



*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, October 22, 2013 at 7:02 o'clock P.M.*

Regular Meeting

Mayor Thomas C. Hoye, Jr. presiding

Prayer was offered by the Mayor

At this time, Councilor Barbour asked for a moment of silence for George Benjamin, founder and owner of Benjamin's Restaurant

Present at roll call were:

Councilor's Marshall, Colton, Medeiros, Costa-Hanlon,

Pottier, McCaul, Carr and Barbour

Councilor Cleary was absent

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

Communications from City Officers:

Com. from City Solicitor – Memorandum of Understanding between the City of Taunton and Taunton Business Improvement District. **Motion was made to refer to the Committee of the Council as a Whole. So Voted.**

Com. from City Solicitor – Briggs Street Signage. Solicitor Buffington advised that there is no ordinance required to implement the recommendation of Officer Williams, which is to place the four yellow advisory traffic signs on Briggs Street. **Motion was made to refer to the DPW Sign Division for immediate action. So Voted.**

Com. from Treasurer/Collector – City's Top 100 Salaries List. **Motion was made to receive and place on file. Councilor Pottier stated that Councilor Cleary requested the list to identify departmental assignment, therefore he requested to defer the motion and receive and place on file until Councilor Cleary can review. Councilor Barbour stated that it is not a pressing matter, therefore if need be Councilor Cleary can review with the Treasurer. So Voted.**

Com. from Treasurer/Collector – Friday Pay Day. Implementation of a change in pay day from the current Thursday pay day to Friday beginning the first Friday in calendar year 2014. **Motion was made to receive and place on file. So Voted.**

Com. from Chairman, Taunton Planning Board – Notifying of a public hearing scheduled for Thursday, November 7, 2013 at 5:30pm for 30 Mozzone Blvd. **Motion was made to receive and place on file. So Voted**

Com. from Tom Teager, President, Fore Kicks, 223 Fremont St., Taunton – Requesting to install directional signs to assist patrons when travelling to the facility. The signs would be erected at the intersection of Bay Street and Bassett Street and at the intersection of Tremont Street and Fremont Street. **Councilor Costa-Hanlon informed that Mr. Teager is interested in scheduling a facility presentation for Council Members. Councilor Costa-Hanlon motioned to defer this for two (2) weeks and invite in Mr. Teager for the presentation. Councilor Carr stated that she knows he is interested in scheduling a presentation with Council but his letter states that he is looking for immediately action on this matter. Councilor Barbour stated that they are looking for two directional signs for their company, therefore, he would recommend referring it to the Safety Officer and if he has no concerns to refer to the Law Department for a possible Ordinance. If an Ordinance is not needed to refer to the DPW Commissioner to work with the business owner to make sure that the cost for the installation and manufacturing of the signs are 100% covered by the business owner. Councilor Costa-Hanlon amended the motion to include Councilor Barbour's recommendations and to invite Mr. Teager in for a presentation. Solicitor Buffington stated that he does not see anything on this issue that would require an Ordinance. Councilor Costa-Hanlon stated that it would need to be referred to the DPW Commissioner and the Safety Officer for placement of the signs. So Voted.**

Com. from Michael Botelho, 1402 South Cage Blvd, Suite 282, Pharr, TX – Requesting permission to display City Seal on a web page that he is assembling on Wikipedia dedicated to former Taunton Mayor Joseph E. Flood. **Motion was made to move approval. So Voted.**

Petition submitted by Manuel Massa, 1153 Locust St., Raynham requesting renewal of his Constable License for his employment. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Hours of Operation (Black Friday)

1. Justice located at 2 Galleria Mall Drive, East Taunton

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

Claim submitted by Alvaro Vieira, 827 Dartmouth Woods, Dartmouth seeking reimbursement for damages to his automobile from hitting a pothole on Myles Standish Boulevard just after the Holiday Inn. **Motion was made to refer to the City Solicitor and DPW Commissioner. 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 Barbour motioned to refer to the Police Department the temporary radar trailer for Williams Street and to see if they can do some manual radar on that street in the area of Homestead Crossing. Councilor Costa-Hanlon asked that it be referred to the Superintendent of Schools and to the Police Officer assigned to the High School to possibly make an announcement to remind students leaving the parking lot of their actions because some of the complaints are regarding the students coming out of the High School parking lot. So Voted.

Orders, Ordinances and Resolutions

Ordinance for a first reading to be passed to a second reading

- The City Clerk read a com. from Assistant City Solicitor – Senior Hardship Deferrals of Sewer Betterment Assessments.

AN ORDINANCE PROVIDING FOR SENIOR HARDSHIP DEFERRALS OF SEWER BETTERMENT ASSESSMENTS

**Chapter 19
SEWERS AND DRAINS**

Section 19-11.1: Procedure for Senior Hardship Deferrals of Sewer Betterment Assessments

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

SECTION 1. Chapter 19 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended by creating Section 19-11.1 as follows:

Sec. 19-11.1 Senior Hardship Deferrals of Sewer Betterment Assessments

Chapter 80 section 13B of the General Laws is accepted by the City of Taunton. Any person seeking a deferral thereunder must obtain an application from the Clerk of Committees. The application shall consist of an application form and a Betterment Assessment Deferral and Recovery Agreement, and may include additional information and instructions. The agreement shall contain the provisions set forth in section 13B. The completed application must be filed with the Clerk of Committees within six months after notice of such assessment has been sent out by the collector. The applicant must fully and accurately complete the application, to include obtaining the written approval of any mortgagee or other person with an interest in the property as provided by the statute. For each timely filed application, the Committee on the Department of Public Works will determine whether or not an applicant qualifies for deferral. The Committee may call upon the Assessors to assist it in making the determination, and the Assessors shall provide such assistance when called upon to

do so. If the applicant qualifies, then the deferral shall be granted by the Committee and the members voting in favor thereof shall sign the agreement. The applicant shall be notified of the Committee's decision whether or not the deferral is granted. The Committee shall provide notice of any deferral granted hereunder to the Treasurer/Collector. The Committee shall cause the agreement to be recorded at the Registry of Deeds, with the recording fee being added to the amount owed by the applicant. The agreement shall constitute a statement of the action of the Committee for the purposes of section 13B. The interest rate shall be, pursuant to the provisions of sections 13B(1) and 13 of chapter 80 of the general laws, the rate applicable to apportioned assessments. Payment shall become due as provided for by section 13B. The applicant shall cause the Collector to be notified upon the occurrence of an event that results in the payment becoming due. Once the debt is paid, the Collector shall cause to be recorded a renunciation or appropriate release with the Registry of Deeds. This Ordinance is intended to be in accordance with G.L. c. 80 section 13B and its provisions should be interpreted as such.

SECTION 2. All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage. **Motion was made to move from a first reading to a second reading. So Voted.**

Resolutions

- Resolution submitted by Webster Bank, N.A. for Treasurer/Collector to have access to and knowledge of its public documents, and have authority to certify such documents and records. **Motion was made to move approval. So Voted.**
- Resolution submitted by Bristol County Savings Bank, 35 Broadway, P.O. Box 4002, Taunton, designating public depository and authorizing withdrawal of Municipal Public Moneys for the City of Taunton (Principal), Benjamin Friedman Middle School, 500 Norton Ave., Taunton. **Motion was made to move approval. So Voted.**

New Business

Councilor Barbour motioned to refer to the DPW Commissioner for the flail mower to be used on Prospect Hill Street and Lothrop Street for trees and brush. So Voted.

Councilor Barbour motioned to refer to the DPW Commissioner for the flail mower for the corner of Field Street and Lothrop Street for trees and brush. So Voted.

Councilor Barbour motioned to refer to the DPW Commissioner for the street sweeper to clean Kilton Street and to refer Kilton Street to the DPW Commissioner for potholes. So Voted.

Councilor Barbour stated that residents on Manken Road, off Steve Drive, have requested two (2) street lights. He said that the request is for lighting in a private subdivision. Solicitor Buffington suggested referring the request to Mr. Scanlon's Office to look into terms of condition on the subdivision. **Councilor Barbour motioned to refer to Mr. Scanlon's Office for one week to provide the Council with information on the requirements for lighting or not. So Voted.**

Councilor Pottier stated that a resident at 66 Bluejay Lane has expressed concerns with sewer issue. The resident stated that every couple of years there seems to be sewer issues in the neighborhood and that the sewer joint at Mockingbird Way and Bluejay Lane needs to be corrected. **Councilor Pottier motioned to refer to the DPW Commissioner for the sewer concerns on Bluejay Lane. So Voted.**

Councilor Pottier stated that the Christ Community Church has spoken to him, the Mayor and the Chairman of the Committee of DPW regarding a possible expansion. Due to possible issues of sewer flow in the area, he motioned to refer to the DPW Commissioner. So Voted.

Councilor Pottier motioned to request a firefighter list for possibly three (3) new firefighters as Chief Bradshaw anticipates having some retirements in the near future as well as a temporary Fire Lieutenant list. So Voted.

Councilor Pottier motioned to refer to the DPW Commissioner for crosswalk striping on Liberty Street and Caswell Street. So Voted.

Councilor Medeiros motioned to refer to the Safety Officer the intersection of Second Street and Rt. 138 for the safety of small children at Leddy School as well as individuals crossing the street. So Voted.

Councilor Costa-Hanlon requested the City Clerk to post the meeting of October 28, 2013 for the interview of candidates for the Police Department which will be held in open session.

Motion was made to adjourn at 7:25p.m. So Voted.

A true copy:

Attest:



City Clerk

RMB/dmc

CITY OF TAUNTON
MUNICIPAL COUNCIL
OCTOBER 22, 2013

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS

PRESENT WERE: COUNCILOR ANDREW MARSHALL, CHAIRMAN AND COUNCILORS MCCAUL, MEDEIROS AND BARBOUR. ALSO PRESENT WAS JOHN KEEGAN OF SITEC ENGINEERING.

MEETING CALLED TO ORDER AT 6:05 P.M.

1. SEWER EXTENSION HEARING

IN ACCORDANCE WITH CHAPTER 19-1 OF THE CITY OF TAUNTON ORDINANCE AND ON THE PETITION OF JOHN KEEGAN OF SITEC INC., 449 FAUNCE CORNER ROAD, DARTMOUTH, MA 02747 FOR EDWARD DEBROSSE, A HEARING WILL BE HELD ON TUESDAY, OCTOBER 22, 2013 AT 6:00 P.M. IN THE CHESTER R. MARTIN MUNICIPAL COUNCIL CHAMBERS, TEMPORARY CITY HALL, 141 OAK STREET, TAUNTON, MA FOR A PROPOSED SEWER EXTENSION FOR 10 INGELL STREET.

THE PROPOSAL IS TO INSTALL A 2 INCH FORCE MAIN FROM 10 INGELL STREET, 480 FEET SOUTHERLY TO A GRAVITY SEWER MANHOLE AT THE INTERSECTION OF HIGH AND INGELL STREETS. THE PROJECT HAS BEEN BEFORE AND APPROVED BY THE CONSERVATION COMMISSION.

THERE WILL BE NO BETTERMENT ASSESSMENTS SINCE NO CITY FUNDING IS INVOLVED.

PLANS AND SPECIFICATIONS FOR THE PROJECT CAN BE VIEWED IN THE OFFICE OF THE DEPARTMENT OF PUBLIC WORKS, 90 INGELL STREET, TAUNTON, MA.

MOTION: TO OPEN THE PUBLIC HEARING AND INVITE THE INTERESTED PARTIES INTO THE ENCLOSURE. SO VOTED.

MR. KEEGAN STATED THAT HE IS PERMITTING THIS SEWER EXTENSION FOR MR. ED DEBROSSE. THIS IS FOR 480 FEET 2 INCH FORCED SEWER MAIN THAT WILL BE EXTENDED FROM 10 INGELL STREET UP TO A GRAVITY SEWER MANHOLE AT THE INTERSECTION OF HIGH STREET. THEY HAVE PROVIDED STUBS FOR ALL LOTS WITHIN THE RIGHT OF WAY ALONG THE ROUTE OF THE SEWER WHICH ESSENTIALLY IS GOING TO MEAN THAT EVERYBODY SOUTH OF THE RIVER UP TO HIGH STREET HAS AN OPPORTUNITY TO CONNECT INTO THE SEWER.

MR. KEEGAN FURTHER STATED THAT THEY HAVE BEEN THROUGH THE DPW REVIEW, THEY MADE THEIR REVISIONS. THEY HAVE ALSO BEEN REVIEWED BY THE SEWER PEOPLE, THEY MADE THEIR COMMENTS AND THE PLANS WERE REVISED TO PRODUCE THE FINAL SET OF PLANS. THEY HAVE ALSO BEEN BEFORE THE CONSERVATION COMMISSION BECAUSE THEY ARE IN SOME RESOURCE AREA LIKE A FLOOD PLAIN AND THE RIVER FRONT PROTECTION AREA. THEY RECEIVED AN ORDER OF CONDITIONS TO GO AHEAD WITH THE SEWER EXTENSION WHICH THEY WILL FOLLOW DURING CONSTRUCTION.

IF THEY RECEIVE APPROVAL TONIGHT, THEY WILL START TO PULL THE OTHER PERMITS THAT ARE NECESSARY SUCH AS THE STREET OPENING PERMITS, TRENCH OPENING PERMITS, EVERYTHING NEEDED FROM THE DPW.

COUNCILOR MARSHALL ASKED IF THESE WOULD BE INDIVIDUAL GRINDER PUMPS. MR. KEEGAN SAID YES.

COUNCILOR MARSHALL STATED THAT THERE WILL BE STUBS, BUT EACH HOMEOWNER, IF THEY WANT TO CONNECT, WOULD HAVE TO PROVIDE THEIR OWN GRINDER PUMP. COUNCILOR MARSHALL ALSO ASKED IF THERE WOULD BE ANY LIFT STATIONS THAT THE CITY WOULD HAVE

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

TO TAKE CARE OF. MR. KEEGAN SAID NO.

QUESTIONED ALSO WAS WHETHER THE ROAD WOULD BE PAVED CURB TO CURB. MR. KEEGAN SAID THAT THEY WILL PATCH THE TRENCHES AND THE LATERALS. AND THAT HE THINKS THERE IS SOMETHING IN THE WORKS TO HAVE THE ENTIRE ROAD DONE OVER AFTER THEY COMPLETE THE SEWER. THEY ARE ONLY GOING TO PATCH THE TRENCH AND THE LATERALS.

COUNCILOR BARBOUR NOTED THAT THIS WILL BE DONE UNDER THE DPW GUIDELINES, AND THAT THE DPW WOULD HAVE TO SIGN OFF. MR. KEEGAN SAID THEY WILL DO WHATEVER THEY WANT.

COUNCILOR BARBOUR NOTED THAT THE DPW ASKED THE COUNCIL TO EXTEND THE CONSTRUCTION PERIOD FOR THIS APPLICATION PAST THE NOVEMBER 1ST DEADLINE, WEATHER PERMITTING. HE ASKED HOW LONG THIS WOULD TAKE.

MR. KEEGAN SAID 3-4 WEEKS TO COMPLETE. THEY WILL START AS SOON AS THEY GET ALL THE PERMITS. HOPEFULLY THIS WILL BE COMPLETED BY THE END OF NOVEMBER, BEGINNING OF DECEMBER.

COUNCILOR MARSHALL FURTHER NOTED THAT WITH THEIR STUB, THERE WILL BE 10 STUBS. THEY NEED ONE AND ARE PROVIDING 9 ADDITIONAL STUBS TO THE NEIGHBORS. COUNCILOR MARSHALL STATED THAT THIS IS A HUGE BENEFIT FOR THE NEIGHBORHOOD AND ALSO ENVIRONMENTALLY BECAUSE THIS IS SO CLOSE TO THE RIVER, A LOT OF THESE PROPERTIES BACK UP TO THE TAUNTON RIVER.

NO ONE SPOKE IN FAVOR OF THE PETITION.

NO ONE SPOKE IN OPPOSITION OF THE PETITION.

THE CHAIRMAN READ A LETTER DATED 10/22/2013 FROM DPW COMMISSIONER FRED CORNAGLIA WHICH STATED THAT THE CITY OF TAUNTON DPW, VEOLIA AND BETA GROUP HAVE REVIEWED THE PROPOSED SEWER EXTENSION FOR 10 INGELL STREET. THE PROJECT CONSISTS OF APPROXIMATELY 475 LF OF 2-INCH DIAMETER LOW PRESSURE SEWER CONNECTED TO THE CITY'S EXISTING GRAVITY SEWER MANHOLE AT THE INTERSECTION OF HIGH STREET AND INGELL STREET. THE PROPONENT WILL ALSO PROVIDE SERVICE CONNECTIONS FOR ALL EXISTING LOTS FROM 10 INGELL STREET TO THE INTERSECTION OF HIGH STREET.

THERE ARE NO CITY FUNDS REQUIRED FOR THIS PROJECT. ALL COSTS ARE INCURRED BY THE PROPONENT.

THEY FIND THE PLANS TO BE IN ORDER AND IN ACCORDANCE WITH THE CITY SEWER ORDINANCE. THEREFORE, THEY RECOMMEND THE COMMITTEE APPROVE THIS SEWER EXTENSION.

BECAUSE THIS PROPOSAL WAS INADVERTENTLY DELAYED, THEY ARE RECOMMENDING THE COMMITTEE EXTEND THE CONSTRUCTION PERIOD BEYOND NOVEMBER 1ST WEATHER PERMITTING.

MOTION:

LETTER TO BE PART OF THE RECORD. SO VOTED.

MOTION:

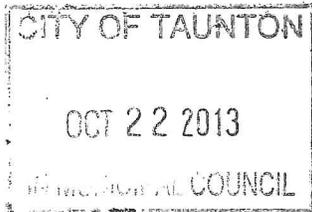
TO CLOSE THE PUBLIC HEARING AND GRANT THE SEWER EXTENSION IN ACCORDANCE WITH THE LETTER FROM THE DEPARTMENT OF PUBLIC WORKS, AND THAT THE WORK IS TO BE COORDINATED WITH THE DPW COMMISSIONER'S OFFICE AROUND THE EXTENSION BEYOND THE NOVEMBER 1ST CONSTRUCTION PERIOD. SO VOTED.

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

MEETING ADJOURNED AT 6:15 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 "Rm Blackwell".
CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
OCTOBER 22, 2013

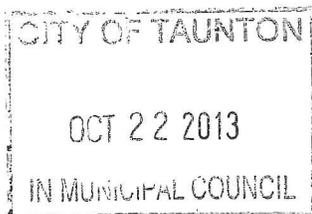
THE COMMITTEE ON FINANCE AND SALARIES

PRESENT WERE: COUNCILOR DEBORAH CARR, CHAIRMAN AND COUNCILOR COLTON

MEETING CALLED TO ORDER AT 6:16 P.M.

1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS
MOTION: MOVE APPROVAL OF THE PAYROLL WARRANT IN THE AMOUNT OF \$1,082,959.53. SO VOTED.
MOTION: MOVE APPROVAL OF THE INVOICE WARRANT IN THE AMOUNT OF \$1,828,966.92. SO VOTED.

MEETING ADJOURNED AT 6:18 P.M.



RESPECTFULLY SUBMITTED,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
OCTOBER 22, 2013

THE COMMITTEE OF THE COUNCIL AS A WHOLE

PRESENT WERE: COUNCILOR JOHN MCCAUL, PRESIDENT AND COUNCILORS MARSHALL, COLTON, MEDEIROS, COSTA-HANLON, POTTIER, CARR AND BARBOUR. ALSO PRESENT WERE STEVEN CALLAHAN, 17 EAST GROVE STREET, MIDDLEBORO, MA AND ANTHONY LOPES, 46 DAVIS STREET, TAUNTON.

MEETING CALLED TO ORDER AT 6:21 P.M.

1. **MEET FOR A PRE-REVIEW ON PETITION FOR A SPECIAL PERMIT FOR A TELECOMMUNICATIONS TOWER AT 760 COUNTY STREET LOCATED IN THE RURAL RESIDENTIAL DISTRICT**

MOTION: TO OPEN THE PRE-REVIEW HEARING AND INVITE THE PARTIES IN. SO VOTED.

MR. CALLAHAN STATED THAT HE IS HERE TONIGHT FOR A SPECIAL PERMIT TO ADD A SECOND RADIO TOWER TO LAND THAT HE OWNS AT 760 COUNTY STREET IN TAUNTON. HE BUILT RADIO STATION WVBF 22 YEARS AGO AND THEY HAVE OPERATED FROM MIDDLEBORO, BUT THEY WOULD LIKE TO MAKE THE MOVE TO THE SITE AT COUNTY STREET WHICH HE NOW OWNS. IT HAS BEEN A RADIO TOWER SITE SINCE 1949, BUT HE WOULD LIKE TO PUT IN AN IDENTICAL TOWER ON THAT SITE. THEY HAVE TO PUT ANOTHER TOWER BECAUSE AS THEY MOVE CLOSER TO NEWPORT, THEY HAVE TO CANCEL OUT THEIR SIGNAL IN THE DIRECTION OF NEWPORT SO THAT THEY DO NOT INTERFERE WITH A RADIO STATION IN NEWPORT. IT IS A CHANNEL THAT IS RIGHT NEXT TO THEM.

MR. CALLAHAN FURTHER STATED THAT THEY HAVE RECEIVED PERMISSION FROM THE PLANNING BOARD, THE ZONING BOARD OF APPEALS AND THEY ALSO HAVE AN ORDER OF CONDITIONS FROM THE CONSERVATION COMMISSION.

COUNCILOR POTTIER ASKED IF THERE IS A TOWER THERE CURRENTLY.

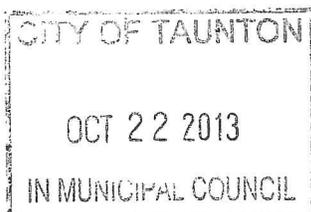
MR. CALLAHAN SAID YES, THERE IS A 180 FOOT TOWER THAT WAS USED FOR WPEP. IT WILL BE USED FOR WVBF. THE NEW TOWER WILL BE THE SAME SIZE AS THE CURRENT TOWER, IT WILL BE IDENTICAL BUT WILL BE 123 FEET AWAY FROM THE EXISTING TOWER. THEY MAY, IN THE FUTURE, MOVE THE STUDIO TO THIS LOCATION ALSO.

COUNCILOR COSTA-HANLON QUESTIONED WHETHER THE EXISTING TOWER WAS GOING TO STAY THERE. MR. CALLAHAN SAID YES, THAT WILL BE THEIR TOWER NUMBER 1, THIS IS THE TOWER THAT WILL CANCEL THE SIGNAL GOING TOWARDS NEWPORT. THE NEW TOWER WILL BE 123 FEET AWAY, WHICH WILL BE THE FEEDING TOWER, THE EXISTING TOWER WILL BE THE CANCELLOR.

THIS MEANS THE SIGNAL WILL BE STRONGER AND THE AMOUNT OF PEOPLE THEY WILL BE COVERING WILL JUST ABOUT DOUBLE.

MOTION: REFER TO THE FORMAL HEARING NEXT WEEK. SO VOTED.

MEETING ADJOURNED AT 6:25 P.M.



RESPECTFULLY SUBMITTED,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

CITY CLERK