



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

~  
**NOVEMBER 10, 2015 – 7:00 PM**

**INVOCATION  
ROLL CALL  
RECORDS**

**HEARING: NONE**

**COMMUNICATIONS FROM THE MAYOR**

**APPOINTMENTS**

**COMMUNICATIONS FROM CITY OFFICERS**

Pg. 1 Com. from City Solicitor – Request for meeting to discuss Memorandum of Understanding

**COMMUNICATIONS FROM CITIZENS**

Pg. 2-3 Com. from James Rush, Senior Right of Way Agent, MassDOT, Ten Park Plaza, Suite 3910, Boston – South Coast Rail Survey Data Collection

**PETITIONS**

**Hours of Operation License (Black Friday)**

1. 1000 Degrees Express located at 2 Galleria Mall Drive, Taunton
2. AC Galleria Donuts, Inc. –dba- Dunkin Donuts located at 2 Galleria Mall Drive, Taunton
3. AP Pretzels –dba- Wetzels Pretzels located at 2 Galleria Mall Drive, Taunton
4. American Eagle Outfitters located at 2 Galleria Mall Drive, Taunton
5. Bath & Body Works located at 2 Galleria Mall Drive, Taunton
6. Best Buy located at 2 Galleria Mall Drive, Taunton
7. Burger King, 2 Galleria Mall Drive, Taunton
8. Cell Fashion located at 2 Galleria Mall Drive, Taunton
9. Champs Sports located at 2 Galleria Mall Drive, Taunton
10. Charlotte Russe located at 2 Galleria Mall Drive, Taunton
11. Claire's located at 2 Galleria Mall Drive, Taunton
12. Dairy Queen located at 2 Galleria Mall Drive, Taunton
13. D'Angelo's located at 2 Galleria Mall Dive, Taunton
14. Dick's Sporting Goods located at 2 Galleria Mall Drive, Taunton
15. Forever 21 located at 2 Galleria Mall Drive, Taunton

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16. Fuji Chen located at 2 Galleria Mall Drive, Taunton
17. FYE located at 2 Galleria Mall Drive, Taunton
18. Gymboree located at 2 Galleria Mall Drive, Taunton
19. Hennes & Mauritz, Inc. –DBA- H&M located at 2 Galleria Mall Drive, Taunton
20. Hometown Collectibles, Inc. located at 2 Galleria Mall Drive, Taunton
21. Hot Topic located at 2 Galleria Mall Drive, Taunton
22. Journey’s located at 2 Galleria Mall Drive, Taunton
23. Justice for Girls located at 2 Galleria Mall Drive, Taunton
24. Kohl’s located at 80 Taunton Depot Drive, Taunton
25. La’Valiz located at 2 Galleria Mall Drive, Taunton
26. Macy’s located at 2 Galleria Mall Drive, Taunton
27. New York & Co. located at 2 Galleria Mall Drive, Taunton
28. OSJL of Taunton, LLC –dba- Ocean State Job Lot #227 located at 280 Winthrop Street, Taunton
29. Ocean State Job Lot of MA2015, LLC dba Ocean State Job Lot #249 located at 70 Depot Drive, Taunton
30. Olympia Sports to be located at 2 Galleria Mall Drive, Taunton
31. Payless Shoe Store located at 2 Galleria Mall Drive, Taunton
32. Rue21 #1253 located at 2 Galleria Mall Drive, Taunton
33. Sears HC located at 2 Galleria Mall Drive, Taunton
34. Spencer Gifts located at 2 Galleria Mall Drive, Taunton
35. Target located at 81 Taunton Depot Drive, Taunton
36. The Children’s Place located at 2 Galleria Mall Drive, Taunton
37. The Gift Connection located at 2 Galleria Mall Drive, Taunton
38. The Red Store located at 2 Galleria Mall Drive, Taunton
39. Things Remembered located at 2 Galleria Mall Drive, Taunton
40. Torrid located at 2 Galleria Mall Drive, Taunton
41. Toys R Us Express located at 2 Galleria Mall Drive, Taunton
42. Track 23 located at 2 Galleria Mall Drive, Taunton
43. Unplugged Toys and Gifts located at 2 Galleria Mall Drive, Taunton
44. Verdant located at 2 Galleria Mall Drive, Taunton
45. Victoria’s Secret located at 2 Galleria Mall Drive, Taunton
46. Vitamin World located at 2 Galleria Mall Drive, Taunton
47. Yankee Candle located at 2 Galleria Mall Drive, Taunton
48. Zumiez located at 2 Galleria Mall Drive, Taunton

**Hours of Operation License**

1. Dunkin Donuts located at 5 Washington Street, Taunton
2. Bobby’s Place, Inc. located at 60 Weir St., Taunton
3. Joe’s Diner located at 51 Broadway, Taunton
4. Creative Fitness Solutions, Inc. located at 225 Cape Highway, East Taunton
5. Speedway LLC –dba- Speedway #2432 located at 943 County Street, Taunton
6. Speedway LLC –dba- Speedway #2516 located at 23 Cape Road, Taunton

**Kennel License**

Petition submitted by Diane Smedberg, 130 Powhatten Drive, East Taunton requesting a NEW Grade 1 Kennel License for 4-6 dogs to be located at 130 Powhatten drive, East Taunton. **(Public Hearing Required)**

**Claims**

Claim submitted by Idelta Raposo, 50 Hodges Avenue, 2<sup>nd</sup> floor, Taunton seeking reimbursement for injuries from a fall on a city sidewalk at the corner of Washington Street and Frederick R. Martin Parkway.

Claim submitted by Donna Child, 12 Alegi Ave., Taunton seeking reimbursement for damages to her automobile from hitting a pothole on Fourth Street.

**COMMITTEE REPORTS**

**UNFINISHED BUSINESS**

**ORDERS, ORDINANCES AND RESOLUTIONS**

**NEW BUSINESS**

**Respectfully submitted,**



**Rose Marie Blackwell  
City Clerk**



# 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

November 6, 2015

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

**RE: Request for Meeting to Discuss Memorandum of Understanding**

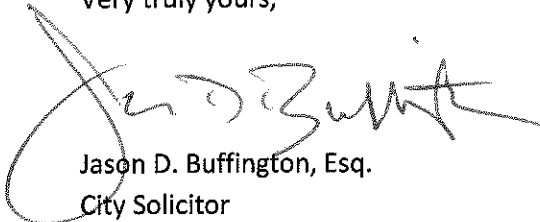
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Dear Mayor Hoye and Members of the Municipal Council:

I respectfully request to meet with you during the Municipal Council meeting on November 10, 2015 to discuss potential approval of a Memorandum of Understanding with the Mashpee Wampanoag Tribe. The contemplated agreement concerns the provision of fire, police, and emergency medical services at the future site of Project First Light once the land goes into trust but prior to the commencement of construction. It is currently anticipated that this will be an approximately 90-day period, during which the present commercial activity occurring at the site will continue.

I have been working with the Police Chief, the City's outside gaming counsel, and legal counsel for the Tribe in order to formulate such an agreement. As of this date, it is still a work in progress, but I am hopeful to be able to present a document to you in the near future.

Very truly yours,



Jason D. Buffington, Esq.  
City Solicitor



Charles D. Baker, Governor  
Karyn E. Polito, Lieutenant Governor  
Stephanie Pollack, MassDOT Secretary & CEO  
Frank DePaola, General Manager  
Brian Shortsleeve, Chief Administrator

*massDOT*  
Massachusetts Department of Transportation

Ms. Rose Marie Blackwell, City Clerk  
City of Taunton  
141 Oak Street  
Taunton, MA 02780

October 28, 2015

RE: South Coast Rail Survey Data Collection

Dear Ms. Blackwell:

The Massachusetts Bay Transportation Authority (MBTA) is continuing the preliminary design and permitting phase of the South Coast Rail (SCR) project, and crews are going back in the field to conduct additional survey work. The purpose of this letter is to notify South Coast communities that crews will be deployed during the remainder of 2015 and through next year.

MBTA and/or its consultants will require access to certain city-owned parcels adjacent to the right-of-way. The activity is necessary to continue to advance data collection to support the advancement of preliminary design and environmental permitting. There are no intrusive activities planned to occur on publically-held properties during this time period.

The MBTA's right to enter upon property is explained in the enclosed copy of Massachusetts General Laws, Chapter 161A, Section 44 (<http://www.mass.gov/legis/laws/mgl/161a-44.htm>). This statute allows the MBTA to enter upon property after giving a thirty-day notice by registered or certified mail for the purposes stated above, and this letter shall serve as this required notice.

General information concerning the SCR project is available at [www.southcoastrail.com](http://www.southcoastrail.com). Should you have any specific questions or concerns, please feel free to contact either Jamie Rush at 617-222-4538 or via email at [JRush@MBTA.com](mailto:JRush@MBTA.com) or Carolann McCarron at 617-222-4284 or via email at [Cmmccarron@MBTA.com](mailto:Cmmccarron@MBTA.com). Thank you in advance for your continued co-operation.

Sincerely,

James A. Rush  
Senior Right of Way Agent

Certified Mail:  
Return Receipt Requested

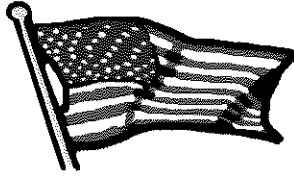
**PART I. ADMINISTRATION OF THE GOVERNMENT**

**TITLE XXII. CORPORATIONS**

**CHAPTER 161A. MASSACHUSETTS BAY TRANSPORTATION AUTHORITY**

**Chapter 161A: Section 44. Entry onto lands, waters and premises for purpose of making surveys, soundings, test pits, borings, drillings or examinations; notice; reimbursement for damage**

Section 44. Whenever the authority deems it necessary to make surveys, soundings, test pits, borings, drillings or examinations to obtain information for or to expedite the construction of public transportation facilities or other projects under its jurisdiction, said authority, or its authorized agents or employees may, after 30 days notice by registered or certified mail and without the necessity of any judicial orders or other legal proceedings, enter upon any lands, waters and premises, not including buildings, in the commonwealth, including lands both publicly and privately owned, including land owned by railroad corporations, for the purpose of making such surveys, soundings, test pits, borings, drillings or examinations as it may deem necessary or convenient for the purposes of this section, and the entry shall not be deemed to be a trespass. Said authority shall make reimbursement for any injury or damage to lands resulting from entry caused by any act of its authorized agents or employees and shall, so far as possible, restore such lands to the same condition as prior to the making of such surveys, soundings, test pits, borings, drillings or examinations.



NOVEMBER 10, 2015

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

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**PLEASE NOTE:** *THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR TUESDAY, NOVEMBER 10, 2015 AT 5:30 P.M. AT THE TEMPORARY CITY HALL AT MAXHAM SCHOOL, 141 OAK STREET, TAUNTON, MA. 02780, IN THE CHESTER R. MARTIN MUNICIPAL COUNCIL CHAMBERS*

5:30 P.M.

**THE COMMITTEE ON FINANCE & SALARIES**

1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS
2. MEET TO REVIEW REQUESTS FOR FUNDING
3. MEET TO REVIEW MATTERS IN FILE

**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 COUNCIL AS A WHOLE**

1. MEET TO REVIEW RFQ FOR COMPREHENSIVE ENERGY MANAGEMENT SERVICES.
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 ORDINANCES AND ENROLLED BILLS**

1. MEET TO REVIEW FINAL DRAFT OR CLASS II LICENSE ORDINANCE
2. MEET TO REVIEW MATTERS IN FILE

**PLEASE NOTE:**

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**THE COMMITTEE ON POLICE AND LICENSE**

1. MEET TO DISCUSS AND REVIEW PAPERWORK NECESSARY TO BE  
FILED BY THE POLICE DEPARTMENT AND/OR THE CITY CLERK TO  
CALL FOR THE SPANISH SPEAKING POLICE OFFICERS LIST
2. MEET TO REVIEW MATTERS IN FILE
3. PUBLIC INPUT

**PLEASE NOTE:**

**A "MEETING" OF THE ENTIRE MUNICIPAL COUNCIL, AS SAID TERM IS  
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THIS COMMITTEE MEETING**

RESPECTFULLY,

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES