



*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, October 27, 2015 at 7:30 O'clock P.M.*

Regular Meeting

Mayor Thomas C. Hoye, Jr. presiding

A moment of silence was held for John Barradas, a very special citizen who passed away last week at the age of 99. Mayor Hoye stated that he was a tremendous piece of our City; he has done caricatures of the Council and the Mayor and has done murals around the City. He was a great person and will be dearly missed.

Prayer was offered by the Mayor

Present at roll call were: Councilor's Borges, Carr, Quinn, McCaul, Pottier, Croteau, Costa-Hanson, Marshall and Cleary

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

Motion was made to go out of the regular order of business to Communications from the Mayor. So Voted.

Communications from the Mayor:

Mayor Hoye announced that last week, after having some lengthy discussions with Chief Walsh, they have agreed to increase the number of sector coverage in the City from 6 to 7. He wanted to let the citizens know that there is an extra patrol car out there at all times as of last week. He stated that we will continue to increase sector coverages until we are at a full allotment. He stated that it will happen hopefully sooner than later. Mayor Hoye stated that there are members of the 1144B union present tonight with a presentation for the Council. **Motion was made to invite the members into the enclosure. So Voted.** Mary Heim, Steward 1144B and Communications Administrator 1144, presented a check for \$500 from their membership to be put towards this year's Taunton Christmas Parade. She stated that they live and work in this community and are very proud of it. Mayor Hoye accepted the check on the behalf of the Parade Committee. He mentioned members of the Committee who are present in the audience which included Marilyn Greene, Jean Alger and Deborah Carr. He thanked the Union and spoke about how difficult it is to raise money for the parade and Lights On. He stated that they should be commended for putting their own money out there. He thanked them for the great job that they do for the City every day.

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

HEARING: On the petition of Ginsberg Taunton Properties, LLC (*NOTE: owner of land will change during a future hearing to 555 Constitution LLC*) represented by William Baird, President, WEB Engineering Associates, Inc., 104 Longwater Drive,

Norwell, MA for the storage of the following: Total of 750,000 gallons of indoor petroleum storage and a total of 350,000 gallons of outdoor petroleum storage at the location of 555 Constitution Drive, Taunton. **Motion was made to open the hearing and invite the parties into the enclosure. So Voted.** Com. from Conservation Agent notifying the Planning Board that the lot does not fall within the wetlands buffer zone and is therefore outside conservation jurisdiction. There are no conservation issues regarding this request as long as the groundwater is protected through current hazardous materials regulations. **Motion was made to make part of the hearing. So Voted.** Councilor Cleary stated that he knows that there is a letter from Conservation but there was also a letter from the Fire Department in support of this petition. Adam Brodsky, an environmental attorney working with Mr. Burke, stated that this City Council approved a special permit for the use of the property and the Board of Health has also completed a Hazardous Materials Review and approved the project. Councilor Carr asked why the petition is not in his name, is it because he does not own the property yet? He confirmed and stated that they intend to purchase the property in December however; it is the City's policy to issue this particular license in the property owner's name. The property owner has authorized them to move forward and at the kind suggestion of the City Clerk and with the Council's permission, they ask that the license be issued in the name of Ginsberg and they have agreed to come back before the Council to transfer the license after the transaction is completed. Mayor Hoye asked if there was anyone present to speak in favor or opposition of the petition. There was nobody present to speak in favor of the petition. John Sullivan spoke about the petition. He stated that he is one of the neighbors and when he received the notice he was concerned about the bulk storage and bulk fueling. He spoke to Ted Burke before the meeting and he explained what they are doing because he had no idea. **Councilor Costa-Hanlon made a motion to close the hearing and grant the petition. So Voted.**

Appointments:

Appointment of poll workers (Separate Packet). **Councilor Costa-Hanlon made a motion to approve all that are presented. So Voted.**

Reappointment of Marilyn Greene, Parks, Cemeteries, and Public Grounds Commissioner for a term of three (3) years expiring October 2018. **Motion was made to move approval. So Voted.**

Re-Appointment of William Manganiello, 100 Princess Kate Circle, Taunton to the Taunton Airport Commission for a term of three (3) years expiring October 2018. **Motion was made to move approval. So Voted.**

Communications from City Officers:

Com. from City Clerk requesting the approval of Disclosure Forms. In accordance with Massachusetts General Law Chapter 268A, Section 20B of the Conflict of Interest Law, a full-time Municipal Employee who participates in working as a closer for the 2015 City Election must file a Disclosure Form with their Municipality and said form must be approved by the Municipal Council. A public posting was advertised on the City's Job Opportunity Board and the City's website. A number of candidates have been hired for these positions. However, once the list was exhausted, there was still a need for individuals and therefore, ten (10) City employees were hired. **Councilor Costa-Hanlon made a motion to accept the disclosures. So Voted.**

Com. from City Solicitor – Barbara Burgo v. Taunton Municipal Council and City of Taunton, Massachusetts Commission Against Discrimination. He stated that he has written to the Council each of the previous two times that the City has prevailed in this case. Following the second finding of Lack of Probable Cause, the Complainant again appealed, and the Commission decided to sua sponte amend the complaint to include an additional claim against the City that the Complainant herself did not allege. The Law Department then decided it was in the City's legal interest to expend the time and resources to take the Complainant's deposition. Following this nearly day-long deposition, we transmitted the transcript of the deposition to the Commission. The investigating commissioner has reviewed this additional evidence and has concluded that the last remaining claim against the City is not sustainable on the merits. Accordingly, the City has prevailed on this case for a third time. Enclosed is the MCAD's Order dismissing the Complainant's case. **Councilor Cleary made a motion to receive and place on file and send a letter of appreciation to the City Solicitor's Office for another job well done. So Voted.**

Com. from City Auditor advising that she is appointing Ian D. Fortes to the position of Assistant City Auditor. The appointment will officially begin upon confirmation of the City Council and upon satisfactory completion of the required physical and CORI. Mr. Fortes graduated from Bridgewater State University with a Bachelor of Science degree in Accounting and Finance with a concentration in Accounting. Mr. Fortes works at CVS Pharmacy, where he has worked since July 2000 as a Shift Supervisor. He also served in the US Navy from August 1995 to January 1999. **Motion was made to move approval. So Voted.**

Com. from Chairman, Taunton Planning Board notifying that they received a Site Plan Review for property at 775 John Quincy Adams Road for a 4,782 square foot addition and site renovations submitted by Taunton Lodge of Elks #150. The Development Impact Review Board (DIRB) will review this petition on Tuesday, November 17, 2015 at 9:00AM in the Taunton Planning Board Office, Annex Bldg., 15 Summer St., Taunton, Ma and the Taunton Planning Board will meet to review this petition on Thursday, December 3, 2015 at 5:30PM in the Chester R. Martin Municipal Council Chambers, 141 Oak St., Taunton, MA. **Council President Borges made a motion to receive and place on file. So Voted.**

Com. from Chairman, Taunton Planning Board advising that the Taunton Planning Board received a Form J Plan – Waiver of Frontage Requirements – to divide one lot into two lots – submitted by Deanna Lee, 405 Richmond St., E. Taunton, MA. The Taunton Planning Board will hold a public hearing on this proposal on Thursday, November 5, 2015 at 5:30PM at Maxham School, 141 Oak St., in the Chester R. Martin Municipal Council Chambers, 141 Oak St., Taunton, MA. **Council President Borges made a motion to receive and place on file. So Voted.**

Com. from Chairman, Taunton Planning Board notifying that they received a Site Plan Review for property at Silver City Galleria Mall for parking lot revisions and landscaping as part of the proposed Bristol Community College and Round 1 Entertainment facilities, submitted by Kenneth Darling, Operation Manager. The Development Impact Review Board (DIRB) will review this petition on Tuesday, November 17, 2015 at 9:30AM in the Taunton Planning Board Office, Annex Bldg., 15 Summer St., Taunton, Ma and the

Taunton Planning Board will meet to review this petition on Thursday, December 3, 2015 at 5:30PM in the Chester R. Martin Municipal Council Chambers, 141 Oak St., Taunton, MA. **Councilor Costa-Hanlon made a motion to receive and place on file. So Voted.**

Com. from Kevin Duquette, Environmental Compliance Officer, Board of Health responding to odor complaints received by his office are nuisance odor complaints ranging from operational odors, sludge truck odors, and the occasional landfill gas odor. The question regarding if these odors are a public health concern was brought up earlier this year. He contacted some colleagues and the MA DEP regarding this question and it resulted in the following: Air quality testing requires expensive equipment and in order to conduct a test you must select a specific containment, VOC, or the like to test for. There is not a single test to determine the presence of every contaminant dangerous to public health. The Taunton Landfill does not produce any gases that would be a threat to public health and is not required to conduct air quality tests. Based on the guidance from the MA DEP, the Board of Health has not required Waste Management to conduct air quality testing not has the Board hired a 3rd party to conduct these tests on behalf of the City. **Councilor Costa-Hanlon made a motion to refer to the Committee on Solid Waste. So Voted.**

Com. from Assessor advising that the anticipated timeline for the upcoming annual Tax Classification Hearing, typically held in the month of November. They have submitted all of the data to the Department of Revenue for review, analysis and certification, including new growth. At this time, we anticipate receiving preliminary certification by Thanksgiving, and setting the date for the Classification Hearing early in December. They attribute this slight delay simply to a staffing shortage at the state level. **Council President Borges made a motion to receive and place on file and thank Mr. DeSantis. So Voted.** Mayor Hoye stated that there has been some criticism in the past that the Tax Classification Hearings have been pushed back too far. He stated that it has nothing to do with the City, the documents and forms were submitted but there is a slow down at the State level because of cuts to the DOR Office. He stated that the supplemental budget will be later this year as well.

Communications in the hands of Councilors:

Councilor Marshall read a communication from the DPW Commissioner requesting that the Committee on the DPW allow SB Contracting to work beyond November 1st weather permitting. Controlled density fill will be used at all locations for fill around the manholes. **Councilor Marshall made a motion that the request be approved allowing them to work past the November 1st deadline weather permitting with the daily approval of the DPW Commissioner's Office. So Voted.**

Councilor Marshall submitted an update of the DPW projects from the DPW Commissioner. It went over sewer projects, drain & roadways, paving & roadways, line striping, cross walks & stop bars and crack sealing. **Motion was made to refer to the Committee on the DPW. So Voted.**

Councilor Marshall read a communication from the Prospect Hill Preserve Residents. The residents located between 360 and 370 Prospect Hill Street in North Taunton respectfully request that the City of Taunton designate the roads in said subdivision as public ways. The subdivision contains 14 homes. Since receiving definitive approval

from the Taunton Planning Board, the roads and drainage construction has been implemented in accordance with the Planning Board's subdivision rules and regulations. **Motion was made to refer to the City Engineer's Office to begin the process of notifying the residents on their next step. So Voted.**

Councilor Costa-Hanlon read a communication from Carmen Maldonado which stated that it is time for the 2015 Thanksgiving Drive. If anyone would like to support a family of a Taunton Public School student, please call Carmen at 508-738-0289 or email her at cmaldonado@tauntonschools.org. Alternatively, you can bring non-perishable items to Ms. Maldonado's office from 8:30am-2:00pm at Parker Middle School, 60 Williams Street on or before Monday, November 23, 2015. **Motion was made to forward to the Council President, the Councilors and to be put on the City's website. So Voted.**

Communications from Citizens:

Com. from Alberto Rivas stating that in early August, Taunton residents, who are also members of the Latin Community and Latin Pass, requested the City hire a Spanish-speaking Police Officer. Last week, they were extremely disappointed to find that the City has not taken the actions necessary to hire a Spanish-speaking Police Officer. Because of this delay, the City may lose its best opportunity to hire a highly qualified Spanish-speaking Police Officer, who actually grew up here in Taunton. They are asking the City to take action in preserving the current Spanish-speaking Police Officer List, which will include Mr. Vernal and provide the City the best opportunity to hire a highly qualified Spanish-speaking Police Officer who is also one of our own. They understand the City has taken steps to preserve a civil service list in the past 3 or 4 years. The City Clerk stated that this was taken care of in the Committee on Police and License. **Motion was made to refer to the Committee Reports. So Voted.**

Petitions:

Petition submitted by Nafez Salem, 5 Tyler Ct., Warren, RI requesting a change of his Class II license from Walt's Auto Specialty, Inc. to Walt's Auto Specialty, Inc. –DBA Walt's Motors located at 287-289 Broadway, Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Bissie Mitchell, 262 Taunton Ave., Seekonk requesting a renewal of her Fortune Teller License –DBA- Sonia's Palm Reading located at 396 Winthrop St., Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Claim submitted by Katherine Beether, 16 Powderhorn Dr., Taunton seeking reimbursement for damages to her automobile from hitting a pothole on Crane Avenue South between Forge Drive and Checkerberry Lane. **Motion was made to refer to the DPW and the Law Department. So Voted.**

Councilor Pottier made a motion to go out of the regular order of business and accept the Committee Reports at the end of the meeting. So Voted.

New Business:

Councilor Carr has received complaints from residents of Prospect Hill Street about the ongoing problem of ATV's on the street. Councilor McCaul asked that the area by the railroad tracks in the Weir section be added. **Councilor Carr made a motion to refer to the Safety Officer. So Voted.**

Councilor Carr stated that she had a resident stop her in Trucchis to complain about the "No Left Hand Turn" signs posted on Court Street and Frederick Martin Parkway where the bridge construction is going on. They are not very visible where they have been placed. **Motion was made to refer to the Safety Officer to look at where those are placed and to see if there is a more conspicuous spot to put them in order to assist motorists. Councilor Marshall motioned to refer to Mass Highway because this is their project and they would be responsible for moving the signs. So Voted.**

Councilor Carr spoke about how it is very congested around the Washington Street bridge area. She stated that only half of the bridge is open and there is a lot of pedestrian traffic. **Motion was made to refer to the Parks, Cemeteries and Public Grounds department for snow removal on whichever side of the bridge is open. So Voted.**

Council President Borges stating that Councilor Pottier brought this up about three weeks ago and she is still receiving complaints about speeding in the Tremont Street, Worcester Street and Alfred Lord Blvd. area. **Motion was made to refer to the Police Department. So Voted.**

Councilor Pottier asked if rules for this year's election would be sent out especially to the new candidates. The City Clerk stated that they will be sent out hopefully tomorrow. Councilor Pottier asked if the rules have changed. The City Clerk stated that they are basically the same.

Councilor Pottier asked what is done for notifications of water main breaks. He would like to know if notifications are given out depending upon the emergency because he received a call that there was a break somewhere in the City and there was no notification given out and the residents in the area were concerned because it is a health and safety issue. **Motion was made for the Water Supervisor or the DPW to provide the Council with a communication on what the notification policy is. So Voted.**

Councilor Pottier made a motion to refer to the Trash Enforcement Officer to take a look at the area around 139 Bay Street. So Voted. He stated that it has been a problem in the past.

Councilor Pottier stated that he understands that there is a lot of work going on at the Dever property but it is particularly chewed up on the northbound side headed to BJ's. He stated that it is especially bad particularly in the evenings when you can't see. He said that there have been a number of people who have almost lost control of their cars. **Motion was made to refer to Mass Development to take a look at remediating that situation. So Voted.**

Councilor Croteau asked for the removal of a "No Parking" sign adjacent to 47 Church Street. He stated that it is a request from Bruce Gracia. Mayor Hoye requested that Fourth Street be added to the motion. **Motion was made to refer to the Safety Officer. So Voted.**

Motion was made to recess. So Voted.

Motion was made to return back to the regular Council meeting. So Voted. Council President Borges then presided over the meeting.

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 with the exception of the Committee on Police and License #1 for their appointment. So Voted. Councilor Costa-Hanlon asked that the Council, based on the recommendations of the Committee on Police and License, make Matthew R. Travers an offer of conditional employment to the Taunton Police Department subject to his PT, psychological evaluation, his doctor's appointment and the passing of the Police Academy. She stated that there was a unanimous recommendation and they are happy to put his name forward. Councilor Costa-Hanlon motioned that it be presented on a roll call vote. **On a roll call vote, nine (9) Councilors present, nine (9) Councilors voting in favor.**

Meeting adjourned at 9:30 P.M.

A true copy:

Attest:



City Clerk

RMB/SJS

CITY OF TAUNTON
MUNICIPAL COUNCIL
OCTOBER 26, 2015

THE COMMITTEE ON POLICE AND LICENSE

PRESENT WERE: COUNCILOR COSTA-HANLON, CHAIRMAN AND COUNCILORS CLEARY AND CROTEAU. ALSO PRESENT WERE COUNCILORS BORGES, CARR, QUINN AND MCCAUL, CAPTAIN JOHN REARDON, POLICE CANDIDATES STANLEY KRAWEC, MATTHEW TRAVERS, RONALD STULL AND LINDEN KARSNER

MEETING CALLED TO ORDER AT 5:08 P.M.

1. MEET TO INTERVIEW POLICE CANDIDATES

The first candidate interviewed was Stanley Krawec, III. He resides at 81 Rachel Drive, Taunton. He grew up in Taunton and feels that he can make good decisions fast. He said that he can be authoritative but also that people need to be comfortable approaching him for help. He was in the Marine Corp and is now on inactive reserves. He was in the Marine Corp for 4 years and was in Afghanistan for 8 months. He was in charge of 7 other Marines and \$2.2 million worth of equipment.

It was noted that he had a motor vehicle issue in Whitman when he was 21 and a surchargable accident in Taunton. He is 28 years old, graduated from Taunton High School in 2006 and worked for Griffin Electric. He left there to join the Marines. He got out of the Marines 2 years ago and is now a Plymouth County Corrections Officer.

Interviewed next was Matthew Travers. He is 23 years old, graduated from Dighton Rehoboth High School in 2010 and enlisted in the Army. He served in Afghanistan in 2012 and was discharged on July 17, 2014. He then enlisted in the Rhode Island National Guard, Army Branch and is currently a Team Leader.

He has attended Bristol Community College, but has currently taken a break from classes but wants to go back. He does not abuse sick time, he has never been arrested and his whole family is in law enforcement. He is a 10% disabled Veteran with a slight hearing deficit. He said he is reliable and a fast learner.

Interviewed next was Ronald Stull. He is a 2006 Taunton High School graduate. He joined the Marine Corp in 2008 and was deployed to Iraq. He returned in October of 2009 and was deployed to Afghanistan in December of 2010. He became a fire arms instructor. When he got out of the service he took the Civil Service exam. He is currently employed at Jordan's Furniture. It was noted that there are a significant number of motor vehicle violations on his record, a couple of which happened in July and August of 2015. He attended Bridgewater State College in 2012, but due to difficulty transitioning from the military he left. He has completed a semester at Massasoit College. He does not abuse sick time, he has never been arrested and he has not taken any other Civil Service exams and would stay in Taunton.

It was noted for the record that Timothy Berthelette, the next name on the list is currently deployed.

Motion: To take a 5 minute recess. So Voted.

Motion: To call the meeting back to order. So Voted.

The next candidate interviewed was Linden Karsner. She is from Raynham but attended St. Mary's School and Coyle High School. She earned a sociology degree from Merrimack College. She is currently a police officer in Woonsocket, Rhode Island and has been there for 9 years.

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THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

She joined the Coast Guard and has 9 months of active duty. There was an incident at the Woonsocket Police Department that resulted in her being suspended for a while. She was the junior person on the shift at that time and there was an incident with some Superior Officers that she did not report to anybody higher up. It was noted that there were 2 or 3 suspensions all for this same incident. She has perfect attendance at her job and she is also currently on the Taunton Fire Department list.

It was noted that with the exception of that 1 incident, Ms. Karsner received all positive remarks. The incident was again clarified that she failed to file a report against senior officers, which she feels resulted in teaching her to be more assertive. Ms. Karsner said that she likes that the Taunton Police Department has training and different divisions.

Regarding her Coast Guard duty, she has to work 1 weekend a month and 2 weeks a year.

Ms. Karsner has been a Patrol Officer for 9 years and moved to Taunton in 2008. She plans on staying in Taunton.

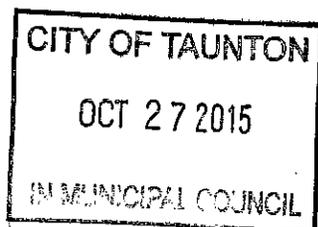
The Chairman noted that the Police and License Committee will meet tomorrow night to discuss the candidates and make a recommendation to the full Council. Councilor Cleary said that he would like to discuss and make the recommendations tonight so as not to have to meet on Tuesday.

Motion: To suspend this meeting until tomorrow, October 27, 2015 to discuss and come up with recommendations.

Councilors Costa-Hanlon and Croteau voting in favor, Councilor Cleary voting in opposition.

Motion Carries.

MEETING WAS SUSPENDED AT 7:41 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, likely of the City Clerk.

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
OCTOBER 27, 2015

THE COMMITTEE ON FINANCE AND SALARIES

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

MEETING CALLED TO ORDER AT 5:50 P.M.

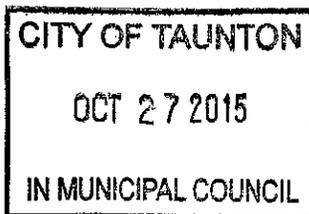
1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS
MOTION: MOVE APPROVAL OF THE VOUCHERS & PAYROLLS FOR THE WEEK. SO VOTED.

MEETING ADJOURNED AT 5:51 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
OCTOBER 27, 2015

THE COMMITTEE ON POLICE AND LICENSE

PRESENT WERE: COUNCILOR SHERRY COSTA-HANLON, CHAIRMAN AND COUNCILORS CLEARY AND CROTEAU. ALSO PRESENT WERE CAPTAIN JOHN REARDON, CITY CLERK ROSE MARIE BLACKWELL, CHIEF EDWARD WALSH, CITY SOLICITOR JASON BUFFINGTON AND DETECTIVE DENNIS SMITH

MEETING CALLED TO ORDER AT 6:14 P.M.

1. MEET TO MAKE RECOMMENDATION OF POLICE CANDIDATES TO FULL COUNCIL

The Chairman stated that last night this Committee and a number of other Councilors interviewed 4 candidates that were presented by the Police Chief.

The Chairman read a letter dated 10/8/2015 of Police Chief Edward Walsh which stated that on this date, the following applicants for the position of police officer in the City were interviewed by a panel consisting of the Chief of Police, 3 Captains and a representative from the Patrolmen's Association. The recommendations of the panel are as follows:

Stanley Krawec	Average rating : 3.75 – Recommended for hiring
Matthew Travers	Average rating: 4.0 – Recommended for hiring
Timothy Berthelette	Not Present due to deployment
Ronald Stull	Average rating: 2.75 – Not Recommended
Linden Karsner	Average rating: 2.0 – Not Recommended.

Councilor Cleary, for clarification said this letter is recommendations from the Chief of Police prior to the Committee doing the interviews.

Motion: Letter to be part of the record. So Voted.

Motion: To invite Captain Reardon into the Meeting. So Voted.

The Chairman also noted that the Committee is also waiting for City Clerk Rose Maria Blackwell, who is the Civil Service Officer so that the Committee can have the list as presented, the Civil Service List comes with ratings, and she believes from the representation made by the Chief that the order that they would appear on the Civil Service list would be the order that was read in the letter of the Chief.

Councilor Cleary said prior to getting into any discussion of the candidates interviewed Monday night, there are about 65 people in the audience who are interested in why the Committee did not interview another candidate. He said he could not answer the question because he was not aware of that 5th candidate. Councilor Cleary continued stated that the City Clerk may come in here with a list that says the person is on the list or not. Again, he feels that the Committee has to wait until the City Clerk comes in and lets the Committee know whether the person is on the list.

Councilor Costa-Hanlon said that is not what she is talking about, she is talking about the list contained in the letter from the Chief. What they are waiting for is the Civil Service list.

Councilor Croteau asked that the City Clerk be contacted now. He also said he has 2 questions. The first one is the absence of the Hispanic candidate. The second is, of the 5 names that they did receive one of the individuals is on active duty in a combat zone. It is his understanding that the Committee is required to consider that person, the committee cannot by-pass that person, however, at the same time, until such time as somebody tells him, he is not going to hire anyone

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THE COMMITTEE ON POLICE AND LICENSE – CONTINUED

whom he has not interviewed. Whatever procedures the Council has to follow so there is not a problem with Civil Service, and at the same time satisfy his concern that he is not going to vote one way or another on this individual until he interviews this individual. Also, the question has to be asked as to why the Hispanic candidates, how many there are, were not considered at all. This all needs to be explained, and hopefully the Council will eventually understand what Civil Service says.

Councilor Costa-Hanlon said the City Clerk is now here. She also said the Committee is going to take this 2 at a time. The first thing the Committee is going to deal with is the deployment. The issue is with one of the candidates, which was Timothy Berthelette.

Motion: To invite the City Clerk into the meeting. So Voted.

The Chairman noted that she had spoken with the City Clerk briefly about the list. She further said that what she wants to focus on first is the list that the City Clerk presented to the Committee tonight, and specifically Timothy Berthelette who is 3rd on this list of 5, not talking about the Spanish speaker, the list that the Committee has on the regular Civil Service list Mr. Berthelette is 3, he is a disabled Veteran and is currently deployed. He was not available for the interview, but he did sign, correct?

The City Clerk said his mother signed because he was in the military.

Councilor Costa-Hanlon said this is allowed under Civil Service because Mr. Berthelette was away. She asked the City Clerk to answer Councilor Croteau's questions, which are that he wants to know what are the Committee's obligations and duties relative to Mr. Berthelette because he was not able to be interviewed. From what Dr. Croteau said, and she agrees with him, is that it is important for the Command Staff to interview everyone because the Committee relies on their input, and it is certainly important for the Committee and the Councilors to be able to interview someone. She said she does know that he has a special status because he is deployed, and asked that the City Clerk explain that to the Committee.

Councilor Cleary, as a point of clarification said that Mr. Berthelette was not totally ignored because all Councilors did get a full packet on Mr. Berthelette with his application. He read it and understood it, but that fact that there was no interview makes it more difficult.

Councilor Costa-Hanlon said she understands that, but the letter from the Chief says "Not present due to deployment" so there is no recommendation for or against. The Committee does have his information in the packet, but right now he stands not recommended and not not recommended, so the Committee needs some clarification from Civil Service on how the Committee is going to handle that particular issue.

The City Clerk said that normally this list would close on October 31st. But, because we have someone in the military that we have not been able to interview, and she is not sure if backgrounds have been done, or whatever, but the interview comes first, and we have not been able to interview him so this list will stay open, we cannot bypass him. This is the only time that a list can stay open per Civil Service. If you choose one other person then you can give a condition of employment, but we need to keep this list open and he needs to come for an interview. That is not saying that you have to hire him, it is saying that the list has to stay open until he comes home and he is interviewed.

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THE COMMITTEE ON POLICE AND LICENSE – CONTINUED

Councilor Cleary said that when you say the list stays open, he is assuming that Timothy Berthelette's eligibility stays open, not the whole list. The City Clerk said this was exactly right. Councilor Cleary said when you say list, it is confusing. The City Clerk said the list does stay open, it stays open for him.

Councilor Croteau said his understanding is that the Committee is in a position to recommend for hire 2 officers, so if the Council hires 2 people, and then Mr. Berthelette is available for an interview at some point, we still have funding in the budget for 2 possibly 3 more police. So there is a position open, there should be a position open when Mr. Berthelette returns. However, if the language in the law says we keep the list open, meaning we cannot hire 2 this evening, we can only hire one. That is his question – can we hire 2 people this evening, or because Mr. Berthelette is not available, do we only hire 1 keeping that other position open. It is his understanding that Mr. Berthelette will not be back until February or March, so what is the answer to that.

The City Clerk said in the past few years when the Council asked for another person, we write a letter and Civil Service usually accepts what we want, especially where we asked for a Spanish speaking police officer and we did not get it. She is not saying we did not get it, we did not have the proper documentation. She called for the list and has proof that she did call for a Spanish speaking list, so her suggestion, if the council did want to hire 3 this evening and 1 for the military person, so you would actually be hiring 2 with conditions of employment. Because we cannot hire that Spanish speaking person, she would say that Civil Service would accept it so it would be up to the Council.

Councilor Cleary said that they have already clarified the position, and no offense to Mr. Berthelette, he has never met the individual, but it is not their intent to hire him, it is their intent to keep him on whatever list is out next. He will be on that list and the Committee will interview him. He is not looking to hire a 3rd person tonight. He thinks Councilor Croteau's question is can we just go ahead and hire 2 people as we intended.

The City Clerk said that is exactly what she said. You would hire 2 people if the Council would like and Mr. Berthelette would still stay on the list. That would be 3 people.

Councilor Croteau then asked if the Committee could hire 3 people this evening.

The City Clerk said you wouldn't hire Berthelette, you would say you are keeping the list open for him, and then hire 2 others. That is up to the Council.

Councilor Croteau then said we were in a position to hire 3 people this evening, to which the City Clerk said yes, exactly. Councilor Croteau continued saying that now we can hire 2 because we will keep that 3rd position open. So, we cannot hire 3 this evening, we can only hire 2 and keep the position open. He then asked what about the Hispanic situation.

Councilor Costa-Hanlon said the Spanish speaking police officer is what was called for with the 2. Councilor Cleary then said that this is the first time that he has sat here and heard that the Council is going to hire 3. His understanding, and what the City Clerk just said is that Berthelette goes on the next list. We have to interview him. There is no condition that we have to leave a vacancy for him, there is no requirement to do that. We are going to hire the 2 or now you say 3 which he did not know until right now, he thought it was going to be 2 people,

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but we are not looking to save a space for Berthelette. He will be considered as a candidate when we next fill a position.

The City Clerk said that you have to keep a position open for Mr. Berthelette. Whoever you hire tonight. First of all you asked for 2 police officers and a 3rd one for a Spanish speaking police officer. The list she asked for was 2 police officers then she asked for a Spanish speaking police officer, which the Chief did not give her documentation to send to Civil Service to get a list for the Spanish speaking officer. If the Council wants to hire, we kind of asked to hire 3, but we cannot hire the Spanish speaking police officer because we do not have the documentation. So, to her, Civil Service would give the city permission to hire 3 off this list, but you have to keep a list open for Berthelette, it does not go to a next list. You have to keep this list open for him. Then if you want to hire 2 more, she will ask Civil Service in the morning to take the Spanish speaking police officer we asked and you will hire 2 more off this list. That will be 3 all together, but this list stays open for 1 – Berthelette. She is not telling the Council they have to hire him, but the Council does have to interview.

Councilor Croteau said, again, based on what is being said now, we can hire 2 people this evening keeping 1 position open. That does not mean we have to fill that 1 position that is open with Mr. Berthelette, we need to interview him first. If we decide not to hire him then we can hire someone else to fill that 3rd position.

The City Clerk said but not off this list, we can only leave this list open for Berthelette.

Councilor Croteau said we also have, he believes, the funds to hire a 4th person, and possibly a 5th. So one way or another there is money available to hire Mr. Berthelette and then ask for another list. He said he is ok with Mr. Berthelette, however where does that leave us as far as the Hispanic list.

Motion: To ask the Chief to come into the meeting. So Voted.

Councilor Costa-Hanlon said at this time there is no way the Committee can preserve the current list for a Spanish speaker. The list for a Spanish speaker for this term is going to end October 31st. So the Council is not going to be able to preserve this list anyway, because the documentation that was needed was not submitted. She further stated that they can still use a new list after this.

Councilor Croteau, as a point of information, stated that there is money to hire additional police already budgeted, so obviously at some time in the very near future another list will be asked for. We need to clarify the Hispanic situation because the next time we need to be clear on what we are going to do.

Councilor Costa-Hanlon said that now it is understood that the 5 people that are in front of the Committee, that were interviewed by the Police Department, the Spanish speaking list was called for, it looks like August 11th, but the paperwork was not able to be filed. A communication referenced by Councilor Costa-Hanlon regarding the Spanish speaking list says that on August 11, 2015 the Taunton Police Department, Hiring Manager is Rose Marie Blackwell, the job term is a permanent full time. It says Selective Certification Questionnaire has been sent to the community, that Selective Certification Questionnaire was sent, and we were asking and it says, Selective Certification bilingual – yes. If yes, specify language – Spanish, and the Selective Certification Questionnaire as she understands it is what is needed.

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The City Clerk said you need a Par 10 form filled out. She also said she received a call from Civil Service after she requested the Spanish speaking police officer and said that they needed supportive documentation, so she told the Chief. She asked the Chief a couple of times about it. The Chief said that the current list expired August 25th. They could not get a list after that. One of the issues is, it is not just numbers, they want documentation on why. He reached out to other communities such as Salem and Chelsea to find out how they did this. The Chief said he thinks the City of Taunton may have done this once about 10 years ago, but they really have never done this. He wants to make sure he gets the process right because if we don't they are going to reject it. You have to get information from the U. S. Census, you have to do an internal survey, you have to determine how many calls for service requires Spanish speaking in the community. They also did a quick scrub of the current list that was out there and they had some concerns about the current list, so they thought it was in the best interest to wait until the new list on November 1st. It really does not impact the hiring schedule because they are not looking to go into the academy until January or February anyways. It will give them time to screen someone and get them tested for language skills as well.

Councilor Costa-Hanlon again said that the list was called for but the documentation needed was not presented so whatever list is out there for Spanish speaking officers in Taunton, it will also be a Taunton resident, that supplementary document was not submitted so we are not going to be able to hire any Spanish speaking officer from the list.

The Chief said no because the current list doesn't exist anymore, it expired in August. So even if you called for a new list last week, you would not be able to get it until November 1st.

The City Clerk said she already had the request out there and kept asking the Chief for the information, the Chief could have given her the information and it would have preserved the list.

Councilor Croteau said that a statement was made that the current list expired August 25th.

The Chief said unless you have a certification down, you cannot call for a new list, you have to wait until November 1st. If you have a current list down, it is valid.

The Chief said we had a list; we don't have a Spanish list. Councilor Croteau said even though it has expired since it was down it is still good?

The Chief said it is good as long as you give a conditional offer of employment by the 31st of October. The Chief said if the Council wants to hire 2 off the list and you don't by-pass anyone to get to anyone else, you don't have to make a conditional offer of employment for the person on active duty.

The City Clerk then said that if the Council is only going to hire the top 2 and not get to number 3, Berthelette, then this list is gone. If the Council only wants to hire 2, if you hire 3 you have to preserve the list for Mr. Berthelette.

The Chief said that his recommendation as he said in his packet is to hire the top 2 and request tonight at the Council Meeting a new list that will come out on November 1st for an additional hire for an anticipated retirement in December so that brings a new list down. If you have to request a Spanish list again request a Spanish list as well.

Councilor Cleary said the question is when it comes to Civil Service and this list, are transfers considered the same as new hires.

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The Chief said there are no transfers on this list, everybody on the list is considered a new hire. If you have an officer that is in a non-Civil Services Department or an out of state department, they are a new hire, not a transfer.

Councilor Cleary said the 5th candidate listed is a 9 year veteran of a police department. The Chief said they are a member of an out of state department and have no Civil Service standing in Massachusetts. They are a new hire.

Councilor Pottier asked the Chief how many Spanish speaking officers we currently have on the force.

The Chief said with the survey he did, he had 5 individuals who say they speak Spanish. The degree of Spanish fluency is subject to interpretation. Most of them are fluent in Portuguese. He has yet to have a situation where somebody is not able to understand them in a conversive situation, are they 100% fluent in Spanish, they are not to his knowledge, but they have the ability to understand someone speaking in Spanish and they are usually able to communicate with someone speaking in Spanish.

Councilor Pottier asked if the list regarding a Spanish speaking officer also encompasses people of Hispanic origin.

The Chief said no it does not. You are asking for a Spanish speaking list and it is based upon people that are self-identified that they are fluent in Spanish. Once the list comes down and they start screening candidates they will actually have to determine that they can speak Spanish fluently.

Councilor Pottier asked if other communities have had such a list and have hired from this list, to which the Chief said yes.

Motion: To allow members of the audience to speak.

Councilor Cleary said regarding the motion, the Committee is not going to make a decision on a Spanish speaking officer tonight, so these people will have to come back again to discuss their concerns.

Councilor Borges said she is concerned as to why this is being discussed this evening. Who scheduled these interviews to begin with?

Councilor Costa-Hanlon said the Committee called for 3 to begin with, 2 regular and one Spanish speaking officer, and all Councilors got their packets about 2 weeks ago, and that is when it was found out that they were not actually hiring 3, we were only going to hire 2 and wait for the Spanish speaking officer to be hired.

Councilor Borges asked who scheduled those interviews last night, if this was an issue before why wasn't it dealt with.

Councilor Costa-Hanlon said we could have not interviewed and that list would have expired. But the Chief had asked that the Committee hire.

Councilor Borges also said regarding hiring 3, this is the first she has heard of hiring 3.

Councilor Costa-Hanlon said there was a vote of the Committee to hire 3, with one being a Spanish speaking officer. Now they are not hiring 3 because the documentation needed for a Spanish list was not provided. That list has been called for; Civil Service has a Spanish speaking list waiting for the City of Taunton to get the documentation that the Chief has referred to.

The City Clerk said that you have to ask for that list again on November 1st.

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Councilor Borges said it would be more appropriate to have people speak when the Council has the Spanish speaking list.

Councilor Carr noted that just because the City calls for a Spanish list does not mean the City will get one. When Civil Service receives the information from the Chief they will look at that information and if they deem we do not have enough Spanish speaking people, they will not send a Spanish speaking list, if they feel we need it, they will send it.

The Motion was voted on, So Voted.

A lady by the name of Wendy Villalobos addressed the Committee and said that she feels like the Hispanic community, the Spanish speaking community is being discriminated against because she finds it outrageous that not even 1 person on the list was even interviewed. There were things that were left behind and not done on time to get someone that could at least be interviewed. She thinks this is a service that is not being done for this community. She also said Taunton is very far behind and that there are over 5000 Spanish speaking residents in Taunton. They feel they were let down.

The Chief asked Ms. Villalobos if she could tell him how many people in the City of Taunton only speak Spanish, or speak English with difficulty, to which she said she could not tell him exactly but that there are at least 5000 Spanish speaking residents. The Chief further said that the problem he is running into is that looking at the numbers there is a small percentage of people falling into that category. If you look at the census numbers, it is not something that Civil Service is going to support so he needs more information. He has had discussions with the School Superintendent and others to obtain more information.

Mr. Corello of 216 Broadway said he is looking for the City to represent his people, the Spanish speaking community. That is all they are looking for.

Councilor Costa-Hanlon said at this time that it is the City's job to provide the information to Civil Service so that they will allow a Spanish speaking officer in the City. The Council wants a Spanish speaking police officer. She further stated that this is the first time that she has heard from the Chief that he does not believe that the census numbers will support us asking for a Spanish speaking police officer. Is it wrong that the Council is hearing this for the first time, yes it is, since we called for the list in August. But it sounds like the Chief is saying that he has been trying to get more information to justify this. She also noted that the Council could refer the Chief to the numerous groups and organizations that have Spanish speaking people in them. It sounds like the Chief is looking for more information to be presented to Civil Service so that they will allow the City to bypass everyone that is on that list and get to a Spanish speaking person. The first Spanish speaking person is far down the list, so we have to ask Civil Service to bypass everyone on that list to get to the Spanish speaking person. She further said it will be a Taunton resident and he or she will have to be a member of our community.

Questioned was how long this will be put off because the Hispanic community feels that it does just keep getting pushed off.

The Chief said that he hopes to have all the information that he would need by Thanksgiving. The Chairman said that she will have a motion made to bring this back to the Committee immediately after that.

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On a point of information, Councilor Croteau asked the City Clerk how soon can the City apply for the next list, to which she answered November 1st. Council Croteau confirmed that the list for a Spanish speaking officer will be available next week, so he will make a motion that we will be in contact with Civil Service for the next list which will be 2 lists – a list and a Hispanic list – and that contact will be made no later than November 5th. Second, we will submit whatever documentation to the best of our ability. If that request is denied, he would assume that the reasons will be clear cut. However, if we are denied we will submit no less than 7 days following a second request. And, if we have to, we will also contact the administration on Beacon Hill. That is all going to be in the motion. Councilor Croteau said also that he wants a clear answer and he made this request last time this was talked about, as long as the person is qualified, we can bypass any number of people because that person's name is going to be on the Hispanic list and on the other list, and we have to have reasons as to why, if that person's name is on the other list and that person is #26 on the other list, we have to have reasons as to why we bypass 25 people. He wants that clear, in very clear concise language if possible from Civil Service so that we don't have another discussion when we appoint that person that evening and subsequently have a problem. That is all in the motion.

Councilor Costa-Hanlon noted that this was a point of information and a motion cannot be made.

Wendy Villalobos informed the Committee that they would all be willing to help with this information.

Councilor Croteau said he would include in the motion that their representative be contacted to review the request.

Councilor Costa-Hanlon said that they will call for the list and that is what they have done before. Also, there will be another meeting to review this again, it won't just be a calling of the list. It will be on this Committee's agenda.

On a point of information, Councilor Croteau said he wants contact made on or before November 6th and he wants that request submitted within a week, that is not the end of November, that is November the 13th.

Councilor Costa-Hanlon said this Committee will meet to be updated on the process.

Councilor Croteau then said he would ask that this Committee meet no later than November 17th to review the request and data information that has already been sent. So if this Committee needs to meet to review the data that needs to be sent on the 13th, then he would ask this Committee to meet on the 10th. Councilor Croteau said he wants to see that request go into Civil Service no later than the 13th, not just the contact, contact will be made on the 6th, the request or whatever you want to call it, the documents to go into Civil Service no later than the 13th. If it is necessary for this Committee to review that request before it goes in, then the Committee has to meet on the 10th. If the Committee meets on the 17th, then it is meeting after the request is already in. He does not want to meet on the 17th to discuss a request unless it has already gone in. If the Committee wants to discuss the request, it needs to meet on the 10th.

Councilor Croteau continued saying that the first motion will be to simply make contact.

The City Clerk said that she can ask for the list and as soon as the chief gives her the documentation she can forward it to Civil Service.

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Councilor Croteau then said that the City Clerk will contact Civil Service to make the request no later than November 6th, the Chief will provide with that the documentation to be sent in no later than the 13th.

A Mr. Ed Correia also spoke to the Committee stating that a Spanish speaking officer is needed and that it is crucial to have one.

Councilor Borges said when this came into the Council, the Mayor and the Council were all in full support of this. She understands the need also. What she is confused about is the fact that this is being talked about tonight. The list was pulled in August and the Committee has had August, September and October to talk about this during a Committee meeting and it is being talked about tonight. That is the frustrating part for her. She completely supports this and she does not think the Mayor, Council or the Chief has ever said that we are not going to hire a Spanish speaking officer. There is a process that is involved, the Chief is going through the process with Civil Service, to make sure that we protect them to get them on the list. She does not want people to walk out of this room thinking that the Mayor, the Council or the Chief is not supporting a Spanish speaking officer.

Councilor Cleary said every Councilor voted in favor of hiring a Spanish Speaking officer.

Councilor Costa-Hanlon said in fairness they could have done a better job in following up, and that is what the Committee is doing now. There will be another list and it will move forward.

Councilor Croteau made the following motion:

Motion: That no later than November 6th, the City Clerk will contact Civil Service, notifying Civil Service we are calling for 2 lists, a regular list and a Spanish speaking list, no later than November 13th the necessary paperwork will be in to Civil Service.

Councilor Croteau said further that since we are looking to hire and he is still confused about hiring 3, and thinks the Council should only hire 1, but if 2 are hired tonight his understanding of the budget based on subsequent retirements is there is money for 3 policemen in addition to the 2 for a total of 5. So, if the Council is going to be looking for 2 additional people plus a Hispanic, then that is how you look at it. The Hispanic has to be on a regular list, so that is 3. When you do 3, you do 7, so he is thinking the Committee ask for a list for 3, with the understanding that one of the officers will be interviewed and considered for a position and that officer will be Hispanic. He continued stating that if this Committee wishes to review the documentation, then it needs to meet the 10th. If it is ok with the Committee and the Council, that documentation to be in Boston by the time the Committee sits down to discuss it again, then we can meet the 17th.

Councilor Croteau then clarified his motion:

Motion: That the City Clerk no later than November 6th will be the contact with Civil Service, calling for the list, calling for 3 police officers one of which will be Spanish speaking. The Committee will review the documentation that will go to Civil Service for the Spanish speaking police officer on November 10th. With the understanding that the documentation is to be in the mail on the 13th.

Councilor Cleary seconded the motion on discussion. He said on the 1st of November, the 6th of November or the 10th of November if the City Clerk sends a request to Civil Service for a Spanish

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speaking list, they are going to send back that same paper that says you have to justify it. So what is most important is that we get the documentation, the justification, to Civil Service about the Spanish/Hispanic population in Taunton, the need for the Police Department to have a Spanish speaking officer, get that in first, then, consequently, when Civil Service has the information we can then ask for a Spanish speaking list because then it has been justified. To go the other way, they are just going to send you back the list and say you have to provide them with information. He thinks the priority motion is to get the Hispanic documentation, the make up of our population sent to Civil Service by November 6th.

The City Clerk said that you cannot send the documentation in first and then ask for the list, but you can send both of them in at the same time.

THE MOTION WAS VOTED ON WITH ALL VOTING IN FAVOR.

Motion: To take a 5 minute recess. (7:21 p.m.)

Motion: To call the meeting back to order (8:16 p.m.)

2. MEET WITH DETECTIVE SMITH AND THE CITY SOLICITOR FOR A STATUS ON PROPOSED NEW APPLICATION FOR CLASS II LICENSES

The City Solicitor provided a draft ordinance to all Committee members as well as the rest of the Councilors. As everyone knows, the City Solicitor said there was an issue with the existing ordinance that talked about a cap on these licenses, and the Appeals Court said that we could not do that. That gave an opportunity to look at the City's ordinance in its entirety and decide how to revamp that. The City Solicitor continued stating that before he got involved the Committee and Detective Smith had looked at the Town of Easton's by-law which was much more comprehensive than what we had, and they have in large part modeled the City's after that and also improved it in a number of ways that he thinks will benefit the public, will streamline the process for the Council, and let everybody know what the rules are. It is coming up on renewal time and the license year ends in December so they would like to get a new set of ordinances in effect for January 1st.

The City Solicitor said right now there are 2 ordinances on the books, and we are essentially starting from scratch with repealing Section 12-215 and Section 12-216 and replacing it with 12-215 through 12-219.

The first one, being 12-215 basically says that you cannot engage in this business without having a license. The license authority is the Municipal Council, and it tells you how to make an application for a Class II license by applying to the City Clerk. It authorizes the Chief to come up with a form without the necessity of actually putting the form in the ordinance and it requires the Chief to ensure that the City Clerk has these forms on file.

Section 12-216 talks about the fee which is \$200 which is what it is now.

Section 12-217 is the application criteria. This sort of stuff is all new for Taunton but it is based primarily on the Easton by-law, which he thinks it was the consensus of the Committee that it was acceptable. In sub-section A it says that in addition to the information required on the forms, the Municipal Council may require any applicant to provide any additional information as it deems necessary and that an application can be denied if for some reason that applicant fails to provide that additional information.

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Subsection B talks about a license shall not be granted unless the Municipal Council is satisfied from an investigation that the applicant is a proper person, that the business is or will be the applicant's principal business and that the applicant has an available place of business suitable for the purpose. That essentially parrots what is in the General Laws of Massachusetts, it is the same standard.

Subsection C is intended to give us more information about an applicant particularly in the situation where an applicant might be a corporation or a limited liability company or a limited liability partnership or some other entity. It requires the applicant to set forth in writing to the Council people who have an ownership or equity interest in the businesses of 10% or more, those who serve as a corporate officer, and those who serve as the licensee's onsite manager. It requires licensees to designate an onsite manager. Furthermore, that all applicants and all licensees have an obligation at all times to file with the City Clerk a notice of the change of any of this information when it occurs. It tells us that the purpose of this paragraph is to allow the Council to determine whether or not the licensee is a proper person.

Subsection D again talks about the investigation of facts

Subsection E talks about no license shall issue unless the applicant demonstrates that the applicant is or will be actively involved in the sale of secondhand motor vehicles, and prohibits the issuing of pocket licenses.

Letter F talks about the submission of a plot plan.

Letter G states that basically the applicant has to specify which portions of the premises that is going to be conducting the licensed activity.

Subsection H says that if you are a new applicant or haven't had one in a year you have to send a copy to the Registry of Motor Vehicles.

Subsection I talks about stuff that is required in state law, that the licensee has to have access to repair facilities because they are obligated by law to do that to comply with the lemon law.

Subsection J says that the Council shall deny a license unless the applicant can demonstrate compliance with all requirements of the Zoning Ordinances.

Subsection K, which is right from the statute, talks about where an applicant can seek a change of situation of the licensed premises or additions to the licensed premises.

Subsections L and M talk about the Council being able to revoke a license if it is not in compliance with state law or the rules and regulations thereafter or the provisions of this ordinance.

Section 12-218 – Operations Criteria in subsection C there are certain mandatory conditions that all licenses are subject to and going back to subsection A it talks about in addition to those mandatory conditions and any conditions imposed by zoning, the Council may impose reasonable conditions and restrictions upon the granting of any Class II license. The Council may require the assistance and advice of the City Planner, the Planning Board, the Development Impact Review Board or any other official or board in determining what site-specific conditions shall be imposed.

Subsection B talks about fencing that may be required if the Council deems it necessary to control access to the licensed premises or to maintain the aesthetic value of the immediate neighborhood.

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Subsection C talks about the mandatory conditions. There are 10 of those and the Solicitor believes most of them come right from the Easton by-law and Subsection D talks about a license being able to be suspended or revoked by the Council if after a hearing the licensee is not complying with any of the conditions of the license.

Section 12-218 talks about new licenses. So if you have a situation where there is going to be a parcel of land upon which somebody wants to either for the first time put a used car dealership on it or if there hasn't been one there actively operating for a year or more than that is considered a new license. In that situation the Council would hold a public hearing, the abutters would be notified, that one advertisement would be put in the legal ads of the local newspaper and that is all done at the expense of the applicant. It makes sense not to make folks do that who have licenses for a long time, really only the new licenses.

Section 12-219 is a severability clause.

Councilor Cleary asked if, where it mentions the Police Chief, can "or designee" be added.

Councilor Croteau asked if a Class II license holder can sell their license. The City Solicitor said no. That is why they put in the provision about the corporations and disclosing who has an equity interest in the corporation or serves as an officer of the corporation or is a manager, it gives the Council the ability to know, once it approves somebody and someone involved in the operation of that business is going to change, they have an obligation to notify the Council. Once the Council receives that information, it has the ability to look at it to determine whether or not the additional person or the new person is a proper person to be engaged in the business. The Council has the ability to know who the person is and if it is not a proper person there would be a hearing and the Council could revoke the license.

It was stated that it is possible to transfer a license, if the person comes to the Council

Motion: To refer the draft ordinance to the Committee on Ordinances and Enrolled Bills with the recommendation to approve the Ordinance by the Police and License Committee. So Voted.

THE COMMITTEE REVERTED BACK TO DISCUSSION OF ITEM NO. 1 ON THE AGENDA.

The Committee continued the process of making its recommendations to the full Council.

There were 4 individuals interviewed on Monday, October 26, 2015 by the Committee.

The Chief then explained their rating as stated in his letter which was made part of the record above.

Councilor Costa-Hanlon said that based on the Chief's letter Matthew Travers was rated higher than Stanley Krawec, but Mr. Krawec is higher on the list. Her impression, she further stated, was that Matthew Travers was the best candidate that the Committee interviewed. He interviewed very well, everything presented in his packet was spot on, there were no driving record issues.

Councilor Cleary made the following motion:

Motion: To recommend Matthew Travers to the Full Council

Councilor Croteau seconded the motion.

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On discussion Councilor Carr noted that Matthew Travers seems to be an outstanding candidate, but he has never been, or in quite some time he has not lived in the City, so she asked how he worked through the residency rule.

The Chief said that usually what has to happen with residency on an exam is you have to live in the City where you are taking the test for the year prior to the exam, unless you are a Veteran coming off active duty, at which point you are given a period of time to establish residency in a community. In a case like Mr. Travers, since he came off active duty, the Chief believes he established residency with his grandmother who does live in Taunton.

The Motion was voted on. So Voted.

Councilor Costa-Hanlon asked what the Committee's wishes were as the Committee can hire up to 2 officers.

Councilor Cleary said that he did not get to interview Mr. Krawec, but did meet the other 3 candidates. He finds the average rating of Linden Karsner very low based on the interview, based on her experience. He understands tonight that she would be a new candidate because she would be coming from Rhode Island, however she does have 9 years' experience as a police officer, she has been in the Coast Guard for 3 years, she has a degree from Merrimack College. She also had above average recommendations in her packet, so he finds it difficult and the only real issue this individual has is an incident in Woonsocket, Rhode Island which led to a 120 day suspension because as a young officer she observed a senior officer being brutal with a prisoner and she did not report it. The FBI did not find any charges against her after the 180 day suspension, but the Police Chief after the FBI investigation chose to suspend her for 120 days. Since that difficult time, which was 2009, she has served fairly well, very well, above average as the Chief in Woonsocket says, in the Woonsocket Police Department. Councilor Cleary said he has a hard time understating how she received such a low rating.

The Police Chief said that he has been told that she did interview better with the Council than she did with the Police Department. The interview with the Department did not go well and they had some pointed questions that she did not answer honestly or sincerely. He further noted that the incident with her just isn't a question of her observing something, she actually was the ring leader in the cover-up.

Councilor Cleary said for the record, that is the first time that was said. He further said the information in the packet seems to say that she was an innocent bystander that made a bad decision.

The Chief said what happened with the FBI investigation, and the Chief said he spoke with the Chief in Woonsocket who said that he wanted to terminate her, under the Rhode Island Bill of Rights, it is not like you go in front of the appointing authority. When an officer is charged with an offense in Woonsocket, they go in front of a 3 member panel that consists of the Union, the police department and a 3rd party, usually another officer from another department, not a Chief, and in this case it was a retired Lieutenant. The Chief recommended termination, he felt that her actions blemished the police department and felt she should have been terminated for it. During that interview she indicated that she was involved in discussions that were recorded by the FBI about a cover up. She cooperated with the FBI and that is why she did not get charged

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by them, she was a cooperating witness with the FBI in the investigation. One of the officers ended up going to prison for a year. The Chief understands that she was a young patrol officer, but when they asked her about this incident she could not even tell them what she was charged with. They felt that she was not very forthcoming, was very uncomfortable with discussing those issues with them. They asked her what she learned from this and she really did not answer this in a manner that was appropriate. She basically has not worked in Woonsocket in 2 years. She has been on active duty. For the last 2 years she has not been working as a police officer in a community.

Councilor Cleary said that is not in the packet.

The Chief said there was an incident while she was on active duty that they discussed with her during the interview, where she was in Virginia and was in a motor vehicle that got pulled over and the operator was charged with OUI. Based upon all the factors in the interviews, that is the score that they came up with. The Chief further said who would expect that an experienced police officer with 9 years' experience would come into an interview and not present better, explain themselves better. He also said that 120 day suspension is an albatross around her neck, how do you hire someone who was suspended for 120 days for all those charges that were against her that were sustained by an independent panel. She was found responsible for 6 out of the 11 charges and suspended for 20 days for each of the 6 guilty findings. She has not been back to work full time since then.

Councilor Croteau asked if the person who was the Chief during this incident and who wanted her terminated was the person who gave her a good recommendation.

Chief Walsh said it was a Lieutenant who gave the recommendation.

Councilor Croteau said he is willing to discuss her candidacy, however he does not wish to consider Mr. Krawec or Mr. Stull. He further said if we do not hire Officer Karsner, then he will not vote to hire anyone else. There are 2 gentlemen, Mr. Krawec and Mr. Stull, who have extremely poor driving records, and it is not a case of speeding, it is not a case of going through a stop sign. With Mr. Krawec, he left the scene of an accident, he exercised poor judgment, however he is not going to vote to put someone on the street who will be carrying a gun who will walk into a situation that is totally out of control and exercises poor judgment. Councilor Croteau said he will only be voting for 1 person – Matthew Travers.

Councilor Croteau said Mr. Stull had a very extensive driving record, and in fact was not recommended by the police department. As far as he is concerned, he is only voting for 1 person. He will not support either one of the other two.

Councilor Cleary asked if Officer Karsner were to be appointed would she have to start over like a new police officer.

The Chief said it depends on whether the State would give her a waiver and whether she would have to have some additional training. He further stated that one of the recommendations from the panel and the decision on the incident was relative to ethics training, and she was asked if she was required to attend that and she said she was not.

Councilor Croteau said based on what he has discussed relative to Civil Service with a number of people in the past few days he would suspect that the reason why she joined the Coast Guard is

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because it is a way to work your way around Civil Service regulations. The Chief said she told them as much during their interviews.

Councilor Croteau said that in order to be a transfer candidate, a lateral move, you have to be employed as a police officer in Massachusetts that is a community that is Civil Service. He further stated that Officer Karsner was not terminated and he finds it hard to acknowledge that she was the leader of a controversy when she was involved with 2 veteran male officers. It was a Civil Rights investigation by the FBI because she is a female being discriminated against. Councilor Costa-Hanlon said no, it was because the person the police officer assaulted was a person of color and was 16 years old.

The Chief said from what he understands about the incident, there was a 16 year old kid, a big kid, probably 200 pounds and he actually broke one sergeant's jaw on one occasion. They came in the station, hit a non-recorded area, one of the other officers uncuffed him and beat him. They went to Court the next day and the Judge ordered an investigation and the FBI got involved. There was a lack of common sense, but what really seems to be the issue with her, from what he understands isn't just not the reporting, there were some recorded conversations for the FBI which she was caught on. That was one of the issues. She seems to be the person that was trying to help the other 2 come up with how to talk with the FBI about the incident. That is what hung her up more than anything else. The Chief further said he has no feeling one way or the other personally, but she did not sell herself to his department. She also was asked why she did not appeal the decision, and she could not give a valid reason. On two different occasions they asked her what she was charged with and she said she did not know. He finds it hard to believe that you are out on leave for 180 days and suspended for 120 days and you don't know what the charges are against you.

Councilor Cleary made the following motion:

Motion: To recommend Linden Karsner to be the second officer hired.

The motion was seconded by Councilor Costa-Hanlon on discussion was that regarding Mr. Krawec, one thing that concerned her, although the incident talked about was in 2008, he said he surrendered himself, but when you read the report he did not surrender himself. The report says the police found him.

The Chief said he cannot defend him or his actions, but he has been hired as a corrections officer.

Councilor Costa-Hanlon said she has never not gone with the recommendation of the Chief, but she sees issues with Mr. Krawec. She understands that Mr. Stull was not recommended. She further noted that to get to Karsner on the list, how do you get past Mr. Berthelette who is deployed. If you fill the 2nd vacancy with someone below Mr. Berthelette on the list there will be an issue.

Councilor Costa-Hanlon said if the Committee goes to Ms. Karsner, they need to take care of Mr. Berthelette, and from what she understands, because he is on active duty, we would have to offer him the 3rd position that we do not have right now.

The Chief said you would have to offer him the position above Ms. Karsner because he is above her on the Civil Service list, he would retain that right. The Chief noted that the Committee

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interviewed Mr. Berthelette 3 years ago for a reserve list. He had a recommendation with reservations because of an incident.

Councilor Costa-Hanlon asked the Chief if the Committee recommends Officer Karsner and basically skip Mr. Berthelette, would we still be ok if after they make the recommendations we also preserve the list for Mr. Berthelette and give him an offer contingent upon an interview and all testing.

The Chief said you would have to give him an offer at the same time, it is not afterwards. You would also have to justify why you are bypassing all other candidates to get to Ms. Karsner, positive reasons for her and negative reasons for the others.

Councilor Croteau said his concern is that when the time comes, if the Committee decides to hire Mr. Berthelette, there is a position open.

Councilor Quinn said that regarding the evaluation of Linden Karsner, some of the facts stated this evening were not brought to the Committee. She was put in a bad position and regretted it. Her interview with the Council went fairly well, the information in her packet other than that one incident, were positive, and Councilor Quinn said she feels she would make a good police officer.

Councilor Borges also said Ms. Karsner did well in the interview. She asked if the Council calls for another list on November 1st, can we just hire 1 now and still hire more on November 1st, and will they still make the academy in January.

The Chief said they should.

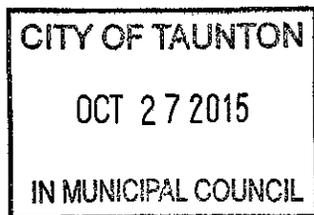
Councilor Borges said then we could hire 1 tonight and call for another list on November 1st, we will still be in the same position come January for the academy. She further noted that due to there being so many questions, it seems to make more sense for the Council to hire 1 tonight and hire 1 from the new list.

Councilor Carr said she does not feel the 5 candidates were good applicants. Only 1 was outstanding. Her thought would be to hire only 1 tonight.

It was noted that both Ms. Karsner and Mr. Krawec could be on the new list if they took the test.

The above motion was voted on with Councilor Cleary voting in favor, Councilors Croteau and Costa-Hanlon voting in opposition. Motion does not carry.

MEETING ADJOURNED AT 9:17 P.M.



RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
OCTOBER 27, 2015

THE COMMITTEE OF THE COUNCIL AS A WHOLE

PRESENT WERE: COUNCIL PRESIDENT ESTELE BORGES AND COUNCILORS CARR, QUINN, MCCAUL, POTTIER, CROTEAU, COSTA-HANLON, MARSHALL AND CLEARY

MEETING CALLED TO ORDER AT 9:18 P.M.

1. MEET TO REVIEW RFQ FOR COMPREHENSIVE ENERGY MANAGEMENT SERVICES

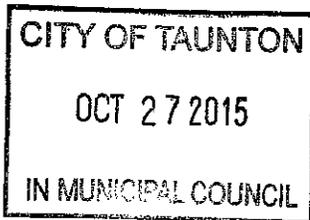
The Council President stated that on September 29th the Council As A Whole met with the Superintendent, representatives of PLDW and the TMLP to discuss the energy Savings Performance Contract for Municipal Buildings. Some Councilors wanted to meet with these representatives to discuss the RFQ and that meeting did take place. The representatives of PLDW and the TMLP are not here tonight, so the Council President asked that this matter be continued.

Motion: To postpone this meeting and reschedule in the next couple of weeks. So Voted.

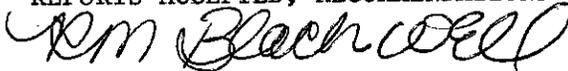
RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK