



AGENDA – SEPTEMBER 21, 2010

INVOCATION ROLL CALL RECORDS

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.

- Com. from City Engineer – Submitting a positive recommendation
- Com. from Chairman, Taunton Planning Board – Submitting a positive recommendation

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1 Com. from Assistant Director of Retirement – Notifying of a retirement
- Pg. 2 Com. from Chairman, Taunton Planning Board- Notifying of a public hearing
- Pg. 3 Com. from Chairman, Taunton Planning Board – Notifying of a public hearing
- Pg. 4 Com. from Chairman, Taunton Planning Board – Notifying of a public hearing
- Pg. 5 Com. from Chairman, Taunton Planning Board – Notifying of a public hearing
- Pg. 6 Com. from Chairman, Taunton Planning Board – Notifying of a public hearing
- Pg. 7 Com. from Mary Delano, Manager Human Resources, Saint-Gobain Performance Plastics Corporation, 700 Warner Blvd., Taunton – Expressing concern for speeding on Warner Boulevard

PETITIONS

Billiard Table License

Petition submitted by Aurelio Sousa, requesting a **RENEWAL** of his Billiard Table License –DBA- Bristol Sports Zone, Inc. located at 260 West Water St., Taunton. (2 Tables)

Fortune Teller's License

Petition submitted by Bissie Mitchell and Sonia Mitchell requesting a **RENEWAL** of their Fortune Teller's License -DBA- Sonia's Palm Reading located at 396 Winthrop St., Taunton.

Miscellaneous

Site Plan Review submitted by Robert S. Crausman, 2005 Bay Street, #206, Taunton to allow a 12,000 sq. ft. medical building on lot 107-14 Industrial Park Road located in the Industrial District. **(Informational Only)**

Departmental Site Plan Review submitted by Andy Amaro, 915 Middleboro Avenue, East Taunton to allow an 8 vehicle used car lot on lot 96-134 Middleboro Avenue (next to 515 Middleboro Ave. located in the Business District. **(Informational Only)**

COMMITTEE REPORTS

UNFINISHED BUSINESS

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

ORDERS, ORDINANCES AND ENROLLED BILLS

Ordinance for a second reading to be passed to a third reading

AN ORDINANCE

Chapter 19

SEWERS AND DRAINS

Sec 19-3.1. Procedure for the Assessment of Betterments For Laying of Common Sewers

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

That Section 19-3.1 of the Revised Ordinances of the City of Taunton, as amended, is and hereby is further amended by adding the following:

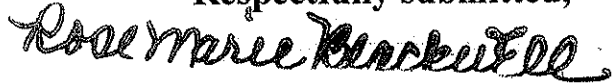
Sec. 19-3.1 Procedure for the assessment of betterments for the laying of common sewers.

- a. All betterments shall be assessed against owners of property abutting a common sanitary sewer line pursuant to Chapter 80 of the General Laws of the Commonwealth of Massachusetts.
- b. All such betterment assessments shall be based upon a proportionate share of One Hundred (100%) percent of the costs permitted to be included in a betterment assessment pursuant to said Chapter 80 of the General Laws of the Commonwealth of Massachusetts, unless such formula shall violate the provisions of any state or federal law or regulation or the terms of any state or federal grant or the terms of any loan agreement reached between the City of Taunton and the Water Pollution Abatement Trust of the Commonwealth of Massachusetts pursuant to Chapter 29C of the General Laws of the Commonwealth of Massachusetts.

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
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
15 Summer Street
Taunton, Massachusetts 02780-3430
Phone: 508-821-1027, Fax: 508-821-1336



Mark B. Slusarz, P.E.
City Engineer

July 27, 2010

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

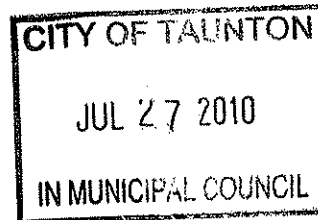
Re: Street Acceptance, Mary Drive

Dear Mayor Crowley, Councilors;

As a correction to the previous request, the Engineering Division is requesting that only Mary Drive be accepted as a public way. It was learned that Donna Terrace and Marilyn Drive are already public ways. The Engineering Division has revised the plan and legal description to describe only Mary Drive. As previously stated, the acceptance of Mary Drive as a public way is required before the pending sewer project can be undertaken. The roadway will be reconstructed after installation of the new system. It is my recommendation that the Council approve acceptance of these roadways at its earliest convenience.

Sincerely,
 City of Taunton

Mark B. Slusarz, P.E.
 City Engineer



Cc: Fred Cornaglia, DPW Commissioner

*Refer to the
 City Clerk to
 set hearing -
 Am Blainville Clerk*



Denise J. Paiva, Secretary

TAUNTON PLANNING BOARD

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

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

July 23, 2010

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

c/o Rose Marie Blackwell, City Clerk

STREET ACCEPTANCE – MARY DRIVE

Dear Mayor Crowley and Members of the Municipal Council:

Please be advised that at the regularly scheduled meeting held on July 22, 2010 the Taunton Planning Board, on the recommendation of the City Engineer, voted to forward a positive recommendation to the Municipal Council to accept Mary Drive as public a way in the City of Taunton.

Please contact this office should you have any questions regarding this matter.

Respectfully yours,

Daniel P. Dermody, Chairman
Taunton Planning Board

DPD/djp



CITY OF TAUNTON
Contributory Retirement System

40 Dean Street, Unit 3
Taunton, Massachusetts 02780
www.tauntonretirement.com
(508) 821-1052
Fax (508) 821-1063

**BOARD OF
RETIREMENT**

CHAIRMAN
Ann Marie Hebert

Peter H. Corr
Richard T. Avila
Gill E. Enos
A. Joan Ventura

**EXECUTIVE
DIRECTOR**
Paul J. Slivinski

**ASSISTANT
DIRECTOR**
Kathy A. Maki

September 9, 2010

Hon. Charles Crowley, Mayor and Taunton Municipal Council
15 Summer Street
City Hall
Taunton, MA 02780

Dear Mayor Crowley and Councilors:

Please be advised of the retirement for Superannuation of Ronald A. Nastri, an employee of the Fire Dept. on September 25, 2010 under the provisions set forth in Section #5 of Chapter 32 of the General Laws of Massachusetts.

Please pay accumulated benefits up to the date of retirement.

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

Respectfully yours,

Kathy Maki
Assistant Director

cc: R. Nastri
J. Ross, Treasurer
A. Hebert, Auditor
M. Gomes, Human Resources
R. Blackwell, City Clerk
file

retirement letter



TAUNTON PLANNING BOARD

City Hall
15 Summer Street
Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

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

September 10, 2010

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

C/O Rose Marie Blackwell, City Clerk

**RE: Full Site Plan Review – Medical Office Building – Industrial Park Rd.
(Assessor's Reference Map 14- Lot 107)**

Dear Mayor Crowley and Members of the Municipal Council:

Please be advised the Taunton Planning Board is in receipt of a Full Site Plan Review for property located on Industrial Park Road for the construction of a one-story, 12,000 sq. ft. medical office building with associated parking, driveway and accompanying site improvements submitted by Robert Crausman, 2005 Bay Street, # 206 Taunton, Ma.

The Taunton Planning Board has scheduled a public hearing on this proposal for **Thursday, October 7, 2010 at 5:30 PM.** in the New E. Pole School, 215 Harris St., Taunton, Ma.

Respectfully,

Daniel P. Dermody, Chairman
Taunton Planning Board

DPD/djp



TAUNTON PLANNING BOARD

City Hall
15 Summer Street
Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

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

September 10, 2010

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

C/O Rose Marie Blackwell, City Clerk

RE: Form J Plan – 11 Kingman St. - Waiver of Frontage Requirement s- to split one lot into two lots

Dear Mayor Crowley and Members of the Municipal Council:

Please be advised the Taunton Planning Board is in receipt of a Form J Plan – Waiver of Frontage Requirements – to split one lot into two lots – for property at 11 Kingman Street owned by William & Nancy Couto, P. O. Box 17, E. Taunton, Ma.

The Taunton Planning Board has scheduled a public hearing on this proposal for **Thursday, October 7, 2010 at 5:30 PM.** in the New E. Pole School, 215 Harris St., Taunton, Ma.

Respectfully,

Daniel P. Dermody, Chairman
Taunton Planning Board

DPD/djp



TAUNTON PLANNING BOARD

City Hall
15 Summer Street
Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

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

September 10, 2010

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

C/O Rose Marie Blackwell, City Clerk

RE: Form J Plan – 99 Seekell St. - Waiver of Frontage Requirement s- to split one lot into two lots

Dear Mayor Crowley and Members of the Municipal Council:

Please be advised the Taunton Planning Board is in receipt of a Form J Plan – Waiver of Frontage Requirements – to split one lot into two lots – for property at 99 Seekell St. owned by William & Nancy Couto, P. O. Box 17, E. Taunton, Ma.

The Taunton Planning Board has scheduled a public hearing on this proposal for **Thursday, October 7, 2010 at 5:30 PM** in the New E. Pole School, 215 Harris St., Taunton, Ma.

Respectfully,

Daniel P. Dermody, Chairman
Taunton Planning Board

DPD/djp



TAUNTON PLANNING BOARD

City Hall
15 Summer Street
Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

Phone 508-821-1051

Fax 508-821-1043

September 13, 2010

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

C/O Rose Marie Blackwell, City Clerk

RE: Modification of Form J & Special Permit – for a common driveway – to service 3 lots - Field Street

Dear Mayor Crowley and Members of the Municipal Council:

Please be advised the Taunton Planning Board is in receipt of a Modification of a Form J and Special Permit for property located on Field Street, known as Property I.D. 16-1 & 15-83 submitted by Field & Stream Realty Trust, P. O. Box 251, N. Easton, Ma.

The modification is to remove the following condition:

Lot 2J to be conveyed to a non-profit agency prior to a building permit is issued for Lots 2G & 2H or it remain part of Lot 2G until such time as it can be conveyed to a non-profit agency for preservation purposes as stated as part of the hearing.

The Taunton Planning Board has scheduled a public hearing on this proposal for **Thursday, October 7, 2010 at 5:30 PM.** in the New E. Pole School, 215 Harris St., Taunton, Ma.

Respectfully,

Daniel P. Dermody, Chairman
Taunton Planning Board

DPD/djp



TAUNTON PLANNING BOARD

City Hall
15 Summer Street
Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

September 15, 2010

Phone 508-821-1051

Fax 508-821-1043

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

C/O Rose Marie Blackwell, City Clerk

RE: Minor Modification of Special Permit/Definitive Cluster Inclusionary Development – Prospect Hill Preserve – located at 366 Prospect Hill St.

Dear Mayor Crowley and Members of the Municipal Council:

Please be advised the Taunton Planning Board is in receipt of a Modification of the previously approved "Prospect Hill Preserve" - Special Permit/Definitive Cluster Inclusionary Development which created 14 single family homes within a condo community on premises situated at **366 Prospect Hill St., Taunton, Ma.** submitted by **Joseph Lynch, Trustee of MB Development Trust, 7 Bristol Lane, Foxboro, Ma.**

Modification is to allow each approved dwelling to have it s own individual lot pursuant to Section 14.2 of the City of Taunton Zoning Ordinance.

The Taunton Planning Board has scheduled a public hearing on this proposal for **Thursday, October 7, 2010 at 5:30 PM.** in the New E. Pole School, 215 Harris St., Taunton, Ma.

Respectfully,

Daniel P. Dermody, Chairman
Taunton Planning Board

DPD/djp

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SAINT-GOBAIN
PERFORMANCE PLASTICS

September 8, 2010

Taunton City Council
ATTN: Police and Licensing Committee
Taunton City Hall
15 Summer St.
Taunton, MA 02780

RE: Traffic Conditions on Warner Blvd

Dear Members of the Counsel,

I write to you after several phone calls to different authorities who informed me the City was ordered to remove the existing speed limit signs on Warner Blvd quite some time ago. The state is requiring an engineering study of the speed on Warner Blvd prior to speed limit signs being posted.


As the Human Resource Manager of Saint-Gobain Performance Plastics, on Warner Blvd. , I am greatly concerned about the safety of all who travel on Warner Blvd. As you should know, Warner Blvd. is a long strip of road with an infamous reputation for speeders and drag racing. There have been 2 fatalities in the late ninety's due to speeding.

I call to your attention the fact that the Blvd. is now even more populated than in the past but the speeding cars have not abated and seem to be more plentiful in the absence of warning signs and other deterrents. Two large housing developments have gone up with children of all ages who now play adjacent to the street. Our employees, and other employees nearby, often walk on the Blvd for exercise during work breaks and joggers use the strip as well. My office faces the street and I have been alarmed at the number of cars going at great speed. Your attention to this matter is needed immediately.

At Saint - Gobain we value the satiety of our employees and try to prevent accidents from happening. If you are not the proper authority, kindly advise to whom this concern should be addressed.

Please order an engineering speed study as soon as possible. Hopefully this will prevent future fatalities.

Sincerely,


Mary Delano

Manager Human Resources



SEPTEMBER 21, 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, SEPTEMBER 21, 2010 AT 5:30 P.M.** IN THE **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 CITY AUDITOR TO DISCUSS THE ENCUMBRANCES AND YEAR END TRANSFERS FOR CITY DEPARTMENTS
4. MEET TO REVIEW MATTERS IN FILE

THE COMMITTEE ON SOLID WASTE

1. MEET IN EXECUTIVE SESSION WITH THE CITY SOLICITOR AND REPRESENTATIVES OF THE THREE LEGAL TEAMS; ATTORNEY MICHAEL VHAY, ATTORNEY TENO WEST, AND ATTORNEYS FOR THE T.M.L.P. TO REVIEW AND DISCUSS THEIR LEGAL PROPOSALS FOR THE SOLID WASTE FACILITY.
2. MEET WITH THE CITY SOLICITOR TO REVIEW AND DISCUSS THE CURBSIDE AND RECYCLING CONTRACT
3. MEET TO REVIEW MATTERS IN FILE

THE COMMITTEE ON POLICE AND LICENSE

1. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON THE FOLLOWING PETITIONS PER CITY ORDINANCE SEC. 12-2 TO OPERATE BETWEEN THE HOURS OF 1 A.M. AND 4 A.M.
 - A. BENJAMIN'S RESTAURANT, 698 BAY STREET
 - B. CVS, 284 WINTHROP STREET
 - C. EAST TAUNTON WORK OUT WORLD, 50 O'CONNELL WAY
 - D. HESS EXPRESS, 23 CAPE ROAD
 - E. MAXI DRUG, INC. D/B/A RITE AID, 237 BROADWAY
 - F. PORTUGUESE AMERICAN CIVIC CLUB, 175 SCHOOL STREET
 - G. TAUNTON MART (RICK'S MOBILE), 1095 COUNTY ST.
 - H. WARD 5, 29 WINTER STREET
2. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF THEODORE KING, 215 BROADWAY FOR A NEW LIVERY LICENSE D/B/A KINGS CASTLE LIMO SERVICE, INC., 215 BROADWAY (1 LIMO)
3. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF WILLIAM DESA, 14 WHITTENTON ST. FOR RENEWAL OF BILLIARD TABLE LICENSE D/B/A BILLY CLUB CAFÉ, 53 GROVE ST. (2 TABLES)
4. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON THE FOLLOWING PETITIONS FOR NEW OLD GOLD LICENSES:
 - A. GEORGE FRANKOVICH OF STERLING INC. D/B/A BELDEN JEWELERS, 2 GALLERIA MALL DRIVE
 - B. GEORGE FRANKOVICH OF STERLING, INC. D/B/A KAY JEWELERS, 2 GALLERIA MALL DRIVE
5. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF JILL FERREIRA FOR RENEWAL OF OLD GOLD, JUNK DEALER AND SECOND HAND ARTICLE LICENSES IN NAME OF KENNETH FERREIRA, 58 STEVENS ST., E. TAUNTON D/B/A MONEY TREE, 53 WEIR STREET.
6. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF MICHAEL KEENE OF NORTON AND ARMEN TENKARIAN OF SEEKONK FOR RENEWAL OF ANTIQUE DEALER LICENSE D/B/A TAUNTON ANTIQUE CENTER, 19 MAIN STREET
7. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF CHRISTOPHER IGO, 1 EVERSON RD., MARSHFIELD FOR A NEW TEMPORARY FIXED VENDOR'S LICENSE D/B/A ISLAND DAWG, 173 BROADWAY

PAGE THREE

8. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF NICHOLAU FELIZARDO D/B/A KNOW-HOW TRAILER REPAIR, INC. TO TRANSFER CLASS II LICENSE TO ANDY AMARO, D/B/A AMARO AUTO SALES, 515 MIDDLEBORO AVE., E. TAUNTON
9. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON APPLICATION FOR RENEWAL OF CLASS II LICENSE FOR AFTER HOURS AUTO SALES, 20 NORTH AVENUE, TAUNTON
10. MEET TO REVIEW MATTERS IN FILE

COMMITTEE ON FIRES AND WIRES

1. MEET IN EXECUTIVE SESSION FOR INTERVIEWS FOR THE POSITION OF CHIEF OF THE FIRE DEPARTMENT
2. MEET TO REVIEW MATTERS IN FILE

RESPECTFULLY,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES