

City of Taunton  
Municipal Council  
September 5, 2023

RECEIVED  
CITY CLERK'S OFFICE

2023 SEP -8 A 8: 27

**The Committee on Finance and Salaries**

TAUNTON, MA

The meeting was held at Taunton City Hall, 15 Summer Street, Taunton, MA 02780 in the Chester R. Martin Municipal Council Chambers. CITY CLERK

Members Present: Councilor Phillip Duarte, Chairman  
Councilor David Pottier  
Councilor John McCaul

Also Present: Patrick Dello Russo, CFO  
Gill Enos, Budget Director

The meeting was called to order at 5:35 PM.

1. Meet to review the weekly vouchers and payroll for City departments.

**Motion** by Mr. Pottier and seconded by Mr. McCaul to approve the payroll warrant in the amount of \$4,018,492.60. **So voted.**

**Motion** by Mr. Pottier and seconded by Mr. McCaul to approve the accounts payable warrant in the amount of \$2,568,349.30. **So voted.**

2. Meet to discuss the request on behalf of the Golf Commission to pay a prior year invoice.

**Motion** by Mr. Pottier and seconded by Mr. McCaul to invite in the interested parties. **So voted.**

Councilor Duarte read the letter from Mr. Enos on behalf of the Golf Commission as well as the letter from Attorney Thomas Gay regarding the purchase of a computerized cash register.

**Motion** by Mr. Pottier and seconded by Mr. McCaul to make these part of the record. **So voted.**

Mr. Pottier indicated that he understands that there was a point of sale system previously installed and wonders what happened to that system. He suggested that this be investigated further to ensure that it is a valid bill.

**Motion** by Mr. Pottier and seconded by Mr. McCaul to refer to the administration to investigate to ensure that this is a valid bill.

Mr. Enos suggested that the Committee might like to invite the Commission.

Ms. Borges stated that she has received many calls regarding this system and has heard that the system was not there when the new commissioner took over. She would like some more information.

Mr. Coute, the Golf Course Commission Representative, referenced the contract. He believes that there was a system that needed upgrade and encouraged further investigation.

Mr. Pottier added to his motion. **Amended motion:** *Refer to the administration to investigate to ensure that this is a valid bill. Return in 30 days and invite the Golf Course Commission. So voted.*

3. Meet to discuss the request from the Fire Department to pay prior year invoices.

Mr. Duarte read a letter from the Chief detailing the bills.

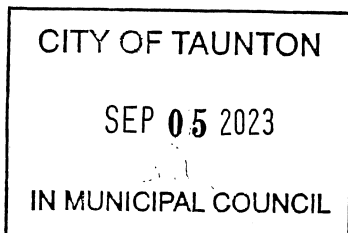
**Motion** by Mr. McCaul and seconded by Mr. Pottier to approve and transfer as follows:

\$3,990.86 from 01-220-5200-5301  
 \$1,340.85 from 01-220-5200-5301  
 \$150.71 from 01-220-5200-5301  
 \$2,176.72 from 01-220-5200-5254  
 \$645.58 from 01-220-5200-5442  
 \$1,655.08 from 01-220-5200-5480  
 \$18.16 from 01-220-5200-5442  
 \$209.40 from 01-220-5200-5230  
 \$150.00 from 01-220-5200-5588  
 \$150.00 from 01-220-5200-5588  
 \$150.00 from 01-220-5200-5588  
 \$125.00 from 01-220-5200-5588

To: 01-220-5520-5999 – Prior Year.

**So voted.**

**Motion** by Mr. Pottier and seconded by Mr. McCaul to adjourn at 5:45 PM. **So voted.**



Respectfully submitted,

*Maggie E. Clarke*

Maggie E. Clarke  
 Clerk of Council Committees

**REPORTS ACCEPTED. RECOMMENDATIONS ADOPTED.**

*Jessica R. Regan*  
 CITY CLERK

City of Taunton  
Municipal Council  
September 5, 2023

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2023 SEP -8 A 8: 28

TAUNTON, MA

**The Committee on Police and License**

The meeting was held at Taunton City Hall, 15 Summer Street, Taunton, MA 02780 in the Chester R. Martin Municipal Council Chambers.

Members Present:     Councilor Jeffrey Postell, Chairman  
                              Councilor Barry Sanders  
                              Councilor Estele Borges

Also present:           Detective Sergeant Joseph Balmain  
                              Public Safety Officer Arsenio Chaves

The meeting was called to order at 5:47 PM.

1. Meet to discuss tow truck companies cleaning streets and surrounding areas after responding to an accident scene.

**Motion** by Ms. Borges and seconded by Mr. Sanders to invite in the interested parties. **So voted.**

Mr. Postell explained that this has been an ongoing concern when debris is sometimes left behind at the scene of an accident.

Detective Sergeant Balmain stated that emails went out to the department asking them to reach out to him if any issues come up. However, he has not personally received any complaints regarding cleanups. The tow companies have their contract and they should clean up.

Mr. Postell asked about the details of the contracts and the Detective Sergeant Balmain indicated that there is a rotation of 6 tow companies with 2 weeks on call. Mr. Postell asked if there has been any correspondence with the tow companies and Mr. Balmain indicated that he verbally called and spoke to them about a year ago. Mr. Postell asked if there have been any recurring issues and Mr. Balmain said that there were 2 companies with issues back then but now he is not sure. Mr. Postell asked about the contracts. Mr. Balmain did not know who established the contracts and who inspected the equipment or if there were any inspections at all. He expressed concern that the tow companies do not have the proper equipment as outlined in their contracts.

Ms. Borges suggested that the Committee needs the Chief and other representatives to talk about these tow contracts. She hasn't heard any complaints in 6 months.

Mr. Sanders asked if the contracts expire at the same time and Detective Sergeant Balmain indicated that he believes they all expire on 9/30/25 and were signed 10/1/22. Mr. Sanders asked if there is language about the City having an opportunity to inspect the equipment and Detective Sergeant Balmain confirmed that is what he is planning to do. Mr. Sanders asked how long these inspections would take and 6 weeks was suggested. Mr. Sanders asked if there is any sort of official complaint log. Detective Sergeant Balmain indicated that it is primarily verbal so Mr. Sanders requested that a log be created.

Ms. Borges suggested that a letter be sent as some tow companies do not email.

Mr. Pottier stated that he often sees the obvious remnants of an accident and is concerned that this could be dangerous for a motorcycle rider.

Mr. Coute suggested that the Chief and the Law Department write a memo within a couple weeks to the tow trucks with the expectations and begin inspection of equipment.

Ms. Dooner suggested that a 6 week time frame might not be enough time if there are companies with dozens or even 50 trucks, for example.

Mr. Postell suggested that at the minimum the companies should have a broom, shovel, and trash can.

Detective Sergeant Balmain stated that sometimes the tow companies are not called if there is an accident that just happens.

Ms. Borges indicated that she spoke to Captain Santos and understands that sometimes there are accidents that happen in the middle of the night when no one is called and debris is left behind.

***Motion*** by Mr. Sanders and seconded by Ms. Borges that Detective Sergeant Balmain complete the inspections of the tow trucks and report to the Committee in 45 days. A complaint log is to be created to track compliance with contract expectations. The Police Department should work with the Law Department to send a memo to the tow truck companies reminding them of the expectations as outlined in the contract. **So voted.**

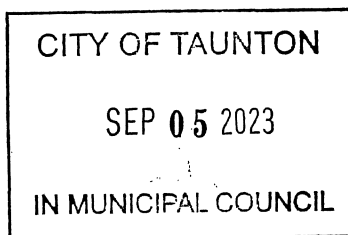
***Motion*** by Ms. Borges and seconded by Mr. Sanders to excuse Detective Sergeant Balmain. **So voted.**

2. Meet with the Safety Officer to discuss parking issues near fire hydrants in the area of 17 Whitehill Street.

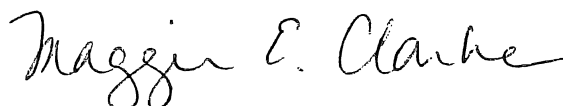
Mr. Postell explained the issues. There are concerns with commercial vehicles parking for a long time and leaving debris, oil, etc. behind. But the biggest concern is parking that obstructs fire hydrants.

Officer Chaves stated that almost every day that he's worked since this came to his attention he has gone by that area at different times of the day. He issued one ticket for a vehicle blocking the hydrant. Since then the hydrant has not been blocked. He encouraged anyone who sees a vehicle blocking a hydrant to call the Police Department. He did see some people parking in a no parking zone which made the road tight. Officer Chaves issued tickets and this stopped after a week and a half.

**Motion** by Mr. Sanders and seconded by Ms. Borges to dismiss the party and to adjourn the meeting at 6:13 PM. **So voted.**

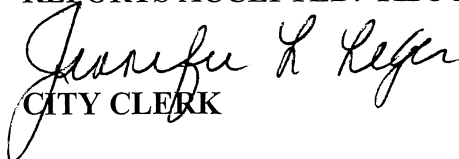


Respectfully submitted,



Maggie E. Clarke  
Clerk of Council Committees

**REPORTS ACCEPTED. RECOMMENDATIONS ADOPTED.**



CITY CLERK

City of Taunton  
Municipal Council  
September 5, 2023

RECEIVED  
CITY CLERK'S OFFICE

2023 SEP -8 A 8: 28

TAUNTON, MA

**The Committee on Public Property**

The meeting was held at Taunton City Hall, 15 Summer Street, Taunton, MA 02780 in the Chester R. Martin Municipal Council Chambers.

Members Present: Councilor Christopher Coute, Chairman  
Councilor John McCaul  
Councilor Kelly Dooner  
Councilor Lawrence Quintal  
Councilor Estele Borges

Also Present: Patrick Dello Russo, CFO  
Richard Conti, Chief Assessor

The meeting was called to order at 6:14 PM.

- 1. Meet to discuss the request to amend the vote taken on August 1, 2023 to move Map 92 Lot 279 near 103 East Water Street into the abutters program.

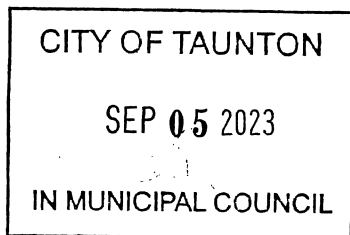
**Motion** by Ms. Borges and seconded by Ms. Dooner to invite in the interested parties. **So voted.**

Mr. Conti explained why this property is not appropriate for the abutters program.

Ms. Borges asked if the abutter who had expressed interest had been notified. Mr. Conti said that he will contact them.

**Motion** by Ms. Borges and seconded by Ms. Dooner to declare as surplus. **So voted.**

**Motion** by Ms. Borges and seconded by Ms. Dooner to excuse the party and adjourn the meeting at 6:16 PM. **So voted.**



Respectfully submitted,

A handwritten signature in cursive script that reads "Maggie E. Clarke".

Maggie E. Clarke  
Clerk of Council Committees

**REPORTS ACCEPTED. RECOMMENDATIONS ADOPTED.**

A handwritten signature in cursive script that reads "Jennifer Lopez". Below the signature, the words "CITY CLERK" are partially visible.

City of Taunton  
Municipal Council  
September 5, 2023

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2023 SEP -8 A 8: 28

**The Committee on the Department of Public Works**

TAUNTON, MA

The meeting was held at Taunton City Hall, 15 Summer Street, Taunton, MA 02780 in the Chester R. Martin Municipal Council Chambers. CITY CLERK

Members Present:     Councilor John McCaul, Chairman  
                            Councilor Lawrence Quintal  
                            Councilor Phillip Duarte  
                            Councilor Christopher Coute  
                            Councilor Jeffrey Postell

Also Present:         Brad Fitzgerald, SFG Associates, Inc.

The meeting was called to order at 6:18 PM.

1. Sewer Extension on Marvel Street – Continued Hearing

In accordance with Chapter 375-1 of the City of Taunton Ordinance and on the petition of Senna Fitzgerald Gilbert Associates, 28 Main Street, Lakeville, MA on behalf of Eduardo Almeida, owner of property on Marvel Street known as 0 Marvel Street, Assessors Map 91 Lots 170 & 192, Taunton, MA, 02780, a hearing will be held before the Taunton Municipal Council Committee on the Department of Public Works for a proposed sewer extension on Marvel Street.

The project will consist of the installation of approximately 121' of a 2" force main sewer pipe running from an existing sewer manhole in Marvel Street to a proposed sewer manhole to be installed in Marvel Street. The force main must meet City of Taunton Sewer Department specifications. The proposed sewer manhole in Marvel Street will include a 2" stub running 5' northeasterly from the proposed sewer manhole, for future connection. The job will also include coring into the existing sewer manhole in Marvel Street, at the elevation indicated. The job must meet all standards of the City of Taunton Department of Public Works including, but not limited to, trench work and permits, road openings, and sewer installation. The Contractor will be responsible to contact Dig-Safe and all appropriate utility companies prior to the start of the project.

There will be no betterment assessments since no City funding is involved.

Plans and specifications for the project can be viewed in the Office of the Department of Public works, 90 Ingell Street, Taunton, MA.

The Clerk of Committees read a letter from Anthony Abreau approving this sewer extension with conditions.

**Motion** by Mr. Coute and seconded by Mr. Postell to make that letter part of the record. **So voted.**

**Motion** by Mr. Postell and seconded by Mr. Coute to invite the interested parties in. **So voted.**

Mr. Fitzgerald indicated that Mr. Abreau's letter summarizes the project.

**Motion** by Mr. Coute and seconded by Mr. Postell to open public input. **So voted.**

**Motion** by Mr. Quintal and seconded by Mr. Postell to close public input. **So voted.**

**Motion** by Mr. Coute and seconded by Mr. Quintal to approve the project in accordance with the letter and specifications from the DPW Office. **So voted.**

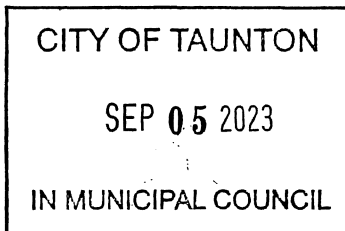
2. Meet to discuss the request to open the road at 6 Wilson which is under a moratorium.

The Clerk of Committees read a letter from Anthony Abreau approving the road opening at 4-6 Wilson Ave. with conditions.

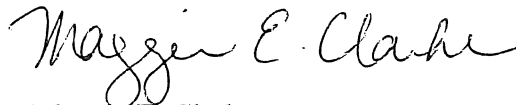
**Motion** by Mr. Postell and seconded by Mr. Quintal to make that letter part of the record. **So voted.**

**Motion** by Mr. Quintal and seconded by Mr. Duarte to approve with the conditions outlined in the letter. **So voted.**

**Motion** by Mr. Coute and seconded by Mr. Postell to adjourn at 6:23 PM. **So voted.**

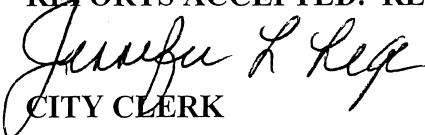


Respectfully submitted,



Maggie E. Clarke  
Clerk of Council Committees

**REPORTS ACCEPTED. RECOMMENDATIONS ADOPTED.**

  
CITY CLERK



City of Taunton  
Municipal Council  
September 5, 2023

RECEIVED  
CITY CLERK'S OFFICE

2023 SEP -8 A 8:29

TAUNTON, MA

**The Committee of the Council as a Whole**

The meeting was held at Taunton City Hall, 15 Summer Street, Taunton, MA 02780 in the  
Chester R. Martin Municipal Council Chambers.

Councilors Present: Council President Kelly Dooner  
Councilor Phillip Duarte  
Councilor Estele Borges  
Councilor John McCaul  
Councilor David Pottier  
Councilor Christopher Coute  
Councilor Barry Sanders  
Councilor Lawrence Quintal  
Councilor Jeffrey Postell

Also Present: Chapman Dickerson, Bask, Inc.  
Tim Keough, Bask, Inc.  
Andrew Sukeforth, Director of Procurement  
Patrick Dello Russo, CFO  
Christine Clymens, Treasurer-Collector  
Richard Conti, Chief Assessor  
Attorney Matt Costa, City Solicitor

The meeting was called to order at 6:26 PM.

1. Meet to discuss an HCA extension for Bask, Inc. at 400 Winthrop Street.

**Motion** by Mr. Pottier and seconded by Ms. Borges to invite in the parties. **So voted.**

Councilor Duarte noted that he is recused from this matter.

Ms. Dooner asked for an update and Mr. Dickerson stated that they are in construction now. Paving is expected on Monday and Tuesday. The electrical and plumbing are roughed.

Ms. Borges asked for the anticipated opening date. Mr. Keough stated that they are on target for construction to be complete by November 7. Then they will have inspections and seek a Certificate of Occupancy but he is optimistically hoping to be open by the end of the year. He reported that they are making good headway.

Motion by Mr. Coute and seconded by Ms. Borges to extend for 6 months. So voted.

Motion by Ms. Borges and seconded by Mr. Postell to excuse the parties. So voted.

2. Meet with the Finance Department for a report on Tax Title and Land Court parcels.

Ms. Clymens gave a presentation that explained the tax title and foreclosure process and showcased several properties that may end up in foreclosure. The properties that she highlighted that might go into foreclosure were 53 Berkley Street, 20 Grand Avenue, 472 Richmond, 16 Benefit Street, and 56 Turner Street. She stressed that the City tries to avoid foreclosure and Mr. Dello Russo noted that payment plans are available.

- a. Discuss the request to declare 21 Weir Street as surplus.

21 Weir Street was discussed. This is a City owned property that was taken over in 2020 and the request was to declare this surplus through the marketable properties program.

Ms. Dooner asked about the six month process. Ms. Clymens explained the notification process.

Mr. Coute asked if there was any research on the mortgage debt. Ms. Clymens indicated that there are no mortgages on these properties. Mr. Coute asked about the mindset for 21 Weir Street and Mr. Dello Russo stated that this would go out as an RFP like the other marketable properties and be handled by the RFP committee. He asked how the City came to own this property and Mr. Dello Russo stated that there was a deed transfer in 2020 but he did not have the specifics. Mr. Coute asked for the size of the building and Mr. Conti stated it is approximately 25,000 sq. ft.

Mr. Pottier inquired as to research on finding heirs. Ms. Clymens stated that the land court does that. Mr. Pottier asked if the City reaps the entire benefit from the sale and Mr. Dello Russo confirmed it would be treated as sale of real estate proceeds. Mr. Pottier asked if the net proceeds go to the general fund. Mr. Dello Russo stated that they pay back taxes and apply cleanout costs. Of the net proceeds, 50% would go into sale of real estate proceeds. The other 50% would go into the downtown development initiative account for the marketable properties program. Mr. Pottier would like to alleviate the concern that there are inside deals and suggested that they return to the Council with success stories of sales.

Ms. Borges asked about 21 Weir Street. She indicated that this property had been purchased by the City for \$150,000 for the Galligan Lot. Mr. Dello Russo stated that this is no longer part of the plan. Ms. Borges indicated that she would like to hear from the Parking Commission to understand what changed. She asked why this process takes so long and Ms. Clymens said that land court is significantly backed up. Ms. Borges asked how many properties there are in tax title and he and Mr. Dello Russo did not know for sure. He indicated that they can request for these discussed tonight to be expedited.

Mr. Sanders asked about the City retaining the proceeds from the sale of foreclosed property and referenced a Supreme Court case that seems to suggest that cities and towns are entitled to only what it is owed. He asked the Law Department to review that ruling and provide the Council and the administration with some advice.

Ms. Dooner stated that she deals with land court on a daily basis and there is a rigorous process to find an heir to a property. Mr. Dello Russo stressed that in Massachusetts there is the right of redemption for one year.

**Motion** by Mr. Pottier and seconded by Mr. Coute to declare 21 Weir Street surplus. **So voted.**

**Motion** by Mr. Coute and seconded by Mr. Postell to excuse the parties. **So voted.**

3. Meet to discuss the rules for placing new business items on the agenda.

**Motion** by Mr. Coute and seconded by Mr. Postell to invite in the City Solicitor. **So voted.**

Mr. Coute stated that he believes that it is best practice to post new business on the agenda. He thinks that the Council has gotten in the habit of bringing things up under new business that could have been placed on the agenda. Attorney Costa agreed that it is best practice to place things on the agenda.

Ms. Dooner suggested that safety issues might be an exception. Attorney Costa stated that the preference is to put items on the agenda if at all possible.

Mr. Postell indicated that he believes that public safety matters that need immediate attention have been allowed in the past.

Ms. Borges indicated that she believes that this topic was brought up because of the presentation in the Committee on Economic Development a couple weeks ago and she's not sure why this is being discussed tonight.

Ms. Dooner stated that she does not believe this is specific to any particular event and is about new business.

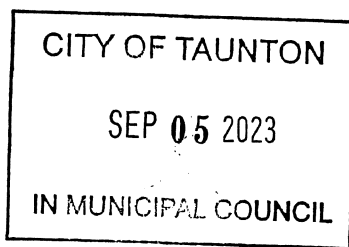
Mr. Coute stressed that if something is going to be referred it should be placed on the agenda so that the Council is in compliance with the Open Meeting Law.

Mr. Pottier suggested that there has been a creep where an emergency has become less of an emergency. He suggested having items on the agenda is helpful to the councilors as it gives everyone a chance to better understand the issue.

Ms. Sanders expressed his understanding that the Open Meeting Law would not preclude the Council from bringing something up if it's just to be referred.

Mr. Duarte stated that this issue has been going on for a long time. When he was the Council President he wrote a memo asking as a professional courtesy that new items be placed on the agenda. He believes the Council should deliberate whether a matter warrants the attention of the City Council's committees. Issues that warrant the attention of the City do not necessarily warrant the attention of a committee.

***Motion*** by Ms. Borges and seconded Mr. Sanders to adjourn the meeting at 7:13 PM and excuse the party. ***So voted.***



Respectfully submitted,

A handwritten signature in cursive script that reads "Maggie E. Clarke".

Maggie E. Clarke  
Clerk of Council Committees

**REPORTS ACCEPTED. RECOMMENDATIONS ADOPTED. COUNCILOR DUARTE  
RECUSED HIMSELF FROM ITEM #1**

 A handwritten signature in cursive script that reads "Jennifer X Regan".
 

CITY CLERK