



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

~
OCTOBER 15, 2013 – 7:00 PM

**INVOCATION
ROLL CALL
RECORDS**

HEARING: NONE

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

- Reappointment of Maria V. Gomes, Human Resource Director Effective October 2013 to October 2016
- Appointment of Charles Crowley, 114 Worcester St., Taunton to the Library Board of Trustees replacing Donald Densmore for a term expiring January 2015
- Reappointment of Louise Silva, 6 Norton Ave., Taunton to the Human Services/Council on Aging Board of Directors for a term of one (1) year expiring September 2014
- Reappointment of James Lincoln, 245 West Britannia St., Taunton to the Human Services/Council on Aging Board of Directors for a term of two (2) years expiring July 2015
- Reappointment of Charlotte Carr, 8 Highland Terrace, Taunton to the Human Services/Council on Aging Board of Directors for a term of three (3) years expiring September 2016.

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1 Com. from City Clerk – Requesting to pay a prior year bill
- Pg. 2-5 Com. from Anthony Fracasso, Senior Vice President, MassDevelopment, 99 High St., Boston – Notifying of a Project
- Pg. 6-8 Com. from Paul Boudreau, St. Thomas Episcopal Church, 111 High St., Taunton – Requesting permission to conduct a “Historical Hayride”

RECEIVED
CITY CLERK'S OFFICE
2013 OCT 10 P 2:37
TAUNTON, MA
CITY CLERK

- Pg. 9 Com. from John Gouveia, 147 Dighton Ave., Taunton – Requesting to discuss sewer extension possibilities
- Pg. 10-17 Com. from City Clerk - Four Permanent Reserve Police Officers
- Pg. 18-19 Com. from Human Resource Director – Requesting to pay a prior year bill
- Pg. 20-26 Com. from City Solicitor – Job Performance Evaluation Forms
- Pg. 27-39 Com. from City Solicitor – Taunton Fire Department et al v. Michael O'Donnell et al
- Pg. 40-41 Com. from Irene Fenton, 6 Rockland St., Taunton – Requesting replacement of a sign

PETITIONS

Constable License

Constable Application submitted by Charles W. Mosher, Jr. requesting a **RENEWAL** of his Constable License as a requirement of his job.

Hours of Operation (Black Friday)

1. Target located at 81 Taunton Depot Drive, Taunton

Miscellaneous

Petition submitted by David Westcoat, 2004 County St., East Taunton requesting gates be installed in the area of Glebe Street extension badlands as there is an abatable nuisance of noise pollution coming from this area due to use of recreational vehicles such as four-wheel drive trucks, quads, dirt bikes and snowmobiles.

COMMITTEE REPORTS

UNFINISHED BUSINESS

ORDERS, ORDINANCES AND RESOLUTIONS

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

AN ORDINANCE ARTICLE II OPERATION OF VEHICLES

Sec 13-82. Prohibited parking places.

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

That Section 13-82 of the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by adding thereto the following:

On the north side of Monica Street, beginning at a point 380.16 feet from the intersection of School Street and extending eighty feet along Monica Street in a northwesterly direction.

On the south side of Monica Street, beginning at a point 381.5 feet from the intersection of School Street and extending 25 feet in a northwesterly direction to a corner, then, from said corner, continuing along Monica Street in a southerly direction for seventy three feet.

On Monica Street, in front of house numbered 19, from the corner and extending seventy three feet in a southerly direction in front of said house numbered 19.

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

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

**AN ORDINANCE
ARTICLE V. SIGN, SIGNALS AND MARKINGS**

Section 13-171. Same – Designation of Intersections

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

That Section 13.171 of the Revised Ordinances of the City of Taunton, as amended, be and hereby are further amended by adding thereto the following:

Briggs Street at Cohannet Street.

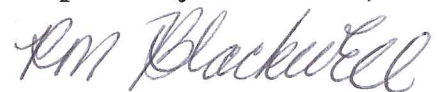
All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage. Councilor Barbour asked if the Council would be able to suspend the rule and Ordain. Solicitor Buffington stated that normally it would need to be advertised, and it has not yet been advertised. He said that if it is an emergency, all three readings would be read and ordained in the same night.

Resolution

- Resolution submitted by Bristol County Savings Bank, 35 Broadway, P.O. Box 4002, Taunton, designating public depository and authorizing withdrawal of Municipal Public Moneys for the City of Taunton (Principal), Edward F. Leddy Pre-School, 36 Second St., Taunton

NEW BUSINESS

Respectfully submitted,



**Rose Marie Blackwell
City Clerk**



City Clerk's Office

City of Taunton

Temporary City Hall

141 Oak Street

Massachusetts 02780, U.S.A.

Telephone 508-821-1024

Fax 508-821-1098

Cityclerk@tmlp.net

Rose Marie Blackwell
City Clerk

Jennifer L. Leger
Assistant City Clerk

October 9, 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 \$298.08 to Herald News/Taunton Daily Gazette 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



MASSDEVELOPMENT

2

99 High Street
Boston, Massachusetts
02110

Tel: 617-330-2000
800-445-8030

Fax: 617-330-2001

www.massdevelopment.com

October 2, 2013

City Council
City of Taunton
15 Summer Street
Taunton, MA 02780

Dear Members of the Council:

On September 11, 2013 the Massachusetts Development Finance Agency gave preliminary approval to issue a revenue bond on behalf of South Shore Housing Development Corporation. The proposed project would be located in Wareham and Taunton, Massachusetts at the address listed on the attached summary included for your information. The bond would be issued pursuant to Chapter 23G and 40D of the General Laws.

The Agency's policy is to advise the appropriate local and regional planning agencies to ascertain the relationship of a proposed project to any existing state, local or regional comprehensive plan.

The purpose of this letter is to notify you of the project and to request that you advise in the event that the proposed project conflicts with an existing local or regional comprehensive plan. If you would like further information on the project, or if you would like the Agency to consider any comments you may have, please give me a call.

DEVAL PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

GREGORY P. BIALECKI
Chairman

MARTY JONES
President and CEO

Sincerely,

Anthony Fracasso
Senior Vice President

Enclosure: Summary

cc: Bowditch & Dewey, LLP
One International Place
Boston, MA 02110
Attn: Jane Hawkes

AF/jck

SOUTH SHORE HOUSING DEVELOPMENT CORPORATION

REQUEST: To assist the applicant in financing an affordable housing project, approval of the proposed project for a MassDevelopment tax-exempt bond issue is requested.

This project will need an allocation of state volume cap from the Executive Office for Administration & Finance.

The amount of volume cap to be allocated to the project and the amount of bonds to be issued on a tax-exempt basis will be determined based on availability and a final review of the project.

<u>BORROWER:</u>	<u>Borrower:</u>	<u>User(s):</u>
	South Shore Housing Development Corporation (together, with any parent, subsidiary, or other affiliate) 169 Summer Street Kingston, MA 02364	Same

<u>PROJECT LOCATIONS:</u>	Cranberry Manor: 2220 Cranberry Highway Wareham, MA 02571
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Carpenters Glen:
2106 County Street
Taunton, MA 02780

PROJECT: The Cranberry/Carpenter project comprises the acquisition and renovation of 56 total affordable multi-family rental units in two existing properties, Cranberry Manor in Wareham (24 units) and Carpenters Glen in Taunton (32 units). Cranberry Manor consists of 24 two-bedroom units. Carpenters Glen consists of 10 two-bedroom units and 22 three-bedroom units.

South Shore Housing Development Corporation (SSHDC) initially developed these properties, both of which were foreclosed and financially distressed at the time, in the 1990s. The original 15 year low income housing tax credit compliance period has ended and the investors have left both limited partnerships. SSHDC proposes to form a single new limited partnership to acquire both properties, make the necessary renovations, and preserve the properties as affordable rental housing for at least an additional 30 years.

Planned renovations total \$91,000 per unit and consist of:

- New roofs and windows
- New exterior siding as needed
- Insulation of building envelope
- Boiler replacement

- Updating of kitchens and baths, as needed
- Updating of existing handicapped apartments to meet current codes
- Sprinkler system installation (Cranberry Manor only)
- Site drainage and paving improvements
- Playground and other site improvements

GUIDELINE ISSUES: None

SOURCES & USES:

<u>Sources:</u>	
Total	\$11,365,095
<u>Uses:</u>	
Total	\$11,365,095

BOND AMOUNT: \$5,825,000

EMPLOYMENT:

Current employment at project site:	4
Borrower projected new employment at project site:	0
M DFA calculated new construction jobs:	28

COMPANY: South Shore Housing Development Corporation (SSHDC), the project sponsor, has served a wide variety of affordable housing needs in southeastern Massachusetts since 1970. Since its founding, has evolved from a volunteer organization focused on rehabbing a small number of homes, to a full-service housing organization with 56 employees and a nearly a \$5 million operating budget. Over the past 30 years, SSHDC has developed over 600 units of affordable housing, including 390 apartments that it continues to own and operate. These projects include developments for families, the elderly, and people with disabilities. Through its Housing Consumer Education Center, SSHDC provides housing counseling and technical assistance to first-time homebuyers, people faced with foreclosure, and families searching for affordable housing. SSHDC also runs DHCD's HomeBASE Program for Plymouth and Bristol counties, through which SSHDC and its partners have housed 1,400 formerly homeless families.

PUBLIC PURPOSE BENEFIT: The proposed project will preserve and improve 52 units of affordable elderly housing in Wareham and Taunton.

PRINCIPALS: Carl Nagy-Koechlin, Executive Director

BOARD ACTION: Approve the resolution authorizing Official Action for a MassDevelopment Tax-Exempt Bond.

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- Updating of kitchens and baths, as needed
- Updating of existing handicapped apartments to meet current codes
- Sprinkler system installation (Cranberry Manor only)
- Site drainage and paving improvements
- Playground and other site improvements

GUIDELINE ISSUES: None

SOURCES & USES:

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<u>Uses:</u>	
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BOND AMOUNT: \$5,825,000

EMPLOYMENT:

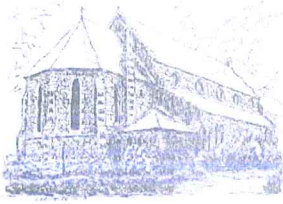
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BOARD ACTION: Approve the resolution authorizing Official Action for a MassDevelopment Tax-Exempt Bond.



St. Thomas Episcopal Church

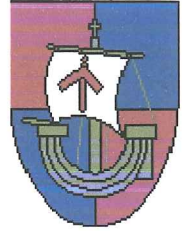
111 High Street-P.O. Box 149

Taunton, MA 02780

Phone: (508) 824-9595

Fax: (508) 822-5263

www.StThomasTaunton.Org



October 8, 2013

The Honorable Mayor Thomas Hoye Jr.,
& Municipal Council Members
141 Oak Street
Taunton, MA 02780

Dear Mayor Hoye Jr., and
Municipal Council Members,

On Saturday November 9, 2013 the Episcopal Church of St. Thomas, located at 111 High St. Taunton Ma, would like to host a "Historical Hayride" in the downtown area of Taunton as part of our annual Church Fair.

We propose doing three, 35-45 minute tours (10:00am, 12:00pm & 2:00pm) which will follow the route attached with this letter.

This information has been given to Chief Walsh for his initial input and approval.

Thank you for your time and consideration in this matter.

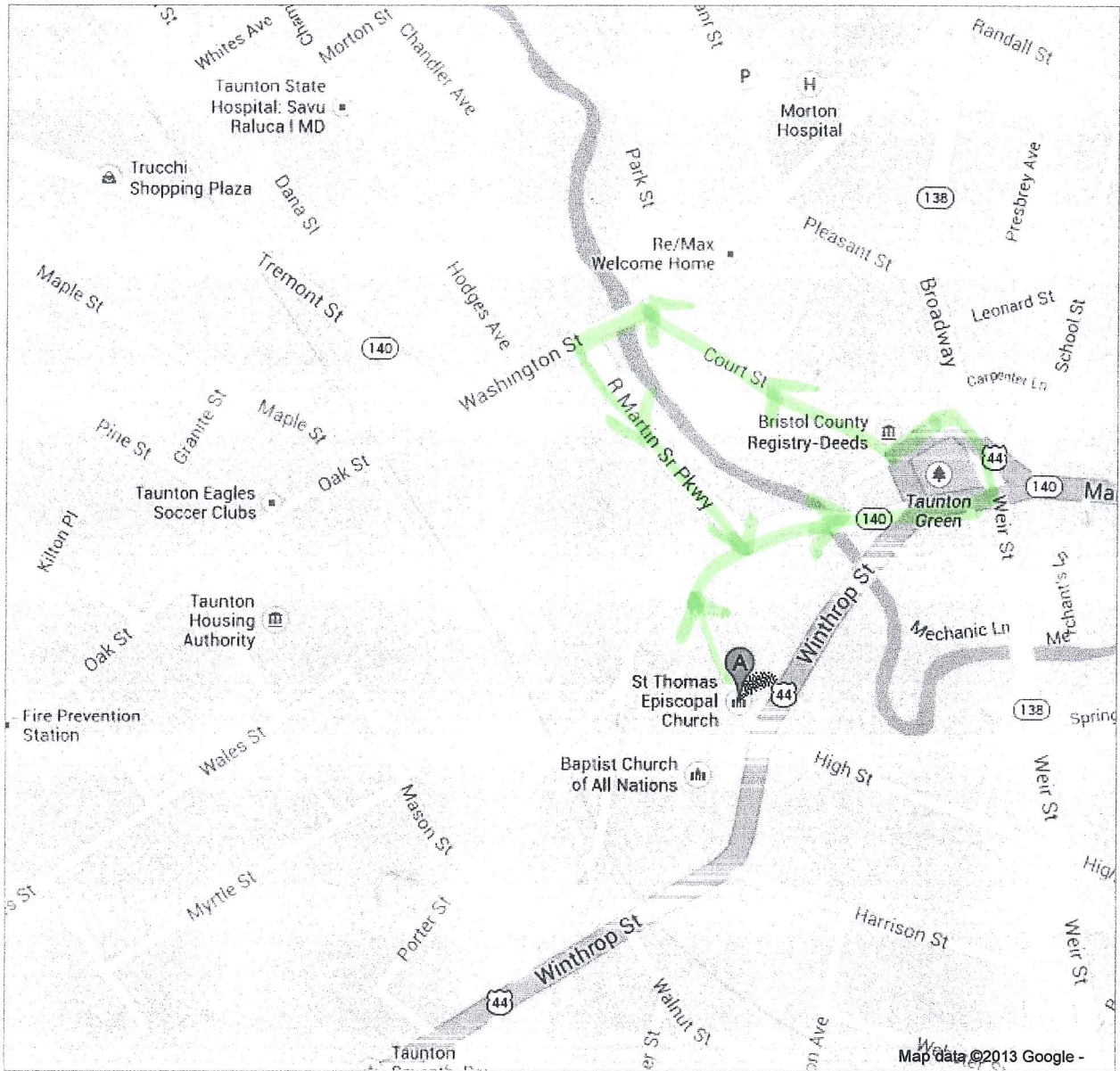
Sincerely,

Paul S. Boudreau

Episcopal Church of
St Thomas

7

To see all the details that are visible on the screen, use the "Print" link next to the map.



St Thomas Fall Festival

November 9-10, 2013

8

Kickoff Cocktail Party – Friday November 8, 6-8pm

Saturday 10-4 pm

Sunday 11:30-3:00

St Thomas Episcopal Church

111 High St.

Taunton, MA

*Exclusive
American Girl
Doll Raffle!*



- *Children's Activities*
- *Silent Auction*
- *Country Store*
- *And More!!!*

*Expanded Craft
Section Featuring
Local Artisans
from the Taunton
Area*

Join us for a Roast Turkey dinner with all the Fixin's
Sunday November 10, 4pm
Masonic Lodge
66 Winthrop St.

9

Dear Mayor Thomas C. Hoye Jr. and members of the Municipal Council,

Myself along with my neighbors of Dighton Ave are looking for information about the possibility of extending sewage into the area of Dighton Ave between Dighton Road and Baker Road... There is an alternative sewer tie in option we would like to discuss; it is connecting sewage into a utility easement that abuts my property into the Malloch subdivision "The Settlement" ... When the Settlement was approved by the ZBA in a Chapter 40 Compressive Permit several years ago, part of the Order of Conditions was to provide a sewage manhole stub abutting the Dighton Ave property for future expansion of sewerage for Dighton Ave... I would respectfully ask for the opportunity to discuss this option along with my neighbors at a DPW sub committee meeting. ...



John J Gouveia

147 Dighton Ave.

Taunton, MA 02780

ROSTER CERTIFICATION

Requisition Number: 01266

Date: September 20, 2013

**CITY OF TAUNTON
TEMPORARY CITY HALL, 141 OAK STREET
TAUNTON, MA 02780**

LOCATION: Taunton
Four (4) Permanent Reserve Police Officers
Selection must be 4 of the first 9 highest who will accept

NAME AND ADDRESS OF ELIGIBLE CANDIDATES

Preference	<u>402A</u>	REPORT ON CERTIFICATION
Veteran Status	<u>CIV</u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Magan, Nicholas G.		SIGNATURE OF APPLICANT

Preference	<u>402A</u>	REPORT ON CERTIFICATION
Veteran Status	<u>CIV</u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Carrasquillo-A, Joedono		SIGNATURE OF APPLICANT

Preference	<u>402A</u>	REPORT ON CERTIFICATION
Veteran Status	<u>CIV</u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Dyer, Michael E.		SIGNATURE OF APPLICANT

Preference	<u>DV</u>	REPORT ON CERTIFICATION
Veteran Status	<u>DV</u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Ingargiola, Jeffrey S		SIGNATURE OF APPLICANT

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>DV</u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Larrimore, Eric J		SIGNATURE OF APPLICANT

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>DV</u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Derosier, Jeremy T		SIGNATURE OF APPLICANT

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>DV</u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Gaughan, Thomas M		SIGNATURE OF APPLICANT

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>DV</u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Sean, Crowninsh D		SIGNATURE OF APPLICANT

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>DV</u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Schnupp, Joseph E		SIGNATURE OF APPLICANT

Preference	<u>402 B</u>	REPORT ON CERTIFICATION
Veteran Status	<u>CIV</u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Barkhouse, David T		SIGNATURE OF APPLICANT

Preference	<u>402 B</u>	REPORT ON CERTIFICATION	
Veteran Status	<u>CIV</u>	DECLINE	WILLING TO
		APPT.	ACCEPT APPT.
Griffiths, Ian A		SIGNATURE OF APPLICANT	

Preference	<u>402 B</u>	REPORT ON CERTIFICATION	
Veteran Status	<u>CIV</u>	DECLINE	WILLING TO
		APPT.	ACCEPT APPT.
Bisceglia, Heather M		SIGNATURE OF APPLICANT	

Preference	<u>402 B</u>	REPORT ON CERTIFICATION	
Veteran Status	<u>CIV</u>	DECLINE	WILLING TO
		APPT.	ACCEPT APPT.
Suprey, April J		SIGNATURE OF APPLICANT	

Preference	<u>402 B</u>	REPORT ON CERTIFICATION	
Veteran Status	<u>CIV</u>	DECLINE	WILLING TO
		APPT.	ACCEPT APPT.
James, Kevin M		SIGNATURE OF APPLICANT	

Preference	<u>402 B</u>	REPORT ON CERTIFICATION	
Veteran Status	<u>CIV</u>	DECLINE	WILLING TO
		APPT.	ACCEPT APPT.
Griffiths, Gavin P		SIGNATURE OF APPLICANT	

Preference	<u>402 B</u>	REPORT ON CERTIFICATION	
Veteran Status	<u>CIV</u>	DECLINE	WILLING TO
		APPT.	ACCEPT APPT.
Tarantino, Marc		SIGNATURE OF APPLICANT	

Preference		REPORT ON CERTIFICATION
Veteran Status	<u> VET </u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Lynch, Alyssa D		SIGNATURE OF APPLICANT <i>Alyssa D Lynch</i>

Preference		REPORT ON CERTIFICATION
Veteran Status	<u> VET </u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Allen, Lavern S		SIGNATURE OF APPLICANT <i>Lavern S Allen</i>

Preference		REPORT ON CERTIFICATION
Veteran Status	<u> VET </u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Marvel, Christoph C		SIGNATURE OF APPLICANT <i>Christoph C Marvel</i>

Preference		REPORT ON CERTIFICATION
Veteran Status	<u> VET </u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Holmes, Casey S		SIGNATURE OF APPLICANT <i>Casey S Holmes</i>

Preference		REPORT ON CERTIFICATION
Veteran Status	<u> VET </u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Markey, Christoph J		SIGNATURE OF APPLICANT

Preference		REPORT ON CERTIFICATION
Veteran Status	<u> VET </u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Bergen, Alexander R		SIGNATURE OF APPLICANT <i>Alexander R Bergen</i>

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>VET</u>	DECLINE APPT. <u>WILLING TO ACCEPT APPT.</u>
Berthelette, Timothy J		SIGNATURE OF APPLICANT <i>Timothy Berthelette</i>

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>VET</u>	DECLINE APPT. WILLING TO ACCEPT APPT.
Cormier, Allyson B		SIGNATURE OF APPLICANT

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>VET</u>	DECLINE APPT. WILLING TO ACCEPT APPT.
Maguire, Brian J		SIGNATURE OF APPLICANT

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>VET</u>	DECLINE APPT. WILLING TO ACCEPT APPT.
Rosa, Mark F		SIGNATURE OF APPLICANT

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>VET</u>	DECLINE APPT. <u>WILLING TO ACCEPT APPT.</u>
Baptiste, Mark		SIGNATURE OF APPLICANT <i>Mark Baptiste</i>

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>VET</u>	DECLINE APPT. <u>WILLING TO ACCEPT APPT.</u>
Donohoe, Evan S.		SIGNATURE OF APPLICANT <i>Evan Donohoe</i>

Preference		REPORT ON CERTIFICATION	
Veteran Status	<u> VET </u>	DECLINE	WILLING TO
		APPT.	ACCEPT APPT.
Botelho, Michael		SIGNATURE OF APPLICANT	

Preference		REPORT ON CERTIFICATION	
Veteran Status	<u> VET </u>	DECLINE	WILLING TO
		APPT.	ACCEPT APPT.
Stott, Thomas W.		SIGNATURE OF APPLICANT	


Preference		REPORT ON CERTIFICATION	
Veteran Status	<u> VET </u>	DECLINE	WILLING TO
		APPT.	ACCEPT APPT.
Bosworth, Jessica		SIGNATURE OF APPLICANT	

Preference		REPORT ON CERTIFICATION	
Veteran Status	<u> CIV </u>	DECLINE	WILLING TO
		APPT.	ACCEPT APPT.
Courcy, Paul M		SIGNATURE OF APPLICANT	

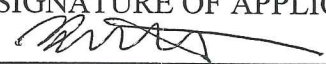
Preference		REPORT ON CERTIFICATION	
Veteran Status	<u> CIV </u>	DECLINE	WILLING TO
		APPT.	ACCEPT APPT.
Rodrigues, Michael D		SIGNATURE OF APPLICANT	

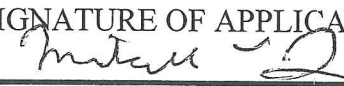
Preference		REPORT ON CERTIFICATION	
Veteran Status	<u> CIV </u>	DECLINE	WILLING TO
		APPT.	ACCEPT APPT.
Rowe, Keith S		SIGNATURE OF APPLICANT	


16

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>CIV</u>	DECLINE APPT. <u>WILLING TO ACCEPT APPT.</u>
Tapis, Stephen C		SIGNATURE OF APPLICANT 

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>CIV</u>	DECLINE APPT. WILLING TO ACCEPT APPT.
Burns, Michael D.		SIGNATURE OF APPLICANT

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>CIV</u>	DECLINE APPT. <u>WILLING TO ACCEPT APPT.</u>
Hovestadt, Bethany L.		SIGNATURE OF APPLICANT 

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>CIV</u>	DECLINE APPT. <u>WILLING TO ACCEPT APPT.</u>
Lajoie, Michael R		SIGNATURE OF APPLICANT 

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>CIV</u>	DECLINE APPT. <u>WILLING TO ACCEPT APPT.</u>
Meneses, Jimmy O		SIGNATURE OF APPLICANT 

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>CIV</u>	DECLINE APPT. WILLING TO ACCEPT APPT.
Rego, Paul K		SIGNATURE OF APPLICANT

17

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>CV</u>	DECLINE WILLING TO APPT. ACCEPT APPT.
Sennott, Hunter		SIGNATURE OF APPLICANT

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>CV</u>	DECLINE WILLING TO APPT. <u>ACCEPT APPT.</u>
Sousa, Jr., Joseph A		SIGNATURE OF APPLICANT

Preference		REPORT ON CERTIFICATION
Veteran Status	<u>CV</u>	DECLINE WILLING TO APPT. <u>ACCEPT APPT.</u>
Webster, James V		SIGNATURE OF APPLICANT

Signature of Appointing Authority:

Please Type or Print:
NAME

Please Type or Print:
TITLE



CITY OF TAUNTON
MASSACHUSETTS

HUMAN RESOURCES DEPARTMENT

Maria V. Gomes
Director
Sandra B. Peavey
Office Manager

18
City Hall
141 Oak Street
Taunton, MA 02780
(508) 821-1060
FAX (508) 821-1066

October 8, 2013

Municipal Council
City of Taunton
141 Oak Street
Taunton, MA 02780

Dear Councilors:

I respectfully request to transfer the following amount to pay a previous year's medical bill:

From Account #	To Account #	Amount	Reason
1-549-202-5301	1-549-?-5301	\$75.00	Mandatory Counseling

If I can provide any further information, please don't hesitate to contact me. Thank you for your assistance in this matter.

Sincerely,

Maria V. Gomes, Director
Human Resources

/sbp

cc: Mayor's Office
Clerk of Council Committee
City Auditor

COUNCIL ORDER TRANSFER REQUEST

19

DATE: October 8, 2013

DEPARTMENT REQUESTING: Human Resources

AMOUNT REQUESTING: \$75.00

REASON FOR REQUEST: To pay a previous year's bill

Please list below the account number/name for the requested transfer. If requesting monies from AVAILABLE FUNDS check here: XXX

TRANSFER FROM: 1 - 549 - 202 - 5301

NAME: Medical

BEGINNING BALANCE: \$ 2,810.00

AMOUNT: \$ 75.00

BALANCE REMAINING: \$ 2,735.00

TRANSFER FROM: 1 - 549 - - - 5301

NAME: Medical - Previous year

BEGINNING BALANCE: \$ 0

AMOUNT: \$ 75.00

BALANCE REMAINING: \$ 75.00

TRANSFER FROM: - - - -

NAME: _____

BEGINNING BALANCE: \$

AMOUNT: \$

BALANCE REMAINING: \$

TRANSFER FROM: - - - -

NAME: _____

BEGINNING BALANCE: \$

AMOUNT: \$

BALANCE REMAINING: \$

DEPARTMENT HEAD SIGNATURE: *Maria T. Lane*

Director, Human Resources

TITLE

TO BE COMPLETED BY CLERK OF COUNCIL COMMITTEE: _____

DATE REFERRED TO COMMITTEE ON FINANCE & SALARIES: _____

THE ABOVE REQUEST IS HEREBY: APPROVED DENIED

AVAILABLE FUNDS TO BE USED (IF REQUESTED): _____

IF DENIED, REASON FOR DENIAL: _____

COUNCIL ORDER NUMBER ASSIGNED: _____

FOR COUNCIL ORDER TRANSFERS PLEASE FILL OUT THIS FORM WITH A FORMAL COVER LETTER REQUESTING THE TRANSFER AND SEND A COPY OF BOTH THE LETTER AND THIS FORM TO THE FOLLOWING:

- City Clerk - Original
- Mayor's Office
- Clerk of Council Committee
- City Auditor



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

October 9, 2013

Honorable John McCaul, President
Members of the Taunton Municipal Council
141 Oak Street
Taunton MA 02780

RE: Job Performance Evaluation Forms

Dear President McCaul and Members of the Municipal Council:

Section 6-23 of the Revised Ordinances of the City of Taunton states that the "committee on finance and salaries shall from time to time conduct a systematic review and evaluation of the job performance of all heads and assistant heads of departments coming under the direct supervision and control of the municipal council..." You have requested this office to provide to you a form of an evaluation that could be used, should the committee undertake such review and evaluation.

I have consulted with Ms. Gomes of the Human Resources Department, who has supplied and approved the enclosed form, which is submitted for your consideration. Please do not hesitate to contact me with any questions.

Very truly yours,

Jason D. Buffington, Esq.
City Solicitor

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CITY OF TAUNTON

ANNUAL MANAGEMENT EMPLOYEE PERFORMANCE APPRAISAL FORM

EMPLOYEE'S NAME:

JOB TITLE:

DEPARTMENT:

SUPERVISOR:

DATE OF HIRE:

REVIEW DATE:

SECTION I: CORE VALUES AND OBJECTIVES

1. Reliability and Attendance:

Is consistently reliable and demonstrates a productive work ethic which encourages trust. Work can be delegated with confidence. Reports for work regularly with a minimum number of absences and tardiness. Gives notice when absence or tardiness is unavoidable. Receives authorization when time off is needed. Submits justification for absences as required and/or requested.

- EXCEEDS EXPECTATIONS
- MEETS EXPECTATIONS
- IMPROVEMENT NEEDED
- UNACCEPTABLE
- NOT APPLICABLE

2. Quality and Accountability:

Follows through on assignments to ensure quality work. Manages own time and uses appropriate methods and techniques to achieve timely results. Balances multiple priorities and is focused on desired outcome(s). Makes responsible use of City resources (time and money). Follows City policies. Accepts and understands constructive criticism. Takes appropriate action to correct and improve performance.

- EXCEEDS EXPECTATIONS
- MEETS EXPECTATIONS
- IMPROVEMENT NEEDED
- UNACCEPTABLE
- NOT APPLICABLE

3. Service to Residents/Service Quality:

Responds effectively and in a timely manner to customers' needs accurately & courteously. Is professional when responding to requests. When making referrals, ensures that customers are placed in direct contact with appropriate staff. Facilitates citizens' communication of problems/concerns. Understands and promotes good customer service practices. Uses tact to adjust to personalities and circumstances. Perceived as helpful and understanding by the public. Regarded as responsive to needs, problems and concerns of customers.

- EXCEEDS EXPECTATIONS
- MEETS EXPECTATIONS
- IMPROVEMENT NEEDED
- UNACCEPTABLE
- NOT APPLICABLE

4. Teamwork and Collaboration:

Makes and sustains effective and productive relationships with other members of the workplace and the public. Is respectful of differing viewpoints. Meets commitments to co-workers and employees in other departments. Treats co-workers with respect and professionalism at all times. Knows when to work collaboratively and knows when to work independently.

- EXCEEDS EXPECTATIONS
- MEETS EXPECTATIONS
- IMPROVEMENT NEEDED
- UNACCEPTABLE
- NOT APPLICABLE

5. Adaptability, Initiative and Problem-Solving

Adapts to organizational changes (e.g., technology, resources, and personnel). Takes initiative in identifying problems and takes appropriate steps to resolve them. Advises supervisor and appropriate staff in a timely fashion about impending problems or issues. Creates solutions to problems by identifying issues, working collaboratively and implementing solutions.

- EXCEEDS EXPECTATIONS
- MEETS EXPECTATIONS
- IMPROVEMENT NEEDED
- UNACCEPTABLE
- NOT APPLICABLE

Generally, the following categories are for supervisory and department head positions only, however categories may be used for employees when relevant.

1 PROBLEM SOLVING, INNOVATION & DECISION MAKING

Anticipates problems before they arise and plans for ways to resolve them. Sets priorities. Makes assignments that utilize people's skills, coordinates their effort, and follows through. Identifies challenges, analyzes information, generates options and recommends solutions. Demonstrates good judgment and makes sound decisions under difficult/pressure circumstances. Follows through on the implementation of decisions and plans for solution.

- EXCEEDS EXPECTATIONS
- MEETS EXPECTATIONS
- IMPROVEMENT NEEDED
- UNACCEPTABLE
- NOT APPLICABLE

2. Budget/Financial Management

Ensures that funds are spent wisely with adequate control and accounting. Insures that City property and resources is managed and maintained appropriately. Takes a creative approach to potential savings and revenue sources (i.e. grants/procurement). Effectively communicates long-range budgeting and capital planning needs of the Department. Is alert to ideas and information from similar communities and other sources.

- EXCEEDS EXPECTATIONS
- MEETS EXPECTATIONS
- IMPROVEMENT NEEDED
- UNACCEPTABLE
- NOT APPLICABLE

3. COMMUNICATION/COMMUNITY RELATIONS

Presents ideas, plans and instructions in a clear, concise and persuasive manner. Is open to and directly solicits reaction and ideas of others. Handles controversial/conflict issues calmly and constructively; understands how to reconcile differences. Communicates clearly; presents information and ideas in an organized and thoughtful manner. Keeps Mayor and CFO informed on issues, needs, and operations, if appropriate. Ensures staff follows good customer service practices.

- EXCEEDS EXPECTATIONS
- MEETS EXPECTATIONS
- IMPROVEMENT NEEDED
- UNACCEPTABLE
- NOT APPLICABLE

4. PERFORMANCE MANAGEMENT AND LEADERSHIP

Sets clear expectations and communicates regularly with employees on performance issues. Communicates City goals and enforces policies with staff. Follows through on staff improvement action plans to enhance overall employee performance. Provides appropriate coaching and feedback enabling staff to perform at "Meets Expectations". Establishes a clear sense of direction, sets specific objectives, and mobilizes the people/resources to meet those objectives. Effectively delegates responsibility and authority to employees. Develops staff as individuals and team players

- EXCEEDS EXPECTATIONS
- MEETS EXPECTATIONS
- IMPROVEMENT NEEDED
- UNACCEPTABLE
- NOT APPLICABLE

SECTION II: POSITION-SPECIFIC PERFORMANCE CRITERIA

PERFORMANCE CRITERIA ARE TO BE FILLED IN BASED ON ANY PRIMARY TASKS OUTLINED IN THE EMPLOYEE'S JOB DESCRIPTION THAT HAVE NOT BEEN ADDRESSED IN SECTION I.

1.	
	<input type="checkbox"/> EXCEEDS EXPECTATIONS <input type="checkbox"/> MEETS EXPECTATIONS <input type="checkbox"/> IMPROVEMENT NEEDED <input type="checkbox"/> UNACCEPTABLE
2.	
	<input type="checkbox"/> EXCEEDS EXPECTATIONS <input type="checkbox"/> MEETS EXPECTATIONS <input type="checkbox"/> IMPROVEMENT NEEDED <input type="checkbox"/> UNACCEPTABLE

SECTION III: REVIEW OF GOALS SET DURING PREVIOUS REVIEW PERIOD

	Status of Goal	Explanation of Status
Review Goal #1:	<input type="checkbox"/> Completed <input type="checkbox"/> In Progress <input type="checkbox"/> Tabled	
Review Goal #2:	<input type="checkbox"/> Completed <input type="checkbox"/> In Progress <input type="checkbox"/> Tabled	

SECTION IV: OVERALL EVALUATION

Overall Comments, Commendations, and Recommendations	Overall Rating
Comments:	<input type="checkbox"/> EXCEEDS EXPECTATIONS <input type="checkbox"/> MEETS EXPECTATIONS <input type="checkbox"/> IMPROVEMENT NEEDED <input type="checkbox"/> UNACCEPTABLE

SECTION V: COMING YEAR'S GOALS

Goals	Action Steps	Time Required	Resources Needed	How does this goal support the Dept.'s/Mayor's goals?
Goal #1:				
Goal #2:				

SECTION VI: EMPLOYEE COMMENTS (OPTIONAL)

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SECTION VII: SUPERVISORS COMMENTS (OPTIONAL)

INSTRUCTIONS: ELABORATE ON CRITERIA IN SECTIONS 1 THROUGH 4

A large, empty rectangular box with a thin black border, occupying the central portion of the page. It is intended for handwritten or typed supervisor comments.

SECTION VII: SIGNATURES

26

The signature of the employee signifies the employee has had a review meeting with his/her supervisor and has read and received a copy of his/her appraisal.

EMPLOYEE SIGNATURE:	DATE:
1 ST REVIEWER SIGNATURE (Direct Supervisor):	DATE:
2 ND REVIEWER SIGNATURE: (IF APPLICABLE)	DATE:

RATINGS KEY

Exceeds Expectations

The performance of an employee at this level consistently exceeds the job standards and performance expectations. The results consistently achieved are those the City would expect of employees in this position level.

Meets Expectations

The performance of an employee at this level consistently meets the job standards and performance expectations. The results consistently achieved are those the City would expect of employees in this position level.

Improvement Needed

Performance does not consistently meet the essential job standards and performance expectations of the position, or is marginally acceptable. Development, coaching, or training is needed to reach full effectiveness.

Unacceptable

Performance demonstrates an inability or unwillingness to meet job standards and performance expectations of the position. Immediate and sustained improvement is required.



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

October 10, 2013

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

**RE: Taunton Fire Department et al. v. Michael O'Donnell et al.
Southeast Housing Court, Docket No. 10-CV-00127**

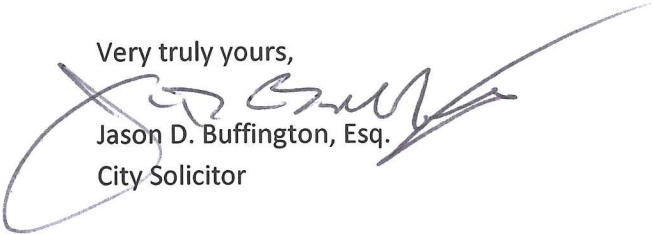
Dear Mayor Hoye and Members of the Municipal Council:

A hearing was held in this case on October 8, 2013. Mr. O'Donnell filed a complaint for contempt against the City, claiming that, by changing the locks to the premises, the City violated the September 3, 2013 Court Order allowing him to have access. The Law Department immediately filed an opposition along with affidavits from the Chief of Police and the Superintendent of Public Buildings.

I also took that position that Mr. O'Donnell's contempt complaint was frivolous, wholly insubstantial, and filed in bad faith. I requested that the Court sanction Mr. O'Donnell for wasting the City's (and the Court's) time and resources, and I filed a motion requesting that Mr. O'Donnell pay the City \$1,372.50 in attorney's fees.

After hearing, the Court found that the City was not in contempt of court and that Mr. O'Donnell must pay the City \$1,837.95 within 30 days. Please note that this is in addition to the \$3,963.33 in attorneys' fees and costs that he was previously ordered to pay by October 24, 2013. Please see attached documents. Thank you for allowing me the opportunity to provide an update on this case.

Very truly yours,


Jason D. Buffington, Esq.
City Solicitor

HOUSING COURT DEPARTMENT
SOUTHEASTERN DIVISION
A TRUE COPY
ATTEST Maed R. Jeffers CLERK
DATE 8 October 2013 MOR

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Commonwealth of Massachusetts
The Trial Court

City of Taunton
PLAINTIFF

Housing Court Department
Southeastern Division
Docket #: 10-CV-0127 TA

-v-

Michael O'Donnell
DEFENDANT

A hearing has been held by the Court this day; as a result of said hearing:

- () You Have been found in contempt of Court, but you may purge said contempt as follows:
- (X) No Contempt found

Defendant shall pay Plaintiff \$1,837.95 on or before November 8, 2013.

Your failure to comply with this order and/or to re-appear before the Court as indicated may result in an initial or further contempt proceeding; with Court ordered sanctions, and/or a Capias for your Civil arrest may also issue.

10/08/13
Date

Thomas K. Murphy
First Justice

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HOUSING COURT DEPARTMENT
SOUTHEASTERN DIVISION
A TRUE COPY
ATTEST
DATE 10/21/13 me CLERK

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss:

HOUSING COURT DEPARTMENT
DIVISION

CIVIL ACTION NO.
1101-1010112171

City of Taunton
PLAINTIFF(S)

vs.

Michael O'Donnell, Boston Financial
DEFENDANT(S)

CIVIL CONTEMPT COMPLAINT

The undersigned Michael O'Donnell complains of Denial
of Access

that in the above captioned matter, this Court issued the attached Order on
September 3, 2013 and that as shown by the attached
affidavit, Plaintiff violated said Order by:

changing the locks and denying
the defendant access despite court order
allowing access until December 2, 2013
the Plaintiff changed the locks on ^{of about} September 25, 2013

WHEREFORE, the undersigned prays that a contempt summons issue, that a
hearing be held, that appropriate relief be granted, and that appropriate
penalties be imposed.

Signed under penalties of perjury this 2nd day of October,
2013.

Michael O'Donnell
Name:

c/o 73 Main St
Address:

Taunton MA 02786

508-821-7531
Telephone:

Commonwealth of Massachusetts
Housing Court Department
Southeast Housing Court - Taunton
40 Broadway Street, Suite 1306
Taunton, MA 02780

HOUSING COURT DEPARTMENT
SOUTHEASTERN DIVISION
A TRUE COPY
ATTEST
DATE Mark Jeffries CLERK

10/2/13

Mark Jeffries
Clerk Magistrate

Honorable Anne Kenney Chaplin
First Justice

Re: Taunton Fire Department - Capt. Robert J Ba

Date: October 2, 2013

Vs: Mr. Michael O'Donnell et al

No: 10H83CV00127TA

NOTICE TO SHOW CAUSE FOR CONTEMPT

Upon the Judgment Creditor's representation that the payment order entered 9/3/13 has not been complied with;

The above case will be called for hearing to determine whether the Judgment-Debtor:
Taunton Building Commissioner - Robert Pirozzi
should be found in contempt of Court or otherwise punished for failure to obey such order,

Date: 10/08/2013

Time: 08:30 AM

Courtroom: Taunton Session

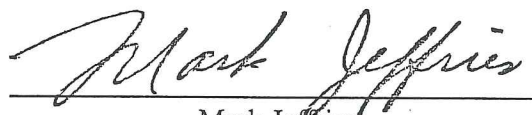
Session/ Location: Southeast Housing Court - Taunton

40 Broadway Street, Suite 1306

Taunton, MA 02780

Both parties are required to attend this hearing. Failure of the Judgment-Debtor to attend may result in arrest.

WITNESS, Honorable Anne Kenney Chaplin, Judge of the Southeast Housing Court.



Mark Jeffries
Clerk - Magistrate

INSTRUCTIONS TO JUDGMENT- CREDITOR

You are required to arrange for this Notice to be served by a Constable or Deputy Sheriff. Although you are required to pay the cost of service, the Judgment-Debtor is required to reimburse you. The original notice with proof of service must be returned to court no later than the date of hearing.

OFFICER'S RETURN

I certify that I served this process by delivering a copy of it:

- personally to the Judgment-Debtor or
- to last and usual abode at _____ on _____ or
- I was unable to make service because _____

COMMONWEALTH OF MASSACHUSETTS
HOUSING COURT DEPARTMENT

BRISTOL, SS

SOUTHEASTERN DIVISION
DOCKET NO.: 10H83CV00127

 TAUNTON FIRE DEPARTMENT, et al, *
 *
 Plaintiff, *
 *
 Vs. *
 *
 MICHAEL O'DONNELL, Trustee of the *
 BOSTON FINANCIAL TRUST, and *
 MICHAEL O'DONNELL, Individually, *
 *
 Defendants *

**MOTION FOR AWARD OF COSTS AND ATTORNEYS' FEES
ON DEFENDANTS' COMPLAINT FOR CONTEMPT FILED OCTOBER 2, 2013**


Now come the Plaintiffs in the above-entitled matter and respectfully move this Honorable Court for an award of their costs and attorneys' fees incurred in connection with defending the Defendants' Complaint for Contempt filed on October 2, 2013.

In support hereof, the Plaintiffs state that that Defendants' Complaint for Contempt Filed October 2, 2013 is completely without merit, lacks any basis in fact or in law, and was filed in bad faith by the Defendants. The Defendants further rely on the AFFIDAVIT OF WAYNE WALKDEN and the AFFIDAVIT OF EDWARD J. WALSH, filed contemporaneously herewith.

This Court has the "inherent power to act as necessary to secure the full and effective administration of justice," Tillman v. Brink, 74 Mass. App. Ct. 845 (2009). The Court should exercise that inherent power in this instance to punish the Defendants for filing the frivolous complaint for contempt and to deter the Defendants from doing so again in the future. The citizens and taxpayers of the City of Taunton should not have to bear the expense of Mr. O'Donnell's numerous and repeated frivolous claims and defenses in this case.

Also filed contemporaneously herewith is an Affidavit of Counsel in Support of this Motion setting forth the Plaintiffs' costs and attorneys' fees incurred to date along with a reasonable estimate of such additional items that the Plaintiffs are expected to incur in the future, totaling **\$1,372.50**. The Plaintiffs reserve the right to file a supplemental affidavit in support of this motion at the hearing of this matter.

Respectfully submitted,
Plaintiffs, By Their Attorney,



Jason D. Buffington, City Solicitor
BBO# 644804
Temporary City Hall
141 Oak Street
Taunton, MA 02780
508.821.1036

Dated: October 4, 2013

COPY

COMMONWEALTH OF MASSACHUSETTS
HOUSING COURT DEPARTMENT

BRISTOL, SS

SOUTHEASTERN DIVISION
DOCKET NO.: 10H83CV00127

 TAUNTON FIRE DEPARTMENT, et al, *
 *
 Plaintiff, *
 *
 Vs. *
 *
 MICHAEL O'DONNELL, Trustee of the *
 BOSTON FINANCIAL TRUST, and *
 MICHAEL O'DONNELL, Individually, *
 *
 Defendants *

**AFFIDAVIT OF COSTS AND ATTORNEYS FEES ON
DEFENDANTS' COMPLAINT FOR CONTEMPT FILED OCTOBER 2, 2013**

The undersigned, being duly sworn, does hereby depose and state as follows:

1. My name is Jason D. Buffington. I am an attorney licensed to practice law in the Commonwealth of Massachusetts. I have been so licensed since December 1999, a period of over thirteen (13) years.
2. I am the current attorney of record in this case for the Plaintiffs.
3. I have spent considerable time and effort, and will hereafter spend considerable more time and effort, defending this frivolous and bad faith complaint for contempt filed by the Defendant. Below is a conservative estimate of some of the work I have done in this case. Not all of the work that I have done on this case is necessarily delineated below:

10/4/13	0.6	Review documents: review Civil Contempt Complaint, Order of Notice, Notice to Show Cause For Contempt, and Motion for Short Order of Notice; review court docket; review file; telephone conference with W. Walkden; telephone conference with E. Walsh; office conferences with Walkden and Walsh
---------	-----	--

- 10/4/13 1.0 Legal research: award of attorney's fees for bad faith and frivolous court filings; inherent authority and power of court to act as necessary to secure the full and effective administration of justice
 - 10/4/13 2.0 Draft legal documents: AFFIDAVIT OF WAYNE WALKDEN, AFFIDAVIT OF EDWARD J. WALSH, MOTION FOR AWARD OF COSTS AND ATTORNEYS FEES, AFFIDAVIT IN SUPPORT ON MOTION FOR AWARD OF COSTS AND ATTORNEYS FEES, NOTICE OF HEARING, CERTIFICATE OF SERVICE
 - 10/4/13 0.5 Court appearance: personally appear at the Clerk's Office, Southeast Housing Court, to file all such documents previously listed herein and to examine court file; travel to and from courthouse
 - 10/8/13 2.0 Court appearance – contempt hearing (conservative Estimate, based on previous contempt proceedings in this case)
-
- 6.1 Total hours professional legal services

- 4. I believe that a fair and customary rate for attorneys in the Taunton area with the same level of experience as me exceeds Two Hundred Twenty-Five Dollars (\$225.00) per hour. However, the hourly rate that the Plaintiffs seek in this case is \$225.00 per hour.
- 5. 6.1 hours times \$225.00 per hour equals \$1,372.50 in counsel fees.
- 6. The total amount of reasonable counsel fees that the Plaintiffs seek is, based on the above, \$1,372.50. I believe this amount to be fair and reasonable under the circumstances.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS DAY



 Jason D. Buffington, Esq.

Dated: October 4, 2013

COMMONWEALTH OF MASSACHUSETTS
HOUSING COURT DEPARTMENT

BRISTOL, SS

SOUTHEASTERN DIVISION
DOCKET NO.: 10H83CV00127

TAUNTON FIRE DEPARTMENT, et al, *

Plaintiff, *

Vs. *

MICHAEL O'DONNELL, Trustee of the *
BOSTON FINANCIAL TRUST, and *
MICHAEL O'DONNELL, Individually, *

Defendants *

COPY


**AFFIDAVIT OF WAYNE WALKDEN IN OPPOSITION TO
DEFENDANTS' COMPLAINT FOR CONTEMPT FILED OCTOBER 2, 2013**

The undersigned, being duly sworn, does hereby depose and state as follows:

1. My name Wayne Walkden. I am employed by the City of Taunton, Massachusetts.
2. My official job title is Superintendent of Public Buildings. Among my official duties are to take charge of, secure, and maintain all buildings owned by the City of Taunton, Massachusetts.
3. On the afternoon of September 24, 2013, I was notified by Jason D. Buffington, City Solicitor of the City of Taunton, that Michael O'Donnell had finally signed the deed to the building located at 107-111 Main Street, Taunton, MA over to the City of Taunton and that the City of Taunton was now the owner of the building.
4. On the morning of September 25, 2013, I personally appeared at the subject building. I discovered deplorable conditions at the property. I took immediate measures to secure the building, including changing the locks to the building. I discovered that one of the doors on Main Street had a faulty locking mechanism and the existing door could not have a new locking mechanism installed within it without the door being completely replaced. As a result, this particular door was secured with a padlock.

5. The City Solicitor also informed me that, under the court order of September 3, 2013, Mr. O'Donnell was entitled to have access to the building through December 2, 2013.
6. In recognition of this right to access, and at the specific direction of the City Solicitor, I caused copies of all new keys to the subject building to be delivered to the Chief of Police, to be kept at the Taunton Police Station specifically for Michael O'Donnell. The Police Station is less than a thirty second walk from the subject premises. This was done on September 25, 2013.
7. Also on September 25, 2013, and also at the specific direction of the City Solicitor, I caused a notice from the City Solicitor to Mr. O'Donnell to be prominently displayed on the front door to the subject premises. A copy of this notice is attached hereto. At the time this affidavit is signed, which is at 11:00 a.m. on October 4, 2013, it is my belief that this notice is still present on the front door of the premises.
8. Said notice is easily viewable from street level by any person. It is displayed on the front door, taped to the inside of the door. The door on which it is taped is a transparent glass door.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS DAY


Wayne Walkden

Dated: October 4, 2013



City of Taunton
LAW DEPARTMENT

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



37

Thomas C. Hoye, Jr.
MAYOR

Jason D. Buffington
CITY SOLICITOR

Daniel F. de Abreu
ASST. CITY SOLICITOR

NOTICE – TO BE POSTED ON THE PREMISES

TO: Michael O'Donnell, individually, and as Trustee of Boston Financial Trust

FROM: Jason D. Buffington, Esq., City Solicitor

DATE: September 25, 2013

RE: 107-111 Main Street, Taunton MA

Pursuant to the ruling of the Southeast Housing Court and a Quitclaim Deed executed by you on September 24, 2013, the City of Taunton is now the owner of these premises. Know that the City has this day changed the locks to the building and taken other measures to secure the premises.

By Order of the Court dated September 3, 2013, you shall have a period of time, "to expire on December 2, 2013, to have unrestricted access to the premises for the purpose of removing items of personal property." In order to provide you this access, you may appear in person at the Taunton Police Department, 23 Summer Street, Taunton, MA to obtain the necessary key(s). You are prohibited from making copies of any such key(s) or distributing the key(s) to third persons. You are prohibited from bringing items of personal property into these premises. The sole purpose of any appearance by you on these premises shall be to remove items of personal property.

You have certain other obligations under applicable court orders, including, but not limited to (a) removing items in front of the Main Street doors so as to have unobstructed means of egress (Order of September 3, 2013, ¶ 6), and (b) paying the sum of \$3,963.33 in attorneys' fees and costs to the City of Taunton on or before October 24, 2013 (Order of September 24, 2013). This payment should be delivered to the Taunton Law Department, 141 Oak Street, Taunton, MA. Failure to abide by the herein referenced Orders, or any other applicable Order, shall result in additional contempt actions against you, in which the City shall seek additional costs and attorneys' fees. You are hereby so notified.

COMMONWEALTH OF MASSACHUSETTS
HOUSING COURT DEPARTMENT

BRISTOL, SS

SOUTHEASTERN DIVISION
DOCKET NO.: 10H83CV00127

TAUNTON FIRE DEPARTMENT, et al, *

Plaintiff, *

Vs. *

MICHAEL O'DONNELL, Trustee of the *
BOSTON FINANCIAL TRUST, and *
MICHAEL O'DONNELL, Individually, *

Defendants *

COPY

**AFFIDAVIT OF EDWARD J. WALSH IN OPPOSITION TO
DEFENDANTS' COMPLAINT FOR CONTEMPT FILED OCTOBER 2, 2013**

The undersigned, being duly sworn, does hereby depose and state as follows:

1. My name is Edward J. Walsh. I am employed by the City of Taunton, Massachusetts. I am also an attorney licensed to practice law in the Commonwealth of Massachusetts.
2. My official job title with the City of Taunton is Chief of Police. In this capacity, I have complete command of all police officers in the City of Taunton as well as complete command of the Taunton Police Station.
3. The Taunton Police station is located at 23 Summer Street, Taunton, Massachusetts. There is only one building between the police station and the building at 107-111 Main Street, Taunton, MA.
4. On September 24, 2013, I was personally present in the Southeast Housing Court, 40 Broadway, Taunton, MA, when Michael O'Donnell delivered the signed deed to 107-111 Main Street to the Court. At that time, I learned that the City of Taunton was now the owner of the subject premises.
5. I was informed by the City Solicitor that the Taunton Building Department would be changing the locks to the subject building and that a set of keys to the subject building would be delivered to the Taunton Police Department for the specific purpose of providing them to Michael O'Donnell.

6. On September 25, 2013, the Taunton Police Department did in fact receive such keys.
7. On September 25, 2013, I caused those keys to be placed in the area of the Taunton Police Station behind the front window. This area is staffed seven days a week, twenty-four hours per day. Specific instructions were given to police personnel that those keys were to be provided personally to Michael O'Donnell upon his request.
8. This affidavit is being signed at approximately 12 noon on October 4, 2013. Upon inquiry to my staff, it is firm information and belief that, as of this date and time, Michael O'Donnell has not at any time on or after September 25, 2013 appeared at the Taunton Police Station and requested keys to the subject premises.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS DAY



Edward J. Walsh, Esq.

Dated: October 4, 2013



6 Rockland St.
Taunton, Mass.
Oct. 3, 2013

City of Taunton

Years ago there was a sign warning of a bad curve ahead on the north side of Bay St. across from the entrance of Watson Pond. Someone crashed into it and it was never replaced.

Not long ago a woman struck the telephone pole on that curb and knocked out the electricity in the neighborhood.

On September 30, 2013, at

(2)

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seven-thirty in the morning a young man did not make the curb and just missed a mailbox on one property and dug up the lawn on the next one and broke an expensive campaign sign for Estelle Burgess and hit a tree.

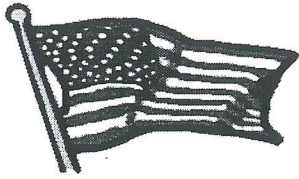
Please feel that it is important to re-place the warning sign.

People that do not know the road would benefit from a warning sign.

any attention you can give to this matter will be greatly appreciated.

as ever,

Irene Fenton



RECEIVED
CITY CLERK'S OFFICE

2013 OCT -9 P 12:33

TAUNTON, MA

CITY CLERK

OCTOBER 15, 2013

HONORABLE THOMAS C. HOYE, JR., MAYOR
COUNCIL PRESIDENT JOHN M. McCAUL
AND MEMBERS OF THE MUNICIPAL COUNCIL

PLEASE NOTE:

THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR TUESDAY, OCTOBER 15, 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 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 ORDINANCES AND ENROLLED BILLS

1. MEET WITH THE ASSISTANT CITY SOLICITOR TO REVIEW DRAFT ORDINANCE FOR COLUMBUS AVENUE
2. MEET WITH THE ASSISTANT CITY SOLICITOR TO REVIEW DRAFT ORDINANCE FOR JOHN STREET
3. MEET TO REVIEW MATTERS IN FILE

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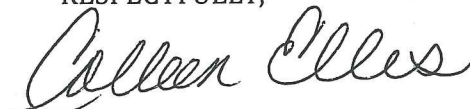
THE COMMITTEE ON POLICE AND LICENSE

1. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON APPLICATION FOR APPOINTMENT AS CONSTABLE FOR KENNETH TAIT, II, 172 DEAN STREET, TAUNTON - NEW
2. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON THE PETITION OF CREATIVE FITNESS SOLUTIONS, INC., 225 CAPE HIGHWAY, TAUNTON TO OPERATE BETWEEN THE HOURS OF 1 A.M. AND 4 A.M. AS PER CITY ORDINANCE SEC. 12-2 - NEW
3. MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITION FOR SECOND HAND ARTICLE LICENSE FOR KYLEIGH'S CLOSET LOCATED AT 64 MAIN STREET - NEW.
4. MEET WITH THE POLICE CHIEF TO DISCUSS REQUEST FOR HANDICAP PARKING AT 10, 16 AND 18 CHURCH STREET.
5. MEET WITH THE POLICE CHIEF TO DISCUSS REQUEST FOR HANDICAP PARKING IN FRONT OF NEW YORK LACE STORE.
6. MEET TO REVIEW MATTERS IN FILE

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RESPECTFULLY,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES