



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

~  
**July 7, 2015 – 7:00 PM**

**INVOCATION  
ROLL CALL  
RECORDS**

**HEARING:**

**COMMUNICATIONS FROM THE MAYOR**

**APPOINTMENTS**

**COMMUNICATIONS FROM CITY OFFICERS**

- Pg. 1 Com. from the Chairman, Taunton Planning Board – Submitting modifications of Site Plan Review.
- Pg. 2 Com. from City Treasurer/Collector – Requesting disposal of equipment.
- Pg. 3 Com. from Executive Director, Bd. of Health – Submitting Revolving accounts.
- Pg. 4-12 Com. from Administrator, Taunton Nursing Home – Submitting Response to legal fees, capital grants and operating cash.

**COMMUNICATIONS FROM CITIZENS**

**PETITIONS**

**COMMITTEE REPORTS**

**UNFINISHED BUSINESS**

**ORDERS, ORDINANCES AND RESOLUTIONS**

RECEIVED  
CITY CLERK'S OFFICE  
2015 JUL -21 P 1:58  
TAUNTON, MA  
CITY CLERK

**NEW BUSINESS**

**Respectfully submitted,**

A handwritten signature in black ink, appearing to read "Rm Blackwell". The signature is written in a cursive, flowing style.

**Rose Marie Blackwell  
City Clerk**



# TAUNTON PLANNING BOARD

City Hall  
15 Summer Street  
Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

Phone 508-821-1051  
Fax 508-821-1665

June 29, 2015

Honorable Thomas Hoye, Mayor  
Members of the Municipal Council  
141 Oak St., Maxham School  
Taunton, Ma. 02780

C/O Rose Marie Blackwell, City Clerk

**Re: MODIFICATION OF SITE PLAN REVIEW – MARTIGNETTI  
PROPERTIES – PIONEER WAY, CHARLES COLTON ROAD & DEVER  
DRIVE**

Dear Mayor Hoye and Members of the Municipal Council:

Please be advised the Taunton Planning Board received a Modification of a Site Plan Review for property located at Pioneer Way, Charles Colton Road and Dever Drive. Modifications include smaller building footprint (680,305 sq. ft. ) moving the loading and parking areas away from the wetland resources, and a shift of the building 80 feet to the east, minor parking layout changes and driveway changes are also associated with this plan., Submitted by Martignetti Companies.

The next scheduled meeting for this petition will be on Tuesday, July 21, 2015 at 9:00 AM in the Taunton Planning Board Office, 15 Summer St., Annex Bldg., at which time the application shall be reviewed by the DIRB and again on Thursday, August 6, 2015 at 5:30 PM at Chester R Martin Municipal Council Chambers, 141 Oak St., Taunton, Ma. at which this petition will be reviewed by the Planning Board.

Respectfully yours,

*Robert P. Campbell (RPP)*

Robert P. Campbell, Chairman  
Taunton Planning Board

RECEIVED  
CITY CLERK'S OFFICE  
2015 JUN 30 A 10:47  
TAUNTON, MA  
CITY CLERK



CITY OF TAUNTON  
MASSACHUSETTS

TREASURY DEPARTMENT

Barbara A Auger, CMMT  
Treasurer/Collector

15 Summer Street  
Taunton, MA 02780

Telephone (508) 821-1057  
FAX (508) 821-1007

June 30, 2015

Honorable Mayor Thomas C. Hoyer, Jr.  
Members of the Municipal Council  
City of Taunton  
141 Oak Street  
Taunton, MA 02780

RE: Disposal of Equipment

Dear Mayor Hoyer and Municipal Councilors;

The Collector's Office acquired equipment from Bristol County Savings Bank in January 7, 2007. The equipment is a NCR iTran 3000T encodes the back of the checks and keeps a record of all bills paid indicating whether it check or cash was received. The equipment although state of the art in 2007 has reached the end of its useful life. I have contacted the manufacturer to see if there was any resale value and they are not interested.

Bristol County Savings Bank has recently installed smaller more efficient equipment in the Collector's Office which replaces the functionality of the old equipment and electronically deposits money in the City's bank account.

I respectfully request permission to dispose of the NCR iTran 3000T equipment. Thank you in advance for your consideration of this matter.

Sincerely,

Barbara A Auger  
Treasurer Collector



# City of Taunton

## Board of Health

45 School Street  
Massachusetts 02780-3212

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 26, 2015

Honorable Thomas Hoye, Mayor  
Members of the Municipal Council  
Taunton Temporary City Hall  
141 Oak Street  
Taunton, MA 02780

RE: Board of Health Revolving Accounts

Dear Mayor Hoye and Members of the Municipal Council:

This letter is in response to the communication to this office regarding the balances in the Board of Health's Revolving Accounts.

The balances in the Board of Health's revolving accounts as of June 25, 2015 are as follows:

Septic Engineering / Consulting:	\$53,016.53
Asbestos Permitting:	\$12,200
Flu Clinic / Nursing Supplies	\$ 1,810.69

If you have any other questions, please feel free to contact this office.

Sincerely,

Heather L. Gallant, MPH, RS, CHO  
Executive Director



# Taunton Nursing Home

350 Norton Avenue • Taunton, Massachusetts 02780  
Tel. (508) 822-1132 • Fax (508) 880-8663

June 30, 2015

TO: Board of Directors TNH

FROM: John A. Brennan Administrator TNH

SUBJECT: Legal Fees, Capital Grants, and Operating Cash

CC: The Honorable Thomas C. Hoye Jr.  
Mayor of the City of Taunton  
Municipal Council  
City Solicitor Jason Buffington  
Gill Enos City Budget Director  
Karen Schnabel City Grants Coordinator

This is in response to the request from the Municipal Council regarding information regarding why it is necessary to retain legal and regulatory advice from outside counsel. In addition, the Municipal Council has asked for information regarding grants.

It has been my brief experience that the City's Grant Coordinator Karen Schnabel will be an excellent resource for Taunton Nursing Home. I have met with Ms. Schnabel and as a result of our discussions we have identified a number of projects where we will seek capital grants. The capital grants that we seek are:

1. New Electric Beds
  - a. Electric Study -Capacity of panels, outlets, rooms-\$ 10K
  - b. Upgrade Electrical System as required-\$ 25K
  - c. 75 new electric beds-\$ 75K - \$ 110K
2. Replace Analog Nurse Call System \$ 100K

5,

3. Replace Old Main Entrance-\$ 25K (historical)
4. Replace Maintenance Shed-\$ 10K
5. Roof Repair-1876 building-\$ 50K
6. Replace 25 Doors-Old Wings-\$ 50K
7. Toilets, Seats, Sinks, Faucets-\$ 25K
8. Five HVAC Units-\$- 75K
9. Handrails-\$ 20K plus installation \$ 10K
10. Rebuild two Nurse Stations-\$ 40K
11. Replace Heat Base Boards-\$ 30K
12. Parking Lot Repaving and Expansion -\$ 30K
13. Replace two generators with one-\$ 150K
14. Health Information System-\$ 75K
15. New Windows-\$ 500K

I look forward to working with Ms. Schnabel to identify state and federal opportunities in FY 2016. In meeting with Ms. Schnabel I will update her on our successes with HRSA and HUD. The Capital Needs list is maintained and ever changing as needs and funding are explored.

In addition the Municipal Council has asked me to detail the grants and legal expenses incurred by TNH.

During my tenure at TNH I have engaged lawyers and accountants for projects such as collections, labor negotiations, grants and grant reporting, and reimbursement/provider number issues. Our legal and accounting fees generally run 1% of operating cash.

The primary lawyers we work with are:

Donoghue, Barrett & Singal, PC  
One Beacon Street Suite 1320  
Boston MA 02108-3113  
617-720-5090 Dbslawfirm.com

6.

Paul Barrett-Principal Partner

I had worked with this firm in the 1990s when I was the CEO of the Cranberry Hospice in Kingston MA. We executed a merger with Jordan Hospital; Jordan is now part of the Beth-Israel system. In addition, we have successfully worked with Attorney Barrett and his team to secure additional federal funding for TNH as well as advise us on state and federal regulatory and reimbursement issues.

**From their website:**

**Navigating healthcare reform calls for experienced advisors with a finger on the pulse. Our health law team is led by senior practitioners with decades of hands-on experience from the hospital floor to the boardroom. With a track record for results, driven by one of the largest dedicated health law benches in Massachusetts, we are focused on solving our client's strategic challenges.**

**Representative Matters:**

**Assisted the region's largest healthcare provider system in acquiring a major Medicaid HMO**

**Secured DPH approvals on behalf of a leading rehabilitation hospital network for its new state-of-the-art facility, including initial determination of need, plan review, licensure to build, and approvals to open**

**Established for a major academic medical center specialty affiliations with community hospitals and physician practices**

**Represented providers before commercial and government payors regarding payment audits and recoupment**

**Represented pharmaceutical compounding pharmacies in connection with state and federal investigations**

**Counseled community hospital boards and senior management on strategic initiatives and business operations**



**Represented the region's largest healthcare system in closing and realigning their substance abuse facility**

**Negotiated multi-million dollar risk contract on behalf of the largest behavioral health managed care provider in Massachusetts**

**Advised a community hospital in its affiliation discussions with a Boston teaching facility**

**Advised Medicare-certified home health agencies and hospices on general compliance and corporate and payor matters**

We contacted DBS to gain access to state and federal funds. The original grant, often referred to as Pacheco Funding, was available to the public nursing homes in the Commonwealth through the efforts of State Senator Marc R. Pacheco. DBS played a key role in the development of this model.

The net amount of the grant for Taunton Nursing Home was \$ 1.471M.

After the funding was received Taunton Nursing Home used the funds for the following facility upgrades:

- New HVAC Systems
- Roof Repairs
- Fire Panel and Systems Upgrades
- New Showers & Restrooms-6
- Resident Room Furniture

This was our first successful grant; the Board of Taunton Nursing Home has supported my use of DBS to pursue new grant opportunities.

Taunton Nursing Home and DBS explored federal grant opportunities and contacted our Congressman Barney Frank. We received \$ 1.1M in HRSA and HUD grants and used the funding for:

New Kitchen	\$ 292K
-------------	---------

81

New Dining Rooms and Furniture	\$ 194K	
Infrastructure	\$ 643K	<u>\$ 1, 129,000.00</u>

We accomplished:

New Kitchen-Design-Equipment-Construction

New Lighting

New Resident Room Chairs and Business Office Furniture

New Dining Room Furniture

HVAC Upgrades

Upgrades to the Residents' Sunshine Room and Sun Porch

Relocation of Rehabilitation Department from basement to first floor and expanded services for our residents

New Occupational Therapy Kitchen

New Storage Space

Upgrades to Telephone, CCTV, and Internet Services

As you may recall, I left the City for a brief period and returned to discover that there had been some accidental complications in how the funds were received by the City. The funds intended for Taunton Nursing Home had been accidentally awarded to, and spent by the Taunton Senior Center (\$194,800). DBS contacted the federal government and had the grant duplicated for Taunton Nursing Home.

These were capital grants. Legal and Accounting expenses and Clerk of the Works expenses were charged to the TNH operating budget. This decision was made to optimize the use of the capital funds and to optimize Medicare and Medicaid Reimbursement.

It is important to note that accounting, legal, and reporting requirements for the federal grants are lengthy and complicated. All reporting was filed properly and the grants were closed with federal authorities. The projects were completed on time and the grant funds were spent with no interruptions to Taunton Nursing Home's operations or revenue. Please note the Taunton

Nursing Home has no debt or mortgage; it does not have plans to borrow money for capital expenditures. From an accounting-reimbursement point, one of the questions we had was can Taunton Nursing Home capitalize the improvements and then depreciate them on our cost reports? This is the type of information required during and after the grant process.

Taunton Nursing Home and DBS are actively pursuing federal, state, and other organizations for grants at this time for:

1. Windows-\$ 500K
2. Electric Beds-\$ 110K
3. Health Information system-\$ 75K
4. Nurse Call System-\$ 100K

Please note attachment #1.

The next area that Taunton Nursing Home and DBS have had success is in gaining increases in funding for Operating Expense Cash.

DBS worked with the State to develop what is known as the Certification of Public Expenditure for a Public Medical Facility (CPE-PMF) reimbursement application. Since Taunton Nursing Home is a publically owned facility, it is eligible for such funding. The Medicaid reimbursement rules for a CPE-PMF are not available to a for-profit or 501-C-3. The CPE was created by DBS and the State to take advantage of the unique reimbursement opportunities available to a public medical facility; the only other nursing home in the Commonwealth who has access to this program is Our Island Home on Nantucket.

We went back to our prior fiscal years and looked for an opportunity to re-capture some cash.

These were the cash results for CPE filings:

2009 & 2010	\$ 433,955.00
2011	\$ 310,879.50
2012	\$ 515,082.00
2013	\$ 658,536.00 filed June 2014
2014	\$ 680,685.00 filed June 2015

We have not received the 2013 payment yet and the 2014 payment will be received after July 2016. We may receive 100% or 50% of the amount filed; we will not know until the Commonwealth processes the payment in July 2015 for 2013.

In addition, DBS has assisted with a new opportunity to capture cash which is referred to as the Boudreau Recovery Project. This involves a lawsuit that was filed by Janine Boudreau against Medicaid a number of years ago. She recently won. DBS assisted in negotiating the contract terms. This was completed without the up-front fee that was required for some of the other nursing homes. The time period of recovery is 1992 to 2002. Our phase one recovery was \$ 50K, net of the 33% fee.

Please note attachment #2 with the numbers for DBS.

Thank you for your continued support of the TNH residents, employees, and the seniors of our community.

The Board of Directors of Taunton Nursing Home will attend the Municipal Counting meeting of July 28, 2015 at 7:00 pm in Executive Session to discuss TNH operations, financials, and legal activities.

Taunton Nursing Home	DBS Expense v Cash	JAB	June.2015		
Year	TNH cash	DBS Expense	% of cash	Capital Grants	
				CPE Cash	
				Boudreau Cash	
2007	6329474	116K		1.471M	(1992-2002)
2008	6328716	82K		292K	
2009	7188860	118K		390K (2)	
2010	7338466	32K		434K	
2011	7704658	61K		644K	311K
2012	7692880	78K		515K	
2013	7664577	50K		658K	filed*
2014	7345881	48K		681K	filed*
2015	\$ 57,593,512.00	100K	1%	\$ 2,797,000.00	\$ 1,260,000.00
					\$ 50,000.00
					<u>\$ 4,107,000.00</u>

\* filed, not received yet. TNH may receive 100% or 50%

12.



June 29, 2015

By Email and FedEx

Mr. John A. Brennan, Administrator  
Taunton Nursing Home  
350 Norton Avenue  
Taunton, MA 02780

Re: Federal and State Funding Strategy

Dear Mr. Brennan:

We write in follow-up to recent discussions regarding funding strategies to bring additional federal and state monies to Taunton Nursing Home ("TNH") for various projects including replacement of aging windows, implementation of a nurse call system, the purchase and installation of electronic health record technology and practice management software, as well as upgrades to the electric beds.

For the past six months, we have been working on a funding strategy with the federal Department of Energy to obtain monies for replacing the aging windows. We are continuing our work on this initiative with the Massachusetts Department of Energy Resources and we will be meeting with staff at the agency in the coming months. Additionally, we are working with local trust and foundation funders to obtain monies for other projects, such as the nurse call system, implementation of health information technology and upgrades to the electric beds. These funders have varying deadlines and we'll be submitting several applications over the following three months.

If you have any questions or require any additional information, please do not hesitate to contact me.

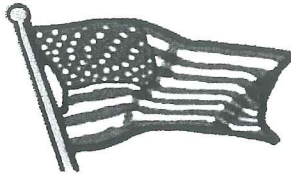
Sincerely,

Paul M. Barrett

cc: The Honorable Thomas C. Hoye, Jr.  
Mayor of the City of Taunton

Jason Buffington, City Solicitor  
City of Taunton

Donoghue Barrett & Singal  
One Beacon Street, Suite 1320  
Boston, MA 02108-3106  
T 617.598.6700  
F 617.722.0276  
www.dbslawfirm.com



RECEIVED  
CITY CLERK'S OFFICE

2015 JUL -21 A 11:53

TAUNTON, MA

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CITY CLERK

JULY 7, 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 7, 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 ON PUBLIC PROPERTY**

1. MEET FOR AN UPDATE ON THE TAUNTON HIGH SCHOOL STADIUM PROJECT
2. 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**

6:00 P.M.

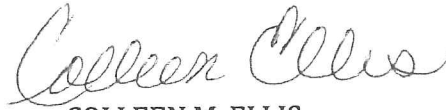
**THE COMMITTEE OF THE COUNCIL AS A WHOLE**

1. MEET WITH RITA GARBITT, LAKEVILLE TOWN ADMINISTRATOR AND MEMBERS OF THE BOARD OF SELECTMEN TO DISCUSS SALE OF WATER TOWER AND PUMP STATION TO THE CITY OF TAUNTON
2. 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 that reads "Colleen M. Ellis".

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES