



*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, July 22, 2014 at 8:20 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 Borges, Carr, Cleary, Costa-Hanlon, Croteau, Marshall, McCaul, Quinn, Pottier

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

Communications from the Mayor:

The Mayor thanked the Park, Cemeteries and Public Grounds department, Marilyn Greene and Pat Maynard for the Summer Track Series. The program attracted over 100 children each week, sometimes over 150 children attended the event. The Mayor stated that he is pleased at the way it has grown. It is a great community event where the community comes out and utilizes the track and the kids are getting some exercise. He is also hoping to expand the program and improve it next year. He wanted to publicly thank the people who put the work in and made it possible.

The Mayor spoke to Councilor Pottier several times over the past weekend regarding the stadium. The Mayor also spoke to Mayor Dumas from Attleboro this evening, who said that he'd be happy to entertain a group on any Saturday morning and answer any questions.

Communications:

Com. from Taunton Trash Compliance officer, submitting a response to the letter that was received on June 23, 2014 from Dr. Eric J. Ruby in reference of the litter between the properties at 21 and 35 Spring Street. Paul Allison went to see the problem on June 30, 2014 and observed a large number of cigarette butts and some scattered trash. He then swept the area in question and called Dr. Ruby who appreciated our efforts. He also noticed that many employees from 21 Spring Street were taking a cigarette break and using a can that was provided to them. **Motion was made to receive and place on file. So Voted.** Councilor Costa-Hanlon was questioning whether or not a prior motion was made to send a letter to the owner of 21 Spring Street. She will follow up privately.

Com. from City Auditor, her office is currently finalizing the encumbrances and year end transfers for city departments as of June 30, 2014. She would like to present this information to the Municipal Council Committee on Finance and Salaries at the meeting scheduled for August 5, 2014. She will be present at the meeting in case there are any questions and to help expedite the approval process of these items. **Motion was made to**

refer to **Committee on Finance and Salaries. So Voted.** Councilor Pottier inquired about how soon the Council will receive the budget to actual numbers for year end after the encumbrances are processed from Ms. Hebert or Mr. Enos. Councilor Cleary motioned that all Councilors receive the encumbrances list that may be submitted to the Committee on Finance and Salaries in advance of said meeting. **So Voted.**

Com. from Risk Manager requesting permission to pay a prior year bill to HUB International in the amount of \$4,248.00. The charges were for new vehicles that were added and also an upgrade in coverage for our Fire trucks and DPW trucks. The insurance company changed their billing policy to issue invoices at year-end rather than at the time of endorsement. Therefore, she was unaware of the invoice until recently. **Motion was made to refer to Committee on Finance and Salaries and to submit a written explanation in detail to explain how they bill when coverage period is already over. So Voted.**

Com. from City Clerk, with communication from Civil Service regarding the appointment of two permanent Full-time Police Officers. **Motion was made to refer to Committee on Police and License and for a copy to be sent to the Police Chief. So Voted.**

Petitions:

Claim submitted by Mark Cook, 2 Commercial Drive, Unit 5306, Lakeville requesting reimbursement for damages to his vehicle from hitting a pothole in the vicinity of 1071 Middleboro Avenue, East Taunton. **Motion was made to refer to the City Solicitor and 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. **So Voted.**

Unfinished Business:

Councilor Croteau stated that the Council passed a motion some time ago to buy him a new microphone. He has recently been told by several people including Mr. Glynn that his microphone is dead. **Motion was made to buy a microphone within the next month. So Voted.** Council President Marshall stated that he spoke to Mr. Glynn this evening and informed him that the bids are ready to be publicized and advertised and the equipment should be here by the end of August.

New Business:

Councilor Pottier stated that he spoke to the DPW Commissioner regarding street sweeping on Stevens Street, Maple Avenue and all the streets around Hopewell Park. He said that they were going to get to it this week.

Council President Marshall motioned to move the regularly scheduled Municipal Council meetings on Tuesday, September 9th to Monday, September 8th at 7:30am and Tuesday,

November 4th to November 3rd at 7:30am due to the primary and general elections. **So Voted.**

Council President Marshall motioned to take the Superintendent of Schools up on her offer to move the Municipal Council meetings for the remainder of the summer because of the conditions in the council chambers to Pole School. **Councilors Cleary and Croteau voting in opposition. Seven (7) Councilors in favor, two (2) Councilors in opposition. So Voted**

Meeting adjourned at 8:30 P.M.

A true copy:

Attest:

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

City Clerk

RMB/SJS

CITY OF TAUNTON
MUNICIPAL COUNCIL
JULY 22, 2014

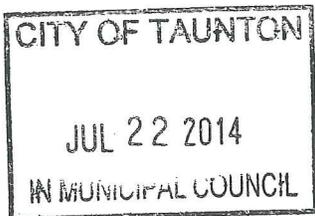
THE COMMITTEE ON FINANCE AND SALARIES

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

MEETING CALLED TO ORDER AT 6:43 P.M.

1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS
MOTION: MOVE APPROVAL OF THE VOUCHERS AND PAYROLLS FOR THE WEEK. SO
VOTED.

MEETING ADJOURNED AT 6.44 P.M.



RESPECTFULLY SUBMITTED, '

Colleen M. Ellis

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

Rose Marie Blackwell
CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
JULY 22, 2014

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS

PRESENT WERE: COUNCILOR ANDREW MARSHALL, CHAIRMAN AND COUNCILORS BORGES, MCCAUL, COSTA-HANLON AND CLEARY. ALSO PRESENT WERE ASSISTANT CITY SOLICITOR DANIEL DEABREU, DPW COMMISSIONER FRED CORNAGLIA, ASSISTANT DPW COMMISSIONER TONY ABREU AND WATER DIVISION SUPERVISOR CATHAL O'BRIEN

MEETING CALLED TO ORDER AT 5:56 P.M.

1. MEET WITH THE DPW COMMISSIONER, WATER DIVISION SUPERVISOR AND CITY SOLICITOR TO DISCUSS THE COLUMBIA CULTURAL CENTER PROPOSAL

THE CHAIRMAN READ A COMMUNICATION DATED 7/22/2014 WHICH STATED THAT THE DPW WOULD LIKE TO GO ON RECORD THAT THEY HAVE FOR THE PAST FEW YEARS BEEN IN FULL SUPPORT OF THE PROPOSAL TO PURCHASE FROM THE COLUMBIA CULTURAL CENTER A PORTION OF LAND ADJACENT TO THE EXISTING WATER TOWER IN THE INDUSTRIAL PARK. THE POSSIBILITY OF PURCHASING THIS LAND WAS DISCUSSED WITH ATTORNEY DAVID GAY, REPRESENTATIVE OF THE COLUMBIA CULTURAL TRUST, A NUMBER OF YEARS AGO. WHEN THE CITY FIRST BEGAN TO LOOK SERIOUSLY TO CONSTRUCT A WATER TOWER IN THAT PARTICULAR AREA, REPRESENTATIVES FROM CDM, SPECIFICALLY BENJAMIN LEVESQUE, A PROFESSIONAL ENGINEER, CONTACTED ATTORNEY DAVID GAY. MR. LEVESQUE CONTACTED ATTORNEY GAY IN JANUARY 2009 AT THE DPW'S REQUEST. THEY DISCUSSED THE POTENTIAL FOR LOCATING THE TOWER ON THE PROPERTY OF THE CULTURAL CENTER OR IF NOT THERE, THE POSSIBILITY OF HAVING SOME OF THE CULTURAL CENTER LAND BE INCLUDED IN THE DEVELOPMENT OF THE WATER TOWER. MR. LEVESQUE IN AN E-MAIL TO ATTORNEY GAY STATED THAT THE CULTURAL CENTER PROPERTY WAS A GOOD SITE FOR THE TANK, BUT EVEN IF THE TANK WAS NOT LOCATED ON THE PROPERTY IT WAS A VERY GOOD LOCATION FOR POTENTIAL FUTURE TANKS AND ALSO FOR THE CITY TO OWN IF THE CITY TRULY INTENDED TO DEVELOP ADDITIONAL PHASES OF THE INDUSTRIAL PARK. MR. LEVESQUE THEN CONTACTED ATTORNEY GAY IN OCTOBER 2011 TO DISCUSS THE FURTHER POTENTIAL OF PURCHASING SOME OF THE CULTURAL LAND AND TO REVIEW A DRAFT PLAN OF THE LAND. WITH RESPECT TO THE CITY AND THE DPW THE PURCHASE OF THE LAND OFFERS THE FOLLOWING:

1. IT PROVIDES SUBSTANTIAL ACCESS TO WATSON'S POND FOR DPW USE AND POTENTIAL PUBLIC ACCESS WHICH WOULD PROVIDE OPEN SPACE RECREATION AND A PARKING AREA SITE.
 2. IT PROVIDES ACCESS TO THE EXISTING LEASED LAND AREA WITH THE LAND THAT THE CITY WOULD OWN. IT WOULD GIVE LEVERAGE IN FUTURE DEALINGS WITH THE COMMONWEALTH AND THE DIVISION OF ASSET MANAGEMENT.
 3. IT WOULD PROVIDE A PROTECTION AREA FOR THE AQUIFER AT THE INDUSTRIAL PARK.
 4. THE CITY AT SOME POINT, WITH THE CONTINUED EXPANSION OF THE INDUSTRIAL PARK AND OTHER DEVELOPMENT IN THE NORTH END OF THE CITY WILL BE IN A POSITION TO EITHER EXPAND THE PRESENT WATER TOWER OR CONSTRUCT AN ADDITIONAL WATER TOWER. THIS WOULD PROVIDE THE CITY WITH A VERY GOOD LOCATION FOR A FUTURE WATER TOWER OR TO HANDLE THE EXPANSION OF THE PRESENT SYSTEM.
 5. THE PURCHASE WOULD ALSO PROVIDE THE DPW WITH AREA FOR STORAGE AND MATERIALS CONSISTENT WITH MAINTAINING THE PRESENT WATER TOWER.
- IN GENERAL THE PURCHASE OF THE LAND WOULD PROVIDE LEVERAGE FOR FUTURE DEALINGS WITH THE COMMONWEALTH AND FOR THE REASONS STATED ABOVE, AND WOULD BE BENEFICIAL TO THE ENTIRE WATER DELIVERY SYSTEM FOR THE NORTH AREA OF TAUNTON.

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

MR. CATHAL O'BRIEN AND THE LAW OFFICE HAVE BEEN INVOLVED IN THE MANY PREVIOUS DISCUSSION WITH ATTORNEY GAY AND PREVIOUS ADMINISTRATIONS IN SUPPORT OF THIS PARTICULAR PROJECT FOR THE VERY REASONS SET FORTH IN THE LETTER.

IN SUMMARY, THE DPW'S POSITION IS CLEAR AS IT HAS BEEN FROM THE BEGINNING. THEY SUPPORT THIS PROPOSAL AND URGE THE COUNCIL TO MOVE FORWARD EXPEDITIOUSLY IN OBTAINING THIS PARCEL OF LAND WHICH WOULD RESULT IN A BENEFIT TO THE CITY. IT WOULD ALSO RESOLVE ISSUES CONCERNING THE ONGOING OPERATION OF THE CULTURAL CENTER.

THE COMMUNICATION WAS SIGNED BY DPW COMMISSIONER FRED CORNAGLIA AND WATER DIVISION SUPERVISOR CATHAL O'BRIEN AND ANTHONY ABREAU, ASSISTANT COMMISSIONER OF THE DEPARTMENT OF PUBLIC WORKS.

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

A E-MAIL DATED 1/14/2009 FROM MR. LEVESQUE TO MR. GAY WAS ALSO PROVIDED TO THE COMMITTEE.

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

COUNCILOR CLEARY STATED THAT IN THE FIRST LETTER IT MENTIONED LAND THAT THE CITY IS LEASING -- WHAT LAND DOES THE CITY LEASE?

MR. CORNAGLIA SAID THE DEVER WELLS. WE HAVE A 100 YEAR LEASE FOR THE DEVER WELLS. WE HAVE ABOUT 98 YEARS LEFT.

MR. O'BRIEN STATED THAT WHEN THEY NEGOTIATED FOR THE DEVER WELLS, THEY ALWAYS WANTED TO INCLUDE THIS BECAUSE THE STATE WAS GIVING THE CITY A 99 YEAR LEASE AND THEY WANTED TO HAVE LAND NEXT TO THEIR LEASE TO HAVE BARGAINING STATUS AT THE TABLE. THEY WERE NOT ABLE TO DO IT AT THAT TIME BUT THEY STILL LOOK FORWARD TO HAVING THIS LAND. THE DEPARTMENT OF CONSERVATION AND RECREATION OWNS THE DEVER WELLS, THEY ARE OUR LANDLORDS, THEY WERE GIVEN THAT LAND IN ORDER TO ADD IT TO WATSON'S POND STATE PARK AND THEY WERE HAPPY TO DO SO. THE DEPARTMENT OF DEVELOPMENTAL SERVICES WERE THE ORIGINAL OWNERS AND THEY HAD TO SIGN OFF ON THE PROPERTY. THE CITY OFFERED THAT, IF IT GETS THIS PROPERTY, THEY COULD WORK WITH THEM TO PROVIDE PUBLIC ACCESS TO A NEW PASSIVE RECREATION SITE WHICH IS COMPATABLE WITH WHAT THE CITY DOES NOW WHICH IS OPERATE THE WELLS FOR THEM. THERE IS NO CONFLICT UNDER STATE OR LOCAL LAW THAT APPLIES TO DRINKING WATER ON PASSIVE REC BUT THERE IS NO WAY TO GET THERE. THIS WAS THE INTENT. ALSO OWNING THIS PROPERTY, 20 OR 40 YEARS FROM NOW THERE WILL NOT BE ANY OTHER HIGH LAND IN THE INDUSTRIAL PARK AND IF A REALLY GOOD BUSINESS WANTS TO MOVE INTO THE PARK, THIS WOULD BE FANTASTIC. RIGHT NOW THEY ARE LOOKING TO PUT IT AS A PASSIVE REC PARKING LOT BUT YOU CANNOT SAY IT ENOUGH, HAVING THAT LAND AT THAT ELEVATION IS INVALUABLE. WE MAY NOT NEED IT FOR 40 YEARS, BUT THE DAY YOU NEED IT, IT IS INVALUABLE.

CHAIRMAN MARSHALL NOTED THAT HE SEES THIS AS A 3 PART PROCESS. FIRST IS THERE A LEGITIMATE NEED FOR THE PROPERTY AND IS THE DPW IN FAVOR OF IT. SECOND, IF THE DPW IS IN FAVOR OF ACQUIRING THE PROPERTY AND IF THE COUNCIL IS IN FAVOR OF THIS, WHAT ARE THE NEXT STEPS, LEGALLY, WITH THE TRANSFER ISSUES AROUND THE CULTURAL CENTER AND ALSO THE OUTSTANDING TAX ISSUE. THAT IS WHY HE HAS ASKED ATTORNEY DE ABREU AND MS. GREIN TO PROVIDE THE COMMITTEE WITH AN UPDATE.

THE DPW COMMISSIONER NOTED THAT ONE OF THE REASONS THEY ARE IN FAVOR OF THIS IS THAT FOR YEARS THE INDUSTRIAL PARK HAS HAD A PROBLEM WITH WATER PRESSURE FOR FIRES AND THAT HAS STOPPED A LOT OF DEVELOPMENT THERE FOR MANUFACTURING COMPANIES COMING IN. INSURANCE COMPANIES WOULD NOT GRANT THEM THE INSURANCE NEEDED. SO THESE TOWERS AND THE LOCATION OF THE TOWERS IN THE FUTURE WOULD GO ON THIS LAND.

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

ATTORNEY DE ABREU SAID HE SEES THE ACQUISITION OF THE PROPERTY AS A PROBLEM THAT THEY COULD SOLVE SEPARATE FROM ANY TAX LIABILITIES. THE CITY COULD ACQUIRE THE PROPERTY. IT WOULD BE SUBJECT TO 30B IF THE COUNCIL WERE TO DETERMINE THAT THERE WAS A NEED FOR THIS PROPERTY, AND IF THE COUNCIL WERE TO DETERMINE THAT, BECAUSE OF ITS LOCATION OR BECAUSE OF OTHER ASPECTS OF THIS PROPERTY THAT IT IS UNIQUE, IT WOULD MAKE THE PROCESS A LITTLE SIMPLER. THIS IS NOT SOMETHING WE WOULD ADVERTISE OR GO OUT TO BID FOR BECAUSE THERE IS ONLY 1 PIECE OF PROPERTY THAT FITS THE BILL. THE COUNCIL WOULD, AT A FUTURE TIME, HAVE TO MAKE THOSE DETERMINATIONS. THERE IS AN ISSUE AS TO WHETHER THERE MIGHT BE A NEED FOR DCAM APPROVAL FOR THE PURCHASE AND SALE BECAUSE THERE WAS A REVERTER CLAUSE IN THE DEED TO COLUMBIA CULTURAL TRUST. IT DOES NOT APPEAR THAT THIS WOULD BE A PROBLEM BASED ON WHAT WAS REPORTED TO HIM BY ATTORNEY GAY. WE COULD THEREFORE CARVE OFF A SECTION OF THE PROPERTY, ARRIVE AT A PURCHASE PRICE AND THE CITY COULD PURCHASE IT. WE WOULD WANT TO MAKE SURE THAT WHERE THE SELLERS OWE THE CITY MONEY, ALL OF THAT MONEY WOULD COME RIGHT BACK TO THE CITY TO PAY FOR THE OUTSTANDING TAXES. WE WOULD NEED THE ASSISTANCE OF THE ASSESSORS TO BREAK DOWN PROPORTIONALLY THE TAXES ON THE PARCEL BEING CARVED OFF AS OPPOSED TO THE PARCEL THAT WILL REMAIN. THE BILLS WOULD HAVE TO BE SEPARATED AND SOMEHOW MAKE THAT DETERMINATION.

COUNCILOR MARSHALL CLARIFIED THAT THE COUNCIL WOULD HAVE TO TAKE A VOTE THAT THERE IS A PUBLIC MEETING, THEN TAKE ANOTHER VOTE THAT THIS PARCEL UNDER 30B IS UNIQUE BECAUSE OF ITS LOCATION, ETC. THEN WE WOULD HAVE TO GET AN APPRAISAL.

ATTORNEY DEABREU STATED THAT HE IS IN POSSESSION OF AN APPRAISAL FROM 2012 THAT WAS PREPARED FOR THE COLUMBIA CULTURAL CENTER AND HE PRESUMES THAT IF BOTH PARTIES WERE WILLING COULD MAKE THE DETERMINATION THAT THIS APPRAISAL IS SUFFICIENT FOR THE PURCHASE. COUNCILOR MARSHALL NOTED THAT WHAT ATTORNEY DEABREU IS SAYING IS THAT WE HAVE TO CUT A CHECK TO THE CULTURAL CENTER. HE ASKED WHAT THE MECHANISM WOULD BE TO GET THAT CHECK REVERTED BACK TO THE CITY FOR TAXES.

ATTORNEY DEABREU SAID THAT WOULD HAVE TO BE DETERMINED. IT MIGHT BE AS SIMPLE AS THE CITY OF TAUNTON BRINGS THE CHECK TO THE CLOSING MADE PAYABLE TO THE CITY OF TAUNTON. AS PART OF THE SETTLEMENT AGREEMENT THAT COMES OUT OF THE CLOSING, THE PROCEEDS GO RIGHT BACK TO THE CITY. THE EXACT MECHANISM COULD BE DETERMINED, BUT HE IS CERTAIN IT CAN BE ACCOMPLISHED.

MS. GREIN STATED THAT THE TAXES WERE LOOKED AT FOR THE YEARS 2001-2005, WHICH TOTALS \$45,478.98.

A LETTER DATED 7/22/14 OF KATHY GREIN, CHAIRPERSON OF THE BOARD OF ASSESSORS WAS READ WHICH PROVIDED INFORMATION REGARDING THE TAXES ON THE CULUMBIA CULTURAL CENTER.

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

IT WAS CLARIFIED THAT THE TAXES OWED FOR 2001-2005 TOTAL \$45,478.98, FEES AND INTEREST TOTAL \$3,937.15 AND WATER AND SEWER LIENS TOTAL \$2,431.28 FOR A GRAND TOTAL OWED TO THE CITY FOR THESE FISCAL YEARS OF \$51,847.41.

ATTORNEY DEABREU STATED THAT THE REQUEST FROM THE COUNCIL ASKED FOR SPECIFIC YEARS AND HE DOES NOT THINK IT IS CLEAR WHY THE SPECIFIC YEARS ARE BEING FOCUSED ON. THERE ARE TAXES OWED FOR MANY YEARS GREATER THAN THAT SMALL WINDOW.

COUNCILOR MARSHALL STATED THAT ATTORNEY GAY REPRESENTED THAT THEY WERE ALWAYS A 501C3, AND FILED THEIR PAPERWORK, BUT FOR THOSE 4-5 YEARS, THEY DID NOT COMPLY WITH THE LOCAL DOCUMENTATION THAT NEEDED TO BE PRESENTED. WHAT THE COMMITTEE WANTED KNOW, BECAUSE THEY HAVE NOT PAID TAXES SINCE THEN, WAS THERE THIS WINDOW THAT THEY AGREE AND WE AGREE

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

THAT THEY WERE NOT IN COMPLIANCE, THEY DID NOT FILE THE LOCAL DOCUMENTS, BUT SUBSEQUENT TO THAT TIME HAVE FILED THOSE EXEMPTIONS AND SHOULD NOT BE TAXED BUT ARE STILL RECEIVING TAX BILLS. THIS WAS ATTORNEY GAY'S CLAIM. THIS IS WHAT NEEDS TO BE WORKED OUT.

COUNCILOR MARSHALL FURTHER STATED THAT HE WOULD LIKE TO KNOW FROM THE ASSESSOR'S OFFICE THE YEARS THAT THEY WERE IN NON-COMPLIANCE WITH THE LOCAL REPORTING.

MS. GREIN STATED THAT IT IS NOT JUST LOCAL REPORTING. SHE FURTHER STATED THAT THEY ARE A 501C3 AND THEY DO COMPLY WITH ALL OF THAT, HOWEVER TO GET A REAL ESTATE TAX EXEMPTION IN THE STATE YOU MUST NOT ONLY OWN THE PROPERTY, YOU MUST OCCUPY IT. BY THEM LEASING TO A FOR PROFIT COMPANY, THAT NULLIFIES THEIR EXEMPTION ABILITY. SHE FURTHER STATED THAT THERE WAS A TIME BACK IN 2008, ASSESSOR GRIFFIN HAD APPROACHED THE STATE TO GET THAT ABATEMENT AND THE STATE REFUSED – THEY DENIED IT BECAUSE IT WAS PRIMARILY OCCUPIED BY SOMEONE OTHER THAN A CHARITABLE ORGANIZATION. THAT IS WHERE THE PROBLEM HAS ALWAYS LIED.

COUNCILOR MARSHALL ASKED THAT THE DECISION BE FORWARDED TO THE COUNCIL AND ATTORNEY GAY AS WELL.

COUNCILOR CLEARY ASKED WHEN THE CENTER LEASED THE PROPERTY TO A PRIVATE PERSON AND WHEN THAT LEASE ENDED.

MS. GREIN STATED THAT SHE THINKS THE LEASE STILL EXISTS TODAY. SHE STATED THAT SHE THINKS THE PARTY – DE AVILA CATERING CAME IN IN 2004, PRIOR TO THAT ANOTHER COMPANY ATTEMPTED TO OPEN SOMETHING THERE AND AGAIN UNDER A LEASE, SO THE CULTURAL CENTER WAS NO LONGER OCCUPYING THE PROPERTY AS A CHARITABLE ORGANIZATION WHICH NULLIFIES YOUR EXEMPTION. BEFORE 2000 SHE CANNOT TELL YOU WHAT HAPPENED.

COUNCILOR COSTA-HANLON ASKED TO HAVE ALL THE INFORMATION FORWARDED TO ATTORNEY GAY. COUNCILOR CROTEAU ASKED THE COMMITTEE TO HAVE ATTORNEY DEABREU RESEARCH A QUESTION. THIS IS A CHARITABLE ORGANIZATION. IT'S PURPOSE IS TO RAISE MONEY TO GIVE SCHOLARSHIPS AMONGST OTHER THINGS. IT COULD ESTABLISH A SOCIAL COMMITTEE TO PUT ON ALL THESE EVENTS TO RAISE MONEY TO PUT IN THE TREASURY. RATHER THAN TAKE UP THEIR TIME, THEY LEASED THE PROPERTY TO SOMEBODY TO DO THAT. THEY THEN DEPOSIT THE MONEY THEY MAKE FROM THE LEASE INTO THE TREASURY TO GIVE FOR SCHOLARSHIPS. HE WOULD SUBMIT THAT HE DOES NOT SEE TOO MUCH DIFFERENCE AND THAT ATTORNEY GAY TOLD HIM ON SEVERAL OCCASIONS THAT THE LAW IS NOT ALWAYS LOGICAL. HE ASKED ATTORNEY DEABREU TO RESEARCH THIS AND ALSO TO DETERMINE WHAT THE POSSIBILITY IS TO APPLY FOR A WAIVER. THEY DID NOT LEASE THIS FOR THE PURPOSE OF MAKING MONEY TO PUT IN THEIR POCKETS, THEY LEASED IT TO PUT MONEY IN THE TREASURY. WHETHER THEY DO IT THEMSELVES OR LEASE IT, WHAT IS THE DIFFERENCE.

COUNCILOR MARSHALL SAID THAT THIS IS NOT OUR RESPONSIBILITY, IT IS THE CONCERN OF THE SONS OF ITALY. WE ARE RESPONDING TO THEM ABOUT A TRANSFER, IT IS UP TO THEM TO APPEAL THE STATE TAX POSITION, NOT US. HE DOES NOT FEEL THAT THE CITY SHOULD BE USING ITS RESOURCES FOR THIS.

COUNCILOR CROTEAU SAID HE WOULD STILL ASK THAT THE CITY SOLICITOR AT LEAST WORK IN COOPERATION AND CONJUNCTION WITH ATTORNEY GAY.

COUNCILOR QUINN STATED THAT WHEN ATTORNEY GAY WAS HERE HE REPEATEDLY REFERENCED COMMUNICATIONS FROM MS. GRIFFIN ABOUT SAYING THAT THEY WERE OK AND DID NOT NEED TO PAY THOSE TAXES. SHE ASKED IF THERE WAS ANYTHING GOING BACK TO THEM TO SAY SORRY THE STATE SAYS YOU ARE NOT HAVING AN EXEMPTION. ATTORNEY GAY CERTAINLY DID NOT MENTION THAT, AND SHE WOULD HAVE TO THINK, AND IT SOUNDS LIKE OVER THE YEARS THERE HAS BEEN AN ONGOING ATTEMPT BY THE CITY, THE ASSESSORS AND THE SONS OF ITALY TO RESOLVE THIS, AND NEVER DID SHE HEAR THAT THIS IS AN ISSUE – THAT THERE IS ANY REASON THAT THEY SHOULD BE RECEIVING THOSE TAX BILLS. IT SEEMED LIKE THEY KEPT SAYING IT WAS A MISTAKE, SO THE COMMITTEE WOULD HAVE TO

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

KNOW MORE ABOUT THIS.

MS. GREIN STATED THAT THEY USE THE DEPARTMENT OF REVENUE TO APPLY FOR TAXES THAT SHOULD NOT HAVE BEEN CHARGED, FOR ONE REASON OR ANOTHER, AND MS. GRIFFIN FOLLOWED THROUGH WITH THAT IN 2008. SHE COULD NOT FIND ANY COMMUNICATION IN THEIR FILE THAT MS. GRIFFIN EVER TOLD ANYBODY AT THE ORGANIZATION THAT THEY WERE TAX EXEMPT. SHE THINKS THE COMMUNICATION MIGHT HAVE BEEN THAT THEY WOULD APPLY TO THE DEPARTMENT OF REVENUE TO SEE WHAT THEY BELIEVE THE STATUS IS – THEY WOULD ASK THEM TO ABATE THE TAX BILL. THE DEPARTMENT OF REVENUE CAME BACK AND SAID NO, THEY WILL NOT ABATE THESE TAXES, THE CITY DID NOT HAVE PERMISSION, BECAUSE THE CHARITABLE ORGANIZATION DOES NOT OCCUPY THE REAL ESTATE. THAT IS WHERE YOU GET THAT REAL ESTATE EXEMPTION IS BECAUSE YOU OCCUPY THE PROPERTY. THERE WAS A CAVIOT IN THERE THAT THE DEPARTMENT OF REVENUE WOULD REVIEW IT IN THE FUTURE IF THE CITY REAPPLIED TO THE DEPARTMENT OF REVENUE. IF THE ASSESSORS WENT IN AND FOUND THAT A PORTION OF THE BUILDING WAS OCCUPIED BY THE CHARITABLE ORGANIZATION THEN A PORTION COULD BE EXEMPT. MS. GREIN FURTHER NOTED THAT SHE DOES NOT HAVE ALL OF THE ACTUAL DOCUMENTATION, BUT WAS ABLE TO OBTAIN A LOT OF HISTORY.

COUNCILOR MARSHALL SAID THAT PERHAPS 2 VOTES SHOULD BE TAKEN IN REGARDS TO THERE IS A PUBLIC MEETING FOR THIS WITH THE DEPARTMENT OF PUBLIC WORKS, AND THAT THIS IS A UNIQUE PARCEL, THEN REFER THE WHOLE MATTER TO THE COMMITTEE OF THE COUNCIL AS A WHOLE FOR 2 MORE WEEKS AND INVITE THE ASSESSOR AND ATTORNEY GAY. THIS WAY AT LEAST WE CAN MOVE THIS FORWARD. IT WON'T HAVE TO COME BACK TO DPW, IT CAN BE DONE IN COUNCIL AS A WHOLE TO WORK WITH THE ASSESSOR AND ATTORNEY GAY AND THE SONS OF ITALY TO SEE IF THEY CAN COME UP WITH SOME RESOLUTION.

COUNCILOR CARR ASKED WHO THE COLUMBIA CULTURAL CENTER PURCHASED THE LAND FROM. ATTORNEY DE ABREU SAID THAT HE THINKS IT WAS FROM THE COMMONWEALTH OF MASSACHUSETTS. HE FURTHER NOTED THAT THERE IS A CLAUSE IN THE DEED THAT SHOULD THIS PROPERTY EVER CEASE TO BE USED FOR CHARITABLE PURPOSES IT WILL REVERT BACK TO THE COMMONWEALTH. THAT IS ONE ISSUE AS FAR AS THE CITY PURCHASING THE LAND. WE WANT TO MAKE SURE THAT DCAM APPROVES THE CITY AS A PURCHASER. THERE WAS A SPECIAL ACT AND THE LAND WAS DEEDED TO THEM BY THE COMMONWEALTH.

MOTION: TO ACCEPT THE DPW COMMISSIONER'S OFFICE REPORT THAT THIS PROPERTY HAS VALUE TO THE DPW WATER SYSTEM. SO VOTED BY UNANIMOUS VOTE.

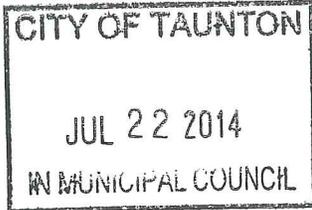
MOTION: THAT THE PROPERTY, BECAUSE OF ITS UNIQUE QUALITIES AND LOCATION, THIS PROPERTY AND NO OTHER WOULD SATISFY THE CITY'S NEEDS AS THE CITY HAS DETERMINED. FOR THE RECORD THAT UNIQUE LOCATION IS RIGHT NEXT TO OUR WATER TOWER IN CONJUNCTION WITH THE DEVER WELLS, WHICH IS A PROTECTED AQUIFUR AND ACCESS TO THE WATSON'S POND PASSIVE RECREATION. SO VOTED.

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JULY 22, 2014

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED

MEETING ADJOURNED AT 6:40 P.M.



RESPECTFULLY SUBMITTED,

Colleen Ellis
COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.
Rose Marie Beechwell
CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
JULY 22, 2014

THE COMMITTEE OF THE COUNCIL AS A WHOLE

PRESENT WERE: COUNCIL PRESIDENT ANDREW MARSHALL AND COUNCILORS CLEARY, COSTA-HANLON, CROTEAU, POTTIER, MCCAUL, CARR, QUINN AND BORGES. ALSO PRESENT WERE WAYNE WALKDEN, BUILDING SUPERINTENDENT AND DAN COLLI OF DESIGN PARTNERSHIP

MEETING CALLED TO ORDER AT 6:45 P.M.

1. MEET WITH BUILDING SUPERINTENDENT WAYNE WALKDEN AND THE ARCHITECT TO FURTHER DISCUSS THE TAUNTON HIGH SCHOOL STADIUM PROJECT

THE CHAIRMAN RECOGNIZED THAT THERE ARE MEMBERS OF THE TAUNTON SCHOOL COMMITTEE IN THE AUDIENCE. THERE IS REALLY NO REASON FOR THEM TO BE IN THE ENCLOSURE TONIGHT, BUT THEY ARE HERE AS PART OF THE PROCESS, ALONG WITH DR. HACKETT, IF WE NEED THEIR EXPERTISE. THE CHAIRMAN THANKED THE MEMEBERS OF THE SCHOOL COMMITTEE FOR JOINING THE COUNCIL AGAIN ON THIS DISCUSSION OF THE TAUNTON HIGH SCHOOL STADIUM.

THE CHAIRMAN NOTED THAT TWO WEEKS AGO, THE COMMITTEE LEFT HERE WITH A SERIES OF QUESTIONS FOR BOTH MR. WALKDEN AND THE ARCHITECT.

MR. WALKDEN REPORTED THAT OVER THE LAST COUPLE OF WEEKS THEY HAVE BEEN WORKING TO GET MORE INFORMATION FOR THE COMMITTEE. HE ALSO STATED THAT HE HAD THE IMPRESSION FROM THE LAST MEETING THAT THE COUNCIL HAD THE DESIRE TO STRETCH OUT THE BLEACHERS AND TO LOWER THE PRESS BOX ELEVATION TO ATTEMPT TO ELIMINATE THE ELEVATOR, AND IF POSSIBLE TO ELIMINATE THE LULA, SO THEY WERE ATTEMPTING TO DO THAT AS WELL.

MR. WALKDEN NOTED THAT DURING THE LAST COUPLE OF WEEKS SEVERAL SITE VISITS WERE MADE. THEY LOOKED AT BRIDGEWATER RAYNHAM, BRIDGEWATER STATE UNIVERSITY, STONEHILL AND SOMERSET HIGH SCHOOL. SOMERSET HIGH SCHOOL HAS A LULA, AND THE SITE WAS CONSTRUCTED BY BACON AGOSTINI WHO DID THE HIGH SCHOOL. IT IS A STEEL CONSTRUCTION, THE PRESS BOX SITS AT A 9 FOOT ELEVATION OFF THE FLOOR OF THE FIELD. YOU CAN CLEARLY SEE THE ENTIRE FIELD IN ALL DIRECTIONS WITHOUT ANY OBSTRUCTED SEATS. THERE IS A ROOF HATCH INSIDE OF THE PRESS BOX WITH A FIXED LADDER, SO UP THERE YOU GAIN ANOTHER 8 FEET IN ELEVATION. BY THE TIME YOU GET UP TO THAT HEIGHT YOU ARE AT 17 FEET, CAMERAS ARE ABOUT 4 FEET SO YOU HAVE UP TO 21 FEET IN HEIGHT.

SOMERSET HIGH SCHOOL HAS ABOUT 1200 SEATS STRETCHED OUT TO 8-9 ROWS. IT IS ALL ALUMINUM, RISERS AND TREADS, IT IS A NICE SET UP. THE QUESTION HE HAS IS WHAT IS THE COST BENEFIT FOR THE LULA VS. RAMP STRUCTURE. A DECISION ON THIS WOULD HAVE TO BE FINALIZED.

MR. WALKDEN ALSO INFORMED THE COMMITTEE THAT THE PRESS BOX ITSELF IS MODULAR. ALL OF THE SITES HE VISITED WERE MODULAR. YOU CAN DO PRECAST CONCRETE BUT HE DOES NOT THINK THAT WILL BE NECESSARY. THE BLEACHERS HAVE A CRUSHED STONE BASE WHICH IS A NICE BASE AND WOULD DO THE CITY WELL TO THINK ABOUT SOMETHING LIKE THAT. THE PRESS BOX IS NOT EMBEDDED ANY CLOSER THAN THE REAR OF THE BLEACHERS, SO THAT IS WHY YOU DO NOT HAVE TO DEAL WITH ANY OBSTRUCTED VIEWS. MR. WALKDEN DID SPEAK TO BACON AGOSTINI AND THE COST FOR THE CONSTRUCTION OF THE BLEACHERS INCLUDING THE PRESS BOX, AND HE BELIEVES THE LULA WAS INCLUDED AT \$247,000, WAS NOT BIG MONEY. DESIGN AND SOFT COSTS WOULD ALSO HAVE TO BE INCLUDED.

MR. WALKDEN SAID THE OTHER CONSIDERATION THAT NEEDS TO BE DISCUSSED IS HOW DO WE GET TO THE POINT WHERE WE HAVE A COMPLIANT FIELD AND GAIN A CERTIFICATE OF OCCUPANCY FOR THE HIGH SCHOOL PROJECT ITSELF. THE WAY HE THINKS IT CAN BE DONE IS TO MOVE TOWARD DEMOLITION

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AND MAYBE RATHER THAN WAITING UNTIL THIS IS PUT OUT TO BID UNDER ONE CONTRACT, HE WOULD LIKE TO RECOMMEND THAT IT BE CONSIDERED PUTTING OUT TO BID DEMOLITION OUTSELVES. IF THE COUNCIL AGREES, WE CAN KNOCK DOWN THE ENTIRE BLEACHER SYSTEM, BOTH HOME AND AWAY, KNOCKED DOWN AND CLEANED UP, TAKE CARE OF THE ABATEMENT, DO THE TESTING, GET ALL THE FOOTINGS OUT OF THERE, AND START WITH A CLEAN SLATE. THEN WE COULD TWEAK SOME OF THE SMALLER ISSUES AND FINALIZE THE PLAN, AND IT LOOKS LIKE WE COULD DEVELOP ALL OF THIS TO THE POINT WHERE THIS COULD GO OUT ON THE STREET TOWARDS DECEMBER.

MR. WALKDEN SAID THAT THE OTHER QUESTION RAISED BY DR. CROTEAU WAS POSSIBLY MOVING THE TOILET FACILITIES MORE TOWARDS THE END ZONE IF NOT IN THE END ZONE. MR. WALKDEN SAID THIS IS SOMETHING WE COULD TALK TO THE PLUMBING INSPECTOR ABOUT – BRINGING THE RESTROOMS CLOSER TO THE END ZONE.

THE ARCHITECT SAID THAT ESSENTIALLY, THE QUESTIONS THAT THE COUNCIL ASKED, THEY CAN DO ALLOF THOSE THINGS. THE BLEACHER BECOMES ABOUT 310 FEET LONG WHICH IS ABOUT THE SIZE OF THE FIELD. IT CAN BE ONE WITH A RAMP, A LULA, IT CAN BE DONE WITH A PARTIAL CONCRETE RAMP AND PARTIAL ALUMINUM RAMP, YOU CAN DO IT WITH BOTH A PRECAST PRESS BOX OR A PRESS BOX THAT IS METAL STUD WITH WHATEVER YOU CHOOSE TO PUT ON THE OUTSIDE AND INSIDE.

THE ARCHITECT SAID THAT HE HAS BEEN ABLE TO GET THE COST DOWN TO ABOUT \$2 MILLION. COUNCILOR MARSHALL STATED THAT HE THOUGHT THE \$2 MILLION PRICE THAT WAS ARRIVED AT BEFORE INCLUDED THE ELEVATOR.

THE ARCHITECT SAID THE ELEVATOR IS ABOUT \$100,000. THE LULAS USUALLY RUN ABOUT \$30-\$40,000. COUNCILOR MARSHALL PROVIDED A LETTER THAT HE RECEIVED FROM DR. HACKETT WHICH STATED THAT SHE KNOWS THE COUNCIL HAS A BIG DECISION AHEAD OF THEM AND SHE WANTS TO BE SURE THAT THE COMMITTEE HAS ALL THE INFORMATION THAT IS NEEDED TO MAKE AN INFORMED DECISION. SHE SAID THERE IS NOTHING MORE THAN SHE WOULD LIKE IS TO HAVE A VOTE TONIGHT FOR THE STADIUM, BUT SHE IS AWARE THAT BY SENDING THIS E-MAIL IT IS LIKELY TO RESULT IN FURTHER DELAYS. SHE IS SENDING IT WITH THE HOPE THAT IT MAY SAVE THE CITY SOME MUCH NEEDED RESOURCES WHICH HAS BEEN HER, THE SCHOOL COMMITTEE'S AND THE COUNCIL'S GOAL RIGHT FROM THE START. AN ENGINEER RESIDING IN EAST TAUNTON WAS RECENTLY HIRED TO OVERSEE THE PROJECT FOR THE NEW TENNIS COURTS. HE IS OVERSEEING THIS PROJECT AT A LOSS BECAUSE HE IS TRYING TO ESTABLISH A NAME FOR HIMSELF IN THE CITY. HE HAS GOOD EXPERIENCE AND AN EXCELLENT REPUTATION. HE HAS DONE THE TRACK, FIELD AND STADIUM PROJECTS FOR BATES COLLEGE, BRIDGEWATER STATE (WITH HIS FORMER COMPANY), EVERETT, GLENDALÉ PARK, AND COLBY SAWYER TO NAME JUST A FEW. DR. HACKETT MET WITH HIM TO DISCUSS THE TENNIS COURT PROJECT AND TO GET HIS INPUT ON THE ELEVATOR IN THE PRESS BOX. HE INDICATED THAT AN ELEVATOR IS NOT NEEDED. THIS IS CONSISTENT WITH SOME OF THE OBSERVATIONS THAT SOME OF THE COUNCILORS HAVE MADE IN RECENT MEETINGS. HER SUGGESTION IS TO DISCUSS THIS PUBLICLY TONIGHT AND TO GET MR. WALKDEN AND THE ARCHITECT'S THOUGHTS ON THIS.

THERE WAS AN E-MAIL ATTACHED REGARDING THE TENNIS COURTS AND A PARAGRAPH IN THAT DOCUMENT REGARDING THE BLEACHERS AND THE ELEVATOR FOR THE TRACK AND FIELD FACILITY. THE ENGINEER REVIEWED PAST PROJECTS AND ALL OF THEM HAVE USED VERTICAL PLATFORM LIFTS TO ACCOMPLISH THE ADA REQUIREMENTS NOT AN ELEVATOR. THEY ARE SIGNIFICANTLY LESS EXPENSIVE AND ARE FULLY COMPLIANT WITH ADA REQUIREMENTS. THE MAXIMUM HEIGHT THAT CAN BE REACHED WITH A VERTICAL PLATFORM LIFT THAT THEY HAVE USED IS 171 INCHES OR JUST OVER 14 FEET. THE LIFT ITSELF CAN BE PLACED HIGHER UP ON A CONCRETE FOUNDATION WITH AN ADA RAMP GOING TO THE LIFT, AS IS THE CASE AT BRIDGEWATER STATE UNIVERSITY AND BATES COLLEGE, THEREFORE AN ADDITIONAL HEIGHT OF 4-6 FEET CAN EASILY BE ACHIEVED. LASTLY, IF THAT IS STILL NOT ENOUGH, THE

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PRESS BOX CAN BE PLACED INSET IN TO THE BLEACHERS WHICH WOULD REDUCE THE HEIGHT. THERE ARE MANY ALTERNATIVES THAT SHOULD BE EVALUATED PRIOR TO PURCHASING AN ELEVATOR WHICH MAY NEVER BE USED. A TYPICAL COST FOR A PLATFORM LIFT INSTALLED IS APPROXIMATELY \$90,000.00. THIS ARCHITECT ALSO STATED THAT THEIR FEE WOULD BE SIGNIFICANTLY LOWER IF THE DESIGN DOCUMENTS FOR WHAT WAS COMPLETED TO DATE WERE AVAILBLE TO THEM. THE MAIN PORTION OF THE COST IS RELEVANT TO DESIGN OF THE BUILDING.

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

MOTION: THE 27 PAGE PACKET RECEIVED FROM MR. WALKDEN TODAY IS TO BE PART OF THE RECORD. SO VOTED.

COUNCILOR MARSHALL STATED IT SOUNDS LIKE BRIDGEWATER STATE, BATES COLLEGE AND SOMERSET ALL HAVE BLEACHERS ON ONE SIDE.

COUNCILOR CLEARY NOTED THAT BASED ON THAT LETTER, WE DON'T NEED AN ELEVATOR, WE JUST NEED A LIFT.

MR. WALKDEN SAID HE WOULD AGREE WITH THAT, BUT AT ONE TIME THERE WAS TALK ABOUT RENOVATING THE HOME FIELD SIDE AND AT THAT TIME THE ELEVATOR WAS TO BE PLACED AT THE HIGHEST ELEVATION AT THE BACK OF THE BLEACHERS. THAT IS THE ONLY REASON HE THINKS THAT AN ELEVATOR WAS CONTEMPLATED ON THIS PROJECT. HE ALSO SAID HE THINKS THE IDEA OF STRETCHING THE BLEACHERS OUT AND REDUCING THE NUMBER OF SEATS CHANGES EVERYTHING ANYWAY, SO HE WOULD AGREE WITH THAT.

COUNCILOR CLEARY STATED THAT THE CONCEPT OF ELIMINATING THE ELEVATOR AND IF POSSIBLE THE LULA IS A GOOD IDEA. THE ELONGATED BLEACHERS WITH THE RAMP AND THE PRESS BOX ELEVATED IS BETTER. HE DOES NOT HAVE A PROBLEM WITH A MODULAR PRESS BOX. HOWEVER, HE IS NOT IN SUPPORT OF DEMOLITION OF THE CURRENT BLEACHERS UNTIL AFTER FOOTBALL SEASON. HE IS IN FAVOR OF HAVING THE BATHROOM FACILITY MORE CENTRALLY LOCATED. HE FEELS THIS WOULD BE MUCH BETTER. HE ALSO STILL HAS A CONERN WITH NOTHING ON THE VISITOR'S SIDE.

COUNCILOR QUINN ASKED MR. WALKDEN IF HE INQUIRED AS TO WHY THEY PUT A RAMP RATHER THAN A LULA IN SOMERSET.

MR. WALKDEN SAID NO.

COUNCILOR QUINN SAID THAT AT BRIDGEWATER RAYNHAM, SHE COUNTED 15 ROWS.

MR. WALKDEN SAID THEY HAVE A VERY LONG RAMP ALSO.

COUNCILOR QUINN ASKED IF MR. WALKDEN HAD A COST IF THEY WENT WITH A LIFT TYPE OF THING VERSUS AN ELEVATOR OR LULA. WHAT IS THE DIFFERENCE IN COST.

THE ARCHITECT IS GOING TO COME BACK WITH A COST ESTIMATE ON THIS.

MR. WALKDEN NOTED THAT THE QUESTION WAS WHETHER THE COUNCIL LIKED THE IDEA OF THE PRESS BOX AT ROUGHLY A 9 FOOT ELEVATION OFF THE FINISH GRADE. IF THIS IS DONE IT ALLOWS FOR 8 ROWS OF SEATING.

COUNCILOR QUINN STATED SHE WOULD LIKE TO SEE THE COST FOR ELIMINATING THE LULA COMPLETELY WITH A RAMP VERSUS HAVING A LULA OR SOME SORT OF A LIFT.

COUNCILOR POTTIER SAID THAT HE TOURED SEVERAL SCHOOLS. OF THE 11 SCHOOLS VISITED, THERE WERE A NUMBER OF STADIUMS THAT WERE 2-3 YEARS OLD. HE NOTED THAT PREFAB SEEMS TO BE THE WAY TO GO, AND THEY LOOK GREAT. MOST HAVE ALUMINUM BLEACHERS, SOME ARE PUTTING ALUMINUM BENCHES ON STEEL. SOME OF THE NEW ONES DID NOT HAVE A BATHROOM FACILITY ON THE SITE, AND HE DOES NOT KNOW IF THEY WERE USING THE SCHOOLS OR WHAT. HE WOULD LIKE TO KNOW HOW THOSE COMMUNITIES GOT AROUND THIS ISSUE. HE ALSO NOTED THAT HE WAS ABLE TO WALK RIGHT ON THE FIELDS, PEOPLE WERE USING THE FACILITY, AND THEY WERE OPEN TO THE PUBLIC. HE WOULD LIKE TO SEE THE TAUNTON STADIUM OPEN TO THE PUBLIC – HAVE IT MORE ACCESSIBLE TO THE

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PUBLIC.

COUNCILOR COSTA-HANLON ASKED - SHE KNOWS THE ONLY CONTRACT WE ARE UNDER IS FOR THE \$35,000, AND THEY DID GET A COPY OF THE 8/1/13 CONTRACT - IF THIS WAS JUST FOR THE FEASIBILITY STUDY. MR. WALKDEN SAID YES. SHE STATED THAT AS WE ARE MOVING FORWARD, ARE WE BEYOND A FEASIBILITY STUDY AT THIS POINT, OR IS THERE GOING TO BE MORE FEES BEING GENERATED BY THIS, AND SECONDLY AT THE END OF THE FEASIBILITY STUDY WILL WE HAVE A PLAN, AND WHAT PERCENTAGE IS IT GOING TO BE. THE ARCHITECT STATED THAT AS FAR AS WHERE WE ARE IN THE FEASIBILITY STUDY THE FEE FOR THAT HAS BEEN EXTENDED, BUT HE WILL SEE THIS THROUGH UNTIL THE COUNCIL HAS A DECISION ON WHAT PROJECT THEY WILL GO WITH.

COUNCILOR COSTA-HANLON THEN ASKED, AT THE END OF THE FEASIBILITY, WILL WE HAVE A NARRATIVE OR A PLAN.

THE ARCHITECT SAID RIGHT NOW THE COUNCIL HAS A REPORT THAT HAS ALL THE INFORMATION, EXISTING CONDITIONS INFORMATION, THE GEO TECHNICAL INFORMATION, SURVEYS OF EXISTING CONDITIONS AND THEY WILL HAVE SCHEMATIC PLANS OF WHAT THE COUNCIL IS GOING TO PROCEED WITH, WHICH NOW HAS TO CHANGE BECAUSE DIFFERENT DECISIONS HAVE BEEN MADE AS OF NOW. HE WOULD ANTICIPATE THAT THE COUNCIL WOULD AT LEAST HAVE A BASIC PLAN OF WHAT THE COUNCIL IS GOING TO DO.

COUNCILOR COSTA-HANLON ASKED HOW THE SCHEMATIC PLAN WILL COMPARE TO THE 60% PLAN THEY HAVE NOW.

THE ARCHITECT SAID IT WOULDN'T HAVE THE SAME LEVEL OF DETAIL AS THOSE DRAWINGS.

SHE THEN ASKED IF MR. COLLI ANTICIPATED THAT THIS IS GOING TO BE EXTENDED ON TIME BUT NOT NECESSARILY ON FEE.

THE ARCHITECT SAID YES, UNTIL THEY TELL HIM WHICH WAY THEY ARE GOING TO GO - CAUSE RIGHT NOW HE CANNOT EVEN FIGURE OUT WHAT A FEE MIGHT BE TO DO IT BECAUSE HE IS NOT SURE WHAT IS GOING TO BE DONE.

COUNCILOR COSTA-HANLON THEN ASKED IF ONCE THE COUNCIL MAKES A DECISION, IN HIS MIND, THIS PART OF YOUR PROPOSAL WHICH WAS THE \$35,000 IS DONE.

MR. COLLI SAID YES.

COUNCILOR COSTA-HANLON THEN QUESTIONED, AS MR. WALKDEN SUGGESTED DOING A DEMOLITION AND THEN BUILDING IT UP, HOW, IF IN ANY WAY THAT WOULD EFFECT THE FEASIBILITY STUDY.

THE ARCHITECT SAID IT DOES NOT.

SHE THEN ASKED IF THERE WAS ANY RECLAMATION VALUE TO SOME OF THIS, SO WILL SOMEONE BE ANALYZING WHAT IF ANY THE RECLAMATION VALUE IS.

MR. COLLI SAID WHEN A BIDDER BIDS, THEY LOOK AT THIS VALUE. IT WOULD BE TAKEN INTO CONSIDERATION.

COUNCILOR COSTA-HANLON DID SAY THAT SHE WOULD LIKE TO HEAR FROM THE ENGINEER REFERRED TO IN DR. HACKETTS LETTER ALSO.

MR. WALKDEN SAID THE REASON WHY DESIGN PARTNERSHIP HAS COME THIS FAR WITH US IS BECAUSE THEIR ORIGINAL CONTRACT, THERE WAS A CERTAIN PERCENTAGE OF THE OVERALL TOTAL THAT THEY WOULD BE ALLOWED TO GO UP AGAINST, IN OTHER WORDS TO BE ALLOWED TO CONTINUE TO WORK FOR US WITHOUT GOING OUT TO BID ALL OVER AGAIN, PLUMBING AND DESIGNER SELECTION COMMITTEE. THE PUBLIC PROCUREMENT LAW REQUIRES THAT YOU SET UP A DESIGNER SELECTION COMMITTEE FOR PROJECTS THAT ARE GOING TO EXCEED \$100,000 IN ESTIMATED COST OF CONSTRUCTION AND \$10,000 IN DESIGN FEES, SO HE BELIEVES, IF WE WERE TO END ANY FUTURE AGREEMENT WITH DESIGN PARTNERSHIP THAT WE WOULD HAVE TO SET UP THAT DESIGNER SELECTION

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THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

COMMITTEE, DO QUALIFICATIONS BASED SELECTION AND THEN THAT HAS TO ALL GO OUT TO BID. YOU CAN CONSULT WITH THIS OTHER GENTLEMEN, BUT YOU CANNOT HIRE THIS OTHER GENTLEMEN BASED ON THE PROCUREMENT LAW.

COUNCILOR COSTA-HANLON STATED THAT SHE WOULD LIKE TO VERIFY WITH THE LAW DEPARTMENT REGARDING THIS PROCUREMENT LAW.

COUNCILOR CROTEAU ASKED FOR CLARIFICATION ON THE \$2 MILLION FIGURE. MR. COLLI STATED THAT THE \$2 MILLION IS BASED ON CERTAIN PLANS AND CONSTRUCTION COSTS WITHIN \$2 MILLION. IS THIS \$2 MILLION BEFORE THE SCHOOL COMMITTEE'S \$500,000 OR AFTER.

MR. WALKDEN SAID THE \$2 MILLION WAS THE TOTAL PROJECT COST THAT MR. COLLI ESTIMATED TODAY. COUNCILOR CROTEAU SAID THAT \$1.5 MILLION IS WHAT THE COUNCIL WOULD HAVE TO APPROPRIATE. COUNCILOR CROTEAU STATED THAT IT HAS BEEN TALKED ABOUT THE BATHROOMS IN THE END ZONE, SO IF THE BATHROOMS WERE SEPARATE WOULD THAT REDUCE THE COST OF THE BLEACHERS THEMSELVES BECAUSE WE WOULD NOT HAVE A BATHROOM SITTING UNDER THE BLEACHERS. IF THE COST OF THAT SEPARATE BUILDING IS MORE THAN THE SAVINGS FOR THE CONSTRUCTION OF THE BLEACHERS THEN THAT IS NOT AN OPTION TO PURSUE. HE ALSO NOTED THAT IF WE HAD PLANS TO RENOVATE IN 2010, 60% PLANS, WHY WOULD WE HAVE TO PAY \$35,000.

COUNCILOR CARR STATED THAT HER BIGGEST ISSUE WITH THIS WHOLE PROJECT IS WEIGHING WHAT WE WANT AGAINST WHAT WE NEED. THERE IS A BIG DIFFERENCE BETWEEN THE TWO. WE NEED BLEACHERS, BATHROOMS, A PRESS BOX, WE DON'T IN HER ESTIMATION NEED AN ELEVATOR. SHE ALSO STATED THAT SHE LIKES THE SOMERSET HIGH SCHOOL PLAN. IT WAS NOTED THAT ALL THE SEATS ARE ON THE SAME SIDE.

MR. WALKDEN SAID THAT AT SOMERSET THE BATHROOMS ARE DIAGONALLY ON THE RIGHT, FACING OUT TO THE END ZONE WHICH ARE ABOUT 500 FEET AWAY. MR. WALKDEN WONDERS HOW THEY WERE ABLE TO ACCOMPLISH THIS. YOU COULD MOVE THE NEW TOILET FACILITY CLOSER TO THE CONCESSION STAND, SLIGHTLY TUCKED BEHIND THE BLEACHERS. THE QUESTION IS HOW ARE THESE OTHER FACILITIES ABLE TO OBTAIN SUCH VAST TRAVEL DISTANCES TO BATHROOMS.

COUNCILOR CARR STATED THAT TO HER IT WOULD MAKE SENSE TO PUT THEM DIRECTLY BEHIND THE BLEACHERS IN THE MIDDLE THEN YOU WOULD BE EQUAL DISTANCE FROM EITHER END OF THE BLEACHERS.

MR. WALKDEN SAID YOU COULD DO THAT, AND ONE OF THE THOUGHTS THEY HAD WAS COULD THERE EVER BE A POSSIBILITY OF CONSTRUCTING NEW BLEACHERS ON THE OPPOSITE SIDE AND CALLING THEM VISITORS AGAIN, THEN YOU COULD GET TO A POINT THAT WAS EQUAL DISTANCE FROM BOTH SETS OF BLEACHERS.

COUNCILOR CARR SAID IF THE BATHROOMS COULD BE PUT IN THE END ZONE SO THEY WERE EQUAL DISTANCE FROM EACH SIDE, THEN IN THE FUTURE IT WAS DECIDED TO PUT SOMETHING ON THE OTHER SIDE, WOULD THAT BE OK.

MR. WALKDEN SAID WHERE THE ALEXIO STONE IS, TO HIM WOULD BE AN EXCELLENT SPOT FOR THE TOILET ROOMS. HE FURTHER STATED THAT IF THEY COULD RELOCATE THE TOILET FACILITY HE THINKS IT SHOULD BE DONE, BUT RIGHT NOW HE DOESN'T KNOW HOW IT COULD BE DONE DUE TO THE UNDERGROUND UTILITIES.

COUNCILOR CARR AGAIN NOTED THAT HER CONCERN IS THE BLEACHERS BECAUSE THEY ARE NOT SAFE.

MR. WALKDEN THINKS WE SHOULD GET RID OF THESE.

COUNCILOR BORGES STATED THAT SHE HAS LOOKED AT SEVERAL STADIUMS IN THE AREA, AND THEY ARE ALL DIFFERENT. SHE FEELS THAT THE CITY SHOULD BE FOCUSING ON WHAT ITS NEEDS ARE HERE AND MOVE FORWARD FROM THAT. EVERY SCHOOL SHE DID VISIT DID HAVE PUBLIC ACCESS, BUT SHE DID VISIT THEM DURING THE WEEK, SO THEY WERE NOT LOCKED UP.

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THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

COUNCILOR MARSHALL ASKED HOW LONG THE PRESS BOX AT SOMERSET BERKLEY IS.

MR. WALKDEN SAID IT IS 8 X 26 AND THE ROOFTOP IS 10 X 28.

COUNCILOR MARSHALL ASKED IF THE ONE BEING PROPOSED FOR TAUNTON IS STILL 42 FEET LONG.

THE ANSWER WAS YES.

THE ONE FOR TAUNTON AT A COST OF \$94,000 IS GOING TO INCLUDE INSTALLATION AND IT WILL BE CONCRETE BUT WILL BE STAMPED BRICK SO IT WILL LOOK LIKE A BRICK BUILDING.

COUNCILOR MARSHALL NOTED THAT IN PICKING OUT THE ITEMS THEY HAD LAST WEEK, THE HOME BLEACHERS, ALUMINUM SUPER STRUCTURE AND SEATING WAS \$400,000, ROUGHLY, INCLUDE THE \$754,000 FOR THE NEW RESTROOM BUILDING, WHICH TOTALS \$1.2 MILLION, THEN \$100,000 FOR THE PRESS BOX WHICH IS \$1.3 MILLION. THEN IF YOU TAKE THE 33% MARK UP OR DESIGN FEES YOU ADD ANOTHER \$300,000 ONTO THAT, ROUGHLY, MAYBE \$400,000, SO IT TOTALS \$1.7 MILLION. COUNCILOR MARSHALL ASKED WHAT IS INCLUDED IN THE 33% MARKUP?

THE ARCHITECT SAID IT INCLUDES THE ESCALATION FOR THE CONTRACTOR.

COUNCILOR MARSHALL ASKED IF THIS INCLUDED THE ARCHITECTS REVISED FIGURES FOR THE SOFT COSTS THAT WERE PRESENTED TO THE COUNCIL A COUPLE OF WEEKS AGO.

THE ARCHITECT SAID HE THINKS IT IS INCLUDED IN THAT.

COUNCILOR MARSHALL WOULD LIKE TO SEE A SCHEMATIC AND DESIGN SIMILAR TO SOMERSET BERKLEY OR BRIDGEWATER STATE UNIVERSITY WITH ALL THE BLEACHERS ON ONE SIDE, THE PRESS BOX AS HIGH AS WE COULD POSSIBLY GO, AND OPTION A WOULD BE WITH THE LULA FOR \$100,000, THEN WITHOUT THE LULA AND THE BATHROOMS WHERE THEY ARE. LETS SEE WHERE THE NUMBERS COME OUT TO WITH THE ARCHITECT'S REDUCED SOFT COSTS THAT WERE PRESENTED, AND WITH MR. WALKDEN BEING OWNERS PROJECT MANAGER AND THAT IS WITH THE CITY TAKING THE RESPONSIBILITY OF THE CLERK OF THE WORKS FOR LACK OF A BETTER TERM. WE SHOULD BE WELL UNDER THE \$2 MILLION. SO IT WOULD BE \$2 MILLION MINUS THE \$500,000 THAT THE SCHOOL COMMITTEE HAS PLEDGED AND THEN WE ARE TALKING ABOUT WORSE CASE SCENARIO OF \$1.5 MILLION OR CLOSER MAYBE TO \$1.2 - \$1.3 MILLION - IN THAT RANGE ON A CITY SIDE CONTRIBUTION. COUNCILOR MARSHALL STATED THAT HE FEELS THE COMMITTEE IS AT THE POINT WHERE THEY WOULD LIKE TO SEE WHAT THIS IS GOING TO LOOK LIKE, DRAWN UP, AND A COUPLE OF THOSE OPTIONS WITH A LULA, NO LULA, LULA VS. RAMP. IT COMES DOWN TO A VALUE CHOICE FOR HIM. HE WOULD ALSO LIKE TO SEE THE PRESS BOX AS HIGH AS POSSIBLE. HE IS OK WITH NO VISITORS SIDE, IT SEEMS TO BE THE TREND.

COUNCILOR MARSHALL ASKED WHAT THE TURN AROUND TIME WOULD BE TO GET THIS INFORMATION.

THE ARCHITECT SAID HE WOULD SHOOT FOR 2 WEEKS.

IT WAS CLARIFIED THAT THE \$2 MILLION INCLUDES THE DEMO WORK AND ALSO THE 4 MONTH EXPEDITATED TIME FRAME.

THE ARCHITECT SAID THE \$2 MILLION FIGURE DOES INCLUDE ALL OF THIS.

COUNCILOR QUINN ASKED ABOUT THE VARIABLE MENTIONED BY DR. CROTEAU REGARDING MOVING THE BATHROOMS. SHOULD WE INCLUDE THAT VARIABLE.

MR. WALKDEN SAID YES, IF WE CAN MOVE THE BATHROOMS CLOSER TO THE CONCESSION STAND, WE SHOULD DO THAT. IT MIGHT LOWER THE COST BECAUSE YOU WILL HAVE LESS UTILITIES.

COUNCILOR CROTEAU ASKED IF THE ITEMS MENTIONED BY COUNCILOR MARSHALL, PLUS THE DEMOLITION WILL NOT EXCEED \$2 MILLION.

THE ARCHITECT STATED THAT THE \$2 MILLION DOES INCLUDE THE DEMOLITION.

COUNCILOR CROTEAU THEN NOTED THAT THIS COUNCIL WOULD HAVE TO APPROVE TO BOND \$1.5 MILLION AFTER SUBTRACTING THE \$500,000 FROM THE SCHOOL DEPARTMENT.

MR. WALKDEN SAID THAT A BID SHOULD BE PUT OUT BEFORE WE GUARANTEE A NUMBER. THEN A NUMBER COULD BE PROVIDED THAT YOU COULD NOT EXCEED.

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THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

COUNCILOR MARSHALL CLARIFIED THAT IT IS AGREED THAT THE COMMITTEE WOULD LIKE TO SEE SCHEMATIC WITH THE BLEACHERS ALL ON ONE SIDE WITH ALUMINUM SUPER STRUCTURE AND SEATING FOR 1420. THE PRESS BOX WOULD BE A PRE FAB CONSTRUCTION AS IN THE ESTIMATE THAT WAS PROVIDED.

THE 2 VARIABLES THAT NEED TO BE STUDIED AND PRESENTED TO THE COMMITTEE ARE THE RAMP VS. LULA AND KEEPING THE BATHROOMS WHERE THEY ARE VS. MOVING THEM MORE TO A CENTRAL LOCATION TOWARDS THE END ZONE. THESE ARE THE ONLY 2 VARIABLES THAT MORE INFORMATION IS NEEDED ON.

COUNCILOR CLEARY SAID HE WOULD LIKE TO SEE BLEACHERS ON THE VISITORS SIDE.

COUNCILOR CARR SAID THAT 42 FEET SEEMS EXCESSIVE FOR THE PRESS BOX.

MR. WALKDEN SAID THAT THE ONE HE LOOKED AT IN SOMERSET WAS 8 BY 26. THE SCHOOL DEPARTMENT SHOULD SPECIFY WHAT THEIR NEED IS FOR SIZE.

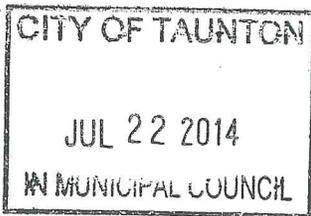
COUNCILOR CARR SAID SHE WOULD ASSUME THAT A PRESS BOX 26 FEET LONG WOULD BE HALF THE PRICE OF THE 42 FOOT LONG PRESS BOX, BUT THEN THERE WOULD BE A COST DIFFERENCE WITH THE BLEACHERS THAT WOULD SURROUND IT. SHE WOULD LIKE TO KNOW WHY 42 FEET WAS CHOSEN.

IT WAS NOTED THAT THE ONE OUT THERE NOW IS 42 FEET, AND THEY WERE TOLD THAT WHAT WAS WANTED WAS SOMETHING SIMILAR TO WHAT THEY HAVE NOW.

MR. WALKDEN STATED THAT REGARDING THE VISITORS SIDE BLEACHERS, IT WAS ASKED A FEW WEEKS AGO THAT IT BE INVESTIGATED AS TO WHAT THE COST WOULD BE FOR PORTABLE BLEACHERS. HE THINKS THAT DR. HACKETT DID LOOK INTO THAT. YOU COULD ALSO BRING IN PORTABLE TOILET FACILITIES, SO THERE ARE ALL KINDS OF WAYS THAT THIS COULD BE ADDRESSED LATER ON.

MOTION: TO CONTINUE THIS MATTER FOR 2 WEEKS. SO VOTED.

MEETING ADJOURNED AT 8:15 P.M.



RESPECTFULLY SUBMITTED,

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

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

A handwritten signature in cursive script that reads "Rose Marie Blachutal".
CITY CLERK