



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

October 7, 2014 – 7:00 PM

**INVOCATION
ROLL CALL
RECORDS**

HEARING: NONE

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1 Com. from Treasurer/Collector – Requesting a transfer of funds
- Pg. 2-9 Com. from City Solicitor – Attorney General vs. Estate of Mary Nason et al. Southeast Housing Court, Receivership of 60 Staples St., East Taunton
- Pg. 10 Com. from City Solicitor – Request to meet in executive session
- Pg. 11 Com. from City Solicitor – Raymond Oberg v. City of Taunton et al. United State District Court
- Pg. 12 Com. from Eric and Linda Andrade, 565 North Street, Somerset – Requesting to install a sewer extension
- Pg. 13 Com. from City Clerk – Requesting an appropriation
- Pg. 14-15 Com. from Dave Littlefield, 192 Erin Rd., East Taunton – Extending an Invitation
- Pg. 16-17 Com. from City Solicitor – Ordinance to Effectuate Prior Budgetary Decision
- Pg. 18 Com. from Superintendent of Buildings – Updating on microphone System in the Council Chambers
- Pg. 19 Com. from Mayor Hoye – Requesting road closures for the 375th Anniversary Parade and Liberty & Union Festival

RECEIVED
CITY CLERK'S OFFICE
2014 OCT -3 A 11:08
TAUNTON, MA
CITY CLERK

PETITIONS

Class II License Change

Petition submitted by Copal Awad, Taunton Service Center, Inc. –dba- Taunton Service Center Auto Sales located at 48 Broadway requesting to change his Class II License from Wholesale Only to a regular Class II License.

Transfer of a Class II License

Petition submitted by Virginia McCrohan, Premium Motor Sales, Inc. 340 Winthrop Street requesting to transfer her Class II License to Leonard Shani, Leo’s Auto Sales and Services located at 350 ½R Winthrop Street, Taunton.

Claim

Claim submitted by Koldys & Kelleher P.C. on behalf of Robert Asack, property owner at 60-62 Weir Street, Taunton claiming that property suffered structural damage to the foundation and substantial water damage from flooding in the basement at the same time that SB General Contracting, Inc. performed work in said area.

COMMITTEE REPORTS

UNFINISHED BUSINESS

- **Continued from September 16, 2014:**
Executive Session – Meet with the Law Department to discuss personnel requests from COTMA

ORDERS, ORDINANCES AND RESOLUTIONS

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

AN ORDINANCE MODERNIZING THE TAUNTON PARKING COMMISSION

**Chapter 2 – Administration
Article XVIII – Parking Commission**

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

SECTION 1. Article XVIII of Chapter 2 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended by striking out Section 2-364 and replacing it with the following:--

Section 2- 364. Establishment. Membership.

There is hereby established a parking commission, known as the Taunton Parking Commission (hereinafter the "Commission"), which shall be composed of five members. Three members, all of whom shall be persons residing or owning a business within the limits of the City of Taunton, shall be appointed by the Mayor for a term of three years. There shall be two ex-officio members, one of whom shall be the Chief of Police or his designee, and one of whom shall be the President of the Municipal Council or such other member of the Municipal Council as may be designated from time to time by the President thereof. Members of the Commission shall not receive any compensation for services rendered to the Commission, but shall be reimbursed for all reasonable expenses incurred by them in carrying out their duties.

SECTION 2. Said Article XVIII of said Chapter 2, as amended, is hereby further amended by striking out Section 2-366 and replacing it with the following:--

Section 2-366. Meetings.

The Commission shall carry out the functions and duties prescribed for it in Section 2-367. The Commission shall hold regular meetings not less than once per month at a fixed time and place determined by the Commission. Meetings of the Commission shall also be held at such times as may be voted by the Commission, or as may be called by the Mayor or the Chairman of the Commission. Three members of the Commission shall constitute a quorum and the affirmative vote of at least three members shall be required to pass any motion or measure. Notices of meetings shall in all cases be made in accordance with the General Laws of Massachusetts. Notices of meetings shall also be issued to the Mayor, Commission members, members of the Municipal Council, the chief of the fire department, and the commissioner of public works, but the failure to provide such notices, or any errors contained therein, shall not serve to prohibit or prevent the Commission from meeting or transacting business, so long as the notice of the meeting and the posting of such notice otherwise complies with the General Laws of Massachusetts. Any elected official or department head of the city may attend Commission meetings and present their views, and the Commission shall entertain such other public input as it deems appropriate, but only members of the Commission shall be entitled to vote.

SECTION 3. Upon the effective date of this ordinance, the initial three members of the Taunton Parking Commission to be appointed by the Mayor under Section 2-364 shall be appointed as follows: one member for a term of one year, one member for a term of two years, and one member for a term of three years. Thereafter, all further appointments shall be for a term of three years.

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

NEW BUSINESS

Respectfully submitted,

A handwritten signature in black ink that reads "Rose Marie Blackwell". The signature is written in a cursive, flowing style.

**Rose Marie Blackwell
City Clerk**



CITY OF TAUNTON
MASSACHUSETTS

TREASURY DEPARTMENT

BARBARA A. AUGER, CMMT
TREASURER/COLLECTOR

15 Summer Street
Taunton, MA 02780

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

October 2, 2014

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

RE: Request to Transfer Funds

Dear Mayor Hoyer and Members of the Municipal Council;

The FY2015 budget submitted for department 145 – Treasurer Collector included an appropriation for \$5,000 for capital equipment. To purchase the Inserter/Folder from the State Bid List, the price is listed as \$5,655, slightly higher than the budget.

I met with Gill Enos, Budget Director, who recommended that I submit a request to transfer \$655.00 from Data Processing Services account 01-145-5200-5308 to Equipment Capital Outlay account 01-145-5300-5870. I respectfully request approval of this transfer.

Respectfully Submitted,

Barbara A Auger
Treasurer Collector

CC: Gill Enos



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 1, 2014

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

**RE: Attorney General vs. Estate of Mary Nason et al.
Southeast Housing Court, Docket No. 14H83CV0066TA**

Receivership of 60 Staples Street, East Taunton, MA

Dear Mayor Hoye and Members of the Municipal Council:

At the request of my office, the Attorney General's Office commenced receivership proceedings with respect to an abandoned house located at 60 Staples Street in East Taunton. Pro-Home, Inc. of Taunton will serve as the receiver. Attached is the court order which was approved on September 30, 2014.

It is my hope and expectation that these receivership proceedings will result in rehabilitating this blighted property, as has been the case in other receivership proceedings. I wish to thank the Attorney General and her staff for always being willing to assist the City of Taunton through the AG's Abandoned Housing Initiative.

If any councilors or members of the public are aware of other properties that may be blighted and in need of receivership, please pass along these property addresses to my office. Not all properties will be suitable for the receivership process, but my office will be happy to assess each property so referred in consultation with the Attorney General's office. Thank you.

Very truly yours,

Jason D. Buffington, Esq.
City Solicitor

HOUSING COURT DEPARTMENT
SOUTHEASTERN DIVISION
A TRUE COPY
ATTEST *[Signature]* CLERK
DATE 9/30/14

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.

TRIAL COURT
HOUSING COURT DEPARTMENT
SOUTHEAST DIVISION
CIVIL ACTION NO: 14H83CV0066TA

ATTORNEY GENERAL for the
COMMONWEALTH OF MASSACHUSETTS
Petitioner,

v.

MARY NASON HER ESTATE, SUCCESSORS
OR ASSIGNS IF ANY as owner or owners of the
property located at 60 Staple Street, Taunton,
Massachusetts; JPMORGAN CHASE BANK
N.A. as a mortgagee and party with an interest
in the property located at 60 Staple Street,
Taunton, Massachusetts; ENCORE CREDIT
CORPORATION as a mortgagee and party with
an interest in the property located at 60 Staple
Street, Taunton, Massachusetts; CAVALRY
INVESTMENT LLC; PORTFOLIO
RECOVERY ASSOCIATES; NCO
PORTFOLIO MANAGEMENT, AS ASSIGNEE
FOR FORD MOTOR CREDIT COMPANY;
MIDLAND FUNDING LLC, AS ASSIGNEE
FOR BENEFICIAL; and CRAPO-
HATHAWAY FUNERAL SERVICES, INC. as
judgment creditors and parties with an interest
in the property located at 60 Staple Street,
Taunton, Massachusetts;

Respondents.

**PROPOSED ORDER ON THE PETITION TO ENFORCE THE STATE SANITARY
CODE AND FOR APPOINTMENT OF A RECEIVER**

1. **Introduction:** Pursuant to G.L. c. 111 §127I and the general equity powers of this Court, following a hearing on **September 30, 2014**, with respect to the violations of sanitary code at the Property located at **60 Staple Street, Taunton, MA** ("60 Staple" or "the Property"), the Court finds that unless a receiver is appointed these violations will not be promptly remedied and that such appointment is in the best interest of the Property and the public.

2. **Parties:** The petitioner in this action, the Attorney General for the Commonwealth of Massachusetts is a public official under the constitution and laws of the Commonwealth of Massachusetts. The respondents are (a) the Estate of Mary Nason, who is the record title holder of the property; (b) JPMorgan Chase Bank N.A. ("Chase") which has a mortgage interest in the property; (c) Encore Credit Corporation ("Encore") which has a mortgage interest in the property; (d) Cavalry Investment, LLC ("Cavalry") which has a lien on the Property; (e) Portfolio Recovery Associates, LLC ("PRA") which has a lien on the Property; (f) NCO Portfolio Management, ("NCO") as assignee for Ford Motor Credit Company, which has a lien on the Property; (g) Midland Funding, LLC ("Midland"), as assignee for Beneficial, which has a lien on the Property; and (h) Crapo-Hathaway Funeral Services, Inc. ("Crapo-Hathaway") which has a lien on the Property.

3. **Procedural Posture:** The Property is an abandoned and unsecured, single family dwelling which fails to meet the minimum standards of decency for human habitation. By letters sent to respondents, the below-referenced violations were brought to the attention of respondents who were also notified of the petitioner's intention to seek enforcement of the State Sanitary Code ("Code") and that she may petition the Court for appointment of a receiver. To date respondents have failed to undertake or are not capable of undertaking the repairs required to bring the property into compliance with the Building and State Sanitary Codes.

On August 12, 2014, petitioner filed this action, seeking the enforcement of the Code and the appointment of Pro-Home, Inc. as receiver of the Property.

The Attorney General provided notice of the September 30, 2014 hearing on her Petition to Enforce the State Sanitary Code and for Appointment of A Receiver to the respondents as follows:

Mary Nason, her Estate, Successors or Assigns if any: On **September 3, 2014** the petitioner posted the petition at the Property and published notice of the hearing in the Taunton Daily Gazette. Additionally, on **September 8, 2014**, the petitioner served the petition upon Mary Nason's son Richard Nason pursuant to Mass. R. Civ. P. 4(d)(1).

JPMorgan Chase Bank N.A.: On **September 4, 2014**, the petitioner served the petition upon this respondent's registered agent, CT Corporations Systems, 155 Federal Street, Suite 700, Boston, Massachusetts 02110 pursuant to Mass. R. Civ. P. 4(d)(2).

Portfolio Recovery Associates, LLC: On **September 5, 2014**, the petitioner served the petition upon this respondent's attorney Kenneth C. Wilson, Esquire, Lustig, Glaser & Wilson, P.C., 245 Winter St, Waltham, MA 02451 pursuant to Mass. R. Civ. P. 4(d)(2).

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NCO Portfolio Management, as assignee for Ford Motor Credit Company: On **September 5, 2014**, the petitioner served the petition upon this respondent's attorney Gary H. Kreppel, Esquire, 1661 Worcester Road, Suite 401, Framingham, Massachusetts 01701 pursuant to Mass. R. Civ. P. 4(d)(2).

Crapo-Hathaway Funeral Services, Inc.: On **September 5, 2014**, the petitioner served the petition upon this respondent's attorney Clement Brown, Esquire, Horvitz & Brihante 321 North Main Street, Fall River Massachusetts 02722 pursuant to Mass. R. Civ. P. 4(d)(2).

Despite diligent efforts by the Attorney General, the following respondents were not served. Leave was granted to attempt service for next Court hearing date scheduled for Oct. 28, 2014 at 2 PM.

Encore Credit Corporation: The petitioner attempted provided notice of the hearing on the petition to this respondent via certified mail, return receipt request as well as first class mail. The Attorney General reported that the parcels were returned to the Attorney General's Office as undeliverable. The Court allowed the Attorney General to notify this respondent by publication.

Cavalry Investment, LLC: The Attorney General reported that attempts to serve the respondent were made on September 5, 2014, the petitioner served the petition upon this respondent's attorney pursuant to Mass. R. Civ. P. 4(d)(2) but the attorney listed on the lien no longer represented this respondent.

Midland Funding, LLC, as assignee for Beneficial: The Attorney General reported that attempts to serve the respondent were made on September 8, 2014, the petitioner served the petition upon this respondent's attorney pursuant to Mass. R. Civ. P. 4(d)(2) but the attorney listed on the lien had been disbarred.

On September 30, 2014, following a hearing on the merits, the Court granted the petition which included the petitioner's request to appoint the Pro-Home, Inc. ("Pro-Home") as receiver of the property.

4. **Description and Condition of the Premises:** The Property is an unoccupied single family dwelling. It has numerous long standing Code violations which pose a serious risk to the health, safety and wellbeing of abutters and residents of the community. The defective conditions in the Property which have recently existed and/or continue to exist, include but are not limited to: lack of heat, water, sanitary facilities or other utilities; as well as the presence of trash and debris. The property has also been used for illegal activities.

The present abandoned state of the Property creates a high risk of vandalism, trespass, fire damage and personal injury to abutters and residents of the community. As the Property continues to deteriorate and create greater risks to the general public, there is

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also a significant risk that it will be destroyed beyond repair without the intervention of this Court.

THEREFORE, following a hearing held on September 30, 2014, the Court hereby orders as follows:

5. **Receiver:** Pro-Home, Inc., 40 Summer Street, Taunton, MA 02780 is hereby appointed Receiver of the Property ("Receiver"). This appointment is effective upon the signing of this Order, and will last 240 days, subject to extensions granted by the Court upon a showing of good cause by the Receiver or other party with an interest in these proceedings.

6. **Authority and Duties of Receiver:** The authority and duties of the Receiver shall be as follows:
 - a) Promptly repair the Property and maintain it in a safe and healthful condition.
 - b) Employ companies, persons, or agents to perform its duties hereunder.
 - c) Deposit all amounts received on account of the Property into a separate account under the control of the Receiver.
 - d) Disburse funds received by the Receiver on account of the Property as follows, in the following order of priority:
 - i. First, to reimburse the Receiver for its actual out-of-pocket expenses incurred in its capacity as Receiver, including without limitation its reasonable legal fees, its allocable overhead and labor costs, its cost of incorporation, its costs of negotiation of the terms of this receivership, and costs of liability;
 - ii. Then, to make repairs to conditions which violate the State Sanitary, fire safety, electrical, and building codes or ordinances;
 - iii. Next, to make payments, to the extent possible, towards any unpaid taxes, assessments, penalties, or interest;
 - iv. Finally, to make payments, to the extent possible, to any payments due any mortgagee or lien holder of record.
 - e) The Receiver shall file with the Court and serve upon all parties within 60 days of the effective date of this Receivership a detailed line-item budget for the necessary repairs, which shall be based upon the Receiver's full inspection of the Property.
 - f) The Receiver shall file with the Court and serve upon all parties within sixty 60 days of the effective date of this Receivership, a report setting forth all expenses and disbursements of the Receivership, with attached receipts, and an accounting of all funds received by the Receiver during the period covered by such report.
 - g) After the filing of the initial report described in subsection (f), the Receiver shall file with the Court and serve upon all parties every eight weeks thereafter, an updated report setting forth all expenses and disbursements of the Receivership, with attached receipts, and an accounting of all such receipts. If the Property becomes occupied in the future, the report shall also include a list of all tenants residing at the Property, together with a list of current rental amounts and the status rental payments to date. The Receiver shall serve upon the respondent(s), in a timely manner and to an address provided by the respondent(s) appearing in Court, copies of all reports, notices, and

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other documents which are required of the Receiver under the terms of this Order. If the respondent(s) fail(s) to appear or otherwise fail to provide an address for service, then the Receiver shall be obliged only to file that report with the Court.

- h) The Receiver may rent the vacant Property when it is in current compliance with the State Sanitary Code. Policies regarding the first month's rent, last month's rent, and security deposit for new tenancies shall be left to the discretion of the Receiver.
- i) Should the Property become occupied, the Receiver may collect and receive all rental revenues due from tenants or occupants of the Property as an agent of the Court on or after the first rental period following the effective date of this Order. It shall be the responsibility of the Receiver under this paragraph to account for all receipts according to the standards set forth in subparagraph 6(f).

7. **Bond**: The Receiver shall not be required to furnish bond or surety, but shall provide proof of suitable liability insurance to be approved by the Court.

8. **Claims against Receiver**: Except as provided in Paragraph 9 of this Order, any residents or occupants of the Property, whether past or future, may not seek money damages from any funds administered by the Receiver. All residents or occupants of the Property retain any and all rights under statutes or common law to proceed against the respondent(s), or any other appropriate party, other than the Receiver, and/or their agents or employees for money or other damages for claims arising out of the occupancy of the Property, including any damages that may be incurred or claims that may arise while the Property is under the receivership, to the extent provided by law.

9. **Liability and Agency**: As set forth in G.L. c. 111 §127I, liability of the Receiver shall be limited to the assets and income of the receivership, including proceeds of insurance purchased by the Receiver in capacity as receiver. The Receiver shall in no instance be personally liable for actions or inactions within the scope of the Receiver's capacity as receiver. No suit shall be brought against the Receiver except as approved by the Court.

10. **Right to Resign**: The Receiver shall have the right to resign at any time by giving seven days written notice to the Court and to the parties. The Receiver's notice of resignation shall include an accounting of all funds received and disbursed during its term as Receiver and, if the Property is occupied, a copy of any rent roll and rental history the Receiver has compiled. Such resignation shall be effective on the date specified in such notice, provided that the Court may require the Receiver to take such actions after the date specified if the Court determines that such actions are required to protect the health or safety of any occupants and that the Receiver has the capacity to perform such functions consistent with the terms of this Order. Unless otherwise ordered, on the effective date of such resignation, the Receiver shall assign any and all amounts received pursuant to the receivership to the Court or to a successor receiver.

11. **Priority Liens and Mortgages:** As set forth in G.L. c. 111 §127I, the Receiver shall have a lien, effective when recorded in the registry for which the Property is located, with priority over all other liens or mortgages except municipal liens, to secure payment of any costs incurred and repayment of any loans for repairs, operation, maintenance or management of the Property. The Receiver's lien may be assigned to lenders for the purpose of securing loans for repair, operation, maintenance, or management of the Property.

12. **Notice to Creditors:** The petitioner shall send a copy of this Order to all mortgages and lien holders of record, if any, a list of which is to be provided to the petitioner by the respondent(s).

13. **Sale of the Property:** The Property shall not be sold, encumbered, or placed under contract for sale without the prior leave of the Court.

14. **Duties of the Respondent(s):** Within 48 hours of the signing of this Order, the respondent(s) shall transfer to the Receiver the right to obtain all keys to the apartments and common areas of the premises and its rent roll for all apartments at the Property. The respondent(s) shall provide the Receiver with reasonable advance notice prior to entering any part of the Property. Within seven days of the signing of this Order, the respondent(s) shall provide to the Receiver copies of all documents necessary to manage and maintain the property and shall provide the following information:

- a) Mortgages and Liens: the name and address of all mortgages and lien holders of record; the amount of the liens or mortgages.
- b) Insurance: the name, address, and telephone number of all insurance companies and their agents providing insurance coverage for the Property; the amount and type of coverage; the amount and due dates of premiums.
- c) Utilities: the amount of the most recent water, sewer, gas, and electric bills; the amount of any outstanding balance; and the dates and amounts of the last payment.
- d) Real Estate Tax: the amount of the most recent real estate tax bill; the amount of any outstanding balance; the date and amount of the last payment.
- e) Contracts: copies of all warranties for prior work done, service contracts for ongoing maintenance (e.g., for extermination) and all contracts or bids for repairs.
- f) Other: all information relevant to any outstanding expenses relating to the Property.

15. **Further Court Order:** The petitioner, the respondent(s), the Receiver, and other interested parties shall have the right to request from the Court, by motion and with advance notice, further orders consistent with G.L. c. 111 §127I, common law, or the terms of this Order. In the event of emergencies, service of motions to parties on this action by facsimile transmission shall be acceptable.

16. **Review by Court:** The foregoing Order shall remain in effect for 240 days. The Receiver and all other affected parties shall report on the Receiver's progress to the Court on 10/28/14 at 2 clock ~~a.m.~~/p.m.

17. **Effective Date:** This Receivership shall take effect on Sept. 30, 2014.

So entered on this Sept 30, 2014.

Anne R. Chaplin
First Justice



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 1, 2014

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

RE: Request to Meet in Executive Session

Dear Mayor Hoye and Members of the Municipal Council:

Pursuant to G.L. c. 30A, § 21(a)(3), I respectfully request to meet with you in executive session at the October 7, 2014 Municipal Council meeting. The purpose of the executive session is to meet to discuss strategy with respect to litigation undertaken or to be undertaken. It is the opinion of this office that an open meeting on this topic may have a detrimental effect on the litigating position of the City.

Very truly yours,

Jason D. Buffington, Esq.
City Solicitor



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 1, 2014

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

**RE: Raymond Oberg v. City of Taunton et al.
United States District Court, Docket No. 1:12-CV-10264**

Dear Mayor Hoye and Members of the Municipal Council:

As you will recall, the former police chief filed this lawsuit against the City, members of the City Council, former police officer Joshua Acerra and others in 2012. The lawsuit, which sought significant monetary damages, contained numerous counts in the complaint, including alleged civil rights violations, civil conspiracy, breach of contract, infliction of emotional distress, intentional interference with contractual relations, defamation, and other claims.

By Order of the Court dated September 25, 2013, Judge Tauro dismissed a large number of those claims over the Plaintiff's objection. The surviving counts of the Complaint then went forward toward the discovery process.

Please be advised that all remaining counts of the complaint have now been dismissed with prejudice, and without any right of appeal. This means that the case is now over and the Plaintiff will take nothing.

Very truly yours,

Jason D. Buffington, Esq.
City Solicitor

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Eric & Linda Andrade
565 North Street
Somerset, MA 02726
(508) 674-2824
lindafromcourt@comcast.net

September 30, 2014

Attn: Rose Marie Blackwell, City Clerk
Council Committee members
Temporary City Hall
141 Oak Street
Taunton, MA 02780

Dear members of the City Council,

This letter serves as formal petition to the members of the City Council to request permission to install a sewer extension for the properties located at 115 Summer Street, Taunton, MA owned by Linda M. Andrade/Eric R. Andrade and 113 Summer Street, Taunton, MA owned by Linda M. Andrade (f/k/a Linda M. Corr, as written on deed).

The property of 115 Summer Street's septic has failed and to construct a new septic system for said property would likely result in failing within a few years of construction due to poor soil conditions as tested and reported by an engineer by percolation test.

The property of 113 Summer Street septic is on the verge of failing or has already failed as similar issues have occurred at said property and its soil is not conducive for septic construction either.

Although we recognize the cost is extreme for us to install the extension, it appears to be the best solution for the both the property owners' (us) and for the City of Taunton.

The sewer extension has been designed by Pro-Line engineering and submitted to DPW on this date. It should be noted that the plans were reviewed on a preliminary basis by Aniceto Teves.

Therefore, we, Eric Andrade and Linda Andrade, the property owners' for the above mentioned properties, request permission by the members of the Taunton City Council to allow the installation of a sewer extension in accordance to the City's requirements and forward this petition to the DPW committee.

Sincerely,

  9-30-14
Eric R. Andrade Linda M. Andrade



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@tmtp.net

Rose Marie Blackwell
City Clerk

Jennifer L. Leger
Assistant City Clerk

October 1, 2014

Mayor Thomas C. Hoye, Jr.
and Members of the Municipal Council
City Hall

Dear Mayor Hoye and Councilors:

I respectfully request an additional \$2,500.00 be placed in my Overtime Account (01-161-5100-5130). I am requesting these funds to ensure my office is able to effectively complete all preparations, election-day requirements, and post-election day requirements necessary to run the State Election on November 4, 2014. The overtime monies used to pay my clerical staff during elections are paid out of the City Clerk budget, not the Registrar of Voters budget.

I have spent approximately \$2,800.00 of my \$4,500 budgeted overtime monies for the September Primary, leaving a balance of \$1,700. I expect to expend around \$4,200.00 in overtime to prepare and complete all necessary election requirements, including post-election activities, for the November State Election as that election will be a much larger scale election.

An additional \$2,500.00 would bring my Overtime Account balance to \$4,200.00, allowing me to ensure a smooth voting day for every registered voter in Taunton.

Thank you in advance for your support.

Sincerely,
RM Blackwell
Rose Marie Blackwell
City Clerk

Dave Littlefield
192 Erin Rd
East Taunton, MA 02718

October 1, 2014

Taunton City Council

Dear Honorable Councilors of the City of Taunton,

I would like to invite you to a public informational meeting at the Holy Family Parish Center, Middleboro Ave, East Taunton, on October 9th at 7 pm. This will be a quick 1 hour informational meeting which will include a review of the tribe's Land In Trust application for the proposed casino site in East Taunton. Agenda is enclosed.

The Council's full attendance should not violate Massachusetts Open Meeting Law according to the definition of a "Meeting" in that law which reads as follows:

M.G.L c. 30A §§ 18 (Definitions)

"Meeting", a deliberation by a public body with respect to any matter within the body's jurisdiction; provided, however, "meeting" shall not include:

- (a) an on-site inspection of a project or program, so long as the members do not deliberate;*
- (b) attendance by a quorum of a public body at a public or private gathering, including a conference or training program or a media, social or other event, so long as the members do not deliberate;*
- (c) attendance by a quorum of a public body at a meeting of another public body that has complied with the notice requirements of the open meeting law, so long as the visiting members communicate only by open participation in the meeting on those matters under discussion by the host body and do not deliberate;*
- (d) a meeting of a quasi-judicial board or commission held for the sole purpose of making a decision required in an adjudicatory proceeding brought before it; or*
- (e) a session of a town meeting convened under section 9 of chapter 39 which would include the attendance by a quorum of a public body at any such session.*

As there will be no deliberation by any city council member (or any other attendees of the meeting), attendance should be within the confines of the law.

We hope to see you on October 9th.

Best Regards,

David Littlefield
DAVID LITTLEFIELD

Community Meeting Agenda

Thursday, October 9th

7:00 pm to 8:00 pm

Each segment will last 20 mins for a quick informational meeting.

1) Repeal the Deal

Information about the effort; how it benefits East Taunton and what you can do to help.

2) LIT for all to see!

A quick review of documents in the tribe's Land in Trust application

3) Q & A

This is an open forum for all members of the community. Advocates from both sides of the casino issue are invited to ask questions and we encourage all to be respectful regardless of your position on the issue.



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 2, 2014

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

RE: Necessity of Ordinance to Effectuate Prior Budgetary Decision of Municipal Council

Dear Mayor Hoye and Members of the Municipal Council:

As part of the Fiscal Year 2015 municipal budget process, the Municipal Council debated and approved an adjustment to the base salary for the position of Mayor to take effect on January 1, 2015. Research indicates that the last ordinance adjusting the base salary was passed on February 22, 2005.

In order to legally implement the decision that the Council has already made during the budget process, it is necessary to adopt an ordinance. I have enclosed herewith such an ordinance, which is in proper form for a first reading. Kindly contact me with any questions that you may have.

Very truly yours,

Jason D. Buffington, Esq.
City Solicitor



CITY OF TAUNTON

In the year two thousand and thirteen

AN ORDINANCE

Chapter 2 - Administration

Article IV – Personnel

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

SECTION 1. Article IV of Chapter 2 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended by inserting after Section 2.-180.1 the following section:--

Section 2-180.2. Salary of Mayor.

The base salary for the Mayor of the City of Taunton shall be \$110,000.00 per year.

SECTION 2. All ordinances or parts thereof inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall become effective on January 1, 2015.

City of Taunton

Presented to the Mayor and Approved:

In Municipal Council

First Reading:

Thomas C. Hoye, Mayor

Second Reading:

Passed to be Ordained:

Approved as to Form and Character:

Rose Marie Blackwell, City Clerk

Jason D. Buffington, City Solicitor

18.

CITY OF TAUNTON

MASSACHUSETTS

WAYNE E. WALKDEN,
MCPPO, CBO
SUPERINTENDENT OF
BUILDINGS

DEPARTMENT OF PUBLIC BUILDINGS



TEMPORARY
GOVERNMENT OFFICES
141 Oak Street
TAUNTON, MA 02780-3464
(508) 821-1015
FAX (508) 821-1019
Email: wwalkden@taunton-ma.gov

October 2, 2014

Honorable Mayor Thomas C. Hoye Jr.
Council President Andrew J. Marshall
And Members of the Municipal Council

Dear Mayor and Councilors:

At a regular meeting of the Municipal Council held on Tuesday, September 30, 2014, Councilor Croteau motioned that I provide a timeline as to when the microphone system in the Council Chambers will be complete.

Tom Pestana informed me that the remaining microphones set for replacement have been ordered and are expected in one-two weeks. As soon as the equipment is received the work will be scheduled. We anticipate the work to take approximately one week as all of new microphones must be wired back to the control room. He will not be able to attach the devices to the existing wiring. The scheduled, annual testing of the fire alarm systems for two remaining public buildings must be concluded prior to the microphone installation work. We expect the new microphones to be installed well before Thanksgiving.

Finally, while seated at the table, it is important that speakers direct their voices to the microphones and speak clearly and distinctly, especially when facing forward, away from the Council and audience. Although the acoustics of the City Hall Building accommodated a similar layout for Council seating and the table, the Maxham Auditorium is much larger and was never acoustically designed for its current use. We hope to see some improvement with the new microphones.

Regards,

Wayne E. Walkden

Wayne E. Walkden
Superintendent of Buildings

19.

City of Taunton Office of the Mayor

Thomas C. Hoye, Jr.
Mayor

Alyssa Gracia
Chief of Staff

Gill E. Enos
Budget Director



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

October 2, 2014

Council President AJ Marshall
Members of the Municipal Council
141 Oak Street
Taunton, MA 02780

Dear Council President AJ Marshall,

As you are aware the City will be celebrating its 375th Anniversary with a parade on Saturday, October 18 at 11AM.

The 375th Anniversary parade route will begin at Hopewell Park and travel down Bradford Street, South on Route 138 Broadway until approaching the Green where it will turn Right onto 140 towards Court Street, continue on 140 past Post Office Square, bears left on 140 past El Mariachi, and then continues straight on Main Street until its conclusion at the Summer/Spring Street junction. I hereby request the streets in the parade route be blocked off during the parade.

The parade will end around noon, at which time a small procession will be lead from First Parish Church to the Old Colony Historical Society for the annual Taunton tradition of the historic flag raising. Immediately following the flag raising a Liberty and Union arts and history festival will take place from 12-4PM. The festival will include live entertainment, a petting zoo, crafts, face painting, pumpkin decorating, and more spread throughout the Old Colony Historical Society and First Parish Church grounds. I would request Church Green be shut down during the hours of 12PM-4PM to allow pedestrians to comfortable enjoy the festival.

Thank you for your consideration.

Sincerely,

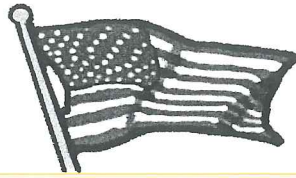
Thomas C. Hoye, Jr.
Mayor

October 2, 2014

Tenants of Taunton Woods
 840 County St Bldg A
 Taunton, Mass 02780

Dear members of the City Council,
 You are fortunate to have a city councilman John McCaul on your team, he is reliable and he cares about the people in the city. John responded to our calls immediately and without hesitation. John has been working with the tenants in building A for many hours, ensuring that our building problems are being addressed to Peabody properties. The problems are ongoing and continuing. John is still by our side, helping the tenants, despite his busy schedule. We have told councilman John McCaul how much we appreciate his expedient help with our building problems. We want to tell you as well. If it is appropriate to include this letter in his personnel file please do so.

Yours Truly
 The Tenants of Building A



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CITY CLERK'S OFFICE
2014 OCT -3 A 9:48

TAUNTON, MA

CITY CLERK

OCTOBER 7, 2014

HONORABLE THOMAS C. HOYE, JR., MAYOR
COUNCIL PRESIDENT ANDREW J. MARSHALL
AND MEMBERS OF THE MUNICIPAL COUNCIL

PLEASE NOTE: **THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR TUESDAY, OCTOBER 7, 2014 AT 5:30 P.M. AT THE TEMPORARY CITY HALL AT MAXHAM SCHOOL, 141 OAK STREET, TAUNTON, MA. 02780, IN THE CHESTER R. MARTIN MUNICIPAL COUNCIL CHAMBERS**

5:30 P.M.

THE COMMITTEE ON FINANCE & SALARIES

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

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

THE COMMITTEE ON POLICE AND LICENSE

1. MEET WITH THE POLICE CHIEF AND SAFETY OFFICER TO DISCUSS FINAL CONCEPT PLAN FOR LEDDY SCHOOL
2. MEET WITH THE SAFETY OFFICER TO DISCUSS CROWWALKS AND INTERSECTIONS AT MIDDLEBORO AVENUE AND HOME PLATE AND LIBERTY STREET AND MIDDLEBORO AVENUE
3. MEET WITH THE POLICE CHIEF TO DISCUSS AND REVIEW LICENSE FOR SOUTHERN REDIMIX ON BERKLEY STREET
4. MEET WITH THE POLICE CHIEF TO DISCUSS FORMALIZING THE PROCESS FOR SELECTION OF TOWING VENDORS FOR THE CITY OF TAUNTON POLICE DEPARTMENT
5. MEET TO REVIEW MATTERS IN FILE
6. PUBLIC INPUT

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

RESPECTFULLY,

COLLEEN M. ELLIS

CLERK OF COUNCIL COMMITTEES