

MUNICIPAL COUNCIL AGENDAITY CLERK'S OFFICE TEMPORARY CITY HALL 141 OAK STREET, TAUNTON, MA 02780 EB - b | A 10: 56

FEBRUARY 10, 2015 - 7:00 PM

TAURION, MA

_CITY CLERK

INVOCATION ROLL CALL RECORDS

HEARING:

On the petition submitted by Antonio Bairos, 735 Whittenton St., Taunton and others for the acceptance of Westville Terrace as a public way in the City of Taunton.

- Com. from Chairman, Taunton Planning Board Submitting a positive recommendation
- Com. from City Engineer Submitting a positive recommendation
- Map of Westville Terrace

HEARING:

On the petition submitted by Brian Conway, Trustee, Conway Realty Trust, 2780 GAR Highway, Swansea and others for the acceptance of Barry Drive and Paige Way as public ways in the City of Taunton.

- Com. from Chairman, Taunton Planning Board Submitting a positive recommendation
- Com. from City Engineer Submitting a positive recommendation
- Map of Barry Drive and Paige Way

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

- Reappointment of William A. Manganiello, 100 Princess Kate Circle, Taunton to the Historic District Commission for a term of three (3) years expiring November 30, 2017.
- Reappointment of Norma Barbour, 83 Floral Street, Taunton to the Historic District Commission for a term of three (3) years expiring November 30, 2017.
- Reappointment of Barbara Mullen, 21 Guernsey Avenue, Taunton to the Historic District Commission for a term of three (3) years expiring November 30, 2017.
- Reappointment of Charles Flannery, 10 Belmont Street, Taunton to the Historic District Commission for a term of three (3) years expiring December 31, 2017.

• Reappointment of Robert Dickerman, 30 Ashland Street, Taunton to the Historic District Commission for a term of three (3) years expiring December 31, 2016.

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1-2 Com. from Treasurer/Collector Notifying of a land court decree
- Pg. 3-4 Com. from Detective Dennis Smith, Taunton Police Department Submitting a response on Planet Petroleum, 274 Winthrop Street, Taunton

COMMUNICATIONS FROM CITIZENS

PETITIONS

Hours of Operation License:

- 1. Broadway Quick & Clean Car Wash, Inc. located at 175 Broadway, Taunton
- 2. E-Z Clean Laundry Center, Inc., 173 Broadway, Taunton
- 3. E-Z Clean Laundry Center, Inc., 89 Winthrop St., Taunton
- 4. E-Z Clean Laundry Center, Inc., 11 Tremont St., Taunton

Second Hand Article License:

Petition submitted by Laura Moss, EcoATM, Inc. 10121 Barnes Canyon Road, San Diego, CA requesting a **NEW** Second Hand Article License for a vending style machine that collects used small electronic equipment and pays cash for the equipment located at 2 Galleria Mall Drive.

Claims

Claim submitted by Stacey M. Van Zandt, 320 Myricks Street, East Taunton seeking reimbursement for damages to her automobile from hitting a pothole in front of 198 Williams Street, Taunton.

Claim submitted by Susan Diniz, 161 Jeffrey Lane, Taunton seeking reimbursement for damages to her automobile from hitting a pothole on Williams Street just before the Poole Street curve.

Claim submitted by Stephanie Tavares, 61 Pine Tree Lane, Taunton seeking reimbursement for damages to her automobile from hitting a pothole in front of 199 Williams Street, Taunton.

COMMITTEE REPORTS

UNFINISHED BUSINESS

ORDERS, ORDINANCES AND RESOLUTIONS

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

AN ORDINANCE

Chapter 12 Licenses and Miscellaneous Business Regulations

Article V. Hawkers and Peddlers

Section 12-78.1 Tag Day Permit Requirements

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

SECTION 1. Article V of Chapter 12 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended by inserting a new Section 12-78.1 as follows:

Sec. 12-78.1 Tag Day Permit Requirements

(a) Definitions

"Tag Day" for the purposes of this ordinance, shall mean a person stationed in front of a business engaging in the in-person solicitation of immediate monetary donations on behalf of an organization from passersby and/or patrons of the business.

"Person" for the purposes of this ordinance shall mean natural person or legal entity, to include non-profit corporations.

(b) Permit Required

It is unlawful for any person to organize, hold or participate in a Tag Day except as provided by Ordinance. No person may organize, hold or participate in a Tag Day without (1) a permit from the City of Taunton and (2) permission from the business in front of which a solicitor is to be stationed. The permit must be in the possession of a person in charge, who is readily available, during the period of solicitation. The permit must be produced for inspection upon request.

An application for a Tag Day permit shall be made to the Mayor's Office upon forms provided by the City, and such application shall be filed with the Mayor's Office at least 15 days prior to the date for which the permit is sought. The City may, for good cause shown, allow the filing of an application less than 15 days prior to the date for which the permit is sought.

(1) Each applicant must provide the name, phone number and address of the organization, and, name and telephone number of the responsible contact person applying for the

permit. If the organization is not based within the City proof of an organization's establishment as a local chapter based within the City must be provided;

- (2) Each applicant must state the purpose for which such solicitation is to be made and the use or disposition to be made of any receipts;
- (3) All organizations must be based and have a street address within the corporate limits of the City or alternatively be a local City-based chapter of a larger umbrella organization, which is not based within the corporate limits of the City.
- (4) All solicitors and soliciting organizations with a Post Office Box address must also have a street address in the City where their organization is based, works out of or where meetings are held.
- (5) Soliciting organizations must present documentation depicting their not-for-profit status within current IRS guidelines. Permit will not be granted without proof of not-for-profit status.
- (6) Soliciting organizations must use sealed cans for collecting funds.
- (7) City of Taunton departments are exempt from this ordinance.
- (b) Limitation of Permits

Permits shall be issued on a first-come first-served basis and shall be for one calendar day. No more than one soliciting organization will be permitted to solicit on any day. No more than two permits shall be issued to any one organization within the same calendar year, and the permits must be for separate days.

(c) Hours of Soliciting in a public place.

Solicitation activities are not to occur prior to 8:00 a.m. or after 8:00 p.m.

(d) Severability

The provisions of this section shall be deemed to be severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the remainder of the ordinance shall remain in effect.

SECTION 2. This Ordinance shall become effective immediately upon passage.

NEW BUSINESS

Respectfully submitted,

Jennifer L. Leger



TAUNTON PLANNING BOARD

City Hall 15 Summer Street Taunton, Massachusetts 02780

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

Denise J. Paiva, Secretary

December 9, 2014

Honorable Mayor Thomas Hoye and Members of the Municipal Council 141 Oak St. temp City Hall Taunton, MA 02780

c/o Rose Marie Blackwell, City Clerk

RE: Street Acceptance – Westville Terrace

Dear Mayor Hoye and Members of the Municipal Council:

Please be advised that at the regularly scheduled meeting held on December 4, 2014 the Taunton Planning Board voted to send a positive recommendation to the Municipal Council to accept Westville Terrace as a public way in the City of Taunton.

Respectfully yours, obert P. Campbell CAP)

Robert P. Campbell, Vice Chairman TAUNTON PLANNING BOARD

RPC/djp

WESTVILLE TERRACE HEARING

CITY of TAUNTON



15 Summer Street Taunton, Massachusetts 02780-3430 Phone: 508-821-1027, Fax: 508-821-1336

> Mark B. Slusarz, P.E. City Engineer





TO:

Mayor Thomas Hoye, Taunton Municipal Council

FROM:

Mark Slusarz, P.E., City Engineer

CC:

Dan Dermody, Chair Taunton Planning Board

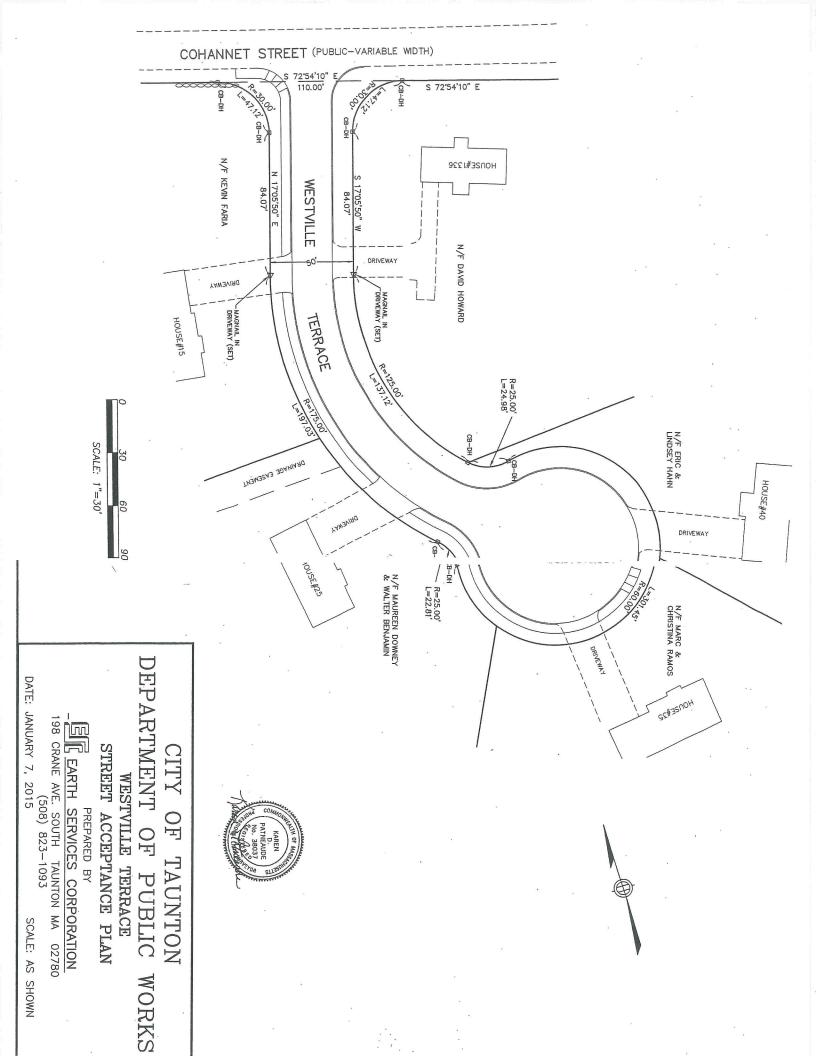
DATE:

January 8, 2015

RE:

Street Acceptance, Westville Terrace

The Engineering office has completed its inspections of the Westville Terrace and found it to be well constructed and complete. (Only minor seeding work still remains. This will be performed in the spring.) Proper As-Built and Street Acceptance plans have been received and approved. In anticipation of the City's receipt of an acceptance petition, I recommend the City accept Westville Terrace as a public roadway.



BARRY DRIVE & PAIGE WAY STREET ACCEPTANCE



TAUNTON PLANNING BOARD

City Hall
15 Summer Street
Taunton, Massachusetts 02780

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

January 12, 2015

Honorable Mayor Thomas Hoye and Members of the Municipal Council 141 Oak St. temp City Hall Taunton, MA 02780

c/o Rose Marie Blackwell, City Clerk

RE: Street Acceptance - Barry Drive & Paige Way

Dear Mayor Hoye and Members of the Municipal Council:

Robert P. Campbell (Pgp)

Please be advised that at the regularly scheduled meeting held on January 8, 2015 the Taunton Planning Board voted to send a positive recommendation to the Municipal Council to accept Barry Drive & Paige Way as public ways in the City of Taunton.

Very truly yours,

Robert P. Campbell, Chairman TAUNTON PLANNING BOARD

RPC/djp

BARRY DRIVE & PAIGE WAY STREET ACCEPTANCE



CITY of TAUNTON DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION

15 Summer Street Taunton, Massachusetts 02780-3430 Phone: 508-821-1027, Fax: 508-821-1336

> Mark B. Slusarz, P.E. City Engineer



MEMORANDUM

TO:

Mayor Thomas Hoye, Taunton Municipal Council

FROM:

Mark Slusarz, P.E., City Engineer

CC:

Dan Dermody, Chair Taunton Planning Board

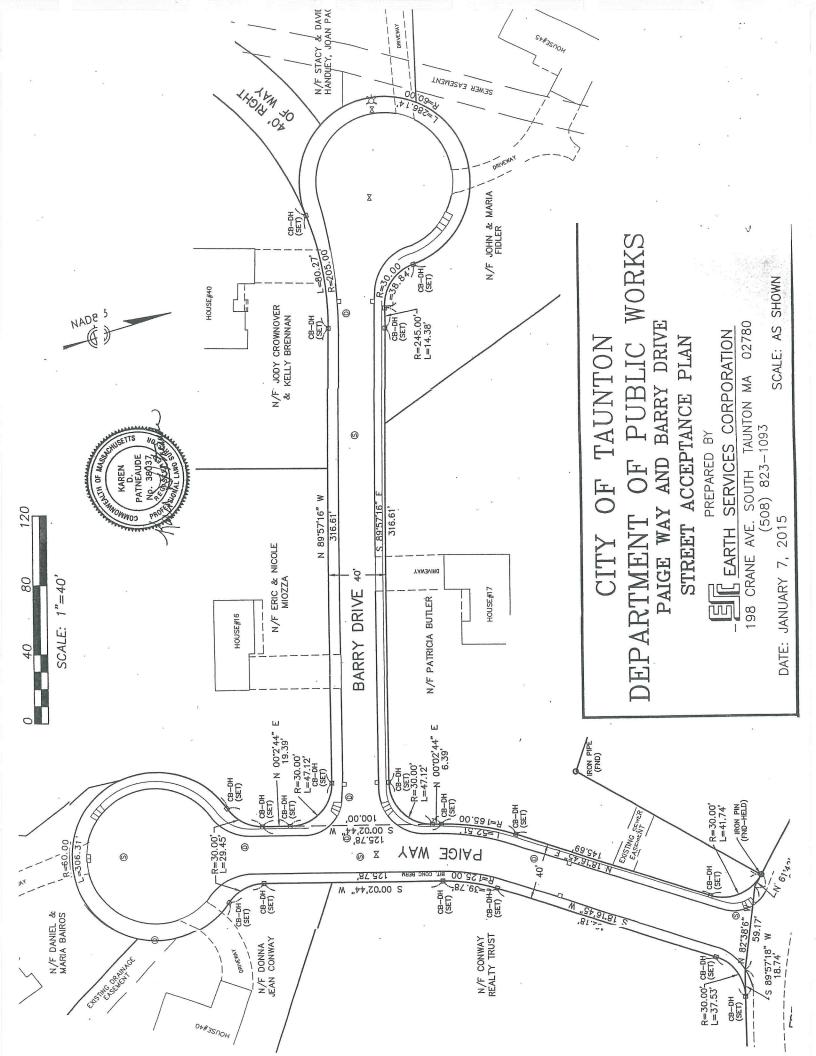
DATE:

January 8, 2015

RE:

Street Acceptance, Barry Drive and Paige Way

The Engineering office has completed its inspections of the Conway Estates roadways (Barry Drive and Paige Way), and found them to be well constructed and complete. (Only minor seeding work still remains. This will be performed in the spring.) Proper As-Built and Street Acceptance plans have been received and approved. At this time I can recommend that the City accept both Barry Drive and Paige Way as public roadways.



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

February 3, 2015

Council President AJ Marshall Members of the Municipal Council 141 Oak Street Taunton, MA 02780

Dear Members of the Municipal Council,

Please be advised that I am re-appointing William A. Manganiello of 100 Princess Kate Circle to the *Historic District Commission* for a term of three years which will expire the last day of November, 2017.

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

Thank you

Thomas C. Hoye, Ir.

Thomas C. Hoye, Jr. Mayor

Alyssa Gracia Assistant to the Mayor

> Gill E. Enos Budget Director



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February 3, 2015

Council President AJ Marshall Members of the Municipal Council 141 Oak Street Taunton, MA 02780

Dear Members of the Municipal Council,

Please be advised that I am re-appointing Norma Barbour of 83 Floral Street to the *Historic District Commission* for a term of three years which will expire the last day of November, 2017.

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

Thank you,

Thomas C. Hoye, Jr.

Thomas C. Hoye, Jr. Mayor

Alyssa Gracia Assistant to the Mayor

> Gill E. Enos Budget Director



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February 3, 2015

Council President AJ Marshall Members of the Municipal Council 141 Oak Street Taunton, MA 02780

Dear Members of the Municipal Council,

Please be advised that I am re-appointing Barbara Mullen of 21 Guernsey Ave to the *Historic District Commission* for a term of three years which will expire the last day of November, 2017.

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

Thank you

Thomas C. Hoye, Jr.

Thomas C. Hoye, Jr.
Mayor

Alyssa Gracia Assistant to the Mayor

> Gill E. Enos Budget Director



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February 3, 2015

Council President AJ Marshall Members of the Municipal Council 141 Oak Street Taunton, MA 02780

Dear Members of the Municipal Council,

Please be advised that I am re-appointing Charles Flannery of 10 Belmont Street to the *Historic District Commission* for a term of three years which will expire the last day of December, 2017.

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

Thank you

Thomas C. Hoye, Jr.

Thomas C. Hoye, Jr. Mayor

Alyssa Gracia Assistant to the Mayor

> Gill E. Enos Budget Director



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February 3, 2015

Council President AJ Marshall Members of the Municipal Council 141 Oak Street Taunton, MA 02780

Dear Members of the Municipal Council,

Please be advised that I am re-appointing Robert Dickerman of 30 Ashland Street to the *Historic District Commission* for a term of three years which will expire the last day of December, 2016.

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

Thank you,

Thomas C. Hoye, Jr.



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

February 5, 2015

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

RE:

Land Court John Smiliotopoulis Parcel # 66-371 – 65 Main Street

Dear Mayor Hoye and Councilors;

I have received the attached notice indicating the Land Court entered a foreclosure decree on a tax title parcel assessed to **John Smiliotopoulis** for property located at 65 Main Street. The City of Taunton is now the owner of the 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 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 \$386.50

Legal Fees \$3,724.58 (estimated)

COMMONWEALTH OF MASSACHUSETTS

LAND COURT

DEPARTMENT OF THE TRIAL COURT

65 Main Street (bldgs

Pc1# 66 - 371

Case No.:

12 TL 144100

JUDGMENT IN TAX LIEN CASE

City of Taunton

VS.

John Smiliotopoulos, Angela Smiliotopoulos

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:

Certificate of Land Type Tax Taking Date Book No. Page No. Document No. Title No. 12/18/2007 Recorded

By the Court:

Deborah J. Patterson

Attest:

A TRUE COPY

ATTEST:

Deborah J. Patterson

Recorder

Entered: January 13, 2015



CHIEF EDWARD J. WALSH

The City of Taunton Police Department

23 Summer Street Taunton, Massachusetts 02780

> Telephone: (508)821-1471 Facsimile: (508) 828-9315 www.tauntonpd.com

> > February 3, 2015

Council President Estele Borges & Members of the City Council Temporary City Hall 141 Oak Street Taunton, Ma 02780

This is in response to a correspondence dated January 16, 2015 requesting that I along with the Zoning Enforcement Officer investigate Planet Petroleum 274 Winthrop Street. Your request asked to investigate the following issues:

- 1) Cars parked along the gates, which are not closed.
- 2) Too many cars parked near the stream behind the building.

These two issues are not within the jurisdiction of the Police Departments Licensing Division as they fall under Zoning Enforcement and or Conservation.

Regarding hours of operation the only restriction of business hours is covered under City Ordinance Section 12-2: which states

Sec 12-2 Closing Hours for Commercial Establishments

- (a) Generally. No shops, stores, or other places of trade or entertainment shall be kept open between 1:00 a.m. and 4:00 a.m., except as hereinafter provided.
- (b) Licensing exceptions. Licensed taverns, drugstores, hotels, motels, gasoline stations, self-service laundries, restaurants, and such other businesses as may be approved by the Municipal Council, may keep open between the hours of 1:00 a.m. and 4:00 a.m., provided that a permit therefore has been obtained from the Municipal Council, and further provided that the operation of said businesses between said hours shall not cause or create a nuisance, or disturb or cause the disturbance of the peace and quiet of the neighborhood in which said businesses are located.
- (c) Fee for license. The fee for permission to operate any one of the aforesaid businesses between the aforesaid hours shall be thirty dollars (\$30.00) per annum payable to the Municipal Council on or before the issuance thereof and annually thereafter.

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- (d) Rules, regulations applicable. The Municipal Council may establish rules and regulations governing nighttime operations of businesses permitted by it as aforesaid in order to avoid nuisances and disturbances of the peace.
- (e) Suspension, revocation of license. The Municipal Council may for good cause, and after reasonable notice and opportunity to be heard, suspend or revoke any permit issued by it as aforesaid.
- (f) Responsibility for violation. Every keeper of any shop, store or place of trade or entertainment, which shall be opened, or in which any article shall be sold, and every person opening any shop, store or place of trade or entertainment or selling any article contrary to the provisions of this section, shall be deemed guilty of a violation of this section.
- (g) To the extent that any other section of the Municipal Ordinance conflict with this section or any license granted under the authority of the City of Taunton acting through any board, Commission, agency, or Authority, or conflicts with the requirements of this section, the requirements of this section shall apply. (Ord of 2-20-2001)

The sector officers assigned to this area during the restricted hours of 1:00 A.M. & 4:00 A.M. have been informed to note any violations observed on the police log for further investigation by this officer.

Respectfully Submitted

Dennis M. Smith, Detective Taunton Police Department

License Division 23 Summer Street Taunton, Ma. 02780



FEBRUARY 10, 2015

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

TAUNTON, MA

PLEASE NOTE:

THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR TUESDAY, FEBRUARY 10, 2015 AT 4:00 P.M. AT THE TEMPORARY CITY HALL AT MAXHAM SCHOOL, 141 OAK STREET, TAUNTON, MA. 02780, IN THE CHESTER R. MARTIN MUNICIPAL COUNCIL CHAMBERS

4:00 P.M.

THE COMMITTEE ON POLICE AND LICENSE

- 1. MEET TO INTERVIEW POLICE CANDIDATES
- 2. MEET TO REVIEW MATTERS IN FILE
- 3. PUBLIC INPUT

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

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

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 PUBLIC PROPERTY

- 1. MEET TO DISCUSS WALKER SCHOOL RFP
- 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

THE COMMITTEE ON THE DEPARTMENT OF PUBLIC WORKS

- 1. MEET WITH CRAIG FOLEY OF THE T.M.L.P., KIEN HO OF BETA GROUP, WILLIAM TRAVERS OF MASS. DEPARTMENT OF TRANSPORTATION, STEPHEN SMITH OF SRPEDD AND THE DPW COMMISSIONER TO DISCUSS HARTS FOUR CORNERS INTERSECTION.
- 2. MEET WITH BRIAN GILLIS, FIELD ENGINEER FOR COLUMBIA GAS AND THE DPW COMMISSIONER TO DISCUSS ROADWAY MORATORIUM EXCAVATION FOR WASHINGTON STREET AT AVON STREET INTERSECTION.
- 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 TO DISCUSS LANDFILL EXPANSION
- 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