



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

~  
**SEPTEMBER 13, 2016 – 7:00 PM**

**INVOCATION  
ROLL CALL  
RECORDS**

**HEARING: NONE**

**COMMUNICATIONS FROM THE MAYOR**

**APPOINTMENTS**

- Reappointment of Lawrence Newman, 144 White Pine Drive, Taunton to the Parks, Cemeteries, and Public Grounds Commission for a term of three (3) years expiring September 30, 2019.
- Reappointment of Brian Friary, 790 Norton Avenue, Taunton to the Parks, Cemeteries, and Public Grounds Commission for a term of three (3) years expiring September 30, 2019.
- Reappointment of Thomas Hoyer, Sr., 133 Eldridge Street to the Parks, Cemeteries, and Public Grounds Commission for a term of three (3) years expiring September 30, 2019.
- Reappointment of James Moran, 83 Oak Street, Taunton to the Parks, Cemeteries, and Public Grounds Commission for a term of three (3) years expiring September 30, 2019.
- Reappointment of Dyann Nunes, Taunton to the Parks, Cemeteries, and Public Grounds Commission for a term of three (3) years expiring September 30, 2019.
- Reappointment of Robert Casey, 88 Duffy Drive, Taunton to the Parks, Cemeteries, and Public Grounds Commission for a term of three (3) years expiring September 30, 2019.

**COMMUNICATIONS FROM CITY OFFICERS**

Pg. 1 Com. from Chairman, Taunton Planning Board – Notifying of DIRB meeting

RECEIVED  
CITY CLERK'S OFFICE  
2016 SEP -9 1 P 12:00  
TAUNTON, MA  
CITY CLERK

Pg. 2 Com. from Chairman, Taunton Planning Board – Notifying of DIRB meeting

Pg. 3 Com. from Assistant City Solicitor – Requesting executive session

## **COMMUNICATIONS FROM CITIZENS**

Pg. 4 Com. from Michael Sweeney, Executive Director, Massachusetts State Lottery Commission, 60 Columbian St., Braintree, MA – Keno Monitor

Pg. 5 Com. from Colleen Simmons, Director Downtown Taunton Foundation and Taunton BID, 8 Trescott St., Suite 1, Taunton – Requesting street closure

Pg. 6 Com. from Colleen Simmons, Director Downtown Taunton Foundation and Taunton BID, 8 Trescott St., Suite 1, Taunton – Requesting use of portable stage and waiver of fee

Pg. 7-8 Com. Dennis Proulx, Vice President, Taunton Area Vietnam Veterans Association – POW/MIA Remembrance Vigil

## **PETITIONS**

### **Second Hand Article License**

Petition submitted by Thomas Quinn on behalf of Society of Saint Vincent DePaul Taunton District Inc. –dba- Pennies from Heaven for a RENEWAL of their Second Hand Article License located at 141 Washington St., Taunton (**Requesting waiver of fee**)

### **Claim**

Claim submitted by Konstantinos Babanikas, Esquire, Babanikas, Ziedman, & King, PC 1247 Belmont St., Brockton on behalf of his client, Thomas Salvesen regarding personal injuries he sustained in a motorcycle/automobile accident allegedly due to inoperable traffic control lights at the Bay Street/Route 495 overpass.

## **COMMITTEE REPORTS**

## **UNFINISHED BUSINESS**

- **Continued from September 6, 2016 Municipal Council Meeting:**  
Meet to discuss a personnel matter in the Human Resource Department – Executive Session is contemplated pursuant to G.L. c. 30A § 21 (a)(1)

## ORDERS, ORDINANCES AND RESOLUTIONS

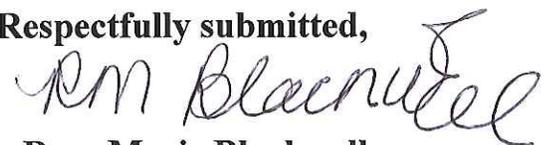
### Order for a second reading to be ordained on a roll call vote

Ordered That,

**\$26,000,000** is appropriated for the purpose of financing the construction of various improvements to the City's wastewater system, including without limitation (i) the development of a sewer capacity model and infiltration inflow (I&I) and a sewer system evaluation survey (SSES) update; (ii) the final environmental impact report (EIR) and comprehensive wastewater management plan (CWMP); (iii) a wastewater treatment plant capacity analysis (anti- degradation); (iv) for municipal separate storm sewer system (MS4) permitting and compliance activities; (v) for sludge transfer containers; (vi) sewer and drain improvements design; (vii) Sewer and drain improvement construction; (viii) main lift pump station design; (ix) for the main lift pump station design; and (x) WWTF Preliminary Design Report, including but not limited to the construction of the projects, the payment of engineering and legal services for planning, surveying, design, permitting, testing, bidding, construction administration, material testing, resident inspection services, and all costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow **\$26,000,000** and issue bonds or notes therefor under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws, or any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the projects; 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

# 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

September 1, 2016

Council President Jeanne Quinn  
Members of the Taunton Municipal Council  
141 Oak Street  
Taunton, MA 02780

Dear Council President Quinn:

Please be advised that I am re-appointing Lawrence Newman of 144 White Pine Drive to the *Parks, Cemeteries, and Public Grounds Commission* for a term of three years which will expire the last day of September 2019.

If you have any questions or concerns, please feel free to contact me.

Respectfully,

Thomas C. Hoye, Jr.  
Mayor

# 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

September 1, 2016

Council President Jeanne Quinn  
Members of the Taunton Municipal Council  
141 Oak Street  
Taunton, MA 02780

Dear Council President Quinn:

Please be advised that I am re-appointing Brian Friary of 790 Norton Avenue to the *Parks, Cemeteries, and Public Grounds Commission* for a term of three years which will expire the last day of September 2019.

If you have any questions or concerns, please feel free to contact me.

Respectfully,

Thomas C. Hoye, Jr.  
Mayor

# 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

September 1, 2016

Council President Jeanne Quinn  
Members of the Taunton Municipal Council  
141 Oak Street  
Taunton, MA 02780

Dear Council President Quinn:

Please be advised that I am re-appointing Thomas Hoye Sr. of 133 Eldridge Street to the *Parks, Cemeteries, and Public Grounds Commission* for a term of three years which will expire the last day of September 2019.

If you have any questions or concerns, please feel free to contact me.

Respectfully,

Thomas C. Hoye, Jr.  
Mayor

# 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

September 1, 2016

Council President Jeanne Quinn  
Members of the Taunton Municipal Council  
141 Oak Street  
Taunton, MA 02780

Dear Council President Quinn:

Please be advised that I am re-appointing James Moran of 83 Oak Street to the *Parks, Cemeteries, and Public Grounds Commission* for a term of three years which will expire the last day of September 2019.

If you have any questions or concerns, please feel free to contact me.

Respectfully,

Thomas C. Hoye, Jr.  
Mayor

# 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

September 1, 2016

Council President Jeanne Quinn  
Members of the Taunton Municipal Council  
141 Oak Street  
Taunton, MA 02780

Dear Council President Quinn:

Please be advised that I am re-appointing Dyann Nunes of 45 Theresa Street to the *Parks, Cemeteries, and Public Grounds Commission* for a term of three years which will expire the last day of September 2019.

If you have any questions or concerns, please feel free to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "Thomas C. Hoye, Jr.", written over a horizontal line.

Thomas C. Hoye, Jr.  
Mayor

# 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

September 1, 2016

Council President Jeanne Quinn  
Members of the Taunton Municipal Council  
141 Oak Street  
Taunton, MA 02780

Dear Council President Quinn:

Please be advised that I am re-appointing Robert Casey of 88 Duffy Drive to the *Parks, Cemeteries, and Public Grounds Commission* for a term of three years which will expire the last day of September 2019.

If you have any questions or concerns, please feel free to contact me.

Respectfully,

Thomas C. Hoye, Jr.  
Mayor



**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

September 6, 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: Modification of a Site Plan Review – 397 Winthrop Street**

Dear Mayor Hoye and Members of the Municipal Council:

The Taunton Planning Board has received a Modification of a Site Plan Review for property at 397 Winthrop Street for the expansion of the existing auto sales business to include 109 display spaces and 8 employee/customer spaces, submitted by the applicant Jean Chedid, owned by Cullen 138 North Walker Street LLC. .

The DIRB will be meet to review this petition on Tuesday, September 20, 2016 at 9:30 AM in the Taunton Planning Board Office, 15 Summer St., Annex Bldg., and the Taunton Planning Board will meet to review petition on Thursday, October 6, 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



## 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

September 6, 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 – 580 Myles Standish Blvd.**

Dear Mayor Hoye and Members of the Municipal Council:

The Taunton Planning Board has received a Site Plan Review for property at 580 Myles Standish Boulevard to construct a new curb cut entrance and 3 additional parking spaces to service an existing building, submitted by **Rex Ventures, LLC**.

The DIRB will be meet to review this petition on Tuesday, September 20, 2016 at 10:00 AM in the Taunton Planning Board Office, 15 Summer St., Annex Bldg., and the Taunton Planning Board will meet to review petition on Thursday, October 6, 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  
LAW DEPARTMENT

141 Oak Street

Taunton, Massachusetts 02780

Phone (508) 821-1036 Facsimile (508) 821-1397



3

Thomas C. Hoye, Jr.  
MAYOR

Jason D. Buffington  
CITY SOLICITOR

Daniel F. de Abreu  
ASST. CITY SOLICITOR

September 8, 2016

Rose Marie Blackwell, City Clerk  
141 Oak Street  
Taunton, MA 02780

Dear Clerk Blackwell:

Will you please place on the agenda for the September 13, 2016 meeting of the Municipal Council the following item:

“Discuss strategy with respect to litigation in the matter of: In re: City of Taunton Department of Public Works, NPDES Appeal No. 15-08. Please note that it is expected that the chair will declare that an open meeting may have a detrimental effect on the litigating position of the public body and that this discussion will be held in executive session.”

Thank you.

Respectfully,

Daniel F. de Abreu  
Assistant City Solicitor

cc: Thomas C. Hoye, Jr., Mayor



# Massachusetts State Lottery Commission

4

DEBORAH B. GOLDBERG  
*Treasurer and Receiver General*

MICHAEL R. SWEENEY  
*Executive Director*

August 31, 2016

Taunton City Council  
141 Oak Street  
Taunton, MA 02780

Dear Sir/Madam:

The Massachusetts State Lottery is offering a KENO monitor to existing KENO To Go agents to display the game at their location. In accordance with M.G.L. c 10, section 27A, as amended, you are hereby notified of the Lottery's intent to install a monitor at the following KENO To Go agent(s) in your community:

Home Plate  
224 Middleboro Ave  
E. Taunton

If you object to these agent(s) receiving a monitor, you must do so, in writing, within twenty-one (21) days of receipt of this letter. Please address your written objection to Christian Gonsalves, General Counsel, Legal Department, Massachusetts State Lottery Commission, 60 Columbian Street, Braintree, MA 02184. Should you have any questions regarding this program or any other issues relative to the Lottery, please call me at 781-849-5555. I look forward to working with you as the Lottery continues its' efforts to support the 351 cities and towns of the Commonwealth.

Sincerely,

Michael R. Sweeney  
Executive Director

Certified Mail – Return Receipt Requested:  
7001 2510 0004 1227 1276



*Supporting the 351 Cities and Towns of Massachusetts*



5

**Taunton Business Improvement District  
& Downtown Taunton Foundation**  
8 Trescott Street, Suite 1  
Taunton MA 02780  
508.824.0484  
**WWW.DOWNTOWNTAUNTON.ORG**

August 26, 2016

Mayor Thomas Hoye Jr. & Taunton City Councilors  
141 Oak Street  
Taunton, MA 02780

Dear Mayor Hoye and City Councilors:

On behalf of the Downtown Taunton Foundation (DTF), I am writing to request that Trescott Street be closed to vehicle passage for the 2<sup>nd</sup> annual "Fall Fest Block Party" event to be held on September 17, 2016 from 6pm-10pm. The restricted access need only be from Main Street and Trescott to the entrance to the Trescott Street Lot. This will allow for cars to park in the Trescott Street Lot and exit right turn only. In order to set the event up, we would like to have Trescott Street closed to vehicles on September 17 at 12 PM through 12 AM (to allow for clean-up). We have initiated the process of requesting the city's portable stage to house the band and comedian we have booked for the event, as well as for making announcements during the event. We have also hired a roving magician for the event. We plan to use Trescott Street for pedestrian circulation, for portable stage placement, for the magician to roam through the crowd, for a variety of activities such as a corn hole tournament, cigar bar, raffle displays, for the set up and serving of food, and for some of the seating area, weather permitting.

**Fall Fest Block Party** is a festive adult only event celebrating the art, food, and businesses of Downtown Taunton. The evening features a sampling menu of signature dishes from area restaurants, entertainment, and fun, seasonal activities. The event size will be approximately 150 people. Proceeds from the event support the **Downtown Taunton Foundation's** arts and cultural programs, which include festivals, gallery exhibits, public art projects, and artist live/work space development.

As always, thank you for your support and we hope to see you at the event. Please contact me at 508-824-0484 or csimmons@downtowntaunton.org if you have any questions or would like additional information.

Sincerely,

A handwritten signature in blue ink that reads "Colleen Simmons".

Colleen Simmons  
Director  
Downtown Taunton Foundation and Taunton BID

Copy: Chief Walsh



6

**Taunton Business Improvement District  
& Downtown Taunton Foundation**  
8 Trescott Street, Suite 1  
Taunton MA 02780  
508.824.0484  
**WWW.DOWNTOWNTAUNTON.ORG**

---

August 26, 2016

Mayor Thomas Hoye, Jr.  
Taunton City Councilors  
141 Oak Street  
Taunton, MA 02780

Dear Mayor Hoye and City Councilors:

On behalf of the Downtown Taunton Foundation, I am writing to request the use of the Portable Stage for the 2<sup>nd</sup> annual "Fall Fest Block Party" event to be held on September 17, 2016. Fall Fest Block Party is a celebration of Downtown's food, art, and businesses. It is one of the Downtown Taunton Foundation's biggest events of the year. Funds generated from the event are used in our various programs and events that promote the economic revitalization of the Downtown. The event will be held at the corner of Main and Trescott streets. We have initiated the process of requesting the street closure. Upon official approval of the street closure, we will need the portable stage to allow better view of the entertainment provided for the event.

As a non-profit organization, we are working on a limited budget. We are requesting a waiver of the fee to install the portable stage. The fee expense would be a hardship for us and reduce the quality of activities offered during the event.

If granted the use of the portable stage for this event, we will be happy to work with the city to ensure that we are in compliance with all regulations regarding its use. Please contact me at 508-824-0484 or [csimmons@downtowntaunton.org](mailto:csimmons@downtowntaunton.org) if you have any questions or would like additional information. Thank you for considering our request.

Sincerely,

A handwritten signature in blue ink that reads "Colleen Simmons".

Colleen Simmons  
Director

---



7

TAUNTON AREA VIETNAM VETERANS ASSOCIATION  
P.O. BOX 436  
RAYNHAM CTR, MA. 02768

Mayor Tom Hoye  
Taunton City Council

9/08/17

The Taunton Area Vietnam Veterans Association will be holding their 34<sup>th</sup> Annual POW/MIA Remembrance Vigil September 17<sup>th</sup> and 18<sup>th</sup> on Church Green, Taunton, Ma. Vigil starts at noon on Saturday and concludes with a special ceremony at noon on Sunday. The TAVVA will be camped out the entire time and welcome people to join and participate.

**“We are not home until all are home”**. You may have heard this, a number of times. You may have seen hats or tee shirt with those words on it. What does it mean? Who are they talking about? Why are they saying this? All home from where? The Vigil will answer all this questions and many more. The TAVVA will educate people about this very special issue that is so dear to our hearts and many families across the nation. We will enlighten those that are apathetic to the issue and those that ignore the many sacrifices that our soldiers have made throughout our history.

**“All gave some, some gave all”**. This is another saying that is so very powerful and true in the interpretation. Those that gave their lives for the United States, their sacrifice will never be forgotten and should never be. Those that have never come home will always be in our hearts also and we will do all we can to get them back!

As you know Vietnam was not a popular war, The war started out to keep Vietnam from falling into communism. They called it the domino theory. One country falls then another and so on. Troops were sent there to help the South Vietnamese push back the North Vietnamese soldiers and Viet Cong. More and more troops were sent, then whole divisions. Almost 3 million of our soldiers ended up serving there over the ten year period. Because of the length of the war and the press coverage bringing in the brutality of conflict into our homes every night, the war became unpopular. Protest and demonstration began to stop the war, there are many arguments to whether this helped stop it or prolonged it. Those against the war eventually unfairly took their hatred out on the soldier returning.

There was no reason for this, these soldiers did what their country asked, and fought as well as any other soldier in all previous wars. 58,000 plus gave their lives, hundreds of thousands, were wounded. They were never respected for their duty, they were more or less forced to be ashamed of their service. This was a time when they needed some attention for their needs coming back from the horrors of combat. They now had three

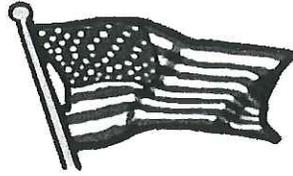
8

enemies, the enemy they fought over seas, the enemies at home(protestors) and the enemies in their mind.

There will be a second part to the closing ceremony this year. Recently the US Government came out with a 50<sup>th</sup> Anniversary pin. This is to be awarded to all that served during the Vietnam Era. We are honored to have Secretary of the Massachusetts VA, Francisco Urena at the closing to hand them out, honoring them for their duty and service to our country.

We welcome all to come and join us anytime during the Vigil.

Sincerely  
Dennis Proulx  
Vice President  
Taunton Area Vietnam Veterans Association



SEPTEMBER 13, 2016

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

RECEIVED  
CITY CLERK'S OFFICE  
2016 SEP - 8 | A 9:34  
TAUNTON, MA  
CITY CLERK

**PLEASE NOTE:** *THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR TUESDAY, SEPTEMBER 13, 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 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 TO DISCUSS PROPOSED PARKING BAN ON SCHOOL STREET AND REVIEW DRAFT 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*

**THE COMMITTEE OF THE COUNCIL AS A WHOLE**

1. MEET WITH REPRESENTATIVES OF THE BUSINESS OWNER AT 120 BERKLEY STREET TO ADDRESS CONCERNS OF NEIGHBORS.
2. MEET WITH THE T.E.A. PRESIDENT TO DISCUSS THE ISSUES INVOLVING CHARTER SCHOOLS IN THE CITY AND COMMONWEALTH OF MASSACHUSETTS
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**

RESPECTFULLY,

A handwritten signature in cursive script, appearing to read "Colleen M. Ellis".

COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES