



*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, December 9, 2014 at 7:45 O'clock P.M.*

Regular Meeting

Mayor Thomas C. Hoye, Jr. presiding

Prayer was offered by the Mayor

Present at roll call were:

*Councilors Cleary, Marshall, Costa-Hanlon,
Croteau, Pottier, McCaul, Quinn, Carr, and Borges*

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

Communications from the Mayor:

Mayor Hoye thanked all that were involved in the Christmas weekend activities. He mentioned Kerrie Babin from the TACC, Colleen Simmons from the Downtown Taunton Foundation, who were the Co-Chairs of Lights On, Marilyn Greene and Chief of Staff, Alyssa Gracia. He stated that they did a great job and it was beautiful. He mentioned the Parks, Cemeteries and Public Grounds Department, the Building Department, and the DPW crews that cleaned up afterwards. He discussed the coordination and how the City Departments worked together to make this happen. As far as the parade, Mayor Hoye thanked Gene Alger, Deb Carr, the Parade Committee and all of the volunteers. The Miracle Mile, which Mike O'Connell ran this year had nearly 100 participants. It was a well done event.

Mayor Hoye stated that there is a communication on the Councilor's desks from the City Solicitor regarding the Star Theater demolition that will begin Monday, December 15, 2014. The City Solicitor discussed the demolition of the Star Theater and the traffic issues Downtown. He provided four maps to the Councilors showing the detours that will be put into place. The maps are up on the City of Taunton's website. He provided a draft of the newsletter that will be distributed to people Downtown to raise awareness in advance of what will happen. For the past week, large flashing signs were put out to let people know that the Main Street detours will begin next Monday. Mayor Hoye stated that we will do the best we can to notify every one of changes in the traffic pattern. Councilor Borges stated that Main Street businesses are remaining open during the demolition.

Communications:

Com. from Assistant City Solicitor stating that he has reviewed the October 1, 2014 draft of the proposed Solid Waste, Recycling and Composting Regulations and he would approve them. Motion was made to refer to the Committee on Solid Waste. So Voted.

Com. from Superintendent of Buildings notifying the Council of the Massachusetts DEP Annual Fee for Central Fire Station in the amount of \$2,455.00 for the year ending June 10, 2014. **Motion was made to receive and place on file. So Voted.**

Com. from Chairman, Taunton Planning Board notifying that they received a Site Plan Review for property located at 13 Cape Road for the modification of a previously approved Site Plan Review for the re-configuration of a parking area, submitted by Taunton Carwash & Gas Group, LLC. The DIRB will meet on this on Tuesday, December 16, 2014 at 10:00AM in the Taunton Planning Board Office, 15 Summer St., Annex Bldg., and then the Planning Board will meet on this proposal on Thursday, January 8, 2015 at 5:30PM at Chester R Martin Municipal Council Chambers, 141 Oak St., Taunton, MA. **Motion was made to receive and place on file. So Voted**

Com. from City Solicitor regarding the case of City of Taunton v. Michael O'Donnell et al., 115 Tremont St., Taunton. The Land Court entered judgment in this case in the City's favor back on December 16, 2013. Subsequent to the entry of judgment, Mr. O'Donnell embarked on a number of attempts to mislead and defraud the Court, all of which were ultimately unsuccessful. The Court found that the August 2013 court filings were "false documents created in February 2014 and planted in a Land Court file in a scheme by O'Donnell to perpetrate a fraud upon this Court." **Motion was made to receive and place on file. So Voted. Motion was made that the attachment of the "Findings on Evidentiary Hearing and Order Allowing Motion to Strike and Denying Motion to Reconsider" be read into the record. So Voted.** Councilor Quinn stated that it was a long drawn out case and an example of having competent in house council so the City did not have to hire outside council which would have come to a great expense to the City. Mayor Hoyer thanked the Law Department for the work and the attention to detail that they have put into all of the cases concerning Mr. O'Donnell. Councilor Cleary wanted to make sure that the people involved know that the City Council is appreciative of their efforts. **Motion was made that the letter from the City Solicitor and a cover letter from the Council stating that their efforts are much appreciated are placed in the personnel folders of the people mentioned in that letter. So Voted.**

Com. from Superintendent of Buildings submitting a new timeline for improvements to the Municipal Council Chamber microphones. It was not able to be completed prior to Thanksgiving due to unforeseen and urgent repairs were made to the Public Building life safety systems. He assured that the work will get done as expeditiously as possible. Councilor Croteau thanked Mr. Pestana; the microphones at the Councilor's desks have been replaced. He stated that the microphones that will be placed on the Council Meeting table and any others in the Chamber are in house and an indefinite date certain is not acceptable. He discussed how the microphones in front of the Councilors at the conference table are difficult to hear and adjustments need to be made on some of the equipment inside the television room. **Motion was made to have a date certain. So Voted. (The City Clerk spoke with Mr. Walkden on this matter.)**

Brian Gillis, Associate Engineer, Columbia Gas of Massachusetts, 995 Belmont St., Brockton requesting for extended construction season within public roadways until Friday, December 19, 2014 weather permitting. Council President Marshall stated that he spoke with the DPW Commissioner, the Assistant DPW Commissioner and Cathal

O'Brien. He stated that they were all in agreement that it could be extended until the 19th, the latest with some conditions. The first one is that, they need verbal permission from the Commissioner's Office. Councilor Costa-Hanlon received a number of phone calls regarding the work being done on School Street during Lights On. She supports the motion but thinks that there should be no further extensions. Council President Marshall read a letter from them requesting permission for an extended work construction season in regards to the Washington Street Bridge over the Mill River. The DPW Commissioners are requesting that the Council grant approval for them to work through the winter. Council President Marshall stated that work on detour roads will not be approved. Councilor Cleary stated that a copy of the detour routes be given to the Gas Company representatives that are in attendance at the Council Meeting tonight. Mayor Hoyer asked if the representatives from the gas company could e-mail Alyssa Gracia, Chief of Staff to let him know where they will be working. **Motion was made to allow the extension on general roadways up until December 19, 2014 with the following conditions; 1. The DPW be notified in person, not via e-mail, 2. No steel plates, 3. It will be a day by day approval and 4. Whatever conditions are set forth by the DPW Commissioner must be abided by during the one week extension. Also, work will be allowed to be continued at the Mill River Project through the winter season. So Voted.**

Communications in the hands of Councilors:

Councilor Costa-Hanlon stated that on the Councilor's desks there is a Road Safety Audit that she had asked the DPW to provide to every Councilor. It has some good information about Hart's Four Corners provided in it. Also, a letter from Mr. Scanlon with a detailed analysis of the monies that were provided for some of the mitigation that was done at Hart's Four Corners going up to Home Depot. There is a draft of the towing application from the Police Chief and a draft ordinance of the parking deck which will be referred to the Committee on Police and License under new business. There is an update from the Assistant City Solicitor regarding 6 Reed Street. She stated that most of these communications are in the Committee on Police and License but she wanted the Council to note that and these documents go to the City Clerk to be part of the minutes. (*City Clerk did not receive any of these documents*)

Petitions:

Petition submitted by Gary Maltais –DBA- Marli Motors, 17 Tremont Street, Taunton respectfully requesting to renew and transfer (due to the possibility that approval of the transfer could take 3-4 months) his Class II License to Robert L. Martin Jr. –DBA- RM Auto Sales to be located at 263 Broadway, Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Anthony Sniger –DBA- Happy Bear, Inc. requesting to renew and transfer his Class II License to his son, David Snigier –DBA- Happy Bear, Inc. to be located at the same location. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

The Following are Renewals for Class II Licenses

1. Corrao Motor Cars, Inc. located at 251 Broadway, Taunton
2. Mann Clan, Inc. –dba- Auto Gallery located at 283 Broadway, Taunton
3. Professional Car Zone, LLC located at 381 Weir St., Taunton

4. Scott's Service Center, Inc. located at 129-131 Ingell St., Taunton
5. Tucan Auto Sales, Corp. located at 295 Broadway, Taunton
6. Walt's Auto Speciality, Inc. located at 289 Broadway, Taunton

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

Petition submitted by Henry Johnson, 829 Blue Hill Ave. Apt. 2A, Dorchester requesting a new Class II License available –dba- Hank's Hoopty's Cheap and Reliable Sales to be located at 405 Winthrop St., Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Claim submitted by Paula Allsop, 103 Hart St., #2-208, Taunton seeking reimbursement for damages to her automobile from hitting a pothole on Plain Street near the Atlantic Café, Taunton. **Motion was made to refer to the Law Department. So Voted.**

Claim submitted by Keith Woolley, 50 Hall St., Raynham, seeking reimbursement for damages to his automobile from hitting a pothole on Linden Street between 79-83 Linden St., Taunton. **Motion was made to refer to the Law Department. So Voted.**

Claim submitted by Eric Kay, 6 Scott St., Holbrook seeking reimbursement for damages to his automobile from hitting a raised sewer cover on Dean Street near River Road, Taunton. **Motion was made to refer to the Law Department and the DPW to look at. So Voted.**

Committee Reports:

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

Unfinished Business:

Council President Marshall motioned to get an opinion from the Law Department on who has the authority to close a road completely to traffic for road construction. He stated that he has gone to construction sites and cannot get a clear answer on who's decision it is. He stated that there should be a policy in place before next spring on who allows a road completely closed. He stated that there is no reason that all of these roads should be closed. It is an inconvenience to the residents and businesses of Taunton. **Motion was made to receive an opinion from the Law Department within a month on who has the authority to close a road completely to traffic for road construction and who has the authority once work has stopped to make sure that road, now that traffic is progressing, is safe. Once that opinion is received, Council President Marshall will work with that agency to establish new guidelines that will be adopted prior to the construction season starting in the spring. So Voted.**

Executive Session:

Meet with the Mayor, City Solicitor and Water Superintendent to discuss potential acquisition of Lakeville Water Tower. This meeting involves contract negotiation. **Motion was made to refer to the end of the agenda. So Voted.**

Councilor Costa-Hanlon stated that a lot has been done in the Council as a Whole, but there may be some issues, due to the limited amount of time, that the Council will not be able to get to. She requested that Council President Marshall, in the next week, let the Council know what is outstanding in that file so it is a smooth transition for the new Council President.

New Business:

Councilor Pottier stated that TCAM is going to do a dedication of their new studio for former Mayor Charles Crowley next week. He reminded the Council to arrive there for 6:20PM as it starts at 6:30PM on Monday, December 15, 2014.

Councilor Pottier stated that there are potholes on Erin Road between Caswell Street and Tania Drive. **Motion was made to refer to the DPW. So Voted.** *(City Clerk called the DPW to have them fixed on Wednesday, December 10, 2014)*

Councilor Pottier stated that all the Councilors have applications to fill out for the Mass Municipal Association meeting that is coming up in January. Mayor Hoye stated that the meeting is very informative and a great time.

Councilor Carr stated that she often sees small trucks driving down the side of railroad beds. She took a ride through the haul road the other day and saw a boat, mattresses and a lot of junk there. She stated that someone should be notified, possibly CSX or the MBTA. **Motion was made to refer to the DPW Commissioner. So Voted.**

Councilor Costa-Hanlon stated that she has a copy of the Town of Easton's application for Class II licenses along with regulations that she thinks are well thought out. **Motion was made to refer to the Law Department, the City Clerk and the Committee on Police and License to look at to see if it is something we should do moving forward. So Voted.**

Motion was made to go into Executive Session to meet with the Mayor, City Solicitor and Water Superintendent to discuss potential acquisition of Lakeville Water Tower. Mayor Hoye stated that he does not anticipate the Council making any decisions this evening so he announced that the Council will not be reconvening in public session. **On a roll call vote, nine (9) Councilors present, nine (9) Councilors voting in favor. No motions were taken in Executive Session.**

Meeting adjourned at 9:00 P.M.

A true copy:

Attest: 

City Clerk

RMB/SJS

CITY OF TAUNTON
MUNICIPAL COUNCIL
DECEMBER 9, 2014

THE COMMITTEE ON FINANCE AND SALARIES

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

MEETING CALLED TO ORDER AT 5:51 P.M.

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

MEETING ADJOURNED AT 5:52 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.


CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
DECEMBER 9, 2014

THE COMMITTEE ON POLICE AND LICENSE

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

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

1. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON THE FOLLOWING PETITIONS FOR RENEWAL OF CLASS II LICENSES:
- A. ACME FABRICATION & EQUIPMENT LEASING CO., LLC, 91 ARLINGTON STREET
 - B. AFTER HOURS AUTO BODY, INC. D/B/A AFTER HOURS AUTO SALES, 20 NORTH AVENUE
 - C. AMORIM AUTO SALES, INC., 265 LONGMEADOW ROAD
 - D. BRENO'S COLLISION & SALES, INC., 408 WINTHROP STREET
 - E. DIPSON CONVENIENCE & REPAIR, INC. D/B/A DIPSON & SONS AUTO SALES, 146 TREMONT STREET
 - F. FOGG AUTO SALES, INC., 346 WINTHROP STREET
 - G. FRANK'S AUTO BODY, INC., 265 BROADWAY
 - H. JAIME'S AUTO BODY, INC., 111 ARLINGTON STREET
 - I. LOFTUS AUTO CITY, INC., 450 WINTHROP STREET
 - J. NORTHEAST AUTO EXCHANGE, INC., 406 TREMONT STREET
 - K. PERRY'S TOWING & SERVICES, INC., 143 BROADWAY
 - L. PREMIER MOTORS, INC., 420 BROADWAY
 - M. PRESTIGE AUTO MART, INC. D/B/A PRESTIGE 3, 288 BROADWAY
 - N. R & F MOTORS, INC., 35 DANA STREET
 - O. TAUNTON SERVICE CENTER, INC., 48 BROADWAY
 - P. WINTHROP STREET MOTORS, INC., 347 WINTHROP STREET

LETTER DATED 12/9/2014 OF POLICE CHIEF EDWARD WALSH WAS PROVIDED TO THE COMMITTEE WHICH STATED THAT THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FINDS NOTHING THAT WOULD PREVENT THE APPROVAL OF THE LIST OF PETITIONS FOR RENEWAL OF CLASS II AUTO LICENSES WITH THE NOTED RESTRICTIONS:

- A. ACME FABRICATION & EQUIPMENT LEASING, 91 ARLINGTON STREET - 9 VEHICLE LIMIT, DIRB, & HOURS M-F 8-5, SAT 10-5
- B. AFTER HOURS AUTO BODY, INC. D/B/A AFTER HOURS AUTO SALES, 20 NORTH AVENUE - 10 VEHICLE LIMIT
- C. AMORIM AUTO SALES, INC., 265 LONGMEADOW ROAD - 27 VEHICLE LIMIT
- D. BRENO COLLISION & SALES INC., 408 WINTHROP STREET - DIRB & 60 VEHICLE LIMIT
- E. DIPSON CONVENIENCE & REPAIR INC. D/B/A DIPSON & SONS AUTO SALES, 146 TREMONT STREET - 5 VEHICLE LIMIT & DIRB PARKING
- F. FOGG AUTO SALES INC., 346 WINTHROP STREET - 80 VEHICLE LIMIT
- G. FRANK'S AUTO BODY, INC., 265 BROADWAY - 10 VEHICLE LIMIT
- H. JAIME'S AUTO BODY INC., 111 ARLINGTON STREET - 5 VEHICLE LIMIT
- I. LOFTUS AUTO CITY INC., 450 WINTHROP STREET - NO RESTRICTIONS
- J. NORTHEAST AUTO EXCHANGE, INC., 406 TREMONT STREET - 10 CLASSIC OR VINTAGE CARS, NO OUTSIDE DISPLAY
- K. PERRY'S TOWING & SERVICE INC., 143 BROADWAY - 5 VEHICLE LIMIT

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THE COMMITTEE ON POLICE AND LICENSE – CONTINUED

- L. PREMIER MOTORS INC., 420 BROADWAY – 87 CAR LIMIT AND DIRB
- M. PRESTIGE AUTO MART, INC. D/B/A PRESTIGE 3, 289 BROADWAY – NO RESTRICTIONS
- N. R & F MOTORS INC., 35 DANA STREET – NONE
- O. TAUNTON SERVICE CENTER INC., 48 BROADWAY – WHOLE SALE ONLY
- P. WINTHROP STREET MOTORS, INC., 347 WINTHROP STREET – NONE.

THE POLICE CHIEF AND DETECTIVE SMITH ASKED THAT THE FOLLOWING STATEMENT BE ADDED TO EACH LICENSE: **THE VEHICLE LIMITS STATED ON THE LICENSE SHALL INCLUDE BOTH DISPLAY AND STORAGE OF VEHICLES.** THEY FEEL THAT THIS WILL DEFINE THE VEHICLE LIMIT.

MOTION: MOVE APPROVAL OF THE ABOVE LICENSES WITH THE ADDITIONAL WORDING AS STATED TO BE PLACED ON EACH LICENSE. SO VOTED.

2. **MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITION OF KEISHA AUGUSTE, 242 WEIR STREET FOR A NEW SECOND HAND ARTICLE LICENSE FOR BEAUTY PARTY & A CLOSET, 24 WEIR STREET**

MOTION: MOVE APPROVAL. SO VOTED.

3. **MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH TO DISCUSS A CLASS II LICENSE INVESTIGATION CONCERNING BORGES AUTO SALES, 157 DEAN STREET**

DETECTIVE SMITH INFORMED THE COMMITTEE THAT ON AUGUST 20, 2014 HE RECEIVED A LETTER FROM JEFFREY MATTSON OF WEST BRIDGEWATER MA REGARDING FRAUDULENT ACTIVITY THAT OCCURRED DURING HIS ATTEMPT TO PURCHASE A VEHICLE AT BORGES AUTO DEALERSHIP ON 157 DEAN STREET, TAUNTON.

DETECTIVE SMITH STATED THAT ON NOVEMBER 26, 2014 HE SENT LETTERS TO THE OWNERS, BOTH AT THE BUSINESS ADDRESS BY CERTIFIED MAIL AND BY OVERNIGHT MAIL TO THEIR HOME ADDRESSES NOTIFYING THEM THAT THIS COMMITTEE WOULD BE HAVING A HEARING ON THEIR LICENSE ON DECEMBER 2, 2014. ON DECEMBER 2, 2014 MR. GRASSO SAID THAT HE DID NOT HAVE SUFFICIENT TIME IN ORDER TO BE IN ATTENDANCE AT THE MEETING. ON DECEMBER 2, 2014 THE COMMITTEE VOTED TO CONTINUE THIS MATTER FOR ONE WEEK. DETECTIVE SMITH THEN HAND DELIVERED LETTERS TO THE OWNERS ON FRIDAY, DECEMBER 5, 2014. HE RECEIVED A CALL FROM MR. GRASSO TODAY WHO STATED THAT ON THE ADVICE OF HIS ATTORNEY HE WOULD NOT BE ATTENDING THE HEARING TONIGHT.

DETECTIVE SMITH PROVIDED HIS REPORT PREVIOUSLY TO THE COMMITTEE WHICH WAS DATED SEPTEMBER 19, 2014. DETECTIVE SMITH WENT TO THE BANK, OBTAINED COPIES OF DOCUMENTS WHICH MR. MATTSON SAID WERE NOT SIGNED BY HIM. HE WENT TO THE DEALERSHIP AND ASKED TO SEE THEIR BOOK. THE BOOK STATED THAT THERE WERE 80 VEHICLES OUTSTANDING BUT THERE WERE ONLY 11 ON THE LOT. DETECTIVE SMITH TOOK OUT CHARGES AGAINST CHARLES HENNINGER FOR 8 COUNTS OF FORGERY, 2 COUNTS OF FORGERY OF A REGISTRY DOCUMENT, 10 COUNTS OF UTTERING A FORGED INSTRUMENT AND 1 COUNT OF RECORD BOOK VIOLATION OF STATUTES, RULES OR REGULATIONS. HE ALSO IS SEEKING 1 COUNT OF RECORD BOOK VIOLATION OF STATUTES, RULES OR REGULATIONS AGAINST ROBERT GRASSO. DETECTIVE SMITH ALSO NOTED THAT THE VEHICLE REFERRED TO IN MR. MATTSON'S LETTER HAD BEEN SOLD TWICE. THESE CHARGES ARE PENDING.

THE POLICE CHIEF STATED THAT HE THINKS THAT THEY HAVE SUFFICIENT INFORMATION PRESENTED TO THIS COMMITTEE TONIGHT RELATIVE TO THE OPERATION OF THIS ESTABLISHMENT, AND IF THEY WERE HERE IT WOULD WARRANT A FINDING THAT THEY ARE IN VIOLATION OF VARIOUS RULES AND REGULATIONS. HIS RECOMMENDATION IS REVOCATION OF THE LICENSE.

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THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

COUNCILOR COSTA-HANLON NOTED THAT THE ONLY THING PENDING IN THE COMMITTEE'S FILE RIGHT NOW IS A REQUEST TO TRANSFER THE LICENSE. IF IT IS REVOKED, THERE IS NO LICENSE TO BE TRANSFERRED.

MOTION: TO REVOKE THE LICENSE OF R & C AUTO LLC D/B/A BORGES AUTO. IT WAS NOTED THAT THE CITY ORDINANCE AND MASS GENERAL LAWS SAY THAT THIS IS AN APPROPRIATE MOTION.

REQUEST WAS ALSO MADE THAT THE POLICE POST A NOTICE ON THE DOOR THAT THIS BUSINESS IS NO LONGER IN BUSINESS.

MOTION: THAT THE POLICE POST A NOTICE ON THE DOOR OF THIS BUSINESS STATING THAT THEY ARE NO LONGER LICENSED TO CONDUCT BUSINESS.

COUNCILOR CROTEAU AGAIN EXPRESSED CONCERN THAT PROPER NOTICE BE POSTED THAT MR. HENNINGER AND MR. GRASSO ARE NOT ALLOWED TO DO BUSINESS, THAT NO ONE CAN SELL CARS THERE. HE ASKED THAT THE RECORD SHOW HIS CONCERN.

DISCUSSED ALSO WAS THAT THERE WAS A PETITION BY MR. HENNINGER AND MR. GRASSO TO TRANSFER THIS LICENSE TO MR. BORGES. HOWEVER, THIS LICENSE WILL REVERT BACK TO THE CITY AND MR. BORGES CAN APPLY FOR A LICENSE.

ALL REPORTS PROVIDED BY DETECTIVE SMITH WERE ASKED TO BE PART OF THE HEARING AND THAT THE LICENSE IS REVOKED BASED ON CITY OF TAUNTON ORDINANCES SECTION 12-244 - WHICH STATES THAT ANY LICENSE MAY BE DENIED, SUSPENDED OR REVOKED FOR FRAUD OR MISREPRESENTATION CONTAINED IN THE APPLICATION FOR THE LICENSE, FRAUD OR MISREPRESENTATION MADE IN THE COURSE OF CARRYING ON THE BUSINESS, CONDUCT OF THE LICENSED BUSINESS IN SUCH MANNER AS TO CREATE A PUBLIC NUISANCE, OR CONSTITUTE A DANGER TO THE PUBLIC HEALTH, SAFETY, WELFARE OR MORALS AND CONDUCT WHICH IS CONTRARY TO THE PROVISIONS OF THIS ARTICLE. (NO MOTION WAS MADE TO MAKE THE DOCUMENTS PART OF THE RECORD.)

COUNCILOR CROTEAU ASKED TO HAVE INCLUDED IN THE WORDING OF HIS MOTION THAT HE MADE THE MOTION BASED ON THE RECOMMENDATION OF THE POLICE DEPARTMENT AND THEIR STATEMENT THAT THIS IS AN APPROPRIATE MOTION. SO VOTED.

MOTIONS WERE VOTED ON AND CARRIED BY UNANIMOUS VOTE OF THE COMMITTEE.

4. MEET TO REVIEW MATTERS IN FILE

A. THE POLICE CHIEF STATED THAT HE PROVIDED A DRAFT TOW CONTRACT AND THE SPECIFICATIONS FOR THE COMMITTEE'S CONSIDERATION. HE ALSO SUBMITTED A REQUEST TO CHANGE THE ORDINANCE RELATIVE TO THE PARKING DECK ON LEONARD STREET AND TO THE KIOSKS DOWNTOWN. TWO THINGS ARE GOING ON, THEY ARE GOING OUT TO BID ON THE PARKING DECK THIS MONTH, BASED UPON THAT THE PARKING COMMISSION HAS DECIDED HOW IT WANTS TO SET IT UP AS FAR AS CHARGING. THEY ARE GOING TO RENT OUT THE FIRST FLOOR OF THE DECK BY SPACE. PEOPLE WILL GET MONTHLY PASSES FOR THE FIRST FLOOR, THE SECOND FLOOR THEY WILL DO KIOSKS BY THE HOUR. THIS WILL BE EVALUATED AS THEY GO ALONG. THE MONTHLY CHARGE WILL GO FROM \$30.00 TO \$50.00 A MONTH AND THE KIOSKS ARE NOW \$.25 AND THEY WILL GO UP TO \$.30. THE REASON FOR THIS IS THAT THEY ARE ALMOST READY TO GO ONLINE WITH THE CREDIT CARDS. THEY WILL HAVE A CASH DISCOUNT, AS IT WILL REMAIN AT \$.25. THIS WILL BE CONVENIENT FOR PEOPLE DOWNTOWN.

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THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

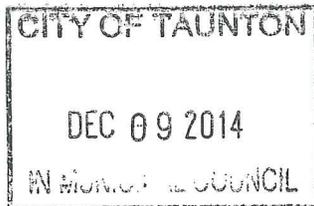
B. THE CHIEF ALSO PROVIDED A LETTER FROM THE SUPERVISORY UNION STATING THAT THEY FIND NO CONTRACTUAL ISSUES WITH PENDING PLANS TO PROMOTE 2 SERGEANTS AND 1 LIEUTENANT.

C. THE CHIEF ALSO NOTED THAT DISCUSSION HAD TAKEN PLACE REGARDING THE 2 EAST TAUNTON INTERSECTIONS - MIDDLEBORO AVENUE, LIBERTY STREET AND OLD COLONY AVENUE AND ALSO MIDDLEBORO AVENUE, PINE HILL STREET AND CASWELL STREET. HE STATED THAT OFFICER WILLIAMS RECOMMENDED THAT THE TRAFFIC BOARD REVIEW THESE INTERSECTIONS WITHIN 3 WEEKS. OFFICER FEENEY WILL MEET WITH THE RESIDENT THAT HAS BEEN CALLING REGARDING THESE INTERSECTIONS.

MOTION: TO CONTINUE THIS MATTER FOR ONE MONTH. SO VOTED.

D. COUNCILOR COSTA-HANLON ASKED THAT THE TRAFFIC BOARD BE GIVEN THE STUDY DONE FOR HARTS FOUR CORNERS. SHE WANTS TO MAKE SURE THAT THE CITY HAS SOME INPUT ON THIS MATTER. THE CHIEF WILL REPORT BACK TO POLICE AND LICENSE COMMITTEE AND THE DPW COMMITTEE ON THIS MATTER. THE COMMITTEE WILL MEET ON THIS IN THREE WEEKS.

MEETING ADJOURNED AT 6:30 P.M.



RESPECTFULLY SUBMITTED,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
DECEMBER 9, 2014

THE COMMITTEE ON PUBLIC PROPERTY

PRESENT WERE: COUNCILOR DEBORAH CARR, CHAIRMAN AND COUNCILORS QUINN, MARSHALL, POTTIER AND BORGES. ALSO PRESENT WERE CHAIRMAN OF THE CONSERVATION COMMISSION STEVEN TURNER, COMMISSION MEMBER MARLA ISAAC, CONSERVATION AGENT MICHELE RESTINO, RUI DUTRA OF POCHASSET, AND FRANK GALLAGHER, CIVIL ENGINEER FOR MR. DUTRA.

MEETING CALLED TO ORDER AT 6:46 P.M.

1. MEET TO DISCUSS REQUEST FOR LAND DONATION

MR. GALLAGHER INFORMED THE COMMITTEE THAT MR. DUTRA OWNS THREE LOTS ON SHORES STREET. IN 2006 HE PURSUED BUILDING PERMITS FOR THESE 3 LOTS. HE FILED WITH CONSERVATION AND GOT ORDERS OF CONDITIONS FROM THE CONSERVATION COMMISSION ON THE THREE LOTS. AT THAT POINT THE NATURAL HERITAGE AND ENDANGERED SPECIES PEOPLE FROM THE STATE STEPPED IN AND TOLD THEM THAT THERE WAS AN ENDANGERED SPECIES IN THIS AREA, A SPAYED FOOTED TOAD. THEY ESSENTIALLY PUT A HALT TO THINGS. WHAT THEY TOLD THEM WAS THAT OF THESE 3 LOTS, ONE OF THEM THEY WOULD LIKE TO BE PLACED IN A CONSERVATION RESTRICTION AND NOT BE BUILT ON. THEY GAVE THEM A FEW OTHER POSSIBLE ALTERNATIVES AND MR. DUTRA, IN FACT, TRIED TO PROVE THAT THE SPECIES WAS NOT THERE BUT WAS UNABLE TO DO SO. NOW, MR. DUTRA WANTS TO TAKE THAT LOT AND SET IT ASIDE SO THAT HE CAN BUILD ON THE OTHER TWO. THEY HAVE SPOKEN TO NATURAL HERITAGE AND THEY WERE TOLD THAT IF THEY WISH TO DO THIS, THEY WOULD HAVE TO PUT IT INTO AN ENTITY TO HOLD IT IN CONSERVATION TRUST. THAT SAME THING WAS DONE WHEN BRISTOL COMMONS WAS DEVELOPED AND A LOT OF THAT PROPERTY WAS SET ASIDE AS CONSERVATION TRUST. THIS LOT ABUTS THAT LAND THAT WAS SET ASIDE. WHAT THEY WOULD LIKE TO DO IS HAVE THE CITY TAKE THAT PARCEL. IF THEY CAN DO THAT, THEY HAVE SATISFIED NATURAL HERITAGE AND THEY CAN THEN BUILD ON THE OTHER 2 LOTS.

THE CONSERVATION COMMISSION RECOMMENDS THAT THE CITY ACCEPT THE LOT FROM MR. DUTRA. IT IS LOT 302.

IT WAS CLARIFIED THAT THE LOT WILL BE HELD BY THE CONSERVATION COMMISSION, NOT THE CITY OF TAUNTON BECAUSE IT WILL BE HELD IN PERPETUITY, NEVER TO BE BUILT ON. THAT IS HOW THE CONSERVATION COMMISSION UNDERSTANDS IT, BUT THEY WOULD HOPE FOR A LEGAL OPINION FROM THE LAW DEPARTMENT.

MS. RESTINO SAID THAT SHE SPOKE TO NATURAL HERITAGE AND THIS LOT IS CONTIGUOUS WITH THE LAND THAT IS IN CONSERVATION RESTRICTION CONNECTED TO BRISTOL COMMONS.

COUNCILOR QUINN NOTED THAT THE DEED WOULD ACTUALLY RUN TO THE CITY OF TAUNTON ACTING BY AND THROUGH ITS CONSERVATION COMMISSION. MS. RESTINO SAID SHE BELIEVES THAT IS CORRECT.

MOTION: TO ACCEPT THE PROPERTY SUBJECT TO THE FINAL APPROVAL BY THE CONSERVATION COMMISSION AT THEIR MEETING NEXT WEEK. SO VOTED.

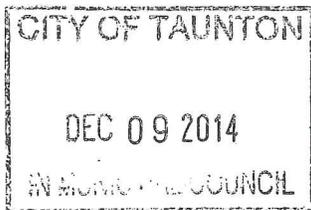
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DECEMBER 9, 2014

THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED

MEETING ADJOURNED AT 7:04 P.M.

RESPECTFULLY SUBMITTED, -



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
DECEMBER 9, 2014

THE COMMITTEE ON SOLID WASTE

PRESENT WERE: COUNCILOR DAVID POTTIER, CHAIRMAN AND COUNCILORS QUINN, MARSHALL, CARR AND COSTA-HANLON. ALSO PRESENT WERE KATHAL O'BRIEN, PAUL ALLISON AND ANGELA SANTOS OF THE DPW AND KATH MIRZA OF D.E.P.

MEETING CALLED TO ORDER AT 7:06 P.M.

1. MEET TO DISCUSS UPDATING THE CITY'S SOLID WASTE REGULATIONS

THE CHAIRMAN READ A LETTER DATED 10/20/14 TO THE DPW COMMISSIONER FROM ASSISTANT CITY SOLICITOR DE ABREU WHICH STATED THAT HE REVIEWED THE OCTOBER 1, 2014 DRAFT OF THE PROPOSED SOLID WASTE, RECYCLING AND COMPOSTING REGULATIONS AND THAT HE WOULD APPROVE THEM.

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

ATTACHED TO THIS LETTER WAS A DOCUMENT OUTLINING THE PRIMARY CHANGES TO THE SOLID WASTE REGULATIONS, WHICH ARE:

UPDATED LANGUAGE TO REFLECT PAYT BAG PROGRAM

ADDED LANGUAGE ABOUT SINGLE STREAM RECYCLING COLLECTION

STRENGTHENED MANDATORY RECYCLING REQUIREMENT

ADDED SECTION ON LANDFILL

ALIGNED THESE REGULATIONS WITH THE CURBSIDE CONTRACT, BOARD OF HEALTH REGULATIONS, AND OTHER CITY ORDINANCES RECENTLY UPDATED.

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

THE LAST ITEM WAS A MULTIPAGE DOCUMENT ENTITLED SOLID WASTE, RECYCLING AND COMPOSITNG REGULATIONS.

THE REASON THAT THIS DISCUSSION IS TAKING PLACE NOW IS THAT THE DPW IS APPLYING FOR GRANTS, SO IT WOULD BE BENEFICIAL TO THEM TO HAVE THIS UPDATED.

COUNCILOR COSTA-HANLON STATED THAT THE ORDINANCES, CHAPTER 8, SECTION 2, 8-28D SETS OUT VIOLATIONS. THESE NEW REGULATIONS SET OUT VIOLATIONS THAT ARE DIFFERENT. SHE DOES NOT THINK THE COMMITTEE SHOULD JUST CHANGE THE REGULATIONS, SHE THINKS THE ORDINANCE NEEDS TO BE CHANGED TO REFLECT THAT, BECAUSE WE ARE GOING TO BE IN A POSITION WHERE OBVIOUSLY THE ORDINANCE WOULD TRUMP REGULATIONS BECAUSE THE REGULATIONS ARE BASED ON ORDINANCE. COUNCILOR POTTIER NOTED THAT THEY DID ASK THE ASSISTANT CITY SOLICITOR LAST WEEK IF IT WOULD BE FINE TO ADOPT THIS AS A DOCUMENT AND IF ANYTHING HAD TO BE TWEAKED WITH THE ORDINANCES IT COULD BE DONE AFTERWARDS. HE WAS UNDER THE IMPRESSION THAT IT COULD BE ADOPTED THROUGH BOTH THIS COMMITTEE AND BE ADOPTED BY THE BODY, TO AT LEAST APPROVE THE REGULATIONS AND ANYTHING THAT HAD TO BE CHANGED IN THE ORDINANCES COULD BE DONE AFTER THE FACT.

COUNCILOR COSTA-HANLON STATED THAT THEY MAY WANT TO SEPARATE SOME THINGS IN THESE REGULATIONS BECAUSE THEY FALL UNDER THE DPW COMMITTEE SUCH AS THE LANDFILL. SHE WILL SEND HER QUESTIONS TO THE CITY SOLICITOR'S OFFICE.

COUNCILOR QUINN STATED THAT BETWEEN THE ORDINANCE AND THESE REGULATIONS, THEY HAVE BEEN GOING BACK AND FORTH FOR QUITE A WHILE NOW AND THAT THE DPW AND THE PEOPLE HERE TONIGHT HAVE DONE A GREAT JOB IN GETTING THESE TO THE POINT WHERE THEY ARE. WITH RESPECT TO THE FINES THE LANGUAGE IN HERE SPECIFICALLY INCORPORATES THE CITY ORDINANCE TO SAY THE

DECEMBER 9, 2014

THE COMMITTEE ON SOLID WASTE – CONTINUED

FINES WILL BE IMPOSED BASED ON THE CITY ORDINANCE SO SHE HAS NO PROBLEM WITH HAVING THE CITY SOLICITOR'S OFFICE REVIEW THIS TO MAKE SURE ALL IS CONSISTENT. WE NEED TO HAVE ONE LAST CHECK TO MAKE SURE THE PUNISHMENT AND FINES ARE CONSISTENT WITH THE ORDINANCE. COUNCILOR MARSHALL STATED THAT HE FEELS THE APPROPRIATE WAY TO PROCEED IS TO APPROVE THE NEW REGULATIONS, AND THEN SEND TO THE LAW OFFICE TO REVIEW THE ORDINANCES TO DETERMINE IF THERE IS ANYTHING THAT NEEDS TO BE AMENDED. HE FEELS THE COMMITTEE NEEDS TO APPROVE THE REGULATIONS AND SEND THE MATTER TO THE CITY SOLICITOR TO MAKE SURE IT IS CONSISTANT WITH THE ORDINANCES.

COUNCILOR CROTEAU STATED THAT HE AGREES WITH COUNCILOR MARSHALL.

COUNCILOR CLEARY STATED THAT HE STILL SUPPORTS OFFERENG A SMALL TRASH BAG.

MOTION: TO APPROVE THE RECOMMENDATIONS AND REFER TO THE LAW DEPARTMENT. SO VOTED.

2. MEET TO REVIEW MATTERS IN FILE

DISCUSSED WAS OFFERING RECYCLING AND POSSIBLY TRASH PICKUP TO BUILDINGS WITH OVER 4 UNITS. THE CHAIRMAN WILL SECHEDULE A MEETING WITH THE LANDLORD ASSOCIATION AFTER THE FIRST OF THE YEAR.

COUNCILOR COSTA-HANLON ASKED WHEN THE CURBSIDE PICKUP CONTRACT IS UP. THIS WAS REFERRED TO THE CITY SOLICITOR'S OFFICE TO NOTIFY THE COMMITTEE WHEN THIS CONTRACT IS UP.

COUNCILOR MARSHALL NOTED THAT ADDING TRASH AND RECYCLING PICK UP FOR 4+ UNITS IS A CONCERN FOR HIM AS THE CONTRACT WILL INCREASE AND HE IS CONCERNED WITH ACCESS TO SOME OF THE COMPLEXES IN THE CITY. HE IS NOT IN FAVOR OF GOING ONTO PRIVATE PROPERTY, SO THESE ISSUES WOULD HAVE TO BE ADDRESSED.

COUNCILOR QUINN DID NOT THAT THIS IS 2 DIFFERENT ISSUES – TRASH PICKUP WOULD BE A COST TO THE CITY, BUT RECYCLING PICK UP WOULD BE A BENEFIT TO THE CITY.

COUNCILOR CARR ASKED IF THERE WERE ANY FIGURES FROM WE CARE REGARDING RECYCLING

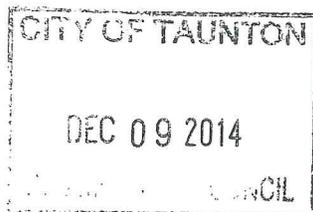
MOTION: TO ASK FOR THESE FIGURES FOR THE NEXT MEETING. SO VOTED.

COUNCILOR COSTA-HANLON ALSO WOULD LIKE TO LOOK AT THE CITY'S RECYCLING AS FAR AS THE SCHOOLS, THE NURSING HOME AND CITY HALL GOES.

COUNCILOR MCCAUL WOULD LIKE TO SEE A 2 BAG SYSTEM DISCUSSED AGAIN.

THE CHAIRMAN STATED THAT HE WILL SCHEDULE ANOTHER SOLID WASTE COMMITTEE MEETING FOR NEXT WEEK TO DISCUSS THE LANDFILL EXPANSION.

MEETING ADJOURNED AT 7:38 P.M.



RESPECTFULLY SUBMITTED,

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

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

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

CITY CLERK