



**MUNICIPAL COUNCIL AGENDA  
CHESTER R. MARTIN MUNICIPAL COUNCIL CHAMBERS  
141 OAK STREET, TAUNTON, MA 02780**

~  
**AGENDA APRIL 23, 2013 – 7:00 PM**

**INVOCATION  
ROLL CALL  
RECORDS**

**HEARING: NONE**

**COMMUNICATIONS FROM THE MAYOR**

- Proclamation for Older Americans Month

**APPOINTMENTS**

- Appointment to the Airport Commission
- Appointment to the Airport Commission

**COMMUNICATIONS FROM CITY OFFICERS**

- Pg. 1-2 Com. from Assistant DPW Commissioner – Requesting a transfer of funds
- Pg. 3-4 Com. from City Solicitor – Submitting procedure for removal of constable
- 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 Chairman, Taunton Planning Board – Notifying of a public Hearing
- Pg. 8-9 Com. from Manuel Gonsalves, Private Pilot, Taunton Airport – Presenting a letter of gratitude
- Pg. 10 Com. from Terri Arruda, 1125 Somerset Ave., Taunton – Requesting to speak regarding a water bill

RECEIVED  
CITY CLERK'S OFFICE  
2013 APR 19 A 10:29  
TAUNTON, MA  
CITY CLERK

- Pg. 11-14 Com. from Mary-Joe Perry, District Highway Director, MassDOT, 100 County St., Taunton – Providing a copy of their Yearly Operational Plan relating to herbicide applications
- Pg. 15 Com. from Jamie Perry, Brittany's Ride – Requesting
- Pg. 16 Com. from Commissioner, Parks, Cemeteries and Public Grounds – Responding to a request regarding trash
- Pg. 17-32 Com. from Commissioner, Parks, Cemeteries, and Public Grounds – submitting a copy of the Yearly Operation Plan for the City of Taunton

## **PETITIONS**

### **Constable License**

Application submitted by Bruce Dias requesting a **NEW** Constable License desiring to serve as a Crossing Guard.

Application submitted by David Henriques requesting a **RENEWAL** of his Constable License desiring to serve as a Crossing Guard.

### **Billiard Table License**

Petition submitted by Ernest Cardoza, 5 New Carver St., Raynham requesting a **RENEWAL** of the Billiard Table License for David F. Adams Post #611 Athletic Association Inc. located at 82 Ingell Street, Unit 4. **(One Table)**

Petition submitted by John Arruda, 82 Fremont St., Taunton requesting a **RENEWAL** of the Billiard Table License for Taunton Portuguese American Civic Club located at 175 School St., Taunton. **(One Table)**

Petition submitted by Denise Asack, 96 Sachem Rock Ave., East Bridgewater requesting a **RENEWAL** of her Billiard Table License for Bobby's Place, Inc. located at 62 Weir St., Taunton. **(Two Tables)**

Petition submitted by Nancy Medas, 71 Disamar Road, Taunton requesting a **RENEWAL** of her Billiard Table License for Atlantic Café, Inc. located at 10 Plain St., Taunton. **(Two Tables)**

Petition submitted by Arthur Travers, Jr. of 701 Winthrop St., Taunton requesting a **RENEWAL** of the Billiard Table License for Weir Associates, Inc. –DBA- McGrath's Café located at 125 West Water St., Taunton. **(One Table)**

Petition submitted by Jeffrey Smith, 82 Johnson St., Taunton requesting a **RENEWAL** of his Billiard Table License for Smitty's Sports Pub, Inc. located at 445 Bay St., Taunton. **(One Table)**

**Livery License**

Petition submitted by John Pacheco, 66 Mary Dr., Taunton requesting a **RENEWAL** of his Livery License, Airport Express Direct, Inc. located at 66 Mary Dr., Taunton. **(One Vehicle)**

**Second Hand Article License**

Petition submitted by Brenda Hendricks, 48 Danforth St., Taunton requesting a **RENEWAL** of her Second Hand Article License for Collector's Emporium, Inc. located at 388 Bay St., Taunton.

**News Rack License**

Petition submitted by William Hazeldine, 320 Steere St., Attleboro requesting a **RENEWAL** of his News Rack License for Seventh-Day Adventist Church of 109 Winthrop Street located in front of the post office. **(One News Rack)**

**Temporary Fixed Vendor License**

Petition submitted by Sheila Cook, 9 Coram St., Taunton requesting a **RENEWAL** of the Temporary Fixed Vendor License and a waiver of fee as this is a non-profit organization for Taunton Area School to Career, Inc. located at Pilgrim Congregational Church located at 45 Broadway, Taunton to sell food from a vending cart.

**Claim**

Claim submitted by Robert W. Blackwell, Sr., 34 Myrtle St., Apt. 1, Taunton seeking reimbursement for damages to his automobile from hitting a pothole on Winter Street near the Ward 5.

**Miscellaneous**

Special Permit submitted by Richard Riccio, III, P.E., Field Engineering Co., Inc., 11D Industrial Drive, P.O. Box 1178, Mattapoisett on behalf of his client William Shamon, Myles Standish Medical Center LLC, 125 Constitutional Boulevard, Franklin for an education use at 101 Industrial Park Drive located in the Industrial District. **(Public Hearing Required)**

**COMMITTEE REPORTS**

**UNFINISHED BUSINESS**

**ORDERS, ORDINANCES AND RESOLUTIONS**

**NEW BUSINESS**

Respectfully submitted,



**Rose Marie Blackwell  
City Clerk**

*City of Taunton  
Office of the Mayor*

*Thomas C. Hoye, Jr.  
Mayor*

*Alyssa Gracia  
Assistant to the Mayor*

*Gill E. Enos  
Budget Director*



*141 Oak Street  
Temporary City Hall  
Taunton, MA 02780  
Tel. (508) 821-1000  
Fax. (508) 821-1005*

April 17, 2013

Council President John McCaul  
Members of the Taunton Municipal Council  
141 Oak Street  
Taunton, MA 02780

Dear Council President McCaul:

Please be advised that I am appointing Jan Barboruison of 25 Beaufort Court, Taunton to the Airport Commission. Ms. Barboruison has been appointed to serve the remainder of Carolyn Basler's tenure which will expire the last day in January 2016.

I would like to formally thank Ms. Basler for her many years of service to the Airport Commission, and wish her the best of luck in future endeavors.

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

Respectfully,

A handwritten signature in cursive script that reads "Thomas C. Hoye, Jr." The signature is written in black ink and is positioned above the printed name.

Thomas C. Hoye, Jr.  
Mayor

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



# *City of Taunton*

## *Office of the Mayor*

*Thomas C. Hoye, Jr.*  
*Mayor*

*Alyssa Gracia*  
*Assistant to the Mayor*

*Gill E. Enos*  
*Budget Director*



*141 Oak Street*  
*Temporary City Hall*  
*Taunton, MA 02780*  
*Tel. (508) 821-1000*  
*Fax (508) 821-1005*

April 17, 2013

Council President John McCaul  
Members of the Taunton Municipal Council  
141 Oak Street  
Taunton, MA 02780


Dear Council President McCaul:

Please be advised that I am appointing James F. Madigan of 224B Pratt Street, Taunton to the Airport Commission. Mr. Madigan has been appointed to serve the remainder of Charles Menard's tenure which will expire the last day in July 2014.

I would like to formally thank Mr. Menard for his many years of service to the Airport Commission, and wish him the best of luck in future endeavors.

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

Respectfully,

*Thomas Hoye*  
Thomas C. Hoye, Jr.   
Mayor

**James F. Madigan**  
**224B Pratt Street**  
**Taunton, MA 02780**  
**508-844-1790**  
**jfmadigan@verizon.net**

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**Private Pilot since 1989**

2001 – Present in partnership in a Piper Cherokee, based at Norwood, MA.

**Joined Civil Air Patrol in 1995**

1997 – 2002

Squadron Commander of Brockton Composite Squadron, with Aircraft based in Taunton, MA, I have flown many search and rescue missions, also Counter Narcotics and DEA missions.

I have volunteered at the Taunton Municipal Airport for the past 13 years, helping with the Annual Taunton Airport Family Day.

**Employment**

**2006 - Present**

**AAA SNE, Avon, MA. - Fleet Supervisor**

I oversee 98 employees and 58 service vehicles.

**1996 – 2006**

**UPS Automotive - Fleet Mechanic**

**Additional Information:**

I lived in Easton, MA from 1992 – 2005

I moved to Taunton in 2005

Since 2007, I have been a member of TEMA, Taunton Emergency Management Agency



City of Taunton, Massachusetts  
DEPARTMENT OF PUBLIC WORKS

**Fred J. Cornaglia**  
Commissioner

**Anthony Abreau**  
Assistant Commissioner

**Angela C. Santos**  
Fiscal Agent

April 10, 2013

Honorable Mayor Thomas Hoyer, and  
Members of the Municipal Council  
15 Summer Street  
Taunton, MA 02780

**RE: Request Funding Transfer – Street & Drain Salaries**

Dear Mayor Hoyer and Councilors:

This office respectfully request permission to transfer funds in the amount of **\$15,000.00**. Please see the following line items to be adjusted and explanation for transfer. Also see the attached Transfer Request Sheet for specific line item numbers and amounts to be transferred.

	<b>From</b>	<b>To</b>	<b>Amount</b>	<b>Explanation</b>
<b>1</b>	<b>Street – Oil &amp; Heat</b> 1-422-202-5213	<b>Street - Other Employees</b> 1-422-201-5109	<b>\$15,000.00</b>	<i>Additional funds needed to replenish street salary line item due to paid <b>RETIREMENT BUY-OUTS</b>. The funds are required to fill the (3) vacated street department positions.</i>

If you should have any questions regarding this explanation please feel free to contact me.

Respectfully,

Anthony Abreau  
Assistant Commissioner, DPW

# COUNCIL ORDER TRANSFER REQUEST

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Date: April 10, 2013

Department Requesting: DPW

Amount Requesting: \$15,000.00

Reason For Request: Line Item Adjustment - (Street & Drain Salaries)

\*\*\*\*\*

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

If requesting monies from AVAILABLE FUNDS check here: X

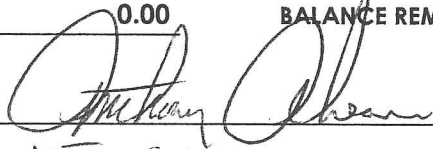
TRANSFER FROM: 1 422 202 5213  
 NAME: Street - Oil & Heat  
 BEGINNING BALANCE: \$ 34,897.92  
 AMOUNT: 15,000.00  
 BALANCE REMAINING: 19,897.92

TRANSFER TO: 1 422 201 5109  
 NAME: Other Employees - Street  
 BEGINNING BALANCE: \$ 139,383.64  
 AMOUNT: 15,000.00  
 BALANCE REMAINING: 154,383.64

\*\*\*\*\*

TRANSFER FROM: \_\_\_\_\_  
 NAME: \_\_\_\_\_  
 BEGINNING BALANCE: \$ \_\_\_\_\_  
 AMOUNT: \_\_\_\_\_  
 BALANCE REMAINING: \_\_\_\_\_

TRANSFER TO: \_\_\_\_\_  
 NAME: \_\_\_\_\_  
 BEGINNING BALANCE: \$ \_\_\_\_\_  
 AMOUNT: \_\_\_\_\_  
 BALANCE REMAINING: 0.00

DEPARTMENT HEAD SIGNATURE:   
 TITLE: Asst. Comm.

\*\*\*\*\*

TO BE COMPLETED BY CLERK OF COUNCIL COMMITTEE:  
 DATE REFERRED TO COMMITTEE ON FINANCE & SALARIES: \_\_\_\_\_  
 THE ABOVE REQUEST IS HEREBY: \_\_\_\_\_ APPROVED \_\_\_\_\_ DENIED  
 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

141 Oak Street  
Taunton, Massachusetts 02780  
Phone (508) 821-1036 Facsimile (508) 821-1064



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Thomas C. Hoyer, Jr.  
MAYOR

Jason D. Buffington  
CITY SOLICITOR

Daniel F. de Abreu  
ASST. CITY SOLICITOR

April 17, 2013

Honorable Mayor Thomas C. Hoyer, Jr.  
Members of the Taunton Municipal Council  
141 Oak Street  
Taunton MA 02780

**RE: Procedure for Removal of Constable**

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Dear Mayor Hoyer and Members of the Municipal Council:

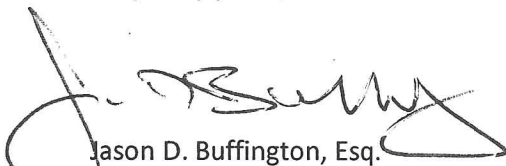
An inquiry was received by this office as to the proper procedure to be followed under city ordinance in the event that the Municipal Council sought to remove a city constable from office prior to the completion of the constable's term. Such a process would be governed by Section 18-4 of the Revised Ordinances of the City of Taunton. In pertinent part, the ordinance provides as follows:

*The municipal council may elect ... such constables as it deems proper, in accordance with the terms of this section.... The municipal council, after hearing, may remove a constable from office prior to the completion of said term for conduct unbecoming a constable, gross misconduct, or other just cause.*

Therefore, under city ordinance, the proper forum would be a hearing before the full Municipal Council. Please note that this same procedure was used when a constable was removed from office in August of 2007.

In the event that you wish to commence such a hearing, I would recommend that the Municipal Council vote as follows: (a) to identify the constable at issue and refer to the Law Department and the Chief of Police for the drafting of a charge letter and any other pertinent documents, (b) to refer to the City Clerk for the scheduling of the hearing, and (c) to authorize the Law Department to issue summonses on behalf of the Municipal Council to witnesses to appear at the hearing.

Very truly yours,



Jason D. Buffington, Esq.  
City Solicitor



# TAUNTON PLANNING BOARD

City Hall  
15 Summer Street  
Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

Phone 508-821-1051  
Fax 508-821-1665

April 12, 2013

Honorable Thomas Hoye, Mayor  
Members of the Municipal Council  
141 Oak St., Maxham School  
Taunton, Ma. 02780

C/O Rose Marie Blackwell, City Clerk

**RE: Site Plan Review – Charles F. Colton Road ( Assessor's Map 19-Lots 47 & 48)**

Dear Mayor Hoye and Members of the Municipal Council:

Please be advised the Taunton Planning Board received a **Site Plan Review** for property located on Charles F. Colton Road (Assessor's Map 19, Lots 47 & 48) for the construction of a 7,000 sq. ft. Industrial building with associated off street parking facilities and public utilities connections submitted by **Dublin Building Systems, owned by TDMDC.**

The next scheduled meeting for this petition will be on Tuesday, April 30, 2013 at 10:00 A.M in the Taunton Planning Board Office, 15 Summer St., Annex Bldg., at which time the application shall be reviewed by the DIRB and again on Thursday, June 6, 2013 at 5:30 PM at Maxham School Auditorium, 141 Oak St., Taunton, Ma. at which this petition will be reviewed by the Planning Board.

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 508-821-1665

April 11, 2013

Honorable Thomas Hoye, Mayor  
Members of the Municipal Council  
141 Oak St., Maxham School  
Taunton, Ma. 02780

C/O Rose Marie Blackwell, City Clerk

**RE: Site Plan Review – 57 Winthrop & 119 High St - Arista Development LLC**

Dear Mayor Hoye and Members of the Municipal Council:

Please be advised the Taunton Planning Board received a Site Plan Review for property located at 57 Winthrop Street and 119 High Street for the construction of a pharmacy establishment with drive-thru facility, parking areas and relative improvements submitted by Arista Development LLC.

The next scheduled meeting for this petition will be on WEDNESDAY, April 24, 2013 at 10:00 A.M in the Taunton Planning Board Office, 15 Summer St., Annex Bldg., at which time the application shall be reviewed by the DIRB and again on Thursday, May 2, 2013 at 5:30 PM at Maxham School Auditorium, 141 Oak St., Taunton, Ma. at which this petition will be reviewed by the Planning Board.

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 508-821-1665

April 10, 2013

Honorable Thomas Hoyer, Mayor  
Members of the Municipal Council  
141 Oak St., Maxham School  
Taunton, Ma. 02780

C/O Rose Marie Blackwell, City Clerk

**RE: Form J Plan – 218R Hart St – Loura**

Dear Mayor Hoyer and Members of the Municipal Council:

Please be advised the Taunton Planning Board a Form J Plan – Waiver of Frontage Requirements for property located at 218R Hart Street – - submitted by Louis Loura, 220A Hart St., Taunton, Ma.

The Taunton Planning Board has scheduled a public hearing on this proposal for **Thursday, May 2, 2013 at 5:30 PM.** at Maxham School, 141 Oak St., Taunton, Ma. in the Chester R. Martin Municipal Council Chambers.

Respectfully,

Daniel P. Dermody, Chairman  
Taunton Planning Board

DPD/djp

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Manuel Gonsalves  
291 Brownell Ave.  
New Bedford, MA  
02740-1606  
[racson@comcast.net](mailto:racson@comcast.net)  
774-328-8180  
580-649-3128

March 28, 2013

City Clerk  
City Council  
141 Oak St.  
Taunton, MA 02780

Dear City Clerk:

I presented this letter to the Airport Commission on March 27<sup>th</sup> 2013.

Sincerely yours,



Manuel Gonsalves  
Private Pilot – Taunton Airport

On Friday March 15<sup>th</sup> I attended the Crosswinds T-Hangars annual meeting. I was very much surprised to hear that there was dissatisfaction with the snow plowing that had occurred after the latest northeaster. The storm exceeded the expectations of the Weather Service. It dumped much more snow than had been forecast.

As soon as the snow stopped falling, the Taunton Airport manager, Dan Raposa, and his assistant, Ted Porada began the snow removal. They cleared the runway and the taxiway. The contract hangar snow removal team cleared the hangar space. As a result of their effort the Taunton Airport was the first in the area to become operational.

When I say the first, I mean before Logan International, before Norwood, before Plymouth, before New Bedford, before Mansfield.

Ron Nation, a pilot at the Taunton Airport launched his aircraft in Virginia and flew up to Taunton. He was the first to use the plowed runway. Let's think about that for a second. Ron Nation had no qualms about flying out of Virginia in the wake of the storm. He had utter confidence that Dan Raposa and Ted Porada and the hangar snow removal team would make Taunton Airport serviceable. Ron Nation's decision is not a light decision, for if Dan Raposa and Ted Porada did not do their job, Ron would have been stranded in the air with no place to land. Note the other fields were not open. Not only was Ron able to land, he was able to taxi to his hangar and park his plane. Since Ron was the first to land on the plowed runway, Ted Porada asked Ron the condition of the runway. Ron reported it was fine.

We pilots take a lot for granted. I know that I have no concern about snowstorms or any other kind of adverse condition. I know the airport management team will always make the field serviceable and I will be able to fly. We pilots have become complacent. I think it is time for all of us, not only the pilots, but all users of the field to acknowledge the tremendous benefit we enjoy because our airport management team is so diligent.

Dan Raposa treats all of us with the same calm even handed temperament. He is always there for us advising us when we have to perform corrective actions, registering our aircraft, getting ready for the annual open house and numerous other functions.

Ted Porada goes beyond his assigned duties. Take a look at the SRE building. He has displayed the recorded history of the field within the building. The First Family of Taunton airport have come to see the display because it depicts the First Family commitment to aviation.

Yes, I think it is high time that we thank our management team for a job well done!!!!

April 18, 2013


10.

Dear Mayor Hoye and Members of the City Council;

My name is Terri Arruda and I live at 1125 Somerset Avenue in Taunton, MA. I am asking permission to speak to all of you regarding an ongoing outrageous water bill that I have been receiving. I have already spoken to several of the council members and to Mr. Cathal O'Brien as well. The numbers on my meters do not match the numbers on my billing statements. My water reduction meter is not being read properly either. Therefore, the sewage reduction is not being subtracted from the regular water usage. Thank you for your consideration to this matter.

Sincerely,

Terri Arruda

  
508-822-1043



Deval L. Patrick, Governor  
Timothy P. Murray, Lt. Governor  
Richard A. Davey, Secretary & CEO  
Frank DePaola, Administrator



CERTIFIED MAIL

April 12, 2013

Taunton City Council  
Taunton City Hall  
141 Oak Street  
Taunton, MA 02780

Dear Council Members:

In accordance with Department of Agricultural Resources (DAR) Regulations regarding Rights of Way Management (333 CMR, Section 11), MassDOT is required to provide a copy of its Yearly Operational Plan (Y.O.P.) with regards to proposed herbicide applications along the State's highway right of ways within all affected cities and towns.

The proposed work will be performed in two (2) phases and is tentatively scheduled to commence as follows:

- 1.) Applied along the State's roadway edging and guardrail sections between June 3<sup>rd</sup> & July 19<sup>th</sup>, 2013.
- 2.) Applied at select locations along State highway as appropriate to address Invasive/Knotweed between August 15<sup>th</sup> and October 1, 2013.

You may now view a copy of the Y.O.P. online at the following web address:

<http://www.massdot.state.ma.us/highway/DoingBusinessWithUs/ManualsPublicationsForms.aspx>

MassDOT is providing a copy of this letter to all applicable cities and town's Chief Elected Official, Board of Health, Conservation Commission and local Public Water supplier. This letter also serves as the 21 day advance public notification as required by section 11.07 of the Rights of Way Management Regulations. A copy of the Environmental Notice is attached for reference.

If you have any questions concerning the Y.O.P., require a hard copy, or assistance with the web-link, please contact Terence Roche, District Snow & Ice/Roadsides Engineer at (508) 884-4224.

Thank you for your assistance in this matter.

Sincerely,

Mary-Joe Perry  
District Highway Director

Encl:

JSA/jsa

cc: MJP, JFR, DAP, MJM, TGR, TMcG, GBatchelor, File

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THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114  
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



DEVAL L. PATRICK  
Governor

TIMOTHY P. MURRAY  
Lieutenant Governor

RICHARD K. SULLIVAN JR.  
Secretary

GREGORY C. WATSON  
Commissioner

Pursuant to the provisions of the **Rights of Way Management Regulations, 333 CMR 11:00**, in order to apply herbicides to control vegetation along rights of way, a 5 year Vegetation Management Plan (VMP) and a Yearly Operational Plan (YOP) must be approved by the (DAR) Department of Agricultural Resources. Therefore, notice of receipt of a YOP and procedures for public review is hereby given as required by Section 11.06 (3).

A Yearly Operational Plan (YOP) has been submitted for: Massachusetts Department of Transportation Highway Division – MassHighway.

This plan has been prepared by and submitted to the Department by:

George Batchelor, Supervisor of Landscape Design  
Massachusetts Department of Transportation - Highway Division  
10 Park Plaza  
Boston, MA 02116

Areas identified in the YOP as locations where treatment of Rights of Way with herbicides will be carried out in calendar year 2013 are:

<i>Route</i>	<i>Municipalities</i>	<i>Target Vegetation</i>
DISTRICT 2		
I-91	Bernardston, Chicopee, Deerfield, Easthampton, Greenfield, Hatfield, Holyoke, Longmeadow, Springfield, West Springfield, and Whately	Guardrail/Barrier/ Curb (GBC)
I-291	Chicopee, Springfield	GBC
I-391	Chicopee	GBC
Route 57 Ramps to Routes 75 and 159	Agawam	GBC
DISTRICT 3		
I-190	Worcester	GBC
I-290	Worcester	GBC
Route 146	Millbury	GBC
	Worcester	GBC
Route 9	Framingham, Natick	GBC
DISTRICT 4		
I-495	Chelmsford, Lowell	GBC
I-95	Wakefield, Lynnfield	GBC
McGrath Hwy	Somerville	GBC
DISTRICT 5		
Route 1	Foxboro, Walpole, Sharon, Norwood	GBC
Route 3	Plymouth, Kingston, Duxbury, Marshfield, Norwell, Pembroke, Rockland, Hanover, Hingham	GBC

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Route 24	Avon, Berkley, Bridgewater, Brockton, Freetown, Raynham, Stoughton, Taunton, West Bridgewater	GBC
I-95	Attleboro, N. Attleboro, Mansfield, Foxboro, Norwood, Sharon, Walpole	GBC
I-295	Attleboro, North Attleboro	GBC
I-495	Wareham, Middleborough, Rochester, Bridgewater, Taunton, Raynham, Norton, Mansfield	GBC

**Public Review**

The Department of Agricultural Resources (DAR) in particular seeks the verification of sensitive area locations reported in the Yearly Operational Plan (YOP). The Department itself has a limited ability to survey the geography, land use, and the water supplies in all the communities through which the rights of way are located. Municipalities, however, have most of this information readily available, and the particular knowledge with which to better certify the sensitive areas in their communities. Therefore, the Department requests, and urges, the assistance of the "affected" municipality in reviewing the completeness and accuracy of the maps contained in the submitted document. The DAR has established the following procedures for this review.

Yearly Operational Plans (YOP) and a copy of this notice will be sent by the applicant to the Conservation Commission, Board of Health (or designated health agent), and to the head of government (Mayor, City Manager, Chair of the Board of Selectmen) of the municipality where herbicides are to be applied along the rights of way during the calendar year 2013. Municipal agencies and officials will have forty-five (45) days following receipt of the YOP to review the maps contained in the document that indicate the location of "sensitive areas not readily identifiable in the field" for inaccuracies and omissions. "Sensitive areas" will be defined as in Section 11.02 a-f. The YOP may be viewed on DAR's website: <http://www.mass.gov>

Municipal agencies and officials are requested to forward the YOP to other appropriate official(s) in their municipality qualified to certify the accuracy of sensitive area locations as indicated on the maps. The maps should be "corrected" and returned to the applicant, also a copy of the maps with these corrections indicated should be sent to the DAR to the address listed below, within the forty-five day review period. If the city or town needs more time to carry out this review, it should send a written request for an extension to the DAR and cite why there is a "good cause" for requesting additional time.

All corrections will be required to be made by the applicant, and corrected maps sent back to the city/town before the YOP can be considered "approved" by the Department for vegetation maintenance in that municipality. Any dispute on the part of the applicant regarding corrections made by municipal authorities should be indicated in writing to the Department and to the city/town which requested the disputed changes within (15) fifteen days of receipt of the request. The Department will decide whether or not YOP should be approved with or without the requested changes. The DAR will consider the "final approval" of a YOP individually for the municipality.

The final (21) twenty-one days of the public review period can serve concurrently to provide public notification as required by section 11.07 of the Rights of Way Management regulations, if the applicant has an approved VMP and if all the requisite city/town offices which have received copies of the YOP have completed their review and corrections have been duly made by the applicant and approved by the Department.

A failure by the city/town to respond to the applicant's submission of the YOP within the forty-five day public review period will be considered by the DAR to indicate agreement by municipal officials with the sensitive area demarcations as provided by the applicant in their YOP.

Any questions or comments on the information provided in this Notice and the procedures established for the municipal review as outlined above, should be addressed to:

Michael W. McClean  
Right of Way Program  
Massachusetts Department of Agricultural Resources  
Pesticide Bureau  
251 Causeway Street, Suite 500  
Boston, Massachusetts 02114

Any additional questions or comments on any information provided as part of the proposed YOP should be addressed in writing to:

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George Batchelor, Supervisor of Landscape Design  
Massachusetts Department of Transportation - Highway Department  
10 Park Plaza  
Boston, MA 02116

A copy should be sent to the Right of Way program at the above address.

**COMMENT PERIOD ENDS AT THE CLOSE OF BUSINESS, Friday, May 24, 2013**



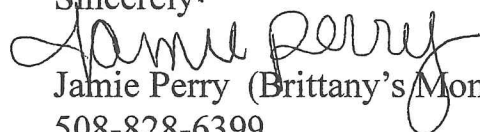
April 8, 2013

Dear Mayor Hoye & City Council Members,

The reason for the letter is to request a police escort for Brittany's Ride which will be held on Sunday, June 2, 2013 at the P.A.C.C here in Taunton. This event is held in memory of Brittany Freitas who lost her battle with Juvenile Huntington's Disease. The ride will leave at 12 noon. We would like to have Taunton officers to lead the riders. If there is anyone able to do this, please contact us at either of the #'s listed below.

Thank you for your time,

Sincerely,

  
Jamie Perry (Brittany's Mom)  
508-828-6399  
508-673-5331



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**CITY OF TAUNTON**  
MASSACHUSETTS

-----  
**PARKS, CEMETERIES & PUBLIC GROUNDS**

**Marilyn A. Greene**  
*Commissioner*

170 Harris Street  
Taunton, MA 02780  
(508) 821-1415  
FAX (508) 821-1065  
E-mail:  
pcpdir@tmlp.net

April 19, 2013

Mayor Thomas C. Hoye Jr. and  
Members of the Municipal Council  
Temporary City Hall  
141 Oak Street  
Taunton, MA 02780

Dear Mayor Hoye and Council Members:

I have received your communication from the Municipal Council regarding the trash along the Frederick R. Martin Sr. Parkway.

The department is responsible for the general upkeep and maintenance of this site. We have continued to clean this area on a 7-10 day basis.

This area has continued to be an issue due to the homeless population as well as passing pedestrians who toss liter out of their vehicles. We have removed all debris left by the homeless on several occasions however they quickly return to this area.

At this time I am unable to assign more than a weekly cleaning of this area. As most of you are aware, the department is working with a maintenance staff of (7) seven full-time employees.

Sincerely,

Marilyn A. Greene, Commissioner



CITY OF TAUNTON  
MASSACHUSETTS

-----  
PARKS, CEMETERIES & PUBLIC GROUNDS

Marilyn A. Greene  
Commissioner

170 Harris Street  
Taunton, MA 02780  
(508) 821-1415  
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pcpgdir@tmlp.net

April 19, 2013

Mayor Thomas C. Hoye Jr. and  
Members of the Municipal Council  
Temporary City Hall  
141 Oak Street  
Taunton, MA 02780

Dear Mayor Hoye and Council Members

Per your request dated April 16, 2013 regarding the roadside weed program, enclosed is a copy of the completed Yearly Operational Plan (YOP) for the City of Taunton. This plan meets the Massachusetts Department of Agricultural requirement for the removal of vegetation along city roadways. The YOP and a copy of this notice is also available with the Conservation Agent and Board of Health.

As in the past, this plan allows for the city to submit a Yearly Operational Plan (YOP) for roadside spraying. The city has submitted a YOP for herbicide treatment as stated in Appendix A.

The YOP will be published in the Environmental Monitor on May 8, 2013 and both documents should be retained for your records. The City of Taunton is required to post these documents which allows for a forty-five (45) comment period.

If you have further questions or concerns, feel free to contact me.

Sincerely,

Marilyn A. Greene, Commissioner



**City of Taunton**  
**2013 Yearly Operational Plan**

Submitted by:  
City of Taunton  
Parks, Cemeteries & Public Grounds Department

Marilyn A. Greene, Commissioner

April 8, 2013

## **Yearly Operational Plan**

A yearly operational plan (YOP) must be submitted to the Department of Agricultural Resources (DAR) every year herbicides are intended for use to maintain public ways (right-of-way). The YOP provides a detailed program for vegetation management including the methods used to identify target vegetation and sensitive areas, planned treatment methods, herbicides and herbicides mixtures and rates for the year.

A five year Vegetation Management Plan (VMP) will be available for review at the Parks, Cemeteries & Pubic Grounds Office, Board of Health, Conservation Commission and Mayor.

Upon receipt of this YOP, the DAR publishes a notice in the Environmental Monitor. The City must also provide a copy of the proposed YOP and Environmental Monitor notice to the Board of Health, Conservation Commission, and Mayor. The Department allows a 45-day comment period on the proposed YOP beginning with the publication of the notice and receipt of the YOP and Environmental Monitor notice.

Public notification of herbicide application is made at least 21 days prior to the treatment(s) by a separate notice. This Notice is made to the Department of Agricultural Resources, Mayor, Board of Health, the Conservation Commission and the Public Water Supplier.

A Newspaper Notice will also be made at least 48 hours in advance of the treatment(s).

Any comments on this YOP should be made to the person designated herein as the person supervising the YOP or the person performing the treatment.

1. INTRODUCTION

In compliance with Commonwealth of Massachusetts' Rights-of-Way Vegetation Management Regulations (333 CMR 11.00) the City of Taunton's Yearly Operational Plan (YOP) details our vegetation management program for 2012. This YOP is consistent with the terms and procedures set forth in the 2011-2015 Vegetation Management Plan (VMP) for the City of Taunton; with the Massachusetts Pesticide Control Act (Chapter 132B); with all pertinent clauses in Chapter 85 of the Acts of 2000; and with all acts and regulations that apply to public-way (right-of-way) vegetation management.

Vegetation growing along curbing's, within and around paved traffic islands, in cracks in the asphalt, under guiderails along roadways and in areas that cannot be mowed is of a growing concern in Taunton. These areas, along with Poison Ivy and other public nuisance vegetation, can be effectively controlled with the use of herbicide applications.

These treatments will be done under the supervision of a contracted certified applicator in compliance with the public way Integrated Vegetation Management (IVM) program and protocols described in Taunton's VMP.

In order of preference, an Integrated Vegetation Management program on public ways is a combination of cultural, physical, mechanical, and chemical management techniques that control undesirable vegetation in an ecologically sound manner. As with all IVM programs, this program is designed to maximize control of undesirable vegetation while minimizing any potential impact to the environment.

2. THE INDIVIDUAL THAT WILL PERFORM AND SUPERVISE THE HERBICIDE TREATMENT

A licensed herbicide applicator under contract with the City of Taunton will perform the herbicide treatment. Applicators will be certified by the Massachusetts Department of Agricultural Resources.

The Individual who will supervise the YOP and perform herbicide treatment in conjunction with qualified contractors:

Frederick J. Caiozzo,  
Rights of Way Consultant  
Parks, Cemeteries & Public Grounds Department  
170 Harris Street  
Taunton, MA 02780  
Phone: 508-821-1415

The City of Taunton and the contractor will be responsible to insure that the vegetation management activities are conducted in a professional, safe and efficient manner. Special attention will be directed towards minimal environmental impact.

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The contractor selected will be qualified and licensed to apply herbicides. "Qualified" means those personnel who have been trained to recognize and identify target and non-target vegetation and are knowledgeable in the safe and proper use of both mechanical and chemical vegetation management techniques.

All contract personnel will also follow all label instructions regarding Personal Protective Equipment (PPE). Applicators will at all times exercise good judgment and common sense during herbicide treatment activities and will immediately stop operations if adverse conditions or other circumstances warrant.

The City of Taunton will rely on the independent contractors and the City operator listed in the YOP for vegetation.

### **3. LOCATION OF INTENDED HERBICIDE TREATMENT(S)**

For 2012, the primary treatment areas include, but are not limited to cracks in asphalt, along guiderails, along curbing, within and around paved traffic islands, between sidewalks and the adjacent curbing, and wherever public nuisance vegetation, particularly Poison Ivy is causing a public hazard.

Planned treatment areas and known *Sensitive Areas* are included in the map of Taunton included on the map provided.

A Taunton street listing is also included in Appendix A to cover potential treatment locations for public nuisance and vegetation posing a risk to public safety. Especially for Poison Ivy, predicting the location of all target vegetation along public ways in advance of the active growing season is not possible or practical. In an effort to limit the application of herbicides only to areas that require treatment, the town will, therefore, conduct patrols and treat only those areas in which vegetation poses a public nuisance and/or poses a safety risk to pedestrian or vehicular safety and which cannot be practically treated by the other methods listed in the VMP.

### **4. IDENTIFICATION OF TARGET VEGETATION**

The target vegetation for this YOP will be poison ivy and vegetation growing between curbing and sidewalks that pose a safety risk to pedestrian or vehicular safety. Vegetation management crews will exercise care to insure that low-growing vegetation and other non-target organisms are not unreasonable affected by the application of herbicides.

#### ***Nuisance Grass and Herbaceous Growth***

In most instances grass is a desirable plant species. Along the shoulders of roads, grass growth is encouraged and maintained through mechanical mowing. However, in some instances, grasses and other herbaceous plants can be identified as targets in areas where they cause a safety risk. These areas include, but are not limited to along curbing, cracks

in asphalt, along guiderails, within and around paved traffic islands, and between sidewalks and the adjacent curbing.

***Public Nuisance Vegetation***

Public nuisance vegetation includes, but is not limited to poisonous and noxious plant species growing along public ways that pose a health hazard. Noxious vegetation poses a risk to safety and health because of heavy thorns, dense foliage and/or impenetrable stems; examples include but are not limited to Multiflora Rose, Common and Glossy Buckthorn, and Blackberries. Although not the only target species of concern, Poison Ivy is the dominant poisonous plant community along public ways that requires control.

***Vegetation Posing a Risk to Safety***

Vegetation that hampers visibility or impedes movement along public ways often poses a risk to public safety. M.G.L. Chapter 87, Section 5 authorizes tree wardens to have control of “all public shade trees, shrubs, and growths” along public ways. This includes woody plant species and invasive species. A short list of examples includes all tree species considered “street trees”, all shrubs, vines and more specifically, invasive species, particularly Autumn Olive, Japanese Knotweed, Bittersweet and Multiflora Rose. Please note that only vegetation less than 12 feet tall may be foliar treated.

**5. DEFINITION, IDENTIFICATION AND TREATMENT OF SENSITIVE AREAS**

The general definition of *sensitive areas* regulated by 333 CMR 11.04 is as follows:  
...any areas within Rights-of-Way, including No-Spray and Limited-Spray Areas, in which public health, environmental or agricultural concerns warrant special protection to further minimize risks of unreasonable adverse effects.

Protecting these environmentally sensitive sites is accomplished by defining specific *sensitive areas* and establishing buffer zones and treatment restrictions within their borders according to Table 1 below. These *sensitive areas* consist of no-spray zones in which herbicide use is prohibited, larger, limited spray areas where herbicide use is permitted under certain conditions and areas that require special treatment recommendations.

Treatment in limited spray areas require the use of herbicides from the *Sensitive Area Materials List* available at: [www.mass.gov/agr/pesticides/rightofway/index.htm](http://www.mass.gov/agr/pesticides/rightofway/index.htm), following the application restrictions in 333 CMR 11.04 which includes applying minimum labeled herbicide application rate for the control of target species.



**TABLE 1: CONTROL STRATEGIES FOR SENSITIVE AREAS**

Table Compiled by Jeffrey M. Taylor, Vegetation Control Service, Inc.

Sensitive Area	Limited Spray and No-Spray Areas (feet)	Control Method	Restriction Code
Public Ground Water Supplies	400'	Mechanical Only	None
Primary Recharge Area	Designated buffer zone or 1/2 mile radius	Mechanical, Recommended Herbicides*	24 months
Public Surface Water Supplies (Class A & Class B)	100' 100'-400'	Mechanical Only Recommended Herbicides	None 24 months
Tributary to Class A Water Source, within 400' upstream of water source	100' 100'-400'	Mechanical Only Recommended Herbicides	None 24 months
Tributary to Class A Water Source, greater than 400' upstream of water source	10' 10'-200'	Mechanical Only Recommended Herbicides	None 24 months
Class B Drinking Water Intake, within 400' upstream of intake	100' 100'-200'	Mechanical Only Recommended Herbicides	None 24 months
Private Drinking Water Supplies	50' 50'-100'	Mechanical Only Recommended Herbicides	None 24 months
Surface Waters	10' 10'-100'	Mechanical Only Recommended Herbicides	None 24 months
Rivers	10' from mean annual high water line 10'-200'	Mechanical Only  Recommended Herbicides	None  12 months
Wetlands	10' 10'-100' [with approved Wetlands Determination per 310 CMR 0.05(3)(a) & 310 CMR 0.03(6)(b)]	Mechanical Only Low-pressure Foliar, CST, Basal, Recommended Herbicides	None 24 months
Inhabited Areas	100' (for high-pressure foliar only)	Recommended Herbicides	12 months
Agricultural Area (Crops, Fruits, Pastures)	100' (for high-pressure foliar only)	Recommended Herbicides	12 months
Certified Vernal Pools	10'	Mechanical Only when water is present	None
Certified Vernal Pool Habitat	10'-outer boundary of habitat	No treatment without approval	
Priority Habitat	No treatment outside the 4 foot paved road exemption without approval of the Natural Heritage Endangered Species Program (NHESP)		

\*Massachusetts recommended herbicides for sensitive sites

**Identification Methods**

As appropriate, *Sensitive Areas* will be identified and marked in the field by trained and experienced individuals.

Two simple descriptions guide the complex identification of the *sensitive areas* defined in 333 CMR 11.04: *Readily identifiable in the field* and *Not readily identifiable in the field*. Readily identifiable in the field areas will be treated, identified and when appropriate, marked according to all applicable restrictions listed in 333 CMR 11.00. Not readily identifiable in the field areas will likewise be treated and marked when appropriate, but they are identified by the use of data marked on maps and collected in the YOP and notification processes before the time of treatment.

The individual(s) assigned the task of identifying and treating *Sensitive Areas* in the field will use the appropriate sources and methods from the following list:

- Town maps, records and institutional knowledge
- Massachusetts Department of Environmental Protection water supply maps and/or GIS mapping layers available through MassGIS
- Water Department, Department of Agricultural Resources (DAR) and Board of Health maps and lists of identified private wells along the ROW
- Correspondence, meetings and input within the forty-five day YOP and twenty-one day municipal right-of-way notification letter review and comment periods and the 48 hour newspaper notification (under 333 CMR 11.06 & 11.07 and Chapter 85 of the Acts of 2000)
- Prior to treatments, an advance point person will verify, identify and where appropriate mark *Sensitive Areas* and any additional areas that may require special precautions
- USGS topographical maps
- Information from MassGIS
- When necessary, confidential information from NHESP
- The assistance of the Conservation Commission
- A copy of the YOP and VMP.

**6. PROPOSED HERBICIDE TREATMENT METHODS**

As identified in the City of Taunton’s VMP, most of the treatment methods are handled using mechanical or hand tools. The proposed method of treatment for the identified areas included in this plan for 2012 will consist of the following:

***Chemical (Herbicide Application) Methods:***

1. **Foliar Treatments:** the selective application of herbicides diluted in water, to the foliage of target vegetation. Two types of equipment for foliar treatments are used: Low volume and high volume. Both treatments use low pressure, below 60

psi at the nozzle, for applications. Foliar applications take place when leaves are fully developed in the spring until early fall.

- a. **Low volume foliar treatments** use a hand pump sprayer or squirt bottles. The herbicide solution is applied to lightly wet the target plant, not to the point of run-off.
  - b. **High volume foliar treatments** use truck or tractor mounted application equipment that delivers the herbicide solution through nozzles attached to a hose or boom-mounted equipment. The herbicide solution is sprayed to thoroughly wet the target vegetation using a water based herbicide mixture from a tank and pump on the application vehicle.
2. **Pre-emergent Treatments:** the use of pre-emergent herbicides using the same equipment described in the “foliar treatments” above. Pre-emergent applications are used where season long vegetation control requires “vegetation-free conditions” such as along curbing, sidewalks, under guiderails and on paved traffic islands. Usually, pre-emergent treatments are used in conjunction with foliar applications.

**7. PROPOSED HERBICIDES, CARRIERS, ADJUVANTS AND RATES**

Only Commonwealth of Massachusetts recommended herbicides listed below for use in *Sensitive Areas*—pursuant to 333 CMR 11.04 (1)(d) will be used throughout the town. Complete information on these products is included in Appendix C, Fact Sheets and Appendix D, Labels.

**Table 2: Tank Mix #1 for Curbing, Cracks, Guiderail, Traffic Island Treatments (General Weed Control)**

Herbicides & Adjuvants	Active Ingredient	Mix Concentration (per 100 gals. water)
Accord Concentrate	Glyphosate	2-5%
Oust Extra	Sulfometuron Methyl and Metsulfuron-Methyl	10 oz.
Induce (surfactant)	n.a.	64 oz.
Loveland's 38F or other drift retardant	n.a.	4-16 oz.

**Table 3: Tank Mix #2 for Poison Ivy**

Herbicides & Adjuvants	Active Ingredient	Mix Concentration (per 100 gals. water)
Accord Concentrate	Glyphosate	2-5%
Escort XP	Metsulfuron-Methyl	1.25 oz.
Induce (surfactant)	n.a.	64 oz.

Loveland's 38F or other drift retardant	n.a.	4-16 oz.
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**Table 4: Tank Mix #3 for Poison Ivy**

Herbicides & Adjuvants	Active Ingredient	Mix Concentration (per 100 gals. water)
Garlon 4*	Triclopyr	4%
Induce (surfactant)	n.a.	64 oz.
Loveland's 38F or other drift retardant	n.a.	4-16 oz.

**8. HANDLING, MIXING AND LOADING HERBICIDE CONCENTRATES**

All herbicides will be handled, mixed and applied strictly by *Label Instructions* and in compliance with all applicable federal and state laws and regulations. All herbicide mixing should be done at the PCPG garage and extreme care shall be exercised during all mixing, handling and loading in order to prevent careless spills or splashes. No herbicide concentrates will be mixed, handled or loaded on a ROW within one hundred (100) feet of a Sensitive Area.

Although it is expected that all the mixed herbicide will be used, any remaining will be stored in accordance with manufacturer’s instructions.

**9. ALTERNATE CONTROL TECHNIQUES**

Vegetation management in Taunton is a primarily mechanical treatment techniques program, as described in the VMP.

**Monitoring:** All public ways will be surveyed prior to any scheduled treatment program. Monitoring will be conducted by foot or by vehicle. Monitoring of areas may also result from public requests.

**Maintenance:** All roads will be cleaned annually by the Department of Public Works (DPW) using a street sweeper. Cracking asphalt and sidewalks and other right-of-way defects will be repaired. Ground cover will be used where appropriate to assist in the prevention of undesirable target vegetation growth.

**Record Keeping:** A log of surveyed areas will be kept for future planning and reference purposes. Areas maintained either through physical repair, mechanical or chemical control will be monitored and recorder by the PCPG Department.

**Control Methods:** The decision to use one or a combination of vegetation control techniques will depend upon the site-specific situation. The management tactics selected will control nuisance vegetation in the most environmentally and efficient manner:

A. Physical Controls

1. Sealing cracks
2. General right-of-way repairs
3. Use of ground cover where appropriate
4. Cleaning ditches
5. Street sweeping

B. Mechanical Controls

1. Selective pruning
2. Ground cutting
3. Mowing

C. Chemical Controls

1. Cut stump treatments
2. Low pressure foliar treatments
3. Basal treatments
4. Turf retardants/broadleaf weed control.

## 10. TREATMENT RECORDS

The certified applicator must complete daily vegetation management reports that include:

- A. Date, name and address of certified applicator(s)
- B. Identification of site or work area
- C. List of crew members
- D. Type of equipment and hours used
- E. Method of application and description of target vegetation
- F. Amount, concentration, product name of herbicide(s), adjuvants, and dilutants (EPA registration numbers must be on file)
- G. Weather conditions
- H. Notation of any unusual conditions or incidents, including public inquiries
- I. Recording and/or verification of sensitive areas on ROW maps

## 11. REMEDIAL PLAN TO ADDRESS SPILLS AND RELATED ACCIDENTS

This section is offered as a general procedural guide for responding to chemical spills or related accidents (related accidents include but are not limited to fire, poisoning and vehicle accidents). The following is, therefore, a guide to the items that *shall be* available to the applicator on site in the event of a chemical spill or emergency.

Although education and attention will constantly be directed at accident and spill prevention, in the event of a spill, immediate action will be taken to contain the spill and protect the spill area (Appendix E: *Herbicide Spill Check List* shall be available on-site to the applicator). Until completely clean, the spill area will be protected by placing barriers, flagging or crew members at strategic locations, as appropriate. If a fire is involved, care will be taken to avoid breathing fumes from any burning chemicals.

Minor spills will be remedied by soaking up the spill with adsorption clay or other adsorptive material and placed in leak proof containers, removed from the site and disposed of properly. Dry herbicides, such as granulars, will be swept up or shoveled up directly into leak proof containers for proper disposal. When applicable, all contaminated soil will be placed in leak proof containers, removed from the site and disposed of properly. When applicable, activated charcoal will be incorporated into the soil at the spill location at a rate of several pounds per thousand square feet to inactivate any herbicide residue. Any minor spill will be reported to the DAR, Pesticide Bureau.

Major spills will be handled in a similar manner as minor spills, except in cases where the spill cannot be contained and/or removed by the crew. In this case the Southeast Department of Environmental Protection Emergency Response Section and the Pesticide Bureau must be contacted.

### ***Types of Chemical Spills that Require Action***

Chemicals include, but are not limited to the following:

- Herbicides
- Bar and Chain Oil
- Motor and Hydraulic Oil/Fluids
- Diesel Fuel
- Gasoline
- Title 3 Hazmat Materials

### ***Required Spill Response Equipment***

As a minimum, the treatment crew should have available on the job site:

- YOP with Emergency Contact List
- MSDS
- Product Label
- Product Fact Sheets (when applicable)
- Appropriate absorbent material
- Shovel
- Broom
- Flagging
- Leak Proof Container
- Heavy-duty Plastic Bags

### ***Personal Contact***

In the event of **Personal Contact** with hazardous chemicals:

- Wash affected area with plenty of soap and water
- Change clothing which has absorbed hazardous chemicals
- If necessary, contact a physician
- If necessary, contact the proper emergency services
- If necessary, follow the procedures for Major or Minor Spills as outlined below
- Avoid breathing the fumes of hazardous chemicals

### ***Reference Tables (information subject to change as necessary)***

**Table 5: Herbicide Manufacturers**

MANUFACTURER	TELEPHONE NUMBER	SPECIAL INSTRUCTIONS
Dow Agro Sciences	(800) 992-5994	
E.I. du Pont de Nemours and Co.	(800) 441-3637	Medical Emergencies

**Table 6: State Agencies**

STATE AGENCY	TELEPHONE NUMBER	SPECIAL INSTRUCTIONS
DAR, Pesticide Bureau	(617) 626-1700	A.S.A.P. (within 48 hours)
Massachusetts Department of Environmental Protection, Emergency Response Section	Main Office: (888) 304-1133  Southeast Region: (508) 946-2700	For emergencies involving reportable quantities of hazardous materials, call within 2 hours. Required info: City/town, Street address, Site name (if applicable), material, quantity released, environment impacted
Massachusetts Poison Information Centers	800-682-9211	for medical emergencies involving suspected or known pesticide poisoning symptoms

**Table 7: Emergency Services**

EMERGENCY SERVICE	TELEPHONE NUMBER	SPECIAL INSTRUCTIONS
Massachusetts State Police - Middleboro	(508) 993-2016	
City of Taunton Emergency	911	
ChemTrec	(800) 424-9300	
Clean Harbors	(800) OIL-TANK	
Pesticide Hotline	(800) 858-7378	PST: 6:30 am-4:30 pm, web: www.NPIC.orst.edu

**City of Taunton contact(s) in the case of a spill or accident:**

Police Department  
Call: 508-822-7522

Fire Department  
Call: 508-824-4022

Board of Health  
Call: 508-821-1400

**Proposed YOP Locations for Roadside Spraying**

**Summer, 2013**

**Appendix A**

**Locations of Intended Herbicide Treatments**

- Rte. 140 (Alfred Lord Blvd. to County Street)
- Rte. 44 (Winthrop Street to Dean Street Railroad Track)
- Rte. 138 (Baker Road to East Britannia Street)
- Rte. 138 (Bay Street to 1182 Bay Street)
- Middleboro Ave (Hart & Middleboro Ave. to Caswell Street)

**New Sites, August 2013**

- Arlington Street Corner of School & Floral Street to Rte. 44
- Gordon Owen Riverway Rte. 44 to Rte 140 County Street
- Norton Avenue Tremont to Harvey Street
- Harvey Street Tremont to Industrial Park
- Scadding Street Bay Street to Field Street
- Prospect Hill Street Scadding Street to Field Street
- Washington Street Tremont Street to Bay Street



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources  
251 Causeway Street, Suite 500, Boston, MA 02114  
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



DEVAL L. PATRICK Governor      TIMOTHY P. MURRAY Lieutenant Governor      RICHARD K. SULLIVAN JR. Secretary      GREGORY C. WATSON Commissioner

NOTICE

Pursuant to the provisions of the **Rights of Way Management Regulations, 333 CMR 11:00**, in order to apply herbicides to control vegetation along rights of way, a 5 year Vegetation Management Plan (VMP) and a Yearly Operational Plan (YOP) must be approved by the (DAR) Department of Agricultural Resources. Therefore, notice of receipt of a YOP and procedures for public review is hereby given as required by Section 11.06 (3).

A Yearly Operational Plan (YOP) has been submitted for: The City of Taunton

This plan has been prepared by and submitted to the Department by: Marilyn A. Greene, Commissioner, City of Taunton Parks, Cemeteries & Public Grounds Department.

Areas identified in the YOP as locations where treatment of Rights of Way with herbicides will be carried out in calendar year 2013 are: Streets and Roads in the City of Taunton

Public Review

The Department of Agricultural Resources (DAR) in particular seeks the verification of sensitive area locations reported in the Yearly Operational Plan (YOP). The Department itself has a limited ability to survey the geography, land use, and the water supplies in all the communities through which the rights of way are located. Municipalities, however, have most of this information readily available, and the particular knowledge with which to better certify the sensitive areas in their communities. Therefore, the Department requests, and urges, the assistance of the "affected" municipality in reviewing the completeness and accuracy of the maps contained in the submitted document. The DAR has established the following procedures for this review.

The YOP and be viewed on the web at [www.mass.gov/agr](http://www.mass.gov/agr)

YOP and a copy of this notice will be sent by the applicant to the Conservation Commission, Board of Health (or designated health agent), and to the head of government (Mayor, City Manager, Chair of the Board of Selectmen) of the municipality where herbicides are to be applied along the rights of way during the calendar year 2013. Municipal agencies and officials will have forty-five (45) days following receipt of the YOP to review the maps contained in the document that indicate the location of "sensitive areas not readily identifiable in the field" for inaccuracies and omissions. "Sensitive areas" will be defined as in Section 11.02.

Municipal agencies and officials are requested to forward the YOP to other appropriate official(s) in their municipality qualified to certify the accuracy of sensitive area locations as indicated on the maps. The maps should be "corrected" and returned to the applicant, also a copy of the maps with these corrections indicated should be sent to the DAR to the address listed below, within the forty-five day review period. If the city or town needs more time to carry out this review, it should send a written request for an extension to the DAR and cite why there is a "good cause" for requesting additional time.

All corrections will be required to be made by the applicant, and corrected maps sent back to the city/town before the YOP can be considered "approved" by the Department for vegetation maintenance in that municipality. Any dispute on the part of the applicant regarding corrections made by municipal authorities should be indicated in writing to the Department and to the city/town which requested the disputed changes within (15) fifteen days of receipt of the request. The Department will decide whether or not YOP should be approved with or without the requested changes. The DAR will consider the "final approval" of a YOP individually for the municipality.

The final (21) twenty-one days of the public review period can serve concurrently to provide public notification as required by section 11.07 of the Rights of Way Management regulations, if the applicant has an approved VMP and if all the requisite city/town offices which have received copies of the YOP have completed their review and corrections have been duly made by the applicant and approved by the Department.

A failure by the city/town to respond to the applicant's submission of the YOP within the forty-five day public review period will be considered by the DAR to indicate agreement by municipal officials with the sensitive area demarcations as provided by the applicant in their YOP.

Any questions or comments on the information provided in this Notice and the procedures established for the municipal review as outlined above, should be addressed to:

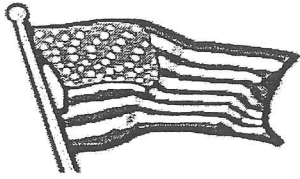
Michael W. McClean  
Right of Way Program  
Massachusetts Department of Agricultural Resources  
Pesticide Bureau  
251 Causeway Street, Suite 500  
Boston, Massachusetts 02114

Any additional questions or comments on any information provided as part of the proposed YOP should be addressed in writing to:

Marilyn A. Greene  
Commissioner  
Taunton Parks, Cemeteries & Public Grounds  
170 Harris Street  
Taunton, Massachusetts 02780

A copy should be sent to the Right of Way program at the above address.

**COMMENT PERIOD ENDS AT THE CLOSE OF BUSINESS, Friday, June 21, 2013**



RECEIVED  
CITY CLERK'S OFFICE

2013 APR 19 A 9:51

TAUNTON, MA

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CITY CLERK

APRIL 23, 2013

HONORABLE THOMAS C. HOYE, JR., MAYOR  
COUNCIL PRESIDENT JOHN M. McCAUL  
AND MEMBERS OF THE MUNICIPAL COUNCIL

PLEASE NOTE:

THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR TUESDAY, APRIL 23, 2013 AT 5:30 P.M. AT THE TEMPORARY CITY HALL AT MAXHAM SCHOOL, 141 OAK STREET, TAUNTON, MA. 02780, IN THE CHESTER R. MARTIN MUNICIPAL COUNCIL CHAMBERS

THE COMMITTEE ON FINANCE & 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

PLEASE NOTE:

A "MEETING" OF THE ENTIRE MUNICIPAL COUNCIL, AS SAID TERM IS DEFINED IN MASS. GEN. L. C. 30A, §18 MAY OCCUR CONCURRENTLY WITH THIS COMMITTEE MEETING

THE COMMITTEE OF THE COUNCIL AS A WHOLE

1. MEET WITH THE ASSESSOR TO DISCUSS ACCEPTANCE OF MGL CHAPTER 59, SECTION 5N
2. MEET TO REVIEW MATTERS IN FILE

RESPECTFULLY,

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES