



AGENDA – MARCH 29, 2011

INVOCATION ROLL CALL RECORDS

HEARING: NONE

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1-2 Com. from City Clerk – Requesting a transfer of funds
- Pg. 3 Com. from Fire Chief – Requesting to pay prior year invoices
- Pg. 4 Com. from Assistant City Solicitor – Special Employee Status
- Pg. 5-7 Com. from General Manager, TMLP – Requesting approval to re-appropriate bond proceeds
- Pg. 8 Com. from Ernest Nadeau, President, Nadeau Corporation, 727 Washington St., South Attleboro – Expressing commendation and gratitude
- Pg. 9 Com. from Chairman, Taunton Planning Board – Notifying of public hearing
- Pg. 10 Com. from Chairman, Taunton Planning Board – Notifying of public hearing
- Pg. 11 Com. from Police Chief – Submitting outstanding detail invoices
- Pg. 12 Com. from City Engineer – Requesting acceptance of streets

PETITIONS

Constable License

Application submitted by Charles Castro, 56 Kalman Place, Taunton requesting a **RENEWAL** of his Constable License desiring to serve Civil Process.

Livery License

Petition submitted by Herbert Shoemaker requesting a **RENEWAL** of his Livery License –DBA- Skip Around Limousine, Inc. located at 24 Monroe St., Taunton. **(1 Limo)**

Old Gold License

Petition submitted by Timothy Speakman requesting a **NEW** Old Gold License –DBA- Gold Buyers at the Mall LLC to be located at the Silver City Galleria, 2 Galleria Mall Drive, Taunton to buy old gold.

Claims

Claim submitted by Christine Nascimento, 116 Shawomet Ave., Apt. 1, Somerset, MA requesting reimbursement for damages to her Automobile from hitting a pothole on West Water Street.

Claim submitted by David Lizotte, 651 Staples St., East Taunton seeking reimbursement for damages to his automobile from hitting a pothole in the Cohannet Street and Dighton Avenue area.

Claim submitted by Kristin Gately, 72 Tall Oak drive, Middleboro seeking reimbursement for damages to her automobile from hitting a pothole on Richmond Street near 735 Richmond Street.

Claim submitted by Melissa Enos, 79 Bay Street, Taunton seeking reimbursement for damages to her automobile from hitting a pothole near 5 Pine Street, Taunton.

Claim submitted by Catherine Silva, 13 Amber Way, Raynham seeking reimbursement for damages to her automobile from hitting a pothole on Hart Street at the intersection of Weir Street.

Claim submitted by Joanne Waddell, 10 Thayer Dr., Taunton seeking reimbursement for damages to her automobile from hitting a pothole near 100 Highland Street, Taunton.

Claim submitted by Jessica Vieira, 15 Mathias Ave., Tiverton, RI seeking reimbursement for damages to her automobile from hitting a pothole on County Street near Williams Street.

Claim submitted by Kevin Muir, 7 Sandy Hill, Raynham seeking reimbursement for damages to his automobile from hitting a pothole near 9 Pool Street and Marsh Drive.

Claim submitted by Seth Silveira and Orlando Silveira, 4 Thomas St., Taunton seeking reimbursement for damages to their automobile from hitting a pothole near 21 Smith Avenue.

Claim submitted by Kristin Kopke, 33 Morse Ave., Brockton seeking reimbursement for damages to her automobile from hitting a pothole on Myles Standish Boulevard near the Verizon Building.

Claim submitted by Diane Newell, 19 Colonial Drive, Norton seeking reimbursement for damages to her automobile from hitting a pothole on Myles Standish Boulevard near the Holiday Inn.

Miscellaneous

Decision of the Development Impact Review Board on the Petition for Departmental Site Plan Review for the addition of paving and loading docks at 71 Stevens Street, Taunton which is located in an Industrial District submitted by Fred Tardie, Stevens Street LLC, 71 Stevens Street, East Taunton. **(Informational Only)**

Departmental Site Plan Review for a retail/gas filling station at 280 Broadway located in the Highway Business District submitted by Attorney David Gay, 73 Washington Street, Taunton on behalf of his client G&C Investments, Inc., 280 Broadway, Taunton. **(Informational Only)**

COMMITTEE REPORTS

UNFINISHED BUSINESS

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

ORDERS, ORDINANCES AND ENROLLED BILLS

Order for a first reading to be passed to a second reading

Ordered That,

In accordance with Chapter 44, Section 20 of the General Laws, the sum of \$561,002.19 representing the unexpended portion of the \$4,150,000.00 borrowed under an order of the Municipal Council approved by the Mayor on October 19, 2009 for the purposes of Enterprise Resource Planning System Upgrades at the Taunton Municipal Lighting Plant, but which is no longer needed to complete that project, is hereby transferred to pay costs of asbestos abatement at the Taunton Municipal Lighting Plant.

NEW BUSINESS

Respectfully submitted,



**Rose Marie Blackwell
City Clerk**



City Clerk's Office
City of Taunton,

15 Summer Street
Massachusetts 02780, U. S. A.
Telephone 508 821-1024
Fax 508 821-1098
Cityclerk@tmfp.net

Rose Marie Blackwell
City Clerk

Jennifer L. Leger
Assistant City Clerk

March 24, 2011

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

Dear Mayor Crowley and Councilors:

I respectfully request permission to transfer funds as follows:

- \$750.00 from my Advertising Account 1-161-202-5346 to my Overtime Account 1-161-201-5130.
- \$200.00 from my Bond Account 1-161-202-5360 to my Office Supplies Account 1-161-202-5420

Please feel free to contact me with any questions on this matter.

Respectfully,

Rose Marie Blackwell
City Clerk

Attachment (Transfer Request Form)

2.

COUNCIL ORDER TRANSFER REQUEST

DATE: MARCH 24, 2011

DEPARTMENT REQUESTING: City Clerk

AMOUNT REQUESTING: \$750.00

REASON FOR REQUEST: Overtime funds

Please list below the account number/name for the requested transfer.
If requesting monies from AVAILABLE FUNDS check here: X

TRANSFER FROM: 1 -161 - 202- 5346

NAME: Advertising

BEGINNING BALANCE: \$ 5,500.00

AMOUNT: \$ 750.00

BALANCE REMAINING: \$ 2,709.16

TRANSFER FROM: 1 - 161-202 - 5360

NAME: Bond Expense

BEGINNING BALANCE: \$ 200.00

AMOUNT: \$ 200.00

BALANCE REMAINING: \$ 0

TRANSFER TO: 1 - 161- 201-5130

NAME: Overtime

BEGINNING BALANCE: \$ 2,500.00

AMOUNT: \$ 750.00

NEW BALANCE: \$ 750.00

TRANSFER TO: 1 - 161-202 - 5420

NAME: Office Supplies

BEGINNING BALANCE: \$ 4,000.00

AMOUNT: \$ 200.00

NEW BALANCE: \$ 318.29

DEPARTMENT HEAD SIGNATURE: _____

TITLE: _____

TO BE COMPLETED BY CLERK OF COUNCIL COMMITTEE:

DATE REFERRED TO COMMITTEE ON FINANCE & SALARIES: _____

THE ABOVE REQUEST IS HEREBY: APPROVED DENIED

AVAILABLE FUNDS TO BE USED (IF REQUESTED): _____

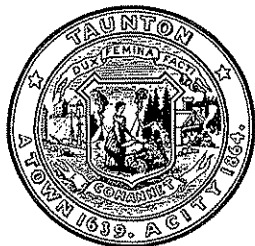
IF DENIED, REASON FOR DENIAL: _____

COUNCIL ORDER NUMBER ASSIGNED: _____

FOR COUNCIL ORDER TRANSFERS PLEASE FILL OUT THIS FORM WITH A FORMAL COVER LETTER REQUESTING THE TRANSFER AND SEND A COPY OF BOTH THE LETTER AND THIS FORM TO THE FOLLOWING:

- City Clerk - Original
- Mayor's Office
- Clerk of Council Committee
- City Auditor

3.



CITY OF TAUNTON FIRE DEPARTMENT

50 School Street
Taunton, MA 02780
Tel. (508) 821-1452 • Fax (508) 821-1495

TIMOTHY J. BRADSHAW
Chief of Department

KATE GOVER
Administrative Assistant

March 24, 2011

Mayor Charles Crowley and
Taunton City Council Members
Taunton City Hall
141 Oak Street
Taunton, MA 02780

**RE: Fire Department Request for Approval from City Council
to Pay Prior Fiscal Year Invoices**

Dear Honorable Mayor and Council Members;

It was recently brought to my attention that the following invoices totaling **\$143.76** remain outstanding from FY2010 and I am requesting the City Council authorized the payment for the following invoices;

Mastria Auto Group	\$40.76	Vehicle Parts
Mastria Auto Group	\$29.00	Inspection Sticker
Mastria Auto Group	\$29.00	Inspection Sticker
Total Welding Supplies	\$45.00	Cylinder Parts Lease

The explanation as to why these payments were not paid last year was due to the fact that the original paperwork remained incomplete or missing until this time. Thank you in advance for your assistance in this matter.

Sincerely,

Kate Gover
Administrative Assistant
Taunton Fire Department



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

March 24, 2011

Hon. Mayor Charles Crowley and
Members of the Taunton Municipal Council

Re: Special Employee Status for Carol Funke

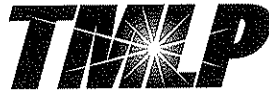
Ladies and Gentlemen:

The City Clerk has informed me of her intent to appoint Carol Funke as a poll worker for the 2011 election cycle. As you are aware, Mrs. Funke has served as a trustee of the Taunton Public Library for many years. Under recent guidelines, the Clerk has been advised against appointing municipal employees to poll worker positions, which are occasional in nature and only nominally compensated, as it creates problems of conflict and illegal employment in multiple positions.

Since the library trustee position is part-time and unpaid and does not have any direct conflict or interaction with the offices of the City Clerk or the Registrars of Voters, Mrs. Funke would qualify for designation as a "special employee," which would exempt her from conflict regulations in instances where there is no direct interaction of the two positions or agencies. I would therefore request that the council designate Mrs. Funke as a "special employee" in her capacity as trustee of the Taunton Public Library in order to facilitate her appointment as an election official.

Very truly yours,

Jordan H. F. Fiore
Assistant City Solicitor



Serving a Public Power Community

5.

March 18, 2011

Rose Marie Blackwell
City Clerk
City Hall
141 Oak Street
Taunton, MA 02780

Dear Ms. Blackwell:

The Taunton Municipal Lighting Plant Commission at their meeting held on March 14, 2011 voted to request approval from the Taunton Municipal Council to re-appropriate unexpended bond proceeds as follows:

Ordered: That in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, the sum of \$763,306.23 representing the unexpended portion of the \$4,150,000.00 borrowed under an order of the Municipal Council approved by the Mayor on October 19, 2009 for the purposes of Computer System Upgrades at the Taunton Municipal Lighting Plant, but which is no longer needed to complete that project, is hereby transferred to pay costs of the West Water Street Asbestos Abatement Project at the Taunton Municipal Lighting Plant.

Attached please find a breakdown of the costs associated with the Computer System Upgrade and West Water Street Projects. If any additional information is required, please feel free to contact me at 508 824 3104.

Very truly yours,

MUNICIPAL LIGHT COMMISSION
OF THE CITY OF TAUNTON


MICHAEL J. HARRIGAN
GENERAL MANAGER

pag

copy to: Wendy Graves, City Treasurer

ERP and West Water Street Projects (02/25/11)

	Computer System Upgrade	West Water Street Asbestos Abatement	West Water Street Oil Remediation
Expenditures	\$ 3,588,329.03	\$ 4,612,837.01	\$ 1,589,344.55
Expenditures prior to 12/15/08. (18 months prior to loan act)	\$ 201,635.26	\$ 128,264.63	
Expenditures eligible for financing under the loan act	\$ 3,386,693.77	\$ 4,484,572.38	0.00
Approved bond financing	\$ 4,150,000.00	\$ 3,100,000.00	
Excess/(Deficient) bond fund availability.	\$ 763,306.23	\$ (1,384,572.38)	

APPROVED: BY VOTE OF
 TOWN OF TAVENAR
 LEADING PLAN COMMISSION

Michael Arny
 3/19/2011

PART I ADMINISTRATION OF THE GOVERNMENT
(Chapters 1 through 182)

TITLE VII CITIES, TOWNS AND DISTRICTS

CHAPTER 44 MUNICIPAL FINANCE

Section 20 Proceeds from sale of bonds; restrictions on use; disposition of premiums

Section 20. The proceeds of any sale of bonds or notes, except premiums and accrued interest, shall be used only for the purposes specified in the authorization of the loan, and may also be used for costs of preparing, issuing and marketing such bonds or notes, except as otherwise authorized by this section. If a balance remains after the completion of the project for which the loan was authorized, such balance may at any time be appropriated by a city, town or district for any purposes for which a loan may be incurred for an equal or longer period of time than that for which the original loan, including temporary debt, was issued. Any such balance not in excess of one thousand dollars may be appropriated for the payment of the principal of such loan. If a loan has been issued for a specified purpose but the project for which the loan was authorized has not been completed and no liability remains outstanding and unpaid on account thereof, a city by a two-thirds vote of all of the members of the city council, or a town or district, by a two-thirds vote of the voters present and voting thereon at an annual town or district meeting, may vote to abandon or discontinue the project and the unexpended proceeds of the loan may thereupon be appropriated for any purpose for which a loan may be authorized for an equal or longer period of time than that for which the original loan, including temporary debt, was issued. Any premium received upon such bonds or notes, less the cost of preparing, issuing and marketing them, and any accrued interest received upon the delivery of said bonds or notes shall be paid to the city, town or district treasury. Notwithstanding the provisions of this section, no appropriation from a loan or balance thereof shall be made which would increase the amount available from borrowed money for any purpose to an amount in excess of any limit imposed by general law or special act for such purpose. Effective with the fiscal year 2005 tax rate approval process, additions to the levy limit for a debt exclusion are restricted to the true interest cost incurred to finance the excluded project. Premiums received at the time of sale shall be offset against the stated interest cost in computing the debt exclusion. The provisions of the preceding 2 sentences shall not apply to bond premiums received on or before July 31, 2003.

8.



Nadeau Corporation

Construction Development & Engineering

March 3, 2011

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

Dear Mayor Crowley,

Nadeau Corporation is the construction manager for a new 12,000 square foot medical office building to be located in Myles Standish Industrial Park. On February 28th we received our building permit for this project after a rather long ordeal to obtain it.

I'm writing you to commend one particular individual, Ms. Mary Jane Benker, Building Inspector – Zoning Enforcement Officer in your city, who was extremely helpful in the latter stages of this process and reaching what was a critical date to obtain the permit prior to March 1st for both financing and leasing purposes. She certainly went above and beyond the call of duty and is a valuable asset to your city.

On behalf of our company, the client, and the developer, we wish to extend our extreme gratitude for her efforts in this endeavor.

Sincerely Yours,

Ernest J. Nadeau, P.E.
President



TAUNTON PLANNING BOARD

City Hall
15 Summer Street
Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

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

March 15, 2011

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

C/O Rose Marie Blackwell, City Clerk

RE: Form J Plan – Waiver of Frontage – 720 Glebe St.

Dear Mayor Crowley and Members of the Municipal Council:

Please be advised the Taunton Planning Board is in receipt of a Form J Plan – Waiver of Frontage Requirements – to split one lot into three – for property located at 720 Glebe Street, submitted by James Kdan, 720 Glebe St, Taunton, Ma.

The Taunton Planning Board has scheduled a public hearing on this proposal for **Thursday, April 7, 2011 at 5:30 PM.** at Maxham School Auditorium, 141 Oak St., Taunton, Ma.

Respectfully,

Daniel P. Dermody, Chairman
Taunton Planning Board

DPD/djp

9.



TAUNTON PLANNING BOARD

City Hall
15 Summer Street
Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

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

March 14, 2011

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

C/O Rose Marie Blackwell, City Clerk

RE: Form J Plan – Waiver of Frontage – Tremont Street Property I.D. 49-12

Dear Mayor Crowley and Members of the Municipal Council:

Please be advised the Taunton Planning Board is in receipt of a Form J Plan – Waiver of Frontage Requirements – to split one lot into two – for property located on the northerly side of Tremont Street, Property I.D. 49-12, directly across from Silver Fox Circle, submitted by John Quattrocchi, Court Co., 2 Douglas Pike, Smithfield, R.I.

The Taunton Planning Board has scheduled a public hearing on this proposal for **Thursday, April 7, 2011 at 5:30 PM.** at Maxham School Auditorium, 141 Oak St., Taunton, Ma.

Respectfully,

Daniel P. Dermody, Chairman
Taunton Planning Board

DPD/djp

10.

11.

**Taunton Police Department
Outstanding Detail Invoices as of 03/01/2011**

Summary	
Total Owed (Private)	\$163,338.14
Total Owed (City)	\$ 191,179.05
TOTAL	\$354,517.19

Councilors -
The detail list
will be on your
desks Tuesday Evening.
RMB

12.



CITY of TAUNTON
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

15 Summer Street
Taunton, Massachusetts 02780-3430
Phone: 508-821-1027, Fax: 508-821-1336

Mark B. Slusarz, P.E.
City Engineer



March 25, 2011

Thomas C. Hoye Jr., Chairman
Members of the DPW Committee
City of Taunton
141 Oak Street
Taunton, MA 02780

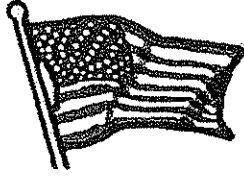
Re: Street Acceptance

Dear Committee Members;

Due to needed infrastructure improvements, the DPW asked me to look into the acceptance of Crossman Street, Birch Avenue, Tremont Avenue, Wilde Avenue, Meadow Place, and Evergreen Drive. Crossman Street, Wilde Avenue and Meadow Place were included in the previous street to be accepted, so only Birch Avenue, Tremont Street, and Evergreen Drive are now presented for your consideration. All three streets are currently maintained by the City, and all three streets have defined layouts. I will make these plans and layout descriptions available to the Committee shortly.

Sincerely,
City of Taunton

Mark B. Slusarz, P.E.
City Engineer



MARCH 29, 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, MARCH 29, 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 ON ECONOMIC DEVELOPMENT & TECHNOLOGY

1. MEET WITH THE DIRECTOR OF THE AUTOMATION DEPARTMENT TO DISCUSS THE CITY OF TAUNTON WEB PAGE.
2. MEET TO REVIEW MATTERS IN FILE

6:00 P.M.

THE COMMITTEE OF THE COUNCIL AS A WHOLE

1. MEET WITH KEVIN SHEA, DIRECTOR, MAYORS OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT TO DISCUSS THE PROPOSED MILL RIVER PARK IN DOWNTOWN TAUNTON
2. MEET WITH THE CITY PLANNER, CITY ENGINEER, BUSINESS IMPROVEMENT DISTRICT, HEART OF TAUNTON, AND CHAMBER OF COMMERCE TO DISCUSS THE NEW COURT HOUSE.
3. MEET TO REVIEW MATTERS IN FILE

RESPECTFULLY,

COLLEEN M. ELLIS

CLERK OF COUNCIL COMMITTEES