



*City of Taunton*  
*Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA*  
*Minutes, October 14, 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: Councilors Cleary, Marshall, Costa-Hanlon, Croteau, Pottier, McCaul, Quinn, Carr, and Borges*

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

*Communications from the Mayor:*

Mayor Hoye discussed that this weekend is Liberty and Union weekend. The parade will begin on Saturday at 11am and take the Memorial Day Parade route. It will begin around Adams and Hamilton Street, heading towards downtown and will end down by Marion Manor. There is a full day of activities planned on Saturday which can be viewed on our website. It will be a great time and hopefully members of the public will come out and enjoy our 375<sup>th</sup> Anniversary celebration.

Mayor Hoye discussed that the Council chambers now have access to Wi-Fi. You can get the password by asking Paul Arikian.

*Communications:*

Com. from City Engineer stating that the construction of the traffic signal system at Myles Standish Boulevard and Robert W. Boyden Road is complete and the system is functioning properly. TMLP has inspected the installation and has received all necessary documentation and is satisfied with its operation. He recommended that the Municipal Council accept the traffic control signal system and allow the TMLP to assume its control maintenance. Councilor Carr discussed how she referred this issue to the Safety Officer three weeks ago. She does not think that it should be activated as a full light until the Council has received the report from the Safety Officer. When coming from 140, you cannot see the light until you come right up to it, due to trees blocking the view. She stated that something needs to be done before that light is fully operational. **Motion was made to accept the installation of the light but not to activate until the Council is satisfied with the Safety Officer's report. So voted.**

Com. from Veterans Director Agent stating that he has received a gift from Ron Duquet of the Elks Riders #150 in the form of a check for \$525.00. This check was used to purchase gift cards totaling \$525.00 to use for our needy Veterans and their families. **Motion was made to send a Thank You letter to Mr. Duquet and the Elks Riders and to receive and place on file. So Voted.**

Com. from Adam Meier, Operations Manager, Mike's Towing & Recovery, Inc., 41 Walton St., Attleboro inquiring about providing towing and recovery services for the City. He believes that by having service vehicles in close proximity to Taunton 24 hours a day 7 days a week, they will provide fast and efficient service that will exceed the City's expectations of a towing provider. They currently provide services from light duty towing, road service, and recovery up to and including heavy duty towing, road service and recovery. The secure facility located in Attleboro has the capabilities of outdoor and indoor storage. **Motion was made to refer to the Committee on Police and License. So Voted.**

Com. from Jessica Leonard, President, Leonard's Auto Repair & Towing, 265 Bay St., Taunton requesting to be added to the city towing rotation. They have 7 trucks available and offer 24 hour service. **Motion was made to refer to the Committee on Police and License. So Voted.**

**Communications in the hands of Councilors:**

Councilor Cleary stated that the auditor's report on the tax balances was missing all of the even numbered pages. **Motion was made to get a corrected copy of that report. So Voted.**

Council President Marshall received a letter from Timothy Bradshaw, Fire Chief, who formally requested the Council schedule a Civil Service Disciplinary Hearing in the matter of Private Kirk Wrigley. Council President Marshall stated that he spoke with the City Solicitor's Office and the hearings are scheduled for October 28, 2014 at 6:00pm. **Motion was made that the Committees be kept light that evening in order to begin the Civil Service Hearings. So Voted.** Councilor Croteau questioned whether to include in the motion that the hearings may be conducted in Executive Session. The City Solicitor stated that the subject has the right to request an Executive Session. Councilor Croteau stated that the Council won't know what option the person chose until that night and questioned if the Executive Session can still be done if it was not publicized. The City Solicitor stated that it is not necessarily a requirement that an Executive Session is posted. It is a requirement that what is to be discussed at the meetings be posted. Councilor Costa-Hanlon stated that she was unclear why it is a Civil Service Hearing. The City Solicitor stated that for anyone who is a Civil Service employee, Chapter 31 of the G.L. requires a hearing before the appointing authority to propose any discipline that exceeds 5 days of unpaid suspension. Councilor Costa-Hanlon inquired whether the employee became part of the Civil Service on the date of his employment. The City Solicitor stated that Private Kirk Wrigley has been one for about 31 years. **Motion was made to work with the Law Office to set up the hearings for October 28, 2014 at 6:00pm and make sure they are posted. So Voted.**

Council President Marshall received a letter from Timothy Bradshaw, Fire Chief, who formally requested the Council schedule a Civil Service Disciplinary Hearing in the matter of Private Robert Rodriguez. **Motion was made to work with the Law Office to set up the hearings for October 28, 2014 at 6:00pm and make sure they are posted. So Voted.**

Councilor Costa-Hanlon stated that she has a report from the Safety Officer, Chris Williams, which is a supplement to his report regarding parking on Church Street. He stated that per the Police and Licensing Committee meeting on October 7, 2014, he has reviewed the Church Street parking restrictions. Attached to his original recommendation made on October 12, 2014 that a no parking was to be erected on the South/Southwestern side only. It appears that some signage

was erected erroneously on the opposite side and will be corrected. Councilor Costa-Hanlon stated that she discussed this with the Safety Officer and believes that this has been taken care of.

**Petitions:**

**Hours of Operation**

1. Target located at 81 Taunton Depot Drive, East Taunton
2. Abercrombie & Fitch, Inc. dba Hollister, 2 Galleria Mall Dr., East Taunton

**Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Claim submitted by Joseph Rose and Melinda Castle requesting restitution from the City of Taunton for the pollution of two lots of land located on School Street (Lot #204, Lot#207). Councilor Cleary cautioned people to be careful what is shared with the people until the issue is resolved. The City Solicitor stated that like with any other claim, this is a situation where a person feels as though they have been wronged by the actions of the City and we will review it to determine whether or not there is any liability on behalf of the City. If so, it will be assessed to see what it may be. If we feel that there is no liability, the claim will be denied and it would be up to that person to decide to institute litigation or not. If it is determined that there was potential liability, we may engage in some type of discussions. He stated that this is the general process for any claim. Once someone submits a claim, it is an indication that there may be litigation against the City and the Council should all tread carefully. **Motion was made to refer to the Law Department. So Voted.**

Petition submitted by Kenneth Motta, Project Manager, Field Engineering Co., Inc. 11D Industrial Drive, P.O. Box 1178, Mattapoisett on behalf of his client, Taunton Development/Mass Development Corp. requesting a sewer extension of the public sewage collection system to service the Dever Drive section of the Phase IV Expansion area of the Myles Standish Industrial Park. **Motion was made to refer to the Committee on the DPW. So Voted.**

**Committee Reports:**

Motion was made for Committee reports to be read by Title and Approved. So Voted.  
Recommendations adopted to reflect the votes as recorded in Committee Reports. So Voted.

**New Business:**

Councilor Pottier stated that he received a report that the meters were removed on Cohannet Street and Martin Parkway but the posts have remained there. He is concerned about ADA Compliance and dangerousness due to the posts just sticking up. **Motion was made to refer to the Parking Commission. So Voted.**

Councilor Pottier stated that there was a motor vehicle accident yesterday at the intersection of Middleboro Avenue and Pine Hill Street. It is one of many intersections in the City that is a hot spot for accidents. He mentioned that the issue was referred a couple of weeks ago, he just wanted to emphasize the need to have that issue addressed. Councilor Costa-Hanlon stated that this intersection, along with Hart's 4 Corners, was scheduled to be discussed on October 28, 2014. Due to the hearings being scheduled that night, and possibly two Monday morning meetings to follow, it may be postponed. She stated that she will see what she can do to move it

along and maybe submit a report that week. Council President Marshall discussed the intersection and that there has been some concern with making that a four way stop. It was previously a four way stop and was deemed more dangerous that way, which resulted in it being turned back into a three way stop. Councilor Pottier requested that "Stop" warning signs be used further back.

Councilor Pottier mentioned that tomorrow is the last day to register to vote for this November's election. He wanted to remind everyone who is not registered to vote, if they care to vote, that tomorrow is the deadline.

Councilor Costa-Hanlon discussed referring to the Council as a Whole reviewing the rules of the City Council, which may encompass more than you think when looking at them. There are some procedural issues that are discussed frequently that the Council can move to change and not need to go through the charter. **Motion was made to refer to the Council as a Whole. So Voted.**

Councilor McCaul discussed the speeding issue on Washington Street, Whittenton Street, the intersection of Washington and Whittenton Streets and the intersection of Whittenton and Bay Streets. **Motion was made to refer to the Committee on Police and License. So Voted.**

Councilor Carr wanted to make a public service announcement for the Christmas Parade Committee. A meat raffle is being held this Sunday at 2:00pm at Home Plate. Advance tickets can be purchased at the Parks, Cemeteries and Public Grounds office. The phone number is 508-821-1415. If you purchase tickets in advance you will receive five extra raffle tickets. All proceeds will go to the Christmas Parade.

Councilor Carr stated that she has received a call from a couple of volunteers who stated that the Taunton Animal Shelter is too small and overcrowded. They have to turn animals away because they don't have the space for them. It was mentioned that there may be a couple of City owned buildings in that area that aren't being used. They questioned the 600 area of West Water Street. Councilor Carr is not sure if there are any such buildings and if so, if they could be used. **Motion was made that the Building Superintendent provide the Council with a list of City owned property in the vicinity of the Taunton Animal Shelter that would be suitable for the shelter to relocate to. So Voted.**

Councilor Borges stated that she and Councilor Pottier attended a landlords meeting last week. There was a request that the property owners with five units or more start to recycle. Councilor Borges stated that the landlords cannot get recycling bins for their tenants. **Motion was made to refer to the Committee on Solid Waste, DPW and possibly Ordinances so that we can revise the ordinance so they are able to do that. So Voted.**

Councilor Costa-Hanlon discussed how citizens can vote with the City Clerk. It was explained that voters can go to City Hall to vote on Mondays, Wednesdays and Thursdays from 8am-4pm, on Tuesdays from 8am-7pm and Fridays from 8am-12pm. Voting can be done up to 12pm on November 3<sup>rd</sup>, the day before the election.

Meeting adjourned at 7:30 P.M.

A true copy:

Attest:

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

City Clerk

RMB/SJS

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
OCTOBER 14, 2014

**THE COMMITTEE ON FINANCE AND SALARIES**

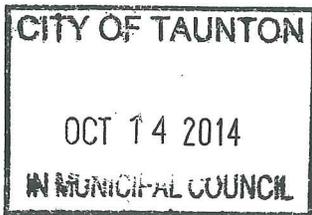
PRESENT WERE: COUNCILOR GERALD CROTEAU, CHAIRMAN AND COUNCILORS CARR AND  
POTTIER

MEETING CALLED TO ORDER AT 5:45 P.M.

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

MEETING ADJOURNED AT 5:46 P.M.

RESPECTFULLY SUBMITTED, .



*Colleen M. Ellis*  
 COLLEEN M. ELLIS  
 CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

*Rm Blackwell*  
 CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
OCTOBER 14, 2014

**THE COMMITTEE ON PUBLIC PROPERTY**

PRESENT WERE: COUNCILOR DEBORAH CARR, CHAIRMAN AND COUNCILORS QUINN, POTTIER AND BORGES. ALSO PRESENT WAS ASSISTANT CITY SOLICITOR DANIEL DEABREU AND WATER DIVISION SUPERVISOR CATHAL O'BRIEN

**MEETING CALLED TO ORDER AT 6:00 P.M.**

**1. MEET WITH THE LAW DEPARTMENT TO DISCUSS RELEASE OF DRAINAGE EASEMENT ON FIELD STREET**

COUNCILOR QUINN INFORMED THE COMMITTEE THAT SHE HAS A CONFLICT ON THIS ISSUE DUE TO REPRESENTATION OF ONE OF THE PARTIES. SHE ASKED TO BE EXCUSED FROM THIS DISCUSSION.

**MOTION: TO EXCUSE COUNCILOR QUINN. SO VOTED.**

THE CHAIRMAN NOTED THAT THE CITY HAD RECEIVED A COMMUNICATION FROM A PERSON WHO WAS TRYING TO PURCHASE A PIECE OF PROPERTY ON WHICH THE CITY HOLDS AN EASEMENT, AND THEY WOULD LIKE THE EASEMENT RELEASED.

A LETTER DATED 10/7/2014 WAS READ FROM THE LAW DEPARTMENT WHICH STATED THAT ATTACHED IS A PROPOSED RELEASE OF DRAINAGE EASEMENT AND A LETTER FROM WATER DIVISION SUPERVISOR CATHAL O'BRIEN. THE DRAINAGE EASEMENT WAS SUBMITTED TO THE DEPARTMENT OF PUBLIC WORKS AND THE LAW DEPARTMENT WAS COPIED ON THE COMMUNICATION.

THE EASEMENT IN QUESTION IS HELD BY THE CITY OF TAUNTON. THE ASSISTANT CITY SOLICITOR REQUESTED THAT THIS BE REFERRED TO THE PUBLIC PROPERTY COMMITTEE FOR ITS DELIBERATION AND RECOMMENDATION TO THE MUNICIPAL COUNCIL

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

A LETTER DATED 10/7/2014 WAS READ FROM WATER DIVISION SUPERVISOR CATHAL O'BRIEN TO ATTORNEY WILLIAM ROSA REGARDING THE RELEASE OF DRAINAGE EASEMENT FOR 56 FIELD STREET, TAUNTON, MA. THE LETTER STATED THAT THE TAUNTON DPW STREET AND DRAIN DIVISION HAS FIELD CHECKED THE AREA IN QUESTION AND THERE IS NOT A CITY DRAIN IN THE VICINITY OF 56 FIELD STREET, TAUNTON, MA. THERE ARE ALSO NO PLANS TO INSTALL ONE IN THE FUTURE. THE EASEMENT WOULD NOT BE ABLE TO BE ACCESSED TO THE REAR OF THE LOT AND THEREFORE IS NOT NEEDED.

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

THE CHAIRMAN FURTHER INFORMED THE COMMITTEE THAT SHE ASKED THE LAW DEPARTMENT TO DRAFT AN E-MAIL EXPLAINING THE WHOLE SITUATION WHICH THE DID.

THE E-MAIL STATES THAT THE CITY OF TAUNTON IS THE HOLDER OF A DRAINAGE EASEMENT DATED 4/2/1993 AND RECORDED AT BOOK 5452, PAGE 276 AT THE NORTHERN BRISTOL COUNTY REGISTRY OF DEEDS. THE EASEMENT WOULD ALLOW THE CITY TO DISCHARGE AND/OR CAUSE SURFACE WATER DRAINAGE FROM FIELD STREET TO FLOW OVER A PORTION OF LAND AND BE DEPOSITED UPON A CERTAIN AREA OF LAND AS SHOWN ON A PLAN REFERENCED THEREIN. ACCORDING TO THE EASEMENT NO MONEY WAS PAID BY THE CITY FOR IT. BASED ON THE LAW DEPARTMENT'S CONVERSATION WITH COMMISSIONER CORNAGLIA AND THE LETTER FROM WATER SUPERVISOR O'BRIEN, THE EASEMENT IS NOW OF NO VALUE TO THE CITY, BECAUSE THE CITY HAS NO NEED FOR IT AND CANNOT USE IT.

THE LAW DEPARTMENT IS INFORMED THAT THERE IS A SALE PENDING ON THIS PROPERTY AND THAT THE CLOSING HAS NOT OCCURRED BECAUSE OF THE EASEMENT ON THE PROPERTY.

SO, IF THE PUBLIC PROPERTY COMMITTEE IS INCLINED TO RELEASE THE EASEMENT, IT MAY DO SO BY TAKING A VOTE RECOMMENDING TO THE MUNICIPAL COUNCIL THAT (1) THE CITY HAS NO NEED FOR THE EASEMENT, (2) THERE IS NO VALUE TO THE EASEMENT AND (3) THE MAYOR IS AUTHORIZED TO EXECUTE

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**THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED**

A RELEASE OF THE EASEMENT. THEN, IF THE FULL MUNICIPAL COUNCIL APPROVES THAT RECOMMENDATION, THE MAYOR MAY EXECUTE THE RELEASE. THE SIGNED RELEASE WOULD THEN BE FORWARDED TO THE PROPERTY OWNER, WHO WOULD RECORD IT AT THE REGISTRY OF DEEDS.

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

THE CHAIRMAN STATED THAT THE CITY HAS AN EASEMENT ON A PIECE OF PROPERTY THAT NO ONE BELIEVES WE ARE EVER GOING TO USE AND THE SELLER WOULD LIKE THE CITY TO RELEASE THAT EASEMENT SO THAT THE PURCHASE AND SALE CAN GO THROUGH.

COUNCILOR CLEARY ASKED HOW BIG THE PROPERTY IS. THE ASSISTANT CITY SOLICITOR SAID IT IS .73 ACRE.

COUNCILOR COSTA-HANLON ASKED IF ANYONE CHECKED WITH CONSERVATION. THE ASSISTANT CITY SOLICITOR SAID NO, AND THAT THE CITY HAD AN EASEMENT FOR DRAINAGE BUT NEVER CONSTRUCTED THE DRAIN.

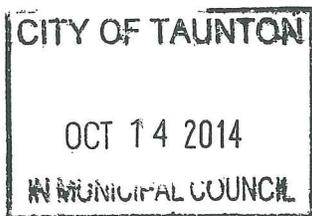
**MOTION: THE CITY OF TAUNTON HAS NO NEED FOR THIS EASEMENT, THERE IS NO VALUE TO THE EASEMENT AND THE MAYOR IS AUTHORIZED TO EXECUTE A RELEASE OF THE EASEMENT. THIS IS TO BE RECOMMENDED TO THE FULL MUNICIPAL COUNCIL. SO VOTED.**

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

IT WAS REQUESTED THAT AN UPDATE BE PROVIDED ON THE WALKER SCHOOL PROPERTY.

THE CHAIRMAN STATED THAT THE RFP HAS GONE OUT AGAIN AND THE PERIOD TO RECEIVE RESPONSES IS STILL OPEN.

**MEETING ADJOURNED AT 6:12 P.M.**



RESPECTFULLY SUBMITTED, ,

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

CITY CLERK