



**MUNICIPAL COUNCIL AGENDA
ELIZABETH POLE SCHOOL LIBRARY
215 HARRIS STREET, TAUNTON, MA 02780**

~
AUGUST 20, 2013 – 7:00 PM

**INVOCATION
ROLL CALL
RECORDS**

HEARING: On the petition of the City of Taunton, 141 Oak Street for the acceptance of John Street as a public way in the City of Taunton.

- Com. from City Engineer – Submitting a recommendation

HEARING: On the petition of the City of Taunton, 141 Oak Street for the acceptance of Columbus Boulevard as a public way in the City of Taunton.

- Com. from City Engineer – Submitting a recommendation

HEARING: On the petition of the Fasolo Family Limited Partnership, 159 Plain St., Taunton for an Earth Removal Permit for property located at Pratt St. (Lot 145)

- Com. from City Engineer – Submitting a recommendation
- Com. from City Engineer – Earth Removal conditions

COMMUNICATIONS FROM THE MAYOR

Pg. 1-2 Com. from Mayor Hoye – Notifying of an express interest in Leonard School.

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

Pg. 3-5 Com. from Environmental Compliance Officer – Notifying of Odor control devises at the landfill.

RECEIVED
CITY CLERK'S OFFICE
2013 AUG 16 A 11:08
TAUNTON, MA
CITY CLERK

- Pg. 6-12 Com. from Environmental Compliance Officer – Notifying of Status of grass violations of 616 Bay St and 273 Bay St.
- Pg. 13 Com. from City Auditor – Requesting to meet with Committee On Finance and Salaries.
- Pg. 14-15 Com. from City Treasurer/Collector – Notifying of Tax Title Parcels.
- Pg. 16-17 Com. from City Treasurer/Collector – Notifying of Tax Title Parcels.
- Pg. 18 Com. from Irene Fernandes, John Shea Court – Requesting your presence.
- Pg. 19-20 Com. from Robby Walsh, Ex. Director, Bike to the Beach for Autism – Requesting cyclists to ride through city streets.
- Pg. 21 Com. from Peter J. Richer, Engineering Manager, Waste Management of Massachusetts – Submitting information - Taunton Sanitary Landfill Expansion.
- Pg. 22-27 Com. from Brian Gillis, Field Engineer, Columbia Gas Of Massachusetts – Requesting a Moratorium.

PETITIONS

Class II License Transfer

Petition submitted by Kathleen Campanirio, 110 No. Walker St, Taunton, DBA, K & L Auto Sales, 78-80 Cohannet St, Taunton requesting to transfer her Class II License to Frederick T. Kingsley, 4 Northway, Taunton to the same location.

COMMITTEE REPORTS

UNFINISHED BUSINESS

ORDERS, ORDINANCES AND RESOLUTIONS

Resolution from Bristol County Saving Bank, 35 Broadway requesting Public Depository and Authorizing withdrawal of Municipal Public Moneys of our City Treasurer/Collector.

NEW BUSINESS

Respectfully submitted,

Rm Blackwell

Rose Marie Blackwell

City Clerk

Hearing #1



CITY of TAUNTON
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

90 Ingell Street
Taunton, Massachusetts 02780-3430
Phone: 508-821-1027, Fax: 508-821-1336, coteng@tmlp.net



Mark B. Slusarz, P.E.
City Engineer

August 13, 2013

Mayor Hoye, and the
Taunton Municipal Council
141 Oak Street
Taunton, MA 02780

Re: John Street, Street Acceptance

Dear Mayor Hoye, and Councilors;

The proposed acceptance of John Street is limited to that portion of road accessed by the public, and ends at what is now the parking lot of Hong Kong City. The DPW currently maintains this portion of the road and is seeking to make infrastructure improvements there. I therefore recommend approval of this portion of John Street as a public way.

Sincerely,
City of Taunton

A handwritten signature in cursive script, appearing to read 'Mark Slusarz'.

Mark B. Slusarz, P.E.
City Engineer

Hearing # 2



CITY of TAUNTON
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

90 Ingell Street
Taunton, Massachusetts 02780-3430
Phone: 508-821-1027, Fax: 508-821-1336, coteng@tmlp.net



Mark B. Slusarz, P.E.
City Engineer

August 13, 2013

Mayor Hoye, and the
Taunton Municipal Council
141 Oak Street
Taunton, MA 02780

Re: Columbus Boulevard, Street Acceptance

Dear Mayor Hoye, and Councilors;

The proposed acceptance of Columbus Boulevard is limited to that portion of road that is currently paved, ending near the transmission line easement. Beyond this point, the way is undeveloped and development potential is limited. The DPW currently maintains this portion of the road and is seeking to make infrastructure improvements there. I therefore recommend approval of this portion of Columbus Boulevard as a public way.

Sincerely,
City of Taunton

A handwritten signature in black ink, appearing to read 'Mark B. Slusarz', is written over the typed name.

Mark B. Slusarz, P.E.
City Engineer

Hearing #3



CITY of TAUNTON
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

141 Oak Street
Taunton, Massachusetts 02780-3430
Phone: 508-821-1027, Fax: 508-821-1336, coteng@tmlp.net



Mark B. Slusarz, P.E.
City Engineer

August 1, 2013

Mayor Hoye, and the
Taunton Municipal Council
141 Oak Street
Taunton, MA 02780

Re: Earth Removal Permit, Pit No. 86

Dear Mayor Hoye, and Councilors;

After meeting with the proponent, the Earth Removal Board, the Planning Board, and visiting the site, I recommend approval of the Earth Removal permit with the conditions outlined by the Earth Removal Board.

Sincerely,
City of Taunton

A handwritten signature in cursive script, appearing to read 'Mark B. Slusarz', is written over the typed name.

Mark B. Slusarz, P.E.
City Engineer

Hearing #3



CITY of TAUNTON
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

141 Oak Street
Taunton, Massachusetts 02780-3430
Phone: 508-821-1027, Fax: 508-821-1336, coteng@tmlp.net



Mark B. Slusarz, P.E.
City Engineer

June 18, 2013

Mayor Hoye, and the
Taunton Municipal Council
141 Oak Street
Taunton, MA 02780

Re: Earth Removal Permit, Pit No. 86

Dear Mayor Hoye, and Councilors;

The Earth Removal Board received an application for earth removal from Mr. Fasolo on May 24, 2013. The purpose for earth removal is to construct cranberry bogs on the parcel of land off Pratt Street, shown on the Assessors Map 106, Lot 145.

The application was forwarded to the Safety Officer and the Planning Board for their comments. Comments from both are attached.

The Earth Removal Board met with the applicant on site on June 6th, and again at the DPW office on June 10th. At this second meeting, the board voted to recommend approval of the application with the following conditions.

STANDARD CONDITIONS

1. That a three (3) year limit is allowed for the removal of materials and reclamation. If incomplete, an application for a new earth removal permit must be filed at least 6 months prior to expiration of this permit. An "As-built" plan must be filed with the new application to allow for proper inspection of the site and again upon completion of the work, prior to release of the bond;
2. That no disturbance of existing topography is allowed within 100 feet of the bordering vegetated wetlands, or within 200 feet of a river or perennial stream unless permitted in the Order of Conditions of the Taunton Conservation Commission or a superseding order by DEP;
3. That permission is granted to members of the Earth Removal Board to enter the site for observation purposes;
4. That permission is granted to City crews and/or to the City's contractor to enter the property through its driveway for the purpose of eliminating any nuisance caused by the grantee's violation of these conditions;
5. That dust control measures be employed at all times;

Hearing #3

6. That the permit be subject to stop work orders, calling of the bond, or fines or any combination of the three for any violation of the above conditions. Any violation of the TCC or superseding Order of Conditions shall also constitute a violation of the conditions of this permit.
7. That any stump disposal on-site be by methods approved by the Board of Health.

ADDITIONAL CONDITIONS

1. Earth removal operations shall be limited to the hours between 6:00 AM and 7:00 PM, Monday thru Friday, excluding holidays*, and 6:00 AM and Noon, Saturdays. No earth removal operations shall be conducted on Sundays or holidays.
2. There shall be no excavation below the designated finished grade except as necessary to construct the bogs.
3. No materials of any kind shall be brought on site except prepared landscaping, erosion controls, and bog construction materials.
4. Access to the site shall be via Pratt Street only, as shown on the plan. No trucks shall exit via Plain Street.
5. The access drive shall be pitched away from Pratt Street for a short distance, to prevent runoff from the site entering the City Street.
6. The entrance drive shall be paved with asphalt for the first 150 feet, and have a stone cleaning area for the next 50 feet. This work is to be completed prior to any earth removal operations.
7. Filter socks are to line the access drive adjacent to the cemetery.
8. The access drive is to be cleaned at the end of each day when earth removal operations are in progress. A clean-up of Pratt Street is to be conducted at the request of the City when it has been determined debris from the site has fouled the street.
9. A STOP sign and LEFT TURN ONLY sign shall be placed at the end of the access drive.
10. A TRUCKS ENTERING sign is to be installed 150 feet uphill and downhill of the entrance drive.
11. A bond, in the amount of \$20,000 shall be posted for possible roadway repairs and cleanup, to be called in part or as a whole.

*Note: The following shall be considered "holidays" in the City of Taunton as that term is used in an Earth Removal Permit:

New Years Day
Martin Luther King Day
Presidents' Day (AKA Washington's Birthday)
Thanksgiving Day
Memorial Day
Independence Day

Labor Day
Columbus Day
Veterans Day
Patriots Day
Christmas Day

Sincerely,
City of Taunton

Mark B. Slusarz, P.E.
City Engineer

CC: Earth Removal Board
Attachments.

1.

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

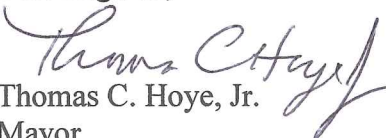
8/16/2013

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

Dear Members of the Municipal Council,

I have received a letter Russell Barnaby of Taunton Mills, LLC who has expressed interest in Leonard School. I am respectfully requesting the matter be referred to Committee on Public Property for future discussion.

Best Regards,


Thomas C. Hoye, Jr.
Mayor

2.



One River Road – Carlisle, Massachusetts 01741
(617) 780-1866 (direct) – rbarnaby@tauntonmills.com

Mayor Thomas C. Hoyer, Jr.
City of Taunton
141 Oak Street
Taunton, MA 02780

August 8, 2013

RE: The Leonard School, Taunton, Massachusetts/Development Proposal and RFP

Dear Mr. Mayor:

For several months, we have been talking about the purchase of the Leonard School, located on West Britannia Street—more specifically, submitting a development plan for the property in response to a City-issued RFP. We have reviewed and discussed with your office the City's site assessment process, legal requirements to convey the property, alternative sites for future elementary schools in Taunton, MA and the need for the City of Taunton to work with Massachusetts School Building Authority (MSBA) in site approval for a future elementary school.

As Taunton Mills moves forward with the financing of Taunton Mills Lofts on Oak Street in Taunton, we have attracted investment money for other projects in Taunton. We think the time is right to ask you, the City Solicitor, the Taunton School committee, the Superintendent of Buildings and the Taunton City Council to support the issuance of a Request for Proposal ("RFP") for the use and sale of the Leonard School and the 6-7 acre parcel that constitute the property.

Taunton Mills LLC ("TM LLC") has continued working in the past several months to conduct early stage due diligence on the Leonard School (use, financing, project costs, project revenue, design, permitting and approvals issues, construction and marketing). We like the potential of the site and want to take advantage of an 'economy of scale' of development in Taunton by asking for your support for the redevelopment of the Leonard School.

Should the City of Taunton decide to sell the Leonard School to a private developer, we understand that the sale of the property requires a third-party appraisal; the issuance of an RFP; approval of the Taunton School Committee, the Taunton City Council, and the West Britannia Street neighborhood. Taunton Mills LLC would look forward to working with you and your team through this process.

Please let us know when a good day/time to meet would be to continue this discussion. Thank you.

Regards,

A handwritten signature in black ink, appearing to read "Russell Barnaby".

Russell Barnaby
Partner
Taunton Mills LLC



City of Taunton
Board of Health
45 School Street
Massachusetts 02780-3212

3.
BOARD MEMBERS
DR. BRUCE E. BODNER
DR. C. NASON BURDEN
DR. JOSEPH F. NATES

HEATHER L. GALLANT, MPH, RS, CHO
EXECUTIVE DIRECTOR

ADAM S. VICKSTROM
ASSISTANT EXECUTIVE DIRECTOR

August 16, 2013

Dear Members of City Council,

Odor control devices at the landfill are used per the protocol agreed upon by the Board of Health and Waste Management outlined in both my letter dated August 1, 2013 and Waste Management's Letter dated August 2, 2013. There are no logs kept for the operation of these devices only that they are used in accordance with the protocol. Waste Management does provide the Board of Health copies of the invoices for the purchase of the deodorant chemicals used on these devices every year.

If you have any further questions please feel free to contact me at any time.

Sincerely,



Kevin M. Duquette, RS, CP-FS
Environmental Compliance Officer
Taunton Board of Health
508-821-1400
Cotboh5@tmlp.net



City of Taunton

Board of Health

45 School Street
Massachusetts 02780-5212

BOARD MEMBERS
DR. BRUCE E. BODNER
DR. C. NASON BURDEN
DR. JOSEPH F. NATES

HEATHER L. GALLANT, MPH, RS
EXECUTIVE DIRECTOR

ADAM S. VICKSTROM
ASSISTANT EXECUTIVE DIRECTOR

4.

August 1, 2013

Dear Members of City Council,

I received a call from the City Clerk on August 1, 2013 regarding a request made by the City Council on July 30, 2013 to submit a response to City Council on the number of odor control devices on the landfill and the protocol for the use of these devices.

There are 2 devices used on the landfill with odor counteractant chemicals. The first is a water truck that is filled with water and a dilution of deodorant that is sprayed on any surface of the landfill as needed. The second is a mobile turbine deodorizer that emits a mist of the counteractant. **These units are used when wind direction and weather conditions are favorable for odors in the community and many times used proactively prior to known odorous loads like Taunton sewer sludge deliveries.** I also requested Waste Management to submit to me a written response to these questions (see attached).

If you have any further questions please feel free to contact me at any time.

Sincerely,

Kevin M. Duquette, RS, CP-FS
Environmental Compliance Officer
Taunton Board of Health
508-821-1400
Cotboh5@tmlp.net



5.

WASTE MANAGEMENT

26 Patriot Place, Suite 300
Foxborough, MA 02035

August 2, 2013

Kevin Duquette
Environmental Compliance Officer
Taunton Board of Health
45 School Street
Taunton, MA 02780

RE: Taunton Sanitary Landfill
Odor Control devices

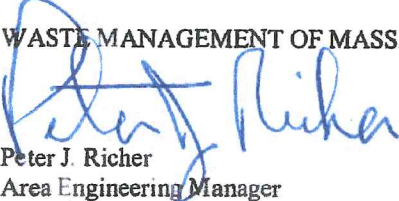
Dear Mr. Duquette:

Pursuant to your request on August 1, 2013, Waste Management of Massachusetts, Inc. (WMMA) provides this letter to identify the number of portable odor control devices and describe the protocol for use of these devices during the solid waste handling operation at the Taunton Sanitary Landfill. The following provides a general description of each device and the manner in which the device is utilized during landfill operations.

- 1) The landfill maintains one (1) high velocity turbine fan for application of odor counteractants and deodorizers. The turbine fan atomizes a mixture of water and odor counteractants/deodorizers and this device is utilized as necessary to mitigate the potential for odors associated with solid waste handling operations.
- 2) The landfill also maintains three (3) portable fogging units for the application of odor counteractants and deodorizers. These foggers are positioned at various locations on the landfill property and are utilized as necessary to mitigate the potential for odors related to solid waste handling operations.
- 3) The landfill utilizes a water truck for control of dust from the landfill travel roads and landfill surfaces. In addition, odor counteractants and deodorizers are utilized as necessary in the water truck for application on landfill roads, surfaces and the active working face to mitigate the potential for odors.
- 4) In addition, the landfill makes available dry deodorizing crystals for use by customers delivering solid waste to the landfill. The customers may apply the deodorizing crystals into the waste delivery container to assist in abating odors associated with odiferous solid waste deliveries.

The above odor control devices and procedures are utilized as needed during daily operations, when wind direction may be favorable for potential odors, and proactively during handling of known odiferous waste loads at the active working face. If you have any questions or comments regarding this information, please do not hesitate to contact me at (508) 549-8057.

WASTE MANAGEMENT OF MASSACHUSETTS, INC.



Peter J. Richer
Area Engineering Manager

cc: Heather Gallant, Taunton BOH
Aaron Smith, WMMA
Fred Cornaglia, DPW Commissioner



City of Taunton
Board of Health
45 School Street
Massachusetts 02780-3212

6.
BOARD MEMBERS
DR. BRUCE E. BODNER
DR. C. NASON BURDEN
DR. JOSEPH F. NATES

HEATHER L. GALLANT, MPH, RS, CHO
EXECUTIVE DIRECTOR

ADAM S. VICKSTROM
ASSISTANT EXECUTIVE DIRECTOR

August 16, 2013

Dear Members of City Council,

The Board of Health received a request from the Municipal Council regarding the status of 3-foot high grass violations at 616 Bay Street and 273 Bay Street. The address 273 Bay Street is not a property in Taunton and was verified by the City Assessors Office. The address in question we believe to be 271 Broadway. Below is a timeline regarding the actions taken by this office for these properties:

- Official Nuisance Ordinance with new language to include high grass was received from the City Clerk on July 18, 2013
- Order letters were sent certified mail on July 19, 2013
- 616 Bay Street Order letter was returned to sender on July 26, 2013
- Order letter was posted at 616 Bay Street on August 1, 2013
- 271 Broadway order letter was returned to sender on August 9, 2013
- Order letter was posted at 271 Broadway on August 12, 2013
- \$50 Ticket issued for 616 Bay Street on August 16, 2013

Under section 1 f(4) violators have 10 days to comply with the orders. 616 Bay Street had until August 11, 2013 to comply and 273 Broadway has until Thursday August 22, 2013 to comply. See attached letter from Assistant City Solicitor, Daniel de Abreu summarizing discussions regarding section 1 g(1) of the ordinance. Ticketing **abandoned** properties has taken a large amount of Board of Health resources and has done little to gain compliance. The Board of Health would like to explore other options in dealing with nuisance issues on these types of properties.

Sincerely,



Kevin M. Duquette, RS, CP-FS
Environmental Compliance Officer
Taunton Board of Health
508-821-1400
Cotboh5@tmlp.net



City of Taunton
LAW DEPARTMENT

141 Oak Street

Taunton, Massachusetts 02780

Phone (508) 821-1036 Facsimile (508) 821-1064



Thomas C. Hoye, Jr.
MAYOR

Jason D. Buffington
CITY SOLICITOR

Daniel F. de Abreu
ASST. CITY SOLICITOR

August 15, 2013

Kevin M. Duquette, RS, CP-FS
Taunton Board of Health
45 School Street
Taunton, MA 02780

RE: Tall Grass under Taunton Ordinance 8-28.

Dear Mr. Duquette:

I am writing to briefly summarize our discussions regarding tall grass and the remedies that may be available under Taunton Ordinance 8-28, in light of citizen complaints that have been received regarding some unkempt lawns within the City. Specifically, we discussed whether or not the ordinance authorizes city officials, or persons on their behalf, to enter private property to mow a lawn.

I would not interpret Taunton Ordinance 8-28 as authorizing a city official, or persons on the official's behalf, to enter private property to abate a nuisance to any greater extent than such authority already exists under the General Laws and the common law. The Board of Health has certain powers under General Laws Chapter 111 and regulations implemented thereunder.

When entering private property for the purposes of inspection or abating a nuisance, if permission cannot be obtained, and in the absence of an emergency, I would advise that a warrant or other court approval be obtained.

As you are aware, entry onto the property and abatement of the nuisance is not the only remedy. The Ordinance does provide for enforcement through citation or through the criminal process.

I also note that to be classified as a nuisance under the ordinance, more than just high grass is required; the grass must also be within one hundred feet of a residence and infested or reasonably likely to become infested with rodents, vermin, or other animals, or create a fire safety hazard. As frustrating as it may be to residents that a lawn is unkempt, such a lawn does not rise to the level of a nuisance under the ordinance merely because it is unsightly in the opinion of most.

8.

Thank you for taking the time to discuss this matter with me. Every case is different, but I hope that this information is helpful to you generally. Please let me know if you have any questions or concerns, or if I may be of further assistance.

Respectfully,



Daniel F. de Abreu
Assistant City Solicitor

cc: City Solicitor Jason D. Buffington



CITY OF TAUNTON

In the year two thousand and thirteen

AN ORDINANCE

Chapter 8

Garbage, Trash, and Refuse

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

SECTION 1. Chapter 8, Section 8-28 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended by striking out paragraphs (a)-(d) of said section 8-28 and inserting the following language:

- a) *Purpose and Intent.* It is the purpose and intent of this section to eliminate nuisances in the city. Nuisances, such as dilapidated buildings, overgrowth, debris, trash, stagnant pools of water, property having defective weather protection and vacant or abandoned buildings, cause and contribute to blight within neighborhoods and commercial areas of the city and adversely affect the property values for adjacent and surrounding property. Such nuisances on property also impair the public health and safety. This ordinance is intended to further the objectives of and to act in concert with any existing state or local laws.
- b) The owner or person in control of any private property or business property shall at all times maintain the premises free of litter: provided, however that this section shall not prohibit the storage of litter in authorized private receptacles for collection or as otherwise provided for by law.
- c) The owner or person in control of any lot shall at all times, control the growth of any wild plants or cultivated plants, or the existence of any obstruction, so as not to interfere or obstruct the view of a reasonable person to oncoming traffic who is exiting from any private driveway or private way onto a public way or a way to which the public has right of access.
- d) Litter shall be defined for the purposes of section (a) as: any paper, cardboard, cans, bottles, plastic goods, glass goods, used construction material, roof shingles, boards with nails, cut lumber less than 3 feet in length, used motor vehicle parts, boat parts, engine parts, or other

mechanical parts, household appliances or any other object, that a reasonable person would believe has been discarded or otherwise left outside, uncovered, and exposed to the weather unused for the purpose for which it was manufactured.

e) *Property Standards.* All property in the City of Taunton shall be maintained in accordance with the following property standards:

(1) *General.* All property, whether occupied or vacant, shall be maintained in good repair and a safe and sanitary condition as provided herein, so as to not cause or contribute to the creation of a hazardous or blighted area or to affect adversely the public health and safety or property value of adjacent or surrounding property.

(2) *Overgrowth within 100 feet of a residence.* All property shall be maintained free of vegetation over twelve (12) inches high that is or may reasonably become infested with rodents, vermin, or other animals, or create a fire safety hazard. All property shall be kept free of overgrown, decayed, dead, or hazardous trees, shrubs, or any other vegetation that poses a hazard to the health and safety of any person in the vicinity of the property, including any persons traveling on any portion of any public way, or any surrounding property

(3) *Structures.* All structures, including any buildings, fences, storage sheds, or any element thereof shall be maintained in a structurally sound condition and in good repair, including proper weather protection and waterproofing, and shall be maintained in a condition so as to not cause or contribute to creation of a fire safety hazard.

(4) *Accumulation of Trash, Rubbish or Debris.* All property shall be maintained in a clean and sanitary manner and free from the accumulation of litter, rubbish, trash or other debris, except in closed receptacles intended for such use.

f) *Removal of Nuisance.* It shall be unlawful for the owner of any property in the city to violate any one or number of the property standards contained in sections (b) – (e) and any such property violation shall be deemed to be a public nuisance. The Building Commissioner, the Board of Health, the Building Inspector, the Zoning Enforcement Officer, the Fire Chief or the Police Chief shall declare the property a public nuisance and order the property owner to remove the nuisance within ten (10) days after service of notice of the violation. Such notice shall be presented to the owner, in the manner described in G.L. c. 111, sec. 124. The notice shall contain the following information:

1. The street address and description of the property sufficient for identification of the property.
2. A statement that the property has been declared a public nuisance because of the presence of a nuisance on the property.
3. A concise description of the condition on the property that have led to the determination that the property is a public nuisance.
4. A statement that the nuisance shall be removed from the property within ten (10) days from service of the notice and that if the owner fails to remove the

nuisance within the time frame specified that the owner will be in violation of this ordinance and subject to the penalties described therein.

g) *Violations.*

- (1) If the owner fails to remove such nuisance within the time frame provided in section (f) the city may enter the property and remove or cause to be removed the nuisance and the owner shall reimburse the city for the expense incurred for such removal. The sum so expended may be recovered by the city as provided in G.L. c. 111, sec. 125.
- (2) This section may also be enforced by any lawful method, criminal process or by non-criminal disposition as provided in General Laws Chapter 40, sec. 21D. Each occasion on which a violation is identified will be considered a separate offense and any person in violation of this section shall be subject to fines as follows:

First violation:	\$ 50.00
Second violation:	\$100.00
Third violation:	\$200.00
Fourth and each subsequent violation:	\$300.00

h) *Definitions.* The following words and phrases, when used in this section, shall have the following meanings:

Nuisance – a failure to satisfy any one or more of the property standards set forth in section (b) herein.

Owner – any person who owns, possesses, manages, or controls any property. For any property which is the subject of foreclosure proceedings, this ordinance may be enforced against the mortgagee.

Property – any land, building, structure of real property, including any fixtures attached thereto, or any personal property located within the city.

Person – means any individual, voluntary association of individuals, business entity or organization whether incorporated or not.

Severability

If any provisions of this ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the ordinance shall remain in effect.

SECTION 2. All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage.

City of Taunton

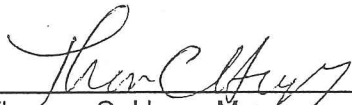
In Municipal Council

First Reading: 6/4/2013

Second Reading: 6/18/2013

Passed to be Ordained: 6/24/2013

Presented to the Mayor and Approved:

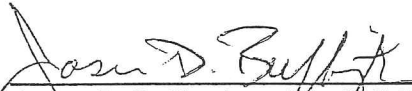


Thomas C. Hoye, Mayor

Approved as to Form and Character:



Rose Marie Blackwell, City Clerk



Jason D. Buffington, City Solicitor



CITY OF TAUNTON AUDITOR'S OFFICE

15 Summer Street
Taunton, Massachusetts 02780
(508) 821-1012 Fax (508) 821-1088
(e-mail: ahebert@tmlp.net)

Ann Marie Hebert, CGA
City Auditor

Christina Boyan
Assistant

August 14, 2013

Mayor Thomas Hoye and
Members of the Municipal Council
City of Taunton
141 Oak Street
Taunton, MA 02780

Dear Mayor Hoye and Council:

This office is currently finalizing the encumbrances and year end transfers for city departments as of June 30, 2013.

I wish to present this information to the Municipal Council Committee on Finance and Salaries at the meeting scheduled for August 26, 2013. I will be present at the meeting in case there are any questions regarding the encumbrances and/or transfers, to help expedite the approval process of these items.

Thank you in advance for your attention to this matter,

Respectfully,

Ann Marie Hebert
City Auditor



14.

CITY OF TAUNTON
MASSACHUSETTS

TREASURY DEPARTMENT

BARBARA A AUGER, CMMT
TREASURER/COLLECTOR

15 Summer Street
Taunton, MA 02780

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

August 12, 2013

Thomas J Hoye, Jr. Mayor and
Members of the Municipal Council
141 Oak St. Temp. City Hall
Taunton, Ma 02780

RE: Land Court Decree David J Brask
Parcel # 53-260 – Tremont Street

Dear Mayor Hoye and Councilors;

I have been notified that the Land Court entered a foreclosure decree on a tax title parcel assessed to **David J Brask**. This property is located on Tremont Street. The City of Taunton is now the owner of this property and should make every effort to insure and secure the premises, as all responsibility and liability for this property now rests with the City of Taunton.

Once we receive the recorded judgment decree I will transfer the parcel to the Tax Possession Custodian.

If you have any questions or concerns regarding this property, please contact this Office.

Sincerely,

Barbara A Auger, CMMT
Treasurer/Collector

cc: Assessor
Auditor
Tax Possession Custodian

[SEAL]

Land Court costs \$630.75

Legal Fees \$1,489.00 (estimated)

RE: Tremont St - Parcel ID# 53 - -260

COMMONWEALTH OF MASSACHUSETTS

LAND COURT

DEPARTMENT OF THE TRIAL COURT

15.

COPY

Case No.: 12 TL 144124

JUDGMENT IN TAX LIEN CASE

City of Taunton

vs.

David J. Brask

This case came on to be heard and was argued by counsel, and thereupon, upon consideration thereof, it is

ADJUDGED and ORDERED that all rights of redemption are forever foreclosed and barred under the following deed(s) given by and/or the tax taking(s) made by the Collector of Taxes for the City of Taunton in Bristol County and said Commonwealth:

<u>Land Type</u>	<u>Tax Taking Date</u>	<u>Book No.</u>	<u>Page No.</u>	<u>Document No.</u>	<u>Certificate of Title No.</u>
Recorded	12/18/2007	17248	91		

By the Court: Deborah J. Patterson

Attest:

A TRUE COPY
ATTEST:

Deborah J. Patterson
RECORDER

Deborah J. Patterson
Recorder

Entered: July 2, 2013



CITY OF TAUNTON
MASSACHUSETTS

16.

TREASURY DEPARTMENT

BARBARA A AUGER, CMMT
TREASURER/COLLECTOR

15 Summer Street
Taunton, MA 02780

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

August 12, 2013

Thomas J Hoye, Jr. Mayor and
Members of the Municipal Council
141 Oak St. Temp. City Hall
Taunton, Ma 02780

RE: Land Court Decree Paula M Richardi
Parcels # 91-221 – 7 Nickerson Ave. & # 91-222 – 5 Nickerson Ave.

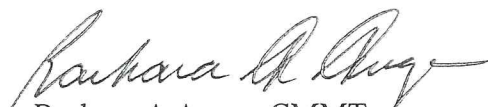
Dear Mayor Hoye and Councilors;

I have been notified that the Land Court entered a foreclosure decree on two tax title parcels assessed to **Paula M Richardi**. These properties are located on 5 Nickerson Ave. and 7 Nickerson Ave. The City of Taunton is now the owner of these properties and should make every effort to insure and secure the premises, as all responsibility and liability for this property now rests with the City of Taunton.

Once we receive the recorded judgment decree I will transfer the parcels to the Tax Possession Custodian.

If you have any questions or concerns regarding this property, please contact this Office.

Sincerely,


Barbara A Auger, CMMT
Treasurer/Collector

cc: Assessor
Auditor
Tax Possession Custodian

[SEAL] Land Court costs \$549.61

Legal Fees \$1,284.33 (estimated)

17,

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT

Pcl I - 7 Nickerson Ave
(bldgs) Pcl #91 - 221

Pcl II - 5 Nickerson Ave
(bldgs) Pcl # 91 - 222

Case No.: 12 TL 144157

JUDGMENT IN TAX LIEN CASE

City of Taunton

vs.

Paula M. Richardi

COPY

This case came on to be heard and was argued by counsel, and thereupon, upon consideration thereof, it is

ADJUDGED and ORDERED that all rights of redemption are forever foreclosed and barred under the following deed(s) given by and/or the tax taking(s) made by the Collector of Taxes for the City of Taunton in Bristol County and said Commonwealth:

<u>Land Type</u>	<u>Tax Taking Date</u>	<u>Book No.</u>	<u>Page No.</u>	<u>Document No.</u>	<u>Certificate of Title No.</u>
Recorded	12/03/2008	17805	237		
Recorded	12/03/2008	17805	238		

By the Court: Deborah J. Patterson

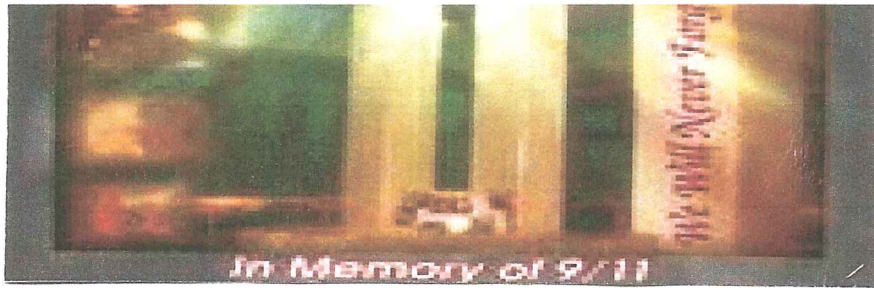
Attest:

A TRUE COPY
ATTEST:

Deborah J. Patterson
RECORDER

Deborah J. Patterson
Recorder

Entered: July 2, 2013



18.

FROM THE DESK OF IRENE FERNANDES

AUGUST 9, 2013

In memory of all who perished at the World Trade Center on September 11, 2001, including our own Peter A. Gay and Neely Casey.

*Taunton Municipal Council
Taunton City Hall
141 Oak St.
Taunton, Ma 02780*

Dear *Council Members,*

The John Shea Court would like your presence at their 11th anniversary, and the 12th worldwide here at 21 Hodges Avenue, Wednesday, September 11 at 2 p.m., to share in the memory of all who lost their lives on this horrific day. Our speeches from our dignitaries tell it all.

The event will begin with the opening of the National Anthem. Prayers will be read by our police and firemen, along with the world prayer from one of our own. There will be red, white and blue balloons released in the air during the singing of the National Anthem. This will end with the singing of God Bless America from all attending. Food and beverages will be served in the Community Hall.

By our community attending this memorable tribute, the people will always remember how families support one another in our great city.

I would really appreciate if you would either call or send a reply so I would have a count of people who will be attending. The number to call is (508) 822-1736. Please leave a message if I am not available. Hope to see you there.

Thank you,

Sincerely,
Irene M. Fernandes
Irene M. Fernandes
John Shea Court
21 Hodges Avenue, Apt. 206
Taunton, MA 02780

19.



Rose Blackwell
City Clerk - Taunton, MA
Temporary City Hall
141 Oak Street
Taunton, MA 02780

August 14, 13

Re: Bike to the Beach for autism: Event Notification

City Clerk Blackwell,

Bike to the Beach for autism is a supported charity cycling event that will be using some of the roads in the Taunton, MA on August 30, 2013. The purpose of our charity event is to raise awareness and support for autism and the efforts of our primary ride partner, Autism Speaks.

Cyclists taking part in the event will be assisted in many ways before and during the day of the ride. Leading up to the event, Bike to the Beach provides a training plan, equipment recommendations, and a community of supporters to properly prepare cyclists for the event. Bike to the Beach plans a route that is on preferred cycling roads and commuter routes. While the ride will not include road closures, Bike to the Beach purposefully selects the cycling route that avoids traffic congestion and follows bike safe roads where possible. All cyclists are expected to obey all rules of the road. All riders are given a cue sheet, and the route is marked with signs to ensure that riders stay on the preferred course.

Bike to the Beach hosts rest stops every 10-15 miles where riders are given water and food to replenish their hydration and caloric losses from the ride. Along the route, we have 5-10 chase vehicles with food and water, bike pumps and tubes, and medical supplies to assist the cyclists whenever necessary. Area bike mechanics follow along in vans to assist with any major bicycle mechanical failures. The tail end of the cycling group is followed by a van that will pick up any cyclist that feels they cannot finish the event or that is falling behind our scheduled progress for the day. These precautions are taken to ensure a safe and enjoyable ride.

We do not foresee needing Police, Fire, or Emergency Medical Services. However, because safety is our number one priority and we need to prepare for the unforeseen, we want to inform you that

20,

our event will be passing through Taunton on August 30, 2013 beginning at approximately 7:45 AM. We expect all of our riders to pass through Taunton in no more than two hours.

Please contact us with any questions that you may have. You can reach Bike to the Beach by email at Info@BiketothBeach.org or by phone at 202.642.2209

Sincerely,

A handwritten signature in black ink that reads "Robby Walsh" with a small checkmark or flourish at the end.

Robby Walsh
Executive Director
Bike to the Beach for autism
301-580-7231



WASTE MANAGEMENT

26 Patriot Place, Suite 300
Foxborough, MA 02035

August 15, 2013

Mr. Daniel Mansour Barbour, Chairman
Committee on Solid Waste
Taunton City Hall
141 Oak Street
Taunton, MA 02780

RE: Taunton Sanitary Landfill
Expansion

Dear Mr. Barbour:

During the July 9, 2013 meeting with the Committee on Solid Waste, the Committee requested Waste Management of Massachusetts, Inc. (WMMA) to float a balloon to identify the height of the landfill under the proposed expansion and notify the Committee of the proposed date when this would occur. WMMA has scheduled to float the balloon beginning on the morning of Thursday, August 29, 2013 and then remove the balloon at the close of business around 5 pm.

If you have any questions regarding this notification, please do not hesitate to call me at 508-549-8057.

Very truly yours,
WASTE MANAGEMENT OF MASSACHUSETTS, INC.


Peter J. Richer
Area Engineering Manager

cc: Thomas Hoye, Mayor, City of Taunton
Fred Cornaglia, Taunton DPW Assistant Commissioner
Kevin Duquette, Taunton BOH
Aaron Smith, WMMA

August 16, 2013

City of Taunton Mayor Tom Hoye & Municipal Council
Temporary City Hall
141 Oak Street
Taunton, MA 02780

**RE: Columbia Gas of Massachusetts Roadway Moratorium Excavation
Small Portions of Trescott Street, Cedar Street, and Union Street**

Dear Mr. Hoye and Municipal Council:

Columbia Gas of Massachusetts (CMA) is proposing to complete a gas main infrastructure replacement project on portions of Main Street, Cedar Street, Union Street, Trescott Street, Merchants Lane and Leonard Court in conjunction with the construction currently underway on the City of Taunton Phase II Sidewalk Replacement Project and Phase 9 Infrastructure Upgrade project. The proposed work will involve the replacement of our existing low pressure cast iron gas main with new high pressure HDPE plastic gas main, gas service replacements, and relocation of all existing inside gas service meter fits.

To complete the overall scope of our project, CMA is requesting permission to cut into small sections of roadways currently under moratorium to make critical connections to existing gas mains located on adjacent streets at the projects limit of work. Each of these roadway locations were paved towards the end of the 2012 construction season and are shown in detailed photographs enclosed.

- 1.) Intersection of Cedar Street and Main St. Proposed excavation in roadway under moratorium = 2' wide by 25' +/-.
- 2.) In the vicinity of 7 Cedar St. Proposed lateral excavation in roadway under moratorium = 2' wide by 18' +/-.
- 3.) Intersection of Union Street and Fruit St. Proposed excavation in roadway under moratorium = 2' wide by 8' +/-.
- 4.) Intersection of Trescott Street and Fruit St. Proposed excavation in roadway under moratorium = 2' wide by 6' +/-.

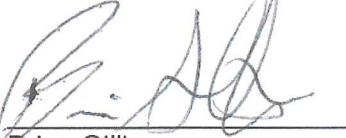
The anticipated start date of this project is the week of August 26, 2013 (subject to change) and should take approximately 1 day to complete the proposed work as each location. Although, this work will occur on various days throughout the overall larger scope of our Main Street project.

If granted permission to complete the proposed work, CMA can schedule the gas main installation and work closely with the Department of Public Works and the City of Taunton Sidewalk and Phase 9 Infrastructure Upgrade project representatives. Please note, our scope of the proposed Main Street infrastructure replacement project would drastically change provided we were denied permission to complete the excavation needed to make critical feed connections for our distribution system.

Should you have any questions, please do not hesitate to contact me at the office (508)-580-0100 ext. 1319 or by email at bgillis@nisource.com

Very truly yours

Columbia Gas of Massachusetts



Brian Gillis
Field Engineer

Enclosures

- Photographs

cc: file
Fred Cornaglia (DPW)
Tony Abreau (DPW)

M:\Common\SHARE\Capital Projects\2013 Main Replacement Projects\TAU Main St Encroachment\Correspondence\L-Taunton Road Cut Moratorium Request 8-16-13.doc

Proposed Roadway Moratorium Cuts



Location: Intersection of Cedar Street and Main St. Proposed excavation in roadway under moratorium = 2' wide by 25' +/-.

Reason: This excavation is needed so that our proposed gas main to be installed on Main Street can be tied into the high pressure feed which terminates just short of the Main St./Cedar St. intersection.



Location: In the vicinity of 7 Cedar St. Proposed excavation in roadway under moratorium = 2' wide by 18' +/-.

Reason: This excavation is needed so that a new gas main can be installed to and down the alley adjacent to 7 Cedar St allowing for gas service meter fits to be located outside the building to the rear rather than being located on the sidewalk.



Location: Intersection of Union Street and Fruit St. Proposed excavation in roadway under moratorium = 2' wide by 8' +/-.

Reason: This excavation is needed so that our proposed gas main to be installed on Union Street can be tied into the high pressure feed which terminates just short of older pavement located on Union Street.



Location: Intersection of Trescott Street and Fruit St. Proposed excavation in roadway under moratorium = 2' wide by 6' +/-.

Reason: This excavation is needed so that a connection between our existing low pressure feed on Trescott St can be tied into the existing high pressure feed at the intersection of Trescott St. and Fruit St. once re-pressure tested.



RECEIVED
CITY CLERK'S OFFICE

2013 AUG 16 A 9:41

TAUNTON, MA

CITY CLERK

AUGUST 20, 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, AUGUST 20, 2013 AT 5:30 P.M. AT THE ELIZABETH POLE SCHOOL LIBRARY, 215 HARRIS STREET, TAUNTON, MA. 02780**

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 WITH THE TREASURER/COLLECTOR TO DISCUSS CURRENT BONDING STATUS AND BONDING FOR NEW CITY HALL OPTIONS
4. 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 ON YOUTH AND RECREATION

1. MEET WITH ANNEMARIE MATULIS AND MEMBERS OF THE SILVER CITY TEEN CENTER TO DISCUSS PROGRAMS FOR THE NEW TEEN CENTER
2. 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**

RESPECTFULLY,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES