



AGENDA – JULY 20, 2010

INVOCATION ROLL CALL RECORDS

HEARING: *Continued Hearing:* On the petition submitted by Kevin Scanlon, City Planner, City of Taunton, 15 Summer St., Taunton to allow:

Proposed Changes to the City of Taunton Zoning Ordinance dated April 26, 2010

Section 15.1.5 – SITE PLAN REVIEW AUTHORITY
Section 15.2. – SITE PLAN REVIEW THRESHOLDS

- Proposed Zoning Changes to the Taunton Zoning Ordinance Dated April 26, 2010
- Com. from Chairman, Taunton Planning Board – Submitting a positive recommendation

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1 Com. from City Clerk – Appointment for One Permanent Full Time Police Captain
- Pg. 2-3 Com. from Richard Gross, Superintendent, Bristol Plymouth Regional Technical School District – Response regarding request for budget explanations
- Pg. 4 Com. from Taunton Nursing Home – Advising of their Family Cookout
- Pg. 5-19 Com. from City Solicitor – Requesting consideration for purchase of property
- Pg. 20-33 Com. from Director, Emergency Management – Updating on Morrey’s Bridge Cofferdam
- Pg. 34 Com. from Darlene Whittemore, 42 Bunnys Road, Carver – Requesting to conduct Jimbo’s Fun Run

PETITIONS

Livery License

Petition submitted by Theodore King requesting a NEW Livery License –DBA- Kings Castle Limo Service, Inc. to be located at 215 Broadway, Taunton. **(1 Limo)**

Claim

Claim submitted by Robert Shea, Karsner & Meehan, PC, 128 Dean St., Taunton on behalf of his client TF Realty Corporation, John and Theresa Tavares requesting reimbursement for damages to their property located at 106 Oak Street, Taunton due to water and sewer drilling.

COMMITTEE REPORTS

UNFINISHED BUSINESS

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

ORDERS, ORDINANCES AND ENROLLED BILLS

Ordinance for a first reading to be passed to a second reading
AN ORDINANCE

Chapter 6

Article IX. Economic Opportunity Areas and the Economic Development Incentive Board

Sec. 6-156. Tax Increment Financing Board, Establishment of, Composition, Authority

Sec. 6-167. Regulations (new section)

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

That Section 6-156 and Section 6 -167 of the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by adding thereto the following:

Sec. 6-156

Add - Executive Director of Economic and Community Development.

Delete – Chairman of the Board of Assessors as an ex-officio member;
Add - Chairman of the Board of Assessors.

Also add new section –

Section 6-167. Regulations

- A. The Economic Development Incentive Board shall establish regulations which establish the criteria that shall govern any project that has been submitted to it for review. On a yearly basis, the Economic Development Incentive Board shall submit the regulations to the Municipal Council and Mayor for review.
- B. The City's Office of Economic and Community Development shall be designated as the agency responsible for monitoring the Economic Development Incentive Program, including job creation, job training, capital investment and community benefit on each approved Tax Increment Financing and Special Tax Assessment project and shall also report to the Mayor's Office and the Municipal Council on a yearly basis including de-certifications.

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

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

AN ORDINANCE

Chapter 13

Motor Vehicles and Traffic

Sec 13-171. Same-Designation of intersections.

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

That Section 13-171 of the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by adding the following:

Sec. 13-171, add:

- **Short Street, southbound, at Worcester Street**

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

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

AN ORDINANCE

Chapter 13

Motor Vehicles and Traffic

Sec 13-171. Same-Designation of intersections.

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

That Section 13-171 of the Revised Ordinances of the City of Taunton, as amended, is and hereby are further amended by adding the following:

Sec. 13-171, add:

- **Johnson Street, southbound, at County Street**
- **Johnson Street, northbound, at County Street**
- **Fairview Avenue, westbound, at Crossman Street**

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

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

AN ORDINANCE

Chapter 4

BUILDINGS

Article 111. Building Code

Section 4-41. Building permit fee schedule

Section 4-41.1 Electrical Inspections; fee schedule

Section 4-41-2 Mechanical Fees

Section 4-41.3 Plumbing and Gas Fees

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

That Section 4-41, 4-41.1, 4-41.2 and 4.41-3 of the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by adding thereto the following:

See attached fee schedules

COT BUILDING DEPARTMENT PROPOSED FEES			APPROVED FEES	
TYPE OF FEE	BUILDING		Prepared by:	Wayne Walkden
			REVISION DATE	06/10/10
USE OR	TYPE OF	DESCRIPTION		FY11
APPLICATION	PERMIT		PROPOSED	
Taunton	A, E, I, & R	106 STATE	ALL MANDATED STATE INSPECTIONS - (<= 3000 sq ft)	\$100.00
Taunton	A, E, I, & R	106 STATE	ALL MANDATED STATE INSPECTIONS - (> 3000, <=13000 sq ft.)	\$250.00
Taunton	A, E, I, & R	106 STATE	ALL MANDATED STATE INSPECTIONS - (> 13000 sq ft)	\$350.00
			ALL NEW CONSTRUCTION, ADDITIONS, ALTERATIONS, REPAIRS, DEMOLITION, FOUNDATIONS, PERMANENT STRUCTURES	1.2% CONTRACT PRICE (\$100 min)
Taunton	Commercial	Building	CERTIFICATE OF OCCUPANCY (per unit)	\$100.00
Taunton	Commercial	Building	SIGNS	\$300.00
Taunton	Commercial	Building	TEMP CERTIFICATE OF OCCUPANCY (per unit)	\$100.00
Taunton	Commercial	Building	TEMPORARY STRUCTURES, TENTS, TRAILERS, ETC	TRIPLE FEE
Taunton	Commercial	Building	WORK PERFORMED WITHOUT A PERMIT	
Taunton	Other	Building	PERMIT REPLACEMENT	\$25.00
Taunton	Other	Building	RE-INSPECTION	\$50.00
			ALL NEW CONSTRUCTION, ADDITIONS, ALTERATIONS, REPAIRS, DEMOLITION, FOUNDATIONS, PERMANENT STRUCTURES	1% OF CONTRACT PRICE (\$50 min)
Taunton	Residential	Building	CANOPIES, TENTS, AWNINGS	\$75.00
Taunton	Residential	Building	CERTIFICATE OF OCCUPANCY (per unit)	\$100.00
Taunton	Residential	Building	FIREPLACE CHIMNEY, SOLID FUEL BURNING APPLIANCE	\$50.00
Taunton	Residential	Building	TEMP CERTIFICATE OF OCCUPANCY (per unit)	\$300.00
Taunton	Residential	Building	TEMPORARY STRUCTURES, TENTS, TRAILERS, ETC	\$50.00
Taunton	Residential	Building	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE
Taunton	Residential	Building	SOLAR PANELS, WIND GENERATORS	\$25.00

COT BUILDING DEPARTMENT PROPOSED FEES

TYPE OF FEE		ELECTRICAL		APPROVED FEES
				Wayne Walkden
				06/10/10
				FY11
				PROPOSED
LOCATION	USE OR APPLICATION	TYPE OF PERMIT	DESCRIPTION	1.5% OF CONTRACT PRICE (\$75 min)
Taunton	Commercial	Electrical	All electrical work	\$75.00
Taunton	Commercial	Electrical	Construction Office Trailers	\$250.00
Taunton	Commercial	Electrical	Industries (annual fee)	
Taunton	Other	Electrical	Carnivals, Circuses, Concessions	\$150.00
Taunton	Other	Electrical	Reinspection	\$50.00
Taunton	Other	Electrical	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE
Taunton	Residential	Electrical	Addition/Remodel/Garage/Shed (per unit)	\$60.00
Taunton	Residential	Electrical	Major Appliance (range, dryer, A/C, water heater)	\$50.00
Taunton	Residential	Electrical	Minimum Electrical Fee (work not categorized)	\$50.00
Taunton	Residential	Electrical	New Modular/Mobile Home	\$75.00
Taunton	Residential	Electrical	New Multi Family Dwelling (each unit)	\$120.00
Taunton	Residential	Electrical	New Single Family Dwelling	\$120.00
Taunton	Residential	Electrical	Service Change / Repairs / Temps per meter - (per meter)	\$50.00
Taunton	Residential	Electrical	Smoke/Heat/Co Detectors (stairwell/hallway)	\$50 MIN /\$20.00 per stairwell
Taunton	Residential	Electrical	Smoke/Heat/Co Detectors (within dwelling unit)	\$50 MIN /\$20.00 per unit.
Taunton	Residential	Electrical	Swimming Pools (above ground)	\$50.00
Taunton	Residential	Electrical	Swimming Pools (in ground)	\$75.00
Taunton	Residential	Electrical	Solar panels / Wind generators	\$25.00

COT BUILDING DEPARTMENT PROPOSED FEES

TYPE OF FEE PLUMBING

APPROVED FEES

Prepared by: Wayne Walkden
 REVISION DATE: 06/10/10

FY11

PROPOSED

1.5% Contract price (\$100 min)

\$50.00

TRIPLE FEE

LOCATION	USE OR APPLICATION	TYPE OF PERMIT	DESCRIPTION	APPROVED FEES
Taunton	Commercial	Plumbing	ALL COMMERCIAL PLUMBING	1.5% Contract price (\$100 min)
Taunton	Commercial	Plumbing	Re-inspection fee	\$50.00
Taunton	Commercial	Plumbing	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE
Taunton	Residential	Plumbing	Backflow Preventors (testable)	\$30.00
Taunton	Residential	Plumbing	Fixtures (each)	\$10.00
Taunton	Residential	Plumbing	Minimum Plumbing Fee	\$60.00
Taunton	Residential	Plumbing	Permit Application Fee	\$50.00
Taunton	Residential	Plumbing	Underground Service	\$40.00
Taunton	Residential	Plumbing	Water Heater (gas or electric)	\$30.00
Taunton	Residential	Plumbing	Re-inspection fee	\$50.00
Taunton	Residential	Plumbing	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE

COT BUILDING DEPARTMENT PROPOSED FEES

TYPE OF FEE

GAS

APPROVED FEES

Prepared by:
Wayne Walkden

REVISION DATE
06/10/10

FY11
PROPOSED

LOCATION	USE OR APPLICATION	TYPE OF PERMIT	DESCRIPTION	APPROVED FEES
Taunton	Commercial	Gas	All commercial gas work	1.5% of contract price (\$100 min)
Taunton	Commercial	Gas	Re-inspection fee	\$50.00
Taunton	Commercial	Gas	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE
Taunton	Residential	Gas	Appliances (each)	\$10.00
Taunton	Residential	Gas	Minimum Permit Fee	\$60.00
Taunton	Residential	Gas	Over 500,000 BTU's	\$30 plus \$10/10,000 BTU
Taunton	Residential	Gas	Permit Application Fee	\$50.00
Taunton	Residential	Gas	Roof Top Units (each)	\$30.00
Taunton	Residential	Gas	Temporary Heat (per unit)	\$10.00
Taunton	Residential	Gas	Underground Service	\$40.00
Taunton	Residential	Gas	Unit Heaters (each)	\$15.00
Taunton	Residential	Gas	Re-inspection fee	\$50.00
Taunton	Residential	Gas	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE

COT BUILDING DEPARTMENT PROPOSED FEES

TYPE OF FEE MECHANICAL

APPROVED FEES

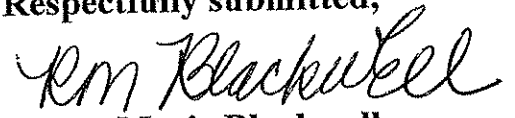
Prepared by: Wayne Walkden
 REVISION DATE: 06/10/10

LOCATION	USE OR APPLICATION	TYPE OF PERMIT	DESCRIPTION	PROPOSED
Taunton	Commercial	Mechanical	ALL MECHANICAL WORK	1.5% contract price (\$100 min)
Taunton	Commercial	Mechanical	Reinspection	\$50.00
Taunton	Commercial	Mechanical	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE
Taunton	Residential	Mechanical	HVAC (1 & 2 Family)	\$50.00
Taunton	Residential	Mechanical	HVAC (multi-family per unit over 2)	\$50 plus \$20 per unit over 2
Taunton	Residential	Mechanical	Reinspection	\$50.00
Taunton	Residential	Mechanical	WORK PERFORMED WITHOUT A PERMIT	TRIPLE FEE

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

NEW BUSINESS

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rm Blackwell". The signature is written in a cursive, flowing style.

**Rose Marie Blackwell
City Clerk**

Proposed Changes to the City of Taunton Zoning Ordinance date 4/26/2010

NOTE: Underlined and Bolded text is being added
Text with strikethrough it is being deleted
All other text is unaltered

15.1.5 AUTHORITY

In administering these provisions, there shall be the following:

The Taunton Municipal Council and the Taunton Planning Board, where applicable, shall be vested with the powers of a Full Site Plan Review ~~and for the purposes of this section the Taunton Planning Board Municipal Council shall be the Site Plan Review Committee (SPRC).~~

There shall be a Development Impact Review Board (DIRB) to advise the SPRC Municipal Council on projects requiring a Full Site Plan Review. The DIRB shall also act as the reviewing and approval authority for projects requiring Departmental Site Plan Review. The composition shall be as established by Ordinance of the Taunton Municipal Council.

15.2 SITE PLAN REVIEW THRESHOLDS

a. A Full Site Plan Review, by the Development Impact Review Board (DIRB), ~~Planning Board~~ and a public hearing from the Municipal Council Site Plan Review Committee (SPRC), shall apply to the following:

(1) Any new industrial construction project or addition that is larger than 100,000 sq ft of gross floor area ^{in size}

(For the purposes of projects requiring a Full Site Plan Review under section 15.2 a, the Taunton Municipal Council shall be the Site Plan Review Committee (SPRC))

b. A Full Site Plan Review, by the Development Impact Review Board (DIRB), and a public hearing from the Planning Board shall apply to the following:

~~(a) any project that requires a special permit from the Municipal Council~~

(1) Any industrial construction project or addition that is larger than 30,000 sq ft but smaller than 100,000 sq ft of gross floor area in size

(2) Any commercial construction project or addition other than office that is larger than 4,500 sq ft of gross floor area in size

(3) Any office construction project or addition that is larger than 10,000 sq ft of gross floor area in size

(For the purposes of projects requiring a Full Site Plan Review under section 15.2 b, the Taunton Planning Board shall be the Site Plan Review Committee (SPRC))

Any application that requires review under the site plan review process of Section 15.2 (a or b) above will follow the requirements of Sections 15.3 - 15.11.

c. A Departmental Site Plan Review process, and a review and approval by the Development Impact Review Board (DIRB), shall apply for the following types of development, structures, and uses that do not fall under a and b above:

(1) additions to existing commercial and industrial projects that are smaller than the size thresholds specified in section 15.2 (b) above for a Full Site Plan Review where the addition results in one or more of the following:

- an increase in impervious area;
- an increase in the minimum required number of parking spaces
- a change in traffic flow on-site

(2) change of use in business, highway business, office and industrial districts, where the new use is allowed by right in that district, results in an increase dimensional requirements, impervious area, landscaping and/or parking requirements

(3) an increase in the number of parking spaces to the site and/ or an increase in impervious area

(4) multi-family (four units plus) residential projects

(5) any commercial or industrial project allowed by special permit from the zoning board of appeals or a variance that are smaller than the size thresholds specified in section 15.2 (b) above for a Full Site Plan Review;

(6) new "non-residential" commercial and industrial construction projects on vacant or unimproved site that are smaller than the size thresholds specified in section 15.2 (b) above for a Full Site Plan Review;

(7) an increase in traffic generation of fifty or more cars per day as established by the Institute of Transportation Engineers;

(8) additions to existing multi-family residential projects, where the addition constitutes the creation of new units.

Any application that requires review under a departmental site plan review of 15.2 (c) will follow the requirements of Sections 15.2.2 through 15.2.9.



TAUNTON PLANNING BOARD

City Hall
15 Summer Street
Taunton, Massachusetts 02780

Phone 508-821-1051
Fax 508-821-1043

Denise J. Paiva, Secretary

June 4, 2010

Honorable Charles Crowley, and
Members of the Municipal Council
City Hall, 15 Summer Street
Taunton, MA 02780

C/O Rosemarie Blackwell, City Clerk

RE: Proposed Changes to the City of Taunton Zoning Ordinance dated 4/26/10

Dear Mayor Crowley and Members of the Municipal Council:

Please be advised that on June 3, 2010 the Taunton Planning Board held a public hearing on the proposed Changes o the City of Taunton Zoning Ordinance relative to Site Plan Review Authority & Site Plan Review Thresholds dated 4/26/10 submitted by the City Planner.

The Taunton Planning voted (6 members in favor, 1 member absent) to send a **POSITIVE** recommendation to the Municipal Council for this zoning change.

Very truly yours,

Daniel P. Dermody (DPD)
Daniel P. Dermody, Chairperson
TAUNTON PLANNING BOARD

DPD/djp

CC: Atty. David Gay

2010-1

TAUNTON POLICE DEPARTMENT

DATE: July 13, 2010

LOCATION: Taunton

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

One (1) Permanent Full Time Police Captain

Applicant Status

	Willing to Accept	Declined Appointment	Applicant Signature
David E. Warish <input checked="" type="checkbox"/> I WILL Accept the Appointment <input type="checkbox"/> I will NOT Accept the Appointment	✓		David E. Warish
Daniel P. McCabe <input checked="" type="checkbox"/> I WILL Accept the Appointment <input type="checkbox"/> I will NOT Accept the Appointment	✓		Daniel P. McCabe



BRISTOL-PLYMOUTH REGIONAL TECHNICAL SCHOOL DISTRICT ^{2.}

940 COUNTY STREET, TAUNTON, MASSACHUSETTS 02780-3799

Berkley • Bridgewater • Middleborough • Raynham • Taunton

www.bptech.org

RICHARD W. GROSS, Ed.D.
Superintendent

Telephone 508-823-5151 Ext. 125
Fax 508-880-7287
E-mail: rgross@bptech.org

July 13, 2010

Ms. Jennifer Leger, Assistant City Clerk
City of Taunton
15 Summer Street
Taunton, MA 02780

Dear Ms. Leger,

I recently received your letter dated July 6, 2010. Admittedly, I am puzzled by the letter since I had presented requested material (i.e. FY10 line item budget) as early as the day after the request was made. In fact, FY 10-FY 11 comparisons were provided on April 8, 2010, well in advance of the meeting. If you could review my letter and package of remaining materials that were sent on June 15, 2010 to the Municipal Council et al, I think it would be self evident that we provided information we had in a timely and complete manner. That letter and enclosed materials addressed the substance of the requests. In addition, your letter refers to "how much money is by design". It would be greatly appreciated if you could explain in detail to what you are referring by that language. It may be helpful to send us an example of another Regional School District (Bristol Agricultural) that has provided the same exact report to you upon your request. I will use this to compare to reports we have on file to see if we can accommodate your needs. If we do have a report on file that has this information, I would be happy to provide it to you as soon as possible. To be clear, the Council was presented with requested information in a timely fashion upon the first request.

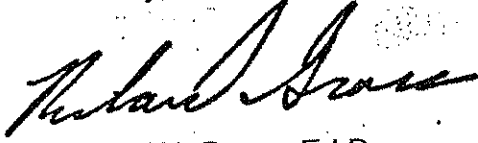
Finally, I offer to any member of the Council who is interested, an opportunity to see our school and to meet with me to address any outstanding issues or concerns. I suggest this because it has come to my attention that some councilors may have misconceptions about our operations and have been given erroneous and misleading information about the school. Such an approach may be a way to open up more comprehensive communications between council members and our district.



Accredited by the New England Association of Schools & Colleges

Thank you for your time and consideration. I hope this clarifies things and you will be able to amend the record to show information was provided to the council in an appropriate and timely fashion.

Sincerely,



Richard W. Gross, Ed.D.
Superintendent

Sec

Cc: School Committee Members
Taunton City Council
Mayor Charles Crowley
Gil Enos, Budget Director



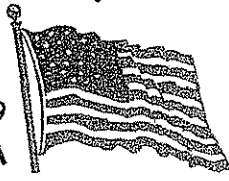




**Taunton
Nursing Home
Family
Cookout
Saturday.
August 21st.
2010**

from

NOON - 3:00p.m.

Family, Food & Fun!
Horse & Buggy Rides, Moonwalk, &
Raffles.

Entertainment by
"The Vilianaires"



Cookout Cookout Cookout



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

JANE E. ESTEY
CITY SOLICITOR

JORDAN H. F. FIORE
ASSISTANT CITY SOLICITOR

July 16, 2010

Mayor Charles Crowley
Members of the Municipal Council
15 Summer Street
Taunton, MA 02780

Dear Mayor Crowley and Members of the Municipal Council:

I am writing to request your consideration of the purchase by the City of the property known as Lot 20B, Couch Street (assessed as Everett Street) in Taunton, Massachusetts, currently owned by Yvon Nadeau for a purchase price of \$35,000.00 (Thirty-five Thousand Dollars). This land is of unique interest to the City due to existing drainage on the property. The Department of Public Works has plans to enhance drainage on this property for the surrounding area.

Additional information on the property is attached for your review. I await your direction as to whether to proceed with finalizing the purchase.

Respectfully submitted,

Jane E. Estey
City Solicitor

JEE/skb

Enc.

cc: Fred Cornaglia, DPW Commissioner

TITLE REPORT

Description: Lot 20B, Couch Street (Assessed as Everett Street), Taunton, Massachusetts

Owner: Yvon Nadeau

Said estate subject to:

- 1. **MORTGAGES:** None.
- 2. **EASEMENTS AND RESTRICTIONS:** None.
- 3. **LIENS:** NONE
- 4. **BANKRUPTCIES:** NONE

My examination ends July 13, 2010.



Jordan H. F. Fiore, Examiner

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1
25

BK 5639 PB 350
08/20/93 02:24 41781

See Book 5816 e 251
See Book 6580 Page 375

QUITCLAIM DEED

I, Maria Krikis, Trustee of MANDY REALTY TRUST, under a Declaration of Trust dated August 31, 1989 and recorded at Bristol County Northern District Registry of Deeds at Book 4238, Page 284.

of 15 Santee Road, Brockton, Plymouth County, Massachusetts

for consideration paid, and in full consideration of \$1.00
One dollar and other valuable consideration

grant to Yvon Nadeau, Individually

of 497 Holmes Street, Hanson, Plymouth County, Massachusetts

with quitclaim covenants

The land in Taunton, bounded and described as follows:

Lot 20B on a plan entitled "Plan of Land in Taunton, Massachusetts (Division of Parcel into 4 lots) owner's name Mary L. Drummond, 45 West Weir Street, Taunton, MA dated September 25, 1987, Scale 1" = 20 feet." recorded in Bristol County (N.D.) Registry of Deeds at Book 283, Page 78.

Said Lot 20B contains 16,002.2 +/- square feet according to said plan.

Said premises are conveyed subject to and with the benefit of easements, restrictions, agreements and reservations of record, if any there be, insofar as the same maybe in force and applicable.

This property is transferred subject to the mortgage to First Trade Union Savings Bank, FSB, dated May-18-1989 and recorded in Bristol County (N.D.) Registry of Deeds at Book 4136, Page 197.

Said property is a portion of the premises conveyed to me by deed of Maria Krikis, Trustee of NIKI REALTY TRUST, dated September 11, 1989 and recorded in Bristol County (N.D.) at Book 4238, Page 291.

Witness my hand and seal this 20th day of August, 1993.

Maria Krikis, Trustee
Maria Krikis, Trustee

The Commonwealth of Massachusetts

Plymouth ss. August 20, 1993

Then personally appeared the above named Maria Krikis, Trustee, and acknowledged the foregoing instrument to be her free act and deed, before me,

Mary C. Bevilacqua
Notary Public

My Commission Expires: 9/6/97.

8

4238 291

25 33731

QUITCLAIM DEED

See Book 4508 Page 27

I, MARIA KRIKIS, Trustee of NIKI REALTY TRUST, under a Declaration of Trust dated April 28, 1986 and recorded at the Bristol (North) County Registry of Deeds at Book 2985 Page 214

of 15 Santee Road, Brockton, Plymouth County, Massachusetts
for consideration of One Dollar (\$1.00)

grant to MARIA KRIKIS, Trustee of MANDY REALTY TRUST, under a Declaration of Trust dated ~~September 30, 1989~~ August 31, 1989 and recorded herewith

of 15 Santee Road, Brockton, Brockton, Plymouth County, Massachusetts

with quitclaim covenants

The land in said Taunton, bounded and described as follows:

Beginning in the northerly line of the street, formerly known as General Couch Street, but now commonly known as Couch Street, at the southwesterly corner of land conveyed by John C. Chace to William Irving by deed dated May 13, 1908 and recorded with the Bristol County No. District Registry of Deeds, Book 629, Pages 25 and 26; thence running easterly by said Couch Street about 247.5 feet to West Weir Street; thence turning and running northerly and westerly by said West Weir Street about 195 feet to Everett Street; thence turning and running northwesterly by Everett Street 245 feet to land formerly of Anna B. Dean, more recently of Inman thence turning and running westerly by said Dean, land about 118 feet to said Irving land and thence turning and running southwesterly by said Irving land to the point of beginning.

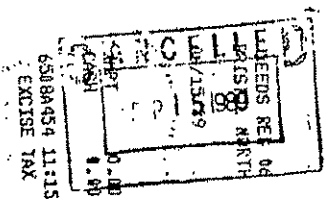
Excepting however, from the hereinbefore described property so much as has been taken for highway purposes by instrument of taking duly recorded.

Being the same land that is shown on "Plan of Land in Taunton, Massachusetts (division of parcel into four lots) owners name Mary L. Drummond 45 West Weir Street, Taunton, MA; Scale 1" = 20'; dated September 25, 1987" by Emile Robert Drwila P.E. dated September 25, 1987.

TITLE REFERENCE: Deed of Mary L. Drummond dated November 3, 1987 and recorded at Book 3645 Page 245.

West Weir

ADDRESS OF PROPERTY:



WITNESS my hand and seal this 11th day of September 1989

Maria Krikis, Trustee
MARIA KRIKIS, TRUSTEE OF
NIKI REALTY TRUST

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

September 11, 1989.

Then personally appeared the above-named Maria Krikis, Trustee of NIKI REALTY TRUST and acknowledged the foregoing instrument to be her free act and deed, before me

Victoria Hayward Schepps
NOTARY PUBLIC VICTORIA HAYWARD SCHEPPS
My commission expires: 9/15/89

RECD SEP 15 1989 AT 11-16 AM AND RECORDED

Mary L. Drummond

of 45 West Weir Street, Taunton, Bristol County, Massachusetts
being unmarried, for consideration paid, and in full consideration of \$259,900.00

grant to Maria Krikis, Trustee of, the NIKI Realty Trustu/d/t dated *
April 28, 1986 recorded at the North Bristol County Registry of
Deed Book 2985, Page 214.
of Brockton, MA, 226 West Elm St. 02401, with quitclaim covenants
the land in said Taunton, bounded and described as follows:

[Description and encumbrances, if any]

PROPERTY ADDRESS: 45 West Weir Street, Taunton, MA

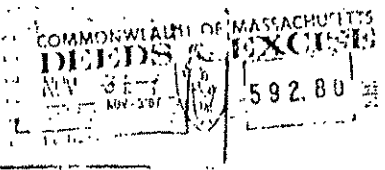
Beginning in the northerly line of the street, formerly known as General Couch Street, but now commonly known as Couch Street, at the southeasterly corner of land conveyed by John C. Chace to William Irving by deed dated May 13, 1908 and recorded with the Bristol County No. Dist. Registry of Deeds, Book 629, pages 25 and 26; thence running easterly by said Couch Street about 247.5 feet to West Weir Street; thence turning and running northerly and westerly by said West Weir Street about 195 feet to Everett Street; thence turning and running northwesterly by Everett Street 245 feet to land formerly of Anna B. Dean, more recently of Inman; thence turning and running westerly by said Dean land about 118 feet to said Irving land and thence turning and running southwesterly by said Irving land to the point of beginning.

Excepting however, from the hereinbefore described property so much as has been taken for highway purposes by instrument of taking duly recorded.

Being the same land that is shown on "Plan of Land in Taunton, Massachusetts (division of parcel into four lots) owners name Mary L. Drummond, 45 West Weir Street, Taunton, MA; Scale 1"=20'; dated September 25, 1987" by Emile Robert Drwila P.E. dated Sepetember 25, 1987. ~~A copy of said plan is being recorded with said Bristol North District Deeds.~~
A COPY OF SAID PLAN WILL BE RECORDED WITH SAID BRISTOL NORTH DISTRICT DEEDS.
For Grantee's title see deed recorded at North Bristol County Registry of Deeds Book 1134, Page 320.

The Commonwealth of Massachusetts Certificate releasing Massachusetts Estate Tax Lien recorded at Book 2222, Page 183 was recorded for the sole purpose of correcting the certificate recorded at Book 2218, Page 10 and for no other purpose.

Witness hand and seal this 3rd day of November 19 87
J. A. Faulber (WITNESS) Mary L. Drummond



The Commonwealth of Massachusetts

BRISTOL ss. November 3 19 87

Then personally appeared the above named

MARY L. DRUMMOND

and acknowledged the foregoing instrument to be

her free act and deed, before me

[Signature] Notary Public - Justice of the Peace My commission expires 7/22/1988

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1966

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

RECD NOV 3 1987 AT 3-4 7 PM AND RECORDED

2222 183
THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF REVENUE
ESTATE TAX BUREAU, P.O. BOX 7023, BOSTON, MA 02204



CERTIFICATE RELEASING MASSACHUSETTS ESTATE TAX LIEN
(FILE IN TRIPLICATE WITH COPY OF RECORDED DEED.)

MAIL TO: NAME ADDRESS (NO STREET) CITY OR TOWN, STATE AND ZIP CODE	DECEDENT'S FIRST NAME	WIFE OR HUSBAND	LAST NAME
	Manuel	J.	Drummond
	PROBATE COURT	Bristol	DATE OF DEATH
	DOCKET NO.	180456	January 2, 1981
	RESIDENCE (INDICATE AT TIME OF DEATH)		
	45 West Weir Street Taunton, MA 02780		

This Certificate releases the lien of the Commonwealth of Massachusetts imposed by Chapter 65C of the General Laws, on any and all interests which the Decedent may have had in the property described below:

REAL ESTATE (full legal description not necessary)

Location of property 45 West Weir Street Taunton 02780
NUMBER STREET CITY OR TOWN ZIP CODE

As described by Deed dated June 11, 1954 and recorded in

Bristol Northern District Book No. 1134 Page No. 320 or
REGISTRY OF DEEDS

As described by certificate of Title No. _____ recorded in

Registered Land Section for _____ County

COMMISSIONER OF REVENUE

By

Chief, Estate Tax Bureau

REC'D SEP 1 1982 AT 9-04 AM AND RECORDED

Not our part of locs 12

BOOK 1651 PG 146

CITY OF TAUNTON

KNOW ALL MEN BY THESE PRESENTS, THAT WE, Manuel J. & Mary L. Drummond
Husband and wife,
OF Taunton in the County of Bristol, Commonwealth of Massachusetts, do
hereby give, grant, and convey to the City of Taunton, their heirs and
assigns forever the right to enter upon certain land owned by us, and
situated on 45 W. Weir Street in the City of Taunton, and dig
thereon for the purpose of laying, maintaining and repairing a drain line
owned by said City of Taunton which drains surface water from said
Clinton Orchard Streets.

Meaning, intending, and hereby granting a permanent easement 15 feet in
width and centered upon said drain line for the purposes herein before
described, all as shown on a plan on file in the Office of the City
Engineer.

We, the grantors, do further agree to release and save harmless the
said City of Taunton from any and all claims for damages which may
arise from the laying of said drain line and the maintenance and repair
thereof.

TO HAVE AND TO HOLD the above named rights unto the said City of Taunton
as against us, our heirs, successors and assigns forever.

IN WITNESS WHEREOF, we set our hand (s) this 8th day of NOVEMBER
in the year of Our Lord one thousand nine hundred and seventy-_____.

Signed: Address:
Manuel J. Drummond 45 Weir St.
Mary L. Drummond 45 W. Weir St.

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, SS.

November 8, 1973

Then personally appeared the above named Manuel J. Drummond and
Mary L. Drummond well known to be the individual (s) in
and who executed the foregoing instrument, and duly acknowledged to me that
they executed the same, and that said execution was their
free act and deed, before me.



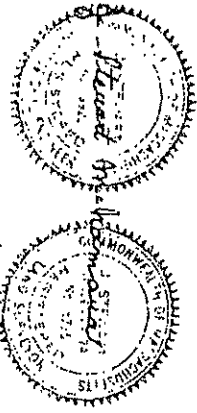
Stewart Anderson
NOTARY PUBLIC
My commission expires,
August 29, 1980

RECEIVED & ENTERED
WITH BRISTOL COUNTY
NO. DISTRICT RECORDS

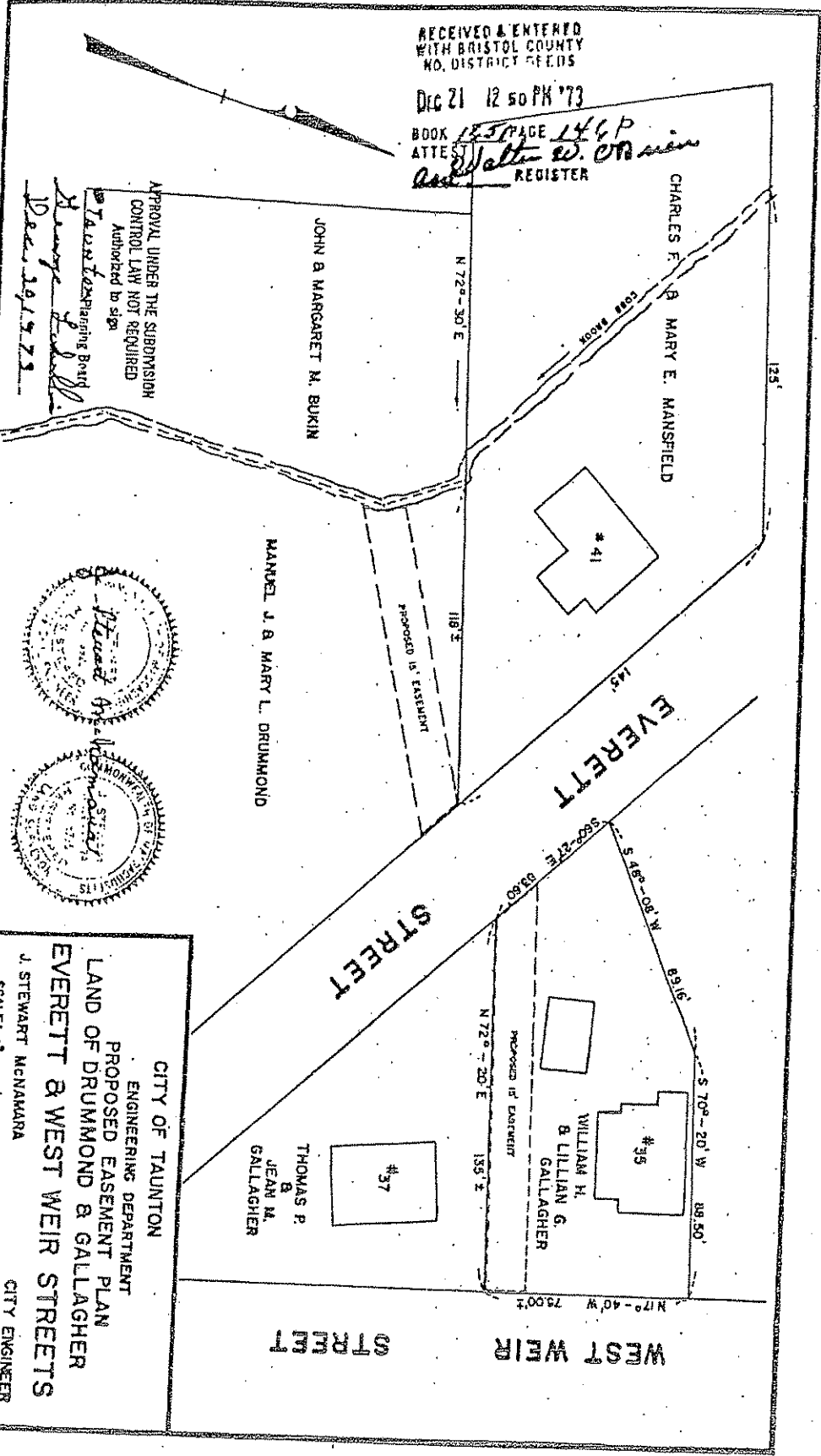
DEC 21 12 50 PM '73

BOOK 135 PAGE 146P
ATTEST
Walter W. O'Brien
REGISTER

APPROVAL UNDER THE SUBDIVISION
CONTROL LAW NOT REQUIRED
Authorized to sign
Taunton Planning Board
James J. [Signature]
Dec 19, 1973



CITY OF TAUNTON
ENGINEERING DEPARTMENT
PROPOSED EASEMENT PLAN
EVERETT & WEST WEIR STREETS
J. STEWART McNAMARA
SCALE: 1" = 40'
CITY ENGINEER
OCTOBER 1973



MANUEL J. DRUMMOND
MARY I. DRUMMOND, 1954-1991

1925-1956

***1150/112 Mtge>Weir Coop Bk 11/5/54
 ***Dis. 1504/522 (7/24/67)

***1173/159 Mtge>Weir Coop Bk 6/7/55
 ***Dis. 1409/239 (8/16/62)

1957-1969

NOTHING

1970-1979

***1651/146 Easement>City of Taunton 12/21/73

1980-

***2222/183 Manny M792 on locus 9/1/82

***3615/245 Deed>NIKI Realty Trust 11/3/87

MANDY REALTY TRUST
MARIA KRIKIS, TRUSTEE, 1989-1997

1989-

***4236/284

Dec. of Tr. 9/15/89

***5639/350

Deed>Yvon Nadeau 8/20/93

18

YVON NADEAU, 1993-

1993-

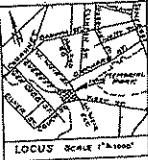
***5816/251

Order of Conditions

12/16/93

***6317/36 Cert. of Compliance (3/31/95)

O. K. to 7/13/2010
JHFF



DRAWN:
EMIL R. DOWLER
251 GLENN DRIVE
ANDOVER, MASS.
02301
TEL (617) 273-9157

DONALD G. &
PHYLLIS M.
INMAN
BOX 1827 PUEBLO
LOT 18

John & Margaret
Borin
Box 1971 R 945
LOT 21

DRAINAGE EASEMENT
TO CITY OF TAUNTON
15' WIDTH REF PLAN B-32 CITY OF TAUNTON
DEED REF BOOK 152, PAGE 166
OCT. 1973

4 Plan Overview

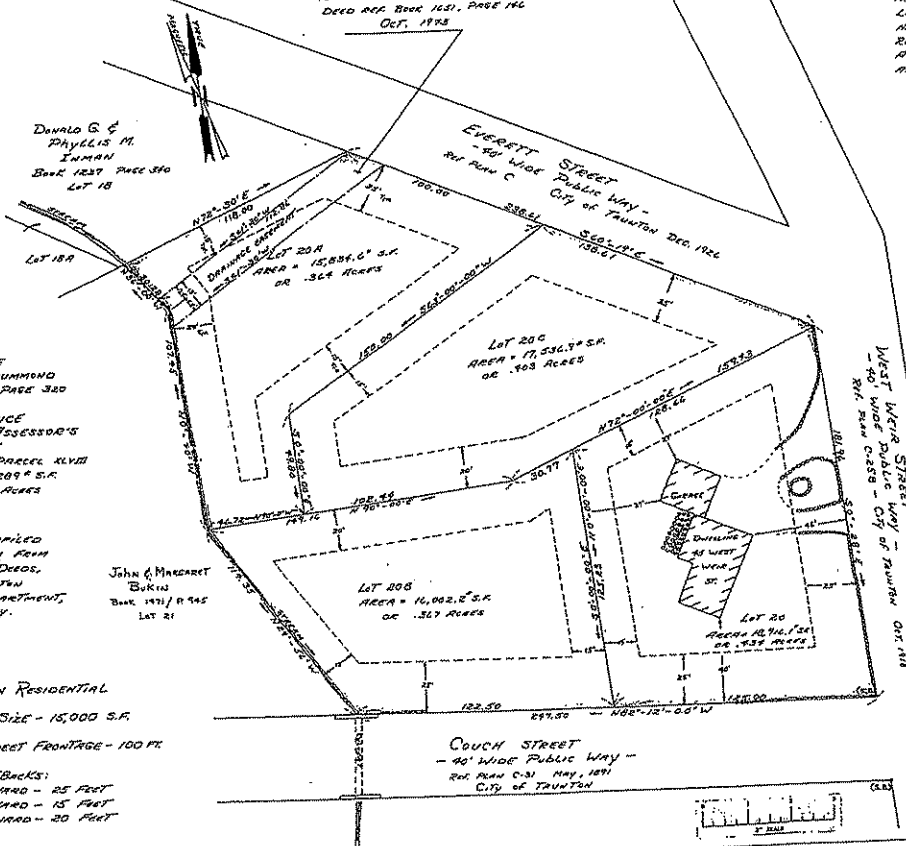
LOT 20 IS BEING SUBDIVIDED
INTO 4 FOUR "A" LOTS;
THE EXISTING DWELLING IS
LOCATED ON ONE OF THE
NEW REAR LOTS WHICH IS
REMAINING LOT 20; THE
FOUR NEW LOTS ARE NAMED 20A, 20B & 20C

285-78
FOR SUBJECT USE ONLY

1. DEED REFERENCE
MARY L. DRUMMOND
BOOK 1154 PAGE 320
2. PLAN REFERENCE
TAUNTON ASSESSOR'S
SHEET I-5
LOT 20 PARCEL XLVII
AREA 68,209 S.F.
OR 1.57 ACRES

THIS PLAN IS COMPILED
FROM INFORMATION FROM
THE REGISTRY OF DEEDS,
THE CITY OF TAUNTON
ENGINEERING DEPARTMENT,
AND FIELD SURVEY.

ZONE - URBAN RESIDENTIAL
MINIMUM LOT SIZE - 15,000 S.F.
MINIMUM STREET FRONTAGE - 100 FT.
MINIMUM SETBACKS:
FRONT YARD - 25 FEET
SIDE YARD - 15 FEET
REAR YARD - 20 FEET



TAUNTON PLANNING BOARD
APPROVAL UNDER THE
SUBDIVISION CONTROL
LAW NOT REQUIRED
DATE: October 1987
PLANNING BOARD

Month 20 1987
Chairman

PLAN OF LAND IN TAUNTON, MASSACHUSETTS
(DIVISION OF PARCELS INTO LOTS)

Mary L. Drummond
45 WEST WEIR ST., TAUNTON, MASS.

Scale: 1" = 20 FEET
DATE: SEPT 25, 1987

I CERTIFY THAT THE PLAN CONFORMS
WITH THE RULES AND REGULATIONS OF
THE REGISTER OF DEEDS.

DATE: 9/25/87
C. R. D. [Signature]

ZONING:
Urban Residential

Map No. K-KR
K-102/87



CITY OF TAUNTON
MASSACHUSETTS
EMERGENCY MANAGEMENT AGENCY

Richard E. Ferreira
Director

CITY HALL
15 SUMMER STREET
TAUNTON, MA 02780
TEL. (508) 880-1517
FAX (508) 880-1518

July 16, 2010

Mayor Charles Crowley, Council President Deborah Carr,
and members of the Municipal Council
City Hall
15 Summer Street
Taunton, MA 02780

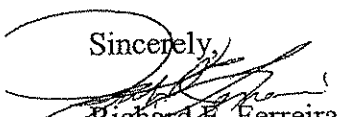
Dear Mayor Crowley and Municipal Council:

At the request of the municipal councilor, at its meeting of Tuesday, July 13, 2010, I respectfully submit the following update in regard to the cofferdam at Morrey's Bridge.

1. On Thursday, July 15, I was notified by the Department of Environmental Protection that the cofferdam at Morrey's Bridge would be removed. The removal of the cofferdam will take place on Tuesday, July 20. This block removal is at the direction of Massachusetts Attorney General's office and the Department of Environmental Protection. While the physical work will be done by Help Save the Lake, as required in the agreement between the Commonwealth of Massachusetts (Massachusetts Attorney General's Office) and Help Save the Lake, Mr. Christopher Ross of DEP will be on scene when the work commences and at its completion. Taunton Emergency Management Agency representatives also will be on scene to observe this work.
2. For your review, I am providing the complete agreement between the Commonwealth of Massachusetts (Massachusetts Attorney General's Office) and Help Save the Lake, which clearly spells out the responsibilities of both Help Save the Lake and the Department of Environmental Protection.

I am confident the provided information will give you the update you requested, and I will be happy to provide you with an update at the completion of the work. Please do not hesitate to contact me directly if I may be of further assistance.

Sincerely,


Richard E. Ferreira
Director

Cc: Mayor's Office

SETTLEMENT AGREEMENT

BETWEEN

COMMONWEALTH OF MASSACHUSETTS

AND

HELP SAVE THE LAKE, INC.

REGARDING

**WORK ON THE TEMPORARY COFFER DAM IN LAKE SABBATIA
TAUNTON, MASSACHUSETTS**

This Settlement Agreement is made between the Commonwealth of Massachusetts (the "Commonwealth"), acting by and through the Attorney General and the Massachusetts Department of Environmental Protection (the "Department"), with business addresses of One Ashburton Place, Boston, Massachusetts and One Winter Street, Boston, Massachusetts, respectively, and Help Save the Lake, Inc. ("Help Save the Lake"), a Massachusetts nonprofit corporation with a principal place of business at P.O. Box 2555, Taunton, Massachusetts.

WHEREAS, Help Save the Lake is a Massachusetts nonprofit corporation formed for the purposes of encouraging and supporting the management and development of Lake Sabbatia for the benefit of the entire community;

WHEREAS, the Attorney General has alleged that on or about July 7, 2007 members of Help Save the Lake participated in constructing a coffer dam ("temporary dam") at the outlet of Lake Sabbatia without required authorizations from the Department and without the oversight of a Massachusetts Registered Professional Engineer in violation of the Massachusetts Wetlands Protection Act, G.L. c. 131, § 40, and its regulations, 310 C.M.R. §§ 10.00-10.60, and the Massachusetts Waterways Statute, G.L. c. 91, §§ 1-63, and its regulations, 310 C.M.R. §§ 9.01-9.55;

WHEREAS, the Attorney General invited Help Save the Lake and its members to resolve the alleged environmental violations without protracted litigation;

WHEREAS, the Commonwealth and Help Save the Lake subsequently reached an agreement to resolve the alleged environmental violations without litigation;

WHEREAS, the Commonwealth and Help Save the Lake agree without adjudication of facts or law that the settlement of this matter has been negotiated in good faith and at arms length and that the settlement of this matter is in the public interest and an appropriate means to resolve this matter;

WHEREAS, Help Save the Lake does not admit to any liability arising out of the actions and/or inactions described in this agreement.

NOW, THEREFORE, the Commonwealth and Help Save the Lake stipulate and agree as follows:

I. PARTIES BOUND

1. The parties bound by this Settlement Agreement are the Commonwealth and Help Save the Lake and any person or entity acting by, for, or through Help Save the Lake, including Help Save the Lake's officers, directors, agents, servants, attorneys-in-fact, employees, successors, and assigns, and those persons in active concert or participation with any of them who receive notice of this Settlement Agreement.

2. Help Save the Lake shall not violate this Settlement Agreement and Help Save the Lake shall not allow its officers, directors, agents, servants, attorneys-in-fact, employees, successors, assigns, or contractors to violate this Settlement Agreement.

3. This Settlement Agreement shall constitute a binding agreement between the Parties.

4. This Settlement Agreement shall become effective on the date it is signed by the Commonwealth.

II. MODIFICATIONS TO TEMPORARY DAM

5. Help Save the Lake shall take the actions set forth below within the time periods specified below.

6. As soon as the water level in Lake Sabbatia falls to a level that is approximately 6 to 9 inches above the top of the lower level of blocks of the lowest section of the structure (elevation 59.6+/- based on the elevation of the lowest section of blocks as shown on the "Existing Conditions Plan" prepared by CLE Engineering, Inc., dated April 15, 2008), Help Save the Lake shall remove sixteen (16) concrete blocks from the lowest section of the upper course of the temporary dam. The top row of blocks of the lowest section of the temporary dam is 50-foot wide and is comprised of twenty (20) concrete blocks, each of which is 2.5 feet wide, 2.5 feet high, and 5 feet long. Two blocks, which are referred to below as the stabilization blocks, shall remain on each end of the 50 foot section. Help Save the Lake shall complete this project according to the following general specifications:

- (a) At least five (5) business days prior to the anticipated project start date, Help Save the Lake shall notify the Department by telephone and electronic mail (with a copy to the Attorney General) at the addresses specified in Paragraph 22 below of the date and time that it will begin the project so that a representative of the Department can be onsite during project implementation. Simultaneously, Help Save the Lake shall request that the Department issue an Emergency Certification (the "Emergency Certification") pursuant to the Wetlands Protection Act, G.L. c. 131, § 40, and its regulations at 310 C.M.R. § 10.06, authorizing the completion of the work required by

Paragraph 6(c)-(h). Upon receipt of the Emergency Certification, Help Save the Lake shall proceed forthwith to complete the work required by Paragraph 6(c)-(h) and described in Paragraph 6 above;

(b) Should Help Save the Lake find that it is unable to obtain permission to access the work site via the abutting property owned by Roger Hoffman despite its efforts to obtain such permission, then the Department agrees to assist Help Save the Lake in obtaining the aforementioned permission;

(c) Within one (1) hour preceding the actual start of the project, Help Save the Lake shall take a series of color photographs (at least eight (8) photographs) documenting the structure and Lake Sabbatia's water level from both the upstream and downstream side of the structure;

(d) Prior to the removal of any of the sixteen (16) concrete blocks, Help Save the Lake shall secure the stabilization blocks with fabricated steel saddles, which shall be based on the previously approved plans prepared by CLE Engineering, Inc., dated May 27, 2008 (attached hereto as Exhibit A), to provide stability to the structure. In its discretion, the Department may require Help Save the Lake to utilize reasonable additional stabilization measures to secure the remaining blocks of the temporary dam;

(e) The Department agrees to be on-site when Help Save the Lake is performing the work described in Paragraph 6 as long as Help Save the Lake complies with the notice requirements in Paragraph 6(a) above;

(f) Help Save the Lake shall peel back the rubber membrane that covers the sixteen (16) blocks that it will remove beginning from a point approximately fifteen (15) feet from the East retaining wall. Help Save the Lake shall save as much of the protective

membrane as possible and drape what remains of the membrane over the lower level of blocks that sit under the sixteen (16) concrete blocks that Help Save the Lake will remove;

(g) Help Save the Lake shall use an excavator or other capable equipment to remove sixteen (16) concrete blocks from lowest section of the top level of the temporary dam. Help Save the Lake shall begin from the East side of the temporary dam and work in a Westerly direction, removing blocks as it moves from East to West until it removes the sixteenth (16th) block. Help Save the Lake shall place each of the removed blocks at the toe of the slope on the Western bank for potential scour protection and future use. If additional space is required, Help Save the Lake will evenly distribute the blocks West of the spillway of Morey's Bridge Dam. Help Save the Lake shall leave in place the existing water control structure;

(h) Within one (1) hour after Help Save the Lake has completed the work described above in Paragraph 6(a)-(g), Help Save the Lake shall take a series of color photographs (at least eight (8) photographs) documenting the post-construction structure and Lake Sabbatia's water level from both the upstream and downstream side of the modified structure;

7. Within five (5) business days of the completion of the project described above, Help Save the Lake shall send one set of the color photographs required by Paragraphs 6(b) and 6(h) above on a CD or DVD disc to the Department and to the Attorney General at the addresses specified in Paragraph 22 below.

8. After Help Save the Lake has completed the work described in Paragraphs 6 and 7, the Department will review the completed work while on site and will thereupon orally inform,

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and thereafter issue a letter confirming the completion of the work within ten business days after the Department's receipt of the color photographs described in Paragraph 7 (unless the Department determines in its discretion it needs additional time to complete its review and issue the letter), to Help Save the Lake stating either that the Department believes Help Save the Lake completed the work in accordance with the terms of Paragraphs 6 and 7 or that it does not believe Help Save the Lake completed the work in accordance with the terms of Paragraphs 6 and 7. If the Department determines that Help Save the Lake has not completed the work in accordance with the terms of Paragraphs 6 and 7, then the Department shall indicate why it made that determination and what steps Help Save the Lake needs to take to comply with Paragraphs 6 and 7. When the Department determines that Help Save the Lake has completed the work described in Paragraphs 6 and 7, it will issue a letter indicating that Help Save the Lake has completed the work described in Paragraphs 6 and 7.

9. If the work described in Paragraphs 6 through 7 above is not completed by October 1, 2009, then Help Save the Lake and the Department shall meet on-site on October 2, 2009 at 9:00 AM to discuss when and how Help Save the Lake will either complete the work described above before the last day of October 2009 or, if the Department determines that it is not feasible for Help Save the Lake to complete the work described above before the last day of October 2009 then Help Save the Lake agrees to install an additional gate in the center of the top row of the temporary dam to draw down the water level in Lake Sabbatia. Once the water level drops to the level referenced above in Paragraph 6, Help Save the Lake shall remove the blocks in accordance with the terms of Paragraphs 6 and 7.

10. Help Save the Lake shall not install any stop logs in the existing water control structure on the temporary dam without prior approval from the Department. The Department

anticipates that it may provide Help Save the Lake with approval to install stop logs during the completion of the work described in Paragraphs 6 and 7 so that the excavator may cross the spillway in the dry area.

11. If care and maintenance of the temporary dam is necessary due to the detection of substantial deterioration prior to the date the temporary dam is removed, or the temporary dam becomes the subject of a validly issued permit, authorization, or certification of the Department, whichever is earlier, then Help Save the Lake agrees to return to the project location and to perform the work reasonably necessary to alleviate the deterioration. In such case, prior to the performance of any work, Help Save the Lake shall coordinate with the Department for the Department to issue an Emergency Certification, if one is necessary, and the Department will make itself available to discuss and inspect any work, and will thereafter issue any letters to indicate whether the work was completed as discussed.

12. This Settlement Agreement and, more particularly, the work required by Paragraphs 6 through 10 and any subsequent work performed in accordance with Paragraph 11, shall constitute an enforceable implementation plan the purpose of which is, among other things, alleviation of damage to the environment complained of by the Department.

13. The Department agrees to coordinate with relevant local government officials as necessary to keep them apprised of the status of the work Help Save the Lake has agreed to perform pursuant to this Settlement Agreement and to make clear that this work is being performed in response to the Department's enforcement action.

III. RELEASE

14. Upon compliance with the requirements of paragraphs 6 through 10 of this Settlement Agreement, the Commonwealth shall release Help Save the Lake and its members, officers,

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directors, agents, servants, attorneys-in-fact, employees, successors, and assigns, including but not limited to Richard Olivieri and Gerald O'Bara, from liability for alleged violations of the Wetlands Protection Act, G.L. c. 131, § 40, and the Massachusetts Waterways Statute, G.L. c. 91, §§ 1-63, due to Help Save the Lake's members' participation in the construction of the temporary dam at the outlet of Lake Sabbatia on or about July 7, 2007.

15. Help Save the Lake's failure to comply with the terms of this Settlement Agreement shall render this release null and void.

16. This Settlement Agreement shall not preclude the Commonwealth from instituting an action to enforce the terms of this Agreement.

17. Nor shall this Settlement Agreement preclude the Commonwealth from instituting an action to enforce the Wetlands Protection Act, G.L. c. 131, § 40, or the Waterways Statute, G.L. c. 91, §§ 1-63, if the release in Paragraph 14 above is rendered null and void pursuant to Paragraph 15.

IV. MISCELLANEOUS

18. The titles in this Settlement Agreement have no independent legal significance and are used merely for the convenience of the Parties.

19. Massachusetts law shall govern the interpretation and enforcement of this Settlement Agreement.

20. Nothing in this Settlement Agreement shall be construed to create any rights in, or grant any cause of action to, any person not a Party to this Settlement Agreement.

21. Except as expressly set forth in this Settlement Agreement, this Settlement Agreement sets forth all of the obligations of the Parties and represents the complete and exclusive statement of the terms of the agreement; any other representations, communications or

agreements by or between the Parties shall have no force and effect. The Parties further agree that there shall be no modifications of this Settlement Agreement unless the modification is reduced to writing and signed by all Parties.

22. Unless otherwise specified, notices and submissions required by this Settlement Agreement shall be made in writing by first class mail to the following addresses:

For the Department:
Christopher Ross
Environmental Engineer IV
Dep't of Environmental Protection-SERO
20 Riverside Drive
Lakeville, MA 02347
Tel: (508) 946-2813
E-mail: christopher.ross@state.ma.us

For the Attorney General's Office:
Seth Schofield
Assistant Attorney General
Environmental Protection Division
Office of the Attorney General
1 Ashburton Place, 18th Floor
Boston, MA 02108
E-mail: seth.schofield@state.ma.us

For Help Save the Lake:
Gerry O'Bara
Help Save the Lake, Inc.
P.O. Box 2555
Taunton, MA 02780
E-mail: info@helpsavethelake.com

With a copy to Counsel for Help Save the Lake:
Howard L. Levin, Esq.
Rich May, a Professional Corporation
176 Federal Street
Boston, MA 02110
Direct Tel 617.556.3855
Direct Fax 617.391.5755
Email: hlevin@richmaylaw.com

23. The person(s) signing this Settlement Agreement on behalf of Help Save the Lake acknowledge(s): (a) that he or she has personally read and understands each of the numbered Paragraphs of this Settlement Agreement; (b) that Help Save the Lake's Board of Directors have consented to Help Save the Lake entering into this Settlement Agreement; and (c) that he or she is authorized to sign and bind Help Save the Lake to the terms of this Settlement Agreement.

Signatures on following page

STIPULATED AND AGREED:

COMMONWEALTH OF MASSACHUSETTS HELP SAVE THE LAKE, INC.

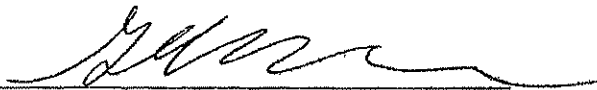
By its attorneys,

By its President,

MARTHA COAKLEY
ATTORNEY GENERAL



Seth Schofield
Assistant Attorney General
Environmental Protection Division
Office of the Attorney General
One Ashburton Place, 18th Floor
Boston, MA 02108



Gerry O'Bara
Help Save the Lake, Inc.
P.O. Box. 2555
Taunton, MA 02780

And by its Business Director,

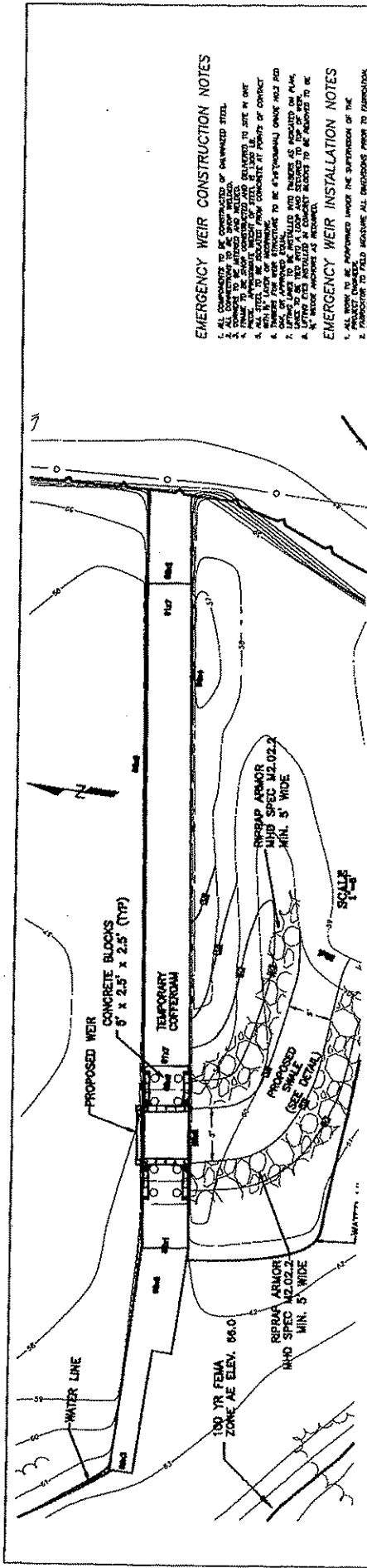


Rick Olivieri
Help Save the Lake, Inc.
P.O. Box. 2555
Taunton, MA 02780

Dated: September 22, 2009

Dated: September 22, 2009

Exhibit A



EMERGENCY WEIR CONSTRUCTION NOTES

1. ALL CONSTRUCTION TO BE CONSTRUCTED OF GALVANNEZED STEEL.
2. CHANNELS TO BE WELDED TO VERTICAL ANCHORS.
3. CHANNELS TO BE WELDED TO VERTICAL ANCHORS.
4. CHANNELS TO BE WELDED TO VERTICAL ANCHORS.
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10. CHANNELS TO BE WELDED TO VERTICAL ANCHORS.

EMERGENCY WEIR INSTALLATION NOTES

1. ALL WORK TO BE APPROVED UNDER THE SUPERVISION OF THE PROJECT ENGINEER.
2. CHANNELS TO BE WELDED TO VERTICAL ANCHORS.
3. CHANNELS TO BE WELDED TO VERTICAL ANCHORS.
4. CHANNELS TO BE WELDED TO VERTICAL ANCHORS.
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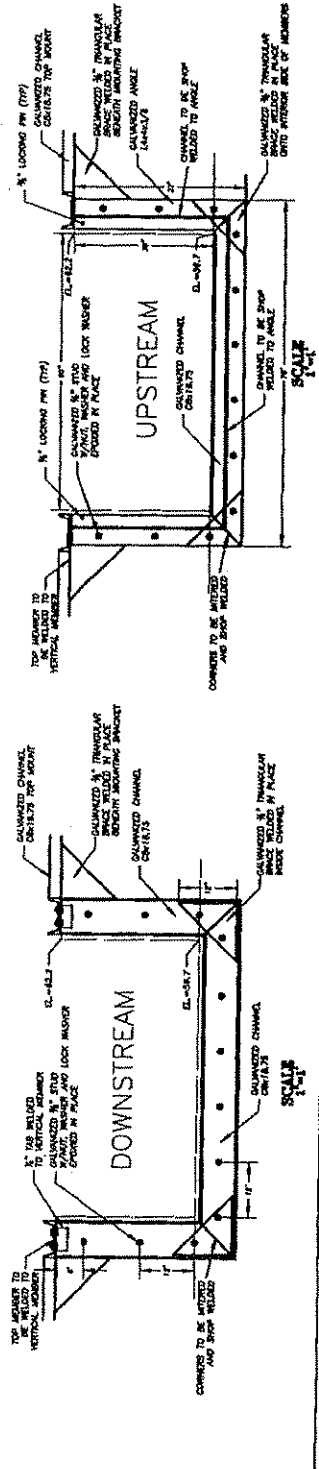
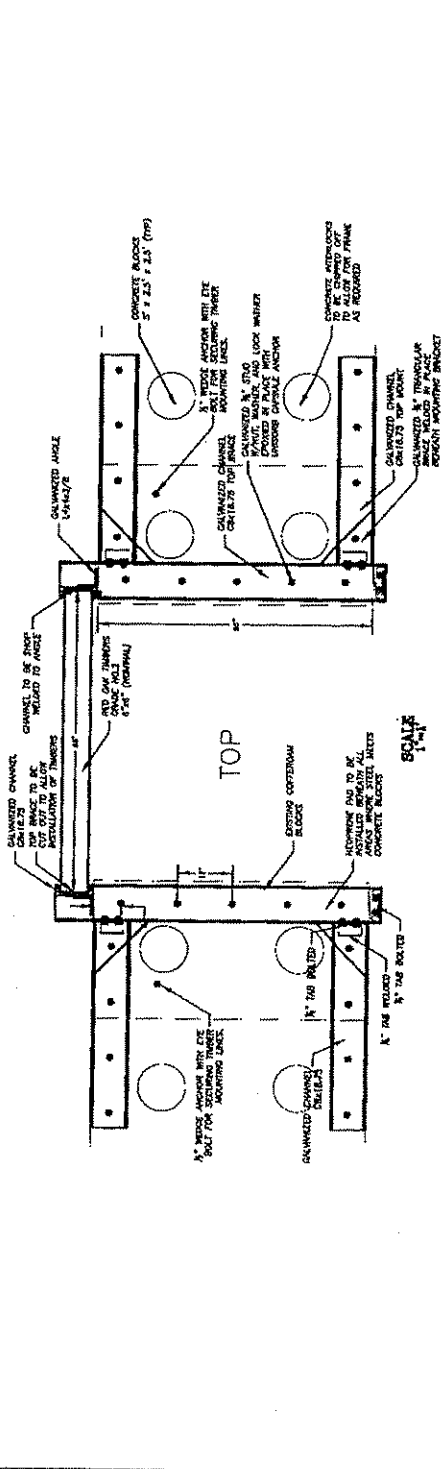


PROPOSED TEMPORARY WEIR
MORRIS DAM - TAUNTON, MA

JEFFERSON PARTNERS LLC

CLE ENGINEERING INC.
150 COTUIT ROAD, TAUNTON, MA 01960
(508) 744-2877

EMERGENCY WEIR PLAN SHEET 8 OF 8





LOCUS PLAN

SWALE CONSTRUCTION NOTES

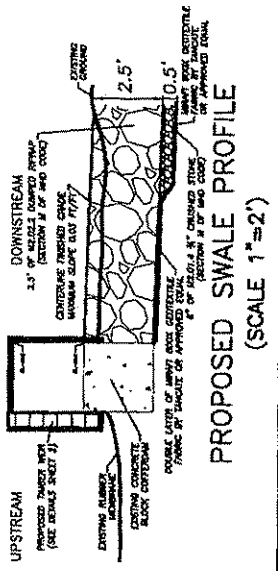
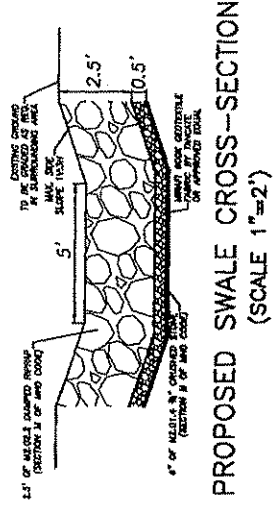
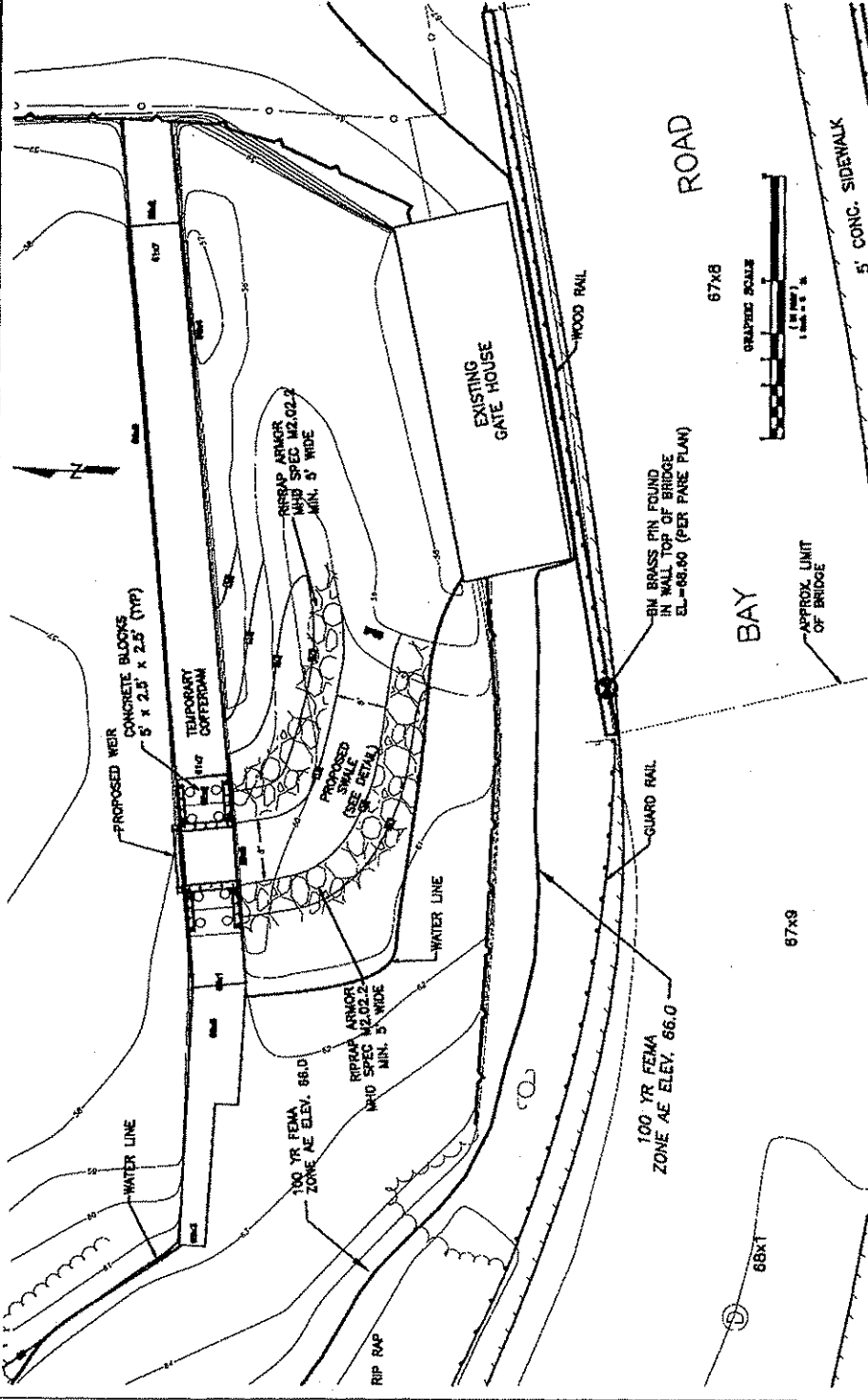
1. ALL WORK SHALL BE PERFORMED UNDER THE SUPERVISION OF THE PROJECT ENGINEER.
2. ALL MATERIALS TO BE AS SPECIFIED BY MASS HIGHWAY SPECIFICATIONS.
3. ALL DIMENSIONS UNLESS OTHERWISE NOTED SHALL BE PERPENDICULAR TO THE CENTERLINE OF THE SWALE.
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SWALE INSTALLATION NOTES

1. ALL WORK TO BE PERFORMED UNDER THE SUPERVISION OF THE PROJECT ENGINEER.
2. ALL MATERIALS TO BE AS SPECIFIED BY MASS HIGHWAY SPECIFICATIONS.
3. ALL DIMENSIONS UNLESS OTHERWISE NOTED SHALL BE PERPENDICULAR TO THE CENTERLINE OF THE SWALE.
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EXISTING CONDITIONS PLAN MORSEY'S DAM - TAUNTON, MA	
JEFFERSON PARTNERS LLC	
15 State Street, Taunton, MA 01978 (508) 749-0837	
EMERGENCY WEIR PLAN	SHEET 1 OF 8



July 14, 2010

Mayor and City Council
Attn: Mayor Charles Crowley
15 Summer Street
Taunton, MA 02780

Dear Mr. Crowley:

I am writing to you to request permission to schedule our 4th annual Jimbo's Fun Run in honor of my nephew, James Whittemore, whom we lost on July 25, 2007. This Scholarship for students of Bristol Plymouth Vocational School has been very rewarding the past few years and the family would like to continue memorializing Jimmy and hopefully growing the fund with this event. It also allows Jimmy's spirit to be with his family, teachers and friends.

I am requesting permission to have the race/walk on Saturday, October 16th at the Bristol Plymouth Regional Technical School using the course from prior years. Our goal is to increase participation by placing a banner once again on County Street approximately one month before the event.

After hearing your decision, I will contact the ambulatory company and Sergeant Medas for traffic control.

As previously mentioned, Jimbo's Fun Run allows us to keep Jimmy's spirit alive with his family and friends where we all would be grateful of your permission to hold this event again this year. I can be reached at 508-866-5122, cell phone at 508-989-1813 or at my email address is Whittemoremd@comcast.net if you have any questions or concerns.

Thank you in advance for your time and consideration. I look forward to hearing from you in the near future with your decision.

Sincerely,



Darlene Whittemore

CC: Mrs. Carolyn Pearson, Mr. & Mrs. William Whittemore

TAUNTON FIRE DEPARTMENT

DATE: July 16, 2010

LOCATION: Taunton

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

One (1) Permanent Full Time Deputy Fire Chief

Applicant Status

Willing to Accept	Declined Appointment	Applicant Signature
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Edward A. Boiros <input checked="" type="checkbox"/> I WILL Accept the Appointment <input type="checkbox"/> I will NOT Accept the Appointment	<i>Edward A. Boiros</i>	✓	<i>Edward A. Boiros</i>
Daniel T. Faria <input checked="" type="checkbox"/> I WILL Accept the Appointment <input type="checkbox"/> I will NOT Accept the Appointment	<i>D.T. Faria</i>	✓	<i>D.T. Faria</i>
Scott F. Dexter <input type="checkbox"/> I WILL Accept the Appointment <input type="checkbox"/> I will NOT Accept the Appointment	<i>already appointed</i>		



JULY 20, 2010

HONORABLE CHARLES CROWLEY, MAYOR
COUNCIL PRESIDENT DEBORAH A. CARR
AND MEMBERS OF THE MUNICIPAL COUNCIL

PLEASE NOTE:

THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR **TUESDAY, JULY 20, 2010 AT 5:30 P.M.** 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 DISCUSS TIMETABLE FOR REPLACEMENT PROCESS FOR TREASURER/COLLECTOR POSITION.
4. MEET TO REVIEW MATTERS IN FILE

THE COMMITTEE ON SOLID WASTE

1. MEET IN EXECUTIVE SESSION TO DISCUSS UPDATES ON THE STATUS OF NEGOTIATION OF THE SOLID WASTE FACILITY
2. MEET TO REVIEW MATTERS IN FILE

THE COMMITTEE ON POLICE AND LICENSE

1. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF DAWN M. MCPHEE, 123 E. WATER ST. FOR A NEW TEMPORARY FIXED VENDORS LICENSE D/B/A D-DOGS, 122 WINTER ST., TAUNTON
2. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON APPLICATION OF JOHN SNIGIER D/B/A JOHN'S AUTOWHEEL, 54 COTTAGE ST. FOR RENEWAL OF CLASS II LICENSE
3. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF RACHEL LABRECQUE FOR RENEWAL OF BOWLING ALLEY LICENSE FOR AMF BOWLING CENTERS INC. D/B/A TAUNTON LANES, 555 WINTHROP ST.
4. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF PAUL CASTIGLIEGO, 28 SUNNYSIDE AVE., BRISTOL, RI FOR RENEWAL OF TEMPORARY FIXED VENDOR LICENSE D/B/A FRESH SEAFOOD, HORTSHORN FIELD, TAUNTON

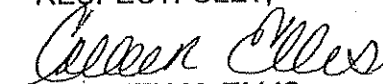
MUNICIPAL COUNCIL COMMITTEE AGENDA – CONTINUED

5. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON THE FOLLOWING PETITIONS FOR JUNK COLLECTOR LICENSES:
 - A. PATRICK WALSH FOR AUTOMOTIVE RECOVERY SERVICES INC. D/B/A INSURANCE AUTO ACTIONS, 580 MYRICKS ST., E. TAUNTON
 - B. ARTHUR PIMENTA, JR. 142 FREMONT ST.
6. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON THE FOLLOWING PETITIONS FOR OLD GOLD LICENSES:
 - A. PETITION OF JAMES PERRY, 433 ROBINSON ST., RAYNHAM D/B/A PERRY JEWELERS INC., 400 BROADWAY - RENEWAL
 - B. LEWIS PACHECO, 7 SAINTS WAY, BERKLEY FOR PACHECO JEWELRY, 20 TAUNTON GREEN - NEW
7. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF JUSTIN BALLARD OF VIRGINIA BEACH, VA. FOR A NEW OLD GOLD LICENSE D/B/A GOLD EXCHANGE STORES, SILVER CITY GALLERIA, 2 GALLERIA MALL DRIVE.
8. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON THE FOLLOWING PETITIONS FOR RENEWAL OF BILLIARD TABLE LICENSES:
 - A. CHARLENE HACKETT, 34 OLD COLONY AVE., E. TAUNTON D/B/A LONGBRANCH CAFÉ, 34 OLD COLONY AVE – 2 POOL TABLES
 - B. DONALD CLEARY, TRUSTEE, TAUNTON LODGE OF ELKS, 119 HIGH ST. – 2 POOL TABLES
 - C. WILLIAM SANFT, 15R SHORES ST. FOR WILL-O-BEE ENTERPRISES INC. D/B/A WILLY J'S PUB, 599 WINTHROP ST. – 1 POOL TABLE
9. MEET TO REVIEW MATTERS IN FILE

THE COMMITTEE ON PUBLIC PROPERTY

1. MEET TO DISCUSS REQUEST OF ATTORNEY EDMUND BRENNAN TO CONSIDER DECLARING PORTION OF CITY OWNED LAND OFF OF OAK AVENUE AS SURPLUS.
2. MEET TO REVIEW MATTERS IN FILE

RESPECTFULLY,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES