



## AGENDA – May 3, 2011

### INVOCATION ROLL CALL RECORDS

**HEARING:        NONE**

### COMMUNICATIONS FROM THE MAYOR

### APPOINTMENTS

### COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1-2        Com. from Chairman, Board of Registrar of Voters – Requesting a transfer of funds
- Pg. 3-4        Com. from Fire Chief – Requesting a transfer of funds
- Pg. 5-6        Com. from Fire Chief – Requesting a transfer of funds
- Pg. 7           Com. from Assistant City Solicitor – Implementation of an enterprise system
- Pg. 8           Com. from Senator Marc R. Pacheco – Notifying of a public hearing
- Pg. 9-14       Com. from Superintendent of Bristol Plymouth Regional Technical School District – Submitting the FY2012 Budget
- Pg. 15         Com. from Executive Director of Retirement – Submitting the Annual Statement for the Financial Condition of the City of Taunton Contributory Retirement System for the year ended December 31, 2010 (**SEE SEPARATE PACKET**)
- Pg. 16         Com. from Building Inspector/Zoning Enforcement Officer – Submitting information on Planet Petroleum and the red house on Winthrop Street
- Pg. 17         Com. from Police Chief – Response concerning Police action and 21D citations at Planet Petroleum and adjacent red house
- Pg. 18         Com. from Executive Director Board of Health – Information on septic system failure at 274 Winthrop Street

## **PETITIONS**

### **Billiard Table License**

Petition submitted by Barbeque Integrated, Inc., 5104 North Orange Blossom Trail, Suite 104 Orlando, FL requesting a **RENEWAL** of their Billiard Table License –DBA-Smokey Bones Bar & Fire Grill #7592 located at 1023 County Street, Taunton. **(2 Tables)**

### **Miscellaneous**

Petition submitted by residents of Pinecrest Drive requesting a review by the Department of Public Works and the Mayor’s Office regarding the condition of their street which they state is completely torn up down to the sand in certain areas. **(10 Signatures)**

## **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,

The Mayor and Municipal Council of the City of Taunton hereby accept the provisions of Section 53F½ of Chapter 44 of the General Laws for purposes of establishing an enterprise fund for the operation of the municipal sanitary sewer system of the City of Taunton effective July 1, 2011 and authorize the mayor, the Commissioner of the Department of Public Works, and the Treasurer/Collector to take all measures necessary to the implementation and administration of said enterprise system.

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

## **AN ORDINANCE**

### **Chapter 19**

### **Sewer & Drains**

### **Sec 19-19. Sewer Rates/Sewer user charges: late penalty.**

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

*That Section 19-19 of the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by adding the following:*

Replace: Section 1: Minimum Quarterly/Monthly Billing and

Section 2: Two tiered billing rates with the rates listed below.

Section 1:

For the Fiscal Year that begins July 1, 2011, the quarterly/monthly billing rates for each connection shall be according to the following fixed service charges that are based on the size of the meter serving the connection.

	Meter Size	Quarterly	Monthly
1	5/8	\$59.00	\$19.67
1.1	3/4	\$64.90	\$21.63
1.4	1	\$82.60	\$27.53
1.8	1.5	\$106.20	\$35.40
2.9	2	\$171.10	\$57.03
11	3	\$649.00	\$216.33
14	4	\$826.00	\$275.33
21	6	\$1,239.00	\$413.00
29	8	\$1,711.00	\$570.33
37	10	\$2,183.00	\$727.67

For the Fiscal Year that begins July 1, 2012, the quarterly/monthly billing rates for each connection shall be according to the following fixed service charges that are based on the size of the meter serving the connection.

	Meter Size	Quarterly	Monthly
1	5/8	\$72.00	\$24.00
1.1	3/4	\$79.20	\$26.40
1.4	1	\$100.80	\$33.60
1.8	1.5	\$129.60	\$43.20
2.9	2	\$208.80	\$69.60
11	3	\$792.00	\$264.00
14	4	\$1,008.00	\$336.00
21	6	\$1,512.00	\$504.00
29	8	\$2,088.00	\$696.00
37	10	\$2,664.00	\$888.00

For the Fiscal Year that begins July 1, 2013, the quarterly/monthly billing rates for each connection shall be according to the following fixed service charges that are based on the size of the meter serving the connection.

	Meter Size	Quarterly	Monthly
1	5/8	\$91.00	\$30.33
1.1	3/4	\$100.10	\$33.37
1.4	1	\$127.40	\$42.47
1.8	1.5	\$163.80	\$54.60
2.9	2	\$263.90	\$87.97
11	3	\$1,001.00	\$333.67
14	4	\$1,274.00	\$424.67
21	6	\$1,911.00	\$637.00
29	8	\$2,639.00	\$879.67
37	10	\$3,367.00	\$1,122.33

Section 2:

Two tiered billing rates:

For bills issued after July 1, 2011:

Step 1: \$1.42 per 100 cf for usage between (1 to 3,000 cf quarterly)(1 to 1,000 cf monthly)

Step 2: \$5.05 per 100 cf for the incremental usage in excess of 3,000 cf (monthly excess of 1,000 cf)

For bills issued after July 1, 2012:

Step 1: \$1.49 per 100 cf for usage between (1 to 3,000 cf quarterly)(1 to 1,000 cf monthly)

Step 2: \$5.30 per 100 cf for the incremental usage in excess of 3,000 cf (monthly excess of 1,000 cf)

For bills issued after July 1, 2013:

Step 1: \$1.52 per 100 cf for usage between (1 to 3,000 cf quarterly)(1 to 1,000 cf monthly)

Step 2: \$5.41 per 100 cf for the incremental usage in excess of 3,000 cf (monthly excess of 1,000 cf)

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

**NEW BUSINESS**

**Respectfully submitted,**

*Rm Blackwell*

**Rose Marie Blackwell**

**City Clerk**



CITY OF TAUNTON

15 SUMMER STREET  
TAUNTON, MASSACHUSETTS 02780  
(508) 821-1044 Phone  
(508) 821-1202 Fax

**BOARD OF REGISTRARS OF VOTERS**

**BOARD MEMBERS**

William J. Tranter, Chairman  
Carol A. Welch, Clerk  
Frank E. Biedak  
Elizabeth Pottier

**Asst. to Board of Registrar of Voters**

Paula M. Bergevin

APRIL 28, 2011

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

Dear Mayor Crowley and Municipal Councilors:

I am requesting permission to transfer \$2,200.00 from Supplies/Other Miscellaneous Account 1-162-202-5599 to Salaries/Wages Account 1-162-201-5102 to cover the contractual COTMA Increase.

Thank you for your assistance in this matter.

Respectfully Submitted,

  
William J. Tranter

Chairman, Board of Registrar of Voters

**COUNCIL ORDER TRANSFER REQUEST**

2.

DATE: 4 / 27 / 2011

DEPARTMENT REQUESTING: REGISTRAR OF VOTERS OFFICE

AMOUNT REQUESTING: \$ 2,200.00

REASON FOR REQUEST: COTMA RAISE

Please list below the account number/name for the requested transfer.

If requesting monies from AVAILABLE FUNDS check here:

TRANSFER FROM: 1 - 162-202 - 5599

TRANSFER TO: 1 - 162 - 201 - 5102

NAME: Supplies/Miscellaneous

NAME: Office Manager

AMOUNT: \$ 2,200.00

AMOUNT: \$ 2,200.00

TRANSFER FROM: - - - - -

TRANSFER TO: - - - - -

NAME: \_\_\_\_\_

NAME: \_\_\_\_\_

AMOUNT: \$ \_\_\_\_\_

AMOUNT: \$ \_\_\_\_\_

DEPARTMENT HEAD SIGNATURE: *Paula M. Bergeron*

TITLE: ASST. TO BOARD OF REG. OF VOTERS

**TO BE COMPLETED BY CLERK OF COUNCIL COMMITTEE:**

DATE REFERRED TO COMMITTEE ON FINANCE AND SALARY: \_\_\_/\_\_\_/\_\_\_

The above request is hereby:  APPROVED  DENIED

DATE APPROVED: \_\_\_/\_\_\_/\_\_\_

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*

April 28, 2011

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

Dear Ms. Blackwell;

I am formally requesting the City Council transfer available funds from the Fire S.A.F.E. Grant Account and the Fire Service Hazmat Response Account totaling **Eight Thousand Nine Hundred Ninety Nine Dollars and Sixty Five Cents (\$8,999.65)** be transferred into the Fire Department's Salaries & Wage Account.

Attached find the backup documentation detailing itemization breakdown for this request.

Thank you for your assistance in this matter.

Respectfully,

Timothy J. Bradshaw  
Chief of Department

cc: Mayor Charles Crowley  
Clerk of Council Committee  
City Auditor



4.

**COUNCIL ORDER TRANSFER REQUEST**

DATE: 4/26/2011

DEPARTMENT REQUESTING: FIRE

AMOUNT REQUESTING: \$8,999.65

REASON FOR REQUEST: TRANSFER MONIES FROM FIRE GIFT APPROPRIATIONS ACCT TO  
FIREFIGHTING SUPPLY ACCOUNT

Please list below the account number/name for the requested transfer.

If requesting monies from AVAILABLE FUNDS check here: X

TRANSFER FROM: 24-220-6370-5127-0-0 TRANSFER TO: 1-220-201-5119

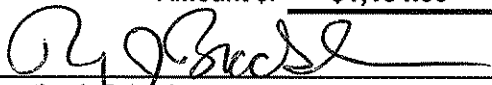
Name: FIRE DEPT. S.A.F.E GRANT Name: SALARIES & WAGES

Amount \$: \$7,815.00 Amount \$: \$ 7,815.00

TRANSFER FROM: 1-0-437-220-0-0 TRANSFER TO: 1-220-201-5119

Name: FIRE SERVICE HAZMAT RESPONSE Name: SALARIES & WAGES

Amount \$: \$1,184.65 Amount \$: \$1,184.65

DEPARTMENT HEAD SIGNATURE:   
TITLE: Timothy J. Bradshaw  
Chief of Department

TO BE COMPLETED BY CLERK OF COUNCIL COMMITTEE:

DATE REFERRED TO COMMITTEE ON FINANCE AND SALARY: \_\_\_\_\_

The above request is hereby: \_\_\_\_\_ Approved \_\_\_\_\_ DENIED

DATE APPROVED: \_\_\_\_\_

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*



# 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*

April 26, 2011

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

Dear Ms. Blackwell;

I am formally requesting the City Council transfer available funds from the Fire Department's Gift Appropriation Account totaling **Twenty Thousand Dollars (\$20,000.00)** be transferred into the Fire Department's Firefighter Supply Account.

The funds come from the generous and continued support of the Bristol County Savings Bank Charitable Foundation. This money will be used towards the purchase a new "Jaws of Life" for the City.

Attached find the backup documentation detailing itemization breakdown for this request. Thank you for your assistance in this matter.

Respectfully,

Timothy J. Bradshaw  
Chief of Department

cc: Mayor Charles Crowley  
Clerk of Council Committee  
City Auditor

6.

**COUNCIL ORDER TRANSFER REQUEST**

DATE: 4/26/2011

DEPARTMENT REQUESTING: FIRE

AMOUNT REQUESTING: \$20,000.00

REASON FOR REQUEST: TRANSFER MONIES FROM FIRE GIFT APPROPRIATIONS ACCT TO  
FIREFIGHTING SUPPLY ACCOUNT

Please list below the account number/name for the requested transfer.

If requesting monies from AVAILABLE FUNDS check here:           X          

TRANSFER FROM: 27-220-6723-4835                      TRANSFER TO: 1-220-202-5581

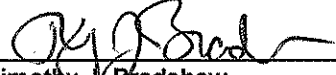
Name: FIRE DEPT. GIFT APPROP. ACCT.                      Name: FIREFIGHTING SUPPLIES

Amount \$: \$20,000.00    Amount \$: \$ 20,000.00

TRANSFER FROM: \_\_\_\_\_ TRANSFER TO: \_\_\_\_\_

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Amount \$: \_\_\_\_\_ Amount \$: \_\_\_\_\_

DEPARTMENT HEAD SIGNATURE:   
TITLE: Timothy J. Bradshaw  
Chief of Department

TO BE COMPLETED BY CLERK OF COUNCIL COMMITTEE:

DATE REFERRED TO COMMITTEE ON FINANCE AND SALARY: \_\_\_\_\_

The above request is hereby: \_\_\_\_\_ Approved \_\_\_\_\_ DENIED

DATE APPROVED: \_\_\_\_\_

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  
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FOLLOWING:**

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



# City of Taunton

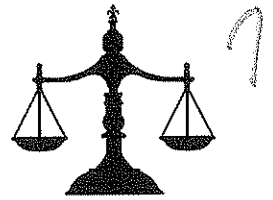
## LAW DEPARTMENT

141 Oak Street

Taunton, Massachusetts 02780

Phone (508) 821-1036 Facsimile (508) 821-1064

*cotlawdept@tmlp.net*



CHARLES CROWLEY  
MAYOR

PETER J. BERRY  
CITY SOLICITOR

JORDAN H. F. FIORE  
ASSISTANT CITY SOLICITOR

April 28, 2011

Mayor Charles Crowley and  
Members of the Municipal Council

Ladies and Gentlemen:

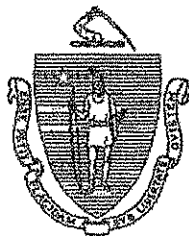
You have expressed an interest in implementing an enterprise system for the administration of the municipal sanitary sewer system for the City of Taunton effective July 1, 2011. The method prescribed by the General Laws of the Commonwealth of Massachusetts for implementing such a system is for the mayor and council to adopt the provisions of Section 53F½ of Chapter 44 of the General Laws with regard to the sewer system and to authorize those officials involved in the finance of the system to take such measures as are necessary to implement it.

I have provided the City Clerk with a resolution adopting this provision for your consideration this evening. Unlike an ordinance, this requires only a single reading and can be passed immediately.

Very truly yours,

Jordan H. F. Fiore  
Assistant City Solicitor

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COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE

STATE HOUSE, BOSTON 02133-1059

MARC R. PACHECO  
STATE SENATOR  
1ST PLYMOUTH AND BRISTOL  
DISTRICT  
ROOM 312B  
TEL. (617) 722-1551

COMMITTEES:

SENATE COMMITTEE ON POST AUDIT AND OVERSIGHT (CHAIRMAN)  
SENATE COMMITTEE ON GLOBAL WARMING AND CLIMATE CHANGE (CHAIRMAN)  
SENATE COMMITTEE ON WAYS AND MEANS

ENVIRONMENT, NATURAL RESOURCES AND AGRICULTURE (VICE CHAIRMAN)  
HEALTH CARE FINANCING (VICE CHAIRMAN)  
TELECOMMUNICATION, UTILITIES AND ENERGY

April 28, 2011

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

Dear Mayor Crowley and Members of the Council:

I am writing to inform you that the Joint Committee on Public Service has scheduled a public hearing for Senate Bill No. 1886, *An Act authorizing an early retirement incentive program in the City of Taunton*, which I filed on behalf of the City.

Should you wish to have a representative from the City testify in support of this legislation, the hearing will be held on Tuesday, May 3, 2011 at 1:00 pm in room B-1 here at the State House.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,

Marc R. Pacheco  
State Senator





# BRISTOL-PLYMOUTH REGIONAL TECHNICAL SCHOOL DISTRICT

940 COUNTY STREET, TAUNTON, MASSACHUSETTS 02780-3799

Telephone 508-823-5151

Fax 508-880-7287

www.bptech.org

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*School Committee Members:*

CAROL L. MILLS  
*Chair*  
BERKLEY

April 8, 2011

LOUIS BORGES, JR.  
*Vice-Chair*  
TAUNTON

The Honorable Charles Crowley  
Mayor of the City of Taunton  
141 Oak Street  
Taunton, MA 02780

MARK A. DANGOIA  
BRIDGEWATER

Dear Mayor Crowley:

RONALD H. SCHMIDT  
MIDDLEBOROUGH

At their regular meeting on Tuesday, April 5, 2011, your Bristol-Plymouth Regional Technical School District Committee voted to approve the attached FY 2012 budget. Prior to the regular meeting, a public hearing was held in accordance with the notice posted in all member communities and advertised through a legal notice in The Enterprise.

CATHERINE M. WILLIAMS  
RAYNHAM

PETER H. CORR  
TAUNTON

*Treasurer:*  
JOHN FRIAS

Information regarding the approved budget and the assessment to the City of Taunton, as well as the assessments to the other district communities, is enclosed. **The City of Taunton FY 2012 total assessment is \$4,469,739.** Please note that the figures presented here are based upon the **latest available information** from the Commonwealth of Massachusetts and the Department of Education.

*Superintendent:*  
RICHARD W. GROSS, Ed. D.

As in previous years, the FY 2012 budget reflects community assessments at the minimum required level. These levels are established by the regional agreement, the Massachusetts Department of Education and the Commonwealth of Massachusetts based on the Governor's budget. Should these figures change, we will adjust as necessary and notify our communities accordingly.

We look forward to attending a meeting of the Municipal Council to discuss the enclosed information. Please contact my office in order that we may set up a mutually agreeable time. Thank you for the continued support of your students at Bristol-Plymouth.

Sincerely,

Richard W. Gross, Ed.D.  
Superintendent  
sec

cc: Louis Borges, School Committee  
Peter Corr, School Committee  
Rose Marie Blackwell, City Clerk  
Wendy Graves, Treasurer  
Gil Enos, Budget Director  
Todd Castro, Mayoral Asst.  
Daniel Barbour, City Council  
A. J. Marshall, City Council

Sherry Costa-Hanlon, Council President  
Jason Buffington, City Council  
Deborah Carr, City Council  
Gerald Croteau, City Council  
Ryan Colton, City Council  
Thomas Hoye, Jr., City Council  
David Pottier, City Council



Accredited by the New England Association of Schools & Colleges

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*Bristol-Plymouth  
Regional Technical School District*

*Fiscal Year 2012*

*Budget*

*Approved by School Committee on April 5, 2011*

*Prepared with Governor's Budget*

*Announced 1-26-11*

*Schedules I, II, III*

*Bristol-Plymouth Regional Technical School District*  
*Fiscal Year 2012 Budget*  
*Schedule I*

**Operating Budget (By Major Function):**

1000 Administration & Business Functions	1,023,202
2000 Instruction	10,717,216
3000 Other Student Services	1,916,159
4000 Operation & Maintenance of Plant	2,048,250
5000 Insurances/Benefits	3,471,340
7000 Equipment/Fixed Assets	10,000
<b>Total Fiscal Year 2012 Budget</b>	<b>\$19,186,167</b>
<b>Fiscal Year 2011 Budget</b>	<b>\$19,199,439</b>
<b>Dollar Change</b>	<b>(\$13,272)</b>
<b>Percent Change</b>	<b>-0.1%</b>



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*Bristol-Plymouth Regional Technical School District*  
*Fiscal Year 2012 Budget*  
*Schedule II*

**Total Budget:** **\$19,186,167**

**Revenue Sources:**

Chapter 70	9,847,364
Anticipated Transportation Reimbursement	428,339
Local Contribution	<u>669,322</u>
(E&D, Interest, & Medicaid Program)	10,945,025

**Less Applied Revenues:** **\$10,945,025**    **57.0%**

**Required Community Assessments:** **\$8,241,142**    **43.0%**

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**Bristol-Plymouth Regional Technical School District**  
**Fiscal Year 2012 Budget**  
**Schedule III**

Member Community	Minimum Required Contribution		Assessment of Other Costs	FY2012 Total Assessment
	State Minimum Contribution Assessment	Regional Transportation Assessment		
Berkley	\$668,615	\$21,043	\$0	\$689,658
Bridgewater	\$791,036	\$20,201	\$0	\$811,237
Middleborough	\$1,205,287	\$38,298	\$0	\$1,243,585
Raynham	\$1,002,935	\$23,989	\$0	\$1,026,924
Taunton	\$4,306,447	\$163,292	\$0	\$4,469,739
	<b><u>\$7,974,320</u></b>	<b><u>\$266,822</u></b>	<b><u>\$0</u></b>	<b><u>\$8,241,142</u></b>

Member Community	Per Pupil Enrollment of October 2010	Member Community Per Pupil %	Community % of FY2012 Required Minimum Contribution Assessment
Berkley	100	7.89%	8.37%
Bridgewater	96	7.57%	9.84%
Middleborough	182	14.35%	15.09%
Raynham	114	8.99%	12.46%
Taunton	776	61.20%	54.24%
<b>Totals</b>	<b><u>1268</u></b>	<b><u>100.00%</u></b>	<b><u>100.00%</u></b>

**Assessment Apportionment and Due Dates**

<u>Date Due</u>	<u>Percentage of Total Due</u>
July 27, 2011	21.00%
October 12, 2011	40.00%
January 11, 2012	20.00%
April 12, 2012	19.00%

# Bristol-Plymouth Regional Technical School District

## FY2011/2012 Budget

### Assessment Comparisons

	Enrollment Oct 09/Oct 10	Enrollment % Change	FY11 Minimum Contribution	FY11 Trans. Assess	FY11 Total	FY12 Minimum Contribution	FY12 Trans. Assess.	FY12 Total	\$ Change	% Increase
<b>Berkley</b>	103/100	-2.9%	660,495	0	660,495	668,615	21,043	689,658	29,163	4.4%
<b>Bridgewater</b>	88/96	8.3%	703,554	0	703,554	791,036	20,201	811,237	107,683	15.3%
<b>Middleborough</b>	150/182	21.3%	973,988	0	973,988	1,205,287	38,298	1,243,585	269,597	27.7%
<b>Raynham</b>	105/114	7.9%	895,415	0	895,415	1,002,935	23,989	1,026,924	131,509	14.7%
<b>Taunton</b>	802/776	-3.4%	4,330,956	0	4,330,956	4,306,447	163,292	4,469,739	138,783	3.2%
<b>District Totals</b>	<b>1248/1268</b>	<b>1.6%</b>	<b>\$7,564,408</b>	<b>0</b>	<b>\$7,564,408</b>	<b>\$7,974,320</b>	<b>266,822</b>	<b>\$8,241,142</b>	<b>\$676,734</b>	<b>8.9%</b>



**CITY OF TAUNTON**  
**Contributory Retirement System**  
40 Dean Street, Unit 3  
Taunton, Massachusetts 02780  
Tel (508) 821-1052 Fax (508) 821-1063  
[www.tauntonretirement.com](http://www.tauntonretirement.com)

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**BOARD OF  
RETIREMENT**

**Chairperson:**  
Ann Marie Hebert, City Auditor

**Elected member:** Richard T. Avila  
**Elected member:** Peter H. Corr  
**Mayoral appointee:** Gill E. Enos  
**Board appointee:** A. Joan Ventura

**STAFF  
Executive**

**Director:**  
Paul J. Slivinski

**Assistant  
Director:**

Kathy A. Maki

April 22, 2011

Commonwealth of Massachusetts  
Public Employee Retirement Administration Commission  
Mr. Joseph Connarton, Executive Director  
5 Middlesex Avenue, Suite 304  
Somerville, MA. 02145

Dear Mr. Connarton:

Enclosed is the Annual Statement for the Financial Condition of the City of Taunton Contributory Retirement System for the year ended December 31, 2010. The Annual Statement was approved by the Taunton Retirement Board at its meeting on April 22, 2011. This statement is being submitted in accordance with the provisions of Massachusetts General Laws, Chapter 32, § 20(5)h, § 23(1)c and § 23(2)e.

If you have any questions, please feel free to contact our office.

Respectfully yours,

Paul J. Slivinski  
Executive Director

cc: Hon. Charles E. Crowley, Mayor  
Taunton Municipal Council  
Taunton Municipal Light Plant  
Taunton Housing Authority  
Greater Attleboro-Taunton Regional Transit Authority

Encl.

Councilors -  
\* Separate Packet will be on your desks.  
RMB

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**CITY OF TAUNTON**  
**MASSACHUSETTS**

DEPARTMENT OF PUBLIC BUILDINGS

ROBERT P. PIROZZI  
BUILDING COMMISSIONER  
CHIEF OF INSPECTIONS

MARY JANE BENKER  
BUILDING INSPECTOR  
ZONING ENFORCEMENT OFFICER



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

29-Apr-11

Mayor Charles Crowley  
Members of the Municipal Council  
141 Oak Street  
Taunton, MA 02780

Re: Planet Petroleum & Red House (Winthrop Street)

Dear Mayor and Councilors:

You have requested an update as to what enforcement actions have been taken on Planet Petroleum:

Be advised that as of this date some sections of fence have been installed between the properties at 268 and 272 Winthrop Street. No barrier (fence) has been installed between the properties at 272 and 274 Winthrop Street as of this time.

Please be advised that this office has met with Solicitor Berry and the Law Firm of Deutch & Williams to review and discuss ongoing litigation concerning the above referenced properties.

The next court hearing on this matter has been scheduled for May 6, 2011. Attorney Dan Deutch will be attending this hearing.

Respectfully,

Mary Jane Benker  
Building Inspector/Zoning Enforcement Officer

cc: Zoning Board of Appeals, Director of Planning & Conservation

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# CITY OF TAUNTON POLICE DEPARTMENT

23 SUMMER STREET  
TAUNTON, MA 02780  
(508) 821-1471  
April 27, 2011

CHIEF  
EDWARD JAMES WALSH

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

Dear Mayor Crowley:

Pursuant to the Municipal Council's request concerning police action and the issuing of 21D citations, this department has not issued nor collected on any citations relative to Planet Petroleum or the adjacent "red house" property. The Zoning Enforcement Officer has been the lead in the issuance of the 21D citations and we have worked with her on this issue. These efforts have been coordinated to deconflict enforcement action by the various city agencies. Any statements attributed to me relative to citations issued on these properties would reflect citations issued by the Zoning Enforcement Officer in coordination with other city agencies, not the police department.

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

Sincerely,



Edward James Walsh  
Chief of Police



**City of Taunton**  
**Board of Health**  
45 School Street  
Massachusetts 02780-3212

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

HEATHER L. GALLANT, MPH, RS  
EXECUTIVE DIRECTOR

ADAM S. VICKSTROM  
ASSISTANT EXECUTIVE DIRECTOR

April 28, 2011

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

Re: 274 Winthrop Street

Dear Municipal Council:

The septic system (cesspool) failure at 274 Winthrop Street was brought to the attention of the Board of Health during an inspection of the system by Veolia and the Board of Health. This inspection was triggered because the owners of the property were proposing an expansion of the existing business, which would normally trigger a certification whether or not the septic system is adequate to handle the proposed increase in flow. However, if they were tied-in to sewer, the size of septic system becomes a non-issue. Veolia and the DPW were uncertain whether or not they were tied-in to sewer, so it was decided to do a dye test to determine where the waste water goes. In a dye test, dye is flushed down the toilet and then the septic system or sewer is checked to see where the dye comes out.

When the cover to the system was exposed, the dye showed up into the cesspool and during this time, it was noticed that the cesspool was also nearly full (within three inches of the top) and this is, by definition, a failure because the system was no longer leaching into the soil. Additionally, no additions are allowed using a cesspool, so the owners would have to upgrade anyways or tie-into sewer, if available. The owners have two years from the date of the failure to upgrade or tie-in to sewer and they are also responsible for maintaining the system by pumping until such time that they are able to comply with the time frame of the order.

Sincerely,

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



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**CITY of TAUNTON**  
**ZONING BOARD of APPEALS**  
*15 Summer Street*  
*Taunton, Massachusetts 02780*

*Denise J. Paiva, Secretary*

*Phone 508-821-1051/1043*

*Fax 508-821-~~1043~~ 1065*

April 29, 2011

Mayor Charles Crowley & Municipal Council  
Temporary City Hall, 141 Oak St.  
Taunton, Ma. 02780

RE: 272 Winthrop Street

Dear Mayor Crowley & Municipal Council Members:

The Zoning Board of Appeals is in receipt of your referral for an update on property located at 272 Winthrop Street relative to the compliance of ZBA Case # 3056. The Zoning Board of Appeals approved the relief requested and a copy of the decision is attached for your review.

The Zoning Board of Appeals has no zoning enforcement powers so any and all enforcement of the decision rendered should be forwarded to the Zoning Enforcement Officer, MaryJane Benker, c/o Building Department.

Respectfully yours,

Dennis I. Ackerman, Chairman  
Zoning Board of Appeals

DIA/djp

Attachment





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**CITY of TAUNTON**  
**ZONING BOARD of APPEALS**  
*15 Summer Street*  
*Taunton, Massachusetts 02780*

*Denise J. Paiva, Secretary*

*Phone 508-821-1051/ 1043*

*Fax 508-821-1665*

**CASE #3056 –Amend**  
(clerical error)

The Petition of Milad DbaiB, 272 Winthrop St., Taunton, Ma. for a Variance from Section 6.3 of the Taunton Zoning Ordinance to allow a Highway Business Use on a lot having 115 feet of frontage (instead of 150 feet) on premises situated at **272 Winthrop Street, Taunton, Ma.**

A public hearing was held on December 16, 2010 at the Taunton Public Library Auditorium, 12 Pleasant St., Taunton, Ma. and the following members present: Dennis I. Ackerman, Chairman, Peter Wasylow, Clerk, Joseph Amaral, Wayne Berube, Troy Medeiros, Members, John Joyce and Michael Staples, Associate Members.

For the Petitioner: Atty. William Rounds, 115 Broadway, Taunton, Ma.

In favor: Letter from Robert Pirozzi, Bldg. Comm., City of Taunton.

Opposition: Danielle Briggs, 268 Winthrop St., Taunton, Ma.

Juanita Gallagher, 145 Winthrop St., Taunton, Ma.

Augustus Gomes, 273 Winthrop St., Taunton, Ma.

Anna Hawes, 545 Cohannet St., Taunton, Ma.

Maureen Boiros, 597 Cohannet St., Taunton, Ma. Taunton Highlands Area Neighborhood Assoc.

Carol Doherty, 148 Highland St. Taunton, Ma. Taunton Highlands Area Neighborhood Assoc.

Roberta Shafer, 6 Davenport St., Taunton, Ma Taunton Highlands Area Neighborhood Assoc.

**Findings:** The petitioner is requesting a Variance from Section 6.3 of the Zoning Ordinance for frontage for business use at 272 Winthrop Street located in the Highway Business District. The property had a single family located on it and some time ago a portion of the house was removed. The property has an approved Site Plan Review in 2007 for a 24 vehicle used car sales once they receive a variance for frontage for the conversion from residential to commercial use.

The property has been a subject to zoning and conservation violations and the Building Commissioner and City Planner agree the site is an eyesore that needs to be cleaned up and finds this is the first step in a solution to the current condition. The Board finds that approving the relief for frontage will make enforcement of any violations of the conditions and approved Site Plan much easier than the current situation. The Board finds that granting the variance will

allow the applicant to move forward with his proposal. The Board is aware there is an approved Site Plan Review for auto sales and all other proposed uses would require additional approvals. The Board grants the relief with provisions for fencing to provide the direct abutters with the buffer between the properties. The Board sympathizes with the neighbors that have been dealing with this property for some time. However, the Board finds that this is the first step in working toward a resolution in having a recorded decision for a specific use at the Registry of Deeds resulting in a much easier enforcement. The Board finds that there is an approved site plan review for auto sales with conditions imposed to protect the neighborhood. The Board finds that this approval allows the petitioner a chance to demonstrate that he is willing to work with the City and abutters in complying with the conditions imposed.

Motion to Grant as Presented based on adherence to the submitted application including the Submitted plans and all bulk, size and intensity criteria contained therein and the following conditions:

1. A 6 foot stockade fence shall be erected along the side property line abutting 274 Winthrop Street. The fence will start 10 feet back from front property line and extend 150 feet towards the rear of the property. A 6 foot stockade fence shall be erected along the property line abutting 268 Winthrop Street. The fence will start 10 feet back from the property line and extend 165 feet towards the rear of the property. This fence shall be located on the 272 Winthrop Street lot and set back 2 feet from the side property line shared with 268 Winthrop Street. Fencing shall be installed by April 15, 2011.
2. Petitioner must comply with Departmental Site Plan Review dated August 28, 2007 for a 24 vehicle used car sales lot unless some other permitted use is made of the subject property.

**VOTE:**

5 In Favor

0 Opposed

Dennis I. Ackerman, Chairman  
 Wayne Berube.  
 Joseph Amaral  
 Peter Wasylow  
 Troy Medeiros

Yes  
 Yes  
 Yes  
 Yes  
 Yes

A TRUE COPY OF DECISION  
FILED IN OFFICE OF  
CITY CLERK

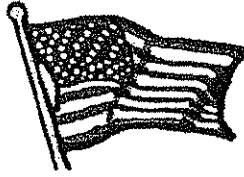
JAN 06 2011

**PETITION GRANTED:**

CITY OF TAUNTON BOARD OF APPEALS

*Dennis I. Ackerman*  
 CHAIRMAN

RECEIVED  
 CITY CLERK'S OFFICE  
 2011 JAN 21 P 12:56  
 TAUNTON, MA  
 CITY CLERK



MAY 3, 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, MAY 3, 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 PUBLIC PROPERTY**

1. MEET WITH THE CONSERVATION AGENT TO DISCUSS LAND OFF OF KING JAMES BOULEVARD
2. MEET WITH MICHAEL HERRIGAN OF THE T.M.L.P. AND REPRESENTATIVE OF BLUE WAVE STRATEGIES TO DISCUSS LEASE OPTION FOR SOLAR PANELS ON CITY BUILDINGS
3. MEET WITH THE BUILDING SUPERINTENDENT AND THOMAS PESTANA, HEAD ELECTRONIC TECHNICIAN, TO DISCUSS THE HEAD ELECTRONIC TECHNICIAN'S ROLES AND DUTIES
4. MEET WITH THE BUILDING SUPERINTENDENT AND THOMAS PESTANA, HEAD ELECTRONIC TECHNICIAN, TO DISCUSS BENNETT SCHOOL PROPERTY FIRE ALARM UPGRADES
5. MEET TO REVIEW MATTERS IN FILE

**THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS**

1. MEET WITH THE ASSISTANT CITY SOLICITOR TO DISCUSS SEWER AND DRAINS ORDINANCE
2. MEET WITH THE ASSISTANT CITY SOLICITOR FOR AN UPDATE ON 21U PROCESS
3. MEET WITH THE ASSISTANT CITY SOLICITOR TO REVIEW SEWER RATE AND ENTERPRISE ORDINANCE
4. MEET TO DISCUSS PROPOSED PARKING ORDINANCE CHANGES IN ANTICIPATION OF THE OPENING OF THE NEW TAUNTON DISTRICT COURT.
5. MEET TO REVIEW MATTERS IN FILE

PAGE TWO

**MUNICIPAL COUNCIL COMMITTEE AGENDA – CONTINUED**

**THE COMMITTEE ON SOLID WASTE**

1. MEET AND DISCUSS WITH THE LAW DEPARTMENT THE LEGAL PROCESS FOR FOLLOWING THE RFP AND WHAT THE CITY'S ABILITY IS TO ENTERTAIN OTHER RFP'S.
2. MEET AND DISCUSS HOW THE COMMITTEE WISHES TO PROCEED WITH BOTH IWT AND OTHER POTENTIAL ALTERNATIVES FOR THE LANDFILL FOR LONG TERM SOLID WASTE SOLUTIONS.
3. MEET TO REVIEW MATTERS IN FILE

**THE COMMITTEE OF THE COUNCIL AS A WHOLE**

1. MEET TO REVIEW AND DISCUSS FY 2012 DRAFT BUDGETS SUBMITTED BY DEPARTMENT HEADS
2. MEET TO REVIEW MATTERS IN FILE

RESPECTFULLY,



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES