

City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

AMENDED

2017 DEC 19 A 10:55

ORIGINAL POSTING: DECEMBER 15, 2017 2:03 P.M.

DECEMBER 15, 2017

CITY CLERK
FALL RIVER, MA

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

INÊS LEITE
ASSISTANT CITY CLERK

ALISON M. BOUCHARD
CITY CLERK

MONDAY, DECEMBER 18, 2017

5:00 P.M. COMMITTEE ON REAL ESTATE

6:30 P.M. COMMITTEE ON HEALTH AND ENVIRONMENTAL AFFAIRS OR IMMEDIATELY FOLLOWING THE COMMITTEE ON REAL ESTATE IF THAT MEETING RUNS PAST 6:30 P.M.

TUESDAY, DECEMBER 19, 2017

AGENDA

5:30 P.M. COMMITTEE ON ORDINANCES AND LEGISLATION

5:45 P.M. PUBLIC HEARINGS OR IMMEDIATELY FOLLOWING THE COMMITTEE ON ORDINANCES AND LEGISLATION IF THAT MEETING RUNS PAST 5:45 P.M.

Curb Removals

1. John Flores, 235 Adelaide Street, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
235 Adelaide Street	16'	16'	0'	32'

The petitioner is requesting to open a new 16 foot driveway entrance on the west side of the property for the purpose of parking a camper. 235 Adelaide Street has an existing 16 foot driveway. The work does not impact utilities or signage, and results in a minimal impact to on-street parking.

2. Joshua Oliver, 140 Huard Street, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
140 Huard Street	18' 6"	16'	0'	34' 6"

The petitioner is requesting to open a new 16 foot driveway entrance on the north side of the property. 140 Huard Street has an existing 18 foot 6 inch driveway. The work does not impact utilities or signage, and results in the loss of a single on-street parking space. Proper placement would retain two parking spaces between the driveways.

3. Jesse Pacheco, 67 Langley Street, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
67 Langley Street	11' 11" (East) 9'9" (West)	14'8" (West)	0'	11' 11" (East) 14' 8" (West)

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

The petitioner is requesting to remove a 4 foot 11 inch section of curb on the east side of the western driveway. 67 Langley Street currently has an 11 foot 11 inch driveway on the east side of the property, and a 9 foot 9 inch driveway on the west side of the property.

The curb removal marginally improves access for vehicles turning into the western driveway. A single parking space currently exists between the driveways, and this curb removal does not eliminate that parking space. The curb removal does not appear to impact utilities or signage.

4. John Champagne, 816 Pearce Street, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
1538 North Main St.	0'	20'	0'	20'

1538 North Main Street is the abutter to and held in ownership with Roger's Coney Island Hot Dogs, an existing business at 1518 North Main Street. 1538 North Main Street will be used as a parking lot to support the business. Traffic will enter from North Main Street and exit from a rear driveway onto Brightman Street. The work provides drive-thru access to parking spaces serving the business, and results in elimination of a single two-hour parking space. The driveway should be located north of the utility pole.

6:00 P.M. COMMITTEE ON FINANCE OR IMMEDIATELY FOLLOWING THE CITY COUNCIL PUBLIC HEARINGS IF THE PUBLIC HEARINGS RUNS PAST 6:00 P.M.

1. Citizen input
2. Discussion with Administration re: status of property located at former Duro Textiles site (resolution adopted, as amended 11-14-17)
3. *Transfer and appropriation – \$50,000 for the BMC Durfee Feasibility Study from the General Fund Stabilization Fund (see After Agenda #7a)

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. *Mayor req. confirmation of appointments to the following:
 - a. Robert Tavares to the Board of Park Commissioners
 - b. Cheryl Costa to the Commission on Disability
 - c. Susana Ribeiro to the Council on Aging
 - d. Richard J. Souza to the Sewer Commission
 - e. Manuel Leite to the Conservation Commission
2. *Mayor and veto of order to remove the approved easement that crosses the Alfred J. Lima Quequechan River Rail Trail (held over in accordance with the City Charter 11-28-17)
3. *Mayor and veto of order to accept a gift of 80-84 North Main Street
4. *Mayor and order authorizing Fire Department to accept gift of pavers and materials from J & J Materials, Inc.
5. * Mayor and order authorizing Fire Department to accept gift of labor and use of vehicle from Albanese Monuments
6. *Mayor requesting creation of position of Opioid Clerk (part-time)
7. *Mayor and resolution for Parkland Acquisitions and Renovations for Communities (PARC) grant in the amount of \$395,500 for improvements to North Park, Ruggles Park, Father Kelly Park and Maplewood Park

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

The petitioner is requesting to remove a 4 foot 11 inch section of curb on the east side of the western driveway. 67 Langley Street currently has an 11 foot 11 inch driveway on the east side of the property, and a 9 foot 9 inch driveway on the west side of the property.

The curb removal marginally improves access for vehicles turning into the western driveway. A single parking space currently exists between the driveways, and this curb removal does not eliminate that parking space. The curb removal does not appear to impact utilities or signage.

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

PRIORITY COMMUNICATIONS

8. Traffic Commission recommending amendments to the traffic ordinances

COMMITTEE REPORTS

Committee on Finance recommending:

Accept and place on file:

9. *Communication – Fall River Contributory Retirement Board 2018 Budget

Committee on Public Safety recommending:

Grant leave to withdraw:

10. *Resolution – Public safety concerns at WalMart Supercenter exit (638 Quequechan Street)

Referral to Corporation Counsel:

11. *Communication – City resident regarding chain link fence at 120 Fifteenth Street

Committee on Ordinances and Legislation recommending:

First Reading, as amended:

12. *Proposed Ordinance – Salary updates

First Reading:

13. *Proposed Ordinance – Traffic, miscellaneous
14. *Proposed Ordinance – Sewer Commission
15. *Proposed Ordinance – Sewer Use Regulations
16. *Proposed Ordinance – Stormwater Management

All readings with Emergency Preamble:

17. *Proposed ordinance – Traffic, handicapped parking

Grant leave to withdraw:

18. *Resolution – Review of all boards and commissions
19. *Resolution – Review requirements of submission of annual budget

Committee on Budget Preparation, Revenue and Audits recommending:

Grant leave to withdraw:

20. *Communication – School Department employees re: 2016-17 school year shortfall
21. *Communication – Greater Fall River Vocational Technical High School District re: funding for repair of soccer/football field

ORDINANCES – None

RESOLUTIONS – None

CITATIONS

Government Center Custodial Staff – for outstanding service to city:

22. Henry Medeiros; David Lavoie; Jeffrey Lavoie

ORDERS – HEARINGS

Curb Removals:

23. John Flores, 235 Adelaide Street – total of 32 feet at 235 Adelaide Street
24. Joshua Oliver, 140 Huard Street – total of 34 feet 6 inches at 140 Huard Street
25. Jesse Pacheco, 67 Langley Street – total of 26 feet 7 inches at 67 Langley Street
26. John Champagne, 816 Pearce Street – total of 20 feet at 1538 North Main Street

ORDERS – MISCELLANEOUS

27. Auto Repair Shop license renewals:
Michael R. Bernier d/b/a Bernier's Quality Body Works at 800 Eastern Avenue
Theodore R. Sanft d/b/a Ted's Auto Repair at 77 Cash Street
Ernest J. Rapoza d/b/a Ernie's Auto Repair at 228 Barlow Street
Roger Khoury, Andrade's Automotive Service, LLC at 46 McGowan Street
John J. Mattie, Jr. d/b/a Mattie Imports, Inc. at 80 Wm. S. Canning Blvd.
Jacinto Silva, Tech Service Center, Inc. at 70 William Street
Sullivan Tire Co., Inc. at 456 Rodman Street

28. Auto Body Shop license renewals:
Michael R. Bernier d/b/a Bernier's Quality Body Works at 800 Eastern Avenue
Humberto Pereira d/b/a Fall River Auto Body and Sales, Inc. at 155 Williston Street

29. Police Chief's report on licenses:

Taxicab Drivers – 2017:

Jose Castro	Wayne Conway	Gilbert Dallaire
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Taxicab Drivers – 2018:

Sharon Acevedo	Timothy E. Adams	Thomas Andrade
Ashraf Kamal Antar	Brian Araluce	Edward A. Arruda
Steven Breault	Edward Butler	Darrell Carlsen
Jeffrey Carreira	Melissa Carvalho	Robert M. Collins Jr.
Lori Cronister	Joseph DaCosta	Tania L. Dillingham
Michael Diniz	Carlton Ducharme II	Philip J. Fay
Tiffany Evans	Peter Hadad	Richard Hannah
Steven Howance	Frederick Humes	Paul Laberge
Kathleen M. Lamothe	David Larkin	Louis Levesque
David Marshall Sr.	William Marshall	Richard Mello
Jeff C. Middleton	Rui Neves	Albert A. Paquette Jr.
Jennifer Pavao	Tyler Perreira	Charles Phifer
Gerald Pinault	Bud Prater	John D. Purcell
Todd J. Quintal	Ricardo Raposa	Edward Rego
George Robidoux	Carl Shepard	Natasha Smith
Jeremiah Soares	Delores Socall	Richard Souza
Stephen Stets	Ronald Vaillancourt	Jose Vasconcelos
Troy Wool		

Private Livery Drivers – 2018:

David Marshall Sr.

COMMUNICATIONS – INVITATIONS – PETITIONS

- 30. Drainlayer license – Oliveira Construction, Inc.
- 31. *Claims
- 32. *PERAC re: Appropriation for Fiscal Year 2019
- 33. *Planning Board Minutes – December 13, 2017
- 34. *Open Meeting Law complaint re: approval of minutes
- 35. *Street opening request for pavement less than 5 years old – 69 Denver Street

City Council Committee/Meeting Minutes:

- 36. *Committee on Finance – November 28, 2017
- 37. *Committee on Public Works and Transportation – October 23, 2017
- 38. *City Council Public Hearing – November 14, 2017
- 39. *City Council Public Hearings – November 14, 2017
- 40. *City Council Public Hearing – November 28, 2017
- 41. *City Council Meeting – May 19, 2017

BULLETINS – NEWSLETTERS – NOTICES

- 42. National Grid – 2018 Yearly Operational Plan and 21 day herbicide application notification
- 43. Notice of Casualty and Loss – 647 June Street

OTHER POTENTIAL MATTERS (to be acted upon if recommendation is received:)

Report of the Committee on Ordinances and Legislation:

Proposed Ordinance – Wage Theft Ordinance



City Clerk

ITEMS FILED AFTER THE AGENDA WAS PREPARED:
CITY COUNCIL MEETING DATE: DECEMBER 19, 2017

PRIORITY MATTERS

- 7a. *Transfer and appropriation – \$50,000 for the BMC Durfee Feasibility Study from the General Fund Stabilization Fund (see Finance #3)

COMMITTEE REPORTS

Committee on Real Estate recommending:

Grant leave to withdraw:

- 21a. *Order – Purchase of property located at 38 Third Street for Employee Health Clinic
- 21b. *Resolution – Discuss possible use of underutilized city property for the sale of water

CITATIONS

- 22a. Joseph Rebello

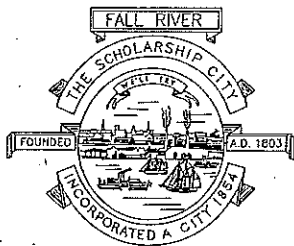
COMMUNICATIONS – INVITATIONS – PETITIONS

- 34a. Open Meeting Law complaint re: December 18, 2017 Committee on Health and Environmental Affairs Meeting

City Council Committee/Meeting Minutes:

- 41a. *Committee on Health and Environmental Affairs – October 23, 2017
- 41b. *Committee on Ordinances and Legislation – October 24, 2017
- 41c. *Committee on Budget Preparation, Revenue and Audits – December 12, 2017

7a



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

RECEIVED

2017 DEC 18 P 1:30

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

December 15, 2017

Honorable City Council
City of Fall River
One Governmental Center
Fall River, MA 02722

Honorable Council Members:

This Body has previously approved a \$1,000,000 loan order for the Feasibility Study of the proposed new BMC Durfee High School. Due to additional work incurred during the Study phase of this project for environmental testing and the parking lot restoration an additional \$50,000 is needed. It is anticipated that this request for additional monies will be eligible for 80/20% grant opportunity from the Massachusetts School Building Authority.

While the City Council vote will authorize this \$50,000 transfer from Stabilization, the Administration anticipates that only 20% of this amount will needed to fund the project. Your approval of this transfer is respectfully requested.

Best Regards,

Jasiel F. Correia II
Mayor

EMERGENCY PREAMBLE

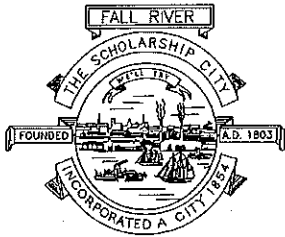
WHEREAS, the attached financial order was not filed prior to 5:00 P.M. on Thursday, December 14, 2017, in accordance with Section 2-125 of the Revised Ordinances of the City of Fall River, 1999, and

WHEREAS, it is important for the good of the city that the financial order be considered by the City Council, now therefore

BE IT RESOLVED, that said financial order be accepted for reading before the City Council.

ORDERED:

**That the sum of \$50,000 be, and the same is, hereby appropriated for the
BMC DURFEE FEASIBILITY STUDY from the GENERAL FUND
STABILIZATION FUND.**



CITY OF FALL RIVER
MASSACHUSETTS
Department of Facilities Maintenance

7a

JASIEL F. CORREIA II
Mayor

CHRIS GALLAGHER
Director

Mayor Jasiel Corriea
One Government Center
Fall River Mass, 02722

Mayor Corriea,

I am writing you this letter to increase the amount of the Durfee High School Feasibility study in the amount of \$50,000. This would revise the amount of the Durfee High School Feasibility study to \$1,050,000. The reason for these additional funds is to fund miscellaneous costs including- environmental soil testing, restoration of parking lots and playing fields disturbed during geotechnical investigations and additional third party estimating. These items were not included in the original feasibility study.

Sincerely,

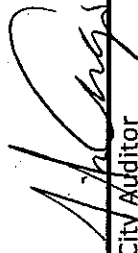
Christopher Gallagher

Chris Gallagher
Director of Facilities Maintenance

FY18 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
General Fund Stabilization Fund	\$ 4,025,900.13	\$ (50,000.00)	\$ 3,975,900.13
BMC Durfee Feasibility Study	\$ 1,000,000.00	\$ 50,000.00	\$ 1,050,000.00

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



 Jennifer Argo, City Auditor
 December 19, 2007

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2/a

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Real Estate, at a meeting held on December 18, 2017, voted unanimously to recommend that the accompanying order be granted leave to withdraw.

Carmen A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

21a

ORDERED, that the City Council of the City of Fall River hereby votes to appropriate, and authorize the Treasurer to allocate funds in the amount of \$240,000.00 to acquire one parcel of land and the building thereon, located at 38 Third Street, Fall River, MA; that said land be conveyed to the City of Fall River to be managed and controlled by the City of Fall River; and the City of Fall River be authorized to enter into a Purchase & Sales Agreement in a form determined acceptable by the Corporation Counsel and execute a Quitclaim Deed in a form also acceptable to the Corporation Counsel.

tabled 3-16-17

CITY OF FALL RIVER
IN CITY COUNCIL
DEC 13 2016

*A motion made and seconded to table the order failed to carry, 3 yeas, 5 nays.
A further motion made and seconded to refer the order to the
Committee on Real Estate Carried, 5 yeas, 3 nays.*



City of Fall River
Massachusetts
Office of the Mayor

21a

RECEIVED
2016 DEC -8 P 2:59

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

December 8, 2016

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

RE: Order to Purchase for Employee Health Clinic

Dear Honorable Council Members:

Working in close collaboration with the Employees' Insurance Advisory Committee, the Administration has begun establishment of a Health Clinic for City employees, retirees and active employee family members who are covered under the City's health insurance program. This clinic will be providing acute care, health screenings/assessments, and wellness counseling designed to prevent chronic conditions before they occur. By making these services available to healthcare plan participants, the City is expected to see significant savings in our health insurance costs.

After an RFP process, Care Here was recommended by the Insurance Advisory Committee to operate the Center. This firm operates over 200 similar facilities across the country. This service delivery model compliments, but does not replace, the medical services currently being provided by the members of our healthcare community.

Enclosed is an executed Offer to Purchase the former ILGWU Hall at 38 Third Street which is intended to house the employee clinic. Once the Council has approved the corresponding Order, we will proceed with our due diligence which shall include, but not be limited to, construction cost estimates to create the clinic facilities.

Your approval of this Order is respectfully requested. Should you have any questions or concerns regarding this purchase, please feel free to contact me.

Best Regards,

Jasiel F. Correia II
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL

DEC 13 2016

a/c placed on file

21a

OFFER TO PURCHASE REAL ESTATE

From: BUYER/Name(s): City of Fall River
Address: One Government Center, Fall River, MA
To: OWNER OF RECORD ("SELLER")/Name(s): JLD LLC
Address: 7 Turnpike Street, South Easton, MA 02375

The BUYER offer to purchase the real property described as 38 Third Street, Fall River, MA 02720 consisting of approximately 11,296+/-SF of land together with all buildings and improvements thereon (the "Premises") which has been introduced to buyer by Prisco's Five Star Real Estate upon the following terms and conditions:

1. Purchase Price: The BUYER agrees to pay the sum of \$240,000.00 to the SELLER for the purchase of the Premises (the "Offer"), payable as follows:
 - i. \$1,000.00 as a deposit to bind this Offer to be delivered forthwith upon receipt of written acceptance.
 - ii. \$9,000.00 as an additional deposit upon executing a Purchase And Sale Agreement;
 - iii. Balance by bank's, cashier's, treasurer's or certified check or wire transfer at time of closing.

2. Duration Of Offer. This Offer is valid until 5 p.m. on December 15, 2016 by which time a copy of this Offer shall be signed by the SELLER, accepting this Offer and returned to the BUYER, otherwise this Offer shall be deemed rejected and the money tendered herewith shall be returned forthwith to the BUYER.

TIME IS OF THE ESSENCE AS TO EACH PROVISION

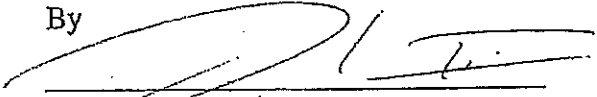
UPON ACCEPTANCE OF THIS OFFER, BUYER AGREES TO SEEK AN AFFIRMATIVE VOTE OF THE FALL RIVER CITY COUNCIL AUTHORIZING THE PURCHASE OF SAID REAL ESTATE ON SUCH CONDITIONS AND TERMS AS WILL BE CONTAINED IN A MUTUALLY AGREED UPON PURCHASE & SALE AGREEMENT.

21a

IT IS ANTICIPATED THAT THE MUTUALLY AGREED UPON PURCHASE & SALE AGREEMENT WILL CONTAIN THE USUAL CONTINGENCIES AS WELL AS, AT A MINIMUM, GOOD CLEAR RECORD AND MARKETABLE TITLE, CLEAN 21E, RIGHT TO COMPLETE STRUCTURAL INSPECTION THE RESULTS TO BE ACCEPTABLE TO BUYER, THE OMISSION OF ANY "AS IS" CLAUSE, CONFIRMATION OF ADEQUATE ON SITE PARKING, REVIEW AND ACCEPTANCE OF RIGHTS IN AND TO QUEBUECHAN RIVERBED AND PROVISIONS OF AGREEMENTS WITH ADJACENT PROPERTIES.

City of Fall River

By



Date

12/7/16

Accepted: JLD LLC

By Ann R. Warren

Duly Authorized

Date 12/7/16

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Real Estate, at a meeting held on December 18, 2017, voted to recommend that the accompanying resolution be granted leave to withdraw, with Councilor Richard Cabeceiras opposed.


Clerk of Committees

City of Fall River, In City Council

Real Estate Comte

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(Councilor Richard Cabeceiras)

WHEREAS, potable water is one of Fall River's greatest assets, and,

WHEREAS, sales of said water have diminished resulting in higher cost to water users,
and

WHEREAS, it would be beneficial to have a business that purchases water in large amounts to reduce water rates, now therefore

BE IT RESOLVED, that the Water Division and the Administration be invited to the City Council Committee on Real Estate to discuss the potential of submitting a request for proposals (RFP) to businesses that would like to purchase or lease under-utilized city property, such as potentially conservation land by the North Watuppa Pond, for the purpose of purchasing large amounts of water for their enterprise, and

BE IT FURTHER RESOLVED, that the Administration discusses plans to create a department that bottles water and distributes it for sale coast to coast and worldwide.

In City Council, November 28, 2017
Adopted, as amended, 7 yeas, 2 nays

Approved, November 30, 2017
Jasiel F. Correia II, Mayor

A true copy. Attest:

Alison M. Bouchard

City Clerk

COMMITTEE ON HEALTH AND ENVIRONMENTAL AFFAIRS

MEETING: Monday, October 23, 2017 at 5:45 p.m.
Council Chamber, Government Center

PRESENT: Councilor Steven A. Camara, presiding
Councilors Joseph D. Camara and Raymond A. Mitchell

ABSENT: None

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator
Terrence J. Sullivan, Administrator of Community Utilities
Cindy Berard, Animal Control Officer
Corrine Bowman, Animal Control Officer
Joyce Borodemos, 236 Walter Street
Christen Dern, 137 County Street
Betsey Westall, 339 Emmet Street
Melissa Barbosa, 581 County Street

The chairman called the meeting to order at 7:15 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

Agenda:

1. Communication from city resident regarding sewage treatment plant odors
Terrence J. Sullivan, Administrator of Community Utilities, stated that the odors, which have been augmented due to the hot weather, have been as a result of equipment breakdown at the wastewater treatment plant and the loss of the incinerator in 2016. \$54 Million of the \$123 Million loan order for expenses related to the Integrated Wastewater and Stormwater Master Plan improvements scheduled to be on the ballot will be used to fully rehabilitate the close to 40 year old equipment that is causing the odor. The first two contracts will be issued for the most odorous areas, which are the sludge processing area and the primary clarifier disinfection area. Residents who have odor complaints were urged to call the Wastewater Treatment Plant at 508-672-4530 and employees will respond. Those who call after hours can leave a message with the answering service which in turn contacts a supervisor. Odor control and water quality going to the Bay are top priorities and that's why the equipment needs to be replaced. Mr. Sullivan also provided an overview of the ballot question and explained that voting for the bond will allow the City to comply with EPA regulations and start the rehabilitation of the wastewater treatment plant and sludge operation areas. The incinerator will be eliminated because he cannot meet the new EPA guidelines. If the bond does not pass, he will have to notify EPA, a new permit would be issued with nitrogen removal requirements, a construction schedule would be mandated, which

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would result in \$88 Million above the \$123 Million, and it would take control away from us as a city. The Chair asked Mr. Sullivan if he had spoken with the resident who made the complaint, Joseph Soares, and he stated that he left Mr. Soares a message and also e-mailed him but the email bounced back. The Chair encouraged Mr. Soares to call the Wastewater Treatment Plant with any further complaints. On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Joseph D. Camara it was unanimously voted to table the communication.

2. Resolution – Controlling the feral cat population

Cindy Berard, Animal Control Officer, stated the stray cat issue is a huge problem that Animal Control faces every single day. Ms. Berard is looking for an ordinance outlining the time when a cat will belong to the owner after being fed on someone's property, such as 30 days. She explained that Rhode Island has such state law and a city ordinance with those guidelines would give Animal Control more options to control the feral cat population. She has applied for grants but the funding is used quickly. Cathy Ann Viveiros, City Administrator, stated that she was contacted by a constituent who expressed that the spaying or neutering of cats costs between \$175 to \$200 and that trapping and transporting the cats is too difficult a process. The City Administrator also shared information regarding the Animal Rescue League of Boston's Spay Waggin' travelling program provides affordable spaying or neutering services and suggested that Fall River reach out to them for a solution. Ms. Berard explained that she has reached out to them that they haven't been in Fall River because they need to have paying customers participating in addition to those with the free vouchers that she distributes. The Rescue League also needs a building with a bathroom and a driveway to park the vehicle. Betsey Westell suggested use of the cat mobile from Merrimack Feline Rescue Society, which has prices of comparison to Spay Waggin'. Ms. Berard stated that Pet Partners and Vitality Vet in Swansea are also options but that the issue is that people don't want to pay for the services. The Chair stated that with the assistance of those at the table, that perhaps a location could be found for the Spay Waggin' and that with the assistance of the animal advocate representatives and the Corporation Counsel the requested ordinance be developed. On a motion made by Councilor Joseph D. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to send a letter to Corporation Counsel requesting that a proposed ordinance be drafted regarding feral cats, a copy of which is attached hereto and made a part of these minutes. On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Joseph D. Camara, it was unanimously voted to table the resolution.

3. Resolution – State Delegation consider filing legislation requiring physicals and drug testing for public employees

Councilor Raymond A. Mitchell stated that public employees who separate from city service and then are re-hired where physical and drug testing is a condition of their employment should undergo physicals and drug testing prior to being re-hired. The City Administrator explained that an advisory was requested from the Human Resources Division of Civil Service and such requirements cannot be made under state law. In addition, these items can be subject to collective bargaining and some success has been made with the Teamsters Union for the requirement of physicals upon re-hiring of

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employees. On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Joseph D. Camara, it was unanimously voted to recommend the resolution be granted leave to withdraw.

On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Joseph D. Camara, it was unanimously voted to adjourn the meeting at 7:57 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

CD and DVD of meeting

Email received by City Administrator from constituent regarding spaying/neutering of cats

Spay Waggin' printout presented by City Administrator

Advisory opinion from the Human Resources Division of Civil Service regarding physicals and drug testing for re-hired public employees



Assistant Clerk of Committees

COMMITTEE ON ORDINANCES AND LEGISLATION

MEETING Tuesday, October 24, 2017 at 5:15 p.m.
Council Chamber, One Government Center

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

ABSENT None

IN ATTENDANCE Cathy Ann Viveiros, City Administrator
Joseph I. Macy, Corporation Counsel

The chairman called the meeting to order at 5:19 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

Agenda:

1. Proposed Ordinance – Traffic, Handicapped Parking

On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Linda M. Pereira, it was unanimously voted to recommend the proposed ordinance be accompanied by an emergency preamble. On a further motion made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau it was unanimously voted to recommend the proposed ordinance, accompanied by an emergency preamble be passed through first reading, second reading, passed to be enrolled and passed to be ordained.

2. Proposed Ordinance – Zoning, Establishing the King Philip Mills Overlay District

Cathy Ann Viveiros, City Administrator, explained the ordinance adds to the established industrial zoning and allows for market rate housing to take place at the King Philip Mills. The property owner will also require approval for a Special Permit from the Zoning Board of Appeals. The Chair inquired to the timeline of the closing of the property and the City Administrator explained that the expectation is to have a developer in place by October 31. There is no expectation to extend the deadline. Councilor Linda M. Pereira asked if the Housing Development Incentive Program (HDIP) application was approved and the City Administrator explained that the developer will need to submit the application to the state. The City Council has approved the HDIP for the property but the state's application can only be made when a developer is in place. On a motion made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to recommend the proposed ordinance be passed through first reading, 4 years, 1 nay.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to adjourn at 5:25 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
CD and DVD of meeting


Assistant Clerk of Committees

COMMITTEE ON BUDGET PREPARATION, REVENUE AND AUDITS

MEETING: Tuesday, December 12, 2017 at 4:00 p.m.
Council Chamber, Government Center

PRESENT: Councilor Richard Cabeceiras, presiding
Councilor Shawn E. Cadime

ABSENT: Councilor Linda M. Pereira

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator
Mary Sahady, Director of Financial Services
Thomas F. Aubin, Superintendent-Director,
Diman Regional Vocational Technical High School
Joseph I. Macy, Corporation Counsel
Jeffrey Little, Interim Director of Community Maintenance

The chairman called the meeting to order at 4:01 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

Agenda:

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Richard Cabeceiras it was unanimously voted to take item #6 out of order, with Councilor Linda M. Pereira absent and not voting.

6. Communication – Greater Fall River Vocational School District re: funding to Repair soccer/football field

The Superintendent-Director of Diman Regional Vocational Technical High School stated that there are 1,395 students attending the school this year. 1,100 students are residents of the City of Fall River. He stated that they are requesting that all communities increase their net school spending for Fiscal Year 2019. Councilor Richard Cabeceiras stated that many students from the school have worked on renovations to the Fall River Police Department, Fall River Fire Department, Department of Community Maintenance and the Water Division. He then asked what percentage of students continues their education by attending college. The Superintendent stated that about 60% of the students continue their education. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Richard Cabeceiras, it was unanimously voted to recommend the communication be granted leave to withdraw, with Councilor Linda M. Pereira absent and not voting.

1. Resolution – Discuss the amounts and sources of revenue in the Fiscal Year 2018 Budget

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Richard Cabeceiras it was unanimously voted to lift item #1 from the table, with Councilor Linda M.

Pereira absent and not voting. The City Administrator stated that the second quarter budget report will be ready in mid-January. Councilor Richard Cabeceiras asked if the revenue will be greater than in Fiscal Year 2017. The Director of Financial Services stated that one year cannot be compared to another without reviewing all the facts. The City Administrator stated that in the first quarter of 2017 there was a large one time receipt that would cause differences in the comparisons. The Director of Financial Services also stated that the City is expecting \$50,000 from the new marijuana facility that will be opening soon. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Richard Cabeceiras, it was unanimously voted to table the resolution, with Councilor Linda M. Pereira absent and not voting.

2. Resolution – Discuss creation of an OPEB (Other Post-Employment Benefits) Fund
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Richard Cabeceiras it was unanimously voted to lift item #2 from the table, with Councilor Linda M. Pereira absent and not voting. Councilor Shawn E. Cadime asked the Director of Financial Services when she expects to establish the OPEB Fund. She stated by the end of the fiscal year. The City Administrator stated that almost all contracts have been settled except for the Police Department. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Richard Cabeceiras, it was unanimously voted to table the resolution, with Councilor Linda M. Pereira absent and not voting.

3. Resolution – Committee convene to meet with department heads and supervisors to ensure efficient functionality of city departments

- a. Mayor
- b. City Administrator
- c. Corporation Counsel

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Richard Cabeceiras it was unanimously voted to lift item #3 from the table, with Councilor Linda M. Pereira absent and not voting. The City Administrator spoke on behalf of the Mayor's Office. She stated that a new Chief of Staff has been hired. Also, the current Special Assistant to the Mayor Faust Fiore, has accepted a position with the Community Development Agency. She then spoke regarding her own office, stating that the postage costs for the mailing of the Charter information was extremely higher than anticipated and she may have to request a transfer of funds. Councilor Shawn E. Cadime then asked Corporation Counsel if there were any changes in his department. Corporation Counsel stated that his office is always trying to be more efficient, but they can't streamline any more. He stated that outside legal fees were approximately \$45,000.00 so far this year. He also stated that he tries to handle all cases in house when possible. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Richard Cabeceiras, it was unanimously voted to table the resolution, with Councilor Linda M. Pereira absent and not voting.

4. Resolution – Discuss financial impact of cancelling PAYT (Pay as you throw) Program

Councilor Shawn E. Cadime questioned what the financial impacts would be from cancelling the PAYT program. The City Administrator stated that the Administration is hoping to reduce the cost of disposing of solid waste. She also stated that the Transfer Station is still moving forward on Lewiston Street. Councilor Shawn E. Cadime stated that he is not in favor of a Transfer Station, as there are many regulations that are associated with the operation of a Transfer Station that the City will never be able to keep up with. Councilor Richard Cabeceiras questioned what would replace the loss of the PAYT funds. The City Administrator stated that many residents would rather pay more taxes and eliminate the PAYT program. The Interim Director of Community Maintenance stated that 55 citations were issued so far in December.

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Councilor Richard Cabeceiras stated that subsidies would improve compliance because many residents cannot afford the bags. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Richard Cabeceiras, it was unanimously voted to table the resolution, with Councilor Linda M. Pereira absent and not voting.

5. Communication – Fall River School Department employees re: 2016-2017 School Year Shortfall

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Richard Cabeceiras it was unanimously voted to lift item #5 from the table, with Councilor Linda M. Pereira absent and not voting. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Richard Cabeceiras, it was unanimously voted to recommend the resolution be granted leave to withdraw, with Councilor Linda M. Pereira absent and not voting.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Richard Cabeceiras, it was unanimously voted to adjourn at 5:46 p.m.

List of documents and other exhibits used during the meeting:

- Agenda packet
- CD and DVD of meeting


Clerk of Committees