



*City of Taunton
Municipal Council Meeting Minutes*

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*In the Chester R. Martin Municipal Council Chambers
Minutes, May 19, 2009 at 7:27 O'clock P.M.*

Regular Meeting

Mayor Charles Crowley presiding

Prayer was offered by the Mayor

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

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

Motion was made to revert out of the regular order of business. So Voted.

At this time, the Mayor read a proclamation proclaiming the month of May, 2009 as Mental Health Awareness Month in the City of Taunton. **Motion was made to invite Roberta Getz, Board of Trustees, Taunton State Hospital and John Brennan, Chairman into the enclosure to accept the proclamation. So Voted.** Ms. Getz read a speech regarding the hospital.

At this time, a motion was made to invite Debra Brown SADD Advisor and students in the program into the enclosure. So Voted. Ms. Brown stated they are here tonight to discuss underage drinking. They also expressed thanks to the Council for approving their request to have the following message on the electronic sign: Hey Parents: It's illegal to serve alcohol to minors. Make sure post-prom and grad parties are alcohol free. **Motion was made to make part of the sign. So Voted.**

Motion was made to revert back to the regular order of business to hearings. So Voted.

Hearings:

Hearing came up by assignment upon the petition submitted by Attorney Marc Antine, Roster & Antine Attorneys at Law, 63 Winthrop St., Taunton on behalf of their client, Cumberland Farms, Inc, 777 Dedham Street, Canton requesting a one-year extension of their Special Permit/Site Plan Approval for the premises at 310 Broadway. **Motion was made to open the hearing. So Voted. Motion was made to invite the petitioner into the enclosure. So Voted. Motion was made to make a copy of the Special Permit/Site Plan approved on May 18, 2007 part of the record. So Voted.** Attorney Marc Antine, Roster & Antine Attorneys at Law, 63 Winthrop Street stated that he is here on behalf of Cumberland Farms, Inc. who is requesting a one-year extension of their special permit. He stated that Russell McKohler, Senior Real Estate Manager for

Cumberland Farms was with him tonight to answer any questions relative to this matter. Councilor Costa-Hanlon asked if there were any changes. Attorney Antine stated there were no changes. He stated that Cumberland Farms was not able to build this within the 2-year limit of the permit because of the money they expended to purchase the site, fees, various permits, etc. When the market crashed, they reviewed their numbers and they decided that they could not justify building the facility at this time. They still have a lot of interest in the property and are waiting for the market to turn. They previously marketed the property and no one showed interest in the property. It is on this basis that Cumberland Farms is asking for a one-year extension of the special permit and the site plan approval that went with the permit. Speaking in favor of the petition was Laurinto Costa, 41 Vaillancourt Street. He stated he is an abutter to the property and is concerned about engineering and environmental issues. Attorney Antine stated that the engineers would speak with him prior to obtaining the building permit. He stated his other concern is the traffic problem another gas station would create at the Jackson Street corner as it is difficult to maneuver now. Attorney Antine stated that there have been engineering and traffic studies already completed. Attorney Antine stated that one condition is before the permit can be issued, a \$40,000.00 payment must be made to the City for mitigation of traffic on Broadway. Attorney Antine stated he has gone through Conservation and would have the engineering people contact Mr. Costa. Speaking in opposition was Denise Teague, 25 Vaillancourt Street. She asked about the hours of operation. Councilor Costa-Hanlon stated they are 5:30 AM-12:00 AM as stated under condition #12. She stated she understands they will serve coffee and refreshments, but inquired if they will sell beer and wine. Attorney Antine stated they have not contemplated that. Ms. Teague asked about delivery times. The Mayor stated that has been addressed and is listed under condition #16 of the original agreement. She also expressed concern for loud music. Attorney Antine stated he would provide a copy of the agreement to her after the meeting. **Motion was made to close the hearing and grant the petition. So Voted. Motion was made to excuse the parties. So Voted.**

Communications from Mayor:

At this time, the Mayor stated that on June 2, 2009, he will present the FY2010 Budget. He stated that as everyone knows, due to the dire projections of revenue there will be significant cuts and will include a job elimination/un-funding of some jobs. He stated there may be pink slips going out to individuals which may not reflect the accurate number laid off in the long run. When the budget is projected June 2, 2009, that will reflect the conditions at that time. The Mayor stated that if during June he receives better news from the State, he would be able to retract some of the pink slips. He stated that contractually, some of the bargaining units require notification prior to June 1st. The Mayor stated that a standard provision is to provide an employee with notice of separation at least seven days prior to the holding of the hearing and shall also include with such notice a copy of sections 39 and 40 of the MGL. He stated if such a hearing is conducted, the appointing authority may appoint a hearing officer to report his findings forthwith to the appointing authority. Therefore, the Mayor recommends the appointment of Maria Gomes, Director of Human Resources as the hearing officer. **Motion was made to move approval. So Voted.**

The Mayor read a communication he submitted to the Council stating that the Commonwealth of Massachusetts has notified Taunton that the final payment of Fiscal 09

state aid will be reduced by \$4,747,808.00 for Chapter 70 funding. He also stated the School Department/School Committee will be able to apply for the ARRA FY09 state fiscal stabilization fund (SFSF) grant in the act amount of Chapter 70 aid reduction. He is recommending that the Council vote to reduce FY09 School Department appropriation by \$4,747,808.00 and that our FY09 estimated receipts be reduced by the same amount so that we do not have a revenue deficit for FY09. The Mayor provided a copy of the memorandum from the Department of Revenue and the Department of Elementary Education which highlights the amount of the reduction in Chapter 70 funds as well as the communication from Budget Director and Taunton School Business Manager to the Auditor indicating the School Department would apply for the FY09 ARRA Stimulus funding. **Motion was made to move approval. Councilor Hoye voting present. So Voted.**

Communications:

Com. from Commissioner, Parks, Cemeteries and Public Grounds providing a response concerning a lease agreement between the City of Taunton School Department and the Taunton Junior Girls Softball League for use of the Norton Avenue school facilities. She stated her department was never involved in this lease agreement and does not have a copy of the current agreement. **Motion was made to provide a copy of the City Solicitor's decision on this and a copy of the agreement to Ms. Greene and to give a copy to all Councilors. So Voted.**

Com. from Building Commissioner submitting the Building Permit Record for April, 2009. **Motion was made to refer to the Mayor's Office. So Voted.**

Com. from Building Commissioner informing of his intent to erect a small addition to his home and that he has made arrangements with the Raynham Building Department to perform all required inspections to alleviate any conflict of interest. **Motion was made to receive and place on file. So Voted.**

Com. from Treasurer/Collector notifying that the Land Court has entered a foreclosure decree on tax title parcel assessed to Helen McClellan and that the City is now the owner. **Motion was made to receive and place on file and notify the Building Department to secure. So Voted.**

Com. from Denise Paiva, Greater Taunton Jaycees, P.O. Box 188, Taunton requesting use of the electronic sign to advertise their upcoming Texas Hold-EM' event on May 23, 2009 at 6:00 PM to benefit the American Cancer Society's Relay for Life. **Motion was made to move approval. So Voted.**

Com. from Building Commissioner stating that it would be time efficient to only require the completion of Tax Status Forms if projects are new construction or major renovation. He feels that those with smaller projects would not receive their permits in the timely manner that they do now. **The Council discussed placing a dollar amount limit for a project before a tax status form must be filled out. A motion was made to refer to Mr. Pirozzi and Mr. Walkden to come up with a recommendation for the Council that the public can be made aware of. So Voted.**

Com. from City Solicitor providing opinion on Mass. General Law Chapter 44 Section 33 which concerns an appropriation voted by the Municipal Council for independent legal services for an investigation. The City Solicitor states that it is his opinion that neither the appropriation for this purpose nor a contract for the service that is subject to the appropriation request can be effective without the approval of the Mayor. **Motion was made to receive and place on file. So Voted.**

Councilor Marshall read an extra communication submitted by Fr. Jay Maddock, Holy Family Parish, 370 Middleboro Ave., East Taunton requesting permission to block off a section of Middleboro Avenue for a short period of time on June 14, 2009 during their blessing and dedication of their new parish center between the hours of 12:00 PM and 1:00 PM. **Motion was made to move approval and refer to the Police, Fire, and Ambulance Service and that the Police Department assist the church in any way. So Voted.**

The Assistant City Clerk read an extra communication submitted by the Fire Chief stating that his office has made an extra effort and processed nearly all reimbursement requests over the past few weeks. **Motion was made to receive and place on file. So Voted.**

The Assistant City Clerk read an extra communication submitted by the Fire Chief stating that the uniform allowance was budgeted for \$3,500.00 and total amount expended is \$462.56. **Motion was made to receive and place on file. So Voted.**

The Assistant City Clerk read an extra communication submitted by the Fire Chief stating that the current "202" Other Expenses balance is between \$900.00 and \$1,000.00. **Motion was made to receive and place on file. So Voted.**

The Assistant City Clerk read an extra communication submitted by the Fire Chief stating that the "201" payroll balance projection as of June 30, 2009 is approximately \$120,000 - \$130,000.00. **Motion was made to receive and place on file. So Voted.**

The Assistant City Clerk read an extra communication submitted by the Fire Chief providing an update of the reorientation of Engine #1 operators, stating that training should be completed by June 10, 2009 and then Engine #1 will be placed in service. **Motion was made to receive and place on file and provide copies of all five Fire Letters to each Councilor.**

Petitions and Claims:

Constable application submitted by Edward Vasconcellos, 10 North Pleasant Street, Taunton requesting an addition to his Constable License to serve as a crossing guard to also be able to serve civil process. **Refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Holly Nunes requesting a renewal of her Temporary Fixed Vendor License -DBA- Holly's Place located at 3 Cape Road, Taunton to sell flowers, Christmas trees, pumpkins, etc. **Refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Barbeque Integrated, Inc., 5104 North Orange Blossom Trail, Suite 104, Orlando, FL requesting a renewal of their Billiard Table License –DBA- Smokey Bones Barbeque and Grill located at 1023 County Street, Taunton. (2 Tables) **Refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by William DeSa requesting a renewal of his Billiard Table License - DBA- Billy Club Café located at 53 Grove Street, Taunton. (2 Tables) **Refer to the Committee on Police and License and the Police Chief. So Voted.**

Petition submitted by Joseph Enos requesting a renewal of his Junk Collector's and Junk Dealer's License Sone Alloys –DBA- Enos Metals located at 18-28 Dana Street, Taunton. **Refer to the Committee on Police and License and the Police Chief. So Voted.**

Claim submitted by Rosemary Minardi, 215 Longmeadow Road Unit 302, Taunton requesting reimbursement for damages to her automobile from hitting a pothole on Dean Street across from the Rite-Aid store. **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 Hoyer motioned that the Human Resource Director provide an update on the status of compliance for the 50/50 Ordinance as it pertains to the F.B. Rogers project. So Voted.

Councilor Costa-Hanlon motioned that all department heads notify the 50/50 Ordinance Committee through the Human Resource Director of any projects coming up within the next six months that will be utilizing public monies, including SRS and SRF monies, which would trigger the 50/50 Ordinance. So Voted.

Councilor Barbour stated that he had referred the possibility of placing a crosswalk on Bay Street near BJ's and North Taunton Baptist Church to the Committee on Police and License. Therefore, Councilor Barbour motioned that the Committee on Police and License discuss this issue in two weeks. So Voted.

Councilor Croteau motioned that the Risk Manager provide a status of the resolution resulting from the accident that occurred in February 2008 at the corner of Dunbar and Fremont Streets between a fire truck and a resident. So Voted.

Councilor Croteau motioned stated that he was previously informed that many accidents would need to occur before the placement of a stop sign is warranted at the corner of Fremont Street and Dunbar Street. Therefore, he motioned that the Acting Police Chief inform the Council how many accidents would be required to install such a stop sign and

consider this a matter of immediate attention. Additionally, that this matter be referred to the Ordinance Committee. So Voted.

Councilor Croteau motioned to refer to the DPW Commissioner and the Acting Police Chief to determine if the stop sign entering the Green at the Corner of Weir Street and Taunton Green could be moved back to enable trucks and other large vehicles to make the turn easier. So Voted.

Councilor Marshall motioned that the Mayor provide the Council with the costs relative to the move of the Taunton High School Dental Clinic broken down as follows: Cost to complete renovations, Cost to complete the move, and Amount reimbursable by the SPA. So Voted.

Orders, Ordinances, and Enrolled Bills

Order to be approved by a majority vote

Ordered That, the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds of the City that are currently authorized and un-issued and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes. Com. from the Treasurer/Collector providing information on this order was read. **On a roll call vote, eight Councilors present, eight Councilors voting to move approval. Councilor Buffington was absent.**

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

Ordered That, **\$300,000.00** is appropriated for the purpose of financing the following water pollution abatement facility projects: repair, replace or installation of septic systems within the Mathews Landing subdivision, pursuant to agreements between the Board of Health and residential property owners, including without limitation 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 **\$300,000.00** and issue bonds or notes therefore under G.L.c.111 s127B ½ and /or Chapter 29C of the General Laws; that project and financing costs shall be repaid by the property owner, in accordance with those agreements, but such bonds or notes shall be general obligations of the City; 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 a 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; that the Mayor or the Treasurer is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Mayor is authorized to expend all funds available for the projects and to take any other action necessary to carry out the projects. **Motion was made to refer back to the Treasurer/Collector to put in proper form for next week. So Voted.**

New Business:

Councilor Pottier motioned that you have the street sweeper clean the area of Bay Street near Holy Rosary Church. So Voted.

Councilor Costa-Hanlon motioned to refer to the Committee on Police and License and the Acting Police Chief to discuss the matter of setting speed limits on Lake Sabbatia. So Voted.

Councilor Hoye motioned that the Acting Police Chief come up with a plan to combat quad and motorbike use on our City Streets, discussing the confiscating of vehicles if necessary and refer his plan back to the Committee on Police and License. So Voted.

Councilor Carr motioned that the Acting Police Chief have the Safety Officer investigate a large metal structure that is blocking the view of traffic at 1011 Somerset Avenue. So Voted.

Councilor Barbour stated that he received a complaint of a multi-family residence on Purchase Street near Arlington Street leaving trash out for a week in advance of pick up. Therefore, he motioned that the Zoning Enforcement Officer rectify this situation. Additionally, he motioned that the Zoning Enforcement Officer keep watch on signs being placed on telephone poles throughout the City once again and take care of this matter. So Voted.

At 8:55 PM, Councilor Fiore motioned to enter into executive session to discuss matters of litigation and confidential employment matters. **On a roll call vote, eight (8) Councilors present, six (6) Councilors voting in favor of entering into executive session. Councilors Hoye and Marshall voting no, Councilor Buffington was absent.**

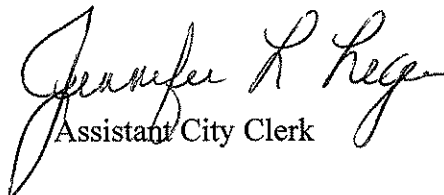
Motion was made to exit executive session at 9:52 PM. So Voted.

One vote was taken in executive session.

Meeting adjourned at 9:53 P.M.

A true copy:

Attest:


Assistant City Clerk

CITY OF TAUNTON
MUNICIPAL COUNCIL
MAY 19, 2009

THE COMMITTEE ON FINANCE AND SALARIES

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

MEETING CALLED TO ORDER AT 5:50 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 BUILDING DEPARTMENT TO TRANSFER \$4,300.00 FROM ACCOUNT NO. 1-493-201-5108 – SALARIES & WAGERS OTHER PROFESSIONAL TO ACCOUNT NO. 1-192-201-5109 – SALARIES & WAGES OTHER EMPLOYEES
MOTION: MOVE APPROVAL OF REQUEST OF RETIREMENT BOARD FOR AN APPROPRIATION OF \$4,950.12 FOR FUNDING FOR FIREFIGHTER BRIAN SOARES' RETIREMENT DEDUCTIONS THAT WOULD HAVE BEEN WITHHELD FROM HIS PAY HAD HE NOT GONE OUT ON MILITARY LEAVE. FUNDS TO BE TRANSFERRED FROM RESERVE ACCOUNT NO. 1-132-202-5784 TO RETIREMENT BOARD ACCOUNT NO. 1-910-202-5179 – RETIREMENT BENEFITS-MILITARY SERVICE FUND.
THE BUDGET DIRECTOR REPORTED THAT THERE IS \$41,959.97 REMAINING IN THE RESERVE ACCOUNT.
MOTION: MOVE APPROVAL OF REQUEST OF TAUNTON NURSING HOME ADMINISTRATOR TO TRANSFER \$200,000.00 AS FOLLOWS:
\$50,000.00 FROM ACCOUNT NO. 26-520-201-5108 – OTHER PROF. EMPLOYEES
\$100,000.00 FROM ACCOUNT NO. 26-520-201-5110 – NURSES AND
\$50,000.00 FROM ACCOUNT NO. 26-520-201-5111 – NURSES AIDE
TO ACCOUNT NO. 26-520-202-5305 – CONTRACTED SERVICES
MOTION: THE NURSING HOME ADMINISTRATOR IS TO PROVIDE A BREAKDOWN AS TO WHAT THE \$200,000.00 IS TO BE USED FOR.

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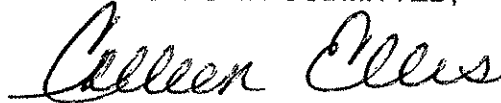
MAY 19, 2009

THE COMMITTEE ON FINANCE AND SALARIES - CONTINUED

MOTION: TO ASK THE MAYOR TO RECONSIDER HIS POSITION ON PURCHASING A FIRE TRUCK DUE TO THE COST SAVINGS AS A RESULT OF GOING OUT TO BID FOR THE DEMOLITION OF THE F.B. ROGERS BUILDING,

MEETING ADJOURNED AT 5:59 P.M.

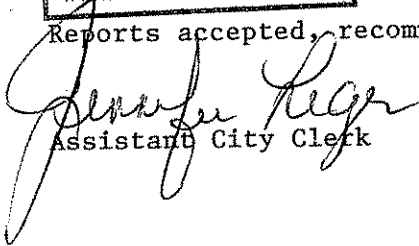
RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES

CITY OF TAUNTON
MAY 19 2009
IN MUNICIPAL COUNCIL

Reports accepted, recommendations adopted.


Assistant City Clerk

CITY OF TAUNTON
MUNICIPAL COUNCIL
MAY 19, 2009

THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS

THIS COMMITTEE MEETING WAS POSTPONED TO A LATER DATE.

CITY OF TAUNTON
MUNICIPAL COUNCIL
MAY 19, 2009

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS

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

MEETING CALLED TO ORDER AT 6:09 P.M.

1. MEET WITH THE D.P.W. COMMISSIONER FOR AN UPDATE ON SEWER EXPANSION.

THE COUNCIL VOTED LAST WEEK TO BEGIN THE FUNDING PROCESS FOR THE SEWER EXPANSION OF DUFFY DRIVE, DAVENPORT TERRACE AND THE STREETS IN THAT GENERAL VICINITY. THERE WAS ONE QUESTION ON THE MATTHEW'S LANDING AREA. D.E.P. WOULD LIKE TO SEE THIS AREA INCLUDED IN THE SAME LOAN ORDER, THEREFORE THE RESIDENTS WOULD BECOME CUSTOMERS OF THE CITY OF TAUNTON. MR. CORNAGLIA WAS ASKED TO COME IN AND EXPLAIN THE SITUATION SO THAT THE CITY COULD MOVE FORWARD WITH THE REMAINDER OF THE FUNDING WHICH WOULD BE SRF FUNDING AS OPPOSED TO THE MOCD MONEY. THIS MAY COST THE RESIDENTS A LITTLE BIT MORE UP FRONT, BUT IT WOULD BE A PERMANENT SOLUTION FOR THEM. ALSO, THE MORE CUSTOMERS THAT COME UNDER THIS LOAN ORDER, THE MORE IT WILL DRIVE THE COST DOWN PER PERSON FOR THE ENTIRE PROJECT.

MR. CORNAGLIA INFORMED THE COMMITTEE THAT THERE ARE 26 INDIVIDUAL HOMES ON THREE STREETS IN MATTHEW'S LANDING, MATTHEWS DRIVE, MEAGHAN CIRCLE AND GRACE CIRCLE. THEY CURRENTLY HAVE 3 FAILED SEPTIC SYSTEMS WHICH ARE ALL LOCATED IN ONE AREA ON THE COMMON PROPERTY. THERE ARE 9 HOMES EACH ATTACHED TO 2 OF THE SYSTEMS AND 8 HOMES ATTACHED TO THE THIRD. THEY HAVE HAD A NEW SYSTEM DESIGNED AND HAVE BEEN APPROVED FOR INSTALLATION. HOWEVER THEY HAVE BEEN UNABLE TO OBTAIN THE FUNDING TO MOVE FORWARD WITH THE INSTALLATION OF THE NEW SYSTEMS. THE NEIGHBORHOOD IS INTERESTED IN A PERMANENT SOLUTION TO THEIR SEPTIC PROBLEM. IDEALLY, IT WOULD BE BEST TO ATTACH TO THE CITY SEWER SYSTEM.

ANOTHER OPTION WAS THE CITY TAKING OWNERSHIP OF THE PROPERTY THAT THE SYSTEMS SIT ON AND INSTALLING THE NEW SEPTIC SYSTEMS BY WAY OF A BETTERMENT FEE TO EACH TAX PAYING HOMEOWNER AS IF THEY WERE BEING ATTACHED TO CITY SEWER. THEN THE CITY WOULD HAVE OWNERSHIP OF THE SYSTEMS AND CHARGE A QUARTERLY SEWER BILL TO EACH HOMEOWNER FOR MAINTENANCE AND PUMPING AS IF ATTACHED TO THE CITY'S SEWER. THIS WOULD ADD 26 ADDITIONAL RATE PAYERS TO THE SYSTEM.

THE RESIDENTS OF MATTHEW'S LANDING WILL DONATE THE LAND THE SEPTIC SYSTEMS ARE ON TO THE CITY. D.E.P. HAS LOOKED FAVORABLY ON THE CITY INCLUDING MATTHEW'S LANDING.

THE CITY HAS APPLIED FOR AN SRF LOAN TO DO THE OTHER PROJECTS IN THE AMOUNT OF \$8.7 MILLION. IF THE BIDS COME IN LOWER THAN EXPECTED ON

PAGE TWO

MAY 19, 2009

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS – CONTINUED

THE PROJECTS (DUFFY DRIVE, DAVENPORT, ETC.) THEN DISCUSSED WAS, RATHER THAN REPLACING THE SEPTIC SYSTEMS AT MATTHEW'S LANDING, RUNNING SEWER TO MATTHEW'S LANDING.

DISCUSSED AT LENGTH WAS THE FACT THAT EVENTUALLY THERE WILL BE SOME TYPE OF MAINTENANCE NEEDED ON THE SEPTIC SYSTEM AND THAT THE CITY WILL BE ON THE HOOK FOR THE COST OF THE REPAIRS AND MAINTENANCE.

IT WAS NOTED THAT THE COST TO INSTALL THE NEW SEPTIC SYSTEMS AT MATTHEW'S LANDING WOULD BE ABOUT 350,000-400,000.00.

IT WAS FURTHER NOTED THAT SINCE D.E.P. IS IN FAVOR OF THE CITY INCLUDING MATTHEW'S LANDING IN THE SRF FUNDING, IF THE CITY DOES NOT INCLUDE IT, FUNDING COULD BE LOST FOR THE PROJECTS.

THE CITY NEEDS TO MOVE FORWARD AS THE DESIGNS MUST BE IN TO D.E.P. BY AUGUST 1ST.

THE COMMITTEE WOULD LIKE TO HAVE SURVEYS SENT OUT TO THE RESIDENTS IN THE EAST TAUNTON AREA TO DETERMINE THEIR INTEREST IN HAVING SEWER AND IF THERE IS MONEY LEFT FROM THE SRF FUNDING, IT WOULD BE USED TO SEWER THE EAST TAUNTON AREA (SEEKELL ST, ETC.) TO MATTHEW'S LANDING.

MOTION: TO APPROVE THE \$8.7 MILLION WITH PHASE ONE BEING DAVENPORT-WINTHROP STREET AREA , PHASE TWO BEING THE DUFFY DRIVE-WILLIAMS STREET AREA, AND THAT THIS COUNCIL GIVE DIRECTION THAT PHASE THREE - THE EAST TAUNTON SECTION, AND BEFORE TAKING OVER THE MATTHEW'S LANDING PRIVATE SEPTIC SYSTEM, THAT ALL AVENUES ARE EXPLORED TO MAKE THAT A CONVENTIONAL SEWER SYSTEM CONNECTION TO THE COLLECTION SYSTEM. THE RE-DOING OF THE PRIVATE SEPTIC SYSTEM WILL BE THE LAST RESORT.

COUNCILOR CROTEAU VOTING IN OPPOSITION

IT WAS NOTED THAT THESE PROJECTS WILL BE BID OUT AS A WHOLE. ALSO NOTHING CHANGES ON THE TIMELINE.

2. MEET TO REVIEW MATTERS IN FILE

A. THE D.P.W. COMMISSIONER RECEIVED A REQUEST FROM THE RESIDENT ENGINEER ON THE SOMERSET AVENUE PROJECT FOR PERMISSION TO PAVE ABOUT 900 FEET ON THURSDAY NIGHT

MOTION: MOVE APPROVAL

B. THE WATER DIVISION SUPERVISOR REPORTED THAT THE COST TO REPLACE THE MAIN AND PAVE CURB TO CURB IN THE WALKER AVENUE AREA IS \$550,000-600,000. HOPEFULLY THIS PROJECT WILL BE STARTED WITHIN 18 MONTHS.

THEY WILL KEEP FLUSHING THE AREA TWO TIMES A WEEK AS IT IS HELPING.

C. DISCUSSED WAS AN ISSUE WITH A STONE WALL ON SOMERSET AVENUE – 419 SOMERSET AVE. THE WALL WAS REMOVED AND REPLACED AND THE RESIDENT FEELS THAT IT WAS NOT DONE PROPERLY.

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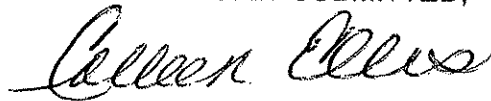
MAY 19, 2009

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS - CONTINUED

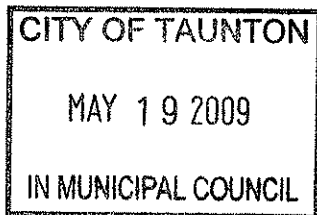
MOTION: TO REFER THE ISSUE OF THE STONE WALL AT 419
SOMERSET AVENUE TO THE COMMISSIONER. REPORT
BACK IN TWO WEEKS
COUNCILOR CROTEAU VOTING IN OPPOSITION

MEETING ADJOURNED AT 7:02 P.M.

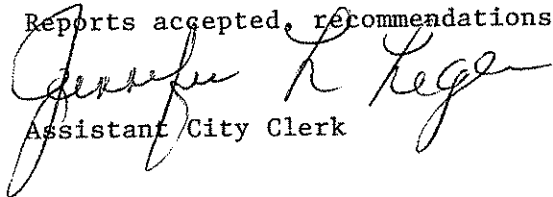
RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



Reports accepted, recommendations adopted.



Assistant City Clerk

CITY OF TAUNTON
MUNICIPAL COUNCIL
MAY 19, 2009

THE COMMITTEE ON SOLID WASTE

PRESENT WERE COUNCILOR ANDREW MARSHALL, CHAIRMAN AND COUNCILORS CARR, COSTA-HANLON, FIORE AND HOYE.

MEETING CALLED TO ORDER AT 7:14 P.M.

1. MEET FOR AN UPDATE ON THE PROPOSED MUNICIPAL SOLID WASTE FACILITY

MR. BINDER E-MAILED AN UPDATE TO COUNCILOR MARSHALL WHICH STATED THAT THE RFQP PROCESS IS CONTINUING. MR. BINDER CONTINUES TO ANSWER QUESTIONS FROM PROSPECTIVE PROPOSERS AND THEY HAVE RECENTLY ISSUED ADDENDUM NO. 5 TO THE RFQP. THEY HAVE HAD REQUESTS FROM SEVERAL COMPANIES TO EXTEND THE DUE DATE SLIGHTLY SO IT WAS EXTENDED TO JUNE 23RD. THIS WILL ALLOW FOR FURTHER CONSOLIDATION OF TEAMING ARRANGEMENTS AND FURTHER ACTION WITH THE D.E.P. TO PROVIDE RELIEF ON THE CURRENT MORATORIUM ON WASTE INCINERATION.

MR. BINDER FURTHER INFORMED THAT THEY ARE STILL EXPECTING 4-5 OR MAYBE 6 PROPOSALS. WITHIN THE PAST TWO WEEKS HE HAS MET WITH SEVERAL COMPANIES TO ENCOURAGE THEIR PARTICIPATION AND HAS MET WITH THE UNITED STATES E.P.A. TO DISCUSS THEIR POSITION ON GASIFICATION WHICH IS FAVORABLE TO TAUNTON.

MR. BINDER AND THE CITY SOLICITOR TODAY WERE PRESENTING THE TAUNTON PROJECT AT A NATIONAL SOLID WASTE CONFERENCE IN WASHINGTON, D.C. IT IS WELL ATTENDED BY COMPANIES THAT ARE PROSPECTIVE BIDDERS AND THE U.S. E.P.A. THE INTENT OF THEM PARTICIPATING IN THIS MEETING IS TO ENCOURAGE COMPANY BIDDING AND TO OBTAIN RELIEF ON THE D.E.P. MORATORIUM WITH U.S. E.P.A. SUPPORT. HE FURTHER NOTED THAT THE CITY SOLICITOR HAS HAD LENGTHY DISCUSSIONS WITH COMMISSIONER BIRD AT D.E.P. REGARDING THE PROJECT AND THE MORATORIUM. IT SEEMS AS IF THEY MAY BE FINALLY GETTING THE ATTENTION NEEDED AT D.E.P. ALL EFFORTS ARE CURRENTLY GEARED TOWARD OBTAINING THE MAXIMUM NUMBER OF PROPOSALS WITH CONDITIONS FAVORABLE TOWARDS TAUNTON.

MOTION: PART OF THE RECORD

A REPORT HAD PREVIOUSLY BEEN PROVIDED TO THE COUNCIL, AND IT WAS NOTED THAT AS OF THE DATE OF THE REPORT WHICH WAS A COUPLE OF MONTHS AGO, THE AMOUNT OF \$335,000 WAS SPENT IN LEGAL AND BONDING FEES. DISCUSSED WAS THAT THIS IS A SIGNIFICANT AMOUNT SPENT ON A PROJECT THAT HAS YET TO BE PERMITTED. IT WAS REQUESTED THAT PERHAPS THE COUNCIL SHOULD BE REFRESHED AS TO WHAT OTHER OPTIONS THERE MAY BE AND WHAT THE COST TO THE CITY WOULD BE.

ALSO DISCUSSED WAS THAT \$420,000 WAS SPENT IN CONSULTING FEES WITH AN ANTICIPATED \$175,000 TO BE SPENT NEXT YEAR. IT WAS NOTED THAT THIS WAS NEVER PUT OUT FOR BID.

PAGE TWO

MAY 19, 2009

THE COMMITTEE ON SOLID WASTE - CONTINUED

MOTION: THAT THE CITY SOLICITOR AND MR. BINDER PROVIDE TO THE COUNCIL A COPY OF THE NEW AMENDMENT AND UPDATED FINANCIAL INFORMATION (EXPENSES) ON THE PROJECT SO FAR. ALSO A SPECIFIC BREAKDOWN AS TO THE COST OF THE REAL ESTATE IS TO BE PROVIDED.

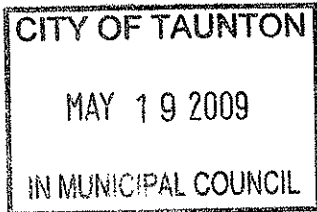
MOTION: THAT AN OPINION BE OBTAINED FROM THE INSPECTOR GENERAL RELATIVE TO THE PROPER PROCESS FOR OBTAINING CONSULTING SERVICES
COUNCILORS COSTA-HANLON AND FIORE VOTING IN FAVOR
COUNCILORS MARSHALL, CARR AND HOYE VOTING IN OPPOSITION
MOTION DOES NOT CARRY

MEETING ADJOURNED AT 7:25 P.M.

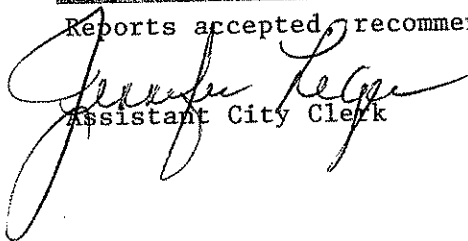
RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



Reports accepted, recommendations adopted.



Assistant City Clerk



CITY OF TAUNTON

ORDER #49
FY 2009
MAY 19, 2009

In Municipal Council 20.....

Ordered, That

THE SUM OF FOUR THOUSAND THREE

HUNDRED DOLLARS AND NO CENTS (\$4,300.00) BE AND HEREBY IS TRANSFERRED

FROM DEPARTMENT OF PUBLIC BUILDINGS ACCOUNT NO. 1-493-201-5108 – SALARIES

& WAGES OTHER PROFESSIONAL

TO: ACCOUNT NO. 1-192-201-5109 – SALARIES & WAGES OTHER EMPLOYEES

..... *Clerk.*



CITY OF TAUNTON

ORDER #50
FY 2009
MAY 19, 2009

In Municipal Council 20.....

Ordered, That

**THE SUM OF FOUR THOUSAND NINE HUNDRED
FIFTY DOLLARS AND TWELVE CENTS (\$4,950.12) BE AND HEREBY IS TRANSFERRED
FROM RESERVE ACCOUNT NO. 1-132-202-5784**

**TO: RETIREMENT BOARD ACCOUNT NO. 1-910-202-5179 -- RETIREMENT BENEFITS
- MILITARY SERVICE FUND**

..... *Clerk.*



CITY OF TAUNTON

In Municipal Council

ORDER #51
FY 2009
MAY 19, 2009

20

Ordered, That

THE SUM OF TWO HUNDRED THOUSAND

DOLLARS AND NO CENTS (\$200,000.00) BE AND HEREBY IS TRANSFERRED AS

FOLLOWS:

**\$50,000.00 FROM TAUNTON NURSING HOME ACCOUNT NO. 26-520-201-5108 –
OTHER PROF. EMPLOYEES**

**\$100,000.00 FROM TAUNTON NURSING HOME ACCOUNT NO. 26-520-201-5110 –
NURSES**

**\$50,000.00 FROM TAUNTON NURSING HOME ACCOUNT NO. 26-520-201-5111 –
NURSES AIDE**

**TO: TAUNTON NURSING HOME ACCOUNT NO. 26-520-202-5305 –
CONTRACTED SERVICES**

Clerk.