



*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, December 3, 2013 at 7:27 o'clock P.M.*

Regular Meeting

Mayor Thomas C. Hoye, Jr. presiding

Pledge of Allegiance was offered by Girl Scout Troop 80400 from Our Lady of Lourdes and Holy Family

At this time, the Mayor requested a moment of silence for Manny Ferreira the oldest living Fire Fighter and Fire Captain who passed away.

Prayer was offered by the Mayor

*Present at roll call were: Councilor's Barbour, Carr, McCaul, Pottier, Costa-Hanlon, Medeiros, Cleary and Marshall
Councilor Colton was absent*

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

Motion was made to recess at 7:30pm. So Voted.

Motion was made to reconvene the meeting at 12:50am. So Voted.

Communications from the Mayor:

The Mayor stated that the Lighting of the Green will be held Saturday, December 7, 2013 from 2pm-8pm. Ceremonies will begin at 5:00pm, lights on at 5:45pm with fireworks following. The Christmas Parade will be Sunday, December 8, 2013 beginning at 12 noon.

Communications from City Officers:

Com. from Board of Assessors – Notifying of Tax Rate Recapitulation was approved by the Department of Revenue for Fiscal Year 2014. **Motion was made to receive and place on file. The Mayor stated that it was a great effort on behalf of the whole Financial Team and he is proud at what has been accomplished this year. So Voted.**

Com. from Board of Assessors – Extending gratitude to IT Director, Paul Arikian for his help in coordinating a conference call among Vision Appraisal, WTI and the Board of Assessors. **Motion was made to receive and place on file. So Voted.**

Com. from Director, Human Services – Requesting to apply for a grant through the Executive Office of Elder Affairs/Service Incentive Grant Program. **Motion was made to move approval. So Voted.**

Petitions

The following are RENEWALS for Class II Licenses:

1. A&M Auto Exchange located at 424 Winthrop St., Taunton
2. ACME Fabrication & Equipment Leasing LLC located at 91 Arlington St., Taunton
3. After Hours Auto Body, Inc. –dba- After Hours Auto Sales located at 20 North Avenue, Taunton
4. Breno’s Collision & Sales, Inc. located at 408 Winthrop St., Taunton
5. Bristol Motors located at 147 Fremont St., Taunton
6. Corrao Motor Cars, Inc. located at 251 Broadway, Taunton
7. Frank’s Auto Body, Inc. located at 265 Broadway, Taunton
8. Happy Bear, Inc. located at 54 Cottage St., Taunton
9. Mann Clan, Inc. –dba- Auto Gallery located at 283 Broadway, Taunton
10. Oakland Auto Sales located at 214 Tremont St., Taunton
11. Prestige Auto Mart, Inc. –dba- Prestige 3 located at 288 Broadway, Taunton
12. Prestige Car Wash and Gas of Taunton, Inc. located at 13 Cape Road, Taunton
13. Professional Car Zone, LLC located at 381 Weir St., Taunton
14. Lopes Used Truck & Equipment Sales –dba- G. Lopes Construction, Inc. located at 490 Winthrop St., Taunton
15. Marli Motors located at 17 Tremont St., Taunton
16. MH Hamie & Son, Inc. –dba- Mike’s Auto Sales located at 594 Winthrop St., Taunton
17. Northeast Auto Exchange, Inc. located at 406 Tremont St., Taunton
18. R&C Auto LLC –dba- Borges Auto Center located at 157 Dean St., Taunton
19. Richard P. Costa –dba- Taunton Auto & Truck Sales located at 603 Winthrop St., Taunton
20. Route 14 Motors, LLC –dba- Route 138 Motor Car Company located at 420 Broadway, Taunton
21. Taunton Service Center, Inc. located at 48 Broadway, Taunton
22. Thomas Auto Sales located at 445 Winthrop St., Taunton
23. Tucan Auto Sales Corp. located at 295 Broadway, Taunton
24. Walt’s Auto Specialty, Inc. located at 289 Broadway, Taunton
25. Winthrop Street Motors, Inc. located at 347 Winthrop St., Taunton

Motion was made to refer to the Committee on Police and License and the Police Chief. Councilor Costa-Hanlon requested that these be presented at the next Monday morning meeting and thanked Detective Dennis Smith and the City Clerk for their efforts to have all the Class II Licenses in by November 27, 2013. Additionally, Councilors Barbour and Cleary thanked the City Clerk, Detective Dennis Smith, and the Police Chief for their efforts. So Voted.

Committee Reports:

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

New Business

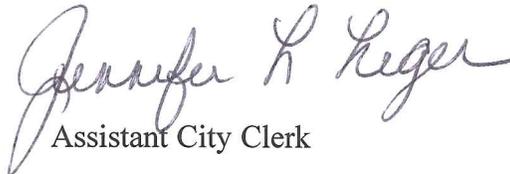
Councilor Pottier stated he received a communication from the Building Superintendent stating that the pedestrian bridge on Frederick Martin Parkway must come down immediately as it is a great safety concern. **Therefore, motion was made to refer to the Committee on Finance and Salaries and the Mayor's Office for next week. So Voted.**

Councilor Barbour informed that he and the Mayor attended the lighting of the Menorah last week and extended wishes to all of our Jewish faith friends a belated Happy Hanukkah Season.

Motion was made to adjourn at 1:00 a.m. So Voted.

A true copy:

Attest:


Assistant City Clerk

JLL/dmc

CITY OF TAUNTON
MUNICIPAL COUNCIL
DECEMBER 3, 2013

THE COMMITTEE ON FINANCE AND SALARIES

PRESENT WERE: COUNCILOR DEBORAH CARR, CHAIRMAN AND COUNCILOR CLEARY. ALSO PRESENT WERE CITY SOLICITOR JASON BUFFINGTON, BUILDING SUPERINTENDENT WAYNE WALKDE, BUDGET DIRECTOR GILL ENOS, ASSISTANT CITY AUDITOR CHRISTINA BOYAN, DAN SHERMAN, THE CITY'S ACTUARY, AND BROCK ROMANO OF KPMG

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

1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS

MOTION: MOVE APPROVAL OF THE INVOICE WARRANT IN THE AMOUNT OF \$4,267,718.97. SO VOTED.

MOTION: MOVE APPROVAL OF THE PAYROLL WARRANT IN THE AMOUNT OF \$1,160,772.69. SO VOTED.

2. MEET WITH WAYNE WALKDEN TO DISCUSS REQUEST FOR APPROPRIATION OF \$92,000 FOR PRE-DEMOLITION SURVEY FOR THE STAR THEATER BUILDING

ATTORNEY BUFFINGTON STATED THAT THE DEMOLITION OF THE BUILDING IS OF A TYPE AND IN AN AREA THAT TOUCHES OTHER BUILDINGS, YOU HAVE TO CONSIDER THE AGE OF THIS BUILDING AND THAT IT IS IN A STRUCTURAL SITUATION THAT IS COMPLICATED. EVEN THOUGH ENGINEERING SERVICES ARE EXEMPT FROM THE FORMAL PROCUREMENT PROCESS, THEY BELIEVE THAT THE RIGHT THING TO DO WAS TO SOLICIT 3 QUOTES. THEY MET WITH 3 ENGINEERING FIRMS, THEY TOURED THE BUILDING WITH THEM AND AFTER THAT MR. WALKDEN PUT TOGETHER A SET OF SPECIFICATIONS THAT WAS GIVEN TO EACH FIRM, WHICH SHOWED EXACTLY WHAT IT WAS THAT THE CITY WANTED TO DO. THEY GAVE THEM TIME TO GET A WRITTEN QUOTE. EVENTUALLY, 1 OF THE 3 FIRMS DECIDED THAT THEY DID NOT WANT TO CONTINUE ON WITH THE PROCESS. 2 QUOTES WERE RECEIVED, ONE FROM CDM SMITH FOR \$160,400 AND ONE FROM BETA FOR \$92,000.00. AFTER COMPARING THE 2 QUOTES, IT WAS NOTICED THAT THERE WAS A SLIGHT DIFFERENCE IN THAT CDM SMITH'S SCOPE OF SERVICES CONTAINED AN ITEM THAT BETA'S DID NOT. THEY WENT BACK TO THE 2 FIRMS THAT GAVE THE QUOTES, THEY WERE AWARE OF THE CONTENTS OF EACH OTHER'S PROPOSALS, AND THE CITY INVITED EACH FIRM TO SUBMIT REVISED PROPOSALS. CDM SMITH SUBMITTED A REVISED PROPOSAL AND EVENTUALLY REDUCED THEIR PRICE TO \$110,700. BETA SUBMITTED A REVISED PROPOSAL THAT INCLUDED THE ITEM THAT CDM SMITH HAD PREVIOUSLY INCLUDED BUT BETA HAD NOT ORIGINALLY INCLUDED IN THEIRS. BETA CAME BACK WITH THE SAME PRICE OF \$92,000.00.

THE 2 PROPOSALS ARE VERY SIMILAR IN TERMS OF THE SCOPE OF SERVICES; BETA CLEARLY GAVE THE BEST PRICE. THE CITY SOLICITOR RECOMMENDS THAT THE CONTRACT BE AWARDED TO BETA AND IS ASKING FOR APPROVAL. THE CONTRACT IS READY TO GO AND IF IT IS APPROVED IT CAN BE SIGNED TOMORROW.

MR. WALKDEN NOTED THAT THIS \$92,000 IS TO ASSESS HOW TO TAKE THE BUILDING DOWN. IT IS COMPLICATED, THERE IS TRASH AND DEBRIS IN THE BUILDING, THERE MAY BE SOME HAZARDOUS MATERIALS, ASBESTOS, LEAD PAINT, ETC. SO THEY DO NOT KNOW THE FULL EXTENT OF WHAT IS IN THE BUILDING.

BETA WILL DO AN OSHA SAFETY ASSESSMENT. MR. WALKDEN FURTHER NOTED THAT THE BUILDING IS VERY UNSAFE AND IS A COLLAPSE HAZARD BOTH IN THE REAR AND IN THE FRONT. HE STRESSED THAT

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THE COMMITTEE ON FINANCE AND SALARIES - CONTINUED

THE CITY NEEDS TO GET MOVING ON THIS, AND ALL PRECAUTIONS NEED TO BE TAKEN TO PROTECT THE BUILDING ON THE SIDE, PROTECT CITY HALL AND PROTECT THE GAS LINES THAT MAY BE IN THE AREA. BETA WILL PREPARE BID DOCUMENTS TO TAKE THE BUILDING DOWN. IT IS IMPERATIVE THE BUILDING IS DEMOLISHED QUICKLY AND THEY WILL GET THE BEST PRICE THEY CAN.

AS FAR AS A TIMEFRAME, THEY ANTICIPATE THE SURVEY WILL BE DONE IN 30 DAYS, AND THEN THEY WILL MOVE TO THE BID PROCESS. MR. WALKDEN IS HOPING TO HAVE THE BUILDING DEMOLISHED IN ABOUT 90 DAYS.

THE BUDGET DIRECTOR RECOMMENDED TAKING THE MONEY FROM THE RESERVE ACCOUNT.

MOTION: MOVE APPROVAL OF THE TRANSFER OF \$92,000.00 FROM RESERVE ACCOUNT NO. 1-132-202-5784 TO BUILDING DEPARTMENT ACCOUNT NO. 01-493-0202-5310 – ENGINEERING/ARCHITECTURAL SERVICES. SO VOTED.

3. MEET WITH BROCK ROMANO OF KPMG, DOMINIC COPPOLA AND CHRISTINA BOYEN OF THE AUDITOR'S OFFICE AND THE BUDGET DIRECTOR TO DISCUSS FISCAL YEAR 2012 AUDIT.

MR. ROMANO STATED THAT IN JUST OVER 18 MONTHS THE CITY PRODUCED 2 AUDIT REPORTS AND IS NOW CAUGHT UP WITH THE AUDITS. SOME COMMENTS ARE THE SAME AS PREVIOUSLY STATED, THERE IS NOTHING REALLY NEW. IT WAS NOTED THAT WITH STAFFING ISSUES, IT WILL BE A CHALLENGE TO GET THE FUTURE AUDITS DONE. ISSUES THAT LED TO PAST DELAYS ARE IDENTIFIED AND MAPPED ON HOW TO TACKLE THEM.

AGAIN IT WAS RECOMMENDED THAT THE CITY ESTABLISH AN AUDIT COMMITTEE AND A CFO POSITION. THE CFO POSITION WOULD HAVE TO BE ESTABLISHED BY THE COUNCIL.

DISCUSSED WAS THE DEFERRED REVENUE AND ALLOWANCE FOR ABATEMENT AND EXEMPTIONS IN THE AUDIT. IT WAS STATED THAT TYPICALLY BOTH THE DEFERRED REVENUE AND THE OVERLAY ACCOUNT ARE CREDIT BALANCES. AT THE END OF FISCAL 2012, THE DEFERRED REVENUE BALANCE IS A DEBIT BALANCE OF APPROXIMATELY \$2.6 MILLION. THE CITY SHOULD INVESTIGATE THE REASONS FOR THE DEBIT BALANCE IN ITS PROPERTY TAX DEFERRED REVENUE ACCOUNT AND MAKE THE NECESSARY ADJUSTMENTS. IF THE NECESSARY ADJUSTMENTS ALSO IMPACT THE BALANCE IN THE OVERLAY ACCOUNT, WHICH IS LIKELY, THE CITY SHOULD COMMUNICATE THAT IMMEDIATELY TO THE ASSESSING AND BUDGET OFFICES AS IT COULD IMPACT THE AMOUNT OF EXPECTED SURPLUSES IN THE OVERLAY ACCOUNT.

THE MANAGEMENT'S RESPONSE STATED THAT AT THE DATE OF THE AUDITORS' REPORT, IT IS THE INTENT OF THE CITY AUDITOR'S OFFICE TO PERFORM AN ANALYSIS OF THE DEFERRED REVENUE ACCOUNT IN ORDER TO ASCERTAIN THE CAUSE OF THE DEBIT BALANCE AS SOON AS POSSIBLE. AS SOON AS THE CAUSE OF THE DEBIT BALANCE IS ASCERTAINED, ALL NECESSARY ADJUSTMENTS WILL BE MADE TO THE ACCOUNT. TO THE EXTENT THAT THE OVERLAY ALLOWANCE FOR ABATEMENTS AND EXEMPTIONS ACCOUNTS ARE IMPACTED BY ANY PROPOSED ADJUSTMENTS, THE CITY AUDITOR'S OFFICE WILL COMMUNICATE THE EFFECT OF THE ADJUSTMENT TO THE BUDGET DIRECTOR'S OFFICE AND THE CITY ASSESSORS IMMEDIATELY. IN ANY EVENT, BOTH OFFICES HAVE BEEN PUT ON NOTICE TO EXERCISE EXTREME CAUTION WITH THE USE OR RELEASE OF THESE OVERLAY ACCOUNTS.,

MOTION: THAT AN UPDATE BE PROVIDED ON THE MANAGEMENT'S RESPONSE. SO VOTED.

COUNCILOR POTTIER NOTED THAT ON PAGE IV-1 OF THE REPORT THERE WERE CHECKED OFF MATERIAL WEAKNESSES IDENTIFIED AND SIGNIFICANT DEFICIENCIES IDENTIFIED. HE STATED THAT THIS IS REALLY BAD. IF THIS WAS A PUBLIC COMPANY THERE WOULD BE SERIOUS RAMIFICATIONS. HE IS HOPING THAT THESE HAVE BEEN RECTIFIED.

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THE COMMITTEE ON FINANCE AND SALARIES - CONTINUED

IT WAS NOTED THAT THE FISCAL YEAR 2013 AUDIT HAD BEEN STARTED AND IS ANTICIPATED TO BE DONE EARLY SPRING OF 2014.

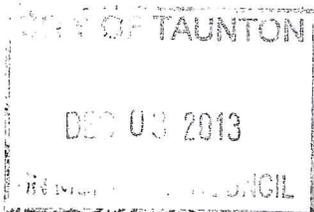
MR. SHERMAN STATED THAT THE CITY HAS PROMISED POST RETIREMENT MEDICAL BENEFITS TO CURRENT RETIREES AND FUTURE RETIREES. HE HAS MEASURED THE SIZE OF THIS PROMISE. THE TOTAL ACCRUED LIABILITY IS \$343,752,067.00 OF WHICH ZERO IS FUNDED. THE CITY IS USING THE PAY AS YOU GO SYSTEM WHICH IS A METHOD OF FINANCING AN OPEB PLAN UNDER WHICH THE CONTRIBUTIONS TO THE PLAN ARE GENERALLY MADE AT ABOUT THE SAME TIME AND IN ABOUT THE SAME AMOUNT AS BENEFIT PAYMENTS AND EXPENSES BECOME DUE. IN ORDER TO EVENTUALLY FULLY FUND THIS AN ANNUAL REQUIRED CONTRIBUTION FOR FISCAL YEAR 2012 WOULD HAVE BEEN \$14,418,028. THE ESTIMATED PREMIUM PAYMENTS FOR THE PAY AS YOU GO IS \$8,214,260.

MR. SHERMAN NOTED THAT MOST COMMUNITIES ARE USING THE PAY AS YOU GO OPTION, BUT SOME ARE STARTING TO PREFUND THEIR OBLIGATIONS.

QUESTIONED WAS WHERE THERE IS A POINT WHERE THE LAW DICTATES THAT THE CITY WILL HAVE TO START FUNDING THESE POST RETIREMENT BENEFITS. MR. SHERMAN STATED THAT UNTIL THE STATE PREFUNDS, THEY PROBABLY WON'T IMPOSE THIS ON THE CITIES AND TOWNS.

MOTION: TO THANK KPMG FOR THEIR SERVICE AND TO SEND A LETTER OF APPRECIATION. SO VOTED.

MEETING ADJOURNED AT 7:21 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 "Jennifer R. Heger".

ASSISTANT CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
DECEMBER 3, 2013

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS

PRESENT WERE: COUNCILOR ANDREW MARSHALL, CHAIRMAN AND COUNCILORS BARBOUR, MEDEIROS AND MCCAUL. ALSO PRESENT WERE CITY SOLICITOR JASON BUFFINGTON, ASSISTANT CITY SOLICITOR DANIEL DEABREU, DPW COMMISSIONER FRED CORNAGLIA AND JOE FEDERICO OF BETA

MEETING CALLED TO ORDER AT 7:30 P.M.

1. MEET TO DISCUSS REQUESTS FOR SEWER ABATEMENTS

THE CHAIRMAN STATED THAT THE COMMITTEE HAS BEEN DEALING WITH ABATEMENTS AS THEY HAVE COME IN, AND THIS IS JUST ANOTHER BATCH THAT HAVE COME THROUGH. THE CLERK OF COMMITTEES NOTIFIED APPLICANTS BY MAIL OF THIS MEETING. THESE HAVE BEEN INVESTIGATED BY THE DPW AND MR. FEDERICO OF BETA, AND THEY WILL PROVIDE RECOMMENDATIONS ON THESE.

THE FIRST PROPERTY IS **352 WINTHROP STREET** OWNED BY JANET GRAY.

MR. FEDERICO STATED THAT THE BETTERMENT IS \$37,932.00 IT IS A 2 FAMILY HOUSE. THE APPLICANT IS SAYING THAT THE PROPORTIONAL INCREASE IN THE VALUE OF THE HOUSE IS NOT PROPORTIONAL TO WHAT THE BETTERMENT WAS, SO THEY ARE ASKING FOR AN ABATEMENT OF THE WHOLE AMOUNT. DUE TO THE FACT THAT THIS IS A 2 FAMILY IT IS DOUBLE BECAUSE IT IS \$18,966 PER UNIT.

MR. FEDERICO RECOMMENDS THAT THE COMMITTEE DENY THE ABATEMENT BECAUSE THEY WOULD HAVE TO BASE THE BETTERMENTS ON THE VALUE OF THE HOUSES SO THEY WOULD HAVE TO LOOK AT THE VALUE OF EVERYONE'S HOUSE AND TRY TO PORPORTIONATE OVER THE ENTIRE CONSTRUCTION PROJECT AND THERE IS PROBABLY NO WAY YOU WOULD EVER GET THE FULL \$10 MILLION FOR THE PROJECT.

THE CHAIRMAN NOTED THAT THE CITY CHOSE INSTEAD TO DIVIDE UP THE NUMBER OF STUBS PER UNIT AND DIVIDE IT EQUALLY THAT WAY.

ATTORNEY DEABREU STATED THAT BETA CAME UP AND THE CITY APPROVED A FORMULA THAT IS PERMITTED UNDER GENERAL LAWS, AND BY USING THE FORMULA THE COMMITTEE DETERMINED THAT THE VALUE OF THE ASSESSMENT WAS PROPORTIONATE TO THE BETTERMENT RECEIVED BY THE PROPERTY OWNER.

MR. FEDERICO STATED IT IS BASED ON THE PARCEL OF LAND, NOT NECESSARILY WHAT IS ON THE LAND BUT THE PARCEL AND THE EXISTING USE OF THE LAND. THERE IS RESIDENTIAL USE, COMMERCIAL USE AND THEN THERE IS COMMERCIAL PROPERTY AND RESIDENTIAL PROPERTY.

MOTION: MOVE TO DENY THE REQUEST.

COUNCILOR MEDEIROS SECONDED THE MOTION ON DISCUSSION. HE ASKED IF THE PETITIONER WAS ALLEGING THAT IT IS AN ASSESSED 2 FAMILY THAT IS BEING USED AS A 1 FAMILY, IT IS A 2 FAMILY AND IT IS SET OUT AS A 2 FAMILY?

MR. FEDERICO STATED THAT THAT IS CORRECT.

THE MOTION WAS VOTED ON AND SO VOTED.

NEXT WAS PROPERTY AT **121 DONNA TERRACE**, MARIA AND JOSE TEIXEIRA.

MR. FEDERICO STATED THAT THIS IS A HARDSHIP AND DEFERRED TO THE ASSISTANT CITY SOLICITOR TO COMMENT ON THIS.

ATTORNEY DEABREU STATED THAT A HARDSHIP ALONE IS NOT GROUNDS FOR THE GRANTING OF AN ABATEMENT, BUT HE SUGGESTS THAT FOR THE PERSONS THAT PETITIONED ON THE BASIS OF HARDSHIP PERHAPS THE COMMITTEE OUGHT TO DENY THEM BECAUSE THERE IS NOT A LAWFUL BASIS FOR GRANTING THE ABATEMENT, BUT COULD ENCOURAGE THEM TO APPLY UNDER THE RECENTLY ADOPTED HARDSHIP DEFERRAL PROGRAM.

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

MOTION: MOVE TO DENY THE REQUEST AND NOTIFY THEM THAT THERE IS A SECONDARY PROCESS THAT THEY COULD POTENTIALLY QUALIFY FOR UNDER THE HARDSHIP PROGRAM.

COUNCILOR MEDEIROS SECONDED THE MOTION ON DISCUSSION AND ASKED ATTORNEY DEABREU WHETHER THERE IS A SET DEADLINE FOR APPLYING FOR THAT PROGRAM.

ATTORNEY DEABREU SAID THAT THERE IS AND IT IS BASED AFTER A CERTAIN AMOUNT OF TIME RECEIVING NOTICE. DOR TAKES THE POSITION THAT EVERY TAX BILL ON WHICH THE ASSESSMENT APPEARS WOULD CONSTITUTE A NEW NOTICE, SO IN EFFECT IT WOULD BE ONGOING.

COUNCILOR MCCAUL ASKED ONCE AGAIN FOR AN EXPLANATION ON THE PROGRAM.

ATTORNEY DEABREU STATED THAT THERE IS A STATE LAW THAT IS NOT EFFECTIVE UNLESS ACCEPTED BY THE CITY. THE CITY HAS NOW ACCEPTED IT. THERE IS AN APPLICATION PROCESS WHEREBY IF A PERSON QUALIFIES FOR A CERTAIN HARDSHIP EXEMPTION ON THEIR PROPERTY TAX THEN THEY WOULD QUALIFY FOR THE DEFERRAL OF THE SEWER BETTERMENT ASSESSMENT. SO THE PROCESS THAT THE CITY NOW HAS IN PLACE IS THAT A PERSON OBTAINS AN APPLICATION FROM THE CLERK OF COMMITTEES, THE APPLICATION IS COMPLETED, THE APPLICATION IS REFERRED TO THE ASSESSOR'S OFFICE FOR DETERMINATION AS TO WHETHER OR NOT THE INDIVIDUAL IS QUALIFIED AND THEN THE COMMITTEE WOULD MAKE THE FINAL DETERMINATION. AND IF A PERSON IS QUALIFIED, THEY DO NOT PAY PRINCIPAL OR INTEREST TO THE ASSESSOR, THE ASSESSMENT IS DEFERRED, ACCUMULATES INTEREST UNTIL ONE OF A NUMBER OF THINGS HAPPEN INCLUDED AMONG THOSE IS A TRANSFER OF THE PROPERTY OR THE PERSON IS DECEASED.

THE CHAIRMAN STATED THAT JUST AS CLARIFICATION, HE READ A LETTER FROM THE ASSESSOR'S OFFICE THAT WE HAD ONE PERSON APPLY AND HE BELIEVES THAT THE ASSESSOR'S HAVE DETERMINED THAT THEY MEET THE CRITERIA SO THAT WILL BE COMING BEFORE THIS COMMITTEE TO BE GRANTED NEXT WEEK.

THE MOTION WAS VOTED ON AND SO VOTED.

THE CHAIRMAN FURTHER STATED THAT THE NEXT SEVERAL WERE ALL UNDER THE HARDSHIP CATEGORY. THE ADDRESSES ARE **BENILDO FALCAO, 56 BAYLIES ROAD, – RONALD MACIEJOWSKI, 55 DONNA TERRACE, ELMER AND MARY PERRY, 113 WILLIAMS STREET, ALICE NUNES, 293 WINTHROP STREET, JEAN THOMAS AND MARGARET COULOMBE, 341 WINTHROP STREET, AND WALTER AND MAUREEN KROCKTA, 110 WILLIAMS STREET.**

MR. PARKER WAS HERE FOR PROPERTY OF ALICE A. NUNES. A GENTLEMEN WAS ALSO HERE REGARDING THE PROPERTY OF MARGARET COULOMBE.

THE CHAIRMAN STATED THAT BOTH OF THESE PEOPLE, ALONG WITH SEVERAL OTHERS, HAD FILED FOR AN ABATEMENT UNDER THE REASON FOR HARDSHIP. THE SECOND GENTLEMAN SAID THAT HE HAD PETITIONED FOR SEWER 30 YEARS AGO, AND NOW IT IS THERE – 30 YEARS LATER AT A MUCH GREATER COST. THEY HAVE A SEWERAGE SYSTEM NOW.

MR. PARKER STATED THAT MRS. NUNES' UNDERSTANDING IS THAT THE SEWER LINE THAT COMES DOWN WARNER BOULEVARD CUT THE CORNER OF HER PROPERTY BACK WHENEVER THAT WAS PUT IN, AND IN FACT SHE PAID FOR SOMETHING BACK AT THAT TIME. THAT IS HER CLAIM.

MR. FEDERICO STATED THAT THEY RECEIVED A COPY OF A CHECK THAT WAS NEVER CASHED. A COPY OF A CHECK WAS ATTACHED TO THE APPLICATION IN THE AMOUNT OF \$884.00 THE DATE ON THE CHECK WAS JAN. 30, 1974 AND IT STATES THAT IT WAS FOR A SEWER BETTERMENT ASSESSMENT. IT ALSO STATED THAT IT WAS CANCELLED, AND WAS NEVER CASHED BY THE CITY.

MR. FEDERICO STATED THAT THEY DO KNOW THE MANHOLE WAS INSTALLED IN THE MIDDLE OF THE INTERSECTION OF WINTHROP STREET AND WARNER BOULEVARD, BUT THE CONNECTION WAS NEVER BROUGHT TO THE PROPERTY LINE.

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED

MOTION: TO CONTINUE 293 WINTHROP STREET TO NEXT MEETING IN ORDER TO DO MORE RESEARCH ON THIS MATTER. SO VOTED.

MOTION: TO DENY THE REQUEST FOR ABATEMENTS FOR 56 BAYLIES ROAD, 55 DONNA TERRACE, 113 WILLIAMS STREET, 341 WINTHROP STREET AND 110 WILLIAMS STREET AND REFER THEM TO THE HARDSHIP PROGRAM. SO VOTED.

THE NEXT PROPERTY WAS 303 WINTHROP STREET – SUNIL PATEL. MR. FEDERICO STATED THAT THIS INDIVIDUAL CLAIMS THAT THEY DID NOT KNOW ABOUT THE BETTERMENT SO THEY DO NOT WANT TO PAY IT. IN OTHER WORDS, THEY BOUGHT THE PROPERTY AFTER THE PROJECT WAS CONSTRUCTED OR DURING CONSTRUCTION. THE PREVIOUS OWNER, AND THERE MAY BE 2 PREVIOUS OWNERS OF THIS PROPERTY, DID NOT TELL THE INDIVIDUALS THERE WAS GOING TO BE A BETTERMENT ON THIS PROPERTY, SO MR. PATEL IS CLAIMING THAT HE DID NOT KNOW ABOUT IT.

MOTION: MOVE TO DENY THE ABATEMENT. SO VOTED.

THE NEXT PROPERTY IS PARCEL 76-117, WINTHROP STREET, BRIAN AND BARRY CONWAY. MR. FEDERICO SAID THAT THIS

IS A VACANT LOT. WHAT THEY HAD WAS A LARGE PORTION OF THEIR PARCEL WAS UNUSABLE BECAUSE OF WETLANDS, BUT WHEN HE DID THE 50% FORMULA, IT ENDS UP THAT THEY HAVE TAKEN THAT INTO ACCOUNT. IF YOU DO THE CALCULATIONS IT IS EXACTLY WHAT THEY OWE. IT IS A VACANT LOT.

THE CHAIRMAN ASKED ATTORNEY DEABREU TO CLARIFY, BEFORE A MOTION WAS MADE TO DENY, THAT VACANT LAND HAS A DEFERRAL.

ATTORNEY DEABREU STATED THAT IF AN ASSESSED PARCEL IS VACANT, THE ASSESSING BOARD, WHICH IS THE DPW COMMITTEE, MAY EXTEND THE TIME FOR PAYING THE ASSESSMENT UNTIL THE LAND IS BUILT UPON OR FOR A FIXED TIME. INTEREST ON THE SUSPENDED ASSESSMENT ACCRUES AT A RATE OF 4% PER YEAR. THE PROPERTY OWNER MUST PAY THE INTEREST ANNUALLY. PAYMENT OF THE SUSPENDED AMOUNT IS DUE WITHIN 3 MONTHS AFTER THE LAND IS BUILT UPON OR THE FIXED TIME PERIOD EXPIRES WHICH EVER OCCURS.

THE CHAIRMAN STATED THAT IF THE COMMITTEE WANTED TO, THEY COULD DEFER THIS ABATEMENT FOR A FIXED PERIOD OF TIME, SAY 5 YEARS, THEN IN 5 YEARS AND 3 MONTHS THEY HAVE TO PAY THE FULL AMOUNT WHICH IS \$75,865.00. THE COMMITTEE CAN SUSPEND THE BETTERMENT FOR A FIXED TIME OR ONCE THE PARCEL IS BUILT UPON THEN THE BETTERMENT WOULD BE DUE.

IT WAS NOTED THAT IF THE SUSPENSION WERE GRANTED, THE RATE PAYERS WOULD BE PAYING FOR THIS UNTIL THE SUSPENSION ENDS.

MR. FEDERICO RECOMMENDS AND STATED THAT THE LAW CLEARLY STATES THAT ONCE A BUILDING IS THERE THEN YOU COLLECT THE BETTERMENT, YOU HAVE 3 MONTHS TO COLLECT THE BETTERMENT. SO THE CITY IS STILL GETTING MONEY ON THE PARCEL, 4% INTEREST AND YOU ARE STILL GOING TO COLLECT THE PRINCIPAL IN THE FUTURE. THE CITY IS NOT LOSING OUT IT IS ONLY LOSING OUT FOR A SHORT PERIOD OF TIME. MR. FEDERICO SAID 10 YEARS MIGHT BE REASONABLE.

BOTH COUNCILOR MARSHALL AND COUNCILOR BARBOUR WERE THINKING 5 YEARS.

MOTION: MOVE TO APPROVE THE SUSPENSION OF THE BETTERMENT FOR A PERIOD OF 5 YEARS, INTEREST ONLY DURING THAT TIME ON PARCEL 303 WINTHROP STREET.

IT WAS NOTED THAT AT THE END OF THE 5 YEARS THEY WILL HAVE TO PAY THE FULL AMOUNT. THEY WILL PAY 4% INTEREST TO THE CITY DURING THIS 5 YEAR PERIOD. THE CITY IS PAYING 2% INTEREST SO IT IS DOUBLE WHAT THE CITY IS PAYING.

QUESTIONED WAS WHETHER AT THE END OF THE 5 YEARS CAN THE CITY GIVE THEM ANOTHER 15 YEARS TO PAY. THE ANSWER IS NO, THE STATUTE SAYS THE BETTERMENT MUST BE PAID.

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DECEMBER 3, 2013

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

THE ABOVE MOTION WAS NOT VOTED ON.

MOTION: TO GRANT THE SUSPENSION WITH A SET TERM OF 5 YEARS. SO VOTED.

THE NEXT PROPERTY WAS 354 WINTHROP STREET. MR. FEDERICO INFORMED THE COMMITTEE THAT THIS NEEDS TO BE CONTINUED. THEY FOUND OUT TODAY THAT THERE IS GOING TO BE A DEED RESTRICTION ON THIS PARCEL BECAUSE THERE ARE SOME ENVIRONMENTAL CONCERNS WITH CONTAMINATED SOIL.

MOTION: CONTINUE THIS FOR A COUPLE OF WEEKS. SO VOTED.

THE NEXT PROPERTY WAS 342 WINTHROP STREET. THE BETTERMENT ON THIS PROPERTY IS \$58,795.00. MR. ST. GERMAIN INFORMED THE COMMITTEE THAT HE HAS SPENT \$180,000 TO CLEAN CONTAMINATION. HE IS TRYING TO SELL THE PROPERTY. IT IS VACANT LAND. HE IS CHARGED FOR 3 LOTS, AND HE DOES NOT THINK THAT HE COULD CHOP THIS INTO 3 LOTS.

COUNCILOR MARSHALL ASKED IF THIS WAS THE PARCEL THAT MR. ST. GERMAIN HAD COME BEFORE THE COUNCIL TO PUT IN A GAS STATION AND A RESTAURANT AND A CONVENIENCE STORE. MR. ST. GERMAIN SAID YES.

MR. ST. GERMAIN SAID THIS BECAME UNFUNDABLE, THE COST OF THE PROJECT WENT FROM \$11,000 A MONTH TO \$35,000 A MONTH. HE COULD NOT OBTAIN FINANCING AND HE IS TRYING TO SELL THE PROPERTY NOW. IT IS VACANT LAND SO IF HE WAS ASSESSED FOR ONE LOT AND HE PAID THAT, WHEN THE LAND DOES BECOME DEVELOPED THE SEWER BETTERMENT WOULD BE PAID IN 3 MONTHS, RIGHT OFF THE BAT. HE AGAIN STATED THAT HE DOES NOT THINK HE COULD CHOP THIS INTO 3 LOTS.

MR. FEDERICO STATED THAT NO INFORMATION WAS PROVIDED WITH THE APPLICATION AND NO DEED RESTRICTIONS WERE PROVIDED. IT WAS NOTED THAT IT IS NOW BEING ASSESSED AS 3 LOTS, AND NOT TOO LONG AGO WAS APPROVED FOR 3 USES.

MR. ST. GERMAIN WAS TOLD THAT HE CAN REQUEST TO SUSPEND THE BETTERMENT OR HE CAN WITHDRAW HIS REQUEST AND PAY THE ASSESSMENT OVER 20 YEARS. RIGHT NOW HE IS BEFORE THE COMMITTEE REQUESTING A SUSPENSION. IT WAS SUGGESTED THAT IF HE CAN PROVIDE PROOF OF HARDSHIP HE CAN CONTINUE BUT IF HE WANTS A SUSPENSION, HE WILL HAVE TO PAY THE TOTAL AMOUNT IN 5 YEARS.

MR. ST. GERMAIN STATED THAT HE WAS LOOKING TO REDUCE HIS BILL. MR. ST. GERMAIN REQUESTED TO WITHDRAW HIS REQUEST FOR A SEWER ABATEMENT.

MOTION: TO ALLOW THE APPLICANT TO WITHDRAW THE SEWER ABATEMENT REQUEST FOR 342 WINTHROP STREET. SO VOTED.

THE NEXT WAS ALSO PROPERTY OWNED BY MR. ST. GERMAIN, PARCEL NO. 89-188, 427 ½ WINTHROP STREET, WHICH IS ACROSS FROM THE STORAGE UNITS.

MR. FEDERICO STATED THAT AGAIN, THIS IS A VACANT PARCEL, 10.26 ACRES. THERE IS NOTHING ELSE THAT WAS SUPPLIED SHOWING THAT THERE IS ADDITIONAL CONTAMINATED PROPERTY AND UNUSABLE LAND.

MR. ST. GERMAIN SAID THAT HALF OF THIS PROPERTY IS WETLANDS, AND THAT THE BETTERMENT ASSESSED WAS \$95,110. MR. ST. GERMAIN SAID THERE IS ONLY 300 FEET OF FRONTAGE AND THE MOST HE COULD GET IS 2 LOTS IF HE WERE TO SUBDIVIDE IT. HE ONLY HAS ONE SEWER PIPE THAT GOES INTO THIS PIECE OF PROPERTY, SO FOR HIM TO BE ASSESSED 5 TIMES WHEN THE MOST HE CAN GET IS 2 LOTS OUT OF IT IS NOT RIGHT.

THE CHAIRMAN NOTED THAT YOU COULD GET 2 RESIDENTIAL LOTS, BUT THIS IS ZONED HIGHWAY BUSINESS. WITHOUT SEWER IT WAS NOT BUILDABLE, NOW, WITH SEWER HE CAN BUILD ON THIS LAND. MR. ST. GERMAIN SAID THAT HE HAS A BRAND NEW SEPTIC SYSTEM ON THIS VACANT LOT BECAUSE HE WAS GOING TO BUILD A HOUSE THERE.

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

MR. FEDERICO AGAIN STATED THAT THEY LEFT IT UP TO THE PETITIONERS TO PROVE THAT THERE IS A MISTAKE OR AN ERROR IN THE FORMULA OR PROVIDE SOME ADDITIONAL MISSING INFORMATION SO THAT THE BETTERMENT CAN BE ADJUSTED AND PROVIDE AN ABATEMENT.

MOTION: TO ALLOW THE APPLICANT TO WITHDRAW HIS APPLICATIONS FOR ABATEMENT FOR 427 ½ WINTHROP STREET, 425 ½ WINTHROP STREET AND 446 WINTHROP STREET. SO VOTED.

NEXT WAS PROPERTY AT **432 WINTHROP STREET**. THIS IS THE PARCEL THAT THE OWNER HAS APPLIED FOR THE HARDSHIP PROGRAM AND HAS MET THE CRITERIA ACCORDING TO THE ASSESSOR AND WILL BE BACK BEFORE THE COMMITTEE IN 2 WEEKS.

THE CITY SOLICITOR STATED THAT IT WOULD BE APPROPRIATE TO DENY THIS APPLICATION FOR ABATEMENT BUT THERE IS NO NEED TO EXTEND THE INVITATION FOR HER TO APPLY UNDER THE HARDSHIP PROGRAM BECAUSE SHE ALREADY HAS.

MOTION: TO DENY THE ABATEMENT. SO VOTED.

NEXT WAS PROPERTY LOCATED AT **554 WINTHROP STREET** – MECHANICS COOPERATIVE BANK. A LETTER WAS READ DATED 12/2/2013 FROM ATTORNEY EDMUND BRENNAN REQUESTING TO CONTINUE THE HEARING ON THE PETITION OF MECHANICS COOPERATIVE BANK FOR AN ABATEMENT OF THE SEWER BETTERMENT ASSESSED AGAINST PROPERTY LOCATED AT 554 WINTHROP STREET, TAUNTON, TO THE FIRST AVAILABLE DATE IN JANUARY 2014 DUE TO A CONFLICT IN HIS SCHEDULE. COUNCILOR BARBOUR ASKED THAT THIS BE CONTINUED TO A DATE BEFORE THE END OF THE YEAR IF POSSIBLE SO THOSE ON THIS COMMITTEE CAN CONTINUE TO PARTICIPATE ON THESE MATTERS BECAUSE THEY HAVE FAMILIARITY WITH THEM. HE ALSO STATED THAT THE PRESIDENT OF MECHANICS WAS HERE TONITE SO THERE IS NO NEED TO WAIT ANOTHER MONTH.

COUNCILOR MEDEIROS STATED THAT HIS WIFE IS EMPLOYED AT MECHANICS COOPERATIVE BANK AND REQUESTED THAT HE BE ALLOWED TO VOTE AS PRESENT.

MOTION: TO ALLOW COUNCILOR MEDEIROS TO VOTE AND BE RECORDED AS PRESENT. SO VOTED.

MOTION: TO CONTINUE THIS MATTER AND THE CHAIRMAN WILL SCHEDULE A DATE. SO VOTED.

THE NEXT PROPERTY IS **414 WINTHROP STREET** – VICTOR AND MARY SANTOS. MR. FEDERICO INFORMED THE COMMITTEE THAT ORIGINALLY THERE WAS A SEWER INSTALLED IN SOUTH WALKER STREET MANY YEARS AGO. JUST BEFORE THE END OF THE PROJECT THEY CHOSE TO CONNECT UP TO THE SEWER IN SOUTH WALKER STREET, SO THEIR ACTUAL CONNECTION TO THE SEWER IS IN THE REAR OF THE BUILDING. THE BUILDING FACES WINTHROP STREET, THE NEW SEWER IS IN THE FRONT AND THE SEWER CONNECTION COMES OUT THE BACK SO THEY CHOSE TO CONNECT INTO SOUTH WALKER STREET. THEY HAVE ASKED FOR AN ABATEMENT OF \$23,778.00 BECAUSE THEY WERE ALREADY BETTERED BY THE INSTALLATION OF THE SEWER. MR. FEDERICO RECOMMENDS GRANTING THE ABATEMENT.

MOTION: TO APPROVE THE ABATEMENT FOR \$23,778.00 FOR PARCEL 89-150. SO VOTED.

NEXT WAS PROPERTY AT **468 ½ WINTHROP STREET** – PROPERTY OF PATRICIA LOVEDAY.

AN E-MAIL FROM MS. LOVEDAY WAS READ IN WHICH SHE STATED THAT SHE BOUGHT HER HOME IN 2006 FOR \$253,000. THE IDEA IN HER HEAD WAS THAT SHE WOULD NEVER LOSE VALUE ON REAL ESTATE IN THIS AREA. SINCE THAT TIME, THE VALUE OF HER HOME HAS DROPPED GREATER THAN \$60,000. SHE STATED THAT SHE REALIZES THAT ONLY PUTS HER IN THE SAME BOAT AS MILLIONS OF OTHER RIGHT NOW. IN THE MEANTIME, IN 2010, SHE RECEIVED A WATER BILL FOR \$2000. OF COURSE SHE ASSUMED IT

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

WAS A MISTAKE AS SHE HAD BEEN PAYING A WATER BILL APPROXIMATELY EVERY 3 MONTHS SINCE PURCHASING HER HOME. THE AMOUNT OF HER WATER BILLS WERE ANYWHERE FROM \$30-\$40.00, WHICH APPARENTLY WERE NOT CORRECT. OF COURSE, SHE HAD NO IDEA AS THIS WAS HER FIRST HOME. SHE CALLED TO QUESTION THE BILL, SHE WAS TOLD THE METERS HAD NOT WORKED APPROPRIATELY FOR SOME TIME. SO ALL IN ALL SHE GOT TO PAY FOR WATER THAT WAS USED LONG BEFORE SHE MOVED HERE. NO ONE WAS WILLING TO WORK IT OUT AND A LIEN WAS PLACED ON HER PROPERTY. THEN IN 2013 SHE RECEIVED A BILL FOR \$19,815 IN THE MAIL FOR A SEWER BETTERMENT ON WINTHROP STREET. THE LETTER STATED SHE HAD 30 DAYS TO COME UP WITH THE MONEY OR AGAIN A LIEN WOULD BE PLACED ON HER PROPERTY AND SHE WOULD BE CHARGED 5% INTEREST ON ANY UNPAID BALANCE. WHEN SHE BOUGHT HER HOME SHE MADE SURE TITLE V WAS ALL SET AND THE SEPTIC WAS UPDATED SO SHE WOULD NOT HAVE TO BE CONCERNED ABOUT THIS ISSUE.

SO, HERE SHE IS AGAIN WITH A LIEN ON HER PROPERTY PLACED BY THE CITY OF TAUNTON, NOT BECAUSE SHE DOES NOT PAY HER BILLS. SHE IS FRUSTRATED AT THE LACK OF EMPATHY OF THE LEADERS OF THIS CITY. SOME PEOPLE MAY ACTUALLY LOSE THEIR HOMES OVER THIS AND THAT IS NOT AN ACCEPTABLE WAY TO TREAT YOUR CITIZENS.

SHE FEELS THIS WHOLE SITUATION IS IMMORAL AND UNETHICAL. AT THE VERY LEAST THE CITY COULD HAVE USED A DIFFERENT FORMULA IN CALCULATING MONIES FOR THE SEWER PROJECT.

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

MR. FEDERICO STATED THAT THIS IS A 1 BEDROOM HOUSE, AND SHE IS ASKING FOR AN ABATEMENT. THIS WAS ASSESSED AS ONE RESIDENTIAL UNIT REGARDLESS OF THE NUMBER OF BEDROOMS. ATTORNEY DEABREU STATED THAT ACCORDING TO THE FORMULA A SINGLE FAMILY HOME WAS ASSESSED AS 1 RESIDENTIAL UNIT REGARDLESS OF THE NUMBER OF BEDROOMS.

MR. FEDERICO STATED THAT MONEY WAS TAKEN OUT OF THIS PROJECT – THE BURT STREET PUMP STATION WHICH COST OVER \$900,000 – THAT PRICE WAS TAKEN OUT OF THIS BECAUSE THAT WAS CONSIDERED A GENERAL BENEFIT FACILITY. THEY ALSO GOT A PRINCIPAL FORGIVENESS OR A STATE GRANT FOR \$1.17 MILLION AND THIS WAS USED TO KEEP THE COST DOWN. THE UNFORTUNATE ISSUES WERE THAT THERE WAS A LOT OF ROCK IN THE ROAD, IT IS A STATE HIGHWAY SO THE MANDATES WERE VERY RESTRICTIVE ON THIS. THEY ALSO HAD TO REPLACE DRAINAGE – STATE HIGHWAY DRAINAGE – WHILE THEY WERE DOING THE PROJECT SO THIS WAS A COST THEY DID NOT ANTICIPATE.

MOTION: TO DENY THE ABATEMENT OF \$19,815 AND REFER HER TO THE HARDSHIP PROGRAM ON PROPERTY 88-87. SO VOTED.

COUNCILOR BARBOUR STATED THAT HE FEELS THAT PARCEL 102-2 WHICH IS MECHANICS COOPERATIVE BANK HAS ASKED FOR THE EXTENSION BECAUSE THE DYNAMICS OF THIS COMMITTEE WILL CHANGE COME JANUARY 3 OR 4. HE FURTHER STATED THAT THE ONLY THING HE WOULD COMMENT ON IS THAT IN HIS MANY MEETINGS WITH THE DPW THIS CAME UP THAT THEY ARE LOOKING FOR THE \$37,648.00 BE ABATED. HE NOTED THAT THE COMMITTEE HAS JUST SAID NO ON HUNDREDS AND THOUSANDS OF DOLLARS ON TAXPAYERS AND HOMEOWNERS THAT CANNOT AFFORD TO HAVE THAT REQUEST DENIED. HE ASKS THAT IF THIS IS DONE AFTER THE FACT, THE FIRST OF THE YEAR AS HE SUSPECTS THAT WOULD BE THEIR GAME PLAN, THAT THIS BE CONSIDERED BECAUSE THIS COMMITTEE HAS TO TREAT PEOPLE THE SAME REGARDLESS IF THEY ARE A BUSINESS OR NOT. HE ASKED THAT THIS BE TAKEN INTO CONSIDERATION,

COUNCILOR MARSHALL STATED THAT HIS UNDERSTANDING IS THAT THEY ARE NOT PREPARED TO GO FORWARD WITH THIS TONIGHT BUT IT IS THE EXACT SAME SCENARIO THAT THE COMMITTEE JUST GRANTED AN ABATEMENT FOR ON 414 WINTHROP STREET AS THEY HAVE ACCESS THROUGH CRAVEN COURT.

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED

2. MEET WITH THE DPW COMMISSIONER'S TEAM AND JOE FEDERICO FROM BETA GROUP TO DISCUSS ADDITIONAL SEWER PROJECTS TO BE INCLUDED IN THE NEXT ROUND OF SRF FUNDING

THE CHAIRMAN NOTED THAT THIS WAS ON THE AGENDA LAST WEEK TO BE READ AS AN ORDER. IT WAS TABLED BECAUSE THE CHAIRMAN WANTED A PRESENTATION HERE BEFORE.

MR. FEDERICO STATED THAT ABOUT 2 YEARS AGO THE CITY APPLIED FOR A LOAN FOR ABOUT \$15 MILLION. THIS WAS A MULTI YEAR PHASE LOAN SIMILAR TO WHAT THE CITY DID BEFORE FOR REPAIRING THE SEWERS AND THE STORM DRAINS. ALL THIS WORK HAS TO DO WITH THE EPA ADMINISTRATIVE ORDER TO REMOVE THE INFILTRATION AND INFLOW FROM THE SYSTEM AND REPAIR THE SEWER PIPES AND THE STORM DRAINS IN THE CITY. THE COMMITTEE PREVIOUSLY APPROVED \$6 MILLION OF THIS, AND WHAT THEY WERE GOING TO DO IS ASK THE COMMITTEE, ONE YEAR AT A TIME, AS THEY NEEDED THE MONEY, TO APPROVE THE PROJECTS. SINCE THAT TIME THE COMMONWEALTH HAS CHANGED THEIR POLICY AND THEY WANT THE FULL \$15 MILLION APPROVED AND THE REASON FOR THAT IS THAT THEY WANT TO GET AS MUCH PRINCIPAL FORGIVENESS AS THEY CAN FOR THESE PROJECTS. THE PRINCIPAL FORGIVENESS MAY END SOON. THEY DON'T KNOW THIS FOR A FACT, BUT IT HAS BEEN DROPPING YEAR AFTER YEAR. IF THEY GET THIS APPROVAL, IT WILL BE A 3 YEAR PHASE, PHASE 10, 11 AND 12. THEY WILL BE DOING PHASE 10 NEXT YEAR AND THEY WILL LINE THE ENTIRE CENTER OF THE CITY WHICH WILL INCREASE CAPACITY. THE SEWER RATE STRUCTURE WILL BE EVALUATED, SO THE CITY CAN DECIDE NOT TO USE THE MONEY.

MOTION: TO MOVE FORWARD AND SEND A POSITIVE RECOMMENDATION TO THE FULL COUNCIL. SO VOTED.

3. MEET WITH THE DPW COMMISSIONER'S TEAM AND JOE FEDERICO FROM BETA GROUP TO DISCUSS POTENTIAL SEWER EXTENSION IN THE AREA OF 147 DIGHTON AVENUE

THE CHAIRMAN STATED THAT THEY HAD RECEIVED A LETTER FROM A RESIDENT AT 147 DIGHTON AVENUE SAYING THAT HE HAD ACCESS IN THE REAR OF HIS PROPERTY. THE CITY IS GOING TO ATTEMPT TO TRY TO SEWER DIGHTON AVENUE, THE RESIDENTS HAVE REQUESTED IT, IT IS AN AREA OF SPECIAL NEED, BUT THE SNAG IS THE PRICE. THE PRICE WOULD BE ABOUT \$4.5 MILLION WHICH WOULD RESULT IN BETTERMENTS OVER \$100,000 PER LOT, SO THE PROJECT IS STALLED.

MR. GOUVEIA OF 147 DIGHTON AVENUE PRESENTATED A POTENTIAL OPTION.

MR. FEDERICO SAID THERE IS AN EASEMENT THAT GOES THROUGH APPALOOSA WAY WHERE THEY HAVE SEWER. CERTAINLY THEY COULD GO THROUGH THE EASEMENT AND CONNECT. HE DOES NOT KNOW IF THEY COULD GO BY GRAVITY OR NOT BUT THEY CERTAINLY COULD GO BY GRINDER PUMP AND A LOW PRESSURE SEWER. WITH THIS OPTION, SOME INDIVIDUALS COULD TIE IN.

THE RAMIFICATIONS, MR. FEDERICO STATED, IS IF THE CITY WANTS TO EVENTUALLY SEWER BURT STREET AREA, WHICH IS ONE OF THE REASONS WHY WINTHROP STREET WAS DONE, YOU WOULD HAVE TO DIVERT FLOW TO THE WESTVILLE PUMP STATION AND THEN DOWN TO DIGHTON AVENUE OR REBUILD THE SEWER ON WINTHROP STREET AND HARVEY AND MAKE IT ALL BY ITSELF, WHICH IS VERY EXPENSIVE. QUESTIONED WAS WHETHER IT IS POSSIBLE TO DO A GRAVITY SEWER LINE IN DIGHTON AVENUE AND THEN CONNECT INTO THE SETTLEMENT.

MR. FEDERICO SAID THE TOPOGROPHY OF THE ROAD WOULD NOT ALLOW FOR THIS.

THERE IS A NEED ON DIGHTON AVENUE AS 2-4 SYSTEMS ARE FAILING, ALSO COHANNET STREET, RED CIRCLE AND HIGHLAND STREET ALSO HAVE A NEED. DISCUSSIONS HAD BEEN HELD REGARDING BRINGING THE SERVICE TO AS MANY PEOPLE AS POSSIBLE IN AN EFFORT TO LOWER THE COST OF THE BETTERMENTS.

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

COUNCILOR BARBOUR ASKED IF THERE WAS A WAY THAT THESE AREAS COULD ALL BE DONE TOGETHER. QUESTIONED WAS WHAT THE RECOMMENDATION OF THE DPW IS, IS THERE A CAP FOR BETTERMENTS AND WHO WOULD PAY THE REST.

IT WAS NOTED THAT THE RATEPAYERS WOULD HAVE TO PICK UP THE DIFFERENCES.

IT WAS NOTED THAT IT WOULD BE ABOUT \$3.5 MILLION AND AS TO HOW IT WOULD IMPACT THE RESIDENTS – FOR EVERY MILLION THERE WOULD BE A \$6.00 INCREASE.

IT WAS ALSO NOTED THAT \$5.1 MILLION IS AVAILABLE FROM PROJECTS AND THAT THIS MONEY COULD BE USED, HOWEVER, IT COULD BE VERY EXPENSIVE BECAUSE OF THE ROCK IN THAT AREA.

COUNCILOR MARSHALL STATED THAT HE IS NOT SURE THIS IS THE BEST BANG FOR THE \$5 MILLION. HE WOULD LIKE TO SEE THE BEST VALUE FOR THIS MONEY. IT WOULD BE VERY IMPORTANT TO SEE THE RATE STUDY DONE FIRST.

THE DPW COMMISSIONER STATED THAT IT MIGHT BE BETTER TO SEND A SURVEY OUT AND GET A BETTER IDEA AS TO WHO WOULD BE INTERESTED. THEY NEED TO SAY THAT THE BETTERMENT COULD BE AROUND \$22,000. HE WOULD LIKE TO SEND SURVEYS TO DIGHTON AVENUE, COHANNET STREET, RED CIRCLE AND HIGHLAND STREET.

MOTION: HAVE THE DPW TEAM AND BETA SEND OUT A SURVEY FOR BAKER ROAD WEST, DIGHTON AVENUE FROM THE INTERSECTION OF BAKER ROAD WEST TO WARNER BOULEVARD, TO INCLUDE HIGHLAND STREET, RED CIRCLE, A PORTION OF COHANNET, ASKING IF THEY WANT MUNICIPAL SEWER WITH A BETTERMENT WITH A MAXIMUM OF \$22,500.00. THE DPW IS TO REPORT BACK IN 6 WEEKS. THIS WOULD BE GRAVITY NOT PUMP STATION. SO VOTED.

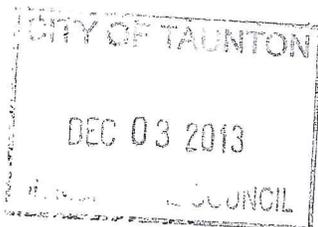
4. MEET IN EXECUTIVE SESSION TO DISCUSS POTENTIAL LAND ACQUISITION.

MOTION: ON A ROLL CALL VOTE, ALL COUNCILORS PRESENT VOTED TO GO INTO EXECUTIVE SESSION. SO VOTED.

MOTION: ON A ROLL CALL VOTE, ALL COUNCILORS PRESENT VOTED TO COME OUT OF EXECUTIVE SESSION. SO VOTED.

NO MOTIONS WERE MADE OR VOTES TAKEN IN EXECUTIVE SESSION.

MEETING ADJOURNED AT 9:35 P.M.



RESPECTFULLY SUBMITTED,

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

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

A handwritten signature in cursive script that reads "Jennifer R. Leger".

ASSISTANT CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
DECEMBER 3, 2013

THE COMMITTEE ON POLICE AND LICENSE

PRESENT WERE: COUNCILOR SHERRY COSTA-HANLON, CHAIRMAN AND COUNCILORS CLEARY AND BARBOUR. ALSO PRESENT WERE CITY SOLICITOR JASON BUFFINGTON, POLICE CHIEF EDWARD WALSH, SERGEANT MATTHEW MCCAFFREY, PAUL RODERICK, DANIEL MCCABE AND MICHAEL SILVIA OF THE TAUNTON POLICE DEPARTMENT AND LEIGH PANATTIERRE, ATTORNEY FOR THE TAUNTON POLICE SUPERVISORY UNION.

MEETING CALLED TO ORDER AT 9:35 P.M.

1. MEET IN EXECUTIVE SESSION TO DISCUSS GRIEVANCE

MOTION: ON A ROLL CALL VOTE, ALL COUNCILORS PRESENT VOTED TO GO INTO EXECUTIVE SESSION. SO VOTED.

MOTION: ON A ROLL CALL VOTE, ALL COUNCILORS PRESENT VOTED TO COME OUT OF EXECUTIVE SESSION. SO VOTED.

ONE MOTION WAS MADE IN EXECUTIVE SESSION.

MEETING ADJOURNED AT 10:50 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 "Jennifer K. Reger".

ASSISTANT CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
DECEMBER 3, 2013

THE COMMITTEE ON SOLID WASTE

PRESENT WERE: COUNCILOR DANIEL BARBOUR, CHAIRMAN AND COUNCILORS MARSHALL, CARR, POTTIER AND COSTA-HANLON. ALSO PRESENT WERE ASSISTANT CITY SOLICITOR DANIEL DEABREU, DPW COMMISSIONER FRED CORNAGLIA, WATER DIVISION SUPERVISOR CATHAL O'BRIEN, HEATHER GALLANT AND KEVIN DUQUETTE FROM THE BOARD OF HEALTH, PETER RICHER AND AARON SMITH OF WASTE MANAGEMENT AND WES GREGORY OF WE CARE.

MEETING CALLED TO ORDER AT 10:54 P.M.

- 1. MEET WITH REPRESENTATIVES OF IWT AND THE LAW OFFICE FOR AN UPDATE ON THE STATUS FOR THE IWT HYBRID PROJECT HERE IN TAUNTON AND POTENTIALLY MOVING TO FREETOWN.**

MOTION: TO CONTINUE THIS ITEM FOR TWO WEEKS. SO VOTED.

- 2. MEET WITH THE DPW, WASTE MANAGEMENT, KEVIN DUQUETTE AND THE BOARD OF HEALTH AND THE LAW OFFICE TO DISCUSS WASTE MANAGEMENT'S REQUEST FOR THE EXPANSION OF THE TAUNTON LANDFILL.**

THE CHAIRMAN STATED THAT WASTE MANAGEMENT HAD REQUESTED AN EXPANSION OF AN ADDITIONAL 40 FEET. THE CHAIRMAN HAD ASKED COUNCILORS TO SUBMIT THEIR WISH LIST OF WHAT THEY WANTED. THE CHAIRMAN HAD MET WITH MR. DUQUETTE OF THE BOARD OF HEALTH AND ATTORNEY DEABREU SEVERAL TIMES ON THIS MATTER.

A LETTER DATED 12/3/2013 OF ASSISTANT CITY SOLICITOR DANIEL DEABREU WAS READ WHICH WAS A SUMMARY OF A TENTATIVE PROPOSED AGREEMENT REGARDING THE LANDFILL EXPANSION WITH AN ATTACHMENT ENTITLED HOST COMMUNITY AGREEMENT.

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

THE CHAIRMAN NOTED THAT IN REGARD TO THE PARAGRAPH ON PAGE 2 OF 4 THAT STATES WASTE MANAGEMENT, THROUGH FURTHER NEGOTIATION, HAS ALSO AGREED, IN LIEU OF THE FINANCIAL ASSISTANCE IT HAS BEEN PROVIDING TO ASSIST THE BOH, MAKE AN ANNUAL PAYMENT OF \$10,000 PER YEAR TO THE TAUNTON BOH FOR ANY OUTREACH PROGRAM THAT BOH DEEMS APPROPRIATE. THIS \$10,000 PAYMENT WILL BE A NET BENEFIT TO THE CITY OF BETWEEN \$2,000 AND \$3,500. THE CHAIRMAN STATED THAT WHEN WASTE MANAGEMENT CAME UP WITH THE LAST REQUEST FOR EXPANSION THE CITY REQUESTED THIS, BUT THE BOARD OF HEALTH IS NOT SPENDING ALL OF THIS MONEY SO WHAT THIS IS NOW SAYING IS THAT THE BOARD OF HEALTH WILL GET THE FULL \$10,000 SO THEY CAN DO BOARD OF HEALTH EDUCATION OUTREACH.

THIS IS NOT A NEW CAVIOT BUT AN IMPROVEMENT ON A PREVIOUS CAVIOT

THE LETTER READ INTO RECORD ARE NEGOTIATIONS THAT HAVE BEEN TENTATIVELY AGREED UPON BETWEEN THE LAW OFFICE AND WASTE MANAGEMENT, AND ALSO DPW COMMISSIONER CORNAGLIA AND WATER DIVISION SUPERVISOR CATHAL O'BRIEN.

THE CHAIRMAN STATED THAT SO FAR THERE IS A DISAGREEMENT ON THE 50/50 SPLIT ON REVENUE REGARDING THE WSG, AND THAT HE BELIEVES THE CITY'S POSITION IS THAT THIS SHOULD BE A 100% BENEFIT TO THE CITY. WASTE MANAGEMENT IS NOW AGREEING TO A 50/50 SPLIT SO THAT IS SOME VALUE BACK TO THE CITY, IN THE REQUEST FOR THE EXPANSION.

ATTORNEY DEABREU STATED THAT 100% VERSUS 50%, HE WOULD BE IN FAVOR OF THIS ARRANGEMENT AS A MEANS OF RESOLVING THE DIFFERENCES UNDER THE CONTRACT, AND AS HE UNDERSTOOD IT, THE

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THE COMMITTEE ON SOLID WASTE - CONTINUED

WSG SLUDGE WILL BE TRANSPORTED TO THE NEW FACILITY TO BE CONSTRUCTED IN THE WEIR, AND THAT PROCESS WILL RESULT IN SOME RESIDUE.

THE CHAIRMAN STATED THAT MR. GREGORY WILL BE HERE LATER THIS EVENING TO SPEAK TO THIS. THE SECOND ITEM THE CHAIRMAN DISCUSSED WAS WASTE MANAGEMENT PAYING TO TAUNTON \$10,000 PER YEAR FOR 4 YEARS FOR A TOTAL OF \$40,000 SO THAT IT COULD BE USED TOWARDS A COMPLIANCE OFFICER. WASTE MANAGEMENT AGREED TO THIS, BUT WHAT COUNCILOR BARBOUR WAS LOOKING FOR WAS FOR THE LIFE OF THE LANDFILL BUT WASTE MANAGEMENT AGREED TO PAY IT FOR 4 YEARS.

ANOTHER ISSUE DISCUSSED WAS THE ODOR. COUNCILOR BARBOUR HAD REQUESTED THAT WASTE MANAGEMENT KEEP A DAILY LOG OF THE USE OF 5 DEODORIZERS ON SITE AND SUBMIT THE DAILY LOGS TO THE BOH ONCE PER MONTH, ADDITIONALLY A REQUIREMENT THAT THE 3 DEODORIZERS MUST BE RUNNING DURING ALL HOURS OF OPERATION FROM MEMORIAL DAY THROUGH LABOR DAY AND THE PROTOCOL ALREADY EXISTING AT THE BOARD OF HEALTH WOULD GOVERN OTHER TIMES OF YEAR AND THE USE OF THE REMAINING 2 DEODORIZERS. THE REASON COUNCILOR BARBOUR BROUGHT THIS UP IS THAT HE FEELS THIS PAST SUMMER WAS PROBABLY THE WORST.

WASTE MANagements RESPONSE WAS THAT A REQUIREMENT THAT WASTE MANAGEMENT KEEP A DAILY LOG OF THE USE OF THE 5 DEODORIZERS ON SITE AND SUBMIT THE DAILY LOGS TO THE BOARD OF HEALTH ONCE PER MONTH, AND THE REQUIREMENT THAT 3 DEODORIZERS MUST BE RUNNING DURING ALL HOURS OF OPERATION FROM MEMORIAL DAY THROUGH LABOR DAY IS UNNECESSARY AND INAPPROPRIATE. THEY STATED THAT THE USE OF PORTABLE FOGGERS IS UNNECESSARY IF OPERATIONAL ODORS ARE NON-EXISTENT AND WEATHER CONDITIONS ARE UNFAVORABLE TO DETECTION OF OFF-SITE ODORS. THEIR EXISTING PROTOCOL WITH THE BOARD OF HEALTH THAT GOVERNS THE USE OF DEODORIZERS TO MITIGATE THE POTENTIAL FOR OFF-SITE ODORS REMAINS EFFECTIVE AT THE LANDFILL. COUNCILOR BARBOUR DISAGREES WITH THIS.

COUNCILOR CLEARY HAD BROUGHT UP TIRES AND COUNCILOR BARBOUR HAD ADDED PROPANE TANKS TO BE ACCEPTED FROM TAUNTON RESIDENTS FREE OF CHARGE WITH A DAILY LIMIT OF 1 TANK AND 2 TIRES PER RESIDENT PER DAY, OR OTHER REASONABLE LIMIT COULD BE IMPOSED.

WASTE MANAGEMENT STATES THAT THEY BELIEVE THIS REQUEST IS INAPPROPRIATE AND UNREALISTIC. GENERALLY, THESE ITEMS WOULD BE RETURNED TO A VENDOR WHEN REPLACING VEHICLE TIRES OR RETURNING A PROPANE TANK FOR REFILLING. IF THIS SERVICE WAS PROVIDED, THEY BELIEVE THE DROP-OFF AREA WOULD BE INUNDATED WITH TIRES AND PROPANE TANKS SINCE IT IS DIFFICULT TO CONFIRM THE ACTUAL SOURCE OF THE MATERIALS EVEN WHEN DELIVERED BY RESIDENTS. FOR EXAMPLE, WHEN THEY MODIFIED THEIR AGREEMENT TO ACCEPT E-WASTE FROM RESIDENTS AT NO COST, THEIR COSTS TO MANAGE THIS MATERIAL HAS INCREASED FROM APPROXIMATELY \$10,000/YEAR TO \$60,000/YEAR DUE TO VOLUME OF TV'S RECEIVED.

COUNCILOR BARBOUR ALSO STATED THAT ONE OF THE BIG ITEMS HE HAD ASKED FOR WAS TIPPING FEES. ONE OF THE BIG ISSUES THAT WE HAVE SEEN OVER THE YEARS IS THAT TIPPING FEES HAVE CONSISTENTLY GONE DOWN. HE HAD FELT THAT SOME TYPE OF MINIMUM OR GUARANTEE SHOULD BE IN PLACE. THE REQUEST WAS A MINIMUM ANNUAL TIPPING FEE GUARANTEE.

WASTE MANAGEMENT STATED THAT IT IS VERY DIFFICULT TO GUARANTEE MINIMUM ANNUAL REVENUE FROM THE SOLID WASTE DISPOSED THAT IS SUBJECT TO ROYALTY REVENUE UNDER THE AGREEMENT DUE TO VARYING MARKET CONDITIONS. THE BENEFIT TO THE CITY ASSOCIATED WITH THE DISPOSAL OF THE WSG SLUDGE WILL BE BASED ON ACTUAL TONNAGE RECEIVED/DISPOSED AND THE FEE FOR THE WSG SLUDGE. THEIR RECEIPT OF THE WSG SLUDGE WILL NOT BE SUBJECT TO THE 18.2% ROYALTY REVENUE TO THE CITY, SINCE THE CITY WILL BE RECEIVING 50% OF THE TIPPING FEE REVENUE. AS PREVIOUSLY

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THE COMMITTEE ON SOLID WASTE - CONTINUED

PRESENTED TO THE CITY THE 40 FOOT VERTICAL EXPANSION WILL PROVIDE THE CITY WITH AN ESTIMATED \$7,300,000 IN ADDITIONAL REVENUE AND AVOIDED DISPOSAL AND OTHER COSTS, EXCLUSIVE OF THE POTENTIAL BENEFITS IDENTIFIED. THEREFORE, WASTE MANAGEMENT IS UNWILLING TO CONSIDER AN ANNUAL MINIMUM TIPPING FEE GUARANTEE.

THE NEXT ITEM ASKED FOR WAS STREET SWEEPING. WASTE MANAGEMENT CURRENTLY USES A SWEEPER ON EAST BRITANNIA STREET. THEY WERE ASKED TO EXPAND THE ROUTE TO INCLUDE THE STREETS THAT BORDER THE MAYFLOWER CEMETERY (BROADWAY, WASHINGTON STREET AND THRASHER STREET) ONCE A WEEK BETWEEN MEMORIAL DAY AND LABOR DAY, AND THE TRAVEL WAYS WITHIN THE CEMETERY ONCE A MONTH BETWEEN MEMORIAL DAY AND LABOR DAY.

THE NEXT THING REQUESTED WAS FUNDING FOR A COMPLIANCE OFFICER, HAVING SOMEONE IN THE SCALE HOUSE AT ALL TIMES TO WATCH OUT FOR THE BENEFITS OF THE TAXPAYERS OF THE COMMUNITY TO MAKE SURE TRUCKS ARE PROPERLY STICKERED AND WHAT THEY ARE DUMPING IS PROPER, AND TO MONITOR THE SCALE. THIS WOULD BASICALLY MAKE SURE THAT ALL IS ACCOUNTED FOR.

WASTE MANAGEMENT AGREES TO PROVIDE TAUNTON WITH \$10,000 PER YEAR FOR 4 YEARS. WHAT THEY HAVE DONE IS BLENDED THE MONEY THEY ARE GOING TO GIVE TO THE BOARD OF HEALTH WITH THIS ITEM AND THEY FEEL THAT THE OVERALL BENEFIT OF THE EXPANSION WILL RESULT IN OVER \$7,300,000 IN ADDITIONAL REVENUE AND AVOIDED DISPOSAL COSTS TO THE CITY, WHICH PROVIDES A SIGNIFICANT BENEFIT TO THE CITY.

ALSO REQUESTED WAS THAT WASTE MANAGEMENT AGREE TO HOST A HOUSEHOLD HAZARDOUS WASTE DAY ONCE A YEAR IN THE FALL. THEIR RESPONSE WAS THAT THERE IS NO NEED FOR WASTE MANAGEMENT TO PROVIDE A HOUSEHOLD HAZARDOUS WASTE DAY SINCE THEY ALREADY ACCEPT HOUSEHOLD HAZARDOUS WASTE ITEMS AT NO COST TO THE RESIDENTS, SUCH AS WASTE OIL, FLUORESCENT BULBS, OIL BASED PAINTS, MERCURY ITEMS, NICKEL CADMIUM AND LITHIUM-ION BATTERIES.

THESE COMMENTS WERE PART OF A STRING OF E-MAILS BETWEEN WASTE MANAGEMENT AND ATTORNEY DEABREU.

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

THE CHAIRMAN NOTED THAT MANY OF THE ITEMS ASKED FOR WERE NOT AGREED UPON EXCEPT ONE OF THE LARGER ITEMS WHICH IS THE WSG. ONE OF THE NEW THINGS THAT WAS AGREED UPON ALSO WAS THAT THE CITY WILL RECEIVE \$40,000 OVER A PERIOD OF 4 YEARS TO APPLY TOWARDS THE TRASH ENFORCEMENT AGENT. THE CHAIRMAN AGAIN STATED THAT HE WOULD LIKE TO SEE MORE ON THE ODOR ISSUES. THIS PUTS A BURDEN ON THE BLOCK OF RESIDENTS AND IS UNREASONABLE, AND THE CHAIRMAN FURTHER STATED THAT HE DOES NOT FEEL THAT THE TIRES AND PROPANE TANKS ISSUE IS NOT UNREASONABLE.

ATTORNEY DEABREU STATED THAT ANOTHER MAJOR COMPONENT IS WASTE MANAGEMENT AGREEING TO ACCEPT THE WATER SLUDGE THAT WILL SAVE THE CITY \$150,000 A YEAR.

MR. RICHER OF WASTE MANAGEMENT STATED THAT THE FIRST POINT HE WANTED TO MAKE WAS THAT THERE HAD BEEN A LOT OF GOOD DIALOGUE BACK AND FORTH ABOUT THE ADDITIONAL BENEFITS. IN REGARD TO THE ODOR MITIGATION AND THE USE OF THE DEODORIZERS IT IS THEIR BELIEF THAT THEY DO HAVE VALUE, BUT TO OPERATE THEM WHEN THERE IS NOT AN ODOR AT THE SITE IS SPENDING MONEY FOR NOTHING. THEY HAVE A GREAT PROTOCOL IN PLACE TO ADDRESS THIS MITIGATION, AND THEY DO USE THE DEODORIZERS WHEN NEEDED INSTEAD OF JUST WASTING THE PRODUCT WHEN IT IS NOT NEEDED.

HE FURTHER STATED THAT HE UNDERSTANDS THE REQUEST REGARDING TIRES AND PROPANE TANKS. HE FURTHER STATED THAT WHEN YOU CHANGE TIRES, THE PLACE USUALLY TAKES THEM. IT WOULD ALSO BE IMPOSSIBLE TO REGULATE. THEY DO NOT WANT TO GO DOWN THIS PATH, AS IT WOULD GENERATE

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THE COMMITTEE ON SOLID WASTE - CONTINUED

AN INUNDATION OF THIS MATERIAL, AND IT WOULD BE VERY DIFFICULT TO MANAGE IT AND ADMINISTER IT IN AN EFFECTIVE MANNER TO MAKE IT FAIR FOR EVERYONE.

MR. RICHER ALSO STATED THAT THEY HAD CALCULATED THE INITIAL BENEFITS TO BE ABOUT \$7.4 MILLION FOR THE 40 FOOT EXPANSION, THEY THEN FACTORED IN THE OTHER BENEFITS TO THE CITY AND THAT FIGURE JUMPS TO A LITTLE OVER \$8 MILLION A YEAR.

THE LANDFILL WILL CLOSE MARCH 1, 2015, IF THE EXPANSION IS ALLOWED, IT WOULD EXTEND THE CLOSURE TO JUNE, 2017 AT A MINIMUM. IT COULD BE LONGER DEPENDING ON SETTLEMENT.

A SUMMARY OF THE TOTAL ADDITIONAL BENEFITS TO THE CITY OF TAUNTON WITH THE CELL 5 VERTICAL 40 FOOT EXPANSION WAS PROVIDED TO THE COMMITTEE.

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

MR. RICHER ALSO ADDRESSED THE STREET SWEEPING. HE UNDERSTANDS THE REQUEST. THEY DO SWEEP EAST BRITANNIA STREET BUT TO GO OFF THE STREETS THAT THE TRUCKS AREN'T TRAVELING ON IS NOT WHAT THEY DO, IT IS A SAFETY ISSUE ALSO. COUNCILOR BARBOUR STATED THAT THIS WOULD BE A GOOD FAITH EFFORT FOR THE AREA. HE IS NOT ASKING TO DO THE ENTIRE CITY, BUT TO BE A GOOD NEIGHBOR AND DO THE AREA PREVIOUSLY STATED.

REGARDING THE HOUSEHOLD HAZARDOUS WASTE DAY, MR. RICHER SAID VIOLIA HOLDS ONE IN OCTOBER, AND WASTE MANAGEMENT ACCEPTS THIS EVERYDAY.

COUNCILOR CARR QUESTIONED WHAT THE ODOR PROTOCOL IS. SHE ALSO ASKED WHO DECIDES WHEN TO USE THE DEODORIZERS.

MR. RICHER STATED THAT THE PROTOCOL IS IF THERE IS AN ODOR DETECTED BY ANYBODY, THEY CALL THE BOARD OF HEALTH OR THE LANDFILL. ONCE A CALL IS RECEIVED, THEY WILL INVESTIGATE TO DETERMINE THE CAUSE. THEY WILL COVER IT AS SOON AS POSSIBLE AND ADDRESS THE ISSUE.

COUNCILOR CARR STATED THAT A LOT OF PEOPLE DO NOT KNOW WHO TO CALL.

ANOTHER ISSUE SHE MENTIONED WAS THAT TRUCKS DRIVING ON THE ROAD HAVE TRASH FALLING OUT, OR BRANCHES, TRASH BAGS, ETC. SHE STATED THAT IT IS PROBABLY PRIVATE TRUCKS, BUT SHE QUESTIONED HOW OFTEN THE ROAD IS LOOKED AT.

MR. SMITH STATED THAT SITE MANAGEMENT PERFORMS ODOR LOOPS AT LEAST TWICE A DAY IN ALL DIRECTIONS, AND IN ADDITION WHILE HE IS DOING THIS LOOP, HE LOOKS FOR ANY DEBRIS IN THE ROAD AND WILL PICK THAT UP. IT IS A PART OF THEIR DAILY ROUTINE AND OPERATIONS. THEY WILL PROVIDE A NUMBER TO CALL TO REPORT THIS.

COUNCILOR CARR ALSO ASKED WHERE THE CITY'S RESIDUALS FROM THE WASTE WATER TREATMENT PLANT GO. IT GOES TO THE LANDFILL AT NO COST TO THE CITY. THEY DO NOT TAKE WSG'S SLUDGE YET, BUT THE CITY WILL IDENTIFY THE MARKET RATE AND THEY WILL TAKE IT WITH THE CITY SPLITTING THE REVENUE 50/50. WSG DOES ACCEPT FROM OTHER COMMUNITIES.

ATTORNEY DEABREU STATED THIS HAS BEEN AN ISSUE FOR A LONG TIME AND DURING THAT TIME THE CITY HAS NOT SEEN ANY REVENUE. THERE IS A PLAN TO BUILD A NEW FACILITY IN THE VICINITY OF THE WASTE WATER TREATMENT PLANT, SO AS HE SEES IT THERE IS ONLY A LIMITED WINDOW OF TIME FOR THE CITY TO SEE ANY BENEFIT FROM THIS AT ALL.

COUNCILOR MARSHALL NOTED THAT THE BIGGEST THING THAT HE SEES FOR THE EXPANSION, IS THE AMOUNT OF MONEY THEY CHARGE TO HAVE SOMEONE DROP OFF SOMETHING REGARDLESS OF THE WEIGHT. THERE IS A \$45 MINIMUM.

MR. SMITH SAID THERE IS A TIERED APPROACH, \$15, \$30 AND \$45. COUNCILOR MARSHALL SAID THAT HE THINKS THIS IS THE GREATEST INHIBITOR FOR TAUNTON RESIDENTS TO GO INTO THE LANDFILL ON A SATURDAY BECAUSE OF THESE CHARGES. THIS NEEDS TO BE LOOKED AT. PEOPLE ARE LOOKING TO PAY THEIR FAIR SHARE, BUT THERE IS A GUARANTEED MINIMUM.

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THE COMMITTEE ON SOLID WASTE - CONTINUED

COUNCILOR MARSHALL ADDRESSED THE WISH LIST, AND THE TOTAL COST OF RUNNING THE DEODORIZERS, ACCEPTING TIRES AND PROPANE TANKS, THE TIPPING FEE, THE STREET SWEEPER AND THE COMPLIANCE OFFICER ISSUES WHICH WOULD PROBABLY TOTAL ABOUT \$120,000 A YEAR. HE STATED THAT IF THE CITY'S BENEFIT IS \$7.3 MILLION THEN WASTE MANAGEMENT IS PROBABLY GOING TO MAKE THREE TIMES THAT AMOUNT OF MONEY OVER THE COURSE OF THE EXPANSION. BASICALLY WE ARE HAGGLING OVER \$120,000 A YEAR AND HE FEELS THAT THIS IS UNREALISTIC THAT WE CANNOT AGREE TO THESE.

HE ASKED THE CITY SOLICITOR IF WE CAN END OUR AGREEMENT WITH WASTE MANAGEMENT AND PUT THE VERTICAL EXPANSION OUT TO BID FOR ANOTHER OPERATOR. HE DID NOT EXPECT AN ANSWER TONIGHT, BUT HE WOULD LIKE THIS ANSWER. WASTE MANAGEMENT COULD BE THE BEST DEAL, BUT WE DON'T KNOW. ALSO COUNCILOR MARSHALL STATED THAT CAPPING WOULD HAVE TO BE ADDRESSED ALSO.

THE ASSISTANT CITY SOLICITOR STATED THAT HE WILL HAVE SOMETHING READY NEXT WEEK OR IN 2 WEEKS ON THIS MATTER.

COUNCILOR MARSHALL ALSO STATED THAT IF WE CANNOT DO THIS, HE WANTS TO SEE SOME TYPE OF RE-USE PLAN FOR WHEN THE LANDFILL CLOSES. HE FEELS THAT WE CAN DO SOMETHING BETTER THAN A GRASSY DOME, THERE SHOULD BE SOME REUSE PLAN.

COUNCILOR COSTA-HANLON ALSO STATED THAT SHE DOES NOT THINK THE WISH LIST IS THAT FAR REACHING. SHE ALSO QUESTIONED THE MINING RIGHTS AND THE NEED TO DISCUSS THE CURRENT METHANE CONTRACT. SHE ALSO FEELS THAT THERE SHOULD BE A CITY EMPLOYEE AT THE LANDFILL TO MONITOR THE TIPPING FEES.

COUNCILOR CLEARY ASKED WHEN THE LANDFILL CLOSES, WHAT IS WASTE MANAGEMENT'S RESPONSIBILITY AND WHAT IS THE CITY'S RESPONSIBILITY.

IT WAS NOTED THAT WASTE MANAGEMENT'S OBLIGATION IS TO CAP AND BRING THE LANDFILL TO CLOSURE WITH THEIR OWN FUNDS. AS FAR AS THE COST, DEP REQUIRES A BOND, SO IF WASTE MANAGEMENT GOES AWAY, THE MONEY WILL BE THERE TO CAP THE LANDFILL. WASTE MANAGEMENT IS RESPONSIBLE FOR THE POST CLOSURE CARE OF THE LANDFILL FOR 1 YEAR AFTER IT CLOSES AND THEN AFTER THAT THE CITY IS RESPONSIBLE FOR MAINTAINING THE POST CLOSURE ACTIVITY AT THE LANDFILL. THE EXECUTIVE DIRECTOR OF THE BOARD OF HEALTH WILL BRING ALL OF THIS INFORMATION BACK TO THE BOARD.

3. MEET WITH DPW, LAW OFFICE AND WE CARE FOR AN UPDATE AND PROGRESS REPORT IN REGARD TO THE SLUDGE GASIFIER.

MR. GREGORY STATED THAT THEY ARE MEETING IN MAINE ON PERMITS THERE, AND THEY WILL USE THIS AS A BASIS FOR PERMITTING IN MASS. THEIR INTENTION IS TO GET THEIR FINAL PERMIT UP IN MAINE AND THEN THE FIRST QUARTER OF NEXT YEAR START TO PUT THE PROCESS TOGETHER WITH GHD TO GO FORWARD WITH THE PERMITTING PROCESS HERE. IT WILL BE ABOUT 1 TO 1 ½ YEARS BEFORE WE HAVE THE MAX WEST GASIFIER FOR THE SLUDGE IN TAUNTON.

4. MEET WITH THE DPW, LAW OFFICE AND WE CARE FOR AN UPDATE AND PROGRESS REPORT ON THE SITE PLAN REVIEW FOR THE TAUNTON TRANSFER STATION

IT WAS REPORTED BY WE CARE THAT THE PRIMARY WORK THAT HAS BEEN COMPLETED IS AN INDEPENDENT RE-MAPPING OF THE WETLANDS BOUNDARIES. THEY ARE CURRENTLY TAKING A LOOK AT WHAT THE NEW INFORMATION IS TELLING THEM. THEY THINK THAT THEY STILL HAVE THE OPPORTUNITY TO CONFIGURE AND WORK AROUND SOME WETLANDS BUT THERE WILL OBVIOUSLY BE SOME IMPACTS.

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THE COMMITTEE ON SOLID WASTE - CONTINUED

THE WETLAND BOUNDARIES THEMSELVES HAVE NOT CHANGED SIGNIFICANTLY. THERE WAS SOME ADDITIONAL INFORMATION ON SOME VERNAL POOLS THAT MAY BE A LITTLE BIT OF A PROBLEM BUT NOTHING THAT CAN'T BE WORKED OUT. SO WHAT THEY NEED IS A CONFIRMATION THAT THEY CAN MOVE FORWARD WITH JUST THE SINGLE TRANSFER STATION AND GET INTO THE SITE ASSIGNMENT AND PERMITTING. EVEN ON THE SITE ASSIGNMENT, THE WETLANDS WILL HAVE TO BE ADDRESSED. THEY ARE JUST STARTING THE SITE ASSIGNMENT.

MR. GREGORY STATED THAT THEY NEED A LETTER FROM THE CITY OF TAUNTON BASICALLY AS TO WHERE WE ARE WITH THE IWT CONTRACT. WE CANNOT HAVE 2 OPERATIONS IN THE SAME SITE ASSIGNMENT, THE COMMITTEE WILL BE MEETING WITH IWT FOR AN UPDATE, THEN ATTORNEY DEABREU WILL BE IN CONTACT WITH WE CARE.

IT WAS NOTED THAT THE CURRENT AGREEMENT RECOGNIZES IWT TO SHARE THE COST OF THE SITE ASSIGNMENT. WE CARE NEEDS TO KNOW WHERE THEY ARE GOING AND IWT'S POSITION ON SHARING THE COST OF THE SITE ASSIGNMENT.

COUNCILOR CARR STATED THAT AS PART OF THE HYBRID AGREEMENT, IT WAS WE CARE'S RESPONSIBILITY TO DO THE SITE ASSIGNMENT.

IT WAS STATED THAT WE CARE HAS TAKEN THE LEAD ON THE SITE ASSIGNMENT, BUT IWT HAD AGREED TO REIMBURSE THEM FOR SOME OF THE COSTS, BUT THEY HAVE TO KNOW WHAT THEY ARE SITE ASSIGNING. IS IT A TRANSFER STATION, IS IT A TRANSFER STATION AND ONE BUILDING, IS IT A TRANSFER STATION AND MUCH MORE THAN THAT?

COUNCILOR CARR STATED THAT SHE THOUGHT THE LAST TIME IWT WAS HERE THEY STATED THAT THEY COULD NOT FIT ON THE SITE AND THAT IS WHY THEY ARE LOOKING FOR LAND SOMEWHERE ELSE.

IT WAS STATED THAT THE AGREEMENT STILL READS THEY ARE TO PROVIDE ADDITIONAL COMPENSATION FOR THE SITE ASSIGNMENT, SO IS IWT GOING TO HONOR THAT AGREEMENT.

REGARDING THE SLUDGE GASIFIER, WE CARE REPORTED THAT THEY HAVE BEEN AT THE WWTP ASSESSING THE ACCESSIBILITY AND EVALUATING WHAT THE PLANT CAN HANDLE.

5. MEET WITH THE DPW AND WE CARE FOR AN UPDATE AND PROGRESS REPORT IN REGARD TO THEIR MRF/RECYCLING FACILITY – WHEN DO WE PLAN ON BEING ON LINE AND OPERATIONAL AS A CITY AND A REGION. WHEN CAN CITY EXPECT TO SEE REVENUE – A PROGRESS REPORT AND TIMELINE ON THIS.

MR. GREGORY STATED THEY ARE UNDER THE IMPROVEMENTS NOW AT THE FACILITY. THEY HOPE THEY WILL BE DONE WITH THOSE BY THE END OF THE YEAR. THEY ALSO HAVE SOME SITE WORK STILL TO DO. THE INSIDE OF THE BUILDING IS PRETTY MUCH SQUARED AWAY, THE NEW SEWER LINE IS HOOKED IN, THE BUILDING HAS BEEN DEMOLISHED ON THE INSIDE FOR WHAT THEY NEED TO HAVE DONE. THEY HAVE THE STORM WATER PREVENTION PLAN YET TO DO. IF EVERYTHING GOES WELL WITH THE WEATHER, THEY HOPE TO BE DONE WITH THE MAJOR PART BY THE END OF THE YEAR. IN THE FIRST QUARTER OF NEXT YEAR THEY WILL SIT DOWN WITH ALLIED AND THEN START THE EXISTING RECYCLING BEING DROPPED THERE. ONCE THE CITY'S RECYCLING GOES IN THAT FACILITY, THAT IS WHEN THE CITY WILL SEE THE REVENUE.

IT WAS NOTED THAT NOTHING IS STORED OUTSIDE.

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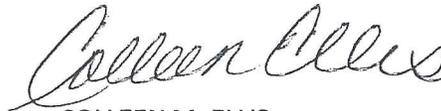
THE COMMITTEE ON SOLID WASTE - CONTINUED

6. MEET WITH THE DPW AND WE CARE TO DISCUSS THE ORGANICS WASTE AND RECEIVE AN UPDATE ON HOW THEY ARE DEALING WITH ORGANIZATIONS SUCH AS NURSING HOMES, SCHOOLS, ETC.

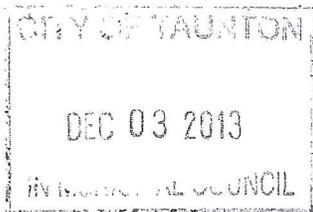
THEY ARE LOOKING AT NEW TECHNOLOGY AND HOPE TO BE READY IN 2014 TO DEAL WITH THE NURSING HOMES AND SCHOOLS WASTE.

MEETING ADJOURNED AT 12:32 A.M.

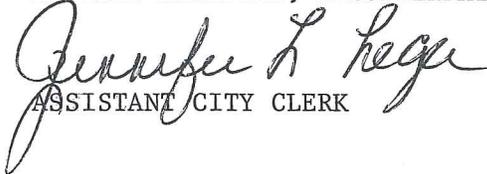
RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



JENNIFER L. HEGE
ASSISTANT CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
DECEMBER 3, 2013

THE COMMITTEE OF THE COUNCIL AS A WHOLE

PRESENT WERE: COUNCIL PRESIDENT JOHN MCCAUL AND COUNCILORS BARBOUR, CARR, POTTIER, COSTA-HANLON, CLEARY AND MARSHALL. ALSO PRESENT WAS CITY SOLICITOR JASON BUFFINGTON

MEETING CALLED TO ORDER AT 12:35 A.M.

1. MEET TO DISCUSS TENTATIVE MEMORANDUM OF UNDERSTANDING WITH COTMA

THE CITY SOLICITOR STATED THAT BEFORE THE COMMITTEE IS THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND THE COTMA UNION. THE MATERIALS HAD ALL BEEN PROVIDED PREVIOUSLY TO THE COUNCILORS.

LIKE THE COLLECTIVE BARGAINING AGREEMENTS THAT WERE ALREADY APPROVED FOR BOTH POLICE UNIONS AND THE FIRE UNION IT CALLS FOR A 3 YEAR AGREEMENT, IT CALLS FOR A 1% RAISE IN THE FIRST YEAR WITH THE RETRO ACTIVITY WAIVED, 2% THE SECOND YEAR AND 3% THE THIRD YEAR. THIS AGREEMENT WILL PROVIDE FOR EVALUATIONS TO BE DONE FOR EVERY DEPARTMENT.

THE ESTIMATED THE COST WOULD BE ABOUT \$156,000.00.

COUNCILOR COSTA-HANLON ASKED IF THE FUNDING WAS INCLUDED IN THE SUPPLEMENTAL BUDGET. THE ANSWER WAS YES.

COUNCILOR CLEARY SAID THAT HE DOES NOT LIKE THE WAY CONTRACTS ARE NEGOTIATED. THE COUNCIL SHOULD BE MORE INVOLVED WITH NEGOTIATIONS WITH THE UNIONS. HE WANTED IT MADE CLEAR THAT HE IS VOTING FOR THE BUDGET AMOUNT, NOT NECESSARILY THE CONTRACT.

MOTION: TO APPROVE THE CONTRACT.

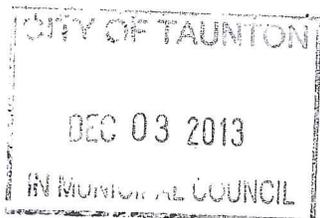
COUNCILORS MARSHALL, COSTA-HANLON, POTTIER, CLEARY AND MCCAUL VOTING IN FAVOR. COUNCILORS CARR AND BARBOUR VOTING IN OPPOSITION. MOTION CARRIES.

MEETING ADJOURNED AT 12:48 A.M.

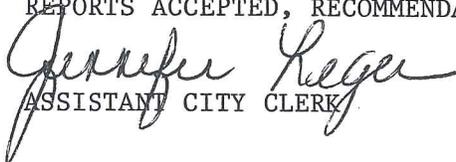
RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



ASSISTANT CITY CLERK



CITY OF TAUNTON

In Municipal Council **ORDER #9**
FY 2014
DECEMBER 3, 2013 *20*.....

Ordered, That **THE SUM OF NINETY TWO THOUSAND DOLLARS AND**
NO CENTS (\$92,000.00) BE AND HEREBY IS TRANSFERRED FROM RESERVE ACCOUNT
NO. 1-132-202-5784

TO: BUILDING DEPARTMENT ACCOUNT NO. 01-493-0202-5310 – ENGINEERING/ARCHITECTURAL
SERVICES

..... *Clerk.*