

City of Fall River Massachusetts
Office of the City Clerk

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2016 JUN 24 P 1:09

CITY CLERK _____
FALL RIVER, MA

JUNE 24, 2016
MEETINGS SCHEDULED FOR NEXT WEEK
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

ALISON M. BOUCHARD
CITY CLERK

TUESDAY, JUNE 28, 2016
AGENDA

INÊS LEITE
ASSISTANT CITY CLERK

6:00 P.M. COMMITTEE ON FINANCE

1. Discussion re: Transfers and Appropriations (see #2 below)
2. Discussion re: Fiscal Year 2017 Annual Budget Appropriation Order (see #1 below)

**7:00 P.M. REGULAR MEETING OF THE CITY COUNCIL OR IMMEDIATELY
FOLLOWING THE COMMITTEE ON FINANCE MEETING IF THAT MEETING
RUNS PAST 7:00 P.M.**

PRIORITY MATTERS

1. *Fiscal Year 2017 Annual Budget Appropriation Order (see #2 Finance)
2. *Transfers and appropriations (see #1 Finance)

PRIORITY COMMUNICATIONS

3. Traffic Commission recommending amendments to the traffic ordinances

COMMITTEE REPORTS – None
ORDINANCES

Second Reading and enrollment:

4. *Proposed ordinance – Traffic, miscellaneous
5. *Proposed ordinance – Taxicab rates
6. *Proposed ordinance – Zoning, Apartment District [A-2]

RESOLUTIONS

7. *Committee on Ordinances and Legislation review format of municipal and school department budgets
8. *Committee on Finance convene with representatives from Insurance Advisory Committee and Administration to discuss procedures related to insurance contributions.

CITATIONS

9. Thomas F. Aubin – Superintendent–Director, Diman Regional Vocational Technical H.S.
10. Michael T. Gutter – 26 years of service to the Fall River School Department
11. RALCO Electric – Celebration of 30 years in business

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

12. Police Chief's report on licenses
13. *Rescheduling July City Council Meeting
14. Auto Repair Shop license renewals

ADA Coordinator: Gary P. Howayeck, Esq. 508-324-2650

One Government Center • Fall River, MA 02722

TEL 508-324-2220 • FAX 508-324-2211 • EMAIL city_clerks@fallriverma.org

COMMUNICATIONS – INVITATIONS – PETITIONS

- 15. *Claims
- 16. *Structure over public way – Carlos Cesar – Banner on Pleasant Street
- 17. *Action of Tort – Ten Taxpayer Group v. City of Fall River and Mayor Jasiel F. Correia II

City Council Committee/Meeting Minutes:

- 18. *Committee on Finance – May 10, 2016
- 19. *Committee on Ordinances and Legislation – June 7, 2016
- 20. *Committee on Public Safety – February 2, 2016

BULLETINS – NEWSLETTERS – NOTICES

- 21. Notice of Casualty and Loss at 181 South Main Street

WEDNESDAY, JUNE 29, 2016

5:30 P.M. COMMITTEE ON PUBLIC SAFETY


City Clerk

City of Fall River, *In City Council*

BE IT ORDERED, that the Annual Budget for the Fiscal Year 2017 from various funds, is \$255,842,056 of which the amount of \$248,724,918 be raised through taxation for appropriation as follows:

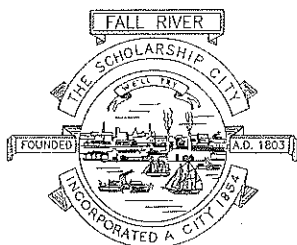
		FY 17	
A. for the purpose of ADMINISTRATION & FINANCE			
1 .	from the General Fund, for CITY COUNCIL, Salaries	\$ 227,732	
2 .	from the General Fund, for CITY COUNCIL, Expenses	\$ 2,800	
3 .	from the General Fund, for MAYOR, Salaries	\$ 295,109	
4 .	from the General Fund, for MAYOR, Expenses	\$ 22,950	
5 .	from the General Fund, for FINANCIAL SERVICES, Salaries	\$ 1,367,776	
6 .	from the General Fund, for FINANCIAL SERVICES, Expense	\$ 429,248	
7 .	from the General Fund, for ADMINISTRATIVE SERVICES, Salaries	\$ 1,095,698	
8 .	from the General Fund, for ADMINISTRATIVE SERVICES, Expenses	\$ 1,402,678	
9 .	from the General Fund, for CITY CLERK, Salaries	\$ 305,152	
10 .	from the General Fund, for CITY CLERK, Expenses	\$ 51,125	\$ 5,200,268
B. for the purpose of GENERAL GOVERNMENT			
1	from the General Fund, for CLAIMS AND DAMAGES	\$ 250,000	
2 .	from the Community Development, for DEBT - SERVICE	\$ 379,874	
3 .	from the Offset Receipts - Library, for DEBT - SERVICE	\$ 100,000	
4 .	from the Waterways Improvement fund for DEBT - SERVICE	\$ 7,579	
5 .	from the RFA Building Sales Account for DEBT - SERVICE		
5 .	from the General Fund, for DEBT - SERVICE	\$ 9,163,057	
6 .	from the General Fund, for INSURANCE	\$ 40,082,892	
7 .	from the General Fund, for PENSION CONTRIBUTIONS	\$ 24,214,746	
8 .	from the General Fund, for RESERVE FUND	\$ -	\$ 74,198,148
C. for the purpose of COMMUNITY MAINTENANCE			
1 .	from the General Fund, for COMMUNITY MAINTENANCE, Salaries	\$ 4,796,546	
2 .	from the General Fund, for COMMUNITY MAINTENANCE, Expense	\$ 8,979,970	\$ 13,776,516
D. for the purpose of COMMUNITY PROTECTION			
1 .	from the General Fund, for POLICE, Salaries	\$ 19,373,598	
2 .	from the General Fund, for POLICE, Expenses	\$ 1,109,900	
3 .	from the General Fund, for HARBOR MASTER, Salaries	\$ 2,500	
4 .	from the General Fund, for HARBOR MASTER, Expenses	\$ 15,800	
5 .	from the General Fund, for FIRE & EMERGENCY SERVICES, Salaries	\$ 13,596,512	
6 .	from the General Fund, for FIRE & EMERGENCY SERVICES, Expenses	\$ 619,599	\$ 34,717,909
E. for the purpose of EDUCATION			
1 .	from the General Fund, for SCHOOL APPROPRIATION	\$ 90,970,323	
2 .	from the General Fund, for SCHOOL TRANSPORTATION	\$ 8,200,000	
3 .	from the General Fund, for EDUCATION-ALL OTHER	\$ 3,836,155	\$ 103,006,478
F. for the purpose of COMMUNITY SERVICE			
1 .	from the General Fund, for COMMUNITY SERVICES, Salaries	\$ 2,271,967	
2 .	from the General Fund, for COMMUNITY SERVICES, Expense	\$ 432,848	
3	from the General Fund, for COMMUNITY SERVICES, Transfer to Demo Lien	\$ 15,000	
4	from the General Fund, for COMMUNITY SERVICES, Transfer to Vacant Lot	\$ 15,000	
5 .	from the General Fund, for VETERANS' BENEFITS, Salaries	\$ 213,386	
6 .	from the General Fund, for VETERANS' BENEFITS, Expenses	\$ 2,664,901	
7 .	from the General Fund, for ELECTIONS, Salaries	\$ 178,548	
8 .	from the General Fund, for ELECTIONS, Expenses	\$ 65,535	\$ 5,857,185
TOTAL GENERAL FUND OPERATING BUDGET		\$ 236,756,504	\$ 236,756,504
CHERRY SHEET ASSESSMENT		\$ 19,085,552	\$ 19,085,552
GENERAL FUND OPERATING BUDGET		\$ 255,842,056	\$ 255,842,056

City of Fall River, *In City Council*

FUNDING SOURCES:

	<u>FY 17</u>	
from the Community Development, for DEBT - SERVICE	\$ 379,874	
from the Offset Receipts - Library, for DEBT - SERVICE	\$ 100,000	
from the Waterways Improvement/Boat Excise for DEBT - SERVICE	\$ 7,579	\$ 487,453
from Overlay Surplus Reserve	\$ -	
From Stabilization fund	\$ -	
from the EMS Rate Revenues for INSURANCE	\$ 629,111	
from the EMS Rate Revenues for PENSION	\$ 698,363	
from the EMS Rate Revenues for DISPATCHERS	\$ 321,578	
from the EMS Rate Revenues for OTHER INDIRECT	\$ 612,173	
from the Water Rate Revenues for INSURANCE	\$ 644,448	
from the Water Rate Revenues for PENSION	\$ 748,421	
from the Water Rate Revenues for OTHER INDIRECT	\$ 1,413,944	
from the Sewer Rate Revenues for INSURANCE	\$ 159,089	
from the Sewer Rate Revenues for PENSION	\$ 191,315	
from the Sewer Rate Revenues for OTHER INDIRECT	\$ 1,211,243	\$ 6,629,685
 from Ordinary Revenue and Municipal Receipts	 \$ 248,724,918	 \$ 248,724,918
 GENERAL FUND OPERATING BUDGET	 \$ 255,842,056	 \$ 255,842,056
	\$ -	
 Cherry Sheet Assessments (non-educational)	 \$ 2,097,767	
Cherry Sheet Assessments (educational)	\$ 16,987,785	\$ 16,331,562

CITY OF FALL RIVER
CITY COUNCIL
JUN 28 2016



City of Fall River
Massachusetts
Office of the Mayor

JASIEL F. CORREIA II
Mayor

2
RECEIVED

2016 JUN 23 P 4 35

CITY CLERK _____
FALL RIVER, MA

June 23, 2016

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02722

Dear Honorable Council Members:

In accordance with the provisions of Chapter 44, Section 32 of the Massachusetts General Laws, I recommend the following appropriations to your Honorable Body.

These appropriations are necessitated due to the regular periodic review of the operating budget. The following appropriations will assist the City in meeting its Fiscal Year 2016 obligations:

1. \$26,000 That the sum of \$13,000 and \$13,000 (total \$26,000) be transferred and appropriated from the FIRE DEPARTMENT Salaries and the EMS Stabilization Fund, respectively to be credited to the FIRE/EMS RESCUE BOAT Capital Expenditures. The transfer is being requested to acquire a Fire/EMS Rescue Boat.

- \$13,800 That the sum of \$4,800 and \$9,000 (total \$13,800) be transferred and appropriated from the FIRE DEPARTMENT Salaries and the EMS Stabilization Fund, respectively to be credited to the FIRE/EMS ELECTRIC CARS Capital Expenditures. The transfer is being requested to acquire Electric Cars for EMS and the Fire Department.

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

Best Regards,

Jasiel F. Correia II
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL
JUN 28 2016

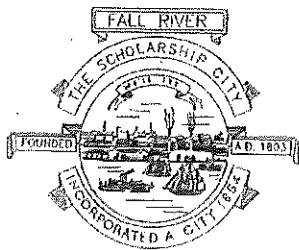
City of Fall River, *In City Council*

1

ORDERED:

That the sum of \$13,000 and \$13,000 (total \$26,000) be transferred and appropriated from the FIRE DEPARTMENT Salaries and the EMS Stabilization Fund, respectively to be credited to the FIRE/EMS RESCUE BOAT Capital Expenditures.

CITY OF FALL RIVER
IN CITY COUNCIL
JUN 28 2016



City of Fall River
Massachusetts
Fire Department Headquarters
Office of the Fire Chief

JASIEL F. CORREIA II
Mayor

JOHN D. LYNCH
Acting Fire Chief

June 20, 2016


Mayor Jasiel F. Correia II
City of Fall River
One Government Center
Fall River, MA 02722

Dear Mayor Correia:

I am respectfully requesting to transfer \$13,000 from the EMS Stability and \$13,000 from the Fire Department Salaries/Out of Rank accounts to a Capital Outlay Account.

This request is necessary for the purchase of a 31 ft. 1000 gallon a minute pump capacity fireboat from the New Bedford Fire Department for \$20, 000, and to perform the yearly maintenance, upkeep and outfitting of said fireboat.

Respectfully,


John D. Lynch
Acting Fire Chief

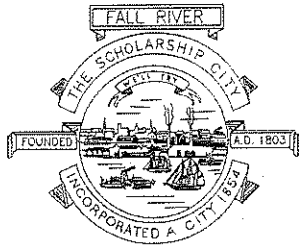
City of Fall River, *In City Council*

2

ORDERED:

That the sum of \$4,800 and \$9,000 (total \$13,800) be transferred and appropriated from the FIRE DEPARTMENT Salaries and the EMS Stabilization Fund, respectively to be credited to the FIRE/EMS ELECTRIC CARS Capital Expenditures.

CITY OF FALL RIVER
IN CITY COUNCIL
JUN 28 2016



**City of Fall River
Massachusetts**
Fire Department Headquarters
Office of the Fire Chief

JASIEL F. CORREIA II
Mayor

JOHN D. LYNCH
Acting Fire Chief

June 21, 2016

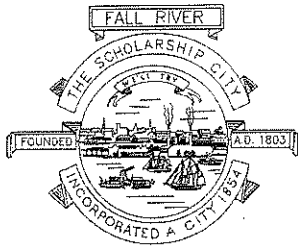
Mayor Jasiel F. Correia II
City of Fall River
One Government Center
Fall River, MA 02722

Dear Mayor Correia:

I am respectfully requesting that \$4,800 be transferred from the Fire Department Salaries/Out of Rank account to a Capital Outlay Fund. This is requested to pay for (3) three electric cars and installation of the charging stations for the electric cars.

Respectfully,

John D. Lynch
Acting Fire Chief



City of Fall River
Massachusetts
Fire Department Headquarters
Office of the Fire Chief

JASIEL F. CORREIA II
Mayor

JOHN D. LYNCH
Acting Fire Chief

June 21, 2016

Mayor Jasiel F. Correia II
City of Fall River
One Government Center
Fall River, MA 02722

Dear Mayor Correia:

I am respectfully requesting that \$9,000 be transferred from the EMS Stabilization Fund to a Capital Outlay Fund. This is requested to pay for (3) three electric cars and installation of the charging stations for the electric cars.

Respectfully,

John D. Lynch
Acting Fire Chief



FOR 2016 99

JOURNAL DETAIL 2016 1 TO 2016 13

ACCOUNTS FOR: 0100 GENERAL FUND	ORIGINAL APPROP	TRANSFRS/ ADJSTMIS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
12200001 FIRE DEPARTMENT SALARIES							
511000 SALARIES & WAGES-PERMANENT	12,154,963	-145,383	12,009,580	11,821,139.79	.00	188,440.00	98.4%
511115 LONGEVITY	850	200	1,050	1,050.00	.00	.00	100.0%
513000 OVERTIME SALARIES	215,000	0	215,000	170,199.80	.00	44,800.20	79.2%
514500 HOLIDAY PAY - SALARIES	957,326	0	957,326	944,579.35	.00	12,746.65	98.7%
514600 SERVICE OUT OF RANK - SALARI	152,920	-30,893	122,027	83,031.56	.00	38,995.85	68.0%
516900 RETIREMENT BUYOUTS	100,000	146,076	246,076	246,075.80	.00	.00	100.0%
517100 WORKER'S COMPENSATION - SALA	7,743	0	7,743	.00	.00	7,743.00	.0%
519000 OTHER PERSONAL SERVICES	4,350	0	4,350	800.00	.00	3,550.00	18.4%
519300 UNIFORM ALLOWANCE - SALARIES	1,800	0	1,800	1,200.00	.00	600.00	66.7%
519600 PROFESSIONAL DEVELOP. STIPEND	5,254	0	5,254	3,035.28	.00	2,218.72	57.8%
519700 AUTOMOBILE ALLOWANCE - SALAR	13,000	0	13,000	5,160.00	.00	7,840.00	39.7%
519901 PREFERRED PERSONAL DAYS FIRE	84,880	0	84,880	81,210.63	.00	3,669.37	95.7%
TOTAL FIRE DEPARTMENT SALARIES	13,698,086	-30,000	13,668,086	13,357,482.21	.00	310,603.79	97.7%
TOTAL GENERAL FUND	13,698,086	-30,000	13,668,086	13,357,482.21	.00	310,603.79	97.7%

FY 16 Appropriation/Transfer Number Analysis # 09

Line	Original/Revised	Appropriation	Amount Transferred	New Appropriation
Fire Dept, Salaries	\$	13,668,086	\$ (13,000)	\$ 13,655,086
EMS Stabilization Fund	\$	604,202	\$ (13,000)	\$ 591,202
Fire/EMS Rescue Boat Capital Expenditures	\$	-	\$ 26,000	\$ 26,000
Fire Dept, Salaries	\$	13,655,086	\$ (4,800)	\$ 13,650,286
EMS Stabilization Fund	\$	591,202	\$ (9,000)	\$ 582,202
Fire/EMS Electric Cars Capital Expenditures	\$	-	\$ 13,800	\$ 13,800

I certify that there are sufficient funds available for these transfers.



Krishan Gupta, City Auditor
6/23/2016

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2016 JUN 23 P 2:21
CITY CLERK
FALL RIVER, MA

City of Fall River, *In City Council*

BE IT ORDAINED by the City Council of the City of Fall River, as follows:

That Chapter 70 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to traffic be amended as follows:

By inserting in Section 70-371, which section relates to parking prohibited at all times, in proper alphabetical order the following:

Middle Street, south side, starting at a point 19 feet west of Forest Street, for a distance of 65 feet westerly

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 14 2016

*Passed through
first reading*

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 28 2016

tabled 3-29-16

City of Fall River, *In City Council*

5

(Committee on Ordinances and Legislation)

BE IT ORDAINED, by the City Council of the City of Fall River, as follows:

That Chapter 78 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Vehicles for Hire, be amended as follows:

By striking out in Section 78-33, subsection (b), which subsection relates to taxicab rates, in its entirety and inserting in place thereof, the following:

(b) The rate of fare shall be uniform for all licensed taxicabs and shall be as follows:

- (1) On the drop..... \$3.00
- (2) Plus, each additional one tenth mile or fraction thereof..... \$.25

The charge for a taxicab hired on an hourly basis shall be \$30.00 per hour in lieu of any other rate listed in this section.

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 14 2016

*Rapid Through
first reading*

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 28 2016

City of Fall River, In City Council

6

BE IT ORDAINED by the City Council of the City of Fall River, as follows:

That Chapter 86 of the Revised Ordinances of the City of Fall River, Mass., 1999, which chapter relates to Zoning, be amended as follows:

Section 1.

By striking out in Section 86-35 Table of Dimensional Regulations "45 or", under the heading "Max. Building Height (feet)" corresponding to the "APARTMENT" zone.

Section 2.

By striking out sub-section (3) in Section 86-148, which section relates to Apartment District, in its entirety and inserting in place thereof the following: "In this Apartment District the minimum lot area shall be ten thousand (10,000) square feet for the first dwelling unit and two thousand (2,000) square feet for each additional dwelling unit".

CITY OF FALL RIVER
IN CITY COUNCIL

FEB 23 2016

*Referred to the
Planning Board*

CITY OF FALL RIVER
IN CITY COUNCIL

MAY 24 2016

*Referred to the
Committee on Ordinances
and Legislation*

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 14 2016

*Passed Through
first Reading*

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 28 2016

6-24-16
Planning Bd.

7
City of Fall River, *In City Council*

(Councilor Raymond A. Mitchell)

WHEREAS, the Revised Ordinances of the City of Fall River, Chapter 2, Section 182 requires that the Mayor shall submit the Annual Budget to the City Council no later than June 1, and

WHEREAS, the format of the Municipal and School Department Budgets are different and difficult to compare, now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation convene to review the requirements of the Annual Budget to amend the ordinances to state exactly what is required to be in the budget submission.

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 28 2016

8

City of Fall River, *In City Council*

(Councilor Linda M. Pereira)

WHEREAS, there have been questions regarding health insurance contributions by the City of Fall River and employees, now therefore

BE IT RESOLVED, that the Committee on Finance convene with Robert Camara and Joseph Castro from the Insurance Advisory Committee (IAC), the City Administrator, Human Resources Director and the City Auditor to review policies and procedures regarding insurance contributions.

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 28 2016

City of Fall River, *In City Council*

ORDERED, that the regular meeting of the City Council to be held on Tuesday, July 5, 2016 be and the same is hereby cancelled and rescheduled for Tuesday, July 12, 2016.

CITY OF FALL RIVER
IN CITY COUNCIL
JUN 28 2016

CITY OF FALL RIVER
IN CITY COUNCIL
JUN 28 2016



City of Fall River
Notice of Claim

RECEIVED

2016 JUN 10 P 1:38

CITY CLERK 16-82
FALL RIVER, MA

1. Claimant's name: Mianna Dombek
2. Claimant's complete address: 130 Canal St apt. 1506
3. Telephone number: Home: 774 606 6730 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
spring str. Fall River
5. Date and time of accident: 5-31-16 Amount of damages claimed: \$ _____
6. Exact location of the incident: (include as much detail as possible):
spring str right on the side of newsstand / s. main st
7. Circumstances of the incident: (attach additional pages if necessary):
we fell in a 2 inch crack that wasn't filled in around a cement square around a manhole cover.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.

Date: 6-10-16

Claimant's signature: Mianna Dombek

WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

Return this form to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

For official use only:

Copies forwarded to: ☐ City Clerk ☒ Law ☐ City Council ☐ City Administrator ☒ DPW

Date: 6/10/16

CITY OF FALL RIVER
IN CITY COUNCIL
JUN 28 2016



RECEIVED

City of Fall River
Notice of Claim

2016 JUN 14 A 10:08

CITY CLERK 16. P3
FALL RIVER, MA

1. Claimant's name: Olga M. Pacheco
2. Claimant's complete address: 57 Lester St. F.R. MA 02724
3. Telephone number: Home: 5286746992 Work: Cell # 308-538-5218

4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):

auto accident

5. Date and time of accident: 10-24-15 06:30 PM Amount of damages claimed: \$ 4,000.00

6. Exact location of the incident: (include as much detail as possible):

Driving through Suffolk St. passing through intersection of Fulton St.

7. Circumstances of the incident: (attach additional pages if necessary):

Driving through Suffolk St, came to intersection of Fulton St. There was not caution nor stop sign or pole on @ corner to make me aware to stop. I thought I didn't need to stop, didn't see vehicle in enough time so other vehicle hit my @ drivers side.

8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☒ Yes ☐ No

Carbelita Ins. is mine and also reported to the other vehicle's ins. cov Geico-It

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.

Date: notarized and certified letter Claimant's signature: Olga M. Pacheco

was reviewed sent 30 day of incident.
WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

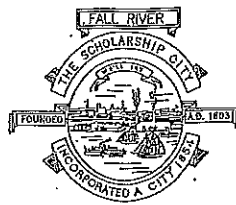
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Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator ☒ DPW

Date: 6/14/2016

CITY OF FALL RIVER
IN CITY COUNCIL
JUN 28 2016



CITY OF FALL RIVER, MA
LAW DEPT.

Council

RECEIVED

City of Fall River
Notice of Claim

16 JUN 14 PM 12:19

2016 JUN 15 A 10:20

1. Claimant's name: JEWEL V ROACH CITY CLERK - 16-84
FALL RIVER, MA
2. Claimant's complete address: 47 Boutwell Street
3. Telephone number: Home: 508-415-7503 Work: 541-774-955-3475
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage): Personal injuries substance
Property damages - Body damages - dumping waste in my body
5. Date and time of accident: _____ Amount of damages claimed: \$ _____
6. Exact location of the incident: (include as much detail as possible):
294 Tuttle Street and 47 Boutwell Street. 02723
7. Circumstances of the incident: (attach additional pages if necessary):
Traffic rampaging the body and its apartment
cyber fraud set up in them, preventing benefits
obstructors of justice, use of deadly chemicals
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.

Date: 05-26-2016

Claimant's signature: Jewel V Roach

WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

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Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator ☐ _____

Date: JUN 15 2016

RECEIVED



6/15/2016

2016 JUN 17 A 10:48

City of Fall River
City Clerk/Law Dept.
One Government Center, 2nd Fl.
Fall River, MA 02722
United States of America

CITY CLERK 16-85
FALL RIVER, MA

RE: Our Client: Element
 Our Driver: Daniel Botelho
 Our File #: 1572388
 Date of Loss: 5/4/2016
 Vehicle: 2016 Chevrolet Sonic Station Wagon
 Loss Amount: \$2275.03
 Location of Loss: Fall River, MA

Dear City of Fall River:

CEI is writing you in regards to the above mentioned loss in which a vehicle that you either owned and/or operated was involved in an accident with Daniel Botelho who is an employee of Element.

You are receiving this letter for one of the following reasons:

- You have agreed to pay for our client's damage personally instead of turning a claim in to your insurance carrier.
- We have unsuccessfully attempted to contact you to obtain your insurance information that was in affect at the time of loss and therefore are billing you direct for our client's damages
- Or you have agreed to pay for our client's damages because you were not insured at the time of the loss.

Please send a check or money order in the above listed "Loss Amount" payable to "The CEI Group Inc." and mail it to the above listed address. If you wish to pay by credit card, you must call CEI to process your payment with our Financial Administration department.

Sincerely,

Team 5
CEI Services
866.894.0386, Opt. #1

CITY OF FALL RIVER
IN CITY COUNCIL
JUN 28 2016

CITY OF FALL RIVER
OFFICE OF THE CITY CLERK

16

To the City Council:

RECEIVED

Application for permit to place or maintain a structure or device on or over a public way.

Name of Applicant: CARLOS OLAR 2016 JUN 13 A 10:25

Name of Business (if applicable): FLINT NEIGHBORHOOD ASSOCIATION
FALL RIVER, MA

Address: 112 FLINT ST. Fall River MA
Street City State

Phone: 774 526 2221

Type of structure or device: BANNER

Description (include dimensions): 3X30 BANNER ANNOUNCING THE
FLINT PRIDE DAY'S

Location: PLEASANT ST. (ACROSS POLICE STATION)

Dates: JULY 7TH TO JULY 24TH 2016

The applicant agrees to maintain this structure or device in accordance with the requirements of the Building Inspector and the City Council and that this permit may be revoked at the pleasure of the City Council.

Signature of Applicant [Signature]

Date JUNE 13TH 2016

1. ☒ (approve)
(disapprove) the issuance of this permit.

[Signature] Building Inspector 6/13/16 Date

2. In City Council, _____
Date

Permit (approved)
(disapproved)

Alison M. Bouchard
City Clerk

OFFICE USE ONLY

☐ Fee Paid

COMMITTEE ON FINANCE

MEETING: Tuesday, May 10, 2016 at 6:00 p.m.
Council Chamber, One Government Center

PRESENT: President Shawn E. Cadime, presiding;
Councilors Richard Cabeceiras, Joseph D. Camara, Steven A. Camara,
Pam Laliberte-Lebeau, Stephen R. Long, Raymond A. Mitchell,
Linda M. Pereira and Cliff Ponte

ABSENT: None

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator
Mary L. Sahady, CPA, Esq., Financial Consultant
Hague, Sahady & Co., P.C., 126 President Ave., Suite 201
Krishan Gupta, City Auditor
Kenneth C. Pacheco, Director of Community Maintenance
Joseph I. Macy, Corporation Counsel
Mayor Jasiel F. Correia II
Terrance J. Sullivan, Administrator of Public Utilities
John D. Lynch, Fire Chief
Timothy Oliveira, Director of Emergency Medical Services
Beth Ann Faunce, Deputy Director of Emergency Medical Services

The chairman called the meeting to order at 6:04 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

In accordance with a resolution adopted, as amended May 8, 2012, allowing persons to address the Council for a period of three minutes prior to the beginning or at the conclusion of business in the Committee on Finance, the following persons spoke on the subjects listed:

Before Discussion of Financial Matters:

John Vanderhook, 100 Smith Street – Comcast
Elizabeth Fonte, 461 Dickinson Street – Charter School/Dickinson Street
Lee Correa, 95 Dickinson Street – Charter School/Dickinson Street
Denise Gagne, 525 Fuller Street – Charter School/Dickinson Street
Gerald Fallon, 1006 Maple Street – Charter
Susan C. Mathias, 99 Broad Street – Ordinance violation
Douglas Carvalho, 360 Ferry Street – Taxicab ordinance

On a motion made and seconded, it was unanimously voted to waive the rules to allow citizen input to exceed thirty minutes.

Jordan Silvia, Barnaby Street – City Government
Maria F. Rego, 80 Edmund Street – Windows
Antonio Teixeira, 887 Cherry Street – DCM

On a motion made and seconded, it was unanimously voted to take a five minute recess at 6:40 p.m. On a motion made and seconded, it was unanimously voted to reconvene at 6:41 p.m.

August Venice, 25 Wright's Way – Ordinance and Charter
Richard Branco, 755 Pine Street – Saving jobs
Richard Barlow, 50 Anderson Street – So much to say, so little time

Agenda:

1. Discussion regarding Fiscal Year 2016 – Quarter 3 Budget Report

The City Administrator reviewed the 3rd Quarter Budget Report with Councilors. Councilor Raymond A. Mitchell requested a copy of all health insurance accounts from the City Administrator.

Councilor Linda M. Pereira stated that the overtime accounts for the Police and Fire Departments are more in line than in Fiscal Year 2015. Councilor Joseph D. Camara asked if the Fiscal Year 2016 Budget was on track. The City Administrator stated that it was.

2. Discussion re: elimination of Sanitation Enterprise Fund

Councilors discussed the pros and cons of the elimination of the Sanitation Enterprise Fund. Many Councilors were in favor of the elimination of the household fee for the disposal of household trash. Mayor Jasiel F. Correia II stated that it is extremely challenging to reduce the budget by \$3.7 million dollars, but the Fiscal Year 2017 Budget will not include the household trash fee.

On a motion made and seconded, it was unanimously voted to forward the matter to the full Council for action.

3. Discussion of Emergency Medical Services Enterprise Fund

On a motion made and seconded, it was unanimously voted to forward the matter to the full Council for action.

4. Discussion of Water and Sewer Enterprise Funds

The Administrator of Public Utilities stated that due to new regulations, the incinerator at the Sewage Treatment Plant has closed. The sludge now has to be transported to Cranston, RI for disposal, which is an added expense. The average family can expect an approximate \$77.38 increase per year for the combined water and sewer rate increases.

On a motion made and seconded, it was unanimously voted to forward the matter to the full Council for action.

5. Administration and Corporation Counsel discuss privatization of trash removal contract

Councilors discussed the proposed contract with EZ Disposal and Recycling, LLC. Mayor Jasiel F. Correia II stated that it is too late to negotiate with the Department of Community Maintenance employees and that the contract for privatization will be executed in the next few days.

Councilor Raymond A. Mitchell asked how much is still owed on the trash collection vehicles. The City Administrator stated that the total debt is \$5.6 million dollars. Councilor Raymond A. Mitchell stated that City Council approval will be needed to sell the vehicles.

A copy of the contract with EZ Disposal and Recycling, LLC will be provided to the City Council, once it is executed.

Citizens' Input Time – After Discussion of Financial Matters:

None

On a motion made and seconded, it was unanimously voted to adjourn. On a motion made and seconded, it was unanimously voted to reconvene to allow David Robbins, Contract Coordinator for Teamsters Local 251 and Attorney Elizabeth Wiens, Counsel for Teamsters Local 251, 121 Brightridge Avenue, East Providence, RI 02914 to speak regarding the privatization of the trash removal contract. On a motion made and seconded, it was unanimously voted to adjourn at 11:18 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
CD and DVD of meeting

Cynthia A. Taylor
Clerk of Committees

**CITY OF FALL RIVER
IN CITY COUNCIL
JUN 28 2016**

COMMITTEE ON ORDINANCES AND LEGISLATION

MEETING Tuesday, June 7, 2016 at 5:30 p.m.
Council Chamber, One Government Center

PRESENT Councilor Cliff Ponte, presiding
Councilors Joseph D. Camara, Pam Laliberte-Lebeau,
Stephen R. Long and Linda M. Pereira

ABSENT None

IN ATTENDANCE Laura Ferreira, Director of Traffic
Joseph I. Macy, Corporation Counsel
Kenneth C. Pacheco, Director of Community Maintenance
Attorney John R. Mitchell, 105 Bank Street
Dennis Polselli, Chairman, Commission on Disability
Debbie Pacheco, Vice Chairman, Commission on Disability
Dan Robillard, 145 Old Second Street
Douglas Carvalho, 360 Ferry Street
Alison M. Bouchard, City Clerk
Richard Szeliga, Director of Facilities
St. Anne's Hospital, 795 Middle Street
Ronald Audette, EMS Manager
St. Anne's Hospital, 795 Middle Street
Faith Latessa, Town Taxi, 168 Stevens Street
Anthony Russo, Vet's Safe-T-Cab, Inc., 67 Talbot Street
Colin Schenck, 73 Eighteenth Street
Zander Schenck, 73 Eighteenth Street

The chairman called the meeting to order at 5:33 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

Agenda:

1. Proposed Ordinance – Zoning, Apartment District [A-2]

On a motion made and seconded, it was unanimously voted to recommend the proposed ordinance be passed through first reading.

2. Proposed Ordinance – Traffic, miscellaneous

On a motion made and seconded, it was unanimously voted to lift the item from the table. Councilor Pam Laliberte-Lebeau asked why Forest Street could not be used for EMS vehicle parking. Richard Szeliga, Director of Facilities for St. Anne's Hospital

stated that Forest Street is used for physician parking only and utilizes a gate system. He stated that the gate system would make it difficult to have EMS vehicles parking in that area. Not only would access be difficult, it would increase response time for the EMS vehicle to exit the Forest Street location, as this is a one-way street southerly. On a motion made and seconded, it was unanimously voted to recommend the proposed ordinance be passed through first reading.

3. Communication requesting taxicab medallion

The chairman asked if Pierre Maxime was in attendance. Mr. Maxime was not in attendance at the meeting. The Chairman asked the City Clerk to explain the process of applying for a taxicab medallion. The City Clerk explained the procedure and stated that once the City Council approves the applicant, there is still an application process that needs to be completed. On a motion made and seconded, it was unanimously voted to table the matter.

4. Communication regarding taxicab regulations

Douglas Carvalho stated that he had requested this matter be referred to the Committee on Regulations. Mr. Carvalho stated that he would like the Committee on Ordinances and Legislation to draft an ordinance regarding the use of child car seats in taxicabs. Corporation Counsel stated that there is a state law regarding car seats, therefore an ordinance would be unnecessary. On a motion made and seconded, it was unanimously voted to recommend the communication be granted leave to withdraw.

5. Resolution – Establish guidelines for disabled taxicab patrons

Attorney John R. Mitchell stated that both taxicab companies do provide service to disabled patrons. Guide dogs are allowed in all taxicabs. Collapsible wheelchairs are placed in the trunk of the taxi for no additional charge. The problem is with anyone who is confined to a wheelchair and not ambulatory to transfer from the wheelchair to the taxicab. These patrons need a van that has a lift installed for the loading and unloading of wheelchairs. These vans are very expensive and training is needed for the drivers to operate them safely.

SRTA does provide transportation for residents confined to a wheelchair. This is an on demand service and must be requested approximately 72 hours prior. Councilor Linda M. Pereira requested that SRTA be invited to the next meeting. On a motion made and seconded, it was unanimously voted to table the matter.

6. Resolution – Discuss licensing and rates of taxicab vehicles

On a motion made and seconded, it was unanimously voted to lift the item from the table. It was stated that the present rates have not been increased in many years. The current rates were established in 2005. In 2007 a surcharge of \$1.00 per trip was added to the rates. In 2011 the \$1.00 surcharge was deleted from the taxicab rates, as the taxicab companies were not charging the additional dollar. On a motion made and seconded, it was unanimously voted to recommend the proposed ordinance be passed through first reading (copy of proposed ordinance is attached hereto and made a part of these minutes).

The proposed increases to the rates are as follows:

Taxicab Rates

On the drop, increase from \$2.00 to \$3.00.

Plus, for each additional one-tenth mile or fraction therefore, \$0.25. This to remain the same with no increase.

The charge for a taxicab hired on an hourly basis shall be, increase from \$20.00 per hour to \$30.00 per hour in lieu of any other rate listed in this section.

7 Resolution – duty of property owners to clear ice and snow from sidewalks

The Director of Community Maintenance stated that the problem with the current ordinance, Chapter 66, Section 32 Duties of abutting property owners regarding snow and ice on sidewalks is that there is no enforcement. He also stated that the City of Fall River is the biggest violator of the ordinance. It is very difficult for snow plows not to push snow and ice onto sidewalks. Also, there are not enough DCM employees to clear all sidewalks of city owned properties. Corporation Counsel stated that his office is reviewing ordinances and will be presenting a draft of recommended changes.

Councilor Joseph D. Camara left the meeting at 7:25 p.m.

It was asked why during a parking ban snow is plowed towards the side of the road where the vehicles are parked and not towards the side of the road with no vehicles parked. The Director of Community Maintenance stated that when the parking ban is lifted, it is better if the no parking side of the street is cleared to the curb.

On a motion made and seconded, it was unanimously voted to table the matter.

On a motion made and seconded, it was unanimously voted to adjourn at 7:34 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
CD and DVD of meeting


Clerk of Committees

CITY OF FALL RIVER
IN CITY COUNCIL
JUN 28 2016

City of Fall River, *In City Council*

(Committee on Ordinances and Legislation)

BE IT ORDAINED, by the City Council of the City of Fall River, as follows:

That Chapter 78 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Vehicles for Hire, be amended as follows:

By striking out in Section 78-33, subsection (b), which subsection relates to taxicab rates, in its entirety and inserting in place thereof, the following:

(b) The rate of fare shall be uniform for all licensed taxicabs and shall be as follows:

- (1) On the drop..... \$3.00
- (2) Plus, each additional one tenth mile or fraction thereof..... \$.25

The charge for a taxicab hired on an hourly basis shall be \$30.00 per hour in lieu of any other rate listed in this section.

COMMITTEE ON PUBLIC SAFETY

MEETING: Tuesday, February 2, 2016 at 5:30 p.m.
Council Chamber, One Government Center

PRESENT: Councilor Pam Laliberte-Lebeau, presiding
Councilors Richard Cabeceiras and Cliff Ponte

ABSENT: None

IN ATTENDANCE: Kenneth C. Pacheco, Director of Community Maintenance
Councilor Stephen R. Long
Cathy Ann Viveiros, City Administrator
Robert J. Viveiros, Fire Chief
Lt. Paul Bernier, Fall River Police Department
Laura Ferreira, Director of Traffic
Michael L. Miozza, 84 Holland Street
Christian McCloskey, Youth Services Coordinator
Michaela Gagne Hetzler, Youth Violence Prevention Coordinator

The chairman called the meeting to order at 5:30 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

Agenda:

On a motion made and seconded, it was unanimously voted to take item #3 out of order.

3. Resolution – Committee on Public Safety meet to discuss replacement of street light across from 1667 South Main Street

The street light across from 1667 South Main Street has been replaced. The City Administrator stated that a check in the amount of \$15,000.00 was received in April of 2013. Unfortunately, when insurance proceeds are received they occasionally do not submit a breakdown with the payment making it impossible to determine if a claim has been paid. On a motion made and seconded, it was unanimously voted to table the matter and invite Corporation Counsel to the next meeting.

On a motion made and seconded, it was unanimously voted to take item #2 out of order.

2. Resolution – discuss designation of High Intensity Drug Trafficking Area

Lt. Paul Bernier informed the committee that this designation of a High Intensity Drug Trafficking Area is for all of Bristol County, not just Fall River. He also stated that no funds have been received for this program, but should be forthcoming. On a motion made and seconded, it was unanimously voted to table the matter.

1. Resolution – Youth Services Coordinator provide update on the Fall River Shannon Community Safety Initiative and the Safe and Successful Youth Initiative

Christian McCloskey, Youth Services Coordinator and Michaela Gagne Hetzler, Youth Violence Prevention Coordinator provided an overview of the Fall River Shannon Community Safety Initiative and the Safe and Successful Youth Initiative. Since the inception of these programs, Fall River has received approximately \$6.5 million dollars in grant funding.

4. Communication regarding public safety issues in President Avenue/Elsbree Street area

The Director of Traffic stated that the pedestrian crossing light at the intersection of President Avenue and Elsbree Street has been inspected and the light is working properly. It was also stated that "Piano Keys" are being painted in areas of high traffic volume, rather than a plain crosswalk. On a motion made and seconded, it was unanimously voted to table the matter.

5. Resolution – discuss Fire Department staffing levels

The Fire Chief stated that the Fire Department is currently staffed at 175 firefighters. With one firefighter out on disability and two retirements, that leaves the department with 172 firefighters. He stated that there is a class of twelve recruits now in the academy. Once they are sworn, the staffing level will increase to 184 firefighters. On a motion made and seconded, it was unanimously voted to table the matter.

6. Resolution – discuss traffic pattern at the intersection of Hamlet Street and Plymouth Avenue

The Director of Traffic explained that some changes were made to this intersection to alleviate some of the initial complaints from area residents. Traffic ordinances were instituted to prohibit parking near the intersection of Hamlet Street and Plymouth Avenue, which improved the safety and design of the intersection. On a motion made and seconded, it was unanimously voted to grant the resolution leave to withdraw.

7. Discussion re: issues and concerns related to public safety throughout the city

No one addressed the committee.

On a motion made and seconded, it was unanimously voted to adjourn at 6:42 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
CD and DVD of meeting

**CITY OF FALL RIVER
IN CITY COUNCIL
JUN 28 2016**

Cullen A. Taylor
Clerk of Committees