



*City of Taunton
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA
Minutes, December 10, 2013 at 7:45 o'clock P.M.*

Regular Meeting

Mayor Thomas C. Hoyer, Jr. presiding

Miss Taunton 2014, Brianna Bostick sang the National Anthem

Prayer was offered by the Mayor

Present at roll call were:

*Councilor's Marshall, Cleary, Colton, Costa-Hanson,
Pottier, McCaul, Carr and Barbour
Councilor Medeiros was absent*

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

Communications from the Mayor:

The Mayor welcomed and introduced Miss Taunton, Brianna Bostick. Miss Bostick informed of her education and life in Taunton.

The Mayor thanked from the bottom of his heart all the volunteers, sponsors, and performers who performed at Lights On as well as the parade. He said this was the best Christmas weekend the City of Taunton ever had. There were over 10,000 people at Lights On and thousands at the parade. The Mayor gave a special shout out to Marilyn Greene and Alyssa Gracia for all the work they did to make the weekend a success. Councilor Cleary said that he felt proud to be a Councilor in the City and it was truly a moment of pride to sit on the stage during Lights On. Councilor Marshall stated that he was extremely proud as to how the City planned, prepared and executed such an event. He said that he was amazed at the transformation of the City after such an event. The hard work of the DPW and the planning before made the event special. Councilor Barbour informed that 980 people participated in the Genius Book of World Record's human Christmas tree during Lights On this past Saturday. Councilor McCaul stated that it was a very special feeling to represent the Council this weekend and he was proud to be a Tauntonian.

Motion was made to recess at 8:00pm. So Voted.

Motion was made to reconvene at 10:06pm. So Voted.

Appointments

At this time, the Mayor recommended the re-appointment of Gill Enos, Budget Director. **Motion was made to move the re-appointment of Gill Enos and to refer to the Committee on Finance and Salaries. So Voted.**

Communications from City Officers:

Com. from City Solicitor – Management and Maintenance Contract for the John F. Parker Municipal Golf Course for calendar years 2014 and 2015. The City recently issued a formal RFP for a new contract for calendar years 2014 and 2015. The RFP also includes an exclusive right in the City to extend the contract for one additional year, 2016, at the same terms and conditions. The City received only one formal proposal from Lea Golf, Inc. **Councilor Costa-Hanlon motioned to approve the Management and Maintenance Contract for Lea Golf, Inc. as outlined in the City Solicitor’s Memo. Councilor Carr seconded for discussion and asked for this to be referred to the Committee on Finance and Salaries for next week so that she has a chance to read the document and discuss the items in the contract and that all the stipulations being attached to the agreement are being done. Councilor Costa-Hanlon made part of the motion. The Mayor stated that time was of the essence on this. Attorney Buffington stated that if the Council is inclined to approve the contract, that they do so before the end of the year and if they are not inclined to award the contract then the City probably won’t have a golf course operating next year. Councilor Carr stated that she will put on for next week. So Voted.**

Com. from Executive Director, Board of Health – Farmer’s Market Fees. The Board of Health charges a permit fee of \$100 per vendor or booth for certain Farmer’s Market vendors. For example, vendors that makes items such as baked goods. Through the permitting process, the Board of Health assures that these products are being made as safely as possible, by using proper methods, such as in a properly licensed kitchen; and products are made by trained and certified personnel. **Motion was made to receive and place on file. So Voted.**

Com. from Water Division Supervisor – Requesting to write-off outstanding utility charges for periods from 1984 through 1999 for unpaid water and/or sewer usage. The total water write-off amount is \$4,928.31 and the total sewer write-off amount is \$1,886.21, with an additional amount of \$724.80 in DPW Sewer Division plug up fees and \$1,995 in trash bag fees. **Motion was made to refer to the DPW Commissioner for further explanation. So Voted.**

Com. from Cynthia Booth Ricciardi, President, Old Colony Historical Society, 66 Church Green, Taunton – Requesting a waiver of fees related to permits, inspections, et cetera, be waived. **Motion was made to move approval and refer each step of the permit process to the Mayor’s Office for approval. So Voted.**

Com. from City Solicitor – Taunton Fire Department et al. v. Michael O’Donnell et al. Southeast Housing Court, Docket No. 10-CV-00127 informing receipt of a check in the amount of \$2,313.95 for reimbursement to the taxpayers of the City of Taunton. **Motion was made to receive and place on file. So Voted.**

PETITIONS

Constable License

Application submitted by John R. Dupont requesting a renewal of his Constable License desiring to serve as a Crossing Guard. **Motion was made to refer to the Committee of Police and License and Police Chief. So Voted.**

Application submitted by Arnold H. Sherman requesting a renewal of his Constable License desiring to serve as a Crossing Guard. **Motion was made to refer to the Committee of Police and License and Police Chief. So Voted.**

Claim

Claim submitted by Jacqueline Coute, 72 Eldridge St., Taunton seeking reimbursement for damages to her automobile from hitting a pothole in front of 420 Eldridge Street, Taunton. **Motion was made to refer to the Law Department and DPW Commissioner. So Voted.**

Committee Reports:

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

Unfinished Business

Councilor Costa-Hanlon motioned to refer to the Committee on Finance and Salaries the contracts for the Human Resource Director and Mayor's Assistant. The Mayor stated that the Mayor's Assistant would not be relevant till the next term. So Voted.

ORDERS, ORDINANCES AND RESOLUTIONS

Tabled from Municipal Council Meeting of November 25, 2013

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

Ordered That,

\$9,000,000 be appropriated in addition to the **\$6,000,000** previously appropriated for the purpose of financing the construction, reconstruction, replacement, repair, and rehabilitation of sewers, and stormwater conveyance facilities, including without limitation sewer infiltration and inflow abatement improvements and pumping station upgrades, including the Phases 10, 11, and 12 SSES, for the purpose of eliminating unauthorized sewer connections to the City's drainage system, to eliminate combined sewer overflows and sanitary sewer overflows, to reduce infiltration and inflow within the City's sewer system, and to mitigate flooding resulting in potential surface water contamination; that included are all costs without limitation as defined in Section 1 of Chapter 29C of the Massachusetts General Laws; that to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow **\$9,000,000** and issue bonds or notes therefor under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement with the Trust and otherwise to contract with the Trust and the Massachusetts

Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project. **Motion was made to move from a first reading to a second reading. So Voted.**

New Business

Councilor Pottier asked if there is a scheduled date and time for the swearing in of officials. The Mayor informed that the Inauguration has been scheduled for Monday, January 6, 2014 at 6:00pm.

Councilor Costa-Hanlon stated that during the Committee of the Council as a Whole meeting, a motion was made to take Casey S. Holmes and Jeremy T. Derosiers off the Provisional Police Officer List and to move them onto the regular Reserve Police Officer List. The City Clerk stated that Jeremy T. Derosiers and Casey S. Holmes are expected to come in next week to be sworn in. Councilor Costa-Hanlon stated that there was another motion to remove them from the regular Reserve List and she referred the City Clerk to Ms. Ellis and the Police Chief regarding this motion. The City Clerk informed that if they are going to be hired, a new Reserve List will need to be requested.

Councilor Carr asked the City Solicitor to send a copy of the Golf Course Contract to all Councilors so they can be prepared for next week's discussion.

Motion was made to adjourn at 10:26pm. So Voted.

A true copy:

Attest:


City Clerk

RMB/dmc

CITY OF TAUNTON
MUNICIPAL COUNCIL
DECEMBER 10, 2013

THE COMMITTEE ON FINANCE AND SALARIES

PRESENT WERE: COUNCILOR DEBORAH CARR, CHAIRMAN AND COUNCILOR CLEARY. ALSO
PRESENT WERE BUDGET DIRECTOR GILL ENOS AND WATER DIVISION
SUPERVISOR CATHAL O'BRIEN

MEETING CALLED TO ORDER AT 5:44 P.M.

1. **MEET TO REVIEW THE WEEKLY VOUCHERS AND PAYROLLS FOR CITY DEPARTMENTS**
MOTION: MOVE APPROVAL OF THE INVOICE WARRANT IN THE AMOUNT OF \$1,153,327.53. SO VOTED.
MOTION: MOVE APPROVAL OF THE PAYROLL WARRANT IN THE AMOUNT OF \$2,736,774.33. SO VOTED.
2. **MEET TO REVIEW REQUESTS FOR FUNDING.**
MOTION: MOVE APPROVAL OF REQUEST OF WATER DEPARTMENT TO TRANSFER \$37,841.00 FROM WATER DEPARTMENT ACCOUNT NO. 60-450-202-5545 - PLANT OPERATIONS/MAINT. TO ACCOUNT NO. 60-450-203-5870 - CAPITAL EQUIPMENT TO PURCHASE A TRUCK. SO VOTED.
3. **MEET TO DISCUSS REQUEST OF WAYNE WALKDEN FOR FUNDING TO REMOVE THE MILL RIVER FOOT BRIDGE**
THIS WAS REFERRED TO FINANCE AND SALARIES BUT IT WAS REPORTED THAT THE BUILDING DEPARTMENT HAS THE \$3,500 IN THEIR BUDGET. THEY ARE ALL SET TO GO EXCEPT FOR A SIGN OFF FROM A PERSON WHO OWNS ADJACENT PROPERTY. THEY DO NOT NEED AN APPROPRIATION.
4. **MEET TO REVIEW MATTERS IN FILE**
THE CHAIRMAN STATED THAT NEXT WEEK THE COMMITTEE WILL MEET TO ADDRESS THE RECOMMENDATIONS MADE IN THE 2012 AUDIT, INCLUDING THE C.F.O. AND THEN SETTING UP DEPARTMENT HEAD INTERVIEWS AFTER THAT.

MEETING ADJOURNED AT 5:50 P.M.



RESPECTFULLY SUBMITTED,

Colleen Ellis

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

Rm Blackwell

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
DECEMBER 10, 2013

THE COMMITTEE ON POLICE AND LICENSE

PRESENT WERE: COUNCILOR SHERRY COSTA-HANLON, CHAIRMAN AND COUNCILORS
CLEARY AND BARBOUR. ALSO PRESENT WERE ASSISTANT CITY
SOLICITOR DANIEL DEABREU, HUMAN RESOURCE DIRECTOR MARIA
GOMES, LT. PAUL RODERICK, SERGEANT MATTHEW MCCAFFREY AND
CAPTAIN MICHEAL SILVIA

MEETING CALLED TO ORDER AT 6:01 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**

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

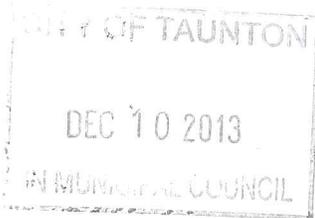
ONE MOTION WAS MADE IN EXECUTIVE SESSION.

MEETING ADJOURNED AT 6:40 P.M.

RESPECTFULLY SUBMITTED, .



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
DECEMBER 10, 2013

THE COMMITTEE ON FIRES AND WIRES

PRESENT WERE: COUNCILOR DAVID POTTIER, CHAIRMAN AND COUNCILORS CARR AND MCCAUL.
ALSO PRESENT WERE FIRE CHIEF TIMOTHY BRADSHAW, CAPTAIN ROBERT
BASTIS, AND FIREFIGHTER JASON LAWRENCE.

MEETING CALLED TO ORDER AT 6:42 P.M.

1. MEET IN EXECUTIVE SESSION TO DISCUSS MINUTES AND WRITTEN REPORT FROM FIRE CHIEF FROM A PREVIOUS EXECUTIVE SESSION MEETING.

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

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

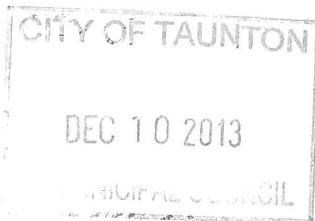
ONE MOTION WAS MADE IN EXECUTIVE SESSION.

MEETING ADJOURNED AT 7:39 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
DECEMBER 10, 2013

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS

PRESENT WERE: COUNCILOR ANDREW MARSHALL, CHAIRMAN AND COUNCILORS COLTON, MCCAUL AND BARBOUR. ALSO PRESENT WERE WATER DIVISION SUPERVISOR CATHAL O'BRIEN AND ANTHONY FREDERICK OF 142 SCHOOL STREET

MEETING CALLED TO ORDER AT 8:00 P.M.

1. MEET TO DISCUSS APPLICATION FOR SEWER BETTERMENT ASSESSMENT DEFERRAL

LETTER DATED 11/19/2013 FROM KATHY GREIN OF THE BOARD OF ASSESSORS WAS READ IN WHICH SHE STATED THAT EVELYN F. SILVA IS THE OWNER OF THE PROPERTY AT 432 WINTHROP STREET. SHE HAD APPLIED FOR A SENIOR SEWER BETTERMENT DEFERRAL FOR THE CHARGES SHE HAD RECEIVED ON 6/14/2013 FOR THE SEWER BETTERMENT IN THE WINTHROP/RANGE PROJECT. IT IS MS. GREIN'S RECOMMENDATION THAT THE SENIOR SEWER BETTERMENT DEFERRAL BE GRANTED TO MS. SILVA. BASED ON HER RESEARCH, SHE QUALIFIES IN ALL OF THE NECESSARY AREAS OF THE STATUTE. THE BETTERMENT ASSESSMENT DEFERRAL AND RECOVERY AGREEMENT STILL REQUIRES HER SIGNATURE TO BE FILED AT THE REGISTRY OF DEEDS.

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

MOTION: MOVE APPROAL AND REFER TO MS. GREIN FOR THE APPROPRIATE DOCUMENTS TO BE SIGNED AND RECORDED. SO VOTED.

2. MEET WITH THE DPW TEAM AND ANTHONY FREDERICK TO DISCUSS REQUEST TO OPEN SCHOOL SREET WHICH IS UNDER MORATORIUM UNTIL 2015

MR. FREDERICK HAD SENT A LETTER WHICH WAS REFERRED TO THIS COMMITTEE. HE HAD BEEN DENIED A STREET OPENING PERMIT DUE TO THE FACT THAT THE ROAD WAS UNDER MORATORIUM UNTIL 2015. MR. FREDERICK NEEDS A NEW GAS LINE AS THE CURRENT CONNECTION IS NOT BIG ENOUGH TO PROVIDE THE TOTAL BTU NEEDED FOR THE ENTIRE HOUSE. HE FURTHER STATES THAT THE STREET HAS BEEN DUG UP NUMEROUS TIMES, AND HE SUBMITTED SOME PICTURES.

MR FREDERICKS SAID THAT ON BOTH SIDES OF HIS HOUSE THE ROAD HAS BEEN DUG UP ALSO WITH THE BEGINNING OF SCHOOL STREET ALL THE WAY DOWN TO HIS HOUSE, SO THAT IS WHY HE HAS ASKED FOR APPROVAL OF THIS REQUEST. THERE IS NOT ENOUGH BTU'S TO SUPPLY THE WHOLE HOUSE AS HE WANTS TO CONVERT THE ENTIRE HOUSE TO GAS.

A LETTER OF THE DPW COMMISSIONER WAS READ IN WHICH HE STATED THAT THE TAUNTON DPW HAS RECENTLY CUT INTO SCHOOL STREET IN ORDER TO REPLACE THE EXISTING WATER MAINS THAT INTERSECT THE STREET, FOR PUBLIC HEALTH AND SAFETY REASONS. THE AREAS THAT WERE CUT WILL BE REPAVED WITH CHAPTER 90 FUNDING, FOR THE WIDTH OF THE INTERSECTING STREETS IN QUESTION. THE ABOVE REFERENCED REQUEST DOES NOT FALL WITHIN THE AREAS TO BE REPAVED, AS IT IS ONE OR MORE HOUSE LOTS AWAY FROM THE INTERSECTION(S) WHERE THE WATER WORK WAS REQUIRED. SCHOOL STREET WAS PAVED IN 2010 AND THEREFORE IS NOT ELIGIBLE FOR ENTRY UNTIL 2016.

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

MR. O'BRIEN OF THE DPW STATED THAT THE CLOSEST WORK TO MR. FREDERICK WAS EAST BROADWAY AND THE WORK WAS IN THE CENTER OF THE INSTERSECTION, WHICH WILL BE PAVED CURB TO CURB. UNFORTUNATELY IT IS NOT IN FRONT OF WHERE MR. FREDERICK LIVES.

COUNCILOR BARBOUR ASKED HOW LONG MR. FREDERICK HAD OWNED THE HOUSE. HE SAID A COUPLE OF MONTHS. THE HOME IS HEATED BY OIL, BUT HAS GAS FOR HOT WATER AND THE STOVES. HE

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

FURTHER STATED THAT IF HE WERE TO AT ALL ENTERTAIN THIS REQUEST IT WOULD REQUIRE THAT THE ROAD BE PAVED CURB TO CURB

COUNCILOR MARSHALL ASKED WHERE THE GAS LINE IS IN THE STREET, IS IT ON SCHOOL STREET, IS IT CLOSE TO HIS HOME? MR. FREDERICK SAID IT IS ON HIS SIDE OF THE STREET. COUNCILOR MARSHALL ASKED IF MR. FREDERICK HAD EXPLORED THE POSSIBILITY WHETHER THE GAS COMPANY WOULD RUN THE GAS FROM MONICA STREET DOWN THE SIDEWALK TO MR. FREDERICK'S HOUSE.

ALSO QUESTIONED WAS WHETHER THE COMMITTEE COULD MANDATE THE GAS COMPANY TO PAVE CURB TO CURB. IT WAS NOTED THAT THEY COULD SAY NO, OR IF THEY AGREED, THEY WOULD GO BACK TO MR. FREDERICK AND HE WOULD HAVE TO PAY. IT COULD BE EXPENSIVE. THE CITY WOULD REQUIRE FLOWABLE FILL, INFRARED, REPAVING A GOOD AMOUNT OF THE SECTION OF THE ROAD, SO IF CONDITIONS WERE PLACED ON THIS, THE COST COULD BE VERY SIGNIFICANT.

IT WAS FURTHER NOTED THAT THIS PROBABLY COULD NOT BE DONE THIS SEASON AS THE ASPHALT PLANTS WILL BE CLOSED.

COUNCILOR MARSHALL STATED THAT HE IS NOT INCLINED TO GRANT THIS THIS LATE IN THE SEASON. HE SUGGESTED MR. FREDERICK GO BACK TO THE GAS COMPANY AND ASK IF THERE IS ANY OTHER WAY TO BRING GAS TO THE PROPERTY. IF IT IS GRANTED, THE GAS COMPANY WOULD BE GIVEN A WRITTEN SET OF STIPULATIONS THEN THEY COULD COME BACK WITH A COST. THEREFORE, THIS COULD COME UP AGAIN IN THE SPRING DUE TO THE LATENESS THIS SEASON.

MOTION: TO CONTINUE THIS UNTIL APRIL, 2014. SO VOTED.

4. MEET TO REVIEW MATTERS IN FILE.

THE CHAIRMAN REPORTED THAT IN REGARD TO A REQUEST FOR A SEWER EXTENSION ON RIVERFIELD ROAD THAT WAS WITHDRAWN BY THE PETITIONER, THE QUESTION WAS RAISED AS TO HOW HE WAS GOING TO PROVIDE SEWER TO THIS LOT. THE CHAIRMAN REPORTED THAT HE IS PUTTING IN AN ON SITE SEPTIC SYSTEM.

3. MEET IN EXECUTIVE SESSION TO FURTHER DISCUSS LAND ACQUISITION.

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

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

ONE MOTION WAS MADE IN EXECUTIVE SESSION.

MEETING ADJOURNED AT 8:36 P.M.



RESPECTFULLY SUBMITTED,

Colleen Ellis

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

Rm Blackwell
CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
DECEMBER 10, 2013

THE COMMITTEE ON SOLID WASTE

PRESENT WERE: COUNCILOR DANIEL BARBOUR, CHAIRMAN AND COUNCILORS CARR, COSTA-HANLON, MARSHALL AND POTTIER. ALSO PRESENT WAS ASSISTANT CITY SOLICITOR DANIEL DEABREU

MEETING CALLED TO ORDER AT 8:40 P.M.

1. MEET WITH LAW OFFICE TO DISCUSS WASTE MANagements REQUEST FOR 40 FOOT EXPANSION AT THE TAUNTON LANDFILL

DISCUSSED AGAIN WAS THE REQUEST BY WASTE MANAGEMENT FOR A 40 FOOT EXPANSION AT THE LANDFILL. LAST WEEK A LONG DISCUSSION HAD ALSO TAKEN PLACE REGARDING ITEMS THAT THE CITY HAD ASKED FOR TO BE NEGOTIATED WITH WASTE MANAGEMENT AND AGREED UPON, INCLUDING ODOR ISSUES, SCALE HOUSE ATTENDANT, REDUCED FEE FOR RESIDENTS, TIRE DISPOSAL AT NO CHARGE, PROPANE TANK DISPOSAL AT NO CHARGE, THE STREET SWEEPER AS A COURTESY TO RUN THROUGH THE AREA. BASICALLY, WASTE MANAGEMENT'S POSITION IS THAT THEY ARE GOING TO DEAL WITH THE SLUDGE FROM WSG, SHARE IN THE PROFIT OF THE RESIDUAL AND THE TIPPING FEE WITH THE CITY AND CURRENTLY THERE IS A \$10,000 FEE WHICH THE BOARD OF HEALTH CAN DRAW DOWN ON, BUT NOW THEY WILL GIVE THE \$10,000 TO THE BOARD OF HEALTH FOR THEM TO USE AS THEY SEE FIT.

WHEN THE COMMITTEE LEFT THE DISCUSSION LAST WEEK, SOME COUNCILORS WERE DISCOURAGED THAT SIMPLE THINGS THAT WERE ASKED FOR, WITH AN ESTIMATED COST TO WASTE MANAGEMENT OF A LITTLE OVER \$100,000 WEREN'T EVEN DISCUSSED.

ALSO, COUNCILOR MARSHALL HAD MADE A MOTION TO ASK THE LAW DEPARTMENT TO RESEARCH WHETHER THE CITY CAN END ITS AGREEMENT WITH WASTE MANAGEMENT AND PUT THE VERTICAL EXPANSION OUT TO BID FOR ANOTHER OPERATOR.

THE ASSISTANT CITY SOLICITOR STATED THAT WASTE MANAGEMENT IS UNDER CONTRACT WITH THE CITY TO OPERATE THE LANDFILL. UNDER ARTICLES 3 AND 4 OF THE CONTRACT THE CONTRACTOR HAS AN EXCLUSIVE EASEMENT TO UTILIZE THE LANDFILL SITE FOR 10 YEARS FROM THE DATE OF THE AGREEMENT, WHICH WAS DECEMBER 19, 1995. THAT WOULD HAVE BROUGHT IT OUT TO DECEMBER 19, 2005. THE TERM OF THE EASEMENT IS EXTENDED FOR AN ADDITIONAL 10 YEARS IF ANY LINED LANDFILL EXPANSION IS APPROVED BY DEP, AND SPEAKING WITH DPW, HE UNDERSTANDS THAT DEP APPROVED SUCH AN EXPANSION ON JANUARY 12, 1999. SO, IF THAT IS CORRECT, AT THE PRESENT TIME, WASTE MANAGEMENT'S EASEMENT WOULD RUN AN ADDITIONAL 10 YEARS, FROM 2005 TO DECEMBER OF 2015.

HE FURTHER STATED THAT UNDER ARTICLE 7 IT PROVIDES THAT THE AGREEMENT MAY BE TERMINATED EARLIER UPON A DEFAULT OF A PARTY, AND IN A LETTER HE SENT TO WASTE MANAGEMENT'S ATTORNEY IN MARCH OF 2013 REGARDING THEIR OBLIGATIONS TO THE CITY WITH RESPECT TO THE WSG SLUDGE, HE DID ASCERTAIN THAT THEIR REFUSAL TO ACKNOWLEDGE UNDER THE OBLIGATIONS UNDER THE CONTRACT AND TO ACCEPT THE SLUDGE FROM WSG AT NO EXPENSE TO THE CITY, AND INSTEAD TO ATTEMPT TO PROFIT FROM RECEIPT OF THE SLUDGE AT ANOTHER LANDFILL OPERATED BY WASTE MANAGEMENT THEREBY DEPRIVING THE CITY OF REVENUE WAS A BREACH OF THE AGREEMENT IF THE CITY WISHED TO DEEM IT SO. OF COURSE, WASTE MANAGEMENT DENIES THAT IT IS A BREACH OF THE CONTRACT AND IF IT WERE TO GO THAT ROUTE, ATTORNEY DEABREU THINKS THERE IS AN EXTREMELY HIGH PROBABILITY THAT IT WOULD END UP IN LITIGATION. SO THE TENTATIVE WASTE MANAGEMENT AGREEMENT WITH RESPECT TO WSG SLUDGE WOULD HAVE RESOLVED THAT. SO, THE SHORT ANSWER IS WE ARE UNDER CONTRACT WITH THEM UNTIL DECEMBER 19, 2015.

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THE COMMITTEE ON SOLID WASTE - CONTINUED

COUNCILOR MARSHALL ASKED THAT WHAT HE IS SAYING IS THAT WE HAVE TO USE WASTE MANAGEMENT IF WE GIVE THEM AN EXPANSION. SO, WHY COULDN'T WE DRAW UP A CONTRACT WITH THE TERMS WE WANT, SIGN IT, SAYING THAT WE AGREE TO THE EXPANSION WITH WASTE MANAGEMENT WITH THE FOLLOWING CONDITIONS, WHATEVER THE CONDITIONS ARE, SLIDE IT ACROSS THE TABLE TO WASTE MANAGEMENT AND THEY CAN SIGN IT OR NOT SIGN IT. IF THEY DON'T SIGN IT, THEY HAVE BROKEN THE TERMS OF THE CONTRACT AND WE CAN GO OUT FOR AN RFP FOR A NEW OPERATOR.

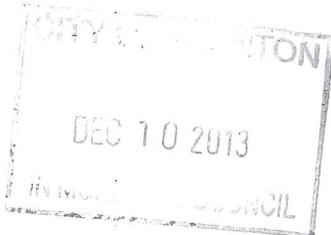
EITHER THEY SIGN THE CONTRACT OR THEY DON'T, THEN OUR CONTRACT RUNS ITS COURSE TO 2015, AND THAT DOESN'T SAY THAT WE CAN'T START DOING AN RFP IN 2014 TO TAKE OVER MANAGEMENT OF THE LANDFILL.

ATTORNEY DEABREU SAID THAT BEFORE GOING INTO STRATEGY AND POTENTIAL LITIGATION WE NEED TO MAKE SURE THAT THE LANDFILL STAYS OPEN UNTIL 2015 AND ALSO WE MUST LOOK AT THE CLOSURE OF THE LANDFILL.

MOTION: MEET NEXT WEEK IN EXECUTIVE SESSION TO DISCUSS THE POTENTIAL STRATEGIES REGARDING THE CONTRACT NEGOTIATIONS WITH THE LANDFILL EXPANSION AND WASTE MANAGEMENT. SO VOTED.

MOTION: LETTER OF CITY SOLICITOR DATED 12/10/2013 MADE PART OF THE RECORD. SO VOTED.

MEETING ADJOURNED AT 8:49 P.M.



RESPECTFULLY SUBMITTED,

Colleen M. Ellis

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

Rm Blackwell
CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
DECEMBER 10, 2013

THE COMMITTEE ON PUBLIC PROPERTY

PRESENT WERE: COUNCILOR DAVID POTTIER, CHAIRMAN AND COUNCILORS CARR, BARBOUR, MARSHALL AND COSTA-HANLON. ALSO PRESENT WERE CITY SOLICITOR JASON BUFFINGTON AND RISK MANAGER SUSAN BARBER

MEETING CALLED TO ORDER AT 8:50 P.M.

1. MEET WITH THE RISK MANAGER TO DICUSS PROPOSED SALE OF TAX POSSESSION PROPERTIES

THE CITY SOLICITOR STATED THAT THERE ARE 2 PROPERTIES. ONE IS AT 3 BOW STREET WHICH IS A 2 FAMILY RESIDENCE IN VERY POOR CONDITION. THE OTHER ONE IS AT 40 NORTON AVENUE WHICH IS A SINGLE FAMILY RESIDENCE AND ALSO IN VERY POOR CONDITION.

THEY LEARNED ABOUT THESE PROPERTIES IN OCTOBER OF 2012, AND ON THAT DAY THEY IMMEDIATELY SENT THE COUNCIL A COMMUNICATION NOTIFYING THEM THAT THE CITY GOT TITLE IN APRIL, 2011 BUT WAS NEVER NOTIFIED THAT THE CITY OWNED THEM. THEY WENT TO THE BOW STREET PROPERTY AND IT APPEARED AT THAT TIME TO BE ABANDONED AND CONDEMNED. THEY TOOK IMMEDIATE STEPS TO HAVE IT INSURED.

ON MARCH 14, 2013 THEY LEARNED THAT THE CITY ACQUIRED TITLE TO 40 NORTON AVENUE. JUDGMENT HAD ENTERED ON THIS PROPERTY ON DECEMBER 3, 2010. THEY WENT OUT THERE ON MARCH 15TH AND ENCOUNTERED A MAN LIVING THERE IN EXTREMELY POOR CONDITIONS. A LETTER WAS SENT TO THE COUNCIL ON THAT DATE LETTING THEM KNOW THAT THE PROPERTY WAS IN DEPLORABLE CONDITION.

OVER THE COURSE OF MANY MONTHS, THEY HAVE BEEN DEALING WITH THE OWNERS OF BOTH PROPERTIES, BUT THEY WERE ABLE TO SUCCESSFULLY SECURE BOTH PROPERTIES.

THEN THE SOLICITOR AND RISK MANAGER GOT TOGETHER TO FIGURE OUT THE BEST WAY TO DISPOSE OF THESE PROPERTIES. THE SOLICITOR SAID THAT THERE IS A STATUTE, CHAPTER 60, SEC. 77B THAT SAYS THAT THE TAX POSSESSION CUSTODIAN HAS THE CARE, CUSTODY, MANAGEMENT AND CONTROL OF THESE PROPERTIES. IT IS ALSO IN THIS STATUTE THAT THE CUSTODIAN CAN, NOTWITHSTANDING ANY LAW TO THE CONTRARY, NOT WITHSTANDING ANY ORDINANCE TO THE CONTRARY CAN SELL AT PUBLIC AUCTION THAT PROPERTY. SO THEY DID HAVE A PUBLIC AUCTION PROCESS AVAILABLE TO THEM. THAT IS A PROCESS THAT WOULD NOT HAVE INVOLVED THE COUNCIL AT ALL, AND IS SOMETHING THAT THE LAW GRANTS MRS. BARBER THE ABSOLUTE RIGHT TO DO. THAT WAS ONE OPTION THAT WAS AVAILABLE TO THEM.

ANOTHER PROCESS IS UNDER CHAPTER 30B, WHICH IS TO ADVERTISE THE PROPERTIES FOR BID AND SOLICIT SEALED BIDS.

THEY FELT THAT THE SEALED BID PROCESS WAS BETTER. THEY ARE NOT INTERESTED IN SEEING AN UNDESIRABLE PERSON OWN THE PROPERTIES AND AT AUCTION THEY WOULD HAVE LESS CONTROL. ON SEPTEMBER 23, 2013 A LETTER WAS SENT TO THE COUNCIL WITH A PROPOSED PLAN OF ACTION WITH AN ATTACHED TIMELINE.

THESE PROPERTIES WERE ADVERTISED IN THE CENTRAL REGISTER ON OCTOBER 9TH, PUBLISHED IN THE CENTRAL REGISTER OCTOBER 16TH, ADVERTISED IN THE GAZETTE OCTOBER 18TH, PUBLISHED IN THE GAZETTE OCTOBER 25TH AND NOVEMBER 1ST. THERE WAS A WALK THROUGH FOR THE PROSPECTIVE BIDDERS ON NOVEMBER 8TH AND SEALED BIDS DUE ON NOVEMBER 18TH. THE INVITATION FOR THE BIDS WERE PUBLISHED ON OCTOBER 25TH AND NOVEMBER 1ST. THEY WERE PUBLISHED IN THE CENTRAL REGISTER, PUT ON THE CITY'S WEBSITE AND ON THE MUNICIPAL ACCESS CHANNEL. THEY ALSO MAINTAIN A LIST OF PEOPLE WHO ARE INTERESTED IN PURCHASING CITY OWNED LAND AND NOTICES WERE SENT TO THEM.

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THE COMMITTEE ON PUBLIC PROPERTY - CONTINUED

THE PROCESS WAS THAT BY A CERTAIN DATE A BIDDER WAS TO SUBMIT AN ENVELOPE CONTAINING HOW MUCH THEY WOULD PAY AND A DEPOSIT. STAPLED TO THE ENVELOPE WAS A SHEET FOR THEIR NAME, ADDRESS AND WHETHER THEY OWED TAXES. BIDS WERE RECEIVED ON NOVEMBER 18TH AND WERE OPENED 2 DAYS LATER. THE SOLICITOR IS SATISFIED THAT THE 2 HIGHEST BIDDERS WILL BE RESPONSIBLE OWNERS.

HE FURTHER STATED THAT THE CITY IS NOT MAKING WARRANTIES AS TO THE CONDITION OF THE PROPERTIES, THE SUCCESSFUL BIDDERS ARE BUYING THE PROPERTIES AS IS.

HE IS LOOKING TO RECEIVE THE COUNCIL'S VOTE TO SELL THE PROPERTIES TO THE 2 PEOPLE WHO ARE THE HIGHEST BIDDERS.

COUNCILOR CARR ASKED IF APPRAISALS WERE DONE.

NONE WERE DONE, IT WAS FELT WHY SPEND THE MONEY, THAT THE MARKET WOULD BARE WHAT THESE PROPERTIES WERE WORTH. ALSO, APPRAISALS WOULD COST ABOUT \$400.

COUNCILOR CARR STATED SHE WOULD FEEL BETTER IF WE DID HAVE APPRAISALS.

IT WAS AGAIN NOTED THAT THE LAW GIVES THE RIGHT TO THE TAX POSSESSION AGENT TO SELL THIS LAND.

COUNCILOR CARR SAID THEY NEED TO COME UP WITH ANOTHER LAW.

IT WAS NOTED THAT THERE IS AN ORDINANCE THAT REQUIRES THE CHAIRMAN OF THE PUBLIC PROPERTY COMMITTEE TO SIGN THE DEED, BUT IT WAS STATED THAT THIS IS IN CONFLICT WITH STATE LAW.

COUNCILOR CARR SAID THAT IT DOES NOT MAKE SENSE THAT AN EMPLOYEE WOULD HAVE THE EXCLUSIVE RIGHT TO SELL CITY OWNED PROPERTY.

THE CITY SOLICITOR AGAIN STATED THAT MS. BARBER HAS 2 WAYS TO DISPOSE OF THE PROPERTIES. SHE CAN DO THIS ON HER OWN WITHOUT ANY INPUT FROM THE COUNCIL. SHE DECIDED NO. SHE CHOSE THE PROCESS THAT THE COUNCIL APPROVES THE SALE OF THE PROPERTY UNDER CHAPTER 30B.

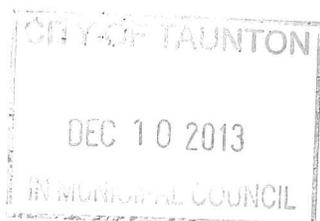
COUNCILOR MARSHALL STATED THAT 2 WEEKS AGO HE HAD QUESTIONS AROUND THE VALUATIONS, BUT HE GOT HIS ANSWERS FROM THE TAX POSSESSION AGENT.

COUNCILOR CARR SAID THAT IN THE PAST BIDS WERE OPENED IN THE PUBLIC PROPERTY COMMITTEE. SHE IS ALSO UNEASY SELLING CITY PROPERTY WITH NO APPRAISALS.

IT WAS NOTED THAT THE LAW DEPARTMENT DID LOOK AT THE ASSESSED VALUES.

MOTION: TO ACCEPT THE RECOMMENDATION ON 3 BOW STREET AND 40 NORTON AVENUE. THE TAX POSSESSION AGENT IS TO DISPOSE OF THE PROPERTIES. SO VOTED.

MEETING ADJOURNED AT 9:15 P.M.



RESPECTFULLY SUBMITTED,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

CITY CLERK

CITY OF TAUNTON
MUNICIPAL COUNCIL
DECEMBER 10, 2013

THE COMMITTEE OF THE COUNCIL AS A WHOLE

PRESENT WERE: COUNCILOR JOHN MCCAUL, PRESIDENT AND COUNCILORS BARBOUR, CARR, POTTIER, COSTA-HANLON, COLTON, CLEARY AND MARSHALL. ALSO PRESENT WERE RICHARD RICCIO FROM FIELD ENGINEERING, BILL SHAMON FROM MYLES STANDISH MEDICAL CENTER, POLICE CHIEF EDWARD WALSH, FIRE CHIEF TIMOTHY BRADSHAW, AND HUMAN RESOURCE DIRECTOR MARIA GOMES

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

1. MEET FOR A PRE-REVIEW HEARING ON SPECIAL PERMIT MODIFICATION FOR AN EDUCATIONAL USE AT 101 INDUSTRIAL PARK ROAD

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

MR. RICCIO STATED THAT THEY ARE HERE ON A MODIFICATION ON A SPECIAL PERMIT THAT THE COUNCIL ISSUED EARLIER THIS YEAR FOR THE EDUCATIONAL USE AT 101 INDUSTRIAL PARK ROAD. BASICALLY THE REQUEST IS JUST FOR THE COUNCIL TO ALLOW THEM TO PHASE THE CONSTRUCTION OF THE PROPOSED PARKING THEY HAD SHOWN ON THE ORIGINAL PLAN. THE PARKING IS NOT REQUIRED BY ZONING. THE MAIN REASON THEY SHOWED IT INITIALLY WAS TO ENSURE BAY STATE COLLEGE THAT THEY COULD CONSTRUCT IT SHOULD THEY NEED IT.

THEY WENT THROUGH THE PLANNING BOARD LAST WEEK AND GOT SITE PLAN APPROVAL MODIFIED WITH AN ADDITIONAL CONDITION THAT SAYS ANY USES WITHIN THE BUILDING THAT WOULD TRIGGER ADDITIONAL PARKING WOULD REQUIRE THEM TO BUILD IT AT THAT TIME.

THE REASON THEY ARE HERE IS THAT THEIR FINAL OCCUPANCY IS BEING HELD UP BECAUSE THE BUILDING DEPARTMENT WAS UNDER THE IMPRESSION THAT THEY NEEDED THESE PARKING SPACES TO BE BUILT. IT WAS NOTED THAT THERE IS CURRENTLY 155 SPACES ON SITE. BY ZONING IF THE FIRST FLOOR WAS FULLY OCCUPIED BY THE SCHOOL AND THE 2ND 2 FLOORS WERE OCCUPIED AS OFFICE SPACE, THEY WOULD NEED 139 PER ZONING. SO IF THE SECOND AND THIRD FLOORS WERE FULLY OCCUPIED WITH OFFICE USE THEY WOULD STILL HAVE ADEQUATE PARKING. THERE ARE APPROXIMATELY 60 STUDENTS FOR 2 SESSIONS, SO THEY FEEL THERE IS MORE THAN ADEQUATE PARKING. THEY FEEL THEY MEET THE ZONING REQUIREMENTS FOR THE BUILDING. IF THEY NEEDED TO USE MORE THAN THE 11000 SF OF EDUCATIONAL USE THEY HAVE NOW, THEY HAVE TO COME BACK TO MODIFY THE PERMIT ANYWAY. THEY ARE ASKING TO MODIFY THE SPECIAL PERMIT AND SITE PLAN SO THAT IT SAYS PHASE II.

COUNCILOR COSTA-HANLON SAID THAT SINCE A SPECIAL PERMIT IS ONLY FOR 3 YEARS, IF IT IS NOT BUILT WITHIN THAT 3 YEARS SHE DOES NOT WANT SOMEONE TO COME BACK SAYING WE NEED. SHE IS LOOKING FOR SOMETHING THAT SAYS IF IT IS NOT BUILT IN 3 YEARS, THEY HAVE DONE THEIR DUE DILIGENCE, YOU KNOW WHAT IS GOING TO HAPPEN, AND NOT COME BACK FOR ANOTHER SPECIAL PERMIT. BASICALLY GET 2 BITES OF THE APPLE. SHE PERSONALLY WOULD LIKE TO SEE SOME KIND OF SUNSET CLAUSE THAT SAYS THIS IS NOT GOING TO STAY OPEN INDEFINITELY, AND IT IS A SPECIAL PERMIT AND NEEDS TO CEASE AT A CERTAIN TIME.

MOTION: TO REFER THIS MATTER TO THE FULL HEARING NEXT WEEK AND ALSO THAT THEY HAVE A COPY OF THE SPECIAL PERMIT FOR THE HEARING. SO VOTED.

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DECEMBER 10, 2013

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

2. MEET WITH THE LAW OFFICE, HUMAN RESOURCE DIRECTOR, POLICE CHIEF AND FIRE CHIEF TO DISCUSS THE BENEFITS OF CALLING FOR SPECIFIC POLICE AND FIRE LISTS, SUCH AS A FEMALE LIST.

COUNCILOR COSTA-HANLON STATED THAT SHE HAS SPOKEN WITH THE CITY CLERK, AND THE MOTION UNANIMOUSLY PASSED BY THE COUNCIL WAS TO CALL FOR THE FEMALE LIST FOR 2 FEMALE POSITIONS FOR THE POLICE DEPARTMENT AND TO DISCUSS WITH THE FIRE CHIEF THE POSSIBILITY OF CALLING FOR A FEMALE LIST FOR THE FIRE DEPARTMENT.

SHE FURTHER STATED THAT SHE SPOKE TO CHIEF WALSH AND HE IS NOT AS INCLINED TO HAVE 2 FEMALE POSITIONS AT THIS TIME, HE IS MORE OPEN TO HAVING 1 FEMALE POSITION AT THIS TIME. SHE WILL LEAVE THAT FOR HIM TO DISCUSS. THE FIRE CHIEF AFTER EXTENSIVE CONVERSATIONS WITH HIM, IS NOT COMFORTABLE CALLING FOR A FEMALE LIST AT ALL.

SHE FURTHER STATED THAT THE CIVIL SERVICE LIST IS PROMULGATED BY THE STATE, POINTS ARE ADDED FOR CERTAIN CRITERIA AND THE COUNCIL INTERVIEWS PEOPLE ON THE LIST.

COUNCILOR BARBOUR STATED THAT HE HAS RESERVATIONS DOING THIS AS IT IS ALMOST A FORM OF REVERSE DISCRIMINATION. HE DOESN'T KNOW IF BRINGING SOMEONE TO THE TOP OF A LIST BECAUSE THEY ARE SPANISH SPEAKING, FEMALE, ETC. IS A STRONG ENOUGH REASON.

THE FIRE DEPARTMENT IS NOT IN SUPPORT OF DOING THIS, AND THE CHIEF FEELS THAT THE WAY WE HIRE NOW HAS PRODUCED FINE CANDIDATES.

COUNCILOR COSTA-HANLON SAID THERE IS A NEED FOR FEMALE POLICE OFFICERS TO PROCESS FEMALES ARRESTED, TO HELP WITH RAPE CASES, ETC.

THE POLICE CHIEF SAID THAT HE DID NOT ADVOCATE FOR A LIST TO CALL FOR 2 FEMALE OFFICERS, AND HE DOES NOT THINK YOU NEED TO DO IT. HE DOES NOT HAVE A CRISIS IN HIS DEPARTMENT REGARDING FEMALE OFFICERS. HE HAS FEMALE OFFICERS AND THEY ARE ABLE TO DO THEIR JOB. HE DOES NEED MATRONS, AND THAT DISCUSSION SHOULD TAKE PLACE AT SOME POINT. A MATRON IS A CIVIL FEMALE THAT IS HIRED TO BASICALLY ASSIST A FEMALE PRISONER WITH HER NEEDS, ASSIST WITH THE BOOKINGS, ETC. THEY BASICALLY MONITOR THE FEMALE PRISONERS. THE CHIEF SAID HE DID LOSE A FEMALE OFFICER DUE TO RETIREMENT, HE WOULD LIKE TO SEE HIS NUMBER OF FEMALE OFFICERS REMAIN CONSTANT AND INCREASE OVER TIME. THERE ARE NOT A LOT OF FEMALE VETERANS ON THE LIST RIGHT NOW. THE POLICE CHIEF SAID IF THEY WANT TO HIRE FEMALES, THERE ARE MULTIPLE WAYS TO DO THAT NOW WITHOUT CIVIL SERVICE, THEY COULD HIRE FEMALE LATERALS. HE FEELS PERSONALLY THAT HE DOES NOT THINK WE CAN GET A FEMALE LIST BECAUSE WE DO NOT MEET THE STATUTORY REQUIREMENTS. IN ORDER TO GET A FEMALE LIST YOU WOULD HAVE TO ACTUALLY HAVE AN AFFIRMATIVE ACTION PLAN APPROVED BY THE HUMAN RESOURCES DIVISION. TO HIS KNOWLEDGE THE CITY DOES NOT. THE SECOND ISSUE IS THAT YOU HAVE TO HAVE THE DIRECTOR OF HRD APPROVE YOUR PLAN, AND THEY HAVE TO AFFIRMATIVELY SAY THAT YOU HAVE INTENTIONALLY DISCRIMINATED AGAINST A CERTAIN PARTICULAR CLASS OVER TIME AND PROHIBITED THEM FROM GETTING PARTICULAR JOBS. HE DOES NOT FEEL THAT WE CAN MEET THAT BURDEN. TO HIS KNOWLEDGE THEY HAVE NOT DISCRIMINATED AGAINST FEMALE APPLICANTS.

COUNCILOR BARBOUR STATED THAT PERHAPS A DISCUSSION SHOULD BE HAD ABOUT MATRONS TO ASSIST IN THE BOOKING PROCESS AND THE CARE AND WELL BEING OF FEMALE PRISONERS. HE FURTHER STATED THAT HE IS NOT SURE IT WOULD BE SERVING THE CITY BY CREATING A FEMALE LIST. HE FURTHER STATED THAT THE CITY CLERK NEEDS TO KNOW HOW THE CITY IS GOING TO PROCEED, AND IF IT IS GOING TO PROCEED WITH CHOOSING 2 WOMEN WE MUST REQUIRE SOME LETTER FROM THE CHIEF OR CHIEFS, STATING WHY YOU WANT A FEMALE POLICE OFFICER AND FOR WHAT REASONS.

COUNCILOR MARSHALL ASKED WHY THIS IS BEING DISCUSSED AS NEITHER CHIEF HAS DETERMINED THERE IS A CRISIS, NEITHER CHIEF HAS DETERMINED OR HAVE COME TO THE COUNCIL SAYING THIS IS AN

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THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

ISSUE OR A CONCERN. THEY ARE BOTH HAPPY WITH THE CIVIL SERVICE PROCESS. IT IS NOT GREAT, IT IS COMBERSOME BUT IT IS THE BEST PROCESS WE HAVE OUT THERE. HE IS ALSO COMFORTABLE WITH HRD RECRUITING PEOPLE, AND QUITE FRANKLY HE DOESN'T CARE WHO IS HIRED, WHEHTER IT IS MALE, FEMALE, BLACK, WHITE, ETC AS LONG AS THEY ARE THE BEST CANDIDATE FOR THE JOB. WHY DISCUSS CALLING FOR A LIST THAT NEITHER CHIEF WANTS. WE MAY NOT BE ABLE TO DO THIS LEGALLY.

IT WAS FURTHER NOTED THAT THE COUNCIL CALLED FOR A LIST BECAUSE THEY THOUGHT THEY NEEDED THE LIST FOR A PROBLEM. THERE IS NO NEED FOR A LIST ACCORDING TO BOTH CHIEFS TONIGHT. WHY DEBATE THIS FURTHER, HIRE THE MOST QUALIFIED PERSON.

COUNCILOR BARBOUR SAID THAT WE DO NEED TO HIRE THE MOST QUALIFIED INDIVIDUALS AND FORGET ANY OTHER ATTACHMENTS THAT COME ALONG WITH THAT PERSON, SO THE COUNCIL 2 WEEKS AGO MADE A MOTION TO REPLACE THE 2 CANDIDATES THAT WERE NO LONGER QUALIFIABLE WITH A FEMALE LIST.

THE CHIEF SAID THAT WE HAVE NOT FORMALLY APPOINTED THE 2 CANDIDATES THAT THEY WERE PROCESSING. WE HAD A DEADLINE OF DECEMBER 15TH, AND ACTUALLY TONIGHT THE CHIEF SAID ALL TESTING HAS BEEN DONE AND THEY ARE ELIGIBLE FOR APPOINTMENT TO THE RESERVE LIST IF THE COUNCIL CHOOSES TO DO SO. THEY ARE 100% APPROVED. THEY NEED TO BE APPOINTED TO THE RESERVE LIST. SUBSEQUENT TO THAT WE NEED TO GET THEM APPOINTED FULL TIME. THE CHIEF FURTHER NOTED THAT THEY HAD BEEN FUNDED FOR 4 BODIES, SO THOSE 2 PEOPLE NEED TO BE APPOINTED FULL TIME, AND HE WOULD REQUEST THAT AT SOME POINT IN THE NEAR FUTURE THAT THE COUNCIL CALL FOR A LIST FOR FULL TIME EMPLOYMENT FROM THE RESERVE LIST ONCE IT IS CERTIFIED BY THE CITY CLERK THAT THOSE PEOPLE HAVE BEEN APPOINTED. IT IS SENT TO BOSTON THEN WE CALL FOR A FULL TIME LIST TO GET THEM SCHEDULED FOR THE ACADEMY IN MARCH. CONCURRENTLY, EITHER CALL FOR ANOTHER RESERVE LIST TO FILL THE 2 BODIES HE IS LOOKING TO FILL OUT OF THE BUDGET AND/OR CALL FOR A FULL TIME LIST FOR THEM BECAUSE HE NEEDS TO GET THEM INTO THE ACADEMY IN MARCH. HE WOULD RECOMMEND SEQUENCING WISE, THAT THE COUNCIL NEEDS TO APPOINT THE 2 CANDIDATES THAT WERE CONDITIONALLY APPOINTED, FORMALIZE THEIR APPOINTMENT TO THE RESERVE LIST.

MOTION: SO MOVED TO FORMALLY APPOINT JEREMY DESROSIER AND CASEY HOLMES TO THE RESERVICE LIST. SO VOTED.

MOTION: TO CALL FOR A FULL TIME APPOINTMENT LIST. SO MOVED.

THE CHIEF FURTHER STATED THAT THIS LEAVES HIM WITH 2 OFFICERS THAT WERE FUNDED IN THE SUPPLEMENTAL BUDGET THAT NEED TO BE SELECTED, AND IF IT IS NEW OFFICERS VS LATERAL, WE NEED TO DO THAT ENTIRE PROCESS. THEY DON'T HAVE TO GO ON THE RESERVE LIST, BUT THE CHIEF WOULD SAY THAT UPON THE APPOINTMENT OF THE OTHER 2 OFFICERS, WHEN THAT LIST COMES DOWN, FULL TIME, YOU CALL FOR A NEW LIST FOR THE APPOINTMENT OF 2 OFFICERS.

COUNCILOR MARSHALL SUGGESTED THAT THE CHIEF SEND A LETTER TO THE COUNCIL WHEN IT IS APPROPRIATE TO REQUEST THIS LIST.

IT WAS FURTHER NOTED THAT THE COMMITTEE ON POLICE AND LICENSE HAS MADE IT CLEAR THAT IT DOES NOT WANT LATERALS, THEY WANTED 4 POSITIONS THAT WERE GOING TO BE FUNDED.

THE CHIEF IS ASKING FOR THE CIVIL SERVICE LIST NOT LATERALS, HE WANTS A REGULAR LIST.

COUNCILOR CARR STATED THAT ALL AGREED THAT THEY DO NOT WANT TO TAKE LATERALS. SHE ALSO DOESN'T THINK A SPECIAL LIST IS FAIR. UNLESS IT IS AN EXTREME NECESSITY SHE FEELS THAT WE SHOULD NOT CALL FOR A SPECIAL LIST.

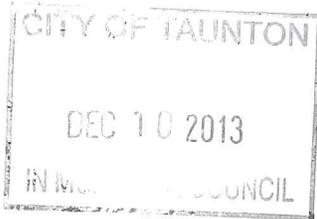
IT WAS ALSO REFERED TO THE HUMAN RESOURCE DIRCTOR AND THE CITY CLERK TO DETERMINE WHAT THE CITY HAS ON FILE WITH HRD, WHETHER THERE IS AN AFFIRMATIVE ACTION PLAN AND REPORT BACK TO THE COUNCIL.

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DECEMBER 10, 2013

THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

MEETING ADJOURNED AT 10:03 P.M.



RESPECTFULLY SUBMITTED,

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

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

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



CITY OF TAUNTON

In Municipal Council

ORDER #10

FY 2014

DECEMBER 10, 2013

20

Ordered, That

THE SUM OF THIRTY SEVEN THOUSAND EIGHT HUNDRED

FORTY ONE DOLLARS AND NO CENTS (\$37,841.00) BE AND HEREBY IS TRANSFERRED

FROM WATER DEPARTMENT ACCOUNT NO. 60-450-202-5545 – PLANT OPERATIONS/MAINT.

TO: WATER DEPARTMENT ACCOUNT NO. 60-450-203-5870 – CAPITAL EQUIPMENT

Clerk.