

City of Taunton
Municipal Council
November 28, 2023

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2023 DEC -4 A 9:43

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

Members Absent: Councilor John McCaul

Also Present: Amy Kazlauskas, Human Resources Director

The meeting was called to order at 5:34 PM.

1. Approve the minutes from November 21, 2023.

Motion by Mr. Pottier and seconded by Mr. Duarte to approve. **So voted.**

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

Motion by Mr. Pottier and seconded by Mr. Duarte to approve the payroll warrant in the amount of \$4,298,028.75. **So voted.**

Motion by Mr. Pottier and seconded by Mr. Duarte to approve the accounts payable warrant in the amount of \$927,140.33. **So voted.**

3. Meet to discuss the request of the Police Department to pay a prior year bill and transfer \$59.81 from 01-210-5200-5211 (Energy-Electricity) to 01-210-5520-5999 (Prior Year).

Motion by Mr. Pottier and seconded by Mr. Duarte to approve. **So voted.**

4. Meet with the Human Resources Director for the continued discussion on the proposal that the Clerk of Committees become a certified parliamentarian.

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

Mr. Duarte read a letter from the working group of Maggie Clarke, Phillip Duarte, and Amy Kazlauskas which explained the discussions that took place and the recommendation of the group. The group suggested that annual training be scheduled for the Council and other elected and appointed boards and committees.

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

Motion by Mr. Pottier and seconded by Mr. Duarte to authorize the Clerk of Committees to contract for training in January. **So voted.**

Motion by Mr. Pottier and seconded by Mr. Duarte to adjourn at 5:42 P.M. **So voted.**

List of Documents and Other Exhibits Used:

The Committee on Finance and Salaries Meeting Minutes from 11/21/23

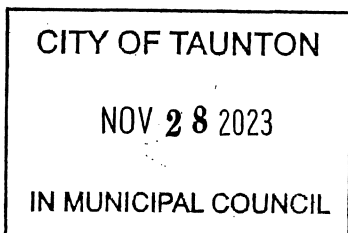
Payroll Warrant #85

Bill Invoice Warrant #84

List of items over \$100,000

Letter from Beth Andreassi dated 11/15/23

Letter from Maggie Clarke, Phillip Duarte, and Amy Kazlauskas dated 11/27/23



Respectfully submitted,

Maggie E. Clarke

Maggie E. Clarke
Clerk of Council Committees

REPORTS ACCEPTED. RECOMMENDATIONS ADOPTED.

Jennifer R. Regan
CITY CLERK

City of Taunton
Municipal Council
November 28, 2023

RECEIVED
CITY CLERK'S OFFICE

2023 DEC -4 A 9:45

TAUNTON, MA

CITY CLERK

The Committee on Public Health and Environmental Affairs

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 Phillip Duarte, Chairman
Councilor Barry Sanders
Councilor David Pottier

Also Present: Michele Restino, Conservation Commission
Eric Johnson, Edge Environmental
Aaron Amaro, Amaro's
Andy Amaro, Amaro's
Captain Robert Bastis, Fire Inspector
Steven Lavigne, Fire Chief
Ed John DeSouza, North County Group

The meeting was called to order at 5:44 PM.

1. Approve minutes from March 7, 2023.

Motion by Mr. Sanders and seconded by Mr. Pottier to approve. **So voted.**

2. Meet for a discussion on recent gasoline leaks at area gas stations.

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

Mr. Duarte gave some background and noted that the discussion is mostly about the leak that occurred at Amaro's. Eric Johnson of Edge Environmental gave a summary of the situation. He indicated that he has been working there since August and they have taken a number of actions to ensure safety. The area is fenced and power has been cut to three buildings: the store, the rectory, and the church. Area buildings are screened for VOCs (volatile organic compounds) and for lower explosion limits as are catch basins, storm drains, and some access points to the sewer and that is ongoing for safety. The assessment has been rather detailed as he looked at past reports to see if there will be preferential pathways. He analyzed previous excavations or where pipes were buried in the past because in these situations the soil isn't as compacted as native material and can be where gasoline may travel more quickly. The tanks and lines were tested and were found to be tight. They have been monitoring for lower

explosive limits and for VOCs and there are some locations that have VOCs. 76,000 gallons of liquids (gas and water) as well as 119 tons of soil have been removed to date. Gasoline thicknesses on the ground are diminishing. Ground water flow has been analyzed the gradient determined. The gasoline sits on top of the water and follows that gradient and it is migrating to the NNE. In terms of regulatory requirements, they are working with Mass DEP, the Fire Department, Health Department, Conservation Commission and EPA. Mr. Johnson reported that they are operating two fans off Old Colony Avenue to remove vapors from the sewer and storm drains and they are working well. The underground storage tank system will be opened up for inspection. They are starting to open the ground to install piping for a remediation system to recover the gasoline vapors and water. To help control the odor, they will cover excavations that don't need to be exposed, cover the soil pile, and spray a chemical on areas that smell bad. Mr. Johnson further stated that they will be shipping out soil on a regular basis and the tank top will be replaced. The site will remain fenced for the time being and air monitoring will continue as will other site work.

Mr. DeSouza spoke about the replacement of the tank top and reported that they will be changing out the sumps and installing all new piping. The tanks have been tested for tightness and the old flux piping that ran from the old tank top to the sumps was also tested and passed. They didn't like the way a few of the sumps looked so they made note. The Northcounty Group is finalizing the report that will be going to the DEP, EPA, and everyone at the table. Once issued, an NOR (Notice of Responsibility) should be issued by DEP. Mr. DeSouza stated that currently everything appears to be going fine and it looks like Mr. Johnson has a handle on it. Mr. DeSouza indicated that completing the tank tops and installing the remediation lines will help alleviate the smell in the area and they will be starting to work on the tank top next week.

Captain Bastis indicated that as much as this was a catastrophe, everything he has asked for has been done and he receives regular reports. An estimated 31,000 gallons were leaked into the ground. Currently they are dealing with gasoline vapors and are using fans to disperse the vapors. He stated that Amaro's will not be able to open until the new tank top is installed and piping and electrical conduit back to the gas station is replaced. He questioned the quality of work from when originally done. There were issues with monitors or alarms. He indicated that it looks like there was some shoddy work done on the piping to the dispensers when the gas station was first installed. The fire department holds the permit to store gasoline and it won't be issued until they are 100% satisfied. Mr. Bastis indicated that remediation could be going on for years and they will still be monitoring wells even after they open.

Ms. Restino reported that everyone reacted very quickly and indicated that DEP takes the lead as does as the Fire Department. In this case, they reacted quickly enough and protected what they could and prevented any further migration into wetlands. Areas near the river have been inspected continuously and no gasoline has been found within the Taunton River.

Mr. Sanders questioned the cause and whether it was the tanks or the piping. Captain Bastis indicated that the tanks have been proven to be good. Mr. Sanders asked when the work was originally done and if the standards have changed. Mr. DeSouza indicated that it was around

2001/2002 and that standards have changed. He explained the current process for installing a new tank. Mr. Sanders asked Captain Bastis who is to blame and Captain Bastis indicated that they are not yet sure and wouldn't want to state that tonight. This will be part of DEP's process. DEP is responsible for underground tanks and handles all installs and the Fire Department issues a permit to store gasoline. Mr. Sanders asked if there is something to be learned and Captain Bastis stated that he believes the Fire Department should be more involved with the installation of tanks and the City might consider a 3rd expert party which is what some communities do. Everything was installed to code at the time and it lasted for 22 years. He commented on how the ground water is very high at that location and having steel pipes sitting in the water over a long period could be a factor.

Mr. Pottier asked when the Amaros took over. Mr. Andy Amaro reported that they built it in 2001 and his dad was the primary point person at that time. Mr. Pottier asked for the size of the tanks and Mr. DeSouza indicated that there are two 12,000 gallon tanks. Mr. Pottier asked how long the leak lasted and Mr. Amaro stated that they believe it took place over 30 days.

Mr. Duarte asked if there were alarms and Captain Bastis indicated that they are still investigating but that there were some alarms or red flags early on. Mr. Duarte asked for the anticipated timeline for the report and Mr. DeSouza stated that they are aiming to have the report to the DEP published by the 14th and then it will likely take DEP about a month and a half to review. Mr. Duarte asked how abutters were notified and what the process is. Mr. Johnson stated that they are required by law to notify impacted property owners and in this case that just happened to be the Amaro's. However, the fact sheet from DEP was distributed to the neighbors. Mr. Duarte asked to confirm that nothing leaked into the river and Ms. Restino confirmed.

Ms. Borges asked how quickly the abutters were notified that this was happening. Mr. Johnson stated that he has been screening inside the neighbors' homes. Ms. Borges asked Captain Bastis if the Council should be sending a letter to anyone regarding oversight on these projects. Captain Bastis suggested the DEP and/or the State Office of the Fire Marshal. He explained that there are committees that revise the regulations and the code, 527 CMR. Ms. Borges asked how long the cleanup will take and Mr. Johnson indicated that it will be years. She asked how long it took for the gasoline to leak out and Mr. Bastis stated that the estimate is a 30 day period. She asked how they knew this was happening and Mr. Bastis stated that there had been reports of the smell of gasoline but it really was noticed during an inventory check.

Mr. McCaul asked if there is an evacuation plan put in place and how people were notified. Mr. Johnson indicated that there is a health and safety plan that is used and there is an evacuation portion. The affected area is fenced. He indicated that the gasoline isn't exposed but, rather, is underground. Mr. McCaul asked about the generators on the side of the building and Mr. Johnson explained that they are running fans to extract low level vapors from the sewer and storm drain system. Mr. McCaul asked if the aquifer had been impacted and Mr. Johnson indicated that based on soil borings he does not believe there is an aquifer problem. Mr. McCaul asked about notification and communication to neighbors and Chief

Lavigne stated that they did everything they could to notify people and that people in the “hot zone” were notified. Mr. McCaul asked about notices and Mr. Johnson reported that DEP went door to door. He asked how many gallons were lost and Mr. Johnson stated that it was estimated to be 31,000 gallons. Mr. McCaul asked how long the business would be closed down and Captain Bastis stated that they are still remediating and cleaning up but they are looking to get them up and running as soon as possible. However, the cleanup will continue for some time.

Mr. Sanders advised Mr. McCaul to review the video recording and/or minutes from the earlier portion of the meeting as most of his questions have been covered.

Ms. Borges asked about how many tanks there are and Mr. DeSouza indicated that there are 2 tanks but one has a wall on the inside which splits between regular and diesel and each has capacity of 12,000 gallons.

Motion by Mr. Sanders and seconded by Mr. Pottier to include the DEP fact sheet as part of the record. **So voted.**

Motion by Mr. Sanders and seconded by Mr. Pottier to include the communication from Edge Environmental as well as the DEP fact sheet as part of the record. **So voted.**

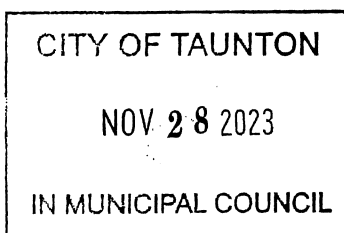
Motion by Mr. Sanders and seconded by Mr. Pottier to refer the matter to the Committee on Ordinances and Enrolled Bills to review and amend ordinances regarding fuel tanks. **So voted.**

Motion by Mr. Sanders and seconded by Mr. Pottier to schedule this matter for review after December 14, once the report from Northcounty Group is ready. **So voted.**

Motion by Mr. Pottier and seconded by Mr. Sanders to excuse the parties with thanks and adjourn at 6:45 P.M. **So voted.**

List of Documents and Other Exhibits Used:

The Committee on Public Health and Environmental Affairs Meeting Minutes from 3/7/23
Letter from Edge Environmental dated 11/28/23
DEP Fact Sheet regarding Amaro’s Gas Station Gasoline Release Incident



Respectfully submitted,

Maggie E. Clarke

Maggie E. Clarke
Clerk of Council Committees

REPORTS ACCEPTED. RECOMMENDATIONS ADOPTED.

Joseph R. Reger
CITY CLERK

City of Taunton
Municipal Council
November 28, 2023

RECEIVED
CITY CLERK'S OFFICE

2023 DEC -4 A 9:46

TAUNTON, MA

CITY CLERK

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: Michael Patneade, City Engineer
 William Murray, 125 Sao Paolo Avenue

The meeting was called to order at 6:48 PM.

1. Approve minutes from October 24, 2023.

Motion by Mr. McCaul and seconded by Mr. Quintal to approve. **So voted.**

2. Meet to discuss the request from the owner of 125 Sao Paolo Avenue to purchase a small piece of adjacent land.

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

William Murray of 125 Sao Paolo Avenue explained that in 1992 the area was developed and at that time they were planning to put in a cul-de-sac. He is looking to square off his property to put in a garage. When they developed the land, it wasn't a through street and then later it was extended. Mr. Patneade agreed that originally Sao Paolo was a dead end with a cul-de-sac.

Mr. Coute asked if this was considered as part of the abutters program and Mr. Patneade indicated that he was thinking that this piece should be discontinued and would then revert back to the abutters. He showed a drawing of the land in question.

Ms. Borges stated that she thinks it makes sense to refer this to the Law Department to take the proper steps to allow this gentleman to take possession of the land and offer the same to the neighbors on the other side of the street, parcel 34-122.

Mr. Coute asked about the process to discontinue and Mr. Patneau indicated that there is a public hearing process and there will need to be a plan generated. Mr. Coute asked if an engineer would need to be hired or if Mr. Patneau's office could do this. Mr. Patneau indicated that an engineer would need to be hired but perhaps the owner would pay for the engineer in lieu of purchasing the land.

Motion by Ms. Borges and seconded by Ms. Dooner to make the drawing part of the record and refer this to the public hearing process to discontinue and get consultation from the Law Department regarding who should produce the plan, the resident or the City. **So voted.**

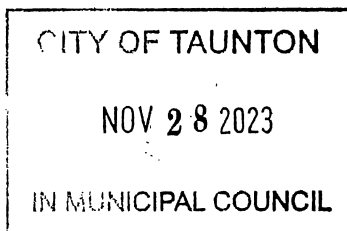
Motion by Ms. Borges and seconded by Ms. Dooner to adjourn the meeting at 6:57 PM and excuse the parties. **So voted.**

List of Documents and Other Exhibits Used:

Public Property Minutes of 10/24/23

Letter from William and Delores Murray dated 10/17/23

Drawing of land near 125 Sao Paolo Avenue



Respectfully submitted,

Maggie E. Clarke

Maggie E. Clarke
Clerk of Council Committees

REPORTS ACCEPTED. RECOMMENDATIONS ADOPTED.

Jennifer R. Regan
CITY CLERK