



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

~  
**JANUARY 28, 2014 – 7:00 PM**

**INVOCATION  
ROLL CALL  
RECORDS**

**HEARING: NONE**

**COMMUNICATIONS FROM THE MAYOR**

**APPOINTMENTS**

**COMMUNICATIONS FROM CITY OFFICERS**

- Pg. 1 Com. from Daniel Mansour Barbour – Expressing Gratitude
- Pg. 2 Com. from Assistant Director of Retirement – Notifying of a retirement
- Pg. 3 Com. from Building Inspector/Zoning Enforcement Officer – Submitting a response on the burnt building at Chateau Estates
- Pg. 4 Com. from Building Inspector/Zoning Enforcement Officer – Submitting a response on 84 Hart Street
- Pg. 5 Com. from City Solicitor – Requesting to meet in executive session regarding Nancy Gero v. City of Taunton
- Pg. 6 Com. from Superintendent of Buildings – Requesting an appropriation of funds
- Pg. 7 Com. from Police Chief – Requesting a transfer of funds
- Pg. 8 Com. from Robert Folcik, Chairman, Elks Relocation Committee, P.O. Box 482, Taunton – Requesting assistance locating new property

**PETITIONS**

**Constable License**

Application submitted by Ian Daley requesting **RENEWAL** of his Constable License desiring to serve civil process.

RECEIVED  
CITY CLERK'S OFFICE  
2011 JAN 24 11 A 10: 46  
TAUNTON, MA  
CITY CLERK

### Claims

Claim submitted by Erica Sousa, 97 School St., Taunton seeking reimbursement for damages to her vehicle from hitting a pothole on Route 44/Dean St. near the Nursing Home.

Claim submitted by Brian Crowley, 22 Cooper St., Taunton seeking reimbursement for damages to his vehicle from hitting a pothole on Pratt St. near Talbot Avenue and a second one on Hart St. near the railroad tracks.

Claim submitted by Abilio Cunha, 163 Williams St., Taunton seeking reimbursement for damages to his vehicle from hitting a pothole on Tremont St. at the intersection of Crapo St., Taunton.

Claim submitted by Jay Gubala, 57 Shirley Road, Raynham seeking reimbursement for damages to his vehicle from hitting a pothole at 66 Richmond St., Taunton near Shirley Road.

Claim submitted by John Stahl, 7 Dean St., Taunton seeking reimbursement for damages to his vehicle from hitting a pothole on Tremont St. near the intersection of Clifford St., Taunton.

Claim submitted by Charles Sault, 230 Marquista Ave., E. Falmouth seeking reimbursement for damages to his vehicle from hitting a pothole on Tremont St. near Crapo St., Taunton.

### Pole Location

Petition submitted by Verizon New England Inc. proposing to place new facilities (MH 155C) and conduit on Washington Street, Taunton. **(Public Hearing Required)**

Petition submitted by Verizon New England Inc. proposing to place new facilities (MH 154A & MH 154B) and conduits on Washington Street, Taunton and remove/abandon MH 154 on Washington Street, Taunton. **(Public Hearing Required)**

## **COMMITTEE REPORTS**

## **UNFINISHED BUSINESS**

## **ORDERS, ORDINANCES AND RESOLUTIONS**

From the October 16, 2013 Committee on Police and License, the Council motioned to accept G.L. c. 41, § 91 which would allow the Mayor the flexibility to appoint a Constable for any period of time, up to three years.

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

**AN ORDINANCE ELIMINATING THE FEE FOR BURNING PERMITS**

**Chapter 7  
FIRE PREVENTION AND PROTECTION**

**Section 7-46. Fees for inspections, permits, etc.**

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

**SECTION 1.** Chapter 7, Section 7-46, of the revised Ordinances of the City of Taunton, as amended, is hereby further amended by striking "\$5.00" from line (12) of the Fee Schedule therein, and inserting in place thereof "No Fee".

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

**NEW BUSINESS**

**Respectfully submitted,**



**Rose Marie Blackwell  
City Clerk**

**Municipal Council**  
**City of Taunton**  
**MASSACHUSETTS**

*John M. McCaul*  
Council President

*Colleen M. Ellis*  
Clerk of Council Committees

**CITY HALL**  
(508) 821-1035  
FAX: (508) 821-1338  
E-MAIL: tauntoncouncil@tmlp.net



*Councilors:*

Daniel Mansour Barbour  
Deborah A. Carr  
Donald L. Cleary  
Ryan C. Colton  
Sherry Costa-Hanlon  
Andrew J. Marshall  
John M. McCaul  
Alan F. Medeiros  
David W. Pottier

To the Citizens of Taunton and my fellow colleagues in government:

Periodically, as we live our lives, it is helpful to pause and take a moment to reflect on life's journey; the highs and lows. With the results of the recent City Council election, it has prompted me to take just such a moment and reflect on that particular chapter in my life. Serving the citizens of Taunton as a City Councilor for ten years will always be considered a high point in my life and one that I shall regard with great pride. I took the responsibility of service to our community and citizens very seriously and devoted a vast amount of time to chatting with citizens, researching the issues, considering the merits of each position and rendering each opinion in what I considered to be the best interested of our community and citizens. I sincerely thank you for that trust that you placed in me and the opportunity that I was provided.

To those recently elected officials, I wish you much success and ask that you remain focused on who you have been elected to serve and the gravity of each of your decisions as they relate to the future health and welfare of the community in which we reside.

Despite our differing opinions, democracy endures and is the treasured gift to all; defended by many who came before and many who are defending democracy as we read this letter. I respect the democratic process and value its endurance.

May God bless our new elected representatives, the voters who took time to exercise their right of democracy and to our area men and women who continue to fight for the maintenance of our democratic rights and freedoms.

My heartfelt gratitude to all during this wonderful journey...

Daniel Mansour Barbour

City Councilor

2004-2013





**CITY OF TAUNTON**  
**Contributory Retirement System**  
40 Dean Street, Unit 3  
Taunton, Massachusetts 02780  
[www.tauntonretirement.com](http://www.tauntonretirement.com)  
(508) 821-1052  
Fax (508) 821-1063

2.

**BOARD OF  
RETIREMENT**

**CHAIRMAN**  
Ann Marie Hebert

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

**EXECUTIVE  
DIRECTOR**  
Paul J. Slivinski

**ASSISTANT  
DIRECTOR**  
Kathy A. Maki

January 16, 2014

Hon. Thomas Hoye, Mayor and Taunton Municipal Council  
Maxham School  
Oak Street  
Taunton, MA 02780

Dear Mayor Hoye and Councilors:

Please be advised of the retirement for Superannuation of Paul Allison, an employee of the Fire Department on March 2, 2014 under the provisions set forth in Section #5 of Chapter 32 of the General Laws of Massachusetts.

Please pay accumulated benefits up to the date of retirement.

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

Respectfully yours,

Kathy Maki  
Assistant Director

cc: P. Allison  
T. Bradshaw, Fire Chief  
B. Auger, Treasurer  
A. Hebert, Auditor  
M. Gomes, Human Resources  
R. Blackwell, City Clerk  
file

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CITY OF TAUNTON

MASSACHUSETTS

DEPARTMENT OF PUBLIC BUILDINGS



ROBERT P. PIROZZI  
BUILDING COMMISSIONER  
CHIEF OF INSPECTIONS

MARY JANE BENKER  
BUILDING INSPECTOR  
ZONING ENFORCEMENT OFFICER

CITY HALL  
15 SUMMER STREET  
TAUNTON, MA 02780-3464  
(508) 821-1015  
FAX (508) 821-1019

January 17, 2014

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

Re: Burnt Building at Chateau Estates

Dear Mayor & Councilors:

It is the understanding of this department that an Architect is working on plans to replace this structure. Therefore, we have held off on pursuing enforcement action at this time.

This office is attempting to verify a time frame for reconstruction. We will continue to monitor this situation.

Respectfully,

Mary Jane Benker, CBO  
Building Inspector/Zoning Enforcement Officer

Cc: File

CITY OF TAUNTON

MASSACHUSETTS

DEPARTMENT OF PUBLIC BUILDINGS

ROBERT P. PIROZZI  
BUILDING COMMISSIONER  
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MARY JANE BENKER  
BUILDING INSPECTOR  
ZONING ENFORCEMENT OFFICER

CITY HALL  
15 SUMMER STREET  
TAUNTON, MA 02780-3464  
(508) 821-1015  
FAX (508) 821-1019



January 15, 2014

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

Re: Property at 84 Hart Street

Dear Mayor & Councilors:

You have requested that I investigate the vacant building at 84 Hart Street as it was stated that homeless people are entering the building.

My investigation revealed that the property was secure at grade level, not open to the weather and I found no evidence of anyone living there.

If I can be of further assistance, please feel free to contact me at 508-821-1015.

Respectfully,

Mary Jane Benker, CBO  
Building Inspector/Zoning Enforcement Officer



City of Taunton  
LAW DEPARTMENT

141 Oak Street  
Taunton, Massachusetts 02780  
Phone (508) 821-1036 Facsimile (508) 821-1397



Thomas C. Hoye, Jr.  
MAYOR

Jason D. Buffington  
CITY SOLICITOR

Daniel F. de Abreu  
ASST. CITY SOLICITOR

January 23, 2014

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

**RE: Nancy Gero v. City of Taunton**  
**United States District Court, Civil Action No. 1:11-CV-10039MLW**

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Dear Mayor Hoye and Members of the Municipal Council:

Pursuant to G.L. c.30A, §21(a)(3), I respectfully request the opportunity to meet with you in executive session at the January 28, 2014 Municipal Council meeting. The purpose of the meeting is to discuss strategy with respect to litigation. It is my opinion that an open meeting at this time may have a detrimental effect on the litigating position of the City.

Very truly yours,

Jason D. Buffington, Esq.  
City Solicitor



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# CITY OF TAUNTON

MASSACHUSETTS

**WAYNE E. WALKDEN**  
SUPERINTENDENT OF  
BUILDINGS

DEPARTMENT OF PUBLIC BUILDINGS



TEMPORARY CITY HALL  
141 OAK STREET  
TAUNTON, MA 02780-3464  
(508) 821-1015  
FAX (508) 821-1019  
Email: bldgsupt@tmlp.net

January 21, 2014

Honorable Mayor Hoye  
Members of the Municipal Council  
141 Oak St.  
Taunton, MA 02780

Dear Mayor Hoye and City Councillors:

I am requesting permission to fund \$102,114.91 due to COTMA and 1144 contractual pay increases:

Dept. Head	1-492-0201-5100	\$ 2,537.44
Inspectors	1-492-0201-5101	\$ 6,936.66
Office Manager	1-492-0201-5102	\$ 1,750.27
TOTAL:		\$11,224.37

HVAC Sys Mgr.	1-493-0201-5108	\$ 2,144.83
Misc Employees	1-493-0201-5109	\$88,745.71
TOTAL:		\$90,890.54

If you have any questions, please do not hesitate, to contact me.

Respectfully,

*Wayne E. Walkden*

Wayne E. Walkden  
Superintendent of Buildings



# CITY OF TAUNTON POLICE DEPARTMENT

CHIEF  
EDWARD JAMES WALSH

23 SUMMER STREET  
TAUNTON, MA 02780  
(508) 821-1471  
January 21, 2014

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

Pursuant to a discussion on vehicle funding I had with the Budget Director Mr. Enos this past week, I am requesting the transfer of \$55,000 from the Reserve Account to purchase two new unmarked cruisers. Mr. Enos has indicated that this amount is sustainable. As you may be aware, the City has not directly funded a cruiser purchase in seven years. At the current time I do not have outside funding available to replace vehicles and initially requested funds in both the initial and supplemental budgets for these purchases but was not funded.

Thank you for your consideration on this matter.

Respectfully,

Edward James Walsh  
Chief of Police

**Taunton Lodge of Elks #150**  
**Benevolent and Protective Order of Elks of the United States of America**

January 15, 2014

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

Dear Mayor and Municipal Council,

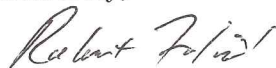
As you are aware, the membership of the Taunton Lodge of Elks # 150 voted to sell our lodge building located at 119 High Street due to the exceedingly high cost of operation and maintenance of such a large and functionally obsolete facility. This grand old building has allowed the Elks to serve the youth, veterans and citizens of the community for the past 87 years but it is now time to move forward and establish a facility that will allow the organization to continue to serve the community for the next 87 years and beyond.

Our current intent is to build a new lodge within the city of Taunton and this is where we are asking for your help and guidance. Our new building would require a buildable lot of approximately 1.5 to 2 acres in size and located in an area zoned for such a use.

Therefore we are asking whether the City of Taunton can advise us of any city-owned property, meeting the above criteria, that may be available for sale through the competitive bidding process, including land in proximity to the Armory and old Elizabeth Pole school.

We look forward to hearing from you at your earliest convenience and would be available to meet with any city officials to discuss this further.

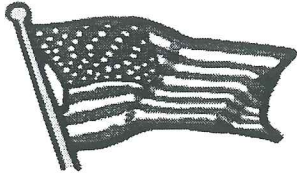
Sincerely,



Robert Folcik  
Chairman, Elks Relocation Committee



P.O. Box 482  
Taunton MA 02780



RECEIVED  
CITY CLERK'S OFFICE  
2014 JAN 24 A 10:34  
TAUNTON, MA  
\_\_\_\_\_  
CITY CLERK

JANUARY 28, 2014

HONORABLE THOMAS C. HOYE, JR., MAYOR  
COUNCIL PRESIDENT ANDREW J. MARSHALL  
AND MEMBERS OF THE MUNICIPAL COUNCIL

**PLEASE NOTE:** **THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR TUESDAY, JANUARY 28, 2014 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

**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 TO DISCUSS WASHINGTON STREET BRIDGE PROJECT.
2. MEET TO DISCUSS WATER DIVISION SUPERVISOR'S REQUEST TO WRITE-OFF UNCOLLECTABLE UTILITY CHARGES FOR PERIODS FROM 1984-1999 FOR UNPAID WATER AND/OR SEWER USAGE.
3. MEET WITH THE DPW TEAM TO DISCUSS PROPOSED TAUNTON STORM WATER ORDINANCE
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**

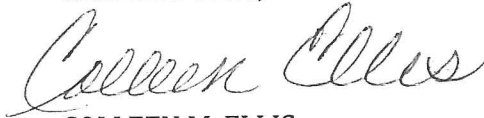
**THE COMMITTEE OF THE COUNCIL AS A WHOLE**

1. MEET WITH MARILYN GREEN OF PARKS, CEMETERIES AND PUBLIC GROUNDS TO DISCUSS PROPOSED SPLASH PARKS GRANT APPLICATION.
2. MEET WITH THE CITY SOLICITOR AND REPRESENTATIVES OF BID TO DISCUSS MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND BID.
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**

RESPECTFULLY,



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES