



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

~
SEPTEMBER 29, 2015 – 7:00 PM

RECEIVED
CITY CLERK'S OFFICE

2015 SEP 25 A 11: 29

TAUNTON, MA

CITY CLERK

**INVOCATION
ROLL CALL
RECORDS**

HEARING: NONE

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1-2 Com. from Administrator, Taunton Nursing Home – Requesting a transfer of funds
- Pg. 3 Com. from Assistant to Board of Registrar of Voters – Submitting notice of retirement

COMMUNICATIONS FROM CITIZENS

- Pg. 4 Com. from Amy Kobza, Jack Conway Real Estate, 10 Main St., Lakeville – Inquiring if the City would like to purchase property

PETITIONS

Second Hand Article

Petition submitted by Keisha M. Auguste, 242 Weir St., Taunton requesting a **RENEWAL** of her Second Hand Article License for KBT (Previously known as Beauty Party & A Closet) located at 24 Weir St., Taunton.

Special Permit

Petition submitted for a Special Permit submitted by Attorney David Gay, Gay & Gay PC., 73 Washington St., PO Box 988, Taunton on behalf of his clients, Sally A. Koss and Stephen Koss, Trustee, 630 Park St., Stoughton for a 36 unit multi-family residential development on Dean Street (parcels 55-756 and 55-757) located in the Urban Residential District. **(Public Hearing Required)**

COMMITTEE REPORTS

UNFINISHED BUSINESS

ORDERS, ORDINANCES AND RESOLUTIONS

An ordinance for a third reading to be ordained on a roll call vote

**Chapter 14
Offenses and Miscellaneous Provisions**

Article I

IN GENERAL

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

SECTION 1. Chapter 14, of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended by creating the following section:

Sec. 14-26 Nuisance Properties because of documented criminal activity

I. PURPOSE

The purpose of this ordinance is to empower the City to police properties that have become a public nuisance so elevated as to endanger the common good and general welfare of a neighborhood or the City as a whole.

This ordinance is intended to provide a process to remedy nuisance properties. This ordinance is intended to afford relief from nuisance properties to neighboring property owners, landlords, tenants and the community as a whole. This ordinance does not provide an exclusive remedy and may be used in conjunction with any other ordinance, regulation or law. This ordinance does not replace, revise or amend any other existing ordinance.

II. DEFINITIONS

A. Nuisance Property because of documented criminal activity:

A property to which police have come more than four times in any twelve-month period resulting in a documented charge of criminal activity. A property may be deemed a nuisance property if it is reasonably determined by the Chief of Police to be a cause of criminal activity on or in the immediate area of the property. No incident shall be counted toward the incident limit if the Chief of Police reasonably determines that doing so would discourage crime reporting, provide a disincentive for a crime victim to call police, or, for any other reason not inconsistent with the purpose of this ordinance.

B. Documented charge of criminal activity

Activity documented in a police report that has resulted in either an arrest based upon probable cause or an application for a criminal complaint by a police officer, for a violation of the General Laws related to firearms, illegal drug use and other Chapter 94C violations, prostitution, trespassing, disorderly conduct, disturbing the peace or loitering.

C. Responsible Person:

1. The owner of the property as reflected in the records of the City Assessor or the records of the Northern Bristol County Register of Deeds; or,
2. For any property which is the subject of a foreclosure proceeding, the mortgagee.

D. Chief of Police:

The Chief of Police or Chief's designee.

E. Reasonable efforts to abate criminal activity

The effort that a reasonable person in the position of the Responsible Person would take to abate the criminal activity on the property. The exercise of a standard of care that a reasonably prudent person would exercise in a similar situation.

III. VIOLATION

The Responsible Person associated with a Nuisance Property because of documented criminal activity is in violation of this ordinance. This Ordinance shall not apply to the Commonwealth of Massachusetts or any of its political subdivisions.

IV. ENFORCEMENT

The Enforcement Officer for this ordinance shall be the Chief of Police.

The Chief of Police shall determine which properties are Nuisance Properties because of documented criminal activity. Upon such a determination the Chief shall issue a written notice to the Responsible Person at the owner's address as reflected in the records of the City Assessor. The notice shall sufficiently identify the property and the criminal activity giving rise to the Nuisance Property determination and include a copy of the police reports for each instance of criminal activity that serves as the basis for the determination.

The notice may contain a plan to abate the criminal activity at the property, and, the notice may contain a request that the Responsible Person contact the Chief to discuss a plan to abate the criminal related activity. By way of illustration and not limitation, a plan may include the installation of lighting, the installation of fencing, the installation of "no trespassing" signs, the installation of "no loitering

signs”, lawful eviction of tenants through G.L. c. 139 section 19 or other lawful means. The plan must be reasonable in cost and scope taking into account the nature and use of the property and the nature and type of the criminal related activity. The notice shall contain a warning that fines may be assessed against the Responsible Person in the absence of reasonable efforts to abate the criminal activity.

If, after the written notice, the Responsible Person has not made reasonable efforts to abate the criminal activity, the Chief may issue a citation and assess fines in the following amounts:

| | |
|--|----------|
| First violation: (5 th incident) | \$100.00 |
| Second violation: (6 th incident) | \$200.00 |
| Third and each subsequent violation: (etc.) | \$300.00 |

The fifth incident of a documented charge of criminal activity as defined above shall be the first violation, the sixth incident shall be the second violation, and so on. Said fines shall constitute local charges for the purposes of General Laws chapter 40 section 58.

V. APPEAL

Any person aggrieved by a determination that the person is a Responsible Person; by a determination that a property is a nuisance property hereunder; or, by the receipt of a citation, may appeal, in writing, to the Committee on Police and License of the Municipal Council. The decision of the Committee shall be the final decision of the City of Taunton. Any person aggrieved by the imposition of a fine may appeal in accordance with the provisions of General Laws chapter 40 section 21D.

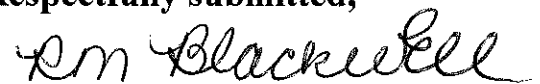
VI. SEVERABILITY

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance shall remain in effect.

SECTION 2. All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage.

NEW BUSINESS

Respectfully submitted,



**Rose Marie Blackwell
City Clerk**



Taunton Nursing Home

350 Norton Avenue • Taunton, Massachusetts 02780
Tel. (508) 822-1132 • Fax (508) 880-8663

September 16, 2015

Honorable Mayor Hoye
Members of the Municipal Council
141 Oak St.
Taunton, MA 02780

Dear Mayor Hoye and City Councilors:

I am requesting permission to transfer a total of \$550.00 from Miscellaneous Expenses into Photocopiers to purchase current Copy machine

\$550.00 from Account # 64-520-5200-5599 to account # 64-520-5200-5281 (Copiers)

If you have any questions, please do not hesitate to contact me.


John A. Brennan
Administrator

drd

COUNCIL ORDER TRANSFER REQUEST

DATE: 9/16/2015

DEPARTMENT REQUESTING Taunton Nursing Home

AMOUNT REQUESTING: \$550.00

REASON FOR REQUEST: Money needed to purchase Copy machine

Please list below the account number/name for the requested transfer.

If requesting monies from AVAILABLE FUNDS check here: X

TRANSFER FROM: 64 - 520 - 5200 - 5599
NAME: Supplies-Other Miscellaneous
BEGINNING BALANCE: _____
AMOUNT: \$550.00
BALANCE REMAINING: _____

TRANSFER TO: 64 - 520 - 5200 - 5281
NAME: Photocopiers Rentals
BEGINNING BALANCE: _____
AMOUNT: \$550.00
NEW BALANCE: _____

TRANSFER FROM: _____
NAME: _____
BEGINNING BALANCE: \$0.00
AMOUNT: \$600.00
BALANCE REMAINING: \$0.00

TRANSFER TO: _____
NAME: _____
BEGINNING BALANCE: \$0.00
AMOUNT: _____
NEW BALANCE: \$0.00

DEPARTMENT HEAD SIGNATURE: _____
TITLE: _____

TO BE COMPLETED BY CLERK OF COUNCIL COMMITTEE:

DATE REFERRED TO COMMITTEE ON FINANCE & SALARIES: _____

THE ABOVE REQUEST IS HEREBY: APPROVED DENIED

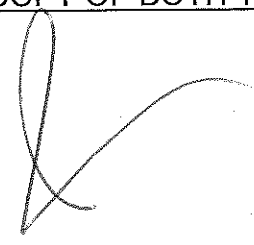
AVAILABLE FUNDS TO BE USED (IF REQUESTED): _____

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

TEMPORARY CITY HALL
141 OAK STREET, ROOM 4
TAUNTON, MASSACHUSETTS 02780
(508) 821-1044 Phone
(508) 821-1202 Fax

3.

BOARD OF REGISTRARS OF VOTERS

BOARD MEMBERS

William J. Tranter, *Chairman*
Carol A. Welch
F. Roger Hoffmann
Elizabeth Pottier, *Clerk*

Asst. to Board of Registrar of Voters
Paula M. Bergevin

SEPTEMBER 23, 2015

HONORABLE MAYOR THOMAS C. HOYE
MEMBERS OF THE MUNICIPAL COUNCIL
TEMPORARY CITY HALL
141 OAK STREET
TAUNTON MA 02780

DEAR MAYOR HOYE AND COUNCILORS,

I WOULD LIKE TO INFORM YOU THAT I WILL BE RETIRING FROM THE REGISTRAR OF VOTERS OFFICE AS OF DECEMBER 31, 2015.

HAVING BEEN EMPLOYED BY THE CITY FOR 25 PLUS YEARS, I FEEL IT IS TIME TO RETIRE AND BEGIN A NEW CHAPTER IN MY LIFE. I AM VERY PROUD TO HAVE SERVED THE CITY OF TAUNTON AS THE ASSISTANT TO THE BOARD OF REGISTRAR OF VOTERS. THANK YOU ALL.

RESPECTFULLY,

PAULA M. BERGEVIN
ASST TO BOARD OF REGISTRAR OF VOTERS

CC: BOARDMEMBERS



Jack Conway & Company, Inc. Realtor®

Serving the real estate needs of Massachusetts

Dear Mayor Thomas Hoyer and Members of the Municipal Council,

My name is Amy Kobza and I work for Jack Conway Real Estate located in Lakeville, MA. I am writing to you on behalf of my Sellers Kerry Matton and Michelle Morris, to hopefully discuss the purchase of a piece of property that they own.

The property address is listed publicly as 0 William Hooke Lane in Taunton, 02780. The parcel is number 55-761. The property is located on the future site of the South Coast Rail Station. The Sellers have received paperwork stating that their parcel is one of the parcels what will be acquired once the project reaches that stage.

The sellers asked me to reach out to the abutters to see if there is any interest in buying the property now, to sell it as a whole to the South Coast Rail when they are ready to purchase. The GIS maps show that The City of Taunton owns Parcel 55-760, which is across William Hooke Lane and Parcel 56-12 which is on the other side of the rail road track.

This letter is to inquire if The City of Taunton may have an interest in purchasing the property. Please call me at 508-510-1466 to discuss this further.

We thank you for your consideration.

Sincerely,

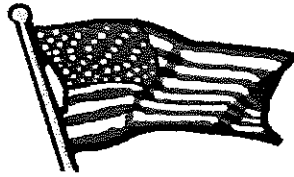
Amy Kobza
Jack Conway Real Estate
10 Main Street
Lakeville, Ma 02347
508-510-1466
akobza@jackconway.com



'CONWAY COUNTRY'™

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RECEIVED
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2015 SEP 25 A 9:54

TAUNTON, MA

CITY CLERK

SEPTEMBER 29, 2015

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

PLEASE NOTE: THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR TUESDAY, SEPTEMBER 29, 2015 AT 5:30 P.M. AT THE TEMPORARY CITY HALL AT MAXHAM SCHOOL, 141 OAK STREET, TAUNTON, MA. 02780, IN THE CHESTER R. MARTIN MUNICIPAL COUNCIL CHAMBERS

5:30 P.M.

THE COMMITTEE ON FINANCE & SALARIES

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

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

6:00 P.M.

THE COMMITTEE OF THE COUNCIL AS A WHOLE

1. MEET WITH THE BUILDING SUPERINTENDENT AND REPRESENTATIVES OF THE T.M.L.P. TO DISCUSS ENERGY SAVINGS PERFORMANCE CONTRACT FOR MUNICIPAL BUILDINGS
2. MEET TO REVIEW MATTERS IN FILE

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THE COMMITTEE ON PUBLIC PROPERTY

1. MEET TO DISCUSS OPTION D FOR CITY HALL
2. MEET TO REVIEW MATTERS IN FILE

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

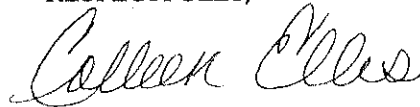
THE COMMITTEE ON POLICE AND LICENSE

1. MEET WITH THE CITY SOLICITOR AND LT. MCCABE TO DISCUSS
THE TOW CONTRACT
2. MEET TO REVIEW MATTERS IN FILE
3. PUBLIC INPUT

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THIS COMMITTEE MEETING**

RESPECTFULLY,



COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES