



*City of Taunton  
Municipal Council Meeting Minutes*

*In the Chester R. Martin Municipal Council Chambers  
Minutes, February 16, 2010 at 7:00 O'clock P.M.*

*Regular Meeting*

*Mayor Charles Crowley presiding*

*Prayer was offered by the Mayor*

*Present at roll call were: Councilor's Colton, Croteau, Buffington, Marshall, Costa-Hanson, Pottier, Barbour  
Councilors Carr and Hoye were absent*

At this time, a moment of silence was observed for Albertina Nunes, mother of former Mayor Robert G. Nunes who passed away.

Record of preceding meeting was read by Title and Approved. So Voted.

*Hearings:*

Hearing came up by assignment on the petition submitted by Bruce E. Thomas, 48 Church Green, Taunton and others to change from Office District/Urban Residential to Highway Business District for the following: 127 Hart St. (93-127); 133 Hart St. (93-128); 671 County St. (93-129); 677 County St. (93-130); 687 County St. (93-131); 711 County St. (93-132); 721 County St. (93-133); Parcel ID 93-134; 729 County St. (93-135); 745 County St. (93-136); 763 County St. (93-137); 777 County St. (93-138); 784 County St. (93-144); 772 County St. (93-145); 742 County St. (93-146); 734 County St. (93-147); 716 County St. (93-148); Parcel Id 93-149; Parcel Id 93-150; 137 Hart St. (93-151); 702 County St. (93-152); Parcel Id 93-153; 680 County St. (93-154); Parcel Id 93-155, 670 County St. (93-156); 139 Hart St. (93-157); 141 Hart St. (93-158); 143 Hart St. (93-158); 147 Hart St. (93-159); 149 Hart St. (93-160); Parcel Id 93-161; Parcel Id 93-162; Parcel Id 93-262; Parcel Id 94-199; Parcel Id 94-200; 760 County St. (94-201). **Motion was made to open the hearing. So Voted.** Com. from Attorney John-Paul Thomas, 98 County Street, Taunton on behalf of the petitioners requesting to continue the hearing until March 9, 2010. **Motion was made to make part of the hearing and continue until March 9, 2010. So Voted.**

Hearing came up by assignment on the petition submitted by Yvon Nadeau, 94 Libby Lane, Taunton and others requesting the acceptance of Libby Lane as a public way in the City of Taunton. **Motion was made to open the hearing. So Voted.** Com. from Chairman, Taunton Planning Board submitting a positive recommendation was read. **Motion was made to make part of the hearing. So Voted.** Com. from City Engineer was read submitting a positive recommendation. **Motion was made to make part of the hearing. So Voted. Motion was made to invite Yvon Nadeau, petitioner into the enclosure. So Voted.** Mr. Nadeau asked for the acceptance of Libby Lane. No one

speaking in favor or in opposition. **Motion was made to grant the petition as presented and close the hearing. So Voted.**

**Communications:**

Com. from Executive Director of Retirement requesting a transfer of funds in the amount of \$382.00 to cover a shortfall in the FY2010 Non-contributory retirement budget. **Motion was made to refer to the Committee on Finance and Salaries and the Mayor's Office. So Voted.**

Com. from IT Automation Director stating that the Law Department's web page has been updated and stating that each department has an individual responsible for updating their department's web page on the City's Web Site. **Motion was made to refer to the IT Committee to discuss to maybe expand that department to actually bring better services to City Hall as recently some of the Councilor's attended the Mass. Municipal Association Trade Show and Meetings and there was a lot of great opportunities for IT in our community. So Voted.**

Com. from Treasurer/Collector notifying that the Land Court entered a foreclosure decree on three parcels assessed to David J. Brask located on Davis Street and Tremont Street. **Motion was made to receive and place on file and refer to the Committee on Public Property. The City Clerk also gave a copy to the Risk Manager. So Voted.**

Com. from Treasurer/Collector notifying that the Land Court entered a foreclosure decree on a parcel assessed to Joseph J. Costa, Tr. Of JM Realty Tr. Located on Princess Pine Circle. **Motion was made to receive and place on file and refer to the Committee on Public Property. The City Clerk also gave a copy to the Risk Manager. So Voted.**

Com. from Treasurer/Collector notifying that the Land Court entered a foreclosure decree on a parcel assessed to Mildred E. and Arthur King located on Middleboro Ave. **Motion was made to receive and place on file and refer to the Committee on Public Property. The City Clerk also gave a copy to the Risk Manager. So Voted.**

Com. from Treasurer/Collector notifying that the Land Court entered a foreclosure decree on a parcel assessed to Paul Larosee located on Winthrop St. **Motion was made to receive and place on file and refer to the Committee on Public Property. The City Clerk also gave a copy to the Risk Manager. So Voted.**

Com. from Chairman, Taunton Planning Board notifying of a public hearing on the Form J Plan – Waiver of Frontage Requirements – to split one lot into two lots submitted by Socrates Vavolotis for property at 125 Middleboro Avenue scheduled for March 4, 2010 at 5:30 PM. **Motion was made to receive and place on file. So Voted.**

Com. from Chairman, Taunton Planning Board notifying of a public hearing on the Form J Plan – Waiver of Frontage Requirements to split one lot into two lots submitted by Mitchell Henault for property at 81 Fairbanks Ave., E. Taunton scheduled for March 4, 2010 at 5:30 PM. **Motion was made to receive and place on file. So Voted.**

Com. from Representative James Fagan submitting the Governor's Budget Recommendation for Fiscal Year 2011 in which he urges great caution to cities and towns while establishing their budgets. He further states that he has reviewed Governor Patrick's projected allotment for the City of Taunton, which suggests \$8,531,021 in Local Aid and \$47,075,431 in Chapter 70 funding. It appears that some of the figures are based on projected income that is not yet guaranteed. **Motion was made to refer to the Mayor's Office for the Budget Process. So Voted.**

Com. from Willitts Mendonca, President, Taunton Day of Portugal, Inc., P.O. Box 887, Taunton requesting permission to conduct the 2010 Day of Portugal. He requests to conduct a flag raising ceremony on June 10, 2010 at 6:30 PM in front of City Hall, the parade on Saturday, June 12, 2010 beginning at 4:00 PM from TCMS and a musical concert that evening beginning at 4:00 PM. **Motion was made to refer to the Mayor's Office and the City Clerk also notified the Police Chief, Fire Chief, and Ambulance Service. So Voted.**

Com. from Brick House School Board of Directors, Brick House School, 9 Ashland Place requesting permission to post a sign on Route 44 on the Ashland Street signpost. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Com. from Greg Pimenta, President, Taunton Cubs, Inc. requesting use of the electronic sign to advertise the Taunton Cubs Youth Football and Cheerleading signups on March 13, 2010 from 10:00 AM – 2:00 PM at Head Start. **Motion was made to move approval. So Voted.**

**Petitions and Claims:**

Petition submitted by Wilfredo M. Torres, 22 Fifth Street, Taunton requesting a new Second Hand Article License –DBA- Isaiah Tire's and Repair to be located at 22 Fifth Street, Taunton. **Motion was made to refer to the Committee on Police and License and the Police Chief. So Voted.**

Departmental Site Plan Review on the petition submitted by Attorney David T. Gay on behalf of his client David Development LLC to allow a portion of the industrial facility as a 40 seat church at 1000 Crane Ave. South located in the Industrial District. **Receive and place on file. So Voted.**

**Committee Reports:**

Motion was made for Committee reports to be read by Title and Approved. So Voted. Recommendations adopted to reflect the votes as recorded in Committee Reports. So Voted.

**Unfinished Business:**

Councilor Barbour motioned to meet in executive session on Tuesday, February 23, 2010 with the Mayor, the City Solicitor, Fire Officials and Building Officials to discuss the Star Theater Building and operation cleanup. Additionally, that the following information be available for said meeting: what the City has expended for the fire watch, erecting the gates, and the total spent to date. So Voted.

Councilor Buffington stated that the City had the opportunity to purchase land near Winthrop Street and Range Avenue. The Mayor stated we exercised this purchase.

Councilor Croteau motioned that the DPW Commissioner provide a report to the Committee on the DPW on the status of Harris Street betterments and to submit a projected date as to when all appropriate action will be concluded and residents will be notified. So Voted.

Councilor Croteau motioned that the City Solicitor provide a legal opinion explaining what the procurement requirements are for obtaining consulting services. So Voted.

**Orders, Ordinances, and Enrolled Bills**

Councilor Barbour motioned to discharge the re-codifying of the City Ordinances from the Committee to the Council as a Whole. So Voted.

**Ordinance for a first reading to be passed to a second reading**

**AN ORDINANCE**

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

An Order adopting and enacting the re-codifying of the City Ordinances of the City of Taunton, Massachusetts

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

A complete copy of the Revised City Ordinances are on file in the City Clerk's Office for public viewing. **Motion was made to pass to a second reading. So Voted.**

Meeting adjourned at 7:20 P.M.

A true copy:

Attest:

*Rm Blachwell*

City Clerk

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
FEBRUARY 16, 2010

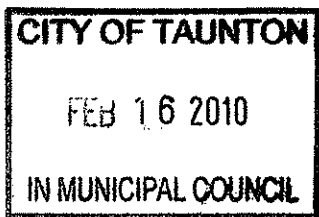
**THE COMMITTEE ON FINANCE AND SALARIES**

PRESENT WERE: COUNCILOR GERALD CROTEAU, CHAIRMAN AND  
COUNCILORS POTTIER AND COSTA-HANLON

MEETING CALLED TO ORDER AT 5:45 P.M.

1. **MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS**  
**MOTION: MOVE APPROVAL OF THE PAYROLLS AND VOUCHERS FOR THE WEEK.**

MEETING ADJOURNED AT 5:46 P.M.



RESPECTFULLY SUBMITTED, ,



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
FEBRUARY 16, 2010

**THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS**

PRESENT WERE: COUNCILOR SHERRY COST-HANLON, CHAIRWOMAN AND  
COUNCILORS COLTON AND BUFFINGTON

MEETING CALLED TO ORDER AT 6:10 p.m.

1. **MEET TO DISCUSS DOCK ORDINANCE**  
**MOTION: MOVE TO INACTIVE FILE**
2. **MEET TO DISCUSS RIGHT OF WAY ORDINANCE**  
**MOTION: MOVE TO INACTIVE FILE**
3. **MEET TO DISCUSS ORDINANCE ESTABLISHING AN INTEREST RATE OF UP TO 18% PER YEAR OR 4.5% PER MONTH FOR 4 MONTHS FOR ALL LOANS FOR PAWNBROKERS DOING BUSINESS IN THE CITY**  
**MOTION: MOVE TO INACTIVE FILE**
4. **MEET TO DISCUSS MAKING CHANGES TO ORDINANCE SECTION 20-68 – THAT ANY PRIVATE WATER OR SEWER PROJECTS THAT ARE GOING INTO A SUBDIVISION ON ANY EXISTING ROAD THAT IS DISTURBED, THAT THE ROAD BE REPAVED CURB TO CURB**  
**MOTION: MOVE TO INACTIVE FILE**
5. **MEET TO DISCUSS PROPOSED ORDINANCE LIMITING NUMBER OF CARS ALLOWED PER BAY AT REPAIR SHOPS**  
**MOTION: MOVE TO INACTIVE FILE**
6. **DISCUSS SETTING UP POLICY ON APPLICATION REQUIREMENTS OF CLASS I, CLASS II AND CLASS III LICENSES**  
LETTER DATED 2/16/10 OF KEVIN SCANLON, CITY PLANNER WAS READ. HE STATED THAT THE LIST OF REQUIREMENTS SHOULD INCLUDE A REQUIREMENT THAT ALL ZONING APPROVALS (SPECIAL PERMIT, SITE PLAN REVIEW, VARIANCE) BE IN PLACE BEFORE PROCEEDING WITH ANY LICENSE HEARING. ANY CONSERVATION COMMISSION APPROVALS SHOULD ALSO BE IN PLACE PRIOR TO ANY LICENSE HEARING. THESE APPROVALS SHOULD BE IN PLACE PRIOR TO THE LICENSE HEARING SINCE THESE APPROVALS DETERMINE WHAT THE PROPOSED LOCATION CAN SUPPORT IN REGARDS TO THE SIZE AND SCOPE OF THE PROPOSED BUSINESS ACTIVITY. THE MUNICIPAL COUNCIL CAN THEN MAKE A DECISION BASED ON AN APPROVED LAYOUT THAT MEETS RELEVANT CODES AND ORDINANCES.  
**MOTION: LETTER RECEIVED AND PLACED ON FILE**  
**MOTION: MOVE TO INACTIVE FILE**

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FEBRUARY 16, 2010

**THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS – CONTINUED**

7. **MEET TO DISCUSS CREATING ORDINANCE TO ADDRESS ISSUE OF PERSONS WHO CONTINUOUSLY VIOLATE RULES & REGULATIONS FOR RECYCLING AND TRASH PICK UP**  
**MOTION: REFER TO THE CITY SOLICITOR TO REPORT ON HOW THIS CAN BE ENFORCED FOR MEETING IN THREE WEEKS**
- MOTION: TO INCLUDE NO. 8 AND NO. 15 TOGETHER**
8. **MEET TO DISCUSS DRAFTING ORDINANCE RELATIVE TO BUSINESSES THAT ARE NOT IN COMPLIANCE WITH LAW REGARDING HANDICAPPED PARKING SPACES – 1<sup>ST</sup> VIOLATION – WARNING & MONETARY FINE FOR SUBSEQUENT VIOLATIONS**
15. **MEET TO DISCUSS NEW SIGNAGE ORDINANCE FOR PARKING IN HANDICAPPED PARKING SPACES IN PRIVATE PARKING LOTS**  
 LETTER DATED 2/16/10 OF KEVIN SCANLON, CITY PLANNER WAS READ. HE STATED THAT THIS ISSUE IS PARTIALLY ADDRESSED BY SECTION 13-89.1 OF THE REVISED ORDINANCES. THIS SECTION SHOULD BE AMENDED TO ADD A REFERENT TO THE FEDERAL AMERICANS WITH DISABILITIES ACT AND STATE ARCHITECTURAL ACCESS BOARD REGULATIONS FOR ALL PARKING LOTS (PUBLIC AND PRIVATE) TO COMPLY WITH THE SIGNING, STRIPING, AND QUANTITY REQUIREMENTS FOR HANDICAP PARKING CONTAINED IN THOSE REGULATIONS. BY MAKING A LOCAL ORDINANCE YOU WOULD EMPOWER THE POLICE DEPARTMENT OR OTHER DESIGNATED BODY TO ENFORCE THESE REQUIREMENTS WITHOUT HAVING TO RELY ON STATE OR FEDERAL ENFORCEMENT.  
**MOTION: LETTER RECEIVED AND PLACED ON FILE**  
**MOTION: REFER LETTER TO SOLICITOR TO DRAFT ORDINANCE FOR THREE WEEKS**  
**MOTION WITHDRAWN**  
**MOTION: REFER TO KEVIN SCANLON, CITY PLANNER FOR FURTHER CLARIFICATION AND TO PROVIDE A DRAFT PROPOSED ORDINANCE.**
9. **MEET TO DISCUSS ADOPTING POLICY TO NOTIFY ALL LANDOWNERS WITHIN 300 FT. BUFFER ZONE OF PUBLIC HEARINGS ON ZONING REQUIREMENTS**  
 LETTER DATED 2/16/10 OF KEVIN SCANLON, CITY PLANNER WAS READ. HE STATED THAT IN REFERENCE TO THE ISSUE OF ABUTTER NOTIFICATIONS ON DISTRICT CHANGES, THE REQUIREMENT TO NOTIFY ABUTTERS OF THE LAND AFFECTED AND 300 FOOT ABUTTERS IS ALREADY A REQUIREMENT AND IS CONTAINED IN SECTION 1.5 OF THE ZONING ORDINANCE.  
**MOTION: MOVE TO INACTIVE FILE**
10. **MEET TO DISCUSS ORDINANCE PERTAINING TO CAMPERS & TRAILERS PARKING ON CITY STREETS TO INCLUDE BOATS**  
**MOTION: MOVE TO INACTIVE FILE**

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FEBRUARY 16, 2010

**THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS – CONTINUED**

11. MEET TO DISCUSS LETTER OF DARLINE DOMINGOS, VEOLIA WATER  
RE: CITY ORDINANCE 2<sup>ND</sup> REVISION RE: TECHNOLOGICALLY BASED  
LOCAL LIMITS AS APPROVED BY EPA IN 1997. EPA APPROVED LOCAL  
LIMITS ARE LIMITS THAT SHOULD BE LISTED IN ORDINANCE  
**MOTION:** REFER TO CATHAL O'BRIEN, WATER DIVISION  
SUPERVISOR AND DARLINE DOMINGOS OF VEOLIA  
WATER TO PROVIDE INFORMATION AS TO WHAT THEY  
NEED TO BE DONE.
12. MEET TO DISCUSS CREATING ORDINANCE WHEREBY IF ANY TRASH IS  
PUT OUT BEFORE NOON OF DATE BEFORE REGULARLY SCHEDULED  
PICK UP & NOT REMOVED BY NOON DAY AFTER SCHEDULED PICK UP  
TO BE CONSIDERED LITTERING & RESIDENTS SHOULD BE FINED  
ACCORDING TO LITTERING FINES  
**MOTION:** REFER TO THE BOARD OF HEALTH AND D.P.W. FOR THEIR  
INPUT AND CITY SOLICITOR TO RESEARCH HOW THIS  
COULD BE ENFORCED. ALSO A COPY OF THE LITTERING  
LAW IS TO BE PROVIDED TO THE COMMITTEE. MEET IN  
THREE WEEKS
13. MEET TO DISCUSS ORDINANCE FOR STOP SIGN AT SHORT STREET &  
WORCESTER STREET  
**MOTION:** REFER TO CITY ENGINEER AND CITY SOLICITOR TO  
DRAFT ORDINANCE FOR STOP SIGN ON SHORT STREET  
SOUTHBOUND AS IT INTERSECTS WITH WORCESTER  
STREET. REPORT BACK IN THREE WEEKS.
14. MEET TO DISCUSS CREATING ORDINANCE FOR PROCESS OF  
SELECTING CONSULTANT SERVICES  
DISCUSSED WAS THAT IT SHOULD BE UP TO DEPARTMENT HEADS ON HOW TO  
CHOOSE CONSULTANTS. ALSO THAT THERE IS A NEED TO SET UP SOME  
GUIDELINES, AND TO CLARIFY WHETHER THE STATE STATUTE REQUIRES PUBLIC  
NOTICE FOR CONSULTING SERVICES OVER \$25,000.00 – DOES A NOTICE HAVE TO  
GO OUT.  
REQUEST WAS MADE TO CLARIFY IF ANY STATE PROCUREMENT GUIDELINES FOR  
HIRING CONSULTANTS EXISTS.  
**MOTION:** REFER TO THE COMMITTEE ON FINANCE AND SALARIES  
TO HAVE A DISCUSSION WITH WHATEVER DEPARTMENT  
HEADS THEY DEEM APPROPRIATE TO CONSIDER  
DRAFTING UP WHAT POLICY IF ANY THE CITY SHOULD  
CONSIDER ADOPTING. REFER THEIR FINDINGS TO THIS  
COMMITTEE WHEN THEY DEEM APPROPRIATE.
16. MEET TO DISCUSS NOISE ORDINANCE  
**MOTION:** MOVE TO INACTIVE FILE

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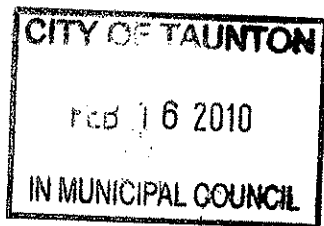
FEBRUARY 16, 2010

**THE COMMITTEE ON ORDINANCES AND ENROLLED BILLS – CONTINUED**

17. **MEET TO DISCUSS DESIGNATING REPRESENTATIVE FROM COUNCIL AS A NOMINATED MEMBER OF THE YOUTH COMMISSION**  
**MOTION: MOVE TO INACTIVE FILE**

18. **MEET TO REVIEW MATTERS IN FILE**  
A. DISCUSSED WAS THAT AT SOME POINT IN TIME, AND IT HAS BEEN REFERRED TO THIS COMMITTEE, THE ISSUE OF BETTERMENTS FOR SEWER EXPANSION. IT WAS NOTED THAT REALISTICALLY, ANY SEWER EXPANSION IS ALWAYS GOING TO BE DONE THROUGH THE 100%  
**MOTION: TO MEET IN THREE WEEKS TO DISCUSS A PROPOSED ORDINANCE WITH THE D.P.W. COMMISSIONER, TREASURER/COLLECTOR AND CITY SOLICITOR TO PROVIDE THEIR INPUT, AND ALSO THE MAYOR'S OFFICE. THE D.P.W. COMMISSIONER IS TO LOOK AT WHAT OTHER CITIES AND TOWNS DO AND REPORT BACK TO THE COMMITTEE.**

MEETING ADJOURNED AT 6:19 P.M.



RESPECTFULLY SUBMITTED,

A handwritten signature in cursive script that reads "Colleen Ellis".

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.

A handwritten signature in cursive script that reads "Rm Bechnwell".

CITY CLERK