADMINISTRATION TO AUTHORIZE THE REMAINING USE OF THE \$2.2 BILLION BOND THAT WAS PASSED BY THE LEGISLATURE FOR OPEN SPACE AND PARKS. ALSO, TO REFERENCE IN THE LETTER THE LEVEL OF PROGRESS AND ENTHUSIASM SURROUNDING THE MASSASOIT STATE PARK. SO VOTED.**

PAGE THREE

JULY 21, 2015

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

COUNCILOR QUINN THANKED SENATOR PACHECO FOR HIS WORK ON THIS AND MADE THE FOLLOWING MOTION:

**MOTION: TO POST THE HOURS OF OPERATION AND SCOPE AT MASSASOIT STATE PARK ON THE CITY'S WEB SITE. SO VOTED.**

COUNCILOR CROTEAU MADE THE FOLLOWING MOTION:

**MOTION: TO SEND A LETTER THANKING SENATOR PACHECO, REPRESENTATIVE ORRALL AND THE FRIENDS OF MASSASOIT STATE PARK FOR ALL THEIR EFFORTS. SO VOTED.**

COUNCILOR COSTA-HANLON SUGGESTED USING MASSASOIT STATE PARK FOR ENVIRONMENTAL EDUCATION ALSO, WHICH COULD BE ANOTHER WAY TO STRETCH THE USE OF THE FUNDS. PERHAPS TAUNTON HIGH SCHOOL AND COYLE STUDENTS COULD PARTICIPATE.

SENATOR PACHECO SAID THAT THIS HAS ALREADY BEEN TALKED ABOUT. THERE IS NO SPECIFIC PLAN YET BUT IT IS IN THE DEVELOPMENT STAGES ON HOW IT CAN BE DONE.

COUNCILOR COSTA-HANLON ASKED SENATOR PACHECO TO LET THE COUNCIL KNOW HOW THIS IS DEVELOPED.

SENATOR PACHECO ALSO SAID THAT THE COUNCIL MIGHT WANT TO THINK ABOUT CERTAIN AREAS WITHIN THE CITY THAT THEY WOULD LIKE TO SEE IMPROVEMENT TAKE PLACE AND WHERE YOU MIGHT BE ABLE TO HAVE SOME APPROPRIATE LEVEL OF SUPERVISORY CAPACITY FROM EXISTING DEPARTMENT HEADS, ETC. WHERE THEY COULD TAKE IN INTERNS, ETC. - WHERE SPECIFICALLY THE COUNCIL THINKS THERE IS AN OPPORTUNITY FOR THE CITY TO BE A RECEPTOR SITE. THEN ONCE YOU HAVE THAT LIST, IT CAN BE SENT OUT TO AREA INSTITUTIONS TO SEE IF THERE IS ANY INTEREST IN PARTNERING UP WITH AN IMPLIED LEARNING CURRICULUM

COUNCILOR BORGES ASKED SENATOR PACHECO ABOUT THE TORCH AT THE SUPERIOR COURT HOUSE. SENATOR PACHECO SAID A DECISION WAS MADE A NUMBER OF YEARS AGO RELATIVE TO CAPITAL AUTHORIZATION RELATING TO THE COURTS IN TAUNTON, AND THAT IS ONE OF THE REASONS WHY YOU SEE A BRAND NEW JUDICIAL COMPLEX IN DOWNTOWN TAUNTON. THIS WAS THE FIRST PHASE OF A 2 PHASE PROCESS THAT THE PATRICK ADMINISTRATION COMMITTED TO. WHAT TOOK PLACE WAS THAT AUTHORIZATION WAS RECEIVED FOR \$86 MILLION TO MOVE FORWARD WITH A NEW JUDICIAL COMPLEX WHICH WAS DECIDED AFTER ANALYSIS OF INSIDE THE COURTS. THE FIRST PHASE WAS THE NEW JUDICIAL COMPLEX. THERE WAS AN \$86 MILLION BUDGET AND IT ACTUALLY CAME IN AT LESS THEN \$80 MILLION. IT CAME IN ON TIME AND UNDER BUDGET. AS PART OF THAT, THE PLANNING BEGAN FOR THE SUPERIOR COURT, IT WAS ALWAYS PART OF THE CAPITAL PLAN. SOME WORK ALSO AT THIS TIME WAS BEING DONE AT THE SUPERIOR COURT BUILDING. THE TORCH HAD TO COME DOWN BECAUSE IT EITHER WAS GOING TO BE TAKEN DOWN OR IT WAS GOING TO FALL DOWN.

THE ADMINISTRATION HAD COMMITTED IN THE CAPITAL PLAN, AND THEY HAVE BEEN EXPENDING MONEY, THE STATE THAT IS, FOR ENGINEERING WORK AND ASSESSMENTS. THE BUILDING IS ON A NATIONAL REGISTER, IT IS A SPECIFIC ICON BUILDING NOT ONLY FOR TAUNTON BUT NATIONALLY. THEY HAVE TO DO ALL THEIR HOMEWORK TO MAKE SURE EVERYTHING IS HEADING IN THE RIGHT DIRECTION. THE PATRICK ADMINISTRATION HAD IT IN THEIR BOND AUTHORIZATION, IN THEIR CAPITAL PLAN WHEN THEY LEFT OFFICE. THE NEW ADMINISTRATION CAME IN, THEY ARE DOING AN ANALYSIS STATE WIDE, AND IT IS NOW, TO HIS KNOWLEDGE, NOT IN THE CAPITAL PLAN.

SENATOR PACHECO URGED THE COUNCIL AND HE HAS REQUESTED FROM DCAM, THAT THIS WORK CONTINUE TO BE DONE. IT IS CRITICAL THAT THIS BUILDING OF HISTORIC NATURE BE REPAIRED AND THE INSIDE OF THAT BUILDING PUT ON TRACK TO BE A 21<sup>ST</sup> CENTURY FUNCTIONAL COURT HOUSE. THE OUTSIDE OF THE BUILDING CAN BE CLEANED UP, BUT THERE ARE MAJOR ISSUES WITH THE ROOF OF THIS

PAGE FOUR

JULY 21, 2015

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

BUILDING. THE PROBLEMS WILL ONLY GET WORSE IF A SIGNIFICANT INVESTMENT IS NOT MADE. THE CAPITAL AUTHORIZATION AGAIN WAS DONE, IT WAS PART OF THE CAPITAL AUTHORIZATION PLAN AND THE PLAN IS CHANGING. HOPEFULLY THE GOVERNOR WILL SEE FIT TO PUT THIS PROJECT BACK ON THE CAPITAL PLAN WHERE IT BELONGS.

**MOTION: THAT THE COUNCIL SEND A LETTER TO THE GOVERNOR ASKING HIS SUPPORT IN PUTTING THIS BACK ON THE FRONT BURNER AND PUTTING IT BACK ON THE CAPITAL PLAN SO THAT STEPS CAN BE MADE TO PRESERVE AND IMPROVE THE SUPERIOR COURT BUILDINGS. SO VOTED.**

COUNCILOR BORGES THEN ASKED THE SENATOR ABOUT BRISTOL COMMUNITY COLLEGE. SENATOR PACHECO SAID THAT HE WISH HE HAD GOOD NEWS. HE HAS BEEN WORKING VERY HARD TO TRY TO HAVE BCC STAY WHERE THEY ARE NOW, AT THE TAUNTON CATHOLIC MIDDLE SCHOOL BUILDING. AT THE END OF THE PREVIOUS ADMINISTRATION THEY ASKED THAT BCC BE ALLOWED TO MOVE INTO THIS SITE WITH A COMMITMENT FOR A LEASE AGREEMENT AT THAT SITE UNTIL THEY WERE ABLE TO BRING THE SITE UP TO CODE COMPLIANCE WITH MONEYS THAT WOULD NEED TO BE RELEASED BY THE SECRETARY OF A & F FROM THE ADMINISTRATION. THEY WERE ALLOWED TO MOVE INTO THE SITE. IT WOULD BE \$3.5 - \$6 MILLION THAT WOULD HAVE TO BE INVESTED IN THE BUILDING BECAUSE OF ADA COMPLIANCE ISSUES, BATHROOM ISSUES, FIRE SUPPRSSION SYSTEM, ETC. BCC PURCHASED THE SERVICES OF A CERTIFIED ARCHITECT THAT HAS DONE WORK FOR THEM IN THE PAST. THEY DID AN ANALYSIS OF WHAT NEEDED TO BE DONE AND THEY CAME BACK WITH A NUMBER OF APPROXIMATELY \$3.5 MILLION. IN FAIRNESS, THAT ONLY GETS YOU INTO THE BUILDING FOR OCCUPANCY. THERE WOULD NEED TO BE OTHER MONEY EXPENDED OVER THE YEARS. THE IDEA WAS TO GET INTO THE BUILDING SO THERE WOULD BE A CONVENIENT PLACE IN THE DOWNTOWN FOR EDUCATION SERVICES FOR BCC STUDENTS, CLOSE ENOUGH TO THE DOWNTOWN SO PEOPLE CAN WALK TO THE DOWNTOWN. THEY TRIED TO GET THAT AUTHORIZATION MOVED FROM THE SECRETARY OF A & F UNDER THE NEW ADMINISTRATION AND THEY WERE DENIED THAT AUTHORIZATION. THEY TOLD THEM THAT THEY WERE MORE INTERESTED IN HAVING BCC GO OUT FOR A LEASE FOR PRIVATE SPACE. ASSET MANAGEMENT PUT A LEASE DEAL OUT THERE FOR PUBLIC CONSUMPTION. THERE WERE 3 BIDS THAT CAME BACK. ONE BID CAME BACK FROM THE OLD MALL DOWNTOWN, ONE BID FROM THE SILVER CITY GALLERIA AND ONE BID FROM A LOCATION AT THE INDUSTRIAL PARK. THE LOCATION AT THE INDUSTRIAL PARK, HE THINKS, WAS IN EXCESS OF \$11 MILLION FOR A 10 YEAR PERIOD. THE LOWEST BID, BASED ON THE INFORMATION HE HAS PRESENTLY, IS THAT OF THE SILVER CITY GALLERIA. THAT BID COMES IN AROUND \$4 OR \$5 MILLION FOR A 10 YEAR PERIOD. WE WOULD NOT OWN THE ASSET AT THE END OF THE DAY, AND AFTER 10 YEARS THEY WOULD FIND OUT WHAT THE NEW SET OF BIDS WOULD BE, WHICH HE BELIEVES WOULD BE SIGNIFICANTLY HIGHER THEN WHAT THEY ARE TODAY.

SENATOR PACHECO SAID HE WISHES HE HAD BETTER NEWS BUT HE JUST CANNOT FATHOM THE ECONOMICS OF THAT - WHEN YOU COULD TAKE AN EXISTING BUILDING, AN EXISTING SPACE, IN A LOCATION THAT IS PERFECT FOR THE DOWNTOWN, WALKING DISTANCE TO WHAT HOPEFULLY WOULD BE A NEW CITY HALL SOMEDAY IN THE FUTURE. IT IS CERTAINLY WALKING DISTANCE TO THE RESTAURANTS AND THE DOWNTOWN. THE GOAL IS TO BUILD UP GATEWAY CITIES, NOT TAKE ASSETS OUT OF THE DOWNTOWN. IT LOOKS LIKE RIGHT NOW THEY WOULD BE GOING TO THE LOWEST RESPONSIBLE BID AT THE SILVER CITY GALLERIA. WHETHER THIS IS ULTIMATELY THE BEST FOR THE COMMUNITY, SENATOR PACHECO THINKS NOT AS IT WOULD BE BETTER TO INVEST IN THE DOWNTOWN.

SENATOR PACHECO SAID THAT HE HAS TRIED TO TALK TO THE SECRETARY OF A & F, IN FAIRNESS THE ENTIRE DELEGATION, HE HAS TRIED TO EXPLAIN HOW IMPORTANT IT WAS FOR THE INVESTMENT TO BE IN DOWNTOWN TAUNTON, HOW IMPORTANT IT WAS FOR THE CONTINUATION FOR EDUCATIONAL PROGRAMS AS EVERYBODY KNOWS WHERE TO GO. BCC IS ON TRACK NOW TO HAVE OVER 1000

PAGE FIVE

JULY 21, 2015

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

STUDENTS NEXT YEAR. AS COMMUNITY LEADERS IN THE CITY, HE FEELS THAT THE COUNCIL MAY SHARE WITH HIM SOME OF THE CONCERNS ABOUT MAKING SURE THAT WE KEEP THOSE EDUCATIONAL RESOURCES AS CLOSE TO DOWNTOWN AS POSSIBLE. THE OLD MALL SITE BID WAS SIGNIFICANTLY HIGHER THEN THE SILVER CITY GALLERIA SITE. SENATOR PACHECO SAID HE WOULD BE GLAD TO SHARE THE BID DOCUMENTS THAT HE HAS RECEIVED WITH THE COUNCIL. THE COYLE/TAUNTON CATHOLIC MIDDLE SCHOOL SITE IS A BETTER INVESTMENT. IT WILL BE OUR BUILDING AS THE TAXPAYERS OF THE COMMONWEALTH, IT WON'T BE THAT SOMEBODY ELSE IS GETTING RICH WITH TAXPAYERS' MONEY. COUNCILOR COSTA-HANLON NOTED THAT WHEN YOU ARE LEASING YOU CAN MOVE, AND THE CITY HAS FOUGHT HARD TO KEEP THE BCC CLASSES HERE. WE HAVE DONE OUR SHARE TO MAKE SURE THAT BCC HAD A PLACE HERE, AT THIS POINT SHE FEELS THAT IT IS FAIR AND REASONABLE TO ASK OF THE STATE FOR A PHYSICAL BUILDING BECAUSE THAT IS A LONG TERM COMMITMENT. A LEASE IS ONLY A HALFWAY COMMITMENT.

COUNCILOR CLEARY MADE THE FOLLOWING MOTION:

**MOTION: TO GO ON RECORD AND SEND A LETTER TO ASSET MANAGEMENT OFFICE STATING THAT BCC AT ITS CURRENT LOCATION IS AN IMPORTANT COMPONENT OF OUR VISION FOR THE DOWNTOWN AND THE DEVELOPMENT OF OUR COMMUNITY AND THAT WE WOULD URGE THE CONSIDERATION OF ALL OPTIONS TO REMAIN WHERE THEY ARE FOR THE FUTURE OF TAUNTON'S DOWNTOWN.**

THE MOTION WAS SECONDED.

ON DISCUSSION, COUNCILOR POTTIER STATED THAT HE WOULD APPRECIATE SEEING THE BID DOCUMENTS AS THAT WOULD GO A LONG WAY IN COMPARING AND CONTRASTING THESE TWO THINGS. HE ALSO NOTED THAT WE ARE GOING TO BE TALKING ABOUT GOING BACK TO CITY HALL TONIGHT AND REMEMBER CITY HALL WAS GOING TO BE \$3 MILLION, \$5 MILLION, NOW WE ARE TALKING \$15- \$25 MILLION. YOU DON'T KNOW UNTIL YOU GET INTO IT. THE BUILDING THERE, ALTHOUGH ITS' NOT AS OLD AS CITY HALL, IT IS CERTAINLY AN OLD BUILDING, SO WHILE HE DOES NOT DISAGREE WITH THE SENATOR'S \$3-5 MILLION ANALYSIS FROM THE ARCHITECTS, HE BELIEVES DCAM HAD SOME DIFFERENT NUMBERS. AGAIN, SUPPOSEDLY THEY HAVEN'T BEEN IN THE BUILDING, BUT MAYBE SOMEWHERE IN THE MIDDLE. RATHER THEN MAKE A MOTION TO THAT EFFECT, HE WOULD BE WILLING TO SEE THE DOCUMENTS THAT THE SENATOR CAN PROVIDE TO CONTRAST AND COMPARE THE DIFFERENT OPTIONS THAT ARE AVAILABLE. IT IS NOT OUR DECISION TO MAKE, IT IS DCAM'S DECISION.

COUNCILOR CLEARY STATED THAT HIS MOTION IS NOT TO INCLUDE ANY AMOUNT OF MONEY. THE FACT IS THAT HE IS ADVOCATING FOR THE LOCATION AND THE ESTABLISHMENT OF A FACILITY AT THAT LOCATION.

COUNCILOR QUINN ON DISCUSSION STATED THAT SHE DOES WANT TO SEE THE BIDS.

SENATOR PACHECO SAID THAT EVEN IF THE ESTIMATES FOR OCCUPANCY WERE DOUBLE THAT OF BCC'S ESTIMATES, YOU STILL COULD GET IN TO THE OCCUPANCY AND OPERATE THE BUILDING AT SIGNIFICANTLY LESS THEN WHAT IT WOULD BE OVER A 30 YEAR PERIOD.

COUNCILOR QUINN SAID THAT HER POINT IN GETTING THE BIDS SOONER RATHER THEN LATER IS THAT MAYBE IN A WEEK A MOTION COULD BE MADE BY THE COUNCIL TO SEND A LETTER TO THE GOVERNOR AND ASSET MANAGEMENT TO SAY THAT WE SUPPORT THE LOCATION OF THE OLD COYLE BUILDING DOWNTOWN AND ALSO USING THE NUMBERS THAT ARE CONTAINED WITHIN THE BIDS TO SHOW WHY THOSE NUMBERS FROM A FINANCIAL STANDPOINT DON'T MAKE SENSE IN THE LONG TERM.

SENATOR PACHECO SAID HE WOULD SUGGEST, AND IT'S THE COUNCIL'S MOTION, THAT BOTH IDEAS ARE RELEVANT, THAT HAVING IT IN DOWNTOWN IS IMPORTANT AND BEING ABLE TO CONTRAST AND

PAGE SIX

JULY 21, 2015

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

COMPARE THE BID SPECS BASED UPON WHAT IT COULD COST TO STAY THERE WOULD PROBABLY BE RELEVANT. PERHAPS JUST POSTPONING THE ACTION ON THE MOTION UNTIL YOU SEE ALL THE BIDS WOULD BE THE WAY TO GO. HE CAN PROBABLY GET THE BIDS TO THE COUNCIL AS SOON AS POSSIBLE. WHICHEVER WAY THE COUNCIL WANTS TO PROCEED IS FINE. HE FURTHER NOTED THAT THE LEASE AGREEMENT BUYS YOU ONLY HALF OF THE SQUARE FOOTAGE. FOR HALF OF THE SQUARE FOOTAGE YOU ARE PAYING AS MUCH AS YOU WOULD PAY FOR ALL OF THE SQUARE FOOTAGE AND OCCUPYING THE BUILDING.

COUNCILOR CLEARY SAID THE ISSUE IS, SPEAKING ON THE MOTION – THE ISSUE IS THAT HE IS NOT CLOSE MINDED ABOUT LOOKING AT THE BIDS, BUT THE BIDS DO NOT ACCOMPLISH ANYTHING THAT WE WANT DONE. THE FACT IS WE ARE LOOKING AT OUR VISION FOR DOWNTOWN, WE HAVE AN IDEAL LOCATION AT THE CURRENT TIME, SO HE FEELS THAT THE COUNCIL NEEDS TO GO ON RECORD TO KEEP BCC WHERE IT IS FOR A REASONABLE AMOUNT. HE WANTS TO MAINTAIN HIS MOTION.

COUNCILOR MCCAUL SAID THERE SEEMS TO BE AN APPETITE TO LOOK AT THE BIDS BEFORE SENDING THE LETTER, SO PERHAPS SENATOR PACHECO COULD COME BACK WITH THE BIDS IN A WEEK. SENATOR PACHECO SAID HE CAN SEND THE BIDS ELECTRONICALLY IN A COUPLE OF HOURS. HE FURTHER NOTED THAT AS HE SAID, THE LOW BID AT SILVER CITY GALLERIA IS A LITTLE OVER \$4 MILLION, THE HIGHEST BID WAS FOR \$11 MILLION WITH THE OLD MALL SITE SOMEWHERE IN THE MIDDLE AS OPPOSED TO THE EXISTING SITE, WITH AN ESTIMATE DONE BY A CERTIFIED ARCHITECT WHO HAS DONE WORK IN THE PAST FOR BOTH BCC AND DCAM, AND WHO STATED THAT BCC COULD GET INTO THE BUILDING, TO GET OCCUPANCY, AT APPROXIMATELY \$3.5-\$4 MILLION PLUS ACQUISITION COSTS OF THE BUILDING. SO ABOUT \$4 - \$5 MILLION.

COUNCILOR MARSHALL SAID THAT THIS IS NOT THE COUNCIL'S DECISION, IT IS NOT SENATOR PACHECO'S DECISION, IT IS ASSET MANAGEMENT'S DECISION. HE DOES AGREE WITH THE SENATOR, IT MAKES SENSE. HE ALSO SAID THAT HE DOES NOT NEED A WEEK TO SEE THE BID DOCUMENTS. IT COMES DOWN TO PLANNING HOW THE COUNCIL SEES THE REVITALIZATION OF DOWNTOWN. IF THE COUNCIL THINKS BRINGING MORE PEOPLE TO DOWNTOWN IS A STEP IN THE RIGHT DIRECTION, THEN SENDING THE LETTER IS A LOGICAL STEP. HE WOULD LIKE TO SEE THE BID DOCUMENTS, BUT HE DOES NOT NEED TO WAIT A WEEK TO SEND OUT THE LETTER.

COUNCILOR CROTEAU ASKED WHY COULDN'T THE BUILDING BCC IS IN NOWBE LEASED, TO WHICH SENATOR PACHECO SAID THAT THEY DID NOT BID.

COUNCILOR CROTEAU THEN ASKED WHY NOT THROW OUT ALL THE BIDS AND BID AGAIN, TO WHICH SENATOR PACHECO SAID THEY HAD TALKED TO FOLKS ABOUT DOING THAT.

COUNCILOR CLEARY SAID THE BOTTOM LINE IS TO KEEP BCC IN THE COMMUNITY, HOWEVER IT IS WORKED OUT.

**THE MOTION WAS VOTED ON WITH COUNCILOR POTTIER BEING THE ONLY VOTE IN OPPOSITION. MOTION CARRIES. SO VOTED.**

MEETING ADJOURNED AT 6:57 P.M.

CITY OF TAUNTON

JUL 21 2015

IN MUNICIPAL COUNCIL

RESPECTFULLY SUBMITTED, .



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
JULY 21, 2015

**THE COMMITTEE ON FINANCE AND SALARIES**

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

MEETING CALLED TO ORDER AT 7:00 P.M.

- 1. **MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS**  
IT WAS NOTED THAT THERE ARE 3 WARRANTS TONIGHT, ONE FISCAL YEAR 2015 VOUCHER WARRANT, ONE FISCAL YEAR 2016 VOUCHER WARRANT AND THE PAYROLL WARRANT.

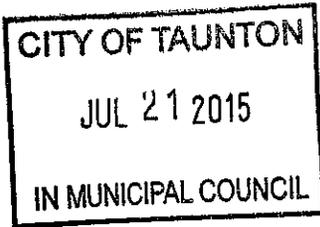
**MOTION: MOVE APPROVAL OF THE FY 2015 VOUCHER WARRANT, THE FY 2016 VOUCHER WARRANT AND THE PAYROLL WARRANT. SO VOTED.**

MEETING ADJOURNED AT 7:01 P.M.

RESPECTFULLY SUBMITTED, ,



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
JULY 21, 2015

**THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS**

PRESENT WERE: COUNCILOR ANDREW MARSHALL, CHAIRMAN AND COUNCILORS BORGES, COSTA-HANLON, CLEARY AND MCCAUL. ALSO PRESENT WERE ASSISTANT DPW COMMISSIONER TONY ABREAU AND SILVINO DACOSTA

**MEETING CALLED TO ORDER AT 7:03 P.M.**

**1. MEET TO DISCUSS REQUEST OF SILVINO DACOSTA TO OPEN SPRING STREET WHICH IS WITHIN THE 5 YEAR MORATORIUM**

THE CHAIRMAN NOTED THAT MR. DACOSTA REQUESTED FROM THE DPW A ROAD OPENING PERMIT WHICH WAS DENIED BECAUSE IT WAS WITHIN THE 5 YEAR MORATORIUM. AS THE PROCEDURE WORKS OUT, THE NEXT REQUEST NEEDS TO COME BEFORE THE MUNICIPAL COUNCIL. A COMMUNICATION WAS READ FROM THE ASSISTANT DPW COMMISSIONER WHICH STATED THAT IN THE COMMITTEE'S LAST MEETING ON 7/23/2013 REGARDING THE PROPERTY OF MR. DACOSTA LOCATED AT 5 SPRING STREET, THE SITUATION REGARDING THE FIVE YEAR MORATORIUM HAS NOT CHANGED. THE ROAD IN QUESTION WAS PLACED ON THE FIVE YEAR MORATORIUM LIST ON NOVEMBER 1, 2012. IF THE COMMITTEE SEES FIT TO ISSUE A STREET OPENING PERMIT DUE TO A HARDSHIP OR AN EMERGENCY SITUATION HIS RECOMMENDATION FOR THE ROAD RESTORATION WOULD BE AS FOLLOWS:

- EXCAVATABLE FLOWABLE FILL
- MILL & PAVE FINAL PATCH TO RETURN THE PAVEMENT TO ORIGINAL CONDITION, AS BEST AS POSSIBLE

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

THE CHAIRMAN STATED THAT JUST FOR CLARIFICATION, THIS PETITION WAS BEFORE THE COMMITTEE IN 2013 AND WAS DENIED.

MR. DACOSTA SAID HE IS REQUESTING THIS BECAUSE THERE WAS A FIRE IN THE HOUSE IN 2014. HE IS TRYING TO PUT EVERYTHING TOGETHER. THERE ARE 3 UNITS IN THE HOUSE AND NOW, HE WILL BE LIVING THERE SO IT WILL BE OWNER OCCUPIED.

THE CHAIRMAN NOTED THAT LAST TIME MR. DACOSTA WAS HERE IT WAS DENIED AND MR. DACOSTA WAS GOING TO CHECK TO SEE IF USING A GAS LINE FROM AN ABUTTING PROPERTY WAS POSSIBLE.

MR. ABREAU SAID THE GAS COMPANY DENIED THAT.

THE CHAIRMAN NOTED THAT THERE IS NOTHING STOPPING MR. DACOSTA FROM REBUILDING THE HOUSE WITH OIL HEAT, CORRECT? MR. DACOSTA SAID HE WILL BE LIVING THERE NOW AND WANTS TO HAVE NATURAL GAS HEAT.

MR. DEABREAU SAID THE GAS LINE IS ON THE SHORT SIDE AND IS ABOUT 5-6 FEET OFF THE CURB, SO IT IS IN THE TRAVEL LANE. ALSO, RIGHT NOW THERE IS A NEW ROAD PLUS A NEW SIDEWALK. MR. DEABREAU ALSO SAID THAT MR. DACOSTA COULD USE PROPANE AND WHEN THE MORATORIUM IS UP HE COULD SWITCH TO NATURAL GAS. THE MORATORIUM EXPIRES IN 2017.

MR. DEABREAU ALSO SAID THE GAS COMPANY WOULD HAVE TO DO THE WORK, AND THEY MAY DECIDE NOT TO PULL THE PERMIT DUE TO THE WORK THAT WILL HAVE TO BE DONE.

COUNCILOR CLEARY MADE THE FOLLOWING MOTION:

**MOTION: TO GRANT THE REQUEST WITH THE SPECIFICATIONS OF THE DEPARTMENT OF PUBLIC WORKS WHICH ARE FLOWABLE EXCAVATABLE FILL AND MILL AND PAVE TO EXISTING STANDARDS.**

COUNCILOR BORGES SECONDED THE MOTION.

COUNCILOR MARSHALL SAID, ON DISCUSSION THAT HE WILL NOT SUPPORT THE MOTION AS MR. DACOSTA HAS OTHER OPTIONS AND THIS IS NOT AN EMERGENCY.

PAGE TWO

JULY 21, 2015

**THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED**

COUNCILOR CARR SAID THAT SHE SYMPATHIZES WITH MR. DACOSTA BUT SHE SUPPORTS THE MORATORIUM. IF IT WAS AN EMERGENCY OR A HEALTH AND SAFETY ISSUE, SHE WOULD SUPPORT IT, BUT THIS IS NOT. SHE FURTHER NOTED THAT IF THE COMMITTEE ALLOWS THIS SHE WILL ASK THAT IT BE PULLED IN THE FULL COUNCIL MEETING.

COUNCILOR MCCAUL SAID THIS PERSON LOST HIS HOME DUE TO A FIRE LOSS, SO IT IS AN EMERGENCY. COUNCILOR BORGES SAID THAT IF THIS COMMITTEE APPROVES THIS TONIGHT, MR. DACOSTA STILL HAS TO GO THROUGH ONE MORE STEP, WHICH IS GETTING THE PERMIT WITH THE GAS COMPANY IN ORDER TO BE ABLE TO DO THIS. THEY HAVE ALREADY DENIED IT ONCE AND THEY ARE PROBABLY GOING TO DENY IT AGAIN.

COUNCILOR MARSHALL SAID THAT THEY HAVE NOT DENIED IT, THE CITY ASKED THEM TO USE AN EXISTING CONNECTION AND THEY DENIED THAT. HISTORICALLY, AS MR. ABREAU SAID, BECAUSE OF THE COST THE GAS COMPANY DOES NOT LIKE TO ADHERE TO THE FLOWABLE FILL RECOMMENDATION THAT IS PLACED UPON THIS IF THE MOTION PASSES. THE COMMITTEE COULD ALLOW IT AND THE GAS COMPANY COULD CHOOSE NOT TO DO IT TO THE SPECIFICATIONS. THEN MR. DACOSTA WOULD BE OUT OF LUCK.

COUNCILOR BORGES ALSO SAID SHE DISAGREES THAT THIS IS AN EMERGENCY BECAUSE THERE ARE OTHER OPOTIONS.

COUNCILOR COSTA-HANLON SAID SHE WANTS TO MAKE IT CLEAR THAT THE COMMITTEE PUT A CONTINGENT ON THIS. THEY UNDERSTAND THAT AS FAR AS THE GAS COMPANY IS CONCERNED IT IS MORE EXPENSIVE BECAUSE IT MAINTAINS THE CONTINUITY OF WHAT WAS CUT IN THE ROAD. THE CITY MAINTAINS A HIGHER STANDARD AND THE CITY BASICALLY WANTS IT TO BE PUT BACK TO WHERE IT WAS WHEN THE TAXPAYERS PAID ALL THIS MONEY. SHE IS NOT AGREEING TO THIS WITHOUT THE CONTINGENCY NOTED IN THE DPW LETTER. WE ARE NOT GOING TO MOVE ON THIS, IT WILL BE AN ABSOLUTE REQUIREMENT.

MR. DEABREAU SAID THIS WILL ALL BE ON THE GAS COMPANY TO PERFORM ALL THIS WORK, SO IF THEY DO NOT WANT TO PAY THE EXTRA COSTS TO RESTORE THE ROAD THEN THEY WON'T DO IT.

COUNCILOR POTTIER SAID IF THE STIPULATION IS TO PUT THE ROAD BACK TO ITS CURRENT STATE, CURB TO CURB, AND EVERYTHING ELSE THAT HAS TO BE DONE, AND IF THE GAS COMPANY DOES DECIDE TO DO IT TO THE SPECIRFICATIONS, THEN THE CITY WILL BE MADE WHOLE, PERHAPS EVEN NEWER BECAUSE THE ROAD IS ALREADY 2 YEARS OLD.

COUNCILOR MARSHALL SAID THE RECOMMENDATION BY THE ASSISTANT DPW COMMISSIONER IS THE BEST RECOMMENDATION THAT CAN BE DONE. IT IS NEVER LIKE NOT CUTTING INTO A ROAD. THERE IS ALWAYS GOING TO BE SOME SETTLING. THIS IS THE MOST STRINGENT SET OF CIRCUMSTANCES THAT WE CAN PUT ON THIS. IF YOU NEVER CUT INTO IT YOU WILL NEVER HAVE A SPEED BUMP OUT THERE OR ANYTHING. THIS JUST ALLOWS FOR A MUCH HIGHER LEVEL OF COMPACTION AND HOPEFULLY REDUCES THE ABILITY TO SEE ANY DIFFERENCE IN THE ROAD. IT WILL NEVER BE THE SAME AS IF YOU NEVER CUT INTO IT. ALL THIS DOES IS GIVE US THE BEST CHANCE FOR MAINTAINING THE QUALITY THAT WE HAVE NOW.

**THE MOTION WAS VOTED ON WITH COUNCILORS BORGES, COSTA-HANLON, CLEARY AND MCCAUL VOTING IN FAVOR. COUNCILOR MARSHALL VOTING IN OPPOSITION. MOTION PASSES.**

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

THE CHAIRMAN SAID THAT HE RECEIVED A COMMUNICATION FROM THE DPW TONIGHT REGARDING THE ASPHALT RECYCLER. HE DOES NOT WANT TO DISCUSS THIS TONIGHT, BUT WILL GET A COPY OF THE LETTER TO ALL COMMITTEE MEMBERS. THE LETTER STATES THAT THE BIDS WERE RECEIVED AND

PAGE THREE

JULY 21, 2015

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

OPENED FOR THE ASPHALT RECYCLER ON MAY 20, 2015. THE BID OPENING WAS HELD AT THAT CITY OF TAUNTON DPW. THE FOLLOWING BIDS WERE RECEIVED:

CONTRACTOR – BAGELA USA

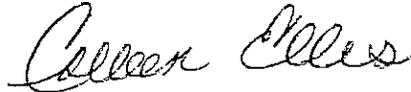
TOTAL BID - \$178,500

THE CHAIRMAN WILL PROVIDE COPIES TO THE COUNCIL AND GET A RECOMMENDATION FROM THE MAYOR'S OFFICE ON FUNDING AND PUT IT ON THE AGENDA FOR DPW COMMITTEE AT A LATER DATE.

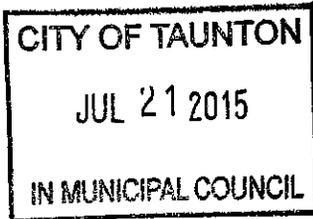
**MOTION: LETTER TO BE PART OF THE RECORD AND A COPY SENT TO EACH MEMBER OF THE COUNCIL. SO VOTED.**

MEETING ADJOURNED AT 7:27 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
JULY 21, 2015

**THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS**

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

**MEETING CALLED TO ORDER AT 7:32 P.M.**

**1. MEET TO DISCUSS ORDINANCE REGARDING CHARITABLE DONATION BINS**

THE CHAIRMAN STATED THAT HE DID NOT HAVE A SET DRAFT AND THAT THIS IS THE FIRST OPPORTUNITY TO DISCUSS THE ORDINANCE. HE DID NOTE THAT COUNCILOR BORGES HAS DONE SOME RESEARCH AND HAS COPIES FROM OTHER COMMUNITIES. THE CHAIRMAN STATED THAT HE SUGGESTS WHEN AN ORDINANCE IS DRAFTED THAT IT CONTAIN LANGUAGE THAT THEY HAVE PERMISSION TO LOCATE ON PRIVATE PROPERTY, THE NAME/ORGANIZATION SHOULD HAVE A PERMIT FROM THE CITY OF TAUNTON, THAT THERE SHOULD BE A REGULAR PICKUP SCHEDULED TO PREVENT OVERFLOW AND CLEANLINESS OF THE AREA, AND THAT A MAJORITY VOTE OF THE CITY COUNCIL CAN REVOKE THE PERMIT AND HAVE THE BIN REMOVED. THESE ARE SOME OF THE CRITERIA HE WOULD LIKE TO SEE WRITTEN INTO THE ORDINANCE.

COUNCILOR QUINN SAID THAT SHE WOULD LIKE TO SEE INCLUDED IN THE ORDINANCE SOME KIND OF A FINE STRUCTURE FOR VIOLATIONS, SOME OF THEM ARE VERY WELL KEPT AND EMPTIED ON A REGULAR BASIS, SO FOR THE NEIGHBORHOODS THAT THEY EXIST IN AND FOR THE GENERAL CLEANLINESS OF THE CITY SHE FEELS THERE SHOULD BE A FINE STRUCTURE SO THAT PEOPLE WHO ARE NOT IN COMPLIANCE THE CITY CAN REVOKE THE PERMIT.

COUNCILOR CLEARY SAID THAT HE WOULD PROBABLY WANT TO ADD THE FINE STRUCTURE IF THE COUNCIL TAKES A VOTE TO ELIMINATE THE PERMIT FOR THE SITE IF THEY DO NOT PULL IT OUT, THEN THEY WOULD BE SUBJECT TO A FINE. THE FINE WOULD BE FOR A VIOLATION AND A FAILURE TO RESPOND.

COUNCILOR BORGES SAID THE PLACEMENT OF REGULATIONS IS IMPORTANT. THE IDEA OF THE APPLICATION PROCESS AND PERMITTING MAKES A LOT OF SENSE. BUT NOT ONLY THAT, HOLDING THE PROPERTY OWNER AND THE BIN OWNER RESPONSIBLE. BOTH OF THEM SHOULD BE ACCOUNTABLE. SHE ALSO FEELS THAT IT BE IMPORTANT THAT THEY BE NON-PROFIT ORGANIZATIONS, SHE DOES NOT THINK THE CITY SHOULD ALLOW THESE FOR PROFIT BINS ALL OVER THE CITY. THE APPLICATION, PERMITS AND FINES ARE AGREEABLE TO HER.

**MOTION: TO REFER THIS TO THE CITY SOLICITOR'S OFFICE FOR A DRAFT ORDINANCE. SO VOTED.**

**2. MEET TO DISCUSS REPORT OF SAFETY OFFICER CONCERNING REQUEST FOR A STOP SIGN AT MACOMBER STREET AND COUNTY STREET**

THE CHAIRMAN NOTED THAT HE HAD RECEIVED A COMMUNICATION FROM CAROLYN BASLER CONCERNING THIS INTERSECTION. HER CONCERN IS NOT ONLY THE NEED FOR A STOP SIGN BUT THE DESIGN OF THE INTERSECTION. THE CHAIRMAN DID GO UP THERE AND IT IS A VERY DANGEROUS INTERSECTION IF YOU TRAVEL ALONG MACOMBER STREET AS IT LOOKS LIKE YOU ARE MERGING RIGHT ONTO COUNTY STREET. HE DOES NOT BELIEVE THERE IS A STOP SIGN THERE AND HE ALSO THINKS THERE SHOULD BE SIGNAGE PRIOR TO THE INTERSECTION NOTING DANGEROUS INTERSECTION AHEAD, BECAUSE COUNTY STREET IS A MAIN ROAD. IT WAS ALSO STATED THAT THERE IS NO SIGNAGE INDICATING ENTERING BERKLEY OR ENTERING TAUNTON ON THAT STREET WHICH IS A FAIRLY EASY FIX.

PAGE TWO

JULY 21, 2015

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

**MOTION:** TO REFER THIS BACK TO THE SAFETY OFFICER AND DPW TO LOOK AT THE AREA AND DETERMINE SIGNAGE NEEDED, AND REPORT BACK TO THE COMMITTEE. A COPY OF MS. BASLER'S LETTER TO BE PROVIDED TO THE SAFETY OFFICER AND THE DPW. SO VOTED.

COUNCILOR COSTA-HANLON ASKED THAT IT BE DETERMINED THAT THIS IS AN ACCEPTED STREET AND IF IT HAS BEEN DISCONTINUED THIS SHOULD BE BROUGHT UP BEFORE REFERRING ANYTHING.

**MOTION:** TO ASK THE CITY SOLICITOR'S OFFICE TO MAKE SURE THAT THERE WASN'T ANY VOTE PRESENTED TO THE COUNCIL DISCONTINUING MACOMBER STREET AS A PUBLIC WAY AND ALSO TO CONSIDER IF IT IS A PRIVATE WAY TO REFER IT TO THE DPW FOR THEIR RECOMMENDATIONS FOR THE CITY ACCEPTING IT. SO VOTED.

COUNCILOR QUINN SAID THAT IT SAYS IN THE CITY ENGINEER'S LETTER THAT IT IS A PUBLIC WAY, AND THE CITY DID ISSUE 5 NEW BUILDING PERMITS AND PROBABLY WOULD NOT HAVE DONE SO IF IT WERE NOT A PUBLIC WAY.

**3. MEET TO REVIEW PROPOSED ORDINANCE CHANGING THE NAME OF THE AUTOMATION DEPARTMENT TO INFORMATION TECHNOLOGY DEPARTMENT**

**MOTION:** THAT THE COMMITTEE RECOMMEND THAT CHANGE AND REFER THIS TO THE CITY SOLICITOR TO MAKE ANY NECESSARY CHANGES IN THE ORDINANCES ON RECORD NOW TO REFLECT THAT CHANGE. SO VOTED.

**4. MEET TO DISCUSS CRIMINAL NUISANCE ORDINANCE**

THE CHAIRMAN NOTED THAT A DRAFT HAD BEEN DONE ABOUT A YEAR AGO, AND THE CITY SOLICITOR HAS LOOKED AT IT AND HAS SOME CHANGES. BASED ON THE DISCUSSION THE COUNCIL HAD A FEW WEEKS AGO, IT WAS STATED THAT THERE WOULD BE SOMETHING PRESENTED TO THE COMMITTEE WITHIN 30-45 DAYS. THE CHAIRMAN HAS ASKED THE ASSISTANT CITY SOLICITOR TO GIVE HIS INPUT. ATTORNEY DEABREU SAID THIS IS A DIFFICULT TASK TO ACCOMPLISH, BUT HE KNOWS THERE IS A DESIRE TO DO SOMETHING. GENERALLY, WHEN MAKING AN ORDINANCE THEY HAVE TO MAKE SURE IT IS ENFORCEABLE AND WRITTEN IN SUCH A WAY THAT IT IS DEFINITE FOR SOMEONE TO KNOW WHAT IS PROHIBITED AND NOT PROHIBITED. IT IS A DIFFICULT TASK TO TRY TO IMPOSE UPON THE OWNER OF A PROPERTY OR WHO IS IN CONTROL OF A PROPERTY REQUIREMENTS WHICH WOULD IN EFFECT CHANGE, CONTROL OR ELIMINATE BEHAVIOR OF OTHER PERSONS ON THE PROPERTY. ALSO, A CONCERN HE HAS IS IN TERMS OF WE WOULD NOT WANT THIS TO BE LOOKED AT AS SOME SORT OF A TAX. THERE IS ALWAYS A QUESTION WHEN THE CITY SEEKS TO IMPOSE A FINANCIAL REQUIREMENT ON SOMEBODY, THAT IN ORDER FOR IT TO BE A PERMISSABLE FEE AS OPPOSED TO A PROHIBITED TAX THE PERSON PAYING THE MONEY HAS TO GET SOME SPECIAL BENEFIT THAT THE COMMUNITY AS A WHOLE DOES NOT GET. BY PUTTING IN A FINE STRUCTURE FOR POLICE WORK, ARGUABLY SOMEONE COULD SAY THE WHOLE COMMUNITY BENEFITS WHEN THE POLICE MAKE AN ARREST AND BRING A CASE TO COURT. WHY AM I AS AN INDIVIDUAL BEING SHOULDERED WITH THIS BURDEN. THESE ARE SOME CONCERNS THAT HE HAS. HE IS NOT SAYING AT THIS POINT THAT IT IS IMPOSSIBLE. WHAT HE IS CERTAIN OF THAT COULD BE DONE IS TO DIRECT THE POLICE TO DOCUMENT WHEN THERE IS CRIMINAL ACTIVITY AT A PARTICULAR LOCATION. WE MAY WANT TO LIMIT THAT CRIMINAL ACTIVITY TO CERTAIN THINGS SUCH AS FIREARMS, DRUG ACTIVITY, PROSTITUTION, TRESPASSING, DISORDERLY CONDUCT, DISTURBING THE PEACE, LOITERING – WE MAY WANT TO LIMIT IT. THE OTHER CONCERN IS THAT WE NEED TO BE CAREFUL NOT

PAGE THREE

JULY 21, 2015

THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS - CONTINUED

TO DO ANYTHING THAT WOULD DISCOURAGE SOMEONE WHO NEEDS THE POLICE FROM CALLING THE POLICE. THIS IS A DIFFICULT SUBJECT, BUT IF WE LIMIT IT TO THE OFFENSES THAT WOULD COUNT TOWARDS THE PER YEAR LIMIT, HE THINKS IT WOULD HELP ADDRESS THOSE CONCERNS. WHAT HE IS CERTAIN THEY COULD DO IS DIRECT THE CHIEF OF POLICE OR HIS DESIGNEE AFTER THE 4 INCIDENTS AT ONE PROPERTY WITHIN A 12 MONTH PERIOD, TO DIRECT THE LANDLORD OR REQUEST OF THE LANDLORD OR PROPERTY OWNER TO TAKE CERTAIN ACTION, AND IT COULD BE SOMETHING AS SIMPLE AS BETTER LIGHTING, NO TRESPASSING SIGN, A FENCE OR MORE. THERE IS A PROVISION IN THE GENERAL LAWS THAT PROVIDES THAT A LANDLORD OR HOUSING AUTHORITY WHERE A TENANT HAS ENGAGED IN CERTAIN LEGAL ACTS, INCLUDING ILLEGAL CONTROLLED SUBSTANCES OR FIREARMS, TO GO TO COURT AND VOID ANY LEASE THAT MAY BE IN PLACE. THAT STATUTE GRANTS A LANDLORD OR A HOUSING AUTHORITY A REMEDY IN A CASE WHERE IT IS EASY TO EVICT SOMEBODY, IT DOES NOT ALLOW THE CITY TO GO IN AS A 3<sup>RD</sup> PARTY THAT IS NOT PART OF THE LANDLORD/TENANT RELATIONSHIP AND START EVICTING PEOPLE FROM PRIVATE PROPERTY.

COUNCILOR CLEARY STATED THAT THE COMMITTEE TOOK INTO CONSIDERATION, AND IN FACT THE LANDLORDS WERE THE ONES WHO BROUGHT TO THE COMMITTEE'S ATTENTION THAT THEY WANT THE INCIDENTS DOCUMENTED. THE POLICE SHOW UP AT THEIR FACILITY, THERE IS NO ARREST, THERE IS NO DOCUMENTED REPORT, AND THE LANDLORD IS NOT AWARE OF THE SITUATION. SEVERAL OF THE LANDLORDS SAID THAT THE DOCUMENTATION WOULD ACTUALLY HELP THEM ENFORCE THEIR RENTAL AGREEMENT AND/OR EVICTION PROCEDURES. THE LANDLORDS WOULD LIKE THE POLICE TO DOCUMENT ANY CONDITIONS OR VIOLATIONS THAT THEY PLACE ON THE PROPERTY. THIS WAY THEY COULD BUILD A FILE ON A TENANT AND AS THEY PROCEED TO COURT THE DOCUMENTATION WOULD BE HELPFUL. GOING OVER THE DRAFT, THE CITY SOLICITOR SAID THE INTRODUCTORY COMMENTS TALK ABOUT THE COMMUNITY AS A WHOLE AND HE THINKS THAT IS WHERE THEY MAY RUN INTO SOME DIFFICULTY IF THE CITY WERE TO START IMPOSING FINES ON PEOPLE WHICH COULD BE SEEN AS FEES. ONE THING YOU COULD DO IS TO STATE WITH SPECIFICITY EXACTLY WHAT A LANDLORD OR PROPERTY OWNER IS REQUIRED TO DO TO THE EXTENT THAT WE ARE ABLE TO, AND THEN AS IN ANY OTHER ORDINANCE, YOU USE THE CITY'S GENERAL POWERS TO IMPOSE FINES ON THE LANDLORD FOR HIS FAILURE TO ACT. ANOTHER WAY TO TRY TO GO ABOUT IT IS TO WRITE THE ORDINANCE IN SUCH A WAY THAT AFTER SO MANY TIMES THE PROPERTY OWNER IS IN FACT GETTING A SPECIAL BENEFIT, RECEIVING EXTRA ADDITIONAL EXTRAORDINARY POLICE SERVICES DISPORPORTIONATE TO THOSE RECEIVED BY THE GENERAL COMMUNITY, AND THEN TO COME UP WITH A STRUCTURE WHERE YOU ARE REIMBURSING THE COSTS.

COUNCILOR CLEARY SAID HE DOES NOT UNDERSTAND WHY THIS IS SO DIFFICULT. HE COULD GO TO THE POLICE STATION AND GET A LIST OF 10 NUISANCE PROPERTIES THAT THEY GO TO REGULARLY. THE CITY WOULD LIKE TO TAKE ACTION AGAINST THOSE NUISANCE PROPERTIES FOR THE BETTERMENT OF THE NEIGHBORHOOD, AND IT WOULD ALSO HELP THE LANDLORD EVICT SOME OF THESE PEOPLE. THE COUNCIL HAS SAID THEY WILL COME UP WITH AN ORDINANCE, IT HAS TO BE DONE, AND THIS IS THE FIRST DRAFT.

THE ASSISTANT CITY SOLICITOR SAID THAT HE WILL DRAFT AN ORDINANCE, BUT HE DOES HAVE CONCERNS AND HE WANTED TO EXPRESS THAT IT IS DIFFICULT TO ENFORCE.

COUNCILOR QUINN SAID THAT THE PROBLEM, AND SHE THINKS THE WAY THIS ORDINANCE WAS DRAFTED WAS TO SAY WE ARE GIVING THESE PEOPLE A CHANCE TO RECTIFY A SITUATION THAT ONLY THEY HAVE CONTROL OF, WHETHER THAT IS THE LANDLORD. ALSO THERE IS A LOT OF LANGUAGE IN THERE TO WHO THE RESPONSIBLE PERSON IS, BUT THERE IS NO QUESTION IN HER MIND THAT THE RESPONSIBLE PERSON IS THE PROPERTY OWNER. THAT IS WHO IT IS WE ARE GOING TO BE ASSESSING ANY PENALTIES

PAGE FOUR

JULY 21, 2015

THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS - CONTINUED

IF WE DO GET TO THAT POINT. THAT IS WHO IS GOING TO BE HELD ACCOUNTABLE. WE ARE INITIALLY GIVING THEM WHAT SHE FELT WAS TOO MUCH NOTICE, 4 VIOLATIONS BEFORE IMPOSING A FINE, AND SHE THINKS AT THAT POINT GIVING SOMEONE A FIFTH NOTICE OF A VIOLATION, A POLICE DOCUMENTED CRIMINAL VIOLATION, WITH A FINE ASSOCIATED WITH IT ON THE 5<sup>TH</sup> INCIDENT, WE ARE ARMING THEM WITH THE ABILITY TO EVICT A PROBLEM TENANT. THE LANDLORDS THAT ARE NOT PAYING ATTENTION ARE THE ONES THAT WE HAVE A BIGGER PROBLEM WITH - THE OUT OF TOWN LANDLORDS THAT ARE NOT MONITORING THE PROPERTY. WE ARE GIVING THEM ENOUGH NOTICE THAT SHE WOULD THINK THAT WE COULD BE SUPPORTED IN A COURT OF LAW THAT THEY ARE GETTING EXTRA SERVICES AS THE CITY SOLICITOR MENTIONED BEFORE. SHE COMPLETELY SUPPORTS, IF THE SOLICITOR WANTS TO COME UP WITH REQUIREMENTS OF A LANDLORD - THAT A LANDLORD IS REQUIRED TO MAINTAIN THEIR PROPERTY IN A SAFE, HEALTHY, WHATEVER MANNER. THEIR FAILURE TO DO SO IS WHAT RESULTS IN THE POLICE ACTIVITY.

COUNCILOR CLEARY ASKED WHAT WAS WRONG WITH THE DRAFT PROVIDED.

THE CITY SOLICITOR SAID THAT ONE CONCERN THAT HE HAS IS THAT THE DRAFT AS WRITTEN, HOW IT WAS INTENDED TO WORK WAS THERE WOULD BE 4 INCIDENTS IN A 12 MONTH PERIOD. FOR STARTERS HE FEELS THAT YOU WOULD NEED TO BETTER DEFINE WHAT AN INCIDENT IS. DOES IT HAVE TO BE THAT A POLICE OFFICER FOUND PROBABLE CAUSE TO ARREST SOMEONE OR TO APPLY FOR A CRIMINAL COMPLAINT OR IS IT MERELY A POLICE RESPONSE WHERE MAYBE PEOPLE WERE DISPERSED AND NO COMPLAINT WAS FILED. SO NO. 1 - YOU NEED TO BETTER DEFINE WHAT CONSTITUTES AN INCIDENT. AND THE OTHER PART OF IT IS, AFTER THAT NUMBER OF INCIDENTS THE ORDINANCE CONTEMPLATES THE POLICE MAKING SUGGESTED ACTIONS THAT THE LANDLORD COULD TAKE TO ABATE THE NUISANCE PROPERTY WHICH WOULD INCLUDE THE THINGS MENTIONED BEFORE, OR SEEKING TO EVICT A PARTICULAR PROBLEM TENANT. IT MIGHT BE SAID THAT A WEEKNESS IN THE ORDINANCE IS THAT IT GIVES A LOT OF DISCRETION AND THE LANDLORD MIGHT SAY WHAT AM I REQUIRED TO DO AND WHAT AM I NOT REQUIRED TO DO. THE ORDINANCE NEEDS TO BE TIGHTENED UP A LITTLE BIT.

COUNCILOR BORGES REFERENCED SECTION II A. OF THE DRAFT WHICH STATES *NO INCIDENT SHALL BE COUNTED TOWARD THE 4 INCIDENT LIMIT WHEREIN THE PERSON AGAINST WHO THIS ORDINANCE WOULD BE ENFORCED WAS NOT ENGAGED IN CRIMINAL ACTIVITY AND WAS THE VICTIM OF A CRIME.* SHE ASKED HOW DO YOU DETERMINE THIS.

COUNCILOR QUINN SAID THAT SHE THINKS THAT SENTENCE SHOULD COME OUT. SHE ALSO SAID THAT EVERY LANDLORD COULD SAY THEY ARE A VICTIM AND IT IS A WAY PROBLEM OWNERS COULD GET OUT OF AN ISSUE.

ATTORNEY DEABREU SAID HE THINKS HE CAN CLARIFY THIS.

ALSO, IN SECTION B, RESPONSIBLE PERSON, COUNCILOR QUINN SAID SHE THINKS THE ONLY PERSON WHO CAN BE THE RESPONSIBLE PERSON IN TERMS OF RECEIVING NOTICE, ETC. WOULD BE THE OWNER AS IS ON RECORD AT THE ASSESSORS OFFICE OR VERIFIED AT THE REGISTRY OF DEEDS.

THE ASSISTANT CITY SOLICITOR WAS ASKED TO PUT TOGETHER A PRELIMINARY DRAFT WITH THE COMMENTS AND SUGGESTIONS MADE TONIGHT. HE SAID HE WOULD BE ABLE TO DO THIS FAIRLY QUICKLY.

COUNCILOR POTTIER NOTED THAT CRIMINAL ACTIVITY IS ONE THING BUT CONVICTION IS ANOTHER. JUST A CALL FOR ACTIVITY WOULD BE A CHALLENGING HURDLE. HE ALSO NOTED THAT IT IS VERY DIFFICULT TO EVICT SOMEONE, IT TAKES MONTHS. HE WANTS THIS DONE THE RIGHT WAY SO IT STANDS UP IN COURT.

COUNCILOR COSTA-HANLON STATED THAT THERE ARE A LOT OF ISSUES THAT NEED TO BE ADDRESSED. SHE ALSO NOTED THAT THE WORDING RESPONSIBLE PARTIES WAS USED BECAUSE SOMETIMES BUILDINGS ARE HELD IN TRUST, SO YOU COULD HOLD THE

PAGE FIVE

JULY 21, 2015

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

TRUSTEES FOR THE PROPERTY HELD IN TRUST RESPONSIBLE. SHE ALSO SAID ANOTHER CONCERN WAS RETALIATION FROM OTHER TENANTS, AND SHE AGREES WITH COUNCILOR POTTIER THAT THERE IS CERTAINLY A DIFFERENCE BETWEEN BEING CONVICTED AND BEING CHARGED. COUNCILOR MCCAUL ASKED IF WE CAN LOOK AT INCORPORATING THE FIRE DEPARTMENT IN THE ORDINANCE.

THE ASSISTANT CITY SOLICITOR SAID HE WOULD LIKE TO KEEP THEM SEPARATE. HE ALSO SAID YOU NEED TO LOOK AT IF THE TENANT IS CAUSING THE PROBLEMS AND FINE THE TENANT NOT THE LANDLORD. COUNCILOR CLEARY SAID THAT THE DRAFT IS DESIGNED TO HELP THE LANDLORD. ONCE THEY TAKE ACTION THE LANDLORD WOULD NOT BE FINED.

COUNCILOR CARR SAID IF THE PERSON IS A GOOD LANDLORD HE OR SHE WOULD NOT HAVE THESE ISSUES AND IF THEY DO, THEY WOULD WANT THE INFORMATION FROM THE CHIEF. SHE ALSO FEELS THAT THE FINES ARE TOO LOW. THIS IS A GOOD START, THE LAW OFFICE MAY HAVE TO TWEAK IT A BIT. SHE ALSO NOTED THAT THE CITY HAS LIMITED PUBLIC SAFETY OFFICERS AS IT IS. SHE ASKED THE ASSISTANT CITY SOLICITOR TO RESEARCH WHETHER THE FINES CAN BE HIGHER. SHE ALSO NOTED THAT A RESPONSIBLE LANDLORD WON'T BE OPPOSED TO THIS ORDINANCE.

**MOTION:** REFER THIS BACK TO THE CITY SOLICITOR'S OFFICE FOR FURTHER DRAFT AND TAKE INTO CONSIDERATION THE SUGGESTIONS MADE TONIGHT. SO VOTED. COUNCILOR CLEARY SAID THAT HE WANTS A POSITIVE ORDINANCE THAT IMPROVES NEIGHBORHOODS.

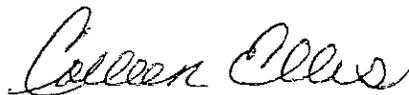
**5. MEET TO REVIEW MATTERS IN FILE**

A. THE CHAIRMAN ALSO NOTED THAT A SNOW AND ICE REMOVAL ORDINANCE FOR CITY SIDEWALKS WAS REFERRED TO THIS COMMITTEE. HE NOTED THAT THIS IS ANOTHER VERY COMPLICATED ISSUE.

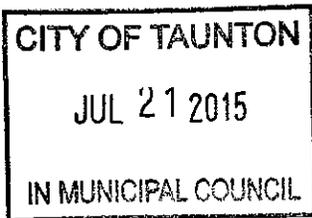
B. THE OTHER ORDINANCE REFERRED TO COMMITTEE WAS THE USE OF CITY PROPERTY AND EQUIPMENT SUCH AS THE SAFE HOUSE, POLICE DEPARTMENT EQUIPMENT DISPLAYS, FIRE DEPARTMENT EQUIPMENT DISPLAYS, PORTABLE STAGE, ETC. HE NOTED THAT BOTH OF THESE ARE GOING TO TAKE SOME TIME.

**MEETING ADJOURNED AT 8:30 P.M.**

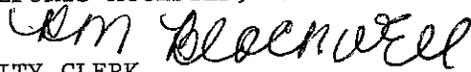
RESPECTFULLY SUBMITTED, .



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

  
CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
JULY 21, 2015

**THE COMMITTEE ON POLICE AND LICENSE**

PRESENT WERE: COUNCILOR SHERRY COSTA-HANLON, CHAIRMAN AND COUNCILORS CLEARY AND CROTEAU. ALSO PRESENT WERE CITY SOLICITOR JASON BUFFINGTON, ASSISTANT CITY SOLICITOR DAN DEABREU, CHIEF EDWARD WALSH AND LT. DANIEL MCCABE

**MEETING CALLED TO ORDER AT 8:33 P.M.**

**1. MEET WITH THE POLICE CHIEF, LT. MCCABE AND CITY SOLICITOR TO DISCUSS PROPOSED TOW CONTRACT**

AN E-MAIL DATED 7/17/2015 SENT BY LT. MCCABE WITH A PROPOSED TOW CONTRACT AND COPY OF THE APPLICATION HAD BEEN PREVIOUSLY PROVIDED TO ALL COMMITTEE MEMBERS.

**MOTION: E-MAIL TO BE PART OF THE RECORD. SO VOTED.**

THE CHAIRMAN PROVIDED BACKGROUND ON THE REASON FOR THIS MEETING CITING AN ISSUE WITH A TOW CONTRACTOR ABOUT A YEAR AGO, AND THE FACT THAT THE CHIEF BROUGHT TO THE ATTENTION OF THE COMMITTEE THE NEED FOR THE CITY TO HAVE A WRITTEN CONTRACT WITH THE TOW VENDORS. ANOTHER PART OF THIS PROCESS WAS THE CHIEF REVIEWING WHAT OTHER MUNICIPALITIES DO AND SOME OF THEM HAD TAKEN REQUEST FOR PROPOSALS OR PUT THEIR TOW SERVICES OUT FOR BID AND HE WANTED TO EXPLORE THAT POSSIBILITY ALSO.

COUNCILOR COSTA-HANLON SAID THAT SHE MET WITH A REPRESENTATIVE OF THE TOWING VENDORS A WHILE BACK WHEN THIS STARTED AND THEY AGREED THAT THERE WAS A NEED FOR THE CITY TO HAVE SOME KIND OF WRITTEN CONTRACT BETWEEN THE CITY AND THE TOW OPERATORS. SHE SAID SHE THINKS THE CITY SOLICITOR WOULD AGREE WITH THAT AS WELL AS THE CITY'S INSURANCE COMPANY. HAVING A CONTRACT AND WRITTEN AUTHORIZATION AND UNDERSTANDING BETWEEN THE CITY AND A PRIVATE ENTITY IS IMPORTANT. ANOTHER PART OF THIS IS THE MONEY ISSUE AND WHAT THE CITY IS GOING TO DO AS FAR AS THE APPLICATION AND WHETHER THE CITY IS SEEKING SOME KIND OF MONEY FROM THE APPLICANTS AS A FEE, WHETHER THIS IS REASONABLE, AND ALSO WHO THE CITY IS GOING TO OPEN UP THE CONTRACTS TO. RIGHT NOW THERE ARE 6 CURRENT VENDORS. A DRAFT WAS PROVIDED BY LIEUTENANT MCCABE TO ALL COUNCILORS.

COUNCILOR MARSHALL AS A POINT OF INFORMATION STATED THAT IT IS HIS UNDERSTANDING, AND HE SAW A COMMUNICATION FROM LT. MCCABE, IN WHICH HE HAD REQUESTED MORE TIME IN ORDER TO MEET WITH THE TOW OPERATORS ONE MORE TIME. HIS OPINION IS THAT THE TOW OPERATORS WOULD LIKE TO MEET ONE MORE TIME TO DISCUSS THIS AND REVIEW WHAT HAS BEEN LAID OUT. HE WOULD LIKE TO ALLOW THIS PROCESS AND HAVE LT. MCCABE BRING IT BACK TO THE COMMITTEE AT ANOTHER TIME. HE SAID ONE WOULD THINK THAT THE NEGOTIATIONS, IN THE COUNCIL'S ROLE AS A LEGISLATIVE BODY, SHOULD BE COMPLETED AND A FINAL DRAFT SHOULD BE BROUGHT TO THE COUNCIL WITH THE RECOMMENDATIONS OF THE CITY SOLICITOR. THIS IS GOING TO BE VERSION 2 OR 3 THAT THE COUNCIL IS GOING TO HAVE TO LOOK AT.

COUNCILOR COSTA-HANLON SAID THAT SHE THINKS THAT IT IS IMPORTANT THAT THE TOW OPERATORS AND THE COMMITTEE HEAR FROM THE LAW DEPARTMENT. SHE FURTHER SAID THAT TONIGHT THE COMMITTEE IS GOING TO HEAR FROM THE CITY SOLICITOR'S OFFICE TO SEE WHAT CONCERNS THEY HAVE AND THAT IT IS IMPORTANT THAT THE CITY SOLICITOR KNOW WHAT THE TOW OPERATORS WANT. COUNCILOR CROTEAU ASKED TO BEGIN THE PROCESS BECAUSE HE HAS SOME THINGS HE WOULD LIKE TO SAY.

PAGE TWO

JULY 21, 2015

THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

COUNCILOR CLEARY SAID THAT THE DOCUMENT SUBMITTED WAS VERY WELL DONE AND THE CHANGES SUGGESTED PREVIOUSLY HAVE BEEN INCLUDED IN THE DOCUMENT. HE NOTED THAT ON PAGE 1 IT CLEARLY STATES THAT THE CONTRACT WILL RESULT IN A LEGAL AND BINDING AGREEMENT BETWEEN THE CITY AND THE TOW COMPANIES. THIS IS THE WHOLE PURPOSE. IT IS A SIMPLE DOCUMENT AND IT IS IMPORTANT TO NOTE THAT IT IS CLEARLY IDENTIFIED THAT WE HAVE 6 TOW COMPANIES AND IT IS OUR INTENT TO CONTINUE WITH THOSE 6 COMPANIES IF THEY MAKE APPLICATION UNDER THESE GUIDELINES, SO WE ARE NOT GOING OUT FOR BID. ON PAGE TWO HE FINDS NO PROBLEMS. ON PAGE 3 HE WANTED TO NOTE THE ANNUAL FEE, WHICH IN THIS DRAFT HAS BEEN REDUCED BY 50%, WHICH IS \$5,000 PER COMPANY. HOWEVER, IF ONLY 1 PERSON PUTS IN A BID, THEN IT GOES TO THAT ONE PERSON AT A COST OF \$30,000.00. THE COMPLAINT WAS THAT THE FEE WAS TOO LARGE, AND IT WAS RESPONDED TO. COUNCILOR CLEARY ALSO QUESTIONED 6.0 ENTITLED DELITIONS FROM CONTRACT. IT WAS NOTED THAT THIS WILL BE DELETED ON THE RECOMMENDATION OF THE CITY SOLICITOR. COUNCILOR CLEARY AGREES WITH THE LIABILITY INSURANCE. HE THEN REFERRED TO SECTION 9.3 WHICH IN THE LAST SENTENCE SAYS *IN THE EVENT THE CONTRACTOR DOES NOT RESPOND TO A TOW SERVICE CALL WITHIN 15 MINUTES, THE CITY MAY CONTACT ANOTHER TOW COMPANY FOR THE SERVICE CALL. IN SUCH AN EVENT, THE CONTRACTOR WILL NOT BE ENTITLED TO ANY CREDIT OR ADJUSTMENT FROM THE CITY.* THIS WAS SOMETHING THAT THE CONTRACTORS DID NOT AGREE TO BECAUSE THEY WERE AFRAID THAT THE CITY WOULD GO OUTSIDE, BUT THE LANGUAGE WILL BE CLARIFIED TO MEAN THAT THEY WILL CALL THE NEXT ONE ON THE LIST OF THE 6 COMPANIES.

SECTION 13.0 ENTITLED CONTRACTOR RECORDS, WAS NOTED AS BEING BY LAW AND IT WAS NOT A POINT OF CONTENTION WITH THE CURRENT TOW OPERATORS.

COUNCILOR CLEARY ALSO NOTED THE BOLD TYPED PARAGRAPH UNDER THE SUBTITLE "SCOPE". THIS WAS CLARIFIED AND AN EXAMPLE PROVIDED THAT IN THE CASE OF A SNOW EMERGENCY AND THE CURRENT TOW OPERATOR CANNOT HANDLE IT, THEY WILL GO TO THE NEXT PERSON ON THE LIST OF 6. THEY WILL ONLY HIRE OUTSIDE OF THE LIST OF 6 IF THOSE COMPANIES CANNOT HANDLE IT. COUNCILOR CLEARY SAID THAT IN SECTION 7, THE BOLD WRITING STATES THAT IF THE CHIEF FEELS THAT A CONTRACT SHOULD BE TERMINATED, HE MAY SUSPEND THE CONTRACTOR IN ACCORDANCE WITH THIS PARAGRAPH AND FORWARD THAT INFORMATION TO THE MUNICIPAL COUNCIL REQUESTING TERMINATION AFTER A HEARING. COUNCILOR CLEARY SAID THAT OBVIOUSLY WE ARE GIVING THE CHIEF OF POLICE THE AUTHORITY TO DO THIS.

COUNCILOR CROTEAU SUGGESTED PUTTING THE WORDING IN TO READ THAT IT IS A TEMPORARY SUSPENSION NOT SUBJECT TO APPEAL, BUT IF THE SUSPENSION WENT BEYOND A CERTAIN NUMBER OF DAYS, IT WOULD BE SUBJECT TO APPEAL

ATTORNEY DEABREU SAID AS HE UNDERSTANDS IT, THIS WOULD BE KIND OF A TEMPORARY SUSPENSION OF THE CONTRACT IF IT IS A MAJOR VIOLATION OR INCIDENT. THE CHIEF HAS THE AUTHORITY TO NOT CALL UPON THAT COMPANY UNTIL IT COMES BEFORE THE MUNICIPAL COUNCIL. HE DOES NOT SEE IT AS A DISCIPLINARY MEASURE THAT THE CHIEF WOULD USE ON AN OCCURRING BASIS, HE READS IT AS IF THERE WAS A MAJOR VIOLATION INCIDENT AND THE CHIEF THOUGHT THE CONTRACT SHOULD BE TERMINATED PERMANENTLY, THE CHIEF HAS THE ABILITY TO NOT CALL UPON THAT CONTRACTOR UNTIL THIS COUNCIL HAS HAD TIME TO ACT.

LT. MCCABE SAID AS A PRACTICAL MATTER THE MOST IT COULD EVERY REALLY BE IS 14 DAYS UNTIL SUCH TIME AS THEY STEP OUT OF THE ROTATION, BY THAT TIME THIS COMMITTEE AND THE COUNCIL WOULD HAVE MET SEVERAL TIMES

CITY SOLICITOR BUFFINGTON INTERJECTED AND ASKED THE COMMITTEE, AS IT WOULD BE VERY HELPFUL TO THEM, IF THE COMMITTEE COULD GO THROUGH THE DOCUMENT AND TELL THEM WHAT THEY WOULD LIKE TO SEE IN IT, AND THEY WILL DO THEIR BEST TO MAKE SURE THAT THE END PRODUCT

PAGE THREE

JULY 21, 2015

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

REFLECTS WHAT THE COUNCIL WANTS. IT OCCURS TO HIM THAT IT IS UNUSUAL TO CRAFT AN AGREEMENT BY COMMITTEE IN PUBLIC. HE ASKED THE COMMITTEE TO PLEASE LET HIS OFFICE KNOW WHAT THEY LIKE, WHAT THEY DON'T LIKE, GIVE DIRECTION AS TO WHAT THE COMMITTEE WOULD LIKE TO SEE CHANGED AND THEY CAN COME BACK AFTER LT. MCCABE MEETS WITH THE OPERATORS WITH WHAT IS HOPEFULLY A LOT CLOSER TO A FINAL DRAFT.

COUNCILORS COSTA-HANLON AND CLEARY SAID THE DOCUMENT IN FRONT OF THEM IS VERY CLOSE. ATTORNEY BUFFINGTON AGAIN STATED THAT IT IS VERY UNUSUAL FOR THE LAW DEPARTMENT TO BE GIVING LEGAL ADVICE TO THE COUNCIL IN OPEN SESSION.

COUNCILOR COSTA-HANLON SAID THAT GOING OVER THIS IS JUST SENDING OUT DIRECTION COUNCILOR CLEARY NOTED THAT THE DRAFT CALLS FOR VEHICLES TO BE REGISTERED IN THE CITY, WHICH IS SOMETHING THAT IS NOT IN EXISTENCE NOW.

COUNCILOR CROTEAU WANTS THE CITY SOLICITOR TO PUT ON THE TABLE AT A SUBSEQUENT MEETING A DOCUMENT ALSO WITH THE RECOMMENDATIONS OF THE CHIEF. HE ALSO WANTS TO KNOW THE PROCESS FOR TOWING COMPANIES OTHER THEN THE 6 – CAN WE LIMIT IT TO THE 6 COMPANIES. THE CITY SOLICITOR WILL LOOK INTO THIS.

COUNCILOR CROTEAU ALSO NOTED THAT IF 1 OF THE 6 COMPANIES DECIDES THEY DO NOT WANT TO DO THIS, HOW DO YOU HIRE A 6<sup>TH</sup> COMPANY. HE IS NOT INTERESTED IN HAVING 4 OR 5, HE WOULD LIKE 6 COMPANIES. HE ALSO SAID THAT HE WILL NOT VOTE FOR THE \$5,000 APPLICATION FEE BECAUSE IT WILL ONLY INCREASE THE PRICE TO THE CONSUMER.

BRAD BOUCHER OF 3 STANLEY DRIVE ADDRESSED THE COMMITTEE. HE SAID THAT EVERYTHING IS FINE IN THE AGREEMENT, BUT HE WOULD LIKE TO SEE THE FEE DROPPED. HE FEELS THAT \$1,500 IS OK, AND HE AGREES THAT THE CONSUMER WILL END UP PAYING THE FEES IN THE END.

**MOTION: TO REFER THIS BACK TO LIEUTENANT MCCABE AND ATTORNEY DEABREU TO WORK OUT A FINAL DRAFT AND HAVE IT REVIEWED BY THE TOW OPERATORS. CONTINUE THIS MATTER TO AUGUST 18, 2015. COUNCIL TO GET FINAL DRAFT ON THE FRIDAY BY NOON PRIOR TO THAT MEETING. SO VOTED.**

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

A. THE CHIEF STATED THAT THERE WAS AN ISSURE REGARDING WHETHER THE SERGEANTS LIST FOR A PROMOTIONAL EXAM FOR THIS OCTOBER WAS CALLED FOR. IF THE LIST HAS NOT BEEN CALLED FOR, IT NEEDS TO BE DONE QUICKLY.

**MOTION: TO CALL FOR PROMOTIONAL LIST FOR SERGEANT. SO VOTED.**

THE CHIEF ALSO SAID, FOR CLARIFICATION, THE COMMITTEE NEEDS TO DECIDE REGARDING THE ASSESSMENT CENTER. LAST TIME THE CITY USED 25% ASSESSMENT CENTER AND 75% WRITTEN TEST. CIVIL SERVICE NEEDS TO KNOW THIS WHEN THEY APPLY FOR THE TEST.

COUNCLOR CROTEAU RECOMMENDED USING 75% ASSESSMENT CENTER AND 25% WRITTEN TEST AND MADE THE FOLLOWING MOTION:

**MOTION: TO USE 75% ASSESSMENT CENTER AND 25% WRITTEN TEST. SO VOTED.**

B. IT WAS REQUESTED THAT THE CHIEF NOTIFY THE SAFETY OFFICER REGARDING AN ISSUE AT MACOMBER AND COUNTY STREET. IT WAS REFERRED BOTH TO THE DPW AND SAFETY OFFICER.

C. THE CHIEF REMINDED THE COMMITTEE THAT THE PARKING RATE ORDINANCE NEEDS TO BE DONE.

PAGE FOUR

JULY 21, 2015

THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

3. PUBLIC INPUT

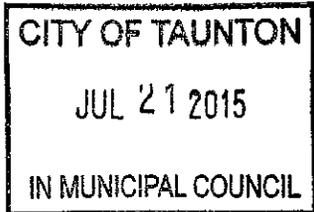
DAVID LITTLEFIELD OF 192 ERIN ROAD ADDRESSED THE COMMITTEE. HE SAID THAT AFTER A MEETING HELD HERE A FEW WEEKS ABO, RESIDENTS DECIDED THAT THEY WANTED TO BE MORE PROACTIVE. THEY HAVE PUT TOGETHER A GROUP CALLED TAUNTON COMMUNITY SAFETY COALITION. THEY WENT OUT LAST NGHT AND SPOKE TO RESIDENTS, AND THEY WANT PEOPLE TO REACH OUT TO THEM IF THERE IS A PROBLEM IN THEIR NEIGHBORHOOD. THEY ALSO WANT TO KEEP TOTAL COMMUNICATION OPEN WITH THE POLICE. THEY WILL BE CLEANING THE WHITTENTON AREA WITH SOME TEENS, AND THE DPW WILL SUPPLY THE BAGS AND WILL ALSO PICK THEM UP.

MEETING ADJOURNED AT 9:31 P.M.

RESPECTFULLY SUBMITTED;



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
JULY 21, 2015

**THE COMMITTEE ON PUBLIC PROPERTY**

PRESENT WERE: COUNCILOR DEBORAH CARR, CHAIRMAN AND COUNCILORS QUINN, MARSHALL, POTTIER AND BORGES. ALSO PRESENT WERE BUILDING SUPERINTENDENT WAYNE WALKDEN AND KAREN ENNIS AND CHERYL DELECTA OF HEAD START

**MEETING CALLED TO ORDER AT 9:33 P.M.**

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

**1. MEET WITH THE CITY SOLICITOR AND SUPERINTENDENT OF BUILDINGS TO DISCUSS THE RFP FOR BARNUM SCHOOL**

COUNCILOR CLEARY ASKED TO BE EXCUSED FROM THIS DISCUSSION AS HE IS ON THE BOARD FOR HEAD START.

**MOTION: EXCUSE COUNCILOR CLEARY. SO VOTED.**

THE CHAIRMAN NOTED THAT THERE HAD BEEN A DISCUSSION ABOUT BARNUM SCHOOL PREVIOUSLY, AND THAT THEY KNEW THAT HEAD START WAS INTERESTED IN BARNUM. AN RFP WAS SENT OUT TWICE, THE FIRST TIME THERE WERE NO RESPONSES, THE SECOND TIME HEAD START WAS THE ONLY RESPONSE. MR. WALKDEN SAID ON MAY 27<sup>TH</sup> AN RFP WAS ISSUED. A SINGLE PROPOSAL WAS SUBMITTED TO THE CITY BY TRIUMPH, INC. OF TAUNTON ON JUNE 30<sup>TH</sup> AND EVALUATED BY MR. WALKDEN. THE PROPOSAL PRICE WAS \$1.00. THIS PROPOSAL WAS, AFTER EVALUATION, RANKED AS ADVANTAGEOUS FOR THE CITY, ALTHOUGH THE PROPOSAL WOULD HAVE BEEN MORE ATTRACTIVE IF THE PROPOSAL PRICE HAD BEEN HIGHER OR CLOSER TO THE VALUE OF \$160,000. HE FURTHER NOTED THAT THE CITY PAYS OVER \$10,000 A YEAR TO HOLD ONTO THIS BUILDING. HIS CONCLUSION IS TO SELL THE BUILDING WHICH REQUIRES A 2/3 VOTE OF THE COUNCIL. HE ALSO NOTED THAT THIS IS TIME SENSITIVE AS THEY WANT TO OPEN OCTOBER 1, 2015. HE RECOMMENDS LETTING THE BUILDING GO.

THE CITY SOLICITOR SAID THAT THE CITY HAS FOLLOWED ALL PROCUREMENT LAWS, THEY HAVE MADE SURE THAT THIS OPPORTUNITY HAS BEEN ADVERTISED ON A STATEWIDE BASIS AS WELL AS A LOCAL BASIS, NOT ONCE BUT TWICE. 30 B HAS BEEN COMPLIED WITH. NO ONE ELSE WAS INTERESTED IN THE BUILDING. THERE WAS ONLY THIS 1 PROPOSAL. HE THINKS MAYBE IF THERE WERE A PRIVATE DEVELOPER THAT WANTED TO BUY THE BUILDING, IT WOULD BE AN ENTIRELY DIFFERENT CONVERSATION THEN DEALING WITH TRIUMPH, INC. HE AGREES WITH MR. WALKDEN THAT THIS IS MOST ADVANTAGEOUS PROPOSAL AND HE RECOMMENDS THAT THE COUNCIL ADOPT IT. COUNCILOR CARR NOTED THAT SHE AGREES AND HAS SPOKEN TO THE MAYOR AND HE IS ALSO IN FAVOR OF THE SALE.

SHE ASKED TRIUMPH TO DISCUSS WHAT THEIR PLANS ARE FOR THE BUILDING.

KAREN ENNIS, THE EXECUTIVE DIRECTOR OF HEAD START SAID THAT THEY HAVE BEEN IN THE CITY SINCE 1965. HEAD START WORKS WITH THE NEEDIEST OF FAMILIES. THEY PREPARE CHILDREN AND FAMILIES TO TRANSITION TO THE PUBLIC SCHOOL. SHE FURTHER NOTED THAT IN THIS CASE, THEY HAVE BEEN SUBCONTRACTING OUT A SMALL PORTION OF THEIR PROGRAM CALLED HOME BASED. THAT CONTRACT ENDED JUNE 15<sup>TH</sup>, AND THEY ARE GOING TO BE PROVIDING THOSE SERVICES IN HOUSE AT TRIUMPH BUT THEY DO NOT HAVE THE PHYSICAL SPACE TO DO SO. THE PROGRAM WILL BE FOR 40 FAMILIES, IT IS A VERY INTENSIVE HOME BASE PROGRAM, A HOME BASE MODEL FOR PREGNANT WOMEN AND CHILDREN UP TO AGE 3. THOSE FAMILIES RECEIVE A 90 MINUTE HOME VISIT EACH WEEK BY A HOME VISITOR, DURING THAT VISIT THEY RECEIVE STRUCTURED CURRICULUM WHERE THEY TEACH PARENTS HOW TO WORK WITH THE RESOURCES THEY HAVE IN THEIR HOME TO WORK ON CHILD DEVELOPMENT SKILLS.

PAGE TWO

JULY 21, 2015

THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED

THEY ARE ALSO INVITED ONCE PER WEEK FOR SOCIALIZATION. THESE FAMILIES WHO DON'T NECESSARILY HAVE A SOCIAL NETWORK OF THEIR OWN, A SUPPORT SYSTEM OF THEIR OWN, CAN START TO MEET FAMILIES WITH SIMILAR ISSUES AND CAN SUPPORT EACH OTHER. THIS IS PRIMARILY WHAT THE BUILDING IS GOING TO BE USED FOR – TO HOUSE STAFF FOR THAT PROGRAM AS WELL AS SPACE FOR SOCIALIZATION, ETC. THEY ALSO RECEIVE STATE FUNDING FOR A GRANT BASED PROGRAM CALLED COORDINATED FAMILY COMMUNITY ENGAGEMENT. THAT AGAIN WORKS WITH FAMILIES NOT ONLY INVOLVED WITH TRIUMPH, BUT FAMILIES IN THE GREATER COMMUNITY, BASICALLY FOR FAMILIES THAT ARE NOT ENGAGED IN THE EARLY CHILDHOOD PROGRAM, TO GIVE THE CHILDREN WHO MAY BE TAKEN CARE OF BY A GRANDMOTHER OR HOME CARE PROVIDER, WORKING ON BASIC LITERACY SKILLS. THIS PROGRAM WILL ALSO BE HOUSED OUT OF THERE.

MS. ENNIS SAID THEY HAVE PLANS TO GET THE BUILDING UP TO PAR AGAIN. THEY WANT TO RESTORE IT SO THE NEIGHBORHOOD CAN BE PROUD OF IT AGAIN. THE PARKING LOT IS AMESS, AND SHE DOES NOT WANT TO SEE THIS BEAUTIFUL BUILDING TURN INTO SOMETHING LIKE E. POLE

COUNCILOR CARR ASKED IF THEY FELT THERE WAS SUFFICIENT PARKING THERE FOR THEIR PROGRAMS.

MS. ENNIS SAID THAT THE BUDGET THEY PUT TOGETHER IS TO TAKE SOME OF WHAT BARNUM WAS USING AS PLAYGROUND SPACE AND TURNING THAT INTO PARKING. THEY ESTIMATE IT WILL ADD ABOUT 10 MORE SPOTS. THEY WILL HAVE A SMALLER PLAYGROUND.

COUNCILOR QUINN NOTED THAT OBVIOUSLY THE SCHOOL DEPARTMENT HAS NO INTEREST IN THE PROPERTY, SO SHE IS IN SUPPORT OF THE PROPOSAL.

COUNCILOR BORGES ALSO SAID THAT SHE IS IN SUPPORT OF THE PROPOSAL AND FEELS THAT IT IS A GREAT USE OF THE BUILDING.

COUNCILOR MARSHALL ASKED WHERE TRIUMPH CURRENTLY OPERATES?

MS. ENNIS SAID THAT THEY LEASE LAND FROM THE CITY OF TAUNTON ON GORDON OWEN RIVERWAY, WHICH IS THEIR MAIN ADMINISTRATIVE BUILDING, THEY OWN A BUILDING IN THE INDUSTRIAL PARK AND THEY COLLABORATED WITH TAUNTON HOUSING AUTHORITY AND TRINITY MANAGEMENT COMPANY TO BUILD A SITE ON THE NEW BRISTOL COMMONS AND THEY ARE LEASING THAT BUILDING FOR \$10/YEAR. COUNCILOR MARSHALL ASKED IF THEY OPERATE A PROGRAM IN RAYNHAM?

MS. ENNIS SAID THEY SERVICE CHILDREN FROM RAYNHAM AS PART OF THEIR PROGRAM. THEY HAD SOUTH SCHOOL FOR A WHILE BUT THERE WERE FLOODING ISSUES IN THE BASEMENT SO THEY DO NOT USE THAT BUILDING. THEY NEVER BOUGHT THAT BUILDING. THEIR POPULATION FROM RAYNHAM IS RELATIVELY SMALL, AND IN FACT, LAST YEAR THEY ONLY HAD 9 CHILDREN FROM RAYNHAM, THE REST OF THE 300+ CHILDREN ALL COME FROM TAUNTON.

COUNCILOR MARSHALL ASKED IF THERE WAS ANY FUNDING FOR THE ACQUISITIONS. MS. ENNIS SAID NO, THERE IS MONEY FOR DAILY OPERATIONS BUT NOT FOR ACQUISITIONS. THEY HAVE BEEN SUB CONTRACTING THIS PART OF THE PROGRAM TO SOMEONE ELSE, AND THAT CONTRACT ENDED. NOW TRIUMPH WILL RUN IT. THEY DID HAVE OVERSIGHT OF THE PROGRAM. FUNDING WAS AVAILABLE FOR LEASE PAYMENTS, BUT THAT MONEY WILL BE PUT INTO UTILITIES AND MAINTENANCE AT THE BARNUM BUILDING. SHE FURTHER NOTED THAT FUNDING CANNOT BE USED FOR MORTGAGE PAYMENTS.

COUNCILOR CROTEAU STATED THAT THE SCHOOL DEPARTMENT USED THE BUILDING TO SERVICE 3-5 YEAR OLD CHILDREN. HE HEARD NO CONCERNS. HEAD START WILL HAVE THE SAME AGES THERE, SO HE QUESTIONED THE FEASIBILITY OF THE PROGRAM. HE ALSO STATED THAT THIS COMMUNITY GAVE LAND TO HEAD START YEARS AGO ON THE HIGH SCHOOL PROPERTY TO PUT UP A BUILDING, AND NOW WE ARE TALKING ABOUT PUBLIC PROPERTY BEING SOLD FOR \$1.00. BARNUM HAPPENS TO BE ONE OF THE BEST PUBLIC BUILDINGS THE CITY OWNS. HE ALSO NOTED THAT THE CITY IS IN THE PROCESS OF DOING SOMETHING WITH WALKER SCHOOL, AND HE IS NOT SURE WHERE THAT STANDS. WHAT IS BEING DONE WITH BARNUM IS NOT TO THE FINANCIAL ADVANTAGE OF THE PEOPLE IN THIS COMMUNITY. HE IS

PAGE THREE

JULY 21, 2015

**THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED**

OPPOSED TO THE SALE OF THE BUILDING. AN OPTION WOULD BE TO LEASE IT. HE IS CONCERNED WHETHER HEAD START WILL HAVE THE FUNDS TO OPERATE IT. HE ALSO SAID THAT PARKING WILL STILL BE A PROBLEM.

MS. ENNIS SAID THAT MOST FAMILIES SERVICED DO NOT HAVE CARS. THEY HAVE VANS THAT PICK UP THE FAMILIEIS.

COUNCILOR COSTA-HANLON SAID SHE HAS NO ISSUE WITH THE SALE. SHE ALSO SAID THAT WHENEVER THE CITY SELLS PROPERTY FOR LESS THEN VALUE, WHICH IT IS, THAT THE CITY SHOULD CONSIDER SOME KIND OF LANGUAGE IN THE PURCHASE AND SALE THAT REQUESTS THAT IT STAYS A 501C3. SHE DOES NOT WANT THE CITY TO BE IN A SITUATION WHERE IT SELLS A PIECE OF PROPERTY FOR \$1.00 AND THEN IT GETS TURNED OVER A YEAR LATER TO SOMEONE WHO IS GOING TO MAKE A PROFIT.

COUNCILOR CARR SAID SHE FEELS THIS IS A VALID CONCERN.

CITY SOLICITOR BUFFINGTON SAID THAT THESE ARE MATTERS AND IDEAS THAT HE WILL PURSUE.

**MOTION: TO REFER THIS TO THE CITY SOLICITOR'S OFFICE WITH THE RECOMMENDATION TO APPROVE IT SUBJECT TO THE NEGOTIATION OF A GOOD PURCHASE AND SALE AGREEMENT. ALSO TO INSERT THE LANGUAGE AS SUGGESTED BY COUNCILOR COSTA-HANLAN AND CITY SOLICITOR TO LOOK INTO PUTTING IN A RIGHT OF FIRST REFUSAL. SO VOTED.**

**2. MEET FOR AN UPDATE ON THE TAUNTON HIGH SCHOOL STADIUM**

MR. WALKDEN PROVIDED A HANDOUT TO THE COUNCIL BY E-MAIL DATED JULY 21, 2015.

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

MR. WALKDEN SAID THAT THE PROJECT REMAINS ON BUDGET, THE CONTINGENCY PURCHASE ORDER AMOUNT AVAILABLE IS \$82,500.00. THERE IS ALSO AN ADDITIONAL \$27,000.00 THAT HAS BEEN SET ASIDE FOR POSSIBLE CONTINGENCY. THE PROJECT SCHEDULE NEEDS TO BE ADJUSTED AND HE WILL EXPLAIN THIS. THE BLEACHERS ARE SET FOR DELIVERY ON FRIDAY, JULY 24<sup>TH</sup>. AN ADDITIONAL TECH COMMITTEE MEETING HAS BEEN SCHEDULED FOR FRIDAY, JULY 31<sup>ST</sup> AND THAT WILL BE OVER AT THE STADIUM AT 8:30 A.M. RIGHT NOW THEY HAVE HAD ALL THE 3<sup>RD</sup> PARTY TESTING OF CONCRETE AND STEEL PROJECTS USED FOR FOOTINGS AND PIERS AND THERE ARE NO ISSUES IN THE GROUND AT THIS MOMENT, AND THEY DON'T EXPECT ANY ADDITIONAL ISSUES. THEY HAVE COMMISSIONED SOME ADDITIONAL DANGER WARNING SIGNS AND NO TRESPASS SIGNS TO BE INSTALLED AT THE STADIUM AS THEY HAVE BEEN OBSERVING PEOPLE ENTERING THE STADIUM AREA EVEN THOUGH IT IS OFF LIMITS. THIS HAS BEEN PROBLEMATIC. HOPEFULLY THE SIGNAGE WILL BE READY TOMORROW.

HE CONTINUED SAYING THAT THE ISSUES THAT THEY HAD EARLIER IN THE PROJECT THAT COST THEM ABOUT 30 DAYS IN THE SCHEDULE SO FAR HAD TO DO WITH DEP REGULATIONS FOR THE REMOVAL OF 3 SECTIONS OF ASBESTOS CONTAINING PIPE MATERIALS THAT THEY DISCOVERED UNDERGROUND AND DEALT WITH SUCCESSFULLY. TODAY, LATE IN THE AFTERNOON, HE RECEIVED AN UPDATE FROM THE GENERAL CONTRACTOR WHO SAID THAT THE BLEACHER STAGING AREA WILL BE BEHIND THE PRESS BOX WITH THE DELIVERY OF THE BLEACHERS SET FOR THIS FRIDAY. ALL LONG ALUMINUM NEEDS TO BE ON SITE BY JULY 31<sup>ST</sup>. THEY WILL NEED TO CLOSE THE ROADWAY FOR LARGE DELIVERIES BETWEEN THE TOILET ROOMS AND THE BACK OF THE BLEACHERS BETWEEN COLUMNS 1 AND 3 FROM SATURDAY AUGUST 1<sup>ST</sup> AND WEDNESDAY AUGUST 12<sup>TH</sup>. THEY HAVE AN INSTALLATION DATE OF TUESDAY AUGUST 11<sup>TH</sup> FOR THE TOILET ROOMS AND POSSIBLY THE PRESS BOX IF THEY CAN COORDINATE THIS. THE TOILET ROOMS ARE SCHEDULED TO BE COMPLETE AUGUST 19<sup>TH</sup>. ON AUGUST 12<sup>TH</sup> WHEN THE CRANE IS GONE THEY WILL POUR THE REMAINING FOOTINGS ALONG WITH THE RAMP PIERS AND LANDINGS. THE WEEK OF AUGUST 17<sup>TH</sup> TO THE 21<sup>ST</sup> THE BALANCE OF THE BLEACHERS AND THE RAMP WILL BE INSTALLED.

PAGE FOUR

JULY 21, 2015

**THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED**

BLEACHERS ARE SCHEDULED TO BE TOTALLY COMPLETE BY AUGUST 21<sup>ST</sup>. THEY WILL BE PAVING AND FINISHING UP OTHER ITEMS HOPEFULLY AUGUST 24 TO AUGUST 28<sup>TH</sup>. THIS IS ALL IF THEY DO NOT ENCOUNTER ANY OTHER UNFORESEEN DELAYS.

MR. WALKDEN SAID THE SCHEDULE APPEARS TO BE ON TIME. AS FAR AS THE SCHOOL DEPARTMENT SCHEDULE, HE THINKS THEIR FIRST EVENT IS NOT UNTIL SEPTEMBER 6<sup>TH</sup>.

COUNCILOR MARSHALL ASKED WHAT THE CONTINGENCY IS FOR PRACTICES?

MR. WALKDEN SAID THIS IS BEING TAKEN CARE OF BY THE SCHOOL DEPARTMENT.

COUNCILOR COSTA-HANLON ASKED IF ANY INPUT FROM THE CITY SOLICITOR HAD BEEN RECEIVED REGARDING THE CITY'S RIGHTS IF THE PROJECT IS NOT ON SCHEDULE.

COUNCILOR CARR SAID THAT NOTHING WAS RECEIVED BACK YET.

COUNCILOR MCCAUL NOTED THAT A MOTION WAS MADE TO INVITE SOMEONE FROM THE SCHOOL DEPARTMENT TO BE HERE. COUNCILOR CARR SAID THAT SHE DID NOT INVITE THE SCHOOL DEPARTMENT TO THE MEETING, THEY WERE HERE TONIGHT HOWEVER, BUT LEFT. THESE MEETINGS ARE NOTHING MORE THEN UPDATES TO THE COMMITTEE; THEY ARE NOT VOTING ON ANYTHING THAT HAS TO DO WITH THE STADIUM, THEY ARE NOT MAKING ANY CHANGES, IT IS SIMPLY EDUCATIONAL FOR THE COMMITTEE AND THE COUNCIL.

**3. MEET WITH SUPERINTENDENT OF BUILDINGS WAYNE WALKDEN REGARDING THE FUTURE OF CITY HALL**

MR. WALKDEN SAID NOW THAT THE STAR THEATER HAS BEEN REMOVED THEY CAN SEE THAT THERE ARE SOME OPPORTUNITIES AND ADVANTAGES. ONE ADVANTAGE TO THE CITY AND TO MAIN STREET MIGHT BE THAT UNDER A 4<sup>TH</sup> POTENTIAL OPTION, CITY HALL CAN HAVE A GREATER PRESENCE ON MAIN STREET. IF WE WERE TO CONSTRUCT SIDEWAYS RATHER THEN OUT THE BACK, THERE IS ANOTHER BENEFIT WHICH WOULD BE THAT THERE WOULD BE AN OPPORTUNITY FOR A FULL BASEMENT. YOU COULD HAVE THIS FULL BASEMENT, HAVE A ROW OF WINDOWS AND DOORS AND ACCESSIBILITY WOULD NOT BE A PROBLEM COMING OUT THE BACK OF THE BUILDING.

MR. WALKDEN WANTED TO NOTE THAT ON JULY 14<sup>TH</sup> HE MET WITH THE COUNCIL PRESIDENT, THE MAYOR AND REPRESENTATIVES FROM DURKEE BROWN. THEY TALKED ABOUT WHAT THE NEXT STEP WOULD BE IN MOVING THE CITY HALL PROCESS FORWARD. WHAT THEY TALKED ABOUT WAS THAT THE PROGRAMMING ANALYSIS PERFORMED NEARLY 2 YEARS AGO FOR THE ORIGINAL CITY HALL DESIGN OPTIONS FOR A, B AND C SHOULD BE REVISITED AND TO CONSIDER THAT A 4<sup>TH</sup> NEW OPTION TO BE IDENTIFIED AS D. THAT OPTION WILL TAKE ADVANTAGE OF SOME NEW REAL ESTATE ADJACENT TO MAIN STREET NOW THAT THE STAR THEATER HAS BEEN DEMOLISHED. IT WAS DETERMINED THAT SOME CITY DEPARTMENTS SHOULD NOT RETURN TO CITY HALL (ENGINEERING, BUILDING, PLANNING & CONSERVATION, BOARD OF HEALTH, WATER AND TEMA). ONE OF THE IDEAS KICKED AROUND WAS THE NEED TO HAVE A ONE STOP SHOP FOR ALL OF THE CONTRACTORS AND PEOPLE THAT COME IN FOR PERMITTING. IF THERE IS AN OPPORTUNITY FOR A ONE STOP PLACE TO GO, A PLACE LIKE THIS BUILDING IS ATTRACTIVE TO CONTRACTORS. THEY SAVE TIME WHEN THEY ARE ABLE TO COME TO A BUILDING AND NOT BE DRIVING TO THE DOWNTOWN. THERE IS AN ADVANTAGE TO NOT HAVE EVERYBODY BACK AT CITY HALL. OBVIOUSLY, IF YOU DISAGREE WITH THAT, YOU CAN LOOK AT AN OPTION E AS WELL. THE CITY HALL STUDY SHOULD INCLUDE A SURVEY TO DETERMINE THE APPROPRIATE PARKING NEEDS FOR CITY HALL AS WELL AS POLICE AND BUISINESS INTERSTS BEHIND THE NEW FACILITY. THE ARCHITECT HAS CONSISTENTLY BROUGHT THE PARKING FORWARD AS IT NEEDS TO BE LOOKED AT. UNDER OPTIONS A, B AND C SOME PARKING STUDY WORK WAS DONE ONLY AS IT EFFECTS CITY HALL, NO ONE ELSE. NO SURVEY OR STUDY TOOK INTO ACCOUNT THE NEEDS OF THE POLICE DEPARTMENT AND WHETHER OR

PAGE FIVE

JULY 21, 2015

**THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED**

NOT THEY NEED 40 SPACES OR 100 SPACES. THE ARCHITECT ALSO RECOMMENDS THAT THE CITY CONDUCT HAZARDOUS MATERIAL AND GEO-TECHNICAL ASSESSMENTS OF CITY HALL IN PARALLEL WITH THE FEASIBILITY PROCESS. THESE ASSESSMENTS ARE NOT INCLUDED IN THE CHANGE ORDER PROPOSAL SUBMITTED TO THE CITY TODAY. THE CHANGE ORDER PROPOSAL IS FOR \$53,060.00.

AFTER THE MEETING, MR. WALKDEN DETERMINED THAT \$272,655.27 REMAINS AVAILABLE IN THE INSURANCE RECOVERY PO WHOSE ORIGINAL AMOUNT WAS \$390,855.00.

MR. WALKDEN WANTS TO GAIN APPROVAL FOR A CHANGE ORDER AMENDMENT TO THE ARCHITECT'S CONTRACT TO ALLOW THE WORK TO PROCEED. THIS COULD BE DONE IN ONE OF TWO WAYS, 1) APPROVE THE CHANGE ORDER IN THE AMOUNT OF \$53,060 WITHOUT AN OFFSETTING INCREASE TO THE AMOUNT OF THE ORIGINAL CONTRACT, KNOWING THAT AN INCREASE MAY BE NEEDED AS THE FEASIBILITY STUDY PROCEEDS, OR 2) APPROVE OF THE CHANGE ORDER IN THE AMOUNT OF \$53,060 AND INCREASE THE PO BY \$53,060.

AFTER A DECISION HAS BEEN MADE ON THE CHANGE ORDER REQUEST, IF APPROVED, MR. WALKDEN WILL DIRECT THE ARCHITECT TO SUBMIT THE APPROPRIATE CHANGE ORDER REQUEST IN THE APPROPRIATE FORMAT AND WILL AUTHORIZE THE WORK TO BEGIN.

MR. WALKDEN SAID THE COUNCIL HAS THE OPTION TO VOTE UP OR DOWN ON THE REQUEST. THE COMMITTEE DOES NOT HAVE THE ACTUAL CHANGE ORDER REQUEST IN FRONT OF THEM TONIGHT, BUT IF THIS IS SOMETHING THE COUNCIL IS LEANING TOWARDS HE WILL GET THE PROPOSAL TO THE COUNCIL SO THEY WILL KNOW WHAT THEY PROPOSE TO DO. MR. WALKDEN FURTHER SAID THAT TONIGHT WAS JUST TO GET A FEEL FROM THE COUNCIL TO SEE IF THERE IS SOMETHING ADDITIONAL THEY WANT, IF THEY LIKE THE IDEA OF A 4<sup>TH</sup> CONCEPT PLAN, THEY WOULD WANT TO KNOW THAT.

MR. WALKDEN FURTHER NOTED THAT THE ARCHITECT DOES NOT HAVE ANY CLEAR DIRECTION FROM THE COUNCIL AT THIS POINT ON OPTIONS A, B OR C. THE ADVANTAGE OF OPTION D IS, IF THE COUNCIL LIKES IT AND IT IS MORE SUITABLE, HE THINKS THERE IS AN OPPORTUNITY FOR COST SAVINGS. BY NOT BRINGING BACK ALL DEPARTMENTS TO CITY HALL THERE IS THE OPPORTUNITY TO HAVE A SMALLER BUILDING, A SMALLER FOOTPRINT OVERALL. HE THINKS THEY WILL STILL NEED TO TEAR DOWN THE BACK OF THE BUILDING AND HE THINKS YOU COULD WRAP AROUND THE BACK WITH THIS ADDITIONAL STRUCTURE OUT ONTO MAIN STREET. HE SAID THE MAIN STREET SIDE COULD LOOK VERY MAJESTIC. THE OTHER ISSUE THAT COMES UP IS THAT THE PROGRAM ANALYSIS THAT WAS DONE A COUPLE OF YEARS AGO IS GOING TO BE A LITTLE BIT STALE, SO THEY MAY WANT TO REVISIT SOME OF THE ANALYSIS TO MAKE SURE IT IS STILL OK. ANOTHER THING THAT NEEDS TO BE LOOKED AT IS CITY HALL STORAGE, ARCHIVING OF LONG TERM RECORDS. THERE ARE CLOSE TO 2500 SQUARE FEET OF RECORDS STORED UP AT THE STORAGE FACILITY. THESE WILL NEED TO BE TAKEN OUT OF THERE AT SOME POINT. THE REASON THEY ARE THERE IN THE FIRST PLACE IS THAT THE SECRETARY OF STATE'S OFFICE APPROVED THAT PARTICULAR BUILDING TO ALLOW US TO HAVE OUR RECORDS THERE BECAUSE IT DOES NOT MEET THE STANDARDS OF VAULT CONSTRUCTION THAT YOU WOULD HAVE TO HAVE TODAY.

COUNCILOR CARR COMMENDED THE MAYOR AND COUNCIL PRESIDENT IN GETTING THE BALL ROLLING AND SHE FEELS THAT IT IS A GOOD IDEA TO HAVE ALL OPTIONS ON THE TABLE.

COUNCILOR MARSHALL SAID THAT HE IS NOT PREPARED TO MAKE A DECISION. HE IS CONCERNED THAT IF THE PROGRAMMING DONE 2 YEARS AGO FOR OPTIONS A, B AND C ARE STILL RELEVANT, HE DOES NOT WANT TO DO OPTION D AND THEN FIND OUT THAT WE HAVE TO REDO A, B AND C. HE ALSO NOTED THAT HE DOES NOT THINK THERE HAS BEEN ANY DISCUSSION BY THIS COUNCIL ABOUT LIMITING THE NUMBER OF DEPARTMENTS BACK AT CITY HALL. HE THINKS THEY ALL KIND OF LIKE THE IDEA OF ONE STOP SHOPPING AND POSSIBLY CLOSING SOME OF THESE ANCILLARY BUILDINGS THAT ARE A DRAIN ON CITY RESOURCES. HE ALSO SAID THAT THERE WAS 1 DESIGN THAT TOOK INTO ACCOUNT THE STAR THEATER SIDE. HE ALSO IS CONCERNED WITH A 4<sup>TH</sup> OPTION AND WHETHER THERE ARE ANY MASS

PAGE SIX

JULY 21, 2015

**THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED**

HISTORICAL ISSUES. THERE NEEDS TO BE MORE DISCUSSION. ALSO, DO WE HAVE TO DO PROGRAMMING STUDIES FOR A, B AND C OVER AGAIN. COUNCILOR MARSHALL SAID HE NEEDS MORE INFORMATION, BUT IS OPEN TO ALL OPTIONS. HE WOULD LIKE MORE INFORMATION FROM THE ARCHITECT AS TO WHAT THEY ARE GOING TO DO AND THEIR CONCERNS WITH HISTORICAL ISSUES.

MR. WALKDEN SAID THE BUILDING WOULD NOT BE OUT ON MAIN STREET, IT WOULD BE STEPPED BACK. THEY ALSO HAVE HANDLED HISTORIC ISSUES IN OTHER COMMUNITIES, AND THAT COUNCILOR MARSHALL'S CONCERNS WOULD BE ADDRESSED IN THE PO. THE ANALYSIS THAT WAS DONE IS NOT COMPLETELY STALE. THEY NEED TO GET TO A CONCEPT PLAN THAT THEY CAN ZERO IN ON. HE ALSO SAID THE OLD OPTION PRICES HAVE INCREASED.

COUNCILOR MARSHALL ASKED THAT OPTIONS A, B AND C BE GIVEN TO ALL COUNCILORS.

COUNCILOR CARR SAID THAT THE COUNCIL HAS TO PICK AN OPTION BEFORE ANYTHING CAN BE DONE. THE REASON THIS 4<sup>TH</sup> OPTION IS BEING DISCUSSED IS THAT THE MAYOR HAS HAD A MEETING WITH THE ARCHITECT AND THEY FEEL THAT THIS IS ANOTHER OPTION THAT SHOULD BE INCLUDED. SHE FURTHER STATED THAT SHE DOES NOT HAVE AN ISSUE WITH HOW MANY OPTIONS WE HAVE, OBVIOUSLY EVERY ONE COSTS SOMETHING TO COME UP WITH, BUT SHE WANTS TO MAKE SURE THAT WE MAKE THE RIGHT CHOICE. SHE DOES NOT WANT TO SAY NOT TO PAY \$53,000 FOR OPTION D DESIGN BECAUSE WE DON'T WANT TO SPEND THE MONEY, WHEN IT MIGHT BE THE RIGHT OPTION. SHE ALSO SAID THAT PERHAPS SHE WILL SCHEDULE THE ARCHITECT TO COME IN AND GO OVER ALL THE OPTIONS AGAIN, THE COST OF WHAT NEEDS TO BE DONE TO UPDATE THEM, AND IN THE MEANTIME THE COUNCIL CAN DECIDE IF THEY WANT TO GO FOR A FOURTH OPTION.

COUNCILOR QUINN SAID THAT SHE WOULD LIKE TO SEE A FULL CHANGE ORDER BEFORE VOTING. SHE ASKED IF THE \$53,000 INCLUDES ANY REVIEW TO OPTIONS A, B OR C.

MR. WALKDEN SAID THIS IS A FOURTH OPTION, STAND ALONE, BUT BUILDING UPON SOME OF THE INFORMATION THEY ALREADY HAVE, WHICH WOULD BE THE PROGRAMMING ANALYSIS.

COUNCILOR BORGES SAID THAT OPTION D WAS TO DECIDE WHAT DEPARTMENTS WOULD BE AT CITY HALL, THE INTENTION WAS NOT TO VOTE TONIGHT, IT WAS TO INFORM THE COUNCIL OF THE MEETING WITH THE MAYOR AND THE ARCHITECT. SHE SAID IT WOULD BE APPROPRIATE TO ALLOW THE COUNCIL TO TAKE A LOOK AT THE INFORMATION, PROVIDE OPTIONS A, B AND C TO THE COUNCILORS THAT MAY NOT HAVE SEEN THAT INFORMATION AND HAVE THIS DISCUSSION AGAIN AND MAYBE VOTE ON THIS IN FULL COUNCIL.

**MOTION: TO REFER THIS BACK TO PUBLIC PROPERTY COMMITTEE IN 2 WEEKS AND HAVE THIS DISCUSSION AGAIN AND VOTE ON THIS \$53,000 IN FULL COUNCIL. ANY QUESTIONS THE COUNCILORS MAY HAVE ARE TO BE FORWARDED TO MR. WALKDEN FOR ANSWERS. MR. WALKDEN IS TO PROVIDE OPTIONS A, B AND C TO ALL COUNCILORS. SO VOTED.**

COUNCILOR BORGES NOTED THAT THE COUNCIL WILL NEVER KNOW WHAT THE COST OF OPTION D WILL BE IF THE PO IS NOT APPROVED.

COUNCILOR POTTIER ASKED HOW MUCH THE ARCHITECT HAS BEEN PAID.

MR. WALKDEN SAID \$212,000.00.

COUNCILOR POTTIER SAID THAT HIS RECOLLECTION OF THE OPTIONS WAS THAT A AND B WERE BASICALLY THE EXACT SAME FOOTPRINT BUT WITH ADDED ATTIC SPACE. THE PRIMARY DIFFERENCE BETWEEN A AND B WAS THE MAIN ENTRANCE. ONE WAS GOING TO BE ON THE LEFT HAND SIDE WITH THE THOUGHT OF USING THIS AS A PERMANENT ENTRANCE OR IF THE TEMPORARY POLICE STATION LEAVES, TO MOVE INTO THAT SPACE. OPTION B WAS TO JUST FLIP IT ON THE OTHER SIDE WITH THE EXPECTATION THAT THE STAR THEATER WOULD EVENTUALLY COME DOWN. THESE WERE AROUND 35,000 SQUARE FEET. OPTION C WAS TO BLOW OUT THAT WHOLE BACK HALF AND MAKE IT AS WIDE AS

PAGE SEVEN

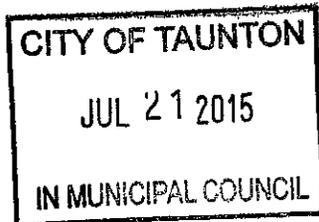
JULY 21, 2015

THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED

THE GRANITE AND HAVE AN EXTRA FLOOR. THAT WOULD BE AROUND 53-54,000 SQUARE FEET. ALSO, HE SAID THAT GIVEN OUT WERE THE COMPARISONS OF THE AMOUNT OF SPACE THAT WAS HAD AT CITY HALL CURRENTLY AND THE AMOUNT OF SPACE IN THE NEW DESIGN. HE ALSO NOTED THAT THERE NEEDS TO BE A FUNDING MECHANISM, SO THERE NEEDS TO BE DISCUSSION ON HOW TO PAY FOR IT. UNTIL A FUNDING MECHANISM IS DETERMINED THE COUNCIL WILL BE NO CLOSER TO WHAT WE ARE GOING TO DO UNTIL IT IS DETERMINED HOW TO PAY FOR IT. ALSO ONE OF THE MAIN CHALLENGES IS THAT ONCE YOU START DOING A REHAB LIKE THIS YOU HAVE TO BRING EVERYTHING UP TO CODE. COUNCILOR CARR SAID THAT YOU NEED TO KNOW WHAT IS WANTED SO A DECISION IS NEEDED ON THE OPTIONS IN ORDER TO KNOW WHAT THE COST IS. COUNCILOR CROTEAU SAID A DECISION NEEDS TO BE MADE ON HOW MUCH THE CITY CAN AFFORD TO PAY TO MOVE BACK TO CITY HALL. HE IS NOT IN FAVOR OF KNOCKING THE BACK PART OF CITY HALL DOWN.

MEETING ADJOURNED AT 11:05 P.M.

RESPECTFULLY SUBMITTED,



*Colleen M. Ellis*

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.  
COUNCILOR CROTEAU VOTING IN OPPOSITION TO ITEM #1-BARNUM SCHOOL

*Rm Blachutee*  
CITY CLERK