



## AGENDA – SEPTEMBER 13, 2011

### INVOCATION ROLL CALL RECORDS

**HEARING: NONE**

### COMMUNICATIONS FROM THE MAYOR

### APPOINTMENTS

- Appointment of Veteran's Graves Officer

### COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1 Com. from Chairman, Taunton Planning Board – Responding on Planning Board Vacancy
- Pg. 2-3 Com. from Assistant City Solicitor – Regarding Special employees and poll workers
- Pg. 4 Com. from Darlene Whittemore, 42 Bunnys Road, Carver – Requesting to conduct a race/walk
- Pg. 5-8 Com. from Steven Chilton, Senior Vice President, MassDevelopment – Notifying of preliminary approval to issue a revenue bond
- Pg. 9-12 Com. from Executive Director, Economic and Community Development – MassWorks Grant Proposed John Hancock Extension

### PETITIONS

#### Claim

Claim submitted by Thomas R. Dussault, Esquire, Dussault & Zatir, PC, 1015 Kempton St., New Bedford, MA 02740 on behalf of his clients, Mr. and Mrs. Nuttall seeking reimbursement for injuries sustained at Taunton High School.

#### Miscellaneous

Departmental Site Plan Review for a hair salon at 625 County Street, Taunton located in the Urban Residential District submitted by Zanalía B. Sousa, 685 Glebe St., Taunton.  
**(Informational Only)**

## COMMITTEE REPORTS

## UNFINISHED BUSINESS

- *Continued from September 6, 2011:* Com. from Human Resource Director – Submitting the Local 1144-A Laborer’s Contract (**SEPARATE PACKET**)
- **Executive Session** – Meet to discuss the status of negotiations with all bargaining units of the City of Taunton, any outstanding issues with regard to negotiations, and progress made with regard to said issues

## ORDERS, ORDINANCES AND ENROLLED BILLS

### Ordinance for a Second Reading to be passed to a Third Reading

#### AN ORDINANCE

#### Chapter 14

#### OFFENSES AND MISCELLANEOUS PROVISIONS

#### Sec 14-19. Certain video or mechanical devices

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

*That Section 14-19 of the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by adding the following:*

**Sec. 14-19 – in section (b) delete the wording “having a multiple coin in take feature” and insert the wording - “designed to take currency or credit”.**

All ordinances or parts thereof inconsistent herewith are hereby repealed.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

### Ordinance for a Second Reading to be passed to a Third Reading

#### AN ORDINANCE

#### Chapter 13

#### Motor Vehicles and Traffic

#### Sec 13-94. Uninspected Vehicles

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

That the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by adding the following section:

**Section 13-94. Uninspected Vehicles.**

No person shall cause to be parked on a public way or public property any vehicle that is required to be inspected pursuant to M.G.L. Chapter 90, which displays an inspection sticker that is more than one month, expired. Any vehicle so parked shall be cited under this Section for a fine of \$50.00. Each day the vehicle remains uninspected and parked in violation of this Section shall constitute a separate offense.

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

**Ordinance for a Second Reading to be passed to a Third Reading**

**AN ORDINANCE**

**Chapter 13**

**ARTICLE III. STOPPING STANDING & PARKING**

**Sec 13-81 Same—Trucks loading and unloading;  
license for loading, etc., penalty for violation**

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

That Section 13-81 of the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by adding the following:

Sec. 13-81 – in (a) and (b) delete the word “overnight” and add “anytime between the hours of 10:00 pm and 6:00 am”.

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

**Ordinance for a Second Reading to be passed to a Third Reading**

**AN ORDINANCE**

**Chapter 13**

**Sec 13-82. Prohibited parking places.**

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

That Section 13-82 of the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by adding thereto the following:

- Delete in its entirety: Bay Street, (Watson's Pond) on west side for a distance of 20 feet on both sides of the entrance to the park in front of Watson Pond State Park.
- Delete only "from dusk to dawn". Bay Street, (front of Watson's Pond) on west side from #1714 Bay Street for a distance of 1,200 feet south along the front of Watson Pond State Park.

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

**NEW BUSINESS**

**Respectfully submitted,**



**Rose Marie Blackwell  
City Clerk**

*City of Taunton  
Office of the Mayor*

*Charles Crowley  
Mayor*

*Gill E. Enos  
Budget Director*

*Todd Castro  
Assistant to the Mayor*



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

September 9, 2011

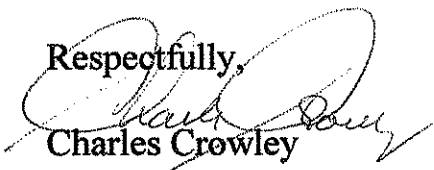
Council President Sherri Costa-Hanlon  
Members of the Taunton Municipal Council

Dear Council President Costa-Hanlon,

Over the past five years, Steven Barrett has served as Veteran's Graves Officer for the City of Taunton and has done an outstanding job. I have been informed by him that he is unable to perform his duties for another term.

Therefore, I am acting in compliance with Chapter 115 Section 9 of the laws of the Commonwealth of Massachusetts which provides that the mayor of the city shall appoint a resident of the city as Veteran's Graves Officer. Please be advised that I have appointed Peter W. Thomson of 188 Paul Revere Drive as the Veteran's Graves Officer for the City of Taunton for a term of five (5) years and his term shall expire in September of 2016.

Respectfully,

  
Charles Crowley  
Mayor



# TAUNTON PLANNING BOARD

**City Hall  
15 Summer Street  
Taunton, Massachusetts 02780**

*Denise J. Paiva, Secretary*

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

September 8, 2011

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

RE: Planning Board Vacancy

Dear Mayor Crowley & Municipal Council:

At their regular meeting held on September 1, 2011 the Taunton Planning Board discussed the vacancy on the Planning Board left by the death of Richard Faulkner.

The Board voted to take the filling of the vacancy under advisement.

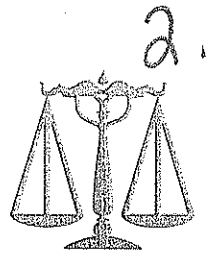
Respectfully yours,

Daniel P. Dermody, Chairman  
Taunton Planning Board

DPD/djp



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

September 8, 2011

President Sherry Costa Hanlon  
And Members of the Taunton  
Municipal Council

Special employees and poll workers

Ladies and Gentlemen:

As you are aware from past requests, the Commonwealth had become stricter in the standards of poll workers who are municipal employees or who serve on city boards and commissions in order to avoid violating laws against multiple employment by the municipality. You have already designated some commission members or casual employees as special employees in order that these laws may be complied with.

This year the city clerk has experienced difficulty in recruiting closing officials, people who come in shortly before the polls close and deal with shutting down the polling place, reconciliation of ballots, and ballot security in preparing materials to be transported to City Hall for tallying and storage. This work became a particularly significant issue in last year's state representative recount. Mrs. Blackwell has contacted the state ethics commission and was told by an official there that city employees may be used for this function, provided that in their capacity as closers they are designated special city employees so as not to be in conflict with their regular employment status.

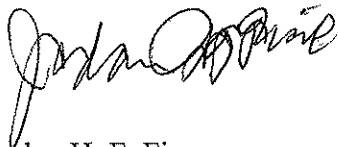
The city clerk is asking the council to designated the following regular city employees as special employees in their status as poll closers only:

Noreen Skwarto, 818 Bay Street  
Marianne Punda, 42 Partridge Circle  
Joan Moniz, 1006 Cohannet Street  
Jean Costa, 39 Wilbur Street  
Susan K. Barber, 220 Erin Road

In addition, Mrs. Blackwell is seeking to appoint Lisa Gregg of 266 County Street as a poll worker, a function which she has performed for many years. Ms. Gregg has recently become employed by the city's Historic District Commission for 13 to 15 hours per month. This form of employment qualifies her for special employee status in her city position because of the small number of hours involved. Therefore, it is requested that Lisa Gregg be designated as a special employee, in order to facilitate her employment as a poll worker.

Thank you for your consideration in this matter.

Very truly yours,



Jordan H. F. Fiore  
Assistant City Solicitor



August 16, 2011

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

Dear Mr. Crowley:

I am writing to you to request permission to schedule our 5th Annual Jumbo's Fun Run in honor of my nephew, James Whittemore, whom we lost on July 25, 2007. This Scholarship is awarded to students of Bristol Plymouth Vocational School and has been very rewarding the past four years.

The family would like to continue memorializing Jimmy and hopefully increase the fund with this event. It also allows Jimmy's spirit to be with his family, teachers and friends.

I am requesting permission to have the race/walk in October of this year. We are awaiting permission from Principal Pearson of the Bristol Plymouth Regional Technical School to confirm the date. We must adhere to the School's schedule and have had our prior events on the second or third Saturday of October. In the interest of time, I felt the need to send this letter as soon as possible to ensure the City's approval.

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

I can be reached at 508-866-5122, cell phone at 508-989-1813 or at my email address is [Whittemoremd@comcast.net](mailto:Whittemoremd@comcast.net) if you have any questions or concerns.

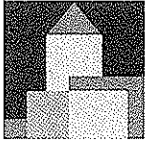
Thank you in advance for your time and consideration. I look forward to hearing from you in the near future with your decision.

Sincerely,



Darlene Whittemore

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



160 Federal Street  
Boston, Massachusetts  
02110

Tel: 617-330-2000  
800-445-8030

Fax: 617-330-2001  
617-451-3429

www.massdevelopment.com

August 31, 2011

City Council  
City of Taunton  
15 Summer Street  
Taunton, MA 02780

Dear Members of the Council:

On August 25, 2011 the Massachusetts Development Finance Agency gave preliminary approval to issue a revenue bond on behalf of Trinity Taunton Four Limited Partnership. The proposed project would be located in Taunton, Massachusetts at the address listed on the attached summary included for your information. The bond would be issued pursuant to Chapter 23G and 40D of the General Laws.

The Agency's policy is to advise the appropriate local and regional planning agencies to ascertain the relationship of a proposed project to any existing state, local or regional comprehensive plan.

The purpose of this letter is to notify you of the project and to request that you advise in the event that the proposed project conflicts with an existing local or regional comprehensive plan. If you would like further information on the project, or if you would like the Agency to consider any comments you may have, please give me a call.

DEVAL PATRICK  
Governor

TIMOTHY P. MURRAY  
Lieutenant Governor

GREGORY P. BIALECKI  
Chairman

MARTY JONES  
President and CEO

Sincerely,

Steven J. Chilton  
Senior Vice President

Enclosure: Summary

cc: Bowditch & Dewey, LLP  
One International Place  
Boston, MA 02110  
Attn: Jane V. Hawkes, Esq.

SJC/jck

6

Meeting Date: August 25, 2011

**TRINITY TAUNTON FOUR LIMITED PARTNERSHIP**

REQUEST:

To assist the applicant in financing an affordable housing project, approval of the proposed project for a MassDevelopment tax-exempt bond issue is requested.

This project will need an allocation of state volume cap from the Executive Office for Administration & Finance.

The amount of volume cap to be allocated to the project and the amount of bonds to be issued on a tax-exempt basis will be determined based on availability and a final review of the project.

BORROWER:

Borrower:

Trinity Taunton Four Limited Partnership (together with any parent, subsidiary or other affiliate)  
40 Court Street, 8<sup>th</sup> Floor  
Boston, MA 02108

User(s):

Same

PROJECT LOCATIONS:

Parcel 6A-2 Mason Street  
Taunton, MA 02780

7

**PROJECT:**

Proposed is the construction of a 72 unit multi-family rental housing facility. This facility will be part of a two phase project to replace the Fairfax Gardens public housing project in Taunton.

Fairfax Gardens was built in 1951 as an isolated, 150 unit barracks-style development in the middle of a low-density single family neighborhood. The development's infrastructure, utilities, and many building components are original to the site and are outdated and need complete replacement. The current buildings are neither energy-efficient nor accessible; the units are cramped and small; and mold, pests and deteriorated finishes are problems throughout. Despite the presence of a police substation on site, shootings, drug sales and fights are frequent occurrences at Fairfax Gardens. The redevelopment of Fairfax Gardens has been a high priority for the Taunton Housing Authority as well as the City of Taunton for several years, and the project recently was awarded a \$6.4 million HOPE VI grant from HUD to help fund revitalization efforts.

The existing Fairfax Gardens facility will be completely demolished, and will be replaced by 160 new units. On-site, 88 new units will be built and funded primarily with federal 9% low income housing tax credits allocated through DHCD. Off-site, 72 new units will be built and financed with MassDevelopment tax-exempt bonds. This facility will be built on a vacant parcel of land approximately one mile from the existing site. Known as Parcel 6A, the site is adjacent to the Greater Attleboro/Taunton Regional Transit Authority (GATRA) bus terminal. The development of units on Parcel 6A provides residents the opportunity to live in an urban, Transit Oriented Development and supports the city's on-going revitalization of its downtown area into a vibrant mixed-use, walkable environment for employees, shoppers and new residents.

The new units will include a 54-unit 3-story elevator building with community space on the ground floor, and 18 townhouses. There will be 41 one-bedroom units, 27 two-bedroom units, 3 three-bedroom units and 1 four-bedroom unit. Sixty-two units will be affordable and rented to households earning no more than 60% of the area median income.

**GUIDELINE ISSUES:** None.

**SOURCES & USES:** **Sources:**

**Uses:**

**Total**

**\$25,820,972**

The bond amount will be paid off at the end of the construction period through additional federal and state low income housing tax credit proceeds.

**BOND AMOUNT:** \$13,500,000

8

EMPLOYMENT: New Jobs: 5  
Existing Jobs: 5

SPONSOR: Trinity Financial, Inc., the project sponsor, was founded in 1987 by James G. Keefe and Patrick A. T. Lee. Since inception, Trinity has developed over 2,600 units of affordable and mixed-income housing primarily in Boston.

Past projects include:

- The Carruth, Boston. A transit-oriented development that involves the construction of 116 units of mixed income housing and approximately 10,000 square feet of neighborhood retail on a site directly adjacent to the MBTA Ashmont Peabody Square Station.
- Maverick Landing, East Boston. A mixed-income housing community located on the East Boston waterfront. In 2001, the Boston Housing Authority was awarded a \$34 million HOPE VI award for the complete renovation of Maverick Gardens, a deteriorated public housing development. Trinity devised a four-phase redevelopment plan calling for demolition of all 413 units to be replaced with 396 units in newly constructed buildings.
- Orchard Gardens, Boston. Orchard Gardens consists of the development of 331 units of rental housing on 15 acres of land in Roxbury. Completed in three phases, the development includes a new park, six new streets, and new offices for the resident association.

PUBLIC PURPOSE BENEFIT: The proposed project will replace 150 units of distressed affordable housing with new energy efficient units, and provide 10 new units of affordable housing in Taunton.

PRINCIPALS: James G. Keefe  
Patrick A. T. Lee

PROJECT CONTACT: Sarah Barnat

BOARD ACTION: Approve the resolution authorizing Official Action for a MassDevelopment Tax-Exempt Bond.



9.

**CITY OF TAUNTON**  
*Office of Economic  
And Community Development*  
45 School Street  
Taunton, Massachusetts 02780  
Phone (508) 821-1030  
Fax (508) 821-1091

KEVIN J. SHEA  
*Executive Director*

RICHARD L. SHAFER  
*Economic Development Director*

MICHAEL J. FERREIRA  
*Community Development Director*

September 9, 2011

Sherry Costa-Hanlon  
President  
City of Taunton Municipal Council  
141 Oak Street  
Taunton, Massachusetts 02780

Re: MassWorks Grant Proposed John Hancock Extension

Dear Members of the Municipal Council:

I have been contacted by the owners of 223 Fremont Street with a request to file a *MassWorks* grant through the MA. Executive Office of Housing and Economic Development for the construction of John Hancock extension (Haul Road).

The MassWorks Infrastructure grant program provides **public** infrastructure grants for **publicly** owned infrastructure including streets and roads. Please reference attachment " MASSWORKS INFRASTRUCTURE PROGRAM MAY 2011 **Frequently Asked Questions**.

I am aware that this portion of road is currently privately owned. To be eligible for grant funding this road would have to be accepted as a public way by the Municipal Council. Please also reference the attachment outlining the questions that would have to be answered as part of the grant submission, in particular Question #21c which asked for a detailed explanation of the public acquisition.

I did not want to submit the MASSWORKS grant application assuming that it would be the Municipal Councils desire to accept this portion of roadway. For the purpose of the grant submission requirements only I am asking for a general opinion from the Municipal Council whether or not it would be its intent to accept this portion of roadway if in fact the City of Taunton was awarded the MASSWORKS grant . The MASSWORKS grant applications must be submitted no later than Friday September 16, 2011

I would appreciate the Municipal Council's direction on this matter.

Sincerely,  


Kevin J. Shea  
Executive Director

Cc: Mayor Charles Crowley  
Fred Cornaglia, DPW Commissioner  
Kevin Scanlon, Director of Planning & Conservation  
Mark Slusarz, City Engineer

Attachments

MASSWORKS INFRASTRUCTURE PROGRAM  
May 2011

**FREQUENTLY ASKED QUESTIONS**

**WHAT IS THE MASSWORKS INFRASTRUCTURE PROGRAM?**

The MassWorks Infrastructure Program provides a one-stop shop for municipalities and other eligible entities seeking public infrastructure funding to support economic development and job creation. The Program represents an administrative consolidation of six former grant programs:

- Public Works Economic Development (PWED) Grant
- Community Development Action Grant (CDAG)
- Growth District Initiative (GDI) Grants
- Massachusetts Opportunity Relocation and Expansion Program (MORE)
- Small Town Rural Assistance Program (STRAP)
- Transit Oriented Development (TOD) Program.

The MassWorks Infrastructure Program will replace each of the above cited programs and the six individual programs are now discontinued.

**WHAT TYPES OF ACTIVITIES DOES THE PROGRAM SUPPORT?**

The MassWorks Infrastructure Program provides public infrastructure grants for publicly owned infrastructure including, but not limited to sewers, utility extensions, streets, roads, curb-cuts, parking facilities, site preparation and improvements on publicly owned land, demolition, pedestrian walkways, and water treatment systems to support four project types:

- Housing development at density of at least 4 units to the acre (both market and affordable units)
- Transportation improvements to enhance safety in small, rural communities
- Community revitalization and sustainable development
- Economic development and job creation and retention

**WHAT COMMUNITIES ARE CONSIDERED TO BE "SMALL, RURAL COMMUNITIES"?**

Communities that have a population of 7,000 or less that were previously eligible for the Small Town Rural Assistance Program (STRAP) as defined by MGL c.6C, s.47. In each year, there will be a set aside of funds available only for transportation improvements to enhance safety in these communities.

**WHO IS ELIGIBLE TO APPLY FOR MASSWORKS GRANTS?**

A city or town, or other public agency with a charter that enables them to accept state grants on behalf of the municipality, and where the public agency has been designated by municipal officers to apply for grants on behalf of that city or town. A local Economic Development Corporation may be an eligible applicant, for example. Any eligible public agency acting on behalf of a municipality must submit a letter of support from the chief administrative officer of that municipality.

**IS DESIGN AN ELIGIBLE EXPENSE?**

Yes. Communities with a population of 7,000 or less are eligible to apply for design/engineering costs along with a construction grant. In that case, the project must be able to complete design/engineering in a period that allows the project to advance to construction during the upcoming construction season.

Communities with a population over 7,000 are eligible to apply for design/engineering costs along with a construction grant however no more than 10% of the total grant request may be used for design/engineering. If a project is seeking design/engineering funds as part of an application, the project must be able to complete design/engineering in a period that allows the project to advance to construction during the upcoming construction season.



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Question #16: Amount of funds requested

- Please indicate the total amount of funds requested for the infrastructure project(s) described within this grant application.

**TIP:** If the application is for more than one infrastructure project (e.g. sewer extension and pedestrian improvements related to the same private development project) the applicant will have an opportunity to describe each infrastructure project element and the cost associated with each element in the project description section of the application (Section 4).

Question #17: Name of proposed project

- Please enter the name of the proposed project that is associated with this grant application.

**TIP:** If the project is located on a street, in a specific neighborhood or business park, it is helpful to include this unique identification in the project name (e.g. Smith Street Water Main Replacement Project or Main Street Pedestrian Improvement Project)

Question #18: Project site address

- Please enter the address of the project site. This address is associated with the location of the project, not with the mailing address associated with this grant application.

Question #19: Estimated construction jobs associated with the infrastructure project

- Please enter the number of estimated construction jobs associated with the infrastructure project.

Question #20: Is the project site publicly owned?

- Please indicate if the project site is publicly owned. "Yes" indicates that the project site is currently publicly owned. "No" indicates that the project site is not publicly owned at this time. If the project site will be publicly owned in the future, but is not publicly owned at this time please select "no".

Question #21: Describe type of ownership (select all that apply).

- Please select all of the ownership types that apply to the project site.

Question #21a: If other, please explain.

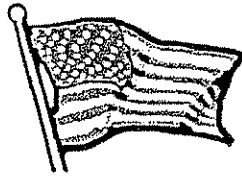
- If the previous answer (Question #21) included "other" please explain what other type of ownership is associated with the project site.

Question #21b: If not currently public, will the site be publicly owned by the project start date?

- If the project site is not currently publicly owned please indicate, using the yes or no check boxes, if the site will be publicly owned by the project start date.

Question #21c: If not, please explain and include details about the nature, timing, and mechanism of the public acquisition.

- If the project site is not publicly owned (as indicated in Question #21b) please provide a detailed explanation of the public acquisition. Please include details about the nature, timing and mechanism that will be used to secure the project site.



SEPTEMBER 13, 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, SEPTEMBER 13, 2011 AT 5:30 P.M. IN THE TEMPORARY CITY HALL AT MAXHAM SCHOOL, 141 OAK STREET, TAUNTON, MA. 02780, 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 AND PAYROLLS FOR CITY DEPARTMENTS
2. MEET TO REVIEW REQUESTS FOR FUNDING
3. MEET TO REVIEW MATTERS IN FILE

**THE COMMITTEE ON SOLID WASTE**

1. MEET TO REVIEW THE PROPOSED EXTENSION CONTRACT FOR A.R.I.
2. MEET TO REVIEW MATTERS IN FILE

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

1. MEET WITH THE TAUNTON DEVELOPMENT CORPORATION FOR AN UPDATE ON PHASE 4 AND 5 OF THE MYLES STANDISH INDUSTRIAL PART AND LIBERTY AND UNION INDUSTRIAL PARK
2. MEET WITH THE TREASURER/COLLECTOR AND THE TAX TITLE ATTORNEY TO DISCUSS DELINQUENT ACCOUNTS OF TAX TITLE PROPERTY
3. MEET TO REVIEW MATTERS IN FILE

RESPECTFULLY,

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES