



AGENDA – APRIL 26, 2011

INVOCATION ROLL CALL RECORDS

HEARING:

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1 Com. from City Clerk – Appointment of One Permanent Full Time Police Lieutenant
- Pg. 2-5 Com. from Various Department Heads – Updating on Planet Petroleum, 274 Winthrop Street, Taunton
- Pg. 6 Com. from Executive Director, Board of Health – Update on 17 Sumner Street, Taunton
- Pg. 7 Com. from Executive Director, Pro-Home, Inc. – Expressing gratitude
- Pg. 8 Com. from Elizabeth Rodrigues, Curriculum Supervisor, Foreign Languages, Taunton High School – Expressing gratitude
- Pg. 9-13 Com. from Chief Walsh, Taunton Police Department – Requesting changes to parking ordinances
- Pg. 14 Com. from Janice Halpern, Director, PR & Fundraising, Massachusetts Adoption Resource Exchange, Inc., 45 Franklin Street, 5th Floor, Boston – Walk for Adoption
- Pg. 15 Com. from Taunton Highlands Area Neighborhood Association – Requesting immediate action on 272-274 Winthrop Street, Taunton
- Pg. 16 Com. from Fire Chief and Fire Inspector – Requesting a transfer of a Flammable Storage License

PETITIONS

Antique Dealer's License

Petition submitted by James Silvia, Jr. Taunton requesting to **RENEW** his Antique Dealer's License –DBA Memorable Memorabilia located at 45 Baylies Road, Taunton.

Claim

Claim submitted by Lois Clark, 220 Church St., Apt. 155, Raynham seeking reimbursement for damages to her automobile from hitting a large pothole on Washington Street near Morton Hospital.

COMMITTEE REPORTS

UNFINISHED BUSINESS

- **Executive Session** – Meet to discuss the Star Theater litigation and an update on Operation Cleanup

ORDERS, ORDINANCES AND ENROLLED BILLS

NEW BUSINESS

Respectfully submitted,



Rose Marie Blackwell
City Clerk

TAUNTON POLICE DEPARTMENT

DATE: April 20, 2011

LOCATION: Taunton

Rose Marie Blackwell, City Clerk
City of Taunton
15 Summer St.
Taunton, MA 02780

One Permanent Full Time Police Lieutenant

Name and Address of Applicant Notified to Report for Interview

Applicant Status

Willing to Accept	Declined Appointment	 Applicant Signature
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Eric P. Nichols	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/> I WILL Accept the Appointment <input type="checkbox"/> I will NOT Accept the Appointment			



City of Taunton
LAW DEPARTMENT



15 Summer Street
Taunton, Massachusetts 02780
Phone 508-821-1036 Facsimile 508-821-1064
cotlawdept@tmlp.net

CHARLES CROWLEY
MAYOR

STEVEN A. TORRES
CITY SOLICITOR

April 20, 2011

Mayor Charles Crowley
Members of the Municipal Council

Re: Planet Petroleum

Ladies and Gentlemen:

Planet Petroleum has been the subject of ongoing enforcement actions by the Zoning Department, the Board of Health, and the Conservation Agent and Solicitor Estey had been working with them. Mary Jane Benker was scheduled to be in court on this issue on Friday, April 22. The Clerk/Magistrates have been setting benchmarks for compliance with issues such as cleanup and fencing and the owners have failed to meet deadlines.

Because I have had some business with the owners in the past, I do not feel I can ethically appear on the city's behalf in this matter, so I have asked Solicitor Berry to review the situation with Mary Jane and to strategize other enforcement options and perhaps to assign an attorney to take more aggressive action. No one has "dropped the ball" on this issue, but, as we have learned from the Star Theater case, code enforcement mechanisms can be cumbersome and time consuming.

This department hopes to have more satisfactory answers for you over the coming weeks as we develop a new plan of operation.

Very truly yours,

Jordan H. F. Fiore
Assistant City Solicitor

CITY OF TAUNTON

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ROBERT P. PIROZZI
BUILDING COMMISSIONER
CHIEF OF INSPECTIONS

MASSACHUSETTS

CITY HALL
15 SUMMER STREET
TAUNTON, MA 02780-
3464
(508) 821-1015
FAX (508) 821-1019

MARY JANE BENKER
BUILDING INSPECTOR
ZONING ENFORCEMENT OFFICER

DEPARTMENT OF PUBLIC BUILDINGS



April 21, 2011

Honorable Mayor Charles Crowley
Members of the Municipal Council
141 Oak St.
Taunton, MA 02780

RE: Planet Petroleum (Winthrop Street)

Dear Mayor and Councilors:

You have requested a report as to what enforcement actions have been taken on Planet Petroleum:

At the present time, no action has been taken on the property located at 274 Winthrop Street known as Planet Petroleum. However, this office has proceeded with enforcement actions in the form of 21D {Non-criminal Disposition} tickets for the abutting property at 272 Winthrop Street known as the "Red House". Approximately 47 tickets were issued to the owner of this Red House property. These tickets were contested in Taunton District Court hearing held on March 18, 2011 – this hearing was continued until April 22, 2011.

Due to the recent resignation of the city solicitor and the assistant solicitor's past dealings with the owners of each of these properties, I feel it is in the best interest of the city to have an attorney present at this hearing. As you are aware, Peter Berry, was appointed as interim City Solicitor at your council meeting on April 12, 2011. I have not had an opportunity to meet with him and familiarize him with the details and history of the situation. Therefore, I have asked the law office to request a one week continuance or to the next available court hearing to obtain legal counsel to represent the city on this matter.

On April 25, 2011 this office is scheduled to meet with Solicitor Berry to review this situation and discuss other enforcement options. However, this office reminds the council that this is a detailed process that can be lengthy and time consuming.

Sincerely,

Mary Jane T. Benker
Building Inspector/Zoning Enforcement Office

MJB/nk



CITY OF TAUNTON POLICE DEPARTMENT

23 SUMMER STREET
TAUNTON, MA 02780
(508) 821-1471
April 21, 2011

CHIEF
EDWARD JAMES WALSH

The Honorable Mayor Charles Crowley
And Members of the Municipal Council
Temporary City Hall
141 Oak Street
Taunton, MA 02780

Dear Mayor Crowley:

Pursuant to the Municipal Council's request concerning Planet Petroleum, be advised that the police department is currently providing a supporting role to the efforts of other agencies working this issue. I have spoken with both the Zoning Enforcement Officer and the Law Department on this matter and action is continuing in Taunton District Court on numerous violations. Due to a conflict in the Law Department, a postponement has been agreed to concerning the current court date of April 22nd with the case continued for at least a week.

I look forward to any questions that you may have on this issue. If I can be of any further assistance, feel free to contact me at 508-821-1471 x120.

Sincerely,


Edward James Walsh
Chief of Police



City of Taunton

Board of Health

45 School Street
Massachusetts 02780-5212

BOARD MEMBERS
DR. BRUCE E. BODNER
DR. C. NASON BURDEN
DR. JOSEPH F. NATES

HEATHER L. GALLANT, MPH, RS
EXECUTIVE DIRECTOR

ADAM S. VICKSTROM
ASSISTANT EXECUTIVE DIRECTOR

April 21, 2011

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

RE: 274 Winthrop Street

Dear Municipal Council:

The Board of Health currently has one enforcement action against 274 Winthrop Street, which is an order to repair the septic system or to connect to sewer by July 14, 2012. Title V gives an owner two years to repair their failed septic system from the date of the failure. Please let me know if you need any more information.

Sincerely,

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



City of Taunton

Board of Health

45 School Street
Massachusetts 02780-3212

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BOARD MEMBERS
DR. BRUCE E. BODNER
DR. C. NASON BURDEN
DR. JOSEPH F. NATES

HEATHER L. GALLANT, MPH, RS
EXECUTIVE DIRECTOR

ADAM S. VICKSTROM
ASSISTANT EXECUTIVE DIRECTOR

April 21, 2011

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

Dear Municipal Council:

As of April 20, 2011, there is no trash issue at 17 Sumner Street, as the previous issue has been attended to. Please let me know if you need any more information.

Sincerely,

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

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Pro-Home, Inc.



Dedicated to the production and protection of affordable housing.

Phone: 508-821-2514 • 40 Summer Street, Taunton, Massachusetts 02780 • www.prohomeinc.org • Fax: 508-967-7446

JOSEPH R. PACHECO
Executive Director /
Selectman, Town of Raynham

April 15, 2011

Mayor of Taunton / Municipal Council
Taunton City Hall
141 Oak Street
Taunton, MA 02780

Dear Mayor Crowley, President Costa-Hanlon and Members of the Municipal Council:

I wanted to take this opportunity to write you all and inform you of the superb service Chief Edward Walsh and members of the Taunton Police Department have provided Pro-Home recently.

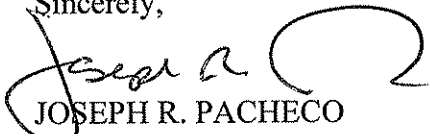
As some of you are aware, our building on Summer Street has fallen victim to incidents of vandalism. Our calls for service were answered promptly and most importantly, professionally by the responding officer(s).

Additionally, Chief Walsh and members of his department have continued to work with Pro-Home's Board of Directors, and staff moving forward to prevent future vandalism.

As a Selectman, I know all too often our departments do not get the praise they deserve. As Executive Director and property manager in Taunton, I felt it necessary to let you know how grateful we at Pro-Home are for the assistance the Taunton Police has provided us.

Please extend my gratitude to Chief Walsh and members of his department.

Sincerely,


JOSEPH R. PACHECO
Executive Director

Cc: Chief Ed Walsh, Taunton Police Department



Matthew Mattos
Headmaster
Brenda M. Moynihan
Assistant Headmaster

TAUNTON HIGH SCHOOL
50 WILLIAMS STREET
TAUNTON, MA 02780
TELEPHONE: (508) 821-1101
FAX: (508) 821-1362



Associate Headmasters
Kevin Brennan
Alexandra E. Cappiello
Eric D. Lefaiivre

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April 13, 2011

The Honorable Charles Crowley
Taunton City Hall
15 Summer Street
Taunton, MA 02780

Dear Mayor Crowley:

On behalf of the Foreign Languages Department of Taunton High School, I would like to thank you, most sincerely, for your presentation on Taunton's ethnic neighbors during Foreign Languages Week 2011.

The information that you presented made an important connection for students in recognizing how their cultural and linguistic heritages created our community. The way you tailored the information to make this connection was clear, and it personalized the messages of Foreign Languages Week for the students present.

The feedback from the students was so very positive! They truly enjoyed this opportunity to learn about their city. Your knowledge of the city and your enthusiasm was clear to all of us.

We feel very fortunate to have had your contributions this year. Thank you so very much.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth P. J. Rodrigues".

Elizabeth P. J. Rodrigues
Curriculum Supervisor, Foreign Languages



CITY OF TAUNTON POLICE DEPARTMENT

23 SUMMER STREET
TAUNTON, MA 02780
(508) 821-1471
April 21, 2011

CHIEF
EDWARD JAMES WALSH

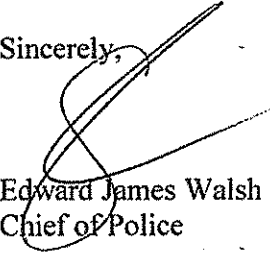
The Honorable Mayor Charles Crowley
And Members of the Municipal Council
Temporary City Hall
141 Oak Street
Taunton, MA 02780

Dear Mayor Crowley:

At a recent Parking Commission meeting, the Commission moved to request the following parking ordinance changes to address on street parking issues in anticipation of the opening of the new Taunton District Court.

I look forward to any questions that you may have on this issue. If I can be of any further assistance, feel free to contact me at 508-821-1471 x120.

Sincerely,


Edward James Walsh
Chief of Police



CITY OF TAUNTON

In the Year two thousand and eleven

AN ORDINANCE

Chapter 13
Motor Vehicles and Traffic

Be it ordained by the Municipal Council of the City of Taunton as follows:-

That the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by:

Section 13-82

Prohibited parking places

Deleting: Broadway, east side, from Leonard Street to a point 405 feet north.

Deleting: Broadway, east side from Randall Street (Crosswalk) to a point 50 feet south.

Adding: Broadway, east side, from Leonard Street to a point 325 feet north.

Section 13-81

Fifteen-minute parking

Deleting: Fruit Street, three spaces directly in front of 22 Fruit Street

Section 13-85

Two-hours parking

Deleting: Pleasant Street, Library patrons only, from 80 feet northwest of Broadway to 184 feet southeast of Washington Street.

Section 13-125

Parking meter zones designated

(2) Thirty-minute meter zones:

Deleting: Broadway, westerly side, from Taunton Green to Pleasant Street

(3) One-hour meter zones:

Deleting: Broadway, easterly side, from Taunton Green to the continuation of the northerly line of Pleasant Street

(4) Two-hour meter zones:

Adding: Broadway, westerly side, from Taunton Green to Pleasant Street

Adding: Broadway, easterly side, from Taunton Green to Leonard Street

Adding: Broadway, westerly side, from Pleasant Street to Governor Street

Adding: Broadway, westerly side, from Governor Street to Washington Street

Adding: Broadway, east side, from in front of the premises known and designated as number 49 Broadway, northerly to Dean Avenue

Adding: Broadway, westerly side, from Dean Avenue for a distance of 295 feet

Adding: Dean Avenue, north side, from Presbrey Avenue to Broadway

Adding: Fruit Street, three spaces directly in front of 22 Fruit Street

Adding: Governor Street, south side, from Washington Street to Broadway

Adding: Governor Street, north side, from Broadway to Washington Street

Adding: Pleasant Street, north side, from Broadway to Washington Street

Adding: Presbrey Avenue, east side, from Leonard Street to Dean Avenue

Section 13-128

Parking meter Fees.

Deleting: The fees for the maximum parking time shall be twenty-five cents (\$0.25) for twenty minutes or any portion thereof.

Adding: The fees for the maximum parking time shall be twenty-five cents (\$0.25) for every interval of twenty (20) minutes or any portion thereof.



Mayor Charles Crowley
Taunton City Hall
15 Summer St.
Taunton, MA 02780

Dear Mayor Crowley,

On behalf of children in Massachusetts foster care who need loving homes, we ask your help for the Walk for Adoption on Sunday, May 22, 2011. The walk, at Jordan's Furniture in E. Taunton, MA, raises awareness of the need for adoptive families and raises funds for our work to find them.

The Walk will be led by WCVB Anchor Bob Halloran, his wife NECN reporter, Eileen Curran, their adopted daughter, and Jordan's CEO, Eliot Tatelman.

You can join them and hundreds of adoptive families to help our state's children.

Can you

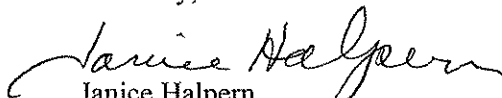
1. Attend the walk?
2. Publicize the walk on your website/facebook page?
3. Hang posters in your offices?

You may already know us, the Massachusetts Adoption Resource Exchange (MARE). Founded in 1957, MARE is a private, 501 (c) 3 non-profit agency working to build safe and loving adoptive families for special needs children growing up in state foster care. So far, with well-known programs like Wednesday's Child on WBZ TV and Sunday's Child in the Boston Globe, MARE has helped more than 5,600 Massachusetts youngsters join "forever families."

Please let me know how we can help you be part of this great family event. I can be reached at 617-54-ADOPT (617-542-3678) or janiceh@MAREinc.org.

Thank you for all you do for the community.

Sincerely,


Janice Halpern
Director, PR & Fundraising

April 16, 2011

Mayor Charles Crowley, City Council, and Zoning Board of Appeals
Oak Street
Taunton, MA 02780

Dear Mayor Crowley, City Councilors, and Members of the ZBA,

The members of Taunton Highlands Area Neighborhood Association (THANA) request immediate action on the violations occurring at 272 Winthrop St., Taunton. The Zoning Board of Appeals' unanimous decision ((Case #3056- Dbaib) rendered on December 16, 2010 mandated the following conditions:

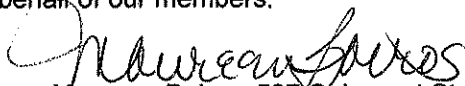
1. 6 foot stockade fence shall be erected along the property line abutting 274 Winthrop St., 10 feet back from the property line and 150 feet towards the rear of the property
2. 6 foot stockade fence shall be erected along the property line abutting 268 Winthrop St., 10 feet back from the property line and extend 165 feet towards the rear of the property, set back 2 feet from the property line shared with 268 Winthrop St.

These fences were to be installed by **April 15, 2011**. No fencing has been installed, and the accumulation of vehicles on this property, that was to be clear of any debris, is reprehensible. Activity, including car carriers on-loading and off-loading vehicles, continues to occur at all hours of the day and night.

The ZBA members assured the neighbors and taxpayers of the Taunton Highlands area that by granting this petition, they would be able to more adequately enforce any violation. Four months have passed and violations continue at 272 Winthrop St. These violations and others that have been discussed with the Mayor and Council, the condition of the general property on a major thoroughfare in our community, and the disrespect and disregard for the rules and laws of our city and the neighbors all combine into complete frustration and disgust. We want to continue to have trust in our elected and appointed officials and expect that they will protect the quality of life in Taunton that is being infringed upon by violators of such proportions as that at 272 Winthrop St. However, it is becoming increasingly difficult to maintain our trust in our city government.

THANA, as a representative association of the Taunton Highlands area, expects that this property will be cleared, fences installed, and all other violations corrected immediately. In addition, fines that have been issued should be collected. We also trust that this blatant disregard for regulations of Taunton will be strongly considered by all boards when the violators apply for any other permits or variances.

On behalf of our members.


Maureen Boiros, 597 Cohannet Street


Carol Doherty, 148 Highland Street


Michaeline Saladyga, 194 Winthrop Street


Roberta Shafer, 6 Davenport Street

***The Taunton Highlands Area Neighborhood Association is dedicated to
"protect, preserve, and improve our neighborhood"***
tauntonhighlands@gmail.com

16.



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

Taunton Municipal Council
141 Oak St.
Taunton, Ma 02780

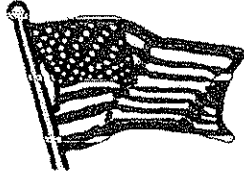
Dear Council,

The Taunton Fire Department requests the transfer of a flammable storage license from Racer's Equipment Wholesale, Inc. 96 Winthrop St. to Winthrop Energy, Inc. 96 Winthrop St. pursuant to 527 CMR 14.03 a license is required for flammable storage above 10,000 gals. Please be advised that the new owner is also submitting plans to the Office of Fire Prevention and the State Fire Marshal to change this gas station to a self serve station.

Respectfully,

Timothy J. Bradshaw
Chief of Department

Capt Robert J. Bastis Jr.
Fire Inspector



APRIL 26, 2011

HONORABLE CHARLES CROWLEY, MAYOR
COUNCIL PRESIDENT SHERRY COSTA-HANLON
AND MEMBERS OF THE MUNICIPAL COUNCIL

PLEASE NOTE:

THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR **TUESDAY, APRIL 26, 2011 AT 5:30 P.M.** IN THE **TEMPORARY CITY HALL AT MAXHAM SCHOOL, 141 OAK STREET, TAUNTON, MA.** IN THE **CHESTER R. MARTIN MUNICIPAL COUNCIL CHAMBERS**

5:30 P.M.

THE COMMITTEE ON FINANCE AND 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 OF THE COUNCIL AS A WHOLE

1. MEET WITH THE BUDGET DIRECTOR, CITY TREASURER & CITY AUDITOR FOR A REPORT AS TO WHERE WE ARE AS WE END THIS FISCAL YEAR & BEFORE BEGINNING OUR NEXT FISCAL YEAR
2. MEET TO REVIEW AND DISCUSS FY 2012 DRAFT BUDGETS SUBMITTED BY DEPARTMENT HEADS
3. MEET TO REVIEW MATTERS IN FILE

RESPECTFULLY,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES