



*City of Taunton  
Municipal Council Meeting Minutes*

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*In the Chester R. Martin Municipal Council Chambers  
Minutes, November 17, 2009 at 8:50 O'clock P.M.*

*Regular Meeting*

*Mayor Charles Crowley presiding*

*Prayer was offered by the Mayor*

*Present at roll call were: Councilor's Hoye, Costa-Hanlon, Pottier, Fiore, Marshall,  
Carr, Buffington, Barbour  
Councilor Croteau was absent*

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

**Hearings:**

Hearing came up by assignment on the petition submitted by the City of Taunton for a proposed zoning change to provide additional control, regulation and review of facilities dealing with the treatment and care of individuals with drug addictions, alcoholics, mentally ill or deficient. **Motion was made to open the hearing. So Voted.** Com. from City Solicitor submitting his opinion was read. In his opinion, the City Solicitor states that discrimination against individuals in rehabilitative services would subject our City to liability and limiting locations of all types of medical facilities would be proper under the zoning act, but cannot affect or alter the location of this clinic as it is now a pre-existing use. He further states that it may be accomplished through a zoning district change or special permit use. **Motion was made to make part of the hearing. So Voted.** Com. from Chairman, Taunton Planning Board submitting a positive recommendation was read. **Motion was made to make part of the hearing. So Voted. Motion was made to invite Kevin Scanlon into the enclosure. So Voted.** No one speaking in favor or in opposition. **Motion was made to accept the petition. Voting in favor were Councilors Barbour, Carr, Fiore, Pottier, Costa-Hanlon. Voting in opposition were Councilors Buffington, Marshall, Hoye. Councilor Croteau was absent. Motion does not carry. Motion was made to close the hearing. So Voted.**

Hearing came up by assignment on the petition submitted by the Richard Shafer, 12 Taunton Green and others to re-zone a portion of the Industrial Park Road and Bay Street from its current Industrial and Suburban Residential District to Business District. **Motion was made to open the hearing. So Voted.** Com. from Chairman, Taunton Planning Board submitting a positive recommendation was read. **Motion was made to make part of the hearing. So Voted.** Invited into the enclosure were Attorney Gay, Victor Santos, Taunton Development Corporation and Bob Field from Field Engineering. Attorney Gay gave a brief overview of the Zoning Change in order to develop the property. Councilor Costa-Hanlon is concerned with the traffic at peak times (stacking). Also, Councilor Carr is concerned with the driveway and the traffic issues. Attorney Gay

stated a possible solution would be to widen the roadway, as we will take that up with the site plan review process. In favor of the petition was Kevin Scanlon, City Planner. No one speaking in opposition. **Motion was made to grant the petition as submitted and notify all boards (Zoning, Planning, and DIRB) that they can have access to Bay Street - no egress and cannot take a right onto Bay Street. Victor Santos, representative of TDC stated they will place a restriction on the deed that states "no egress onto Bay Street". So Voted. Motion was made to close the hearing. So Voted.**

Hearing came up by assignment on the petition submitted by Kevin Crowninshield for a four unit dwelling at 57 Ashland Street located in the Urban Residential District. **Motion was made to open the hearing. So Voted.** Com. from Chairman, DIRB Submitting conditions was read. **Motion was made to make part of the hearing. So Voted.** Com. from Chairman, Taunton Planning Board submitting a positive recommendation was read. **Motion was made to make part of the hearing. So Voted. Motion was made to invite the petitioner, Kevin Crowninshield, into the enclosure. So Voted.** Mr. Crowninshield stated he owns the home at 57 Ashland Street, which is a 3 family home with a garage and an apartment over the garage. He stated he is requesting permission to have the apartment over the garage recognized as a legal apartment. No one speaking in favor or in opposition. **Motion was made to close the hearing and grant the petition subject to the conditions set forth by the DIRB. So Voted.**

**Communications from Mayor:**

The Mayor stated that the annual Taunton High School-Coyle Cassidy High School Scholarship Dinner will be held this Sunday beginning at 6:00 PM at the Elks Lodge.

The Mayor stated the "Warm Homes for the Holidays" fundraiser will be held at Bella Roma Restaurant on Monday, November 23, 2009. **Motion was made to advertise on the electronic sign. So Voted.**

**Communications:**

The City Clerk read a communication submitted by the City Solicitor stating that he has notified the Mayor that he would be accepting the position of Corporation Counsel for the City of Fall River effective January 5, 2009. **All Councilors present spoke with words of best wishes for Mr. Torres and thanked him for everything he had done and accomplished for our community.**

Com. from Acting Police Chief requesting a transfer of funds in the amount of \$3,000.00 to pay for training and education. **Motion was made to refer to the Committee on Finance and Salaries. So Voted.**

Com. from Chairman, Taunton Planning Board notifying of a public hearing for the proposed definitive cluster subdivision – Meadow Land Estates (formerly Court Land Estates) on December 3, 2009 at 5:30 PM. **Motion was made to receive and place on file. So Voted.**

Com. from Melissa DeSouto, Holliwod Tan & Salon, 280 Winthrop St., Taunton requesting use of the electronic sign to advertise their Cut-A-Thon with all proceeds

being distributed to Kanzius Cancer Research Foundation and Walker School's Nature & Me Program scheduled for December 13<sup>th</sup> from 1:00 PM – 5:00 PM. **Motion was made to move approval. So Voted.**

Com. from Department of Human Resources for the appointment of one (1) Permanent Full-Time Police Chief. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Com. from Board of Assessors regarding sewer betterments & liens on 45 Woodlawn Street stating that a lien has been placed only on 45A Woodlawn Street and that in order for the Assessor's Office to assess half of the betterment to 45B Woodlawn Street, a lien must be filed with the Bristol County Registry of Deeds. **Motion was made to refer to Committee Reports. So Voted.**

Com. from Jay O'Brien, South Section Director, Special Olympics Massachusetts requesting use of the electronic sign to advertise their 2009 Jolly Jaunt on December 5, 2009 at 12:00 PM. **Motion was made to move approval. So Voted.**

Councilor Pottier read an extra communication submitted by Senator Marc Pacheco requesting use of the electronic sign to advertise the Health & Human Services and Employment Assistance Fair at Bristol-Plymouth Regional Vocational Technical School on November 21, 2009 from 10:00 AM – 3:00 PM. **Motion was made to move approval. So Voted.**

The Council motioned to send a letter of thanks to Shaun Donovan, US Secretary of Housing and Urban Development and Congressman Barney Frank for their visit to Taunton as well as Colleen Doherty for applying for the HOPE VI grant. **So Voted.**

### **Petitions and Claims:**

#### **The following are RENEWALS for Class II Licenses:**

1. K & L Auto Sales located at 78 Cohannet Street, Taunton
2. Breno's Collision & Sales, Inc. located at 408 Winthrop Street, Taunton
3. Mike's Auto Sales located at 594 Winthrop Street, Taunton
4. Perry's Service Station located at 143 Broadway, Taunton

**Motion was made to refer the list as read to the Committee on Police and License. So Voted.**

Application submitted by Nathaniel Greene, 29 Frederick Road, Braintree requesting a renewal of his Constable License desiring to serve civil process. **Motion was made to refer to the Committee on Police and License. So Voted.**

Claim submitted by David Ness, 269 Somerset Avenue, Taunton seeking reimbursement for damages to his automobile due to work performed at the end of his driveway to fix the sidewalk. **Motion was made to refer to the City Solicitor. So Voted.**

Departmental Site Plan Review submitted by Cheryl Costa, 92 No. Crane Avenue Taunton to allow a hair salon with tanning at 560 Somerset Avenue located in the Industrial District. **Motion was made to receive and place on file. So Voted.**

Decision of the Development Impact Review Board on the petition for the Departmental Site Plan Review for a 3,444 sq. ft. restaurant with 6 seats and a drive thru at 390 Washington Street, Taunton submitted by Arthur Cabral which is located in an Urban Residential District. **Motion was made to receive and place on file. So Voted.**

Decision of the Development Impact Review Board on the petition for the Departmental Site Plan Review for General Fire Extinguisher (office and light manufacturing use) for a 7,000 sq. ft. building at 314 Broadway, Taunton submitted by Eugene LeClair which is located in the Highway Business District. **Motion was made to receive and place on file. So Voted.**

Decision of the Development Impact Review Board on the petition for the Departmental Site Plan Review for a modification of the approved site plan required by ZBA case #2986 for the 97,421 sq. ft. building at 50 O'Connell Way, Taunton submitted by David Mann, One Stevens LLC which is located in the Industrial District. **Motion was made to receive and place on file. 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 Barbour motioned that the Building Commissioner provide an update on the status of all burned properties in our City for next week's Council meeting. Additionally, that he inform the Council what he is doing in the future to secure any properties that sustain burn damages in the future. So Voted.

**Orders, Ordinances, and Enrolled Bills**

**Ordinance for a third reading to be ordained on a roll call vote**

**AN ORDINANCE**

**ARTICLE II OPERATION OF VEHICLES**

**Section 13.82. Prohibited parking places**

*Be it ordained by the Municipal Council of the City of Taunton as follows:*

***That Section 13.82 of the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by adding thereto the following:***

Briggs Street, south side, from the driveway at 34 ½ Briggs Street, to a point 20 feet east.

All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage. **On a roll call vote, eight (8) Councilors present, eight (8) Councilors voting to move approval. Councilor Croteau was absent.**

**Ordinance for a third reading to be ordained on a roll call vote**

**AN ORDINANCE**

**Chapter 4**

**Sec 4-43. Tax Status Form**

***Be it ordained by the Municipal Council of the City of Taunton as follows:***

**That Section 4 of the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by adding thereto the following section:**

Notwithstanding the provisions of any other section of the Ordinances, no application for a permit, license or zoning variance shall be granted to any person, business, charity, corporation or association if the applicant or the owner of the property upon which the business is located has any delinquent municipal tax, fee or other municipal charges, whether or not the same appears on a Tax Status Form.

All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage. **On a roll call vote, eight (8) Councilors present, eight (8) Councilors voting to move approval. Councilor Croteau was absent.**

**New Business:**

Councilor Hoye stated that it was brought to his attention that FEMA has updated the flood plain maps and some of our homeowners are now required to pay about \$2,000.00 a year for flood insurance. Some examples of areas affected by this change include Winding Brook Condos, Berkley Street, Dean Street, Scadding Street, and Hood Street. Therefore, he motioned that the Committee to the Council to the Whole meet in two weeks with the City Planner, City Engineer and TEMA to discuss the changes to these flood plain maps. Perhaps the Director of TEMA can contact FEMA concerning this issue. So Voted.

Councilor Pottier motioned that the Committee on Public Property discuss with the Commissioner of Parks, Cemeteries, and Public Grounds the issue of dogs in our City's parks. So Voted.

Councilor Barbour stated that near BJ's Wholesale and Bridgewater Savings Bank on Bay Road there is a telephone pole that has numerous signs attached to it and requested that your department have them removed. So Voted.

Councilor Barbour requested that the Mansour Hanna Barbour Scholarship Fund event scheduled for Friday, November 27, 2009 from 6:30 PM to 10:30 PM at Roseland Ballroom be advertised on the electronic sign. **Motion was made to move approval. So Voted.**

Councilor Carr motioned that the Police Chief and the Safety Officer investigate the intersections of Dean Street and Longmeadow Road and Broadway and Washington Street (near the new Walgreens) as people are going through red lights at these intersections during the evening rush hour. So Voted. *(The City Clerk spoke with Acting Chief Reardon on this matter.)*

Councilor Pottier stated that next week the Municipal Council will interview three applicants for the Assessor position.

Meeting adjourned at 10:15 P.M.

A true copy:

Attest:   
City Clerk

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
NOVEMBER 17, 2009

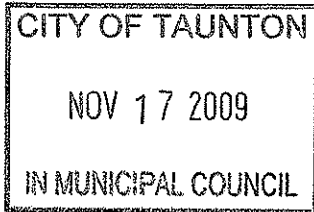
**THE COMMITTEE ON FINANCE AND SALARIES**

PRESENT WERE: COUNCILOR JORDAN FIORE, CHAIRMAN AND COUNCILOR  
POTTIER

MEETING CALLED TO ORDER AT 5:58 P.M.

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

MEETING ADJOURNED AT 5:59 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  
NOVEMBER 17, 2009

**THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS**

PRESENT WERE: COUNCILOR THOMAS HOYE, CHAIRMAN AND COUNCILORS BUFFINGTON, MARSHALL AND CARR. ALSO PRESENT WERE D.P.W. COMMISSIONER FRED CORNAGLIA, ASSISTANT D.P.W. COMMISSIONER TONY ABREAU, STREET DIVISION SUPERVISOR JACK LAWRENCE, WATER DIVISION SUPERVISOR CATHAL O'BRIEN AND JOE FEDERICO OF BETA

**MEETING CALLED TO ORDER AT 7:12 P.M.**

1. **MEET WITH THE D.P.W. COMMISSIONER AND WATER DIVISION SUPERVISOR TO DISCUSS INTER-MUNICIPAL AGREEMENT BETWEEN CITY OF TAUNTON AND TOWN OF LAKEVILLE**  
THIS AGREEMENT WAS MADE IN PART BECAUSE THE CITY HAD VARIOUS AGREEMENTS WITH DIFFERENT ENTITIES WITHIN THE TOWN OF LAKEVILLE AND THIS AGREEMENT TIES EVERYTHING UP INTO ONE.  
THE GALLONAGE HAS NOT CHANGED AND THE RATES WILL BE THE SAME AS TAUNTON RESIDENTS. THE CITY WILL CONTINUE TO OPERATE AND MAINTAIN EVERYTHING THAT IS IN LAKEVILLE TODAY – WHICH THEY ALREADY DO.  
THIS IS A 20 YEAR AGREEMENT. THE TOWN OF LAKEVILLE MUST COME BACK TO THE COUNCIL IF A NEW AGREEMENT IS SOUGHT OR IF THEY WANT TO INCREASE THEIR GALLONAGE. THIS AGREEMENT WILL SUPPLY MORE REVENUE TO THE CITY.  
**MOTION: MOVE APPROVAL**
  
2. **MEET WITH THE D.P.W. COMMISSIONER TO DISCUSS DRAINAGE ON VIKING STREET**  
THIS HAS BEEN AN ONGOING PROBLEM. VIKING STREET TIES INTO MIDDLEBORO AVE., MIDDLEBORO AVE. TIES INTO MARGARET ROAD AND DOLAN CIRCLE. A NEW DRAIN IS NEEDED ON VIKING STREET WITH ADDITION OF CATCH BASINS, THIS WOULD BE THE ULTIMATE SOLUTION. THE WATER RUN OFF ON UPPER VIKING WILL SHED OFF DOWN TO THE LOWER END OF VIKING STREET. AN EXTRA CATCH BASIS WAS ADDED WHEN MARGARET ROAD WAS DONE ABOUT A YEAR AND A HALF AGO. THIS RUNS INTO A CLAY PIPE WHICH NEEDS A CAMERA SHOT, BUT FROM THEIR OBSERVATION AND CLEANING, IT LOOKS LIKE THE PIPE IS COLLAPSING. AT THE LEAST, A CAMERA SHOP SHOULD BE DONE. THE PIPE MAY HAVE TO BE UPGRADED AND THE COST TO RUN A NEW LARGER PIPE IS ESTIMATED AT \$150,000 TO \$175,000. IF THEY FIND THAT THE PIPE IS HALF BLOCKED THEY COULD REPAIR IT AND KEEP UP WITH THE MAINTENANCE.  
**MOTION: THAT THE D.P.W. DO THE CAMERA SHOT OF THIS PIPE, AND INCREASE THE MAINTENANCE AND CLEANING IN THE AREA. MEET IN EIGHT WEEKS FOR AN UPDATE**
  
3. **MEET WITH THE D.P.W. COMMISSIONER FOR AN UPDATE ON THE COBB BROOK PROJECT**  
IT WAS REPORTED THAT THE COBB BROOK PROJECT IS ESSENTIALLY COMPLETE. IT WAS A \$2.5 MILLION PROJECT. THEY INSTALLED ABOUT 750 LINEAR FEET OF A 4 X 10 FOOT BOX CULVERT. THEY INCREASED THE CAPACITY OF THAT



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**THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED**

SECTION OF COBB BROOK BY ABOUT 300%. THEY CLEANED THE OLD COBB BROOK CHANNEL AND INSTALLED 800 LINEAR FEET OF WATER MAIN FROM THIS SECTION OF COBB BROOK TO FIFTH AND ALSO REMOVED 5300 TONS OF CONTAMINATED SOIL. ESSENTIALLY EVERYTHING FROM THE RAILROAD DOWN TO THE TAUNTON RIVER CAN HANDLE A 100 YEAR STORM.

EVERYTHING IMMEDIATELY UPSTREAM SHOULD SEE IMPROVEMENT. THEY HAVE WORKED FROM COBB BROOK STARTING POINT AT THE TAUNTON RIVER OVER TO SOMERSET AVENUE. FROM THERE COBB BROOK IS OK UNTIL YOU REACH COUCH STREET. AT COUCH STREET THERE IS A LARGE DIAMETER CULVERT WITH THE HEADER FALLING APART AND THE RAILING FALLING APART. THIS WOULD BE THE NEXT ORDER OF BUSINESS TO BRING THIS BACK TO CORRECTLY ACCEPT THE FLOW COMING INTO COBB BROOK. AT THAT POINT, THERE IS COUCH STREET, GENERAL COBB STREET, AND COHANNET STREET, WHERE THERE IS AN UNDERSIZED PIPE, ALSO THERE IS A PIECE OF PROPERTY THAT THE CITY HAS THAT HAS A VERY LARGE DIAMETER PIPE THAT WAS JUST FOUND WHICH COMES FROM WEST WEIR STREET. THE COMMISSIONER STATED THAT HE SHOULD PROBABLY PUT SOMETHING TOGETHER TO BRING BACK TO THE COMMITTEE AS THIS IMPACTS THE SEWER AND WHAT THE CITY IS TREATING AT THE WASTE WATER TREATMENT PLANT.

MR. ART SOUZA ADDRESSED THE COMMITTEE WITH HIS CONCERNS REGARDING SOMERSET AVENUE, COBB BROOK, AND THE NEED TO PAVE FIFTH STREET. JUANITA GALLAGHER OF 145 WINTHROP STREET ALSO ADDRESSED THE COMMITTEE WITH HER CONCERNS REGARDING COBB BROOK. SHE STATED THAT THE CITY RECEIVED A JUDGMENT IN 2008 TO HAVE SOMEONE REMOVE SOIL, AND THE JUDGMENT WAS NOT ENFORCED. ALSO IN JANUARY, 2009 THE CITY GOT A JUDGMENT FINING THE PERSON \$300 PER DAY FROM 10/15 TO NOW. NOTHING HAS BEEN RECEIVED. THE SOIL HE FILLED IN CAUSED HER PROPERTY AND OTHERS TO FLOOD, AND CHANGED THE ROUTE OF COBB BROOK. SHE FURTHER STATED THAT SHE HAS HAD ENGINEERS AND AN L.S.P. GO THERE AND IT IS CONTAMINATED. THE CONTAMINATION IS GOING INTO THE RIVER. SHE FURTHER STATED THAT 100, 104 AND 106 OAK STREET ARE COMPLETELY CONTAMINATED AND THE CONTAMINATION HAS GONE INTO THE COBB BROOK AND THEN INTO THE TAUNTON RIVER. THE BIGGER PROBLEM IS THAT BECAUSE THE SOIL HAS SETTLED IT HAS STOPPED THE FLOW OF THE BROOK. IT NOW BACKFLOWS AND CAUSES FLOODING ON SEVERAL PROPERTIES.

**MOTION: REFER THE ISSUE OF THE JUDGMENT TO THE LAW OFFICE AND CONSERVATION COMMISSION FOR AN ANSWER IN TWO WEEKS.**

MR. PAUL TRUMAN ALSO ADDRESSED THE COMMITTEE. HE RESIDES AT 2 MINERAL STREET AND HE HAS A SERIOUS PROBLEM WITH WATER GOING INTO HIS DRIVEWAY AND FLOODING HIS BASEMENT.

**MOTION: UPDATE IN TWO WEEKS ON THIS MATTER.**

4. **MEET WITH THE D.P.W. COMMISSIONER FOR AN UPDATE ON THE CURBING SITUATION AT 93 LAWTON AVENUE**  
SOME UTILITY WORK NEEDS TO BE DONE, BUT THIS WILL BE FIXED.

**MOTION: UPDATE IN THREE WEEKS**

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**THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED**

**MOTION: PUT LEVELER COAT ON FIFTH STREET**

**5. MEET WITH THE D.P.W. COMMISSIONER TO DISCUSS PLANS FOR SNOWPLOWING AND SNOWPLOWING EQUIPMENT AND SIDEWALK PLOWING IN SCHOOL AREAS**

IT WAS REPORTED THAT D.P.W. HAS THE CITY MAP BROKEN INTO 17 AREAS. THERE ARE 240 MILES OF STREET, 480 LANE MILES. THEY HAVE 72 PIECES OF EQUIPMENT. THE AD FOR SNOWPLOWS WAS PUT IN THE PAPER AND THE RESPONSE WAS MORE THAN THEY HAVE EVER RECEIVED BEFORE. THEY HAVE COME UP WITH A MAP LISTING THE ROUTE, THE DRIVERS AND THE TRUCKS THAT WOULD BE ON IT, WITH MAGNETIC YELLOW TAGS ON EACH VEHICLE. IT WAS NOTED THAT THEY HAVE MORE EQUIPMENT THAN BODIES.

DISCUSSED WAS ISSUE OF SIDEWALKS NEEDING PLOWING. THE ATV'S CAN BE USED TO DO THE CITY SIDEWALKS. THE D.P.W. DOESN'T HAVE THE ABILITY TO PLOW SIDEWALKS. THERE ARE SEVEN SCHOOLS THAT ARE ON CITY STREETS WITH SIDEWALKS IN FRONT OF THEM. ALL AGREE THAT THE SIDEWALKS NEED TO BE DONE, BUT THE D.P.W. DOES NOT HAVE THE PEOPLE OR FINANCES TO DO THE SIDEWALKS THROUGHOUT THE CITY.

IT WAS FURTHER NOTED THAT THE NUMBER OF PEOPLE EMPLOYED WITH THE D.P.W., SEWER, AND WATER DEPARTMENTS HAS DECREASED DRAMATICALLY INSTEAD OF INCREASED.

MR. BLACK ADDRESSED THE COMMITTEE. HIS DAUGHTER WALKS TO MULCAHEY SCHOOL AND HE FEELS THAT THE CITY NEEDS TO PURCHASE A MACHINE TO DO THE SIDEWALKS. THE COST IS \$120,000-127,000 PER PIECE OF EQUIPMENT. HE FEELS THAT THE CITY NEEDS TO START SOMEWHERE AND SHOULD FIND THE MONEY TO PURCHASE SOME EQUIPMENT.

DISCUSSED WAS THE NEED TO CHECK THE CITY ORDINANCES TO ASCERTAIN THAT THERE IS AN ORDINANCE WHICH STATES THAT PEOPLE MUST PLOW OR SHOVEL THE SIDEWALKS IN FRONT OF THEIR HOMES. IT WAS NOTED THAT THERE IS ONE FOR CITY BUSINESSES.

DISCUSSED ALSO WAS THE NEED TO CHECK TO SEE IF THERE IS ANY STIMULUS MONTH AVAILABLE FOR EQUIPMENT TO PLOW SIDEWALKS.

**MOTION: THAT A COMMUNICATION BE SENT TO THE SCHOOL DEPARTMENT TO DETERMINE IF THEY HAVE SOME FUNDING AVAILABLE PERHAPS TO SPLIT WITH THE CITY IN ORDER TO PROVIDE SOME TYPE OF PLOWING OF THE SIDEWALKS ESPECIALLY FOR THE 7 SCHOOLS THAT DO NOT HAVE A PARKING LOT WHERE STUDENTS CAN BE DROPPED OFF.**

ALSO DISCUSSED WAS THE NEED TO ADDRESS THE ISSUE OF SIDEWALKS NOT BEING WIDE ENOUGH FOR THE EQUIPMENT, THAT LAWNS CAN BE DAMAGED. IT WAS NOTED THAT A SNOW BLOWER MAY BE BETTER THAN A PLOW FOR THE SIDEWALKS.

DISCUSSED ALSO WAS THAT THE CITY DOES NOT HAVE THE FINANCIAL ABILITY TO PLOW ALL SIDEWALKS. THE CITY SHOULD BE RESPONSIBLE FOR THE SIDEWALKS AT THEIR PROPERTIES. THE SCHOOL DEPARTMENT SHOULD BE RESPONSIBLE FOR THE SCHOOLS AND HOMEOWNERS SHOULD BE RESPONSIBLE TO CLEAR SIDEWALKS IN FRONT OF THEIR HOMES. IF THERE IS NO ORDINANCE

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**THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED**

REGARDING HOMEOWNERS CLEARING SIDEWALKS, THAN THE CITY SHOULD HAVE ONE AND IT NEEDS TO BE ENFORCED.

REQUEST WAS MADE TO REVIEW THE ORDINANCE AT THE NEXT MEETING.

**6. MEET WITH THE D.P.W. COMMISSIONER TO DISCUSS STREET ACCEPTANCES**

THERE ARE 118 STREETS THAT ARE PLOWED, TRASH IS PICKED UP, POTHOLES ARE REPAIRED AND PAVED, THAT HAVE NOT BEEN ACCEPTED.

THE D.P.W. COMMISSIONER IS ASKING THAT THE CITY ACCEPT THE STREETS. THESE STREETS WILL BE THE 118 STREETS THAT WERE IN PLACE PRIOR TO 1944. THE D.P.W. COMMISSIONER PROVIDED A LISTING OF THE STREETS. HE WOULD LIKE TO HAVE A BLANKET ACCEPTANCE OF THE STREETS. ACCEPTING THESE STREETS WILL ALLOW THE USE OF SRF FUNDING IF THEY ARE ACCEPTED, BECAUSE YOU CANNOT USE SRF FUNDING ON AN UNACCEPTED STREET.

**MOTION: REFER THIS TO THE CITY SOLICITOR AND CITY CLERK TO BEGIN THE PROCESS FOR HEARING TO ACCEPT THESE STREETS.**

**7. MEET TO REVIEW MATTERS IN FILE**

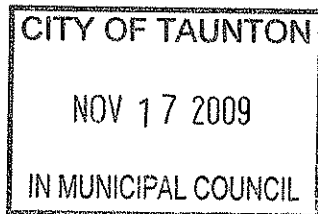
A. DISCUSSED WAS ISSUE OF SEWER BETTERMENT AND LIEN AT 45 WOODLAWN STREET. THERE ARE 2 CONDOMINIUMS ON ONE LOT, TWO ASSESSED OWNERS, ONE SEWER STUB WITH ONE LIEN AND ONE BETTERMENT CHARGE. THE BETTERMENT CHARGE NEEDS TO BE ASSESSED TO EACH OWNER. THE D.P.W. COMMISSIONER SAID TO SOLVE THIS PROBLEM, THEY COULD PUT A MAN HOLE AT THE PROPERTY LINE WITH TWO STUBS. THEREFORE, BOTH WOULD PAY THE FULL BETTERMENT. THIS WAS RECORDED AS A CONDEX AND THIS WAS NOT KNOWN AT THE TIME THE BETTERMENTS WERE DONE.

**MOTION: REFER MATTER TO CITY SOLICITOR WITH OPINION PROVIDED TO COMMITTEE IN TWO WEEKS**

B. DISCUSSED WAS PAVING ON BAY STREET FROM MOREY'S BRIDGE TO THE OLD GONDOLA SITE. IT WAS REPORTED THAT PAVING WILL BE DONE WHEN THE PUMP STATION WORK IS DONE.

C. DISCUSSED WAS A SIDEWALK AT THE NORTH TAUNTON BAPTIST CHURCH. THE COST FOR A SIDEWALK THERE WOULD BE ABOUT \$125,000 – FUNDING IS THE ISSUE.

**MEETING ADJOURNED AT 8:26 P.M.**



RESPECTFULLY SUBMITTED,

*Colleen Ellis*

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

*Rm Blacwell*  
CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
NOVEMBER 17, 2009

**THE COMMITTEE ON DISABILITIES (ADA)**

PRESENT WERE: COUNCILOR DANIEL BARBOUR, CHAIRMAN AND COUNCILORS FIORE, POTTIER, CARR AND HOYE. ALSO PRESENT WERE CITY PLANNER KEVIN SCANLON AND DONNA DICORPO, NANCILEE LEMAIRE AND DANIEL LAFFAN OF TAUNTON COMMISSION FOR INDIVIDUALS WITH DISABILITIES AND JOSEPH FERNANDES OF T.M.L.P.

**MEETING CALLED TO ORDER AT 6:20 P.M.**

1. **MEET WITH THE POLICE CHIEF TO DISCUSS ENFORCEMENT OF HANDICAPPED SPACES FOR NONCOMPLIANCE UNDER THE ADA, FOR PRIVATE SECTOR PARKING.**
2. **MEET WITH THE POLICE CHIEF TO DISCUSS INCREASING FINES FOR ILLEGALLY PARKING ON SIDEWALK, IN CROSSWALK OR BLOCKING ACCESS TO CURB CUT**

THE CHAIRMAN STATED THAT THE ACTING POLICE CHIEF PROVIDED TO HIM WHAT HE FEELS IS A DEFICIENCY ON A LOCAL LEVEL. HE FEELS THAT THE ISSUE SHOULD BE REFERRED TO ORDINANCE COMMITTEE SO THAT IT GIVES THE CITY THE SAME ENFORCEMENT AS IS AT THE STATE LEVEL - CITY LEVEL DOES NOT MIMIC THE STATE, SO POLICE CANNOT GO ON A PRIVATE PARKING LOT AND TICKET. HE HAS ASKED THAT THE LOCAL ORDINANCES MIMIC THE STATE SO THAT THEY CAN ENFORCE THE ISSUE OF VEHICLES PARKING IN HANDICAPPED PLACES ON PRIVATE PROPERTY. THE CHIEF ALSO NOTED THAT CURRENTLY THE CITY OF TAUNTON HANDICAPPED PARKING VIOLATION IS \$300.00.

IT WAS NOTED THAT THERE ARE A LOT OF PARKING LOTS IN SHOPPING AREAS THAT DO NOT HAVE THE CORRECT FINE ON THE SIGNS AT HANDICAPPED SPACES, SO THE MONETARY AMOUNT SHOULD BE REMOVED. THE COMMISSION IS ABLE TO EDUCATE THESE BUSINESSES ON THIS MATTER. THE CITY PLANNER FEELS THAT NO MONETARY AMOUNT SHOULD BE POSTED ON THE HANDICAPPED PARKING SIGNS AS IT COULD ALWAYS BE CHANGED. DUE TO THE FACT THAT THE CITY FINE IS \$300 AND SOME SIGNS IN PRIVATE LOTS STATE A DIFFERENT AMOUNT, THIS COULD RESULT IN PROBLEMS.

IT WAS ALSO NOTED THAT IF THE PARKING LAYOUT IS INCORRECT, THE COMMISSION COULD FILE A COMPLAINT WITH THE STATE BOARD. THE CITY PLANNER'S RESPONSIBILITY ON THIS MATTER IS STRICTLY PUBLIC NOT PRIVATE DEVELOPMENTS.

DISCUSSED WAS WHETHER THE FINE FOR PARKING ON SIDEWALKS SHOULD ALSO BE INCREASED.

A LETTER DATED 10/13/09 OF INTERIM CHIEF JOHN REARDON WAS READ IN WHICH HE STATED THAT THE CURRENT FINE THAT IS ASSESSED FOR THE VIOLATION OF ILLEGALLY PARKING ON A SIDEWALK, IN A CROSSWALK OR BLOCKING ACCESS TO A CURB CUT IS \$15.00. HE RESPECTFULLY REQUESTS THAT THE FINE NOT BE INCREASED.

FURTHER DISCUSSION FOLLOWED REGARDING THE NEED FOR ENFORCEMENT, AS FINES CAN BE INCREASED BUT IF IT IS NOT ENFORCED, THERE IS NO ISSUE. ALSO DISCUSSED WAS THAT MANY VEHICLES ARE PARKED ON SIDEWALKS DOING WORK IN THE CITY, AND THAT THERE IS A POLICE DETAIL AT THE SITE. IT WAS

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**THE COMMITTEE ON DISABILITIES (ADA) - CONTINUED**

SUGGESTED THAT THE COMMISSION APPEAR ON THE POLICE CABLE SHOW TO DISCUSS THE ISSUES WITH PARKING ON SIDEWALKS.

THE CITY PLANNER FEELS THAT THE FINE FOR BLOCKING A CROSSWALK OR CURB CUT SHOULD BE INCREASED TO \$30.00

**MOTION:** REFER THESE ISSUES TO ORDINANCE COMMITTEE FOR IMMEDIATE ATTENTION TO HAVE THE LOCAL ORDINANCE MATCH THE STATE ORDINANCES. TO INCLUDE AS PART OF THE ABOVE MOTION THAT A LETTER BE SENT TO THE POLICE CHIEF TO HAVE ENFORCEMENT DONE REGARDING PARKING ON SIDEWALKS, AND ALSO THAT THE CHIEF SEND OUT A MEMO TO OFFICERS WHO ARE DOING DETAILS THAT THE WORKING VEHICLES SHOULD NOT BE PARKING ON SIDEWALKS. THAT FINES FOR VIOLATIONS REGARDING PARKING ON CROSSWALKS AND BLOCKING CURB CUTS BE THE SAME AS THE STATE STANDARD, BUT THAT THE PARKING ON SIDEWALKS FINE REMAIN AT \$15.00.

IT WAS REPORTED THAT THERE ARE 5 OR 6 METERS AROUND DOWNTOWN THAT IF YOU PARK LEGALLY AT THE METER YOU BLOCK A CROSSWALK OR A CURB CUT.

**MOTION:** THAT THE MATTER OF METERS IN CURB CUTS BE REFERRED TO THE D.P.W. AND PARKING COMMISSION

3. **MEET WITH THE D.P.W. COMMISSIONER AND REPRESENTATIVE OF T.M.L.P. TO DISCUSS WASHINGTON & TREMONT STREETS CURB CUTS AND BEEP TONES**  
THE PEDESTRIAN SIGNAL AND MODES ARE AT THIS INTERSECTION, AND THE NOISE HAS BEEN CHANGED SO AS NOT TO SOUND LIKE A BIRD CHIRPING. THE SIGNAL IS OK WITH THE COMMISSION.
4. **MEET WITH REPRESENTATIVE OF T.M.L.P. TO DISCUSS HARTS FOUR CORNERS APS SYSTEM**  
THE APS SYSTEM AT THIS LOCATION IS A GREAT SYSTEM, BUT SEEMS TO BREAK DOWN A LOT. IT WAS REPAIRED LAST THURSDAY AND IS CURRENTLY WORKING OK. IT WAS NOTED THAT THE RIGHT TURN ON READ HAS BECOME AN ISSUE AND POLICE ENFORCEMENT IS NEEDED THERE.
5. **MEET WITH THE D.P.W. COMMISSIONER TO DISCUSS DETERMINATION ON THE USE OF APEX CURB CUTS IN CITY**  
DISCUSSED WAS ISSUE WITH CURB CUTS AT WASHINGTON AND TREMONT STREETS. THERE ARE SOME APEX CURB CUTS THAT ARE IN VIOLATION AT THIS LOCATION. THERE IS ALSO AN ISSUE WITH THE DETECTABLE WARNINGS AND MAINTENANCE OF THAT MATERIAL. THE D.P.W. COMMISSIONER WILL MEET WITH DONNA DICORPO TO DISCUSS THESE ISSUES.

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**THE COMMITTEE ON DISABILITIES (ADA) - CONTINUED**

**6. MEET TO DISCUSS CITY ADA COMPLIANCE CONCERNING DETECTABLE WARNINGS AND MAINTENANCE.**

THE D.P.W. COMMISSIONER AND DONNA DICORPO WILL MEET ON THIS ISSUE. IT WAS ALSO NOTED THAT THE D.P.W. COMMISSIONER, THE CITY PLANNER AND DONNA DICORPO WILL MEET ON THIS ISSUE AND WORK TOWARDS PICKING THE BEST DETECTABLE WARNING TO USE IN AN EFFORT TO PICK A UNIFORM PRODUCT AND ALSO DISCUSS MAINTENANCE ISSUES.

**MOTION: THAT THE D.P.W. COMMISSIONER AND CITY PLANNER MEET TO DETERMINE THE BEST PRODUCT TO BE USED.**

**7. MEET TO DISCUSS ISSUE WITH HANDICAPPED PARKING AT TAUNTON HIGH RENOVATED LOTS**

THE CITY PLANNER STATED THAT IT IS NOT THE PARKING AT TAUNTON HIGH THAT IS THE ISSUE, IT IS THE ISSUE WITH THE NEW CURB CUTS THERE HAVING DETECTABLE WARNINGS. THEY PUT IN A GRAY DETECTABLE WARNING, WHICH ISN'T NECESSARILY A PROBLEM HAVING GRAY DETECTABLE WARNING ON A CONCRETE SIDEWALK THAT IS ALSO GRAY. HOWEVER, IT IS SUPPOSED TO CONTRAST. THE RAISED PADS ARE SUPPOSED TO BE EITHER 70% LIGHTER OR 70% DARKER. THESE WARNINGS DO NOT SEEM TO MEET THAT STANDARD. THE CITY PLANNER REQUESTED THAT THE COMMITTEE SEND A MEMO TO WAYNE WALKDEN OF THE BUILDING DEPARTMENT TO REQUIRE THE ARCHITECTS ON THE PROJECT TO CERTIFY THAT IT HAS MET THE CONTRASTING STANDARD, AND IF THEY CANNOT DO THAT, THEY NEED TO REPLACE THEM.

**MOTION: THAT MR. WALKDEN CONTACT THE ARCHITECT ON THE PROJECT THAT THEY ARE REQUIRED TO PROVIDE A CERTIFICATION THAT THESE WARNINGS MEET THE CONTRASTING STANDARD, AND IF THEY CANNOT DO THAT, THEY ARE TO BE REPLACED – WITHOUT A CHANGE ORDER.**

**8. MEET TO REVIEW MATTER SIN FILE**

A. DISCUSSED WAS THE NEED FOR COMMUNICATION BETWEEN ALL PARTIES IN ORDER TO GET THINGS DONE. REGULATIONS NEED TO BE ENFORCED, DETAIL POLICE OFFICERS NEED TO BE AWARE OF THE REGULATIONS REGARDING CLOSING SIDEWALKS. THE TAUNTON COMMISSION FOR INDIVIDUALS WITH DISABILITIES WOULD LIKE FEEDBACK AS TO WHAT HAS BEEN DONE. ALSO THE TCID NEEDS TO COMMUNICATE WITH THE DEPARTMENT OF PUBLIC WORKS ON ISSUES THAT INVOLVE THEIR JURISDICTION. ALSO, THE TCID WOULD LIKE THE OPPORTUNITY TO REVIEW PLANS AS THEY COME IN, IN ORDER TO PROVIDE THEIR FEEDBACK. ON PUBLIC BUILDING PROJECTS THE COMMISSION WOULD HAVE TO COORDINATE WITH MR. WALKDEN, AND THE D.P.W. ON PUBLIC ROAD PROJECTS.

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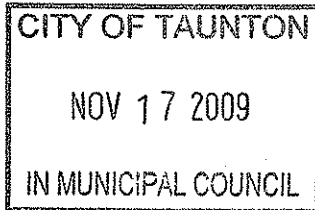
THE COMMITTEE ON DISABILITIES (ADA) – CONTINUED

MEETING ADJOURNED AT 7:10 P.M.

RESPECTFULLY SUBMITTED;



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
NOVEMBER 17, 2009

**THE COMMITTEE OF THE COUNCIL AS A WHOLE**

PRESENT WERE: COUNCILOR DAVID POTTIER, PRESIDENT AND COUNCILORS BARBOUR, BUFFINGTON, CARR, MARSHALL, FIORE, COSTA-HANLON AND HOYE. ALSO PRESENT WAS MAYOR CHARLES CROWLEY

MEETING CALLED TO ORDER AT 8:30 P.M.

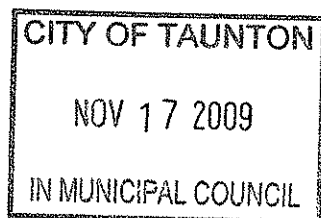
1. **MEET IN EXECUTIVE SESSION TO DISCUSS LOCAL 1701 – LIBRARY CONTRACT**

**MOTION: ON A ROLL CALL VOTE, ALL COUNCILORS PRESENT VOTED TO GO INTO EXECUTIVE SESSION AND ALLOW COUNCILOR ELECT RYAN COLTON TO ATTEND.**

**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 8:49 P.M.



RESPECTFULLY SUBMITTED,

*Colleen M. Ellis*

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

*Rm Bleachwell*

CITY CLERK