

MUNICIPAL COUNCIL & COMMITTEE MEETING

**DUE TO THE STATE ELECTION
ON TUESDAY, NOVEMBER 8, 2016,**

**THE MUNICIPAL COUNCIL
AND COMMITTEE MEETINGS**

**WILL BE HELD MONDAY,
NOVEMBER 7, 2016 AT 7:30 AM**





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

NOVEMBER 7, 2016 – 7:30 AM

RECEIVED
CITY CLERK'S OFFICE
2016 NOV -31 P 2:17
TAUNTON, MA
CITY CLERK

**INVOCATION
ROLL CALL
RECORDS**

HEARING: NONE

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1-3 Com. from Assistant City Solicitor – Board of Health Outreach Fund
- Pg. 4 Com. from Chairman, Taunton Planning Board – Notifying of a meeting
- Pg. 5-8 Com. from Superintendent of Buildings – Martin & Bennett School Projects Loan Authorization Amendments **(SEPARATE PACKET)**
- Pg. 9 Com. from Brian Gordon Taunton Fire Department – Notifying of his retirement

COMMUNICATIONS FROM CITIZENS

- Pg. 10 Com. from Glen Boivin, Boivin Electric LLC, 365 Kelley Boulevard, North Attleboro, MA – Requesting to replace underground electrical service under the sidewalk at 18-20 Broadway, Taunton.

PETITIONS

COMMITTEE REPORTS

UNFINISHED BUSINESS

ORDERS, ORDINANCES AND RESOLUTIONS

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

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. Section 2.-180.1 of Article IV of Chapter 2 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended as follows:
Strike "\$110,000.00" and replace with "115,057.28".

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 All ordinances or parts thereof inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall become effective on January 1, 2017.

NEW BUSINESS

Respectfully submitted,



**Rose Marie Blackwell
City Clerk**



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 28, 2016

Jeanne M. Quinn, Esq.
President
Taunton Municipal Council
141 Oak Street
Taunton, MA 02780

RE: Board of Health Outreach Fund

Dear Council President Quinn and Councilors:

As you will recall, one of the items negotiated for in the Eight Amendment to the Landfill Operations Agreement was that Waste Management, in place of its current involvement in Board of Health (BOH) Outreach Programs, will give \$10,000 per year to BOH for the purpose of funding any outreach program that BOH deems appropriate. This item was set forth in paragraph 5 of the Agreement that was approved by the Council on October 6, 2015. In order to realize what I respectfully suggest was the intent of the Council with respect to this item in approving the contract, a revolving account must be created by ordinance. Accordingly, I have drafted a proposed ordinance for your consideration. Section 53E½ of chapter 44 of the General Laws provides that a revolving fund may be established during the course of a fiscal year upon certification by an appropriate officer that the revenue source was not used in computing the most recent tax levy. Accordingly, please see certification below. Thank you for your attention to this matter and please let me know if you have any questions or concerns.

Respectfully,

Daniel F. de Abreu

Certification Pursuant to G.L. c. 40 §53E½

I certify that the revenue source for the establishment of the Board of Health Outreach Fund was not used in computing the most recent tax levy.

Gil Enos, Budget Director

cc: Heather L. Gallant, Executive Director, Board of Health

2.



CITY OF TAUNTON

In the year two thousand sixteen

**AN ORDINANCE
Chapter 9
HEALTH AND SANITATION**

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 9 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended by creating Section 9-19, as follows:

Pursuant to section 53E½ of chapter 44 of the General laws, and every other pertinent authority, there is hereby established a revolving fund to be called the Board of Health Outreach Fund (“Fund”). The programs and activities for which the Fund may be expended are any outreach program that the Board of Health deems appropriate in its sole discretion. The departmental receipts that shall be credited to the Fund shall be any and all payments received in accordance with paragraph 5 of the Eight Amendment to Landfill Operations Agreement between the City of Taunton and Waste Management of Massachusetts, Inc., dated October 26, 2015. The board authorized to expend from such Fund is the Board of Health. The Fund shall in all respects be governed by section 53E½ of chapter 44 of the General Laws, as same may be amended from time to time.

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

City of Taunton

Presented to the Mayor and Approved:

In Municipal Council

First Reading:

Thomas C. Hoye, Mayor

Second Reading:

Board of Health Outreach Fund

3

Passed to be Ordained:

Approved as to Form and Character:

Rose Marie Blackwell, City Clerk

Jason D. Buffington, City Solicitor



TAUNTON PLANNING BOARD

City Hall

15 Summer Street – Annex Building

Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

Phone 508-821-1051

Fax 508-821-1665

October 28, 2016

Honorable Thomas Hoye, Mayor
Members of the Municipal Council
141 Oak St., Maxham School
Taunton, Ma. 02780

C/O Rose Marie Blackwell, City Clerk

RE: Site Plan Review – 148 North Walker Street

Dear Mayor Hoye and Members of the Municipal Council:

The Taunton Planning Board has received a Site Plan Review for property at 148 North Walker Street for a gas station and convenience store with 10 fueling positions, a drive-thru window and pump island, submitted by South Coast Development LLC.

The DIRB will be meet to review this petition on Tuesday, November 15, 2016 at 8:30 AM in the Taunton Planning Board Office, 15 Summer St., Annex Bldg., and the Taunton Planning Board will meet to review petition on Thursday, December 1, 2016 at 5:30 PM in the Chester R Martin Municipal Council Chambers, 141 Oak St., Taunton, Ma.

Respectfully yours,

Robert P. Campbell, Chairman
Taunton Planning Board

RPC/ djp

CITY OF TAUNTON

MASSACHUSETTS

WAYNE E. WALKDEN,
MCPPO, CBO
SUPERINTENDENT OF
BUILDINGS

DEPARTMENT OF PUBLIC BUILDINGS



5

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

November 3, 2016

Honorable Mayor Thomas C. Hoye Jr.
Council President Jeanne Quinn
And Members of the Municipal Council

Re: **Martin & Bennett School Projects – Loan Authorization Amendments**

Dear Mayor and Councilors:

On July 23, 2015 the Municipal Council ordered that the City of Taunton appropriate Two Million Five Hundred Thousand (\$2,500,000) Dollars for the purpose of paying costs of a roof and window/door repair/replacement at the Edmund Hatch Bennett Elementary School and on the same date the Municipal Council ordered that the City of Taunton appropriate Five Million (\$5,000,000) Dollars for the purpose of paying costs of a roof repair/replacement at the Joseph H. Martin Middle School. (Please refer to the attached loan orders)

The window/door repair/replacement costs of the projects were not estimated until December, 2015 and approved by the Massachusetts School Building Authority (MSBA) in late April, 2016, at which time the MSBA approved Total Project Budgets for Bennett School in the amount of \$4,749,008 and Martin School in the amount of \$6,667,292. (Please refer to the attached Total Project Budgets)

The roof portion of the work was substantially completed at both sites by September, 2016. The window and door phases are expected to begin in the late spring, 2017. A general contractor has been selected for the next phase of the project.

After consultation with the City Treasurer, she suggests the amended loan authorizations for the following amounts:

- 1) Bennett School - \$4,750,000
- 2) Martin School - \$6,668,000

Respectfully, we ask the Municipal Council vote to affirm this request as expeditiously as possible. Upon approval, we will move forward with contract execution, allowing the general contractor to order the window products to ensure their arrival in time to meet the current installation schedule. Thank you.

Respectfully,

6



Wayne E. Walkden
Superintendent of Buildings



CITY OF TAUNTON

In Municipal Council July 23, 2015

Ordered, That The City of Taunton appropriate the amount of Two Million Five Hundred Thousand (\$2,500,000) Dollars for the purpose of paying costs of a roof and window/door repair/replacement at the Edmund Hatch Bennett Elementary School, 47 No. Walker St, Taunton, MA 02780, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Taunton may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the City of Taunton's Building Committee. To meet this appropriation, the Treasurer Collector with the approval of the Mayor is authorized to borrow said amount under Chapter 44 of the General Laws or any other enabling authority. The City of Taunton acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City of Taunton incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Taunton; provided that the borrowing authorized pursuant to this order shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Taunton and the MSBA; and that the Mayor is authorized to take any other action necessary to carry out this project.

THE CITY OF TAUNTON HAS 9 COUNCIL MEMBERS

IN MUNICIPAL COUNCIL, AUGUST 11, 2015. ADOPTED BY MORE THAN 2/3 VOTE OF THE COUNCIL TAKEN BY "YEAS & NAYS",

EIGHT COUNCIL MEMBERS PRESENT, EIGHT MEMBERS VOTING IN FAVOR.

ROSE MARIE BLACKWELL, CITY CLERK

PRESENTED TO THE MAYOR AND APPROVED, AUGUST 17, 2015.

THOMAS C. HOYE, JR., MAYOR

g: loan/loanorder/MartinARP-15

A TRUE COPY:

ATTEST:

CITY CLERK

Rm Ble

8



CITY OF TAUNTON

In Municipal Council July 23, 2015

Ordered, That The City of Taunton appropriate the amount of Five Million (\$5,000,000) Dollars for the purpose of paying costs of a roof and window/door repair/replacement at the Joseph H Martin Middle School, 131 Caswell Street, East Taunton, MA 02718, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Taunton may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the City of Taunton's Building Committee. To meet this appropriation, the Treasurer Collector with the approval of the Mayor is authorized to borrow said amount under Chapter 44 of the General Laws or any other enabling authority. The City of Taunton acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs The City of Taunton incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Taunton; provided that the borrowing authorized pursuant to this order shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Taunton and the MSBA; and that the Mayor is authorized to take any other action necessary to carry out this project.

IN MUNICIPAL COUNCIL, AUGUST 11, 2015
ADOPTED BY MORE THAN 2/3 VOTE OF THE COUNCIL
TAKEN BY "YEAS & NAYS",
EIGHT COUNCIL MEMBERS PRESENT, EIGHT MEMBERS
VOTING IN FAVOR.

ROSE MARIE BLACKWELL, CITY CLERK

THE CITY OF TAUNTON HAS
9 COUNCIL MEMBERS.

g: loan/loanorder/MartinARP-15

A TRUE COPY:
ATTEST: *Rm. Blackwell*
CITY CLERK

PRESENTED TO THE MAYOR AND APPROVED,
AUGUST 17, 2015
THOMAS C. HOYE, JR., MAYOR

9.

November 3, 2016

Taunton City Council
141 Oak Street
Taunton, MA 02780

Chief Timothy J Bradshaw
Taunton Fire Department
50 School Street
Taunton, MA 02780

Members of the Taunton City Council & Chief Bradshaw:

Please be advised that after 31 years of service at the Taunton Fire Department I will be retiring on January 2, 2017. I am confident of these facts.

It was a pleasure to serve the fine citizens of Taunton for all of those years.

Sincerely, 

Brian Gordon
280 Plain Street
Taunton, MA 02780

10.

November 1, 2016

Office of The Mayor
City of Taunton
141 Oak Street
Taunton, MA 02780



Re: Replacing Underground Electrical Service at 18-20 Broadway, Taunton, MA

Dear Mayor,

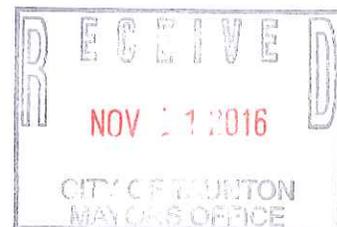
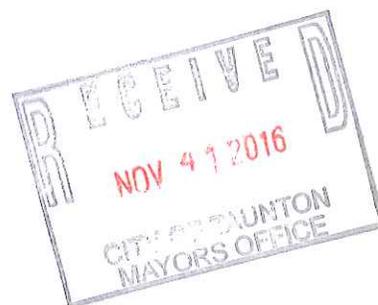
This letter is being sent seeking permission to tear-up the sidewalk at 18-20 Broadway, Taunton, MA. This property requires the underground electrical service to be replaced, due to electrical service failure. Boivin Electric LLC would be performing the electrical service replacement, and would be responsible to hire LAL to repair/replace the sidewalk back to the same condition it is prior to any work being performed.

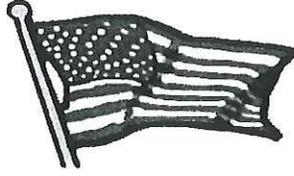
The owners of the property are very anxious for this work to be completed. Please provide your approval, as soon as possible, for the work to commence at this property. Once approval is received from your office, we will apply for the necessary permits.

Thank you in advance for your attention to this matter. If you have any questions, or if I can be of any assistance, please contact me.

Best Regards,

Glen R. Boivin
Boivin Electric LLC
365 Kelley Boulevard
North Attleboro, MA 02760
Phone: 508-699-0874
Cell Phone: 508-922-5966





RECEIVED
CITY OF TAUNTON OFFICE
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TAUNTON, MA
CITY CLERK

NOVEMBER 7, 2016

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

PLEASE NOTE: *THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR MONDAY, NOVEMBER 7, 2016 AT 7:30 A.M. AT THE TEMPORARY CITY HALL AT MAXHAM SCHOOL, 141 OAK STREET, TAUNTON, MA. 02780, IN THE CHESTER R. MARTIN MUNICIPAL COUNCIL CHAMBERS*

7:30 A.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

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 DISCUSS REVISIONS TO THE PEDDLERS AND HAWKERS ORDINANCE
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*

RESPECTFULLY,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES



CITY CLERK

TAUNTON, MA

2016 NOV - 31 P 2:17

RECEIVED
CITY CLERK'S OFFICE

NOVEMBER 10, 2016

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

PLEASE NOTE: THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR THURSDAY, NOVEMBER 10, 2016 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 FIRES AND WIRES
1, MEET TO INTERVIEW FIREFIGHTER CANDIDATES
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

RESPECTFULLY,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES