



*City of Taunton*  
*Municipal Council Meeting Minutes*

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*In the Chester R. Martin Municipal Council Chambers*  
*Minutes, March 17, 2009 at 7:19 O'clock P.M.*

REVISED

*Regular Meeting*

*Mayor Charles Crowley presiding*

*Prayer was offered by the Mayor*

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

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

**Hearings:**

Upon the petition of Commonwealth of Massachusetts, DMH -25 Staniford St., Boston, MA for license to store, use and sell an additional 10,000 gallons fuel oil to be kept in aboveground tanks in addition to the existing 12,750 gallons of fuel oil and diesel (stored in aboveground tanks) and 9,000 gallons of fuel oil and diesel (stored in belowground tanks) at 60 Hodges Avenue, Taunton. **Motion was made to open the hearing. So Voted.** Communication from Kenneth Lortie, Director of Facilities Management stating that they are requesting this additional storage tank to hold an additional 10,000 gallons of Biofuel to ensure uninterrupted heat and hot water to their buildings was read. **Motion was made to make part of the hearing. So Voted.** Communication submitted by Captain Robert J. Bastis, Jr., Fire Inspector was read submitting a positive recommendation under specific conditions. **Motion was made to make part of the hearing. So Voted.** Councilor Marshall made a statement of disclosure that he works for the Department of Youth Services on the grounds of Taunton State Hospital. **Motion was made to make part of the record. So Voted. Motion was made to invite the petitioners, Kenneth Lortie, Facilities Manager and Andy Bissonette, owner of contracting firm into the enclosure. So Voted.** Councilor Buffington asked Mr. Lortie about the statement in the Fire Department letter of overdue fees. He stated that all fees have been paid in the amount of \$108.00 to date. Mr. Lortie stated that the power plant has run on bio-diesel 24/7 since November of 2006. The State contract limits which suppliers they can use to obtain this fuel. They currently use the only one local that is out of Needham. This supplier does not deliver during the weekend, forcing an emergency fill of #2 fuel that compromises the bio-diesel. They feel that if they are granted the permit to store an additional 10,000 gallons, they could guarantee they would not run out over the weekend. Councilor Costa-Hanson asked Mr. Bissonette if he reviewed the Taunton Fire Department letter and if he agrees with the conditions. He stated he is in agreement. A question was asked where the tank would be placed and the petitioner explained exactly where it would be and the petitioner showed a map of the property. Numerous Councilors asked the petitioners a variety of questions. No one speaking in favor. Speaking in opposition was Michelle Risot expressing concerns for ground water,

elderly housing, schools, hospitals nearby, and vandalism. Mr. Lortie stated that there will be security cameras with a direct feed to the Taunton State Hospital Security. Additionally, Mr. Bissonette stated that Bio-diesel is combustible. Also in opposition was Kathleen Butler, 42 Chester Street expressing concern that the tank is not 500 feet from her home and that the license states use and sell. The City Solicitor stated that the license form issued by the department is a common form. Councilor Costa-Hanlon motioned to add to the Fire Department's conditions that they cannot sell any fuel. **Motion was made to make part of the conditions. So Voted. Motion was made to close the hearing and grant the petition as presented subject to the condition as approved. So Voted. Councilors Pottier and Barbour voting in opposition.**

**Communications from Mayor:**

The Mayor read a communication submitted by Linda Clegg, School Nurse Manager, Taunton Public Schools requesting use of the electronic sign to advertise their Spring into Health Fair at Friedman Middle School on April 16, 2009 from 6-8:30 PM. **Motion was made to move approval. So Voted.**

The Mayor read a communication submitted by Shaun Donovan, US Department of Housing and Urban Development informing that they have allocated \$10.1 billion dollars available through the American Recovery and Reinvestment Act of 2009 signed into law by President Obama on February 17, 2009. **Motion was made to refer to the Mayor's Office of Economic and Community Development. So Voted.**

The Mayor read a communication submitted by Mario Pimentel, Law offices of Hamel, Waxler, Allen and Collins, 7 North Sixth Street, P.O. Box 6000, New Bedford submitted a claim on behalf of Cristovao Mendes, 15 Winter Street, Taunton who sustained injuries as the result of an explosion on Main Street on February 23, 2009. **Motion was made to refer to the City Solicitor and the TMLP. So Voted.**

**Communications:**

Com. from Commissioner, Parks, Cemeteries, and Public Grounds responding to a request to provide information on the flail mower. **Motion was made to refer to the Mayor's Office. So Voted.**

Com. from Superintendent of Buildings requesting a transfer of funds in the amount of \$42,000.00. **Motion was made to refer to the Committee on Finance and Salaries and the Mayor's Office. So Voted.**

Com. from Michael Sylvia, Deputy Fire Chief requesting commendation for Patrolman Peter Corr, Jr., Acting Fire Lieutenant Mark Dupras, Firefighters Jeffrey Gallagher, George Kelly, Sarah Riendeau, Chad Morin, Michael Dunham for their roles in saving a gentleman at the Elks Lodge on High Street on January 28, 2009 by administering CPR and use of the defibrillator. **Motion was made to move approval. So Voted.**

Com. from General Manager, TMLP submitting a report of action on street lights for Silver Fox Circle. **Motion was made to move approval. So Voted.**

Com. from Rob and Lisa Faria, 71 Queen Elizabeth Lane, Taunton requesting permission to conduct a race and asking permission to conduct a race to benefit Universal Newborn Screening and Hunter's Hope on May 17, 2009 at the Holiday Inn in the industrial park at 10:30 AM. **Motion was made to move approval and notify the Police, Fire and Ambulance Service and Sergeant Medas for the sign. So Voted.**

Com. from Greta Politano, Taunton Gridiron Club, 22 Fairview Ave., Taunton requesting the use of the electronic sign to advertise a golf tournament to benefit Taunton High School football on May 16, 2009 at the Lakeville Country Club. **Motion was made to move approval. So Voted.**

Com. from Ernest Cardoza, Greater Taunton Area Allied Veterans Council, Inc., 5 New Carver St., Raynham extending an invitation to the Memorial Day Parade on Monday, May 25, 2009 at 12:30 PM. **Motion was made to refer to the Council President and the Mayor. So Voted.**

Com. from Richard Heaton, H&H Associates, LLP, 178 Ballville Rd., Bolton, MA offering to conduct a presentation on how to leverage stimulus funds. **Motion was made to receive and place on file. So Voted.**

Com. from Deborah Colcord, Director, Brick House School, Inc. 9 Ashland Place, P.O. Box 525, Taunton requesting use of the electronic sign to advertise openings for the 2009-2010 school year at the Brick House School. **Motion was made to move approval. So Voted.**

Com. from Michelle St. Cyr, Taunton Pop Warner Cheerleading & Football requesting use of the electronic sign to advertise registration on March 21, 2009 at the new Elizabeth Pole School gymnasium between 1:00 PM and 5:00 PM. **Motion was made to move approval. So Voted.**

Com. from Division of Human Resources appointment of four (4) Permanent Full-time Police Officers. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted. (The Mayor stated there is still a hiring freeze in place.)**

Com. from City Engineer requesting an Order of Taking for Old Somerset Avenue Bridge over Three Mile River. **Motion was made to move approval. So Voted.**

Councilor Hoye read an extra communication submitted by John Merenda, President, Taunton West Little League announcing opening day will be Saturday, April 11, 2009 and extending an invitation to the Council to attend. **Motion was made to so move. So Voted.**

Councilor Hoye read an extra communication submitted by Donna DiCorpo, Orientation and Mobility Specialist, 10 Craven Court, Taunton requesting the DPW re-stripe crosswalks and stop lines at all crossings for Hart and County Streets to aid in visibility and assist in increasing her safety in travel. Additionally, she requested a pothole be

filled in at this location. **Motion was made to refer to the DPW Commissioner. So Voted.**

Councilor Costa-Hanlon motioned that the DPW Commissioner have the crosswalks repainted at Cohannet Street near the District Court. So Voted.

**Petitions and Claims:**

Application submitted by Albert Dutra Souto, 14 Crocker Street, Taunton requesting a renewal of his Constable License desiring to serve as a Crossing Guard. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Claim submitted by Rosanne Dupont, 75R Berkley St., Taunton seeking reimbursement for damages to her automobile from hitting a pothole on Somerset Aveune near the old Stan's Variety. **Motion was made to refer to the City Solicitor. So Voted.**

Claim submitted by Murray Lightman, 248 Hodges St., Taunton seeking reimbursement for damages to his automobile from hitting a pothole on Worcester Street near Hodges Street. **Motion was made to refer to the City Solicitor. So Voted.**

Petition submitted by Scott Souza –DBA- The New Somerset Motors, 303 Broadway, Taunton requesting to transfer his Class II License to Albert Tucan to be located at 303 Broadway, Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Special Permit/Site Plan Review for a drive thru window for the proposed CVS pharmacy at 670, 671, 677 County Street and 133 Hart Street submitted by Attorney David T. Gay on behalf of Gershman Brown Crowley, Inc., 14 Breakneck Hill Road, Suite 101, Lincoln, RI. **Motion was made to schedule a Public Hearing. So Voted.**

Councilor Fiore motioned the TMLP replace the streetlight on the existing pole at the intersection of Fisher Street, Shores Street and Highland Street. 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 stated that it is her recollection that during the CVS hearing there was a discussion that the \$25,000.00 remaining from the Traffic Study was to be used for a pedestrian light. Therefore, she motioned that the City Planner report back to the Municipal Council whether or not the money is there. Additionally, she motioned that the City Clerk provide the minutes from the CVS hearing. So Voted.

Councilor Marshall motioned to refer to the Mayor's Office to obtain a written response from the Taunton High School Building Committee on the costs of renovations to the new dental clinic location, cost of moving; and the schedule for next week. So Voted.

Councilor Croteau motioned that the DPW Commissioner provide a status report on the sewer hookups on Harris Street. So Voted.

Councilor Carr motioned that Aggregate Industries provide an update on the repair of the gate on Fremont Street for Perkins Paper, including when it will be completed and who will be in charge of locking and unlocking the gate. So Voted.

Councilor Buffington motioned that Greg Glynn, Cable Access provide three (3) copies of each of the videotapes of the Acerra hearings for the following dates to the Clerk of Committees and that the City Solicitor provide three (3) copies of each of the transcripts of the Acerra hearings for the following dates to the Clerk of Committees: February 17, 2009, March 3, 2009, March 10, 2009, March 17, 2009. So Voted.

Councilor Barbour read a communication submitted to Jayne Ross, treasurer/Collector from the Committee on Fires and Wires regarding grievances in the Fires and Wires Committee and the Police and License Committee involving employee premium payments. **Motion was made that the City Treasurer/Collector forthwith handle this and make appropriate changes by next Tuesday and if not, appear before the Council. So Voted.**

**New Business:**

Councilor Pottier motioned that the Commissioner of Parks, Cemeteries and Public Grounds reach out to the various sports leagues who utilize the Taunton High School fields and be sure all the particulars have been worked out regarding use during construction. So Voted.

Councilor Marshall motioned that the Police Chief provide a breakdown of Police Detail monies owed to the City broken down by vendor and date (past due – 30, 60, 90 and 120 days) for next week. So Voted.

Councilor Buffington stated that a motion was made a few weeks ago to have the potholes repaired on Tremont Street near Worcester Street and motioned that the DPW provide an update on the status of this. So Voted.

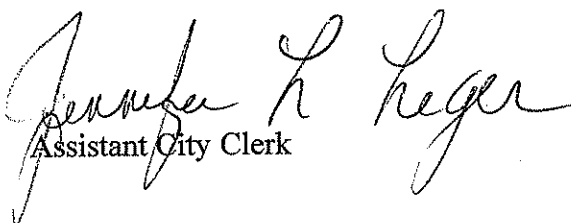
Councilor Barbour motioned that the Council temporarily affirm the appointment of Captain Reardon as Acting Chief during Chief O'Berg's medical leave and that he remain Acting Chief until such time that the Council notifies him. So Voted.

Councilor Marshall motioned to refer Caswell Street from the culvert that was replaced (Near McCaffrey's Farm) toward South Precinct Street along the backside of the airport as it is in need of immediate attention. So Voted.

Meeting adjourned at 8:40 P.M.

A true copy:

Attest:

  
Assistant City Clerk

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
MARCH 17, 2009

**THE COMMITTEE ON FINANCE AND SALARIES**

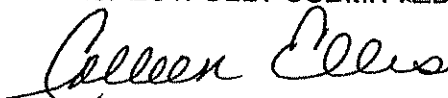
PRESENT WERE: COUNCILOR JORDAN FIORE, CHAIRMAN AND COUNCILORS  
CROTEAU AND POTTIER

MEETING CALLED TO ORDER AT 5:36 P.M.

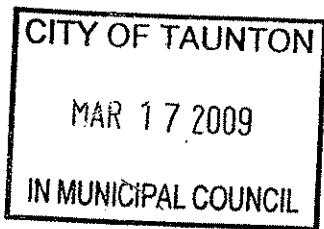
- 1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS  
MOTION: MOVE APPROVAL OF THE VOUCHERS & PAYROLLS FOR THE WEEK.

MEETING ADJOURNED AT 5:37 P.M.

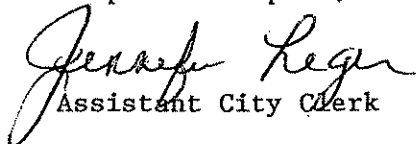
RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES



Reports accepted, recommendations adopted.



Assistant City Clerk

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
MARCH 17, 2009

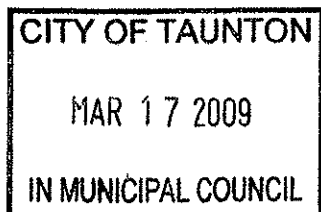
**THE COMMITTEE ON POLICE AND LICENSE**

PRESENT WERE: COUNCILOR JASON BUFFINGTON CHAIRMAN AND  
COUNCILOR HOYE. ALSO PRESENT WAS DETECTIVE  
DENNIS SMITH

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

1. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON THE FOLLOWING APPLICATIONS FOR APPOINTMENT AS CONSTABLE:
  - A. DAVID ENOS, 42 PINE RIDGE CIRCLE, TAUNTON – RENEWAL  
MOTION: MOVE APPROVAL – UNRESTRICTED
  - B. EDWARD FINNEGAN, 64 EAST MAIN ST., MIDDLEBORO – NEW  
MOTION: MOVE APPROVAL – UNRESTRICTED
  - C. STEVEN FONTES, 59 LINDEN ST., UNIT #206, TAUNTON – NEW  
MOTION: MOVE APPROVAL – UNRESTRICTED
  
2. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF ALI ABOUZEID, 73 CAVALIER AVE., TAUNTON FOR NEW OLD GOLD LICENSE FOR HANNOUSH JEWELERS, 2 GALLERIA MALL DR., TAUNTON  
MOTION: MOVE APPROVAL
  
3. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF CORRAO MOTOR CARS INC., 251 BROADWAY, TAUNTON FOR RENEWAL OF CLASS II LICENSE  
MOTION: MOVE APPROVAL WITH 5 VEHICLE LIMIT

MEETING ADJOURNED AT 5:57 P.M.

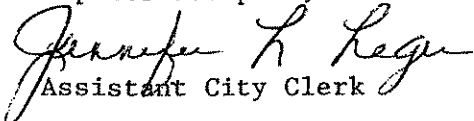


RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

Reports accepted, recommendations adopted.



Assistant City Clerk

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
MARCH 17, 2009

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

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

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

**1. MEET WITH THE D.P.W. COMMISSIONER TO DISCUSS FUTURE SEWER EXPANSION**

THE AREAS BEING DISCUSSED ARE WINTHROP STREET, WILLIAMS STREET/DUFFY DRIVE AREA, DAVENPORT TERRACE AND MATTHEW'S LANDING. MAPS WERE PROVIDED FOR THE WINTHROP STREET AREA (AREAS 1 & 2) AND THE DUFFY DRIVE AREA. ALSO PROVIDED TO THE COMMITTEE WAS A LETTER FROM STEVEN MCCURDY, DIRECTOR, MASS DEP MUNICIPAL SERVICES. THIS LETTER INFORMS THE CITY THAT WE ARE ON THE IUP LIST WHICH MAKES THE PROJECT ELIGIBLE FOR SRF FINANCING, AND SINCE IT IS SRF ELIGIBLE, IT IS ALSO ELIGIBLE FOR STIMULUS FINANCING. BEFORE COMMITTING ANY STIMULUS FINANCING, EVIDENCE IS REQUIRED THAT THE CITY CAN MEET THE CONGRESSIONAL DEADLINE, WHICH IS THAT THE PROJECT HAS ITS LOCAL BORROWING AUTHORIZATION, NECESSARY PERMITS AND 100% DESIGN COMPLETED IN TIME TO ALLOW DEP REVIEW, BIDDING, CONTRACTOR SELECTION AND CONSTRUCTION INITIATION BEFORE THIS FALL'S CONSTRUCTION SEASON COMES TO A CLOSE. THEREFORE, ALL MATERIAL WOULD HAVE TO BE IN TO MASS DEP BY AUGUST 1<sup>ST</sup>. A PORTION OF THE SRF AMOUNT OF \$8.8 MILLION WILL BE A LOAN AND A PORTION WILL BE A GRANT. IT WAS NOTED, DESIGN DRAWINGS NEED TO BE COMPLETED AND SUBMITTED BY AUGUST 1<sup>ST</sup> SO FUNDING IS NEEDED. THE COST WOULD BE APPROXIMATELY \$500,000. THIS MONEY WILL BE FOLDED INTO BETTERMENTS. DESIGN WORK NEEDS TO BE DONE ON THE DUFFY DRIVE AREA, WHICH IS A LARGE AREA, THERE IS SOME PRELIMINARY DESIGNS, BUT FINAL DESIGNS ARE NEEDED. THERE IS NO INFORMATION ON DAVENPORT TERRACE. THERE IS ALREADY A DESIGN FOR THE MATTHEWS LANDING AREA SO NONE WILL BE NEEDED, IT WILL JUST HAVE TO BE REVIEWED. THIS IS A GREAT DEAL OF WORK AND IN ORDER TO MEET THE DEADLINE, IT SHOULD BEGIN IMMEDIATELY. DISCUSSED WAS WANTING TO KEEP THESE PROJECTS MOVING, BUT ALSO HAVE THE ABILITY TO NOT DO THE PROJECT IF THE BETTERMENT AMOUNT ENDS UP BEING TOO HIGH.

**MOTION: TO START DESIGN IMMEDIATELY AND REFER TO MAYOR'S OFFICE FOR FUNDING**

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

A. THE D.P.W. COMMISSIONER WAS REQUESTED TO REPLACE THE CROSSWALKS AT THE HART ST. COUNTY ST. INTERSECTION.



PAGE TWO

MARCH 17, 2009

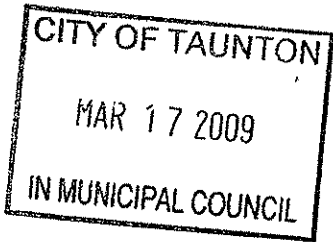
THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

MEETING ADJOURNED AT 6:14

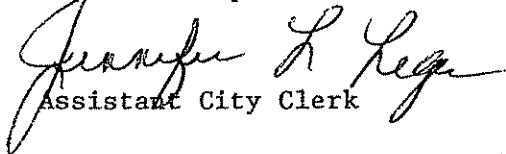
RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES



Reports accepted, recommendations adopted.



Assistant City Clerk