



*City of Taunton  
Municipal Council Meeting Minutes*

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*In the Chester R. Martin Municipal Council Chambers  
Minutes, February 3, 2009 at 10:00 O'clock P.M.*

*Regular Meeting*

*Mayor Charles Crowley presiding*

*Prayer was offered by the Mayor*

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

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

**Hearings:**

Continued hearing came up by assignment upon the for the Renewal of a Class III Auto Dealer's License for Tony's Auto Wrecking, 303 Broadway, Taunton. **Motion was made to reopen the hearing. So Voted.** Taxes paid in full. **Motion was made to make part of the record. No one speaking in favor or in opposition. Motion was made to move approval of the Class III License and close the hearing. So Voted.**

Continued hearing came up by assignment upon the petition of the City of Taunton for the Proposed Zoning Changes dated October 7, 2008. **Motion was made to reopen the hearing. So Voted. Motion was made to invite the City Planner into the enclosure. So Voted.** Com. from City Planner submitting Proposed Zoning Changes dated October 7, 2008 - Section 7.5.5 Continued from January 6, 2009 Municipal Council Hearing was submitted to the Councilors. **Mr. Scanlon stated that signs may be illuminated, but it depends on how they are displayed. No one speaking in favor or in opposition. Motion was made to approve the zoning changes as presented. So Voted.**

**Communications from Mayor:**

The Mayor read a communication submitted by Kevin Burke, Secretary of Public Safety and Security, One Ashburton Place, Boston, MA 02108 informing the Police Chief that his FY2009 Traffic Enforcement and Equipment Grant Application has been approved for funding and the Police Department has been awarded \$17,000.00. The official start date of the contract is November 21, 2008 and all funds must be expended by September 30, 2009. **Motion was made to receive and place on file. So Voted.**

At this time, the Mayor stated that he is sending a letter to our State Senator and State Representatives encouraging their support of the current legislation entitled: An Act Strengthening the Commonwealth's Partnership with its Municipalities" (House No. 104. **Councilor Pottier motioned to send a letter of support from the Council. So Voted.**

*(The City Clerk sent this letter to Senator Pacheco and Representatives Fagan, Haddad, and Canessa)*

**Communications:**

Com. from City Solicitor submitting a response on guidelines department heads are to follow when disposing of City property, stating that the process already is governed by ML Ch. 30 and guidelines promulgated by the Office of the Inspector General. **Motion was made to receive and place on file. So Voted.**

Com. from Treasurer/Collector submitting procedures on how notice is given for delinquent excise tax bills and parking tickets. **Motion was made to receive and place on file. So Voted.**

Com. from Treasurer/Collector expressing thanks to the Council for their vote to increase demand fees and MLC fees and stating that Demand fees in FY08 were \$76,016.65 and MCL Fees in FY08 were \$55,990.41. **Motion was made to refer to the Budget Director. So Voted.**

Com. from Chairman, Board of Assessors stating that the Commission of Revenue has made no provisions for a line on the tax bill showing the impact of the debt exclusion on each bill and that the calculation of the FY09 Debt Exclusions is .020857. **Motion was made to receive and place on file. So Voted.**

Com. from Bernard McCourt, District Highway Director, Massachusetts Highway Department, 1000 County St, Taunton responding that they are in the process of initiating a design project to upgrade the intersection of Longmeadow Road and Route 44 and if warranted, left turn lanes and left turn phasing for the side street approaches can be included in the design. **Motion was made to receive and place on file. So Voted.**

Com. from Gary Perkins, CEO Perkins, 630 John Hancock Road, Taunton expressing concern for emergency vehicle response now that the entrance to the Haul Road off of Fremont Street is now locked as agreed upon by Aggregate Industries. **Motion was made to receive and place on file. So Voted.**

Com. from DPW Commissioner submitting an itemized breakdown of required funds for Sabbatia Lake Sewer Project with the total funds needed being \$327,657.75. **Motion was made to refer to Orders. So Voted.**

Com. from Chairman, License Commission submitting a response regarding available liquor licenses, stating that there are two restaurant beer/wine licenses available in the City and they further explained the process to apply. **Motion was made to receive and place on file. The Mayor stated he will email Councilor Costa-Hanlon with the procedure the License Commission uses with their application process. So Voted.**

Com. from Chairman, License Commission responding to a request for information concerning liquor licenses and providing a list of liquor licenses in the City. **Motion was made to receive and place on file. The Mayor stated he will email Councilor Costa-**

**Hanlon with the procedure the License Commission uses with their application process. So Voted.**

Com. from Jon R. Chase, Chief Operator, Water Treatment Plant, 91 Precinct St., Lakeville requesting to dispose of City Truck #8, 1995 Ford F250 pickup with plow. **Motion was made to refer to the Committee on Public Property and Carol Souza. So Voted.**

Councilor Pottier read an extra communication submitted by Sally McNeely, Director, Human Resources Division, One Ashburton Place, Boston announcing the new Regional Assessment Center Initiative, an initiative to implement an Assessment Center form of civil service testing for the levels of Police Chief and Deputy Police Chief in the spring of 2009. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Councilor Buffington motioned that anytime a vehicle goes out for repair before it is to be placed back in service, that the mechanic have the opportunity to inspect the vehicle to make sure it is safe. Additionally, that any and all documents in the hands of the chief or his office that have anything to do with repair work, inspection work, or the safety of any vehicle or equipment that he immediately give to the mechanic upon the mechanic's request. **So Voted.**

The Mayor stated he received a communication from Katie Greene, Coordinator for the Supernanny USA stating that they will be filming a family from Taunton beginning Monday, February 9, 2009.

**Petitions and Claims:**

Application submitted by Steven Kenneth Perry, 80 Steve Drive, Taunton requesting a new Constable License desiring to serve civil process. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Application submitted by Edward P. Parker, 552 Bay Street, Taunton requesting a renewal of his Constable License desiring to service civil process. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Application submitted by David A. Charbonneau, 64 Duffy Dr., Taunton requesting a renewal of his Constable License desiring to serve as Deputy Sealer of Weights and Measures. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Claim submitted by Jessica Cox, 221 Flagg St., Bridgewater seeking reimbursement for damages to her automobile from hitting a pothole across from 700 Myles Standish Blvd. **Motion was made to refer to the City Solicitor. So Voted.**

Claim submitted by Michael Taylor, 180 Main St. #2109, Bridgewater seeking reimbursement for damage to his automobile from hitting a pothole in the Industrial Park near the Holiday Inn. **Motion was made to refer to the City Solicitor. So Voted.**

Claim submitted by Mark Waterman, 842 Whittenton St., Taunton seeking reimbursement for damages to his vehicle from a rock at 126 Prospect Hill Street. **Motion was made to refer to the City Solicitor. 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 Hoye motioned that the Committee on Solid Waste provide an update of the landfill alternatives in two weeks. So Voted.

Councilor Hoye stated that David Simas has been promoted up to the West Wing as President Obama's Policy Advisor and wishes all the best to him.

Councilor Costa-Hanlon Councilor motioned that the Building Commissioner provide the minutes of the construction meeting for the renovation of Taunton High School as well as the School Building Authority minutes as soon as possible. So Voted.

Councilor Costa-Hanlon stated that last week she motioned that the Council receive the contract with the vendor that is giving us our savings for our energy to show we have been doing what we can to save energy for the Green Communities application. Therefore, she motioned that Matt Stellar provide information for all City Buildings concerning the Green Communities application. So Voted.

Councilor Fiore motioned that the Superintendent submit a report on the accidental fire that occurred last week on the back loading dock of the high school. Additionally, the Municipal Council stated that if they can be of any service while the construction is ongoing, Dr. Stellar should inform them. So Voted.

Councilor Buffington motioned that the DPW Commissioner have the potholes in front of 35 Hodges Street, on Tremont Street just west of the intersection of Worcester Street and on Round Street filled. So Voted.

**Orders, Ordinances, and Enrolled Bills**

**Order for a second reading to be ordained on a roll call vote**

Ordered That,

\$330,000.00 is appropriated, in addition to the \$4,784,000.00 (\$3,560,000 and \$1,224,000) previously appropriated, for the purpose of financing the design and construction of the Sabbatia Lake Sewer Extension Project, which includes over 34,000 feet of sewer mains with pump stations in Scaddings Street, Lakeview Avenue and adjacent streets, including without limitations all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow an additional \$1,224,000.00 and issue bonds or notes therefore under G.L.c.44 and/or Chapter 29C of the General Laws; that

such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out this project. **On a roll call vote, eight (8) Councilors present, seven (7) Councilors voting to move approval. Councilor Marshall voting in opposition. So Voted.**

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

**AN ORDINANCE**

**ARTICLE II. OPERATION OF VEHICLES**

Sec. 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:

Bay Street – (Watson’s Pond) on west side for a distance of 20 feet on both sides of the entrance to the park in front of Watson Pond State Park

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 third reading. So Voted.**

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

**AN ORDINANCE**

**ARTICLE III-Stopping, Standing and Parking**

Sec. 13.90. Reserved parking for handicapped persons

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

That Section 13.90 of the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by adding thereto the following:

Bradford Street, one space directly in front of 3 Bradford Street for a period of five years.

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 third reading. So Voted.**

**New Business:**

Councilor Pottier motioned to send a letter of thanks to Police and Fire for their efforts during the recent manhole fire at St. Mary's Square to move all children and staff to a secure location on January 29, 2009. So Voted.

Councilor Costa-Hanlon motioned that the City Solicitor look into drafting a public nuisance ordinance, similar to the one Fall River and New Bedford have, and refer to the Committee on Ordinances and Enrolled Bills. So Voted.

Councilor Costa-Hanlon motioned to ask all City Department Heads to try to become more "green" when purchasing supplies, and buy from a particular environmentally friendly company. The Department of Environmental Protection has a website relating to this. Once the City Clerk receives the web site address, she will forward it to each department head. So Voted.

Councilor Marshall motioned that the DPW Commissioner investigate the roadway that is caving in at 21-22 Pat-Ree Drive. So Voted.

Meeting adjourned at 10:50 P.M.

A true copy:

Attest:



City Clerk

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
FEBRUARY 3, 2009

**THE COMMITTEE ON FINANCE AND SALARIES**

PRESENT WERE: COUNCILOR JORDAN FIORE, CHAIRMAN AND COUNCILORS CROTEAU AND POTTIER. ALSO PRESENT WERE BUDGET DIRECTOR GILL ENOS AND TAUNTON NURSING HOME ADMINISTRATOR JOHN BRENNAN

MEETING CALLED TO ORDER AT 5:45 P.M.

- 1. **MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS**  
**MOTION: MOVE APPROAL OF THE VOUCHERS & PAYROLLS FOR THE WEEK**

- 2. **MEET TO REVIEW REQUESTS FOR FUNDING**  
**MOTION: MOVE APPROVAL OF REQUEST OF FIRE DEPARTMENT TO TRANSFER \$530.54 FROM ACCOUNT NO. 1-220-202-5230 TO ACCOUNT NO. 1-220-206-5230 TO PAY A PRIOR YEAR BILL TO THE TAUNTON WATER DEPARTMENT.**  
**EXPLANATION TO BE PROVIDED IN WRITING AS TO WHY THE DELAY IN PROCESSING THIS BILL.**  
**MOTION: MOVE APPROVAL OF REQUEST OF BUDGET DIRECTOR TO TRANSFER \$153,185.83 FROM RESERVE ACCOUNT NO. 1-132-202-5784 AS FOLLOWS:**  
**\$64,733.60 TO ACCOUNT NO. 443-203-5809 FOR EMERGENCY REPAIRS AT THE CORNER OF BAY AND WHITTENTON STREETS**  
**\$88,452.23 TO ACCOUNT NO. 421-202-5540 FOR EMERGENCY REPAIR OF MOREY'S BRIDGE**

THE BUDGET DIRECTOR REPORTED THAT THE BALANCE IN THE RESERVE ACCOUNT IS \$331,989.37

- 3. **MEET WITH THE TAUNTON NURSING HOME ADMINISTRATOR TO REVIEW HIS FIGURES CONCERNING LEGAL SERVICES AND LOBBYING FEES, AND REVENUE RECEIVED AS A RESULT OF THESE FEES.**  
THE ADMINISTRATOR PROVIDED A LEGAL FEE HISTORY SINCE 2005 FOR THE NURSING HOME. THE LEGAL FIRM REPRESENTS THE NURSING HOME ON THE LOBBYING SIDE AND THE LEGAL SIDE. IN CONNECTION WITH THE LOBBYING SIDE, THEY REPRESENT THE HOME FOR IGT GRANTS AND OPPORTUNITIES, HUD GRANTS AND OPPORTUNITIES AND THEY REPRESENT THE HOME AS A PUBLICALLY OWNED MEDICAL FACILITY. THEY ARE WORKING ON AND CONTINUE TO WORK ON MEDICARE REIMBURSEMENT AND OPPORTUNITIES. THEY ARE ALSO WORKING ON GRANT OPPORTUNITIES FOR ENERGY AND OTHER HUD GRANTS. LAST YEAR THEY HAD PROJECTS INCLUDING COMPLIANCE COUNSEL, NAME CHANGE, ADMISSIONS AGREEMENT PROJECTS, AND THE ASSISTED LIVING-SENIOR HOUSING OPPORTUNITY.

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**THE COMMITTEE ON FINANCE AND SALARIES – CONTINUED**

LOOKING AT THE NUMBERS, THEY STARTED OFF IN 2005, IN 2005 AND 2006 THERE WERE SIMILAR AMOUNTS, IN 2007 AND 2008 THEY SPIKED UP DUE TO SOME OF THE OTHER WORK THE FORMER ADMINISTRATOR HAD DONE. THEY ARE TRENDING BACK DOWN.

THE GOAL THIS YEAR IS TO BRING IN LOBBYING AND LEGAL FEES AT ABOUT 1%.

MR. BRENNAN FEELS THEY WILL BE RECEIVING SOME GOOD NEWS PRIOR TO JUNE 30<sup>TH</sup>. HE ALSO STATED THAT IF THE RELATIONSHIP WITH THIS FIRM DOES NOT DELIVER WHAT HE BELIEVES IT SHOULD, HE WILL END THE RELATIONSHIP.

**MOTION: TO ACCEPT THE REPORT**

**4. MEET WITH THE BUDGET DIRECTOR FOR A SIX MONTH REVIEW ON EXPENDITURES**

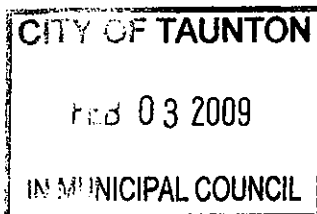
THE BUDGET DIRECTOR REPORTED THAT HE IS CONCERNED WITH REVENUE FROM MOTOR VEHICLE EXCISE TAXES. THE FIRST COMMITMENT WAS HALF MILLION LOWER THAN THE FIRST COMMITMENT OF LAST YEAR. HE ALSO REPORTED THAT MISCELLANEOUS REOCCURRING REVENUE IS AT 15% OF THE PROJECTED FIGURE. HOWEVER, HE IS ANTICIPATING, EITHER THIS MONTH OR LATE MARCH A PAYMENT WILL BE RECEIVED FOR MEDICAID REIMBURSEMENT FOR THE SCHOOL DEPARTMENT FOR \$544,633 WHICH GOES INTO THIS LINE ITEM. ALSO, A REIMBURSEMENT FROM THE FEDERAL GOVERNMENT FOR THE RDS PROGRAM WHICH IS THE REITREE DRUG SUBSIDY PROGRAM FOR \$400,000. IF THESE TWO FIGURES ARE ADDED TOGETHER, WE ARE GETTING CLOSER.

THE SCHOOL DEPARTMENT IS ALSO PREPARING THE NECESSARY PAPERWORK FOR THE NEXT ROUND OF MEDICAID REIMBURSEMENT.

THE OVERTIME IN THE FIRE DEPARTMENT IS A LITTLE AHEAD IN THAT THEY HAVE USED 64.9%. THE POLICE DEPARTMENT HAS USED 51.9%.

THE BUDGET DIRECTOR WAS ASKED TO COME BACK WITH A REPORT AT THE THIRD QUARTER AND MONTHLY THEREAFTER.

**MEETING ADJOURNED AT 5:25 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  
FEBRUARY 3, 2009

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

PRESENT WERE: COUNCILOR THOMAS HOYE, CHAIRMAN AND COUNCILORS CROTEAU, MARSHALL AND CARR. ALSO PRESENT WERE D.P.W. COMMISSIONER FRED CORNAGLIA, ASSISTANT D.P.W. COMMISSIONER TONY ABREAY AND JOE FEDERICO OF BETA

**MEETING CALLED TO ORDER AT 6:30 P.M.**

**1. MEET TO DISCUSS POTENTIAL SEWER EXPANSION INCLUDING BETTERMENT LETTERS**

LETTERS WERE SENT FOR SURVEY PURPOSES ONLY, FOR INTEREST IN SEWER IN THE WINTHROP STREET, BURT STREET AREA AND THE MATTHEWS LANDING AREA. THEY WERE SENT JUST TO FIND OUT IF THERE WAS INTEREST AND TO PROVIDE ONLY AN ESTIMATE AS TO THE COST. MOST OF THE INTEREST CAME FROM THE MATTHEWS DRIVE AREA IN THAT 22 OF 26 HOMES IN MATTHEWS LANDING EXPRESSED INTEREST. THE REST OF THE ROUTE HEADING BACK TOWARDS THE CITY SEWER SYSTEM WERE ABOUT 50-50. IN THE WINTHROP/BURT STREET AREA 662 LETTERS WERE SENT OUT WITH 155 INTERESTED.

ALSO DISCUSSED WAS THE DUFFY DRIVE AREA AND WHETHER LETTERS WERE EVER SENT OUT TO THESE RESIDENTS. IT WAS NOTED THAT THESE RESIDENTS CAME TO A MEETING WITH A PETITION BUT THAT NO LETTERS WERE SENT OUT. THE CLERK OF COMMITTEES WAS ASKED TO CHECK ON THIS PETITION.

**MOTION: TO SEND SURVEY LETTERS OUT TO THE DUFFY DRIVE AREA (INCLUDING STEVE DRIVE, MARY DRIVE, ETC.)**

ALSO DISCUSSED WAS HARRIS STREET. IT WAS NOTED THAT THIS STREET IS READY TO HOOK UP, BUT GRINDER PUMPS ARE REQUIRED.

CURRENTLY 50-55% OF THE CITY IS SEWERED. IF ALL 14 NEEDS AREAS ARE DONE, IT WOULD BRING THAT FIGURE UP TO ABOUT 65%.

IT WAS NOTED THAT IF AN AREA THAT WAS SURVEYED COMES BACK 50-50, AND THE CITY GIVES THE GO AHEAD TO SEWER THIS AREA, RESIDENTS WILL NOT HAVE TO HOOK UP TO THE SEWER, BUT EVERYONE WILL BE RESPONSIBLE FOR THE BETTERMENT.

THE D.P.W. COMMISSIONER SAID THAT THEY SHOULD HEAR IN THE NEXT FEW WEEKS REGARDING THE SRF LOANS.

**MOTION: UPDATE TO BE PROVIDED IN THREE WEEKS**

**2. MEET FOR AN UPDATE CONCERNING THE PLYWOOD ON THE WEIR STREET BRIDGE**

THE REASON THERE IS PLYWOOD ON THE BRIDGE IS BECAUSE A COUPLE OF RAILS WERE DISLODGED POSSIBLY FROM AN ACCIDENT. THERE IS ACTUALLY TWO SPOTS ON THE BRIDGE THAT NEED REPAIR. AN ESTIMATE WAS OBTAINED FOR THE TWO SPOTS – THE PYWOOD AREA WOULD COST ABOUT \$4,900 AND THE OTHER SPOT WOULD COST ABOUT \$2,300 TO REPAIR. THEY ALSO GOT A COST TO REPAINT THE BRIDGE AND THAT WOULD BE \$75,000.00.

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THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED

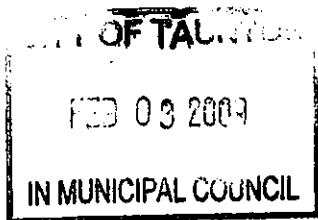
MOTION: REFER TO FINANCE AND SALARIES AND MAYOR'S OFFICE FOR FUNDING

MEETING ADJOURNED AT 6:50 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES



Reports accepted, recommendations adopted.

  
City Clerk

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
FEBRUARY 3, 2009

**THE COMMITTEE ON PUBLIC PROPERTY**

PRESENT WERE: COUNCILOR JORDAN FIORE, CHAIRMAN AND COUNCILORS MARSHALL AND HOYE. ALSO PRESENT WERE SUPERINTENDENT OF BUILDINGS WAYNE WALKDEN AND GERRY SANBORN OF THE SCHOOL DEPARTMENT

**MEETING CALLED TO ORDER AT 6:55 P.M.**

**1. MEET WITH WAYNE WALKDEN, SUPERINTENDENT OF BUILDINGS AND GERRY SANBORN OF THE SCHOOL DEPARTMENT TO DISCUSS ISSUES WITH SCHOOL BUILDINGS**

MR. WALKDEN REPORTED THAT MANY OF THE BUILDINGS ROOFS WERE IN BAD SHAPE. HE HAS ONGOING ROOF REPAIRS GOING ON NOW, HOWEVER THEY ARE DEALING WITH ICE ON THE ROOFS SO A BREAK IN THE WEATHER IS NEEDED.

DISCUSSED WAS THE STATUS OF WARRANTIES ON THE ROOFS. CHAMBERLAIN, FRIEDMAN AND EAST TAUNTON ELEMENTARY SHOULD BE UNDER THE LONG TERM WARRANTY. REGARDING EAST TAUNTON ELEMENTARY, THE COMPANY WENT OUT OF BUSINESS. THE ROOF IS IN COMPLETE FAILURE AND A WHOLE NEW ROOF IS NEEDED. THIS HAS BEEN PROPOSED IN THE ECONOMIC STIMULUS PACKAGE. AT CHAMBERLAIN SCHOOL 25 LEAKS WERE FOUND, A SMALL AREA OF THE RUBBER ROOF HAS BEEN VANDALIZED, FLASHING AND SHINGLES HAVE LIFTED, HOWEVER, MR. WALKDEN STATED THAT HE CAN MANAGE THESE REPAIRS. THERE IS A 4000 SQUARE FOOT AREA THAT NEEDS TO BE REPLACED. GOING BACK TO THE NEW POLE SCHOOL, ALL WARRANTIES EXPIRED IN NOVEMBER OF 2008, WHEN THE CITY MADE ACCEPTANCE OF THE BUILDING AFTER SUBSTANTIAL COMPLETION BACK IN 2007, THE WARRANTIES BEGAN. THERE MAY BE A MANUFACTURERS WARRANTY, BUT THE PROBLEM IS ENFORCING THE WARRANTY.

MR. WALKDEN STATED THAT HE FEELS \$151,600 WOULD BE NEEDED TO JUST PATCH THE ROOFS AND STOP THE LEAKING BEFORE MORE DAMAGE IS CAUSED TO THE BUILDINGS. THIS WOULD NOT INVOLVE FULL ROOFTOP RECONSTRUCTIONS.

THE COST TO REPLACE THE ROOF AT EAST TAUNTON ELEMENTARY WOULD BE ABOUT \$1 MILLION. \$10,000.00 WOULD BE NEEDED TO MAKE SOME REPAIRS AT THE OLD POLE SCHOOL. ALSO, MARTIN SCHOOL NEEDS ROOF REPLACEMENT AT A COST OF \$2 MILLION.

THERE ARE MANAGEABLE REPAIRS AT LEDDY, WHICH WERE DONE YESTERDAY.

ALSO REPORTED WAS THAT AT MULCAHY SCHOOL THERE WERE 60 LEAKS WHICH HAVE BEEN REPAIRED.

ALSO DISCUSSED WAS A FIRE AT THE LOADING DOCK AT THE HIGH SCHOOL LAST WEEK, AND THAT IT WAS CUMBERSOME GETTING THE STUDENTS OUT OF THE BUILDING DUE TO THE CONSTRUCTION FENCING.

MR. WALKDEN ALSO REPORTED THAT HE FOUND ROOF ISSUES AT THE TAUNTON HIGH SCHOOL/PARKER PROJECT. HE SAID THAT WITHING 24 HOURS THEY WERE FIXED. HOPEFULLY, HE WILL BE ABLE TO AVOID THE SAME PROBLEMS AS IN OTHER SCHOOLS. HE FURTHER STATED THAT HE WOULD

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**THE COMMITTEE ON PUBLIC PROPERTY – CONTINUED**

NOT SIGN ANY DOCUMENTS UNLESS THIS PROJECT IS DONE RIGHT. MR. WALKDEN FEELS THAT THE CITY SHOULD GET THE LONGEST LIFE ROOF THAT THE CITY CAN AFFORD TO PAY FOR.

**MOTION: THAT AN UPDATE BE PROVIDED AS SOON AS THE ECONOMIC STIMULUS PACKAGE IS RELEASED**

- 2. **MEET TO DISCUSS LETTER OF DEPARTMENT OF HUMAN SERVICES REQUESTING PERMISSION TO DESTROY OUTDATED AND BROKEN EQUIPMENT**

HUMAN SERVICES DEPARTMENT REQUESTED PERMISSION TO DESTROY BROKEN ITEMS CONSISTING OF 15 METAL CHAIRS, 2 COFFEE MAKERS AND 1 VACUUM.

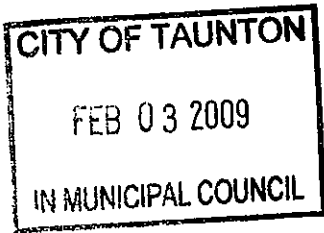
**MOTION: MOVE APPROVAL**

**MEETING ADJOURNED AT 7:48 P.M.**

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES



Reports accepted, recommendations adopted.



City Clerk

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
FEBRUARY 3, 2009

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

PRESENT WERE: COUNCIL PRESIDENT DAVID POTTIER AND COUNCILORS BUFFINGTON, CARR, CROTEAU, MARSHALL, FIORE, COSTA-HANLON AND HOYE. ALSO PRESENT WERE CITY SOLICITOR STEVEN TORRES, FIRE CHIEF LEMAN PADELFOED, SUPERINTENDENT OF BUILDINGS WAYNE WALKDEN, DIRECTOR OF COMMUNITY & ECONOMIC DEVELOPMENT KEVIN SHEA AND TERI BERNERT OF WEIR CORP.

**MEETING CALLED TO ORDER AT 7:45 P.M.**

1. **MEET WITH THE CITY SOLICITOR, FIRE CHIEF, SUPERINTENDENT OF BUILDINGS WAYNE WALKDEN, DIRECTOR OF COMMUNITY & ECONOMIC DEVELOPMENT KEVIN SHEA AND TERI BERNERT OF WEIR CORPORATION TO DISCUSS F.B. ROGERS BUILDING**

DISCUSSED WAS WHY THIS WAS DEEMED AS AN EMERGENCY, AND THE REASON IS THAT IT IS HAS BECOME AN EMERGENCY DUE TO THE STATE OF THE BUILDING CAUSED BY PARTIAL DEMOLITION. IT HAS BECOME A PUBLIC SAFETY ISSUE IN THE EVENT OF A FIRE, AND THERE ARE WINDOWS OFF AND/OR OPEN.

THE BUILDING DEPARTMENT'S PERSPECTIVE IS THAT THE BUILDING CANNOT BE MADE SAFE. THERE IS A WET SYSTEM FOR FIRE SUPPRESSION WHICH WAS DESIGNED FOR A HEATED BUILDING. THE PIPING IS PITCHED THE WRONG WAY AND BREAKS CONTINUOUSLY OCCUR. IT WAS FURTHER REPORTED THAT \$42,000 HAS BEEN SPENT FOR REPAIRS SINCE THANKSGIVING. OVERTIME IS BEING PAID TO BUILDING DEPARTMENT PERSONNEL TO MONITOR THE BUILDING. BASICALLY IT IS COSTING OVER \$4,000 A DAY TO KEEP THE SYSTEM ALIVE.

DISCUSSED WAS WHY THIS BUILDING CANNOT BE SECURED, AND WHERE IS THE BALANCE OF THE MONEY THAT WAS SUPPOSED TO BE PAID TO THE CONTRACTOR THAT LEFT, AND WHY HASN'T THE CITY GONE AFTER THIS CONTRACTOR. IT WAS NOTED THAT THE PRICE JUST TO BOARD THE WINDOWS ON THIS BUILDING WOULD COST \$130,000

**MOTION: THAT THE SOLICITOR PROVIDE A RESPONSE REGARDING THE LAWSUIT WITH THE CONTRACTOR.**

CONCERN WAS EXPRESSED WITH THE FACT THAT NOW THIS HAS BECOME AN EMERGENCY SITUATION AND WILL COST \$700,000 – \$800,000 OF CITY MONEY TO DEMOLISH THE BUILDING. THIS IS NOT A GOOD DEAL FOR THE TAXPAYERS. SOME COUNCILORS FEEL THAT THE CITY SHOULD GO OUT FOR BID DUE TO THE POSSIBILITY THE CITY COULD GET A LOWER BID.

THE SOLICITOR REPORTED THAT A SETTLEMENT AGREEMENT HAS BEEN REACHED WITH THE CONTRACTOR THAT LEFT. HE WAS PAID \$362,975.00 PRIOR TO THE SETTLEMENT AND THE SETTLEMENT FIGURE IS \$148,575. IT WAS FURTHER NOTED THAT A GRANT HAD BEEN RECEIVED FOR THIS PROJECT, BUT THAT THESE FUNDS HAVE BEEN SPENT. EVERYTHING DONE NOW IS THE CITY'S RESPONSIBILITY. HE STATED THAT HE FELT THAT THE BEST WAY TO PROCEED WAS TO SETTLE WITH SUPERIOR AND GO AFTER THE THIRD PARTY THAT THE CITY DEEMED RESPONSIBLE.

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

SOME COUNCILORS FEEL THAT THERE IS DEFINITELY A NEED TO GO OUT FOR RFP AGAIN BECAUSE PERHAPS IN THESE ECONOMIC TIMES WE WOULD HOPEFULLY GET A BETTER BID THAN \$900,000.

FURTHER DISCUSSION WAS HELD REGARDING BUILDINGS LETTERED H, L AND K. IT WAS STATED THAT NO COST HAS BEEN OBTAINED FOR REMEDIATION WORK ON THESE BUILDINGS. FURTHER, WHO WOULD WANT TO DEVELOP A SITE WITH THESE BUILDINGS STILL STANDING AS MORE REMEDIATION WOULD BE REQUIRED IN THESE SECTIONS.

IF THE ENTIRE SITE WERE TO BE DEMOLISHED IT WOULD BE A CLEAN SITE WITH ACTIVITY USE LIMITATIONS ON THE SITE.

FURTHER DISCUSSION WAS HELD REGARDING IF THE BUILDING IS NOT TORN DOWN IMMEDIATELY HOW MUCH IT WOULD COST. IT WAS NOTED THAT WITH THE FIRE WATCH, REPAIRS TO THE SPRINKLER SYSTEM, FENCING AND BOARDING WINDOWS, IT WOULD BE IN EXCESS OF \$200,000.

ALSO DISCUSSED WAS WHETHER THE FUNDS TO DEMOLISH THIS BUILDING WOULD BE TAKEN OUT OF THE GENERAL FUND OR WHETHER THE CITY CAN BOND IT. THE SOLICITOR STATED THAT CONSTRUCTION CAN BE BONDED. HE FURTHER NOTED THAT THE OTHER ENTITY THE CITY IS LOOKING TO TAKE ACTION AGAINST WOULD PROBABLY NOT BE LIABLE TO SECURE THE BUILDING. THE MAYOR INFORMED THE COMMITTEE THAT BONDING IS THE PREFERRED ROUTE TO TAKE. THE COUNCIL ASKED WHAT THE BONDING CAPACITY IS GOING TO BE AS SCHOOL REPAIRS ARE NEEDED, WHICH THE MAYOR SAID COULD BE BONDED ALSO. THE MAYOR ALSO STATED THAT THERE IS A PRICE TAG FOR DOING NOTHING ON THIS ISSUE.

MUCH DISCUSSION WAS HELD REGARDING WHETHER THE CITY CAN AWARD THE CONTRACT SUBJECT TO FUNDING. IF THE CITY CANNOT GO FORWARD WITHOUT AN APPROPRIATION OR BOND, THIS WOULD PROBABLY TAKE 3-5 WEEKS TO PUT IN PLACE. IF A BID WENT OUT, THIS WOULD TAKE 4-6 WEEKS, SO DISCUSSED WAS BEGINNING THE LOAN AUTHORIZATION AND PUTTING OUT THE BID AT THE SAME TIME.

**MOTION:** THAT MOCD CONTINUE THIS PROJECT THROUGH THE TRADITIONAL RFP PROCESS AND NOT DECLARE THIS AS AN EMERGENCY AS REQUESTED. SIMULTANIOUSLY, THE TREASURER/COLLECTOR TO LET THE COMMITTEE KNOW DEFINITELY BY NEXT WEEK IF THIS TYPE OF A PROJECT CAN BE BONDED, AND TO CONTINUE WITH A BOND AUTHORIZATION OF NO MORE THAN \$1 MILLION IF WE CAN BOND. ALSO, THE TREASURER/COLLECTOR IS TO BE PRESENT AT MEETING NEXT WEEK TO DISCUSS WHETHER THESE TWO PROCESSES CAN BE DONE SIMULTANEOUSLY.

**COUNCILORS COSTA-HANLON, MARSHALL, CROTEAU, BUFFINGTON AND POTTIER VOTING IN FAVOR.**

**COUNCILORS HOYE, FIORE AND CARR VOTING IN OPPOSITION.**

**MOTION CARRIES.**

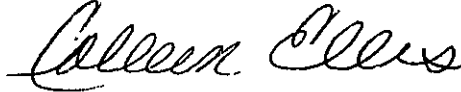
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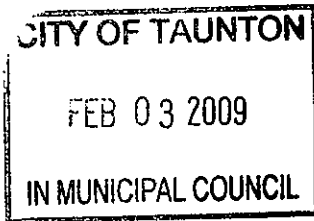
THE COMMITTEE OF THE COUNCIL AS A WHOLE - CONTINUED

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

ORDER #30  
FY 2009  
FEBRUARY 3, 2009

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

*Ordered, That*

**THE SUM OF ONE HUNDRED FIFTY THREE**

**THOUSAND ONE HUNDRED EIGHTY FIVE DOLLARS AND EIGHTY THREE CENTS**

**(\$153,185.83) BE AND HEREBY IS TRANSFERRED FROM RESERVE ACCOUNT NO.**

**1-132-202-5784 AS FOLLOWS:**

**\$64,733.60 TO ACCOUNT NO. 443-203-5809**

**\$88,452.23 TO ACCOUNT NO. 421-202-5540**

..... *Clerk.*





# CITY OF TAUNTON

**ORDER #29  
FY 2009  
FEBRUARY 3, 2009**

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

*Ordered, That*

**THE SUM OF FIVE HUNDRED THIRTY DOLLARS**

**AND FIFTY FOUR CENTS (\$530.54) BE AND HEREBY IS TRANSFERRED FROM FIRE**

**DEPARTMENT ACCOUNT NO. 1-220-202-5230**

**TO: ACCOUNT NO. 1-220-206-5230**

..... *Clerk.*