



**MUNICIPAL COUNCIL AGENDA
TEMPORARY CITY HALL
141 OAK STREET, TAUNTON, MA 02780**

~
JULY28, 2015 – 7:00 PM

**INVOCATION
ROLL CALL
RECORDS**

HEARING: NONE

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1 Com. from Fire Inspector – Response on 165 High Street.
- Pg. 2-4 Com. from Board of Health – Response on 165 High Street.
- Pg. 5 Com. from Director, Human Services – Notifying of Grant.
- Pg. 6-9 Com. from Director, Human Resources – Notifying of Clerical Contract.

COMMUNICATIONS FROM CITIZENS

PETITIONS

COMMITTEE REPORTS

UNFINISHED BUSINESS

TAUNTON, MA
CITY CLERK

2015 JUL 24 A 10:53

RECEIVED
CITY CLERK'S OFFICE

ORDERS, ORDINANCES AND RESOLUTIONS

Order for a first reading to be passed to a second reading

Ordered, That The City of Taunton appropriate the amount of One Million Seven Hundred Thousand (\$1,700,000) Dollars for the purpose of paying costs of the feasibility study for the James L Mulcahy Elementary School, 28 Clifford Street, Taunton, MA 02780, including the payment of all costs incidental or related thereto, and for which the City of Taunton may be eligible for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of City of Taunton’s School Building Committee. To meet this appropriation the Treasurer Collector, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The City of Taunton acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City of Taunton incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Taunton; provided that the borrowing authorized pursuant to this order shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Taunton and the MSBA; and that the Mayor is authorized to take any other action necessary to carry out this project.

Order for a first reading to be passed to second reading

Ordered, That

The City of Taunton appropriate the amount of Two Million Five Hundred Thousand (**\$2,500,000**) Dollars for the purpose of paying costs of a roof repair/replacement at the Edmund Hatch Bennett Elementary School, 47 No. Walker St, Taunton, MA 02780, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Taunton may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the City of Taunton's Building Committee. To meet this appropriation, the Treasurer Collector with the approval of the Mayor is authorized to borrow said amount under Chapter 44 of the General Laws or any other enabling authority. The City of Taunton acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City of Taunton incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Taunton; provided that the borrowing authorized pursuant to this order shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Taunton and the MSBA; and that the Mayor is authorized to take any other action necessary to carry out this project.

Oder for a first reading to be passed to a second reading

Ordered, That

The City of Taunton appropriate the amount of Five Million (**\$5,000,000**) Dollars for the purpose of paying costs of a roof repair/replacement at the Joseph H Martin Middle School, 131 Caswell Street, East Taunton, MA 02718, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Taunton may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the City of Taunton's Building Committee. To meet this appropriation, the Treasurer Collector with the approval of the Mayor is authorized to borrow said amount under Chapter 44 of the General Laws or any other enabling authority. The City of Taunton acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs The City of Taunton incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Taunton; provided that the borrowing authorized pursuant to this order shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Taunton and the MSBA; and that the Mayor is authorized to take any other action necessary to carry out this project.

NEW BUSINESS

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'RMB', with a long horizontal flourish extending to the right.

**Rose Marie Blackwell
City Clerk**



FIRE DEPARTMENT

TAUNTON, MASS. 02780

Chief of Dept.
Timothy J. Bradshaw

FIRE PREVENTION BUREAU
2 KILMER AVENUE

Fire Inspector
Capt. Robert J. Bastis Jr.

TEL. (508) 821-1453 – FAX # (508) 821-1491

July 17, 2015

Taunton Municipal Council
141 Oak Street
Taunton, Ma 02780

Dear Council,

The property located at 165 High Street, Grampy's is in compliance with fire department requirements. Currently, there is a permit to install an underground tank for gasoline. The permit was issued on January 16, 2015 to Global contracting Services at 680 Richmond Street, Taunton. A plan to install suppression systems for a self service gas station is also under review by this office.

Respectfully,

A handwritten signature in black ink, appearing to read "Capt. R. J. Bastis Jr.", is written over a faint, larger version of the same signature.

Captain Robert J. Bastis Jr.
Fire Inspector



City of Taunton

Board of Health

45 School Street
Massachusetts 02780-5212

BOARD MEMBERS
DR. BRUCE E. BODNER
DR. THADDEUS A. FIGLOCK
DR. JOSEPH F. NATES

HEATHER L. GALLANT, MPH, RS, CHO
EXECUTIVE DIRECTOR

ADAM S. VICKSTROM
ASSISTANT EXECUTIVE DIRECTOR

July 20, 2015

City Clerk's Office
City of Taunton
Temporary City Hall
141 Oak Street
Taunton, MA 02780

RE: 167 High St.

Dear Taunton Municipal Council:

In regards to the property at 167 High St., Grampy's, an inspection was conducted on June 1, 2015. At the time of inspection it was noted that there were trash bags on top of a locked dumpster and trash surrounding the locked dumpster. After witnessing this violation, an order was issued to the property owners of 167 High St to clean up the trash (see attached). The owners contacted me once they picked up their certified letter containing the violations and called me. They stated that when they closed the store they made arrangements with the trash company to lock the dumpster until such time as they were ready to reopen the store. Unfortunately the dumpster is being used by others to get rid of their trash, and since it is locked they are placing it on top. I let the owners know that they were still responsible for their property so they arranged for the trash company to come and take the dumpster away which has been done. I re-inspected the property on July 20, 2015 at 11:15am and trash bags are already accumulating. I called the owners and let them know that they were still responsible for the trash on their property even though the dumpster was taken away and they said that they would take care of it immediately.

Sincerely,

Daniel Ross
Sanitary Inspector



City of Taunton
Board of Health
45 School Street
Massachusetts 02780-3212

3.
BOARD MEMBERS
DR. BRUCE E. BODNER
DR. THADDEUS A. FIGLOCK
DR. JOSEPH F. NATES

HEATHER L. GALLANT, MPH, RS, CHO
EXECUTIVE DIRECTOR

ADAM S. VICKSTROM
ASSISTANT EXECUTIVE DIRECTOR

June 1, 2015

Certified Mail: 7014 0510 0001 3129 5294

Jamal and Alie LLC
5 Prince Rogers Way
Marshfield, MA 02050

RE: 167 High St

Dear Property Owner,

An inspection was conducted on your property located in Taunton, Massachusetts on June 1, 2015 by Health Agent, Daniel Ross, under Chapter 111 section 122, 127A and 127B of the Massachusetts General Laws: 105 CMR 400.00: State Sanitary Code, Chapter 1: General Administrative Procedures and 105 CMR 410.00; State Sanitary Code, Chapter 2: Minimum Standards of Fitness for Human Habitation.

The following defects in or on the premises constitutes a violation of the State Sanitary Code:

1. The property at 167 High Street has been declared a public nuisance.
Violation of City of Taunton Ordinance, trash is stored in containers without a closed lid. There is trash and debris overflowing from your dumpster.
Chapter 8, Section 8-28 Garbage, Trash, and Refuse
See Attached
e) Property Standards. All properties in the City of Taunton shall be maintained in accordance with the following property standards:
(4) *Accumulation of Trash, Rubbish or Debris.* All property shall maintained in a clean and sanitary manner and free from the accumulation of litter, rubbish, trash or other debris, except in closed receptacles intended for such use.
2. Garbage, rubbish and debris stored on the property, not in proper receptacles.
410.600 Storage of Garbage and Rubbish
(A) Garbage or mixed garbage and rubbish shall be stored in watertight receptacles with tight-fitting covers. Said receptacles and covers shall be made of metal or other durable, rodent-proof material. Rubbish shall be stored in receptacles of metal or other durable, rodent-proof material. *Garbage and rubbish shall be put out for collection no earlier than the day of collection.*
Order: Remove all garbage and rubbish from the property and store in watertight receptacles with tight-fitting covers. Garbage may not be placed out

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for collection earlier than the day of collection. You must show a good faith effort to correct item #2 within 10 days from receipt of this letter.

Pursuant to 105 CMR 410.830 of the State Sanitary Code, you are hereby ordered to begin necessary repairs of the identified defects. **You are required to make a good faith effort to substantially correct items #1 and #2 within 10 days from the receipt of this letter.**

Failure to respond to this order may result in the assessment of a fine of not less than \$10.00 or more than \$500.00 for each day that such refusal continues. Further action will be taken to clear or repair the property at the owner's expense and/or condemn said property.

Should you be aggrieved by this order, you have the right to request a hearing before the Board of Health. A request must be received in writing in the office of the Board of Health within seven (7) days of receipt of this order. At said hearing, you will be given an opportunity to be heard and to present witnesses and documentary evidence as to why this order should be modified or withdrawn. You may be represented by an attorney.

Any adverse party has a right to be present at the hearing. If these premises are occupied as rental housing, the occupants are entitled to the statutory remedies provided, a copy of this notice has been provided to them.

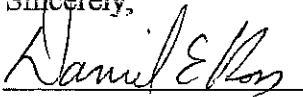
Portuguese

Este documento e legal e importante. Pode afectar os vossos direitos. Traduza este documento para Portugues.

Spanish

Este documento es legal y importante. Puede afectar sus derechos. Traduzca este documento para Espanol.

Sincerely,



Daniel Ross
Sanitary Inspector



5,

City of Taunton
Department of Human Services

DEPARTMENT OF HUMAN SERVICES
30 OLNEY STREET
TAUNTON, MASSACHUSETTS 02780
Telephone (508) 821-1420
Fax (508) 821-1444

ANNE C. BISSON
DIRECTOR

COUNCIL ON AGING
30 OLNEY STREET
TAUNTON, MASSACHUSETTS 02780
Telephone (508) 821-1425
Fax (508) 821-1444

July 21, 2015

Mayor Thomas C. Hoyer, Jr.
And Members of the City Council
Temporary City Hall
141 Oak Street
Taunton, MA 02780

Dear Mayor Hoyer and Members of the City Council:

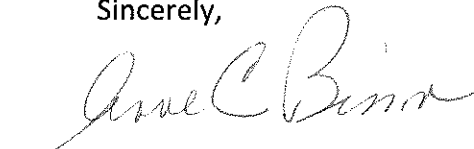
The Department of Human Services/Taunton Council on Aging receives an annual Executive Office of Elder Affairs Formula grant and a Community Development Block Grant to hire part-time employees to provide Case Worker services for homebound elders, receptionist and Drop-In Center Aide services for the Senior Center, and Yoga Instruction. The Executive Office of Elder Affairs Formula grant and the Community Development Block Grant will allow for a per hour increase for these positions as follows:

Case Workers: \$13.00 per hour to \$15.00 per hour
Receptionist: \$10.50 per hour to \$11.00 per hour
Drop-In Center Aide: \$10.50 per hour to \$11.00 per hour
Yoga Instructor: \$45.00 per class to \$50.00 per class

At this time, I respectfully request your approval to increase the wages of the above positions as stated.

I thank you for your continued support of the elders of Taunton.

Sincerely,



Anne C. Bisson
Director

6.



**CITY OF TAUNTON
MASSACHUSETTS**

HUMAN RESOURCES DEPARTMENT

Maria V. Gomes
Director
Sandra B. Peavey
Office Manager
Noreen Skwato
Benefits Clerk

City Hall
141 Oak Street
(temporary City Hall)
Taunton, MA 02780
(508) 821-1060
FAX (508) 821-1066

FROM: Maria V. Gomes, Director

**RE: President Estele Borges
Council As A Whole**

DATE: July 22, 2015

.....
CLERICAL UNION CONTRACT COSTS

FY '2016	\$28,891.59
FY' 2017	\$26,539.09

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MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is entered into this 21st day of July, 2015 by and between the **City of Taunton and the Massachusetts Laborer's District Council, Local 1144 (B) Clerical Union**. The purpose of this Memorandum of Agreement is to extend the Collective Bargaining Agreement between the parties, which expires on June 30, 2012. To the extent that this memorandum does not modify the Collective Bargaining Agreement, then said Collective Bargaining Agreement shall remain in full force and effect.

NOW THEREFORE, the parties, having bargained collectively pursuant to Chapter 150E of the General Laws do hereby agree to the following revisions/amendments/modifications to the Collective Bargaining Agreement which expires on June 30, 2015.

NEW CONTRACT shall be effective for the two (2) year period beginning July 1, 2015 and ending June 30, 2017.

1. All Roman numeral numbers will be converted to standard numbers. For example "X" would become "10".
2. The City proposes a **two year contract** for Fiscal Years 2016 & 2017.
3. **Add the following to the Declaration of Principles:** "gender identity" (new law that went into place July 1, 2012)

Neither the Employer nor the Union will discriminate against any employee or applicant for employment because of race, color, creed, sex, age, **gender identity**, national origin or Union activity".

4. **ARTICLE VII ("7")-**
Section 2 -Delete from line one: "if the employee has exhausted all personal days".
5. **ARTICLE VIII ("8")- Sick Leave**
Change/Add "Employees may use seven (7) sick days in a calendar year for family illness"to "Employees may use fifteen (15) sick days in a calendar year for family illness". A written certification will be required for absences for more than three (3) consecutive family sick days.
6. **ARTICLE XV ("15")- LONGEVITY p.18**

Replace current language in the first paragraph with:

All City employees covered by this Agreement who have had continuous service with the City of Taunton will be eligible for longevity. Increments will be as follows:

8.

5 yrs +	\$1,155.00
10 yrs +	\$1,470.00
15 yrs+	\$1,785.00
20 yrs +	\$2,100.00
25 yrs +	\$2,940.00
30 yrs +	\$3,280.00

7. ARTICLE XVII- ("17") CALL BACK p.19

Delete and renumber Articles. This language does not apply to the Clerical Union.

8. ARTICLE XVIII- ("18") Clerical/Automobile Allowance

Eliminate Section 2

9. ARTICLE XX ("20")-GRIEVANCE PROCEDURE p.21

Change the language of "e"

- e. In the event the grievance is not settled in a manner satisfactory to the aggrieved party, they, together with the Union, may submit such grievance to arbitration in the manner provided herein-by filing a demand for arbitration with the American Arbitration Association or the Massachusetts Department of Labor Relations (DLR) within forty-five (45) business days after its receipt of the section c above.

Section 4: Change "Massachusetts Board of Conciliation" to the Massachusetts Department of Labor Relations (DLR).

10. ARTICLE XXI ("21").

Section 7. Transfers-Clerical a1.

Change provide to the Business Manager/Treasurer.....to Business Manager

New Section 10-Jury Duty

After the statutory requirement of paid salary (now 3 days), the City will allow the employee to utilize their own vacation or personal time while required to serve on a jury.

11. ARTICLE XXIII ("23")- SICK LEAVE BANK p.24.

Section a. *Add/strike the following after* "No sick leave will be issued to any employee who has not already exhausted his/her own allotment of sick leave **and vacation** from the City.

12. ADDENDUM A-WAGES p.24-Change ARTICLE XXV to new amounts

July 1, 2015- June 30, 2016	2%
July 1, 2016- June 30, 2017	2%

International Laborer's Council Pension Fund Agreement has been increased from \$.06 to the current rate of \$.11 per hour for every hour worked.

13. Wage Re-Opener for FY'16 & FY'17:

Should the City of Taunton negotiate City union contracts which have a wage increase greater than the amount listed in ADDENDUM A, the City and the Union agrees to re-open negotiations for the sole purpose of discussing wages.

14. Add Article: Promotions [Article #??]

Effective on the date this contract becomes approved, any 1144B Clerical member promoted to a position in the COTMA Union shall carryover all vacation, sick and personal accruals; and will continue to accrue vacation in accordance with their total years of full-time continuous service with the City of Taunton. Placement on the grid will be at the New Hire rate of pay (unless otherwise negotiated) and will continue along through Steps 1, 2, 3 and 4. After 2 years in said position, this employee will move to the appropriate step which corresponds to their total years of full time continuous service with the City of Taunton. All COTMA union probationary period will be followed.

All Articles and Sections will be numbered accordingly in accordance with any agreed upon changes to the collective bargaining agreement.

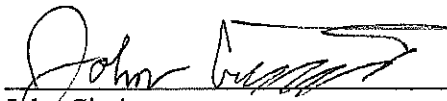
SIGNED THIS 21st DAY OF July, 2015.

Approved as to Form and Content:



Jason D. Buffington, City Solicitor

For Public Employees Local 1144 (B)-Clerical:



John Cimino

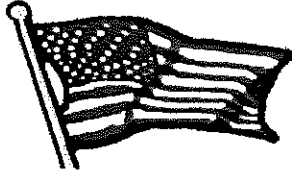
For the City of Taunton:



Mayor Thomas C. Hoyer Jr.



Maria V. Gomes, HR Director



RECEIVED
CITY CLERK'S OFFICE

2015 JUL 24 A 9 53

TAUNTON, MA

CITY CLERK

JULY 28, 2015

HONORABLE THOMAS C. HOYE, JR., MAYOR
COUNCIL PRESIDENT ESTELE BORGES
AND MEMBERS OF THE MUNICIPAL COUNCIL

PLEASE NOTE:

THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR TUESDAY, JULY 28, 2015 AT 5:30 P.M. AT THE TEMPORARY CITY HALL AT MAXHAM SCHOOL, 141 OAK STREET, TAUNTON, MA, 02780, IN THE CHESTER R. MARTIN MUNICIPAL COUNCIL CHAMBERS

5:30 P.M.

THE COMMITTEE ON FINANCE & SALARIES

1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS
2. MEET TO REVIEW REQUESTS FOR FUNDING
3. MEET TO REVIEW MATTERS IN FILE

PLEASE NOTE:

A "MEETING" OF THE ENTIRE MUNICIPAL COUNCIL, AS SAID TERM IS DEFINED IN MASS. GEN. L. C. 30A, §18 MAY OCCUR CONCURRENTLY WITH THIS COMMITTEE MEETING

THE COMMITTEE OF THE COUNCIL AS A WHOLE

1. MEET WITH THE EXECUTIVE DIRECTOR, ASSISTANT DIRECTOR, SANITARY FOOD INSPECTOR AND THE BOARD OF HEALTH DOCTORS TO DISCUSS PERMITTING
2. MEET WITH DR. JULIE HACKETT, SCHOOL SUPERINTENDENT, TO DISCUSS THE NEXT STEP IN THE ELIGIBILITY PROCESS FOR FEASIBILITY STUDY & SCHEMATIC DESIGN APPROPRIATION FOR THE JAMES L. MULCAHEY SCHOOL
3. MEET TO DISCUSS LOCAL 1144B CLERICAL CONTRACT
4. MEET IN EXECUTIVE SESSION WITH THE TAUNTON NURSING HOME BOARD AND ADMINISTRATOR TO DISCUSS ISSUES AT THE NURSING HOME
5. MEET TO REVIEW MATTERS IN FILE

PLEASE NOTE:

**A "MEETING" OF THE ENTIRE MUNICIPAL COUNCIL, AS SAID TERM IS
DEFINED IN MASS. GEN. L. C. 30A, §18 MAY OCCUR CONCURRENTLY WITH
THIS COMMITTEE MEETING**

RESPECTFULLY,

A handwritten signature in cursive script, appearing to read "Colleen M. Ellis".

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES