



AGENDA – OCTOBER 5, 2010

INVOCATION ROLL CALL RECORDS

HEARING: *Continued hearing* on the petition submitted by the City of Taunton, 15 Summer St., Taunton for the acceptance of Mary Drive as a public way in the City of Taunton.

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1 Com. from Kelley Whitmore, The Trustees of Reservations – Extending an invitation
- Pg. 2 Com. from Treasurer/Collector – Submitting her notice of intent to retire
- Pg. 3 Com. from City Auditor – Requesting an appointment
- Pg. 4-6 Com. from Fire Chief – Requesting a transfer of funds
- Pg. 7-9 Com. from Assistant City Solicitor – Providing a legal opinion
- Pg. 10-11 Com. from Executive Director, Retirement – Cost-of-living adjustment base
- Pg. 12-15 Com. from Building Commissioner – Submitting the Building Permit Record for August 2010
- Pg. 16 Com. from Director, Human Resources – Responding on certifying subcontractor payroll
- Pg. 17 Com. from Deborah Almeida Araujo, Operation Christmas Coordinator, Citizens for Citizens, Inc. – Requesting to conduct a traffic stop
- Pg. 18-20 Com. from David Johnston, Acting Regional Director, Department of Environmental Protection, 20 Riverside Dr., Lakeville – Concerning Taunton Wetlands Settlement Agreement/Help Save the Lake, Inc.

Com. from M. Jane D'Alessandro, Weir Street Neighborhood Crime Watch Representative – Requesting denial of Grampy's extended hours petition

PETITIONS

Claim

Claim submitted by Michael Pacheco, 587 Bay Street, Taunton requesting reimbursement for damages to his automobile from hitting a pothole on Bay Street, Taunton.

Claim submitted by Alicia Stettinger, CMR Claims Department, Verizon seeking reimbursement for damages to Verizon Facilities when the Taunton DPW damaged a Verizon buried cable near 39 Mary's Road, Taunton.

COMMITTEE REPORTS

UNFINISHED BUSINESS

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

ORDERS, ORDINANCES AND ENROLLED BILLS

NEW BUSINESS

Respectfully submitted,



**Rose Marie Blackwell
City Clerk**

Join us for the official opening of Taunton's
Westville Conservation Area

NORTH WALKER STREET, TAUNTON

October 12, 2010 3:30PM



Consisting of 54 acres of forests and fields along the Three Mile River, the Westville Conservation Area is now permanently preserved and open to the public for passive recreation.

3:30 - Ribbon cutting followed by property walk

Property is on east side of North Walker Street, just 1/10 mile north of Winthrop St/Rt 44
Park along North Walker Street

**5pm - Refreshments at TRWA's River Center at
Gertrude M. Boyden Wildlife Refuge**

1298 Cohannet Street, Taunton



Call Kelley Whitmore, The Trustees of Reservations, 508.636.7043 for more information



CITY OF TAUNTON
MASSACHUSETTS

2

Office of the TREASURER/COLLECTOR

JAYNE D. ROSS, CMMT, CMMC
TREASURER/COLLECTOR

15 Summer Street
Taunton, MA 02780

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

September 23, 2010

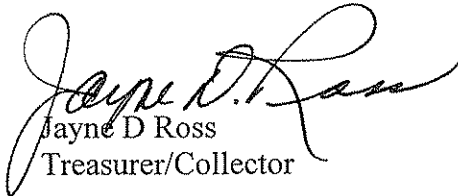
Mr. Charles Crowley, Mayor
and Members of the Municipal Council
15 Summer St
Taunton, Ma 02780

Re: Retirement

Dear Mayor Charles Crowley and
Members of the Municipal Council

In order to allow adequate time to fill the position, please accept this letter as notice of my intent to retire from the position of Treasurer/Collector by the end of December 2010.

Sincerely,


Jayne D Ross
Treasurer/Collector



**CITY OF TAUNTON
AUDITOR'S OFFICE**

15 Summer Street
Taunton, Massachusetts 02780
(508) 821-1012 Fax (508) 821-1088

3.

Ann Marie Hebert, CGA
City Auditor

September 30, 2010

Mayor Charles Crowley, and
Members of the Municipal Council
City of Taunton
Taunton, MA 02780

Dear Mayor and Councilors:

This letter is to inform you that I will be out of the office during the week of October 12 to October 16, 2010. In addition, with my assistant having retired, and the appointment of the new Assistant will not be made by that time, there will be no one in the office with the authority to sign the Bill and Payroll warrants.

Therefore, in order that the bill and payroll warrants to be presented to the Finance and Salaries Committee can be processed and presented by this office, in addition to the TMLP bill and payroll warrants, I am requesting that Deborah Abbott, be appointed Interim City Auditor in order that she may sign these warrants.

This appointment is for signing purposes only; there is no monetary claim on this temporary appointment. During my absence, I will be in constant communication with the office, as will Dominic Coppola, our internal auditor.

If you have any further questions regarding this matter, please do not hesitate to contact this office.

Respectfully,

Ann Marie Hebert
City Auditor



FIRE DEPARTMENT

TAUNTON, MASS. 02780

Office of Chief
TIMOTHY J. BRADSHAW
50 SCHOOL STREET

Tel. 508-821-1452 -- Fax 508-821-1495

KATE GOVER
Administrative Assistant

September 27, 2010

Rose Marie Blackwell
City Clerk
Taunton City Hall
15 Summer St.
Taunton, Ma. 02780

Dear Ms. Blackwell,

I am formally requesting the City Council transfer available funds from my Salaries & Wages (Account #1-220-201-5119) totaling **Fifty Thousand Four Hundred Seven Dollars (\$50,407.00)** be transferred into the Department's Fixed and Supplies & Materials Accounts.

Attached please find the back up documentation regarding 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

COUNCIL ORDER TRANSFER REQUEST

DATE: 9/27/2010

DEPARTMENT REQUESTING: FIRE

AMOUNT REQUESTING: \$30,000.00

REASON FOR REQUEST: TRANSFER MONIES FROM SALARIES & WAGES TO FIXED AND SUPPLIES & MATERIALS ACCOUNT

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

TRANSFER FROM: 1-220-201-5119 TRANSFER TO: 1-220-202-5254

Name: SALARIES & WAGES Name: MACHINE REPAIRS
Amount \$: \$15,000.00 Amount \$: \$ 15,000.00

TRANSFER FROM: 1-220-201-5119 TRANSFER TO: 1-220-202-5588

Name: SALARIES & WAGES Name: EDUCATION
Amount \$: \$15,000.00 Amount \$: \$15,000.00

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

6.

COUNCIL ORDER TRANSFER REQUEST

DATE: 9/27/2010

DEPARTMENT REQUESTING: FIRE

AMOUNT REQUESTING: \$20,407.00

REASON FOR REQUEST: TRANSFER MONIES FROM SALARIES & WAGES TO FIXED AND SUPPLIES & MATERIALS ACCOUNT

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

If requesting monies from AVAILABLE FUNDS check here: X

TRANSFER FROM: 1-220-201-5119 TRANSFER TO: 1-220-202-5442

Name: SALARIES & WAGES Name: STATION FACILITIES

Amount \$: \$15,000.00 Amount \$: \$ 15,000.00

TRANSFER FROM: 1-220-201-5119 TRANSFER TO: 1-220-202-5420

Name: SALARIES & WAGES Name: OFFICE SUPPLIES

Amount \$: \$5,407.00 Amount \$: \$5,407.00

DEPARTMENT HEAD SIGNATURE: 
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

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

October 1, 2010

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

Re: Legal Opinion
Selling or Leasing School Buildings

Ladies and Gentlemen:

You have asked this office for a legal opinion as to the power to sell or to lease school buildings and former school buildings. Apparently, the Superintendent of Schools and members of the School Committee have expressed interest in selling or leasing such buildings as a source of revenue for the support of the school department, while some members of the Municipal Council have questioned the school committee's jurisdiction over these buildings and the power to enter into such arrangements.

These processes are actually a cooperative venture. M. G. L. c. 40, §3 imbues cities and towns with the power to "hold real and personal estate in trust for the support of schools, and for the promotion of education, within the limits of the town." M. G. L. c. 39, §1 grants the powers of towns and town meetings to City Councils. There is nothing in the powers and duties of the School Committee outlined in M. G. L. c. 71, §37 or the powers and duties of the Superintendent as outlined in c. 71, §59 granting any power to own or to alienate real estate. Therefore, it is the City that ultimately owns the real estate and only the Mayor and Municipal Council have the power to sell it. Section 2-40 of the Revised Ordinances of the City of Taunton provides that "other than may otherwise be mandated for by general laws of the Commonwealth, no real estate owned by or in which the City of Taunton claims an interest may be sold, conveyed, gifted, disposed of, leased or otherwise encumbered without approval of the Municipal Council after recommendation of the Council's public property committee and the Mayor."

This is not to say that the School Committee is without power, however. Once a city or town designates property to the jurisdiction of a municipal board, that

8

Mayor Charles Crowley and
Members of the Municipal Council
October 1, 2010
Page Two

board retains jurisdiction until such time as it issues a declaration to the City Council that the property is no longer needed for its originally intended purpose. M. G. L. c. 40, §15A. A statement to the School Building Assistance Authority that a facility will no longer be used to house and educate students does not in and of itself constitute such a declaration. Property being otherwise used or reserved "for the promotion of education" may remain under the School Committee's jurisdiction, even if it is not used for a considerable period of time. Harris v. Town of Wayland, 392 Mass. 237, 466 N.E.2d 822 (1984). Therefore, even if the School Committee does not have the power to sell property, it may control the ability of City government to do so.

The School Committee has much more say and benefit in the issue of leasing, but even there it is the Council which ultimately does the leasing and there are restrictions on lease proceeds. A further provision of c. 40, §3 states:

"Notwithstanding the provisions of this section, a city or town, with the approval of the school committee, may rent or lease any school building not in actual use and, with the approval of the commissioner of education, surplus space in a school building in actual use to any one or more public or private profit-making businesses or nonprofit organizations; provided, however, that joint occupancy of a school building in actual use as such shall not interfere with educational programs being conducted in said building. The terms of any such rental or lease shall be as approved by the school committee; provided, however, that no school building not in actual use shall be rented or leased for an initial term longer than ten years, but with renewal options if approved by the school committee."

There is a special provision for the allocation of such rental proceeds:

"The monies received from such rental or lease shall be kept separate and apart from other city or town funds in the city or town treasury and may be expended by the school committee without further appropriation for the upkeep of the facility so rented or surplus space which is so rented; provided, however, that any balance remaining in such account at the close of a fiscal year shall be paid into the General Fund of such city or town; and, provided further, that in any city or town that accepts this proviso, any such balance shall remain in said account and may be expended for the upkeep and maintenance of any facility under the control of the school committee."

Therefore, rental proceeds are restricted to the use for the upkeep of the leased facility, with funds in excess of that reverting to the General Fund. I find no record of the City having adopted the provision that the money may be used for the upkeep


Mayor Charles Crowley and
Members of the Municipal Council
October 1, 2010
Page Three

of any facility controlled by the School Committee. In the case of the lease of the former Cohannet School for use as the District Court, the Council and the School Committee acted cooperatively because then Superintendent Donald Cleary and the School Committee saw an opportunity to get the Commonwealth to renovate facilities that they were interested in using as office and special programming space in the future and Mayors Strojny and Nunes made commitments for what would have reverted to the General Fund to go to school funding because of serious shortages in state funding of education as a result of the financial crisis created by the destruction of the World Trade Center on September 11, 2001. If the City were to adopt the provision that funds could go to the upkeep and maintenance of any school department facility, the school department could invest funds into supplies, repairs, and perhaps even salaries of maintenance personnel, which would free up other funds for educational programming.

The School Committee cannot enter into a lease on its own. In the case of Cranberry Growers Service, Inc. v. Town of Duxbury, 415 Mass. 354, 613 N. E. 2d 105 (1993) a town conservation commission on its own initiative attempted to lease land under its jurisdiction to a cranberry grower. The Supreme Judicial Court ruled that that board could not enter into such a lease unless the Board of Selectmen authorized them to do so. The same principles apply to school committees and properties under their jurisdiction, since the authorities of all municipal boards with property under their jurisdictions are governed by the same statute.

The bottom line is that the School Committee cannot independently sell or lease property under its jurisdiction, but neither can the Municipal Council undermine that jurisdiction. Nonuse of a facility or discontinuance of the instructional use of a facility does not remove it from the jurisdiction of the School Committee, even though the facility may no longer qualify as a school, since the facility may be used "in support of education" or, as the court found in the Harris case, be reserved for development as an educational facility at a more opportune time. The School Committee's jurisdiction over property may only be released by a formal declaration under c. 40, §15A, only the Mayor and Council can actually sell municipal real estate, and leases of school committee property must be effected by the Mayor and Council, but only with the permission of the School Committee.

I hope that this clarifies lines of authority for all parties concerned.

Very truly yours,

Jordan H. F. Fiore
Assistant City Solicitor



10.

CITY OF TAUNTON
Contributory Retirement System
Address: 40 Dean St., Unit 3
Taunton, Massachusetts 02780
Tel (508) 821-1052 Fax (508) 821-1063
www.tauntonretirement.com

**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

September 30, 2010

Hon. Charles E. Crowley, Mayor
Taunton Municipal Council
15 Summer St., City Hall
Taunton, MA. 02780

Re: Cost-of-living adjustment (COLA) base

Dear Mayor Crowley and Councilors:

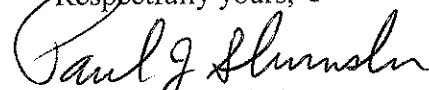
As you may or may not be aware, retired public employees have a cap on the calculation of cost-of-living adjustments (COLA's) that they can receive. Currently, the cap or BASE is \$12,000 which means a retiree's COLA can only be applied up to the first \$12,000 of their respective allowance.

Recently, a change to the COLA law was passed under Chapter 188 of the Acts of 2010 that added MGL c. 32, §103(j) to allow for an increase in the COLA base in multiples of \$1,000. In order to adopt any increase, Chapter 188 states in part "...Each increase in the maximum base amount shall be accepted by a majority vote of the board of such system, subject to approval of the legislative body."

At its meeting on September 24, 2010, the retirement board met with its actuarial consultant to study the impact of adopting an increase of the COLA base from \$12,000 to \$14,000. If increased to \$14,000, retirees would receive an increased COLA of no more than \$5.00 per month and the cost to the retirement system would be approximately 2% of the pension appropriation and could be spread over the life of the funding schedule to reduce the fiscal impact on the city's budget.

After review of all information, the retirement board voted to increase the COLA base to \$14,000 under section 103(j) and requests concurrent action by the city council.

Respectfully yours, ~


Paul J. Slivinski, CPP
Executive Director

Encl.

Ch 188, Acts of 2010

(c) If a schedule established under this section would result in an appropriation in the first fiscal year of the schedule that is greater than 8 per cent more than the appropriation in the previous fiscal year, the requirement of clause (2) of subsection (a) may be adjusted with the approval of the public employee retirement administration commission.

(d) Systems may establish a schedule under this section that provides for an increase in the maximum base amount on which the cost-of-living adjustment is calculated pursuant to section 103, in multiples of \$1,000. Acceptance of this subsection shall be in accordance with paragraph (j) of section 103.

SECTION 19. Section 103 of said chapter 32, as so appearing is hereby amended by adding the following paragraph: -

(j) Notwithstanding paragraph (a), the board of any system that establishes a schedule pursuant to section 22D or 22F, may increase the maximum base amount on which the cost-of-living adjustment is calculated, in multiples of \$1,000. Each increase in the maximum base amount shall be accepted by a majority vote of the board of such system, subject to the approval of the legislative body. For the purpose of this section, "legislative body" shall mean, in the case of a city, the city council in accordance with its charter, in the case of a town, the town meeting, in the case of a district, the district members, and, in the case of an authority, the governing body. In the case of a county or region, acceptance shall be by the county or regional retirement board advisory council at a meeting called for that purpose by the county or regional retirement board that shall notify council members at least 60 days before the meeting. Upon receiving notice, the treasurer of a town belonging to the county or regional retirement system shall make a presentation to the town's chief executive officer, as defined in paragraph (c) of subdivision (8) of section 22, regarding the impact of the increase in the cost-of-living adjustment base, the failure of which by a treasurer shall not impede or otherwise nullify the vote by the advisory council. Acceptance of an increase in the maximum base amount shall be deemed to have occurred upon the filing of the certification of such vote with the commission. A decision to accept an increase in the maximum base amount may not be revoked.

SECTION 71. The first actuarial valuation to be conducted pursuant to the second paragraph of paragraph (f) of subdivision (3) of section 21 chapter 32 of the General Laws, as appearing in section 16, shall be completed by January 1, 2011, or by January 1 of the third year following the last actuarial valuation of the system, whichever first occurs.

BUILDING PERMIT RECORD

AUGUST, 2010

TASUITCH, A

No.	Application for Permit to	Use of Building	Location	Owner	Contractor
116	ALTER/REPAIR	2-FAMILY DWELLING	10 MARVEL ST.	JASON LOPES	JASON LOPES
117	REPAIR	1-FAMILY DWELLING (ROOF)	479 TREMONT ST.	RICHARD MINON	VINCENT BEAUDOIN
118	ALTER	COMMERCIAL BLDG. (TENANT FIT OUT)	2037 BAY ST. #2	THE KOFFLER GROUP	EDWARD BILLORE
119	REPAIR	5-FAMILY DWELLING (EXTERIOR)	365 SOMERSET AVE.	DAVID CUNNIFF	DERRICK W. LAKE
120	REPAIR	COMMERCIAL BLDG. (WINDOWS & DOORS)	131 ARLINGTON ST.	GIRLS, INC.	DANIEL G. DAROSA
121	REPAIR	2-FAMILY DWELLING (WINDOWS)	16 KILTON ST.	MARIA DESOUSA	DANIEL G. DAROSA
122	REPAIR	1-FAMILY DWELLING (STAIR REPAIR)	36 Purchase st.	CATHERINE BELANGER	DANIEL G. DAROSA
123	INSTALL	WOODSTOVE	5 LINDEN ST.	MATTHEW H. GOULART III	MATTHEW H. GOULART III
124	REPAIR	2-FAMILY DWELLING (ROOF)	371-373 MIDDLEBORO AVE.	ERNESTO BAIROS	ANTONIO S. BAIROS
125	REPAIR	1-FAMILY DWELLING (ROOF)	105 WILLIAMS ST.	A.L.E. REALTY TRUST	ANTONIO S. BAIROS
126	REPAIR	1-FAMILY DWELLING (BATHROOM)	25 STEVE DR.	ARTHUR MICH	STEVEN M. GORDON
127	INSTALL	2 SIGNS ON COMMERCIAL BLDG.	294 WINTHROP ST.	RK TAUNTON LLC	FORD SIGN SERVICE/ ROBERT LEVINE
128	ERECT	A/G SWIMMING POOL	38 THUNDER RD.	SCOTT KNIEF	SCOTT KNIEF
129	REPAIR	1-FAMILY DWELLING (DOORS, WALL & ATTIC INSULATION)	19 FLORAL ST.	GILBERT FRANCO	ROLAND LANGEVIN
130	REPAIR	1-FAMILY DWELLING (WINDOWS, SIDING, & DOOR)	36 FAIRVIEW AVE.	KENNETH A. ARRUDA	TIMOTHY E. ADAMS
131	ALTER	SIGN	318 COUNTY ST.	CUMBERLAND FARMS	M&D SERVICES, INC.
132	REPAIR	APARTMENT BLDG.	150-160 OAK ST.	TAUNTON HOUSING AUTHORITY	MICHAEL VAREIKA
133	REPAIR	1-FAMILY DWELLING	176 HARVEY ST.	HARVEY ESTATES LLC	STEVEN FIGUEIREDO
134	REPAIR	1-FAMILY DWELLING	52 BRANDY LANE	HARVEY ESTATES LLC	STEVEN FIGUEIREDO
135	REPAIR	1-FAMILY DWELLING	52 BRANDY LANE	HARVEY ESTATES LLC	STEVEN FIGUEIREDO
136	REPAIR	1-FAMILY DWELLING (SIDING)	248 HART ST.	EVELYN REZENDES	PAUL N. FERRIS
137	ERECT	SHED	950 MIDDLEBORO AVE.	MATTHEW S. CORR	MATTHEW S. CORR
138	REPAIR	MOBILE HOME (WINDOWS)	191 LOTHROP ST.	OAK HILL ASSOCIATES/ BARBARA RASICOT	BRUIN CORP.
139	INSTALL	TEMP MOBILE HOME	250 MYRICKS ST.	EDWARD & LADORA FILIPAK	FRANCIS V. WARD III
140	REPAIR	1-FAMILY DWELLING (ROOF)	66 COLONIAL DR.	MARK & CAROL MURPHY	KATHREN J. CROSSMAN
141	INSTALL	REPLACEMENT SIGN	346 WINTHROP ST.	TIM FOGG	POYANT SIGNS
142	ALTER	1-FAMILY DWELLING	135 ALICIA DR.	DEBRA PENDEXTER	TIMOTHY GROH

1:49

EDWARD BILLORE

150 SEP 13 F

THE KOFFLER GROUP

DAVID CUNNIFF

GIRLS, INC.

MARIA DESOUSA

CATHERINE BELANGER

MATTHEW H. GOULART III

ERNESTO BAIROS

A.L.E. REALTY TRUST

ARTHUR MICH

RK TAUNTON LLC

SCOTT KNIEF

GILBERT FRANCO

KENNETH A. ARRUDA

CUMBERLAND FARMS

TAUNTON HOUSING AUTHORITY

HARVEY ESTATES LLC

HARVEY ESTATES LLC

HARVEY ESTATES LLC

EVELYN REZENDES

MATTHEW S. CORR

OAK HILL ASSOCIATES/ BARBARA RASICOT

EDWARD & LADORA FILIPAK

MARK & CAROL MURPHY

TIM FOGG

DEBRA PENDEXTER

12

BUILDING PERMIT RECORD			AUGUST, 2010		
No.	Application for Permit to	Use of Building	Location	Owner	Contractor
143	REPAIR	(BASEMENT) 1-FAMILY DWELLING	144 OAK ST.	SHAWN MASTERSON	MICHAEL BOUCHER
144	REPAIR	(ROOF) 1-FAMILY DWELLING	10 CHESTER AVE.	JAMES LEVESQUE	BRIAN SULLIVAN
145	REPAIR	(SIDING) 1-FAMILY DWELLING	26 WILLIAMS ST.	RONALD WILKINS	PETER A FORTIN
146	ERECT	(EXTERIOR REPAIRS) 1-FAMILY DWELLING W/ 2 CAR GARAGE & BREEZEWAY	875 GLEBE ST. (LOT 1)	ERIC LEFANRE	NEIL A. LEFANRE
147	REPAIR	2-FAMILY DWELLING	11 HARRISON AVE.	JAMES R. DEXTER	JAMES R. DEXTER
148	REPAIR	(ROOF) 1-FAMILY DWELLING	5 PROSPECT ST.	RONALD SWARTZ	DAVID G NESS
149	REPAIR	(ROOF) 1-FAMILY DWELLING	177 WASHINGTON ST.	TOM COMARO	PETER A FORTIN
150	REPAIR	(ROOF) 1-FAMILY DWELLING	35 WHITE ST.	KURT AMBER	PETER A FORTIN
151	REPAIR	(ROOF) 1-FAMILY DWELLING	89 KILMER AVE.	JOAN FRAZIER	JOHN B WILLIAMS
152	REPAIR	(ROOF) 1-FAMILY DWELLING	16 WAYLAND AVE.	DONALD & ELAYNE LABRECQUE	DONALD LABRECQUE
153	REPAIR	(ROOF) 1-FAMILY DWELLING	50 AVON ST.	DANIEL LEBRUN	MICHAEL BOUCHER
154	INSTALL	(PORCH) I/G SWIMMING POOL	145 CRAVEN CT.	BRIAN & CINDIE DUNHAM	EDDY REED/OASIS POOLS
155	REPAIR	1-FAMILY DWELLING (SIDING & WINDOWS)	625 BURT ST.	JASON B. MURRAY	JASON B. MURRAY
156	ERECT	A/G SWIMMING POOL	91 DOWNING DR.	ROBERT M. GEMME	ROBERT M. GEMME
157	ALTER	1-FAMILY DWELLING (BASEMENT)	350 WINTHROP ST.	JOSE ANJOS	JOSE ANJOS
158	ERECT	STORAGE SHED	81 FAIRBANKS AVE.	MITCHELL HENAULT	MITCHELL HENAULT
159	ADD TO	1-FAMILY DWELLING (BEDROOM EXTENSION)	100 QUEQUECHAN RD.	BRIAN & DONNA FOSTER	ROLAND DESLAURIERS JR.
160	REPAIR	COMMERCIAL BLDG.	147 REVOLUTIONARY DR.	MFR DEVELOPING LLC	RC&D, INC./JIM HENEUBURY
161	REPAIR	APARTMENT BLDG. (12 UNITS) (KITCHEN & BASEMENT REMODEL)	2-17 LEE TERRACE	TAUNTON HOUSING AUTHORITY	ROSSANO CRUGNALE
162	REPAIR	1-FAMILY DWELLING (WINDOWS)	1136 NORTON AVE.	JOYCE PARENT	ROB COSTA
163	ERECT	1-FAMILY DWELLING W/ 2 CAR GARAGE	39 BRANDY LANE (LOT 8)	DANIEL G. DAROSA, JR.	B&D CONSTRUCTION CO.
164	ALTER	(FOUNDATION ONLY) COMMERCIAL BLDG.	225 CAPE HIGHWAY	JEFFREY MANN	FRANK TRAINOR

BUILDING PERMIT RECORD

AUGUST, 2010

No.	Application for Permit to	Use of Building	Location	Owner	Contractor
165	REPAIR	2-FAMILY DWELLING (INSULATION & WEATHERSTRIPPING)	14 SUMNER ST., 1ST FLOOR	LEIDA ALMEIDA	BRIAN BLANCHARD
166	ADD TO	1-FAMILY DWELLING (PORCH & SIDING)	225 SOUTH WALKER ST.	DAVID GINGROS	DAVID GINGROS
167	REPAIR	1-FAMILY DWELLING (ROOF, WINDOWS, DOOR (INTERIOR REMODEL))	1041 BURT ST.	MATTHEW FARLEY	MATTHEW FARLEY
168	INSTALL	SIGN	215 HARRIS ST.	CITY OF TAUNTON	PAUL J. WITKOWSKI
169	ALTER	COMMERCIAL SPACE	2 GALLERIA MALL DR. (C103)	GENERAL GROWTH PROPERTIES	DAVID RHODES
170	ADD TO	1-FAMILY DWELLING (SUNDECK)	177 HIGHLAND ST.	JUDITH CHASE	JUDITH CHASE
171	INSTALL	I/G SWIMMING POOL	1360 MIDDLEBORO AVE.	THOMAS TANGUAY	JOSEPH CASNA
172	INSTALL	I/G SWIMMING POOL	235 SEGREGANSET RD.	DARREN MANGOTT	EDDY H. REED
173	ERECT	1-FAMILY DWELLING W/ 2 CAR GARAGE	50 RIVER PINES DR. (LOT 5)	RIVER PINES REALTY TRUST	RICHARD O. FEODOROFF
174	REPAIR	1-FAMILY DWELLING (KITCHEN)	10 NINA WAY	CHARLENE GROOM	CHARLENE GROOM
175	REPAIR	1-FAMILY DWELLING (ROOF)	25 WILDFLOWER RD.	ELIZABETH CAMARA	STEVEN ST. MARTIN
176	REPAIR	1-FAMILY DWELLING (SIDING)	164 PARTRIDGE CIRCLE	HENRY BAPTISTA	JOSE V DESOUSA
177	REPAIR	3-FAMILY DWELLING (INTERIOR)	14 RANDALL ST.	KEVIN FERNANDES	EDWARD MEDEIROS
178	REPAIR	1-FAMILY DWELLING (ROOF-LEFT SIDE ONLY)	40 OAK ST.	DEMO BERDOS	MICHAEL BOUCHER
179	REPAIR	1-FAMILY DWELLING (PATIO DOOR)	66 SHORES ST.	TRAVIS FORTIER	MARY MCNEILL
180	REPAIR	1-FAMILY DWELLING (ROOF)	1 FOURTH AVE.	RUSSELL G. DAVIS	STEVEN ST. MARTIN
181	REPAIR	1-FAMILY DWELLING (ROOF)	205 TREMONT ST.	ROBERT STUDLEY	ROBERT TRAINOR
182	REPAIR	1-FAMILY DWELLING (ROOF)	122 WHITTENTON ST.	MARK DELORME	DAVID G. NESS
183	REPAIR	1-FAMILY DWELLING (ROOF)	19 PRATT ST.	LUISA TEIXEIRA	LUISA TEIXEIRA
184	REPAIR	COMMERCIAL BLDG. (ROOF)	119 HIGH ST.	ELKS LODGE	CHARBEL NAJEM
185	REPAIR	1-FAMILY DWELLING (ROOF)	415 S. PRECINCT ST.	CHARLES MONIZ	ERIC A. CORREIA
186	ALTER	COMMERCIAL BLDG. (TENANT FIT-UP)	2037 BAY ST.	THE KOFFLER GROUP	ROLAND P. GOODICK
187	ERECT	1-FAMILY DWELLING	40 BARRY DR. (LOT 5)	JODY & MARIE CROWNOVER	BARRY CONWAY

BUILDING PERMIT RECORD AUGUST, 2010

No.	Application for Permit to	Use of Building	Location	Owner	Contractor
188	REPAIR	CONDOMINIUM (INTERIOR)	96 OLD COLONY AVE. #165	RIVER BEND CONDOMINIUMS/ STACEY SILVIA	STACEY SILVIA
189	ERECT	SIGN	2 GALLERIA MALL DR.	GENERAL GROWTH PROPERTIES	KINGSLEY SIGNS
190	REPAIR	COMMERCIAL BLDG.	1 KNotty WALK	DAVID DESANTIS	STEVEN ROY
191	REPAIR	2-FAMILY DWELLING (DUPLEX) (DOOR)	42A INDIAN MEADOW DR.	HOLLY CARTER	THOMAS BRADLEY
192	ERECT	1-FAMILY DWELLING W/ 2 CAR GARAGE	39 BRANDY LANE (LOT 8)	DANIEL G. DAROSA, JR.	DANIEL G. DAROSA, JR.
193	REPAIR	COMMERCIAL BLDG. (INTERIOR) RESULT OF FIRE)	15 SUMMER ST.	CITY OF TAUNTON	STEVEN ST. MARTIN
194	REPAIR	1-FAMILY DWELLING (WINDOWS)	16 CHERYL CIRCLE	CAROLYN HILL	ROBERT CRAVIN
195	ALTER	1-FAMILY DWELLING (FINISH BASEMENT)	13 FIELD ST.	JODY & MELISSA CROWNOVER	JODY CROWNOVER
196	ERECT	SIGN	294 WINTHROP ST.	RK TAUNTON LLC	FORD SIGN SERVICE/
197	ERECT	1-FAMILY DWELLING	5 AKRON LANE	KEVIN WELLS	MICHAEL BOUCHER
198	REPAIR	1-FAMILY DWELLING (INTERIOR)	1205 BURT ST.	ROBERT MARSDEN	ROBERT MARSDEN
199	REPAIR	CONDOMINIUMS (ROOF)	171 HIGHLAND ST.	GOVERNOR WINTHROP ASSOC.	BJ SULLIVAN
200	INSTALL	WOOD STOVE INSERT	175 WISTERIA PLACE	DAVID LOWCOCK	NATHAN HINDERMITH
201	REPAIR	MOBILE HOME (WINDOWS)	46 SOUTHWAY	LORRAINE DUARTE	BRIAN SULLIVAN
202	ERECT	A/G SWIMMING POOL	175 WISTERIA PLACE	DAVID LOWCOCK	DAVID LOWCOCK
203	REPAIR	1-FAMILY DWELLING (PORCH)	248 TREMONT ST.	LOUIS DOSANJOS	LOUIS DOSANJOS
204	ADD TO	1-FAMILY DWELLING (INTERIOR ROOMS)	36 STEVENS ST.	JILL LAGACE	JILL LAGACE



Robert P. Pirozzi / Building Commissioner - Chief of Inspections



CITY OF TAUNTON
MASSACHUSETTS

HUMAN RESOURCES DEPARTMENT

16

Maria V. Gomes
Director
Sandra B. Peavey
Office Manager

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

September 27, 2010

Taunton Municipal Council
15 Summer Street
Taunton, MA 02780

Re: Question on certification of payroll for subcontractors

Dear Council President Carr and Councilors:

I am responding to your motion requesting that the Human Resources Department provide you with a report on "how we certify the payroll for subcontractors".

This department receives certified payrolls on any project that falls within the requirements of the City's 50/50 Residency Ordinance 2-205 through 2-213. The certified payrolls are reviewed for the purposes of compiling data on employee's working on the project as it relates to their residency information. We also respond to public information requests regarding copies of those payrolls. We compile that data and report it regularly to the Liaison Committee. We are not charged with any responsibility other than those mentioned.

Validation of prevailing wage rates are/should be reviewed by any consultant working on a city project or the individual department supervising a specific contract.

Should the Council require any further information, please do not hesitate to contact me.

Sincerely,

Maria V. Gomes, Director
Human Resources Department

/mvg

17

JAMES E. DOLIN
PRESIDENT

MARK A. SULLIVAN, JR.
EXECUTIVE DIRECTOR

FRANK S. SULLIVAN
DEPUTY EXECUTIVE DIRECTOR

DEBORAH ARAUJO
OFFICE MANAGER

TAUNTON OFFICE
CITIZENS FOR CITIZENS, INC.
1 TAUNTON GREEN
TAUNTON, MASSACHUSETTS 02780
TELEPHONE 508 - 823-6346



"An Equal Opportunity Employer"

September 28, 2010

Dear Mayor Crowley and City Council Members:

I hereby request permission to have a Traffic Stop to benefit Operation Christmas on Friday, October 29, 2010. Firefighter Paul Allison and the Taunton Firefighters have graciously volunteered to coordinate this event. We ask anyone interested in volunteering to please contact Debbie Almeida Araujo @ Citizens For Citizens, Inc. 508-823-6346.

Anyone wishing to make donations prior to the event are welcomed to stop by our offices at One Taunton Green, Monday - Friday between the hours of 9-5.

Thank you for your consideration in the matter. We certainly appreciate the past support we have always received for Operation Christmas from both the Mayor and the City Council.

Sincerely,

Deborah Almeida Araujo
Operation Christmas Coordinator

Citizens For Citizens, Inc.
617-679-0041
264 GRIFFIN STREET, FALL RIVER, MASSACHUSETTS 02724



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHEAST REGIONAL OFFICE

20 RIVERSIDE DRIVE, LAKEVILLE, MA 02347 508-946-2700

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

IAN A. BOWLES
Secretary

LAURIE BURT
Commissioner

SEP 15 2010

Help Save the Lake, Inc.
c/o Gerry O'Bara & Rick Olivieri
P.O. Box 2555
Taunton, Massachusetts 02780

RE: TAUNTON—Wetlands Settlement
Agreement – Confirmation of Completion
of Work Under Paragraphs 6 & 7 of the
Settlement Agreement

Dear Mr. O'Bara and Mr. Olivieri:

On September 22, 2009, Help Save the Lake, Inc. (HSTL) entered into a Settlement Agreement (the "Agreement") with the Commonwealth of Massachusetts (the "Commonwealth"), acting through the Attorney General and the Massachusetts Department of Environmental Protection (the "Department"). Under Section II, paragraph 6 of the Agreement HSTL agreed to modify the temporary dam at the outlet of Lake Sabbatia by removing sixteen (16) blocks from the lowest section of the upper course of the temporary dam once 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.

As you know, the water level never receded to the above-referenced level during the summer and early fall of 2009 because wet conditions persisted throughout that time period. As a result, HSTL implemented the alternative provisions of Section II, paragraph 9 and successfully installed a second water control gate on October 2, 2009. In accordance with the Agreement, HSTL submitted a set of color photographs on a CD to the Department documenting the work.

In July of 2010 the desired water level was reached. As required by the Agreement, on July 20, 2010, HSTL removed the remaining fourteen (14) blocks from the upper section of the lowest section of the temporary dam. Due to site constraints, the Department authorized HSTL to store the removed blocks in two locations at the site as opposed to at the single location that the Parties had previously agreed upon. The Department approved this methodology in the field on the day of the work and allowed HSTL to store six (6) blocks on the east side down gradient from the temporary dam and set back from the down gradient bridge abutments in a location that should not impede water flow. By this letter, the Department is formally acknowledging its approval of this second storage location for the removed blocks. In accordance with the Agreement, HSTL submitted a set of color photographs on a CD to the Department documenting the work.

By performing this work and providing photo documentation, the Department hereby confirms that HSTL has completed the work required by paragraphs 6 and 7 of Section II of the Agreement.

Please be advised that the terms of paragraph 11 remain in effect. Specifically, that paragraph provides:

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 HSTL agrees to return to the project location and to perform work reasonably necessary to alleviate the deterioration. In such case, prior to the performance of any work, HSTL 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.

If you have any questions regarding this matter, please contact Christopher Ross at 508 946-2813.

Very truly yours,



David Johnston
Acting Regional Director

cc: Taunton Conservation Commission

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

Mayor Charles Crowley
City of Taunton
City Hall, 15 Summer St.
Taunton, MA 02780

Taunton City Council
City Hall, 15 Summer St.
Taunton, MA 02780

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

Howard L. Levin, Esq.
c/o Richard May, a Professional Corporation
176 Federal St.
Boston, MA 02110

cc: William Salomaa, Director
Office of Dam Safety
Department of Conservation and Recreation
251 Causeway St. Suite 800
Boston, MA 02114-2104

Ecc: DEP-SERO
ATTN: Shaun Walsh, OGC
Elizabeth Kouloheras, Chief, DWW
Mitch Ziencina, DWW
Christopher Ross, DWW

21

The Honorable Mayor Charles Crowley
President Carr
Members of the City Council
City Hall
Taunton, Ma. 02780

October 1, 2010

Dear Council Members,

Following up on September 28, 2010 Council Meeting regarding Grampy's Petition to remain open 1am-4am, it is clear that the petition/motion can be re-visited from the owners, Mr.'s Jamal /Alie Soufan, for a Full Council Vote.

The Weir Street Crime Watch Neighborhood Residents, who have submitted letters as part of the Record, still affirmably object to Grampy's Petition to remain open 1am-4am, as is our right.

Mr.'s Jamal/Alie Soufan own a Mobil Mart/Gas Station located at 190 King Street, Cohasset, Ma. 02025 (telephone number 781-383-2557) in an affluent town.

Dun and Bradstreet, a provider of business information, reports this as a private company owned and managed by Jamal Soufan for 4 years, current estimate shows an annual revenue of 1-2.5 million, employs 1-4 staff, sic code (service station) 554101/naics code (other gas stations) 447190.


Grampy's annual sales also reported 500,000-1 million in revenue, employs 5-9 staff, sic code (variety store) 533101/naics code (all other general merchandise stores) 452990.

The owners of Grampy's could well afford a paid detail to remain open in these dire economic times, yet when addressed by the Council on September 28, 2010, implored all who were present to understand their financial difficulties.

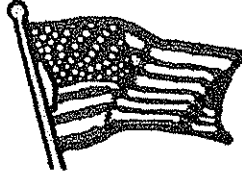
We, the Weir Street Crime Watch Neighborhood **STAY THE COURSE** in our demand that Grampy's **BE DENIED** their Petition to remain open 1am-4am to keep our neighborhood Safe, Non-Violent, Drug Free and Peaceful.

The owners of Grampy's, bringing forth their disinterest in the safety of the neighborhood and employees along with their disrespect to the City Council made it very clear to the public that compromise was not an option.

I respectfully submit this letter to the Honorable Mayor Charles Crowley and the City Councillors for Review before a permanent vote is taken concerning this issue.

M. Jane D'Alessandro 
Weir Street Neighborhood Crime Watch Representative
Taunton, Ma. 02780





OCTOBER 5, 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, OCTOBER 5, 2010 AT 5:30 P.M.** IN THE NEW **ELIZABETH POLE SCHOOL, 215 HARRIS STREET, TAUNTON, MA**

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 WITH THE HUMAN RESOURCE DIRECTOR TO DISCUSS NON-UNION, NON-CONTRACT EMPLOYEES
4. MEET TO REVIEW MATTERS IN FILE

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS

1. MEET WITH THE D.P.W. COMMISSIONER, WATER DIVISION SUPERVISOR AND REPRESENTATIVES OF BETA TO DISCUSS THE RFP FOR WATER METER REPLACEMENT PROGRAM
2. MEET TO REVIEW MATTERS IN FILE

THE COMMITTEE OF THE COUNCIL AS A WHOLE

1. MEET IN EXECUTIVE SESSION WITH THE CITY SOLICITOR AND HUMAN RESOURCE DIRECTOR TO DISCUSS THE STATUS OF CITY CONTRACTS
2. MEET TO REVIEW MATTERS IN FILE

RESPECTFULLY,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES