

City of Taunton  
Municipal Council  
February 21, 2023

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TAUNTON, MA

**The Committee on Finance and Salaries**

The meeting was held at Taunton City Hall, 15 Summer Street, Taunton, MA 02780 in the Chester R. Martin Municipal Council Chambers.

Present were Councilor Phillip Duarte, Chairman and Councilors Pottier and McCaul. CFO Patrick Dello Russo and Budget Director Gill Enos were also present.

The meeting was called to order at 5:34 PM.

**1. Meet to review the weekly vouchers and payroll for City departments.**

***MOTION:** Approve the payroll warrant in the amount of \$3,941,057.31. So voted.*

***MOTION:** Approve the accounts payable warrant in the amount of \$1,517,339.22. So voted.*

**2. Meet to discuss the request from the Commissioner of the Department of Public Works to transfer \$683,000 from Sewer Enterprise UFB Pump Station Improvements, \$136,000 from Sewer Enterprise UFB 2018 Sewer and Drain Improvements, and \$1,181,000 from Sewer Retained Earnings to Bennett School Sewer Extension.**

Mr. Dello Russo explained that this transfer would allow for the Bennett School and the Oakland Fire Station, which have failing septic systems, to tie into the sewer. Since there are some excess funds they are asking for these transfers.

Councilor Pottier asked if any residents would benefit and Mr. Dello Russo indicated that there are homeowners who would be able to connect and notices will be sent.

Councilor Duarte asked how many homeowners could connect and Mr. Dello Russo did not know that off-hand but indicated that he could provide that answer.

Councilor McCaul praised the effort indicating that it both saves money on the repair of the septic system and makes money from homeowners tying into the system.

***MOTION:** Approve and transfer \$683,000 from Sewer Enterprise UFB Pump Station Improvement (account no. 32-3590-3590-18-001), \$136,000 from Sewer Enterprise UFB 2018 Sewer and Drain Improvements (account no. 32-3590-3590-18-002), and \$1,181,000 from Sewer Retained Earnings/Undesignated Fund Balance (account no. 63-3590-3590) to Bennett School Sewer Extension (account no. 32-443-5823-5803).*

Councilor Borges asked for the cost of repairing the septic system at the school and Mr. Dello Russo indicated that would be approximately \$500,000 but this will also include the fire station so makes the best sense.

*So Voted.*

**3. Meet to discuss the proposed creation of a revolving fund for School Department maintenance and supplies.**

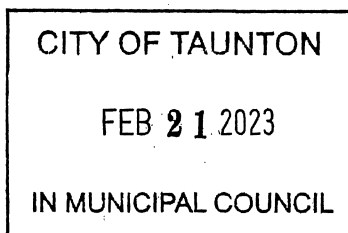
Mr. Dello Russo explained that a new source of revenue has been identified and that is the sale of surplus of items from the School Department and that the agreement is that 80% of the sale will be retained by the schools and 20% would go to the City's miscellaneous non-recurring revenue account. The City will administer the program and will handle taking the photos, pick up, and so on.

*MOTION: Approve.*

Councilor Duarte asked why these funds can't go into the existing revolving account and Mr. Dello Russo indicated that since these are not specified they go into the general fund.

*So Voted.*

The meeting was adjourned at 5:41 PM.

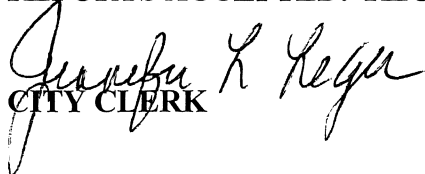


Respectfully submitted,



Maggie E. Clarke  
Clerk of Council Committees

**REPORTS ACCEPTED. RECOMMENDATIONS ADOPTED.**



CITY CLERK

City of Taunton  
Municipal Council  
February 21, 2023

**The Committee on Police and License**

The meeting was held at Taunton City Hall, 15 Summer Street, Taunton, MA -02780 in the Chester R. Martin Municipal Council Chambers.

Present were Councilor Jeffrey Postell, Chairman, and Councilors Sanders and Borges. Detective William Rutherford, Building Inspector Bob Pirozzi, Officer Arsenio Chaves, City Planner Kevin Scanlon, and Nichola Dobeib of 391 Winthrop Street were also present.

The meeting was called to order at 5:44 PM.

**1. Meet with Detective Rutherford on the petition to renew the Fortune Teller's License of Dawn Lorraine located at 159 Silverwood Drive.**

Detective Rutherford indicated that there have been no issues with this applicant.

Councilor Sanders asked if this is a residential area and Detective Rutherford indicated that the applicant has permission from the City Planner. There is no advertising allowed onsite.

**MOTION:** *Approve. So voted.*

**2. Meet with Detective Rutherford and Building Inspector Pirozzi for an update on progress at A. T.N.T. Auto Sales at 391 Winthrop Street.**

Mr. Pirozzi indicated that the A T.N.T. Auto Sales has made application to go before the Zoning Board of Appeals for a variance on the sign. He further reported that he spoke with the City Engineer who would like to evaluate the berm during a rain storm.

Detective Rutherford expressed his concern with the vehicles in the back of the building that impede traffic flow around the building and are not in line with the site plan review. Further, he indicated that when he went by the location he counted 2 or 3 cars in excess of the 30 allowed. Mr. Dobeib told the Council that some of the vehicles are waiting to be registered. Detective Rutherford showed the plot plan that allows for access around the back of the building.

Councilor Borges asked if that access is required for all Class IIs and Detective Rutherford indicated that it depends on the site plan as decided by the Planning Board. Councilor Borges asked how often the number of cars on a lot is checked and Detective Rutherford indicated that it varies but often this is looked at if there are complaints. He reiterated that 30 cars is the maximum allowed for this business and he believes that currently there are 32 present.

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Councilor Postell expressed his concern not just with the number of vehicles but with the egress around the back of the building that prohibits access for emergency vehicles. Mr. Dobeib explained that it sometimes takes 7 days to get plates.

Councilor Sanders stressed that 30 is the rule that was established and Mr. Dobeib needs to tighten things up as there have been several issues.

Councilor Postell indicated his belief that the Council has been reasonable and he is concerned about egress for safety vehicles. Mr. Dobeib pointed out that there are stairs prohibiting access regardless of the vehicles present. Detective Rutherford stated that he will take another look.

Councilor Borges asked what has been completed since the license was extended and it was noted that they have filed with the ZBA and he is waiting to complete landscaping. Mr. Dobeib stated that he is usually under the 30 car limit. She suggested that the Committee receive an update in 30 days. Councilor Postell suggested an update sooner than 30 days to determine the accuracy of the site plan for passage of a fire truck. Councilor Sanders suggested that the Committee give it until the end of April to give time for landscaping to be completed.

Kevin Scanlon reported that the City Engineer has looked at the berm and determined it to be a non-issue. He further suggested April 30 as a deadline.

Councilor Borges asked when the application for the variance with the ZBA would be heard and Mr. Scanlon believed it would be this Thursday.

***MOTION:*** *The petitioner to return the first week of May to give an update and to bring Mr. Strojny to be present. Detective Rutherford to obtain the most accurate plot plan. So voted.*

### **3. Meet to discuss a comprehensive review of no parking, speeding, and safety issues from Fifth to Third Streets on West Water Street.**

Councilor Postell indicated that this is an item that was in the file that goes back to 2021.

Officer Chaves reported that he has been looking at this area for a while and did a speed review which he provided to the Committee. What he saw was that overall speed was generally low with an average speed of 28 mph so he didn't see speed as a major issue. However, he did report that there is lots of traffic on that street with over 53,000 vehicles seen over a week. He indicated that he has had lots of complaints from parents of students of the dance studio and patrons of other businesses who have difficulty pulling out of the parking lot at night. Officer Chaves suggested that prohibiting parking on that stretch would solve some of the problems. He reported that there is currently an ordinance that prohibits parking from 3<sup>rd</sup> to 5<sup>th</sup> Streets but there are no signs.

Councilor Postell suggested that the traffic unit be deployed to monitor that location at busy times.

Councilor Borges asked if there was a revised ordinance for that location and requested an accident report from the time the Ordinance was ordained. Officer Chaves reported that he had looked into accidents at that location and found there to be 9 since 2019 at 3<sup>rd</sup> and West Water Streets but that he has received several complaints about parking.

Councilor Borges suggested that the DPW come in and explain why there are no signs.

***MOTION:*** *Police and License Committee send a communication to the DPW requesting that they report on why signs weren't up and who told them they were not to be installed. Within two weeks the DPW to bring the signage on the road up to compliance with the ordinance. Traffic enforcement team to be deployed to that location.*

Councilor McCaul reported that he has been meeting with the DPW and they are working on a plan for that area that includes traffic, sidewalks, the crosswalk, lighting, etc. He asked that the Committee refer the issue to the DPW Committee and he'll set up a meeting of the DPW Committee to update on the plans.

Councilor Borges stated that the signage needs to be taken care of immediately.

Councilor McCaul stated that they did put cones out but someone keeps moving them. He agreed that safety is key but the DPW is putting a plan together.

Councilor Borges stressed that the signs should be put up tomorrow. The rest can be done later.

**So voted.**

#### **4. Meet to discuss the number of used car licenses issued in the City.**

Councilor Postell indicated that this issue was originally raised in 2021 by former Councilor Carr.

Detective Rutherford reported that there had been a restriction on the number of licenses years ago but the court system overturned it, saying that it was biased against used car dealers.

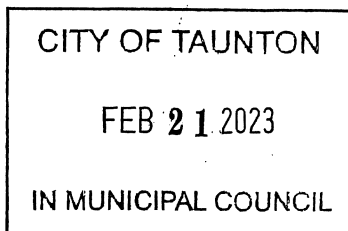
Councilor Postell asked the detective if there is anything that should be done better and Detective Rutherford indicated that he didn't think so at this time.

Councilor Borges suggested that perhaps the Law Department could advise on something that could be done to limit the amount but that she doesn't see this as a problem so she didn't want to pursue that.

#### **5. Meet to discuss the notice received from the Massachusetts State Lottery Commission regarding applications for KENO licenses.**

Detective Rutherford indicated that the only issue with this could be if the business changes its format (put up a table, for example) in which case they would need to come before the City Planner.

The meeting adjourned at 6:37 PM.



Respectfully submitted,

A handwritten signature in black ink that reads "Maggie E. Clarke".

Maggie E. Clarke  
Clerk of Council Committees

**REPORTS ACCEPTED. RECOMMENDATIONS ADOPTED.**

A handwritten signature in black ink that reads "Jennifer K. Leger".  
CITY CLERK

City of Taunton  
Municipal Council  
February 21, 2023

**The Committee on Ordinances and Enrolled Bills**

The meeting was held at Taunton City Hall, 15 Summer Street, Taunton, MA 02780 in the Chester R. Martin Municipal Council Chambers.

Present were Councilor Barry Sanders, Chairman, and Councilors Dooner and McCaul, Attorney Peter Winters, City Planner Kevin Scanlon, Detective William Rutherford, CFO Patrick Dello Russo, and City Solicitor Matt Costa were also present.

The meeting was called to order at 6:39 PM.

**1. Meet to discuss the proposed Temporary and Transient Vendor Ordinance.**

Attorney Winters explained that he had worked with the licensing and zoning officers to revise this ordinance. They looked at the language, consolidated the temporary fixed and transient vendors, and revamped the application.

Kevin Scanlon reiterated Attorney Winters comments and stressed that this modernizes the ordinance and the process will make things clearer for the applicants.

Detective Rutherford added his support for this up-to-date process and looks forward to this eventually being online.

Councilor Dooner asked if there is also a fee increase included and Attorney Winters stated that there is a slight increase and those that were previously \$200 would now be \$250 to keep it consistent. Councilor Dooner indicated that she would not be in favor of a fee increase.

Councilor McCaul agreed with Councilor Dooner and opposed a fee increase.

Councilor Sanders asked if there is anything in the ordinance that would preclude similar temporary businesses from setting up near brick and mortar locations and it was determined that this does not do that. He further asked for the length of time for the license and Detective Rutherford indicated that the license would be good for one year and expires April 30. Mr. Scanlon explained that the zoning approval is tied to the site. Councilor Sanders asked for clarification as to the types of businesses that would be impacted by this Ordinance and Detective Rutherford stated that food trucks, temporary flower vendors, and Christmas tree sales would be impacted.

Councilor Pottier asked if this would impact vendors at the Christmas parade and Detective Rutherford indicated that they are covered by a Hawker and Peddler License from the state.

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Mr. Scanlon explained that there were several cases where people were frustrated with the process and the requirements were not clear. They began by looking at the application.

Councilor Borges asked how many were from out of town and that information was not readily available. Ms. Borges suggested perhaps a different fee could be charged for local vs. out of town applicants.

Councilor Sanders asked Attorney Winters if the Council could create a buffer zone. Attorney Winters thought there might be legal issues but also expressed concern with enforcement.

Councilor McCaul expressed his interest in establishing a buffer zone since he doesn't believe it's fair to existing businesses and suggested the Law Department look into this. Concern with enforcement particularly for food trucks was mentioned by Detective Rutherford.

**MOTION:** *Support the information given and move to a first reading but keep the fee at \$200. So voted.*

**MOTION:** *Request that the Law Department look at establishing a buffer zone for vendors selling similar items and report back in 45 days. So voted.*

## **2. Meet with the CFO to discuss the proposed title change under Chapter 96 "Procurement Department".**

Mr. Dello Russo explained that the suggestion is to change the title of "Chief Procurement Officer" to "Director of Procurement". He indicated that there would be no change to duties and simply a change to the title to be more in line with other departments.

Councilor Sanders questioned the impact since Chapter 30B specifically refers to the Chief Procurement Officer. Attorney Costa indicated that this position would still act as the CPO as defined in Chapter 30B. Councilor Sanders asked who acted as the City's CPO prior to the creation of the position and Attorney Costa indicated that it was spread out throughout the City.

Councilor Borges stated that she does not understand the need for the name change. Attorney Costa stated that it is simply a matter of nomenclature but this remains under the Council's purview. Mr. Dello Russo reiterated that this is more in line with other department director positions and that typically "Chief" is a policy making position.

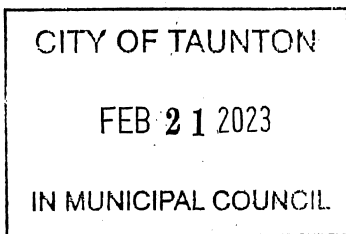
Councilor Sanders asked if there would be any implications under the new charter and Attorney Costa stated that all ordinances will be looked at for conflicts under the charter. Mr. Sanders requested this be tabled for a week as he had reached out to someone with some questions and is waiting for a call back.

Councilor Dooner expressed her support for Councilor Sanders' request.



**MOTION:** *Table this item for one week. So voted.*

The meeting adjourned at 7:17 PM.



Respectfully submitted,

A handwritten signature in cursive script that reads "Maggie E. Clarke".

Maggie E. Clarke  
Clerk of Council Committees

**REPORTS ACCEPTED. RECOMMENDATIONS ADOPTED.**

A handwritten signature in cursive script that reads "Jennifer Regan".  
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