

APRIL 6, 2015

HONORABLE THOMAS C. HOYE, JR., MAYOR COUNCIL PRESIDENT ESTELE BORGES AND MEMBERS OF THE MUNICIPAL COUNCIL

PLEASE NOTE:

THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR MONDAY, APRIL 6, 2015 AT 5:00 P.M. AT THE TEMPORARY CITY HALL AT MAXHAM SCHOOL, 141 OAK STREET, TAUNTON, MA. 02780, IN THE

CHESTER R. MARTIN MUNICIPAL COUNCIL CHAMBERS

5:00 P.M.

THE COMMITTEE ON FIRES & WIRES

1. MEET TO INTERVIEW FIREFIGHTER CANDIDATES

2. MEET TO REVIEW MATTERS IN FILE

PLEASE NOTE:

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

RESPECTFULLY,

COLLEEN M. ELLIS

CLERK OF COUNCIL COMMITTEES

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MUNICIPAL COUNCIL AGENDA TEMPORARY CITY HALL 141 OAK STREET, TAUNTON, MA 02780

APRIL 7, 2015 – 7:00 PM

INVOCATION ROLL CALL RECORDS

HEARING:

NONE

COMMUNICATIONS FROM THE MAYOR

• Presentation of proclamation for Earth Day

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

Pg. 1	Com. from Fire Chief – Surplus Vehicle Request
Pg. 2-9	Com. from Assessor – Taunton Veteran Tax Payoff Program
Pg. 10	Com. from Chairman, Taunton Planning Board – Notifying of Public Meeting
Pg. 11-12	Com. from Police Chief – Tentative schedule for Municipal Parking Deck

COMMUNICATIONS FROM CITIZENS

Pg. 13	Com. from Representative Shaunna O'Connell, State House, Room 237,
	Boston – S.A.F.E Kids Fun Day

Pg. 14 Com. from Ernest Cardoza, 5 New Carver St., Raynham – Extending an invitation

PETITIONS

Billiard Table License

Petition submitted by Alan Medeiros, Treasurer, Italian Social Club of Taunton, Inc. located at 2 Columbus Blvd., Taunton requesting a **RENEWAL** of their Billiard Table License. (1 Table)

Petition submitted by Nancy Medas, 71 Disamar Rd., Taunton requesting a **RENEWAL** of her Billiard Table License for Atlantic Café, Inc. located at 10 Plain St., Taunton. (2 **Tables**)

Petition submitted by Jeffrey Smith, 16 Clifton St., Taunton requesting a **RENEWAL** of his Billiard Table License for Smitty's Sports Pub, Inc. located at 445 Bay St., Taunton. (2 Tables)

Pawn Broker, Old Gold, Second Hand Article Licenses

Petition submitted by Denis Tetrault, 39 Well Meadow Way, Tiverton requesting a **RENEWAL** of his Old Gold, Pawn Broker and Second Hand Article Licenses for Tetrault Enterprises, Inc. —dba- Fall River Pawn Brokers located at 48 Taunton Green.

Livery License

Petition submitted by Gabriel Pires, 29 Orchard St., Taunton requesting a RENEWAL of his Livery License for Link Transport Systems, Inc. located at 447 Broadway, Taunton. (7 Vehicles all kept at 447 Broadway)

Claims:

Claim submitted by Derek Dagesse, 38 Gilmore St., Raynham seeking reimbursement for damages to his property located at 396-400 Bay St., Taunton as a result of a city water main break under Bay Street in February.

Claim submitted by Manuel Delgado, 36 Malcolm Circle, Taunton seeking reimbursement for damages to his fence from a snow plow pushing extreme amounts of snow into it.

Claim submitted by Jack Rosato, 84 Wood St., Rehoboth seeking reimbursement for damages to his automobile from hitting a pothole on Fremont Street near Forekicks.

Claim submitted by Nicholas Gomes, 207 Winthrop St. Apt. 6, Taunton seeking reimbursement for damages to his automobile from hitting a pothole near 37 Plain Street, Taunton.

Claim submitted by Kyla Valcovic, 210 Seekell St., East Taunton seeking reimbursement for damages to her automobile from hitting a pothole on Staples Street near the entrance to Powhatten Estates.

Claim submitted by Michael Dantowitz, 18 Meadowlark Dr., Middleboro seeking reimbursement for damages to his automobile from hitting a pothole near 30 Plain Street.

Claim submitted by Christopher and Courtney Lopes, 320 Crane Ave. South seeking reimbursement for damages to their automobile from hitting a pothole on Crane Ave., South near the railroad tracks.

Claim submitted by Michael Andrews, 483 Bay St., Taunton seeking reimbursement for damages to his automobile from hitting a pothole near 57 Linden Street, Taunton.

Claim submitted by Patricia Rodriguez, 29 Granite St., Taunton seeking reimbursement for damages to her automobile from hitting a pothole on Oak St. near the vicinity of 189 Highland St., Taunton.

Claim submitted by Joshua Mont-Rond, 262 Broadway, Taunton seeking reimbursement for damages to his automobile from hitting a pothole on Hart Street near the Bridge.

COMMITTEE REPORTS

UNFINISHED BUSINESS

ORDERS, ORDINANCES AND RESOLUTIONS

NEW BUSINESS

Respectfully submitted,

Rose Marie Blackwell

City Clerk



Timothy J. Bradshaw

Chief of Department

KATE GOVER
Administrative Assistant

March 30, 2015

Estele Borges, Council President and Taunton City Council Members Taunton City Hall 141 Oak Street Taunton, MA 02780

RE: Surplus Vehicle Request

Dear Council President and Honorable Council Members;

I would like to inform you that the 1997 Ford Expedition that has served the Department for almost 20 years is no longer needed. The SUV served as the Deputy Chief's command vehicle for many years and then was used as an auxiliary/transport car for the Department. The overall condition of the vehicle is poor and it is in need of a brake relining and four new tires. To complete these repairs would be an inefficient use of Department funds. I would like to declare this asset as surplus.

CITY OF TAUNTON

FIRE DEPARTMENT

50 School Street Taunton, MA 02780 Tel. (508) 821-1452 • Fax (508) 821-1495

If no other use for the vehicle can be found I would ask that it be donated to the Training Office for our upcoming Jaws of Life Training. There it would be allowed to serve the Department one last time. I'm sure I can get one of the salvage yards that we often purchase wrecks for training from to haul the vehicle away free of charge after our training is complete.

Respectfully,

Timothy J Bradshaw

Taunton Fire

Chief of Department



CITY OF TAUNTON BOARD OF ASSESSORS CITY HALL

141 Oak Street Taunton MA 02780 Tel (508) 821-1011 Fax (508) 821-1096

Scott DeSantis, Chairperson Lisa LaBelle Richard Conti

March 30, 2015

To: Rose Marie Blackwell

City Clerk

The Board of Assessors reviewed your correspondence of March 23, 2015 (attached) with the subject of a Taunton Veteran Tax Payoff Program. The Massachusetts General Law (M.G.L.) Chapter 59 §5N (attached) details how the Mayor with the approval of the Council can adopt such a measure. Also attached is M. G. L. Ch. 4 §7 Clause 43 which details the qualifications for said program.

This seems to fulfill your request, however, if there is any additional information you may require please contact our office.

Sincerely,

Scott DeSantis Assessor

City Clerk's Office

City of Taunton

Temporary City Hall
141 Oak Street
Massachusetts 02780, U.S.A.
Telephone 508-821-1024
Fax 508-821-1098
Cityclerk@tmlp.net

Rose Marie Blackwell City Clerk Jennifer L. Leger Assistant City Clerk

March 23, 2015

Mr. Scott DeSantis Chairman Board of Assessors City Hall

Dear Mr. DeSantis:

At a regular meeting of the Municipal Council held Tuesday, March 17, 2015 Councilor Costa-Hanlon stated she and Councilor Marshall were discussing the City adopting an ordinance that would allow veterans to complete some type of tax payoff similar to that established for the senior citizens.

Therefore, she motioned to refer this matter to your office for an update in one month as to where it stands.

Thank you for your attention to this matter.

Sincerely,

Rose Marie Blackwell

City Clerk

On Behalf of the Municipal Council

		MONWEALTH OF MASSACHUSETTS t People Committees Educate & Engage Ever TI TITLE IX CHAPTER 59 Section 5N	site	e Glossary search Options MyLegisla	GO
Massachusetts Constitution			***********************		i
General Laws	PART I	ADMINISTRATION OF THE GOVERNMENT			NEXT
Session Laws	TITLE IX	TAXATION			
Rules				PREV	NEXT
	CHAPTER 59	ASSESSMENT OF LOCAL TAXES			
				PREV	NEXT
### CONTRACTOR C	Section 5N	Reduction of property tax obligation of veteran in exchange fo volunteer services	or	PREV	NEXT

[First paragraph effective until July 2, 2014. For text effective July 2, 2014, see below.]

Section 5N. In any city or town which accepts this section, the board of selectmen of a town, or in a municipality having a town council form of government, the town council or the mayor, with the approval of the city council in a city, may establish a program to allow veterans, as defined in clause Forty-third of section 7 of chapter 4, to volunteer to provide services to that city or town. In exchange for such volunteer services, the city or town shall reduce the real property tax obligations of that veteran on the veteran's tax bills and that reduction shall be in addition to any exemption or abatement to which that person is otherwise entitled; provided, however, that person shall not receive a rate of, or be credited with, more than the current minimum wage of the commonwealth per hour for the services provided pursuant to that reduction; and provided further, that the reduction of the real property tax bill shall not exceed \$1,000 in a given tax year. It shall be the responsibility of the city or town to maintain a record for each taxpayer including, but not limited to, the number of hours of service and the total amount by which the real property tax has been reduced and to provide a copy of that record to the assessor in order that the actual tax bill reflect the reduced rate. A copy of that record shall also be provided to the taxpayer prior to the issuance of the actual tax bill. The cities and towns shall have the power to create local rules and procedures for implementing this section in a way that is consistent with the intent of this section. Nothing in this section shall be construed to permit the reduction of workforce or otherwise replace

[First paragraph as amended by 2014, 62, Sec. 15 effective July 2, 2014. For text effective until July 2, 2014, see above.]

In any city or town which accepts this section, the board of selectmen of a town, or in a municipality having a town council form of government, the town council or the mayor, with the approval of the city council in a city, may establish a program to allow veterans, as defined in clause Forty-third of section 7 of chapter 4 or a spouse of a veteran in the case where the veteran is deceased or has a service-connected disability, to volunteer to provide services to that city or town. In exchange for such volunteer services, the city or town shall reduce the real property tax obligations of that veteran on the veteran's tax bills and that reduction shall be in addition to any exemption or abatement to which that person is otherwise entitled; provided, however, that person shall not receive a rate of, or be credited with, more than the current minimum wage of the commonwealth per hour for the services

provided pursuant to that reduction; and provided further, that the reduction of the real property tax bill shall not exceed \$1,000 in a given tax year. It shall be the responsibility of the city or town to maintain a record for each taxpayer including, but not limited to, the number of hours of service and the total amount by which the real property tax has been reduced and to provide a copy of that record to the assessor in order that the actual tax bill reflect the reduced rate. A copy of that record shall also be provided to the taxpayer prior to the issuance of the actual tax bill. The cities and towns shall have the power to create local rules and procedures for implementing this section in a way that is consistent with the intent of this section. Nothing in this section shall be construed to permit the reduction of workforce or otherwise replace existing staff.

The amount by which a person's property tax liability is reduced in exchange for the volunteer services shall not be considered income, wages or employment for purposes of taxation as provided in chapter 62, for the purposes of withholding taxes as provided in chapter 62B, for the purposes of workers' compensation as provided in chapter 152 or any other applicable provisions of the General Laws. While providing such volunteer services, that person shall be considered a public employee for the purposes of chapter 258 and those services shall be deemed employment for the purposes of unemployment insurance as provided in chapter 151A.

A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption in this clause by: (i) allowing an approved representative for persons physically unable to provide such services to the city or town; or (ii) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,000.

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M.G.L. Ch. 4 §7 Clause 43

Forty-third, "Veteran" shall mean (1) any person, (a) whose last discharge or release from his wartime service as defined herein, was under honorable conditions and who (b) served in the army, navy, marine corps, coast guard, or air force of the United States, or on full time national guard duty under Titles 10 or 32 of the United States Code or under sections 38, 40 and 41 of chapter 33 for not less than 90 days active service, at least 1 day of which was for wartime service; provided, however, than any person who so served in wartime and was awarded a service-connected disability or a Purple Heart, or who died in such service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding his failure to complete 90 days of active service; (2) a member of the American Merchant Marine who served in armed conflict between December 7, 1941 and December 31, 1946, and who has received honorable discharges from the United States Coast Guard, Army, or Navy; (3) any person (a) whose last discharge from active service was under honorable conditions, and who (b) served in the army, navy, marine corps, coast guard, or air force of the United States for not less than 180 days active service; provided, however, that any person who so served and was awarded a service-connected disability or who died in such service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding his failure to complete 180 days of active service.

"Wartime service" shall mean service performed by a "Spanish War veteran", a "World War I veteran", a "World War II veteran", a "Korean veteran", a "Vietnam veteran", a "Lebanese peace keeping force veteran", a "Grenada rescue mission veteran", a "Panamanian intervention force veteran", a "Persian Gulf veteran", or a member of the "WAAC" as defined in this clause during any of the periods of time described herein or for which such medals described below are awarded.

"Spanish War veteran" shall mean any veteran who performed such wartime service between February fifteenth, eighteen hundred and ninety-eight and July fourth, nineteen hundred and two.

"World War I veteran" shall mean any veteran who (a) performed such wartime service between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen, or (b) has been awarded the World War I Victory Medal, or (c) performed such service between March twenty-fifth, nineteen hundred and seventeen and August fifth, nineteen hundred and seventeen, as a Massachusetts National Guardsman.

"World War II veteran" shall mean any veteran who performed such wartime service between September 16, 1940 and July 25, 1947, and was awarded a World War II Victory Medal, except that for the purposes of chapter 31 it shall mean all active service between the dates of September 16, 1940 and June 25, 1950.

"Korean veteran" shall mean any veteran who performed such wartime service between June twenty-fifth, nineteen hundred and fifty and January thirty-first, nineteen hundred and fifty-five, both dates inclusive, and any person who has received the Korea Defense Service Medal as established in the Bob Stump National Defense Authorization Act for fiscal year 2003.

"Korean emergency" shall mean the period between June twenty-fifth, nineteen hundred and fifty and January thirty-first, nineteen hundred and fifty-five, both dates inclusive.

"Vietnam veteran" shall mean (1) any person who performed such wartime service during the period commencing August fifth, nineteen hundred and sixty-four and ending on May seventh, nineteen hundred and seventy-five, both dates inclusive, or (2) any person who served at least one hundred and eighty days of active service in the armed forces of the United States during the period between February first, nineteen hundred and fifty-five and August fourth, nineteen hundred and sixty-four; provided, however, that for the purposes of the application of the provisions of chapter thirty-one, it shall also include all active service between the dates May seventh, nineteen hundred and seventy-five and June fourth, nineteen hundred and seventy-six; and provided, further, that any such person who served in said armed forces during said period and was awarded a service-connected disability or a Purple Heart, or who died in said service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding his failure to complete one hundred and eighty days of active service.

"Lebanese peace keeping force veteran" shall mean any person who performed such wartime service and received a campaign medal for such service during the period commencing August twenty-fifth, nineteen hundred and eighty-two and ending when the President of the United States shall have withdrawn armed forces from the country of Lebanon.

"Grenada rescue mission veteran" shall mean any person who performed such wartime service and received a campaign medal for such service during the period commencing October twenty-fifth, nineteen hundred and eighty-three to December fifteenth, nineteen hundred and eighty-three, inclusive.

"Panamanian intervention force veteran" shall mean any person who performed such wartime service and received a campaign medal for such service during the period commencing December twentieth, nineteen hundred and eighty-nine and ending January thirty-first, nineteen hundred and ninety.

"Persian Gulf veteran" shall mean any person who performed such wartime service during the period commencing August second, nineteen hundred and ninety and ending on a date to be determined by presidential proclamation or executive order and concurrent resolution of the Congress of the United States.

"WAAC" shall mean any woman who was discharged and so served in any corps or unit of the United States established for the purpose of enabling women to serve with, or as auxiliary to, the armed forces of the United States and such woman shall be deemed to be a veteran.

None of the following shall be deemed to be a "veteran":

- (a) Any person who at the time of entering into the armed forces of the United States had declared his intention to become a subject or citizen of the United States and withdrew his intention under the provisions of the act of Congress approved July ninth, nineteen hundred and eighteen.
- (b) Any person who was discharged from the said armed forces on his own application or solicitation by reason of his being an enemy alien.
- (c) Any person who has been proved guilty of wilful desertion.
- (d) Any person whose only service in the armed forces of the United States consists of his service as a member of the coast guard auxiliary or as a temporary member of the coast guard reserve, or both.
- (e) Any person whose last discharge or release from the armed forces is dishonorable.
- "Armed forces" shall include army, navy, marine corps, air force and coast guard.

7.

"Active service in the armed forces", as used in this clause shall not include active duty for training in the army national guard or air national guard or active duty for training as a reservist in the armed forces of the United States.



Denise J. Paiva, Secretary

TAUNTON PLANNING BOARD

City Hall

15 Summer Street Taunton, Massachusetts 02780

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

March 31, 2015

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 - 263 Broadway - Auto Sales

Dear Mayor Hoye and Members of the Municipal Council:

Obert P. Campbell (mg)

Please be advised the Taunton Planning Board is in receipt of a Site Plan Review for property at 263 Broadway for auto sales out of a portion of the existing building, submitted by Robert Martin, Jr, Nitram Realty TR.

The next scheduled meeting for this petition will be on Tuesday, April 14, 2015 at 9:30 AM 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 7, 2015 at 5:30 PM at Chester R Martin Municipal Council Chambers, 141 Oak St., Taunton, Ma. at which this petition will be reviewed by the Planning Board.

Respectfully,

Robert P. Campbell, Chairman Taunton Planning Board

RPC/djp



CITY OF TAUNTON POLICE DEPARTMENT

CHIEF EDWARD JAMES WALSH

23 SUMMER STREET TAUNTON, MA 02780 (508) 821-1471 April 01, 2015

The Honorable Thomas Hoye
And Members of the Municipal Council
City Hall
141 Oak Street
Taunton, Massachusetts 02780

Dear Mayor Hoye:

The Municipal Council recently requested an update of the construction schedule for the Municipal Parking Deck on Leonard Street. Please find the tentative schedule for this project. Work has already commenced and hopefully the project will be completed by the end of July.

If I can be of any further assistance, feel free to contact me.

Respectfully,

Edward James Walsh, Esq.

Chief of Police



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES STATE HOUSE BOSTON, MA 02133-1020

Committees:
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Change

STATE HOUSE, ROOM 237 TEL. (617) 722-2305 FAX (617) 626-0397

SHAUNNA L. O'CONNELL

STATE REPRESENTATIVE

3RD Bristol District

March 27, 2015

Taunton City Council Temporary City Hall 140 Oak Street Taunton, MA 02780

Dear Honorable City Council Members,

I am writing to inform you that the host committee for S.A.F.E. Kids Fun Day is again requesting the participation of the Taunton Fire Department and Taunton Police Department in this event being held on June 13 from 11:30am to 2:00pm at the Boys & Girls Club Lewis Park. The members of the host committee are myself, Boys & Girls Club of Taunton, Mendes Martial Arts, Taunton Fire Association, G. Lopes Construction, and B&D Construction.

S.A.F.E. Kids Fun Day is a free community event that provides educational safety instruction in a fun learning environment for our children. As summer approaches, it is important that kids know how to protect themselves in dangerous situations. Last year local businesses, associations, and officials joined together in a united effort to provide safety instruction, free lunch, games, and prizes to make the event a tremendous success. Over 200 families benefitted from this community event.

We were also able to donate over \$1,000 to the Boys & Girls Club to help send local children to after-school programs and summer camp.

Having our police and fire department there not only greatly enhances the range and quality of safety education for families, but it builds community trust and a positive relationship with our public safety officers.

The Taunton Police and Fire Departments have a longstanding practice of regularly participating in community events, and we look forward to their participation in S.A.F.E. Kids Fun Day again this year. We hope the Council will be supportive of this event to benefit the children and families of Taunton.

Sincerely,

Shaunna O'Connell State Representative

Shauna Clennell



DAY

GREATER TAUNTON AREA ALLIED VETERANS COUNCIL, INC. TAUNTON, MASSACHUSETTS 02780

The GTAAVC invites you to its Memorial Day Parade on Monday, May 25, 2015.

Formation will begin at 12:30 p.m. on Dartmouth, Coram, Bradford and Adams streets and begin at 1:15 with a right turn to Broadway, south to the reviewing stand on Taunton Green, east on Main Street to the junction of Church Green, Summer and Spring streets, turn right to Spring and disband in the parking lot in back of Marian Manor. Hopewell Park's toilet facilities will be available at the parade's start and a portable toilet will be on Church Green near its end.

Your response (e-mail or snail-mail) is needed to insure your proper placement in each parade division. The contact person will be told your placement and a cancellation because of rain so the phone should be accessible on the holiday—not a work phone. There will be no rain date.

For parade participants, refreshments will be served at the David F, Adams VFW Post 611, 82 Ingell Street.

		हा सर्वे ≔				
Dear GTAAVC:						
l (we) will p auto o	rovide the following: color guardfloat	marching (unit musical unit			
other (describe)						
ORGANIZATION	NAME:					
CONTACT PERSON:						
TELEPHONE NUI	MBER:					
Please forward to	Ernest Cardoza 5 New Carver St. Raynham, MA 02767-	1738	nestcard@tmlp.net no later than Friday May 1, 2015			



RECEIVED CITY GLERK'S OFFICE

2015 APR -2 1P 1:39

TAUNTON, MA

APRIL 7, 2015

HONORABLE THOMAS C. HOYE, JR., MAYOR COUNCIL PRESIDENT ESTELE BORGES AND MEMBERS OF THE MUNICIPAL COUNCIL

PLEASE NOTE:

THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR TUESDAY, APRIL 7, 2015 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

5:30 P.M.

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

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<u>DEFINED IN MASS. GEN. L. C. 30A, §18 MAY OCCUR CONCURRENTLY WITH</u>
THIS COMMITTEE MEETING

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS

- 1. MEET WITH THE D.P.W. TEAM TO DISCUSS THE NEW ASPHALT RECYCLER
- 2. MEET TO REVIEW MATTERS IN FILE

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RESPECTFULLY,,

COLLEEN M. ELLIS

CLERK OF COUNCIL COMMITTEES