



*City of Taunton  
Municipal Council Meeting Minutes*

~  
*In the Chester R. Martin Municipal Council Chambers  
Minutes, December 15, 2009 at 7:10 O'clock P.M.*

*Regular Meeting*

*Council President Pottier presiding*

*Prayer was offered by the Council President*

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

The Council President invited Cub Scout Pack 28 along with Ted Figlock and Marty Brady into the enclosure to lead the Pledge of Allegiance. So Voted. Three boy scouts from the Pack were presented with Bobcat Badges.

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

At this time the Council President read a proclamation proclaiming December 18, 2009 as "Lights on for Life Day". Deb Brown, SADD Advisor and students from the Taunton High School SADD Chapter were invited into the enclosure to receive the proclamation. **Motion was made to move adoption. So Voted. Motion was made to have this message portrayed on the Cable System and the electronic sign. So Voted.**

At this time, Ann Marie Mikulas from the Silver City Teen Center was invited into the enclosure in recognition of National Appreciation Day. So Voted. She also recognized Councilor Carr, Pottier, and Costa-Hanlon.

Moment of silence was observed for John Roy, employee of Friedman School who passed away.

Motion was made to recess to Committees. So Voted.

Motion was made to return to the Municipal Council Meeting at 9:55 PM. So Voted. Councilor Marshall was no longer present at this time.

**Hearings:**

Continued Hearing came up by assignment for the Board of Assessors FY2010 Classification Hearing. **Motion was made to reopen the hearing. So Voted. Motion was made to invite Assessor Barry Cooperstein into the enclosure. So Voted.** Assessor Cooperstein gave an update as to why the hearing needs to be continued. **Motion was made to continue the hearing until January 5, 2010. So Voted.**

Councilor President David Pottier stated he received a press release from the Superintendent of Public Schools. **Motion was made to receive and place on file. So Voted.**

Hearing came up by assignment on the petition of the following for renewal of Class III Motor Vehicle Licenses:

1. Arthur's Auto Junkyard, 147 Fremont St.
2. Automotive Recovery Services, Inc.-DBA-Insurance Auto Auctions, 580 Myricks St.
3. Caramelo's Auto Body, 2 Porter St.
4. Harry's Auto Wrecking, Whitsborough St.
5. Reynold's Auto Wrecking, 733 So. Precinct St.
6. Tony's Auto Wrecking, 303 Broadway

**Motion was made to open the hearing. So Voted.** Com. from Alfred & Leona Ventura, Ventura's Auto Wrecking stating that they no longer require the junkyard license and are therefore not renewing. **Motion was made to make part of the hearing. So Voted.** Com. from Police Chief recommending approval for the above six licenses as long as they are in compliance with City Ordinance Chapter 4, Sec. 4-43 regarding delinquent municipal tax was read. **Motion was made to make part of the hearing. So Voted.** Councilor Barbour voting present on #6 six (Tony's Auto Wrecking). **So Voted.** Councilor Buffington stated to move approval on #s 1-5 as their tax status are paid in full. **So Voted.** On #6, Tony's Auto Wrecking, taxes are not paid in full. No one speaking in favor or in opposition. **Motion was made to approve #s 1-5 (Arthur's Auto Junkyard, Automotive Recovery Services Inc., DBA Insurance Auto auctions, Caramelo's Auto Body, Harry's Auto Wrecking, Reynold's Auto Wrecking.) and deny #6 without prejudice. Motion was made to close hearing. So Voted.**

The City Solicitor gave a brief update on the Solid Waste Facility. **Motion was made to refer to the Committee on Solid Waste for next week. So Voted.**

**Communications:**

Com. from Treasurer/Collector notifying of a Land Court Decree for Mary Murphy, 23 Madison Street. **Motion was made to refer to the Committee on Public Property, Building Department and Risk Manager. So Voted.**

Com. from Treasurer/Collector notifying of a Land Court Decree for Joseph Ganame, 315 Broadway Street Realty Trust. **Motion was made to refer to the Committee on Public Property, Building Department and Risk Manager. So Voted.** **Motion was made to meet next week on this matter. So Voted.**

Com. from Congressman Barney Frank expressing appreciation to the Mayor and the Municipal Council for the gracious communication they sent regarding the Fairfax Garden Project. **Motion was made to receive and place on file and that the Mayor inform the City Council in the future of these meetings. So Voted.**

Com. from Richard W. Gross, Superintendent, Bristol-Plymouth Regional Technical School requesting use of the electronic sign to advertise their 8<sup>th</sup> Grade Tours on January

14, 2010 from 4PM – 7PM. **Motion was made to move approval. So Voted. Councilor Carr voting present. So Voted.**

Com. from Superintendent of Buildings submitting a response on Taunton High School lettering of the doors and parking lot, stating that the work was referred to Gilbane Building Company for pricing and upon approval, he will authorize the General Contractor to schedule the work in early spring 2010. **Motion was made to receive and place on file. So Voted. Also that Mr. Walkden contact Mrs. Waterson as they will help out financially with this project. So Voted.**

**Petitions and Claims:**

Application submitted by Tiffany Ramos, 12 Chandler Ave., Taunton requesting a new Constable License to serve civil process. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

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

1. Tucan Auto Sales located at 303 Broadway, Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Application submitted by The Titanium Group, LLC, 13 Cape Road, Taunton to store 25,000 gallons of Class IB gasoline stored in underground storage tanks and 5,000 gallons of Class II diesel stored in underground storage tanks. Total quantity of combustible liquids to be stored is 30,000 gallons. **Motion was made to refer to a public hearing. 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 that the City Engineer look at redesigning North Walker Street Extension and investigate restricting the size of trucks traveling around the Taunton Green and report his findings to the Committee on the Department of Public Works. So Voted.

Councilor Barbour motioned to remind the City Solicitor for next week to provide a complete list of lawsuits and payouts from the Law Department and the Risk Manager. So Voted.

**Orders, Ordinances, and Enrolled Bills**

**Ordinance for a first reading to be passed to a second reading**

AN ORDINANCE

Chapter 13

## Motor Vehicles and Traffic

### Sec 13-172. Same-Designation of intersections.

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

That Section 13-171 of the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by adding the following:

Sec. 13-172 (c), delete:

- School Street Extension, east side as it intersects with Thrasher Street. Sign to face in a southerly direction.

All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage. **Motion was made to pass to a second reading. So Voted.**

**Ordinance for a first reading to be passed to a second reading**

## AN ORDINANCE

### Chapter 13

## Motor Vehicles and Traffic

### Sec 13-171. Same-Designation of intersections.

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

That Section 13-171 of the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by adding the following:

Sec. 13-171 (c), add:

- School Street, northbound, at Thrasher Street
- Turner Street, westbound, at South Precinct Street (approx. 150' to 200' east of the intersection)

All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage. **Motion was made to pass to a second reading. So Voted.**

### **New Business:**

Councilor Barbour motioned to thank our dedicated poll workers for the wonderful job they did at the December 8, 2009 election and stated that he received complaints that the heat was not turned on at some schools, but Ms. Blackwell took care of this matter and

made sure the heat was turned on at each school on election day. Councilor Barbour stated that whoever notifies the school of polling locations to make sure the heat remains on prior to the elections. *(The City Clerk notified the Assistant to the Board of Registrars of Voters via telephone to inform the Superintendent of Schools and the Building Department on this matter.)* Councilor Barbour also asked Ms. Blackwell to look into moving the polling location at the Old Elizabeth Pole School to the new Elizabeth Pole School and report back to the Municipal Council. So Voted. Councilor Fiore stated this access could be difficult for our citizens to access.

Councilor Barbour motioned that Ms. Blackwell give an opinion to the Committee on Police and License on Class II Automobile Licenses on retail versus wholesale. So Voted.

Councilor Buffington motioned that the Committee on Ordinance and Enrolled Bills discuss the creation of an ordinance that says any future expansion of the sewer system, if done via a betterment, has to be 100%. So Voted.

Motion was made to refer to unfinished business, executive session to discuss litigation. **Motion was made to enter into executive session on a roll call vote at 10:30 PM. Eight (8) Councilors present, eight (8) Councilors voting in favor of entering into executive session. Councilor Marshall was absent.**

**Motion was made to approve settlement agreement. So Voted. On a roll Call Vote, Eight (8) Councilors present, eight (8) Councilors voting in favor of exiting executive session at 10:40 PM. Councilor Marshall was absent.**

Meeting adjourned at 10:41 P.M.

A true copy:

Attest:

  
City Clerk

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
DECEMBER 15, 2009

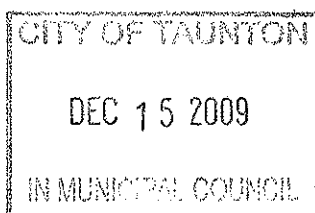
**THE COMMITTEE ON FINANCE AND SALARIES**

PRESENT WERE: COUNCILOR JORDAN FIORE, CHAIRMAN AND COUNCILORS CROTEAU AND POTTIER. ALSO PRESENT WAS GILL ENOS, BUDGET DIRECTOR

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

1. **MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS**  
**MOTION:** MOVE APPROVAL OF THE VOUCHERS & PAYROLLS FOR THE WEEK
  
2. **MEET TO REVIEW REQUESTS FOR FUNDING**  
**MOTION:** MOVE APPROVAL OF REQUEST OF POLICE DEPARTMENT TO TRANSFER \$3,000.00 FROM ACCOUNT NO. 20-210-6008-5599 – LAW ENFORCEMENT TRUST TO ACCOUNT NO. 1-210-202-5588 – TRAINING & EDUCATION  
**MOTION:** MOVE APPROVAL OF REQUEST OF TAUNTON NURSING HOME TO TRANSFER \$2,578.21 AS FOLLOWS:  
**\$1,106.60** FROM ACCOUNT NO. 64-520-202-5301 – MED & DRUG/ADV. PHYSICIAN TO ACCOUNT NO. 64-520-206-5301 – MED & DRUG/ADV PHYSICIAN  
**\$98.50** FROM ACCOUNT NO. 64-520-202-5305 – CONTRACTED SERVICES TO ACCOUNT NO. 64-520-206-5305 – CONTRACTED SERVICES  
**\$171.10** FROM ACCOUNT NO. 64-520-202-5499 – PROVISIONS TO ACCOUNT NO. 64-520-206-5499 – PROVISIONS  
**\$1,172.06** FROM ACCOUNT NO. 64-520-202-5509 – MEDICAL SUPPLIES/EXPENSE TO ACCOUNT NO. 64-520-206-5509 – MEDICAL SUPPLIES/EXPENSE  
**\$29.95** FROM ACCOUNT NO. 64-520-202-5582 – SUBSCRIPTIONS TO ACCOUNT NO. 64-520-206-5582 – SUBSCRIPTIONS  
**MOTION:** THAT THE NURSING HOME ADMINISTRATOR PROVIDE IN WRITING IN CONNECTION WITH THE ABOVE TRANSFER, WHEN THE EXPENSE OCCURRED AND WHEN THE BILLS WERE RECEIVED ON EACH ITEM FOR NEXT WEEK'S MEETING

MEETING ADJOURNED AT 5:46 P.M.



RESPECTFULLY SUBMITTED,  
*Colleen M. Ellis*  
COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

*Km Blacruell*  
CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
DECEMBER 15, 2009

**THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS**

PRESENT WERE: COUNCILOR DAVID POTTIER, CHAIRMAN AND COUNCILOR COSTA-HANLON. ALSO PRESENT WERE KEVIN SHEA, DIRECTOR, OFFICE OF COMMUNITY & ECONOMIC DEVELOPMENT AND RICHARD SHAFER, CHAIRMAN, EDI BOARD

**MEETING CALLED TO ORDER AT 5:55 P.M.**

**1. MEET WITH KEVIN SHEA, DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT TO DISCUSS AND REVIEW T.I.F. ORDINANCE**

THE REASON THE CITY CAN DO THE ECONOMIC DEVELOPMENT PROGRAM IS THROUGH THE STATE. IT WAS CREATED AS A TOOL TO ATTRACT AND RETAIN BUSINESSES IN SPECIFIC ECONOMIC TARGET AREAS. THERE IS A THREE STEP PROCESS WITHIN THE PROGRAM AND EACH STEP MUST RECEIVE LOCAL APPROVAL AS WELL AS STATE APPROVAL BY THE ECONOMIC ASSISTANCE COORDINATING COUNCIL (EACC). THE EACC IS RESPONSIBLE FOR DESIGNATING ECONOMIC TARGET AREAS (ETA), ECONOMIC OPPORTUNITY AREAS (EOA) AND CERTIFIED PROJECTS – THE THREE STEPS IN THE ECONOMIC DEVELOPMENT INCENTIVE PROGRAM.

THE PROSPECTIVE CERTIFIED PROJECT MUST BE EXPANDING OR LOCATING IN MASSACHUSETTS, BE LOCATED IN AN ETA, BE LOCATED WITHIN AN EOA WITHIN THE ETA, COMMIT TO A JOB CREATION SCHEDULE AND COMMIT TO PRIVATE INVESTMENT WITHIN MASSACHUSETTS.

CERTIFIED PROJECTS IN THE ECONOMIC DEVELOPMENT INCENTIVE PROGRAM (EDIP) MAY RECEIVE STATE TAX INCENTIVES, INCLUDING A 5% INVESTMENT TAX CREDIT FOR QUALIFYING TANGIBLE, DEPRECIABLE ASSETS. A 10% ABANDONED BUILDING TAX DEDUCTION IS AVAILABLE FOR COSTS ASSOCIATED WITH THE RENOVATION OF AN ABANDONED BUILDING. THE ABANDONED BUILDING MUST HAVE BEEN AT LEAST 75% VACANT FOR THE LAST TWO YEARS. CERTIFIED PROJECTS IN THE EDIP QUALIFY FOR MUNICIPAL TAX INCENTIVES INCLUDING EITHER A SPECIAL TAX ASSESSMENT OR A TAX INCREMENT FINANCING AGREEMENT.

A LOT OF WHAT IS IN THE ORDINANCE ARE REQUIREMENTS OF THE STATE AND CANNOT BE CHANGED. THE STATE SETS THE REGULATIONS UNDER THE EDIP PROGRAM. IT IS BASICALLY A THREE PART AGREEMENT BETWEEN THE STATE THE CITY AND THE COMPANY APPLYING FOR CERTIFIED PROJECT. THE COMPANY CANNOT GO IN FOR CERTIFIED PROJECT THROUGH THE STATE UNLESS THEY GET THE LOCAL TAX BREAK THROUGH THE CITY.

THE ORDINANCE HAS NOT BEEN CHANGED SINCE IT HAS BEEN ENACTED. MR. SHEA RECOMMENDED TWO CHANGES TO THE ORDINANCE AS FOLLOWS:

**SECTION 6-156, TAX INCREMENT FINANCING BOARD, ESTABLISHMENT OF, COMPOSITION, AUTHORITY**

- A. DELETE NEIGHBORHOOD ADVISORY MEMBER, SUBSTITUTE EXECUTIVE DIRECTOR OF ECONOMIC AND COMMUNITY DEVELOPMENT.
- B. DELETE CHAIRMAN OF THE BOARD OF ASSESSORS AS AN EX-OFFICIO MEMBER, SUBSTITUTE WITH CHAIRMAN OF THE BOARD OF ASSESSORS.

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**THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS – CONTINUED**

**ADD NEW SECTION TO CHAPTER 6, ARTICLE IX ENTITLED “REGULATIONS” WHICH SHALL STATE:**

“THE ECONOMIC DEVELOPMENT INCENTIVE BOARD SHALL ESTABLISH REGULATIONS WHICH ESTABLISH THE CRITERIA THAT SHALL GOVERN ANY PROJECT THAT HAS BEEN SUBMITTED TO IT FOR REVIEW. ON A YEARLY BASIS, THE ECONOMIC DEVELOPMENT INCENTIVE BOARD SHALL SUBMIT THE REGULATIONS TO THE MUNICIPAL COUNCIL AND MAYOR FOR REVIEW.”  
 BASICALLY WHAT THIS DOES IS GIVE THE COUNCIL A BETTER IDEA OF WHAT THEY ARE DOING UP FRONT, FOR EXAMPLE TARGETING BROWNFIELD SITES, DOWNTOWN SITES, THE AMOUNT OF JOBS, THE QUALITY OF JOBS, THE WAGES INVOLVED, THE AMOUNT OF TAUNTON RESIDENTS HIRED, THAT SORT OF THING. MR. SHEA IS NOT SUGGESTING THAT THIS BE DONE NOW OR SPECIFY THAT IN THE ORDINANCE, BUT JUST THIS LANGUAGE THAT IT IS DONE ON AN ANNUAL BASIS FOR COUNCIL.

“THE CITY’S OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT SHALL BE DESIGNATED AS THE AGENCY RESPONSIBLE FOR MONITORING THE ECONOMIC DEVELOPMENT INCENTIVE PROGRAM, INCLUDING JOB CREATION, JOB TRAINING, CAPITAL INVESTMENT AND COMMUNITY BENEFIT ON EACH APPROVED TAX INCREMENT FINANCING AND SPECIAL TAX ASSESSMENT.”

MR. SHEA STATED THAT REGARDING THIS CHANGE, THERE IS REALLY NO ONE ON THE HOOK FOR MONITORING THE EDIP PROGRAM, AND HE SUGGESTS THAT THE COMMUNITY DEVELOPMENT DEPARTMENT BE DESIGNATED AS THE AGENCY. THEREFORE, FORMALLY IF THE COUNCIL HAS ANY QUESTIONS, WANTS ANY INFORMATION, JOB INFORMATION, ETC. THEY WILL HAVE A PLACE TO GO TO. THE COMMUNITY DEVELOPMENT DEPARTMENT WILL BE FORMALLY RESPONSIBLE FOR RESPONDING BACK TO THE COUNCIL.

MR. SHEA ALSO SUGGESTED THE FOLLOWING IN TERMS OF PROCESS:

- WORKSHOP OF EACH PROJECT APPLICATION PRIOR TO CITY COUNCIL VOTE
- EXEMPTION SCHEDULE: FIRST YEARS EXEMPTION FAVORING COMPANY, MIDDLE YEARS EXEMPTION DECREASES TO COMPANY, REMAINING YEARS FAVOR BENEFIT TO COMPANY
- CERTIFIED PROJECT APPLICATION “WORKFORCE ANALYSIS AND JOBS CREATION PLAN” MADE PART OF TIF AGREEMENT (OR CONTAINED IN TIF AGREEMENT LANGUAGE)
- NUMBER OF JOBS PER YEAR, OR YEARS, SPECIFIED
- CAPITAL INVESTMENT DETAILED IN CERTIFIED PROJECT APPLICATION (I.E. CONSTRUCTION BUDGET, LIST OF PROPOSED EQUIPMENT, SITE PLAN).

HE SUGGESTED THE FOLLOWING IN TERMS OF CRITERIA:

- TIMELINESS TO PROCEED
- VACANT AND UNDERUTILIZED SITES
- BROWNFIELDS SITES
- AMOUNT OF INVESTMENT
- THE USE OF LOCAL CONTRACTORS FOR CONSTRUCTION AND REPAIRS
- REDUCTION OF VACANCY RATE OF EXISTING BUILDING OR SITE
- SUBSTANTIAL RENOVATION (TOTAL ASSESSED VALUE INCREASED BY AT LEAST 25% OF CURRENT ASSESSMENT)
- SITE CONTROL



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**THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS - CONTINUED**

- INFRASTRUCTURE IMPROVEMENT AT OR NEAR LOCATION OF PROPOSED PROJECT
- NUMBER OF JOBS AVAILABLE TO TAUNTON AND ETA RESIDENTS
- COMMUNITY BENEFITS SUCH AS JOB TRAINING OR INFRASTRUCTURE IMPROVEMENTS
- WAGES AT LEAST 125% OF THE FEDERAL MINIMUM WAGE
- NUMBER OF PERMANENT FULL-TIME JOBS

MR. SHEA WAS NOT ASKING FOR THESE TO BE ADOPTED TONIGHT, BUT JUST THAT THE CRITERIA IN THE ORDINANCE ITSELF SAYS THAT ON AN ANNUAL BASIS THESE WILL BE DONE.

SOME COUNCILORS VOICED THEIR OPPOSITION TO ELIMINATING THE NEIGHBORHOOD ADVISORY MEMBER. THEY DID AGREE THAT PUTTING MR. SHEA ON THE BOARD WILL ALLOW MR. SHAFER TO ADVOCATE FOR THE COMPANY WITH MR. SHEA LEADING THE BOARD AS TO WHETHER IT GOES TO COUNCIL AND DEALING WITH ENFORCEMENT AND COMPLIANCE.

IT WAS NOTED THAT CHANGES WILL BE COMING FROM THE STATE IN JANUARY ALSO.

DISCUSSED ALSO WAS THE ISSUE OF A COMPANY BEING ABLE TO USE EMPLOYEE'S OF TENANTS IN THEIR EMPLOYEE NUMBERS, ESPECIALLY WHERE A CITY OFFICE IS LOCATED IN A BUILDING AND THE EMPLOYEES OF THE CITY OFFICE ARE BEING COUNTED IN THE JOB NUMBERS.

ALSO DISCUSSED WAS THE NEED TO FOCUS ON DOWNTOWN AND ON SOME OF THE BLIGHTED AREAS IN THE CITY.

IT WAS DISCUSSED THAT TIF'S SHOULD BE OBLIGATED TO SOME EXTENT FOR SOME TYPE OF CHARITABLE COMPONENT.

**MOTION: REFER TO CITY SOLICITOR'S OFFICE FOR A RESPONSE WITHIN ONE WEEK ON CHANGES AND RECOMMENDATIONS AND ALSO FOR HIS ANSWER ON EXEMPTING CITY EMPLOYEES FROM JOB NUMBERS.**

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

A. A DRAFT ORDINANCE WAS PROVIDED BY THE SOLICITOR'S OFFICE DELETING A YIELD SIGN ON SCHOOL STREET EXTENSION, EAST SIDE AS IT INTERSECTS WITH THRASHER STREET.

**MOTION: MOVE APPROVAL AND REFER FOR FIRST READING**

B. A DRAFT ORDINANCE WAS PROVIDED BY THE SOLICITOR'S OFFICE ADDING A STOP SIGN ON SCHOOL STREET, NORTHBOUND, AT THRASHER STREET AND TURNER STREET, WESTBOUND, AT SOUTH PRECINCT STREET.

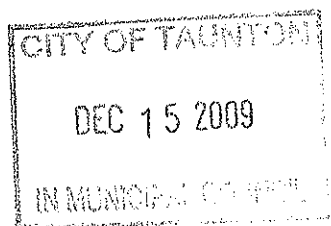
**MOTION: MOVE APPROVAL AND REFER FOR FIRST READING**

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THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS - CONTINUED

MEETING ADJOURNED AT 6:43 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  
MUNICIPAL COUNCIL  
DECEMBER 15, 2009

**THE COMMITTEE ON POLICE AND LICENSE**

PRESENT WERE: COUNCILOR JASON BUFFINGTON, CHAIRMAN AND  
COUNCILORS HOYE AND BARBOUR. ALSO PRESENT WERE  
ACTING CHIEF JOHN REARDON AND DETECTIVE DENNIS  
SMITH

MEETING CALLED TO ORDER AT 6:47 P.M.

1. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON THE  
FOLLOWING PETITIONS FOR RENEWAL OF BILLIARD TABLE LICENSES:
  - A. AURELIO SOUSA, 392 BROAD ST., CUMBERLAND, RI D/B/A  
BRISTOL SPORTS ZONE, INC., 260 W. WATER ST., TAUNTON – 2  
TABLES  
MOTION: MOVE APPROVAL
  - B. JOHN DOWNING, 33B CLIFF DR., TAUNTON FOR A.C. INC., D/B/A  
DOWNINGS LOUNGE 44, 15 WINTHROP ST. – 2 POOL TABLES  
MOTION: MOVE APPROVAL
  
2. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF  
JAMES MELLO, 19 SOUTH ST., TAUNTON AND JEROME MELLO, 793  
MEADOWS RD., JEFFERSON, N.H. D/B/A MELLO'S AUTO REPAIR & SALES,  
45 SOUTH ST. TO CHANGE NAME ON BUSINESS TO JAMES MELLO ONLY  
MOTION: MOVE APPROVAL
  
3. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON THE  
FOLLOWING APPLICATIONS FOR RENEWAL OF CLASS II LICENSES:
  - A. CITY OF TAUNTON POLICE DEPARTMENT  
MOTION: MOVE APPROVAL
  - B. HILL TOP MOTORS, 1 LAWTON AVENUE  
MOTION: MOVE APPROVAL – 4 VEHICLE LIMIT
  - C. K & L AUTO SALES, 78 COHANNET STREET  
MOTION: MOVE APPROVAL – 4 VEHICLE LIMIT
  - D. MANCO INDUSTRIES INC. D/B/A AUTO GALLERY, 283 BROADWAY  
MOTION: MOVE APPROVAL – 33 VEHICLE LIMIT
  - E. MIKE'S AUTO SALES, 594 WINTHROP STREET  
MOTION: MOVE APPROVAL – NO LIMITATIONS
  - F. PERRY'S SERVICE STATION, 143 BROADWAY  
MOTION: MOVE APPROVAL – 5 VEHICLE LIMIT
  
4. MEET WITH GABRIEL ALMEIDA, PART OWNER OF A & B REALTY  
TRUST, 288 BROADWAY  
REQUEST WAS MADE BY ATTORNEY ED ROSTER TO CONTINUE THIS MATTER TO A  
COMMITTEE ON POLICE AND LICENSE COMMITTEE MEETING ON JANUARY 12, 2010  
AT 5:30 P.M.

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**THE COMMITTEE ON POLICE AND LICENSE – CONTINUED**

**MOTION:** TO CONTINUE THIS MATTER UNTIL JANUARY 12, 2010. THAT A LETTER BE SENT TO ALL PARTIES THAT THIS MATTER WILL BE CONTINUED TO JANUARY 12, 2010, BUT THAT AS OF JANUARY 1, 2010 THEY CANNOT USE THIS LICENSE UNTIL THIS COMMITTEE MEETS ON THIS MATTER. THE CLERK OF COMMITTEES IS TO NOTIFY ATTORNEY ROSTER AND ATTORNEY GOLDRICK THAT THIS MATTER HAS BEEN CONTINUED TO JANUARY 12, 2010, BUT THEY ARE PUT ON NOTICE THAT AS OF JANUARY 1, 2010 THEY DO NOT HAVE A LICENSE AND THEY ARE PROHIBITED FROM TRANSACTING BUSINESS UNTIL THEY DO HAVE A LICENSE.

**5. MEET TO REVIEW MATERS IN FILE**

A. THE ISSUE OF THE POLICE CHIEF LIST AND THE RELEASE FORM CONCERNING BACKGROUND CHECKS ON THE CANDIDATES INTERESTED IN THE POSITION OF POLICE CHIEF WAS DISCUSSED.

**MOTION:** THAT ALL CANDIDATES THAT ARE CONSIDERING THE POSITION OF POLICE CHIEF, FILL OUT THE EMPLOYMENT APPLICATION IN FULL INCLUDING THE RELEASE AND IF THEY CHOOSE NOT TO, THEN THEY WILL NOT BE CONSIDERED AN APPLICANT FOR THIS POSITION. THE INTERESTED CANDIDATES ARE TO SIGN THE RELEASE WITHIN SEVEN DAYS, AND IF THEY CHOOSE NOT TO THE COMMITTEE WILL RECONVENE TO DISCUSS WHAT TO DO NEXT.

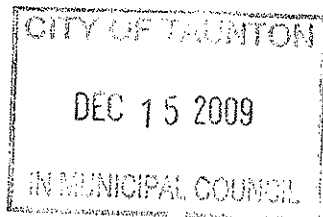
FURTHER DISCUSSION WAS HELD AS TO WHETHER THIS IS GOING TO BE DONE FOR ALL PROMOTIONS, EVERY NEW HIRE, EVERY CIVIL SERVICE PROMOTION OR IS IT JUST GOING TO BE NEW APPLICANTS AND THE CHIEF. DISCUSSION ON THIS SUBJECT WILL BE SCHEDULED FOR A FUTURE MEETING.

**MEETING ADJOURNED AT 7:00 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 15, 2009

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

PRESENT WERE: COUNCILOR THOMAS HOYE, CHAIRMAN AND COUNCILORS BUFFINGTON, CROTEAU AND CARR. ALSO PRESENT WERE D.P.W. COMMISSIONER FRED CORNAGLIA, ASSISTANT D.P.W. COMMISSIONER TONY ABREAU, STREET DIVISION SUPERVISOR JACK LAWRENCE, KEVIN DUQUETTE OF THE BOARD OF HEALTH AND JOE FEDERICO AND CHRIS CRONAN OF BETA GROUP

**MEETING CALLED TO ORDER AT 7:24 P.M.**

**1. MEET WITH THE D.P.W. COMMISSIONER TO DISCUSS ISSUES WITH FLOODING PROBLEMS ON MINERAL STREET**

THE D.P.W. REPORTED THAT THEY WILL BE PUTTING A NEW PIPE IN TO REPLACE A BROKEN ONE. A LOT OF THE PROBLEM IS COMING FROM EAST BAY APARTMENTS. REPLACING THE PIPE SHOULD SOLVE THE PROBLEM. MOSQUITO CONTROL WAS THERE AND CLEANED AND THE WATER IS FLOWING PRETTY GOOD AT THIS TIME. THE D.P.W. COMMISSIONER REPORTED THAT THEY WILL HAVE TO GO THROUGH THE CITY SOLICITOR'S OFFICE TO GET A RIGHT OF ENTRY TO REPAIR THAT PIPE. BECAUSE THE STREET IS AN UNACCEPTED STREET. ALSO, SOME OF THE LAND BELONGS TO EAST BAY APARTMENTS. SO THEY WILL ALSO HAVE TO BE CONTACTED.

**MOTION: INSTRUCT MR. CORNAGLIA TO DELIVER A STATEMENT TO THE MANAGER ON SITE AT EAST BAY APARTMENTS AND THAT WE MOVE POST HASTE TO INSTALL THE NEW PIPE. UPDATE TO BE PROVIDED FIRST MEETING IN JANUARY**

**2. MEET TO DISCUSS SEWER BETTERMENTS ON WOODLAWN STREET**

THE CITY SOLICITOR INFORMED THE COMMITTEE THAT TO SOLVE THE PROBLEM WITH THE BETTERMENT AT 45 WOODLAWN STREET, THEY JUST HAVE TO AMEND WHAT IS CALLED A 4B TO SHOW THE ASSESSMENT AGAINST THE PERSON WHO ACTUALLY OWNS THE PROPERTY. BECAUSE THERE IS ONLY ONE STUB TO THE PROPERTY THE BETTERMENT HAS TO BE RUN AGAINST THE PROPERTY. WHAT HAPPENED IS IT WAS RUN AGAINST JUST HALF OF THE PROPERTY. BOTH UNITS OF THIS PROPERTY WILL EACH BE ASSESSED 50% OF THE BETTERMENT. IN OTHER WORDS, THE FULL BETTERMENT WAS AGAINST ONE PROPERTY OWNER OF THIS CONDEX, NOW A NEW BETTERMENT WILL BE RECORDED WITH EACH PROPERTY OWNER PAYING 50% OF THE BETTERMENT.

**3. MEET TO DISCUSS NEXT PHASE OF SEWER EXPANSION**

THE SEWER EXPANSION TO BE DISCUSSED THIS EVENING IS THE DUFFY DRIVE, WINTHROP STREET, DAVENPORT STREET AND MATTHEWS LANDING AREAS. MR. FEDERICO REPORTED THAT THEY RECEIVED BIDS ON NOVEMBER 24, 2009. THERE WERE 18 BIDDERS. THE LOW BIDDER WAS SB GENERAL CONTRACTING AT 3.6 MILLION. WHAT THEY ARE INTERESTED IN DOING IS AWARDDING THE CONTRACT BECAUSE THE CONTRACT HAS TO BE EXECUTED BY JANUARY 15, 2010

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DECEMBER 15, 2009

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED

IN ORDER TO RECEIVE STIMULUS MONEY WHICH IS 10% OF THE COST. IT WAS NOTED THAT A PETITION WAS RECEIVED FROM SOME RESIDENTS OF THE DUFFY DRIVE AREA IN 2002 REQUESTING SEWER. JULY 2006 THE CITY COMPLETED THE COMPREHENSIVE WASTE WATER MANAGEMENT PLAN FOR THE CITY. IN THAT THE NEEDS AREAS WERE DESCRIBED AS THE WINTHROP STREET AREA WHICH IS PART OF THIS CONTRACT, THE DUFFY DRIVE AREA, WILLIAMS STREET AND ALSO MATTHEW'S LANDING SEPTIC SYSTEM IS IN THE NEEDS AREA WHICH IS PART OF THIS PROJECT. THESE AREAS WERE DESIGNATED AS AREAS REQUIRING SEWER DUE TO A COMBINATION OF HIGH GROUND WATER, POOR SOIL AND OLD SUBSTANDARD SYSTEMS. ON NOVEMBER 16, 2006 THE CITY COUNCIL MET WITH MEPA AND MASS D.E.P. RESIDENTS OF THE DUFFY DRIVE AREA SHOWED UP AND TOURED THAT AREA WITH MASS. D.E.P. AND MEPA OFFICIALS. THE DRAFT ENVIRONMENTAL IMPACT REPORT WAS COMPLETED, JULY, 2009 WHICH IS THE SECOND PART OF THE SEWER PLAN AND HAS BEEN SUBMITTED TO THE CITY. THE CITY APPLIED FOR A LOW INTEREST LOAN OF 8.6 MILLION. BECAUSE OF THE PRICE DIFFERENTIAL AND A COUPLE OF OTHER REASONS, THE PROJECT IS ONLY PEGGED AT 4.7 MILLION SO IT IS LESS THAN ORIGINALLY THOUGHT. THERE IS EXTRA MONEY, BUT DISCUSSION WOULD HAVE TO TAKE PLACE WITH THE TREASURER IF THE CITY DID WANT TO USE THAT MONEY. MR. FEDERICO WOULD LIKE TO LEAVE HERE TONIGHT BEING ABLE TO EXECUTE THE CONTRACT TO THE LOWEST RESPONSIBLE BIDDER.

THE REASON THE PROJECT IS COSTING LESS IS THAT ORIGINALLY THERE WAS A RIVER CROSSING BUT DUE TO ISSUES WITH THE SOIL AND PERMITTING, THEY HAVE DECIDED TO GO OVER THE OLD PARKWAY BRIDGE. THIS IS NOT INCLUDED IN THE BETTERMENT ASSESSMENTS FOR THESE PROPERTIES. ALSO THERE IS CONTAMINATION ON WINTHROP STREET, AND THE ESTIMATE WAS LOWER, SO THEY END UP WITH A \$4.7 MILLION PROJECT. THE BID WAS FOR \$3.6 MILLION AND THE REST IS FOR POLICE AND CONSTRUCTION ADMINISTRATION COSTS. THE BONDS HAVE BEEN AUTHORIZED BUT HAVE NOT BEEN PULLED YET. DUE TO THE STIMULUS MONEY OF 10%, THE PROPERTY OWNERS WILL BE ASSESSED FOR 90% OF THE PROJECT.

THE BOARD OF HEALTH REPORTED THAT THE SOIL IN THE DUFFY DRIVE AREA IS VERY POOR AND THE AREA IS NOT SUITABLE FOR SEPTIC SYSTEMS. IF THE SEPTIC SYSTEMS THERE ARE NOT MAINTAINED, IT WILL REDUCE THE TIME THE SYSTEM WILL LAST.

ROBERT SIMPSON OF BAILEYS ROAD SPOKE CONCERNING THE PUMPING AND ASKED WHY PUMPING IS NOT ENFORCED. IT WAS NOTED THAT HAVING A SYSTEM PUMPED EVERY THREE YEARS IS A RECOMMENDATION NOT A REGULATION.

ANTHONY ROLAND OF BAILEYS ROAD SAID THAT SOME OF THE SYSTEMS ON HIS STREETS ARE FAIRLY NEW. HE ALSO SAID THAT MANY OF THE PROPERTIES ARE DUPLEX TYPE HOMES OR CONDEXES. IT WAS NOTED THAT EACH ½ HOUSE WILL GET A BETTERMENT.

MR. DICK CARTER OF BAILEYS ROAD QUESTIONED HOW THE BETTERMENT WOULD BE HANDLED IF THE PROPERTY IS SOLD. SINCE IT SHOWS UP ON A MUNICIPAL LIEN CERTIFICATE, IT WOULD HAVE TO BE PAID AT THE TIME OF THE SALE.

EMILY TREANO OF 104 WILLIAMS STREET ALSO ADDRESSED THE COMMITTEE. SHE ASKED IF THE \$19,500 BETTERMENT IS BASED ON THE CONTRACT BEING

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

SIGNED BY JANUARY 15<sup>TH</sup>. IT WAS NOTED THAT THE BETTERMENT ASSESSMENTS WILL NOT BE ASSESSED UNTIL THE PROJECT IS DONE. IT WAS FURTHER NOTED THAT THERE IS A DISCOUNT FOR SENIOR CITIZENS.

LEMAN PADEFORD ALSO ADDRESSED THE COMMITTEE. HE ASKED IF RESIDENTS WOULD BE FORCED TO TIE IN TO THE SEWER, AND THE ANSWER IS NO. IT WAS NOTED THAT THE PROJECT WAS BROUGHT FORWARD BECAUSE OF ISSUES IN THE AREA.

JOHN HOLGERSON OF DUFFY DRIVE STATED THAT HE IS IN FAVOR OF THE PROJECT BECAUSE IT WILL INCREASE THE VALUE OF THE LAND, AND ACCORDING TO THE MASTER PLAN, DUFFY DRIVE NEEDS THIS DONE AS IT IS A DESIGNATED AREA. HOWEVER, HE FEELS THAT THE CITY NEEDS TO PAY A PORTION OF THE BETTERMENT. ALSO NOTED WAS THAT THE INTEREST RATE IS 2% ON THE LOAN AND THAT THE INTEREST RATE TO THE HOMEOWNER IS 5%. THE CITY DOES NOT HAVE TO CHARGE THE 5%, THE CITY CAN IN FACT CHARGE 2% ABOVE THE 2% THE CITY IS PAYING. HE ALSO SAID THAT THE CITY CAN ALSO WAIVE CONNECTION FEES.

**MOTION: PASS RECOMMENDATION TO THE MAYOR AND PURSUE 4% INTEREST CHARGE NOT JUST TO THE DUFFY DRIVE AREA BUT TO THE RAILROAD AVENUE AND WOODLAWN/GARDEN STREETS AS WELL.**

ON DISCUSSION, IT WAS NOTED THAT CLARIFICATION ON THE INTEREST RATE IS NEEDED FROM THE MAYOR AND THE TREASURER/COLLECTOR BECAUSE IT WAS BELIEVED THAT IT WAS STATED THAT STATE LAW REQUIRES THE CITY CHARGE THE 5%.

DISCUSSED ALSO WAS THAT IF THE SYSTEM WAS ENTERPRISED, IT WOULDN'T NECESSARILY CHANGE THE BETTERMENT SITUATION BUT IT MAY CHANGE SOME OF THE OTHER SITUATIONS. NOW THE SYSTEM HAS TO WORK ON A BOTTOM LINE, AN ENTERPRISE SYSTEM CANNOT LOSE MONEY. WOULD THIS COST MORE MONEY TO SOME OF THE PEOPLE WHO HAVE BEEN SEWER SYSTEM USERS FOR YEARS – YES – WOULD IT BE A SIGNIFICANT DIFFERENCE TO THEM IF YOU SPREAD THESE KINDS OF COSTS OUT? GIVEN THE FACT THAT YOU ARE ADDING 200 CUSTOMERS TO THIS OPERATION WITH THAT REVENUE COMING IN NOW ON QUARTERLY BILLS, WHEN YOU SPREAD IT OUT OVER ALL THESE OTHER PEOPLE, IT MIGHT NOT COST ANYONE ANYTHING MORE, BUT COST THE PEOPLE WHO ARE COMING INTO THE SYSTEM LESS.

**MOTION: THAT THESE NUMBERS BE PUT TOGETHER FOR REVIEW. COUNCILOR CARR VOTING IN OPPOSITION**

IN CONNECTION WITH THE EXCESS MONEY, IT WAS QUESTIONED WHETHER THERE IS TIME TO ADD ANOTHER STREET OR COUPLE OF STREETS THAT WOULD IN FACT LOWER THE OVERALL COST SOMEWHAT AND TAKE THE CITY FURTHER ALONG. MR. FEDERICO STATED THAT IN ORDER TO TAKE ADVANTAGE OF THE STIMULUS MONEY NO MORE STREETS CAN BE ADDED AT THIS TIME. THE DOCUMENTS HAVE BEEN SUBMITTED TO THE STATE FOR THEIR APPROVAL AND HAVE BEEN APPROVED. HE DID SAY YOU CAN ADD MORE STREETS TO THE PROJECT BUT THAT IS A QUESTION FOR THE TREASURER IN HOW SHE REWRITES THE LOANS. HE ALSO REPORTED THAT HE HAS HEARD SOME DISCUSSION THAT THERE WAS GOING TO BE A SECOND STIMULUS BILL, BUT HE DOES NOT KNOW THE RESULTS OF THAT. HE HAS ALSO HEARD THAT THEY MAY ALSO DO SOMETHING WITH THE INTEREST RATE, BUT NONE OF THIS WILL BE AVAILABLE

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED

UNTIL AFTER JANUARY 15<sup>TH</sup>, WHEN THEY FIND OUT HOW MANY PROJECTS HAVE BEEN APPROPRIATED TO RECEIVE THESE FUNDS AND THEY FIND OUT THE EXACT NUMBERS.

MICHAEL CREMINS OF HARRIS STREET ASKED HOW THE FLOW WAS GOING TO GET TO THE NEW PUMPING STATION ON HARRIS STREET. IT WAS REPORTED THAT A STUB WAS LEFT OFF OF THE PUMPING STATION AT THE HARRIS STREET CONSTRUCTION PROJECT, AND THEY WILL TIE INTO THAT STUB BY GRAVITY FROM THE DUFFY DRIVE AREA GOING THROUGH THE HARRIS STREET PUMPING STATION. THERE IS AN EASEMENT BETWEEN HOUSES NUMBERED 56 AND 60 DUFFY DRIVE AND THAT IS WHERE THE SEWER SYSTEM CONNECTS UP.

RICHARD MENDES OF 116 DUFFY DRIVE ALSO SPOKE. HE ASKED WHO WOULD PICK UP THE COST REGARDING THE PIPE OVER THE RIVER. THE CITY WILL BE PICKING UP THE COST FOR THAT. HE ALSO SAID THAT THE FIRST OR ORIGINAL SURVEY LETTER HE RECEIVED WAS OCTOBER 19, 1988.

BRIAN SILVIA OF 18 BARBARA ROAD ALSO SPOKE. HE DOES WANT SEWER BUT ASKED IF SOMEONE WOULD MAKE A MOTION TO LOOK INTO THE CITY PAYING FOR SOME PART OF IT.

PRISCILLA FERREIRA OF 106 WILLIAMS STREET ALSO ADDRESSED THE COMMITTEE. SHE STATED THAT THIS BETTERMENT WILL BE A FINANCIAL HARDSHIP FOR MANY PEOPLE. SHE ALSO QUESTIONED HOW WHEN ANOTHER PETITION WAS SUBMITTED STATING THAT THEY DID NOT WANT SEWER THAT STREET WAS DELETED FROM THE PLAN. IT WAS NOTED THAT THIS AREA WAS NOT IN THE PROJECT TO BEGIN WITH.

ALBERT BEAUVAIS OF 120 DUFFY DRIVE STATED THAT HE IS IN FAVOR OF THE PROJECT, BUT HE ALSO QUESTIONED IF A HOUSE WAS SOLD WHAT HAPPENS WITH THE BETTERMENT. IT WAS STATED THAT MOST PURCHASE AND SALES AGREEMENT STATE THAT IT IS TO BE PAID AT THE TIME OF CLOSING. HOWEVER, A PURCHASE AND SALE CAN BE AMENDED OR MODIFIED AND THE BUYER CAN AGREE TO HAVE THE LIEN STAY WITH THE PROPERTY. HOWEVER, SOME BANKS MAY REQUIRE IT TO BE PAID. IF IT IS ON THE MUNICIPAL LIEN CERTIFICATE, IT WOULD HAVE TO BE PAID AT THE CLOSING. THE CITY MAY HAVE THE OPTION TO NOT PUT IT ON THE CERTIFICATE. THE SOLICITOR STATED THAT HE BELIEVES IT WOULD HAVE TO BE PAID AT THE TIME OF CLOSING BUT WILL VERIFY THIS WITH THE TITLE ATTORNEY.

DISCUSSED WAS WHETHER THE EXCESS MONEY FROM THIS PROJECT CAN BE USED TO RELIEVE THE COST TO THE HOMEOWNERS. ALSO THAT THE EXCESS MONEY REMAIN FOR SEWER ISSUES AND NOT GO SOMEWHERE ELSE.

THE COUNCIL WOULD LIKE TO NOTIFY THE MAYOR THAT THE COUNCIL WISHES THE INTEREST RATE FOR THE BETTERMENTS TO BE 4% RATHER THAN 5%.

BILL CLIFFORD OF 168 DUFFY DRIVE SPOKE TO THE COMMITTEE AND STATED THAT HE IS AGAINST THE PROJECT DUE TO LACK OF MONEY.

**MOTION: THAT THE PROJECT BE AUTHORIZED AND THAT THE D.P.W. COMMISSIONER BE AUTHORIZED TO ENTER INTO A CONTRACT WITH THE LOWEST RESPONSIBLE BIDDER.**

ON DISCUSSION IT WAS NOTED THAT THERE IS THIS NOTION THAT THE CITY HAS AUTHORIZED BONDS TO BE ISSUED IN A CERTAIN AMOUNT. IF THE CITY DOES NOT IN ACTUALITY HAVE TO ISSUE THAT AMOUNT OF MONEY IN BONDS IN ORDER TO DO THIS PROJECT, THEN THAT MONEY PROBABLY SHOULDN'T BE BONDED, SHOULDN'T BE USED. UNFORTUNATELY, IT IS BELIEVED THAT



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

THE MONEY CAN STILL BE BONDED BUT CANNOT BE USED TO REDUCE THE BETTERMENT COST. THE CITY'S POSITION HAS BEEN THAT IF THE CITY IS GOING TO EXTEND ANY SEWER LINES AT ALL, IT IS GOING TO BE ON A 100% BASIS. A CITY POLICY OR ORDINANCE SHOULD BE CREATED SAYING THIS.

IT WAS FURTHER NOTED THAT THE COUNCIL HAS ALREADY AUTHORIZED BONDS SUFFICIENT TO DO THIS PROJECT, NONE OF THE BONDS HAVE BEEN ISSUED AS YET. IT APPEARS THAT THE AMOUNT OF MONEY AUTHORIZED TO BE BONDED IS MORE THAN THE AMOUNT OF MONEY THAT WILL ACTUALLY BE NECESSARY TO DO THIS, SIGNIFICANTLY MORE. SINCE THE COUNCIL AUTHORIZED THE BONDS, CAN THE COUNCIL DE-AUTHORIZE A PORTION.

THE SOLICITOR STATED THAT ONCE THE COUNCIL HAS AUTHORIZED A BONDING AMOUNT, THE CITY DOES NOT HAVE TO SPEND UP TO THAT AMOUNT. THE COUNCIL CAN PUT A RESTRICTION TO EXPEND NOT MORE THAN A CERTAIN AMOUNT. HE ALSO STATED THAT THE EXCESS FUNDS CANNOT BE USED TO REDUCE THE BETTERMENT. THE EXCESS CAN BE RETURNED OR USED TO DO OTHER STREETS.

**MOTION:** FOR A 5 MINUTE RECESS

**MOTION:** MEETING TO COME BACK TO ORDER

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

A. APPLICATION FOR ABATEMENT OF BETTERMENT TAX FOR SEWER WAS SUBMITTED BY MONICA SHERALIS, 21 RAILROAD AVENUE.

THE CITY ENGINEER SUBMITTED A LETTER STATING THAT 21 RAILROAD AVENUE HAS ALREADY BEEN TIED INTO CITY SEWER AND HAS BEEN SINCE 1999. A CHECK OF BILLING RECORDS INDICATES THAT THEY ARE CURRENTLY PAYING SEWER DISPOSAL FEES.

**MOTION:** TO APPROVE THE ABATEMENT

B. APPLICATION FOR ABATEMENT OF BETTERMENT TAX FOR SEWER WAS SUBMITTED BY DOUGLAS, GEORGE AND AUDREY WARISH, 63 RAILROAD AVENUE. THE CITY ENGINEER SUBMITTED A LETTER STATING THAT THIS PROPERTY HAS ALREADY BEEN TIED INTO CITY SEWER AND HAS BEEN SINCE 1984. A CHECK OF BILLING RECORDS INDICATES THAT THEY HAVE BEEN PAYING SEWER DISPOSAL FEES SINCE THAT TIME. THE CONFUSION REGARDING THE CONNECTION MOST LIKELY AROSE FROM THE FACT THAT THE ENGINEER'S OFFICE DOES NOT HAVE AN AS-BUILT SEWER CONNECTION PLAN ON FILE

**MOTION:** TO APPROVE THE ABATEMENT

C. APPLICATION FOR ABATEMENT OF BETTERMENT TAX FOR SEWER WAS SUBMITTED BY SILVINO AND SANDRA DUARTE OF 1485 SOMERSET AVENUE. THE CITY ENGINEER SUBMITTED A LETTER STATING THAT THE PROPERTY IS NOT CURRENTLY TIED INTO THE CITY'S SEWER SYSTEM. ALTHOUGH A SEWER LINE EXISTS ON SOMERSET AVENUE IN THE VICINITY OF THIS PROPERTY, IT IS A SIX INCH FORCE MAIN LOCATED ACROSS THE STREET. THE USE OF THIS LINE IS NOT RECOMMENDED DUE TO ITS SIZE, PRESSURE RATING, LOCATION, AND LACK OF AVAILABLE STUB. THE COST OF TYING INTO THIS LINE ALONG WITH THE ASSOCIATED ROADWAY REPAIRS COULD EXCEED THE COST OF THE BETTERMENT. ON THE OTHER HAND, THE RAILROAD AVENUE SEWER PROJECT PROVIDES A STUB LOCATED ON THE PROPERTY LINE, REQUIRING NO ROADWAY EXCAVATION. ADDITIONALLY, THE PROPERTY OWNER WAS NOTIFIED OF THIS PROJECT BY CERTIFIED MAL ON JANUARY 31, 2003.

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

**MOTION: TO DENY THE ABATEMENT**

D. APPLICATION FOR ABATEMENT OF BETTERMENT TAX FOR SEWER WAS SUBMITTED BY KEITH AND KIRSTI PIGNEY, 1498 SOMERSET AVENUE. THE CITY ENGINEER SUBMITTED A LETTER STATING THAT THE PROPERTY HAS ALREADY BEEN TIED INTO CITY SEWER, AND HAS BEEN SINCE 2006. A CHECK OF BILLING RECORDS INDICATES THAT THEY HAVE BEEN PAYING SEWER DISPOSAL FEES SINCE THAT TIME. THE CONFUSION REGARDING THE CONNECTION MOST LIKELY AROSE FROM THE FACT THAT THE ENGINEER'S OFFICE DID NOT HAVE A RECORD OF THIS CONNECTION ON FILE.

**MOTION: TO APPROVE THE ABATEMENT**

E. APPLICATION FOR ABATEMENT OF BETTERMENT TAX FOR SEWER WAS SUBMITTED BY DAVID PHILLIPS AND ANNAMAY PHILLIPS, 10 PINEHILL STREET. THE CITY ENGINEER SUBMITTED A LETTER STATING THAT THE PROPERTY HAS ALREADY BEEN ASSESSED A BETTERMENT CHARGE OF \$513.84 FOR A 1982 GARDEN STREET SEWER AND STUB INSTALLATION. ALTHOUGH A NEW CONNECTION (10/9/2008) WAS MADE TO THE NEW GARDEN STREET SEWER LINE, THIS WAS MOST LIKELY A CHOICE OF CONVENIENCE, AS THE STUB ON PINE HILL STREET WAS ALSO AVAILABLE. IT IS THE ENGINEER'S OPINION THAT THE ABATEMENT BE GRANTED.

**MOTION: TO APPROVE THE ABATEMENT**

F. THE D.P.W. COMMISSIONER PROVIDED A DRAFT LETTER THAT WILL BE GOING OUT TO CITY RESIDENTS IN CONNECTION WITH I AND I REMOVAL. THE LETTER STATES THAT THE CITY D.P.W. IN CONJUNCTION WITH VEOLIA WATER IS CONDUCTING A HOUSE-TO-HOUSE INSPECTION STUDY AT CERTAIN RESIDENCES/BUSINESSES WITHIN THE CENTER OF TAUNTON. WITHIN THE NEXT FEW WEEKS, VEOLIA WATER EMPLOYEES (WITH VALID CITY OF TAUNTON PHOTO BADGES) WILL CONDUCT THIS STUDY BY GOING HOUSE TO HOUSE, WITHOUT APPOINTMENTS, LOOKING AT CONNECTIONS IN BASEMENTS TO INSURE THAT WHEN SUMP PUMPS ARE IN PLACE, THEY ARE PROPERLY CONNECTED, AND THAT THOSE CONNECTIONS ARE MADE WITH RIGID PVC-TYPE PIPE, NOT FLEXIBLE HOSES. THEY WILL ALSO BE TAKING INVENTORY OF RAIN GUTTER DOWNSPOUTS AND RECORDING IF THEY LEAD TO THE GROUND SURFACE OR INTO THE GROUND.

INSPECTORS WILL WORK MONDAY THROUGH FRIDAY, 7AM TO 3PM. THE AVERAGE INSPECTION WILL TAKE BETWEEN 10 AND 20 MINUTES. THESE DOOR TO DOOR INSPECTIONS ARE THE QUICKEST AND MOST COST EFFECTIVE WAY TO INSPECT A LARGE NUMBER OF HOMES IN A SHORT TIME. THE PURPOSE OF THESE INSPECTIONS IS TO FIND SOURCES OF FRESHWATER THAT ARE CONTRIBUTING EXCESS FLOWS TO THE SEWER SYSTEM. ELIMINATING THESE EXCESS FLOWS WILL HELP REDUCE THE IMPACT OF FUTURE RATE INCREASES.

**MOTION: TO APPROVE THE LETTER AS WRITTEN**

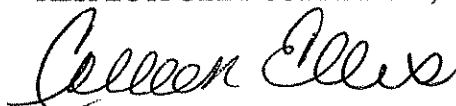
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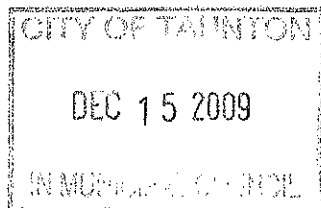
THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED

MEETING ADJOURNED AT 9:50 P.M.

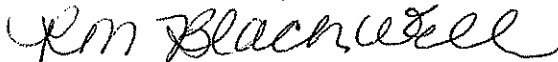
RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK



# CITY OF TAUNTON

*In Municipal Council*

ORDER #6

FY 2010

DECEMBER 15, 2009

20

*Ordered, That*

THE SUM OF TWO THOUSAND FIVE HUNDRED SEVENTY EIGHT DOLLARS AND TWENTY ONE CENTS (\$2,578.21) BE AND HEREBY IS TRANSFERRED AS FOLLOWS:

\$1,106.60 FROM TAUNTON NURSING HOME ACCOUNT NO. 64-520-202-5301 – MED & DRUG/ADV. PHYSICIAN  
TO: ACCOUNT NO. 64-520-206-5301 – MED & DRUG/ADV PHYSICIAN

\$98.50 FROM TAUNTON NURSING HOME ACCOUNT NO. 64-520-202-5305 – CONTRACTED SERVICES  
TO: ACCOUNT NO. 64-520-206-5305 – CONTRACTED SERVICES

\$171.10 FROM TAUNTON NURSING HOME ACCOUNT NO. 64-520-202-5499 – PROVISIONS  
TO: ACCOUNT NO. 64-520-206-5499 – PROVISIONS

\$1,172.06 FROM TAUNTON NURSING HOME ACCOUNT NO. 64-520-202-5509 – MEDICAL SUPPLIES/EXPENSE  
TO: ACCOUNT NO. 64-520-206-5509 – MEDICAL SUPPLIES/EXPENSE

\$29.95 FROM TAUNTON NURSING HOME ACCOUNT NO. 64-520-202-5582 – SUBSCRIPTIONS  
TO: ACCOUNT NO. 64-520-206-5582 – SUBSCRIPTIONS

*Clerk.*



# CITY OF TAUNTON

ORDER #5  
FY 2010  
DECEMBER 15, 2009

*In Municipal Council* ..... 20.....

*Ordered, That*

**THE SUM OF THREE THOUSAND DOLLARS AND NO**

**CENTS (\$3,000.00) BE AND HEREBY IS TRANSFERRED FROM POLICE DEPARTMENT**

**ACCOUNT NO. 20-210-6008-5599 – LAW ENFORCEMENT TRUST**

**TO: ACCOUNT NO. 1-210-202-5588 – TRAINING AND EDUCATION**

..... *Clerk.*