



AGENDA – MARCH 30, 2010

INVOCATION ROLL CALL RECORDS

HEARING: NONE

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1 Com. from Noreen Skwarto, Human Resource Department – Requesting funds
- Pg. 2 Com. from Chairman, Taunton Parking Commission – Handicap Parking Signage
- Pg. 3 Com. from Paul Curley, Sporting Events Manager, American Lung Association – Requesting approval to conduct a bicycle event
- Pg. 4 Com. from Greg Pimenta, President, Taunton Cubs, Inc., P.O. Box 2325, Taunton – Requesting use of the electronic sign
- Pg. 5 Com. from City Planner – Harts Four Corners Mitigation Account
- Pg. 6-8 Com. from Mayor Crowley - Submitting Memorandum of Agreement for the Taunton Police Supervisory Personnel Association
- Pg. 9-11 Com. from Mayor Crowley – Submitting a Memorandum of Agreement for the Massachusetts Laborer’s District Council Local 1144 (C)
- Pg. 12-13 Com. from Treasurer/Collector – Notifying of Land Court Decrees

PETITIONS

Constable License

Application submitted by David Henriques, 838 Somerset Ave., Taunton requesting a NEW Constable License desiring to serve as a Crossing Guard.

Claims

Claim submitted by Kathleen M. Teixeira, 88 Summer Street, Taunton seeking reimbursement for injuries she sustained when she fell on a sidewalk on School Street that was defective.

Claim submitted by Attorney Thomas Hensley, 30 Taunton Green, Suite 3, Taunton on behalf of his client Lydia Pina seeking reimbursement for injuries she sustained when she fell on a sidewalk on Cohannet Street across from the District Court.

Claim submitted by Sheri Ferreira, 206 James St., New Bedford, seeking reimbursement for damages to her automobile from hitting a pothole near 390 Winthrop Street.

Claim submitted by Francis Morehouse, 36 Silverwood Dr., Taunton seeking reimbursement for damages to his automobile from hitting a pothole on Winthrop Street near the bridge construction near Cohannet Street.

Claim submitted by Anita Kenniston, 105 East Hodges Street, Norton seeking reimbursement for damages to her automobile from hitting a pothole in the vicinity of 494 Tremont Street, Taunton.

Claim submitted by Donna Wile, 75 Burt Street, Taunton seeking reimbursement for damages to her automobile from hitting a pothole on Myles Standish Boulevard near the Pumpnickle Exp. Building.

Miscellaneous

Petition submitted by Gail Amaral, 963 Middleboro Ave., East Taunton and others requesting to alleviate an ongoing drainage problem that causes water to flood onto their properties as a result of a lack of storm drains placing their septic systems under water leading to soil contamination, diseases and systems not working properly.

COMMITTEE REPORTS

UNFINISHED BUSINESS

- **Executive Session** – Motion was made from the Municipal Council to continue the investigation into a claim (Police).
- **Executive Session** – Meet to discuss the Star Theater litigation and an update on Operation Cleanup

ORDERS, ORDINANCES AND ENROLLED BILLS

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

Ordered that,

The Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds of the City that are currently authorized and unissued and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.

NEW BUSINESS

Respectfully submitted,

Rose Marie Blackwell

**Rose Marie Blackwell
City Clerk**



CITY OF TAUNTON
MASSACHUSETTS

HUMAN RESOURCES DEPARTMENT

Maria V. Gomes
Director
Sandra B. Peavey
Office Manager

City Hall
15 Summer Street
Taunton, MA 02780
(508) 821-1060
FAX (508) 821-1066

March 24, 2010

Mayor Charles Crowley
City of Taunton
15 Summer Street
Taunton, MA 02780

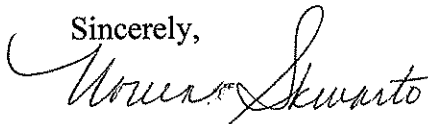
Dear Mayor Crowley:

I respectfully request to have the amount of \$25,000.00 transferred to the Disability Retirement Account (1- 916-202-5790). There are several bills that need processing, and several more are expected before June 30, 2010.

If you have any questions or concerns, please contact me.

Thank you for your assistance.

Sincerely,


Noreen Skwarto



2.

CITY OF TAUNTON

PARKING COMMISSION

*15 Summer Street
Taunton, MA 02780
Telephone: 508-880-4960
Fax: 508-828-0798*

March 24, 2010

Taunton City Council
15 Summer Street
Taunton, MA 02780

Re: TMLP request

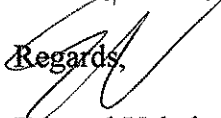
Dear Members of the Council,

At the most recent meeting of the Taunton Parking Commission a request was read aloud by the TMLP for petition of a handicapped parking space to be located at their new customer service location at 33 Weir Street.

The Commission is in agreement with the TMLP that temporary handicapped signage is appropriate for the 33 Weir Street location until the new customer service drive up is operational and the restructuring of Galligan's Lot is completed.

Thank you for your consideration in this matter.

Regards,


Edward Valadao, Chairman
Taunton Parking Commission

cc: TMLP/Mike Horrigan General Manager



March 19, 2010

Honorable Mayor Charles Crowley and Council Members
Taunton City Hall
15 Summer Street
Taunton, MA 02780

Dear Mayor Crowley and Council Members,

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

On behalf of the American Lung Association, I would like to request your approval and acknowledgement that I will be reviving the Massasoit Mountain Bicycle Event at Massasoit State Park in East Taunton as a benefit for the ALA. A permit with the Department of Conservation and Recreation is in the works and a sanction with the United States Cycling Federation has been granted. With your approval the event will take place on Saturday, April 24th starting at 9:30 am and lasting until 3:30 pm. At a meeting last week with the Park Department Staff, I was requested by Park Superintendent Steven Roedl to inform the City of Taunton of our plans and let them know that a larger than expected turnout may result in some over flow parking on Middleboro Ave. in the proximity of the access road to the Park.

I can be available to answer any questions.

Sincerely,

Paul Curley
Sporting Events Manager
American Lung Association

96 Partridge Circle
Taunton, MA 02780

508 824 1773

460 Totten Pond Road
Suite 400
Waltham, MA 02451
(781) 890-4262
(781) 890-4280 Fax

393 Maple Street
Springfield, MA 01105
(413) 737-3506
(413) 737-3511 Fax

www.lungma.org
1-800-LUNG-USA

For over 100 years, the nationwide American Lung Association has worked in the fight against lung disease.

**Improving Life,
One Breath at a Time**

Member of:

WORKING FOR A HEALTHY AMERICA



Taunton Youth Football and Cheerleading
Taunton Cubs, Inc
P.O. Box 2325
Taunton, Ma. 02780

March 16, 2010

Mayor's Office
City of Taunton
15 Summer Street
Taunton, Ma. 02780

Dear Mayor:

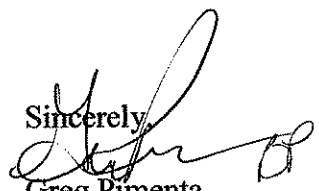
The Taunton Cubs Youth Football and Cheerleading is requesting permission to use the electronic portable sign at the Taunton Green on April 1st through April 7th. The Cubs are holding their second sign up for football and cheerleading on April 7th at 7:30 PM at Head Start.

The contact person for the Taunton Cubs, Inc is Greg Pimenta, President. He can be reached at all times on his cell phone #508-942-1529 or thru the League's email address tauntoncubs@comcast.net.

Information for the portable sign should read:

Taunton Cubs Football and Cheer
Registration April 7th @ Head Start 7:30pm
5yrs to 14yrs

I look forward to hearing from you soon.

Sincerely,

Greg Pimenta
President

2010 Board of Directors
President- Greg Pimenta
Vice President – Karl Anderson
League Representative – Rich Tate Cheerleading Coordinator – Melanie Rivera
Treasurer – Kristen Anderson Secretary – Barbra Perry

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City of Taunton, Massachusetts
**DEPARTMENT OF
PLANNING AND CONSERVATION**

*15 Summer Street
Taunton, Massachusetts 02780*

*Kevin R Scanlon, Director/ Planner AICP
Michele Restino, Conservation Agent*

*Phone 508-821-1051, 508-821-1043
Phone 508-821-1095 Fax 508-821-1665
www.ci.taunton.ma.us*

March 22, 2010

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

RE: Harts Four Corners Mitigation Account

Dear Mayor Crowley and Members of the Municipal Council,

At the March 16, 2010 meeting of the Municipal Council I was requested to provide the location of the monies collected for the upgrading of the Harts Four Corners intersection. The account provided by the City Auditor at the time of deposit was 24-176-6304-4835 and the current balance is \$100,000.00.

If you have any additional questions, please contact me at 508-821-1051.

Sincerely,

Kevin R Scanlon,
Director AICP

6.

City of Taunton Office of the Mayor

Charles Crowley
Mayor

Todd J. Castro
Assistant to the Mayor

Gill E. Enos
Budget Director



15 Summer Street
Taunton, MA 02780
Tel. (508) 821-1000
Fax. (508) 821-1005

March 30, 2010

Council President Deborah Carr
Members of the Taunton Municipal Council

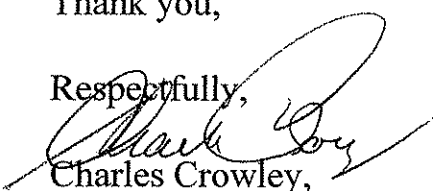
Dear Council President Carr,

Please be advised that our administration has been involved in contract negotiations with Taunton Police Supervisory Personnel Association MCOP Local 338 AFL-CIO who represent the supervisory staff at the Taunton Police Department. We have reached tentative agreement with the representatives of the union and the membership has ratified the agreement. Before any Collective bargaining Agreement can be signed and implemented, the financial aspects of the agreement have to be brought before the Taunton Municipal Council for approval.

Please find attached the draft of the Memorandum of Understanding that outlines the details of the agreement. I respectfully request your approval of this agreement.

Thank you,

Respectfully,


Charles Crowley,
Mayor

A City of Firsts
First Woman Town Proprietor- First Female Entrepreneur
First to Fly Liberty & Union Flag- First Major Silver Manufacturing Center

MEMORANDUM OF AGREEMENT

**City of Taunton and Taunton Police Supervisory Personnel Association, MCOP
Local 338, AFL-CIO (7/1/08 – 6/30/11 Collective Bargaining Agreement)**

1. Percentage Wage Increases:

- July 1, 2008: 0%
- July 1, 2009: 0%
- January 3, 2010: 1.5%
- July 1, 2010: 2.5%

2. Effective January 3, 2010, roll the following stipends into base pay, including for purposes of overtime, and delete these stipend provisions from the contract:

- Hazardous Duty (Art. 30, sec 2)
- Defibrillator (Art. 30, sec 14)
- Clothing Allowance (Art. 6, sec 2)
- Cleaning Allowance (Art. 6, sec 4)

3. Effective January 3, 2010:

(a) Delete the longevity provision (Art. 21) in its entirety:

(b) Institute a 3-step wage structure:

- 1. Step 1: 0 to three years in the Supervisors' bargaining unit – current pay rate with the above four stipends rolled into base pay
- 2. Step 2: after three years in the Supervisors' bargaining unit – 5% increase
- 3. Step 3: after six years in the Supervisors' bargaining unit – 5% increase

(c) Any officer who ends up owing the City money because of giving up longevity will not be required to pay that amount back.

4. The parties shall meet to reopen negotiations for the economic items in this agreement if any group who negotiates with the Mayor gets more than a 4% across-the-board increase in three years.

5. The Union accepts City's communications policy as tentatively agreed to (attached).

6. The Union accepts City's proposed dental insurance change, effective July 1, 2010.

Signed on March 1, 2010 (see original signature page attached):

For the City of Taunton:

X

Mayor Charles Crowley

**For the Taunton Police Supervisory Personnel
Association, MCOP Local 338, AFL-CIO:**

X

Paul D. Roderick, President

X

Eric P. Nichols

X

Matt J. McCaffrey

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City of Taunton

Office of the Mayor

Charles Crowley
Mayor

Todd J. Castro
Assistant to the Mayor

Gill E. Enos
Budget Director



15 Summer Street
Taunton, MA 02780
Tel. (508) 821-1000
Fax, (508) 821-1005

March 30, 2010

Council President Deborah Carr
Members of the Taunton Municipal Council

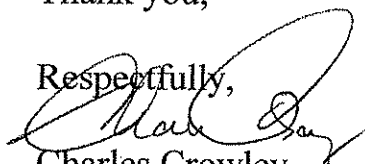
Dear Council President Carr,

Please be advised that our administration has been involved in contract negotiations with The Massachusetts Laborer's District Council Local 1144 (C) who represent some of the employees at the Taunton Nursing Home. We have reached tentative agreement with the representatives of the union and the membership has ratified the agreement. Before any Collective bargaining Agreement can be signed and implemented, the financial aspects of the agreement have to be brought before the Taunton Municipal Council for approval.

Please find attached the draft of the Memorandum of Understanding that outlines the details of the agreement. I respectfully request your approval of this agreement.

Thank you,

Respectfully,


Charles Crowley,
Mayor

A City of Firsts
First Woman Town Proprietor- First Female Entrepreneur
First to Fly Liberty & Union Flag- First Major Silver Manufacturing Center

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MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is entered into this _____ day of _____, 2010 by and between the City of Taunton and the Massachusetts Laborer's District Council, Local 1144 (C) Taunton Nursing Home Union. The purpose of this Memorandum of Agreement is to extend the Collective Bargaining Agreement between the parties, which expires on June 30, 2009. To the extent that this memorandum does not modify the Collective Bargaining Agreement, then said Collective Bargaining Agreement shall remain in full force and effect.

NOW THEREFORE, the parties, having bargained collectively pursuant to Chapter 150E of the General Laws do hereby agree to the following revisions/amendments/modifications to the Collective Bargaining Agreement which expires on June 30, 2009.

1. The contract will be extended for a period of three (3) years, July 1, 2009 through June 30, 2012, but steps and longevity to increase as required by existing CBA and this memorandum.

2. **ARTICLE XIV- DIFFERENTIALS**
 Section 1: *Add Language:* Anyone working 50% or more of his/her shift after 3:00 p.m., shall receive a \$.50 differential after 3:00 p.m.

3. **ARTICLE XXII-MISCELLANEOUS**
 Section 5-*Add:* The reimbursement will be made within sixty (60) days after showing proof of payment provided that proper documentation has been submitted to the business office and that it is acceptable to the City Auditor.

4. **ARTICLE XXVII –PAYROLL & WAGES (New Article number)**
 1. Effective January 1, 2010 or at a date following, when all general government employees have agreed, employees will be required to enroll in direct deposit.

5. **New: ARTICLE XXVII-Wages**

FY '10 (Effective upon signing & approval) –	1.5%
FY'11 – July 1, 2010-June 30, 2011-	2%
FY'12 – July 1, 2011-June 30, 2012-	2%

6. APPENDIX A- (New Job Title)

- a. MMQ/Nurse/LPN into the current wage list of Union positions, Rate \$19.90/hr
- b. Create Steps for the following positions:

	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>
*Accounts Payable/Payroll Clerk	\$14.14	\$15.14	\$16.14
*Receptionist	\$11.24	\$12.24	\$13.24

*These titles are not eligible for wage increases from FY '10-FY'12

SIGNED THIS ____ DAY OF _____, 2010.

Approved as to Form and Content:

Jane E. Estey, City Solicitor

For PUBLIC EMPLOYEES LOCAL 1144 (C)-Taunton Nursing Home:

For the City of Taunton:

Mayor Charles Crowley



CITY OF TAUNTON
MASSACHUSETTS

12

TREASURY DEPARTMENT

JAYNE D. ROSS, CMMT, CMMC
Treasurer/Collector

15 Summer Street
Taunton, MA 02780

Telephone (508) 821-1057
FAX (508) 821-1007

March 26, 2010

Charles Crowley, Mayor and
Members of the Municipal Council
15 Summer St
Taunton, Ma 02780

Re: Land Court Decree John Sheehy (5 Parcels)
Parcel # 7-0-027-0, 5-0-11-0, 11-0-15-0, 7-0-43-0, 11-0-11-0

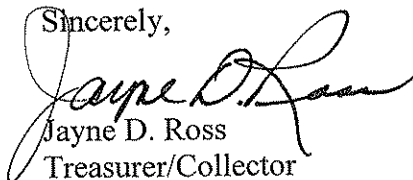
Dear Mayor Crowley and Councilors:

I have been notified that on February 16, 2010 the Land Court entered a foreclosure decree on five tax title parcels assessed to John Sheehy and Elvera V Sheehy. These properties are located on Field St and Cedar Swamp. While the decree has been entered I do not expect to receive the recorded documents for two to three months. The City of Taunton is now the owner of this property and should make every effort to insure and secure the premises, as all responsibility and liability for this property now rests with the City of Taunton.

Once I have received the recorded decree, the parcel will be transferred to the Tax Possession Custodian.

If you have any questions or concerns regarding this property, please contact this Office.

Sincerely,


Jayne D. Ross
Treasurer/Collector

Cc: Assessor
Auditor
Tax Possession Custodian

439.87 per parcel

[SEAL]

278.06
per parcel

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT

13.

Case No.: 08 TL 137433

JUDGMENT IN TAX LIEN CASE

City of Taunton

vs.

Elvera V. Sheehy

This case came on to be heard and was argued by counsel, and thereupon, upon consideration thereof, it is

ADJUDGED and ORDERED that all rights of redemption are forever foreclosed and barred under the following deed(s) given by and/or the tax taking(s) made by the Collector of Taxes for the City of Taunton in Bristol County and said Commonwealth:

	<u>Land Type</u>	<u>Tax Taking Date</u>	<u>Book No.</u>	<u>Page No.</u>	<u>Document No.</u>	<u>Certificate of Title No.</u>
Parcel I	Recorded	12/14/2005	15597	202	Field St., 7-27, W8 P045 B067 L 0141	
Parcel II	Recorded	12/14/2005	15597	203	Field St., 5-11, W8 P044 B064 L 105A	
Parcel III	Recorded	12/14/2005	15597	204	Field St., 11-15, W8 P042 B062 L 078A	
Parcel IV	Recorded	12/14/2005	15597	205	Cedar Swamp, 7-43, W8 P042 B067 L 0060	
Parcel V	Recorded	12/14/2005	15597	206	Cedar Swamp, 11-11 W8 P042 B062 L 0064	

By the Court: Deborah J. Patterson

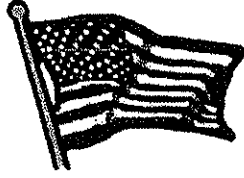
Attest:

Deborah J. Patterson
Recorder

Entered: February 16, 2010

A TRUE COPY
ATTEST:

Deborah J. Patterson
RECORDER



MARCH 30, 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, MARCH 30, 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 REVIEW MATTERS IN FILE

THE COMMITTEE ON POLICE AND LICENSE

1. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON THE FOLLOWING APPLICATIONS FOR APPOINTMENT AS CONSTABLE:
 - A. DESMOND CHOW, 7 MAIN ST., TAUNTON – RENEWAL
 - B. DANIEL STEWART, 18 COOPER ST., TAUNTON - RENEWAL
2. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON APPLICATION OF PATRIOT AUTO SALES & SERVICE LLC, 420 BROADWAY, TAUNTON FOR RENEWAL OF CLASS H LICENSE
3. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITION OF GREGORY RICO, 17 LIBERTY ST., E. TAUNTON FOR RENEWAL OF TEMPORARY FIXED VENDORS LICENSE D/B/A RICO'S GRILLE, 447 BROADWAY, TAUNTON
4. MEET TO REVIEW MATTERS IN FILE

PAGE TWO

MUNICIPAL COUNCIL COMMITTEE AGENDA - CONTINUED

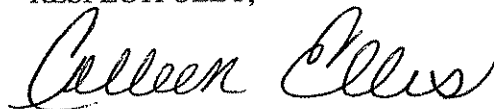
THE COMMITTEE ON THE DEPT. OF PUBLIC WORKS

1. MEET WITH THE D.P.W. COMMISSIONER FOR AN UPDATE ON MOREY'S BRIDGE
2. MEET WITH THE D.P.W. COMMISSIONER TO DISCUSS PETITION SUBMITTED REGARDING CROSSMAN STREET
3. MEET WITH THE D.P.W. COMMISSIONER FOR AN UPDATE CONCERNING THE TRANSPORTATION INFRASTRUCTURE PLAN FOR HART'S FOUR CORNERS, AND RECEIVE REPORT FROM THE CITY PLANNER REGARDING THE \$100,000.00 FROM TGI FRIDAYS RESTAURANT
4. MEET TO REVIEW MATTERS IN FILE

THE COMMITTEE ON SOLID WASTE

1. MEET WITH THE SOLID WASTE TECHNICAL COMMITTEE (D.P.W., BOARD OF HEALTH, MAYOR AND ATTORNEY TORRES), JIM BINDER OF A.R.I. AND REPRESENTATIVE OF I.W.T. TO DISCUSS RECOMMENDATION AND TO BEGIN THE SELECTION PROCESS OF THE COMPANY KNOWN AS I.W.T.
2. MEET WITH CATHAL O'BRIEN, WATER DIVISION SUPERVISOR AND KEVIN DUQUETTE OF THE BOARD OF HEALTH TO PRESENT THE RECYCLING PROGRAM THAT WAS PRESENTED TO D.E.P. AND THAT IS PROPOSED FOR THE COMMUNITY
3. MEET TO REVIEW MATTERS IN FILE

RESPECTFULLY,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES