



AGENDA FEBRUARY 21, 2012

**INVOCATION
ROLL CALL
RECORDS**

HEARING: NONE

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1 Com. from Maria Lopes, Chairwoman, Paul Kitchen, and John Mitchell, County Commissioners of Bristol County – Submitting their intent for the Former Taunton District Courthouse
- Pg. 2 Com. from Bristol County Mosquito Control Project, 140 North Walker St., Taunton – Mosquito Spraying exemption
- Pg. 3 Com. from Paul Leonfanti, Jr., Project Manager, JH Lynch & Sons, Inc., 50 Lynch Place, Cumberland, RI – Notice of intent to begin work

PETITIONS

The following is a RENEWAL for a Class II License

1. Frank's Auto Body, Inc. located at 265 Broadway, Taunton

COMMITTEE REPORTS

UNFINISHED BUSINESS

- **Executive Session** – Meet to discuss the status of negotiations with all bargaining units of the City of Taunton, any outstanding issues with regard to negotiations, and progress made with regard to said issues

ORDERS, ORDINANCES AND ENROLLED BILLS

Ordinance for a third reading to be ordained on a roll call vote

AN ORDINANCE

Chapter 8

Garbage, Trash, and Refuse

Be it ordained by the Municipal Council of the City of Taunton and by authority of the same as follows:

SECTION 1. Article I of Chapter 8 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended by adding after Section 8-3, the following sections:

Sec. 8-4. Solid Waste Collection Fees.

- (a) All single family homes, condominiums, and multifamily dwellings up to four units are eligible participants in the curbside trash and recycling program.
- (b) A solid waste collection fee is hereby established in the amount of seventy-three dollars (\$73.00) per fiscal year per unit for the regular curbside collection and disposal of solid waste and recyclables. Regular curbside collection and disposal shall consist of unlimited recyclables and one bulky item per week without further charge. Solid waste shall be disposed of in city approved collection bags pursuant to Sec. 8-6.
- (c) For Fiscal Year 2012, the city shall issue one bill in the amount of seventy-three dollars (\$73.00) per unit.
- (d) For Fiscal Year 2013 and subsequent fiscal years, the city shall issue bills quarterly, each quarterly bill being in the amount of eighteen dollars and twenty-five cents (\$18.25) per unit.
- (e) The failure of any property owner to pay the solid waste collection fee in full for any fiscal year shall result in the placement of a municipal lien upon the property.
- (f) Prior to April 1 of each fiscal year, the commissioner of public works and the budget director shall jointly communicate in writing to the Mayor and Municipal Council their opinion of the fee(s) necessary to accomplish the objective of recovering the cost of the curbside trash and recycling program.

Sec. 8-5. Abatement of Solid Waste Collection Fee.

(a) The annual solid waste collection fee of seventy-three dollars (\$73.00) may be abated only in accordance with the provisions of this section. All applications for abatement shall be made to the commissioner of public works or his designee.

(b) Vacancy Abatements.

1. Any owner of more than one unit who demonstrates that one or more units have been vacant for the previous twelve months shall receive a full abatement for the unit(s) in question for the fiscal year during which the application is made. Proof of vacancy must be verified by submission of the most recent electrical bill, from the TMLP, showing that the unit in question received the minimum maintenance charge associated with services that do not use any power, for the previous twelve months.
2. Any property owner who spends six (6) or more months away from the property in which he or she actually resides and can show proof of such vacancy, by submission of TMLP records showing a minimum maintenance charge associated with services that do not use any power, shall be granted an abatement for a corresponding number of months.

(c) Private Hauler Abatements. The commissioner of public works or his designee shall establish and administer policies and procedures for the abatement of said charges for property owners paying for a private contractor for trash and recycling services. At a minimum, to qualify for an abatement:

1. The property owner must furnish a contract signed and dated by both the property owner and the private hauler and the contract must specifically state the dates for which it is in effect;
2. The contract must be for both the disposal of trash and recyclables; and
3. The hauler must be licensed by the Board of Health.

(d) Hardship Abatement. Property owners who are age seventy (70) or over and who are entitled to an exemption under Massachusetts General Laws, Chapter 59, Section 5, Clause 17D or Clause 41C, as determined annually by the board of assessors, shall be entitled to a full abatement of the solid waste collection fee.

(e) Form. An application for any type of abatement shall be made on a form designated by the commissioner of public works and shall contain a statement by the property owner, under the pains and penalties of perjury, attesting to the facts which the applicant states gives rise for the abatement.

Sec. 8-6. Collection of Solid Waste and Recyclables.

- (a) For collection by the City of Taunton or its contractor, each household participating in the curbside trash and recycling program must place solid waste in city-approved collection bags, having a capacity of 30-33 gallons, and available for purchase at a cost of one dollar (\$1.00) per bag.
- (b) For collection by the City of Taunton or its contractor, each household participating in the curbside trash and recycling program must place recyclables only in city-approved plastic bins provided by the City of Taunton at no charge.
- (c) The commissioner of public works is hereby authorized to establish and administer policies and procedures to carry out the provisions of this section.

SECTION 2. All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage.

NEW BUSINESS

Respectfully submitted,


Rose Marie Blackwell
City Clerk



MARC J. SANTOS, ESQUIRE
CLERK OF THE BOARD

The Commonwealth of Massachusetts
OFFICE OF THE
COUNTY COMMISSIONERS OF BRISTOL COUNTY
P.O. BOX 208
TAUNTON, MASSACHUSETTS 02780
TEL : (508) 824-9681
FAX: (508) 821-3101

1,
COMMISSIONERS

CHAIRWOMAN
MARIA F. LOPES
TAUNTON

PAUL B. KITCHEN
FAIRHAVEN

JOHN R. MITCHELL
FALL RIVER

February 14, 2012

Senator Marc Pacheco
State House, Room 312B
Boston, MA 02133

Dear Senator Pacheco:

The Commissioners discussed your letter dated February 1, 2012 at their meeting on February 7, 2012. It is the intention of the Commissioners to bid the former Taunton District Courthouse over the next few months. The Commissioners are currently completing the transfer of the Second District Courthouse in Fall River to a bidder recently awarded that building.

As we complete the Purchase and Sales Agreement and transfer of the Fall River District Courthouse, the Commissioners will begin work on the request for a proposal for the Taunton District Courthouse.

We will keep you informed of the completion of the proposal and when the building is sent out to bid.

We look forward to working with you and the other members of the delegation and city government in seeing that this historic building, in the heart of Taunton, is appropriately made available for public purchase and placed back on the tax rolls.

Again, we look forward to working with you on this endeavor.

Sincerely,

Maria F. Lopes, Chairwoman

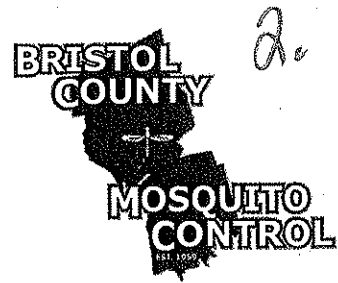
Paul B. Kitchen

John R. Mitchell

cc: Mayor Thomas Hoye
Taunton Municipal Council



THE COMMONWEALTH OF MASSACHUSETTS
STATE RECLAMATION AND MOSQUITO CONTROL BOARD



BRISTOL COUNTY MOSQUITO CONTROL PROJECT

140 NORTH WALKER STREET, TAUNTON, MA 02780

TEL:(508)823-5253 FAX: (508)828-1868

COMMISSIONERS
ARTHUR F. TOBIN, CHAIRMAN
GREGORY D. DORRANCE
CHRISTINE A. FAGAN
JOSEPH BARILE
ROBERT F. DAVIS

SUPERINTENDENT
WAYNE N. ANDREWS M.S.
ASSISTANT SUPERINTENDENT
STEPHEN W. BURNS

February 10, 2012

NOTICE

The Bristol County Mosquito Control Project is in the process of contacting our listing of excluded property owners as a reminder for their property to continue to be excluded from any type of pesticide applications they must contact their City or Town Clerk's Office.

The Massachusetts Pesticide Board regulation 333 CMR 13.03 states that property owners who want their property excluded must supply the clerk of the municipality in which such land lies with a certified letter providing the name, address, telephone number (if any), and defining programs from which exclusion is requested. Designations need to be made prior to March 1 of each year and shall be effective from April 1 of that year through March 31 of the following year.

Under regulation 333 CMR 13.03 the person requesting exclusion shall mark the boundaries or areas to be excluded at least every 50 feet with orange surveyor's tape or another Department-approved marking device which clearly defines the area of exclusion.

Only properties provided to the Bristol County Mosquito Control Project from the City or Town Clerk's Office will be placed on our exclusion list.

Please contact Bristol County Mosquito Control with questions you might have.



February 10, 2012

Taunton City Clerk's Office
141 Oak St
Taunton, MA 02780

Attn: Rosemarie Blackwell, City Clerk

**Subject: MASSDOT Contract No. 70919
Resurfacing and Related Work on a Section of I-495
Bridgewater, Raynham, Taunton and Norton, MA
JHL# 1130**

RE: Project Commencement

Dear Madam:

Please be advised that J.H. Lynch & Sons, Inc. has been awarded the contract to perform resurfacing and related work on a section of Interstate 495 in Bridgewater, Raynham, Taunton, and Norton, MA by the Massachusetts Department of Transportation.

We have received our notice to proceed and construction operations will begin on or about Monday, March 19, 2012. This letter is to serve as official notification of our intent to begin this work.

Should you have any questions, please feel free to contact me at the number listed below.

Sincerely,

J.H. LYNCH & SONS, INC.

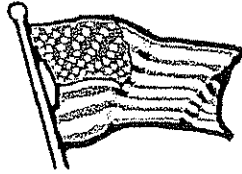
Paul J. Leofanti, Jr.
Project Manager

CC: MassDOT District 5
Jay LaForge
Job File #1130

EQUAL OPPORTUNITY EMPLOYER

J.H. LYNCH & SONS, INC. | 50 LYNCH PLACE | CUMBERLAND, RHODE ISLAND 02864-5334 | TEL: 401.333.4300

site • utility • paving • bridge work • aggregates • asphalt



FEBRUARY 21, 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, FEBRUARY 21, 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

5:45 P.M.

THE COMMITTEE ON PUBLIC PROPERTY

1. MEET WITH BUILDING SUPERINTENDENT WAYNE WALKDEN AND THE FIRE CHIEF TO DISCUSS CENTRAL FIRE STATION
2. MEET TO REVIEW MATTERS IN FILE

6:00 P.M.

THE COMMITTEE ON SOLID WASTE

1. MEET WITH REPRESENTATIVES OF WE CARE, JIM BINDER OF A.R.I., ATTORNEY ROD HOFFMAN, MEMBERS OF THE D.P.W. TEAM AND THE CITY SOLICITOR TO REVIEW DRAFT OF PROPOSED CONTRACT PROVIDED BY WE CARE.
2. MEET WITH GILL ENOS, BUDGET DIRECTOR AND THE D.P.W. COMMISSIONER TO DISCUSS TRASH FEE ORDINANCE.
3. MEET TO REVIEW MATTERS.

RESPECTFULLY,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES