



# City of Fall River Massachusetts

## Office of the City Clerk

**ALISON M. BOUCHARD**  
CITY CLERK

**INÊS LEITE**  
ASSISTANT CITY CLERK

### REGULAR MEETING OF THE CITY COUNCIL

**MEETING:** Tuesday, May 24, 2016, 2016 at 7:00 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, Director of Financial Services  
Terrence J. Sullivan, Administrator of Public Utilities

President Shawn E. Cadime called the meeting to order at 8:23 p.m. with a salute to the flag followed by a moment of silent prayer and announced that the meeting may be recorded with audio or video and transmitted through any medium.

### PRIORITY MATTERS

1. Transfers and appropriations
  - a. \$1,000,000 from the General Fund to Education – School Appropriation  
*On a motion made by Councilor Steven A. Camara and seconded by Councilor Linda M. Pereira, it was voted 9 yeas to adopt the order.*
  - b. \$82,000 from Administrative Services Salaries to Administrative Services Expenditures  
*On a motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was voted 7 yeas, 2 nays to adopt the order, with Councilors Linda M. Pereira and Cliff Ponte voting in the negative.*
  - c. \$889, 740 from Debt Service Expenditures, Insurance Expenditures, Financial Services Expenditures, Financial Services Salaries to Community Maintenance, Expenditures  
*This order was tabled in the Committee on Finance meeting.*
2. Mayor and Highlands Local Historic District Commission Appointments  
*A motion was made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte to adopt the order. A discussion was held regarding the qualifications that are needed for this Commission. On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to table the matter regarding the City Council appointees. On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to confirm the Mayoral appointees (Kristin Oliveira, Richard Mancini, Maria Connie Soule and Michael Keane).*

3. Mayor and order re: Sergeant Gilbert Carvalho Memorial  
*On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to waive the rules to allow the City Administrator to answer questions regarding this matter. Cathy Ann Viveiros, City Administrator, provided information regarding the process of determining that this location met all of the requirements of the City ordinance regarding dedications and memorials. On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order.*  
Approved, June 1, 2016  
Jasiel F. Correia, II, Mayor

#### **PRIORITY COMMUNICATIONS**

4. Planning Board recommending amendment of Apartment [A-2] District  
*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to refer the recommendation to the Committee on Ordinances and Legislation.*

5. City of Fall River GASB45 Valuation Report rel. to post-retirement benefits  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted that the report be accepted and placed on file.*

#### **COMMITTEE REPORTS**

Committee on Finance recommending:

##### Action:

6. Communication and order – Elimination of Sanitation Enterprise Fund  
*On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Richard Cabeceiras, it was unanimously voted to waive the rules to allow the Director of Financial Services to answer questions. Mary Sahady, Director of Financial Services, provided a detailed explanation regarding the budgeting plan, the inclusion of the Sanitation Division within the Municipal Budget and itemization of expenses and salaries. On a motion made by Councilor Steven A. Camara and seconded by Councilor Cliff Ponte, it was voted 6 yeas, 3 nays to adopt the order, with President Shawn E. Cadime and Councilors Richard Cabeceiras and Linda M. Pereira voting in the negative.*  
Approved, June 1, 2016  
Jasiel F. Correia, II, Mayor

7. Water and Sewer Enterprise Funds – Fiscal Year 2017 Proposed Budgets  
*Councilor Steven A. Camara made brief remarks regarding his opposition to increasing water and sewer bills. On a motion made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau, it was voted that the proposed budgets be accepted and placed on file, with Councilor Steven A. Camara opposed and Councilor Linda M. Pereira absent and not voting.*

8. Emergency Medical Services Enterprise Fund – Fiscal Year 2017 Proposed Budget  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted that the proposed budget be accepted and placed on file.*

*On a further motion made by Councilor Richard Cabeceiras and seconded by Councilor Cliff Ponte, it was unanimously voted to take items 9 and 10 together.*

*On a further motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to take items 9 and 10 separately.*

Committee on Real Estate recommending:

Grant leave to withdraw:

9. Communication – Administration regarding outdoor advertising  
*On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Raymond A. Mitchell, it was voted 9 yeas that the communication be granted leave to withdraw.*
10. Resolution – Administration consider purchasing former St. Vincent's Farm  
*On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Stephen R. Long, it was voted 7 yeas, 2 nays that the resolution be granted leave to withdraw, with Councilors Steven A. Camara and Raymond A. Mitchell voting in the negative.*

Committee on Ordinances and Legislation recommending:

Grant leave to withdraw:

11. Resolution – Review Traffic Division fees  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted that the resolution be granted leave to withdraw.*

All readings with Emergency Preamble:

12. Proposed ordinance – Traffic, handicapped parking  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara, it was voted 9 yeas to adopt the emergency preamble. On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted that the proposed ordinance be passed through first reading, second reading, passed to be enrolled and passed to be ordained.*

First Reading:

13. Proposed ordinance – Traffic, miscellaneous  
*On a motion made by Councilor Steven A. Camara and seconded by Councilor Linda M. Pereira, it was unanimously voted that the proposed ordinance be passed through first reading.*
14. Proposed ordinance – Cemetery fees  
*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, it was voted that the proposed ordinance be passed through first reading, with Councilor Steven A. Camara opposed.*
15. Proposed ordinance – Water rate increase  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau, it was voted that the proposed ordinance be passed through first reading, with Councilor Steven A. Camara opposed.*

First Reading, as amended:

16. Proposed ordinance – Eliminate annual fee for collection/disposal of household trash  
*A brief discussion was held by Councilors Richard Cabeceiras and Steven A. Camara regarding whether this ordinance should be addressed before the budget is finalized. Councilor Richard Cabeceiras made a motion to table the proposed ordinance but received no second. On a further motion made by Councilor Joseph D. Camara and seconded by Councilor Cliff Ponte, it was unanimously voted to waive the rules to allow the Director of Financial Services to provide additional information. Mary Sahady, Director of Financial Services, provided a brief explanation regarding surplus funds and limits of appropriations within a municipal budget.*

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was voted 6 yeas, 3 nays that the proposed ordinance be passed through first reading, as amended, with President Shawn E. Cadime and Councilors Richard Cabeceiras and Linda M. Pereira voting in the negative.*

17. Proposed ordinance – Sewer rate and Stormwater increase

*On a motion made by Councilor Cliff Ponte and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to waive the rules to allow the Administrator of Public Utilities to provide information. Terrence J. Sullivan, Administrator of Public Utilities, provided a detailed explanation regarding the increase of 15% per year in sewer and stormwater rates and provided examples of upgrades being installed throughout the City with this revenue. On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was voted 8 yeas, 1 nay that the proposed ordinance be passed through first reading, as amended, with Councilor Steven A. Camara voting in the negative.*

Second Reading and enrollment, as amended:

18. Proposed ordinance – Director of Community Maintenance Salary

*On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Cliff Ponte, it was unanimously voted to waive the rules to allow the City Administrator to answer questions. Cathy Ann Viveiros, City Administrator, provided details regarding limitations of candidates due to a salary that is not competitive. On a motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was voted 3 yeas, 6 nays that the proposed ordinance be amended to strike out "not to exceed \$98,000.00 per annum" and insert "3,053.44 biweekly," with Councilors Steven A. Camara, Raymond A. Mitchell and Cliff Ponte voting in the affirmative and the motion failed to carry. On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was voted 5 yeas, 4 nays that the proposed ordinance be passed through second reading and enrollment, as amended, with Councilors Joseph D. Camara, Steven A. Camara, Linda M. Pereira and Cliff Ponte voting in the negative. On a further motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was voted 5 yeas, 4 nays that the proposed ordinance be passed through ordination, as amended, with Councilors Joseph D. Camara, Steven A. Camara, Linda M. Pereira and Cliff Ponte voting in the negative.*

*Approved, June 1, 2016*

*Jasiel F. Correia, II, Mayor*

Refer to Corporation Counsel:

19. Resolution – Reduce pay-as-you-throw fine from \$100 to \$30

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to refer the resolution to Corporation Counsel.*

20. Resolution – Review fees related to parking

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the resolution to Corporation Counsel.*

Accept and place on file:

21. Communication – Board of Park Commissioners re: Cemetery fees

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, it was unanimously voted that the communication be accepted and placed on file.*

## **ORDINANCES**

### **Second Reading and enrollment:**

#### **22. Proposed ordinance – Treasurer**

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara, it was voted 5 yeas, 4 nays to table the proposed ordinance, with Councilors Richard Cabeceiras, Joseph D. Camara, Stephen R. Long and Cliff Ponte voting in the negative.*

## **RESOLUTIONS**

**23. Administration provide an accounting of all insurance accounts, including health insurance**  
*On a motion made by Councilor Cliff Ponte and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to amend the resolution by inserting, " and be it further resolved that the Administration shall furnish the City Council with any audits pertaining to health insurance." On a further motion made by Councilor Stephen R. Long and seconded by Councilor Raymond A. Mitchell, it was unanimously voted that the resolution be adopted, as amended.*

## **CITATIONS**

#### **24. Fall River Young Marines – 2016 National Unit of the Year**

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to adopt the citations.*

#### **25. Diman Regional Vocational Technical High School – Outstanding student awards**

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to adopt the citations.*

## **ORDERS – HEARINGS FOR TONIGHT – None**

## **ORDERS – HEARINGS TO BE SCHEDULED – None**

## **ORDERS – NO HEARING REQUIRED – None**

## **ORDERS – MISCELLANEOUS**

#### **26. Police Chief's report on licenses**

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to adopt the order.*

## **COMMUNICATIONS – INVITATIONS – PETITIONS**

#### **27. Claims**

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to refer the claims to Corporation Counsel.*

#### **28. Drainlayer licenses**

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to approve the licenses.*

*Approved, June 1, 2016*

*Jasiel F. Correia, II, Mayor*

#### **29. City resident regarding abandoned property on Weetamoe Street**

*Councilors Pam Laliberte-Lebeau, Linda M. Pereira and Cliff Ponte agreed that this item should be referred to the Committee on Public Safety due to the current state of the property. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to refer the communication to the Committee on Public Safety.*

30. CJ Ferry and OML Complaint re: meeting of Committee on Ordinances and Legislation held on May 17, 2016

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to refer the complaint to Corporation Counsel.*

*On a further motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to take items 31 through 36 together.*

City Council Committee/Meeting Minutes:

- 31. Regular City Council Meeting – January 4, 2016
- 32. Regular City Council Meeting – January 12, 2016
- 33. Regular City Council Meeting – April 19, 2016
- 34. Regulations – January 12, 2016
- 35. Regulations – May 10, 2016
- 36. Real Estate – May 16, 2016

*On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Cliff Ponte, it was unanimously voted to approve the minutes.*

**BULLETINS – NEWSLETTERS – NOTICES** – None

*A brief recess was held from 10:29 p.m. to 10:31 p.m. for the signing of the Proposed Ordinance regarding the Salary of the Director of Community Maintenance.*

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Richard Cabeceiras, it was unanimously voted to adjourn at 10:32 p.m.*

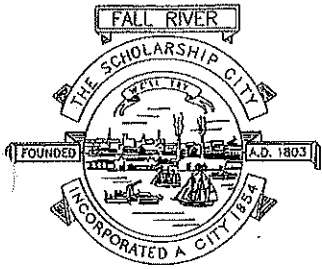
List of documents and other exhibits used during the meeting:

Agenda packet (attached)  
CD and DVD of meeting

A true copy. Attest:



City Clerk



**City of Fall River Massachusetts**  
Office of the City Clerk

2016 MAY 20 P 2:15

**MAY 20, 2016**

CITY CLERK \_\_\_\_\_

**MEETINGS SCHEDULED FOR NEXT WEEK**

**CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER**

**TUESDAY, MAY 24, 2016**

**ALISON M. BOUCHARD**  
CITY CLERK

**INÊS LEITE**  
ASSISTANT CITY CLERK

**6:00 P.M. COMMITTEE ON FINANCE**

1. \*Transfers and appropriations (see #1 below)
2. \*Discussion with Community Preservation Committee re: CPA 2016 Final Report (referred 5-10-16)
3. Discussion re: dates of meetings to discuss FY2017 Budget

**AGENDA**

**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. \*Transfers and appropriations (see #1 Finance)
2. \*Mayor and Highlands Local Historic District Commission Appointments
3. \*Mayor and order re: Sergeant Gilbert Carvalho Memorial

**PRIORITY COMMUNICATIONS**

4. \*Planning Board recommending amendment of Apartment [A-2] District
5. \*City of Fall River GASB45 Valuation Report rel. to post-retirement benefits

**COMMITTEE REPORTS**

Committee on Finance recommending:

Action:

6. Communication and order – Elimination of Sanitation Enterprise Fund
7. Water and Sewer Enterprise Funds – Fiscal Year 2017 Proposed Budgets
8. Emergency Medical Services Enterprise Fund – Fiscal Year 2017 Proposed Budget

Committee on Real Estate recommending:

Grant leave to withdraw:

9. Communication – Administration regarding outdoor advertising
10. Resolution – Administration consider purchasing former St. Vincent's Farm

Committee on Ordinances and Legislation recommending:

Grant leave to withdraw:

11. Resolution – Review Traffic Division fees

All readings with Emergency Preamble:

12. \*Proposed ordinance – Traffic, handicapped parking

First Reading:

13. Proposed ordinance – Traffic, miscellaneous
14. Proposed ordinance – Cemetery fees
15. Proposed ordinance – Water rate increase

**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](mailto:city_clerks@fallriverma.org)

First Reading, as amended:

- 16. Proposed ordinance – Eliminate annual fee for collection/disposal of household trash
- 17. Proposed ordinance – Sewer rate and Stormwater increase

Second Reading and enrollment, as amended:

- 18. \*Proposed ordinance – Director of Community Maintenance Salary

Refer to Corporation Counsel:

- 19. Resolution – Reduce pay-as-you-throw fine from \$100 to \$30
- 20. Resolution – Review fees related to parking

Accept and place on file:

- 21. Communication – Board of Park Commissioners re: Cemetery fees

**ORDINANCES**

Second Reading and enrollment:

- 22. \*Proposed ordinance – Treasurer

**RESOLUTIONS**

- 23. \*Administration provide an accounting of all insurance accounts, including health insurance

**CITATIONS**

- 24. Fall River Young Marines – 2016 National Unit of the Year
- 25. Diman Regional Vocational Technical High School – Outstanding student awards

**ORDERS – HEARINGS FOR TONIGHT** – None

**ORDERS – HEARINGS TO BE SCHEDULED** – None

**ORDERS – NO HEARING REQUIRED** – None

**ORDERS – MISCELLANEOUS**

- 26. Police Chief's report on licenses

**COMMUNICATIONS – INVITATIONS – PETITIONS**

- 27. \*Claims
- 28. Drainlayer licenses
- 29. \*City resident regarding abandoned property on Weetamoe Street
- 30. \*CJ Ferry and OML Complaint re: meeting of Committee on Ordinances and Legislation held on May 17, 2016

City Council Committee/Meeting Minutes:

- 31. \*Regular City Council Meeting – January 4, 2016
- 32. \*Regular City Council Meeting – January 12, 2016
- 33. \*Regular City Council Meeting – April 19, 2016
- 34. \*Regulations – January 12, 2016
- 35. \*Regulations – May 10, 2016
- 36. \*Real Estate – May 16, 2016

**BULLETINS – NEWSLETTERS – NOTICES** – None

  
City Clerk





City of Fall River  
Massachusetts  
Office of the Mayor

Finance 1

RECEIVED

2016 MAY 19 P 2:41

CITY CLERK  
FALL RIVER, MA

JASIEL F. CORREIA II

Mayor

May 19, 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. \$1,000,000 That the sum of \$1,000,000 be, and the same is, hereby appropriated for the Education – SCHOOL APPROPRIATION from the GENERAL FUND FY 15 SURPLUS REVENUE (Freecash). The transfer is required to meet City's obligation towards Net School Spending.
2. \$82,000 That the sum of \$82,000 be transferred, and the same is, hereby appropriated for the ADMINISTRATIVE SERVICES Expenditures from the ADMINISTRATIVE SERVICES Salaries.  
The transfer is required to meet unforeseen MIS expenditures
3. \$889,740 That the sum of \$485,000, \$210,000, \$50,000, \$30,000, \$10,000, and \$104,740 (Total \$889,740) be transferred and appropriated from the DEBT SERVICE Expenditures, INSURANCE Expenditures, FINANCIAL SERVICES Expenditures, FINANCIAL SERVICES Salaries, COMMUNITY SERVICES Salaries, and COMMUNITY MAINTENANCE Salaries, respectively to be credited to the COMMUNITY MAINTENANCE, Expenditures.  
These transfers coupled with internal transfers will cover the FY 16 Snow and Ice deficit of \$991,190.

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*

May 24, 2016

# 1

**ORDERED:**

**That the sum of \$1,000,000 be, and the same is, hereby appropriated for the Education – SCHOOL APPROPRIATION from the GENERAL FUND FY 15 SURPLUS REVENUE (Freecash).**

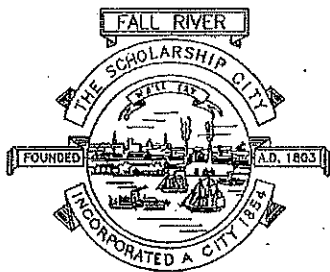
*City of Fall River, In City Council*

May 24, 2016

# 2

**ORDERED:**

**That the sum of \$82,000 be transferred, and the same is, hereby appropriated for the ADMINISTRATIVE SERVICES Expenditures from the ADMINISTRATIVE SERVICES Salaries.**



# City of Fall River

## Massachusetts

Department of Administrative Services  
HUMAN RESOURCES • INFORMATION SYSTEMS • LAW • PURCHASING

### *Information Systems Division*

**JASIEL F. CORREIA II**  
*Mayor*

**MADELINE S. COELHO**  
Director

**DAWN E. LEWIS**  
Director Information Systems

To: Mayor Jasiel F. Correia II  
From: Dawn Lewis, Director Information Systems  
Date: May 19, 2016  
Re: Transfer of funds

I respectfully request your approval to the transfer funds from the salary account to the expense account in the amount of \$82,000 for the purpose of meeting FY 2016 budgetary expenditures.

Please let me know if I can provide additional information.

Sincerely,

Dawn Lewis

ITY CLERK  
FALL RIVER, MA

2016 MAY 19 P 2:42

RECEIVED

*City of Fall River, In City Council*

May 24, 2016

# 3

**That the sum of \$485,000, \$210,000, \$50,000, \$30,000, \$10,000, and \$104,740 (Total \$889,740) be transferred and appropriated from the DEBT SERVICE Expenditures, INSURANCE Expenditures, FINANCIAL SERVICES Expenditures, FINANCIAL SERVICES Salaries, COMMUNITY SERVICES Salaries, and COMMUNITY MAINTENANCE Salaries, respectively to be credited to the COMMUNITY MAINTENANCE, Expenditures.**



# City of Fall River Massachusetts

Department of Community Maintenance  
CEMETERIES • MUNICIPAL BUILDINGS • PARKS • SANITATION • ENGINEERING  
STREETS & HIGHWAYS • TRAFFIC & PARKING • VEHICLES

**JASIEL F. CORREIA II**  
*Mayor*

**KENNETH C. PACHECO**  
**Director**

May 19, 2016

Cathy Viveiros,  
City Administrator  
One Government Center  
Fall River, MA 02722

**RECEIVED**  
2016 MAY 19 P 3:46  
CITY CLERK  
FALL RIVER, MA

Cathy,

I have reviewed the current FY 16 budget for the Department of Community Maintenance and able to release \$104,740 to meet the Snow and Ice deficit. This transfer coupled with other proposed transfers will be sufficient to cover the total Snow and Ice deficit of \$991,190.

Sincerely,

Kenneth C. Pacheco  
Director of Community Maintenance



**City of Fall River**  
**Massachusetts**  
**Department of Financial Services**  
TREASURER • COLLECTOR • AUDITOR • ASSESSOR  
*Auditor Division*

**JASIEL F. CORREIA II**  
*Mayor*

**KRISHAN GUPTA**  
City Auditor

**STACY MEDEIROS**  
Assistant City Auditor

May 19, 2016

Dear Mayor Jasiel F. Correia II:

I have reviewed the current FY 16 budget for the Finance Department and recommend releasing \$775,000 as noted below. This transfer coupled with other proposed transfers will be sufficient to cover the total Snow and Ice deficit of \$991,190.

Debt Service	\$485,000
Insurance	\$210,000
Financial Services, Expenditures	\$50,000
Financial Services, Salaries	<u>\$30,000</u>
	<u><b>\$775,000</b></u>

With best regards,

Krishan Gupta  
City Auditor

Copy: Cathy Ann Viveiros, City Administrator

Mary L. Sahady, City Financial Consultant

**RECEIVED**  
2016 MAY 19 P 4: 20  
CITY CLERK  
FALL RIVER, MA



City of Fall River  
Massachusetts  
Department of Community Services  
PLANNING \* HEALTH & HUMAN SERVICES  
LIBRARY \* INSPECTIONAL SERVICES

RECEIVED

2016 MAY 19 11:11

CITY CLERK  
FALL RIVER, MA

---

INTEROFFICE MEMORANDUM

---

TO: KRISHAN GUPTA, CATHY ANN VIVEIROS  
FROM: HENRY R. VAILLANCOURT MD MPH, DIR. COMMUNITY SERVICES  
SUBJECT: TRANSFER OF MONEY FROM INSPECTIONAL SERVICES  
DATE: 5/18/2016

---

Pursuant to our discussion today, you may, on behalf of the Administration, request to transfer out the sum of \$10,000 (ten thousand dollars) from 12400001 511000 "Salaries & Wages", Code Enforcement. There will be an unexpected surplus in this account, and said transfer will not adversely affect the department.



# FY 16 Appropriation/Transfer Number Analysis # 07

Line	Original/Revised	Appropriation	Amount Transferred	New Appropriation
GF Surplus Revenue (Freecash) FY 15	\$	1,225,075	\$ (1,000,000)	\$ 225,075
Education - School Appropriations (FRPS)	\$	112,257,462	\$ 1,000,000	\$ 113,257,462
(Excluding Transportation and Vocational Education)				
Administrative Services, Salaries	\$	1,197,106	\$ (82,000)	\$ 1,115,106
Administrative Services, Expenditures	\$	1,383,555	\$ 82,000	\$ 1,465,555
Debt Service Expenditures	\$	10,250,510	\$ (485,000)	\$ 9,765,510
Insurance Expenditures	\$	18,000,535	\$ (210,000)	\$ 17,790,535
Financial Services, Expenditures	\$	808,994	\$ (50,000)	\$ 758,994
Financial Services, Salaries	\$	1,421,069	\$ (30,000)	\$ 1,391,069
Community Services, Salaries	\$	2,304,932	\$ (10,000)	\$ 2,294,932
Community Maintenance, Salaries	\$	4,718,550	\$ (104,740)	\$ 4,613,810
Community Maintenance, Expenditures	\$	3,751,087	\$ 889,740	\$ 4,640,827

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



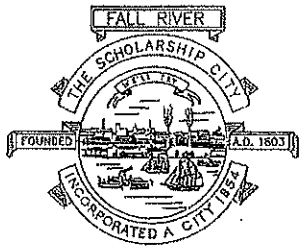
Krishan Gupta, City Auditor

5/19/2016

RECEIVED

2016 MAY 19 P 1:26

CITY CLERK  
FALL RIVER, MA



**City of Fall River  
Massachusetts  
Office of the Mayor**

*Finance*

RECEIVED

2016 MAY -5 P 2:57

CITY CLERK  
FALL RIVER, MA

**JASIEL F. CORREIA II**  
*Mayor*

May 5, 2016

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

RE: CPA Funding Recommendations 2016

Honorable Members of the Council:

The Community Preservation Committee has completed its review of community projects and has made recommendations for funding in accordance with MGL Chapter 44B Sections 4 to 7.

Your approval of these projects is respectfully requested.

Best Regards,

Jasiel F. Correia  
Mayor

CITY OF FALL RIVER  
IN CITY COUNCIL  
MAY 10 2016

*Referred to the  
Committee on Finance*

COMMUNITY PRESERVATION COMMITTEE

RECEIVED

2016 FUNDING RECOMMENDATIONS

2016 APR 28 A 9:47

CITY CLERK  
FALL RIVER, MA

**Adoption and Preparation:**

The citizens of Fall River approved the adoption of the Community Preservation Act in the November 2012 election. 57.9 percent of the voters in that election cast ballots in support of its local adoption. The Community Preservation Committee was formed in October 2013 and held its first meeting on October 28, 2013.

The membership of the Community Preservation Committee includes two members appointed by the Mayor, James Sousa and Paul Machado, two members appointed by the City Council, Kenneth Pacheco and Antone Dias, a representative from the Housing Authority, Matthew Burke, a representative from the Historic Commission, Alan Rumsey, a representative from the Planning Board, Mario Lucciola and a representative from the Conservation Commission, John Brandt. Currently there is not a representative from the Park Board, after long serving member Holly Bronhard resigned.

The first tasks of the Community Preservation Committee were to develop a local CPA plan, establish the application and hearing process and to become familiar with the statute, GL Ch. 44B and applicable rules. Early in its existence, the CPC invited the Executive Director of the Community Preservation Coalition to speak at a meeting. The CPC voted to join this coalition which offers advice and technical guidance on the implementation of this Act. The Board has frequently utilized this available resource.

During the Spring of 2014 members of the Community Preservation Committee attended each of the City's neighborhood association meetings to explain the process and encourage applications. CPA materials have been posted on the official City website as well as a Facebook page. As required by statute the CPC held its annual meetings in September 2014 and 2015. Those public hearings were preceded by legal notices published in the Fall River Herald News. Both of these annual meetings were well attended and were an occasion for the general public to offer opinions as to projects and general procedures.

In addition to the annual public hearings, members of the public have been recognized at each of the CPC's meetings. The identity of the speakers and their comments are documented in the Board's minutes. No member of the public wishing to address the Community Preservation Committee has ever been denied the opportunity to express his views.

The effectiveness of the efforts by the Community Preservation Committee to advertise the availability of these funds is evidenced by the fact that in 2015, thirty-five applications were received, and in 2016, thirty-six applications were received.

#### **2015 Projects Update:**

In 2015 the Community Preservation Committee recommended and the City Council approved funding for thirteen projects. As this was the first funding round, the tools to implement these projects needed to be created. Award agreements had to be drafted and the financial protocols had to be developed. Work on a few private projects has started. Some projects have been delayed due to the

weather. It is expected that all thirteen projects will be in progress by early summer.

Within the next few weeks colorful signs should be in place at each construction site. The signs indicate that the work is being conducted as a result of Community Preservation Act funding.

### **The Application Process:**

#### **Hearings on Eligibility**

In anticipation of the first funding round, the Community Preservation Committee adopted a two-step application process. That same process was followed during the 2016 funding cycle. The first part of that process involves an application for eligibility due on September 1. Upon receipt of each application for eligibility the Committee scheduled an eligibility hearing and sent a written invitation to each applicant.

During the 2016 funding cycle eligibility hearings on projects 1 through 11 were heard on October 5, 2016. The hearings involving projects 12 through 23 were heard on November 2, 2016 and the hearings on projects 24 through 36 were heard on December 7, 2016.

The first purpose of these eligibility hearings was for the Committee to determine if the application met the criteria for funding. The Community Preservation Act allows funding for projects involving Open Space, Historic Preservation, Outdoor Recreation and Community Housing. Within each category there are particular rules involving permissible funding.

The Community Preservation Committee considered the eligibility of each project even when a presenter did not appear. The secondary purpose of these hearings was for the Committee to become familiar with the projects through applicant presentations. The committee members had frequent questions for these presenters.

The Committee had questions as to whether two projects qualified and sought guidance from the CPA coalition. One proposal was found to not qualify for funds.

Ultimately nineteen projects qualified in the Historic Preservation category, three in the open space category, eight in the outdoor recreation category and three in the Community Housing category.

#### **Hearings for Funding:**

The Community Preservation Committee scheduled funding hearings for projects one through eight on February 2, 2016. On that same evening the CPC heard an emergency application involving the Old Fall River Police Station. This was the first emergency application that had been received and the board first had to determine whether it met that criteria. Ultimately the Board determined that it did not receive enough information to support funding for this project.

On February 22, 2016 the Board conducted funding hearings on projects nine through seventeen.

On March 14, 2016 the Board conducted funding hearings on projects eighteen through twenty-six.

On March 21, 2016 the Board conducted funding hearings on projects twenty-seven through thirty-six.

Each of the applicants received a written notice of the hearing date. The applicants had the opportunity to supplement their earlier presentations and to submit additional materials. The Board members also used this opportunity to ask many questions of each applicant. All proposals were considered even when a presenter did not appear for the hearing.

#### **The Voting Process:**

Board member, Alan Rumsey, had developed a tier-voting ballot. This ballot allowed each board member to rate each project a 1 (High interest), 2 (Moderate interest) or a 3 (low interest). Each committee member completed this ballot after the hearings for funding had been concluded. Mr. Rumsey then compiled the votes. These totals revealed that some projects were almost unanimously supported, the Bank St. Armory. The votes on these ballots were non-binding but were useful in informing the discussion on each project.

At its meeting on April 20, 2016 the CPC voted on each project, deciding to refer it to the funding determination or not. Of the remaining thirty-four projects (One not qualified and one withdrawn) seventeen were forwarded to the funding round and seventeen were not.

At its meeting on April 25, 2016 the CPC then determined the amount of recommended funding, if any, that each remaining project

would receive. During this final round the Board decided to not fund an additional six projects.

#### **Conclusion:**

The Community Preservation Committee encouraged applications and followed an open and extended review process. Public input was encouraged. The Board considered many factors in making these final recommendations. Among the factors that the Board considered was geographic diversity so that the funded projects benefit all areas of the City. The attached map shows all applications received, the red dots indicating non-funded projects and the green dots indicating funding recommendations. As the map reveals applications received and those ultimately recommended involve the entire City. A number of other factors influence these final recommendations. In the Historic Preservation category, the urgency of repairs was a compelling factor, see, e.g., Bank Street Armory, Fall River Fire Museum and Academica Club. In the Outdoor Recreation category, the potential pool of future users was an important consideration, see, e.g., Pulaski Park and Kennedy Park Splash Pads and the ADA compliance work at Columbus Park. In the Open Space category the one project, East Line Trail, involves the purchase of privately owned property within the Bio-Reserve.

While there are no recommendation on the Community Housing category it is significant that three applications were received in 2016 in that category compared to none in 2015. The Committee



will continue to solicit applications in this category and, as required, funds are reserved for future housing projects.

The Community Preservation Committee respectfully requests that the following, considered recommendations be approved:

Bank Street Armory	Hist/Pres.	\$ 283,000
Olmstead Fountains	Hist/Pres.	\$ 15,000
Kennedy Park Shore	Outdoor/Rec	\$ 150,000
Pulaski Park Splash Pad	Outdoor Rec	\$ 69,500
Kennedy Park Plash Pad	Outdoor Rec	\$ 100,000
Columbus Park	Outdoor Rec	\$ 30,000
Watershed Trail(contingent)	Outdoor Rec.	\$ 10,000
Marine Museum	Hist. Pres.	\$ 135,000
Fire Museum	Hist. Pres.	\$ 195,000
Academica Club	Hist. Pres	\$ 85,000
East Line Trail	Open Space	\$ 9,400
Total		\$ 1,081,900

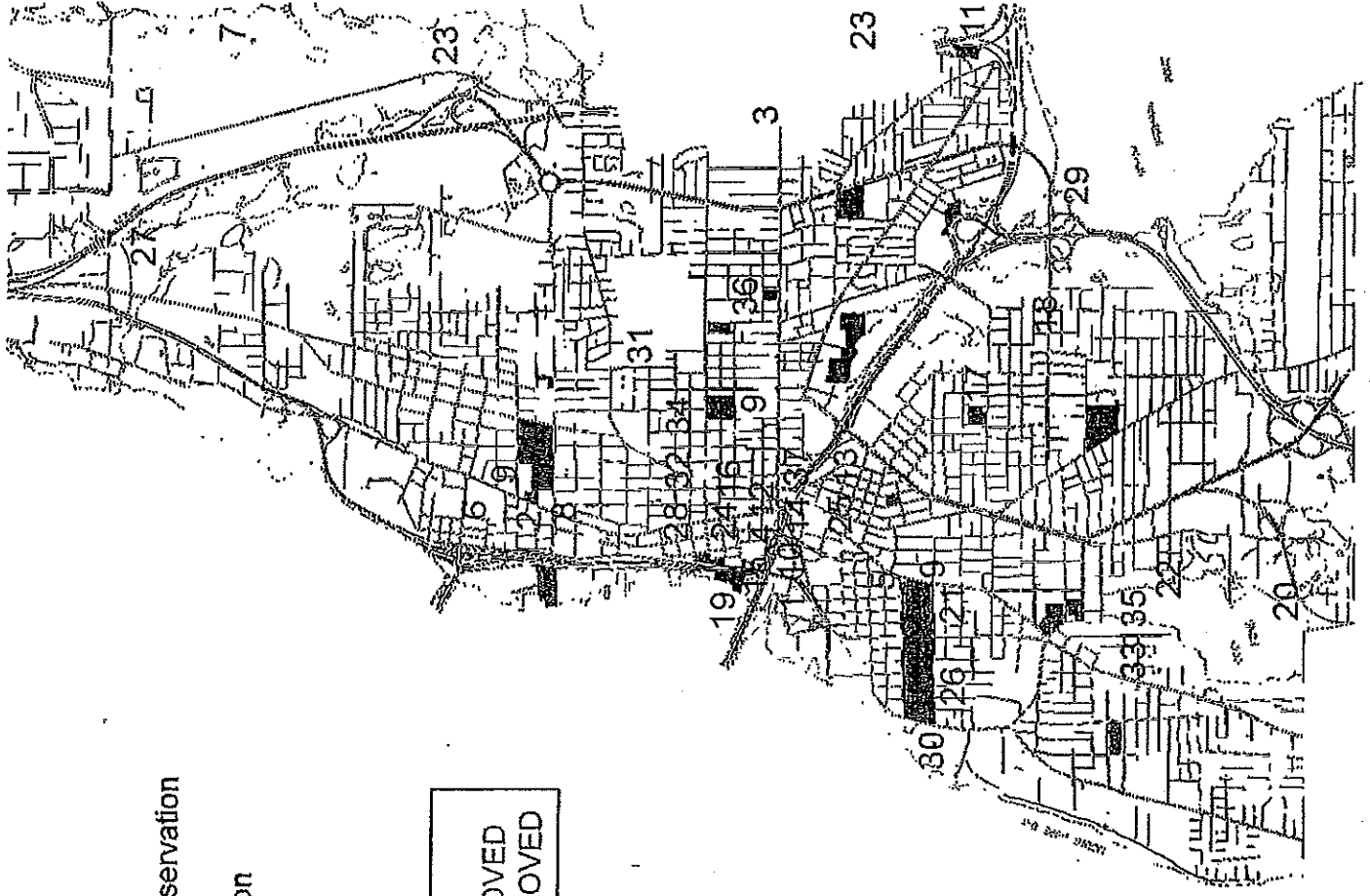
Open Space	\$ 9,400
Outdoor Recreation	\$ 359,500
Historic Preservation	\$ 713,000

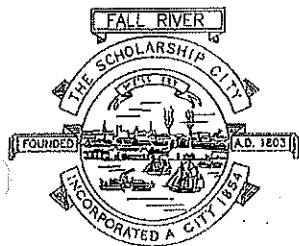
# 2016 CPA Projects

1. Marine Museum
2. Anawan No. 6
3. Fall River Waterworks
4. Bradford/Durfee Textile School
5. Academica
6. North Burial Ground
7. N. Watuppa Watershed Trail
8. Gas Station @ N. Main St.
9. Olmsted Drinking Fountains
10. City Hall Historic Documents
11. Narrows Gatehouse
12. Fall River Public Library
13. Frank Silvia School
14. Cogswell Fountain
15. Historical Commission Grants Program
16. Central Congregational Church
17. Pulaski Park Water Pad
18. Brayton Ave. Traffic Island
19. Bank Street Armory
20. Cook Pond - Restoration of Stone Wall
21. St. Anne's Church
22. Cook Pond Land Acquisition
23. N. Watuppa East Line Trail
24. Lafayette/Durfee House
25. 3rd St. School
26. Kennedy Park Splash Pad
27. St. Vincent's Farm
28. Mann Murals
29. South Watuppa Grove
30. Kennedy Park Overlook
31. Buffington Memorial
32. First Congregational Church
33. Safe Haven Sober Housing

34. Dr. Fiske House
35. Cook Pond Conservation
36. Columbus Park
37. Old Police Station

**LEGEND**  
 GREEN - APPROVED  
 RED - NOT APPROVED





City of Fall River  
Massachusetts  
Office of the Mayor

2

RECEIVED

2016 MAY 19 P 4: 27

JASIEL F. CORREIA II  
Mayor

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

May 19, 2016

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

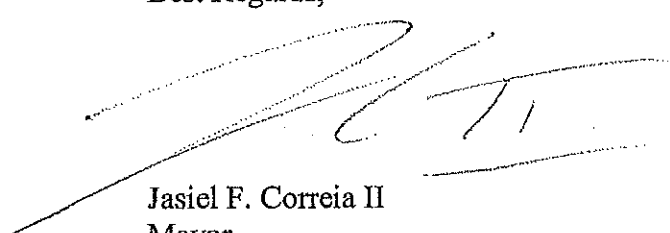
RE: Highlands Local Historic District Commission Appointments

Members of the City Council:

In accordance with Local Ordinance 38-153 regarding appointments to the newly formed Highlands Local Historic District Commission, I am respectfully requesting the City Council to appoint three members, each for either a one year, two year or three year term.

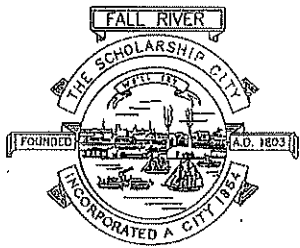
To assist you with this decision, please be advised that I will be appointing Kristen Oliveira, Richard Mancini, Maria Connie Soule and Michael Keane. Your appointments are respectfully requested.

Best Regards,



Jasiel F. Correia II  
Mayor

3



**City of Fall River**  
**Massachusetts**  
Office of the Mayor

**RECEIVED**

2016 MAY 19 P 4: 53

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

**JASIEL F. CORREIA II**  
*Mayor*

May 19, 2016

Honorable Members Fall River City Council  
One Government Center  
Fall River, MA 02722

RE: Sgt. Gilbert Carvalho Memorial

Councilors:

I respectfully request that the City Council dedicate the median strip on Eastern Avenue between McGowan Street and Route I-195 in the memory of Sgt. Gilbert Carvalho who was killed in action on September 15, 1968 in Vietnam.

This Memorial is certainly well deserved and your approval is respectfully requested.

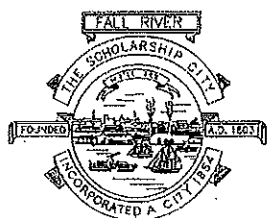
Best Regards,

Jasiel F. Correia, II  
Mayor

# City of Fall River, *In City Council*

ORDERED, that the median strip located on Eastern Avenue between McGowan Street and Route I-195 be dedicated to Sergeant Gilbert Carvalho who was killed in action in Quang Tri, South Vietnam on September 15, 1968.

4



**City of Fall River  
Massachusetts**  
Department of Community Services  
PLANNING • HEALTH & HUMAN SERVICES  
LIBRARY • INSPECTIONAL SERVICES  
*Planning Division*

RECEIVED

2016 MAY 11 A 9:23

CITY CLERK  
FALL RIVER, MA

**JASIEL F. CORREIA, II**  
*Mayor*

**HENRY R. VAILLANCOURT MD, MPH**  
*Director*  
*Department of Community Services*

**WILLIAM G. KENNEY**  
*City Planner*

May 10, 2016

Hon. Shawn Cadime, President  
Fall River City Council  
One Government Center  
Fall River, MA 02722

RE: Report of Recommendations of the Fall River Planning Board on Proposed Amendments to Chapter 86 of the Revised Ordinances of the City of Fall River

Dear President Cadime:

The Fall River City Council and the Fall River Planning Board convened and conducted a joint public hearing on April 16, 2016, regarding certain proposed amendments to Chapter 86 of the Revised Ordinances of the City of Fall River, which chapter relates to Zoning, which had been referred to the Board on February 23, 2016, by the Council's Committee on Ordinances for the Board's consideration.

Subsequently, at the May 10, 2016, public meeting of the Planning Board, a quorum being present, it was duly moved, seconded and unanimously VOTED: to recommend that the City Council adopt the proposed amendments to Chapter 86 of the Revised Ordinances of the City of Fall River, as originally

presented by the City Council Committee on Ordinances for the Planning Board's review, as follows:

Proposal 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 86-53 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 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".

Respectfully submitted,



Keith Paquette, Chair  
Fall River Planning Department

# City of Fall River, *In City Council*

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".

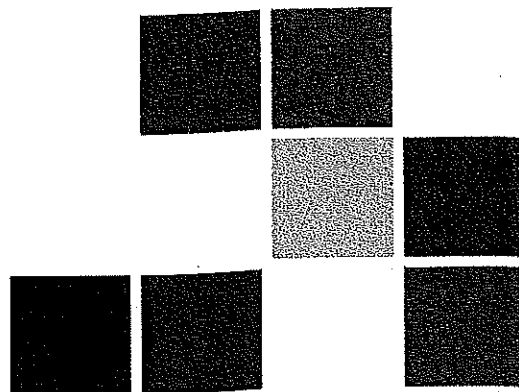
CITY OF FALL RIVER  
IN CITY COUNCIL

FEB 23 2016

*Referred to the  
Planning Board*

24-16  
Planning Bd.

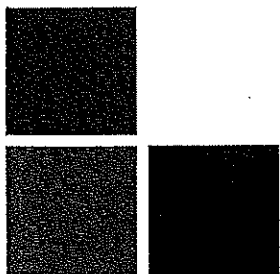




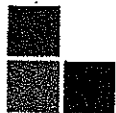
CITY OF FALL RIVER

GASB 45 VALUATION REPORT

AS OF JULY 1, 2015



**h&h**<sup>SM</sup>  
hooker & holcombe



RECEIVED

Table of Contents

2016 MAY 13 A 11: 55

Actuarial Certification	1
Executive Summary	2
Unfunded Actuarial Accrued Liability and Annual Required Contribution	3
Participant Counts and Average Age	4
Projected Benefit Payments	6
Description of Actuarial Methods and Assumptions	
Actuarial Methods	7
Actuarial Assumptions	8
Summary of Plan Provisions	15

Report Prepared On:  
February 19, 2016

Report Prepared By:

Timothy A. Ryor, FSPA, FCA, EA, MAAA  
Senior Vice President & Consulting Actuary  
860.856.2102  
[TRyor@hhconsultants.com](mailto:TRyor@hhconsultants.com)

Sharad Arora  
Actuarial Specialist  
860.856.2104  
[SArora@hhconsultants.com](mailto:SArora@hhconsultants.com)

Gwen Zhu  
Actuarial Analyst  
860.856.2135  
[GZhu@hhconsultants.com](mailto:GZhu@hhconsultants.com)

## Actuarial Certification

This report presents the results of the July 1, 2015 Actuarial Valuation for City of Fall River's post-retirement benefits other than pension (OPEB) for City and Board of Education Employees (the Plan) for the purpose of estimating the funded status of the Plan and determining the Annual Required Contribution (ARC) for the fiscal years ending June 30, 2017 and June 30, 2018. This report may not be appropriate for any other purpose.

The valuation has been performed in accordance with generally accepted actuarial principles and practices. It is intended to comply with all applicable Actuarial Standards of Practice.

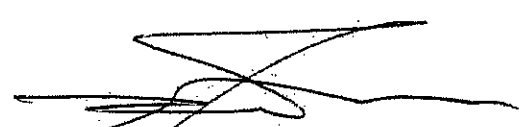
I certify that the actuarial assumptions and methods that were selected by me and represent my best estimate of anticipated actuarial experience under the Plan.

In preparing this valuation, I have relied on employee data provided by the Plan Sponsor, and on asset and contribution information provided by the City. I have audited neither the employee data nor the financial information, although I have reviewed them for reasonableness.

The results in this valuation report are based on the Plan as summarized in the *Summary of Plan Provisions* section of this report and the actuarial assumptions and methods detailed in the *Description of Actuarial Methods and Assumptions* section of this report.

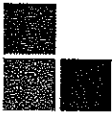
Future actuarial measurements may differ significantly from the current measurements presented in this report due to such factors as the following: retiree group benefits program experience differing from that anticipated by the assumptions; changes in assumptions; increase or decreases expected as part of the natural operation of the methodology used for these measurements; and changes in the retiree group benefits program provisions or applicable law. Retiree group benefits models necessarily rely on the use of approximations and estimates and are sensitive to changes in these approximations and estimates. Small variations in these approximations and estimates may lead to significant changes in actuarial measurements. Due to the limited scope of this report, an analysis of the potential range of such future measurements has not been performed.

I am a member of the American Academy of Actuaries and meet its Qualification Standards to render the actuarial opinion contained herein.



Timothy A. Ryor, FSPA, FCA, MAAA  
Enrolled Actuary 14-05126

February 19, 2016



## Executive Summary

The July 1, 2015 accrued liability of \$569,825,882 is lower than anticipated. There was an experience gain due to per capita costs increasing less than expected.

Changes in assumptions include mortality and discount rate for all groups, and decrement rates for Board of Education.

Below is a history of the Actuarial Accrued Liability (AAL) and Annual Required Contribution (ARC):

Schedule of Funding Status and Funding Progress						
Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liabilities (AAL)	Unfunded AAL (UAAL)	Funded Ratio	Covered Payroll	UAAL as a Percentage of Covered Payroll
7/1/2009	\$0	\$519,182,000	\$519,182,000	0%	\$112,317,000	462%
7/1/2011	0	569,388,842	569,388,842	0%	114,445,000	498%
7/1/2013	0	609,007,615	609,007,615	0%	119,748,945	509%
7/1/2015	0	569,825,882	569,825,882	0%	122,863,116	464%

*\* Italic amounts above represent a roll back of liabilities using actual benefit payments and the Actuaial Accrued Liability and Normal Cost from the July 1, 2011 Actuarial Valuation.*

History of Annual Required Contribution (ARC)	
Year Ended June 30	Annual Required Contribution (ARC)
2013	\$54,247,770
2014	55,152,277
2015	56,965,073
2016	57,879,647
2017	51,054,101
2018	51,811,220

[illegible]

GASB 45 Annual Required Contribution (ARC)											
Annual Required Contribution (ARC) 2016 / 2017 Fiscal Year	General Government	Police	Fire	Schools	BCTC	CDA	EMS	Sanitation	Water	Sewer	Grand Total
Normal Cost	\$1,304,606	\$2,340,540	\$1,594,300	\$10,124,705	\$178,284	\$65,024	\$360,124	\$200,881	\$240,661	\$45,469	\$16,454,594
30 Year Amortization of UAAL	2,039,983	3,970,174	3,583,482	22,211,593	230,235	342,943	315,141	316,340	399,436	66,741	33,476,068
Interest - Mid Year Payment	75,253	141,991	116,500	727,567	9,192	9,179	15,193	11,637	14,402	2,525	1,123,439
Total ARC 2016 / 2017	3,419,842	6,452,705	5,294,282	33,063,865	417,711	417,146	690,458	528,858	654,499	114,735	51,054,101
Exp. Ben Pymts 2016 / 2017	1,264,176	2,308,911	2,470,848	13,542,104	91,404	331,492	140,205	242,429	275,112	39,033	20,705,714
ARC minus EBP 2016 / 2017	2,155,666	4,143,794	2,823,434	19,521,761	326,307	85,654	550,253	286,429	379,387	75,702	30,348,387
Annual Required Contribution (ARC) 2017 / 2018 Fiscal Year	General Government	Police	Fire	Schools	BCTC	CDA	EMS	Sanitation	Water	Sewer	Grand Total
Normal Cost	\$1,363,313	\$2,445,864	\$1,666,044	\$10,580,317	\$186,307	\$67,950	\$376,330	\$209,921	\$251,491	\$47,515	\$17,195,052
30 Year Amortization of UAAL	2,039,983	3,970,174	3,583,482	22,211,593	230,235	342,943	315,141	316,340	399,436	66,741	33,476,068
Interest - Mid Year Payment	76,574	144,361	118,114	737,818	9,372	9,245	15,558	11,841	14,646	2,571	1,140,100
Total ARC 2017 / 2018	3,479,870	6,560,399	5,367,640	33,529,728	425,914	420,138	707,029	538,102	665,573	116,827	51,811,220
Exp. Ben Pymts 2017 / 2018	1,328,714	2,388,317	2,427,775	14,289,356	99,363	331,226	140,529	242,261	281,287	21,683	21,550,511
ARC minus EBP 2017 / 2018	2,151,156	4,172,082	2,939,865	19,240,372	326,551	88,912	566,500	295,841	384,286	95,144	30,260,709

# **Participant Counts and Average Age As of July 1, 2015**

Participant Counts			
Group	Active Participants	Retirees*	Total
General City	223	194	417
Police	277	262	539
Fire	180	269	449
School	1,506	1,328	2,834
BCTC	30	11	41
CDA	11	39	50
EMS	37	12	49
Sanitation	31	35	66
Water	39	43	82
Sewer	<u>10</u>	<u>3</u>	<u>13</u>
Total	2,344	2,196	4,540

Average Age and Service		
Group	Active Participants Attained Age	Retirees*
General City	50	76
Police	44	73
Fire	45	72
School	47	71
BCTC	51	72
CDA	48	69
EMS	38	63
Sanitation	45	74
Water	48	72
Sewer	51	65

\* Does not include spouses of retirees, or 158 Life only retirees, or 55 Dental only retirees.

**Participant Counts and Average Age  
As of July 1, 2013 (prior valuation)**

Participant Counts			
Group	Active Participants	Retirees*	Total
General City	225	207	432
Police	280	239	519
Fire	225	258	483
School	1,424	1,236	2,660
BCTC	33	10	43
CDA	47	32	79
EMS	34	0	34
Sanitation	44	0	44
Water	45	41	86
Sewer	5	2	7
Total	2,362	2,025	4,387

Average Age and Service		
Group	Active Participants Attained Age	Retirees*
General City	48	75
Police	44	72
Fire	44	71
School	44	70
BCTC	49	71
CDA	45	71
EMS	36	N/A
Sanitation	47	N/A
Water	50	73
Sewer	44	N/A

\* Does not include spouses of retirees, or 145 Life only retirees, or 87 Dental only retirees.

## Projected Benefit Payments

Projected Benefit Payments			
Fiscal Year Beginning July 1st	Currently Active Employees	Currently Retired Employees	Total
2015	\$441,000	\$19,090,000	\$19,531,000
2016	1,310,000	19,396,000	20,706,000
2017	2,316,000	19,235,000	21,551,000
2018	3,414,000	19,644,000	23,058,000
2019	4,528,000	19,892,000	24,420,000
2020	5,699,000	20,429,000	26,128,000
2021	6,704,000	20,801,000	27,505,000
2022	7,642,000	21,104,000	28,746,000
2023	8,751,000	21,301,000	30,052,000
2024	9,719,000	21,626,000	31,345,000
2025	10,748,000	22,053,000	32,801,000
2026	12,167,000	22,517,000	34,684,000
2027	13,303,000	22,714,000	36,017,000
2028	14,535,000	22,899,000	37,434,000
2029	15,992,000	23,255,000	39,247,000
2030	17,081,000	23,382,000	40,463,000
2031	18,648,000	23,550,000	42,198,000
2032	20,194,000	23,719,000	43,913,000
2033	21,491,000	23,659,000	45,150,000
2034	22,572,000	23,510,000	46,082,000



## **Actuarial Methods**

### **Actuarial Cost Method**

Cost Method: Projected Unit Credit.

The Normal Cost is derived for each active participant as the actuarial present value of the projected benefits that are attributed to expected service in the current plan year. The Normal Cost for plan benefits is the total of the individual Normal Costs for active participants.

The Accrued Liability is equal to the portion of the present value of future benefits that is allocated to years of service before the valuation date.

### **Amortization Method**

The Unfunded Accrued Liability is amortized each year over a constant 30 year period, as a level dollar amount.

### **Asset Valuation Method**

Not Applicable.

### **Data Collection Date**

July 1, 2015.

## Actuarial Assumptions

The actuarial assumptions used in the determination of costs and liabilities are as follows:

### Interest

4.5% per annum.

Prior: 5.0% per annum.

Since the OPEB plan is not funded, the selection of the discount rate is tied to the investment of City assets. In addition, there is a proposed change in the GASB 45 standard to link the discount rate to a 20-year AA municipal bond index for unfunded OPEB plans.

### Inflation

3%.

This assumption is based on long-term historical inflation numbers. While near-term averages have been lower, we do not believe this trend will continue indefinitely and expect that there will be a reversion to the long-term average.

### Mortality

RP-2014 Adjusted to 2006 Total Dataset (Blue Collar for Police, Fire, EMS, Sanitation, Water and Sewer) Mortality Table projected to valuation date with Scale MP-2015.

Prior: RP-2000 Mortality Table with separate male and female rates, with no collar adjustment, combined table for non-annuitants and annuitants, projected to the valuation date with Scale AA.

### Mortality Improvement

Projected to date of decrement using Scale MP-2015 (generational).

Prior: Projected to date of decrement using Scale AA (generational mortality).

We have selected this mortality assumption and mortality improvement scale because it is based on the latest published pension mortality study released by the Society of Actuaries.

# **Retirement**

Based on experience under the Massachusetts State Retirement System.

	City		Police & Fire
	Groups 1 & 2		Group 4
Age	Male	Female	
45-49	0.000	0.000	0.010
50	0.010	0.015	0.020
51	0.010	0.015	0.020
52	0.010	0.020	0.020
53	0.010	0.025	0.050
54	0.020	0.025	0.075
55	0.020	0.055	0.150
56	0.025	0.065	0.100
57	0.025	0.065	0.100
58	0.050	0.065	0.100
59	0.065	0.065	0.150
60	0.120	0.050	0.200
61	0.200	0.130	0.200
62	0.300	0.150	0.250
63	0.250	0.125	0.250
64	0.220	0.180	0.300
65	0.400	0.150	1.000
66	0.250	0.200	1.000
67	0.250	0.200	1.000
68	0.300	0.250	1.000
69	0.300	0.200	1.000
70+	1.000	1.000	1.000

# Actuarial Assumptions (continued)

## Retirement (continued):

	BOE Male Rates		
	Service		
Age	<20	20-30	30+
47	0.000	0.000	0.000
48	0.000	0.000	0.000
49	0.000	0.000	0.000
50	0.000	0.010	0.020
51	0.000	0.010	0.020
52	0.000	0.010	0.020
53	0.000	0.015	0.020
54	0.000	0.025	0.020
55	0.050	0.030	0.060
56	0.050	0.060	0.200
57	0.050	0.100	0.400
58	0.050	0.150	0.500
59	0.100	0.200	0.500
60	0.100	0.250	0.400
61	0.200	0.300	0.400
62	0.200	0.350	0.350
63	0.250	0.400	0.350
64	0.250	0.400	0.350
65	0.250	0.400	0.350
66	0.300	0.300	0.400
67	0.300	0.300	0.400
68	0.300	0.300	0.400
69	0.300	0.300	0.400
70+	1.000	1.000	1.000

	BOE Female Rates		
	Service		
Age	<20	20-30	30+
47	0.000	0.000	0.000
48	0.000	0.000	0.000
49	0.000	0.000	0.000
50	0.000	0.010	0.015
51	0.000	0.010	0.015
52	0.000	0.010	0.015
53	0.000	0.010	0.015
54	0.000	0.010	0.020
55	0.030	0.030	0.050
56	0.030	0.050	0.150
57	0.040	0.080	0.350
58	0.080	0.100	0.350
59	0.080	0.150	0.350
60	0.100	0.200	0.350
61	0.120	0.250	0.350
62	0.120	0.300	0.350
63	0.150	0.300	0.350
64	0.200	0.300	0.350
65	0.250	0.400	0.350
66	0.250	0.300	0.350
67	0.300	0.300	0.300
68	0.300	0.300	0.300
69	0.300	0.300	0.300
70+	1.000	1.000	1.000

Retirement (continued):

Prior:

	BOE Male Rates		
	Service		
Age	<20	20-30	30+
47	0.000	0.000	0.000
48	0.000	0.000	0.000
49	0.000	0.000	0.000
50	0.000	0.010	0.020
51	0.000	0.010	0.020
52	0.000	0.010	0.020
53	0.000	0.010	0.020
54	0.000	0.010	0.020
55	0.030	0.030	0.060
56	0.080	0.050	0.200
57	0.150	0.080	0.350
58	0.150	0.100	0.500
59	0.200	0.200	0.500
60	0.150	0.200	0.500
61	0.300	0.250	0.500
62	0.200	0.300	0.400
63	0.300	0.300	0.400
64	0.400	0.300	0.400
65	0.400	0.400	0.500
66	0.400	0.300	0.500
67	0.400	0.300	0.500
68	0.400	0.300	0.500
69	0.400	0.300	0.500
70+	1.000	1.000	1.000

	BOE Female Rates		
	Service		
Age	<20	20-30	30+
47	0.000	0.000	0.000
48	0.000	0.000	0.000
49	0.000	0.000	0.000
50	0.000	0.015	0.020
51	0.000	0.015	0.020
52	0.000	0.015	0.020
53	0.000	0.015	0.020
54	0.000	0.015	0.020
55	0.020	0.030	0.060
56	0.020	0.030	0.150
57	0.080	0.070	0.300
58	0.100	0.070	0.350
59	0.150	0.110	0.350
60	0.200	0.160	0.350
61	0.200	0.200	0.350
62	0.250	0.300	0.400
63	0.240	0.300	0.300
64	0.200	0.300	0.350
65	0.300	0.300	0.350
66	0.300	0.300	0.350
67	0.300	0.300	0.300
68	0.300	0.300	0.300
69	0.300	0.300	0.300
70+	1.000	1.000	1.000

## Actuarial Assumptions (continued)

### Withdrawal rates

Based on experience under the Massachusetts State Retirement System.

	City	Police & Fire
Service	Groups 1 & 2	Group 4
0	0.150	0.015
5	0.076	0.015
10	0.054	0.015
15	0.033	0.000
20	0.020	0.000

BOE	Service					
Age	0		5		10+	
	Male	Female	Male	Female	Male	Female
20	0.130	0.100	0.055	0.070	0.015	0.050
30	0.150	0.150	0.054	0.088	0.015	0.045
40	0.133	0.105	0.052	0.050	0.017	0.022
50	0.162	0.098	0.070	0.050	0.023	0.020

Prior:

BOE	Service					
Age	0		5		10+	
	Male	Female	Male	Female	Male	Female
20	0.120	0.100	0.045	0.090	0.010	0.050
30	0.114	0.120	0.045	0.090	0.010	0.050
40	0.097	0.110	0.054	0.065	0.017	0.029
50	0.100	0.082	0.048	0.042	0.022	0.021

The actuarial assumptions in regards to rates of decrement shown above are based on rates used by PERAC as stated in the Fall River Pension Valuation as of January 1, 2015.

### Spousal Assumptions

50% of males and females assumed married with wives assumed to be three years younger than their husbands.

## 2015 Allocation Rates

	Individual	Assumed Dual	Family
Blue Care Elect	\$ 1,076.27	\$2,367.80*	\$ 2,583.67
Network Blue	\$ 681.13	\$1,498.48*	\$ 1,825.44
Dental (only Option 2 displayed)	\$ 30.90	\$ 77.33	\$ 77.33
	Retiree	Spouse	
Medex	\$ 314.66	\$ 314.66	

\* Assumed Dual is 110% of Single multiplied by 2.

Allocation rates were used as the basis for per capita costs. The average rate was derived by reflecting retiree participation among the various plans offered by the employer and using an assumed dual rate versus the family rate.

## Election Assumptions

100% of future retirees eligible for coverage are assumed to elect postretirement benefits.

## Healthcare Trend

8.5% for 2015, decreasing 0.5% per year, to an ultimate rate of 5.0% for 2022 and later.

4.0% per year for Dental.

Health care trend rates reflect both the current and long-term outlook for increases in health care costs. The short term trend rate is based on recent industry surveys, plan experience and near-term expectations. The long term trend rate is based on our general inflation assumption plus 2% to reflect expectations for long-term medical inflation.

## Claims Morbidity

We assume claims will be distributed according to the morbidity table below, for non-Medicare participants:

Sample Age	Expected Claim
45	\$7,709
50	8,937
55	10,513
60	12,546
65	15,411
70	17,866
75	20,213

## Actuarial Assumptions (continued)

### Claims Morbidity (continued)

We assume claims will be distributed according to the morbidity table below, for Medicare participants:

Sample Age	Expected Claim
65	\$2,971
70	3,445
75	3,897
80	4,303
85	4,523
90	4,637

The sample per capita claim for plans not integrated with Medicare was developed as follows: Using the total count of active participants eligible for post-retirement medical benefits and retirees currently electing medical coverage in a non-medicare supplement plan, we calculate the total projected claims by multiplying the total count by the average annual premium. Using the cost increases derived from a study sponsored by the Society of Actuaries Section prepared by J.P. Peteril from August 1, 2003: "Aging Curves for Health Care Costs in Retirement", we allocate the total projected claims by age.

### Percentage of Teachers hired prior to 4/1/1986 assumed to not be Medicare Eligible

20%

### Patient Protection and Affordable Care Act (PPACA)

#### High Cost Plan Excise Tax ("Cadillac Tax"):

Effective in 2020 there will be a 40% excise tax on per capita medical benefit costs in excess of certain thresholds, which (in 2018) are \$10,200 for single coverage and \$27,500 for family coverage for Medicare eligible retirees. Thresholds (in 2018) for retirees who are between ages 55 and 65 are \$11,850 and \$30,950 for single and family coverage respectively.

After 2018, the thresholds are indexed by CPI (CPI +1% in 2018 only). CPI is assumed to be 3.0% in all future years.

The impact of this future excise tax has been reflected in plan liabilities.

#### Other Requirements of PPACA:

For purposes of this valuation, extended coverage for adult children and 100% coverage of preventive care are assumed to be reflected in per capita costs.

For purposes of this valuation, elimination of lifetime maximum benefits and removal of the limits on essential healthcare are assumed to have no impact on plan liabilities.





## Summary of Principal Plan Provisions

*This summary is provided for valuation purposes only. It outlines the major features of the Plan and does not give full details.*

### **Eligibility for Medical, Dental and Life Coverage**

Retirement on or after attaining age 55 with 10 years of service or after 20 years of service.

### **Medical and Dental Plan of Coverage**

Blue Care Elect, Blue Choice NE, Network Blue for Non-Medicare eligible retirees.

Medex Medicare Supplement plan for Medicare eligible retirees.

Delta Dental Options 1, 2, and 3.

Coverage for lifetime of retiree or spouse.

### **Retiree/Spouse Medical and Dental Cost Share**

Retiree or Spouse pay 25% of the applicable premium.

### **Medicare Part B Subsidy**

\$26.88 per month for retirees in Medex prior to 2008.

### **Life Insurance Benefit**

\$5,000. Retirees pay a portion of the premium.

## CITY OF FALL RIVER

---

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 17, 2016, voted unanimously to recommend the accompanying proposed ordinance, accompanied by an emergency preamble, be passed through first reading, second reading, passed to be enrolled and passed to be ordained.

*Cullen A. Taylor*  
Clerk of Committees

**City of Fall River, *In City Council***

**EMERGENCY PREAMBLE**

**WHEREAS, the immediate passage of the accompanying proposed ordinance is deemed necessary inasmuch as it vitally affects the health and safety of the public, now therefore**

**BE IT RESOLVED, that said ordinance is hereby deemed an emergency measure in accordance with the provisions of Chapter 43, Section 20 of the Massachusetts General Laws.**

# 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 70-387, which section relates to handicapped parking, in proper alphabetical order the following:

Bay Street, east side, starting at a point 25 feet south of Charles Street, for a distance of 20 feet southerly  
Division Street, north side, starting at a point 74 feet east of Mulberry Street, for a distance of 20 feet easterly  
Kellogg Street, east side, starting at a point 52 feet north of Hamlet Street, for a distance of 20 feet northerly  
Middle Street, north side, starting at a point 30 feet west of Second Street, for a distance of 20 feet westerly  
Montaup Street, east side, starting at a point 232 feet south of Palmer Street, for a distance of 20 feet southerly  
Mt. Hope Avenue, north side, starting at a point 72 feet east of Hughes Street, for a distance of 20 feet easterly  
North Main Street, west side, starting at a point 314 feet north of Weaver Street, for a distance of 20 feet northerly  
Pleasant Street, north side, starting at a point 76 feet east of Fifteenth Street, for a distance of 20 feet easterly  
Pulaski Street, west side, starting at a point 77 feet south of Buffinton Street, for a distance of 20 feet southerly  
Robeson Street, west side, starting at a point 205 feet north of Pine Street, for a distance of 20 feet northerly  
Warburton Street, west side, starting at a point 54 feet north of New Boston Road, for a distance of 20 feet northerly  
Whipple Street, east side, starting at a point 82 feet north of Hamlet Street, for a distance of 20 feet northerly

## CITY OF FALL RIVER

---

To the City Council

Councillors:

The Committee on Ordinances and Legislation at a meeting held on May 17, 2016, voted 3 yeas, 2 nays to recommend the accompanying proposed ordinance be passed through second reading and enrollment, as amended with Councillors Joseph D. Camara and Linda M. Pereira voting in the negative.

*William A. Taylor*  
Clerk of Committees

# City of Fall River, *In City Council*

(Councilor Steven A. Camara)  
(Councilor Pam Laliberte-Lebeau)

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

That Chapter 2 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Administration, be amended as follows:

That Chapter 50 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Personnel, be amended as follows:

By striking out in Section 50-309, which section relates to salary schedules generally, the following:

Director of Community Maintenance  
Per contract

and, by inserting in place thereof, the following:

Director of Community Maintenance  
Not to exceed \$98,000.00 per annum

This ordinance shall take effect upon passage to be ordained.

# City of Fall River, In City Council

22

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

That Chapter 2 of the Revised Ordinances of the City of Fall River, Massachusetts, which chapter relates to Administration, be amended as follows:

## Section 1.

That Section 2-209, which section relates to department of financial services, be amended by inserting in subsection (b), after the last sentence, the following:

Within the treasurer division, there shall be a position designated treasurer. Said treasurer shall be authorized to sign such documents as may from time to time be required.

## Section 2.

That Section 2-496, which section relates to signing, sealing and registration of bonds and other certificates of indebtedness, be amended by inserting after the words director of financial services, the words and/or treasurer.

CITY OF FALL RIVER  
IN CITY COUNCIL

*April 5 2016*  
*Referred to Pub Committee*  
*on Ordinances and Legislation*

CITY OF FALL RIVER  
IN CITY COUNCIL  
MAY 10 2016

*Passed through first*  
*reading, 8 years,*  
*now*

City of Fall River, *In City Council*

23

(Councilor Raymond A. Mitchell)

WHEREAS, there are many questions regarding insurance account balances,  
now therefore

BE IT RESOLVED, that the Administration provide an accuracy accounting of all  
insurance accounts, including health insurance.



**DALY CAVANAUGH LLP**

Attorneys at Law  
27 Mica Lane, Suite 202  
Wellesley, MA 02481

Telephone: 781-237-0600  
Fax: 781-237-6010

*Council*  
*27*  
**RECEIVED**

2016 MAY 16 A 11: 21

CITY CLERK 15-217A  
FALL RIVER, MA

May 13, 2016

**BY CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Alison M. Bouchard, City Clerk  
City of Fall River Office of the City Clerk  
One Government Center, Room 227  
Fall River, MA 02722

RE: Damage to RPI Printing, 135 Waldron Rd., Fall River, MA  
Date of Loss: 7/23/15  
Our File No. 440.71

Dear Ms. Bouchard:

We have been retained by Utica Mutual Insurance Company ("Utica"), the insurer for RPI Printing ("RPI"), 135 Waldron Rd., Fall River, MA to pursue its rights of recovery against the City of Fall River (the "City") in regard to the damages suffered by RPI Printing arising out of a water leak on or about July 23, 2015 (the "leak"). On or about September 1, 2015, Utica presented its claim (the "claim") in writing to the City of Fall River's City Clerk pursuant to M.G.L. c. 258, Sec. 4. A copy of the Notice of Claim is attached hereto. Utica also presented its claim to the City of Fall River's law department December 2, 2015.<sup>1</sup>

The grounds for Utica's claim include, but are not limited to, the following:

1. Between approximately July 6, 2015 and July 23, 2015, the City conducted a series of tests (the "testing") of the systems that would increase and regulate the water pressure related to the City's creation of a higher water pressure service area.
2. On or about June 25, 2015, the City sent a letter (the "notice") to RPI stating that it was likely that the water pressure throughout the high pressure service area will vary from time to time during the testing.

<sup>1</sup> If it is the City's position that the aforementioned presentments do not comply with G.L. c. 258, Sec. 4 for some reason, please provide us with the basis for that position, and consider this letter such a presentment.

*clerk-council-law-water*

MAY 16 2016

MetLife Auto & Home®  
Subrogation - Warwick  
Mail Processing Center  
PO Box 2204  
Charlotte, NC 28241-2204  
800-634-9740

RECEIVED

2016 MAY 11 A 11:17

CITY CLERK 16-30A  
FALL RIVER, MA

**MetLife®**

City Of Fall River  
ATTN: City Clerks Office  
1 Government Center  
Fall River , MA 02722

Our Claim Number: ALI56279  
Your Claim Number:

MetLife Auto & Home is a brand of Metropolitan Property and Casualty Insurance Company and its Affiliates, Warwick, RI

Forwarded to  
DPW ✓  
City Clerk ✓  
LAW ✓  
City Council ✓

Date 5/11/2016

CLAIM FORM  
City of Fall River, Massachusetts

RECEIVED

Name: STEVEN CROTEAU

Address: 213 Grove St  
FALL RIVER MA 02720

Phone #: (707) 400-7096

2016 MAY -9 A 11:01

CITY CLERK 16-67  
FALL RIVER, MA

Type of Claim:      M.G.L. Chapter 84      M.G.L. Chapter 258      Other

Date of Incident: May 5, 2016

Time of Incident: 8:30 pm

Location of Incident: Middle street between Bay and Broadway st.

Provide a detailed description of your claim (attach additional sheets if necessary):

I am active duty Air Force member preparing to retire. I was in Fall River visiting family. I was invited to be a guest instructor for the Fall River Recreation Judo class on 5 May 16, located at Masters Builder Ministry on Bay st. After class while driving home I struck a pot hole on Middle st between Bay and Broadway st. which punctured my front driver side tire. the following day (6 May 16) I put a spare tire on <sup>the</sup> car and went to Dave's tire ~~had~~ to purchase a new tire for \$128.68. I wasn't driving fast and I believe because the street is dark I wasn't able to see the pot hole early enough to maneuver around it. Attached is the receipt from Dave's tire. The address on the receipt is a temporary address. My car is registered in VA 1G8ULT6226

\* You should consult with your own attorney in preparing this Claim Form to understand your legal rights.

1 City Clerk  
1 Law  
1 DPW  
1 City Council  
5/9/16

City of Fall River  
Notice of Claim

RECEIVED

2016 MAY -9 P 1:52

1. Claimant's name: Cory Albemaz #16-62
2. Claimant's complete address: 86 Buffinton St, Fall River, MA 02721
3. Telephone number: Home: 508-837-0361 Work: 508-837-0361
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Accident damage from pothole
5. Date and time of accident: 4:00pm on 5-6-16 Amount of damages claimed: \$ 300.00
6. Exact location of the incident: (include as much detail as possible): About 150' coming from Laurel st on Dwelly St in Fall River <sup>where it happened</sup>
7. Circumstances of the incident: (attach additional pages if necessary): \*Attached Images  
I turned onto Dwelly St from Laurel st and hit a huge  
pothole. It was raining and the pothole was filled with water. It  
was almost unavoidable because there were many other potholes on  
the street. The only damage done was to my right rear rim, the wheel is  
undrivable.
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: 5-12-2016

Claimant's signature: Cory Albemaz

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, 2<sup>nd</sup> 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: 5/9/16



City of Fall River  
Notice of Claim

RECEIVED

2016 MAY -9 P 3 56

CITY CLERK 16-63  
FALL RIVER, MA

1. Claimant's name: Anthony Robinson
2. Claimant's complete address: 5500 North Main St Fall River MA 02720
3. Telephone number: Home: 508-415-4792 Work: 508-676-0324
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):

5. Date and time of accident: 4-14-2016 Amount of damages claimed: \$ 78.13

6. Exact location of the Incident: (Include as much detail as possible):

874 North Main St

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

As I was traveling north bound on Northmain Street on Thursday May 14, 2016 I drove into a larger service area, which caused a 2" fracture to the front left side wheel/rim of my 2007 Ford Escape.

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: 5-9-2016

Claimant's signature: Anthony Robinson

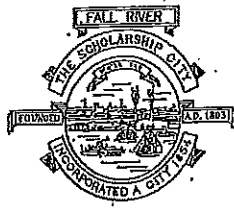
WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

Return this from to : City Clerk, 2<sup>nd</sup> 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 ☐ \_\_\_\_\_ Date: \_\_\_\_\_



RECEIVED

City of Fall River  
Notice of Claim

2016 MAY 11 AM 11:27

1. Claimant's name: Jordan Carrara CITY CLERK 16-64  
2. Claimant's complete address: 73 Kent St, Fall River, MA 02724  
3. Telephone number: Home (415) 508-617-7662 Work: \_\_\_\_\_  
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
auto  
5. Date and time of accident: 2/24/16 10 am Amount of damages claimed: \$ 425.00  
6. Exact location of the incident: (Include as much detail as possible):  
Middle St  
7. Circumstances of the Incident: (attach additional pages if necessary):  
Driving up middle St Hit Pot hole and Damage  
Rim and tire.  
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: 5/11/16

Claimant's signature: [Signature]

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, 2<sup>nd</sup> 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: 5.11.16



City of Fall River  
Notice of Claim

RECEIVED

2016 MAY 13 P 1:12

CITY CLERK 16-65  
FALL RIVER, MA

1. Claimant's name: MICHAEL R. HUYGIN
2. Claimant's complete address: 316 PECKHAM ST. FALL RIVER, MA.
3. Telephone number: Home: (508) 328-5045 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
DAMAGED SEWER FEED FROM HOUSE
5. Date and time of accident: 3/18/2016 Amount of damages claimed: \$ 7632.50
6. Exact location of the incident: (include as much detail as possible):  
SEWER BREAK 35' NORTH OF PECKHAM / COOK ST. INTERSECTION
7. Circumstances of the Incident: (attach additional pages if necessary):  
NEW WATER MAIN INSTALLATION, DAMAGED  
SEWER FROM HOUSE TO SEWER MAIN  
(SEE PHOTOS FROM INSPECTOR DENNIS SILVA)
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). DENNIS SILVA - FR INSPECTORS HAS ADDITIONAL INFO

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

Date: 5/12/16

Claimant's signature: [Signature]

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, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722

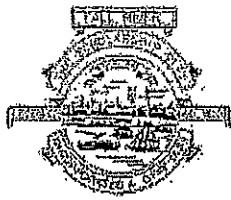
You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

For official use only:

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

☒ Under Seal

Date: 5/13/16



Cominell

RECEIVED

City of Fall River  
Notice of Claim

2016 MAY 16 P 12: 04

CITY CLERK 14-66  
FALL RIVER, MA

1. Claimant's name: Ida Carreiro
2. Claimant's complete address: 534 Leumuk St
3. Telephone number: Home: 5085874429 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
\_\_\_\_\_
5. Date and time of accident: 5-11-16 - 8:15 PM Amount of damages claimed: \$ \_\_\_\_\_
6. Exact location of the incident: (Include as much detail as possible):  
1354 Rodman St
7. Circumstances of the incident: (attach additional pages if necessary):  
I got out of my car fell in the hole of the sidewalk  
hurt left foot right knee & hand
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: 5-16-16

Claimant's signature: Ida Carreiro

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, 2<sup>nd</sup> 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 ☒ DCM

Date: **MAY 16 2016**





City of Fall River  
Notice of Claim

RECEIVED

2016 MAY 16 A 11:21

CITY CLERK 16-67  
FALL RIVER, MA

1. Claimant's name: Susan St Pierre
2. Claimant's complete address: 45 Waring St Fall River MA 02720
3. Telephone number: Home: \_\_\_\_\_ Work: 262-957-2517 (Travelers Ins Subrogation - Megan Genome primary contact)
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Property Damage
5. Date and time of accident: 4/27/16 Amount of damages claimed: \$5870.64 (current estimate)
6. Exact location of the incident: (include as much detail as possible):  
Water Main break near Waring St
7. Circumstances of the incident: (attach additional pages if necessary):  
City of fall river was flushing the fire hydrants and there was a water main break that occurred near Waring St and the amount of pressure caused Ms. St Pierre's water filter to blow and cause damages to the basement
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  
Travelers - Claim #YS 2983 PO Box 5076 Hartford, CT 06102

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: 5/11/16

Claimant's signature: Megan Genome

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, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722

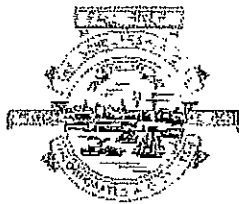
You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

For official use only:

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

Date: MAY 16 2016

VIII  
2nd  
Mand once  
ment made



RECEIVED

City of Fall River  
Notice of Claim

2016 MAY 18 P 1:18

#16-68

CITY CLERK  
FALL RIVER, MA

1. Claimant's name: Ryan Johnston
2. Claimant's complete address: 1427 Meridian St Fall River Ma 02722
3. Telephone number: Home: 508 507 9265 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Pot hole
5. Date and time of accident: April 20, 2016 Amount of damages claimed: \$ 129<sup>00</sup>
6. Exact location of the incident: (include as much detail as possible):  
Wilson Rd Fall River Ma, at corner of Ling St + Wilson Rd.  
in front of house # 242 Ling St but on Wilson Rd.
7. Circumstances of the incident: (attach additional pages if necessary):  
Driving down Wilson Rd (Fall River) and could  
not avoid the massive pot hole. We were  
driving from Meridian St down Wilson Rd
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: 5.11.16

Claimant's signature: \_\_\_\_\_

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.

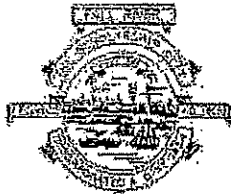
**Return this from to : City Clerk, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722**

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: 5/18/16



RECEIVED

City of Fall River

2016 MAY 19 A 10:27

Notice of Claim

CITY CLERK 16-70  
FALL RIVER, MA

1. Claimant's name: Raymond P. ARRUJA
2. Claimant's complete address: 260 RATHGAK ST.
3. Telephone number: Home: 508-944-8445 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
HIT POT HOLE
5. Date and time of accident: 5-5-16 8:00 PM Amount of damages claimed: \$ 599.95
6. Exact location of the incident: (include as much detail as possible):  
ACROSS STREET NEW BOSTON RD. BAKERY
7. Circumstances of the incident: (attach additional pages if necessary):  
I HIT POT HOLE ON NEW BOSTON RD. SEE ATTACH BILL.
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: 5-17-16

Claimant's signature: Raymond P. Arruja

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, 2<sup>nd</sup> 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 ☒ DCM

Date: 5-19-16

29

Mr. and Mrs. Peter Rego  
233 Weetamoe Street  
Fall River, MA 02720

RECEIVED

2016 MAY 19 A 9:31

April 19, 2016

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

Mayor Correia and Members of the City Council  
One Government Center  
Fall River, MA 02777

Dear Mayor Correia and Members of the City Council:

I am writing in regards to an abandoned property at 213 Weetamoe Street. This property has been empty for over ten years and is a safety hazard. As you can see by the attached photographs, the retaining wall is in a state of collapse. Over two years ago, large sections of the wall, which are over several hundred pounds each, have fallen onto the sidewalk; in response to this danger the city has blocked the sidewalk off with jersey barriers and temporary fencing. As you can see, the barrier juts into the street causing a safety hazard especially during inclement weather. During the last April snowstorm, three vehicles slid into the barrier thereby blocking the road. This caused a chain reaction of cars hitting cars that lasted over three hours.

In addition, the abandoned house has had burst pipes within the residence which caused a wall of ice to form within the structure that extended down the retaining wall and stairs, onto the street, resulting in an emergency response by the municipal water department. The insurance company agent, who periodically visits to ensure that the house is still standing, told my husband that the house is uninhabitable due to mold.

The house has been emptied of homeless people on and off by the police. There was also a group of men living there, with New Hampshire plates, who were apparently squatters. These people left after an altercation with my neighbor due to damage to his parked car.

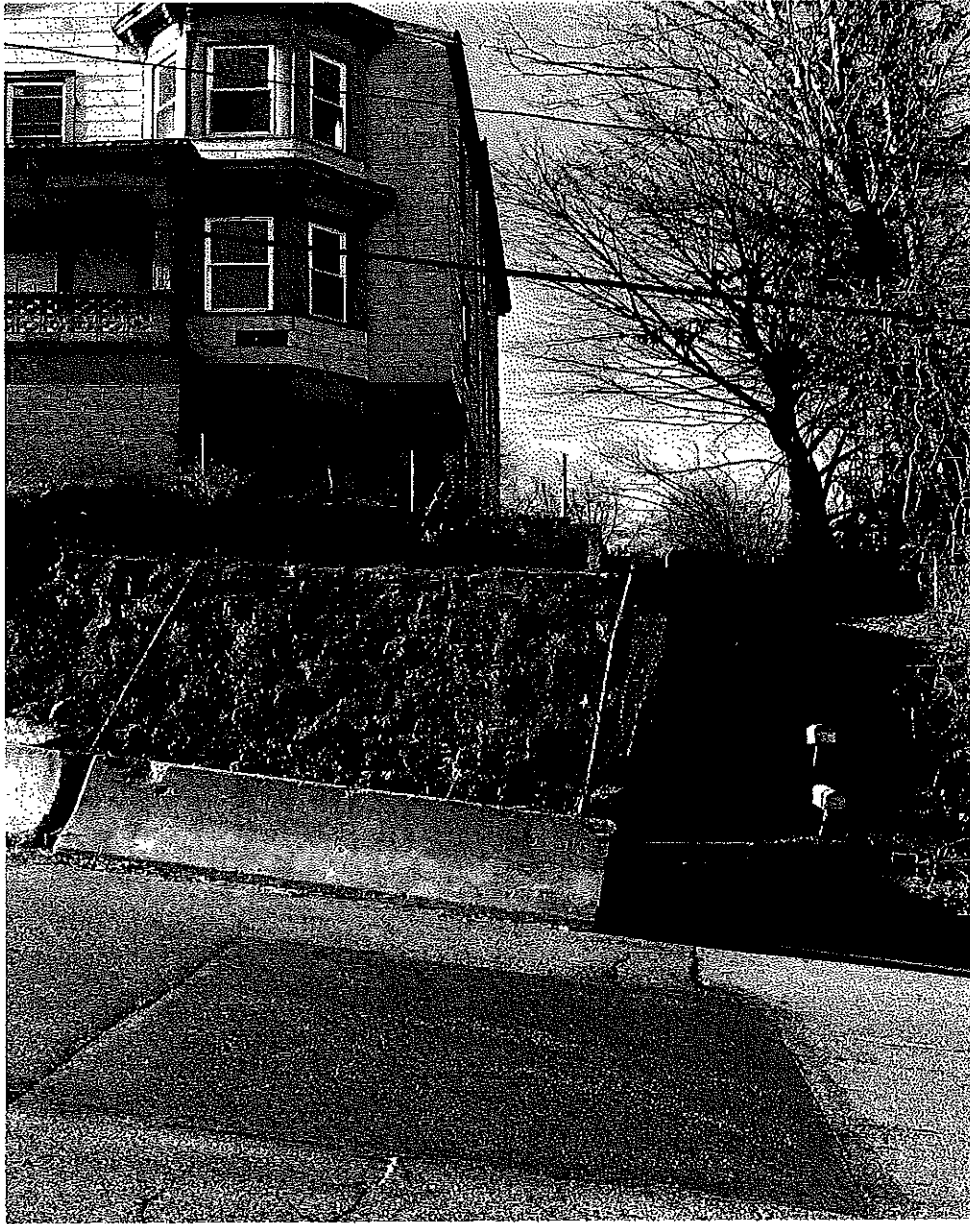
This property is blight and a danger to our neighborhood. Therefore, I am requesting that the city require that the owners bring this property up to code. In researching this problem, I have discovered that Fall River has gone through the MA Abandoned Housing Initiative in an attempt to deal with abandoned property. Perhaps this is a cost effective solution to the problem.

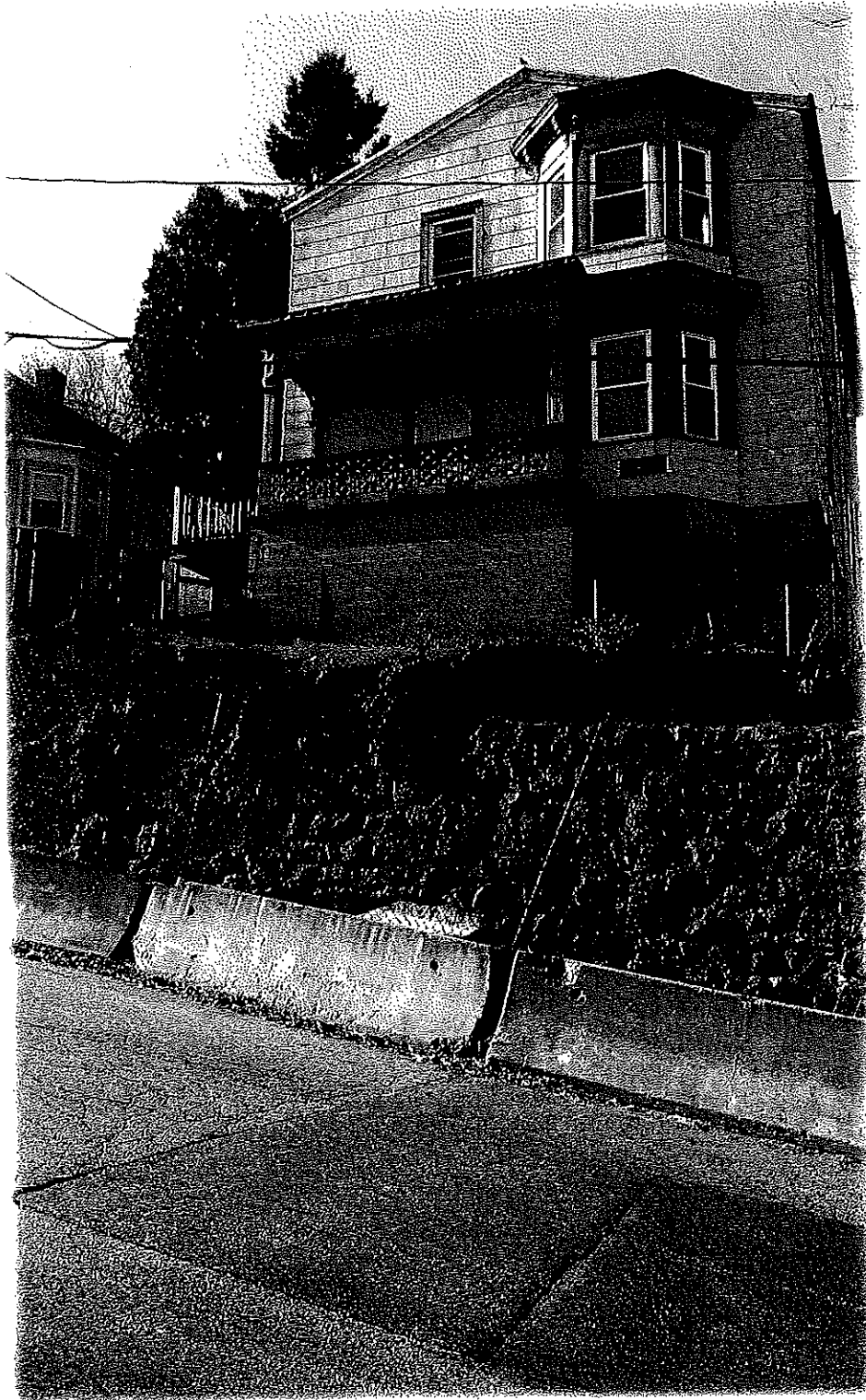
Thank you for your time and attention to this matter.

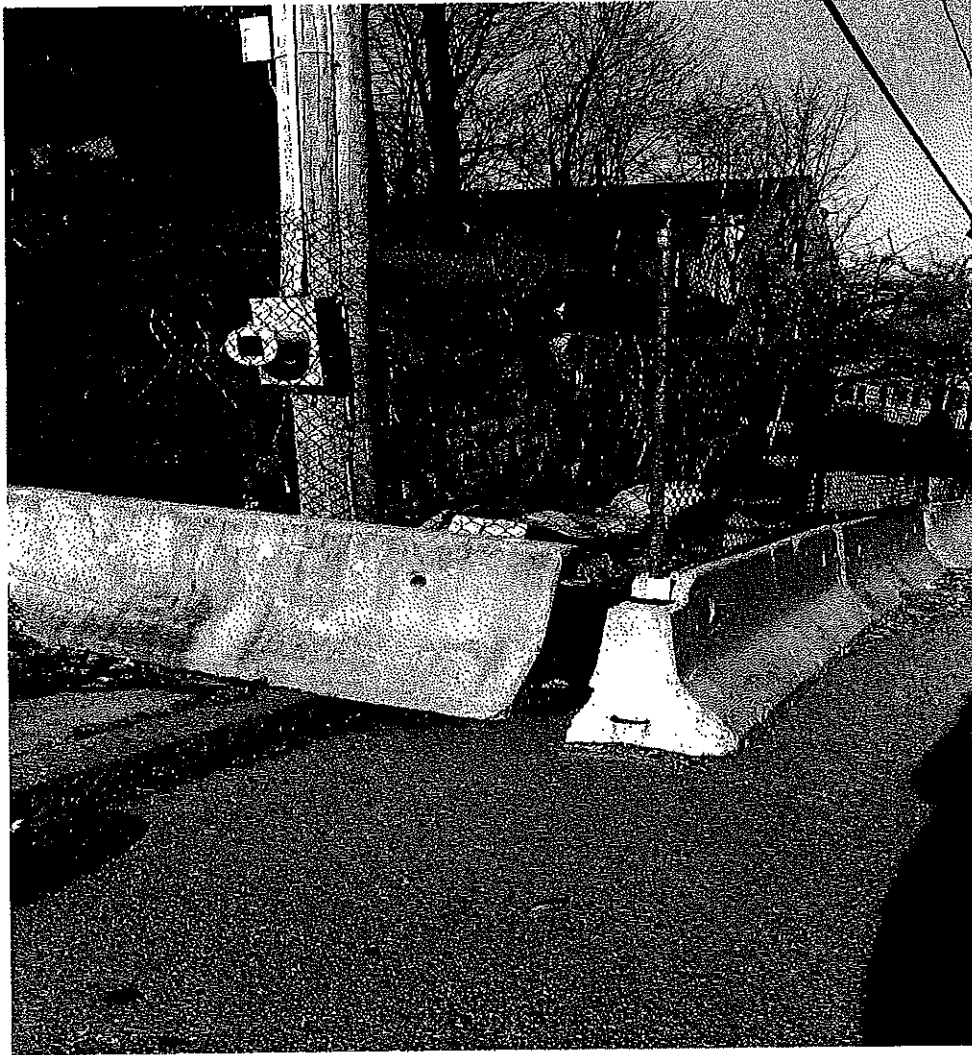
Sincerely,

Mr. and Mrs. Peter Rego  
233 Weetamoe Street  
Fall River, Ma 02720















## OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General  
One Ashburton Place  
Boston, MA 02108

5-17-16 @ 9:20 p  
30

Please note that all fields are required unless otherwise noted.

### Your Contact Information:

First Name: CJ Last Name: Ferry

Address: 300 Buffinton Street

City: Fall River State: MA Zip Code: 02721

Phone Number: +1 (508) 646-9026 Ext.

Email: cj.ferry@scstonline.com

Organization or Media Affiliation (if any): Spidle City Straight Talk - Southcoast Media

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

☐ Individual ☐ Organization ☒ Media

### Public Body that is the subject of this complaint:

☒ City/Town ☐ County ☐ Regional/District ☐ State

Name of Public Body (including city/town, county or region, if applicable): Fall River City Council Sub-Committee on Ordinance and Regulations

Specific person(s), if any, you allege committed the violation: Cliff Ponte (Chair), Stephen Long, Linda Pereira, Pam Laliberte-Lebeau, Joseph Camara, Steven A. Camara

Date of alleged violation: May 17, 2016

## Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

The Fall River City Council Sub-Committee on ordinance and regulation held its stated meeting on May 17, 2016 with the listed members of the sub-committee plus the addition of City Councilor Steven A. Camara.

Whereas, this sub-committee meets the requirements of MGL 30A when it meets as a sub-committee, it also qualifies as a quorum of the City Council as with the five votes one the sub-committee any decisions they render unanimously in sub-committee session can become ordinance in full session as the sub-committee represents the necessary votes to pass or defeat an ordinance presented to the full council. Therefore, the sub-committee violates the open meeting law as while this is a regularly and legally posted of the sub-committee, it is not a legally posted special meeting of the City Council.

Further, with the Addition of City Councilor Steven A. Camara and his presence and participation and deliberation of the issue at hand, this increases the quorum for the City Council and attendance to six. It is apparent that Mr. Camara met the requirement of the definition of deliberation; "an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction." when he discussed and questioned Corporate Counsel Joseph Macy, City Administrator Cathy Ann Viveiros and human resources personnel in his actions and questions as a City Councilor as all actions and speech were made from his position and seat on the City Council.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

Because of the deliberate and willful actions of the Fall River City Council to violate MGL 30A and whereas other such complaints have been answered with administrative response and action.  
An "intentional violation" is an act or omission by a public body or public body member in knowing violation of the Open Meeting Law. G.L. c. 30A, § 18.

I respectfully request that the City of Fall River City Councilors be assessed the maximum pecuniary penalty allowed by 940 CMR 29.07 (3)(d).

## Review, sign, and submit your complaint

### I. Disclosure of Your Complaint.

**Public Record.** Under most circumstances, your complaint, and any documents submitted with your complaint, will be considered a public record and available to any member of the public upon request. In response to such a request, the AGO generally will not disclose your contact information.

### II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

### III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us).

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: \_\_\_\_\_

Date: May 17, 2016

For Use By Public Body

For Use By AGO

Date Received by Public Body:

Date Received by AGO:



31

# City of Fall River Massachusetts

## Office of the City Clerk

ALISON M. BOUCHARD

CITY CLERK

INÊS LEITE

ASSISTANT CITY CLERK

### MINUTES OF THE FALL RIVER CITY COUNCIL REGULAR MEETING - JANUARY 4, 2016

IN: 10:00 AM  
OUT: 11:07 AM

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

**ABSENT:** None

The City Clerk, Alison M. Bouchard called the meeting to order with a moment of silent prayer and a salute to the flag.

The purpose of the meeting was to elect a President and Vice-President of the City Council for the year 2016.

**ORDERED**, that we now proceed, by a vive-voce vote, to elect a President of the City Council for the year 2016.

*A motion was made and seconded to adopt the order. On a roll call vote, Councilor Shawn E. Cadime received 8 votes, with Councilor Joseph Camara only voting present. Councilor Cadime was declared President of the City Council for the year 2016. Councilor Cadime was then sworn to his duties by the City Clerk.*

Council President Cadime delivered remarks, then permitted the City Clerk to proceed with the order of business.

**ORDERED**, that we now proceed, by a vive-voce vote, to elect a Vice-President of the City Council for the year 2016.

*A motion was made and seconded to adopt the order. On a roll call vote, Councilor Linda Pereira received 9 votes and Councilor Pereira was declared Vice-President of the City Council for the year 2016.*

Council Vice-President Pereira delivered remarks.

*A motion was then made and seconded to adjourn the meeting.*

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

**REGULAR MEETING OF THE CITY COUNCIL**

MEETING: Tuesday, January 12, 2016 at 7:00 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: None

President Shawn E. Cadime called the meeting to order at 7:21 p.m. with a salute to the flag followed by a moment of silent prayer and announced that the meeting may be recorded with audio or video and transmitted through any medium.

**AGENDA**

**PRIORITY MATTERS**

1. Transfers and appropriations
  - a. \$4,001 for the Police Department (prior year salaries and wages)  
from the Fiscal Year 2015 Surplus Revenue

*Adopted, 9 years*

- b. \$494,100 for the Special Revenue Account – Energy Rebates
- Adopted, 9 years*

2. Mayor requesting position of Substance Abuse Prevention Coordinator  
*Granted leave to withdraw, 6 years, 3 nays*

**PRIORITY COMMUNICATIONS**

3. Board of Election Commissioners and order for Presidential Primary March 1, 2016 and  
order designating polling places  
*Communication was accepted and placed on file*  
*Order for Presidential Primary was adopted – Approved, January 13, 2016, Mayor Jasiel F. Correia, II*  
*Order for designating polling placed was adopted – Approved, January 13, 2016, Mayor Jasiel F. Correia, II*

4. Superintendent of Schools re: Request to amend Fiscal Year 2015 End of Year Report  
*Referred to the Committee on Finance*

**COMMITTEE REPORTS** – none

**ORDINANCES**

5. Amend number of members in Committee on Real Estate  
*Referred to the Committee on Ordinances and Legislation*

## **RESOLUTIONS**

6. Request State Delegation consider filing legislation requiring physicals and drug testing for public employees prior to returning to work after a layoff

*A motion was made and seconded to adopt the resolution. Councilor Cabeceiras stated that because he is a laid off firefighter, he will be abstaining from any discussion and vote. A motion was made, seconded and unanimously voted to waive the rules to allow Jason Burns, President of the Fall River Firefighters Union, Local 1314 to discuss the matter with the City Council. Mr. Burns stated that all injuries sustained in the line of duty are reviewed by physicians. On a further motion made and seconded, it was unanimously voted to refer the matter to the City Council Committee on Health and Environmental Affairs.*

7. Administration be invited to future meeting of Committee on Finance to discuss advertising on City-owned assets

*There was discussion that this matter is already tabled in the Committee on Real Estate and that it may be unnecessary to have an additional resolution to discuss the same matter. On a motion made and seconded, it was voted 4 yeas, 5 nays to grant the resolution leave to withdraw and the motion failed to carry. On a further motion made and seconded, it was unanimously voted to adopt the resolution.*

8. Committee on Ordinances and Legislation consider adding another City Council standing committee, titled Budget Preparation, Revenue and Audit Committee

*It was discussed that other committees needed to be reviewed regarding their responsibilities. On a motion made and seconded, it was unanimously voted to amend the resolution by adding: "Be it further resolved, that the Committee on Ordinances and Legislation also review other subcommittees to determine if their scope of responsibility should be altered or amended and/or should other subcommittees be established". On a further motion made and seconded, it was unanimously voted to adopt, as amended.*

## **CITATIONS**

9. Barbara Cleinman – 80<sup>th</sup> Birthday  
*Adopted*

## **ORDERS – HEARINGS FOR TONIGHT – none**

## **ORDERS – HEARINGS TO BE SCHEDULED**

### **Street acceptance:**

10. Heritage Court from Commonwealth Avenue to dead end  
*Adopted*

11. Commonwealth Avenue from William S. Canning Boulevard to Heritage Court  
*Adopted*

## **ORDERS – NO HEARING REQUIRED – none**

## **ORDERS – MISCELLANEOUS**

12. Police Chief's report on licenses  
*Adopted*

13. Auto Repair Shop license renewals  
*Adopted – Approved January 13, 2016, Mayor Jasiel F. Correia, II*

14. Auto Body Shop license renewals  
*Adopted – Approved January 13, 2016, Mayor Jasiel F. Correia, II*

15. City Council meeting schedule for January to June 2016  
*Discussion was held regarding the proposed April 12<sup>th</sup> and 26<sup>th</sup> meeting dates. Councilor Pereira requested that the April meetings be changed to the 5<sup>th</sup> and 19<sup>th</sup>. On a motion made and seconded, it was unanimously voted to table the order to allow time to check when school vacation was. On a further motion made and seconded, it was unanimously voted to adopt, as amended the order scheduling the next City Council meeting for January 26, 2016.*

#### **COMMUNICATIONS – INVITATIONS – PETITIONS**

16. Claims

*Referred to Corporation Counsel*

17. Fall River Charter Commission re: appreciation for the use of the Council Chambers  
For monthly meetings

*Accepted and placed on file*

18. City resident requesting taxicab vehicle medallion

*Referred to the Committee on Ordinances and Legislation*

#### **BULLETINS – NEWSLETTERS – NOTICES**

19. Environmental Notification Form – Taunton River Crossing Gas Distribution Mail  
Replacement Project – Fall River and Somerset, MA

*Accepted and placed on file*

#### **ITEMS FILED AFTER THE AGENDA WAS PREPARED:**

#### **COMMITTEE REPORTS**

Committee on Regulations recommending:

Adoption:

Order – Second Hand Article Store for Pacheco's Used Furniture, 657 Bedford St.  
*Adopted – Approved, January 13, 2016, Mayor Jasiel F. Correia, II*

Committee on Finance recommending:

Referral to full body:

Loan order – Various Outdoor Recreational Facility Improvements  
*Adopted, 9 yeas – Approved, January 13, 2016, Mayor Jasiel F. Correia, II*

#### **RESOLUTIONS**

Committee on Human Services, Housing and Elder Affairs meet to discuss veterans' housing

*Adopted*

On a motion made and seconded, it was unanimously voted to adjourn at 8:17 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

CD and DVD of meeting

  
City Clerk

## REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, April 19, 2016 at 7:00 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: None

President Shawn E. Cadime called the meeting to order at 9:11 p.m. with a salute to the flag followed by a moment of silent prayer and announced that the meeting may be recorded with audio or video and transmitted through any medium.

### AGENDA

#### PRIORITY MATTERS

1. Mayor req. confirmation of appointment of David Underhill to the Housing Authority Board  
*Confirmed*
2. Mayor and Water and Sewer Divisions
  - a. Enterprise Fund (FY17 Proposed Budget)  
*Referred to the Committee on Finance*
  - b. Proposed ordinance – water and sewer rates  
*Referred to the Committee on Ordinances and Legislation*
3. Mayor and resolution re: Section 108 Loan Application  
*Adopted, 7 yeas, 2 abstentions with Councilors Steven A. Camara and Cliff Ponte abstaining. – Approved, April 22, 2016, Mayor Jasiel F. Correia, II*
4. City Administrator re: Tax-exempt properties

*A motion was made and seconded to accept and place on file the communication. It was discussed that since the number of tax exempt properties is so great, it would be a good idea to refer the matter to a committee for further discussion. A further motion was made and seconded to refer to the matter to the Committee on Human Services, Housing and Elder Affairs. On yet a further motion made and seconded, it was voted 4 yeas, 5 nays to refer the matter to the Committee on Budget Preparation, Revenue and Audits, with Councilors Cabeceiras, Laliberte-Lebeau, Long, Mitchell and Pereira voting in the negative and the motion did not carry. On yet a further motion made and seconded, it was voted 8 yeas, 1 nay to refer the communication to the Committee on Human Services, Housing and Elder Affairs, with Councilor Cliff Ponte voting in the negative.*

#### PRIORITY COMMUNICATIONS

5. Board of Park Commissioners regarding cemetery fee increases  
*Referred to the Committee on Ordinances and Legislation*



6. Mary Sahady, CPA regarding the use of Enterprise Funds  
*Accepted and placed on file*

### **COMMITTEE REPORTS**

#### **Committee on Finance recommending:**

##### **Grant leave to withdraw:**

7. Resolution – Administration and DOR regarding findings of pro-forma audit  
*Granted leave to withdraw*

*On a motion made and seconded, it was unanimously voted to take items 8 and 9 together.*

8. Resolution – Status and balances of employee health care accounts  
*Granted leave to withdraw*

9. Resolution – Status and maintenance of windows at Government Center  
*Granted leave to withdraw*

#### **Action:**

10. Resolution – authorizing submission of year two annual action plan  
*Accepted and placed on file, 7 yeas, 2 abstentions, with Councilors Steven A. Camara and Cliff Ponte abstaining.*

#### **Committee on Regulations recommending:**

##### **Grant leave to withdraw:**

11. Resolution – Review of Sections 14-464, 14-470 and 14-471 relative to fire department inspections  
*Granted leave to withdraw*

#### **Committee on Health and Environmental Affairs recommending:**

##### **Grant leave to withdraw:**

12. Communication – Mass. DEP regarding gas collection system installation  
*Granted leave to withdraw*

### **ORDINANCES**

#### **Second Reading:**

13. Proposed ordinance – Waterway Permit Decal  
*Passed through second reading and enrollment, 7 yeas, 3 nays, with Councilors Joseph D. Camara, Steven R. Long and Linda M. Pereira voting in the negative. On a further motion made and seconded, it was voted 6 yeas, 2 nays to pass the ordinance to be ordained, 6 yeas, 2 nays, with Councilors Joseph D. Camara and Steven R. Long voting in the negative and Councilor Linda M. Pereira absent and not voting. – Approved, April 22, 2016, Mayor Jasiel F. Correia, II*

### **RESOLUTIONS**

14. Pay-as-you-throw fines be reduced from \$100.00 to \$30.00  
*Referred to the Committee on Ordinances and Legislation*

15. Com. on Public Works and Transportation convene to discuss quality of pothole patches  
*Councilor Pereira stated that numerous pothole repairs are disintegrating and are not repaired properly. We need more inspections of road repairs and to hold the company accountable that performed the repair.*  
*Adopted*

16. Com. on Finance convene to discuss ten year trash collection contract

*Councilor Mitchell stated that many Councilors have questions regarding the trash collection privatization contract, so discussing the matter in the Committee on Finance should be helpful. On a motion made and seconded, it was voted unanimously to amend the resolution by adding that Representatives from the Teamsters Union that represent the Department of Community Maintenance workers also be invited to the meeting to participate in the discussion.*  
*Adopted, as amended*

### **CITATIONS**

*On a motion made and seconded, it was unanimously voted to take items 17 and 18 together.*

17. Barry Richard – 12 years of dedicated service as News Director of WSAR  
*Adopted*

18. Citizens who provided assistance to travelers during April 4, 2016 snowstorm  
*Adopted*

### **ORDERS – HEARINGS FOR TONIGHT**

#### Auto Repair Shop license:

19. Jessica M. Rodrigues d/b/a Stafford Road Auto Repair and Sales at 182 Stafford Road  
*Objection filed. Referred to the Committee on Regulations*

#### Curb removal:

20. Gabriela and Nancy Sousa – removal of 6 feet for a total of 33 feet at 947 Madison Street  
*Hearing held and closed; Order granting permission, Adopted – Approved, April 22, 2016, Mayor Jasiel F. Correia, II*
21. KM South Main, LLC – removal of 86 feet for a total of 102 feet at 1512, 1530 South Main Street and 760 Slade Street  
*Objection filed. Referred to the Committee on Regulations*
22. Alan and Maria Rumsey – removal of 8 feet for a total of 33.7 feet at 492 Rock Street  
*Hearing held and closed; Order granting permission, Adopted – Approved, April 22, 2016, Mayor Jasiel F. Correia, II*
23. Ricardo Torres – removal of 10.7 feet for a total of 28 feet at 83 Wheeler Street  
*Hearing held and closed; Order granting permission, Adopted – Approved, April 22, 2016, Mayor Jasiel F. Correia, II*
24. Miguel Ribeiro – removal of 16 feet for a total of 28 feet at 1232 Globe Street  
*The hearing was held and closed. On a motion made and seconded, the order was referred to the Committee on Regulations due to the filing of an objection. On a further motion made and seconded, the order was reconsidered. A subsequent motion was then made and seconded to adopt the order granting permission.*

**ORDERS – HEARINGS TO BE SCHEDULED – None**

**ORDERS – NO HEARING REQUIRED – None**

**ORDERS – MISCELLANEOUS**

25. Police Chief's report on licenses

*It was discussed that that two of the second hand licenses were recommended by the Police Chief to be denied. A motion was made to refer Cash for Gold and Finders Keepers to the Committee on Regulations, but received no second. Councilor Cabeceiras asked if a temporary license is available to be issued, while the matter be discussed with the Police Chief. The City Clerk stated that there was no temporary license.*

*Adopted, 9 yeas. The City Clerk stated that the Police Chief recommended denial for the renewal of the second hand applications for Cash for Gold and Finders Keepers. On a further motion made and seconded, it was voted 9 yeas to approve the renewal of the application for Cash for Gold, notwithstanding the Police Chief's recommendation. On yet a further motion made and seconded, it was voted 8 yeas, 1 nay to approve the renewal of the application for Finders Keepers notwithstanding the Police Chief's recommendation, with Councilor Cabeceiras voting in the negative.*

26. City Engineer prepare plans for acceptance of Frederick Street from Whitefield Street to Mariano Bishop Boulevard  
*Referred to the Planning Board*

27. Auto Body Shop license renewals  
*Adopted*

28. Auto Repair Shop license renewals  
*Adopted*

**COMMUNICATIONS – INVITATIONS – PETITIONS**

29. Claims  
*Referred to Corporation Counsel*

*On a motion made and seconded, it was unanimously voted to take items 30 to 34 together.*

30. Communications from employees of Fall River School Department re: 2016-2017 School Year shortfall  
*Accepted and placed on file*

31. Comm. from AG re: OML complaint of 2-9-16 Com. on Ordinances & Legislation  
*Accepted and placed on file*

32. Comm. from AG re: OML complaint of 2-16-16 Com. on Ordinances & Legislation  
*Accepted and placed on file*

33. Zoning Board of Appeals Minutes – February 18, 2016  
*Accepted and placed on file*

34. Zoning Board of Appeals Minutes – March 17, 2016  
*Accepted and placed on file*

**BULLETINS – NEWSLETTERS – NOTICES – None**

**ITEMS FILED AFTER THE AGENDA WAS PREPARED:**

**RESOLUTIONS**

Committee on Finance invite AMERESCO to give presentation regarding the benefits of carport solar canopies

*Adopted*

**COMMITTEE REPORTS**

Committee on Finance recommending:

Allow applause during meetings

*It was discussed that in previous years, food and beverages along with hats were not allowed in the City Council Chamber. Possibly the City Council President could contact former City Council Presidents to discuss previous rules and regulations.*

*Referred to the Council President, 7 yeas, 2 nays, with Councilors Joseph D. Camara and Cliff Ponte voting in the negative.*

**CITATIONS**

Jonathan Borges – 30<sup>th</sup> Birthday and service to the community

*Adopted*

On a motion made and seconded, it was unanimously voted to adjourn at 10:26 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

CD and DVD of meeting

  
City Clerk

4. Resolution – Administration consider purchasing former St. Vincent's Farm on Driftwood Street and Highland Avenue

*On a motion made and seconded, it was unanimously voted to recommend the resolution be granted leave to withdraw.*

On a motion made and seconded, it was unanimously voted to adjourn at 5:52 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

CD and DVD of meeting

  
Clerk of Committees

### COMMITTEE ON REGULATIONS

MEETING: Tuesday, January 12, 2016 at 5:30 p.m. in the  
Council Chamber, One Government Center

PRESENT: Councilor Linda M. Pereira, presiding  
Councilor Joseph D. Camara

ABSENT: Councilor Steven A. Camara

IN ATTENDANCE: Joey Pacheco, 661 High Street  
Ana Pacheco, 661 High Street

The chair called the meeting to order at 5:32 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

Agenda:


1. Order – Joey A. Pacheco and Ana Pacheco, 661 High Street, d/b/a Pacheco's Used Furniture, for a second hand article store at 657 Bedford Street

*It was stated by the applicants that no furniture repairs will be performed at this location. This location will be for sales only and all loading and unloading of furniture will be through the back door. On a motion made and seconded, it was unanimously voted to recommend the order be adopted, with Councilor Steven A. Camara absent and not voting.*

On a motion made and seconded, it was unanimously voted to adjourn at 5:36 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)  
CD and DVD of meeting

  
Carmen A. Taylor  
Clerk of Committees

# COMMITTEE ON REGULATIONS

MEETING: Tuesday, May 10, 2016 at 5:15 p.m. in the Council Chamber, One Government Center

PRESENT: Councilor Linda M. Pereira, presiding  
Councilors Joseph D. Camara and Steven A. Camara

ABSENT: None

IN ATTENDANCE: Attorney Gregory A. Brilhante, 321 North Main Street  
Jessica M. Rodrigues, 515 Tucker Street  
Victor Rodrigues, 515 Tucker Street  
Ronald Furtado, 160 Stafford Road  
Dolores Furtado, 160 Stafford Road  
Donele Monte, 205 Hot and Cold Lane, Somerset, MA  
Michele Almeida, 221 Nichols Street  
Byron Holmes, City Engineer  
Laura Ferreira, Director of Traffic  
James Karam, 10 North Main Street  
Attorney Peter A. Saulino, 550 Locust Street  
Matt Smith, PE; Bohler Engineering  
352 Turnpike Road, Southborough, MA 01772

The chair called the meeting to order at 5:22 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

## Agenda:

1. Order – Jessica M. Rodrigues, 515 Tucker Street d/b/a Stafford Road Auto Repair and Sales, for a license to operate an auto repair shop at 182 Stafford Road

*It was stated by Attorney Gregory A. Brilhante, the applicant's attorney that the property will be completely renovated. The condition of the property was the main concern of the objector, as the previous business owner had allowed junk cars and weeds to overtake the property. Attorney Brilhante stated that this will not happen with these owners and that the auto sales license had already been approved by the Licensing Board. The hours of operation were discussed in order to assure the objector that there will be no late night noise. The owners proposed 7 a.m. to 6 p.m., Monday through Friday and 7 a.m. to 3 p.m. on Saturday. The objectors mentioned that 3 p.m. on Saturday was late, so all parties compromised at 1 p.m. closing on Saturday. On a motion made and seconded, it was unanimously voted to recommend the order be adopted, as amended with Councilor Joseph D. Camara absent and not voting. The amendment was the addition of the hours of operation to the license, as follows:*

*Monday through Friday, 7 a.m. to 6 p.m.  
Saturday, 7 a.m. to 1 p.m.*

2. Order – KM South Main LLC, 10 North Main Street for the removal of curbing at 1512, 1530 South Main Street and 760 Slade Street

Councilor Joseph D. Camara arrived at 5:35 p.m.

*The objectors that own the property located at 263 Hall Street were concerned with the location of the new driveway on Hall Street. After discussion with the applicant, the objectors were satisfied that the applicant will be installing a wall, fence and some vegetation to insulate their property from vehicle headlights and noise. On a motion made and seconded, it was unanimously voted to recommend the order be adopted.*

On a motion made and seconded, it was unanimously voted to adjourn at 5:53 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)  
CD and DVD of meeting

  
Clerk of Committees



## COMMITTEE ON REAL ESTATE

MEETING Monday, May 16, 2016 at 5:30 p.m. in the  
Council Chamber, Government Center

PRESENT Councilor Richard Cabeceiras, presiding  
Councilors Long and Pereira

ABSENT None

IN ATTENDANCE Cathy Ann Viveiros, City Administrator

The chair called the meeting to order at 5:34 p.m. and announced that the meeting may be recorded with audio and video and transmitted through any medium.

Agenda:

1. Resolution – discuss inventory of all municipally owned buildings that are or will be for sale

*The City Administrator stated that there are still three former school buildings pending for sale. They are the Coughlin School, Lincoln School and the Silvia School. The sale of these three schools were never closed on, therefore they will need to go out for RFP once again. It was stated that on February 29, 2016 the bid for the former Silvia School from Greater Fall River RE-CREATION was granted leave to withdraw. On a motion made and seconded, it was unanimously voted to recommend the resolution be tabled.*

2. Communication – City Administrator re former Police Station located at 158 Bedford Street

*On a motion made and seconded, it was unanimously voted to recommend the communication be tabled.*

*At 5:49 p.m. the Chairman called for a 2 minute recess, the meeting reconvened at 5:51 p.m.*

3. Communication – Administration re: outdoor advertising

*On a motion made and seconded, it was unanimously voted to recommend the communication be granted leave to withdraw.*

