



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

~
NOVEMBER 20, 2012 – 7:00 PM

**INVOCATION
ROLL CALL
RECORDS**

HEARING: Board of Assessors FY2013 Classification Hearing

- Com. from Kerrie Babin, President, Taunton Area Chamber of Commerce – Requesting a decrease of the commercial tax rate for businesses

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1 Com. from Treasurer/Collector – Responding to Council’s request regarding tax title
- Pg. 2 Com. from Treasurer/Collector – Providing information regarding FY12 trash bills
- Pg. 3 Com. from Parks, Cemeteries and Public Grounds Commissioner – Extending an invitation
- Pg. 4 Com. from Parks, Cemeteries and Public Grounds Commissioner – Requesting use of the bandstand
- Pg. 5-6 Com. from Parks, Cemeteries and Public Grounds Commissioner – Notifying of the Annual Christmas Parade
- Pg. 7-22 Com. from Executive Director, Mayor’s Office of Economic and Community Development – Tax Increment Financing Project
- Pg. 23 Com. from Chairman, Taunton Planning Board – Notifying of a public hearing
- Pg. 24 Com. from City Solicitor – Requesting an executive session

2012 NOV 16 A 10:35

RECEIVED
CITY OF TAUNTON

PETITIONS

Constable License

Petition submitted by Edgar Gay, III requesting a NEW Constable License desiring to serve civil process.

Hours of Operation

1. McDonalds Restaurant located at 282 Winthrop St., Taunton

Hours of Operation (Black Friday)

1. Radio Shack located at 2 Galleria Mall Drive, Taunton
2. Piercing Pagoda (2 locations) located at 2 Galleria Mall Drive, Taunton
3. FYE located at 2 Galleria Mall Drive, Taunton
4. PCX Clothing Co. located at 2 Galleria Mall Drive, Taunton
5. Payless Shoe Source located at 2 Galleria Mall Drive, Taunton
6. Forever 21 located at 2 Galleria Mall Drive, Taunton

Class II Licenses

1. A&M Auto Exchange located at 424 Winthrop St., Taunton
2. Premium Motor Sales, Inc. located at 340 Winthrop St., Taunton
3. Advantage Automotive located at 600 Winthrop St., Taunton
4. Frank's Auto Body, Inc. located at 265 Broadway, Taunton
5. Mello's Auto repair & Sales located at 45 South St., Taunton

Claim

Claim submitted by Attorney Albert E. Grady, 226 Montello St., Brockton on behalf of his client Betty Rivella seeking reimbursement for injuries she sustained when she fell on a crack in the sidewalk at 143 School St., Taunton.

COMMITTEE REPORTS

UNFINISHED BUSINESS

ORDERS, ORDINANCES AND RESOLUTIONS

Ordinance for a third reading to be ordained on a roll call vote

AN ORDINANCE MAKING TECHNICAL CORRECTIONS TO SEC. 19-3.1

Chapter 19

SEWERS AND DRAINS

Section 19-3.1: Procedure for the Assessment of Betterments For Laying of Common Sewers

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

SECTION 1. Section 19-3.1 of Chapter 19 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended by striking out subsection a. and inserting in place thereof the following subsection:--

- a. All betterments for the laying of common sewers shall be assessed against owners of property pursuant to the General Laws of the Commonwealth of Massachusetts.

SECTION 2. Subsection b. of said Section 19-3.1 of said Chapter 19 is hereby further amended by striking out the words "betterment assessments shall be based upon a proportionate share of" and inserting in place thereof the following words:-- betterments shall be assessed at

SECTION 3. Said subsection b. of said Section 19-3.1 of said Chapter 19 is hereby further amended by striking out the following words:-- "said Chapter 80 of"

SECTION 4. All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage.

NEW BUSINESS

Respectfully submitted,



**Rose Marie Blackwell
City Clerk**



November 15, 2012

The Honorable Mayor Thomas Hoyer
President Ryan Colton and Members of the City Council
City of Taunton
City Hall – Maxham School, 141 Oak Street
Taunton, MA 02780

Dear Mayor and City Councilors:

I am writing on behalf of the Taunton Area Chamber of Commerce members and Board of Directors to urge you to decrease the commercial tax rate for businesses in the City of Taunton. The Taunton Area Chamber of Commerce is the leading business organization in the area representing over 500 member businesses.

The Taunton Area Chamber of Commerce supports fiscal policy that will reduce the overall tax burdens on business to encourage economic growth and investment. A lower tax rate will help attract new businesses, retain existing businesses, increase job opportunities, and ultimately raise additional business property tax revenue and create new jobs for the community.

If the current tax rate remains, it only forces businesses out of the community and discourages other from locating here. Now more than ever we need to shift some of their financial burden. If we work together to improve the business climate, we will strengthen the community.

The Chamber sees 2013 as a perfect year for a shift in philosophy by the City. A decrease in the commercial tax rate will be rolled out with the ongoing improvements to downtown Taunton - a sure sign of a pro-business community.

On behalf of the Board of Directors and its members in Taunton, the Chamber urges you to consider lowering the commercial tax rate for businesses in 2013. We are more than happy to discuss this issue with you further and look forward to working with you to ensure the economic advancement in Taunton.

Sincerely,


Kerrie L. Babin
President

**CITY OF TAUNTON
MASSACHUSETTS**

Office of the TREASURER/COLLECTOR

WENDY L. GRAVES, CMMT, CMMC
TREASURER/COLLECTOR

15 Summer Street
Taunton, MA 02780

Telephone (508) 821-1057
FAX (508) 821-1007

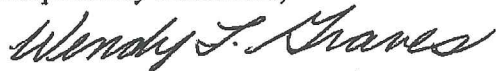
October 18, 2012

City Council
15 Summer Street
Taunton, Ma 02780

Dear Honorable Councilors,

The council made a motion that the Treasurer's Office is to begin the tax title process for anyone who owes over \$20,000.00. All the accounts with balances over \$20,000.00 have already been sent to the City's Tax Title Attorney to start Land Court procedures.

Respectfully Submitted,



Wendy L. Graves, CMMT, CMMC
Treasurer/Collector

2.

CITY OF TAUNTON
MASSACHUSETTS

Office of the TREASURER/COLLECTOR

WENDY L GRAVES, CMMT, CMMC
TREASURER/COLLECTOR

15 Summer Street
Taunton, MA 02780

Telephone (508) 821-1057
FAX (508) 821-1007

October 18, 2012

City Council
15 Summer Street
Taunton, Ma 02780

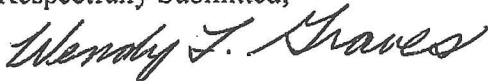
Dear Honorable Councilors,

Here is the information that the council requested regarding the FY12 Trash bills. This information is as of October 15, 2012.

Committed	\$1,356,559.00
Received	1,055,657.60
Abated	47,049.50
Refunds	24,013.60

Balance Due \$277,865.50

Respectfully Submitted,


Wendy L Graves, CMMT, CMMC
Treasurer/Collector

3.



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 14, 2012

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

Dear Mayor Hoye and Council Members:

The Taunton Parks, Cemeteries & Public Grounds Commission cordially invites you to attend the "*Lights On Celebration*" on Taunton Green.

This celebration will take place on Friday, November 30, 2012 at 6:30 PM.

We extend to you our sincere invitation to join us for this festive event!

Sincerely,

Marilyn A. Greene
Commissioner



**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 14, 2012

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

Dear Mayor Hoye and Council Members:

The Parks, Cemeteries and Public Grounds Department respectfully requests the bandstand with the roof be installed by the Building Department for the "Lights On" Ceremony on Taunton Green.

We also request the city electrician be available to coordinate electrical hook-ups for the lighting. "Lights On" will take place on Friday, November 30, 2012 at 6:30 PM.

We extend to you a sincere invitation to join us for this event!

Respectfully,

Marilyn Greene (to)

Marilyn A. Greene, Commissioner

Copy to: W. Walkden, Building Dept.



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 14, 2012

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:

On Sunday, December 2, 2012 the Annual Christmas Parade will be held beginning at 12:00 Noon from the Liberty and Union Plaza, Rte. 138 and will end at City Hall.

In order to have a safe and successful event, we are requesting your permission to work with the Taunton Police Department in coordinating all safety issues along the parade route.

We request the following streets be closed and "No Parking Signs" posted as follows:

James, Oxford and Avon & Whittenton Streets
(No Parking Signs posted on both sides of streets – 8:00 AM to 1:30 PM)

East Britannia Street
Mayflower Hill Cemetery to St. Joseph's Cemetery
(No Parking Signs posted on both sides of streets – 9:00 AM to 3:30 PM)

Washington Street to Thrasher Street
(Street closed at 10:30 AM)

East Britannia & Thrasher Street
(Street closed at 10:30 AM)

Broadway - Mayflower Cemetery to Liberty Union Plaza
(Street closed at 10:30 AM)

6.

Mayor Thomas C. Hoye Jr. and
Municipal Council Members
Page 2
November 14, 2012

Main, Summer & Spring Streets
(Street closed beginning at 12:00 Noon)

We have met with the Police Department and have discussed these issues with his staff to coordinate the parade route. We are also requesting use of the temporary barriers to keep the crowds and private street vendors outside of the roadway for the marching bands and floats as they turn onto Main Street.

If you require further information, feel free to contact me or Gene Alger, Parade Chairman at 528-880-0029. We look forward to your participation in the parade.

Sincerely,

Marilyn A. Greene, Commissioner

Marilyn A. Greene

(ke)

Copy to: Police Chief Edward Walsh
Fire Chief Tim Bradshaw



CITY OF TAUNTON
Office of Economic
And Community Development
45 School Street
Taunton, Massachusetts 02780
Phone (508) 821-1030
Fax (508) 821-1091

KEVIN J. SHEA
Executive Director

RICHARD L. SHAFER
Economic Development Director

MICHAEL J. FERREIRA
Community Development Director

November 7, 2012
Council President Ryan Colton
Members of the Municipal Council
City of Taunton
Interim City Hall – 141 Oak Street
Taunton, Massachusetts 02780

Re: Tax Increment Financing Project

Dear Council President Colton and Members of the Municipal Council:

The Economic Development Incentive Board held a hearing on October 31st on a request for certified project status under the Massachusetts Economic Development Incentive Program on the following proposed project.

General Fire Extinguisher, Inc. for a new building at 314 Broadway, on a 1.8 acre lot involving demolition and remediation of a derelict building, extensive wetlands, and replacement of poor soils at an estimated project cost of \$600,000. This project will be located in a new site specific EOA in the Broadway highway business district.

The EDIB TIF recommendation:

Projected 10 year EDI benefits:

- Retain the current 10 fulltime positions including 2 recent hires and create 2 new positions in the next five years.
- Total new taxes to the City - \$239,741 (80%)
- Total benefit to General Fire Extinguisher - \$60,432 (20%) in keeping with other commercial projects

It is understood that any companies seeking state tax credits and benefits, as a certified project must first receive local approval and tax relief. This project was approved at the Economic Development Incentive Board Meeting held on Wednesday October 31st. We respectfully request a hearing with the Council Committee of the Whole on Tuesday November 20th in order to meet the deadline for the December EACC meeting. The certified project application and draft TIF agreement will be included in your council package prior to the meeting.

Sincerely,


Kevin Shea,
Executive Director

C: Mayor Thomas Hoyer
Mr. Jason Buffington, City Solicitor
Mr. Kevin Shea, OECD
Mr. Buddy Rocha, MOBD Southeast Region



GENERAL FIRE EXTINGUISHERS, INC.

12 Arthur Street, Taunton, MA 02780

"A LITTLE CARE MAKES FIRE RARE"

8

Tel: 508-822-1961 * Fax: 508-822-0546 * Email gfc1961@comcast.net

July 31, 2012

Honorable Thomas Hoye, Mayor
City of Taunton
Interim City Hall – 141 Oak Street
Taunton, Massachusetts 02780

Dear Mayor Hoye:

Our company is planning construction of a new facility at 314 Broadway, Taunton, Massachusetts, which is located in an Economic Opportunity Area (EOA). The building will be owned by General Fire Extinguishers, Inc. Per the requirements in the application, the estimated investment will be \$ 600,000 and the project would expect to generate 3 new jobs in the next 5 years. We will adhere to the policy of entertaining bids from qualified contractors/suppliers who hire local residents; give qualified residents of the Greater Taunton ETA preference for new jobs; support Greater Taunton charities and organization; register any company vehicles housed on site (leased or owned) in the City of Taunton; and donate a portion of our annual exemption to the City of Taunton Economic Development Fund.

Therefore, we request the opportunity to become a Certified Project under the Commonwealth of Massachusetts Executive Office of Business Development, Economic Assistance Coordinating Council. Thank you for your consideration.

Sincerely,

Eugene R. LeClair
President
General Fire Extinguishers, Inc.
12 Arthur Street
Taunton, MA 02780

Cc: Mr. Richard L. Shafer, Economic Development Director, City of Taunton
45 School Street, Taunton, Mass. 02780

Cc: Mr. Buddy Rocha, Director, Massachusetts Office of Business Development
275 Martine Street, Fall River, Mass. 02723



COMMONWEALTH OF MASSACHUSETTS
 ECONOMIC ASSISTANCE COORDINATING COUNCIL
 MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

Economic Development Incentive Program (EDIP)
 PRELIMINARY APPLICATION

The following information is required by the Massachusetts Office of Business Development (MOBD) and the Economic Assistance Coordinating Council (EACC) to make a preliminary determination on the eligibility of a project under the Economic Development Incentive Program. This application must be returned in electronic form to your MOBD Regional Director and a hardcopy with original signature(s) mailed to: Brenda Reynolds, EDIP Coordinator, MOBD, 10 Park Plaza, Suite 3730, Boston, MA 02116. Please refer to the EDIP Guidelines, www.mass.gov/dbd/edip and your MOBD Regional Director for assistance with this application.

PART I. COMPANY INFORMATION			
Company Name	General Fire Extinguishers		
Executive Officer/Company Designee	Eugene	LeClair--President	
	First Name	Last Name	
Contact (if different from above)	David	LeClair	Direct of Operations
	First Name	Last Name	Title
Email:	dleclair12@gmail.com		
Address	12 Arthur St.		
	Taunton	MA	02780
	City	State	Zip
Phone	508-822-1961	Fax	508-822-0546
Company Headquarters Location	12 Arthur St Taunton, MA 02780		
FEIN	43324883		
Type of Organization:	Corporation (Corporation, General Partnership, Limited Partnership)		
Company's Taxable Year End	June 30, 2012		
Project Location	314 Broadway		
	Taunton, MA	MA	02780
	City	State	Zip
Is the site a 43D Preferred Development Site (PDS)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
If yes, please name the site	N/A		
Please provide a brief description and history of the company, including NAICS code and whether or not company is a MA DOR registered manufacturer:			
NAICS code: Need to get!			
MA Department of Revenue Registered Manufacturer: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
Company Description / History:			
General Fire Extinguishers was established in 1975 as a small 1 man operation selling and servicing fire extinguishers out of the basement of Gene LeClair's residential home at 12 Arthur St. in Taunton, MA. As the company was gaining a good reputation for service it also began to			

COMMONWEALTH OF MASSACHUSETTS
ECONOMIC ASSISTANCE COORDINATING COUNCIL
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

grow it's services by offering extinguisher hydro-testing which necessitated hiring a second employee. As time when on, the company contiued to grow and offer more services like installation and servicng of: fire suppression systems in restaurants, gas stations and heavy off road equipment to name a few. This created a need for a variance to expand the existing garage on the property for more space and more employees to meet the needs of the company. As future projections indicated more growth for General Fire Extinguishers, it became incorporated in the early 90's and necessitated a process to begin a plan to look for property to build on that would allow for more room to expand. The number of employees had risen to a high of 10 by the year 2000. Land at 314 Broadway in Taunton was purchased that year with the intent to build a larger working space as soon as time allowed to plan the building makeup and raise sufficient capital. After many years of delays due to planning and the nature of the land with the condemned building that would need to be demolished, the project was finally able to begin in 2012. Today the company employs 14 people, 8 full time and 6 part time with the potential to grow more after moving to our new location.

PART II. ECONOMIC DEVELOPMENT PROJECT

A. Please indicate the date a Letter of Intent was sent to the municipality and cc: MOBD Regional Director July 31, 2012

B. When applicable, please identify the Economic Opportunity Area (EOA) within the project municipality

New EOA Refer to Mr. Dick Shafer for application

Existing EOA

1. Provide a description of the proposed business expansion project including a breakdown of investment required and the associated costs with a breakdown of the types of expense (land, building, construction, equipment etc.). When does the applicant expect to: (a) to begin the project, (b) to complete construction, and (c) to officially open the facility?

The idea to expand our growing company began in 2000 with the purchase of land located at 314 Broadway in Taunton that included a small unrepairable building and 1.8 acres of tree filled land, almost one third of which will be unusable due to standing water for \$ 125,000. After years of planning, the land development project began in late July of 2012 with the development of a required detention basin, followed by demolition of the existing condemned building that was falling down. Expenses began to incur for preparing the basin, demolition of the existing building, removing an unexpected 16 feet of soft peet from the property, excavating a hill to be used in the back and to prepare for the foundation was approximately \$150,000 and climbing as the project moves along. The estimated cost to construct the proposed building will be in the range of \$ 600,000 which is up from the original estimate due to some unforeseen changes.

If all goes according to plan, construction is scheduled to begin in early September with completion expected sometime before the end of November. Assuming this timetable is accurate, General Fire Extinguishers, Inc. is planning to begin Business from the new location at 314 Broadway sometime before the start of the Winter season.

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ECONOMIC ASSISTANCE COORDINATING COUNCIL
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

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2. Does the current public infrastructure meet the proposed certified project's needs?	
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

3. Is the applicant new to Massachusetts?	No
a. If not, where are the existing Massachusetts facilities?	12 Arthur St. Taunton, MA 02780
b. Will the proposed economic development project require and/or trigger the closing or consolidation of any Massachusetts facilities or the elimination of any other jobs currently in Massachusetts? If yes, please explain.	NO

4. What is the number of (a) full-time jobs to be created (b) full-time jobs to be retained and (c) full-time employees at other Massachusetts facilities? NOTE: These are the numbers that future job compliance will be measured against. (d) Describe how the applicant will create the permanent full-time jobs in Massachusetts within 24 months after receipt of the incentive(s) and how these jobs will be maintained for at least 5 years.

New Jobs	Jobs Retained at Site	Total Jobs in Massachusetts
4	8	12

(d)

5. What actions will you take to recruit employees from among residents of the municipality and/or Economic Target Area?
Work with the Taunton Career Center to recruit qualified candidates, assist in the training process by providing materials to read and on site, hands on experience and providing the time and expense for them to study and acquire the required licenses through testing at the official NFPA training facility in Stow, MA..

COMMONWEALTH OF MASSACHUSETTS
ECONOMIC ASSISTANCE COORDINATING COUNCIL
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

6. Is the project likely to result in another substantial and exceptional economic benefit to the Commonwealth? If yes, please explain.	
No	
7. Will the project result in a spin off activity that will support Massachusetts based suppliers and contractors? If yes, please explain.	
Yes, we are using local contractors and we will also continue to use local businesses for business supplies.	
8. Please answer the following questions related to the project location.	
a. Will the applicant own or lease/rent the facility where the business expansion/relocation will occur?	Own
b. If leasing/renting, identify the developer/landlord and state who will be the taxpayer of record for purposes of paying local real estate taxes?	N/A
c. If owning, will the applicant fully occupy the space?	Yes
d. If the applicant will not fully occupy the space, does it intends to lease/rent the remaining space?	N/A
9. Certification for Abandoned Buildings.	
a. Does the proposed project involve the renovation and reuse of an abandoned building?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
b. If yes or unsure, how long has the building been vacant or unused? (If known, state date).	N/A
c. During the period of time that the building has been vacant or unused, what percentage of the building was vacant and unused? If the percentage varied during this time period, provide information for each change in the percent of vacant space and the applicable time period.	100%
10. a. Please indicate the length of Certified Project requested.	? years
b. Please state which incentives the applicant is seeking:	
State Investment Tax Credit	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
State Abandoned Building Renovation Deduction	Yes
Local Real Estate Tax Incentive	Yes
11. Please indicate the company's outside of Massachusetts sales as a percentage of total sales and describe how the proposed project will alter the distribution impact.	
General Fire Extinguishers, Inc. has recently expanded it's services to included many Rhode Island, Connecticut and New York customers, primarily in fire suppression systems that involve restaurants, gas stations and off road heavy equipment. It is anticipated that the out of State system installations and service by General Fire Extinguishers will increase to at least 25% of our business if not more after we move into our new location.	

COMMONWEALTH OF MASSACHUSETTS
ECONOMIC ASSISTANCE COORDINATING COUNCIL
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

These job request are typically acquired by a very good referral base that consist of business related manufacturers and also due to the lack of services from competitors in those areas. Included in the proposed maketing and business plan will be a newly designed website to attract more out of State opportunities.

12. Provide detailed information on any other sources of public or quasi-public funding that has been received or will be sought to contribute towards the financing of the proposed expansion.

None

13. Is the applicant seeking tax incentives from the Massachusetts Life Science Center? If yes, this may affect the potential EDIP benefits.

No

PART III. LABOR AFFIRMATION

Part A:

As an applicant requesting Certified Project approval, E.L., affirms (check box) that this business will not unlawfully misclassify workers as self-employed or as independent contractors, and certifies compliance with applicable state and federal employment laws and regulations, including but not limited to minimum wages, unemployment insurance, workers' compensation, child labor, and the Massachusetts Health Care Reform Law, Chapter 58 of the Acts of 2006, as amended.

As an applicant requesting Certified Project approval, E.L., affirms (check box) that this business will not knowingly employ developers, subcontractors, or other third parties that unlawfully misclassify workers as self-employed or as independent contractors, or that fail to comply with applicable state and federal employment laws and regulations, including but not limited to minimum wages, unemployment insurance, workers' compensation, child labor, and the Massachusetts Health Care Reform Law, Chapter 58 of the Acts of 2006, as amended.

Part B: Within the past five years, has the applicant or any of its officers, directors, employees, agents, or subcontractors of which the applicant has knowledge, been the subject of (if yes, please provide details):

(a) an indictment, judgment, conviction, or grant of immunity, including pending actions, for any business-related conduct constituting a crime under state or federal law;

Yes No

Details:

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COMMONWEALTH OF MASSACHUSETTS
ECONOMIC ASSISTANCE COORDINATING COUNCIL
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(b) a government suspension or debarment, rejection of any bid or disapproval of any proposed contract subcontract, including pending actions, for lack of responsibility, denial or revocation of prequalification or a voluntary exclusion agreement; or	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Details: N/A
(c) any governmental determination of a violation of any public works law or regulation, or labor law or regulation or any OSHA violation deemed "serious or willful?"	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Details: N/A

Authorization and Certification

I/We we (names and titles) of the applicant business applying for "Certified Project" status from the Commonwealth of Massachusetts, Economic Assistance Coordinating Council hereby certify that I/we have been authorized to file this application and to provide the information within and accompanying this application and that the information provided herein is true and complete and that it reflects the applicant's intentions for investment, job creation and sales. I/we understand that the information provided with this application will be relied upon by the Commonwealth in deciding whether to approve "Certified Project" status and that the Commonwealth reserves the right to take action against the applicant or any other beneficiary of the Certified Project if the Commonwealth discovers that the applicant intentionally provided misleading, inaccurate, or false information. I/we make this certification under the pains and penalties of perjury.

Signed:

Erin Plati President 9-27-12
Name Title Date

David LeClair Operations 9-27-12
Name Title Date

Certification as to accuracy and Public Records Law acknowledgement:

The signatories hereby certify that the answers in this application and the documents submitted in support thereof are accurate and complete representations of the applicant. They also hereby acknowledge that, under the Public Records law of the Commonwealth of Massachusetts, this application and all documents submitted in support thereof are public records under the provisions of Massachusetts G. L., Ch. 4, sec. 7 (26).

Signed: Erin Plati President 9-27-12

COMMONWEALTH OF MASSACHUSETTS
ECONOMIC ASSISTANCE COORDINATING COUNCIL
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

Name	Title	Date
<i>David LeClair</i>	Operations	<i>9/27/12</i>

Name	Title	Date
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Tax Increment Financing - Taunton

General Fire Extinguisher, Inc.

Land Assessment	\$ 340,200	Base Year	2013
Building Assessment	\$ 6,200	% Tax Collected Overall	80%
Total Assessment	\$ 346,400	% Tax Benefit Overall	20%
Tax Rate	\$ 27.62		
Levy Percent Growth	2.5%		

YEAR	PROPERTY ASSESSMENT	TAX RATE	TAXES @ 100% VALUE	TIF %	TIF PAYMENT EACH YEAR	TAXES PAID EACH YEAR	TAX BENEFIT EACH YEAR
BASE	\$346,400	\$27.62	\$9,568		\$ -	\$9,568	\$0
1	\$946,400	\$28.31	\$26,793	45%	\$9,342	\$19,149	\$7,644
2	\$946,400	\$29.02	\$27,463	40%	\$10,447	\$20,499	\$6,964
3	\$946,400	\$29.74	\$28,149	35%	\$11,600	\$21,903	\$6,246
4	\$946,400	\$30.49	\$28,853	35%	\$11,890	\$22,451	\$6,402
5	\$946,400	\$31.25	\$29,575	30%	\$13,125	\$23,950	\$5,625
6	\$946,400	\$32.03	\$30,314	30%	\$13,453	\$24,548	\$5,766
7	\$946,400	\$32.83	\$31,072	25%	\$14,774	\$26,147	\$4,925
8	\$946,400	\$33.65	\$31,849	22%	\$15,749	\$27,406	\$4,442
9	\$946,400	\$34.49	\$32,645	19%	\$16,764	\$28,712	\$3,932
10	\$946,400	\$35.36	\$33,461	40%	\$12,728	\$24,975	\$8,485
	TOTALS		\$300,173			\$239,741	\$60,432

The information provided is meant for estimation and analysis purposes only, and does not constitute an offer by the Commonwealth or any of its subdivisions

TAX INCREMENT FINANCING AGREEMENT
BETWEEN THE CITY OF TAUNTON
AND
General Fire Extinguishers, Inc.

This Agreement made this 20th, day of November, 2012 by and between the City of Taunton (hereinafter referred to as the "CITY") and General Fire Extinguishers, Inc. of Taunton, Massachusetts (hereinafter referred to as the "COMPANY").

WHEREAS, the COMPANY desires to complete the demolition and remediation of a small derelict building and the construction of a new facility on the property,

WHEREAS, the cost of this project will be \$600,000 which will include the demolition of one building, remediation, site preparation, and the construction of a new building including landscaping.

WHEREAS, the CITY, as recognition of the COMPANY's property improvements, and its attendant capital investment and employment opportunity is willing to grant the COMPANY certain tax concessions, and

WHEREAS, the COMPANY is committed to funding the Project and fostering the hiring of Taunton residents for the jobs created by the Project; and

WHEREAS, the City of Taunton has agreed to submit an application to EACC for approval of a new EOA to be known as 314 Broadway. .

WHEREAS, the CITY by vote of the Municipal Council pursuant to Chapter 23A, Section 35 has designated as an Economic Opportunity Area ("EOA") and Tax Increment Financing Zone ("TIF Zone") an area of the City which includes the site on which the Company is undertaking the Project; and

WHEREAS, pursuant to Section 3F of Chapter 23A the Company has requested the Municipal Council to approve a certified project application submitted herewith; and

NOW, THEREFORE, for the mutual consideration, the receipt and sufficiency of which is hereby acknowledged, the parties mutually agree, as follows:

A. CONDITIONS:

The City shall grant the tax increment exemptions set for herein, subject to the following conditions:

1. The construction of a new facility at 314 Broadway to be used for fire extinguisher sales and service in accordance with City of Taunton requirements.
2. Diligent, good faith efforts by the Company to create approximately two new positions within 60 months of the completion of construction and to retain the current 10 full time people as set forth in that certain Certified Project Application of the Company to be submitted herewith.
3. The use of diligent efforts to give priority consideration to residents of the City of Taunton and the Greater Taunton Economic Target Area for employment opportunities that are to be filled from outside the Company. The Company will work with the Mayor's Office, the Taunton Career Center, and with other appropriate City agencies to provide priority to Taunton residents of available job openings.

When job opening are to be filled, the Company, in cooperation with the Mayor's Office and other City Agencies will participate in job fairs for Taunton residents. The Company will publish notices of job openings in the local Taunton newspapers in advance of publication of notice in newspapers of wider distribution.

- 4. Starting in January of 2014, and continuing for the term of this Agreement the COMPANY shall provide the CITY an annual report in the month of January for the previous year, which report shall contain the following information:
 - a. the employment level of the project in the beginning and end of the reporting period;
 - b. the specific number of Taunton and Greater Taunton Economic Target Area residents at its facility at the beginning and end of each report period;
 - c. the utilization of local contractors during the reporting period.
- 5. To the extent practicable (which term shall include financial capability, bonding, capacity, bid pricing, ability to adhere to performance standards, availability of workers, experience and similar such factors) in the construction of the on-site building initially contemplated under this Agreement and related on-site improvements, General Fire Extinguishers agrees to direct it's development contractor (the "DMC") to utilize, when practicable, local contractors who satisfy all final bid criteria. GFE will direct its DMC (the "DMC" Directive") to include in DMC's final bid packages a requirement that the final bidding contractors comply, to the extent the same is applicable, legally valid and enforceable, with the intent of the City's Fifty-Fifty Ordinance, on file in the City of Taunton Office of Economic and Community Development.

B. TAX INCREMENT EXEMPTIONS:

The CITY hereby grants a tax increment financing exemption to the COMPANY in accordance with Massachusetts General Laws Chapter 23A, Section 3E, Chapter 40, Section 59, Chapter 59, Section 5, subsection 51, and all applicable law. Said exemption shall be granted with respect to the project as described above. Said exemption shall remain in effect for a period of ten years beginning with fiscal year 2014 (July 1st, 2013) and ending with the fiscal year 2023 (June 30th, 2022). Said exemption is as follows:

Exemption Schedule

<u>Fiscal Year</u>	<u>Exemption Percentage (of new increment value of PROJECT)</u>
2014	45
2015	40
2016	35
2017	35
2018	30
2019	30
2020	25
2021	22
2022	19
2023	40

The base year for determining assessed value of the property shall be Fiscal Year 2013, in which the expected assessed value of the facility is \$346,400.00.

C. OTHER CONSIDERATIONS

1. As long as the tax increment financing plan and agreement remains in effect, it shall be binding upon the COMPANY and its successors and assigns and upon the CITY.
2. It is distinctly understood and agreed that all parties hereto shall make a reasonable and good faith effort to perform their obligations under this Agreement. If and to the extent that either party is prevented from performing its obligations hereunder by an event of force majeure, such party shall be excused from performing hereunder and shall not be liable in damages or otherwise, and the parties instead shall negotiate in good faith with respect to appropriate modifications to the terms hereof. For purposes of this Agreement, the term force majeure shall mean any supervening cause beyond the reasonable control of the affected party, including without limitation requirement of statute or regulation; action of any court, regulatory authority, or public authority having jurisdiction acts of God, fire, earthquake, floods, explosion, actions of the elements, war riots, mob violence, inability to procure or a general shortage of labor, equipment, facilities, materials or supplies in the open market, failure of transportation, strikes, lockouts, actions of the labor unions, condemnation, laws or order of governmental or military authorities, denial of refusal to grant or appeals of any permit, approval of action of any public or quasi public authority, official, agency or subdivision and any litigation relating thereto, or any other cause, whether similar or dissimilar to the foregoing, not within the control of such party obligated to perform such obligation.
3. Failure by the Company to perform any term or provision of this Agreement shall not constitute a default under this Agreement unless the Company fails to commence to cure, correct, or remedy such failure within sixty (60) days of the receipt of written notice of such failure from the City to the Company and thereafter fails to complete such cure, correction or remedy within ninety (90) days of the receipt of such written notice, or, with respect to defaults which cannot be remedied within such ninety (90) day period, within such additional period of time as is required to reasonably remedy such default, provided the Company exercises due diligence in the remedying of such default. The provisions of the Certified Project Application shall be incorporated into and made a part of this Tax Increment Finance Agreement.
4. After receiving written notice from any person, firm or other entity, that such holds a mortgage which includes as part or all of the mortgaged premises, any part of the project or any improvements thereon, the City shall, so long as such mortgage is outstanding be required to give to such holder the same notice as in required to be given to the Company under the terms of the Agreement, but such notice may be given by the City to the Company and such holder concurrently. It is further agreed that such holder shall have the same opportunity to cure any default as is available to the Company and that such holder shall have forty-five (45) days more to cure any such default than would be available to the Company under the provisions of this Agreement. In addition, so long as any such holder, within seventy-five (75) days of receiving any such notice from the City, shall commence proceedings for foreclosure of any such mortgage and shall, in the meantime, keep and perform or cause to be kept and performed all the obligations of the Company, or shall undertake to cure any default under or failure of the Company to satisfy any condition of this Agreement. Notwithstanding the foregoing, any late payments of property taxes due under this Agreement shall be subject to the same interest and penalty charges that would otherwise be levied in case of a failure to timely pay property taxes.
5. In the event that the Company fails to comply with the terms of this Agreement, the City may, as its sole remedy, take action to request decertification of the project by

the EACC. Upon decertification, the City shall discontinue the exemption benefits provided to the Company as set forth herein, commencing with the fiscal year in which such decertification occurs. If the Project ceases commercial operation during the term of this Agreement, or if the Project has not begun commercial operation by the date that is five (5) years from the date hereof, the Company may terminate this Agreement.

- 6. All notice permitted or required under the provisions of this Agreement shall be in writing and shall be sent by registered or certified mail, postage prepaid, or shall be delivered by private express carrier, as follows, or at such other address as may be specified by a party in writing and served upon the other in accordance with this section:

If to the City:
 City of Taunton
 Mayor's Office
 City Hall – 141 Oak Street
 Taunton, Mass. 02780

If to the Company:
 General Fire Extinguishers, Inc.
 Eugene R. LeClair, President
 12 Arthur Street
 Taunton, Mass. 02780

with a copy to:
 Chairman, EDIB
 Office of Economic and Community Development.
 45 School Street
 Taunton, Mass. 02780

City of Taunton
 Law Department
 City Hall – 141 Oak Street
 Taunton, Mass. 02780

- 7. This Agreement shall run with the land. The covenants and agreements herein contained shall inure to the benefit of and shall be binding on the successors and assigns of the parties hereto. This Agreement may be amended only in writing with the consent of both parties. The Company shall be entitled in its discretion to perform any or all of its obligations under the agreement through one or more affiliates.
- 8. If any provision of this Agreement shall be found invalid for any reason, such invalidity shall be construed as narrowly as possible and the balance of the Agreement shall be directed to be amended to the minimum extent necessary to provide to the City and to the Company substantially the benefits set forth in this Agreement.
- 9. If a conflict exists between the terms of this Tax Increment Finance Agreement and the Certified Project Application, the terms of the Tax Finance Agreement shall control. Compliance shall be reviewed annually and a report shall be issued by the City of Taunton Law Department to the Mayor, Municipal Council, EACC, and the applicant outlining any deficiency as well as the applicant's compliance status for the immediately preceding calendar year. In the event certain deficiencies are noted, the parties shall proceed under Sections 3-4 of Section C of this agreement.

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Executive as a sealed instrument:

CITY OF TAUNTON

General Fire Extinguishers, Inc.

Thomas C. Hoye, Jr., Mayor

Eugene R. LeClair, President

Date:

Date

Approved as to Form and Character:

Jason Buffington, City Solicitor

Date

RESOLUTION

Approving Certified Project Application of
General Fire Extinguishers, Inc.

WHEREAS, General Fire Extinguishers, Inc. has applied for designation as a Certified Project under the Massachusetts Economic Development Incentive Program created by Chapter 23A of the Massachusetts General Laws; and

WHERE, General Fire Extinguishers, Inc. meets the minimum standards of the Economic Development Incentive Program and the local economic development goals and criteria established as part of the document creating the Greater Taunton Economic Target Area and the City of Taunton Economic Opportunity Area; and

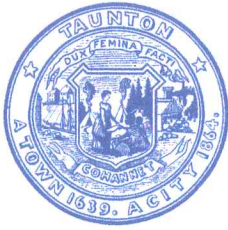
WHEREAS, the proposed Certified Project is located at 314 Broadway, Taunton, Massachusetts, which is within the boundaries of the City of Taunton's Economic Opportunity Area; and

WHEREAS, the City of Taunton has agreed to offer General Fire Extinguishers, Inc. a Tax Increment Financing Agreement, said Agreement approved on October 31st, 2012, by the Economic Development Incentive Board is hereby accepted by the Municipal Council; and

WHEREAS, General Fire Extinguishers, Inc. is going to undertake the construction of a new their facility located at 314 Broadway, Taunton, Massachusetts with a total Investment of \$600,000.00 and create positions for two additional full time employees for residents of the Greater Taunton Economic Target Area, the City, and the region within:

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Taunton approves the Certified Project application of General Fire Extinguishers, Inc. and forwards said application for certification to the Massachusetts Economic Assistance Coordinating Council or its approval and endorsement.

TIFAgreeRes General Fire Extinguishers, Inc.



TAUNTON PLANNING BOARD

City Hall
15 Summer Street
Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

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

November 13, 2012

Honorable Thomas Hoye, Mayor
Members of the Municipal Council
141 Oak St., Maxham School
Taunton, Ma. 02780

C/O Rose Marie Blackwell, City Clerk

RE: Repetitive Petition – 815 Middleboro Avenue

Dear Mayor Hoye and Members of the Municipal Council:

Please be advised the Taunton Planning Board is in receipt of a Repetitive Petition to allow the petitioner to re-file with the ZBA for the division of one lot into 7 lots without the required frontage and rear setback for an 8 foot fence on all lots for property at 815 Middleboro Avenue, E. Taunton, Ma. submitted by William Frenette, 563 Hart St., Dighton, Ma.

The Changes are as follows:

- Reduction of lots from 7 lots to 5 lots**
- Changed the location of the 8 foot fence**

The Taunton Planning Board has scheduled a public hearing on this proposal for **Thursday, December 6, 2012 at 5:30 PM.** at Maxham School, 141 Oak St., Taunton, Ma. in the Chester R. Martin Municipal Council Chambers.

Respectfully,

Daniel P. Dermody (DPD)
Daniel P. Dermody, Chairman
Taunton Planning Board

DPD/djp



City of Taunton

LAW DEPARTMENT

141 Oak Street

Taunton, Massachusetts 02780

Phone (508) 821-1036 Facsimile (508) 821-1064



Thomas C. Hoye, Jr.
MAYOR

Jason D. Buffington
CITY SOLICITOR

Daniel F. de Abreu
ASST. CITY SOLICITOR

November 16, 2012

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

RE: Request for Executive Session

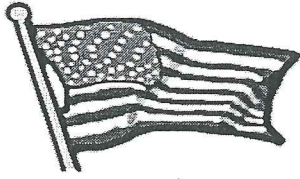
Dear Mayor Hoye and Members of the Municipal Council:

I respectfully request the opportunity to meet with you in executive session on Tuesday, November 20, 2012. The purpose of this executive session is to discuss strategy with respect to ongoing litigation and it is the opinion of this office that an open meeting on this subject may have a detrimental effect on the City's litigating position.

Thank you for your consideration of this request.

Very truly yours,

Jason D. Buffington, Esq.
City Solicitor



RECEIVED
CITY CLERK'S OFFICE
2012 NOV 16 A 8:40
TAUNTON, MA
CITY CLERK

NOVEMBER 20, 2012

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, NOVEMBER 20, 2012 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 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 IN EXECUTIVE SESSION TO DISCUSS GRIEVANCE
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*

PAGE TWO

MUNICIPAL COUNCIL COMMITTEE AGENDA

THE COMMITTEE ON PUBLIC PROPERTY

1. MEET WITH THE GOLF COURSE COMMISSION FOR AN UPDATE ON THE GOLF COURSE EXPANSION AND POSSIBLE SWAP OF OTHER PUBLIC PROPERTY
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 OF THE COUNCIL AS A WHOLE

1. MEET WITH RICHARD SHAFER, ECONOMIC DEVELOPMENT DIRECTOR FOR A HEARING ON THE CERTIFIED PROJECT APPLICATION FOR GENERAL FIRE EXTINGUISHERS.
2. MEET WITH THE MAYOR, ASSISTANT TO THE MAYOR AND REPRESENTATIVES OF THE HEART OF TAUNTON TO DISCUSS "LIGHTS ON"
3. MEET TO REVIEW MATTERS IN FILE

PLEASE NOTE:

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

RESPECTFULLY,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES