



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

~
JANUARY 8, 2013 – 7:00 PM

**INVOCATION
ROLL CALL
RECORDS**

HEARING:

Petition of the following for renewal of Class III Motor Vehicle Licenses:

1. Arthur's Auto Junk Yard, 147 Fremont St.
 2. Automotive Recovery Services, Inc.-DBA-Insurance Auto Auctions, 580 Myricks St.
 3. Caramelo's Auto Body, Inc., 2 Porter St.
 4. Harry's Auto Wrecking, 68 Whitsborough St.
 5. Reynold's Auto Wrecking, Inc, 733 So. Precinct St.
 6. Tony's Auto Wrecking, 303 Broadway
- All Tax Status are paid in full for each of the above six petitioners

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

- Election of Municipal Council President
- Appointment of Director of Planning and Conservation
- Appointment to the License Commission

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1 Com. from Executive Director, Retirement – Notifying of a retirement
- Pg. 2 Com. from Wendy Graves – Submitting her resignation
- Pg. 3 Com. from City Clerk – Requesting to pay a prior year bill
- Pg. 4-8 Com. from City Engineer – Requesting approval of a Traffic Control Signal Permit
- Pg. 9 Com. from Safety Officer – Parking issue at Whittenton St. & Fifth Ave.

RECEIVED
CITY CLERK'S OFFICE
2013 JAN -4 P 2:59
TAUNTON, MA
CITY CLERK

- Pg. 10-11 Com. from Executive Director, Retirement – Notifying of the City’s retirement system investment performance
- Pg. 12-13 Com. from Mayor Hoye – Notifying of certified general fund free cash for FY2012
- Pg. 14-16 Com. from Building Commissioner – Submitting the Building Permit Record for December 2012
- Pg. 17-35 Com. from Assistant Executive Director, Board of Health – Informing on 14 Winthrop Street
- Pg. 36-38 Com. from Bill Cowin, Tallage LLC, 165 Tremont St., Suite 305, Boston – Notifying of presence at Massachusetts Municipal Association Annual Meeting

PETITIONS

Constable License

Application submitted by Nathaniel Greene requesting a **RENEWAL** of his Constable License desiring to serve Civil Process.

Application submitted by Thomas Centofanti requesting a **RENEWAL** of his Constable License desiring to serve as a Crossing Guard and to serve Civil Process and all Other.

Hours of Operation License

1. Hess Express, 943 County Street, Taunton for 2011 and 2012

Claim

Claim submitted by David Menice, 72 Duffy Drive, Taunton seeking reimbursement for his mailbox which was destroyed on December 30, 2012 by snow plow trucks.

Miscellaneous

Special Permit submitted by Russell Orcutt, 27 Flintlock Road, Taunton to allow entertainment in conjunction with an art space at 3 Trescott Street located in the Central Business District. **(Public Hearing Required)**

COMMITTEE REPORTS

UNFINISHED BUSINESS

ORDERS, ORDINANCES AND RESOLUTIONS

Resolution

- Resolution submitted by Bristol County Savings Bank, 35 Broadway, Taunton designating public depository and authorizing withdrawal of Municipal Public Moneys for the City of Taunton, 141 Oak Street, Taunton (*Designation of Interim City Treasurer*)

NEW BUSINESS

Respectfully submitted,

A handwritten signature in cursive script that reads "Rm Blackwell".

Rose Marie Blackwell

City Clerk

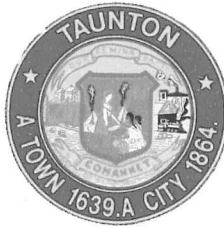
City of Taunton

Office of the Mayor

Thomas C. Hoye, Jr.
Mayor

Alyssa Gracia
Assistant to the Mayor

Gill E. Enos
Budget Director



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

December 28, 2012

Council President Ryan C. Colton
Members of the Taunton Municipal Council
141 Oak Street
Taunton, MA 02780

Dear Council President Colton:

Please be advised that I am re-appointing Kevin Scanlon to the position of Director of Planning and Conservation for a term of three (3) years in accordance with Article VI, Section 16-48 of the Revised Ordinances of the City of Taunton. This term shall expire in January of 2016.

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

Respectfully,

Thomas C. Hoye, Jr.
Mayor

City of Taunton

Office of the Mayor

Thomas C. Hoye, Jr.
Mayor

Alyssa Gracia
Assistant to the Mayor

Gill E. Enos
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January 4, 2013

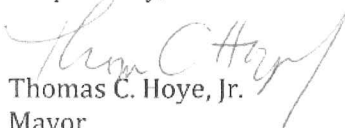
Council President Ryan C. Colton
Members of the Taunton Municipal Council
141 Oak Street
Taunton, MA 02780

Dear Council President Colton:

Please be advised that I am appointing Bruce Thomas of 48 Church Green to the Licensing Board. Mr. Thomas has been appointed to serve the remainder of Joseph Rose's tenure, who was re-appointed in July 2012 for a term of (4) years and regrettably resigned in January 2013, for a term of (4) years, which will expire the last day of July, 2016.

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

Respectfully,


Thomas C. Hoye, Jr.
Mayor

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



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

**BOARD OF
RETIREMENT**

Chairperson:
Ann Marie Hebert, City Auditor

Elected member: Richard T. Avila
Elected member: Peter H. Corr
Mayoral appointee: Gill E. Enos
Board appointee: A. Joan Ventura

STAFF

**Executive
Director:**
Paul J. Slivinski

**Assistant
Director:**
Kathy A. Maki

December 20, 2012

Hon. Thomas C. Hoye, Jr., Mayor
Taunton Municipal Council
141 Oak St., Temporary City Hall
Taunton, MA. 02780

Dear Mayor Hoye and Councilors:

Please be advised of the retirement for Ordinary Disability of Mark M. Dupras, an employee of the Fire department, effective December 19, 2012 under the provisions of section 6 of Chapter 32 of the General Laws of Massachusetts.

Please pay accumulated benefits up to the date of retirement.

Respectfully yours,

Paul J. Slivinski, CPP
Executive Director

cc: Mark M. Dupras
Tim Bradshaw, Fire Chief
Human Resources
City Auditor
City Treasurer
City Clerk
File

December 21, 2012

Ryan C. Colton, President
Members of the Taunton Municipal Council
141 Oak Street
Taunton, Massachusetts 02780

Dear President Colton and Members of the Municipal Council:

I hereby irrevocably resign from my employment as Treasurer/Collector for the City of Taunton, effective as of 11:59 p.m. on December 21, 2012.

Very truly yours,



Wendy L. Graves



City Clerk's Office
City of Taunton,

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

Rose Marie Blackwell
City Clerk

Jennifer L. Leger
Assistant City Clerk

January 4, 2013

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

Dear Mayor Hoye and members of the Municipal Council:

I respectfully request permission to pay a prior year invoice in the amount of \$260.60 to IKON/RICOH USA Inc. as the Auditor's Office recently notified me that their office inadvertently left this amount off the encumbrance list and advised me to request the Council to approve payment of this bill utilizing prior year funds.

I appreciate your assistance with this matter.

Respectfully,

Rose Marie Blackwell
City Clerk



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

January 4, 2013

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

Re: Flashing Beacons, Taunton Green

Dear Mayor Hoye, and Councilors;

In order for the new flashing beacons to become operational at the intersection of Taunton Green and Broadway, the Taunton Municipal Council must approve the attached Traffic Control Signal Permit. I've also attached correspondence from Mass DPW (now MassDOT) giving the City the authority to do so.

Sincerely,
City of Taunton

Mark B. Slusarz, P.E.
City Engineer

Mike Horrigan, TMLP Manager

attachments

City of Taunton
Engineering Department
141 Oak Street
Taunton, MA 02780

City or Town Taunton
Location Broadway at
Taunton Green
Date: Dec. 19, 2012 Permit No. 1992(b)

5

TRAFFIC CONTROL SIGNAL PERMIT

Under authority of Chapter 85, Sec. 2 General Laws, the City of Taunton hereby approves the following described traffic control signal installation, and auxiliary signs and surface marking, for the above location, provided that a permit for the opening of the road and structures thereon shall be received from the board or officer in charge of the road.

This permit is granted for the specific signal location as described herein and for its operation in accordance with the conditions set forth below and with the requirements of the City of Taunton Engineering Department. The details for any material alterations or any continued* or substantial departure from the provisions of this permit must be submitted to the Department for approval with data sufficient to justify such modification. Failure to comply with these requirements automatically voids this permit during such time as non-compliance exists.

* A period of seven consecutive days or more in any month.

I. STANDARDS OF INSTALLATION

The traffic control signal installation and all auxiliary signs and surface markings which are used in connection with such installation shall conform with the requirements of the Massachusetts Department of Transportation and with the sketch which is attached.

II. OPERATION OF SIGNALS

- (A) Type of Control: Automatic
- (B) Coordination: none
- (C) Special Connection: none
- (D) Timing for Automatic operation: All vehicular signal heads flash yellow 24 hours/day.
Pedestrian signal heads are off (dark).
- (E) Hours for Automatic Operation: 24 hours
Signal may be operated automatically for a shorter period of time but not for a greater length of time than is here indicated except when unusual conditions arise which temporarily justify longer operation.
- (F) Flashing Operation: Whenever a signal is not operating as a control device (stop and go), it must flash yellow or flash red as set forth in the signal sequence and at the rate of 50-60 flashes per minute unless otherwise specified in Part II(e) of this permit.
- (G) Manual Operation: Signal may be operated manually at any time irrespective of the hours designated in Part II(c) of this permit.
- (H) Discontinuance: Signal may be discontinued at any time. When this is done signal faces must be turned away from traffic, taken down or hooded, and the District Highway Engineer notified.
- (I) Supersedes and cancels State Permit #1992(a) dated October 15, 1963.

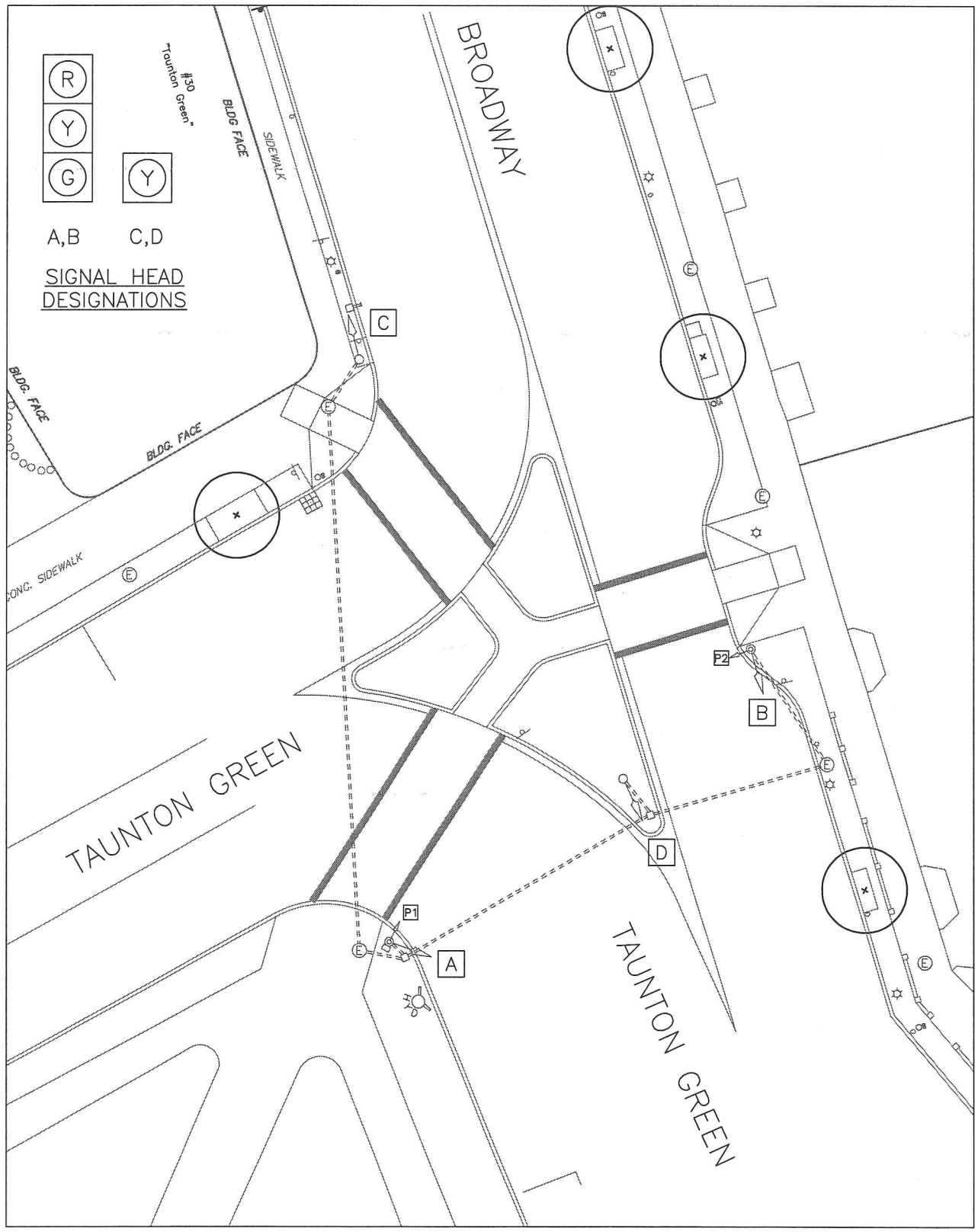
City of Taunton

By: 

City Engineer

12/19/2012

N:\4000s\4063 Taunton Downtown Sidewalks\AutoCAD Files\Working Files\4063 As-Built_REV1.dwg Dec 27, 2012 9:32am



Permit No: 1992 (b)
 Date: December 27, 2012

Broadway (Route 138) & Taunton Green

Taunton, MA

Scale = 1:20

File: CC: JMB 7



The Commonwealth of Massachusetts

Department of Public Works

DISTRICT #6

1000 COUNTY STREET, TAUNTON 02780

January 15, 1988

SUBJECT: TRAFFIC ENGINEERING - Taunton
Traffic Signals

Mr. Michael J. Horrigan
Distribution Manager
Taunton Municipal Lighting Plant
P.O.Box 870
Taunton, MA 02780-0870

Dear Sir:

This will refer to your correspondence dated January 5, 1988, concerning deregulation of Traffic Control Signals.

Chapter 689 of the Acts of 1986, allows cities and towns to install traffic control signals or modify them on city and town ways in areas not adjacent to state highways, when such changes have been made under the authority of a professional engineer, or body having the responsibility for traffic control, as established by the state legislature. In Taunton, the City Council has authority with regard to traffic control measures, and it cannot be delegated without action of the state legislature. The Council must approve any signal change to be made prior to its inception. The City Clerk is the party responsible for maintaining all the records of the community, and it would be the City of Taunton's responsibility to provide records as may be necessary for court presentation when needed or required by the courts. It should be evident, from the foregoing, that officials of the Taunton Municipal Lighting Plant do not have authority to effect any changes in signals unless these procedures are followed. All traffic signals and their operation must conform to the standards as set forth in the Massachusetts Manual on Uniform Traffic Control Devices.

It is hoped that this information will be of assistance to you in your efforts to maintain traffic signal systems for the City of Taunton.

Very truly yours,

J. T. Cronin, P.E.
DISTRICT HIGHWAY ENGINEER

RAH/aa

cc: JTC, RHJ, City Council-Taunton, File

Enclosure (1)



The Commonwealth of Massachusetts

Department of Public Works

DISTRICT #6
1000 COUNTY STREET, TAUNTON 02780

Effective April 7, 1987, under Chapter 689, Acts of 1986, certain traffic regulations need no longer receive permits from this Department. These permits still must be voted by local authorities in their usual manner in accordance with statewide standards and local records maintained. Adherence to the standards set forth in the Massachusetts Manual on Uniform Traffic Control Devices is required.

The new legislation requires that the following types of traffic control must still receive permits from the Massachusetts Department of Public Works:

1. Speed zoning;
2. Regulations pertaining to traffic control agreements (specific provisions) and amendments to existing agreements;
3. Heavy commercial vehicle exclusions;
4. School zones where direct state funding is provided;
5. City/Town ways at their intersection with State Highway;
6. Mid-block one ways; and
7. One ways on ways which connect adjoining communities.

Cities and towns can erect traffic control signals and flashers if they employ a Massachusetts Registered Professional Engineer in their design or re-design.

If there are any questions regarding the processing of traffic regulations, please feel free to contact the District Traffic Engineering Office at 824-6633 at any time.

City Clerk's Office

From: Williams Christopher <cwilliams@tauntonpd.com>
Sent: Wednesday, December 19, 2012 3:18 PM
To: Chief
Cc: City Clerk's Office
Subject: 5th St parking

Memorandum

To: Edward J. Walsh Chief of Police
CC: City of Taunton Municipal Council
From: Chris Williams Safety Officer
Date: 12/17/2012
Re: 5th Ave. Resident Access

There exists a parking problem at the intersection of Whittenton St. and 5th Ave. during hours of Mass at St.Jude the Apostle Church at 249 Whittenton St., **especially during darkness.**

Residents, parishioners, and responding emergency personnel have expressed frustration at being unable to access 5th St. and the St.Judes parking lots during these times which are 4pm on Saturdays and 7pm on Sunday nights.

Surveying the area during these times it appears mitigation, with little adverse consequence to the church, would be to post two NO PARKING HERE TO CORNER signs on each side of 5th St. both 63 feet from the corner of Whittenton St.

This would only eliminate three to four legal parking spots as currently there should be no parking within twenty feet of this intersection but that is not always adhered to.

I have spoken to Father John Perry of St. Jude's concerning this in order to explain the situation and consider his opinion. Father Perry is in full agreement with this recommendation.

I request the Municipal council consider this matter and adopted these signs as described into ordinance.

Respectfully Submitted
Chris Williams



10

CITY OF TAUNTON
Contributory Retirement System
Address: 40 Dean St., Unit 3
Taunton, Massachusetts 02780
Tel (508) 821-1052 Fax (508) 821-1063
www.tauntonretirement.com

**BOARD OF
RETIREMENT**

Chairperson:

Ann Marie Hebert, City Auditor

Elected member: Richard T. Avila

Elected member: Peter H. Corr

Mayoral appointee: Gill E. Enos

Board appointee: A. Joan Ventura

STAFF

Executive

Director:

Paul J. Slivinski

Assistant

Director:

Kathy A. Maki

December 26, 2012

Hon. Thomas C. Hoye, Jr., Mayor
Taunton Municipal Council
141 Oak St., Temporary City Hall
Taunton, MA 02780

Dear Mayor Hoye and Councilors:

At a meeting of the Taunton Retirement Board held on December 21, 2012, it was voted to inform you of the recent ranking of the city's retirement system investment performance. Out of 105 Massachusetts retirement systems, Taunton ranks number 5 with an annualized investment return of +9.54%.

Despite the financial crisis of 2008, Taunton has weathered the storm and has been able to maintain a stable and affordable pension appropriation for the city and its taxpayers.

Attached is a report compiled by the Mass. Retirees Association for your review.

Board members Ann Marie Hebert, Richard Avila, Peter H. Corr, Joan Ventura and Gill Enos deserve a lot of credit for a job well done.

Respectfully yours,

Paul J. Slivinski, CPP
Executive Director

Encl.

Jimmy Brown

Continued From Page 15

retirement boards relative to their investment performance since the state agency PERAC (formerly PERA) began tracking investment earnings in 1985 – the inception year, we are also including the aforementioned Year 2011 leaders in bold.

There is one exception not listed below, West Springfield. Although W. Springfield earned 3.65% in 2011, second highest in the state, it was its first year under DeBurlo. Its

long-term performance was only 7.92%.

Although DeBurlo's (he likes to be called Doctor) small four-person shop at 50 Federal Street is dwarfed by such giants as J.P. Morgan and the Boston Company, his niche is a true jewel for those boards that have stayed aboard over the years. Robin Dushman, who recently retired, and Rick Vincent have worked for Doctor DeBurlo for the past 30 years. Melissa Sommer and Michael Shade are more recent additions to

his team.

Amazingly, Haverhill, despite paltry 0.12% earnings in 2011, continued to hold its lead as the top performing fund in the state with a 10.06% annualized earnings figure since inception. We have chronicled Haverhill's success story over the years and its ability to recover from the 2008 market crash and retain its long-term lead.

The \$50 billion Pension



RUSS DeBURLO

Reserves Investment Management (PRIM) Board, despite a 0.18% return in 2011, continues to be the benchmark to which most retirement

boards are gauged. In fact, over 90 local boards have utilized PRIM and its investment vehicle, PRIT (Pension Reserves Investment Trust), to one extent or another. The two largest funds, state and teachers are totally invested in the PRIT fund.

TOP TWENTY-FIVE

These are the top 25 retirement funds annualized since their inception through year 2011.

TOWN	2011	3 YEAR	5 YEAR	10 YEAR	20 YEAR	INCEPTION
1 Haverhill	0.12%	11.23%	2.56%	6.30%	9.14%	10.06%
2 Wellesley	0.22%	10.30%	0.55%	5.36%	8.49%	9.97%
3 Malden	3.30%	10.78%	4.61%	5.96%	8.51%	9.71%
4 Weymouth	-1.53%	11.17%	1.25%	5.82%	8.43%	9.71%
5 Taunton	0.36%	11.67%	2.72%	5.73%	7.92%	9.54%
6 Needham	0.14%	9.94%	1.13%	6.19%	8.52%	9.54%
7 Wakefield	0.29%	10.33%	1.19%	6.27%	8.56%	9.53%
8 North Adams	3.87%	11.47%	4.91%	6.27%	8.36%	9.53%
9 Prim Board	0.18%	10.17%	1.07%	6.21%	8.47%	9.50%
10 State Teachers	0.17%	10.32%	1.17%	6.29%	8.31%	9.39%
11 State	0.18%	10.32%	1.17%	6.29%	8.33%	9.38%
12 Dedham	0.17%	10.33%	1.22%	6.26%	8.56%	9.37%
13 Minuteman Reg. Voc.	0.31%	10.38%	1.17%	6.32%	8.56%	9.36%
14 Belmont	2.44%	13.73%	4.76%	7.12%	8.78%	9.35%
15 Northampton	3.61%	10.97%	4.96%	6.08%	8.24%	9.32%
16 Woburn	0.62%	11.96%	2.64%	5.63%	7.84%	9.25%
17 Gardner	0.17%	10.17%	1.09%	6.24%	8.56%	9.23%
18 Milton	0.22%	10.30%	1.17%	6.00%	8.43%	9.21%
19 Framingham	0.19%	10.17%	1.16%	6.00%	8.26%	9.19%
20 Northbridge	0.37%	10.35%	1.20%	6.32%	8.58%	9.17%
21 Winchester	0.46%	8.93%	1.30%	5.73%	8.05%	9.13%
22 Fairhaven	0.26%	10.19%	1.12%	6.21%	8.46%	9.13%
23 Marblehead	0.18%	10.28%	1.18%	6.30%	7.95%	9.12%
24 Hingham	0.97%	10.52%	1.32%	6.35%	8.55%	9.11%
25 Plymouth Cty.	0.53%	11.82%	1.30%	5.48%	8.12%	9.10%

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

January 3, 2013

Council President Ryan Colton
Members of the Municipal Council
141 Oak Street
Taunton MA 02780

Dear Council President Colton and Members of the Municipal Council:

Enclosed please find a letter to me from Gerald D. Perry, Director of Accounts for the Massachusetts Department of Revenue. As you can see, DOR has certified general fund free cash for FY 2012 at -\$2,096,231.

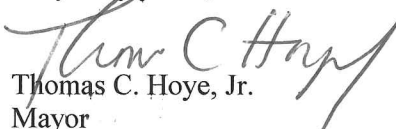
When first informed in December of a potential free cash deficit, the Budget Director and I were rather surprised as we were expecting a substantial free cash surplus for FY 2012. Our office promptly investigated this issue and we were able to determine that the free cash deficit was caused by an employee's error in failing to timely conduct short-term borrowing for school projects, a practice that was expected to be followed. That money was to be reimbursed by MSBA during the course of this fiscal year. Appropriate steps were taken, and the employee in question no longer works for the City of Taunton.

Although this mistake is concerning, it will not impact our FY13 General Fund Budget. Most importantly, the city will not lose this money. Rather, we *will* get to utilize these funds, but not until FY14, after our balance sheet is in and free cash has been certified.

As you know, Taunton has a history over the last several years of getting our financial reports submitted belatedly to DOR. I am pleased to report that this was not the case this year. Further, this office is working with Mr. Perry of the DOR who has imposed strict timelines for our submittals, all of which we have met. The same standards will remain in place for FY14, our Audits will be complete, and our balance sheet will be submitted in a timely fashion.

In November of 2012, at my request, the Department of Revenue has also agreed to conduct a Financial Management Review for the City of Taunton. That review is expected to take place in April of this year.

Very truly yours,


Thomas C. Hoye, Jr.
Mayor

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



January 2, 2013

The Honorable Thomas C. Hoye Jr.
Mayor, City of Taunton
141 Oak Street
Taunton, MA. 02780

Dear Mayor Hoye:

On December 4, 2012, this office approved your FY13 tax rate for the City of Taunton. Also, on December 3, 2012, we approved your free cash and retained earnings based upon your balance sheet submission. As a result of these approvals, I am writing to you regarding certain matters relating to your FY14 tax rate.

Your free cash and retained earnings certifications for the close of FY12 were: (1) general fund -\$2,096,231; (2) water enterprise \$4,286,502; (3) sewer enterprise -\$625,221; (4) golf enterprise \$54,403; (5) nursing home enterprise \$241,323. The negative certifications for the general fund and sewer enterprise were attributable to capital project deficits. Further, the city has filed late audit reports for the past several years. Taunton has recently attempted to improve timely audit submissions, which will serve the best interests of your community.

Given this information, I will have to require that the balance sheet for the close of FY13 be submitted, and free cash certified prior to approving your FY14 tax rate. I would suggest that Taunton's finance officials review all approved capital projects and borrow before the close of FY13. This will avoid further capital project deficits on your balance sheet in the future. Finally, this office stands ready to provide any assistance regarding timely audit submissions.

If you have any questions, feel free to contact me or your field representative Thomas Guilfoyle.

Sincerely,

A handwritten signature in black ink that reads 'Gerard D. Pury'.

Director of Accounts
Massachusetts Department of Revenue

DECEMBER, 2012

Application for Permit to		Use of Building	Location	Owner	Contractor
No.					
526	INSTALL	I/G SWIMMING POOL	18 BOYLSTON ST.	AMILCAR DEANDRADE	SHORELINE POOLS INC.
527	INSTALL	PELLET STOVE	70 FIDDLERS WAY	JAMES CLARK JR.	JAMES CLARK JR.
528	DEMO	GARAGE	18 MARVEL ST.	GARY & KATHERINE LOFGREN	GUARANTEED BUILDERS/ FRED LA ROCK
529	ERECT	GARAGE W/ UNFINISHED STORAGE ABOVE	18 MARVEL ST.	GARY & KATHERINE LOFGREN	GUARANTEED BUILDERS/ FRED LA ROCK
530	ERECT	SIGN	323 BAY ST.	STEVEN SHAW	BRUCE DESMET
531	REPAIR	1-FAMILY DWELLING (ROOF)	1 BRADLEY AVE.	MARION & JAMES LOPES	BATISTA CONSTRUCTION/ VASCO BATISTA
532	ALTER/REPAIR	1-FAMILY DWELLING (DORMER, ROOF)	27 NORMAN AVE.	KEVIN REIS	S&E CONSTRUCTION/ MARIA O COSTA
533	REPAIR	1-FAMILY DWELLING (ROOF)	38 JACKSON ST.	JEFF RYAN	BJ SULLIVAN
534	REPAIR	1-FAMILY DWELLING (ROOF)	1678 MIDDLEBORO AVE.	TOM SIKORSKI	BJ SULLIVAN
535	REPAIR	1-FAMILY DWELLING (GARAGE ROOF)	579 CASWELL ST.	TIMOTHY OLIVEIRA	PAUL OLIVEIRA
536	INSTALL	PELLET STOVE	1765 BAY ST.	DOROTHY T MELLON	DOROTHY T MELLON
537	REPAIR	1-FAMILY DWELLING (ROOF)	10 TREMONT AVE.	JEAN & NANCY BOURDEAU	DAVID G NESS
538	INSTALL	WOOD STOVE	115 SILVER FOX CIRCLE	NOELLE BUTLER	FIREPLACE SHOWCASE/ RANDOLPH TITSWORTH
539	REPAIR	MOBILE HOME (DECK)	211 LOTHROP ST.	OAK HILL ASSOCIATES, LLC./ JULIA A ELLIS	JULIA A ELLIS
540	DEMO	1-FAMILY DWELLING	43 WORCESTER ST.	SERENITY CAPITAL, LLC	LATITUDE CONSTRUCTION/ B&D CONSTRUCTION CO./
541	REPAIR	1-FAMILY DWELLING (ROOF)	1644 MIDDLEBORO AVE.	RAYMOND COSTELLO	STEVEN ST. MARTIN
542	ALTER/REPAIR	LAUNDROMAT	323 BAY ST.	STEVEN SHAW	WOOD BENDERS CONST. CO./ TIMOTHY BARKSDALE
543	REPAIR	1-FAMILY DWELLING (ROOF)	31 MIDLAND RD.	WENDY SOUSA	JOSE V DESOUSA
544	REPAIR	1-FAMILY DWELLING (ROOF, SIDING, WINDOWS)	23 RAILROAD AVE.	MARCO SOUSA	EDUARDO ALMEIDA
545	INSTALL	WOOD STOVE	37 FIELD ST.	RON DAUGHERTY	THE FIREPLACE SHOWCASE/ RANDOLPH G TITSWORTH
546	ALTER	MOBILE HOME (DECK)	6 MUSKET RD.	COLONIAL ESTATES, INC./ RAMONA M ADLER	TUCKER LAGASSE
547	ERECT	SIGN	636 COUNTY ST.	LARSON TRUST	POYANT SIGNS, INC./ ED TAYLOR
548	INSTALL	SOLAR PANELS	42 PLAIN ST.	SKATER CORPORATION	SOLARCITY CORP./ LESTER E WILT JR.
549	REPAIR	1-FAMILY DWELLING (SIDING, WINDOWS, INTERIOR)	36 FLINTLOCK RD.	CSC PROPERTIES LLC	WALLACE M FULCHER

DECEMBER, 2012

No.	Application for Permit to	Use of Building	Location	Owner	Contractor
550	REPAIR	4-FAMILY DWELLING (INTERIOR)	172 WINTHROP ST.	ANTHONY FERRARA	WALTER P LACIVITA JR.
551	ALTER	MEDICAL OFFICE TO PHYSICAL THERAPY OFFICE	63 WINTHROP ST. (UNITS C1 & C2)	WITHROP COURT CONDO ASSOC./ STEVEN WINSWER	ROTHWELL LANDSCAPE & PROPERTY MAINTENANCE INC./ DAVID LAURIA
552	REPAIR	1-FAMILY DWELLING (ROOF)	62B FREMONT ST.	AMANDA ANDERUZZI	TODD W JOHNSON
553	INSTALL	PELLET STOVE	32 JACKSON ST.	PAUL POPOWYCK	PAUL POPOWYCK
554	REPAIR	1-FAMILY DWELLING (BATHROOM REMODEL, WINDOWS)	42 KILMER AVE.	DON MORRISSEY	HELDER COELHO
555	ALTER	GARAGE (ADD REC ROOM BATHROOM ABOVE)	20 WORCESTER ST.	ALLAN LEWIS	ALLAN LEWIS
556	REPAIR	2-FAMILY DWELLING (WALLS, CEILING, ROOF)	117 BROADWAY	ROBERT J BASTIS, JR.	ROBERT J BASTIS, JR.
557	ADD TO	1-FAMILY DWELLING (MUDROOM)	25 CONNIE ST.	JENNIFER LESSARD	JENNIFER LESSARD
558	ALTER/ ADD TO	2-FAMILY DWELLING	221 TREMONT ST.	VENTURA REALTY TRUST	JOHN P VENTURA
559	ERECT	1-FAMILY DWELLING W/2 CAR GARAGE UNDER	2 RED LANE	FLORENCE I LEFENDRE	ANTONIO S BAIROS
560	REPAIR	1-FAMILY DWELLING (ROOF)	110 N. WALKER ST.	KATHY CAMPANIRIO	MICHAEL BOUCHER
561	ERECT	SIGN	1 WASHINGTON ST.	ALEXANDER DASCO	SIGN DESIGN INC./ RONALD FERRIGNO
562	ERECT	MOBILE HOME	4 SETTLERS RD. (LOT #13)	COLONIAL ESTATES, INC./	GARY SILVIA
563	DEMO	COMMERCIAL BLDG.	1380 BAY AT. (BLDG. 6)	MASS DEVELOPMENT FINANCE AGENCY	KEVIN BARRY
564	ALTER/REPAIR	1-FAMILY DWELLING (INTERIOR, DOORS, WINDOWS)	9 COTTAGE ST.	ALBERT J CEVEN	ALBERT J CEVEN
565	REPAIR	1-FAMILY DWELLING (ROOF)	139 SCHOOL ST.	DOUGLAS DAVID	DANIEL W GIBBS
566	REPAIR	COMMERCIAL DETACHED GARAGE	85-87 ARLINGTON ST.	BRIAN STRAUSBAUGH	JORDAN ALLY CONST./ JORDAN ALLY CONST./
567	ALTER	1-FAMILY DWELLING (INSTALL SOLAR PANELS)	245 NICHOLS DR.	K.C. PATEL	RAB CONSTRUCTION/ RONALD BENNETT
568	ALTER	1-FAMILY DWELLING (INSTALL SOLAR PANELS)	231 SCADDING ST.	LOTHAR GLEIN	FERRULO CONST./ JOHN FERRULO
569	REPAIR	2-FAMILY DWELLING (SIDING, INSULATION)	34-36 JACKSON ST.	DAVID L & ANN T FULLER	BLACKLAB BUILDERS/ CHRISTOPHER SIMMONS
570	ERECT	1-FAMILY DWELLING W/2 CAR GARAGE ATTACHED	38 BRANDY LANE (LOT 2)	HARVEY STREET, LLC	STEVEN FIGUEIREDO
571	REPAIR	1-FAMILY DWELLING	64 DAVIS ST.	ASPEN PROPERTIES/ CHRISTOPHER COUTE	PAIGE CONSTRUCTION/ JEFFREY S PAIGE

DECEMBER, 2012

No.	Application for Permit to	Use of Building	Location	Owner	Contractor
572	INSTALL	STORAGE RACKING ON COMMERCIAL BLDG.	530 JOHN HANCOCK RD.	530 JOHN HANCOCK LLC	TRADEMARK INSTALLATION/ NICHOLAS ROTONDO
573	REPAIR	COMMERCIAL BLDG. (ROOF)	26 TREMONT ST.	TRI VAN LAM	GIROUX CONSTRUCTION/ MATTHEW GIROUX
574	ERECT	SIGN	67 MAIN ST.	MARGARET GUDMUNDSSON	CRUTCHFIELD SIGNS/ JOHN R CRUTCHFIELD
575	REPAIR	4-FAMILY DWELLING (WINDOWS)	129 BAY ST.	ADEL ASSAAD	DEPENDABLE BLDG. & REMODELING/ DENNIS WITT
576	ALTER	1-FAMILY DWELLING (ROOF)	817 ROCKY WOODS ST.	RYAN GARBE	GUNNISON CONSTRUCTION/ ANDREW GUNNISON
577	INSTALL	PELLET STOVE	131 WILLIAMS ST.	JOHN F CHAVES	JOHN F CHAVES
578	DEMO	1-FAMILY DWELLING	17 WINTER ST.	HAWTHORNE DEVELOPMENT, INC.	JOHN GARANITO
579	DEMO	COMMERCIAL BLDG. (INTERIOR ONLY)	398 BAY ST.	DEREK DAGEESE	JOHN E MCCLOSKEY
580	REPAIR	2-FAMILY DWELLING (SIDING)	69 STAPLES ST.	JULIEANNE WADE	JULIEANNE WADE
581	ALTER/REPAIR	1-FAMILY DWELLING (KITCHEN, BATH, LIVING ROOM, BEDROOM)	817 ROCKYWOODS ST.	RYAN GARBE	MARK B SHORT
582	ALTER/REPAIR	COMMERCIAL BLDG. (KITCHEN TO ADJACENT ROOM)	430 E. BRITANNIA ST.	TAUNTON RIFLE PISTOL CLUB	STEVEN VALCORBA
583	REPAIR	1-FAMILY DWELLING (GARAGE ROOF)	63 ASHLAND ST.	JAMES KEOUGH	B&D CONSTRUCTION CO./ STEVEN ST. MARTIN
584	REPAIR	1-FAMILY DWELLING (WINDOWS)	11 SHERIDAN ST.	MARIE AZOR	POWER HOME REMODELING GROUP/ ALLAN COLPITTS
585	INSTALL	WOOD STOVE INSERT	48 CEDAR ST.	MICHAEL & DIANE SUNESEN	LINWOOD STONE
586	ALTER	3-FAMILY DWELLING TO A 2-FAMILY DWELLING	258 WEIR ST.	COMMUNITY COUNSELING OF BRISTOL COUNTY	HELDER COELHO
587	REPAIR	1-FAMILY DWELLING (WINDOW)	120 STEVE DR.	ROBERT MIDGLEY	LOWES HOME IMPROVEMENT/ MARY MCNEILL
588	REPAIR	1-FAMILY DWELLING (ROOF)	57 1/2 HART ST.	JANICE DEMOURA	JANICE DEMOURA
589	REPAIR	1-FAMILY DWELLING (ROOF)	257 WASHINGTON ST.	MELVIN BELL	JAMES CHURCH
590	ALTER/REPAIR	1-FAMILY DWELLING (ROOF, DOOR, WINDOW)	19 E. BROADWAY	HELDER COELHO	HELDER COELHO
591	ERECT	1-FAMILY DWELLING	96 KILMER AVE.	RICK H RIEUNDEAU	RICK H RIEUNDEAU
592	REPAIR	1-FAMILY DWELLING	14 RAILROAD AVE.	CHRISTINE LIMA	CHRISTINE LIMA
593	REPAIR	1-FAMILY DWELLING (ROOF, SIDING)	35 CULLEN ST.	DOMINIC MORASCA	ALL SEASONS EXTERIOR/ JOHN G GIROUARD
594	REPAIR	3-FAMILY DWELLING (ROOF)	284 MIDDLEBORO AVE.	EDUARDO AMARO	MANUEL ALVES
595	ERECT	1-FAMILY DWELLING	17 WINTER ST.	HAWTHORNE DEVELOPMENT, INC.	JOHN N GARANITO

John Morgan / BUILDING COMMISSIONER -CHIEF OF INSPECTIONS



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, CHO
EXECUTIVE DIRECTOR

ADAM S. VICKSTROM
ASSISTANT EXECUTIVE DIRECTOR

December 28, 2012

Municipal Council
City Hall
141 Oak Street
Taunton, MA 02780

RE: Orient Restaurant


Dear Members of Municipal Council,

On September 25, 2008, the Taunton Board of Health conducted a food service establishment inspection at the Orient Restaurant, located at 14 Winthrop Street. During our inspection it was deemed necessary to enter into an agreement for voluntary closure, based on violations found. The violations included lack of proper grease traps, lack of connection to municipal sewer, asbestos in disrepair, and various food code violations. The restaurant remained closed and, ultimately, decided to never reopen. On May 3, 2010, the Board of Health received a complaint of renovations being conducted within the establishment. When the BOH arrived we witnessed improper removal of asbestos containing material. At this point the BOH issued a cease and desist order on all work conducted at that location, due to asbestos hazards. The BOH called in the Mass DEP and the Ma Dept. of Occupational Safety to assist in sampling and citations. Due to the illegal removal of asbestos the DEP and the DOS, the state departments issued order to the owners for remediation of asbestos violations. The current BOH orders on the property is the cease and desist mentioned above. Since the cease and desist was issued, positive asbestos results were determined to be present by the DOS, and documentation was submitted to the office. The DEP, then, cited the owner for the improper removal and disposal of asbestos containing material. At this point in time the DEP is still in legal proceedings with this property owner.

Before the establishment can be rehabbed a full asbestos clean up must be conducted at the property. The current cease and desist order will remain in effect until a passing air clearance has been issued by a certified LSP (licensed site professional).

Any other questions or concerns feel free to contact me at 508-821-1400.

Respectfully,


Adam S. Vickstrom
Assistant Executive Director

Enclosure



CITY OF TAUNTON

Board of Health

45 School Street
Massachusetts 02780-3212

DR. JOSEPH F. NATES

HEATHER L. GALLANT, RS, CFSP
EXECUTIVE DIRECTOR

ADAM S. VICKSTROM
ASSISTANT EXECUTIVE DIRECTOR

18

STATEMENT OF AGREEMENT TO VOLUNTARY CLOSURE

Date: September 25, 2008

Name of Establishment
The Orient Restaraunt
Address
14 Winthrop Street
City/Town
Taunton, MA

I hereby agree to voluntarily cease and desist from conducting all food operations including, but not limited to, manufacturing, processing, storage, handling or distribution and/or any action subject to inspection by the Taunton Board of Health.

This voluntary closure shall remain in effect until such time as the facility is re-inspected by the Board and found to be in substantial compliance with all relevant statutes, rules and regulations of the Department.

Li Xia Ling

Printed Name of Responsible Person

Li Xia Ling
Signature of Responsible Person

Bridget L. Sweet

Bridget L. Sweet
Sanitary Inspector

Adam S. Vickstrom

Adam S. Vickstrom
Assistant Executive Director

12/30/07

Voluntary Closure



City of Taunton

Board of Health

45 School Street
Massachusetts 02780-3212

19
BOARD MEMBERS
DR. BRUCE E. BODNER
DR. C. NASON BURDEN
DR. JOSEPH F. NATES

HEATHER L. GALLANT, RS, CFSP
EXECUTIVE DIRECTOR

ADAM S. VICKSTROM
ASSISTANT EXECUTIVE DIRECTOR

September 25, 2008

Hand Delivered on September 25, 2008, by Bridget Sweet, Sanitary Inspector.

Li Xia Ling
14 Winthrop Street
Taunton, MA

RE: Orient Restaurant

Dear Owner/Agent,

An inspection was conducted on your property located in Taunton, Massachusetts on September 25, 2008 by Health Agents Adam Vickstrom & Bridget Sweet, under 105 CMR 590.00 Massachusetts State Sanitary Code of Food Establishments: 310 CMR: 11.05 & 15.230 Dept. of Environmental Protection: and 248 CMR 10.09 Board of State Examiners of Plumbers and Gas Fitters.

The following defects in or on the premises constitutes a violation:

1. Grease traps not present or in disrepair throughout kitchen areas.
248 CMR: 10.09 **Interceptors, Separators and Holding Tanks**
 - (1) **Interceptors, Separators and Holding Tanks.**
 - (a) Interceptors Required.
 1. Interceptors and separators shall be provided to prevent the discharge of oil, gasoline, grease, sand, and other substances, that are harmful or hazardous to the building drainage system, the public sewer, or sewage treatment plant or other sewage treatment processes.
310 CMR 15.230: **Pretreatment Units - Grease Traps**
 - (1) Grease traps shall be provided for kitchen flows at restaurants, nursing homes, schools, hospitals and other facilities from which grease can be expected to be discharged.
 - (2) Grease traps shall be installed on a separate building sewer serving kitchen flows into which the grease will be discharged. The discharge from the grease trap must flow to a properly designed septic tank or to a building sewer prior to the septic tank.
 - (3) Grease traps shall have a minimum depth of four feet and a minimum capacity of 1,000 gallons, and shall have sufficient capacity to provide at least a 24-hour detention period for the kitchen flow. Kitchen flow shall be calculated in accordance with 310 CMR 15.203.
 - (4) Grease traps shall be watertight and constructed of the materials specified in 310 CMR 15.221 and 15.226(1) and (2).

(8) Grease traps shall be accessible for inspection and maintenance. No structures shall be constructed directly upon or above the grease trap access locations.

(11) Grease traps shall be maintained in accordance with 310 CMR 15.351.

Violation of The City of Taunton Fats, Oil and Grease (FOG) Control Program.

Enclosure

ORDER: Repair, replace, or install grease traps in kitchen areas. Ensure all work is done in accordance with acceptable plumbing standards.

- 2. Veolia water has determined that there is direct discharge of sewage from the restaurant into the Mill River.

310 CMR 11.05 Emergency

(1) General. Whenever an emergency exists in which the interest of protecting the public health or the environment requires that ordinary procedures be dispensed with, the board of health or its authorized agent, acting in accordance with the provisions of M.G.L. c. 111, § 30, may, without notice or hearing, issue an order reciting the existence of the emergency and requiring that such action be taken as the board of health deems necessary to meet the emergency.

Notwithstanding any other provision of 310 CMR, any person to whom such order is directed shall comply therewith within the time specified in the order. Each day's failure to comply with the order shall constitute a separate offense. Upon compliance with the order and within seven days after the day the order has been served, he may file a written petition in the office of the board of health requesting a hearing. He shall be granted a hearing as soon as possible. The procedures for such hearing shall otherwise conform with the hearing requirements which would have existed had the order been issued under non-emergency circumstances.

ORDER: The Board of Health requires that you connect all areas of the restaurant to city sewer. This must be completed in accordance with acceptable plumbing standards. This must be completed before you can reopen.

Should you be aggrieved by this order, you have the right to request a hearing before the Board of Health. A request must be received in writing in the office of the Board of Health within seven (7) days of receipt of this order. At said hearing, you will be given an opportunity to be heard and to present witnesses and documentary evidence as to why this order should be modified or withdrawn. You may be represented by an attorney.

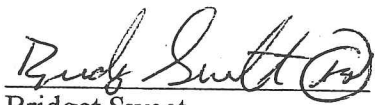
Portuguese

Este documento e legal e importante. Pode afectar os vossos direitos. Traduza este documento para Portugues.

Spanish

Este documento es legal y importante. Puede afectar sus derechos. Traduzca este documento para Espanol.

Sincerely,



Bridget Sweet
Sanitary Inspector



Adam S. Vickstrom
Assistant Executive Director

cc: Fred Cornaglia, DPW Commissioner
Scott Bibby, Inspector of Plumbing, Gas and Mechanical
Darlene Domingos, Project Manager, Veolia Water
Anicet Teves, Collections Supervisor, Veolia Water



The Commonwealth of Massachusetts

Department of Public Safety

Massachusetts State Building Code (780 CMR) Seventh Edition

Building Permit Application for any Building other than a One- or Two-Family Dwelling

(This Section For Official Use Only)

Building Permit Number: 701 Date Applied: _____ Building Inspector: Formerly: ORIENT RESTAURANT

SECTION 1: LOCATION (Please indicate Block # and Lot # for locations for which a street address is not available)

14 Winthrop St. Taunton MA Formerly: ORIENT RESTAURANT
No. and Street City/Town Zip Code Name of Building (if applicable)

SECTION 2: PROPOSED WORK

If New Construction check here or check all that apply in the two rows below

Existing Building Repair Alteration Addition Demolition (Please fill out and submit Appendix 1)

Change of Use Change of Occupancy Other Specify: _____

Are building plans and/or construction documents being supplied as part of this permit application? Yes No

Is an Independent Structural Engineering Peer Review required? Yes No

Brief Description of Proposed Work:
Interior Demolition. Remove all kitchen equipments and Furnishings. Non-Structural.

SECTION 3: COMPLETE THIS SECTION IF EXISTING BUILDING UNDERGOING RENOVATION, ADDITION, OR CHANGE IN USE OR OCCUPANCY

Check here if an Existing Building Evaluation is enclosed (See 780 CMR 3402.0)

Existing Use Group(s): _____ Proposed Use Group(s): _____
Existing Hazard Index 780 CMR 34: _____ Proposed Hazard Index 780 CMR 34: _____

SECTION 4: BUILDING HEIGHT AND AREA

	Existing	Proposed
No. of Floors/Stories (include basement levels) & Area Per Floor (sq. ft.)		<u>3</u>
Total Area (sq. ft.) and Total Height (ft.)		<u>~ 2000 S.F.</u>

SECTION 5: USE GROUP (Check as applicable)

A: Assembly A-1 A-2r A-2nc A-3 A-4 A-5 B: Business E: Educational
 F: Factory F-1 F2 H: High Hazard H-1 H-2 H-3 H-4 H-5
 I: Institutional I-1 I-2 I-3 I-4 M: Mercantile R: Residential R-1 R-2 R-3 R-4
 S: Storage S-1 S-2 U: Utility Special Use and please describe below:

Special Use:

SECTION 6: CONSTRUCTION TYPE (Check as applicable)

IA IB IIA IIB IIIA IIIB IV VA VB

SECTION 7: SITE INFORMATION (refer to 780 CMR 111.0 for details on each item)

Water Supply: Public <input type="checkbox"/> Private <input type="checkbox"/>	Flood Zone Information: Check if outside Flood Zone <input type="checkbox"/> or identify Zone: _____	Sewage Disposal: Indicate municipal <input type="checkbox"/> or on site system <input type="checkbox"/>	Trench Permit: A trench will not be required <input type="checkbox"/> or trench permit is enclosed <input type="checkbox"/>	Debris Removal: Licensed Disposal Site <input type="checkbox"/> or specify: _____
--	--	---	--	---

Railroad right-of-way: Not Applicable <input type="checkbox"/> or Consent to Build enclosed <input type="checkbox"/>	Hazards to Air Navigation: Is Structure within airport approach area? Yes <input type="checkbox"/> or No <input type="checkbox"/>	MA Historic Commission Review Process: Is their review completed? Yes <input type="checkbox"/> No <input type="checkbox"/>
--	---	--

SECTION 8: CONTENT OF CERTIFICATE OF OCCUPANCY

Edition of Code: _____ Use Group(s): _____ Type of Construction: _____ Occupant Load per Floor: _____
Does the building contain an Sprinkler System?: _____ Special Stipulations: _____

FEB 10 2010

\$ 144-

SECTION 9: PROPERTY OWNER AUTHORIZATION

Name and Address of Property Owner
Lu Tang 14 Winthrop St. Taunton MA 0
 Name (Print) Lu Tang City/Town Taunton Zip 0
 Property Owner Contact Information:
Owner Telephone No. (business) 617-543 7268 Telephone No. (cell) _____ e-mail address _____
 Title _____
 If applicable, the property owner hereby authorizes
Michael Leung Name P.O. Box 243 Street Address Boston City/Town MA State 02127 Zip
 to act on the property owner's behalf, in all matters relative to work authorized by this building permit application.

SECTION 10: CONSTRUCTION CONTROL (Please fill out Appendix 2)

(If building is less than 35,000 cu. ft. of enclosed space and/or not under Construction Control then check here and skip Section 10.1)

10.1 Registered Professional Responsible for Construction Control

Name (Registrant)	Telephone No.	e-mail address	Registration Number
Street Address	City/Town	State Zip	Discipline Expiration Date

10.2 General Contractor

S.P. Construction Co.
 Company Name:
Michael Leung License No. and Type if Applicable CS 93609
 Name of Person Responsible for Construction
P.O. Box 243 Street Address Boston City/Town MA State 02127 Zip
617-596 1146 Telephone No. (business) 617-818-7175 Telephone No. (cell) sp.construction8@yahoo.com e-mail address

SECTION 11: WORKERS' COMPENSATION INSURANCE AFFIDAVIT (M.G.L. c. 152, § 25C(6))

A Workers' Compensation Insurance Affidavit from the MA Department of Industrial Accidents must be completed and submitted with this application. Failure to provide this affidavit will result in the denial of the issuance of the building permit.
 Is a signed Affidavit submitted with this application? Yes No

SECTION 12: CONSTRUCTION COSTS AND PERMIT FEE

Item	Estimated Costs: (Labor and Materials)	Total Construction Cost (from Item 6) = \$ _____
1. Building	\$ <u>7000-</u>	Building Permit Fee = Total Construction Cost x _____ (Insert here appropriate municipal factor) = \$ _____ Note: Minimum fee = \$ <u>144</u> (contact municipality)
2. Electrical	\$ <u>2000-</u>	
3. Plumbing	\$ <u>3000-</u>	
4. Mechanical (HVAC)	\$ _____	
5. Mechanical (Other)	\$ _____	
6. Total Cost	\$ <u>12000.00</u>	Enclose check payable to _____ (contact municipality) and write check number here _____

SECTION 13: SIGNATURE OF BUILDING PERMIT APPLICANT

By entering my name below, I hereby attest under the pains and penalties of perjury that all of the information contained in this application is true and accurate to the best of my knowledge and understanding.

[Signature] Telephone No. 617-596 1146 Date _____
 Please print and sign name _____ Title MA
P.O. Box 243 Street Address Boston City/Town _____ State _____ Zip 02127

Municipal Inspector to fill out this section upon application approval: [Signature] Name _____ Date 2/11/10

Section 8 Additional Approvals

24

Planning & Conservation Dept. Wetlands I certify that I have reviewed plans as submitted and hereby approve	
Date	_____ Conservation Agent
Planning & Conservation Dept. I certify I have inspected the proposed site plan and hereby approve	
Date	_____ Director of Planning & Conservation
Zoning Decision(s) Hearing Date Decision - Finding Date Received	
City Engineer I certify I have inspected the proposed plot plan and do hereby assign the following street number	
Date	_____ City Engineer
Board of Health well approved <input type="checkbox"/> septic design approved <input type="checkbox"/> abandonment <input type="checkbox"/>	
Date	_____ Sanitary Inspector
Fire Prevention I certify I have inspected the plans and hereby approve	
Date	_____ Fire Prevention Inspector
Plumbing/Gas Insp. I certify I have inspected the plans and hereby approve	
Date	_____ Plumbing Inspector
Department of Public Works city water <input type="checkbox"/> private well <input type="checkbox"/> fire service <input type="checkbox"/> city sewer <input type="checkbox"/> private septic <input type="checkbox"/> curb cut/street opening <input type="checkbox"/> trench permit <input type="checkbox"/> sewer/I/I permit <input type="checkbox"/> backflow device <input type="checkbox"/> back water valve <input type="checkbox"/>	
Date	_____ Asst. DPW Commissioner

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/22/2009

PRODUCER (617) 427-2101
 E.D. FAIR INSURANCE AGENCY, INC
 10 MALCOLM X BLVD SUITE-G103
 P O BOX 191420
 Boston MA 02119-

INSURED
 MICHAEL LEUNG D/B/A SKY PHOENIX
 P.O. BOX 243
 SO. BOSTON MA 02171-

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Acceptance Indemnity Co	
INSURER B: Aim Mutual Insurance	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	APP111825200	04/22/2009	04/22/2010	EACH OCCURRENCE	\$ 1,000,000
				/ /	/ /	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
				/ /	/ /	MED EXP (Any one person)	\$ 5,000
				/ /	/ /	PERSONAL & ADV INJURY	\$ 1,000,000
				/ /	/ /	GENERAL AGGREGATE	\$ 2,000,000
				/ /	/ /	PRODUCTS - COMP/OP AGG	\$ 1,000,000
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		/ /	/ /	COMBINED SINGLE LIMIT (Ea accident)	\$
				/ /	/ /	BODILY INJURY (Per person)	\$
				/ /	/ /	BODILY INJURY (Per accident)	\$
				/ /	/ /	PROPERTY DAMAGE (Per accident)	\$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO		/ /	/ /	AUTO ONLY - EA ACCIDENT	\$
				/ /	/ /	OTHER THAN AUTO ONLY: EA ACC	\$
				/ /	/ /	AGG	\$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$		/ /	/ /	EACH OCCURRENCE	\$
				/ /	/ /	AGGREGATE	\$
				/ /	/ /		\$
				/ /	/ /		\$
A		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	WC6259843-26598	05/04/2009	05/04/2010	<input checked="" type="checkbox"/> WC STATUTORY LIMITS	OTH-ER
				/ /	/ /	E.L. EACH ACCIDENT	\$ 100,000
				/ /	/ /	E.L. DISEASE - EA EMPLOYEE	\$ 100,000
				/ /	/ /	E.L. DISEASE - POLICY LIMIT	\$ 500,000
		OTHER		/ /	/ /		
				/ /	/ /		
				/ /	/ /		

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

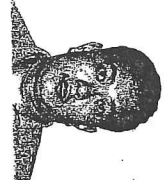
CERTIFICATE HOLDER	CANCELLATION
() - () -	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>010</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE



Massachusetts - Department of Public Safety
Board of Building Regulations and Standards
Construction Supervisor License

License: CS 93609
Restricted to: 00

MICHAEL Q LEUNG
553 EAST 6TH ST
S BOSTON, MA 02127



Michael Q. Leung
Commissioner

Expiration: 10/16/2011
T#: 6561

CITY OF TAUNTON

DEBRIS REMOVAL AFFADAVIT

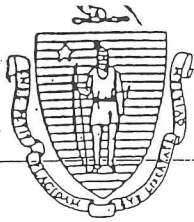
In accordance with the provisions of MGL c 40, S. 54, a condition of Building Permit # _____ is that the debris resulting from this work shall be disposed of in a properly licensed solid waste disposal facility by MGL c 111, S.150A.

The debris will be disposed of in:

CL Noonan Container Site
(Location of Facility)

Abdul Razaq
(Signature of Permit Applicant)

2/10/10
(Date)



Department of Industrial Accidents
Office of Investigations
600 Washington Street
Boston, MA 02111
www.mass.gov/dia

7/21/08

Workers' Compensation Insurance Affidavit: Builders/Contractors/Electricians/Plumbers

Applicant Information

Please Print Legibly

Name (Business/Organization/Individual): S.P. Construction Co.

Address: P.O. Box 243

City/State/Zip: Boston MA 02127 Phone #: 617-596-1146

Are you an employer? Check the appropriate box:

- 1. I am an employer with 2 employees (full and/or part-time).*
- 2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required.]
- 3. I am a homeowner doing all work myself. [No workers' comp. insurance required.] †
- 4. I am a general contractor and I have hired the sub-contractors listed on the attached sheet. These sub-contractors have employees and have workers' comp. insurance. ‡
- 5. We are a corporation and its officers have exercised their right of exemption per MGL c. 152, §1(4), and we have no employees. [No workers' comp. insurance required.]

Type of project (required):

- 6. New construction
- 7. Remodeling
- 8. Demolition
- 9. Building addition
- 10. Electrical repairs or additions
- 11. Plumbing repairs or additions
- 12. Roof repairs
- 13. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

† Homeowners who submit this affidavit indicating they are doing all work and then hire outside contractors must submit a new affidavit indicating such.

‡ Contractors that check this box must attached an additional sheet showing the name of the sub-contractors and state whether or not those entities have employees. If the sub-contractors have employees, they must provide their workers' comp. policy number.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy and job site information.

Insurance Company Name: A.I.M.

Policy # or Self-ins. Lic. #: WC 6259843-26598 Expiration Date: 5/4/2010

Job Site Address: 14 Winthrop St. City/State/Zip: Taunton, MA

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct.

Signature: [Signature] Date: 2/10/10

Phone #: 617-596-1146

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

- 1. Board of Health
- 2. Building Department
- 3. City/Town Clerk
- 4. Electrical Inspector
- 5. Plumbing Inspector
- 6. Other _____

Contact Person: _____ Phone #: _____



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHEAST REGIONAL OFFICE
20 RIVERSIDE DRIVE, LAKEVILLE, MA 02347 508-946-2700

DEVAL L. PATRICK
Governor

IAN A. BOWLES
Secretary

TIMOTHY P. MURRAY
Lieutenant Governor

LAURIE BURT
Commissioner

June 4, 2010

Mr. Ting Lu
31 Howard Street
Milford, Massachusetts 01757

RE: TAUNTON--ASBESTOS/SW
14 Winthrop Street

**UNILATERAL ADMINISTRATIVE ORDER
to Cease and Desist, UAO-SE-10-4001C**

**THIS IS AN IMPORTANT NOTICE
FAILURE TO RESPOND TO THIS NOTICE
MAY RESULT IN SERIOUS LEGAL CONSEQUENCES**

Dear Mr. Lu:

Enclosed herewith is a Unilateral Administrative Order (UAO) that requires you to cease and desist from any additional asbestos removal and/or handling activities at or associated with the above-referenced property (the "Site") until you have made proper notification to the Massachusetts Department of Environmental Protection (MassDEP) and until such activities are performed in accordance with MassDEP regulations at 310 CMR 7.15. MassDEP is issuing this UAO to you based on its observations made during a May 3, 2010 site inspection that showed asbestos was removed from the above-referenced property without the appropriate notification and removal procedures. Please refer to the UAO for the specific actions being required.

Please contact Colleen Ferguson, an official from MassDEP, at (508) 946-2809 so she can provide you with additional information concerning the requirements for complete asbestos stabilization, abatement, and/or cleanup. The Massachusetts Division of Occupational Safety (DOS) licenses professional Asbestos Project Designers and Asbestos Abatement Contractors. DOS maintains a current list of the Asbestos Project Designers and Abatement Contractors licensed in Massachusetts that can be viewed at www.mass.gov/dos/forms. It is strongly recommended that you immediately retain the services of an Asbestos Project Designer and Abatement Contractor so an asbestos Work Plan can be prepared that would bring the Site fully in compliance with 310 CMR 7.15.

Please be advised, asbestos is a human carcinogen and as such, you should avoid contact with friable (loose, fragmented, broken-up) asbestos as it presents a risk that asbestos fibers could become inhaled by you or others. Only properly trained and licensed individuals should handle friable or deteriorated asbestos containing materials.

The enclosed cease and desist order does not fully address all potential violations at the Site. MassDEP reserves its rights to take additional enforcement actions based upon past, current and future violations. Additional enforcement measures may include referral to the Massachusetts Attorney General's Office and/or assessment of Administrative Penalties under M.G.L. c.21.s5. Additionally, MassDEP may issue an administrative penalty, pursuant to MGL chapter 21A sec. 16 and 310 CMR 5.00 for all the violations of 310 CMR 7.15 observed at the Site.

Should you have any questions about the actions being required, please contact Colleen Ferguson at (508) 946-2809 for further guidance.

Sincerely,

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

David Johnston, Acting Regional Director

DJ/CF/tr
Asbestos\taunton\UAO.doc

CERTIFIED MAIL NO. 7008 1830 0001 8800 6826
RETURN RECEIPT REQUESTED

ec: Taunton Board of Health
Cotboh7@tmlp.net

DEP-Boston
ATTN:J. Doucett
Jim McQuade

DEP/SERO
ATTN:Laurel Carlson, DRD, BWP
Dan d'Hedouville, Esq. OGC
Rich Gioiosa
David Ellis
Deneen Simpson
Lee MacEachern

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION

IN THE MATTER OF:)	RE: TAUNTON – ASBESTOS/SW
)	
Mr. Ting Lu)	UNILATERAL ADMINISTRATIVE
31 Howard Street)	ORDER
Milford, Massachusetts 01757)	
)	UAO-SE-10-4001C

I. THE PARTIES

1. The Massachusetts Department of Environmental Protection (“MassDEP”) is a duly constituted agency of the Commonwealth of Massachusetts, established pursuant to M.G.L. c.21A, §7. MassDEP maintains its principal offices at One Winter Street in Boston, Massachusetts and a regional office at 20 Riverside Drive in Lakeville, Massachusetts.
2. Mr. Ting Lu is an individual with a mailing address of 31 Howard Street, Milford, Massachusetts. Mr. Lu’s mailing address for purposes of this Order is 31, Milford, Massachusetts. MassDEP’s records indicate that Mr. Lu is the owner of the building, located at 14 Winthrop Street in Taunton, (“Site”).

II. STATEMENT OF LAW

1. The Department’s authority to issue this Unilateral Administrative Order (“Order”) is conferred by M.G.L. c. 111, §§ 142A-142B and the Air Pollution Control Regulations at 310 CMR 7.00. MassDEP is responsible for the implementation and enforcement of M.G.L. c. 111, §§ 142A-142B and the Air Pollution Control Regulations at 310 CMR 7.00, as promulgated there under.

III. STATEMENT OF FACTS

1. The Site consists of an unoccupied, mixed use building with a restaurant on the ground floor and apartments above.
2. The following facts have led the Department to issue this Order:
 - a. On May 3, 2010, MassDEP and Massachusetts Department of Occupational Safety (“MassDOS”) conducted an inspection of the Site, in response to a complaint from the Taunton Board of Health that an improper removal of asbestos containing material (“ACM”) had occurred. MassDEP observed multiple pieces

of dry, friable suspect asbestos containing material ("SACM") throughout the basement. Other SACM, floor tile in very poor, broken condition, was found in the dumpster outside the building exposed to the ambient air. SACM was photographed, sampled and the samples were sent to a Massachusetts Certified Laboratory for analysis.

- b. On May 5, 2010, MassDEP received the result for the samples that were taken from the basement of the site which tested positive for Chrysotile asbestos.
 - c. On May 6, 2010, MassDEP received the results for the samples that were taken from the dumpster outside the building. Two of the samples tested positive for Chrysotile asbestos.
3. On May 3, 2010, an inspector from MassDEP went to the Site and observed noncompliance with the following regulations:
- a. Pursuant to 310 CMR 19.014(3), "No person shall dispose or contract for the disposal of solid waste at any facility in Massachusetts that is not approved to manage the particular type of solid waste being disposed." MassDEP observed asbestos containing material in the dumpster outside the Site. Ting Lu contracted for disposal of ACM at a location not approved to manage that particular type of solid waste, in violation of 310 CMR 19.014 (3).
 - b. Pursuant to 310 CMR 7.15(1)(e)1a ".while wet, containerize and seal the asbestos-containing waste material in leak-tight containers, labeled..." Asbestos-containing material generated and sampled from 14 Winthrop Street in Taunton, Massachusetts was not wet, containerized in leak-tight containers and was not labeled as asbestos in violation of 310 CMR 7.15(1)(e)1a..
 - c. Pursuant to 310 CMR 7.15(1)(b) Notification "Each owner/operator of a demolition/renovation operation involving asbestos-containing material shall:
 - 1. Provide the Department with all information required on a Department approved form with respect to the intended demolition/renovation operation of a facility or facility component."

Ting Lu did not file a Notification with MassDEP for the demolition of a building that contained asbestos in violation of 310 CMR7.15(1)(b).
 - d. Pursuant to 310 CMR 7.15(1)(a) "No person shall cause, suffer, allow or permit the demolition/renovation, installation, reinstallation, handling, transporting, storage or disposal of a facility or facility component that contains asbestos, asbestos-containing material, or asbestos-containing waste material in a manner which causes or contributes to a condition of air pollution." Ting Lu allowed demolition/renovation of asbestos-containing material which contributed to a condition of air pollution.

IV. ORDER

1. This Order is issued by the Department under the authorities set forth above.
2. Immediately upon the Effective Date of this Unilateral Administrative Order, you shall undertake the following measures to minimize the risk of future emissions of asbestos fibers to ambient air at the site:
 - a. Cease and desist from all activities related to asbestos abatement/removal at the Site until such time as the Department receives proper notification and procedures, pursuant to all of the requirements of 310 CMR 7.15(1)(b), are implemented to properly remove and/or abate asbestos containing material;
 - b. Seal all windows, doors and stairwells and/or any other critical airways or openings associated with the basement to prevent emissions of asbestos fibers to prevent a condition of air pollution; and
 - c. Upon consultation with the Department, remove any visible asbestos containing debris located outside, at the Site and seal the dumpster to prevent a condition of air pollution.

V. ADDITIONAL PROVISIONS

1. The terms, conditions and other provisions of this Order shall take effect on the Effective date, which is the date the Order is signed by the Department.
2. The Department represents that the Regional Director has the authority to sign this Order on behalf of the Department.
3. The Department may, on its own initiative or upon a reasonable documented request from Mr. Lu, extend any deadline established in Section IV of this Order by written approval. If the Respondent has reason to know that any event has occurred or may occur which could cause delay of performance hereunder, the Respondent shall immediately notify the Department, in writing, specifying the cause for the delay.
4. Failure on the part of the Department to complain of action or non-action on the part of Mr. Lu shall not constitute a waiver by the Department of any of its rights hereunder. Furthermore, no waiver by the Department of any provision herein shall be construed as a waiver of any other provision herein.
5. If any term or provision of this Order, or the application thereof, to any person or circumstance, shall, to any extent, be invalid or unenforceable, the remainder of this Order, and the application thereof, shall not be affected thereby, and each remaining term and provision shall be valid and enforceable to the fullest extent permitted by law.

VI. APPEAL RIGHTS

- 1. You have a right to appeal the Order set forth in Section IV hereof. To appeal the Order, a written notice of claim shall be filed within 10 days of the date of this Order in accordance with M.G.L. c. 111, §142B and 310 CMR 1.01(6).
- 2. The appeal of the Order shall state clearly and concisely the facts that are the grounds for the appeal, the relief sought, and any additional information required by applicable law.

Effective ten (10) days of the date of this Order, you shall be deemed to have waived your right to an adjudicatory hearing on this order unless you file with the Department (i.e. the Department receives), a written notice of claim for an adjudicatory appeal that clearly and concisely states every point of fact and law you intend to raise as grounds for the appeal, the relief sought, and any additional information required by applicable law. The request must be mailed to:

**Commonwealth of Massachusetts
 Department of Environmental Protection
 Office of Administrative Appeals
 P.O. Box 4062
 Boston, MA 02211**

The request must be accompanied by a valid check made payable to Commonwealth of Massachusetts in the amount of \$100.00 for the required filing fee. The filing fee is not required if the appellant is a city, town, county, or district of the Commonwealth of Massachusetts or a municipal housing authority. Failure to pay the filing fee as required is grounds for dismissal of the request for hearing. Waiver of filing fee: Upon a showing of undue financial hardship, the Department may waive the adjudicatory hearing filing fee. A person who believes that payment of the \$100 filing fee would be an undue financial hardship must file, together with the request for adjudicatory hearing as provided above, an affidavit setting forth the facts the appellant believes constitute the undue financial hardship.

- 3. If you fail to file a timely appeal, the Order will remain in effect.
- 4. This Order is issued on the date signed by the Department.

Department of Environmental Protection

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

6-4-10

BY: _____
 David Johnston

DATE: _____

Acting Regional Director

December 28, 2012

Taunton City Council
15 Summer St
Taunton, MA 02780

Re: Mass. Municipal Assoc. Annual Meeting

Dear Members of the City Council:

The 2013 Massachusetts Municipal Association Annual Meeting and Trade Show begins on January 25th at the Hynes Convention Center in Boston. Tallage will be back this year with a booth at the MMA Trade Show, meeting municipal officials and explaining how they can reduce their accounts receivable by assigning their tax title liens.

Since our inaugural appearance at the MMA Trade Show last January, about a dozen new communities, large and small, have jumped into the market, holding tax lien auctions and converting their tax titles into revenue. These municipalities include Hopedale, Weymouth, Quincy, Lowell, Somerset, and Ware.

Through tax lien auctions governed by G.L. c. 60, §52, municipalities sell their tax liens before they are foreclosed by the Land Court, with the winning purchaser stepping into the shoes of the municipality and assuming all of the municipality's rights and obligations. A tax title auction is distinguished from a tax *possession* auction, in which foreclosed tax title properties are sold. The enclosed double-sided brochure explains how these auctions work, and how they can be an effective tax collection tool for cities and towns, eliminating the need to chase down delinquent taxpayers and initiate costly litigation.

Please stop by our booth (#1128) at the Trade Show and say hello, and in the meantime have a happy new year!

Yours truly,



Bill Cowin



Converting Tax Receivables Into Revenue: Tax Title Auctions and Bulk Sales Under Mass. General Laws Chapter 60, s. 2C & 52

Selling a municipality's interest in a tax taking (a "tax title") is an alternative to the Land Court foreclosure process, giving municipalities the ability to immediately recover what is owed and to avoid the cost and delay of a foreclosure action. Assignments are expressly authorized and governed by G.L. c. 60, s. 2C and 52.

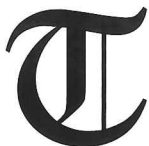
Tax title assignment auctions convert tax receivables into revenue, and put delinquent properties back on the tax rolls. Purchasers of tax titles step into the shoes of the municipality, earning 16% interest on the principal amount of the outstanding taxes.

Probably the biggest benefit to municipalities is the immediate payoff of outstanding taxes and the infusion of cash into municipal coffers and an immediate reduction of accounts receivable on the balance sheet. Communities also save the legal costs of prosecuting tax title foreclosure cases in Court and avoid the risks of debtor bankruptcies and property value deterioration.

Simply advertising a tax title auction has proven to be an excellent motivator for delinquent taxpayers. Typically, 40% of tax titles redeem between the publication of notice of the auction and auction day.

Tax titles can be sold individually or in bundles. Tax titles sold at auction pursuant to G.L. c. 60, §52 must be sold for at least the redemption price (no discount). After the auction, the municipality delivers an assignment instrument to the purchaser, which is recordable at the Registry of Deeds.

The assignment of tax titles has been on the books in Massachusetts since the 18th century. Over the last 12 months, over a dozen new cities and towns have entered the market by conducting their own tax title assignment auctions.



TALLAGE

A Massachusetts Municipal Tax Lien
Investment Company

Phone: 617-543-7214

E-mail: Bill.Cowin@TallageLLC.com

SETTING UP A TAX TITLE ASSIGNMENT SALE AUCTION
M.G.L. c. 60, §52

<i>Date</i>	<i>Action Item</i>
One Month Prior to Auction	Develop list of tax titles the municipality wants to sell; Calculate tax title account balances through the date of the auction; Develop protocols, rules and forms for auction.
14 Days Before Auction*	Advertise auction in newspaper of general circulation once, listing all tax liens for sale; Post notice in at least two public places.
10 Days Before Auction*	Send pre-auction notification to all owners of affected properties.
1 Day Before Auction	Generate revised list of tax liens for sale after pre-auction payoffs.
After Auction	Collect deposit(s) from winning bidder(s); Prepare Assignment forms for winning bidder(s); Exchange Assignment forms for full payments.

*statutory minimum requirement

Statutory Rules and Restrictions

Tax liens may be sold individually or in bundles. The minimum bid must be the redemption payoff amount as of the auction date including all fees (legal, publication, recording, etc.).

Property owners and parties-in-interest may still redeem after an assignment, up and until a foreclosure judgment has entered. Owners may redeem by paying the municipal treasurer up and until a foreclosure complaint has been filed in Land Court; after that, all redemptions must be processed through the assignee (winning bidder).

The redemption price is the same as if the municipality still held the lien; assignees may not allocate any premiums paid at auction to the redemption amount.

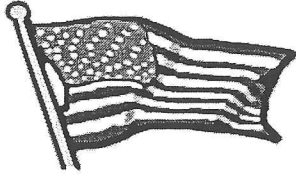
Assignees assume the same rights and obligations of the municipality in the administration of tax titles under Mass. General Laws Chapter 60.

Assignees may "sell back" any defective tax title liens to the municipality with interest.

Assignment Auction Practice Tips

Develop auction list well in advance of the auction and give prospective purchasers an opportunity to review the list and provide comment before finalizing the list for public notice. Municipal tax title inventories often have liens that are invalid due to assessment errors, or mistakes made in the tax taking. Many errors are capable of being fixed before the auction. Those liens that cannot be fixed should be taken off the list. A pre-auction comment period also allows the municipality to "test the waters" to see whether the liens on the list are likely to attract buyers.

Mail the required pre-auction notice to property owners at least a few weeks in advance of the auction to allow owners time to assemble funds for payoffs. Typically, 40% of the liens on your auction list will be redeemed between the mailing of the notices and the auction.



RECEIVED
CITY CLERK'S OFFICE

2013 JAN -4 A 9:55

TAUNTON, MA

CITY CLERK

JANUARY 8, 2013

HONORABLE THOMAS C. HOYE, JR., MAYOR
COUNCIL PRESIDENT RYAN C. COLTON
AND MEMBERS OF THE MUNICIPAL COUNCIL

PLEASE NOTE:

THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR TUESDAY, JANUARY 8, 2013 AT 5:30 P.M. AT THE TEMPORARY CITY HALL AT MAXHAM SCHOOL, 141 OAK STREET, TAUNTON, MA. 02780, IN THE CHESTER R. MARTIN MUNICIPAL COUNCIL CHAMBERS

5:30 PM.

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 HUMAN RESOURCE DIRECTOR AND ACTING TREASURER/COLLECTOR JAYNE ROSS TO DISCUSS ACTION PLAN FOR HIRING PERMANENT TREASURER/COLLECTOR
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 POLICE AND LICENSE

1. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON THE FOLLOWING APPLICATIONS FOR CLASS II LICENSES:
 - A. TOP QUALITY AUTO SALES INC., 397 WINTHROP STREET
 - B. M.H. HAMIE & SON INC. D/B/A MIKE'S AUTO SALES, 594 WINTHROP STREET
 - C. R & F MOTORS, INC., 35 DANA STREET
 - D. NORTHEAST AUTO EXCHANGE, 577 WINTHROP STREET
 - E. ROUTE 14 MOTORS, LLC D/B/A ROUTE 138 MOTOR CAR COMPANY, 420 BROADWAY
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 SOLID WASTE

1. MEET WITH ATTORNEY ROD HOFFMAN FOR AN UPDATE ON THE SIGNED CONTRACT BETWEEN I.W.T., WE CARE AND THE CITY OF TAUNTON.
2. MEET WITH ATTORNEY ROD HOFFMAN TO DISCUSS POST EXECUTION OF CONTRACT AND TO DISCUSS AND ESTABLISH THE NECESSARY AND REQUIRED TIMELINES FOR PERMITTING, FINANCING, ETC.
3. MEET WITH REPRESENTATIVES OF WASTE MANAGEMENT, MINNESOTA METHANE AND REPRESENTATIVES OF THE BOARD OF HEALTH TO DISCUSS THE ONGOING ODOR NUISANCES AND COMPLAINTS IN REGARD TO THE TAUNTON LANDFILL GAS COLLECTION SYSTEM.
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 THE RISK MANAGER FOR A STATUS REPORT REGARDING THE CITY'S INSURANCE COVERAGE
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