



*City of Taunton  
Municipal Council Meeting Minutes*

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*Elizabeth Pole School – Library  
215 Harris Street, Taunton, MA 02780  
Minutes, August 12, 2014 at 7:00 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, McCaul, Pottier, Croteau, Costa-Hanlon, Marshall, and Cleary  
Councilor Quinn was absent.*

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

*Communications:*

Com. from Executive Director Mayor's Office of Economic and Community Development submitting a request from Mr. Eugene LeClair. He is seeking an adjustment to the Tax Increment Financing agreement between the City of Taunton and General Fire Extinguishers, Inc. The adjustment would be to the original base year of the TIF agreement until FY 2016. General Fire Extinguisher's tax exemption was to begin in FY 14. **Motion was made to approve with the adjustment. So Voted.**

Com. from Chairman, Taunton Planning Board stating that they have received a Modification of an existing Site Plan Review for property at 1094 Bay Street resulting in 18 additional parking spaces, submitted by Home Plate Properties, LLC. The next scheduled meeting for this petition will be on Tuesday, August 19, 2014 at 10:00 AM in the Taunton Planning Board Office, 15 Summer Street, Annex Bldg., at which time the application shall be reviewed by the DIRB and again, on Thursday, August 28, 2014 at 5:30 PM at Chester R. Martin Municipal Council Chambers, 141 Oak Street, Taunton, MA at which this petition will be reviewed by the Planning Board. **Motion was made to receive and place on file. So Voted.**

Com. from Risk Manager stating that on July 17, 2014, she requested permission to pay a prior year invoice from HUB International in the amount of \$4,248.00. The Council asked her to submit a written explanation in detail as to how HUB International may invoice us after coverage has been completed. She submitted two pages from the policy which allows the insurance company to conduct a final audit and invoice the City for any additional premiums which may be due. Councilor Carr stated that this may have come from the Committee on Finance and Salaries and the explanation is here. It is in the contract that after an audit is done, they can adjust the final amount. **Motion was made to approve. So Voted.**

Com. from City Engineer submitting a request on the behalf of the Office of Economic and Community Development, asking the Council to approve the design plans as a Temporary Traffic Signal Permit. Accepting this plan will allow the Taunton Municipal Lighting Plant to energize and operate the pedestrian signals located at the right turn lane from Taunton Green onto Weir Street. At the end of this period (approximately two months), revised plans, reflecting these changes, will be submitted to the Council for the approval of a final Traffic Signal Permit. **Motion was made to move approval. So Voted.**

Com. from Janet Murphy, 545 Richmond Street, East Taunton requesting re-pavement of a portion of Middleboro Avenue from Precinct Street down to approximately Amaro's market. Council President Marshall stated that he believes that this street was on the list to be done but may have been cut out due to some funding issues. **Motion was made to refer to the DPW. So Voted.**

Com. from Superintendent of Buildings stating that a "Request for Proposals" was issued by the City of Taunton Building Department for the purchase and redevelopment of the former Barnum School. Bids were due on Friday, August 1, 2014 and no bids were submitted. **Motion was made to refer to the Committee to the Council as a Whole, Mr. Walkden and Mr. Shea, of the Mayor's Office of Economic Development in middle of September. Motion was amended to hold in Executive Session to discuss ways of marketing the property and an explanation of re-use on the guidance of the City Solicitor's Office. So Voted.**

**Communications in the hands of Councilors:**

Councilor Pottier stated that he received an e-mail from Scott Rodrigues to extend the ice bucket challenge to be held on the Taunton Green. He stated that maybe it could be held at the Hopewell Field or some other field in town considering it would be on a Sunday. Mayor Hoye stated that he had received another communication regarding this being held at Taunton High. **Motion was made to refer to Marilyn Greene and the Mayor's Office. So Voted.**

**Petitions:**

Petition submitted by City Engineer requesting acceptance of Kilton Place as a Public Way to allow the DPW to locate a sewer line as a replacement for an inadequate system currently in place. Acceptance of this road will allow the City to use Chapter 90 funds for this project. **Motion was made to refer to the City Clerk's Office for a hearing in the next three or four weeks. 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:**

Mayor Hoye stated that there is an Executive Session on tonight's agenda to meet with the City Solicitor. **Motion was made to postpone until next week. So Voted.**

**New Business:**

**Councilor Pottier motioned to refer to the DPW the conditions of crosswalks at all the schools in the City. So Voted.** Mayor Hoye stated that he spoke to Mr. O'Brien and they are in the process of ramping that effort up.

Councilor McCaul stated that on May 13, 2014 during the Committee on Fires and Wires meeting, they discussed hiring three (3) firefighters because of the retirement of two (2) firefighters. He stated that they will be having a meeting this Monday at 6PM in the Council Chambers. **Motion was made to call for a Lieutenant and Captain's list. So Voted.** Councilor Cleary asked if the Council has any resumes for the positions. Councilor McCaul stated that they will be available before the meeting. Councilor Carr stated that a couple of weeks ago a motion was made to refer to the Committee on Fires and Wires the process of the applications and the background information for firefighters because there was a lot of confusion about it last time. Council President Marshall asked if the Council knows the full ramification of the Safer Grant running out. He does not want to interview people if the positions cannot be filled. He stated that the discussion on the process should be held on a Tuesday night either by the full Council, the Committee of the Council as a Whole or the Committee on Fires and Wires. He stated that he was under the impression that the Law Office, Human Resources and the two Chiefs were going to come up with a hiring process for Public Safety. He stated that the department heads in those areas that could work together to iron out the details and bring in a draft form to the Council for a final review. Mayor Hoye stated that he will discuss this issue with Mr. Enos and Chief Bradshaw and would suggest putting this off for a couple of weeks. Councilor Croteau has an issue with four department heads coming up with a policy. He thinks that one person should lead the discussion and report back to the Council.

Councilor Costa-Hanlon stated that there was a discussion in the Committee on Public Property. Councilor Croteau stated that the process needs to be looked at in order to possibly appeal the charges. **Motion was made to request that all department heads notify the Council in writing of any finds that have been assessed against their department in FY14 and FY15, how the fines for non-compliance or any other fees are being paid and if they anticipate any assessment in the next six months. So Voted.**

Meeting adjourned at 7:25 P.M.

A true copy:

Attest:



City Clerk

RMB/SJS

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
AUGUST 12, 2014

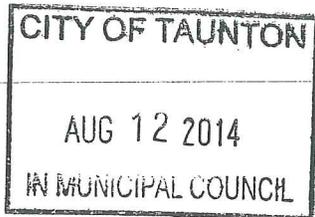
**THE COMMITTEE ON FINANCE AND SALARIES**

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

MEETING CALLED TO ORDER AT 5:51 P.M.

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

MEETING ADJOURNED AT 5:52 P.M.



RESPECTFULLY SUBMITTED,

*Colleen M. Ellis*

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

*Rose Marie Blachwell*  
CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
AUGUST 12, 2014

**THE COMMITTEE ON PUBLIC PROPERTY**

PRESENT WERE: COUNCILOR DEBORAH CARR, CHAIRMAN AND COUNCILORS POTTIER AND BORGES. ALSO PRESENT WAS WAYNE WALKDEN, BUILDING SUPERINTENDENT

**MEETING CALLED TO ORDER AT 6:10 P.M.**

**1. MEET WITH WAYNE WALKDEN, BUILDING SUPERINTENDENT TO DISCUSS CENTRAL FIRE STATION AND REQUEST FOR FUNDING**

THE CHAIRMAN STATED THAT THERE HAS BEEN AN ONGOING HAZMAT SITUATION AT THE CENTRAL FIRE STATION AND MR. WALKDEN PROVIDED A PACKET WHICH CONTAINED INFORMATION ON THE MATTER. SHE FURTHER STATED THAT THE BOTTOM LINE IS THAT THE CLEAN UP HAS TO BE DONE, MASS D.E.P. IS FINING US AND SHE DID SPEAK TO THE MAYOR ON FRIDAY AND HE IS IN AGREEMENT THAT IT NEEDS TO BE DONE, AND IS WILLING TO FUND IT.

MR. WALKDEN INFORMED THE COMMITTEE THAT IN 2008-2009 THE CENTRAL FIRE STATION WAS UNDER RECONSTRUCTION TO SOME DEGREE. THE CONSTRUCTION PROJECT AT THE TIME DID NOT INCLUDE THE OLDER SECTION OF THE BUILDING, THE ADDITION SECTION TO THE RIGHT SIDE. THE APPARATUS BAYS WERE REBUILT, THE BASEMENT AREA WAS DUG OUT AND REBUILT, BUT THERE WAS A SMALLER AREA OFF TO THE RIGHT. BELOW THIS AREA WAS A CRAWL SPACE. HE NOTICED THAT THE WATER TABLE WAS HIGH AFTER CONSTRUCTION AND DURING THE NEXT WINTER THAT AREA FLOODED OUT. HE BEGAN TO NOTICE THAT THIS WAS GOING TO HAVE AN IMPACT ON NEW SPRINKLER EQUIPMENT AND ELECTRONICS DEVICES THAT HAD BEEN INSTALLED IN THE BASEMENT WHERE THE NEW CONSTRUCTION HAD TAKEN PLACE.

AT THE TIME, TO DEAL WITH THE FLOODING ISSUE, THEY INSTALLED AN INTERIOR FRENCH DRAIN IN THE AREA. THE BUILDING DEPARTMENT STAFF BEGAN TO DIG OUT THE BASEMENT. THE IDEA WAS TO DROP THE SURFACE ABOUT 6 INCHES SO THAT THEY COULD DO A DRAINAGE SYSTEM WITH A CONCRETE CAP. AFTER JUST A FEW MINUTES OF DIGGING, THERE WAS A RELEASE OF GAS. THE GASES ESCAPED ALL THE WAY TO THE UPPER FLOORS AND PART OF THE BUILDING HAD TO BE EVACUATED. D.E.P. ALSO HAD TO BE NOTIFIED WITHIN 2 HOURS OF A RELEASE WHICH THEY DID. D.E.P. CAME DOWN AND FROM THAT POINT ON, THE ISSUE HAS BEEN TRACKED BY D.E.P. MR. WALKDEN HAS BEEN WORKING WITH BETA GROUP TO TRY TO RESOLVE THIS ISSUE.

BACK IN 2013, BETA WAS ON BOARD WITH THIS AND HAD BEEN HIRED BY THE CITY TO OVERSEE BID DOCUMENTS AND TO DEVISE A PLAN THAT COULD GO OUT TO BID FOR THE CLEAN UP OF THIS SPACE. A FEW BIDS WERE RECEIVED AND THEY RANGED BETWEEN \$53,000 UP TO \$119,000.00. NOT BEING ABLE TO OBTAIN FUNDING OVER THE PAST YEAR, THESE BIDS ARE NOW STALE. BETA HOWEVER IS WILLING TO HIRE THE LOW BIDDER AS A SUB-CONTRACTOR AND WE WOULD NOT HAVE TO RE-BID THIS PROJECT, IN THE INTEREST OF TIME. WE COULD HOPEFULLY GET THIS WORK DONE BEFORE THE SEPTEMBER 19<sup>TH</sup> DEADLINE BY D.E.P.

MR. WALKDEN FURTHER NOTED THAT WE ARE UNDER A NON-COMPLIANCE ISSUE AND THE FINES THAT ARE \$2,000 A YEAR, WHICH ARE BEING PAID OUT OF THE BUILDING DEPARTMENT BUDGET, CAN DRASTICALLY INCREASE AFTER SEPTEMBER 19<sup>TH</sup> TO BE SEVERAL THOUSAND DOLLARS PER YEAR. HE HAS VOICED HIS CONCERN TO THE MAYOR AND HAS ALSO DISCUSSED THIS WITH THE CITY SOLICITOR AND BOTH AGREE THAT THIS WORK NEEDS TO GET DONE.

MR. WALKDEN SAID HE IS HERE TO SEEK APPROVAL FOR FUNDING SO THAT HE CAN GET GOING AS QUICKLY AS POSSIBLE TO MEET THE SEPTEMBER 19<sup>TH</sup> DEADLINE WITH D.E.P.

COUNCILOR CARR NOTED THAT MR. WALKDEN PROVIDED A PREVIOUS LETTER TO THE COMMITTEE SHOWING THAT THE TOTAL PRICE WAS \$104,625.00.

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THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED

MR. WALKDEN SAID IT IS \$97,900 THROUGH THE BETA PROPOSAL. WHAT IS NOT INCLUDED IN THE BETA PROPOSAL IS THE CONCRETE SLAB, AND MR. WALKDEN HAS AGREED TO TAKE CARE OF THIS THROUGH THE BUILDING DEPARTMENT. THE BID PRICE TO HAVE THAT WORK DONE IS \$11,400.00, BUT HE THINKS HE CAN DO THAT WORK FOR LESS THROUGH HIS OWN BUDGET, SO HE IS WILLING TO DO THAT.

COUNCILOR CARR NOTED THAT FRANK CORP., MILL CITY AND NEDT WERE THE 3 THAT RESPONDED TO THE BID. ONE IS \$52,895.00 AND THE OTHER TWO WERE \$101,000 AND \$111,000.

MR. WALKDEN SAID BECAUSE THESE BIDS ARE OVER A YEAR OLD THEY ARE STALE. TECHNICALLY YOU WOULD HAVE TO GO OUT TO BID AGAIN, BUT THE WAY TO AVOID THAT IS TO HAVE BETA HIRE MILL CITY DIRECTLY UNDER THEIR OWN CONTRACT, HAVE THEM WORK DIRECTLY FOR THEM, AND THEN THEY OVERSEE THE PROJECT AND WE CAN AVOID THE BID SITUATION.

COUNCILOR CARR NOTED THAT MILL CITY'S BID WAS VERY LOW, BUT MR. WALKDEN SAID HE FEELS THIS IS A LEGITIMATE BID WITH A COMPANY THAT BETA FEELS WILL DO A GOOD JOB.

MR. WALKDEN DID NOTE THAT THERE ARE OTHER FEES BY BETA BECAUSE THIS IS A PHASE TYPE PLAN AND BETA WILL HELP SEE THIS THING THROUGH WITH THE CITY SO THAT IS WHY IT GETS UP TO \$97,900. HE HAS ATTEMPTED TO GET THIS PRICE LOWER, BUT HAS BEEN UNSUCCESSFUL. BETA HAS AGREED TO HIRE THE CONTRACTOR WITH NO MARK UP, SO HE FEELS THEY ARE TRYING TO HELP US OUT WITH THIS. IF IT WENT OUT TO BID, THEY WOULD PROBABLY COME IN HIGHER AND WE WOULD HAVE TO PAY BETA FOR BID SERVICES ALL OVER AGAIN. PLUS WE ARE UNDER A DEADLINE.

**MOTION: DOCUMENTS PROVIDED BY MR. WALKDEN TO BE PART OF THE RECORD. SO VOTED.**

COUNCILOR BORGES CLARIFIED, SINCE IT WAS NOT ITEMIZED IN THE DOCUMENTS, THAT MILL CITY IS GOING TO DO THE EXACT SAME THING AS THE OTHER TWO COMPANIES WERE GOING TO DO. WE WILL GET THE SAME THINGS, THE EXCAVATION, TRANSPORTATION DISPOSAL – THEY HAVE JUST WORKED IT INTO ONE FIGURE?

MR. WALKDEN SAID THIS IS CORRECT.

COUNCILOR POTTIER ASKED IF WE HAD ALREADY BEEN FINED THREE YEARS SINCE IT WAS NOTED IN 2010?

MR. WALKDEN SAID YES. HE FURTHER NOTED THAT WHEN THIS WORK WAS BEING DONE, THIS ISSUE WAS NOT FORESEEN BECAUSE IT WAS IN AN OUT OF SCOPE AREA. IT DID NOT COME UP UNTIL WE HAD SOME FLOODING RAINS. YOU HAVE TO DEAL WITH THE WATER DISCHARGE, AND THEN THERE WAS AN ISSUE WITH DPW AND THE COMPLAINT ISSUE WE HAVE THROUGHOUT THE CITY ON DRAINS. THIS HAD TO BE DISCONNECTED WHICH EXASPERBATED THE PROBLEM. THERE IS A LOT OF MOISTURE IN THAT BASEMENT BECAUSE IT IS A DIRT FLOOR. THEY WANT TO EXCAVATE BY HAND UP TO 100 YARDS OF OIL CONTAMINATED MATERIAL AND TO PROTECT THE FOUNDATION AT THE SAME TIME. THEN PUT NEW MATERIAL BACK IN AND UNFORTUNATELY, SINCE YOU CANNOT GET IN THERE VERY WELL, IT ALL HAS TO BE DONE BY HAND.

COUNCILOR COSTA-HANLON SAID THAT HER CONCERN IS THE TRANSPORTATION AND DISPOSAL, SO IF WE ARE EXCAVATING, MILL CITY DOES NOT SEEM TO BE ITEMIZING HOW MUCH IT IS GOING TO COST FOR TRANSPORTATION AND DISPOSAL. THE STUFF HAS TO GO SOMEWHERE.

MR. WALKDEN SAID THAT THEY ASKED FOR A LUMP SUM BID AND SOME COMPANIES BROKE IT OUT DIFFERENTLY. THE BOTTOM LINE IS THEY ARE ALL BIDDING ON THE SAME SCOPE OF WORK SO THEY ALL HAVE TO COMPLETE ALL OF THESE THINGS. THE ENTIRE SCOPE WILL GET DONE. THE ONLY THING THAT WILL NOT GET DONE IS THE CONCRETE FLOOR AS THE BUILDING DEPARTMENT WILL DO THIS.

MR. WALKDEN FURTHER NOTED THAT THEY HOPE TO CONTAIN EVERYTHING IN THIS AREA SO THE BUILDING WILL NOT HAVE TO BE EVACUATED. THERE IS NO GUARANTEE THAT THERE WON'T BE SOME EVACUATION BUT EVERYONE IS AWARE THAT WE NEED TO KEEP PEOPLE IN THE BUILDING AND WILL

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THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED

ATTEMPT TO DO THIS. THERE IS NO CONTINGENT PLAN IN CASE OF EVACUATION. BETA WILL BE THE LSP AND DIG SAFE WILL BE CONTACTED AGAIN.

MR. WALKDEN FURTHER STATED THAT THEY ARE GOING TO GO AS DEEP AS THEY CAN WITHOUT CAUSING ISSUES WITH THE FOUNDATION. THEY DO NOT WANT RESTRICTIONS ON THE PROPERTY. HE FURTHER NOTED THAT THIS MUST BE COMPLETED BY SEPTEMBER 19<sup>TH</sup>, IF NOT AN AUL COULD BE PLACED ON THE PROPERTY. AGAIN, WE DO NOT WANT RESTRICTIONS ON THIS PROPERTY.

COUNCILOR CROTEAU ASKED WHAT MR. WALKDEN NEEDED THE COUNCIL TO DO.

MR. WALKDEN IS LOOKING FOR APPROVAL FOR FUNDING IN THE AMOUNT OF \$97,900.00 WHICH INCLUDES THE CLEAN UP AS OVERSEEN BY BETA.

IT WAS NOTED THAT IF MATERIAL HAS LEACHED OUT OF THE BUILDING, AND IF ANY FURTHER EXPENSES ARE TO BE INCURRED, MR. WALKDEN WILL HAVE TO COME BEFORE THIS COMMITTEE.

IT WILL TAKE ABOUT 16 WEEKS FOR THIS PROJECT TO BE DONE.

COUNCILOR CLEARY ASKED HOW LONG THE CITY HAD BEEN FINED \$2000 A YEAR.

MR. WALKDEN SAID AT LEAST 3 YEARS.

MR. CLEARY SAID HE DID NOT KNOW THIS AND NO ONE EVER CAME TO HIM AND SAID THAT FINES WERE BEING PAID.

MR. CLEARY SAID IT LOOKS LIKE MILL CITY WAS \$43,395.00 PLUS \$9,500.00 FOR THE CONCRETE FLOOR. NOW IT IS \$61,000 WITHOUT THE CONCRETE FLOOR. THEY WENT UP \$20,000 AND TOOK OUT THE CONCRETE FLOOR.

MR. CLEARY ASKED WHAT THE OTHER COMPANY'S DID WHEN THEY TOOK OUT THE CONCRETE FLOOR.

MR. WALKDEN SAID THEY WERE NOT ASKED. THEY TRIED TO WORK WITH THE LOW BIDDER TO SEE IF IT MADE SENSE TO CONTINUE ON THIS PROCESS OR JUST THROW EVERYTHING OUT AND BEGIN AGAIN.

MR. CLEARY SAID MILL CITY MAY NOT BE LOW BIDDER BECAUSE THEY CAME BACK WITH ABOUT A 33% INCREASE. THE OTHER COMPANIES MIGHT HAVE COME DOWN.

MR. WALKDEN DID NOT THINK THEY WOULD HAVE COME DOWN BY 50% AS THEY WERE BOTH OVER \$100,000.

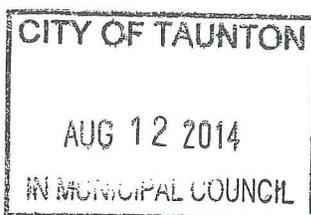
COUNCILOR POTTIER ASKED IF THERE WERE ANY OTHER FINES BEING ASSESSED TO THE CITY.

MR. WALKDEN SAID THAT THERE WAS A \$5,400.00 FINE ON 110 COUNTY STREET LAST YEAR, BUT THE TANK HAS BEEN REMOVED SO MR. WALKDEN BELIEVES WE ARE NOW IN COMPLIANCE. MR. WALKDEN WAS ASKED TO INFORM THE COUNCIL OF ANY OF THESE FINES.

**MOTION: THAT MR. WALKDEN IS TO INFORM THE COMMITTEE OF ANY AND ALL FINES THAT ARE ASSESSED OR MAY BE ASSESSED TO THE CITY FROM THE BUILDING DEPARTMENT. SO VOTED.**

**MOTION: MOVE APPROVAL OF THE \$97,900.00 TO BETA FOR THE CENTRAL FIRE STATION HAZMAT CLEAN UP, AND ANYTHING OVER THAT AMOUNT IS TO COME BACK TO THE COMMITTEE FOR APPROVAL. SO VOTED.**

MEETING ADJOURNED AT 6:44 P.M.



RESPECTFULLY SUBMITTED,

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

CITY CLERK

Revised



CITY OF TAUNTON

*In Municipal Council* ..... **ORDER #4**  
**FY 2015**  
**AUGUST 12, 2014** ..... *20*.....

*Ordered, That*        **THE SUM OF FOUR THOUSAND TWO HUNDRED FORTY**  
**EIGHT DOLLARS AND NO CENTS (\$4,248.00) BE AND HEREBY IS TRANSFERRED FROM**  
**LAW DEPARTMENT ACCOUNT NO. 01-945-5200-5760 – JUDGMENTS**

**TO:    LAW DEPARTMENT ACCOUNT NO. 01-945-5520-5760 – PRIOR YEAR**

..... *Clerk.*