



City of Taunton
Municipal Council Meeting Minutes
City Hall, 15 Summer Street, Taunton, MA
Minutes, July 13, 2021 at 7:09 O'clock P.M.

Regular Meeting

Mayor Shaunna L. O'Connell presiding

Prayer was offered by the Mayor

Present at roll call were: Councilors Sanders, Cleary, Duarte, Croteau, Pottier, McCaul, Carr, Coute, Postell

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

Opportunity for input by the general public. Haskell Kennedy III stated that he has a letter on record tonight that he would like to be read out loud and if there are any questions regarding the application he can be addressed tonight. Mayor O'Connell stated that it is part of the agenda tonight and will be read into the record. Kyra Fernandez, 38 Evergreen Drive spoke about her frustrations with how long the process is taking with the Law Department getting her Host Community Agreement to her. John DeOliveira, 68 Plain Street spoke about how the Police Department has a no chase policy and asked what the City will be doing about the unregistered, uninsured motorcycle riders who are harassing people and terrorizing the neighborhoods.

Motion was made to go out of the regular order of business to Page #15 of the agenda under Communications from Citizens. So Voted.

Com. from Haskell O. Kennedy III, Medicine Man Solutions submitting letter regarding issues with submitting his application for an HCA. **Motion was made to refer to the Committee of the Council as a Whole and a copy of the letter to be sent to First Assistant City Solicitor Costa. So Voted.**

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

Hearings:

On the Special Permit submitted by Bradley Thomas, 368 Lincoln St. #11, Waltham, MA 02451 to allow: A Special Permit for the construction of a 6-family residential building at 46 Harrison Street located in the Urban Residential District. **Motion was made to open the hearing and invite the parties in. So Voted.** The Assistant City Clerk read a Com. from Chairman, Taunton Planning Board submitting a positive recommendation with the following conditions: 1. Add pedestrian walkway from site to Harrison Street and Winthrop Street; 2. Place No Parking Signs along the entire frontage of property (along Winthrop St. & Harrison St.) as shown on the plans. **Motion was made to make part of the record. So Voted.** The Assistant City Clerk read a Com. from City Engineer stating that they have reviewed the plan submitted as part of the Special Permit for property at 46 Harrison Street and has the following comments: The existing sewer service location needs to be identified as well as its connection to the sewer main to determine its

condition; Site topography and drainage review comments will be reserved until site plan submittals; Will there be assigned parking spaces for the residents?; There is an ordinance for "No Parking" on Harrison Street in front of this property which may impact overflow parking options. **Motion was made to make part of the record. So Voted.** The Assistant City Clerk read a Com. from Chairman, Conservation Commission stating that there are no conservation concerns regarding the construction of a 6-family residence at 46 Harrison Street. **Motion was made to make part of the record. So Voted.** The Assistant City Clerk read a Com. from Distribution Manager, TMLP stated that they reserve the right to comment on this project since the plan has no electrical one lines, metering layouts or load information. **Motion was made to make part of the record. So Voted.** The Assistant City Clerk read a Com. from Water Supervisor submitting comments. City water is available from the existing 8" City water main on Harrison Street; Plans are required and need to be submitted to DPW for water services, fire service line, gate valves and curb stops; DPW permits are required including: City licensed contractor, road opening, and or trench; DPW Specifications apply including: Pressure testing, materials, installation, new water meter with an updated radio frequency unit, inspection, and approval; DPW Specification apply including: Any backflow devices must be inspected by the Plumber Inspector or City Inspector; Prior notice is required before any City water work is to be performed, and inspections will be required before backfilling; City reserves the right to change these terms and conditions at any time. **Motion was made to make part of the record. So Voted.** The Assistant City Clerk read a Com. from Sanitary Sewer Collections System Supervisor, Veolia Water which stated that the proposed plan does not show any proposed or existing utility layouts. The sewer for this property was never properly capped off; Dorsey Plumbing was the contractor assigned to the task; this existing sewer lateral should be properly inspected before put into use or abandoned; this project will need to comply with the City of Taunton sanitary sewer standards and specifications. **Motion was made to make part of the record. So Voted.** The Assistant City Clerk read a Com. from Board of Health stating that the lots will be serviced by municipal water and sewer. All dwellings must comply with the Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II. **Motion was made to make part of the record. So Voted.** The Assistant City Clerk read a Com. from Fire Department stating that they have reviewed plans for the proposed 6 family residential building at 46 Harrison Street and determined that sufficient Fire Department exists. **Motion was made to make part of the record. So Voted.** Bradley Thomas, owner of 46 Harrison Street; Lester Wade, Contractor; and Anthony Pettijohn, former tenant and property owner were present to speak on the petition. Mr. Wade gave a presentation on the project and answered various questions from the Council. **Motion was made to open public input. So Voted.** There was nobody present to speak in favor of the petition. Helen daSilva, 44 Harrison Street spoke in opposition of the petition. Ruth Thibouttot, 37 Harrison Street spoke about the concerns with the length and the amount of residences in the building. **Motion was made to close public input. So Voted.** Mr. Pettijohn stated that he is the property manager and was not there the night of the fire but he arrived when the fire happened. He spoke about the various duties that he performed as property manager. **Councilor Pottier made a motion to close the hearing and grant the Special Permit. On a roll call vote, nine (9) Councilors present, six (6) Councilors voting in favor, three (3) Councilors voting in opposition. Councilors Postell, Carr and Croteau voting in opposition.**

Communications from the Mayor:

Mayor O'Connell stated that there are currently fourteen (14) active Covid cases in Taunton and there are three hundred twenty-two (322) new confirmed cases in Massachusetts. She stated that vaccines are still available and you can get all the information on the City of Taunton's website. The City Charter Committee Outreach meetings are continuing this week. Each meeting begins at 6PM and there is one on Wednesday at the Taunton Sports Club, Thursday, July 15th at the West Congregational Church and Monday, July 19th at the Baptist Church of All Nations. She stated that you can submit input anytime to citycharter@taunton-ma.gov. There is a new virtual City Hall tour for anyone who has not yet been able to visit. She stated that the first showing will be this evening on TCAM. Dr. Hanna was kind enough to host the video with her. She stated that Walter and Kim at TCAM did a wonderful job on the video. She stated that it will be aired multiple times on TCAM. Mayor O'Connell stated that we now have online applications for appointments to Boards and Commissions on the City's website and there is also a Community Calendar on the City's website.

Appointments:

NONE

Communications from City Officers:

Com. from City Solicitor regarding James L. Mulcahey Elementary School. It has come to their attention that the Municipal Council has not formally voted to place the school and the grounds under the control of the School Committee. Their recommendation is that the Municipal Council vote to formally turn over the control of the Mulcahey Elementary School to the School Committee for educational use in accordance with M.G.L. c. 71. **Motion was made to approve. So Voted.** Councilor Pottier asked about what the status is on Leonard School, if it is the City's or if it is the school's domain. Councilor Croteau stated that it is owned by the City of Taunton and is no longer used by the School Committee. Councilor Croteau spoke about how it is a two-step process.

Com. from First Assistant City Solicitor regarding applications for Retail Host Community Agreements. It stated that there was a discussion of the process going forward regarding retail HCA applications received by the Clerk's office now that 8 Retail HCA's have been approved by the Council. The Law Department's recommendation is to take one of the following general approaches: 1. Advise interested parties that no HCA's are presently available but that the City will keep the applicants information on file and contact them when an application becomes available. This would be communicated by a standard communication from the City Clerk in response to the application. 2. Alternatively, advise interested parties that no HCAs are presently available, that their information will not be kept on file, and that in the event a Host Community Agreement becomes available the City will post a notice on the City website that an HCA is available and they may reapply at that time. This also would be communicated through a standard communication from the City Clerk's Office. The policy to adopt is entirely up to the Council. The above are their recommendations only. They would be pleased to assist the Council to implement one of the above policies or another policy if the Council has another preference. **Motion was made to refer to the Committee of the Council as a Whole. So Voted.**

Com. from First Assistant City Solicitor – Host Community Agreement – HTC Trinity, LLC – Marijuana Cultivation, Manufacturing and Delivery Establishment – 491 West Water Street. In accordance with the vote taken by the Committee of the Council as a Whole on May 25, 2021 requesting that the Law Department draft a Host Community Agreement and place it on the Council’s agenda, please find herewith for your consideration a proposed Host Community Agreement between the City of Taunton and HTC Trinity, LLC for the Sitting of a Recreational Marijuana Establishment (Marijuana Cultivation, Manufacturing and Delivery) at 491 West Water Street. Council President Coute stated that this has been approved by the Committee of the Council as a Whole and asked why it has to come back on the agenda. Second Assistant City Solicitor Gould stated that this has already been approved but the specific motion moved for it to be approved, rewritten and presented back to the Council. He stated that there is no need for action. He stated that for clarity the Council could approve it as presented again but there is no need to. **Council President Coute made a motion to approve just for clarity. On a roll call vote, nine (9) Councilors present, seven (7) Councilors voting in favor. Councilors Cleary and Carr voting in opposition.**

Com. from Chairman, Taunton Planning Board stating that they have received a Special Permit from Section 440-201 for a common driveway to access 3 lots at 1358 Cohannet Street submitted by Robert & Cheryl Campbell. The Taunton Planning Board will hold a public hearing on this proposal on Thursday, August 5, 2021 at 5:30PM in the Chester R. Martin Municipal Council Chambers, 15 Summer Street, Taunton, MA. **Motion was made to receive and place on file. So Voted.**

Petitions:

Junk Dealer’s License - RENEWAL

1. Burnham’s Converter and Scrap Metals located at 12 Railroad Avenue, Taunton
Motion was made to refer to the Committee on Police and License and the Chief. So Voted.

Old Gold License - RENEWAL

1. Pacheco’s Gold & Gems, Inc. - dba – Pacheco’s Jewelry located at 20 Taunton Green, Taunton
Motion was made to refer to the Committee on Police and License and the Chief. So Voted.

Hours of Operation - RENEWAL

1. 7-Eleven, Inc. - dba – 7-Eleven 37398H located at 2068 Bay Street, Taunton
Motion was made to refer to the Committee on Police and License and the Chief. So Voted.

Claim submitted by Barry Pray, 48 Dean St., Raynham seeking reimbursement for damages to his automobile from hitting a pothole between 735 Richmond Street and the bridge. **(Already referred to the Law Department and DPW.)**

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 the Committee on Finance and Salaries. So Voted. Recommendations adopted to reflect the votes as recorded in the

Committee of the Council as a Whole for Item #1 – Aggregate Industries. So Voted. Councilor Pottier stated that he will do #2 and #3 separately. Motion was made to approve the Committee of the Council as a Whole’s recommendation to issue a Host Community Agreement for Greater Goods LLC to be located at 445 Myles Standish Blvd. So Voted. Councilor Carr voting in opposition. Motion was made in the Committee of the Council as a Whole to meet and discuss an extension of a Host Community Agreement for a Marijuana Retailer License for GTE, LLC to be located at 295 Broadway. So Voted. Councilor Carr voting in opposition. Motion was made for the Committee on Police and License to offer a renewal application for a Marijuana Retailer License to GTE Taunton LLC to be located at 295 Broadway. So Voted. Councilor Carr voting in opposition.

Unfinished Business:

NONE

Orders, Ordinances and Resolutions:

NONE

New Business:

Council President Coute requested to refer to the Committee of the Council as a Whole for a presentation from the Tax Collector/Treasurer for any parcel over 2 years past due on taxes. So Voted. Councilor Sanders and Carr voting in opposition. Councilor Carr is not sure why this is being referred to the Committee of the Council as a Whole. The Tax Collector falls under the Committee on Finance and Salaries so she thinks that if they need a presentation from her it should be under that committee.

Council President Coute requested to refer to the Committee of the Council as a Whole to discuss changes to the City of Taunton Zoning Ordinance – Section 440-1509 Development Impact Standards. **Councilor Coute made a motion to send to the Committee on Ordinance and Enrolled Bills and to the City Planner. It was a request from Joe Federico from BETA for a slight one sentence addition to the ordinance. So Voted.**

Councilor Croteau would like to refer to the City Council for a review of the marijuana situation and the letters and communications that they have received from First Assistant City Solicitor Costa. The letters did not contain nor did the votes set a number of how many Delivery Licenses, Manufacturing Licenses, and Cultivation Licenses that will be accepted in the City. There needs to be some clarity to the marijuana situation. He stated that they also need to look at the reason that there was confusion over the Host Community Agreements. He stated that he would like it on the City Council Agenda. So Voted. Councilor Coute stated that they already referred the letter tonight but they can refer it again.

Councilor Sanders made a motion to refer to the Committee on Ordinance and Enrolled Bills. He received a communication from a resident that he would like to read into the record. It stated that they were looking for some help with changing Ordinance 440-704 regarding off street parking. It specifies a very small utility trailer on personal property. They know that driving on the streets of Taunton they see many trailers over the 6x10

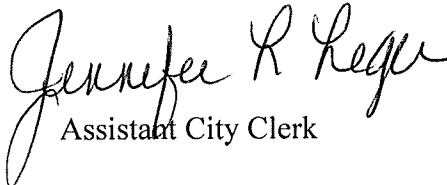
size and they are sure that they are not aware of the existing ordinance. They recently had a dispute with their neighbor also involving Robert Pirozzi, Building Commissioner. They had to move their utility trailer out of the City in order to not receive a daily fine while the neighbor can leave his utility trailer on the street unattached to a vehicle overnight. They have notified police several times with no results and they have also been in touch with the Mayor's Office several times regarding the issue. They live in a small cul-de-sac with six (6) homes since 1974 and have never had any problems. The utility trailer measures 6x12 and was kept in their yard until now. They know that Mr. Pirozzi and Mr. Scanlon are working on a collection of ordinance changes that would address this. **Councilor Sanders stated that out of respect to a resident who sent this request he would like to formally refer it to the Committee on Ordinance and Enrolled Bills. So Voted.**

Councilor Carr made a motion to refer to the Committee on Solid Waste to hold a meeting to update Solid Waste on the Aries Project. She would also like an update on what is acceptable to leave on the sidewalks now. She gets a lot of calls from people who ask what they are supposed to do with certain things, most recently furniture. She stated that they told her that they are no longer allowed to leave one (1) bulk item out. She would like an update on what can and can't be left on the sidewalks now because mattresses and one large item were always allowable before and if it is changed she would like to be updated on it and how it got changed. She would also like to know where people can go if they have a bag of trash that they need to throw out for whatever reason they couldn't on their trash day. She also asked if paint and oil will only be collected on a hazardous waste day or can it be brought somewhere. Councilor Pottier asked that the Aries Project be referred to the Committee of the Council as a Whole instead of to the Committee on Solid Waste due to the magnitude of the project. Councilor Carr amended her motion for it to be referred to the Committee of the Council as a Whole. So Voted.

Meeting adjourned 8:59 P.M.

A true copy:

Attest:


Assistant City Clerk

JLL/SJS

**COMMITTEE
MINUTES
WILL BE
POSTED
WHEN
RECEIVED**