



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

~
NOVEMBER 18, 2014 – 7:00 PM

**INVOCATION
ROLL CALL
RECORDS**

RECEIVED
CITY CLERK'S OFFICE
2014 NOV 14 11 A 10:42
TAUNTON, MA
CITY CLERK

HEARING:

On the petition submitted by the City of Taunton, Temporary City Hall, 141 Oak St., Taunton for the acceptance of Kilton Place as a public way in the City of Taunton.

- Com. from City Engineer – Submitting a positive recommendation
- Com. from Chairman, Taunton Planning Board – Submitting a positive recommendation
- Map of Kilton Place

HEARING:

On the petition submitted by Jeffrey P. Sanders, Percy Law Group, 4 Court St., Taunton on behalf of his client, Taunton Mills, LLC, 1 River Rd., Carlisle, MA 01741 and others for the discontinuance of Brook Street Extension as a public way in the City of Taunton

- Com. from City Engineer – Submitting a positive recommendation with conditions
- Com. from Chairman, Taunton Planning Board – Submitting recommendation
- Petition submitted by residents (10 signatures) – Expressing opposition
- Two (2) Maps of Brook Street Extension

HEARING:

On the petition submitted by C. Anthony Fruchtl, Ayoub Engineering, Inc. 414 Benefit St., Pawtucket, RI on behalf of his client Bruce Thomas at the location of 137 Hart St., Taunton, MA for a license to store, use and sell 28,000 gallons regular unleaded/super to be stored in underground storage tanks and 7,000 gallons diesel to be stored in underground storage tanks for a total of 35,000 gallons of underground fuel to be stored.

- Com. from Captain Robert Bastis, Fire Inspector, Taunton Fire Department – Submitting a positive recommendation with conditions

COMMUNICATIONS FROM THE MAYOR

- Presentation of the FY2015 Supplemental Budget

APPOINTMENTS

- Swearing in of the following Firefighters:
 - Andrew J. Masse
 - Jonathan Silva
 - Joshua D. Correia

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1 Com. from Executive Director of Retirement – Notifying of a retirement
- Pg. 2-3 Com. from Commissioner, Parks, Cemeteries and Public Grounds – Providing an update on the splash pad
- Pg. 4 Com. from Attorney Edmund Brennan, Jr., One Church Green, PO Box 488, Taunton – 3 Mill St. Middleboro, MA Water Main Extension

PETITIONS

Hours of Operation Licenses

1. Bath & Body Works located at 2 Galleria Mall Drive, Taunton
2. Best Buy located at 2 Galleria Mall Drive, Taunton
3. Cell Hutt Inc. –dba- Metro PCS located at 2 Galleria Mall Dr., Taunton
4. The Children's Place located at 2 Galleria Mall Drive, Taunton
5. Dunkin Donuts located at 2 Galleria Mall Drive, Taunton
6. Express Fashion Operation LLC –dba-Express located at 2 Galleria Mall Drive, Taunton
7. Foot Locker located at 2 Galleria Mall Drive, Taunton
8. Forever 21 located at 2 Galleria Mall Drive, Taunton
9. Fuji Chen located at 2 Galleria Mall Drive, Taunton
10. FYE located at 2 Galleria Mall Drive, Taunton
11. GameStop located at 2 Galleria Mall Drive, Taunton
12. Gymboree located at 2 Galleria Mall Drive, Taunton
13. Hennes & Mauritz, Inc. –DBA- H&M located at 2 Galleria Mall Drive, Taunton
14. Hot Topic located at 2 Galleria Mall Drive, Taunton
15. Jeremy's Pizza located at 2 Galleria Mall Drive, Taunton
16. Journey's located at 2 Galleria Mall Drive, Taunton
17. Macy's located at 2 Galleria Mall Drive, Taunton
18. New York & Co. located at 2 Galleria Mall Drive, Taunton
19. Spencer Gifts located at 2 Galleria Mall Drive, Taunton
20. Unplugged Toys and Gifts located at 2 Galleria Mall Drive, Taunton
21. Victoria's Secret located at 2 Galleria Mall Drive, Taunton
22. Wetzels Pretzels located at 2 Galleria Mall Drive, Taunton
23. Yankee Candle located at 2 Galleria Mall Drive, Taunton

COMMITTEE REPORTS

UNFINISHED BUSINESS

- Pursuant to Massachusetts General Laws Chapter 31, Section 41, and any and all other applicable legal authority, a hearing will be held before the Taunton Municipal Council. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 and/or Chapter 31, Section 41, the hearing may be held in open or closed session.

ORDERS, ORDINANCES AND RESOLUTIONS

NEW BUSINESS

Respectfully submitted,



Rose Marie Blackwell
City Clerk

KILTON PLACE HEARING



CITY of TAUNTON
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

90 Ingell Street

Taunton, Massachusetts 02780-3430

Phone: 508-821-1027, Fax: 508-821-1336, coteng@tmlp.net



Mark B. Slusarz, P.E.
City Engineer

October 7, 2014

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

Re: Kilton Place, Street Acceptance

Dear Mayor Hoye, and Councilors;

The DPW has a need for the acceptance of this street in order to locate a new sewer line as a replacement for an inadequate system currently in place. The work is to be completed as part of a larger sewer separation project. At the same time, improvements to water and drainage systems, as well as the pavement, can be accomplished.

The City currently maintains the roadway and utilities, but does not receive Chapter 90 credit. Acceptance of this road will allow the City to use Chapter 90 funds for this project, and will add to the city's inventory of accepted, Chapter 90 eligible streets. I recommend that the City accept Kilton Place as a public way so these improvements can be realized.

Sincerely,
City of Taunton

Mark B. Slusarz, P.E.
City Engineer

KILTON PLACE HEARING



TAUNTON PLANNING BOARD

City Hall

15 Summer Street

Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

Phone 508-821-1051

Fax 508-821-1665

October 6, 2014

Honorable Mayor Thomas Hoye & Municipal Council
141 Oak St., Temporary City Hall
Taunton, Ma. 02780

C/O Rose Marie Blackwell, City Clerk

RE: Street Acceptance – Kilton Place

Dear Mayor Hoye & Municipal Council:

The Planning Board is in receipt of your communication relative to street acceptances for Kilton Place scheduled for a public hearing on October 21, 2014.

The Planning Board voted to forward a Positive recommendation for Kilton Place to be an accepted Street in the city.


Respectfully yours,

Daniel P. Dermody, Chairman
Taunton Planning Board

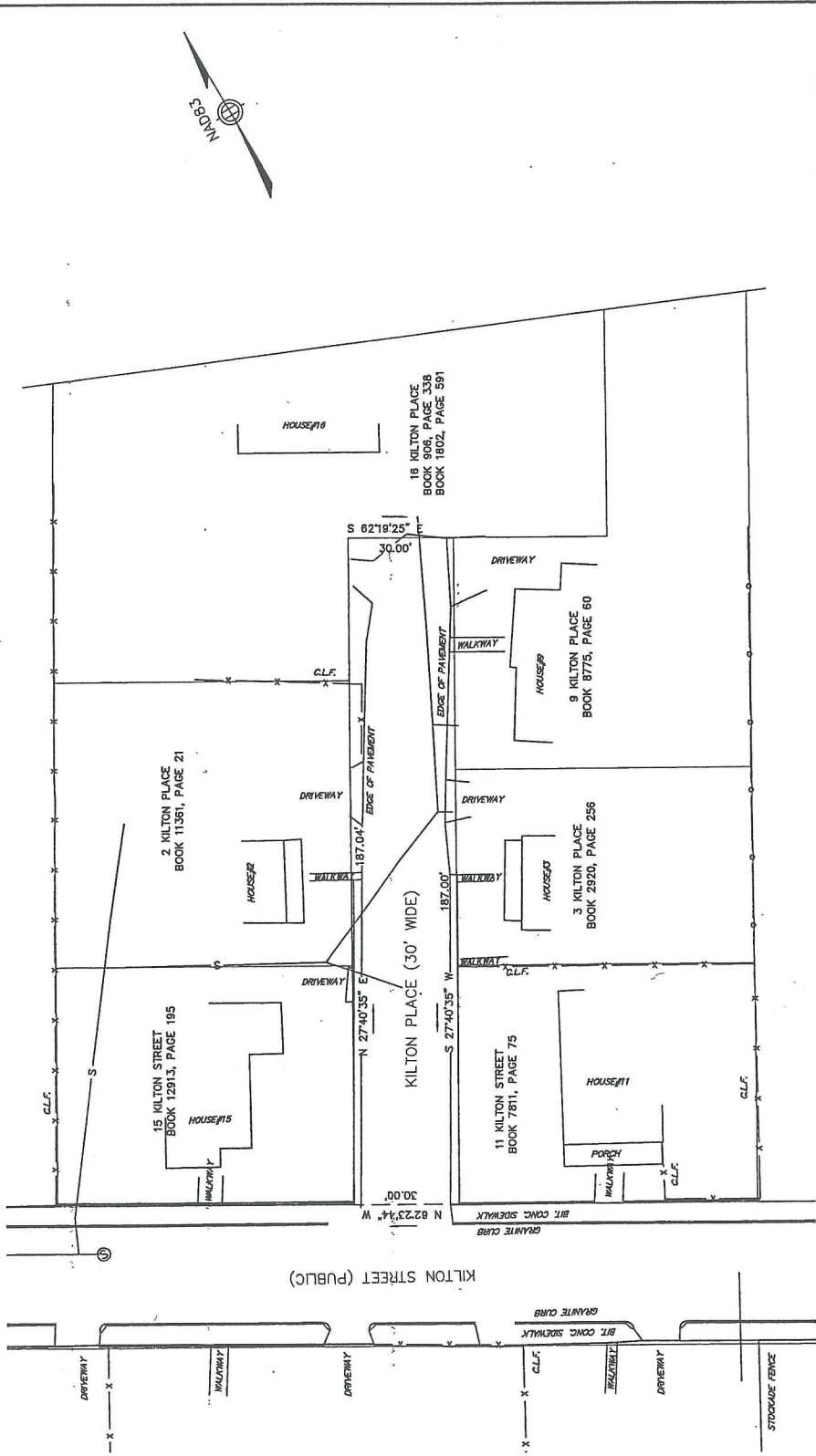
DPD/djp

KILTON PLACE HEARING

CITY OF TAUNTON
 DEPARTMENT OF PUBLIC WORKS
 KILTON PLACE
 STREET ACCEPTANCE PLAN

PREPARED BY
 EARTH SERVICES CORPORATION
 198 CRANE AVE. SOUTH TAUNTON MA 02780
 (508) 823-1093

SCALE: AS SHOWN
 DATE: AUGUST 22, 2014



PLAN REFERENCE:
 LOTS OWNED BY TAUNTON REALTY DEVELOPMENT CO.
 TAUNTON, MASS. E.D. ROBINSON C.E. MAY, 1920
 SCALE 40 FT. TO THE INCH RECORDED IN PLAN
 BOOK 15 PAGE 56.

KILTON STREET (PUBLIC)

**BROOK STREET EXTENSION
DISCONTINUANCE HEARING**

CITY of TAUNTON
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
90 Ingell Street

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

Mark B. Slusarz, P.E.
City Engineer



M E M O R A N D U M

TO: Mayor Thomas Hoyer, Taunton City Council
FROM: Mark Slusarz, P.E., City Engineer *MS*
CC: Kevin Scanlon, City Planner
DATE: October 7, 2014
RE: Brook Street Extension Discontinuance

The Engineering Department has reviewed the petition for the discontinuance of a portion of Brook Street Extension, and has found the following:

1. This segment of Brook Street Extension runs between Oak Street and East Whitehill Street. Only 450 feet of the approximately 700 feet of the street is proposed to be discontinued.
2. The surrounding properties are, or are intended to be all owned by the proponent. Once the roadway is discontinued, ownership rights of the property will revert to them. A plan combining these lots will need to be prepared prior to any development
3. Access to East Whitehill Street via Brook Street Extension is currently not possible. A portion is used for parking, while the majority is undeveloped.
4. Access to East Whitehill Street is and will continue to be via Mineral Street.
5. The City maintains a sewer line on this section of Brook Street Extension. Any discontinuance should be subject to the proponent granting a utility easement to the City.
6. The legal description refers to a plan, but should include "Approved January 27, 1949, John F. Parker Mayor".

Based on the above, I recommend that the City discontinue this portion of Brook Street Extension as a public way, with the condition that a 20-foot (minimum) utility easement, centered on the sewer line, be granted to the City of Taunton.

**BROOK STREET EXTENSION
DISCONTINUANCE HEARING**



TAUNTON PLANNING BOARD

City Hall

15 Summer Street

Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

Phone 508-821-1051

Fax 508-821-1665

October 6, 2014

Honorable Mayor Thomas Hoye & Municipal Council
141 Oak St., Temporary City Hall
Taunton, Ma. 02780

C/O Rose Marie Blackwell, City Clerk

RE: Street Acceptance – Brook Street Extension

Dear Mayor Hoye & Municipal Council:

The Planning Board is in receipt of your communication relative to street acceptances for Brook Street Extension scheduled for a public hearing on October 21, 2014.

The Planning Board has no recommendation for this street because it wasn't part of a subdivision approved by the Board.

Respectfully yours,

Daniel P. Dermody, Chairman
Taunton Planning Board

DPD/djp

**BROOK STREET EXTENSION
DISCONTINUANCE HEARING**

TUESDAY, AUGUST 14, 2014

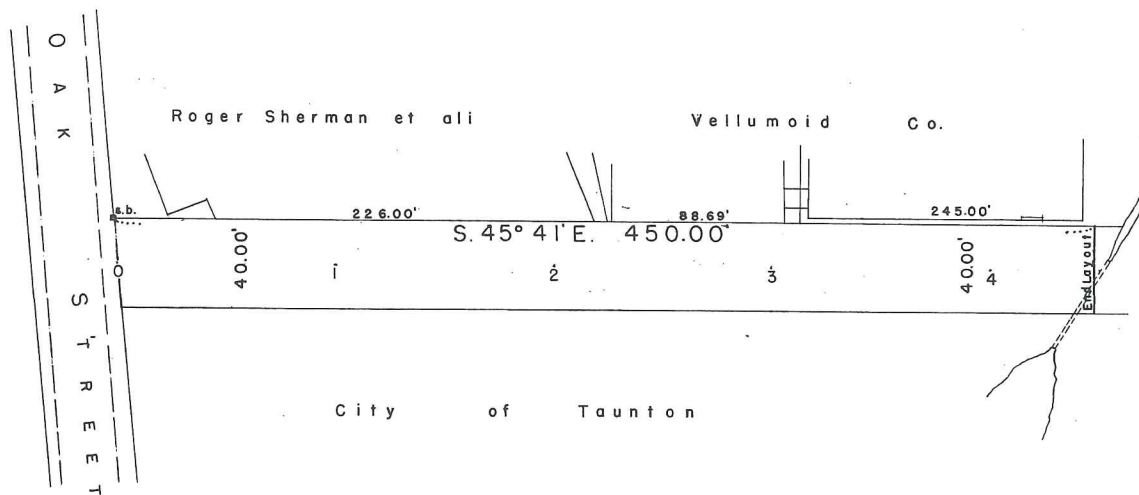
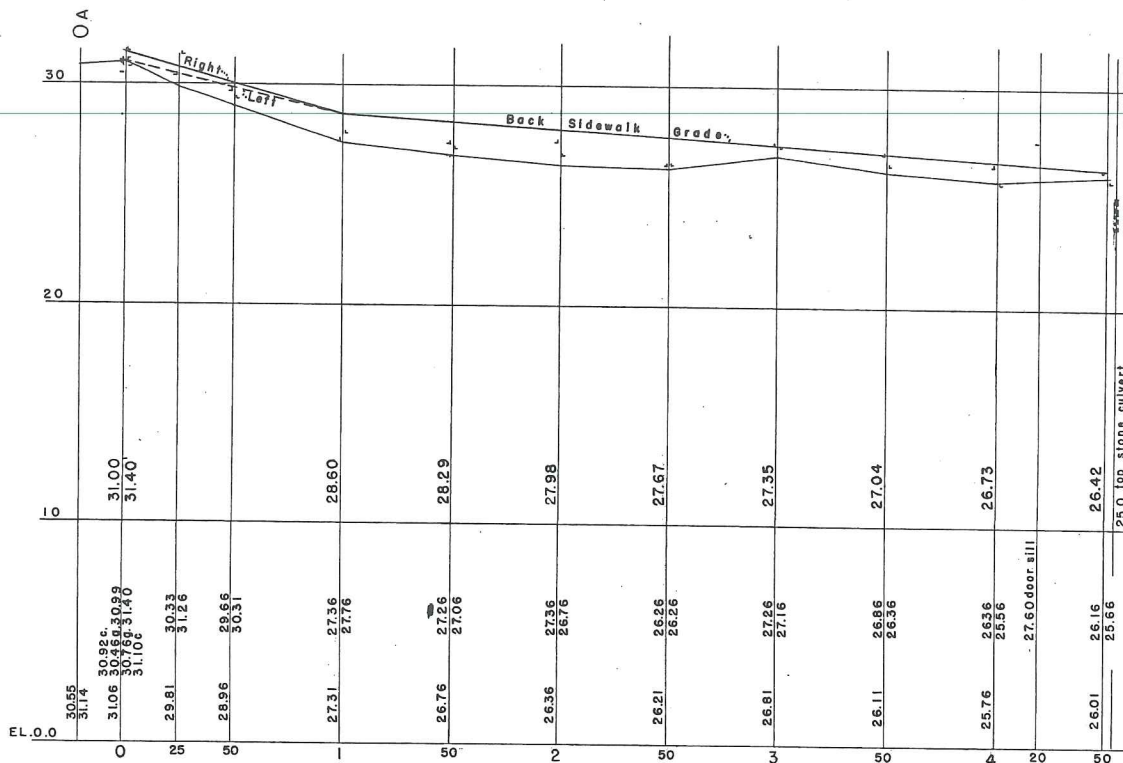
WE OPPOSE THE DISCONTINUANCE OF
THE UNACCEPTED AND UNIMPROVED WAY
COMMONLY REFERRED TO AS

BROOK STREET EXTENSION

LOCATED OFF WINTHROP STREET AND
BEGINNING AT 145 AND THROUGH 147
WINTHROP ST TO EAST WHITE HILL STREET
AND OAK STREET IN TAUNTON.

<u>NAME</u>	<u>ADDRESS</u>
1. James Salley	145 Winthrop St
2. Steven Simpson	145 Winthrop St.
3. Jason Gallagher	145 Winthrop St.
4. Elizabeth Moore	145 Winthrop St.
5. Catherine Melford	143 Winthrop St.
6. James P. Seene	143 Winthrop St.
7. Joyce Frechette	30 Kenon St.
8. Janice C. Brown	30 Olney St
9. Susan Selin	30 Olney St ✓
10. M W Selin	30 Olney St ✓

BROOK STREET EXTENSION DISCONTINUANCE HEARING



Approved Jan. 27, 1949
John F. Parker Mayor

CITY OF TAUNTON
Engineering Department
Plan & Profile
BROOK ST. EXT.



137 HART STREET
FLAMMABLE STORAGE HEARING
FIRE DEPARTMENT
TAUNTON, MASS. 02780

Chief of Dept.
Timothy J. Bradshaw

FIRE PREVENTION BUREAU
2 KILMER AVENUE

Fire Inspector
Capt. Robert J. Bastis Jr.

TEL. (508) 821-1453 – FAX # (508) 821-1491

To: Municipal Council, City of Taunton
From: Capt. Robert J. Bastis Jr.
Date: July 17, 2014
Re: 137 Hart Street-Fuel Storage for Bruce Thomas

I have reviewed the site, plans, and specifications for the proposed self service gas station with 35,000 gallons of fuel storage and would make a positive recommendation with the following conditions. Total storage 28,000 gallons gasoline and 7,000 gallons diesel.

1. Maintenance and installation shall comply with applicable requirements of 527 CMR 9.0 and Massachusetts DEP requirements for underground tanks.
2. The suppression system for self service gas station must have the approval of the Office of the State Fire Marshal.

Respectfully,

Captain Robert J. Bastis Jr.
Fire Inspector

CC: Chief Bradshaw



CITY OF TAUNTON
Contributory Retirement System

40 Dean St., Unit 3
Taunton, Massachusetts 02780
(508) 821-1052
Fax (508) 821-1063

**BOARD OF
RETIREMENT**

CHAIRMAN

Ann Marie Hebert

Peter H. Corr

Richard T. Avila

Gill Enos

A. Joan Ventura

EXECUTIVE

DIRECTOR

Paul J. Slivinski

ASSISTANT

DIRECTOR

Kathy A. Me

November 10, 2014

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

Dear Mayor Hoye:

Please be advised of the retirement for Superannuation of Kirk W. Wrigley, an employee of the Taunton Fire Department on November 22, 2014 under the provisions set forth in Section #5 of Chapter 32 of the General Laws of Massachusetts.

Please pay regular compensation and accumulated benefits up to and including the date of retirement.

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

Respectfully yours,

Paul J. Slivinski
Executive Director

cc: K. Wrigley
T. Bradshaw, Fire Chief
Treasurer
Auditor
HR
City Clerk
file



CITY OF TAUNTON
MASSACHUSETTS

PARKS, CEMETERIES & PUBLIC GROUNDS

Marilyn A. Greene
Commissioner

170 Harris Street
Taunton, MA 02780
(508) 821-1415
FAX (508) 821-1065
E-mail:
pcpgdir@tmlp.net

November 10, 2014

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

Dear Mayor Hoye and Council Members:

I have received your request dated November 3rd regarding an update on the construction and installation of the splash pad.

This department has been working with members of the DPW team and BETA Engineering on this project. I am including a copy of the current work schedule that has been prepared by BETA who is overseeing the project for the city. LAL is currently on-site and has placed the gravel base for the splash pad. All component pieces are on site and inventoried. Other contractors will be notified once LAL completes the necessary preparations.

If you have further questions, feel free to contact me.

Sincerely,

Marilyn A. Greene, Commissioner

Copies to: DPW
Chris Cronin, BETA

PROJECT SCHEDULE
Hopewell Park Splash Pad
Taunton MA

Task	Description	2014				2015	
		September	October	November	December	May	June
1	LAL						
	Coordination with CEC / Dorsey / Kinsman						
	Mobilization						
	Excavation						
	Review Drain Location and Water Service Installation						
	Survey						
	Excavate for splash pad						
	Layout pad and devices						
	Locate and Excavate for Control Cabinet						
	Excavate for electrical Conduit (Coordinate with Kinsman)						
	Excavate for water lines (Coordinate with Dorsey)						
	Locate and Excavate for Shade Structure Foundations						
	Splash Pad Devices						
	Install water devices						
	Install Control Cabinet						
	Concrete						
	pour foundations for devices and shade structure						
	Pour concrete pad						
	Restoration						
	Rough Grading						
Gravel Road							
2	Fencing						
	Fence Install						
3	Dorsey						
	Water Service Installation Complete						
4	Kinsman						
	Install Conduit						
	Pull Wires						
5	CEC						
	Water Service Installation						
6	City						
	Install Drain						
	Loam and Seed						

BRENNAN, RECUPERO, CASCIONE, SCUNGIO & McALLISTER, LLP

ATTORNEYS AT LAW

A LIMITED LIABILITY PARTNERSHIP

ONE CHURCH GREEN, P. O. BOX 488

TAUNTON, MA 02780

TEL. (508) 822-0178 FAX (508) 824-3647

WWW.BRCM.COM

4

EDMUND J. BRENNAN, JR. *
RONALD F. CASCIONE ◊
KEVIN J. McALLISTER ◊
JOSEPH J. RECUPERO ◊
BENJAMIN M. SCUNGIO ◊
ANDREW HENNEOUS †

MICHAEL J. POLAK †
BRIAN J. HUGHES *
MARY ANN CARROLL ~
NIKOLAUS S. SCHUTTAUF ◊
REBECCA L. WASHINGTON ^
AUBREY L. LOMBARDO ◊

THOMAS S. HEMMENDINGER ◊
OF COUNSEL

LISA M. KRESGE ◊
OF COUNSEL

◊ ADMITTED IN RI & MA
* ADMITTED IN MA
† ADMITTED IN MA, RI & ME
~ ADMITTED IN RI
^ ADMITTED IN RI, MA & CT

October 31, 2014

Andrew J. Marshall, President
Taunton City Council
141 Oak Street
Taunton, MA 02780

Re: 3 Mill Street, Middleboro, Massachusetts – Water Main Extension

Dear Mr. Marshall:

I am working with Steven M. Kahian, the owner of 3 Mill Street. Mr. Kahian is seeking permission from the City of Taunton (the "City") to extend the water main to serve 3 Mill Street. The existing water main ends at 5 Mill Street, which directly abuts the southern boundary of 3 Mill Street and is also owned by Mr. Kahian. Currently, the 2-family residential building at 3 Mill Street is served by a well.

In 2005, Mr. Kahian received permission from the City to tie his building located at 29 Harding Street, Middleboro, into the City water main on Route 44 (Harding Street) to service his furniture business. In 2013, the City gave Mr. Kahian permission to connect to the Taunton water main on Route 44 under the 2005 approval and to extend the water line along the edge of Mill Street to 5 Mill Street. The water line installed was an 8 inch supply main that currently serves the furniture store at 29 Harding Street and 5 Mill Street.

By this letter I am respectfully requesting on behalf of Mr. Kahian permission to extend the water main approximately 100 additional feet to service the 2-family home.

Thank you.

Sincerely,

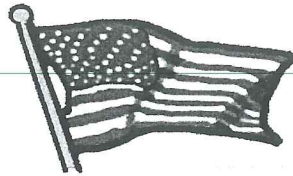

Edmund J. Brennan, Jr.

CC: Steven M. Kahian

RHODE ISLAND OFFICE

362 BROADWAY, PROVIDENCE, RI 02909

TEL. (401) 453-2300 FAX (401) 453-2345



RECEIVED
CITY CLERK'S OFFICE

2014 NOV 14 A 9:52

TAUNTON, MA

CITY CLERK

NOVEMBER 18, 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 MONDAY, NOVEMBER 18, 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 POLICE AND LICENSE

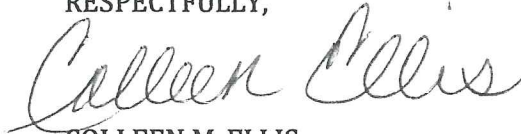
1. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON THE FOLLOWING PETITIONS TO OPERATE BETWEEN THE HOURS OF 1 A.M. AND 4 A.M. AS PER CITY ORDINANCE SEC. 12-2:
 - A. AMERICAN EAGLE OUTFITTERS, 2 GALLERIA MALL DRIVE
 - B. BOBBY'S PLACE, INC., 60 WEIR STREET
 - C. BURGER KING, 2 GALLERIA MALL DRIVE
 - D. CHARLOTTE RUSSE, 2 GALLERIA MALL DRIVE
 - E. CREATIVE FITNESS SOLUTIONS, INC., 225 CAPE HIGHWAY
 - F. D'ANGELO'S, 2 GALLERIA MALL DRIVE
 - G. DUNKIN DONUTS, 5 WASHINGTON STREET
 - H. HESS CORPORATION #21237, 943 COUNTY STREET
 - I. HESS EXPRESS, 23 CAPE ROAD
 - J. HOLLISTER, 2 GALLERIA MALL DRIVE
 - K. J. C. PENNEY, 2 GALLERIA MALL DRIVE
 - L. JOE'S DINER, 51 BROADWAY
 - M. JUSTICE FOR GIRLS, 2 GALLERIA MALL DRIVE
 - N. KJM RESTAURANT D/B/A TEX BARRY'S, 15 MAIN STREET
 - O. KOHL'S, 80 TAUNTON DEPOT DRIVE
 - P. OCEAN STATE JOB LOT, 280 WINTHROP STREET
 - Q. OLYMPIA SPORTS, 2 GALLERIA MALL DRIVE
 - R. PAY LESS SHOE STORE, 2 GALLERIA MALL DRIVE

- S. RADIO SHACK, 2 GALLERA MALL DRIVE
- T. SEARS, 2 GALLERIA MALL DRIVE
- U. TARGET, 81 TAUNTON DEPOT DRIVE
- V. THE PICTURE PEOPLE, 2 GALLERIA MALL DRIVE
- W. TORRID, 2 GALLERIA MALL DRIVE
- X. TOYS R US EXPRESS, 2 GALLERA MALL DRIVE
- 2. MEET WITH HE POLICE CHIEF AND DETECTIVE SMITH ON
PETITION OF BISSIE MITCHELL, 262 TAUNTON AVE., SEEKONK FOR
RENEWAL OF FORTUNE TELLER LICENSE D/B/A SONIA'S PALM
READING, 396 INTROP STREET, TAUNTON
- 3. MEET TO REVIEW MATTERS IN FILE
- 4. PUBLIC INPUT

PLEASE NOTE:

**A "MEETING" OF THE ENTIRE MUNICIPAL COUNCIL, AS SAID TERM IS
DEFINED IN MASS. GEN. L. C. 30A, §18 MAY OCCUR CONCURRENTLY WITH
THIS COMMITTEE MEETING**

RESPECTFULLY,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES