



AGENDA – JANUARY 4, 2011

INVOCATION ROLL CALL RECORDS

HEARING:

Petition of the following for renewal of Class III Motor Vehicle Licenses:

1. Arthur's Auto Junk Yard, 147 Fremont St.
 2. Automotive Recovery Services, Inc.-DBA-Insurance Auto Auctions, 580 Myricks St.
 3. Caramelo's Auto Body, Inc., 2 Porter St.
 4. Harry's Auto Wrecking, Whitsborough St.
 5. Reynold's Auto Wrecking, Inc, 733 So. Precinct St.
 6. Tony's Auto Wrecking, 303 Broadway
- Tax Statuses Paid In Full

HEARING:

On the petition submitted by James R. Dorsey, Jr., Trustee, P.O. Box 311, Taunton for the issuance of a Special Permit/Site Plan Review to allow a restaurant with entertainment/function room (function room – outdoor seating – entertainment – waiver of parking) at 64 Weir Street located in the Central Business District.

- Com. from Chairman, DIRB – Recommending approval with conditions
- Com. from Chairman, Taunton Planning Board – Submitting a positive recommendation

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

- Election of Municipal Council President
- Election of various City Officials

COMMUNICATIONS FROM CITY OFFICERS

Pg. 1-2 Com. from City Solicitor – Municipal lien for Nursing Home

Pg. 3 Com. from TMLP General Manager – Update on Unit 10

Pg. 4 Com. from Director, Human Services –Applying for Block Grant

Pg. 5 Com. from City Clerk – Two Permanent Full-time Firefighters

PETITIONS

Constable License

Constable application submitted by Ian Daley, 59 Linden Street, #302, Taunton requesting a NEW Constable License desiring to serve Civil Process.

COMMITTEE REPORTS

UNFINISHED BUSINESS

- **Executive Session** – Meet to discuss the Star Theater litigation and an update on Operation Cleanup
- Appointment of the City Treasurer/Collector Position

ORDERS, ORDINANCES AND ENROLLED BILLS

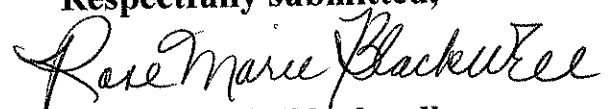
Order for a second reading to be ordained on a roll call vote

Ordered That,

There is hereby appropriated the sum of \$4,875,000.00 to pay additional costs of acquiring a portion of the premises described in deeds recorded in Book 4052, Page 105, Land Court Certificate of Title #9733 recorded at Bristol County Northern Registry of Deeds and being shown on a plan entitled “City of Taunton, Legal Department compiled Plan of Ward 1, Map 27, Plot 45 (D.I. Trust II), scale 1”=150”, dated May 24, 2002 by John A. Hanlon Co.” as previously approved by vote of this Council, including the payment of any and all costs incidental and related thereto; that to meet this appropriation, the Treasurer with the approval of the Mayor is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(3) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefore, and that the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.

NEW BUSINESS

Respectfully submitted,



**Rose Marie Blackwell
City Clerk**



HEARING
City of Taunton, Massachusetts
DEVELOPMENT IMPACT REVIEW BOARD

15 Summer Street
Taunton, Massachusetts 02780

Phone 508-821-1051, Fax 508-821-1043
www.ci.taunton.ma.us

November 10, 2010

Honorable Charles Crowley, Mayor
Members of the Municipal Council
15 Summer Street
Taunton, Ma 02780

Dear Mayor Crowley and Members of the Municipal Council,

On November 9, 2010 the Development Impact Review Board met to review the application of James Dorsey for a eating and drinking establishment with entertainment at 64 Weir Street, Taunton, Ma which requires a Special Permit/ Site Plan Review from the Municipal Council .

In considering the petition, the DIRB familiarized itself with the premises and examined the location, layout and other characteristics.

After reviewing the petition, plans and testimony, the DIRB finds that the petition was formally sufficient and submitted and reviewed in accordance with the procedures set forth in the Zoning Ordinance and that proper notice was given

The DIRB hereby recommends that any approval of this petition by the Municipal Council contain the following conditions;

Condition #1) That the plans dated August 9, 2010 shall govern with the following additional conditions;

Condition #2) A waiver of the required parking from the municipal Council is needed as part of any special permit approval. 141 spaces are required and 55 spaces are provided. Therefore a waiver of 86 spaces is needed under section 7.3.

Condition #2) Fire extinguishers shall be installed throughout all buildings according to code

Condition #3) A permit is required for all rubbish containers of 6 cubic yards or more in the aggregate

Condition #4) In building #1, unless approved otherwise by the Fire Department, the following is required;

- a. Fire suppression system must be installed throughout and connected to the fire alarm system
- b. Fire alarm system must be installed throughout and connected to a radio control master box for automatic notification to the fire department
- c. Fire suppression and fire alarm drawings must be submitted to the local fire department for approval before a building permit is signed by the fire department. Drawings must be stamped and signed by a mass fire protection engineer

Condition #5) The site shall be kept clean and clear of debris

Condition #6) A fire suppression system shall be installed above all kitchen cooking appliances in accordance with NFPA and CMR requirements. The system shall be connected to the Fire Alarm System.

Condition #7) A fire lane shall be required on the north and west side of Johnson Court. This must be posted and striped according to City Ordinance.

Condition #8) All Board of Health inspections and permits including a food plan and site layout approval shall be obtained

Condition #9) Dumpster shall be kept closed at all times and emptied regularly

Condition #10) That a triangular shaped landscaped island shall be added at the southerly end of building 2, abutting building 2 on the interior of the site.

Condition #11) No deliveries shall be permitted between 8:00 pm and 5:00 am

Condition #12) The materials of the drainage system shall be clarified

Condition #13) That the sediment separator shall be maintained and a 48 inch sump shall be provided

Condition #14) That an overall stormwater maintenance plan shall be filed with the City Planner and City Engineer as well as a copy of the Order of Conditions and the operation and maintenance plan required by Conservation Commission

Condition #15) No storage of materials shall be permitted within the 25 foot riverfront buffer except inside buildings

Condition #16) A final set of updated plans shall be filed with the City Planner's office.

Sincerely,


Kevin R Scanlon,
DIRB Chair AICP



Denise J. Paiva, Secretary

TAUNTON PLANNING BOARD

**City Hall
15 Summer Street
Taunton, Massachusetts 02780**

Phone 508-821-1051
Fax 508-821-1043

November 5, 2010

Honorable Mayor Charles Crowley and
Members of the Municipal Council
City Hall, 15 Summer Street
Taunton, MA 02780

C/O Rosemarie Blackwell, City Clerk

**RE: SPECIAL PERMIT – 64 WEIR STREET – RESTAURANT WITH
ENTERTAINMENT/FUNCTION ROOM.**

Dear Mayor Crowley and Members of the Municipal Council:

Please be advised that on November 4, 2010 the Taunton Planning Board reviewed the proposal to allow a restaurant with entertainment/function room at 64 Weir Street located in the Central Business District.

The Taunton Planning voted to forward a positive recommendation for this proposal.

Very truly yours,

Daniel P. Dermody, Chairman
TAUNTON PLANNING BOARD

DPD/djp

2011 Election of City Officials
for a Three-Year Term Expiring January 2014

City Assessor
City Auditor
City Clerk
Trustees of the Public Library
Board of Health

Barry Cooperstein
Ann Marie Hebert
Rose Marie Blackwell
Edgar A. Gay and Edward F. Aleixo
C. Nason Burden, M.D.

2011 Election of Fish Wardens
for a One-Year Term Expiring January 2012:

Joseph Ciaglo
James Buffington
Frederick Caiozza, Jr.
Dennis Furtado
Albert Silvia
Michael DaRosa

50 Whittenton Street
503 Burt Street
49 Davenport Street
51 Rosewood Drive
1347 Somerset Avenue
15 Middle Street



City of Taunton
LAW DEPARTMENT



15 Summer Street
Taunton, Massachusetts 02780
Phone 508-821-1036 Facsimile 508-821-1064
cotlawdept@tmlp.net

CHARLES CROWLEY
MAYOR

JANE E. ESTEY
CITY SOLICITOR

JORDAN H. F. FIORE
ASSISTANT CITY SOLICITOR

December 23, 2010

Mayor Charles Crowley
Members of the Municipal Council
15 Summer Street
Taunton, MA 02780

Dear Mayor Crowley and Councilors:

The Taunton Nursing Home is desirous of placing municipal liens on the property of patients or guarantors in order to secure payment of uninsured payments. State law requires that any class of lien be authorized by the Municipal Council before it is imposed. We do not have any record of an authorization by the council for liens on behalf of the nursing home, so we are attaching a proposed vote in order to authorize such liens now and in the future.

Thank you for your kind cooperation in this matter.

Very truly yours,

Jane E. Estey
City Solicitor

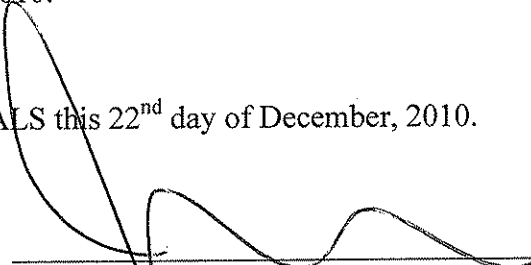
JEE/skb

Enc.

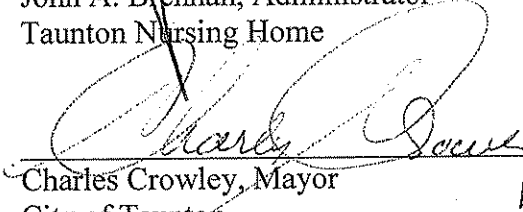
MUNICIPAL CHARGES LIEN PURSUANT TO M.G.L. C. 40, SECTION 58

The City of Taunton hereby imposes a Municipal Charges Lien pursuant to M.G.L. c. 40, Section 58, against the property at 75 Shores Street, Taunton, Bristol County, Massachusetts standing in the name of Cecelia J. Medeiros, in the amount of \$4,975.20 for non-payment of co-pays for services rendered by the Taunton Nursing Home for nursing services, care and treatment for the period from January, 2010 to June, 2010.

WITNESS OUR HANDS AND SEALS this 22nd day of December, 2010.



John A. Brennan, Administrator
Taunton Nursing Home




Charles Crowley, Mayor
City of Taunton

I hereby certify that at a regular and duly posted meeting of the Taunton Municipal Council on _____, a majority of the council voted to allow the imposition of municipal liens for non-payment of co-pays for services rendered by the Taunton Nursing Home for nursing services, care and treatment and specifically to permit the foregoing lien to be placed upon 75 Shores Street, Taunton, Massachusetts.

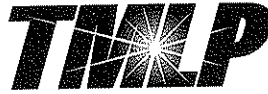
Attest:

Rose Marie Blackwell, City Clerk

Approved as to form and character:



Jane E. Estey, City Solicitor



Serving a Public Power Community

3.

Honorable Mayor Charles Crowley
Distinguished members of the City Council
Taunton, MA

December 29, 2010

Dear Mayor Crowley and Council Members,

I am writing to inform you that TMLP's efforts on Unit 10 have been temporarily placed on hold. Economic conditions and resulting impacts on load, capacity and natural gas prices have reduced the need for and benefits of additional generation at this time.

TMLP strongly believes that when market conditions change, a high-efficiency generating unit will still be beneficial to have in our future power portfolio. We will continue to monitor the market closely and will be poised to move forward when it's warranted. Cleary-Flood Generating Station has great attributes for a future unit including a high-skilled workforce, an existing natural gas supply, transmission and cooling water access. TMLP continually evaluates power portfolio options and we will remain focused on our efforts to improve the efficiencies with our Units 8 & 9.

If you have any questions or would like to discuss this issue in more detail, I encourage you to give me a call and I'd be happy to set up a meeting to provide additional information.

Thank you for your support,

A handwritten signature in black ink that reads 'Michael J. Horrigan'. The signature is fluid and cursive.

Michael Horrigan
TMLP General Manager



City of Taunton
Department of Human Services

DEPARTMENT OF HUMAN SERVICES
30 OLNEY STREET
TAUNTON, MASSACHUSETTS 02780
Telephone (508) 821-1420
Fax (508) 821-1444

ANNE C. BISSON
DIRECTOR

COUNCIL ON AGING
30 OLNEY STREET
TAUNTON, MASSACHUSETTS 02780
Telephone (508) 821-1425
Fax (508) 821-1444

December 20, 2010

Mayor Charles Crowley and
Members of the City Council
City Hall
15 Summer Street
Taunton, MA 02780

Dear Mayor Crowley and Members of the City Council:

The Department of Human Services (DHS) has the opportunity to apply for Community Development Block Grant funds through the Office of Economic and Community Development.

At this time, I respectfully request your approval to apply for funds to continue and expand the Elder Outreach Case Management Program and the Elder Outreach Nurse Program.

I would like to thank you for continued support of services for the citizens of Taunton.

Sincerely,

Anne C. Bisson
Director

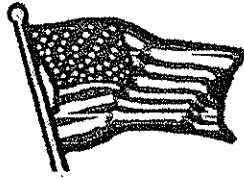
5.

LOCATION: TAUNTON

TWO PERMANENT FULL TIME FIREFIGHTERS
 SELECTION MUST BE OF 2 OF THE FIRST 5 HIGHEST WHO WILL ACCEPT
 IF REQUIRED APPLICANTS MUST EXHIBIT CURRENT MASS MOTOR VEH LICENSE
 APPOINTEE WILL NOT BE CERTIFIED TO OTHER CITY OR TOWN

Name and address of Applicant Notified to Report for Interview	Eligibility Expires	Rank	Applicant Status				
			FAILED TO RESPOND	DECLINED APPOINTMENT	OTHER REPORT (STATE BELOW)	WILLING TO ACCEPT	SELECTED FOR APPOINTMENT
COURCY, JASON D RESIDENT <input checked="" type="checkbox"/> I WILL accept the appointment <input type="checkbox"/> I WILL NOT accept the appointment	** 12/01/12	TIE				<input checked="" type="checkbox"/>	
FARIA, NICHOLAS RESIDENT <input checked="" type="checkbox"/> I WILL accept the appointment <input type="checkbox"/> I WILL NOT accept the appointment	** 12/01/12	TIE				<input checked="" type="checkbox"/>	
FERNANDES, KIEL J RESIDENT <input checked="" type="checkbox"/> I WILL accept the appointment <input type="checkbox"/> I WILL NOT accept the appointment	** 12/01/12	TIE END				<input checked="" type="checkbox"/>	
HALL, WILLIAM S RESIDENT <input checked="" type="checkbox"/> I WILL accept the appointment <input type="checkbox"/> I WILL NOT accept the appointment	** 12/01/12					<input checked="" type="checkbox"/>	
CROWNINSHIELD, SEAN D RESIDENT <input checked="" type="checkbox"/> I WILL accept the appointment <input type="checkbox"/> I WILL NOT accept the appointment	** 12/01/12					<input checked="" type="checkbox"/>	
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SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS AND LEGEND AND APPOINTING AUTHORITY'S SIGNATURE



JANUARY 4, 2011

HONORABLE CHARLES CROWLEY, MAYOR
COUNCIL PRESIDENT SHERRY COSTA-HANLON
AND MEMBERS OF THE MUNICIPAL COUNCIL

PLEASE NOTE: THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN
SCHEDULED FOR **TUESDAY, JANUARY 4, 2011 AT 5:30 P.M.** IN
THE NEW **ELIZABETH POLE SCHOOL, 215 HARRIS STREET,**
TAUNTON, MA

5:30 P.M.

THE COMMITTEE ON FINANCE AND 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

THE COMMITTEE ON SOLID WASTE

1. MEET WITH COUNCILOR DEBORAH CARR AND MAYOR
FOR UPDATE ON RECENT MEETING WITH THE C.E.O. OF
I.W.T.
2. MEET AND REVIEW THE SUGGESTIONS FROM THE D.E.P.
MEETING HELD ON DECEMBER 20, 2010.
3. MEET TO REVIEW MATTERS IN FILE

THE COMMITTEE OF THE COUNCIL AS A WHOLE

1. MEET WITH THE CITY SOLICITOR, COTMA
REPRESENTATIVE, HUMAN RESOURCE DIRECTOR AND
THE BUDGET DIRECTOR TO DISCUSS THE PROPOSED
COTMA CONTRACT.
2. MEET TO REVIEW MATTERS IN FILE.

RESPECTFULLY,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES