

*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, September 24, 2013 at 8:20o'clock P.M.*

Regular Meeting

Mayor Thomas C. Hoye, Jr. presiding

Prayer was offered by the Mayor

Present at roll call were:

*Councilor's Barbour, Carr, McCaul, Pottier, Costa-Hanlon
Medeiros, Cleary and Marshall
Councilor Colton was absent*

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

Motion was made to go out of regular order of business. So Voted.

Appointments:

At this time the Mayor appointed Dyann Nunes of 45 Theresa Street to the Parks, Cemeteries and Public Grounds Commission for a term of three (3) years, which will expire the last day of September, 2016. **Motion was made to move approval. So Voted.** Councilor Carr asked if the appointment is to replace current individuals or are they filling a vacancy. The Mayor stated that there are two vacancies on the Commission.

At this time the Mayor appointed Robert Casey of 88 Duffy Drive to the Parks, Cemeteries and Public Grounds Commission for a term of three (3) years, which will expire the last day of September, 2016. **Motion was made to move approval. So Voted.**

Appointment of Joseph Ryan as a Taunton Police Officer. **Motion was made to move approval. On a roll call vote, eight (8) Councilors present, eight (8) Councilors voting in favor. Councilor Colton was absent. Motion was made to invite into the enclosure, Joseph Ryan. So Voted.** At this time, Joseph Ryan was sworn in by the City Clerk.

8:28pm-Motion was made to recess. So Voted.

9:52pm-Motion was made to call the Municipal Council meeting back to regular order. So Voted.

Communications from the Mayor:

The Mayor congratulated Solicitor Buffington and his office for the work done on the various building inspections. He informed that the City now owns the Star Theatre. It is not something that the City wanted, but it was a necessary step if the City has any plans

on going back to the City Hall and if the City is serious about rejuvenating downtown. The Mayor stated that the City needed to gain control of the building. Solicitor Buffington stated that the next step in moving forward is to secure the building as well as a pre-demolition team to be scheduled. The Judge ordered the former owner of the building unrestricted access through December 2, 2013 for the purpose of removing personal property. Solicitor Buffington stated that the Council will have, for next week's packet, all the court documents and at which time he will be requesting a vote to accept the deed to the premises for general municipal purposes. A total of three engineering firms have been invited to provide quotes in completing the pre-demolition work to dispose of hazardous materials. Councilor Pottier stated that naturally any fire watch amounts will no longer be collected. He said that he spoke to Mr. Enos who informed him that the fire watch was an expense incurred by the City; therefore, the City will not be writing off anything and there will not be any impact going forward.

The Mayor thanked everyone who participated and assisted in the Miles for the Mayor 5K Road Race over this past weekend; it was a great event for the City.

Communications from City Officers:

Com. from City Clerk – Raises for Poll Workers. Council requested information regarding raises for poll workers, which Ms. Blackwell felt a \$25 increase would be adequate for each poll worker. There are a total of ninety-six (96) poll workers therefore, an additional \$2,400 would be necessary. **Motion was made to receive and place on file. Councilor Cleary stated that he had some serious reservations regarding the continuous discussions over the last few meetings on providing a raise to poll workers, especially just before an election. He stated that the Council has some advantages, especially when Councilors attend meetings and give their opinions on issues. But to take advantage by offering raises and discussing how important raises are to these people is almost unethical just before an election. He is in agreement with the City Clerk and the deferment to the Supplemental Budget for 2015 was already done. But it keeps coming back. He stated that he is very uncomfortable with these discussions just before an election; it looks like we are almost trying to buy votes. Councilor Cleary stated that it is clearly not the message that Councilors want to send. Councilor Carr stated that this discussion has been on-going since the last election and it is being brought up again not just before election, but because it is that time of year again when it became fresh in everyones mind. This has been discussed several times since the last election. Councilor Carr stated that the City Clerk has a difficult time getting people to work at the polls due to the long hours and the rather skimpy pay. She said that it really is nothing to do with trying to buy votes. Councilor Carr stated that it was referred to the Supplemental Budget, and because the Supplemental Budget will not happen till after the elections, she feels this is the only reason it was suggested that it be pushed to the FY15 Budget. It really does not make sense to put it in the Supplement Budget because there are no elections after that point. Councilor Pottier stated that if anything, it would cost us votes rather than buying votes. Councilor Cleary stated that if a letter was sent to the Ethics Committee explaining the situation, they would say there is a conflict of interest. So Voted.**

Com. from Interim City Auditor – Appointing a designated signee. Mr. Gill Enos, Budget Director has been designated as signee in the absence of the City Auditor, Acting City Auditor and Assistant City Auditor for the weekly payroll and bill warrants only. **Motion was made to move approval. Councilor Carr stated that she would like to have this referred to the Law Office because it is her understanding that the person who approves the purchase of an item cannot approve payment of the item. She believes there is a conflict. Councilor Barbour amended the motion to move approval subject to approval of verification from the Law Office and Committee on Finance and Salaries. Solicitor Buffington stated that he was not asked by the Auditor's Office or Mr. Enos to investigate, Councilor Carr had presented a copy of the Statue to Solicitor Buffington this evening. He has not had the opportunity to review except for a brief reading of the Statue which he states gives the Auditor's Office the authority to designate a signee. He is not sure if the vote of Council is necessary at all. So Voted**

Com. from Superintendent of Buildings – Requesting to pay a prior year invoice to the BETA Group for engineering services with reference to the removal of an underground storage tank and the design of a new above ground storage tank for the Parker Golf Course fuel handing operation in the amount of \$4,177.57. **Motion was made to refer to the Committee on Finance and Salaries and the Mayor's Office. So Voted.**

Extra communication was read by Councilor Barbour – Request for permission for the 23rd Annual Rodman Ride for Kids to pass through the City of Taunton on Saturday, September 28, 2013. **Motion was made to refer to the Chief of Police to see if he can provide assistance for Public Safety on their route. So Voted.**

Extra communication was read by Councilor McCaul – Request approval on a Proclamation from SEMA-VAV Greater Taunton Violence Prevention Task Force designating October as National Domestic Violence Awareness Month in the City of Taunton. The Greater Taunton Violence Prevention Task Force will host its 11th Annual Candle Light Vigil at the Taunton Green on Monday, October 7th, 5:30-6:30pm. This year's vigil will include a special t-shirt to honor the Taunton High School graduate, Jennifer Martel, a recent victim of domestic violence. During the hours of 3-5:15pm, New Hope, Inc. will be presenting the Clothesline Project display on the front lawn of the First Parish Church. **Motion was made to refer to the Mayor's Office for the Proclamation and the City Clerk. So Voted.**

Extra communication was read by Councilor Pottier – Request from Tax Possession Custodian, Susan Barber for the approval of the sale of Parcel 66-321 - 3 Bow Street and Parcel 45-132 - 40 Norton Avenue to be sold through a sealed bid process. All information to be referred to next week's Council packet for consideration of a vote.

Councilor Pottier stated that a letter was drafted to the School Department, on behalf of the Committee on Public Properties, requesting them to release to the City the Barnum School.

Extra communication was read by Councilor Marshall – Human Resources Director, Maria Gomes advised that the IT Search Committee recommends Paul M. Arikian of Taunton for the position of Director of Technology. Councilor Marshall thanked every involved in the IT Search Committee. **Motion was made to move approval on the appointment of Paul M. Arikian as Director of Technology. Councilor Carr stated that she would refer the vote to next week to allow additional time for Council Members to review resumes and job description. Also, if need be, the candidate to come before the whole Council for an interview. Councilor Marshall stated the candidates were informed that they may need to appear before the Council because it was not determined if the appointment was a Mayor’s appointment or Council Appointment. Councilor Medeiros stated that he would request one week for Council Members to review. Councilor Marshall amended his motion to refer to next week’s Council Agenda under Unfinished Business with a copy of the resume and job descriptions to be sent to Council Members. So Voted.**

Petitions:

Constable application submitted by Kenneth Donald Tait, II for a NEW Constable License desiring to serve civil process. **Motion was made to refer to Committee on Police and License and Police Chief. So Voted.**

Petition submitted by Jacob Weeks, 5 Woodland Circle, Wareham and Janine Raymond, 36 Indian Street, Carver requesting a NEW Second Hand Article License – DBA – Kyleigh’s Closet located at 64 Main Street., Taunton. **Motion was made to refer to Committee on Police and License and Police Chief. So Voted.**

Hours of Operation Licenses:

KJM Restaurant, Tex Barry’s located at 15 Main Street, Taunton.

Creative Fitness Solutions located at 225 Cape Highway, Taunton.

Motion was made to refer the above two (2) to the Committee on Police and License and Police Chief. 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 Committee on Police and License. So Voted.

Councilor Costa-Hanlon stated that agenda item #9 – Meet with the Police Chief to further discuss establishing a Reserve List needed to be pulled out. **Councilor Costa-Hanlon motioned to approve agenda items #1-8 and #10. So Voted.**

Councilor Costa-Hanlon stated that the vote on agenda item #9 – Meet with the Police Chief to further discuss establishing a Reserve List was 2-1 to approve a Reserve List not to exceed four (4) reservists. **Councilor Costa-Hanlon motioned to approve. Councilor Pottier asked for the time frame to move the reservists through the system. Councilor Costa-Hanlon stated that the Chief informed that it would be within 18-24 months depending on funding. Councilor Carr stated that Council Members received this evening from Ms. Gomes a Certification Handbook about Reserve Officers. She requested the vote to be held until next week for review of the handbook. Councilor Costa-Hanlon stated that the list was called for because if it was not, the City may have lost the opportunity to do so. The City Clerk stated that**

reservists would have until October 1, 2013 to come into her office to sign the list. She said she did not see any problem with waiting until next. Normally, the City Clerk would get the list back to the Chief, but he is already working on the list because of the list that had been requested for two hires. The City Clerk asked if the list for the two full-time hires will be sent back. Councilor Costa-Hanlon will get clarification from the Chief on the list for the City Clerk. Councilor Costa-Hanlon amended her motion to refer until next week following review of the Certification Handbook for Reserve Officers. Councilor Medeiros stated that a lot of items referenced in the Handbook do not apply to Taunton. The Handbook was brought into the meeting to address the concern of how many times someone on the list, who refuses to sign, can be taken off the list; and the answer was three (3). Councilor Costa-Hanlon stated that people will remain active on the list until the maximum of four (4) people are hired. Councilor Cleary stated that the vote at the Committee of Police and License was really unanimous; the only debate was the request of a list consisting of three (3) or list of four (4). Councilor Carr stated that there were discussions on whether or not the list was going to be either three (3) or four (4), following remarks expressed by fellow Councilors on the hire of two (2) new officers. She stated that she is not sure if the Mayor has approved the hire of two (2) new officers. She said she remembers the Mayor agreeing to hire for the two (2) vacancies. Councilor Carr stated that the Committee discussed Officers sitting on a list for 2, 3, 4, 5 or 6 years. She said that she thought the Council was going to receive some type of ruling on whether the City can stop refusals and if there was any way to make sure the list does not extend the amount of time. Councilor Carr stated that what someone thinks is not a Reserve Officer, in reality, is a Reserve Officer whether they go out and work or not. If they are on a Reserve List they are a Reserved Officer. She said she does not believe anyone is against creating a List; it was the question as to the number of individuals on the list and how long they can stay on the List. Councilor Cleary stated that throughout the year, we have had a lot of lateral hires; which is good for the City. It seems like the Council is interested in getting candidates to the Academy and the only way the Chief can do this is to have a Reserve List. Councilor Costa-Hanlon stated that the Committee on Police and License requested two (2) new hires and two (2) lateral hires. So Voted.

Orders, Ordinances and Resolutions:

Order for a second reading to be passed to a third reading

AN ORDINANCE

Chapter 6

Article V

Section 6-96

DISPOSAL OF SURPLUS SUPPLIES/EQUIPMENT

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

SECTION 1. That the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by adding the following section:

Section 6-96

WHEREAS, it is the policy of the City that the sale of surplus property/equipment that has been determined "to be no longer useful for any Municipal purpose and has a resale/salvage value of less than \$5,000, may be sold, donated or discarded in accordance with the following guidelines:

1. Upon receipt of the written approval of the Mayor, City Department Heads may discard or donate surplus supplies/equipment that have a resale or salvage value of less than Five Hundred (\$500.00) Dollars.
2. Surplus supplies/equipment having a resale or salvage value of Five Hundred (\$500.00) Dollars or more, but less than Five Thousand (\$5,000.00) Dollars may be sold or donated with the Mayor's written approval of "The Plan" to sell (bid/auction) such supplies/equipment.

The Department's plan to sell by bid or auction the surplus supplies/equipment will include the following:

- A. A Bidding Notice or Notice of Sale by Auction, including:
 1. Complete description of the surplus supplies/equipment;
 2. A notification of when, where and how the surplus supplies/equipment may be inspected;
 3. All terms and conditions of the sale;
 4. The place and deadline for the submission of bids or place and time of auction;
 5. A statement that the City retains the right to reject any and all bids.
- B. Posting a Notice at City Hall and in a newspaper with general circulation in the local area with all terms and conditions delineated in the Notices of Sale.
- C. Full and proper documentation/recording of the transaction(s) in conformity with all terms and conditions delineated in the Notices of Sale.
- D. If the governmental body rejects the bid of the highest bidder, the governmental body may:
 - a. Negotiate a sale of such supply/equipment, so long as the negotiated sale price is higher than the bid price;

- b. Re-solicit bid process.
3. The City's procurement officer may choose to utilize the surplus supplies/equipment as a "trade in" in process of purchasing new supplies/equipment.
4. All proceeds from the sale of surplus supplies/equipment shall be deposited into the City's reserve/revolving account.
5. Surplus supplies/equipment with an estimated resale or salvage value of less than Five Thousand (\$5,000.00) Dollars, may be donated to the organization that has an IRS tax exempt status by reason of its charitable nature, by a majority vote of the City Council. **Motion was made to pass to a third reading. So Voted.**

New Business

Councilor Costa-Hanlon motioned to refer to the Board of Health, Building Department, Zoning Enforcement Officer, and Detective Smith for 6 Reed Street regarding on-going debris and operation of a business selling parts and junk. Also to refer to the Zoning Enforcement Officer and Police Chief for 29 North Walker Street regarding unregistered vehicles with a report back to the Council in four (4) weeks. So Voted.

Councilor Pottier stated that he received a text from TEMA regarding the closure of Morey's Bridge on Wednesday, September 25th and Thursday, September 26th.

Councilor Pottier stated that he has received calls regarding campaign signs on Public/City owned land. He suggested that if Council Members see their signs on public owned land, that they remove them.

Councilor Carr questioned who would declare the value for items disposed of under the proposed Ordinance, Chapter 6, Article V, Section 6-96. The Mayor stated that Department Heads will be declaring the value, with approval from the Mayor.

Councilor Carr thanked the DPW Department for removing a couch on South Boundary Road that had been tossed on the side of road.

Meeting adjourned at 10:30pm.

A true copy:

Attest:


City Clerk

RMB/dmc

CITY OF TAUNTON
MUNICIPAL COUNCIL
SEPTEMBER 24, 2013

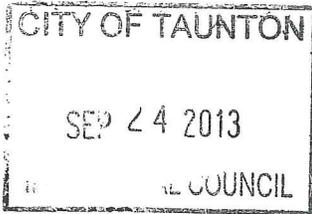
THE COMMITTEE ON FINANCE AND SALARIES

PRESENT WERE: COUNCILOR DEBORAH CARR, CHAIRMAN AND COUNCILOR CLEARY

MEETING CALLED TO ORDER AT 5:42 P.M.

- 1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS
MOTION: MOVE APPROVAL OF THE INVOICE WARRANT IN THE AMOUNT OF \$1,737,047.85. SO VOTED.
MOTION: MOVE APPROVAL OF THE PAYROLL WARRANT IN THE AMOUNT OF \$1,011,627.42. SO VOTED.

MEETING ADJOURNED AT 5:42 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
SEPTEMBER 24, 2013

THE COMMITTEE ON POLICE AND LICENSE

PRESENT WERE: COUNCILOR SHERRY COSTA-HANLON, CHAIRMAN AND COUNCILORS CLEARY AND BARBOUR. ALSO PRESENT WERE POLICE CHIEF EDWARD WALSH AND DETECTIVE DENNIS SMITH

MEETING CALLED TO ORDER AT 5:58 P.M.

- 1. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITION OF NORTHEAST AUTO EXCHANGE INC. TO TRANSFER THEIR CLASS II LICENSE FROM 577 WINTHROP STREET TO 406 TREMONT STREET**

THE CHIEF STATED THAT THERE IS NOTHING THAT THE POLICE DEPARTMENT HAS THAT WOULD INDICATE THERE WOULD BE AN ISSUE WITH THE TRANSFER OF LOCATION.

COUNCILOR CLEARY QUESTIONED WHETHER ANYTHING WAS REQUIRED FROM THE PLANNING DEPARTMENT AS THIS IS IN THE MIDDLE OF A NEIGHBORHOOD.

MOTION: TO PUT THIS ITEM AT THE END OF THE COMMITTEE AGENDA. SO VOTED.

- 2. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITION OF DAVID MERSTEN FOR A NEW SECOND HAND ARTICLE LICENSE FOR ECO ATM INC. FOR A VENDING STYLE MACHINE THAT COLLECTS SMALL ELECTRONICS AND PAYS CASH FOR THE EQUIPMENT, LOCATED AT 2 GALLERIA MALL DRIVE (SECOND MACHINE)**

MOTION: MOVE APPROVAL

- 3. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITION OF GREGORY RICO FOR RENEWAL OF HIS TEMPORARY FIXED VENDOR LICENSE FOR RICO'S GRILLE, 447 BROADWAY, TAUNTON**

MOTION: MOVE APPROVAL. SO VOTED.

- 4. MEET TO DISCUSS THE RECOMMENDATION OF THE CITY SOLICITOR'S OFFICE AND POLICE CHIEF REGARDING ADOPTING STATE STATUTE FOR CITY CONSTABLES.**

THE CHAIRMAN STATED THAT SHE BELIEVES ALL COUNCILORS ARE FAMILIAR WITH THIS RECOMMENDATION. IT WAS IN THE REGULAR PACKET A LITTLE WHILE AGO. SHE FEELS THAT ALL HAVE HAD ENOUGH TIME TO REVIEW IT AND UNDERSTAND. IT WAS VERY CLEAR BY THE CITY SOLICITOR'S MEMO, AND HE FEELS VERY STRONGLY THAT THIS SHOULD BE ADOPTED.

THE CHIEF SUPPORTS THE CITY SOLICITOR'S RECOMMENDATION AND THAT WE ADOPT THE REGULATION OR THE STATE LAW AS APPROPRIATE.

THE CHIF STATED THE LAW PROVIDES THAT THE MAYOR WOULD BE THE APPOINTING AUTHORITY FOR CONSTABLES, BUT IT WOULD ALSO GIVE THE COUNCIL THE AUTHORITY TO HAVE A HEARING IF THE MAYOR WAS TO TRY TO REMOVE A CONSTABLE. WHAT HAPPENS NOW, THIS WOULD BE MOVED TO THE MAYOR'S OFFICE AS FAR AS THE FRONT OF THE PROCESS GOES, APPOINTING THE CONSTABLES, BUT AS FAR AS THE BACK OF THE PROCESS, TAKING SOMEONE OUT OF OFFICE, WILL REMAIN WITH THE COUNCIL.

MOTION: MOVE APPROVAL. SO VOTED.

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THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

5. MEET TO DISCUSS BLIND DRIVEWAY SIGN AT GLEBE AND BURT STREETS

THE CHIEF REPORTED THAT THIS WAS REFERRED TO THE SAFETY OFFICER AND HE IS OF THE OPINION THAT THESE SIGNS ARE NEEDED DUE TO THE LACK OF SIGHT LINES CAUSED BY THE GEOMETRY OF THE ROADWAY.

MOTION: TAKE NO ACTION AT THIS TIME AND SEND LETTER TO CONSTITUENT.

6. MEET TO DISCUSS REQUEST OF CONSTITUENT TO REMOVE SIGN RESTRICTING A LEFT TURN ONTO NORTH PLEASANT STREET FROM MORTON HOSPITAL BETWEEN HOURS OF 3 PM AND 5 PM

THE CHAIRMAN STATED THAT SHE THINKS THAT WHEN MORTON HOSPITAL CAME BEFORE THE COUNCIL LOOKING FOR THE SPECIAL PERMIT FOR THE ADDITION, SHE BELIEVES IT WAS BROUGHT UP AT THAT TIME. SHE FURTHER STATED THAT SHE RECALLS THAT WHEN THE CITY PLANNER CAME, HE SAID IT WAS PART OF SOME ISSUE WHEN IT CAME TO THE FIRST RENOVATIONS OF MORTON HOSPITAL – WHEN THEY FIRST EXPANDED MORTON HOSPITAL AND THEY TOOK A LOT OF THE HOUSES THAT WERE ON THAT STREET AND MADE A PARKING LOT AND MOVED THE EMERGENCY ROOM. THAT IS WHAT SHE UNDERSTOOD IS WHY IT WAS PUT UP. SHE WOULD LIKE TO HEAR FROM THE CITY PLANNER AS TO EXACTLY WHY THE SIGN WAS PUT UP, AND SHE KNOWS THAT IT IS VERY DIFFICULT TO ENFORCE, BUT SHE DOES NOT THINK IT WAS JUST BASED ON THE COUNCIL REQUESTING IT, IT WAS PART OF THE DEVELOPMENT OF MORTON HOSPITAL AND WHAT HAPPENED THERE.

MOTION: TO REFER THIS BACK TO THE SAFETY OFFICER AND CITY PLANNER KEVIN SCANLON TO PROVIDE FURTHER INFORMATION. TO MEET IN TWO WEEKS TO REVIEW THEIR RESPONSES. THE CITY CLERK IS TO PROVIDE ANY MINUTES SHE MAY HAVE REGARDING THIS MATTER AND ALSO THE CLERK OF COMMITTEES IS TO CONTACT MR. PARKER WHO WAS THE CONSTITUENT WHO VOICED CONCERN ON THIS MATTER. SO VOTED.

8. MEET WITH THE POLICE CHIEF TO DISCUSS DOWNTOWN ISSUE OF WHEN VENDORS ARE DROPPING OFF SUPPLIES THEY ARE RECEIVING \$100 TICKETS

THE POLICE CHIEF STATED THAT HE HAD HEARD THIS, HE HAS TALKED TO BUSINESS OWNERS AND HE HAS YET TO BE ABLE TO VERIFY THIS. THEY HAVE NO \$100 FINE FOR PARKING SO HE IS NOT SURE WHAT THE ISSUE IS. HE FURTHER STATED THAT HE KNOWS THAT THERE IS AN ISSUE WITH TRUCK DRIVERS PARKING IN FRONT OF THE COURT HOUSE, AND THEY HAVE BEEN TOLD TO LEAVE, BUT HE DOES NOT KNOW WHAT THE \$100 FINE IS AND CANNOT FIND A \$100 FINE ISSUED TO ANYONE.

COUNCILOR BARBOUR STATED THAT IT WAS DURING A SHORT PERIOD OF TIME WHEN THEY WERE DROPPING A DELIVERY, AND HE BELIEVES IT WAS DE VITO'S, AND HE FURTHER STATED THAT A LOCKSMITH COMPANY RECEIVED 3 TICKETS WHILE TRYING TO WORK ON A DOOR FOR ONE OF THE MERCHANTS. THEY COMMENTED THAT NOW WHEN THEY GET A CALL, THEY DON'T WANT TO WORK DOWNTOWN BECAUSE THERE IS NO PLACE TO PARK.

THE CHIEF STATED THAT THE ORDINANCE ALLOWS FOR PEOPLE TO MAKE DELIVERIES, AND THE PEOPLE WRITING TICKETS ARE COGNIZANT OF WHAT IS GOING ON, SO THEY ARE NOT TICKETING DELIVERY TRUCKS.

COUNCILOR POTTIER STATED THAT IT MAY NOT JUST BE WHEN THEY ARE IN A VALID SPOT, BUT THEY COULD BE DOUBLE PARKING TO QUICKLY UNLOAD. HE DOES UNDERSTAND THE HAZARD WITH THIS, BUT HE ALSO STATED THAT HE DOES NOT KNOW WHAT A SOLUTION WOULD BE BECAUSE THEY HAVE TO UNLOAD.

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SEPTEMBER 24, 2013

THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

THE CHIEF STATED THAT RECENTLY THE SIDEWALK WORK WAS DONE ON SCHOOL STREET AND THE METERS HAVE NOT BE REINSTALLED. ONE OF THE REASONS IS THAT THEY ARE LOOKING AT MAKING THIS A LOADING, UNLOADING ZONE SPECIFICALLY FOR DOWNTOWN BUSINESSES, SO THERE WILL BE A DEDICATED PLACE. TRECOTT STREET IS ALSO AN ISSUE AND THEY ARE LOOKING INTO MAKING SOME STREETS ONE WAY.

THE CHIEF WAS ASKED TO EXPRESS THE COMMITTEE'S CONCERNS TO THE METER OFFICERS. ALSO, THERE IS A NEED TO GET THE WORD OUT THAT PEOPLE CAN GET A WAIVER BECAUSE THEY ARE MAKING DELIVERIES TO BUSINESS OWNERS. BUSINESS OWNERS SHOULD BE MADE AWARE OF THIS.

MOTION: TO REFER THIS MATTER TO THE CHIEF TO HANDLE APPROPRIATELY. SO VOTED.

1. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITION OF NORTHEAST AUTO EXCHANGE INC. TO TRANSFER THEIR CLASS II LICENSE FROM 577 WINTHROP STREET TO 406 TREMONT STREET

A LETTER OF THE POLICE CHIEF DATED 9/24/2013 WAS READ IN WHICH WAS STATED THAT THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FINDS NOTHING THAT WOULD PREVENT THE APPROVAL OF THE PETITION OF NORTHEAST AUTO EXCHANGE INC. TO TRANSFER THEIR CLASS II AUTO LICENSE FROM 577 WINTHROP STREET TO 406 TREMONT STREET WITH THE FOLLOWING CONDITIONS: 10 VEHICLE LIMIT, ZONING BOARD CONDITIONS, AND NO OUTSIDE DISPLAY OF VEHICLES, ALL VEHICLES TO BE INSIDE GARAGE.

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

MOTION: MOVE APPROVAL OF THE TRANSFER WITH CONDITIONS AS NOTED. SO VOTED.

7. MEET TO DISCUSS INTERSECTION OF ROUTE 44 AND NORTH WALKER STREET

THE CHAIRMAN PROVIDED A COPY OF A LETTER TO JAMES HATFIELD OF SRPEDD FROM MAYOR HOYE WHICH REQUESTS THAT SRPEDD PERFORM A TRAFFIC STUDY AT US ROUTE 44/WINTHROP STREET AT NORTH WALKER STREET IN TAUNTON. THE DPW HAS MET WITH THE MA DOT ENGINEERING DIVISION ALONG WITH THE TAUNTON POLICE DEPARTMENT SAFETY OFFICER CHRIS WILLIAMS IN REGARDS TO THIS MATTER. THE CITY OF TAUNTON MUNICIPAL COUNCIL HAS PLACED IT ON THEIR AGENDA FOR TUESDAY, SEPTEMBER 24, 2013 AS WELL.

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

ALSO PROVIDED WAS A LETTER TO THE CHAIRMAN FROM THE DPW COMMISSIONER WHICH STATED THAT THE TAUNTON DPW HAS BEEN IN CONTACT WITH THE MA DOT TRAFFIC ENGINEERING DIVISION AND TAUNTON POLICE DEPARTMENT SAFETY OFFICER CHRIS WILLIAMS ON THIS MATTER. THEY HAVE ALSO CONTACTED JIM HATFIELD OF SRPEDD TO SEE IF THEY COULD PERFORM A TRAFFIC STUDY AT THE INTERSECTION OF US ROUTE 44/WINTHROP STREET AND NORTH WALKER STREET.

THE CHAIRMAN STATED THAT SHE SPOKE TO THE DPW COMMISSIONER AND WAS INFORMED THAT SRPEDD MAY BE ABLE TO START THE TRAFFIC STUDY IN THE NEXT COUPLE OF MONTHS.

MOTION: UPDATE TO BE PROVIDED IN NEXT COUPLE OF MONTHS AND MAINTAIN AS A MATTER IN FILE. SO VOTED.

9. MEET WITH THE POLICE CHIEF TO FURTHER DISCUSS ESTABLISHING A RESERVE LIST.

THE CHAIRMAN NOTED THAT LAST TIME THE COMMITTEE DISCUSSED ESTABLISHING A RESERVE LIST THEY HAD ASKED FOR IT TO BE DISCUSSED AGAIN THIS WEEK. SHE RECEIVED A CALL FROM THE CITY

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SEPTEMBER 24, 2013

THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

SOLICITOR, LAST WEEK. THE COMMITTEE HAD ASSUMED THAT THEY COULD WAIT UNTIL SEPTEMBER 30TH BEFORE MOVING ON THE RESERVE LIST, BUT THEN FOUND OUT THAT IN FACT SOMETHING HAD TO BE DONE BY THE 20TH. AT THE RECOMMENDATION OF THE CITY SOLICITOR, A LIST WAS CALLED FOR THE PURPOSES OF BEING DISCUSSED, SUBJECT TO IT BEING RATIFIED BY THIS COMMITTEE AND THE COUNCIL. TECHNICALLY, WE HAVE A RESERVE LIST OF 4, BUT AGAIN, IT IS SUBJECT TO THE RATIFICATION OF THIS COMMITTEE AND THE FULL COUNCIL.

THE CHIEF STATED THAT THE LIST HAS 26 NAMES ON IT, BUT THEY ARE CALLING FOR 4, IT IS JUST HOW THEY HIRE. A RESERVE LIST IS AN INTERMEDIATE STEP FROM HIRING FROM THE CIVIL SERVICE LIST. YOU IDENTIFY CANDIDATES, DO BACKGROUND CHECKS, SELECT THE PEOPLE AND THEN YOU PUT THEM ON YOUR RESERVE LIST. THEY DON'T GO TO THE CIVIL SERVICE LIST, THEY GO TO THE RESERVE LIST. BY HAVING PEOPLE ON THE RESERVE LIST YOU DON'T HAVE TO DO AN EXTENSIVE BACKGROUND, YOU JUST DO AN UPDATED BACKGROUND CHECK. YOU'VE ALREADY DONE YOUR PRELIMINARY BECAUSE YOU HAVE SCREENED THE CANDIDATES. BY THE TIME YOU ARE READY TO HIRE, YOU ARE NOT GOING THROUGH 26 BACKGROUND CHECKS. YOU HAVE ALREADY IDENTIFIED THE PEOPLE YOU WANT TO HIRE, YOU PLACE THEM ON A RESERVE LIST AND THEN YOU HIRE FROM THE RESERVE LIST.

THE CHIEF FURTHER STATED THAT MOST OF THE ISSUES THAT WERE INVOLVED WITH THE RESERVE LIST WERE ELIMINATED IN THE LAST COLLECTIVE BARGAINING FOR PATROLMEN – VACATION ACCRUEL, DEPARTMENT SENIORITY – ALL OF THESE ISSUES WERE ADDRESSED. THE ONLY OUTSTANDING ISSUE THAT STILL EXISTS IS RETIREMENT BENEFITS. HIS UNDERSTANDING IS THAT THE RETIREMENT BOARD HAS A RULE THAT THEY ADOPTED SEVERAL YEARS AGO THAT ALLOWS FOR ACCRUEL OF RETIREMENT TIME FROM THE TIME YOU ARE ON A LIST. THE CHIEF ALSO NOTED THAT IF SOMEONE IS ON A RESERVE LIST, THEY ARE A RESERVE OFFICER FOR THE DEPARTMENT. WITH A RESERVE LIST THEY HAVE POTENTIAL CANDIDATES READY TO HIRE.

HE FURTHER STATED THAT THE WAY CIVIL SERVICE IS NOW DOING THE BANDING, WHEN YOU CALL FOR A LIST, YOU MIGHT HAVE TO DO 20 BACKGROUNDS. THIS WAY THE BACKGROUNDS ARE OUT OF THE WAY AND THE PEOPLE ON THE RESERVE LIST ARE READY TO HIRE. THE CHIEF DOES NOT WANT A LONG RESERVE LIST, HE WANTS A COUPLE OF NAMES SO THAT IF HE HAS AN ACADEMY SPOT AND HE HAS AN OPENING, HE CAN SHIFT SOMEBODY TO THE ACADEMY AND HE DOES NOT HAVE TO MISS AN ACADEMY CLASS.

THE CHIEF REMINDED THE COMMITTEE THAT HE HAS 2 MANDATORY RETIREMENTS COMING UP WITHIN THE NEXT CALENDAR YEAR, HE POTENTIALLY HAS 2 OPENINGS WITHIN THIS FISCAL YEAR BECAUSE OF VARIOUS FACTORS. THE FOLLOWING YEAR HE HAS A MANDATORY RETIREMENT.

COUNCILOR BARBOUR NOTED THAT THE COUNCIL ASKED FOR 2 NEW HIRES, BUT THE MAYOR WILL ULTIMATELY DETERMINE WHAT IS IN THE SUPPLEMENTAL BUDGET. SO TECHNICALLY, THE MONEY IS NOT THERE YET TO HIRE.

THE CHIEF IS WAITING ON A GRANT, WHICH WOULD HELP AND HE NOTED THAT THEY ARE WAITING ON A COMPANY COMING TO TAUNTON WHICH WOULD MEAN SOME MONEY TO THE DEPARTMENT ALSO. HE IS NOT WAITING ON THE SUPPLEMENTAL BUDGET EITHER.

THE CHIEF ALSO NOTED THAT SOME OF THE GUYS ON THE LIST ALREADY WORK FOR THE STATE, SOME AT THE D.O.C., SO THEY ARE COMING TO THE CITY WITH RETIREMENT TIME ALREADY AND WE HAVE TO ACCEPT THAT TIME WHETHER WE LIKE IT OR NOT. THE RESERVE TIME IS NOT GOING TO COUNT BECAUSE THEY ARE ALREADY WORKING FOR A GOVERNMENT AGENCY.

MOTION: TO AUTHORITZE THE CHIEF TO ESTABLISH A RESERVE LIST NOT TO EXCEED FOUR INDIVIDUALS.

COUNCILOR BARBOUR SECONDED THE MOTION, ON DISCUSSION, STATED THAT SOMEONE NEEDS TO COME INTO THIS ROOM AND TELL THE COMMITTEE HOW LONG SOMEONE CAN STAY ON A RESERVE LIST.

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SEPTEMBER 24, 2013

THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

HE WOULD LIKE A DEFINITIVE TIME FRAME – IS IT 3 YEARS OR FOREVER. OR, IS IT UNTIL THE CANDIDATE HAS 3 REFUSALS. HE WOULD LIKE A DEFINITE ANSWER TO THESE QUESTIONS.

COUNCILOR CARR STATED THAT SHE THINKS THAT THEY CAN STAY ON THE LIST UNTIL THEY GET HIRED OR HAVE THEIR 3 REFUSALS, BUT SHE ALSO FEELS THAT A PERSON ON THE LIST SHOULD BE TAKEN OFF THE LIST AFTER 1 REFUSAL. SHE ALSO FEELS THAT THE COMMITTEE SHOULD ONLY PUT ON THE NUMBER THAT THE MAYOR HAS COMMITTEED TO HIRE, AND THAT THEY HAVE NO REFUSALS.

THE CHAIRMAN NOTED THAT A LETTER DATED 9/24/13 FROM THE CITY SOLICITOR WAS PROVIDED REGARDING A POTENTIAL POLICE RESERVE LIST. HE ATTACHED COPIES OF THE MOST RECENT MOMORANDA OF AGREEMENT WITH THE 2 UNIONS IN QUESTION. THINGS LIKE VACATION ENTITLEMENT USED TO BE ACCRUED BASED UPON AN INDIVIDUAL'S CREDITABLE SERVICE IN THE RETIREMENT SYSTEM, INCLUDING TIME ON A RESERVE LIST. EFFECTIVE FOR NEW HIRES AFTER AUGUST 1, 2012, AND FOR LATERALS HIRED AFTER JANUARY 1, 2013, THE NEW RULE IS THAT THIS ACCRUAL IS BASED UPON AN INDIVIDUAL'S "LENGTH OF SERVICE IN THE TAUNTON POLICE DEPARTMENT."

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

QUESTIONED ALSO WAS HOW LONG WILL THE RESERVE LIST LAST. THE CITY CLERK STATED THAT THE RESERVE LIST IS INDEFINITE AND THE PEOPLE SIT ON THE LIST UNTIL A JOB IS AVAILABLE.

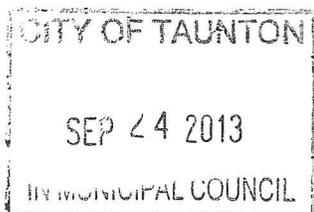
QUESTIONED ALSO WAS HOW MANY RESUFALS DO THEY HAVE WHILE THEY ARE ON THE RESERVE LIST. THE CITY CLERK STATED THAT SHE WILL CHECK THIS.

COUNCILOR BARBOUR STATED THAT IT IS NOT FAIR TO PUT THIS ON THE MAYOR WITHOUT DISCUSSING THIS WITH HIM. HE HAS NOT SEEN OFFICERS HIRED WHEN SOMEONE RETIRES IN THE PAST. HE WILL NOT AGREE TO MORE THAN 3 NAMES TO BE ON THE RESERVE LIST.

THE CHIEF STATED THAT 30% OF THE DEPARTMENT CAN RETIRE TOMORROW, AND THAT THIS ADMINISTRATION HAS A RECORD OF FILLING VACANCIES.

ON THE MOTION TO AUTHORIZE THE CHIEF TO ESTABLISH A RESERVE LIST NOT TO EXCEED FOUR INDIVIDUALS COUNCILORS CLEARY AND COSTA-HANLON VOTING IN FAVOR, COUNCILOR BARBOUR VOTING IN OPPOSITION STATING THAT HE WOULD SUPPORT THE MOTION IF THE NUMBER WAS REDUCED TO 3. MOTION CARRIES.

MEETING ADJOURNED AT 7:07 P.M.



RESPECTFULLY SUBMITTED,

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

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

MOTION WAS MADE TO APPROVE ITEMS 1-8 AND ITEM 10. ON ITEM 9, ESTABLISHMENT OF A RESERVE LIST THE COMMITTEE APPROVED 2-1 TO APPROVE 4 RESERVE POLICE OFFICERS. MOTION WAS MADE TO REFER THE APPROVAL OF 4 RESERVE POLICE OFFICERS FOR NEXT WEEK.

A handwritten signature in cursive script that reads "Rose Marie Blacwell".

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
SEPTEMBER 24, 2013

THE COMMITTEE OF THE COUNCIL AS A WHOLE

PRESENT WERE: COUNCIL PRESIDENT JOHN MCCAUL AND COUNCILORS MEDEIROS, COSTA-HANLON, POTTIER AND CARR. ALSO PRESENT WERE POLICE CHIEF EDWARD WALSH, ED VALADAO, CHAIRMAN OF THE PARKING COMMISSION AND JAY DORSEY, SECRETARY OF THE PARKING COMMISSION.

MEETING CALLED TO ORDER AT 7:21 P.M.

1. MEET WITH THE POLICE CHIEF, PARKING COMMISSION AND B.I.D. TO DISCUSS THE PARKING GARAGE

THE POLICE CHIEF STATED THAT BETA WAS HIRED TO DO A CONDITION EVALUATION REPORT OF THE PARKING GARAGE. HE PROVIDED A COPY OF THIS REPORT TO ALL COUNCILORS. NO SUBSTANTIAL REPAIRS HAVE EVER BEEN DONE ON THE DECK AND IT IS STARTING TO CRUMBLE AND FALL APART. THE COST FOR THE WORK IN BETA'S ESTIMATION IS \$1.135 MILLION, AND WITH THE ENGINEERING SERVICES IT WILL BE ABOUT \$1.36 MILLION. AT THIS POINT, THEY ARE LOOKING TO BOND THIS TO SUPPORT THE REPAIR OF THE DECK. THE CHIEF ALSO HANDED OUT A DOCUMENT SHOWING THE PARKING REVENUE FOR FY 2012 AND FY 2013 AND IF THE PROJECT IS BONDED, THE PARKING COMMISSION FEELS THERE WILL BE SUFFICIENT FUNDS TO PAY FOR IT OUT OF THE REVENUE. THE CHIEF FURTHER STATED THAT THE GALLIGAN COURT PARKING LOT, TRESMOTT STREET PARKING LOT AND COURT STREET LOT ALL NEED WORK. THEY WOULD LIKE TO INCLUDE DOING THE WORK IN THE LOTS IN THE BOND, WHICH WOULD COST ABOUT \$600,000.00.

THEY WOULD ALSO BE LOOKING AT KIOSKS AT THE PARKING GARAGE AND THE COURT STREET LOT WHICH WOULD ELIMINATE PERSONNEL EXPENSES.

THE DECK IS AT CAPACITY USUALLY. IT IS \$10 TO PARK FOR THE DAY BUT THE PROBLEM IS THAT IF YOU HAVE A PASS ITS \$1 A DAY. THIS IS NOT FEASIBLE TO MAINTAIN THIS \$30/MONTH FOR A PARKING PASS. AT SOME POINT THIS RATE NEEDS TO BE ADJUSTED TO SUPPORT THE DECK. YOU DO NOT SEE CAPACITY AT THE PLEASANT STREET LOT AND THE COURT STREET LOTS.

THE COMMISSION WAS ASKED IF THEY HAD A WISH LIST OF THINGS THAT THEY WOULD LIKE TO SEE DONE. THEY SAID THEIR NUMBER 1 PRIORITY IS GETTING THE PARKING DECK BACK TO WHERE IT SHOULD BE. YOU CANNOT CHARGE A PREMIUM PRICE TO PARK THERE IN THE CONDITION THAT IT IS IN NOW. GALLIGAN COURT IS ANOTHER MAIN ISSUE. THEY WOULD LIKE TO SEE A DECK SOMEDAY AT THE TRESMOTT STREET LOT. COURT STREET LOT NEEDS A LITTLE WORK AND THE PLEASANT STREET LOT WILL BE DONE IN A COUPLE OF MONTHS.

IT WAS NOTED THAT IN FY 14 THE REVENUE MAY GO UP BECAUSE THEY WILL HAVE A FULL YEAR OF PARKING ATTENDANTS.

IT WAS ALSO NOTED THAT THE RATES AT THE DECK WILL NOT CHANGE UNTIL THE WORK ON THE DECK IS DONE.

DISCUSSED ALSO WAS HAVING THE KIOSKS ACCEPT CREDIT CARDS AS RIGHT NOW THEY JUST TAKE CASH. ALSO DISCUSSED WAS THAT PEOPLE WHO HAVE A MONTHLY PASS DO NOT HAVE A GUARANTEED SPOT IN N THE PARKING GARAGE. ALSO, THOSE PERSONS WITH A HANDICAPPED PLATE OR CARD CAN PARK AT METERS FOR FREE, AS WELL AS PARKING AT THE DECK FOR FREE.

DISCUSSED ALSO WAS THAT THERE ARE 200 SPACES AT THE PARKING DECK. TO COVER THE COST OF THE REPAIRS AND MAINTENANCE THE MONTHLY PARK PASS COST COULD INCREASE TO \$2.50 DAY RATHER THAN \$1.00 A DAY.

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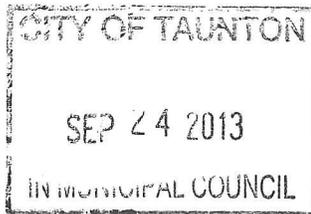
SEPTEMBER 24, 2013

THE COMMITTEE OF THE COUNCIL AS A WHOLE – CONTINUED

2. MEET WITH KEVIN SHEA OF COMMUNITY DEVELOPMENT, TERI BERNERT OF B.I.D., REPRESENTATIVE OF TAUNTON AREA CHAMBER OF COMMERCE AND REPRESENTATIVE OF THE NEIGHBORHOOD CORP. TO DISCUSS CHAPTER 40B FUNDS, THE DOWNTOWN AREA OF THE CITY AND A DETAILED DISCUSSION OF THE OLD ORIENT RESTAURANT.

MOTION: TO REFER THIS TO THE COUNCIL PRESIDENT TO SCHEDULE AN UPDATE FOR THE END OF OCTOBER. SO VOTED.

MEETING ADJOURNED AT 8:15 P.M.



RESPECTFULLY SUBMITTED,

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

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

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

CITY OF TAUNTON
MUNICIPAL COUNCIL
SEPTEMBER 24, 2013

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS

PRESENT WERE: COUNCILOR ANDREW MARSHALL, CHAIRMAN AND COUNCILORS MCCAUL, MEDEIROS AND BARBOUR. ALSO PRESENT WERE CITY SOLICITOR JASON BUFFINGTON, COMMUNITY DEVELOPMENT DIRECTOR KEVIN SHEA, DPW COMMISSIONER FRED CORNAGLIA, ASSISTANT DPW COMMISSIONER TONY ABREAU, WATER DIVISION SUPERVISOR CATHAL O'BRIEN, CRAIG FOLEY OF THE TMLP, BEN LEVESQUE AND ADAM YOUNOLIS OF C.D.M. JOE FEDERICO OF BETA AND KEN HO OF BETA.

MEETING CALLED TO ORDER AT 8:29 P.M.

1. MEET WITH THE T.M.L.P., D.P.W., LAW OFFICE AND KEVIN SHEA OF THE MAYOR'S OFFICE OF COMMUNITY DEVELOPMENT TO DISCUSS SIDEWALKS AT INTERSECTION OF TAUNTON GREEN AND WEIR STREET

THE CHAIRMAN STATED THAT THIS MEETING WAS CALLED TO DISCUSS THE CORNER OF WEIR STREET AND TAUNTON GREEN. IT HAS BEEN KNOWN FOR YEARS THAT IT HAS BEEN A TRAFFIC ISSUE, THE DESIGN IS FLAWED AND CURRENTLY TRACTOR TRAILERS HAVE TO GO INTO THE NORTHBOUND LANE OF ROUTE 138 OR GO OVER THE CURB TO MAKE THE RIGHT HAND TURN TO GO DOWN WEIR STREET. SINCE THE MAYOR'S OFFICE OF COMMUNITY DEVELOPMENT IS DOING THE SECOND PHASE OF THE DOWNTOWN SIDEWALK PROJECT THIS LITTLE SECTION HAS BEEN LEFT OFF THEIR PLAN BECAUSE IT DOESN'T MAKE SENSE TO DO A BRAND NEW SIDEWALK IF IT IS GOING TO BE RUN OVER BY THE TRUCKS.

THE CHAIRMAN STATED THAT A WHILE AGO THE CITY HAD DISCUSSED THIS SAME INTERSECTION AFTER THE SEELEY BUILDING FIRE AND HE BELIEVES AN ENGINEERED PLAN WAS DONE BY PAUL PATENAUE SHOWING WHAT LAND TAKING WAS NEEDED AND FIXING THE CORNER.

MR. SHEA STATED THAT WHAT THEY ARE DOING RIGHT NOW IS THAT THE SECTION IN FRONT OF THE SEELEY LOT FROM HOWARD UP TO INCLUDING THE HANDICAPPED RAMP AND THE PEDESTRIAL PUSH BUTTON. THIS HAS ACTUALLY BEEN EXCAVATED, WILL BE FORMED AND THE GRAY CONCRETE WITH THE STAMPED CONCRETE WILL BE DONE UP TO THAT POINT. HE FURTHER STATED THE ORIGINAL CONTRACT DID NOT CALL FOR GOING ANY FARTHER THAN THAT IN ANTICIPATION OF SOMETHING HAPPENING WITH THAT CORNER. WITH THE HELP OF BETA, THEY HAVE DRAFTED UP A CONCEPT PLAN ON HOW THIS WOULD WORK. THE BIGGEST ISSUE THAT HAS TO BE DEALT WITH FROM AN ENGINEERING AND CONSTRUCTION PERSPECTIVE IS DEALING WITH THE TMLP VAULT IN THAT SECTION. WITH THE MASSWORKS GRANT, THEY HAVE UNTIL JUNE 30TH TO SPEND THE MONEY, SO THIS COULD HAPPEN IN THE SPRING.

MR. FOLEY OF THE TMLP INFORMED THE COMMITTEE ORIGINALLY THE PLANS CALLED FOR LOWERING THE ROOF OF THE MANHOLE WHICH WAS GOING TO BE QUITE EXPENSIVE AND VERY DIFFICULT TO DO. THE LATEST PLAN SHOWS DIFFERENT GRADING PLAN AND BASICALLY THEY WILL ANGLE OVER THE TOP OF IT, IT IS ALREADY SET UP FOR IT, TRUCKS ARE ALREADY GOING OVER IT ANYWAY, SO NOW IT IS REALLY NOT AN ISSUE. ALL THEY WILL HAVE TO DO IS MOVE THE LIGHT.

THE CITY SOLICITOR STATED THAT HE NEEDS TO LOOK AT A PROPOSED PLAN OF MR. SHEA, WHICH HE HOPES MATCHES UP WITH THAT OF MR. PATENAUE THAT WAS DONE SOME TIME AGO. IF IT DOES, THEY WILL LAY OUT THE LEGAL DESCRIPTION OF THE LAND TO BE ACQUIRED. THE CITY SOLICITOR IS ASKING AT THIS TIME FOR THE COUNCIL TO GIVE THE AUTHORIZATION TO BEGIN THE PROCESS. THEY WILL NOTIFY THE OWNER OF THE PROPERTY OF THE CITY'S INTENTIONS, HOPEFULLY NEGOTIATE A REASONABLE PRICE, BUT IF NOT THEY WILL DO A TAKING.

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

MOTION: AUTHORIZE THE LAW DEPARTMENT TO START THE PROCESS TO TAKE WHATEVER ACTION IS NECESSARY TO GET THIS PROCESS MOVING. THEY ARE TO REPORT BACK IN ONE MONTH. SO VOTED.

2. MEET WITH CATHAL O'BRIEN, WATER DIVISION SUPERVISOR TO DISCUSS PROPOSED SRF PROJECTS

THE CHAIRMAN STATED THAT MR. O'BRIEN SUBMITTED A LETTER TO THE FULL COUNCIL APPROXIMATELY 2 WEEKS AGO WHICH SAID THAT THE CITY HAD SUBMITTED 3 LARGE PROJECTS TO SRF FOR FUNDING, WHICH WERE THE PROSPECT HILL RESERVOIR COVER, HARRIS STREET PUMP STATION AND WATER MAIN REPLACEMENT. THE COUNCIL HAD BEEN TOLD THAT NONE OF THIS WAS GOING TO BE FUNDED AND THE COUNCIL AUTHORIZED THESE PROJECTS TO BE DONE THROUGH OUR OWN FUNDING MECHANISM, OUR OWN WATER RATES. ORIGINALLY THE PROJECTS WERE NOT FUNDED THROUGH THE SRF LOANS, BUT AS PROJECTS DROPPED OFF THE SRF LIST, FUNDING BECAME AVAILABLE. DEP APPROACHED THE CITY REGARDING FUNDING 2 OF THE PROJECTS – THE HARRIS STREET PUMPING STATION AND THE WATER MAIN WORK. THE CITY PROCEEDED WITH THEIR OWN FUNDS TO REPLACE THE COVER ON THE RESERVOIR ON PROSPECT HILL.

MR. LEVESQUE OF CDM STATED THE BENEFIT OF USING THE SRF PROGRAM IS THAT WE ARE ELIGIBLE FOR PRINCIPAL FORGIVENESS ON THE LOANS. TYPICALLY ON THESE PROJECTS IT HAS RANGED FROM 10-30% OVER THE PAST FEW YEARS. THIS IS A SIGNIFICANT SAVINGS AND MAKES THIS A MORE VIABLE OPTION THAN TRYING TO BORROW THE MONEY ON OUR OWN.

THE ESTIMATED COST FOR THE HARRIS STREET REPLACEMENT IS \$5.5 MILLION, BUT BOTH PROJECTS TOTAL \$8 MILLION. EVEN AT 10% THIS IS AN \$800,000 PRINCIPAL FORGIVENESS. IN THE PAST THE CITY HAS RECEIVED IN THE 20% RANGE.

THE CHAIRMAN ASKED MR. O'BRIEN IF HE HAD THE CAPACITY WITHIN THE DEPARTMENT FOR BONDING AND PAYING BACK THE PRINCIPAL AND INTEREST. MR. O'BRIEN SAID YES.

THE CHAIRMAN ALSO STATED THAT HE HAD SOME DISCUSSION ABOUT WHAT THEY WOULD DO WITH THE CURRENT HARRIS STREET BUILDING. HE ASKED IF THERE WAS ANY MONEY OR ANY ALLOCATION IN THE SRF FUNDING FOR A REUSE OF THE EXISTING HARRIS STREET PUMPING STATION BUILDING ONCE IT IS DECOMMISSIONED.

MR. LEVESQUE SAID AT THIS TIME, NO.

COUNCILOR MARSHALL WOULD LIKE TO HAVE FUNDED A FEASIBILITY STUDY FOR HARRIS STREET AS HE WOULD NOT WANT TO MOTH BALL THAT BUILDING. QUESTIONED ALSO WAS CAN THE WATER DEPARTMENT USE SOME OF THE MONEY SAVED TO RE-USE THE HARRIS STREET BUILDING. IT WAS REQUESTED THAT THEY COME UP WITH POSSIBLE RE-USE AND IDENTIFY THE PITFALLS REGARDING REUSE.

MOTION: APPROVE AUTHORIZATION TO BORROW THE FUNDS.

MOTION WAS WITHDRAWN.

MOTION: TO APPROVE AND AUTHORIZE THE TREASURER TO DRAW UP THE APPROPRIATE LOAN ORDERS FOR THE THE 2 PROJECTS ELIGIBLE FOR SRF FUNDING. SO VOTED

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

3. MEET WITH ASSISTANT CITY SOLICITOR DANIEL DE ABREU TO DISCUSS SENIOR HARDSHIP DEFERRALS OF SEWER BETTERMENT ASSESSMENTS.

THE ASSISTANT CITY SOLICITOR STATED THAT HE WAS ASKED TO PROVIDE FURTHER INFORMATION REGARDING DEFERRAL AND RECOVERY AGREEMENTS UNDER GENERAL LAWS CHAPTER 80, SECTION 13B FOR SENIOR HARDSHIP DEFERRALS OF SEWER BETTERMENT ASSESSMENTS. THIS STATUTE MUST BE ACCEPTED BY THE CITY BEFORE ITS PROVISIONS BECOME OPERABLE. THERE ARE AGE AND OTHER REQUIREMENTS. NOT EVERYONE WILL QUALIFY.

HE FURTHER STATED THAT IF THE STATUTE WERE ACCEPTED BY THE CITY, HE WOULD SUGGEST THE COMMITTEE CONSIDER THE FOLLOWING WITH RESPECT TO THE ORDER OF EVENTS AND PROCEDURE TO BE FOLLOWED. PERHAPS AT A FUTURE POINT IF THE CITY ACCEPTS THE STATUTE, THE PROCEDURE COULD BE SET FORTH IN AN ORDINANCE FOR FUTURE REFERENCE.

1. ASSESSMENT BILLS ARE MAILED.
 2. EACH ELIGIBLE PROPERTY OWNER WOULD HAVE TO DETERMINE WHETHER DEFERRING THE ASSESSMENT WAS THE BEST COURSE OF ACTION OR WHETHER THERE WAS A BETTER ALTERNATIVE
 3. AN APPLICATION TO DEFER FULL ASSESSMENT IS DUE BY 6 MONTHS AFTER THE ASSESSMENT BILLS ARE MAILED.
 4. THE APPLICATION PACKAGE WOULD BE OBTAINED FROM AND RETURNED TO THE CLERK OF COMMITTEES.
 5. THE APPLICANT WOULD COMPLETELY AND ACCURATELY COMPLETE THE APPLICATION, INCLUDING OBTAINING THE APPROVAL OF ANY MORTGAGEE OR OTHER PERSON WITH AN INTEREST IN THE PROPERTY.
 6. THE APPLICANT WOULD RETURN THE APPLICATION AND DEFERRAL AGREEMENT, SIGNED BY ALL NECESSARY PERSONS.
 7. THE COMMITTEE WOULD MAKE THE DETERMINATION AS TO WHETHER OR NOT THE APPLICANT QUALIFIED UNDER THE STATUTE. THE COMMITTEE WOULD USE THE INFORMATION ON THE APPLICATION TO MAKE THE DETERMINATION AND COULD CALL UPON THE ASSESSORS TO ASSIST IT IN MAKING THE DETERMINATION.
 8. IF THE APPLICANT QUALIFIES AND THE AGREEMENT IS PROPERLY EXECUTED, WITH SIGNATURES OF MORTGAGEES OR OTHER PERSONS HAVING INTEREST IN THE PROPERTY, THE DEFERRAL MUST BE GRANTED. THE COMMITTEE WOULD THEN SIGN THE AGREEMENT.
 9. THE CITY WOULD RECORD THE AGREEMENT – RECORDING FEE ADDED TO THE AMOUNT OWED BY THE APPLICANT.
- THE AGREEMENT WOULD OUTLINE THE CIRCUMSTANCES OF WHEN THE DEBT IS DUE ALSO.
10. INTEREST WOULD ACCRUE ON ALL OUTSTANDING AMOUNTS AT A RATE OF 5% PER YEAR (OR OTHER RATE APPLICABLE TO THE BETTERMENT AS DETERMINED BY THE COMMITTEE UNDER C. 80 SECTION 13)

IT WAS NOTED THAT IN THE INSTANT CASE THE RATE WAS 5%.

11. ONCE THE DEBT IS PAID, THE COLLECTOR RECORDS A RENUNCIATION WITH THE REGISTRY OF DEEDS.

IT WAS NOTED THAT IF THE CITY ACCEPTS THE STATUTE AND SOMEONE DOES QUALIFY, IT MUST ACCEPT THE DEFERMENT. QUESTIONED WAS IF THE STATUTE IS ACCEPTED, IS IT JUST FOR SEWER BETTERMENTS? IT WAS STATED THAT IT WOULD BE FOR ALL BETTERMENTS.

IT WAS FURTHER NOTED THAT THIS IS A DEFERRAL, IT IS JUST PUTTING OFF THE PAYMENT. NOTHING PREVENTS A PERSON FROM PAYING IT OFF IN FULL. IT IS DEFERRED AND INTEREST WOULD ACCRUE ON THE BALANCE DUE. THE CITY WOULD NOT LOSE THE BETTERMENT, IT IS JUST BEING DEFERRED. IT IS SIMILAR TO THE SENIOR EXCEMPTIONS THAT ARE DONE NOW.

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

IF THE BETTERMENT IS DEFERRED, THE SEWER ENTERPRISE AND RATE PAYERS WOULD PICK UP THE SLACK, AND WHEN THE DEFERMENTS ARE PAID OFF THE MONEY WOULD GO BACK TO THE SEWER ENTERPRISE THUS MAKING THE RATE PAYERS WHOLE.

IT WAS STATED THAT THE CITY CAN ACCEPT THIS STATUTE AND THEN IT WOULD BE A GOOD IDEA TO PUT IT IN AN ORDINANCE.

THE GUIDELINES ARE EXTREMELY STRINGENT SO THERE PROBABLY WILL NOT BE A LOT THAT WILL COME IN, BUT THIS WILL BE A TOOL FOR A VERY SMALL NUMBER OF SENIORS.

QUESTIONED WAS WHETHER A PERSON COULD PAY THE INTEREST ONLY SO THE BILL WOULD NOT GET OUT OF HAND. THE ASSISTANT CITY SOLICITOR STATED THAT HE DOES NOT THINK THE STATUTE ALLOWS FOR THAT, BUT HE WILL DO SOME RESEARCH.

MOTION: TO ACCEPT GENERAL LAWS CHAPTER 80, SECTION 13B AND THE LAW DEPARTMENT AND ASSESSORS OFFICE ARE TO DRAFT THE APPROPRIATE FORMS AND ORDINANCE AND RESEARCH THE ISSUE OF INTEREST ONLY PAYMENTS. SO VOTED.

4. MEET WITH THE ASSISTANT CITY SOLICITOR TO DISCUSS PREVIOUSLY GRANTED SEWER ABATEMENTS ON WILLIAMS STREET, DUFFY DRIVE AND WINTHROP STREET

THE ASSISTANT CITY SOLICITOR STATED THAT THREE ABATEMENTS WERE GRANTED, 167 DUFFY DRIVE, 344 WINTHROP STREET AND 114 WILLIAMS STREET, WITH PROVISIONS THAT THE INDIVIDUALS INVOLVED ENTER INTO AGREEMENTS THAT WOULD BE RECORDED AND RUN WITH THE LAND, SO IF CIRCUMSTANCES CHANGED THE BETTERMENT COULD BE RECOVERED.

MR. DEABREU STATED THAT HE HAS TRIED TO ACCOMPLISH THIS BUT THERE IS NO PROVISION FOR THIS IN THE GENERAL LAWS. THE ACTION THAT THE CITY CAN TAKE IS STRICTLY LIMITED BY THE GENERAL LAWS AND IT DOES NOT APPEAR TO PERMIT SUCH A MECHANISM – NOTHING ALLOWS FOR A RESTRICTIVE COVENANT EVEN IF BOTH PARTIES AGREE.

MR. DEABREU STATED THAT REGARDING THE 344 WINTHROP STREET PROPERTY, A PORTION IS UNDER ENVIRONMENTAL RESTRICTION AND VACANT AND NOT BUILDABLE. IT IS NOT KNOWN WHEN THE ENVIRONMENTAL RESTRICTIONS WILL BE LIFTED AND IT WOULD STILL HAVE RESTRICTIONS ON THE LAND. MR. DEABREU RECOMMENDS MODIFYING THE EARLIER DECISION.

REGARDING 114 WILLIAMS STREET, THIS SHOULD HAVE BEEN CALCULATED ON ZONING THEN IN EFFECT SO THE LOT IS NOT OF SUFFICIENT SIZE TO BUILD A RESIDENCE ON. IF AN ABATEMENT IS GRANTED IT SHOULD BE DONE WITH NO REQUIREMENT THAT THERE BE A RECOVERY AGREEMENT.

MOTION: TO REFER ALL OF THESE PROPERTIES FOR RE-HEARING AT THE DISCRETION OF THE CHAIRMAN.

ON DISCUSSION, COUNCILOR BARBOUR ASKED THAT THE CITY SOLICITOR OR ASSISTANT CITY SOLICITOR PROPERLY WORD THE MOTIONS THAT WILL BE REQUIRED. **SO VOTED.**

MOTION: THAT A LETTER BE SENT ON BEHALF OF THE COUNCIL TO OUR LEGISLATIVE DELEGATION AND THE DEPARTMENT OF REVENUE REGARDING THE INABILITY OF THE CITY TO PLACE RESTRICTIVE CONVENANTS ON A PROPERTY WHEN A BETTERMENT IS ABATED. SO VOTED.

6. MEET TO REVIEW MATTERS IN FILE

MR. DACOSTA OF DUFFY DRIVE HAD COME IN WITH A MORATORIUM REQUEST TO HAVE WATER RUN TO A LOT HE OWNS ON DUFFY DRIVE. THE WATER DEPARTMENT REPORTED THAT THERE IS A COLLAPSED

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SEPTEMBER 24, 2013

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED

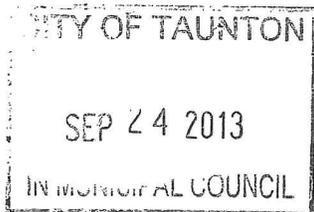
DRAIN WHICH IS REQUIRING EMERGENCY WORK, SO THEY WILL ALLOW MR. DACOSTA TO TIE INTO THE WATER LINE. MR. DACOSTA WILL BE REQUIRED TO DO HIS WORK PRIOR TO THE DRAIN WORK SO HIS ISSUE HAS BEEN RESOLVED.. THE CITY WILL PAY FOR REPAVING THE STREET CURB TO CURB.

MOTION: TO APPROVE MR. DACOSTA DOING HIS REPAIR AND THIS TO BE DONE PRIOR TO CITY DOING THEIR WORK THERE, THIS IS ONLY APPROVED BECAUSE THE CITY WILL BE WORKING THERE, AND IT IS SUBJECT TO THE CITY PAVING THE STREET CURB TO CURB. SO VOTED.

5. MEET WITH THE DPW COMMISSIONER TO DISCUSS TRAFFIC EVALUATIONS FOR COUNTY STREET AND GORDON OWEN RIVERWAY

MR. HO REPORTED THAT THERE HAVE BEEN SAFETY CONCERNS IN THE AREA BETWEEN JOHNSON STREET AND OWEN RIVERWAY. PART OF THEIR EVALUATION DONE WAS THE COLLECTION OF 24 HOURS OF COUNT WHICH WAS ANALYZED AT EVENING, MORNING AND SCHOOL RELEASE PEAK HOURS. THEY MEASURED THE ROADWAY WIDTH AND ON ONE SIDE THE LANE IS 19-20 FEET AND THE OTHER SIDE IS THE STANDARD 12 FEET. MR. HO STATED THAT THE 20 FOOT ROADWAY SECTION NEEDS TO BE MANAGED, IT NEEDS TO BE DEFINED AS PEOPLE ARE TRAVELING ALL OVER THE PLACE CAUSE OF THE WIDTH OF THE ROAD. HE STATED THAT THERE WERE SEVERAL ACCIDENTS DUE TO THE HIGH VOLUME AND THE 20 FOOT WIDE SECTION OF THE ROAD. IT NEEDS TO BE DEFINED AND MADE INTO A 12 FOOT LANE. HE RECOMMENDS CREATING A SHOULDER WHICH WOULD STOP PEOPLE FROM DRIVING ON THE SHOULDER OF THE ROADWAY. HE FURTHER RECOMMENDS KEEPING THE RIGHT TURN LANE AT OWEN RIVERWAY. THE SECTION THEY ARE RECOMMENDING BE STRIPED IS ABOUT 300 FEET AND SHOULD COST BETWEEN \$1500-\$2000. THEY ARE SCHEDULING THIS WORK TO BE DONE IN THE NEXT FEW WEEKS. COUNCILOR CLEARLY NOTED HIS CONCERN WITH CUTTING DOWN THE TURNING LANE AS HE FEELS THAT IT WILL CAUSE MORE OF A BACK UP ON COUNTY STREET.

MEETING ADJOURNED AT 9:45 P.M.



RESPECTFULLY SUBMITTED,

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

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS AGCEPTED, RECOMMENDATIONS ADOPTED.

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