



AGENDA – APRIL 17, 2012

INVOCATION ROLL CALL RECORDS

HEARING: NONE

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1-2 Com. from City Solicitor – Response regarding disposal of property
- Pg. 3 Com. from Human Resource Director – Requesting a transfer of funds
- Pg. 4 Com. from General Manager, TMLP – Submitting a street lighting report
- Pg. 5 Com. from Paul Curley, Sporting Events Manager, American Lung Association of Massachusetts – Notifying of a mountain bicycle race
- Pg. 6 Com. from Commissioner, Parks, Cemeteries, and Public Grounds – Response regarding Memorial Park
- Pg. 7 Com. from Commissioner, Parks, Cemeteries, and Public Grounds – Response regarding the bandstand

PETITIONS

Constable License

Application submitted by Kecia Slocomb requesting a **RENEWAL** of her Constable License desiring to serve as a Crossing Guard.

Livery License

Petition submitted by George Kenaan requesting a **RENEWAL** of his Livery License – dba- High Class Limo located at 70 Solitude Drive, Taunton. **(1 Vehicle)**

Miscellaneous

Decision of the Development Impact Review Board on the petition for Departmental Site Plan Review submitted by Gunnar Gunderson, 87 Hedge Street, Fairhaven for a Tattoo

and Piercing Parlor at 391 Winthrop Street, Taunton which is located in the Highway Business District. **(Informational Only)**

Departmental Site Plan Review submitted by Jeff Burek, 172 Glades Road, Scituate for the addition of solar panel field at 36 Allison Avenue located in the Industrial District. **(Informational Only)**

Departmental Site Plan Review submitted by Matthew St. Germain, Trust, MAJK Trust, 164 Somerset Ave., Taunton for the modification of a Site Plan Review for a gas station, convenience store, retail and restaurant with drive thru at 342 Winthrop Street located in the Highway Business District. **(Informational Only)**

COMMITTEE REPORTS

UNFINISHED BUSINESS

ORDERS, ORDINANCES AND ENROLLED BILLS

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

Ordered That,

The sum of \$340,000.00 is appropriated in the form of a "Special Purpose Appropriation" for the following purposes: \$40,000.00 is hereby appropriated for the purpose of holding a special election on June 9, 2012 to determine whether the registered voters of Taunton approve a tribal gaming development proposed by the Mashpee Wampanoag Tribe, and all associated costs of said special election, and further that \$300,000.00 is hereby appropriated for the purpose of hiring outside consultants, outside legal counsel and other costs associated therewith, to determine the impact of the proposed tribal gaming development and to negotiate an intergovernmental agreement with the tribe, and, in furtherance of this special purpose appropriation, the Mayor is hereby authorized to enter into such agreements with such outside consultants and outside legal counsel upon such terms and conditions as the Mayor deems proper, expedient and in the best interests of the City.

NEW BUSINESS

Respectfully submitted,



**Rose Marie Blackwell
City Clerk**



City of Taunton

LAW DEPARTMENT

141 Oak Street
Taunton, Massachusetts 02780
Phone (508) 821-1036 Facsimile (508) 821-1064



Thomas C. Hoye, Jr.
MAYOR

Jason D. Buffington
CITY SOLICITOR

Daniel F. de Abreu
ASST. CITY SOLICITOR

April 6, 2012

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

Dear Mayor Hoye and Councilors:

The issues of the proper disposition of city-owned tangible personal property, which is no longer useful to the City, but have resale or salvage value, was recently brought to the attention of this office. I have attached a copy of G. L. c. 30B, §15, which governs such matters.

For such property valued at less than \$5,000.00, G.L. c. 30B, §15(f) requires that this property be disposed of using "written procedures" approved by the governmental body. Despite the best efforts of the talented staff members in my office, we could locate no such written procedures previously adopted by the Municipal Council.

I respectfully urge your prompt consideration of this matter.

Very truly yours,

Jason D. Buffington
City Solicitor

JDB/mm



2.

PART I ADMINISTRATION OF THE GOVERNMENT (Chapters 1 through 182)
TITLE III LAWS RELATING TO STATE OFFICERS
CHAPTER 30B UNIFORM PROCUREMENT ACT
Section 15 Tangible supply; disposition

Section 15. (a) A governmental body shall dispose of a tangible supply, no longer useful to the governmental body but having resale or salvage value, in accordance with this section. This section does not apply to the disposal of real property.

(b) The governmental body shall offer such supply through competitive sealed bids, public auction, or established markets.

(c) Notice of sale by bid or auction shall conform with the procedures set forth in paragraph (c) of section five. The notice shall indicate the supply offered for sale, designate the location and method for inspection of such supply, state the terms and conditions of sale including the place, date and time for the bid opening or auction, and state that the governmental body retains the right to reject any and all bids.

(d) If the governmental body rejects the bid of the highest responsive bidder, the governmental body may:

(1) negotiate a sale of such supply so long as the negotiated sale price is higher than the bid price; or

(2) resolicit bids.

(e) A procurement officer may trade-in a supply listed for trade-in in the invitation for bids or request for proposals.

(f) For a supply with an estimated net value of less than \$5,000, the procurement officer shall dispose of such supply using written procedures approved by the governmental body.

(g) Notwithstanding any other requirement of this section, a governmental body may by majority vote, unless otherwise prohibited by law, dispose of a tangible supply no longer useful to the governmental body but having resale or salvage value, at less than the fair market value to a charitable organization which has received a tax exemption from the United States by reason of its charitable nature.



CITY OF TAUNTON
MASSACHUSETTS

HUMAN RESOURCES DEPARTMENT

Maria V. Gomes
Director

Sandra B. Peavey
Office Manager

Noreen Skwato
Benefits Clerk

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

April 9, 2012

Municipal Council
City of Taunton
141 Oak Street
Taunton, MA 02780

Dear Council Members:

The Disability Retirement Account (1-916-202-5790) currently has a balance of \$2,553.05 with three more months left of payments in Fiscal Year 2012. Monthly payments have been averaging \$7,000 a month.

We respectfully request to have the amount of \$20,000 transferred to the Disability Retirement Account so that we can process the payments that we are required to by MGL Chapter 41, Section 100B.

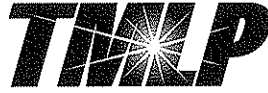
Thank you for your assistance in this matter.

Sincerely,

Maria V. Gomes, Director
Human Resources

MVG/sbp

cc: City Clerk
Mayor's Office
Clerk of Council Committee
City Auditor



Serving a Public Power Community

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April 10, 2112

Rose Marie Blackwell
City Clerk
City Hall
Taunton, Mass 02780

By vote of the Municipal Light Commission on, April 2, 2012, the following is a report of action taken on street- lights.

**HARDING STREET
(Near Eldridge St)**

Recommend to install 2- 70watt high-pressure sodium street lights on Pole 9 ½ Eldridge Street and 9 ½ R2 Harding Street. Customers have requested lighting.

- Estimate cost is \$ 10.58 per month
- Does not include fuel adjustment credit

It is requested that this street lighting report be presented to the Municipal Council, for approval of the energy services.

Very truly yours,
MUNICIPAL LIGHT COMMISSION

A handwritten signature in black ink, appearing to read 'Michael J. Horrigan', is written over the typed name.

MICHAEL J. HARRIGAN
General Manager



American Lung Association
of Massachusetts
460 Totten Pond Road
Suite 400
Waltham, MA 02451
Tel: 781-890-4262
Fax: 781-890-4280

393 Maple Street
Springfield, MA 01105
Tel: 413-737-3506
Fax: 413-737-3511

lungma.org

1-800-LUNG USA

For more than 100 years, the
American Lung Association
and Lung Association affiliates
throughout the United States
have worked together in the
fight against lung disease.

CURES
CLEAN AIR
SMOKEFREE KIDS

*Improving Life,
One Breath at a Time*

Community
Health Charities
WORKING FOR A HEALTHY AMERICA

April 5, 2012

Honorable Mayor Tom Hoye and Council Members
Taunton City Hall
15 Summer Street
Taunton, MA 02780

Dear Mayor Hoye and Council Members,

For several years in the late 1990's and early 2000's
a fundraising Mountain Bicycle Race was held at Massasoit
State Park as a benefit for the Taunton YMCA. I personally
was a participant at this very popular and successful event
and feel like it left the schedule because the promoters ran
out of time and energy to continue.

For the last two years on behalf of the American
Lung Association, we revived the Massasoit Mountain
Bicycle Event at Massasoit State Park in East Taunton as a
benefit for the ALA and it was a great success. A permit
with the Department of Conservation and Recreation has
been approved and a sanction with the United States
Cycling Federation has been granted. With your approval
the 3rd Annual event will take place on Sunday, April 29th
starting at 9:30 am and lasting until 3:30 pm. As we did last
year, I would like to inform the City of Taunton of our
plans and let them know that a larger than expected turnout
may result in some over flow parking on Middleboro Ave.
in the proximity of the access road to the Park.

I can be available to answer any questions.

Sincerely,

Paul Curley
Sporting Events Manager
American Lung Association

96 Partridge Circle
Taunton, MA 02780
(508) 824 1773
cell: (508) 942 4621
curleypwts@aol.com

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**CITY OF TAUNTON
MASSACHUSETTS**

PARKS, CEMETERIES & PUBLIC GROUNDS

Marilyn A. Greene
Commissioner

170 Harris Street
Taunton, MA 02780
(508) 821-1415
FAX (508) 821-1065
E-mail:
pepgdir@tmpl.net

April 12, 2012

**Mayor Thomas C. Hoye Jr. and
Members of the Municipal Council
Temporary City Hall
141 Oak Street
Taunton, MA 02780**

Dear Mayor Hoye and Council Members:

In response to your letter dated April 9, 2012, regarding the general upkeep and improvements to Memorial Park.

The employees have cut back the overgrown bamboo/brush along the right side of the park. In addition, we are currently working on submitting an additional lighting proposal to the Municipal Council once the lighting design plan and cost estimate is completed by the TMLP.

If you have further questions, feel free to contact me.

Sincerely,

Marilyn A. Greene, Commissioner

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**CITY OF TAUNTON
MASSACHUSETTS**

PARKS, CEMETERIES & PUBLIC GROUNDS

Marilyn A. Greene
Commissioner

170 Harris Street
Taunton, MA 02780
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E-mail:
pcpgdir@tmtp.net

April 12, 2012

Mayor Thomas C. Hoye Jr. and
Members of the Municipal Council
Temporary City Hall
141 Oak Street
Taunton, MA 02780

Dear Mayor Hoye and Council Members:

In response to your letter dated April 9, 2012, I have referred your request to Wayne Walkden, Building Superintendent.

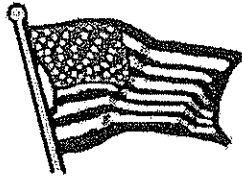
He has notified me that this project is being funded by the Neighborhood Corporation and will be working with the students and staff of Bristol Plymouth Regional High School. The students will either repair the damage to the bandstand or install new composite decking on the bandstand if funding is available

If you have further questions, feel free to contact me.

Sincerely,

Marilyn A. Greene, Commissioner

Cc: Wayne Walkden, Building Department
Larry Silvia, Neighborhood Corporation



APRIL 17, 2012

HONORABLE THOMAS C. HOYE, JR., MAYOR
COUNCIL PRESIDENT RYAN C. COLTON
AND MEMBERS OF THE MUNICIPAL COUNCIL

PLEASE NOTE: THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR **TUESDAY, APRIL 17, 2012 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

THE COMMITTEE ON PUBLIC PROPERTY

1. MEET WITH ROBERT PIROZZI, BUILDING COMMISSIONER TO DISCUSS THE TAUNTON HIGH SCHOOL OCCUPANCY PERMIT
2. MEET TO REVIEW MATTERS IN FILE

THE COMMITTEE ON POLICE AND LICENSE

1. MEET WITH THE POLICE CHIEF, DETECTIVE SMITH, AND BRIAN STRAUSBAUGH OF ACME FABRICATION & EQUIPMENT LEASING, 91 ARLINGTON STREET, TO DISCUSS HIS APPLICATION FOR RENEWAL OF CLASS II LICENSE.
2. MEET WITH THE POLICE CHIEF TO DISCUSS ISSUE OF SPEED LIMIT SIGNS AND SPEEDING ON COHANNET STREET.
3. MEET WITH THE POLICE CHIEF AND SAFETY OFFICER TO DISCUSS THE SAFETY OFFICER'S REPORT REGARDING 54.4 NORTH WALKER STREET
4. MEET TO REVIEW MATTERS IN FILE

PAGE TWO

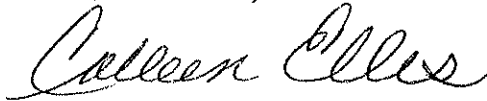
APRIL 17, 2012

MUNICIPAL COUNCIL COMMITTEE AGENDA - CONTINUED

THE COMMITTEE OF THE COUNCIL AS A WHOLE

1. MEET WITH KEVIN SHEA, DIRECTOR OF THE OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT TO DISCUSS TIF'S.
2. MEET WITH KEVIN SHEA, DIRECTOR OF THE OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT TO PROVIDE A GENERAL OVERVIEW ON GRANT AND LOAN APPLICATIONS
3. MEET TO REVIEW MATTERS IN FILE

RESPECTFULLY,

A handwritten signature in cursive script that reads "Colleen Ellis".

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES