



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

RECEIVED

2018 JUN -8 P 3:11

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

**ALISON M. BOUCHARD**  
CITY CLERK

**MEETINGS SCHEDULED**  
**CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER**  
**TUESDAY, JUNE 12, 2018**  
**AGENDA**

**INÊS LEITE**  
ASSISTANT CITY CLERK

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

1. Citizen Input
2. Continuation of discussion – Proposed Fiscal Year 2019 Budget

**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 and order for acceptance of gift of labor and materials for handicap ramp railings at the Veterans Center
2. \*Mayor and proposed ordinance increasing parking meter fees
3. \*Mayor and order of land acquisition for vacant lot at 463 Hyacinth Street, Lot P-22-0089
4. \*Mayor and lease agreement between Watuppa Water Board and Bay Coast Rowing Center at former Boyd Center located at 994 Jefferson Street (Lot D-20-0016)
5. \*City Council President and confirmation of appointments to Special City Charter Committee
  - a. City Councilor Steven A. Camara
  - b. City Councilor Stephen R. Long
  - c. City Councilor Derek R. Viveiros
  - d. Eric Poulin
  - e. Michael Miozza

**PRIORITY COMMUNICATIONS**

6. \*Planning Board recommendation – Flagg Swamp Road – 61A Right of First Refusal
7. \*Planning Board recommendation – Prima Care P.C. Crosswalk Project
8. \*Planning Board recommendation – Fall River Waterfront Urban Renewal Plan and Fall River Downtown Urban Renewal Plan

**COMMITTEE REPORTS**

Committee on Ordinances and Legislation recommending:

All Readings with Emergency Preamble:

9. \*Proposed Ordinance – Traffic, Handicapped Parking

First reading:

10. \*Proposed Ordinance – Traffic, Miscellaneous
11. \*Proposed Ordinance – Seasonal Employee

Grant leave to withdraw:

12. \*Proposed Ordinance – Repeal of Pay-as-you-Throw (PAYT) Program

**ORDINANCES**

13. \*Pay-as-you-Throw (PAYT) Program Enforcement

**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)

## **RESOLUTIONS**

14. \*Stipends outside ordinance, state law or collective bargaining agreements not be granted without prior City Council approval

## **CITATIONS – None**

## **ORDERS – HEARINGS**

To be Scheduled for June 26, 2018 at 5:45 p.m.:

15. Waterfront and Downtown Urban Renewal Plans
16. Street acceptance – Arthur Street, extending from Ashley Street to Sidney Street
17. Street acceptance – Ashley Street, extending from North Main Street to dead end
18. Curb removals:
  - a. 154 Rhode Island Avenue
  - b. 97 Holden Street
  - c. 57 Florence Street
  - d. 704 Brayton Avenue
  - e. 482 Globe Street, pending approval of street opening request

## **ORDERS – MISCELLANEOUS**

19. Police Chief's report on licenses:

Taxicab Drivers:

Robert G. Caisse      Joseph Reilly      Gina Rodrigues  
Charles Santos Jr.

Private Livery Drivers:

Evaldo Barros

Private Livery Vehicle:

J.O.A.T. LLC, 262 Stevens Street – Toyota Highlander

Auto Repair Shop License Renewal:

20. Geoffrey Brisbon, Briston Diesel Service, Inc. located at 2524 North Main Street
21. Light order – Columbus Drive – Pole #5

## **COMMUNICATIONS – INVITATIONS – PETITIONS**

22. \*Claims
23. \*Street opening request – less than 5 years – 482 Globe Street
24. \*Structure on or over a public way – Banner on Bedford Street for OPA Boat Races
25. \*Open Meeting Law Complaint from Patrick Higgins re: June 6, 2018 City Council Committee on Ordinances and Legislation Meeting

Planning Board Minutes:

26. \*May 9, 2018

City Council Meeting Minutes:

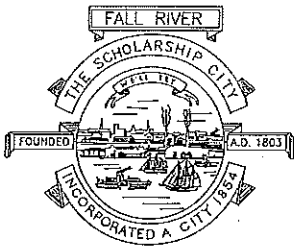
27. \*Public Hearings – February 21, 2017
28. \*Public Hearings – March 21, 2017
29. \*Public Hearings – March 28, 2017
30. \*Public Hearing – May 16, 2017

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

31. \*Public Hearing – May 30, 2017
32. \*Committee on Finance – January 24, 2017
33. \*Committee on Finance – February 7, 2017
34. \*Committee on Finance – February 21, 2017
35. \*Committee on Finance – March 21, 2017
36. \*Committee on Finance – March 28, 2017
37. \*Committee on Finance – April 11, 2017
38. \*Committee on Finance – May 16, 2017
39. \*Committee on Finance – May 30, 2017
40. \*Committee on Finance – June 13, 2017
41. \*Committee on Finance – January 9, 2018
42. \*Regular Meeting of the City Council – May 30, 2017
43. \*Regular Meeting of the City Council – June 13, 2017
44. \*Regular Meeting of the City Council – May 15, 2018
45. \*Special Joint Meeting of the City Council and School Committee – March 20, 2018

**BULLETINS – NEWSLETTERS – NOTICES** – None

  
City Clerk



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

RECEIVED

2018 JUN -5 A 9:48

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

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

June 1, 2018

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

**RE: Veterans Center Handicap Ramp Railings**  
755 Pine Street  
Fall River, MA 02720

Honorable Members of the City Council:

David Lavoie d/b/a DePerrio's Auto Body, 1166 G.A.R Highway, Somerset, MA has respectfully donated all labor and materials necessary for the preparation and refinishing of the handicap ramp railings at the Veterans Center, 755 Pine Street, Fall River, MA.

The total value of this project is estimated at \$1,000.00.

Mr. Lavoie's letter is attached for your review. Your acceptance of this donation is respectfully requested.

Very truly yours,

Jasiel F. Correia II  
Mayor



# City of Fall River, *In City Council*

ORDERED, that under the provisions of M.G.L. Chapter 44, Section 53A ½ , the Department of Facilities Maintenance be, and the same is hereby authorized to accept a gift of labor and materials, valued at \$1,000 from David Lavoie d/b/a DePerrio's Auto Body, 1166 G.A.R. Highway, Somerset, Massachusetts, towards the preparation and refinishing of the handicap ramp railings at the Veterans' Center, 755 Pine Street.



**CITY OF FALL RIVER  
MASSACHUSETTS**  
Department of Facilities Maintenance

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

**CHRIS GALLAGHER**  
**Director**

May 11, 2018

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

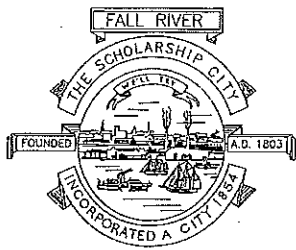
Dear Mayor Correia:

David Lavoie d/b/a DePerrio's Auto Body, 1166 G.A.R. Highway, Somerset MA, has respectfully donated all labor and materials necessary for the preparation and refinishing of the handicap ramp railings at the Veterans' Center, 755 Pine Street. Total value of this project is estimated at \$1,000.00.

Respectfully,

Chris Gallagher, Director  
Facilities Maintenance

CG/tam



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

RECEIVED

2018 JUN -7 P 1:25

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

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

June 6, 2018

Honorable City Council  
One Government Center  
Fall River, MA 02722

RE: Parking Meter Fee Ordinance

Honorable Councilors:

As we continue our efforts to upgrade our municipal equipment, parking meters are warranting our attention. We need to remove the remaining crank units and replace them with digital meters. The purchase of new sensor technology will maximize meter efficiency in high volume locations. Upgrades will also include painting all meters and refurbishing the meter housings.

We have reviewed the rates charged by other communities and determined that we could increase our rates to be in line with cities including New Bedford, Newport and Taunton. The attached Ordinance will increase our rate from fifty cents/hour to one dollar/hour. Increased receipts will assist the Traffic Department in completing these necessary upgrades.

Your review and approval of this fee increase is respectfully requested.

Best Regards,

Jasiel F. Correia II  
Mayor

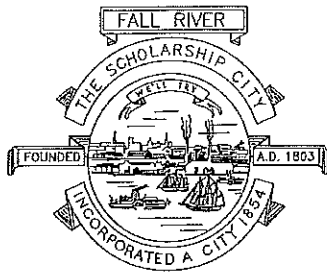
BE IT ORDAINED by the City Council of the City of Fall River, as follows:

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 the section that reads as follows:

§70-345 Parking Meter Fees

- |                     |         |
|---------------------|---------|
| (1) 30-minute zones | \$ .50  |
| (2) 1-hour zones    | \$ 1.00 |
| (3) 2-hour zones    | \$ 2.00 |



**City of Fall River**  
**Massachusetts**  
Department of Community Utilities  
WATER • SEWER

RECEIVED

2018 JUN -7 P 1:25

CITY CLERK  
FALL RIVER, MA

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

**TERRANCE SULLIVAN**  
Administrator

June 6, 2018

Honorable City Council  
One Government Center  
Fall River, MA 02722

Dear Councilors:

Please find enclosed a proposed order of land acquisition for your review and approval. The request is to purchase the empty lot at 463 Hyacinth Street, Lot P-22-0089 as a component of the Hyacinth Street North drainage project.

Attached are the Purchase and Sale Agreement, final offer/acceptance letters, pictorial of the proposed drainage plan and the property appraisal.

Please contact Terrance Sullivan if you have any questions.

Sincerely,

Jasiel F. Correia, II  
Mayor

Attachments

ORDERED, that the Mayor is hereby authorized to acquire the property as described on the attached deed subject to any changes and final approval by the Corporation Counsel. Said land is on 463 Hyacinth Street in Fall River, Massachusetts delineated as Lot P-22-0089. The acquisition and ownership of said lot will provide a location for future drainage improvements.

## PURCHASE AND SALE AGREEMENT

### 1. PARTIES

This \_\_\_\_\_ day of June, 2018, PETER J. RICHARD and PAULINE RICHARD (hereinafter called the SELLER), agrees to SELL and CITY OF FALL RIVER (hereinafter called the BUYER or PURCHASER), agrees to BUY, upon the terms hereinafter set forth, the following described premises:

### 2. DESCRIPTION

The land situated on Hyacinth Street, Fall River, Massachusetts, known as Assessor's Map P-22, Lot 89 and further described in deed recorded with the Bristol County Fall River District Registry of Deeds in Book 6156, Page 288.

### 3. BUILDINGS, STRUCTURES, IMPROVEMENTS, FIXTURES

N/A – VACANT LAND

### 4. TITLE DEED

Said premises are to be conveyed by a good and sufficient Quit-Claim Deed running to the BUYER, or to the nominee designated by the BUYER by written notice to the SELLER at least seven (7) days before the deed is to be delivered as herein provided, and said deed shall convey a good and clear record and marketable title thereto, free from encumbrances, except

- a) Provisions of existing building and zoning laws;
- b) Existing rights and obligations in party walls which are not the subject of written Agreement;
- c) Such taxes for then current year as are not due and payable on the date of the delivery of such deed;
- d) Any liens for municipal betterments assessed after the date of this Agreement;
- e) \_\_\_\_\_

### 5. PLANS

If said deed refers to a plan necessary to be recorded therewith the SELLER shall deliver such plan with the deed in form adequate for recording or registration.

### 6. REGISTERED TITLE

In addition to the foregoing, if the title to said premises is registered, said deed shall be in form sufficient to entitle the BUYER to a Certificate of Title of said premises, and the SELLER

shall deliver with said deed all instruments, if any, necessary to enable the BUYER to obtain such Certificate of Title.

7. PURCHASE PRICE

The agreed PURCHASE PRICE for said premises is ONE HUNDRED FIFTY TWO THOUSAND FIVE HUNDRED AND 00/100 (\$152,500.00) DOLLARS and are to be paid at the time of delivery of the deed by certified, cashier's, treasurer's, bank, or IOLTA check.

8. TIME FOR PERFORMANCE; DELIVERY OF DEED

Such deed is to be delivered at \_\_\_\_\_ o'clock \_\_\_\_\_.M. on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at the \_\_\_\_\_ Registry of Deeds, unless otherwise agreed upon in writing. It is agreed that time is of the essence of this Agreement.

9. POSSESSION AND CONDITION OF PREMISES

Full possession of said premises free of all tenants and occupants, except as herein provided, is to be delivered at the time of the delivery of the deed, said premises to be then (a) in the same condition as they now are, reasonable use and wear thereof excepted, and (b) not in violation of said building and zoning laws, and (c) in compliance with the provisions of any instrument referred to in Clause 4 hereof. The BUYER shall be entitled to an inspection of said premises prior to the delivery of the deed in order to determine whether the condition hereof complies with the terms of this Clause.

10. EXTENSION TO PERFECT TITLE OR MAKE PREMISES CONFORM

If the SELLER shall be unable to give title or to make conveyance, or to deliver possession of the premises, all as herein stipulated, or if at the time of the delivery of the deed the premises do not conform with the provisions hereof, then SELLER shall use reasonable efforts to remove any defects in title, deliver possession as provided herein and make the said premises conform to the provisions hereof. Thereupon the time for performance hereof shall be extended for a period of thirty (30) days.

11. FAILURE TO PERFECT TITLE OR MAKE PREMISES CONFORM, ETC.

If at the expiration of the extended time the SELLER shall have failed so to remove any defects in title, deliver possession, or make the premises conform, as the case may be, all as herein agreed, or if at any time during the period of this Agreement or any extension thereof, the holder of a mortgage of said premises shall refuse to permit the insurance proceeds, if any, to be used for such purposes, then at the BUYER'S option, any payments made under this Agreement shall be forthwith refunded and all other obligations of all parties hereto shall cease and this Agreement shall be void without recourse to the parties hereto.



## 12. BUYER'S ELECTION TO ACCEPT TITLE

The BUYER shall have the election, at either the original or any extended time for performance, to accept such title as the SELLER can deliver to the said premises in their then condition and to pay therefor the PURCHASE PRICE without deduction, in which case the SELLER shall convey such title, except that in the event of such conveyance in accord with the provisions of this Clause, if the said premises shall have been damaged by the fire or casualty insured against, then the SELLER shall, unless the SELLER has previously restored the premises to their former condition, either:

- a) pay over or assign to the BUYER, on delivery of the deed, all amounts recovered or recoverable on account of such insurance, less any amounts reasonably expended by the SELLER for any partial restoration, or
- b) if a holder of a mortgage on said premises shall not permit the insurance proceeds or a part thereof to be used to restore the said premises to their former condition to be so paid over or assigned, give to the BUYER a credit against the purchase price, on delivery of the deed, equal to said amounts so recovered or recoverable and retained by the holder of the said mortgage less any amounts reasonably expended by the SELLER for any partial restoration.

## 13. ACCEPTANCE OF DEED

The acceptance of a deed by the BUYER or his nominee as the case may be, shall be deemed to be a full performance and discharge of every Agreement and obligation herein contained or expressed, except such as are, by the terms hereof, to be performed after the delivery of said deed.

## 14. USE OF PURCHASE MONEY TO CLEAR TITLE

To enable the SELLER to make conveyance as herein provided, the SELLER may, at the time of delivery of the deed, use the PURCHASE money or any portion thereof to clear the title of any or all encumbrances or interests, provided that all instruments so procured are recorded simultaneously with the delivery of said deed.

## 15. INSURANCE

Until the delivery of the deed, the SELLER shall maintain insurance on said premises as presently insured.

## 16. ADJUSTMENTS

Taxes for the then current year shall be apportioned, as of the day of performance of this Agreement and the net amount thereof shall be added to or deducted from, as the case may be, the PURCHASE PRICE payable by the BUYER at the time of delivery of the deed.

17. ADJUSTMENT OF UNASSESSED AND ABATED TAXES

If the amount of said taxes is not known at the time of the delivery of the deed, they shall be apportioned on the basis of the taxes assessed for the preceding year, with a reapportionment as soon as the new tax rate and valuation can be ascertained; and, if the taxes which are to be apportioned shall thereafter be reduced by abatement, the amount of such abatement, less the reasonable cost of obtaining the same, shall be apportioned between the parties, provided that neither party shall be obligated to institute or prosecute proceedings for an abatement unless herein otherwise agreed.

18. BROKER'S FEE

Each party represents and warrants to the other that there are no Brokers involved in this transaction. Each party agrees and warrants to the other that it shall indemnify and hold harmless the other party from any claims of Brokers claiming through said party.

19. DEPOSIT

All deposits made hereunder shall be held by SELLER subject to the terms of this Agreement and shall be duly accounted for at the time for performance of this Agreement.

20. BUYER'S DEFAULT; DAMAGES

If the BUYER shall fail to fulfill the BUYER'S Agreements herein, all deposits made hereunder by the BUYER shall be retained by the SELLER as liquidated damages. This shall be Seller's sole and exclusive remedy at law.

21. SALE OF PERSONAL PROPERTY

N/A

22. RELEASE BY HUSBAND OR WIFE

The SELLER'S spouse hereby agrees to join in said deed and to release and convey all statutory and other rights and interests in said premises.

23. LIABILITY OF TRUSTEE, SHAREHOLDER, BENEFICIARY, ETC.

If the SELLER or BUYER executes this Agreement in a representative or fiduciary capacity, only the principal or the estate represented shall be bound, and neither the SELLER or BUYER so executing, nor any shareholder or beneficiary of any trust, shall be personally liable for any obligation, express or implied, hereunder.

## 24. NOTICES

All notices required to be given hereunder shall be in writing and shall be deemed duly given when delivered in hand, by registered or certified mail, or expedited delivery service, return receipt requested, postage and registration or certification prepaid and if intended for SELLER shall be served upon Peter J. Richard and Pauline Richard, with a copy to Sherry Costa Hanlon, Esq., P.O. Box 467, Taunton, MA 02780. If said notices are intended for BUYER, same shall be served upon City of Fall River, with a copy to Arthur D. Frank, Jr., Esq., 209 Bedford St., Suite 402, Fall River, MA 02720. Any such notice shall be sufficient if given by any trustee, authorized agent or attorney on behalf of either party and shall be sufficient if delivered either to the party named above or to the attorney named as the recipient of any such notice. Notice hereby shall be deemed effective when received.

## 25. WARRANTIES AND REPRESENTATIONS

The BUYER acknowledges that the BUYER has not been influenced to enter into this transaction nor has he relied upon any warranties or representations not set forth or incorporated in this Agreement or previously made in writing, except for the following additional warranties and representations, if any, made by the SELLER.

## 26. CONSTRUCTION OF AGREEMENT

This instrument, executed in triplicate, is to be construed as a Massachusetts contract, is to take effect as a sealed instrument, sets forth the entire contract between the parties, is binding upon and inures to the benefit of the parties hereto and their respective heirs, devisees, executors, administrators, successors and assigns, and may be canceled, modified or amended only by a written instrument executed by both the SELLER and the BUYER. If two or more persons are named herein as BUYER their obligations hereunder shall be joint and several. The captions and marginal notes are used only as a matter of convenience and are not to be considered a part of this Agreement or to be used in determining the intent of the parties to it.

## 27. INSPECTION

This Agreement is subject to the right of the BUYER to obtain, at its own expense, an inspection of the premises by consultant(s) of its own choosing within ten (10) days after the parties' execution of this Purchase and Sale Agreement and which ten (10) day period it is agreed expires on the date hereinafter set forth. The BUYER and its consultant(s) shall have the right of access to the premises at reasonable times and in the presence of the SELLER upon twenty-four (24) hours advance notice, for purposes of inspecting the condition of said premises. If the BUYER is not satisfied with the results of such inspection, this Agreement may be terminated without legal or equitable recourse to either party by the BUYER at its election, the parties thereby releasing each other from all liability under this Agreement, and the deposit shall be returned to the BUYER, provided, however, that the BUYER shall have notified the SELLER in writing, on or before the expiration date hereinafter specified of his intention to so terminate; failure to so notify

will not excuse the BUYER from performance hereunder. It is agreed that the ten (10) day period granted to the BUYER for home inspection shall expire ten days from the date set forth above.

28. ADDITIONAL PROVISIONS

The initialed riders, if any, attached hereto, are incorporated herein by reference.

SELLER:

BUYER:

CITY OF FALL RIVER

\_\_\_\_\_  
Peter J. Richard

By:\_\_\_\_\_

\_\_\_\_\_  
Pauline Richard

3

**Sherry Costa Hanlon**  
*Attorney-At-Law*  
*Four Winthrop Street*  
*Taunton, Massachusetts 02780*  
Telephone (508) 828-9393 Facsimile (508) 828-9494 e-mail:  
SCH@HanlonLawOffice.com

Via e-mail [lawoffice@fallriverma.org](mailto:lawoffice@fallriverma.org) and US Mail

May 10, 2018

Attorney Joseph I. Macy, Corporation Counsel  
City of Fall River, Office of the Corporation Counsel  
One Government Center  
Fall River MA 02722

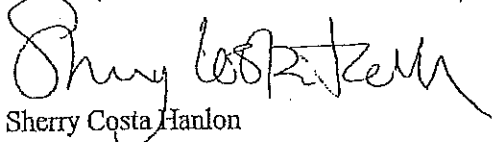
Re: Peter and Paulina Richard,  
Vacant Lot : 463 Hyacinth Street P-22-89

Dear Attorney Macy:

Please accept this letter in response to your letter dated May 4, 2018 including the request of a complete release of any claims against the City. I would just clarify the release will be limited to claims related to the property at 463 Hyacinth Street.

My clients accept the offer and look forward to the next step in this process.

Sincerely,



Sherry Costa Hanlon

Cc: Paulina and Peter Richard

**City of Fall River**  
*Office of the Corporation Counsel*

**JASIEL F. CORREIA II**  
Mayor



**JOSEPH I. MACY**  
Corporation Counsel

**GARY P. HOWAYECK**  
Assistant Corporation Counsel

**JESSICA A. ADLER**  
Assistant Corporation Counsel

May 4, 2018

Attorney Sherry Costa Hanlon  
P.O. Box 467  
Taunton, MA 02780

RE: Peter and Paula Richard  
Vacant Lot: 463 Hyacinth Street, P-22-89

Dear Attorney Costa Hanlon:

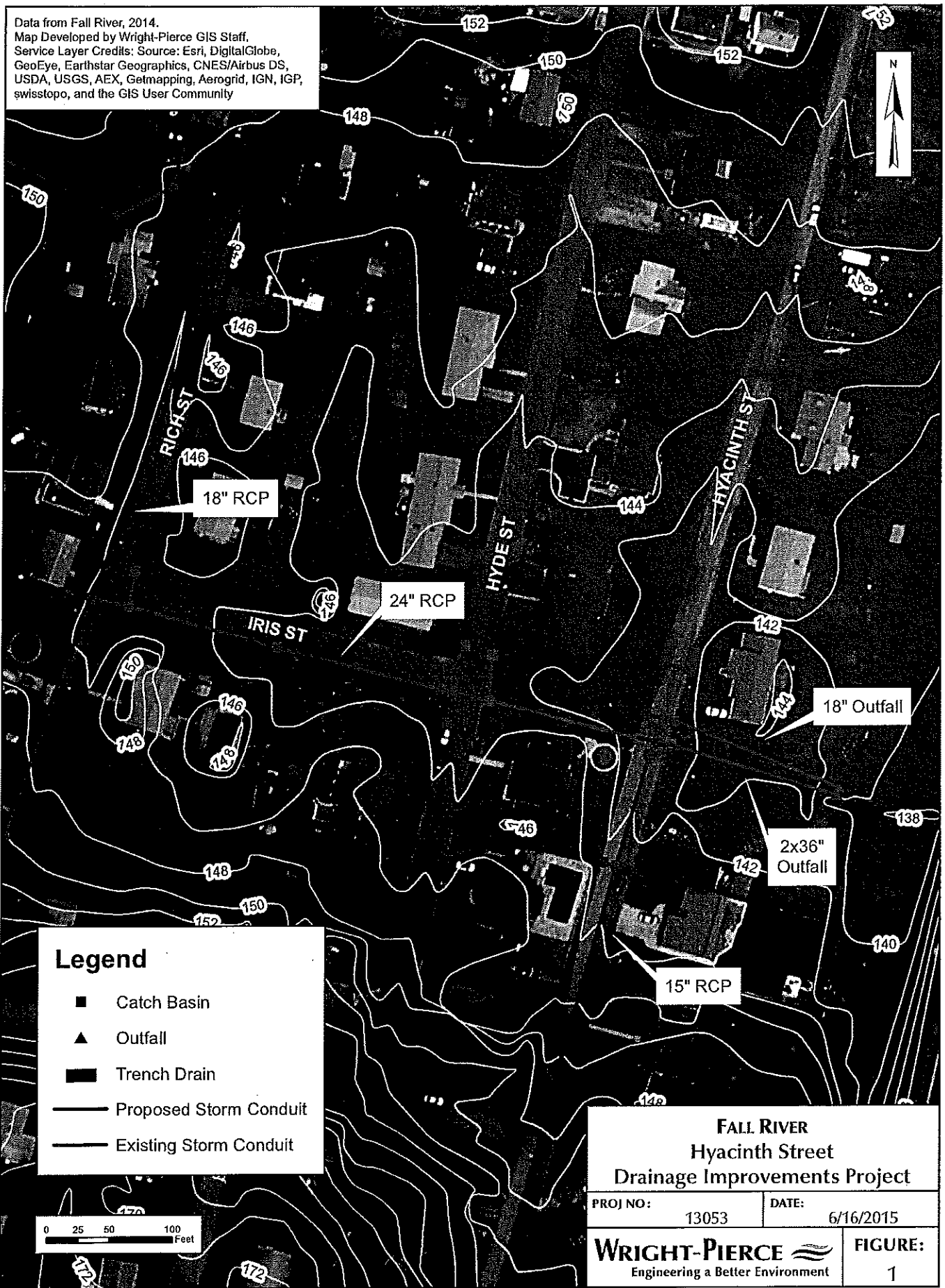
In an effort to bring this matter to a conclusion the City is now willing to meet your price of \$152,500.00. You should understand that this is an absolutely final offer. Any conveyance must also include a complete release of any claims against the City.

I am looking forward to hearing from you.

City of Fall River by,

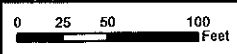
Joseph I. Macy, Corporation Counsel

Data from Fall River, 2014.  
 Map Developed by Wright-Pierce GIS Staff,  
 Service Layer Credits: Source: Esri, DigitalGlobe,  
 GeoEye, Earthstar Geographics, CNES/Airbus DS,  
 USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP,  
 swisstopo, and the GIS User Community



### Legend

- Catch Basin
- ▲ Outfall
- Trench Drain
- Proposed Storm Conduit
- Existing Storm Conduit



### FALL RIVER Hyacinth Street Drainage Improvements Project

PROJ NO:	13053	DATE:	6/16/2015
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**WRIGHT-PIERCE**  
 Engineering a Better Environment

**FIGURE:**  
 1

**APPRAISAL REPORT  
FOR**

City of Fall River  
Sewer Commission

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**PROPERTY LOCATED**

**AT:**

463 Hyacinth Street  
Fall River, MA 02722

**APPRAISER:**

Judith A. Jones SRPA  
J.A. Jones Associates  
1749 Main Rd.  
Tiverton, RI 02878

**DATE:** May 4, 2017



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**J A Jones Associates**  
**1749 Main Road**  
**Tiverton, Rhode Island 02878**

Terrance Sullivan  
Administrator of Community Utilities  
One Government Center  
Fall River, MA 02722

May 15, 2017

RE: Appraisal  
463 Hyacinth St.  
Fall River, MA 02722

Dear Mr. Sullivan:

As requested, we have inspected the subject property to report an estimate of market value, of the fee simple interest, a permanent easement and a temporary easement as of May 4, 2017. The complete appraisal process has been completed but according to your request we report our conclusions in the enclosed **Appraisal Report**. We intend this report to comply with the reporting requirements set forth under Standard Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice.

We retain the information and analysis not presented in this report in our file. We have completed the necessary analysis and verification needed to complete a more comprehensive Report. The Appraisal reporting format merely summarizes those pertinent pieces of information that are useful to the client's specific needs. As such, it presents only summary discussions of the data, reasoning, and analysis used in the appraisal process to develop our opinion of value. We are maintaining supporting documentation concerning the data, reasoning and analysis within our file. The depth of the discussion is specific to the client's needs with the intention that the client will use the report as stated below. The appraiser is not responsible for unauthorized use of this report.

It is important for the client to understand that the full evaluation process was conducted and the valuation reported herewith would be the same in a more comprehensive appraisal report.

May 15, 2017  
Page Two

Based on a careful analysis and review of all pertinent data and considering all factors that affect real estate values, we have formed the opinion that the subject property warrant an estimated market value, in the fee simple interest, as of the date mentioned, in the amount of:

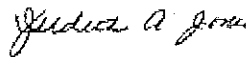
**Fee Simple Value**  
**ONE HUNDRED FIVE THOUSAND (\$105,000) DOLLARS.**  
**Temporary Easement**  
**THIRTY THOUAND (\$30,000) DOLLARS**  
**Permanent Easement**  
**FIFTEEN THOUSAND (\$15,000) DOLLARS**

The following pages contain the conclusions formed from an extensive review of the data from which we derived this value estimate. If a more comprehensive report is needed, we can prepare one at your request.

We appreciate the opportunity to service your appraisal needs. If you have any questions or if we can be of further assistance, please do not hesitate to call.

Sincerely,

J A Jones Associates



Judith A. Jones SRPA  
General Certified

**Property:** 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
**Client:** Terrance Sullivan, Administrator – Fall River Sewer Commission

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**Photo #1:** subject property facing north east



**Photo #2:** subject facing south east

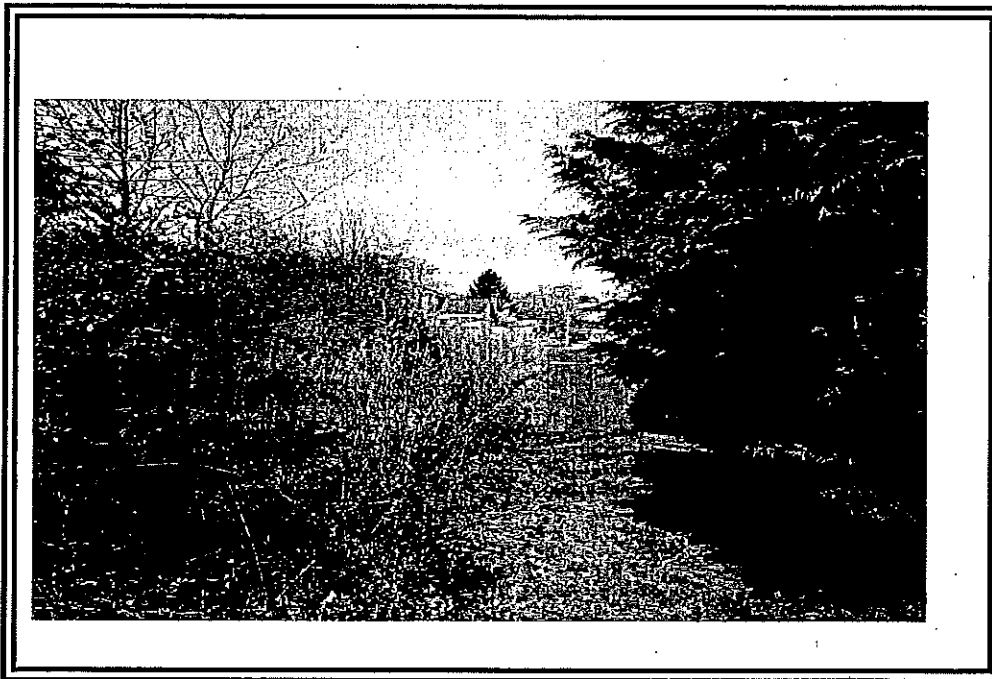
**J. A. Jones Associates**

**Property:** 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
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**Photo #3:** subject south boundary line facing east



**Photo #4:** subject facing west along north boundary line

**J. A. Jones Associates**

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**Photo #5:** Hyacinth Street facing north - subject on right



**Photo #6:** Hyacinth Street facing south - subject on left

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**CLIENT:** Terrance Sullivan  
 Administrator of Community Utilities  
 One Government Center  
 Fall River, MA 02722

**APPRAISER:** Judith A. Jones SRPA  
 J. A. Jones Associates  
 1749 Main Road  
 Tiverton, RI 02878

**SUBJECT:** 463 Hyacinth St.  
 Fall River, MA 02722  
 Assessor's Map P-22 Lot 89  
 14,775 square foot vacant lot

**PURPOSE OF THE APPRAISAL:** The purpose of the appraisal is to estimate the market value of the fee simple interest a permanent easement and a temporary easement of the above captioned real estate, as of May 4, 2017. The federal financial institution's regulatory agencies define Market Value as follows:

They define market value "the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming undue stimuli does not affect the price. Implicit in this definition is the consummation of a sale as of the specific date and the passing of title from seller to buyer under conditions whereby:

- 1) buyer and seller are typically motivated;
- 2) both parties are well informed or well advised, and acting in what they consider their own best interests;
- 3) a reasonable time is allowed for exposure in the open market;
- 4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- 5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."<sup>1</sup>

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<sup>1</sup>Source: Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Standards Board of The Appraisal Foundation.

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**permanent easement:** an easement conveyed in perpetuity

**temporary easement:** an easement granted for a specific purpose and applicable for a specific time period at the end of which the unencumbered fee interest in the land reverts to the owner

**INTENDED USE OF THE REPORT:** purchase of easements

**INTEREST VALUED:** The fee simple interest, permanent easement & temporary easement

**EFFECTIVE DATE OF THE REPORT:** May 4, 2017

**DATE OF THE REPORT:**

**PROPERTY OWNER:** Peter J. & Paulina Richard

**SALE HISTORY:** The subject property has been under the ownership of Peter J. & Paulina Richard since 1/12/2006 Deed Book 6156 Page 288

**ASSESSMENT:**

Land: \$97,900

**TAX:**

\$1,370.60

**ZONING:** S - Single Family requires a minimum land area of 12,000 square feet with 100 foot frontage – 25 foot minimum front yard – 15 foot minimum side yard and 25 foot minimum rear yard. The maximum building height is 35 feet and the maximum lot coverage is 25%



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**APPRAISAL DEVELOPMENT AND REPORTING PROCESS:** In preparing this appraisal, the appraiser(s):

- \* Judith A. Jones inspected the subject property and took all photographs on May 4, 2017.
- \* attempted to gather information on comparable land sales.
- \* confirmed and analyzed the data and applied the sales comparison approach as the most reasonable and supportive approach in this instance. Within the subject's market segment the primary purchaser is looking to occupy the space. Thus, the underlying motivation for such buyers is substitution. Since the underlying premise of the direct sales comparison approach is also that of substitution this approach best reflects the subject's market segment.
- \* the income approach has not been considered since residential lots such as the subject property are not typically leased. Because the underlying premise of the income approach does not truly emulate the motivations of a typical buyer, the income approach will not produce a supportable or conclusive value estimate.
- \* the cost approach is not applicable for vacant land.

To develop the opinion of value, we developed the complete appraisal process, as defined by the Uniform Standards of Appraisal Practice. Thus, we invoke no departures from Standard 1.

This Appraisal Report is a brief summary of the appraiser's data, analysis, and conclusions. We retain the supporting documentation in our file.

**Property:** 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
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## DESCRIPTION OF THE REAL ESTATE APPRAISED:

**Location description:** **Fall River** is a city in Bristol County, Massachusetts, United States. Fall River's population was 88,857 at the 2010 census, making it the tenth-largest city in the state.

Located along the eastern shore of Mount Hope Bay at the mouth of the Taunton River, the city became famous during the 19th century as the leading textile manufacturing center in the United States. While the textile industry has long since moved on, its impact on the city's culture and landscape remains to this day. Fall River's official motto is "We'll Try," dating back to the aftermath of the Great Fire of 1843. It is also nicknamed "the Scholarship City" because Dr. Irving Fradkin founded Dollars for Scholars here in 1958.

Fall River is known for the Lizzie Borden case, Portuguese culture, its numerous 19th-century textile mills and Battleship Cove, the world's largest collection of World War II naval vessels and the home of the USS *Massachusetts* (BB-59). Fall River is also the only city in the United States to have its city hall located over an interstate highway.

According to the United States Census Bureau, the city has a total area of 40.2 square miles, of which 33.1 square miles is land and 7.1 square miles, or 17.68%, is water.

Water power from the Quequechan River and natural granite helped form and shape Fall River into the city it is today. Fall River granite is quarried here. The Quequechan River once flowed through downtown unrestricted, providing water power for the mills and, in the last ½ mile of its length, down a series of eight steep waterfalls falling 128 feet into the Taunton River at the head of the deep Mount Hope Bay.

Fall River was the only city on the East Coast of the United States to have had an exposed waterfall in part of its downtown area; it flowed less than ½ mile into a sheltered harbor at the edge of downtown. Fall River has two large lakes (originally one lake) and a large portion of protected woodlands on the eastern part of the city, which is higher in elevation, with the Quequechan River draining out of the ponds and flowing 2.5 miles through the heart of the city, emptying out an estimated 26 million US gallons per day into the deep Mount Hope Bay/Taunton River estuary in the western part of the city.

The city lies on the eastern border of Mount Hope Bay, which begins at the mouth of the Taunton River starting south from the Charles M. Braga, Jr. Bridge. The greater portion of the city is built on hillsides rising quite abruptly from the water's edge to a height of more than 200 feet. From the summits of these hills the country extends back in a comparatively level table-land, on which a large section of the city now stands.

Two miles eastward from the shore lies a chain of deep and narrow ponds, eight miles long, with an average width of three-quarters of a mile, and covering an area of 3,500 acres. These ponds are supplied by springs and brooks, draining a watershed of 20,000 acres. The northern pond is the North Watuppa Pond, the city's main reservoir. The southern pond is the South Watuppa Pond. Where the two ponds meet is called the "The Narrows." East of the North Watuppa Pond is the Watuppa Reservation that includes several thousand acres of forest-land for water supply

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protection that extends north into the Freetown-Fall River State Forest, and east to the Copicut Reservoir. Copicut Pond is located on the border of Dartmouth in North Dartmouth's Hixville section that borders Fall River. Copicut Hill, the highest point in Fall River, is located between North Watuppa Pond and the Copicut Reservoir and has a summit elevation of greater than 404 feet above sea level.

The Quequechan River breaks out of its bed in the west part of the South Watuppa Pond, just west of The Narrows, and flows through the city (partially underground in conduits) where it falls to a channel leading to what is now Heritage State Park at Battleship Cove on the Taunton River. The Quequechan River originally flowed unconfined over an almost level course for more than a mile. In the last half-mile of its progress it rushes down the hillside in a narrow, precipitous, rocky channel, creating the falls for which Fall River is named. In this distance the total fall is about 132 feet. and the volume of water 122 cubic feet per second.

#### **Partial list of neighborhoods**

- Downtown
- Corky Row
- Highlands
  - Lower Highlands (Bedford St up high street to Prospect St)
  - Upper Highlands (Prospect St along President Ave up to Wilson Rd)
- Flint Village or "The Flint" (Fall River's East End or Eastside bounded south of Bedford St, bounded east of Quarry St.)
- Eastside (Route 24, Eastern Ave, Oak Grove Ave, President Ave, New Boston RD, Meridan Street,)
  - Bogle Hill (Upper Pleasant St near Eastern Ave)
- Globe Village (Fall River's western part of the Southside west of Cook Pond, Broadway)
  - South End (South of Interstate 195 including Globe and Mapelwood villages to R.I. border)
  - Townsend Hill (South Main and Bay St Neighborhoods bordering Tiverton, R.I.)
- Mapelwood Fall River's eastern part of the south End
- North End (north of Bedford Street Interstate 195 to Wilson Rd. bounded by highland Ave, President Ave, BCC, New Boston Road

**Neighborhood:** The subject is located in the Eastside neighborhood of Fall River. The subject immediate neighborhood is bounded by Route 24 to the east. New Boston Road to the north,

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North Eastern Avenue (Route 6) to the west and Bedford Street to the south. Development in the immediate subject neighborhood is primarily single family homes. The homes along North Eastern Avenue vary in size and age, however for the most part they are very well maintained and reflect pride of ownership. The subject street is improved with single family homes consisting of ranches, capes, colonials and contemporary style with the average age being roughly 30± years old. The size and quality of the homes appears to increase the further south they are situated. Many have inground pools and stone facades. The homes are typically well kept and have groomed lawns and landscaped. The location has easy access to Route 24 and shopping. Diman Regional Voc-Tech High School is in the immediate area with Bishop Connolly High School and Bristol Community College all within several miles. There are no longer any major shopping destinations in the city with the closing of most of the outlets. The shopping is scattered throughout with smaller specialty stores located along Pleasant Street, with the Big Box stores such as Walmart and Burlington Coat Factory located south the subject neighborhood. There are convenience type establishments located along President Avenue consisting of banks, liquor store, specialty market and hardware.

Overall, this is considered one of the more desirable locations within the city.

**Property Description:** The subject property is further identified as Fall River Assessor's Map P-22 Lot 89 involving a total land area of 14,775 square feet. The parcel is relatively level at street grade with 100 feet of frontage and a northerly depth of 144 feet and a southerly depth of 151.50, the rear width is 100 feet. The lot is slightly irregular in shape and has a total land area of 14,775 square feet. The subject is in a S zone and a legal conforming parcel.

The lot is overgrown and reportedly is subject to flooding.

All utilities are available to the site.

It is my understanding that there is a water line easement running along the north boundary in an east/west direction that was never recorded.

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## **HIGHEST AND BEST USE:**

**Introduction:** They define the Highest and best use as, "the reasonably probable and legal land use or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legally permissibility, physically possible, financially supported and maximum profitability."<sup>2</sup>

Highest and best use is the fundamental concept in appraising real estate. It is fundamental because it focuses market analysis on the subject property and considers the property's optimum use in light of current market conditions. Highest and best use not only focuses on the existing improvements but also the site as if vacant. The questions we must answer are; should they transform the current use into another use? If the site was vacant what they would build given the current economic conditions?

**Highest and best use as though vacant:** residential in conformance with zoning

**Highest and best use as improved:** N/A

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<sup>2</sup> The Appraisal Institute, The Appraisal of Real Estate, Tenth Edition, page 275

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### SUMMARY OF ANALYSIS AND VALUATION:

**The sales comparison approach:** A summary of the data concerning the comparable transactions is presented below for your perusal.

Sale	Location	Sale Price	Sale Date	G.L.A.	Adjusted \$/lot
#1	Hyacinth St. Map L-18 Lot 103	\$120,000	9/30/16	23,969 sq ft	\$108,000
#2	2270 Highland Map T-19 Lot 81	\$90,000	7/8/16	16,500 sq ft	\$99,000
#3	Meridian St. Map U-17 Lot 1	\$94,500	6/18/15	36,928 sq ft	\$103,950
#4	3117 N Main St Map T-25 Lot 87	\$90,000	11/23/16	17,225 sq ft	\$99,000

### Market Analysis:

**Sale #1:** this transaction is located on Hyacinth Street and is identified as Fall River Assessors Map L-18 Lot 103, involving a total land area of 23,969 square feet. This lot has approximately 102 feet of frontage and a maximin depth of 241 feet. This parcel is also located in a S zone and is a legal conforming parcel.

This lot is irregular in shape but predominately rectangle, and relatively level. The lot is overgrown and subject to some flooding. The homes that border this property to the north and south are both considered to be somewhat high end and both have inground pools and are nicely landscaped.

The buyer of this property was a real estate broker who intends to develop the property at some time. The property was listed in MLS # 71783146 \$159,900, reduced to \$149,900 and finally reduced to \$134,900 and sold for the \$120,000 after 587 days on the market. The financing was conventional with no know seller concessions. When compared to the subject this transaction was adjusted a negative-10% for the location at the superior or south end of Hyacinth Street. This adjustment was based on observation of the homes located close to this property.

Grantor: Michael Silva  
 Grantee: Dream Homes LLC  
 Location: Hyacinth Street  
 Sale Date: 9/30/16  
 Sale Price: \$120,000  
 Plat/Lot: L-18/102  
 Land Area: 23,969 square feet  
 Book/Page: 9068/318

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**Sale #2:** 2270 Highland Avenue involves a total land area of 16,500 square feet and is identified as Fall River Assessors Map T-19 Lot 81. This property has 100 feet of frontage and a maximum depth of 153 feet. The rear or westerly boundary widens to 120 feet. The parcel is extremely steep and drops down from street grade in a westerly direction. This lot is also located in an S zone and is legal conforming. This property was listed in MLS # 71876816 with an original asking price of \$99,000 and sold for the \$90,000 after 338 days on the market. The listing agent stated that the seller stated that she estimated a cost of \$15,000 to clear and prepared the property for construction. The financing was conventional with no known seller concessions. The buyer intends to build a home for himself on site. When compared to the subject this location is considered comparable. I did however apply a positive +10% adjustment for the challenging topography. I did not adjust the full \$15,000 since the subject lot will also require clearing.

Grantor: Teresa Neves  
 Grantee: Luis A. Carvalho  
 Location: 2270 Highland Avenue  
 Sale Date: 7/8/16  
 Sale Price: \$90,000  
 Plat/Lot: T-19/81  
 Land Area: 16,500 square feet  
 Book/Page: 8998/1

**Sale #3:** The Meridian Street Parcel is identified as Assessors Map U-17 Lot 1 and involves a total land area of 36,928 square feet. The parcel is reasonable level and overgrown. The parcel is irregular and very long and narrow in shape with 100 feet of frontage and a maximum depth of 502 feet. This property was listed in MLS # 71754020 with an original list price of \$175,000 reduced to \$140,000 and then to \$125,000 and lastly for \$99,000 and sold for the \$94,500 after 235 days on the market. The selling agent stated that the buyer intends to build a single family for his own use. The property is zoned R-30 which requires 150 feet of frontage. The lot is non-conforming granted by variance. When compared to the subject this sale warranted a positive +10% adjustment for an inferior location.

Grantor: Janice K. Warren  
 Grantee: Eric Resendes  
 Location: Meridian Street  
 Sale Date: 6/8/15  
 Sale Price: \$94,500  
 Plat/Lot: U-17 Lot 1  
 Land Area: 36,928 square feet  
 Book/Page: 8712/169

**Sale #4:** 3117 North Main Street is identified as Assessors Map T-25 Lot 87 with a total land area of 17,225 square feet. This lot is rather steep and rises upward from street grade in an easterly direction. This lot has 80 feet of frontage on North Main that is bounded by a stone wall and really not accessible. An access driveway that runs of Ashley Street has been added to the lot that is 20 feet wide by 129 feet long. This property is zoned S and based on the lack of sufficient frontage a

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variance was granted. The lot was listed in MLS # 72083037 for \$109,900 and sold for the \$90,000 after 14 days on the market. This lot was purchased by a real estate agent for his own use. The financing was conventional with no known seller concessions. When compared to the subject this transaction warranted a +10% positive adjustment for a slightly inferior location and topography.

Grantor: Thomas Michael  
 Grantee: Brian Thompson  
 Location: 3117 North Main Street  
 Sale Date: 11/23/16  
 Sale Price: \$90,000  
 Plat/Lot: T-25/87  
 Land Area: 17,225 square feet  
 Book/Page: 9116/341

The sales included in this analysis are all recent transactions located in Fall River. It is apparent that the price for an individual buildable lot is the most consistent and unifying unit of comparison rather than the value on a per square foot basis.

Sale 1 appears to have originally over listed and was therefore on the market for nearly 600 days. The buyer was the sales agent and he is aware of the drainage issues and plans to keep the lot with the anticipation that the city is working on the problem. Although this sale is also located on Hyacinth Street the homes surrounding this property are superior to those at the north end of Hyacinth.

Sale 2 has an equally desirable location however, it does face some development challenges. Sale 3 is in an inferior location and the selling agent considered the sale price on the high side. Sale 4 is considered to be a slightly inferior with regard to location and topography.

Based on the above I have estimated a market value for the subject in the amount of \$105,000 fee simple

#### **PERMANENT EASEMENT:**

The proposed permanent easement involves a strip of land 20 feet wide by 144 feet long which runs along the north boundary of the subject site. The permanent easement involves a total land area of 2,880 square feet which calculates to roughly 19.5% of the total lot size.

This leaves the remaining land area in the amount of 11,895 square feet. The 20-foot easement width interferes with the minimum required set back of 15 feet by 5 feet+, since is highly unlikely that one would or would even be allowed to build on the exact southerly easement line. The present fee simple of the subject lot is estimated to be \$105,000 divided by 14,775 square feet = a dollar per square foot value of say \$7.00. Thus the \$7.00 X 2,880 square feet = \$20,000 fee simple. The fact is that the permanent easement does diminish setback lines and prohibits the construction of a fence, driveway or any permanent structure on the encumbered land. However, it can still be considered in the calculation of maximum lot coverage.

It has been my experience that easements or non-developable sites typically amount to 70% to 90% of the fee simple market value of the property.



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To further illustrate this I have included paired sales that show the differences paid for a buildable site versus a non-buildable site,

213 John Dyer Rd., Little Compton, RI -Map 38 Lot 19-6 / 2-acre non-buildable site sold for \$25,000 on 7/23/15

201 John Dyer Rd., Little Compton, RI -Map 38 Lot 18-4/ 2.1-acre buildable site sold for \$170,000 on 2/14/14

The sale prices calculate to value loss of -85% for the non-developable lot.

The non-buildable site was purchased by an abutter.

Additional Paired sale:

Little Compton, RI

Plat 1 Lot 64	Sale Date 1/06	SF 25,850	Price \$349,000	\$ per SF \$13.50
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Plat 1 Lot 33	Sale Date 6/07	SF 3,637	Price \$15,000	\$ per SF \$4.00
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This indicates a loss in value of 70%

(please note that the non-developable land is marsh front and a shed could be constructed)

Right of Way Sale:

657 West Main Rd. Little Compton, RI

Plat 7 Lot 10	Sale Date 9/08	# acres 3.30	Price \$30,000
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This transaction involves the purchase of a 50-foot-wide by 2,875± long private ROW. It is important to note that the land parcels in Little Compton are typically very large and an easement usually has minimal effect on the property.

The paired sales indicate values for a loss in value for non-buildable land ranging from 70% to 85% of the fee simple value. This analysis easily indicates an 80%± value attributable to the impeded rights. The sale of the private ROW for \$30,000 was also given consideration.

It is important to note that many of the paired transactions utilized are older sales, they were included only to demonstrate the differences in value as a percentage and not in any way indicative of a dollar value.

Based on the paired sales and the sale of the ROW I have estimated a market value for the permanent easement in the amount of \$15,000

#### **TEMPORARY EASEMENT**

The next problem to be solved is the value of the temporary easement. The temporary easement involves a 10-foot-wide by 144± foot long strip that runs along the south boundary of the temporary easement for a 4-year period. The temporary easement encumbers 1,440 square feet of land. This 1,440 square feet plus the 2,880 square feet encumbered by the temporary easement indicates a land

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area of 4,320 square feet under easement. This reduces the subject lot to 10,455± square feet or encumbers 30±% of the subject parcel for a 4-year period. It is important to note that the temporary easement virtually renders the subject parcel unusable. It is a certainty that anyone with the desire to develop the subject site would wait until the project is complete.

Based on this scenario the subject property would not be available for development for 4-years.

I have therefore taken the fee simple value of the entire parcel \$105,000 and discounted the present value of the subject site at the end of 4-years at a 15% for a present value of the site of \$60,000. This indicates the value of the impact of the temporary easement to be in the amount of \$30,000, with the permanent easement valued at \$15,000

The present value of the subject with both easements in effect is \$60,000 indicating an overall impact of \$45,000

So, at the end of the 4-year term when the temporary easement is lifted the permanent easement will still reduce the overall value of the site by \$15,000

Therefore: Present market value fee simple \$105,000  
Temporary easement \$30,000  
Permanent easement \$15,000

Therefore: at the end of the 4-year period when the temporary easement is lifted the subject property will have a value of \$90,000 The \$105,000 – the \$15,000 for the permanent easement.

This indicates the compensation for the permanent easement to be in the amount of \$15,000.  
And the temporary easement in the amount of \$30,000

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**Reconciliation and final value estimate:** Based on this scenario the subject property would not be available for development for 4-years.

Essentially, for a buyer, if he was effectively prevented from using the lot right away, that person would expect a substantial discount from the full market value to compensate for the long holding period. During that time, not only would he lose the opportunity value of the cash used for the purchase, but he would be expected to pay taxes and insurance and mow or otherwise maintain the lot. It also assumes the need for the temporary easement would go away; that construction would be finished. There is a further risk that the temporary easement would have to be continued for some indefinite period.

All those factors are seen to build an investment risk factor in the range of a 15% annual rate. This would be true for either an investment buyer, such as a builder, or a buyer planning to build a personal residence. Four years can be a very long term in the cycles of the real property market. To allow for this, a buyer would seek the comfort of a significantly reduced price today.

To find what a reasonable price today would be, I have taken the fee simple value of the entire parcel of \$105,000 and discounted that present value by the 15% rate to identify a present value for the subject. Based on the four-year discount, the indicated present value of the site would be \$60,000.

Therefore, we would state that the dollar impact of the temporary easement would be \$45,000. This is the difference between the current opined market value of \$105,000 and the discounted present value of \$60,000.

For purposes of this report, we need to divide that \$45,000 impact into its parts. The assignment is to opine values of the temporary easement and for the permanent easement. Yet, for the four-year period, these overlap each other, with the temporary easement somewhat covering the long term dollar impact of the permanent easement.

We have already opined the diminution to value of the permanent easement to be \$15,000. So, if we return to the overall present dollar impact of \$45,000 and deduct the contributory effect of the permanent easement of \$15,000, we can safely say that the direct impact of the temporary easement is \$30,000.

Therefore, to capsulate the findings:

Present market value fee simple:	\$105,000
Present value with both easements in place:	\$ 60,000
Combined impact from both easements, as of the effective date of report:	\$ 45,000

With the combined impact from both easements divided as follows:

Temporary easement	\$30,000
Permanent easement	\$15,000

Based on a careful analysis of all pertinent factors that affect real estate value, market observations support a value estimate, as of May 4, 2017 in the amount of:

**Fee Simple Value**  
**ONE HUNDRED FIVE THOUSAND (\$105,000) DOLLARS.**  
**Temporary Easement**  
**THIRTY THOUAND (\$30,000) DOLLARS**  
**Permanent Easement**  
**FIFTEEN THOUSAND (\$15,000) DOLLARS**

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The improved property sales suggest a reasonable exposure time to be about twelve+ months. We would expect that the exposure time will equal that of the comparable transactions. Therefore, we estimate an exposure time of roughly twelve months.

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#### **ASSUMPTIONS AND LIMITING CONDITIONS:**

- 1) This is an Appraisal Report that we intend to comply with the reporting requirements set forth under the Uniform Standards of Professional Appraisal Practice (USPAP), FIRREA Title XI Appraisal Regulations and The Appraisal Independent Standards set forth by H.R. 4173.
- 1-a) value assumes the 4-year temporary easement will be completed in the indicated time frame.
- 2) We assume no responsibility for legal or title considerations. We assume that title was "good and marketable" unless we report otherwise.
- 3) The property is appraised free and clear of any or all liens and encumbrances unless otherwise stated in this report.
- 4) We assume responsible ownership and competent property management unless otherwise stated in this report.
- 5) We believe that the information presented and considered is reliable. However, we give no warranty for its accuracy.
- 6) We assume that all engineering, if completed, was correct. We include plot plans and illustrative material to help the reader in visualize the property.
- 7) We assume no hidden or unapparent conditions in, on or under the property, subsoil, or structure that may render it more or less valuable. We assume no responsibility for such conditions nor are we responsible for arranging engineering studies that may discover them.
- 8) We assume full compliance with all applicable federal, state, and local environmental regulations and laws, unless otherwise stated in this report.
- 9) We assume that they have complied with all applicable zoning, use regulations and restrictions, unless we have stated, defined and considered a nonconformity in this report.
- 10) We assume that they have or can obtain all required licenses, certificates of occupancy and other legislative or administrative authorities that form a basis to our value estimate. These include federal, state and local governments, private or organizational entities. If they have obtained all requirements, we assume that they can renew them.
- 11) Any sketch in this report may show approximate dimensions. We caution the reader that we include these to help visualize the property or area. We provide the maps and exhibits in this report as a reference and we cannot guarantee their accuracy, unless we have expressed inaccuracies in the report. We have not surveyed this site for this report.

**Property:** 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89

**Client:** Terrance Sullivan, Administrator – Fall River Sewer Commission

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- 12) We assume that the land used to support the improvement(s) is within the boundaries or property lines of the property described and that there is no encroachments or trespass unless otherwise stated in this report.
- 13) The appraiser is not qualified to detect hazardous waste and/or toxic materials. Because we are not qualified, the reader should not take any comment by the appraiser that may suggest the possible presence of such substances as a confirmation that they exist. While we may notice concerns, only an environmental assessment expert can investigate and determine the presence of hazardous substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, lead paint, radon gas, or other potentially hazardous materials, may affect the value of the property. The appraiser's value estimate is predicated on the assumption that no such material is on or in the property that would cause a loss in value, unless we state so in the report. We cannot assume responsibility for any environmental conditions because detection may require expert knowledge and engineering. The appraiser's descriptions and resulting comments are the result of the routine observations made during the appraisal process.
- 14) Unless otherwise states in this report, we appraise the subject property without a specific compliance survey. A specific compliance survey determines if a property conforms with the requirements of the Americans with Disabilities Act. The presence of architectural and communications barriers that are structural in nature that restricts access by disabled individuals may adversely affect its property's value, its marketability, or its utility.
- 15) We assume they will complete all proposed improvements according to the plans and specifications they submitted and that competent workers complete the work with no noted defects, shoddy techniques or inferior materials.
- 16) The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The client must not use the allocation between land and buildings with any other appraisal. If they do, the resulting conclusions are invalid.
- 17) We have signed this report in blue ink. Merely possessing this report, either an original or copy, does not carry the right to publication. No one can use this for any purpose other than for its intended use. A person not identified as the client cannot use this report without the written consents of the appraiser(s) and then they must use the report in its entirety.
- 18) No one can distribute this report, or parts of it, (especially any conclusions as to value, the identity of the appraiser, or the firm with which they connect the appraiser) to the public through advertising, public relations, news sales, or other media without prior written consent and approval of the appraiser.

**Property:** 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
**Client:** Terrance Sullivan, Administrator – Fall River Sewer Commission

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**CERTIFICATION:**

I certify to the best of my knowledge and belief:

- 1) The statements of fact contained within this report are true and correct.
- 2) The reported analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analysis, opinions and conclusions.
- 3) I have no present or prospective interest in the property that is the subject of this report and I have no personal interest or bias with respect to the parties involved. I have not appraised or reformed any services in conjunction with the subject property previously.
- 4) My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
- 5) We did not base this appraisal on a requested minimum valuation, a specific valuation, or the approval of a loan.
- 6) We developed my analyses, opinions, and conclusion, and we prepared this report in conformity with the Uniform Standards of Professional Appraisal Practice.
- 7) I have made a personal inspection of the property that is the subject of this report.
- 8) No one provided significant professional assistance to the person signing this report.
- 9) We developed the reported analyses, opinion and conclusion, and we prepared this report to conform with the requirements established by the Code of Professional Ethics and the Standards of Professional Appraisal Practice as defined by the Appraisal Institute.
- 10) The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representative.
- 11) As of the date of this report, I have completed the requirements of the continuing education program of the Appraisal Institute.

In our opinion, the **ESTIMATED MARKET VALUE**, of the property described, as of May 4, 2017 was:

**Fee Simple Value**  
**ONE HUNDRED FIVE THOUSAND (\$105,000) DOLLARS.**  
**Temporary Easement**  
**THIRTY THOUAND (\$30,000) DOLLARS**  
**Permanent Easement**  
**FIFTEEN THOUSAND (\$15,000) DOLLARS**

*Judith A. Jones*

Judith A. Jones, SRPA  
 General Certified

**J. A. Jones Associates**

**Property:** 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
**Client:** Terrance Sullivan, Administrator – Fall River Sewer Commission

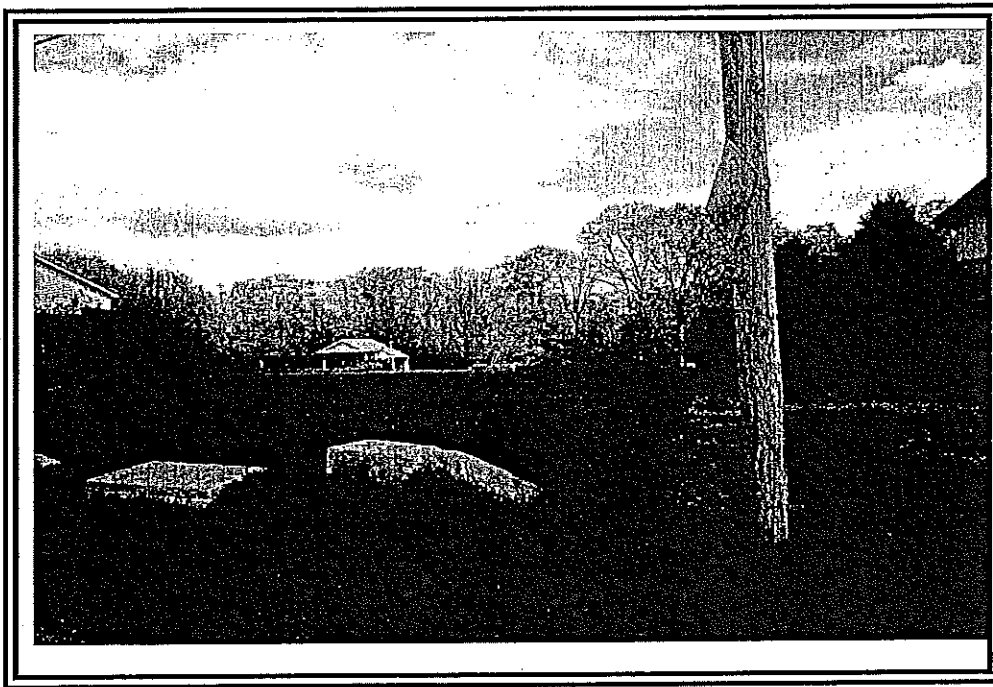
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**ADDENDA**



**Property:** 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
**Client:** Terrance Sullivan, Administrator – Fall River Sewer Commission

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Comparable Sale #1: Hyacinth St. Map L-18 Lot 103



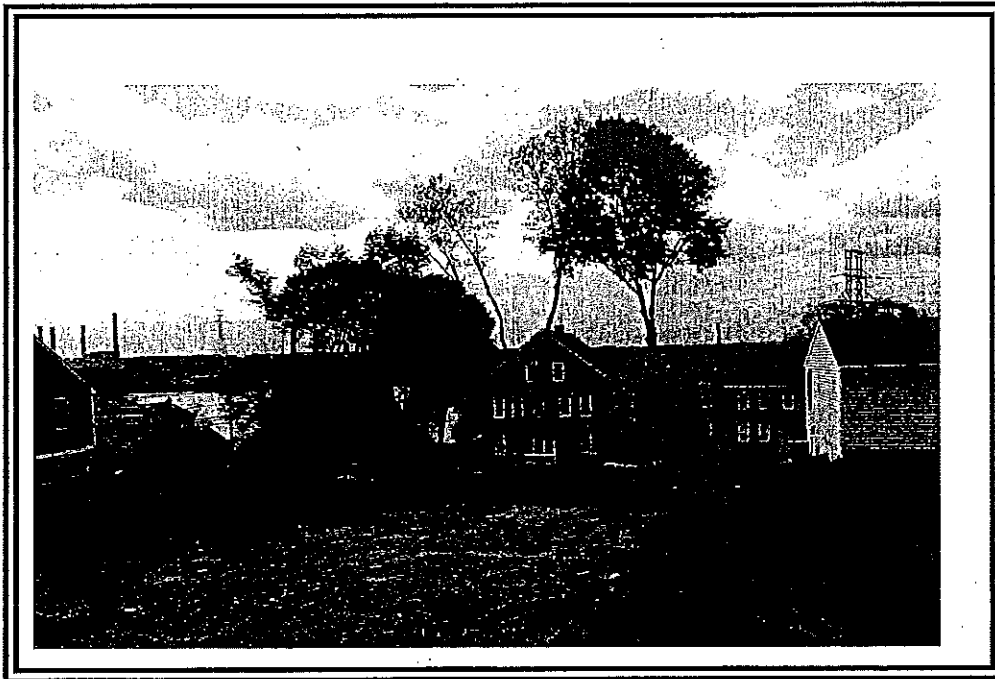
Comparable Sale #2: 2270 Highland Road Map T-19 Lot 81

**Property:** 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
**Client:** Terrance Sullivan, Administrator – Fall River Sewer Commission

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**Comparable Sale #3:** Meridian St. Map U-17 Lot 1

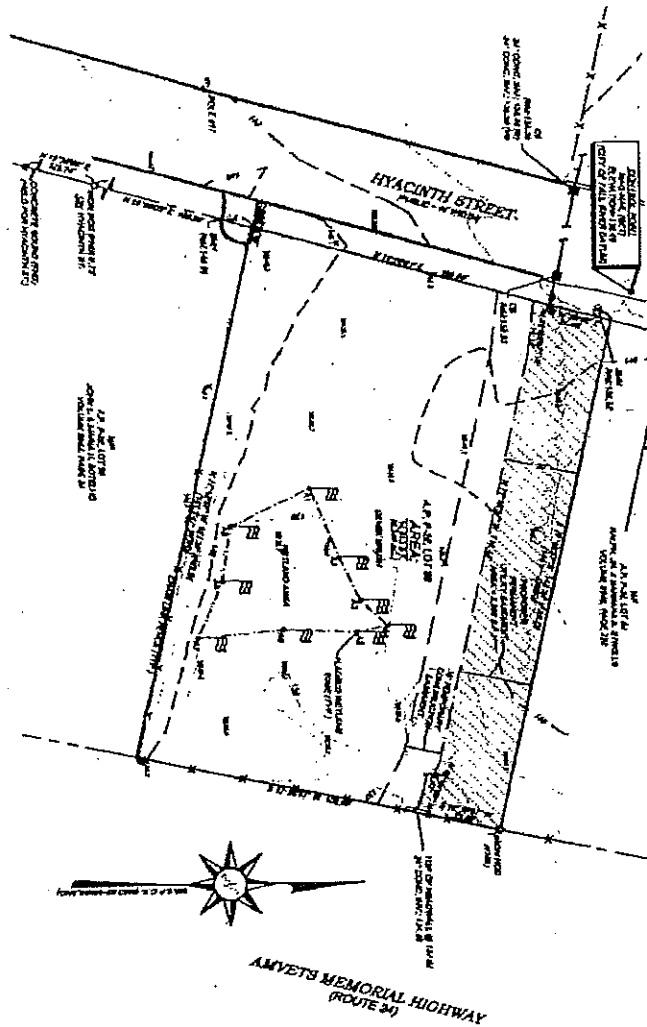


**Comparable Sale #4:** 3117 N Main St. Map T-25 Lot 87

**J. A. Jones Associates**

Property: 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
Client: Terrance Sullivan, Administrator – Fall River Sewer Commission

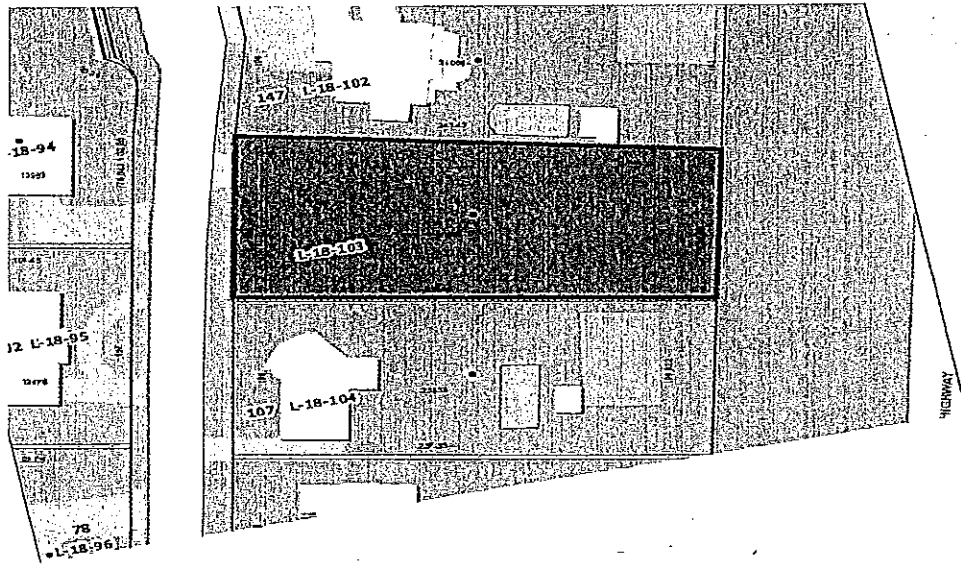
PLAN OF SUBJECT PROPERTY



Property: 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
Client: Terrance Sullivan, Administrator – Fall River Sewer Commission

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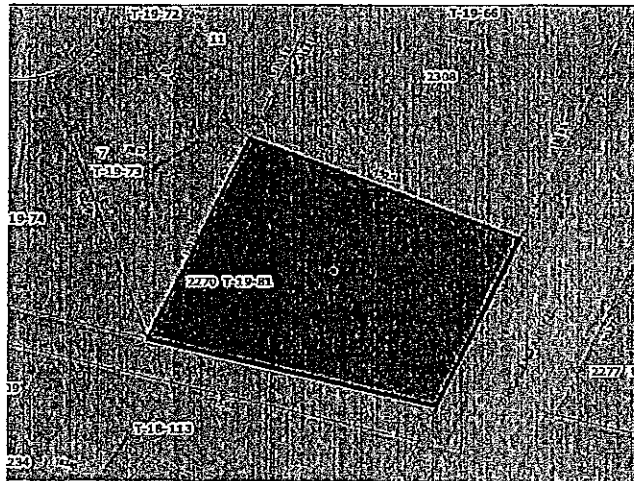
Sale #1 Hyacinth St.



**Property:** 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
**Client:** Terrance Sullivan, Administrator – Fall River Sewer Commission

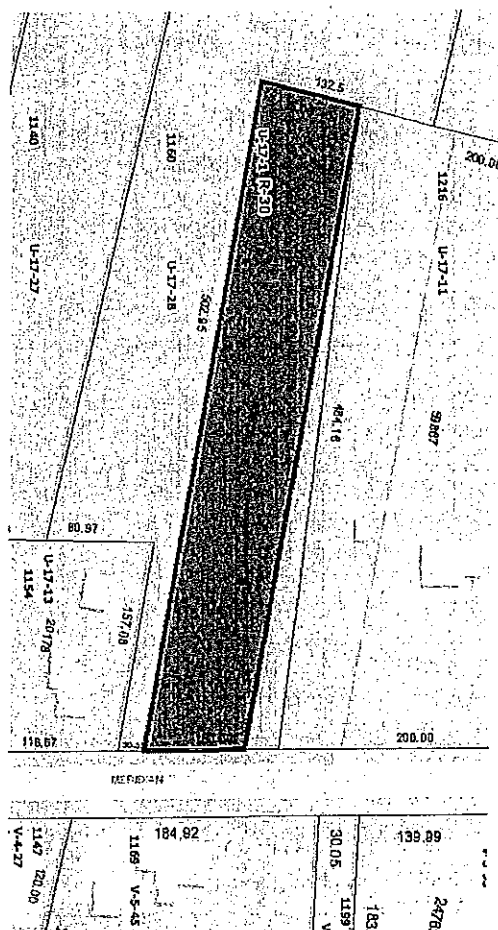
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**Sale #2: 2270 Highland Ave.**



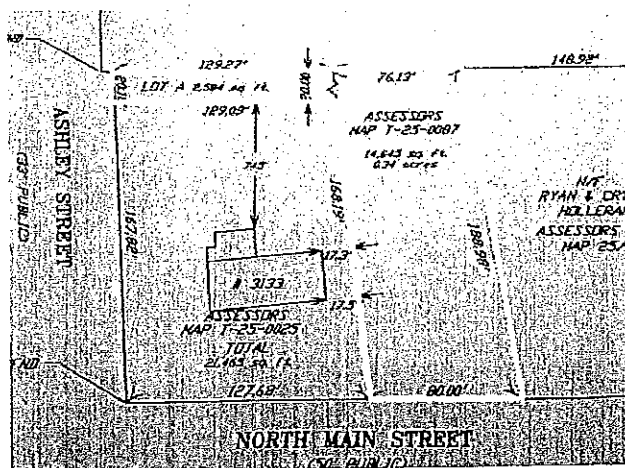
**Property:** 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
**Client:** Terrance Sullivan, Administrator – Fall River Sewer Commission

**Sale #3: Meridian St.**



**Property:** 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
**Client:** Terrance Sullivan, Administrator – Fall River Sewer Commission

**Sale #4: 3117 North Main St.**



**Property:** 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
**Client:** Terrance Sullivan, Administrator – Fall River Sewer Commission

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## QUALIFICATIONS

**Name:** Judith A. Jones SRPA  
 1749 Main Road  
 Tiverton, Rhode Island 02878  
 Tel # 401-624-3113  
 Cell# 401-952-6066  
 Fax# 401-624-7117  
 Email: judyjones@verizon.net

**Designation:** SRPA – Senior Real Property Appraiser  
 R. I. Certified General Appraiser – A00113G  
 MA Certified General Appraiser - 5951

**Offices:** 1749 Main Road – Tiverton, Rhode Island

**Affiliated:** J. A. Jones Associates  
 AMC Appraisal Co., Inc

**Appraisal Background:**  
 1997 – Present J. A. Jones Associates  
 1995 – Present AMC Appraisal Co., Inc  
 1982 – 2004 William E. Coyle Jr. & Associates  
 1981 - Coyle Research – for Pawtucket Revaluation  
 1980 – 1981 Research for Giroux & Company

**Real estate Broker:** License in Rhode Island & Massachusetts  
 1980 - Present

**Experience:** Residential, Commercial and Industrial Appraisals,  
 Conservations Easements, Development Rights, Temporary  
 and Permanent Easements, Partial Interests and Life Estates  
 Expert Witness- Family Court - Bankruptcy Court – Zoning

**Education:** Bishop Stang High School  
 Vernon Court Junior College–Associates Degree Marketing  
 University of Rhode Island – Various Courses  
 University of S. E. Mass – Various Courses  
 University of Rhode Island – Certificate in Real Estate

**Society of Real Estate Appraisers**

Course 101- Introduction to Appraising Real estate	...	Exam
Course 102 – Applied Residential Property Valuation	...	Exam
Course 201 - Principals of Income Property Appraising	...	Exam
Course 202 – Applied Income Property Valuation	...	Exam
Professional Practice Seminar		



**Property:** 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
**Client:** Terrance Sullivan, Administrator – Fall River Sewer Commission

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Page Two  
 Judith A. Jones

**The Appraisal Institute:**

Uniform Standards of Professional Appraisal Practice...Part A	...	Exam
Uniform Standards of Professional Appraisal Practice...Part B	...	Exam
Uniform Standards of Professional Appraisal Practice...Part C	...	Exam
Course 420 – Business Practices and Ethics		
The Appraiser's Complete Review Seminar		
The Appraiser as Expert Witness		
Industrial Valuation		
Valuation of Leased fee Interests		
Understanding Limited Appraisals & Appraisal Report Options		
Marker Extractions – Income Property		
Appraisal of Retail Properties		
Real Estate Disclosure		
Business Valuation		
Zoning Hearings/Preparation and Presentation		
Issues in Appraising Lodging Properties in New England		
Marina Valuation Seminar		
Statistical Analysis and the Assessment Process		
Zoning Ordinances – Legal Nonconforming Uses		
Condemnation Studies: Opposing Sides		
Loss Prevention Seminar		
Litigation Expert Witness		
Valuation, Right of Way		
Market Extractions Income Properties		
The Appraisers Complete Review		
Online Internet Search Strategies for R.E. Appraisers		
Eminent Domain and Condemnation		
Rhode Island Land Use: Current Issues in Subdivision and Zoning Law		
Appraising From Blueprints and Specifications		
Appeals Process – Revaluation Assessments "Tax Appeal Professional"		
Construction Tour & Cost Estimating Session		
Major Land Use Laws in Rhode Island		
Office Building Valuation: A Contemporary Perspective		
Appraising Manufactured Housing		
Commercial Appraisal Engagement And Review Seminar for Bankers And Appraisers		
Discounted Cash Flow - Concepts, Issues and Applications		
Uniform Appraisal Dataset from Fanny Mae and Freddie Mac		
Income Approach for Residential Appraisers		
Golf Course Valuation Issues		

**Property:** 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
**Client:** Terrance Sullivan, Administrator – Fall River Sewer Commission

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Page Three  
 Judith A. Jones

**Professional Affiliations:**

**Appraisal Institute:** The Appraisal Institute is a result of the unification of the American Institute of the Real Estate Appraisers and the Society of Real Estate Appraisers.

SRPA: Senior Real Property Appraiser

Rhode Island Commercial & Appraisal Board of REALTORS

**Appraisal Institute:** Rhode Island Chapter 93

Board of Directors	...	1992
Board of Directors	...	1993
Vice President of Administration	...	1994
Vice President of Admissions	...	1995
President	...	1996

**State of Rhode Island:**

Real Estate Appraisers Board	...	1992 to 1995
Real Estate Appraisers Board	...	1997 to 2003
Education Chairman	...	1995
Vice Chairman	...	1997 to 2001

**Town of Tiverton, RI:**

Tax Board of Review	...	2009 to present
---------------------	-----	-----------------

**Society of Real Estate Appraisers:**

Program Chairman	...	1988
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**University of Rhode Island**

Instructor ... College of Continuing Education  
 Application of Income Property Appraisal Methods

**State Certification**

General Certified Appraiser Rhode Island 113G  
 General Certified Appraiser Massachusetts 5951

**Property:** 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
**Client:** Terrance Sullivan, Administrator – Fall River Sewer Commission



**State of Rhode Island and Providence Plantations**  
**Department of Business Regulation**  
**Real Estate Appraisers Section**  
 John O. Pastore Complex, Bldg. 69-1  
 1511 Pontiac Avenue  
 Cranston, RI 02920-0942



## Certified General Appraiser

Certification No. CGA.0A00113 This Certification Expires on: 12/31/2017

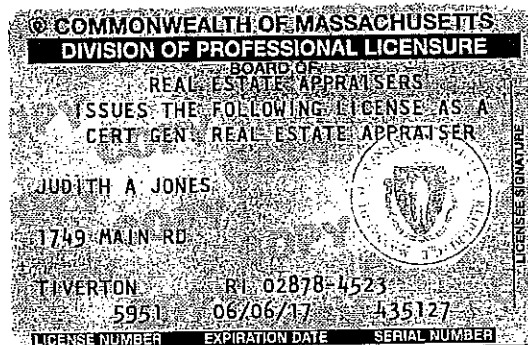
*(In accordance with Title V, Chapter 20.7 of the General Laws of Rhode Island relating to Real Estate Appraisers)  
 Pursuant to vested authority and having received full payment of the required fee, the Director of the Department of Business  
 Regulation has licensed/certified*

### Judith A. Jones

*The person named herein may engage in the business of appraisal practice, provided he shall in all respects conform to  
 the Provisions of Title V, Chapter 20.7 of the General Laws of Rhode Island 1987, as amended, and the rules and regulations  
 issued under authority thereof, beginning 01/01/2016 and ending 12/31/2017 unless this license is  
 suspended revoked or voluntarily returned to the Department during this period.*

  
 Chairperson, Real Estate Appraisers Board

  
 Macky McCleary, Director of Business Regulation



Property: 463 Hyacinth St. Fall River, MA Assessor's Map P-22 Lot 89  
Client: Terrance Sullivan, Administrator – Fall River Sewer Commission



301 E. Fourth Street, Cincinnati, OH 45202

**DECLARATIONS**  
for  
**REAL ESTATE APPRAISERS**  
**ERRORS & OMISSIONS INSURANCE POLICY**

**THIS IS BOTH A CLAIMS MADE AND REPORTED INSURANCE POLICY.**

**THIS POLICY APPLIES TO THOSE CLAIMS THAT ARE FIRST MADE AGAINST THE INSURED  
AND REPORTED IN WRITING TO THE COMPANY DURING THE POLICY PERIOD.**

Insurance is afforded by the company indicated below: (A capital stock corporation)

☒ Great American Assurance Company

Note: The Insurance Company selected above shall herein be referred to as the Company.

Policy Number: **RAP4114085-16**

Renewal of: **RAP4114085-15**

Program Administrator: **Herbert H. Landy Insurance Agency Inc.  
75 Second Ave Suite 410 Needham, MA 02494-2876**

Item 1. Named Insured: **Judith A Jones**

Item 2. Address: **1749 Main Rd**  
City, State, Zip Code: **Tiverton, RI 02878**

Item 3. Policy Period: From **11/18/2016** To **11/18/2017**  
(Month, Day, Year) (Month, Day, Year)  
(Both dates at 12:01 a.m. Standard Time at the address of the Named Insured as stated in Item 2.)

Item 4. Limits of Liability:

- A. \$ **1,000,000** Damages Limit of Liability – Each Claim
- B. \$ **1,000,000** Claim Expenses Limit of Liability – Each Claim
- C. \$ **2,000,000** Damages Limit of Liability – Policy Aggregate
- D. \$ **2,000,000** Claim Expenses Limit of Liability – Policy Aggregate

Item 5. Deductible (Inclusive of Claim Expenses):

- A. \$ **500** Each Claim
- B. \$ **1,000** Aggregate

Item 6. Premium: \$ **764.00**

Item 7. Retroactive Date (if applicable): **11/18/2005**

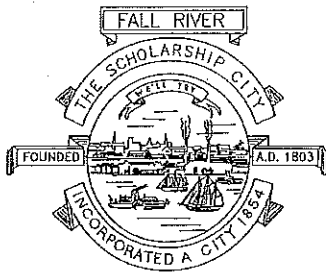
Item 8. Forms, Notices and Endorsements attached:

**D42100 (03/15) D42300 RI (05/13)**  
**D42408 (05/13) D42402 (05/13) IL7324 (08/12)**

*Reto, a. ragnow*  
Authorized Representative

D42101 (03/15)

Page 1 of 1



**City of Fall River**  
**Massachusetts**  
**Department of Community Utilities**  
WATER • SEWER

4  
RECEIVED

2018 JUN -7 P 1:25

CITY CLERK  
FALL RIVER, MA

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

**TERRANCE SULLIVAN**  
Administrator

June 6, 2018

Honorable City Council  
One Government Center  
Fall River, MA 02722

Dear Councilors:

Please find enclosed a proposed lease for your review and approval. The lease shall generate revenue for the Water Department and result in a significant investment to improve the property. The property is the former Boyd Center on Jefferson Street.

As you know the Water Department acquired the property for a future Water Treatment Facility. As such, a facility will not be immediately required; this lease provides for valuable use of the building and land.

I have also attached information from the Bay State Rowing Center regarding their plans for the use of this site. The planned use is to provide a rowing program for youth with the intent of preparing them for potential college scholarships.

Joseph Mullaney of the Bay Coast Rowing Center and Terrance Sullivan are available if you have any questions.

Sincerely,

Jasiel F. Correia, II  
Mayor

Attachments

# City of Fall River, *In City Council*

4

ORDERED, that the City of Fall River hereby authorizes the attached lease agreement to be entered into between the City of Fall River Watuppa Water Board and the Bay Coast Rowing Center. The leased property is the former Boyd Center located at Lot D-20-0016, 994 Jefferson Street, Fall River, MA.

**THE CITY OF FALL RIVER  
LEASE AGREEMENT**

1. This Lease Agreement ("Lease") is effective \_\_\_\_\_, 2018 and entered into between The City of Fall River Watuppa Water Board ("the City") and BAY COAST ROWING CENTER, a Massachusetts Corporation ("Tenant"). The City leases to Tenant that portion of its property located at Lot D-20-0016; 994 JEFFERSON STREET, Fall River in the State of Massachusetts ("Property") as shown on the attached plan for educational and training purposes for the boating community. The Property is leased for the purpose of rehabilitating, maintaining, operating, improving, supplementing, painting, illuminating, repairing and/or removing the existing building formerly used as a child care center, including, without limitation, fixture connections, electrical supply and connections, panels, signs, fire alarm fixtures, security alarm fixtures, roof, water and sewer services and any equipment and accessories as Tenant may place thereon (collectively, the "Structures"). This Lease includes all necessary rights of ingress and egress.
2. Phase 1 of the lease is for use and rehabilitation of the existing building, construction of docks and access to the shore for boats. Phase 2 is expected to be construction of an additional building that will require review and approval by the City. The tenant shall be responsible for all permits and compliance with all Federal and State laws and regulations, Conservation Commission approvals and Fall River ordinances.
3. The existing parking lot north of the existing building on Lot D-20-0016 can be utilized but must be kept available for the public use for recreational access to the South Watuppa Pond. Tenant must manage parking for events as to not cause significant traffic problems in the area and/or interfere with traffic to the Atlantis Charter School and the State Parking Area for Dave's Beach.
4. Tenant shall be responsible for erecting any additional fencing and/or access gates on or near the site that may be required to control access to the site as approved by the City.
5. This Lease shall be in effect commencing on 30 May 2018 and ending on 30 June 2028.
6. Tenant shall pay the City rent in accordance with the following schedule:

**PHASE 1:**

May 30, 2018 through June 30, 2018	\$2,000 lump sum
July 1, 2018 through June 30, 2028	\$2,000/month*
Royalty at 2.5%	

\*Timing/dates of payments can be modified by mutual agreement but must occur during the subject fiscal year.

**PHASE 2:**

Subject to negotiation based on plan development; size and location of project.

Payment shall be due on 1<sup>st</sup> day of each month and shall be made payable to the City of Fall River.  
Payment shall be mailed or delivered to:

City of Fall River  
Department of Community Utilities (3<sup>rd</sup> Floor Room 326)  
One Government Center  
Fall River, MA 02722  
Attention: Olga Correia

7. The City has the right to terminate this Lease at any time during the period of this Lease if the City intends to develop the Property and/or the Structures to occupy the site of the proposed development. In exercising its rights hereunder, The City shall, not less than one hundred and twenty (120) days prior to the commencement of the proposed development, (i) give Tenant written notice of the commencement of such proposed development, (ii) provide Tenant with a copy of the proposed building plans, and (iii) provide Tenant with the scheduled commencement date of the development of that portion of the site on which the Structures are located. Tenant shall have the right to maintain the Structures on the Property until 120 days prior to such time as the development of that portion of the site on which the Structures are located is scheduled to be commenced. If Tenant fails to remove the Structures on or before the date that is 120 days prior to the scheduled commencement of the development on that portion of the site on which the Structures are located, The City may in its sole discretion remove the Structures at Tenant's expense, Tenant hereby holding the City harmless for any loss or damage to the Structures caused by such removal.
8. The City represents that it is the owner of the Property and has the authority to enter into this Lease subject to approvals by the City Council and Mayor.
9. Tenant shall indemnify and hold the City harmless from all injuries to the Property or third persons caused by Tenant, Tenant's employees, agents, guests, students, teachers, school groups, licensees and contractors. The City shall indemnify and hold Tenant harmless from all injuries to Structures or third persons caused by the City, the City's employees, agents, licensees and contractors.
10. The Tenant shall provide and pay for liability insurance protection in the amount of at least one million (\$1,000,000) dollars for each occurrence, and the City of Fall River shall be named in the liability insurance policy as co-insured for any claims for damage or injury to any as outlined in the foregoing paragraph.
11. This Lease is binding upon the heirs, assigns and successors of both the City and Tenant.
12. The Tenant; and all persons or entities invited or allowed by Tenant shall, in the interest of public safety, abide by the following reasonable rules:
  - a. Hours of operation shall be within one half (1/2) hour after sunrise and one half (1/2) hour before sunset, seven days a week or as approved by the City.
  - b. The Tenant shall use the land for rowing center for public and private use.
  - c. The Tenant shall maintain public access to the shoreline.
  - d. Any authorized temporary structure(s), especially portable chemical sanitary toilet facilities that are used during events shall be removed by Tenant promptly at the end of the event.
  - e. All refuse and garbage shall be removed from the site at the end of each day.
  - f. Keys shall be provided by Tenant to the City for all locks on gates.
  - g. All activity by Tenant at the site shall follow the most stringent standards established for water based activities.



- h. No hazardous or toxic chemicals or materials shall be stored on the site at any time.
  - i. Tenant shall not destroy trees, shrubs, or other vegetation except for maintenance of the approved buildings and grounds as permitted by the City.
  - j. Tenant shall submit to the City any plans for modification or alteration of the property and said plans shall be subject to the prior approval of the City or their designated agents.
  - k. Tenant shall not excavate, dredge or engage in the removal of loam, gravel, soil peat, rock or other mineral substance or natural deposits without expressed prior approval of the City.
  - l. Tenant shall not conduct activities detrimental to drainage, flood control, water and soil conservation or erosion control.
  - m. The City expressly reserves unto itself the right to maintain the LEASED property as a watershed area, specifically including the right to conduct the following activities:
    - i. To enter upon the LEASED property at will to inspect the premises to ascertain that the terms and conditions of the said LEASE are being complied with by the Tenant.
    - ii. To enter upon the LEASED property at will to inspect any and all changes of the land, its contour, and construction, reconstruction or maintenance of the facilities.
- 13. The City has the right of access to the LEASED property at all times for the purpose of inspecting and enforcing all the restrictions contained in this LEASE agreement. Any notice to any party under this Lease shall be in writing by certified or registered mail, and shall be effective on the earlier of (a) the date when delivered and receipted for by a person at the address specified within this Lease, or (b) the date which is three (3) days after mailing (postage prepaid) by certified or registered mail, return receipt requested, to such address; provided that in either case notices shall be delivered to such other address as shall have been specified in writing by such party to all parties hereto prior to the notice being delivered.
- 14. Neither the City nor Tenant shall be bound by any terms, conditions or oral representations that are not set forth in this Lease. This Lease represents the entire agreement of Tenant and the City with respect to the Structures and the Property and supersedes any previous agreement.
- 15. Both the City and the Tenant hereby agree that this LEASE may be terminated in any of the following ways:
  - a. End of Term as specified in herein.
  - b. By mutual consent of the parties with prior notice of ninety (90) days.
  - c. Failure of either Party to perform the contractual actions specified in this agreement.
  - d. Per the terms of Item 7 of this lease.
  - e. Upon breach, default, abandonment of the LEASED premises, dissolution, bankruptcy and/or insolvency of the Tenant.
- 16. The Tenant shall coordinate activities with the City Harbormaster. The Harbormaster shall be allowed reasonable docking area within any dock facilities constructed by the Tenant; and/or any docking facilities proposed by the City and/or the Harbormaster.
- 17. Traffic management shall be coordinated with the Atlantis Charter School so as to minimize access issues. The City maintains the right of final decision on any disputes that may occur between the Tenant and the Atlantis Charter School.
- 18. The parking lot known as Dave's Beach to the north of the subject property is owned by the State Office of Fishing and Boating Access. Any planned use of said lot must be approved by said office. The current contact is Douglas Cameron.
- 19. The site must be kept clean and presentable at all times. Tenant will address any reasonable issues as requested by the City for site cleanliness.

IN WITNESS HEREOF and where both parties proclaim they are duly authorized to enter into this lease, the parties signed this Lease this \_\_\_\_ day of \_\_\_\_\_, 2018.

The City of Fall River

Tenant

By: \_\_\_\_\_  
Terrance J. Sullivan,  
Administrator of Community Utilities  
One Government Center  
Fall River, MA 02722

By: \_\_\_\_\_  
Joseph Mullaney  
President  
Bay Coast Rowing Center

Water Board:

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

Attesting to Form and Manner

\_\_\_\_\_  
Joseph Macy, Corporation Counsel

\_\_\_\_\_  
Jasiel Correia, Mayor

ATTACHMENT A  
PLAN LAYOUT OF SITE USE

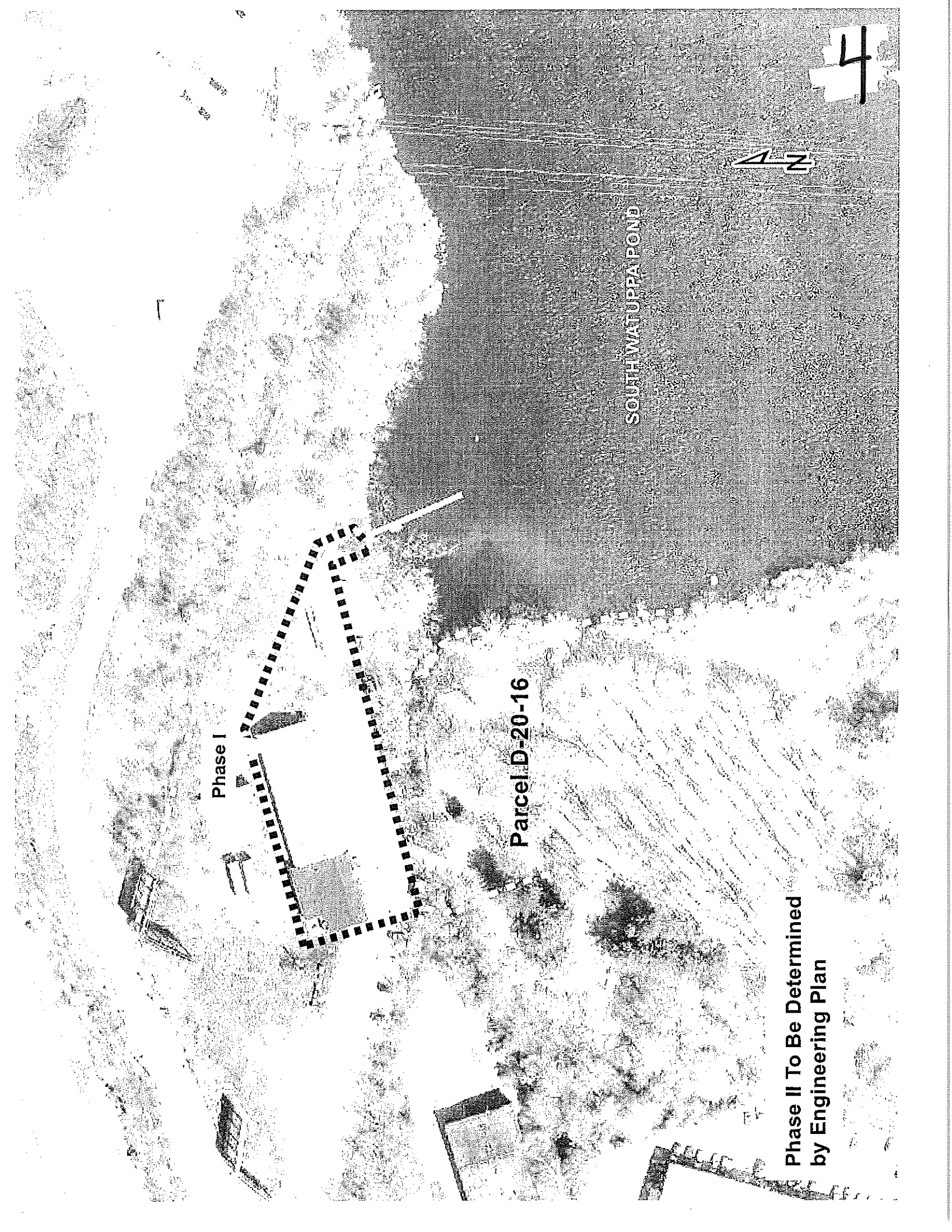


SOUTH WATUPPA POND

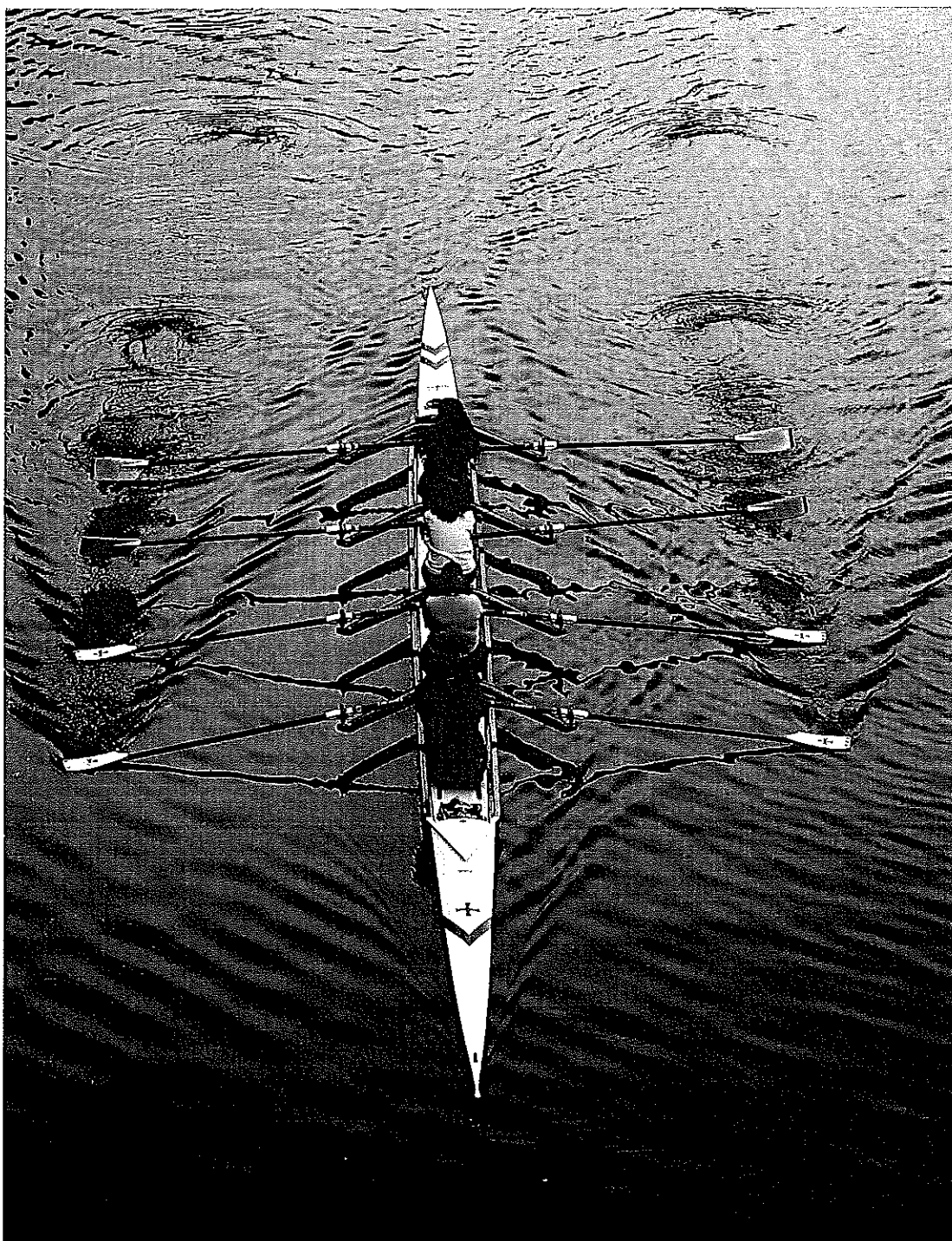
Parcel D-20-16

Phase I

Phase II To Be Determined  
by Engineering Plan



# THE BAY COAST ROWING CENTER



### Program Highlights:

- The Bay Coast Rowing Center, a 501(c)(3) not-for-profit organization, has been organized to construct *the first and only boathouse in America built primarily for the benefit of inner-city children* residing on the South Coast of Massachusetts.
- As a result of Title IX, colleges that pay for 85 men on their football teams are desperate to find a women's sport that will enable them to comply with the law. But a soccer team requires only 22 women. Lacrosse and hockey about the same. *A women's crew team requires 72 women*, making it the only women's sport to come close to the size of a men's football team.
- As a result of this need for women athletes to comply with Title IX, there is currently *one crew scholarship for every two women who can row*. For women athletes looking to go to college: if you can row, you can go. And while there are not quite as many crew scholarships for men, there is a constant need for good rowers and men who can row will find themselves able to attend a school several steps up the ladder. Every public school in American has a football team, a soccer team and a lacrosse team. A de minimis number of them have crew teams.
- *Our "Row to Grow" program will accept 72 high school applicants each school year:* 36 men and 36 women. Acceptance will be determined by an independent admissions committee based upon a combination of factors, including grades, physical ability and a burning desire to go to college and succeed. Once established our primary goal is to achieve a 100% college acceptance rate and that is how we will measure our success. Over time we will hope to expand the program as we acquire additional boats and can attract the best coaches available. E are working with the YMCA's and the Boys and Girls Clubs on the South Coasts to both teach our kids to swim as well as help solicit interest in the program.
- Once accepted our students will spend 90 minutes a day, five days a week, with seven other students in a 55-foot shell training on the water with professional coaches. They will spend an additional 90 minutes, for a total of three hours a day (3:00 pm to 6:00 pm) participating in a college prep tutoring program with college students from Brown University and UMass Dartmouth. In order to make it manageable, the program will be split so that half of the students are rowing while the other half are in study hall. Students must participate in both sessions every day to maintain their position in the program.
- Unlike some other sports, students will have no other costs as there are no expensive uniforms or equipment to buy. We will provide the boats (\$20,000 +/- for a refurbished 8x), the oars (32 x \$300), the coaches \$30 to \$50 an hour and the coaches boats (\$15,000 each). Students need bring only gym clothes and socks (the shoes are built into the boat).
- We will also have what is known as "adaptive" rowing programs for those athletes with physical and intellectual limitations that make rowing in a conventional boat impossible. For example, all members of the Wounded Warriors program will be eligible to row in our adaptive

boats for free. The National Director of Adaptive Rowing for U.S. Rowing is a member of our advisory board.

- We plan to host several regattas each the year, large and small, where as many as 800 to 1,000 athletes will compete in front of 10,000 to 20,000 spectators, generating substantial revenues for the Company as well as the economy of the South Coast. We believe we can generate \$30,000 to \$40,000 in revenues per regatta not counting incidental spending by spectators on food, hotels, etc.

- We will also make the pond available to the several private schools and colleges in the area who lack access to a facility such as ours for training and racing. With 15,000 acres of water we can put upwards of three or four hundred athletes on the water at one time with no difficulty. Compare this to a football field where a \$2,000,000 of Astroturf hosts only 22 athletes at a time, wrapped in very expensive gear for only two to three hours.

- We will have the only professionally managed summer crew camp within an hour's drive and believe we will generate significant revenues from the many high school and college students who arrive each Memorial Day to spend summers at the beach. We think this will have strong appeal to the families of high school students home for the summer.

- We plan to build strong partnerships with many of the most successful rowing programs in New England, including Brown University, Roger Williams College, Tabor Academy, Moses Brown, Belmont Hill School and Community Rowing, Inc. the largest and most successful boathouse in the world.

## The South Watuppa Pond



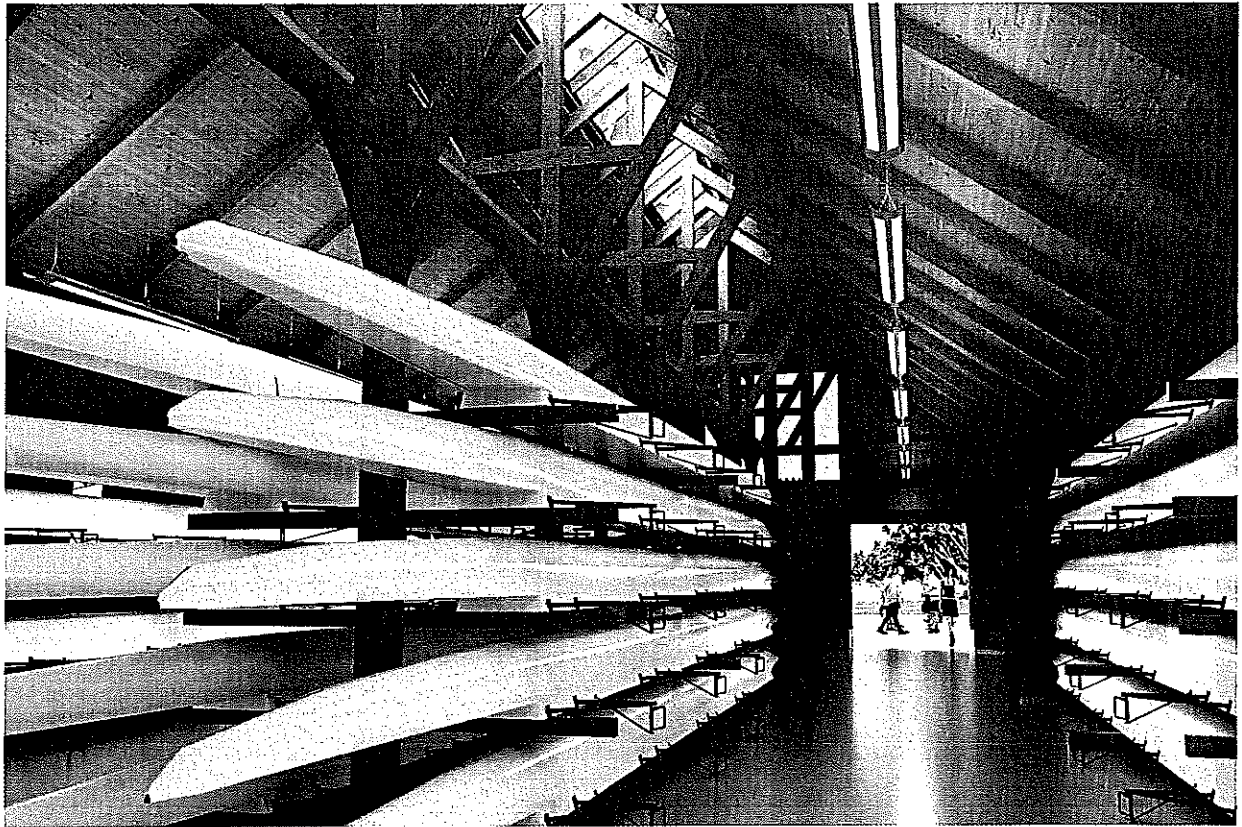
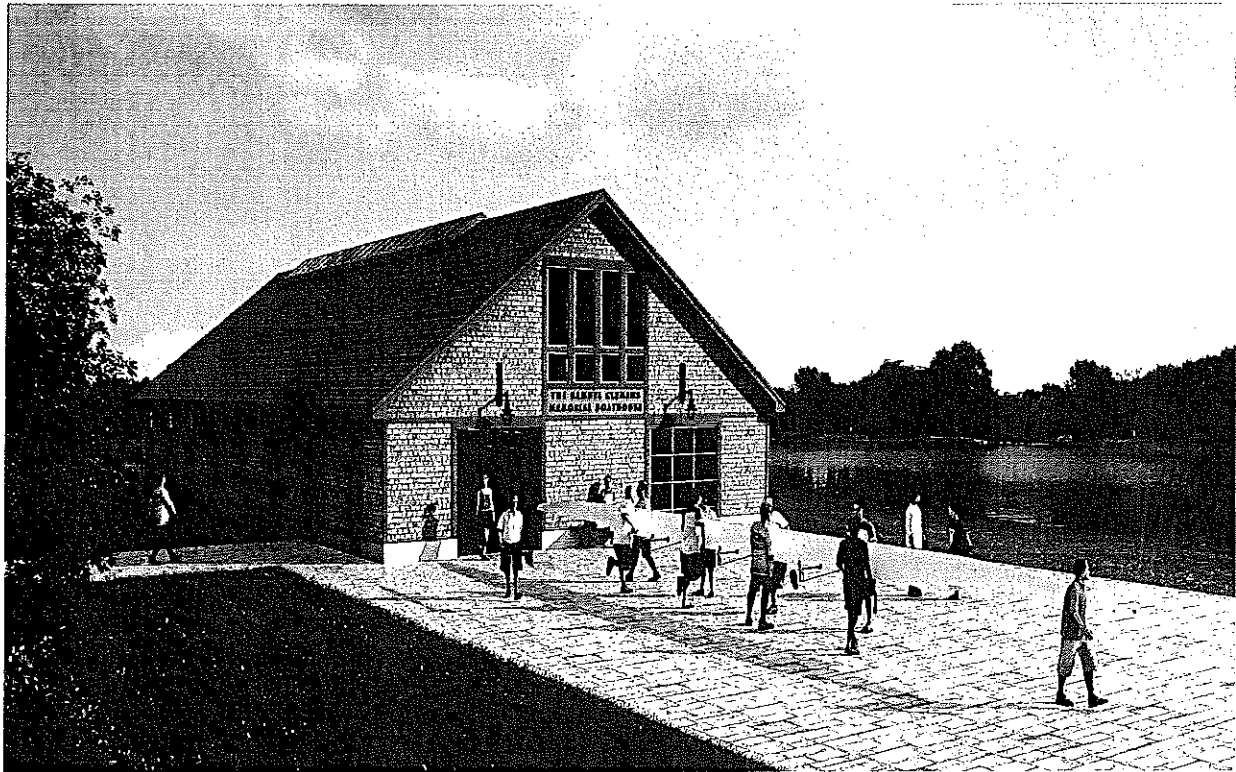
**Phase 1** The initial boathouse will actually become the first piece of a rowing compound built upon a piece of land owned by the City of Fall River. In order to support our efforts to bring crew to the area, the City and the Mayor have made the property and an existing building available to us on very favorable lease terms. We plan to refurbish the property, which has fallen into disrepair, beginning in September 2018 when all is in place. We will need between \$750,000 and \$900,000 to complete Phase 1, which will include:

1. The refurbishment of the existing building for an estimated \$400,000, primarily for a new roof and updated bathrooms, as well as such other changes as are needed to meet applicable building codes. We are not making any major changes to the building itself and the boat racks we install are on wheels and can be moved. The city has already generously paved a new parking lot for us at no cost.
2. The installation of a floating dock system at a cost of about \$100,000. The docks are custom built lower and longer than typical docks for quickly and efficiently launching 55-foot crew shells.
3. An estimated \$100,000 for the initial acquisition of refurbished boats and oars (at first primarily eight seaters and four seaters). We have already reached agreement with two leading American boat makers to get bargain pricing on refurbished boats as well as financing at very attractive terms.
4. Four "coach's boats" at \$14,000 each. These are basically skiffs designed to run parallel to the rowers but leave no wake; and
5. \$50,000 in ancillary costs such as racks for the boats, oars, etc;
6. The remainder in operating costs and working capital.

**Phase 2** While it is still too early to focus on Phase 2, a well-designed and built boat house will cost between \$1,500,000 and \$2,000,000 and the additional docks would add another \$150,000 to that. But with a larger facility and the two docking systems connected, we would be able to create the most attractive rowing center in the Northeast (a title currently held by Saratoga Springs, NY), attract national championships and host much larger (and more profitable) regattas. Crew is rapidly gaining in popularity and the South Coast is ideally positioned to take advantage of the opportunity. The South Coast could become the Mecca of rowing in New England.

Set forth below are two artist renderings of what our final boathouse may look like.





## Business Model

The Bay Coast Rowing Center, or BCRC, is being developed for the primary purpose of teaching low- and moderate-income high school students on the South Coast to row. Using a combination of 90 minutes of college prep tutoring, followed by 90 minutes of training on the South Watuppa with professional crew coaches, we hope to take 72 students a year and greatly enhance their ability to get into a competitive college, in many cases to be paid for with crew scholarships.

Because the program will be provided at a nominal cost to students (i.e., \$5.00 a day), the BCRC will need to generate revenues from other activities. We hope to do this by replicating, on a much smaller scale, the tremendous success that Community Rowing Inc., or CRI, has achieved in Boston by making rowing available to students and adults of all ages, athletic abilities and financial resources. CRI, which operates on the Charles River in Boston on a plot of land not much larger than our leased property on the South Watuppa, has annual revenues of \$6,500,000. We hope to generate \$250,000 to \$300,000 in our first year and ultimately reach \$1,000,000.

### *The Bay Coast 2018 Invitational Regatta on October 13th*

We plan to begin operations with a 300-boat regatta on October 13, 2018, one week before the most successful regatta in America, the Head of the Charles, or HOC, where 400,000 spectators attend each year. Our regatta will be the same length as the HOC, but unlike the HOC which is limited by the width of the Charles. We will have racing in six lanes concurrently, making for a much more interesting competition for viewers on the shore where we will broadcast the races on wide-screen tv's using the video footage from the drones (see below).

As the "warm-up" race for the HOC we hope to attract teams from across the United States and Europe who want to avoid the high price of accommodations and meals in Boston when they can stay and train on the South Watuppa for a fraction of the price the week before the HOC. We have an operating budget of \$50,000 to host the regatta, most of which will be spent on long-term assets, i.e., boats and dockage, that will be in use for many years.

The regatta will generate revenues from entry fees at \$100 a boat+/-, parking at \$10.00 a car, food concessions and sponsorships. We hope to use drones to televise every stroke of every race. We believe coaches and parents will want to purchase DVDs of their races.

We have already raised \$65,000 in financing with which we have incorporated and filed for 501(c)(3) tax-treatment. We have ordered our first 60' of dock suitable for rowing, three 8x boats, one 4x boat, and a 14' jon boat for utility use around the pond.

In terms of refurbishing the existing facility (which we do not need for the Fall regatta) we are working with the South Coast delegation to obtain \$300,000 in funding from the Commonwealth of Massachusetts. We intend to use this \$300,000, along with a \$600,000 construction loan, to refurbish the existing facility on our property, complete the docking system and acquire the boats we need to operate.

We hope to receive our state funding and construction loan in the Fall of 2018 which will permit the BCRC to begin generating operating revenues in the Spring of 2019. We may offer a limited Summer Camp program in July and August 2018 and make the pond available in the Fall to college and prep teams looking for a place to train. We plan on hosting six to eight regattas a year, each of which we believe is capable of generating between \$25,000 and \$50,000 per event, and summer rowing camps targeted at athletes ranging from those with no experience to elite athletes already rowing at the international level. Once the boathouse is fully operational we expect there will be programs that begin at dawn and last until sunset.

If the program is as successful as we expect it to be, we hope to build a new and larger facility in two years just 100-yards from our initial facility. This would qualify us to compete for national racing championships which would generate tremendous revenues for the BCRC and economic benefits for the area. Most importantly, once completed the entire program is designed to be self-sufficient even after we provide free rowing to our Row-to-Grow participants, as well as Adaptive rowers such as the Wounded Warriors Program. And we will heavily subsidize local programs with local YMCAs and the Boys and Girls Clubs, as well as local public high schools.

In sum, we believe the Bay Coast Rowing Center represents the rare opportunity to enhance the academic futures of low- and moderate-income students on the South Coasts, generate substantial economic benefits for the region, as well as providing additional recreational opportunities for local residents using a natural resource that is today largely unused. There will be "Learn to Row" programs for men and women, boys and girls, and from time to time special events featuring the several Olympic champion rowers and coaches that reside in the area.

## Economic impact.

The boathouse can be expected to generate a significant amount of economic activity for Fall River as well as the entire south coast of New England, particularly on weekends when there are regattas. Athletes and spectators need places to park, a place to sleep (which can involve up to three nights for teams that arrive early for regattas), places to eat and drink, and things to do when not watching the racing. Teams from Europe may choose to stay for the entire week before the Head of the Charles.

The Head of the Charles is the largest and most successful regatta in America. Approximately 11,000 athletes compete in the two-day event that draws over 400,000 spectators, generating an estimated \$40,000,000 in economic activity. According to the event's web site, the weekend regatta generates \$4.9 million in local and state taxes alone.

And the Head of the Charles is by no means the only successful regatta. In 2012, Worcester hosted the U.S. Masters National Championships, generating an estimated \$1,400,000 in economic activity. Corporate sponsorships and hospitality tents generate additional revenues.

The 2017 World Rowing Championship was held in Sarasota, Fla. Over 40,000 spectators attended the event with rowers arriving from countries around the world. Data just released show the Championships generated nearly \$23 million for the state of Florida with more than \$18 million spent on the Suncoast alone. The tourism promotion business Visit Sarasota hired Downs & St. Germain Research to conduct the study, who interviewed 935 attendees, sponsors and teams while they were at Nathan Benderson Park for the world rowing event. Their conclusion: the total economic impact for Sarasota and Manatee counties was \$18,650,300. People living outside of the Suncoast spent \$11,303,000 in Sarasota and Manatee counties during the event.

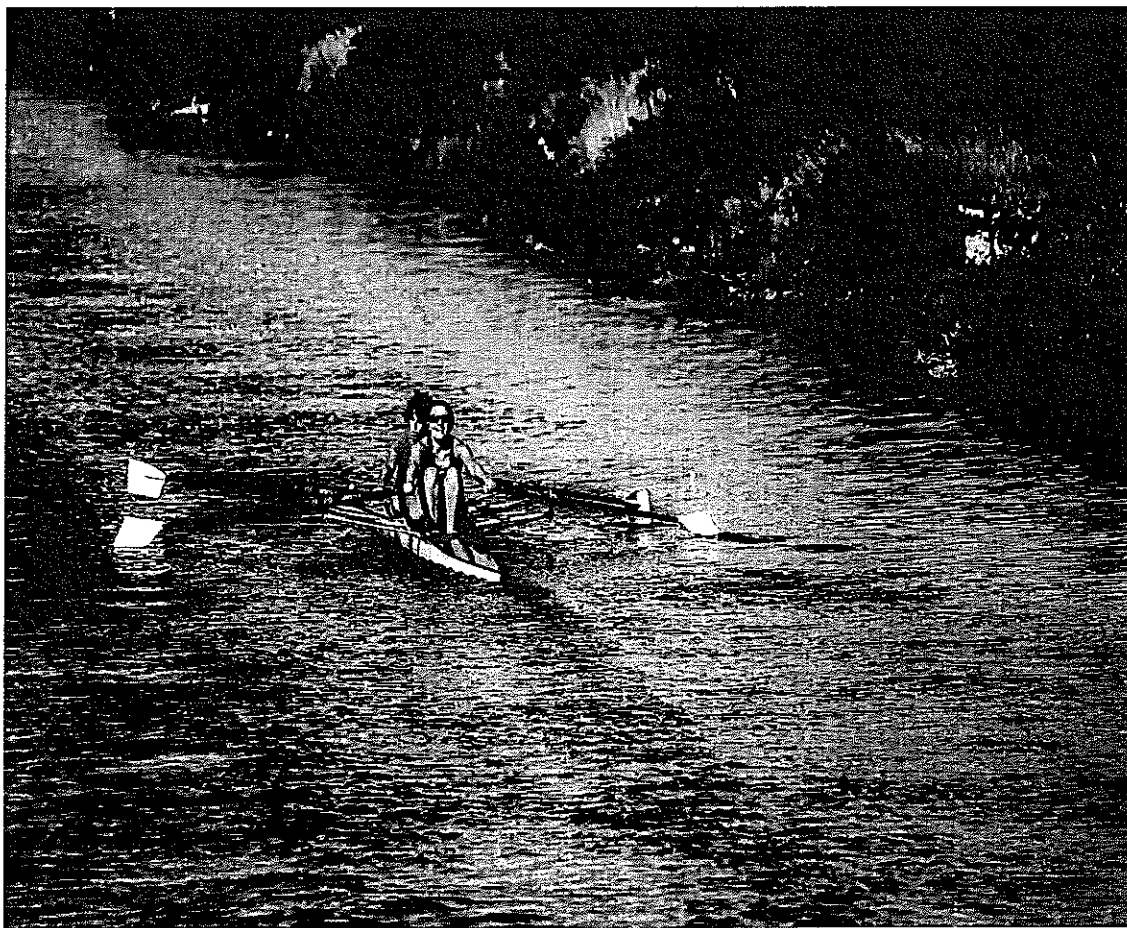
The "Head of the Hooch" in Chattanooga, another of the sports' most successful regattas, hosts 2,000+ boats over the two-day event from 27 states, with over 1,200 boats the first day, the most of any regatta anywhere. The event generates an estimated \$5,000,000 in economic activity for the region.

There are three popular regional regattas that draw thousands of people each year from the eastern seaboard to Baltimore's rowing venue. In 2015, the 12th annual Baltimore Invitational Regatta drew 30 high school teams from Long Island to Virginia, 1,000 athletes and 2,500 spectators to Middle Branch Park for a full day of racing.

In the past 20 years Pittsburgh; Camden, N.J.; Northern Virginia; Cleveland; Worcester; Sacramento; Sarasota and many smaller locations have capitalized on rowing and the water-related recreational activities that follow the sport by building expanded rowing and paddling centers, concessions and enhanced recreational activities around the boathouses.

Oklahoma City, for example, invested millions to transform its waterfront along the Oklahoma River, with rowing a significant component of the revitalization. Now canoeing, kayaking, dragon boating, stand-up paddle boarding as well as land-based recreation, retail and restaurants have joined in to boost the economy of the former Dust Bowl city, which also serves as one of the U.S. Olympic rowing training centers.

Chicago is in the midst of building four new boathouses along the Chicago River, three already in place, in order to increase river activity, after-school and summer youth programs, accelerate the pace of environmental cleanup and prompt the inevitable economic impact that follows.



## Leadership

### **The Board of Directors**

The business plan calls for an initial Board of Directors of five members that includes Mr. Mullaney. Mr. Mullaney has expressed the desire to step down from the Board within the first year and permit the other four directors to name an additional eight to ten members. Biographies for the initial five Directors are below.

### **The Advisory Board**

The BCRC will also have an Advisory Board made up entirely of elite rowers and coaches who will be able to advise the Board of Directors with respect to all rowing-related matters. Biographies for the initial members of the Advisory Board are also included below.

### **Management**

At present Mr. Mullaney is the only person working virtually full-time to develop, the Center, currently an unpaid position. He relies heavily upon the members of the Board of Directors as well as the Advisory Board and others. The business plan calls for Mr. Mullaney to manage the financing, reconstruction of the boathouse, the installation of the docking system and the first regatta. Once the initial boathouse and docking system are complete and the Center commences full-time operations Mr. Mullaney plans to step aside in the Fall of 2019, and the Board of Directors will retain such person(s) as it deems necessary to operate the Center. For the most part coaches will be hired on an hourly basis and the Center will not need to maintain a large payroll. UMass Dartmouth has graciously agreed to provide the tutors so there will be no need to hire for these positions. The Center will need to hire an experienced boathouse manager to manage day-to-day operations, as well as additional staffing for regattas.

*Biographies follow*

**THE BAY COAST ROWING CENTER BOARD OF DIRECTORS**  
(in formation)

**JOSEPH E. MULLANEY III, ESQ.**

After successful careers in investment banking, business and law, Mr. Mullaney retired at the age of 54 to spend more time with his family as well as engage in various philanthropic endeavors. Prior to retiring he spent several years at Masspro, at the time a leading healthcare consulting firm. He joined Masspro in 2006 as the corporation's General Counsel and Chief Compliance Officer, was named Senior Vice President, Corporate Affairs, in September 2008, and Chief Financial Officer in February 2009. Throughout his tenure he reported directly to the President and the Board of Directors, and was responsible for all legal, finance, accounting, legislative and corporate governance matters. Prior to joining Masspro, Mr. Mullaney was a senior partner in the business department of Nutter McClennen & Fish, where he concentrated on corporate finance matters, mergers and acquisitions, as well as public and private securities offerings. Upon graduation from law school he was initially an associate at Skadden Arps, later a junior partner at what is now Wilmer Hale, and a senior partner at Mintz Levin. During the course of his legal career he successfully represented numerous corporations as well as investment banks in the software, Internet services, media, telecommunications and biotechnology fields, and in 2005 was named one of the top ten IPO lawyers in America. Mr. Mullaney has been an adjunct professor at Boston College Law School, Northeastern School of Law and Vermont Law School, where he has lectured on the corporate finance, federal securities laws, mergers and acquisitions.

Prior to attending law school Mr. Mullaney held several senior positions in investment banking and syndication on Wall Street. He was a vice president of Prudential Securities and The Related Companies, and a senior vice president of The Richman Group, a leading national developer and syndicator of residential real estate. In the course of his career on Wall Street he participated in the public and private placement of more than \$1,000,000,000 in securities involving residential, low-income and commercial real estate, aircraft leasing, standardbred and thoroughbred horse breeding syndications, oil and gas ventures and radio stations.

Involved throughout his career in leadership positions for numerous civic and charitable organizations, Mr. Mullaney has served as a member of the Board of Directors of the Boston Municipal Research Bureau and Bridge Over Troubled Waters, the nationally recognized program for homeless teenagers. He is the former chairman of the Board of Directors of ARTS/Boston and was responsible for the construction of the organization's award-winning kiosk in Copley Square. He has served as a trustee or overseer of Access Boston, the Ballet Theatre of Boston, the Boston Bar Foundation, the Boston Medical Center, the Huntington Theatre Company and the Park Street Corporation. He was a founding member of the Board of Directors of the Boston

Collegiate Charter School, one of the first charter schools in Massachusetts and now ranked among the most successful in the state. He served for several years as a director of the Vinfen Corporation, a not-for-profit provider of services for the mentally challenged. The Massachusetts Society for the Prevention of Cruelty to Children honored Mr. Mullaney and his father for their many civic and charitable contributions. He previously served as a director and member of the organization's Finance Committee. He has also acted as *pro bono* counsel on behalf of Greater Boston Legal Services.

Active in government and politics for many years, Mr. Mullaney was elected to the Massachusetts Republican State Committee while still in college, and later held various positions for Congressmen Silvio O. Conte and Joseph P. Early, Lieutenant Governor Thomas P. O'Neill, Jr., and Congresswoman Margaret Heckler. Also while in college he was the registered lobbyist for the Massachusetts Radiologic Technologist Society, where he was successful in guiding licensing legislation through the Massachusetts Senate after it had been stalled in committee for 17 years.

Mr. Mullaney is a graduate of the Belmont Hill School, where in addition to other accomplishments he was a champion long-distance runner and holder of several school records in track and field. He went on to receive a B.A. from the College of the Holy Cross, and later a J.D. degree, cum laude, from Boston College Law School, where he was a member of the Order of the Coif. The father of three, he resides on a small sheep farm in Westport Harbor MA with 28 sheep, two alpacas and an incorrigible English Setter.





## **JUAN M. MARCELLINO, ESQ.**

Now-semi-retired, Mr. Marcelino enjoyed a highly successful 20-year career at the U.S. Securities and Exchange Commission. Mr. Marcelino's career at the SEC started in Washington D.C. with the Division of Enforcement, where he rose through the ranks to become the supervisor of the newly created SEC Bank Fraud Task Force, created in response to the nation's savings and loan crisis. This unit was responsible for all SEC investigations and prosecutions within the banking industry, many of which were based on fraudulent accounting practices and management breaches of fiduciary duties.

Subsequent to the S&L crisis, Mr. Marcelino was named Director of the SEC's New England Regional Office where he managed a staff of 125 attorneys, accountants and examiners. Under his leadership the office brought several of the largest and most significant fraud prosecutions ever conducted by the SEC. As a result of his efforts, Mr. Marcelino received numerous awards and citations throughout his career, including both the Stanley Sporkin Award and the SEC's highest honor, the Distinguished Service Award.

Subsequent to his SEC career, Mr. Marcelino went into private practice where he was a senior partner at two nationally recognized firms, Greenberg Traurig and Nelson Mullins, where he counselled individuals and entities on compliance with the securities laws, conducted corporate internal investigations, and defended those under investigation by regulatory and criminal authorities such as the SEC, U.S. Attorney's Office and state securities regulators. Mr. Marcelino currently maintains a solo practice where he continues to provide his expertise and counsel to clients.

Mr. Marcelino is a 1978 graduate of Brandeis University and in 1981 received his law degree from The Catholic University of America. He also obtained an advanced law degree in Securities Regulation from Georgetown University Law Center in 1984. Over the course of his career, Mr. Marcelino has maintained close ties to academia as an adjunct faculty member teaching securities and related courses at Howard University Law School and Suffolk University Law School and has been a frequent guest lecturer at several other law schools.

Juan lives with his wife and the youngest of his three sons in Bridgewater. He recently acquired a 200-year old farm house on 36 acres in Westport which he is in the process of restoring.

**THOMAS G. ROBINSON, ESQ.**

Tom graduated from the University of Michigan in 1970 as an Economics Major, before attending the Yale University School of Forestry and Environmental Science, in where 1972 he obtained a Master of Forest Science. He went on to obtain his J.D. at Boston University in 1977. He is admitted to the bar in Massachusetts and Rhode Island.

Tom enjoyed a highly successful 30-year career in the Legal Department at National Grid, where he rose to the level of Deputy General Counsel. From 1977-2007 he was responsible for rate cases and regulatory approvals in Massachusetts, Rhode Island, New Hampshire, and the Federal Energy Regulatory Commission. Specific matters included sale of the Company's generating facilities and introduction of competition in the electric industry. He also was instrumental in the consummation of mergers with National Grid, Eastern Utilities, Niagara Mohawk and KeySpan.

He is currently a Board Member and Clerk of the Samuel Huntington Fund, which provides grants to graduating college seniors to implement their proposals for public service anywhere in the world, as well as a Board Member of the Westport Watershed Alliance in Westport, Massachusetts, and Vice President and Board Member of the PG Club in Little Compton, Rhode Island. He resides with his wife in Westport Harbor, MA.

**PAMELA WILMOT, ESQ.**

Pam graduated magna cum laude from Brown University, received her J.D. from Northeastern University School of Law, and attained her M.S.W. from Smith College School for Social Work.

She has been the Executive Director of the Massachusetts chapter of Common Cause from 1989 to 1993, and from 2002 until the present. She has steered many successful state campaigns for Common Cause, including redistricting, campaign finance, ethics, lobbying, open government, and election reform. She also serves as the organization's national expert on electoral policy. A sought-after commentator on public affairs, Pam frequently appears in the Massachusetts and national news media.

Prior to Common Cause she was legislative director for Rhode Island PIRG.

Pam is also an avid hiker and a leader and instructor for the Appalachian Mountain Club. She leads day hikes and backpacks both domestically and abroad including some of the most aggressive trips the Club offers. She serves on the Board of the Boston Chapter's Hiking and Backpacking Committee.

She and her daughter live in Boston.

## NORMA TAYLOR

Norma Taylor, a 1974 graduate of the University of Rhode Island, has had a long and highly successful history in competitive athletics, most notably in racquet sports. She is believed to be the only athlete in Rhode Island to hold #1 state rankings in tennis, squash and racquetball. She served as the women's tennis coach at Brown from 1985-2004 winning Brown's only two Ivy league titles in the history of the school. During her first five years she also coached squash at Brown and achieved the school's highest national ranking of #3 during her short tenure.

Norma has accumulated many awards in recognition of her coaching and playing accomplishments. Listed below are some of the most notable:

### *As an athlete:*

- 9 #1 USTA New England Tennis Rankings from 1978-2001
- #1 National Ranking in 2001 for Women's Open Doubles and Women's 45 doubles
- Winner of 3 National Grass Court Doubles Championships: 1998 Women's 45's, 2001 and 2002 Women's Open Doubles
- 2002- Finished 3rd in Singles at the National Women's Open Grass Court Championships
- 2001- Received Student alumni award, Board of Governors, University of Rhode Island
- 2001- 45 and over NE United States Professional Tennis Association
- Player of the Year 2004- USTA New England Hall of Fame Inductee
- 2017- New England United States Professional Tennis Association Hall of Fame Inductee, category: Elite Professional 1985-2004

### *As a coach at Brown:*

- 1990 and 1997 Intercollegiate Tennis Coaches Association Eastern Coach of the Year
- 1997 National United States Professional Tennis Association Coach of the Year
- 1997 New England United States Professional Tennis Association Coach of the Year
- Won 2 Ivy League Titles in 1991 and 1997
- Coached 19 First Team All-Ivy recipients in tennis
- Brown team received 3 Sportsmanship awards during career
- 1997 achieved Brown's a national ranking of 34, highest in the history of the program

She currently resides in East Providence and remains competitive on the tennis court, paddle court and the fairway.

## THE ADVISORY BOARD

(in formation)

### THOMAS WARD DARLING

Tom Darling graduated from the Belmont Hill School in 1977, Syracuse University in 1981 and later earned a master's degree from Boston University. He was on the U.S. national crew team from 1981-88, competing at the 1984 and 1988 Olympics, winning silver in the eights in 1984, and at the 1979, 1981, and 1983 World Championships, in various boats. Darling continued to compete as a master, winning the 2013 World Indoor Rowing Championship in his 50-54 age group. Darling also served as a grinder for the *Stars and Stripes*, the winner of the 1987 America's Cup.

Tom worked in the financial services industry, later serving as manager of Agawam Trust & Management. He also is on the board of his family's philanthropic foundation, the Tamarack Foundation.

<b><i>Olympic Games</i></b>	<b>Age</b>	<b>City</b>	<b>Event</b>
1984 Summer	26	Los Angeles	Men's Coxed Eights
1988 Summer	30	Seoul	Men's Coxed Fours
<b><i>Men's Coxed Fours</i></b>			
1988 Summer	30	Seoul	Final Round
1988 Summer	30	Seoul	Semi-Finals
1988 Summer	30	Seoul	Round One
<b><i>Men's Coxed Eights</i></b>			
<u>1984 Summer</u>	26	Los Angeles	Final Round
<u>1984 Summer</u>	26	Los Angeles	Final Round

## **Chris Richards**

Chris Richards has taught as well as been an award-winning coach at the Belmont Hill School outside Boston since 1991. In addition to serving as the Chairman of the Classics Department, has been Head Coach of the rowing program since 2001. Widely regarded as one of the premier prep coaches in the United States, during his tenure Belmont Hill crews have won twelve New England team championships and four National titles. Chris is active in the rowing world outside of coaching, serving as a Managing Director of the Head of the Charles Regatta and continuing to row and compete at the Masters level as a member of the Cambridge Boat Club.

Chris began studying the Classics and rowing at Phillips Academy, Andover and continued at Harvard, graduating in 1985. He taught and coached at the Groton School, the Bishops School in San Diego, and the Rye Country Day School before joining the faculty at Belmont Hill. Chris and his family live in Watertown, MA.

## **Thomas Roop**

World champion rower and U.S. collegiate and national team coach.

As an athlete he was a member of multiple national teams from 1976 to 1983 winning medals in various events including the Lightweight Men's Single event at the 1981 World Championships in Munich. In 1992, Scott was inducted into the U.S. Rowing Hall of Fame.

He then coached at Brown University as the freshman coach for three consecutive undefeated years, followed by seven years as Head Coach. During this ten-year period, Brown Men's Crew won multiple national championships and Royal Henley Regatta championships. Scott was voted Collegiate Coach of the Year in 1995 and EARC Coach of the year in 2000.

In 1997 he coached Jamie Koven to a gold medal in the M1X at the World Championships in Aiguebelette, France.

From 2014 to 2016, Scott coached the US Men's lightweight double in Boston (Josh Konieczny and Andrew Campbell) qualifying that boat class to compete in the Rio Olympics where they had the best finish of a US LM2X ever by a fifth place finish in the Grand Finals.

At present Scott, his wife Daniela and their three children live on a 63-acre farm in Warren, RI. His other life pursuits revolve around making art and restoring an old stone house and conserving the adjoining farmland.

## Bruce Epke

Bruce graduated Wharton School of the University of Pennsylvania in 1978 with a B.S. in . His rowing accomplishments are many and include the following:

- 1975 EARC and IRA freshman 8 champs
- 1978 Kennedy Cup champs, U.S.N.A. National Big Boat Sailing Championship
- 1980 U.S. Olympic Rowing; 4 w/o coxswain
- 1981 U.S. National Rowing; 4 w/o coxswain
- 1982-1983 Grinder, 12M yacht *Defender*, America's Cup Defender Selection Trials, Newport, RI
- 1984 U.S. Olympic Rowing Trials 2 + , Second place
- 1987 Mastman, 12M yacht USA; Semifinalist America's Cup Challenger Selection Series, Fremantle, Western Australia
- 1988-89 Operations Mgr., *The Ultimate Yacht Race*, Corpus Christi, TX; San Francisco, CA; New London, CT
- 1990-92 Mastman, Boat Captain, Production Asst. in the Tri-Star feature film WIND, filmed aboard various 12M yachts in Fremantle, WA; Newport, RI, Honolulu, HI
- 1995 Mastman, IACC yacht Young America ; America's Cup Defender Series, San Diego, CA

## **BORIS KOSTURIC**

Boris was born and raised in Belgrade Serbia, where he began his rowing career at the Red Star rowing club in 1992. From 1995 to 2002 he was on the Yugoslavian National team. Then in 2000 Kusturic came to the United States to study and row at Dowling College on a full scholarship. From Dowling he graduated magna cum laude with a B.A. in Marketing and Management and Business Administration.

Since graduation Boris has been rowing and coaching at the elite level for over 20 years, working with athletes of all backgrounds, including novice, junior, club, collegiate, master and elite.

Kusturic began his coaching career as the head coach at St. John the Baptist Diocese High School in New York. He would later coach at Boston College freshman coach (2004), Harvard 150's freshman assistant (2005), Riverside Boat Club Women's Sweep head coach (2006), Community Rowing Jr. Men's head coach (2007), West Side Rowing Club head coach (2008-2010), Harvard Heavyweight men's varsity assistant coach (2011), Wayland-Weston Varsity Girls head coach (2012-2014), Cambridge Boat Club Head Coach (2011-2016).

On top of these positions, Kusturic was also a coach for the US Junior National Team (2009, 2010, 2011), and started his own on-line coaching business, Interactive Rowing Coach, designed to give personalized training programs and advise to athletes anywhere.



*The Commonwealth of Massachusetts*  
**MASSACHUSETTS SENATE**  
MAJORITY WHIP

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TEL: (617) 722-1114  
FAX: (617) 722-1498  
MICHAEL.RODRIGUES@MASENATE.GOV  
WWW.MASENATE.GOV

April 27, 2018

Joseph E. Mullancy III  
Black Sheep Farm  
109 Cross Road  
Westport Harbor, MA 02790

Dear Mr. Mullancy:

Thank you for your efforts to establish a first-class rowing center on the South Watuppa, which would assist students applying to college, as well as serve as a source of economic development for the community as a whole. I would like to take this opportunity to offer my full support for your proposal.

I agree providing scholarship funding to young women who row would be very beneficial to our community. As you noted, this proposal would enable Fall River to create the first boathouse in the country dedicated primarily to high school students from families of modest incomes. This would bring thousands of visitors to the area to watch regattas. Not only would this allow us to showcase the natural beauty of Watuppa Pond, but it would also generate significant economic activity for the area.

You can count on my full-fledged support for your efforts. If there is anything I can personally do to assist you in any way with this project, please do not hesitate to call me directly. I look forward to joining you on October 13<sup>th</sup> for your first regatta.

Sincerely,

*Michael J. Rodrigues*  
Michael J. Rodrigues  
SENATE MAJORITY WHIP

cc: Senator Anne Gobi  
Representative Antonio Cabral  
Representative Carole Fiola  
Representative Patricia Haddad  
Representative Paul Schmid  
Representative Alan Silva

Chairman  
SENATE COMMITTEE ON ETHICS

DISTRICT OFFICES

ONE COMMONWEALTH CENTER  
ROOM 1000  
FALL RIVER, MA 02722  
TEL: (508) 646-0650  
FAX: (508) 646-0936

SOMERSET TOWN HALL  
100 NORTH STREET  
SOMERSET, MA 02716  
TEL: (508) 577-8408



4



*The Commonwealth of Massachusetts*

HOUSE OF REPRESENTATIVES  
STATE HOUSE, BOSTON, MA 02133-1054

PAUL A. SCHMID  
REPRESENTATIVE  
8TH BRISTOL DISTRICT

STATE HOUSE, ROOM 466  
TEL: (617) 722-2017  
Paul.Schmid@MAhouse.gov

Vice Chairman  
Committee on State Administration  
and Regulatory Oversight

Committees:  
Public Health  
Public Service  
Children, Families and  
Persons With Disabilities

May 9, 2018

Joseph E. Mullaney  
Black Sheep Farm  
109 Cross Road  
Westport Harbor, MA 02790

Dear Mr. Mullaney: Joe

It was a pleasure to meet with you to discuss your plans for the Bay Coast Rowing Center. I think your plans to combine rowing with academic tutoring will make a big difference in the lives of many of our students in the South Coast area, and the prospect of attracting 10,000 to 20,000 first-time visitors several times a year to watch regattas on the South Watuppa is exactly the kind of economic growth we are looking for. Your inclusion of athletes with physical and/or cognitive limitations, including participants in the Wounded Warriors project, only makes the project that much more valuable to the community.

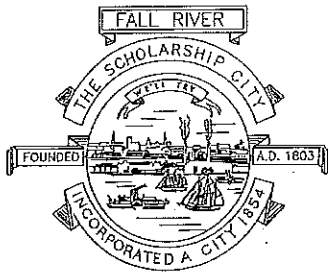
I am very supportive of this initiative. I was happy to secure a \$300,000 earmark in the current draft version of the environmental bond bill to help further this project along. While nothing is ever certain here on Beacon Hill, I'm confident that working together we can get this accomplished. I will continue to offer my support to my colleagues so that we may bring this to the finish line.

I applaud your efforts to make this a reality and trust you will not hesitate to contact me if I may be of help in any way.

Thank you again for your efforts.

Sincerely,

*Paul Schmid*  
PAUL A. SCHMID  
State Representative,  
8<sup>th</sup> Bristol District



City of Fall River  
Massachusetts  
City Council

5a

RECEIVED

2018 JUN -7 P 5:01

CITY CLERK  
FALL RIVER, MA

CLIFF PONTE  
*President*  
*City Council*

June 6, 2018

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

Honorable Members of the City Council:

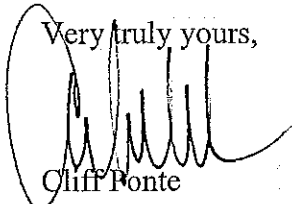
I hereby request the confirmation of the City Council for the following appointment:

Name: City Councilor Steven A. Camara

Address: 55 LeBaron Street, Fall River, MA 02720

To: Special City Charter Committee  
*Pursuant to Section 10-5 (m) of the City Charter*

Very truly yours,

  
Cliff Ponte  
President  
City Council



**City of Fall River**  
**Massachusetts**  
**City Council**

5b

RECEIVED

2018 JUN -7 P 5:01

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

**CLIFF PONTE**  
*President*  
*City Council*

June 6, 2018

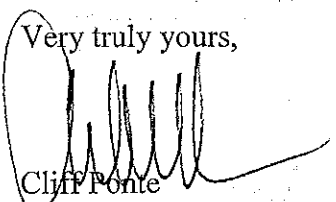
Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02722

Honorable Members of the City Council:

I hereby request the confirmation of the City Council for the following appointment:

Name: City Councilor Stephen R. Long  
Address: 1147 Meridian Street, Fall River, MA 02720.  
To: Special City Charter Committee  
*Pursuant to Section 10-5 (m) of the City Charter*

Very truly yours,

  
Cliff Ponte  
President  
City Council



**City of Fall River**  
**Massachusetts**  
**City Council**

RECEIVED

2018 JUN -1 P 5:01

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

**CLIFF PONTE**  
*President*  
*City Council*

June 6, 2018


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

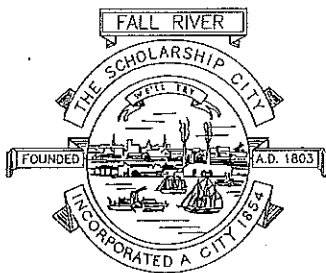
Honorable Members of the City Council:

I hereby request the confirmation of the City Council for the following appointment:

Name: City Councilor Derek R. Viveiros  
Address: 1557 Robeson Street, Fall River, MA 02720  
To: Special City Charter Committee  
*Pursuant to Section 10-5 (m) of the City Charter*

Very truly yours,

  
Cliff Ponte  
President  
City Council



**City of Fall River**  
**Massachusetts**  
**City Council**

5d

RECEIVED

2018 JUN -7 P 5:01

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

**CLIFF PONTE**  
*President*  
*City Council*

June 6, 2018

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

Honorable Members of the City Council:

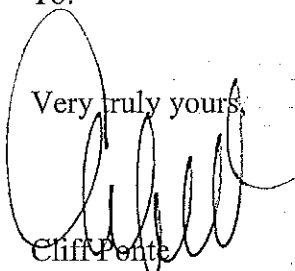
I hereby request the confirmation of the City Council for the following appointment:

Name: Eric Poulin

Address: 103 18<sup>th</sup> Street, Fall River, MA 02723

To: Special City Charter Committee  
*Pursuant to Section 10-5 (m) of the City Charter*

Very truly yours,

  
Cliff Ponte  
President  
City Council

**Eric M. Poulin**  
**103 Eighteenth Street**  
**Fall River, MA 02723**  
**508-558-8463**

**E-mail: hopeforfallriver@yahoo.com**

## EDUCATION

University of Massachusetts Dartmouth, North Dartmouth, MA  
Bachelor of Arts with major in Political Science, Class of 2000

- Graduated Magna Cum Laude
- Member of Pi Sigma Alpha (The National Political Science Honor Society)
- Certified Public Housing Manager (P.H.M.) by the National Association of Housing and Redevelopment Officials (NAHRO) obtained February 2003
- Skilled in Microsoft Office (Word, Excel, PowerPoint, Publisher & Outlook)

## WORK EXPERIENCE

July 2014 to Present

### **Bristol County District Attorney's Office** **Program Manager, Community Affairs Unit**

- Design, implement and maintain prevention programs and initiatives that aim to decrease victimization, delinquent behavior and recidivism through awareness and education
- Develop and maintain community relationships with key stakeholders
- Serving on committees aligned with the Unit's mission particularly groups that were formed to prevent elder abuse, suicide and bullying
- Plan and organize an annual elder conference, a bullying prevention training for the county's teachers and administrators and a networking event for partners in the field of suicide prevention
- Oversee the office's community funding program
- Representing the office at meetings, community events and other functions especially in the Greater Fall River area
- Researching evidence-based prevention programs and seeking and maintaining professional and technical knowledge in the subject areas that are important to the Unit in order to identify trends and courses of action
- Researching data for grant proposals

January 2010 to January 2014

**City of Fall River, MA  
City Councilor**

- Attend regular council meetings, special meetings and subcommittee meetings and Chaired the Subcommittee on Ordinances and Legislation for 2 years, the Council's busiest committee through which all proposed ordinances/legislation must pass
- Review, make recommendations as necessary and vote on the city's budget which was nearly \$250 million dollars
- Vote on loan orders and appropriating funds
- Vote to grant licenses, accept streets and convey real estate
- File and vote on resolutions requesting another governmental agency or official to take certain action(s)
- File and vote on resolutions making recommendations to various city departments and/or commending persons for their achievements (citations)

March 2010 to October 2013

**Commonwealth of MA, House of Representatives  
Legislative Aide, Sixth Bristol District**

- Conduct research and prepare briefing materials
- Manage the Representative's schedule
- Facilitate and coordinate communication between the Representative, legislators, staff, state officials, agency personnel and stakeholders
- Serve as a liaison between the Representative and constituents and research, analyze and answer constituent inquiries and interact with various state agencies to meet the needs of constituents and of the district
- Maintain confidentiality of office files and information received
- Represent the office at legislative and community events
- Work with State Representatives and State Senators and their staff on developing, editing, and proofreading legislation, amendments to legislation, press releases, speeches and other written office work product including graphics/presentation materials
- Manage special projects and other administrative tasks while paying sufficient attention to detail to accurately, thoroughly and efficiently complete these assignments

October 2008 to March 2010

**Community Care Services, Inc., Taunton, MA**  
**Grant Writer**

- Researching and writing grants/applications for funding from federal, state and local governments as well as private foundations
- Secured \$5 million in funding from the State of CT for Foster Care services
- Secured \$280,000.00 in funding from the City of New Bedford for Homelessness Prevention & Rapid Re-Housing
- Secured \$150,000.00 in HOME funding for an 18-unit housing development
- Secured \$115,000.00 in funding from the United Way for agency programs
- Secured \$102,550.00 in HOME funding for a 7-bed family shelter
- Secured \$13,000.00 in Community Development Block Grant funding for agency's transportation subsidiary, Community Care-A-Vans
- Secured multiple contracts with local elder services agency, ultimate dollar value depended on number of referrals

January 2008 to August 2008

**Apollo Safety, Fall River, MA**  
**Administrator**

- Executed a short-term contract with owners to assist with needed restructuring
- Immediately interviewed all employees regarding their roles and responsibilities in the company
- Worked with staff to improve the company's collections process
- Developed task lists for employees to complete each day
- Supervised 12 employees
- Recommended that the company hire a Chief Financial Officer (CFO) and recruited and hired company's first-ever CFO
- Worked with CFO to downsize staffing and to recruit new positions: Executive Secretary, Master Electrician and Data Entry Clerk
- Assisted with marketing efforts such as direct mail and call campaigns/telemarketing which led to securing contracts for the installation of gas detection equipment at seven nursing homes/assisted living facilities
- Assisted with preparing a Request for Proposal to the State of CT which led to securing a contract with several Fire Departments in the state
- Researched issues/trends within the safety industry for management and made recommendations



May 2001 to December 2007

**Community Development Agency/Mayor's Office  
City of Fall River, Fall River, MA  
Community Outreach Coordinator**

- Worked with the city's Community Development Agency (CDA) on affordable housing and homelessness programs and initiatives
- Assisted the CDA with press conferences, press releases, media advisories and distributed information to the general public as it related to the promotion of their programs
- Planned and organized mayoral press conferences
- Wrote press releases, media advisories, public statements, letters and other mayoral correspondence
- Screened media inquiries to the Mayor and responded when appropriate
- Represented the Mayor at functions when he was not able to attend, gave speeches, prepared and read citations and proclamations
- Research and policy analysis on a number of issues, especially those dealing with: Education, Energy Policy, the Environment, Homelessness, Housing, Urban Planning, Urban Renewal and Youth-Related initiatives
- Worked with State Representatives and State Senators on legislation and other issues pertinent to Fall River
- Worked with the City of Fall River's Solid Waste Task Force and Liquefied Natural Gas (LNG) Task Force in a liaison capacity, provided research as needed and served as the Mayor's liaison relative to corresponding with FERC, (The Federal Energy Regulatory Commission) and with other appropriate federal, state and local agencies
- Involved in the planning, organizing and implementation of special events and projects, including: the first-ever Mayor's Youth Corps, the annual Fall River Education Summit, Fall River's Olympic Torch Relay 2001, *First Night* Fall River 2002, 2003, 2004, 2005 & 2006. Also, the SouthCoast Regional Skills Summit, which was a collaboration between the mayors of Fall River & New Bedford, the event focused on Adult Basic Education and English as a Second Language and other workforce development initiatives
- Responsible for the planning, organizing and implementation of the Fall River Office of Volunteerism, responsibilities included: volunteer recruitment, volunteer placement, planning events and overseeing other day-to-day activities
- Ad layout and graphic design, included designing, laying out and writing all of the Mayor's materials which appeared in various books, pamphlets and brochures and also designed the logos for the Mayor's Youth Corps and the Fall River Office of Volunteerism

August 2000 to April 2001

**Taunton Federal Credit Union, Taunton, MA  
Outreach Coordinator, Marketing Department**

- Interacted with company contacts and serviced members involved in the Credit Union's Outreach Program. (Approximately 178 companies/groups and over 3,500 members)
- Visited monthly with 300 fourth grade students to teach the Saving Makes "Cents" curriculum that was sponsored by former State Treasurer Shannon P. O'Brien
- Programmed and ran monthly reports on all new/closed accounts and reported the results to the Board of Trustees
- Chairperson of Lobby Committee, responsible for organizing lobby promotions
- Coordinated and tracked direct mail efforts
- Selected and ordered promotional merchandise
- Loan Officer with authority to approve loans up to \$25,000.00

June 1996 to August 2000

**Citizens-Union Savings Bank (BayCoast), Fall River, MA  
Teller/Customer Service Representative**

- Knowledge of general ledger debits and credits
- Understanding cash disbursements/cash receipts
- Assisted in counting large cash shipments
- Addressed bank policies and products through presentations to other employees
- Researched topics such as the Y2K virus and on-line banking for management
- Experience in acting as representative of company during charity events such as Citizens-Union Savings Bank's annual "The Walk For Food and Shelter" and also the Bristol County Corporate Olympiad to benefit Special Olympics
- Assisted in the training and development of several new employees
- Cross-sold bank products to customers
- Processed various transactions

5e

City of Fall River  
Massachusetts  
City Council



CLIFF PONTE  
President  
City Council

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2018 JUN -7 P 5:01

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

June 6, 2018

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

Honorable Members of the City Council:

I hereby request the confirmation of the City Council for the following appointment:

Name: Michael Miozza

Address: 84 Holland Street, Fall River, MA 02720

To: Special City Charter Committee  
*Pursuant to Section 10-5 (m) of the City Charter*

Very truly yours,

Cliff Ponte  
President  
City Council

**MICHAEL L. MIOZZA, CSP, CPEA, CSHM  
RISK CONSULTANT  
HEALTH & SAFETY SOLUTIONS INC.**

**PROFESSIONAL PROFILE:**

Mr. Miozza has more than 20 years of experience in environmental health & safety (EHS), loss control and risk management – with special expertise in manufacturing practices and procedures. He assists clients with health and safety surveys/audits, hazard recognition and risk assessments, loss control, EHS compliance and training services. Mr. Miozza is located in Fall River, Massachusetts.

**PROFESSIONAL CERTIFICATIONS:**

- Certified Safety Professional, #19114, Board of Certified Safety Professionals
- Certified Hazard Control Manager, #2857, Board of Hazard Control Management
- Certified Professional Environmental Auditor, #631, Board of Environmental, Health & Safety Auditor Certifications
- Certified Safety and Health Manager, #1116, National Safety Management Society
- Certified Environmental Compliance Manager, #6204, Southern Columbia University
- Certified Ergonomics Specialist, National Association of Safety Professionals
- Certified Industrial Hygiene Manager, #6204, Southern Columbia University

**PROJECT EXPERIENCE:**

**Environmental Health and Safety:** Instituted corporate EHS program for a technology company's 61 domestic locations. Developed new hire safety orientation program. Established Hazard Communication Program to include companywide electronic database. Served as ISO 14001:2004 Environmental Manager Representative.

Responsible for developing and administering all EHS policies/programs for thermal appliance manufacturer. Ensured facilities' compliance with governmental regulatory agencies. Handled all hazardous waste control and disposal activities.

Coordinated a power protection company's EHS programs – covering nine locations and about 3,500 employees.

Coordinated all phases of EHS for a bottling company – including Occupational Health & Safety Administration (OSHA) compliance and security for 2,800 employees and 19 facilities.

Performed office and industrial ergonomic assessments and applied ergonomic principles to develop solutions. Prior experience in medical device manufacturing environment.

**Loss Control and Risk Management:** Performed multi-line underwriting surveys and consultative surveys for insurance carrier/broker clients.

Helped reduce a technology company's workers' compensation expense by more than \$500,000 over two years.

Responsible for power protection company's national workers' compensation program. Prevented Florida sites from entering risk pool – saving company about \$300,000.

Reduced bottling company's lost-time accident rate from 14.3% to 8.6%. Evaluated workers' compensation claims; decreased expense 60%.

**Education and Training:** Conducted EHS training for managers, team facilitators and employees.

Authorized OSHA General Industry Safety and Construction Safety Trainer.

Instructor at Bristol Community College, Community College of Rhode Island, and Massachusetts Safety Council.

Registered Safety Training specialist by the National Association of Safety Professionals.

## EDUCATION:

M.S., Management, Lesley University, Cambridge, MA, 2000  
 B.S., Management, University of Massachusetts, North Dartmouth, MA, 1998  
 OSHA 29 CFR 1910.120 Training: 40-Hour Hazardous Waste Operations and Emergency Response Course  
 Certification Courses: Bau-biologie (green building) Environmental Inspector; Certified Safety and Health  
 Official for General Industry; Environmental Lead Inspector; ISO 14001:2004 Lead Auditor; ISO 9001  
 Auditor; RABQSA Qualification Based Environmental Auditor

## EMPLOYMENT HISTORY:

- 1998 – Present Health & Safety Solutions; Fall River, MA; Environmental, Health & Safety Consultant
- Performed various environmental, health and safety activities for a variety of clients
- 2013 – 2014 York Risk Services Group, Inc.
- Conducted underwriting surveys and consultation services for clients of insurance carriers and brokers.
- 2006 – 2013 GTECH Corporation; West Greenwich, RI; Senior Manager, Environmental Health and Safety
- Instituted a company-wide EHS program for 61 domestic locations.
  - Developed a new hire safety orientation program.
  - Contributed to safety e-Learning programs.
  - Established a Hazard Communication Program to include a companywide electronic database.
  - Company ISO 14001:2004 Environmental Manager Representative
  - Reduced workers compensation expense over \$500,000 in 2 year period
- 2002 – 2006 Taco, Inc.; Cranston, RI; Safety and Environmental Director
- Responsible for developing and administering all safety and environmental policies and programs.
  - Ensure the three facilities comply with governmental regulatory agencies.
  - Handled all hazardous waste control and disposal activities.
- 2002 – 2003 Regional Reporting, Inc; South Windsor, CT; Independent Consultant
- Conducted underwriting surveys and consultation services for clients of insurance carriers and brokers.
- 1998 – 2002 American Power Conversion; West Kingston, RI; Corporate Environmental, Health and Safety Director
- Coordinated the Health and Safety Program for nine domestic locations covering 3,500 employees.
  - Responsible for handling workers' compensation for entire workforce located in United States.
  - Prevented Florida sites from entering risk pool thereby saving company \$300,000.
  - Conducted Health and Safety training for managers, team facilitators and employees.

1988 – 1998 Coca-Cola Bottling Company of New England; Needham, MA; Senior Human Resource Representative

- Responsible for all human relations functions in a union environment covering 200 employees.
- Participation in labor relations including arbitration, grievance proceedings and contract negotiations. Responsible for enforcement of progressive discipline in the facility.
- Coordinated all phases of safety and health including OSHA and security covering 2,800 employees and 19 union and non-union sites.
- Reduced division lost time accident rate from 14.3% to 8.6%.
- Evaluation of workers' compensation claims for settlement up to \$250,000.
- Decreased workers' compensation expense from \$5.7 million to \$2.3 million.

#### Transportation-Warehouse Manager

- Responsible for the daily delivery of product to seven sales centers and other outside companies. Supervised a night supervisor and inventory supervisor.
- Developed inventory and other control systems resulting in distribution exceeding projections.

1986 – 1988 Atlantic Soft Drink Company; Augusta, GA; Warehouse Manager

- Responsible for all warehouse processes, inventory control, maintenance of buildings, equipment, grounds and overall supervision of management and hourly personnel under my responsibility.
- Supervised a night warehouse supervisor and 20 warehouse employees.

1984 – 1986 Anthony Distributors, Inc; Tampa, FL; Operations Manager

- Coordinated all phases of personnel management and maintenance of facility, equipment, grounds, and security.
- Managed two supervisors, three administrative personnel and fifteen warehouse employees.

#### PROFESSIONAL AFFILIATIONS:

American Industrial Hygiene Association  
 American Society of Safety Engineers  
 Institute for Safety and Health Management  
 Massachusetts Safety Council – Member; SHE Committee  
 National Fire Protection Association  
 Safety Association of Rhode Island

#### PUBLICATIONS:

“Protecting Employees, Customers, Contractors & the Bottom Line”, *The Advisor*, ASSE, Volume 13, Number 3, 2014.

*Safety Doesn't Have to be Difficult!: A Recipe for Creating a Strong and Sustainable Safety Management System*, 2014.

“Safety Management: Keep Your ‘I’s’ Focused”, *The Advisor*, ASSE, Volume 12, Number 2, 2013.

“The 12 ‘I’s’ of Workplace Safety: Insights into Creating an Effective Safety Management System”, 2010.

“The Carrot or the Soft Stick?: The Perspective of American Safety Professionals on Behavior and Incentive-Based Protection Program”, *Management Research News*, Vol. 25, No. 11/12, 2002

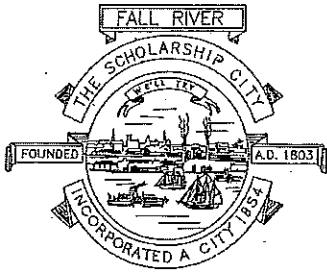
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2018 JUN -1 A 11: 20

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

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



***Planning Board***

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

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

**WILLIAM D. ROTH JR., AICP**  
*City Planner*

**Flagg Swamp Road – 61A Right of First Refusal**

June 1, 2018

**TO:** Alison Bouchard  
City Clerk

**FROM:** Brittany Faria  
Planning, Head Administrative Clerk

**RE:** **Fall River Planning Board Meeting  
May 31, 2018**

It is hereby certified by the Planning Board of the City of Fall River, Massachusetts, that at a duly called meeting of said Planning Board held a hearing on May 31, 2018, with a quorum present. Notice of the hearing was posted in the Government Center and on the Fall River City Website.

Said Meeting was to review notification of Purchase and Sales Agreement, submitted by Charles and Joan Swift, for Flagg Swamp Road property, pursuant to G.L. Chapter 61A, and to determine if the City should exercise their right to purchase, or refuse their right to purchase said property.

After a review of the proposal with City Planner, William D. Roth, Jr., comments and questions from the Planning Board. The Planning Board closed the meeting, moved, seconded and unanimously VOTED to recommend to City Council Not to exercise the Right of First Refusal, or to purchase the property in question.

Applicant:

Charles P. Swift  
Joan E. Swift  
8 Flagg Swamp Rd.  
East Freetown, MA 02717

Fall River Planning Board

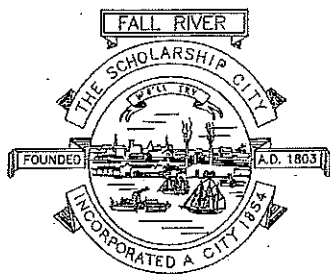
By: 

Keith Paquette, Chair

5-31-18

Dated





**City of Fall River  
Massachusetts**

**Department of Community Services**

PLANNING • HEALTH & HUMAN SERVICES  
LIBRARY • INSPECTIONAL SERVICES

RECEIVED

2018 JUN -1 A 11: 20

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

***Planning Board***

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

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

**WILLIAM D. ROTH JR., AICP**  
*City Planner*

**Prime Care P.C. Crosswalk Project**

May 31, 2018

**TO:** Alison Bouchard  
City Clerk

**FROM:** Brittany Faria  
Planning, Head Administrative Clerk

**RE:** **Fall River Planning Board Meeting**  
**May 09, 2018**

It is hereby certified by the Planning Board of the City of Fall River, Massachusetts, that at a duly called meeting of said Planning Board held a hearing on May 9, 2018, with a quorum present. Notice of the hearing was posted in the Government Center and on the Fall River City Website.

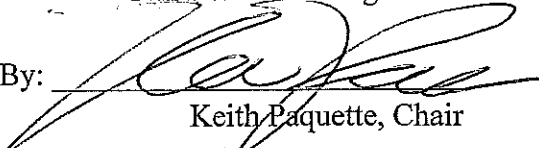
Said Meeting was to review a request by Prima Care P.C. for an obstruction within a right-of-way located at 277 Pleasant Street, between Assessor's Map N-23, Lot 2 and Map N-3, Lot 43. The proposal is a two phase mid-block crosswalk on Pleasant Street between Seventh and Eighth Streets. Phase 1 would consist of an at grade crosswalk consisting of a set of four pillars on each side of the road with an archway over Pleasant Street. Phase 2 would consist of a sky bridge connecting the existing building to a future parking deck.

After a review of the proposal from the Representative of the Applicant, comments and questions from the Planning Board. The Planning Board closed the meeting, moved, seconded and unanimously VOTED to support the request and send it to City Council for their review and approval.

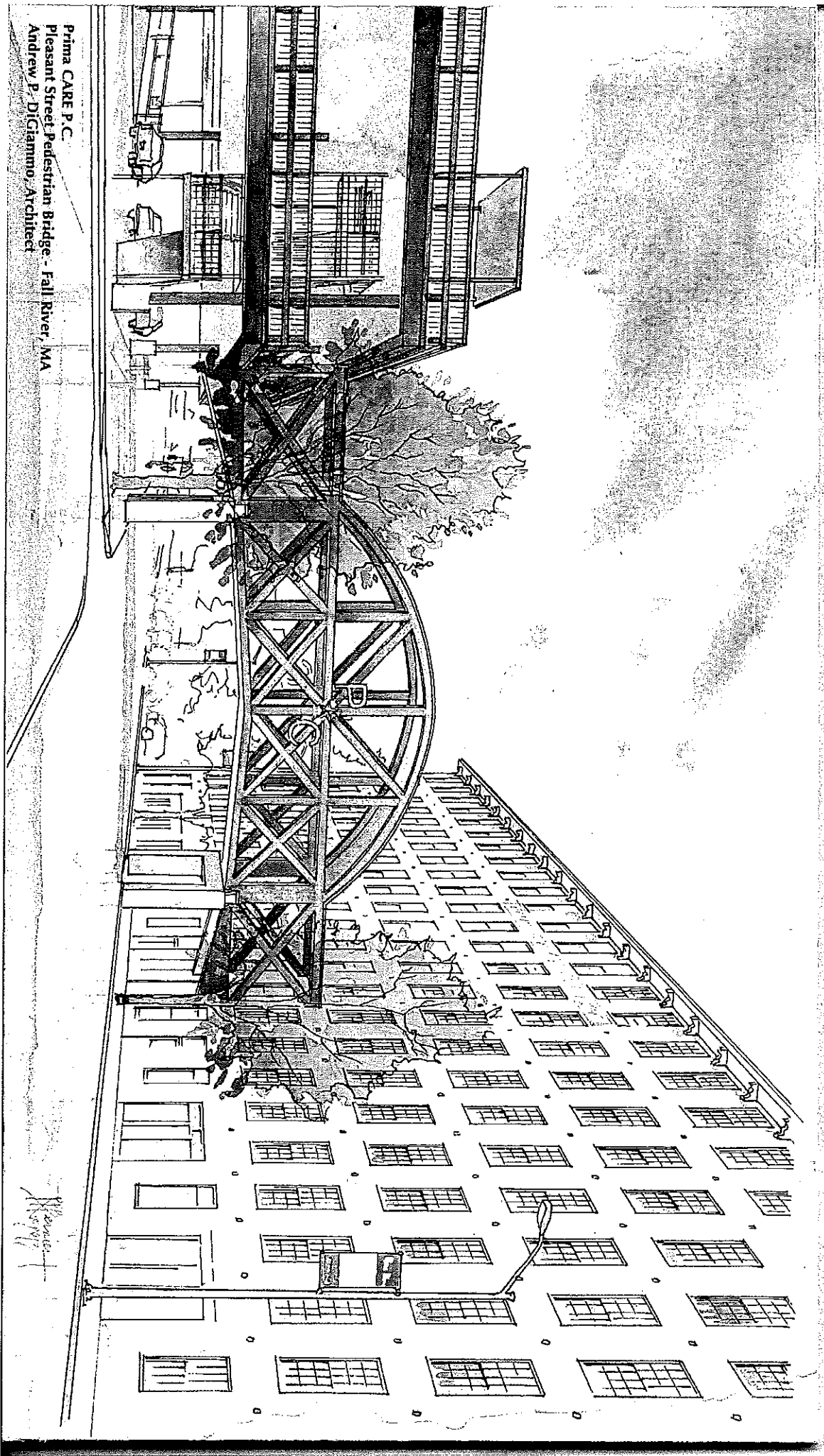
Plans Entitled: "Pedestrian Crosswalk Archway For Prima Care PC" prepared for Prima Care PC by Compass Group Architecture LLC, dated May 3, 2018 and architectural perspective renderings of the proposed crosswalk.

Applicant: Prima Care PC  
277 Pleasant Street  
Fall River, MA 02720

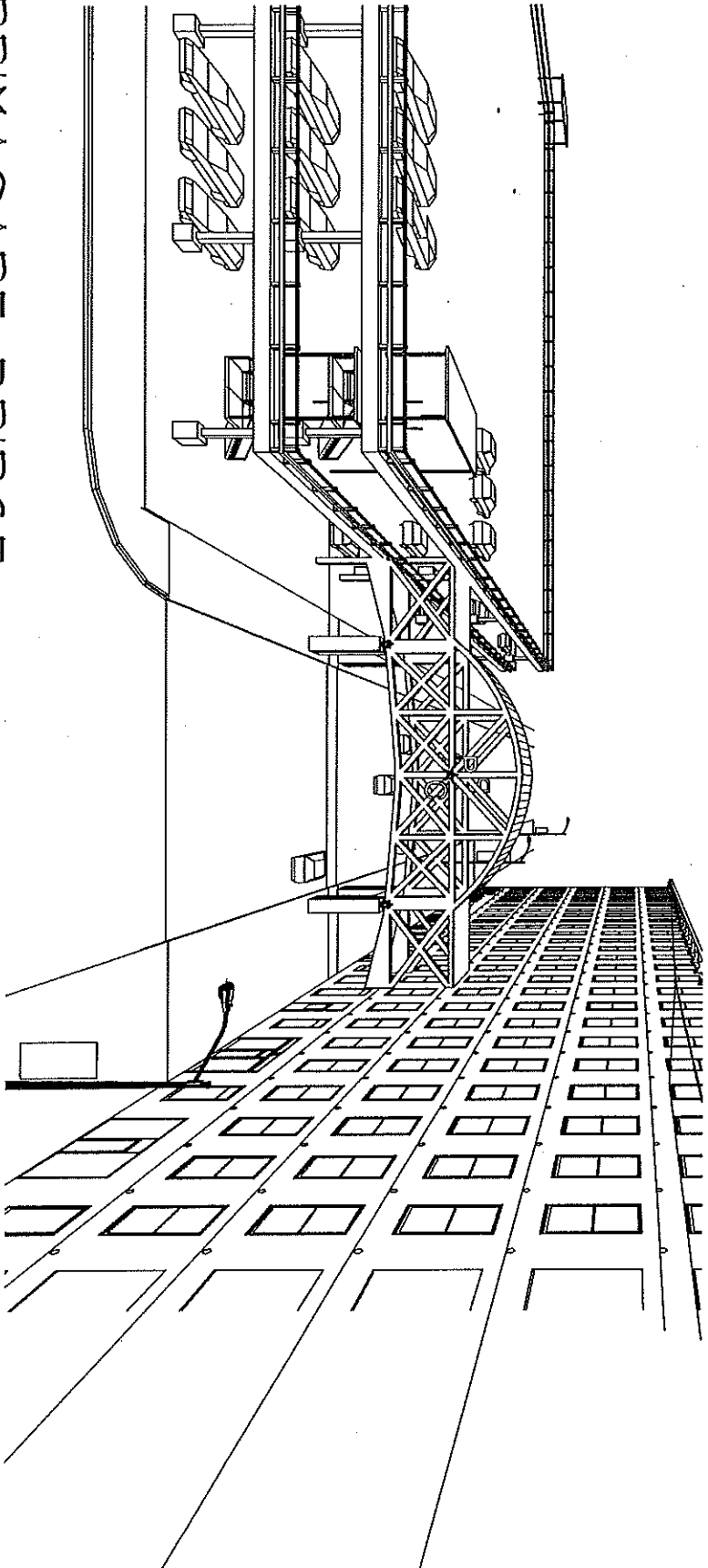
Representative: Andrew DiGiammo  
Compass Group Architecture LLC  
4 Causeway Road  
Assonet, MA 02702

Fall River Planning Board  
By:   
Keith Paquette, Chair  
5-31-18  
Dated

Prima CARE P.C.  
Pleasant Street Pedestrian Bridge - Fall River, MA  
Andrew P. DiGiannio, Architect



*DiGiannio*

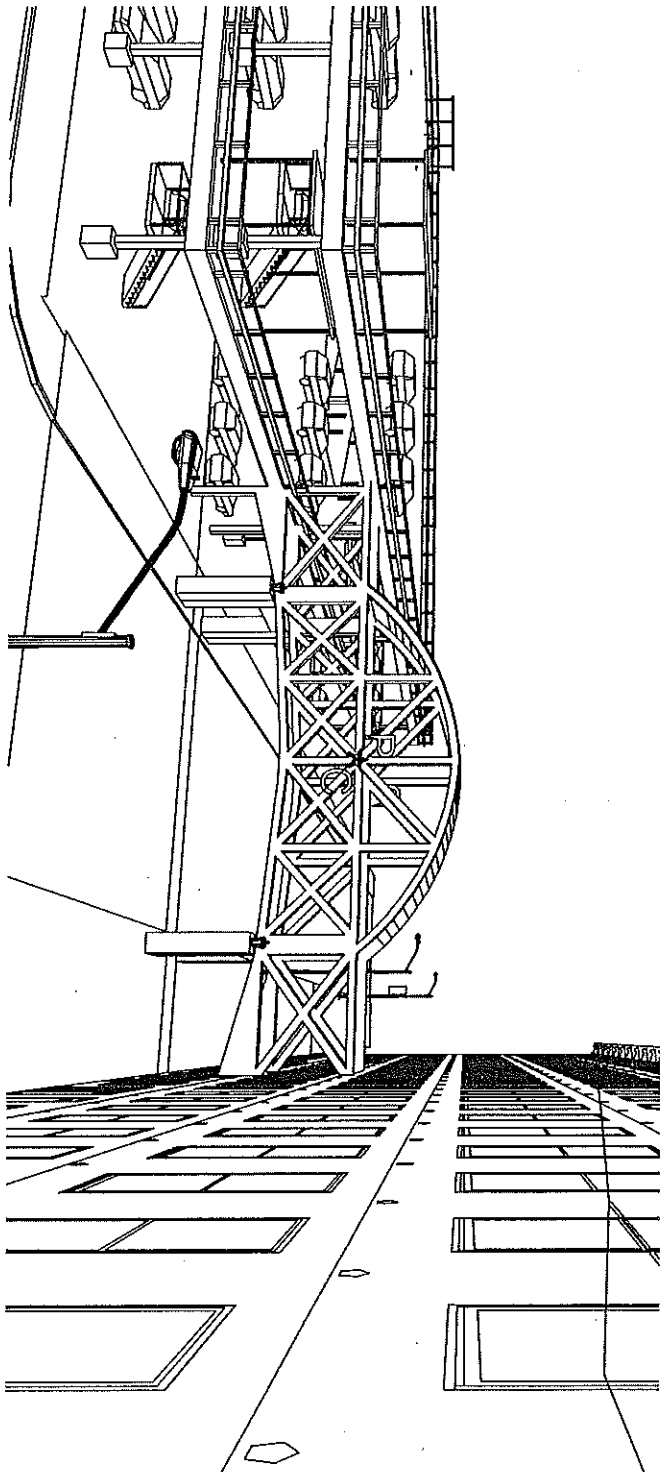


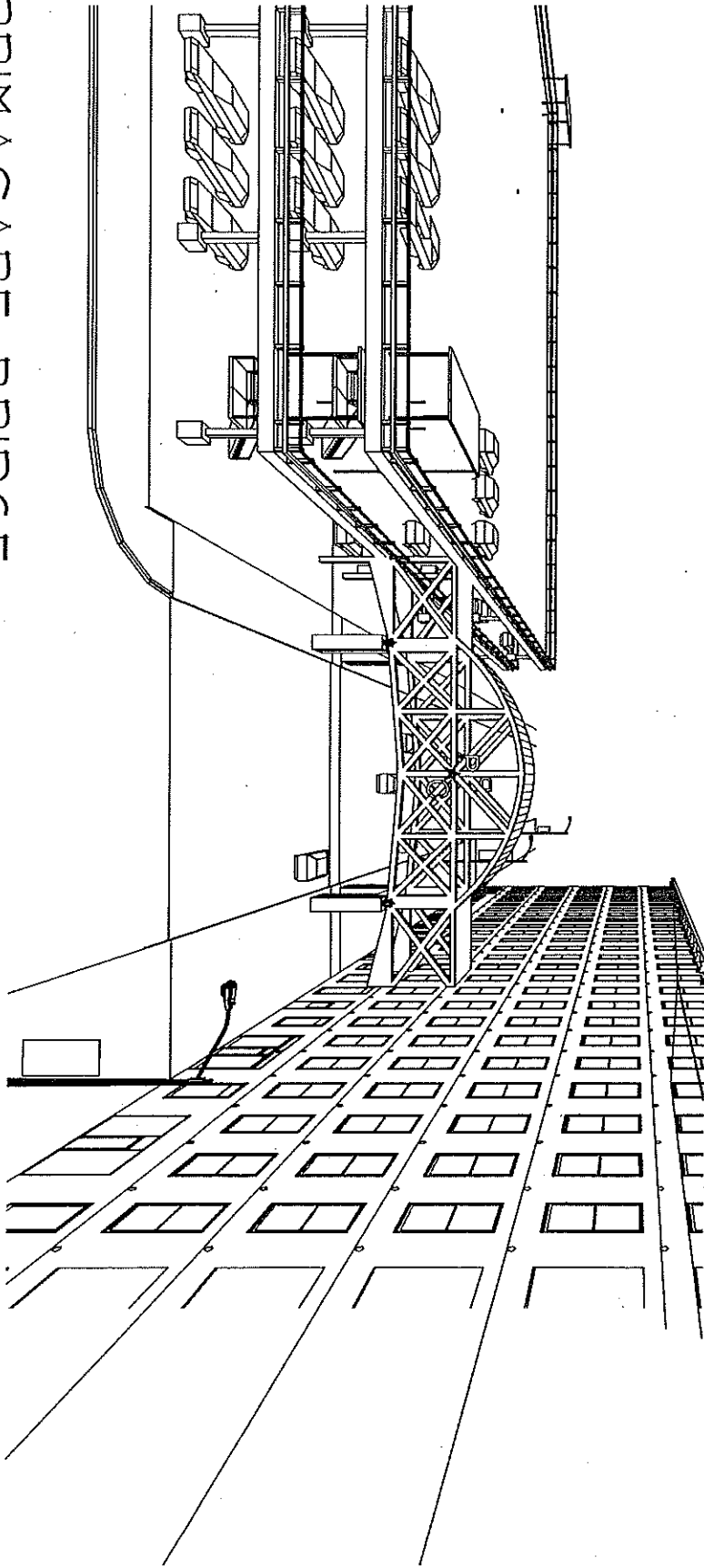
# PRIMACARE BRIDGE

SKETCH #6, JUNE 25, 2013

PRIMACARE BRIDGE

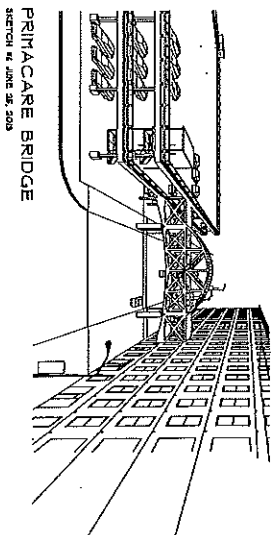
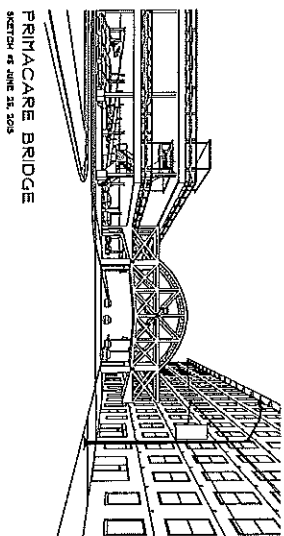
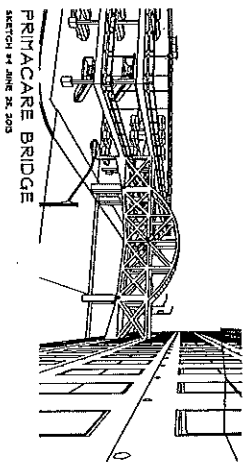
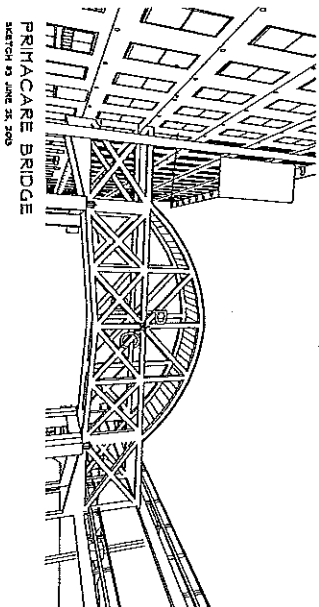
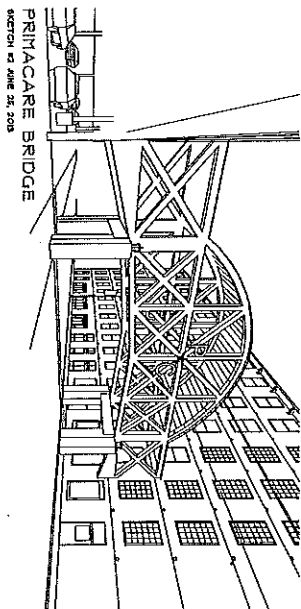
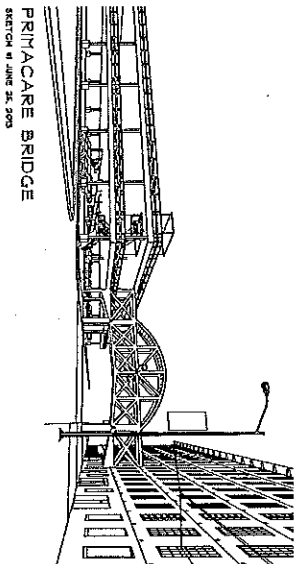
SKETCH #4 JUNE 25, 2013





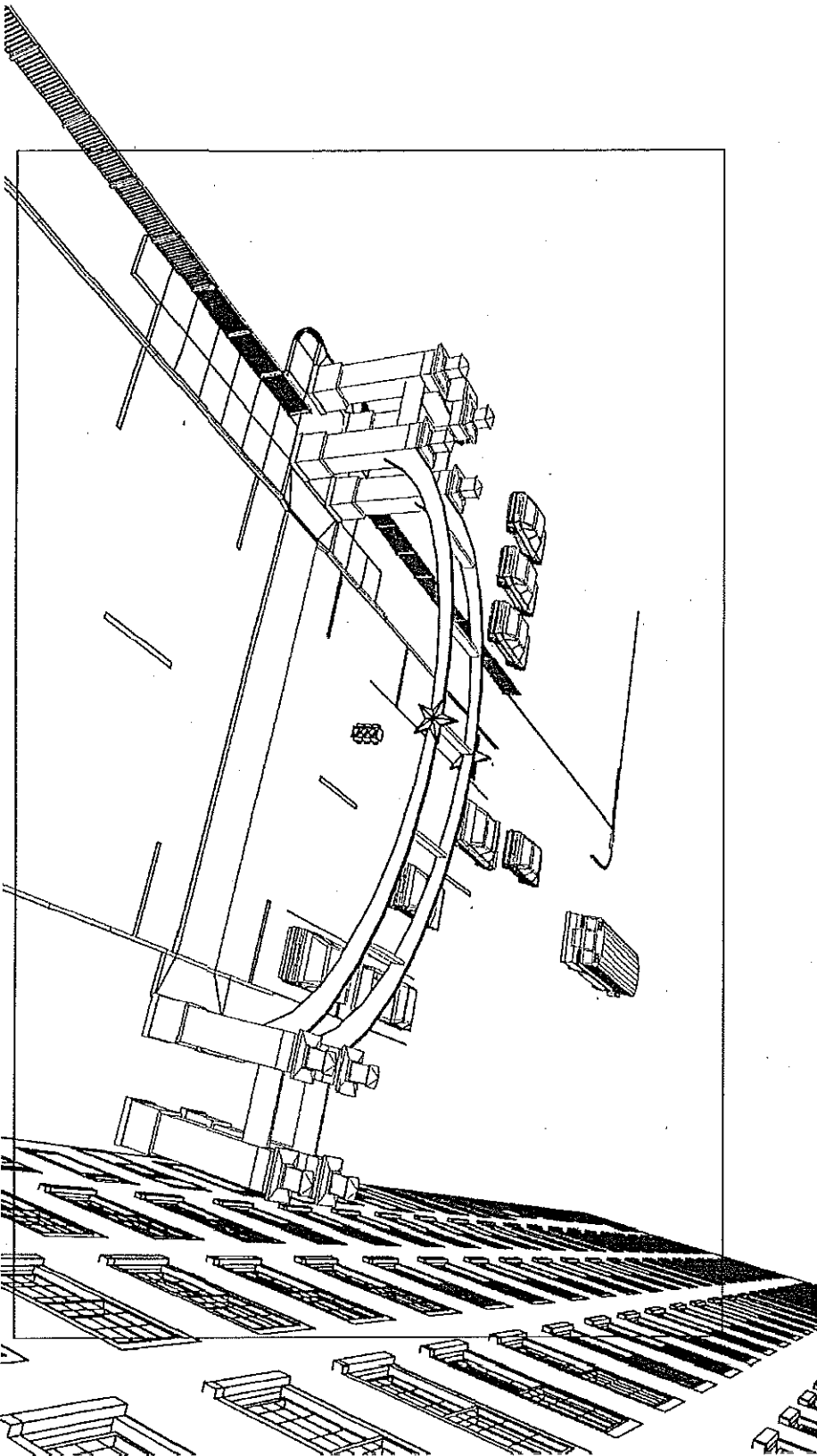
# PRIMACARE BRIDGE

SKETCH #6 JUNE 25, 2013



**Prima CARE MEDICAL CENTER**  
Pleasant Street - Fall River, Massachusetts  
**Compass Group Architecture LLC**

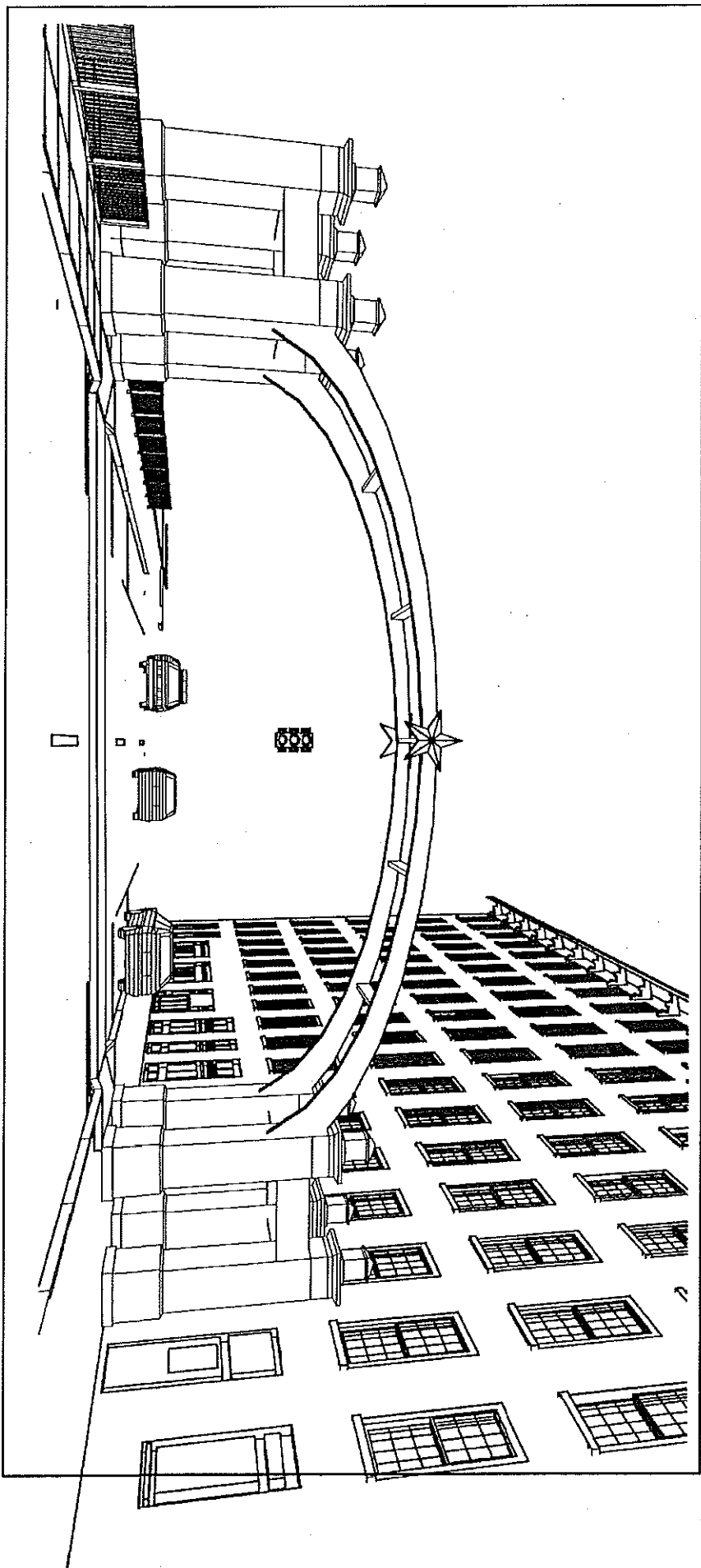
Sketch # 1 Aerial View. 5-4-2018





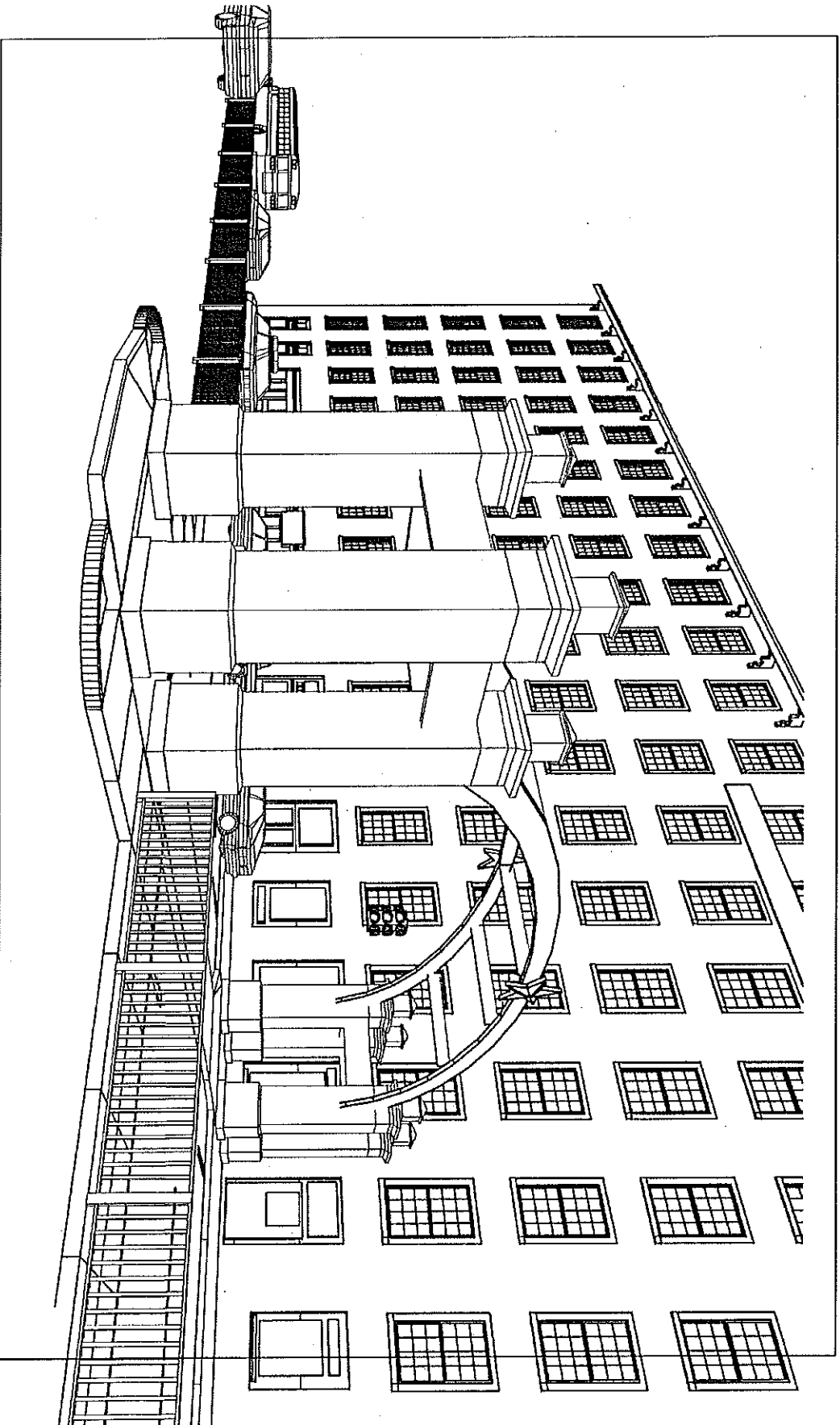
**Prima CARE MEDICAL CENTER**  
Pleasant Street - Fall River, Massachusetts  
**Compass Group Architecture LLC**

Sketch # 2 Street View. 5-4-2018



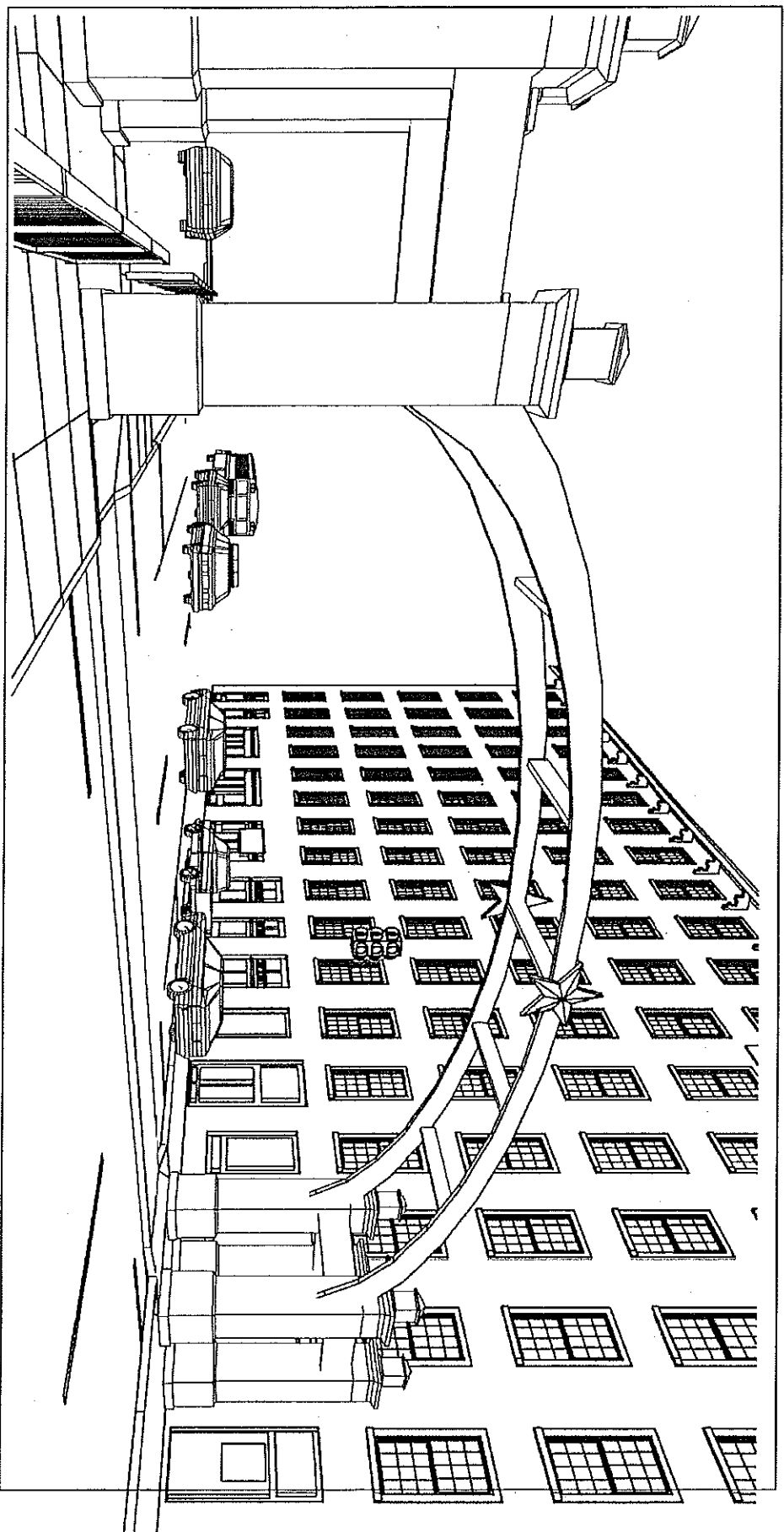
**Prima CARE MEDICAL CENTER**  
Pleasant Street - Fall River, Massachusetts  
**Compass Group Architecture LLC**

Sketch # 3 Parking View. 5-4-2018



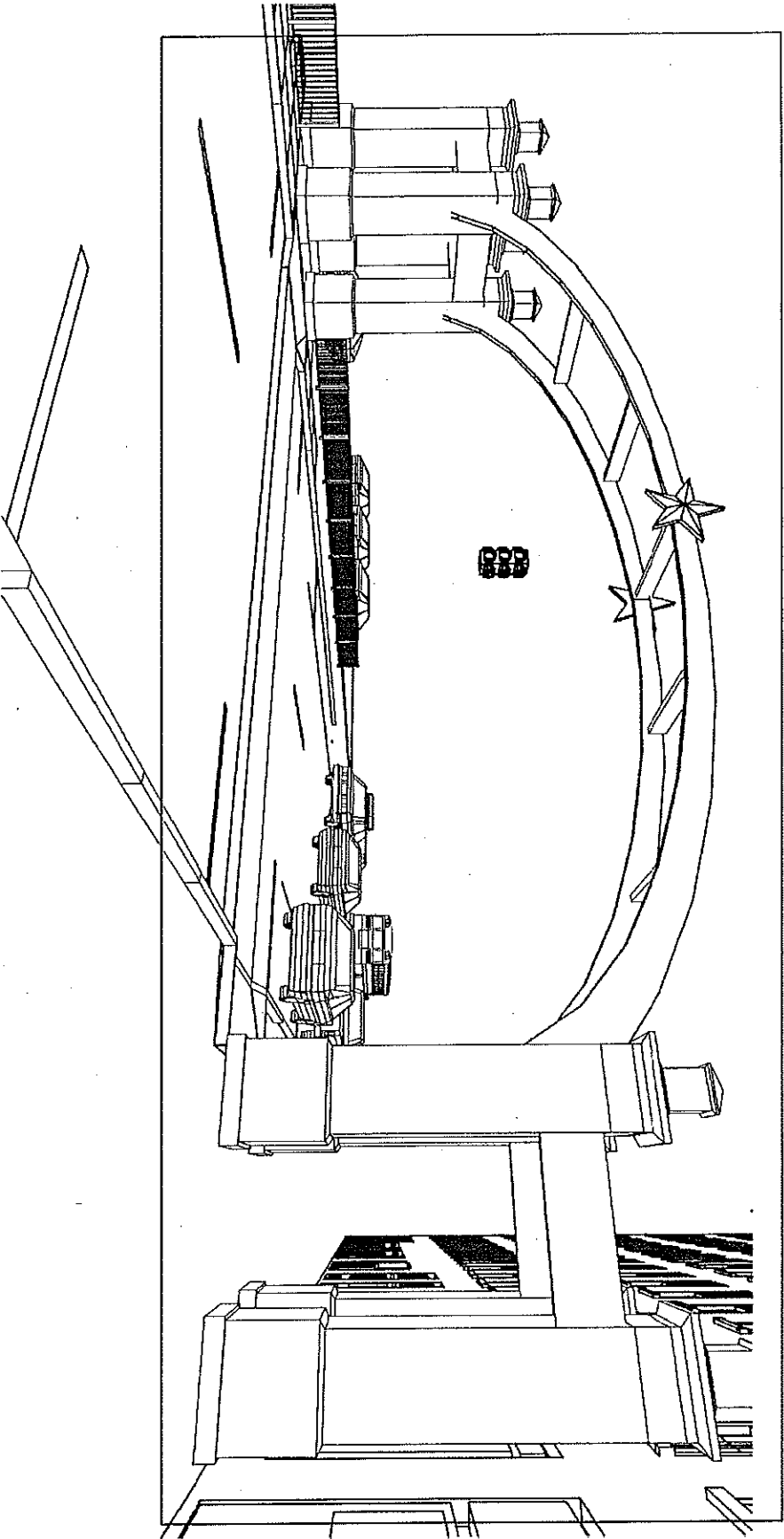
**Prima CARE MEDICAL CENTER**  
Pleasant Street - Fall River, Massachusetts  
Compass Group Architecture LLC

Sketch # 4 North Sidewalk Pedestrian Approach View. 5-4-2018



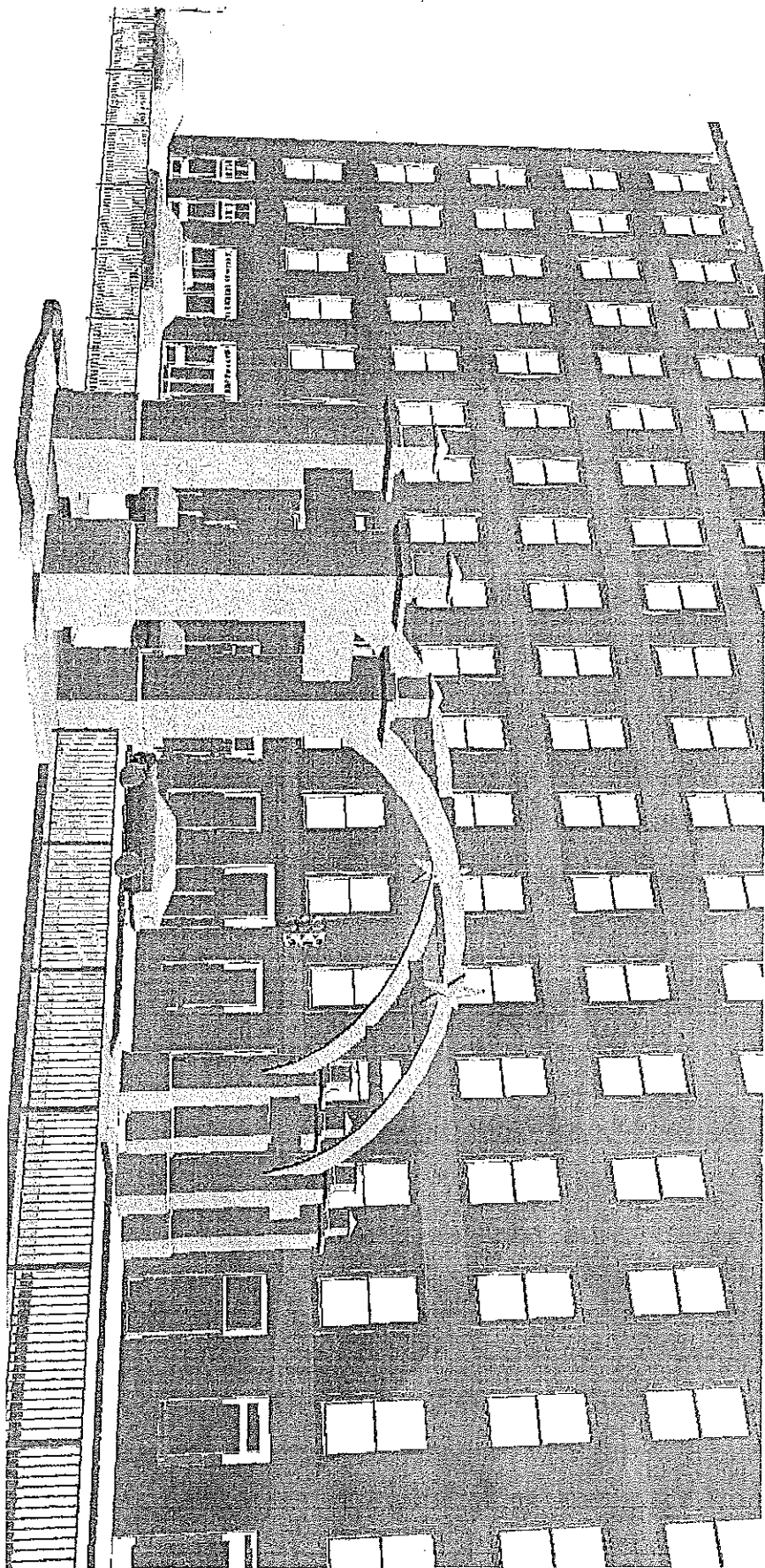
**Prima CARE MEDICAL CENTER**  
 Pleasant Street - Fall River, Massachusetts  
 Compass Group Architecture LLC

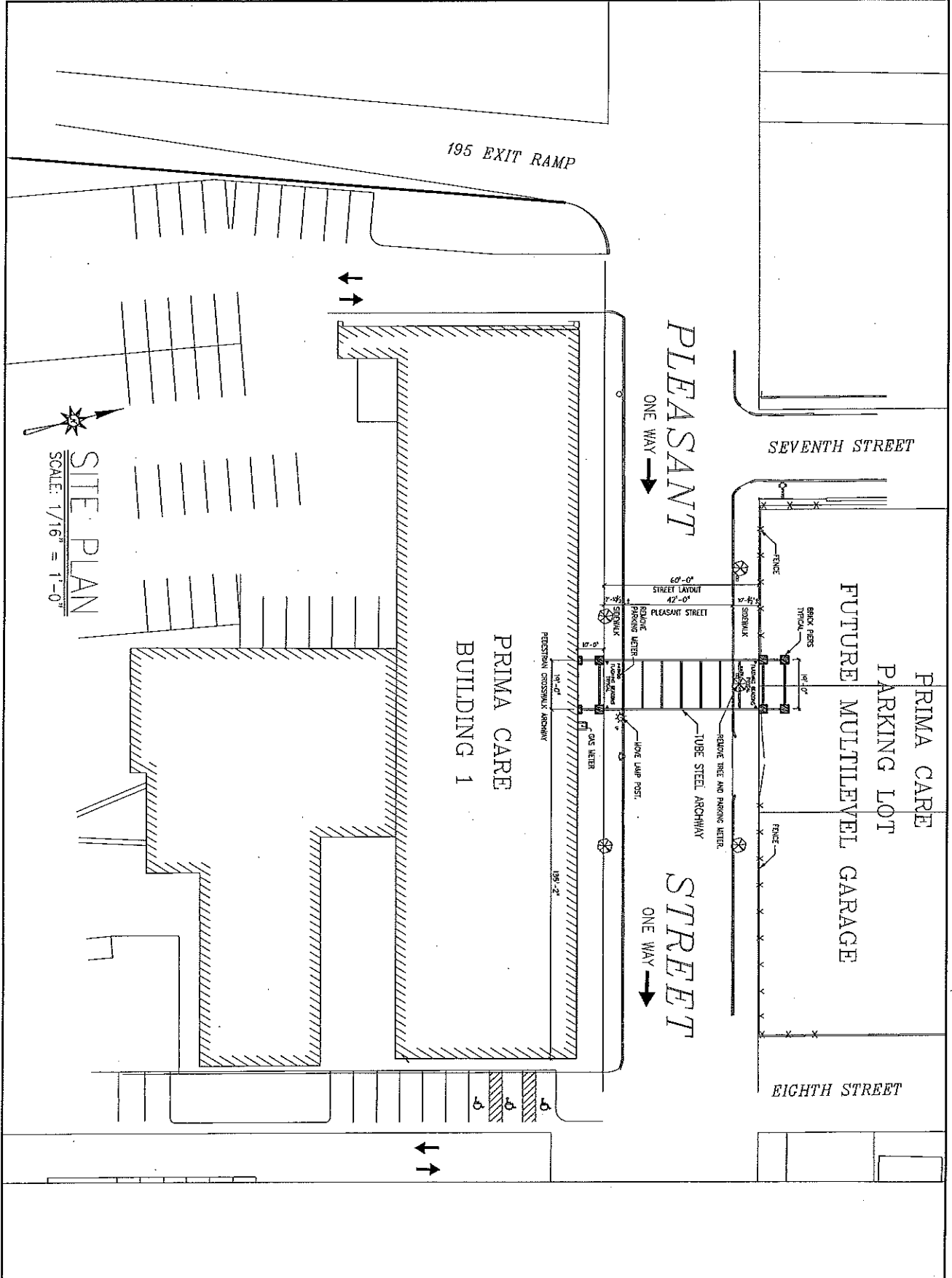
Sketch # 4 South Sidewalk Pedestrian Approach View, 5-4-2018






**Prima CARE MEDICAL CENTER**  
 Pleasant Street - Fall River, Massachusetts  
 Compass Group Architecture LLC

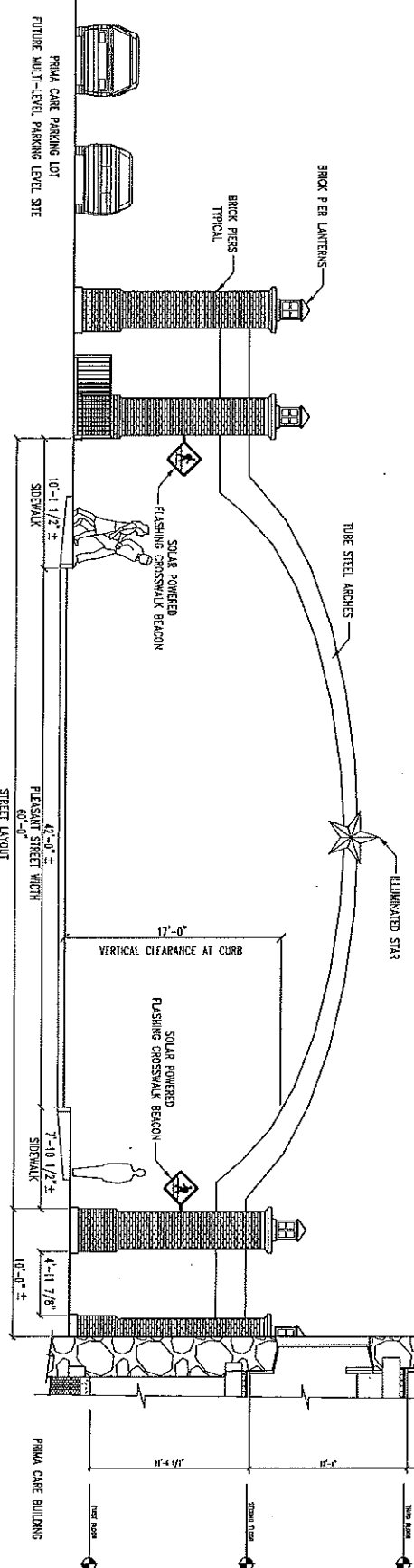
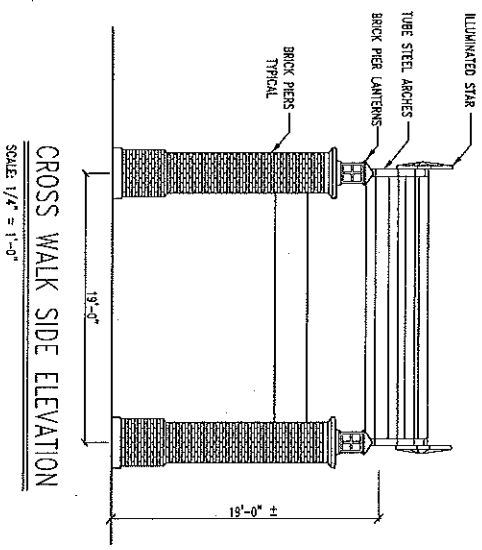
Sketch # 4 South Sidewalk Pedestrian Approach View, 5-4-2018





SITE PLAN  
SCALE: 1/16" = 1'-0"

 COMPASS GROUP ARCHITECTURE LLC 100 GARDENWAY ROAD ANDOVER, MA 01912 TEL: (978) 444-8117 FAX: (978) 444-8117 COMPASSGROUPARCH.COM	 DATE: 5/31/16 DESIGNED BY: [Signature]	SCALE AS NOTED	 PEDESTRIAN CROSSWALK ARCHWAY FOR PRIMA CARE PC 277 PLEASANT STREET FALL RIVER, MASSACHUSETTS 02720 PROJECT NUMBER: 16-001 DESIGNED BY: [Signature] REVIEWED BY: [Signature]	BRIDGE LAYOUT SITE A-1



**COMPASS GROUP ARCHITECTURE LLC**  
 4 CAUBURNWAY ROAD  
 ASSONNET, MA 02032  
 TEL: (508) 444-8817  
 FAX: (508) 444-8817  
 COMPASSGROUPARCH.COM



DATE: 5/9/18  
 DATE: 5/9/18  
 REVIEWER:

SCALE: AS NOTED

**PRIMA CARE**  
 PEDESTRIAN CROWSWALK  
 ARCHWAY FOR  
 PRIMA CARE PC  
 277 PLEASANT STREET  
 FALL RIVER, MASSACHUSETTS 02720  
 PROJECT NUMBER: 18-001  
 DRAWN BY: JLD  
 REVIEWED BY: MJD

ELEVATIONS  
 DRAWING #: A-2



**City of Fall River  
Massachusetts**

**Department of Community Services**

PLANNING • HEALTH & HUMAN SERVICES  
LIBRARY • INSPECTIONAL SERVICES

RECEIVED

8

2018 JUN -1 A 11: 20

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

***Planning Board***

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

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

**WILLIAM D. ROTH JR., AICP**  
*City Planner*

**Fall River Waterfront Urban Renewal Plan  
and  
Fall River Downtown Urban Renewal Plan**

May 31, 2018

**TO:** Alison Bouchard  
City Clerk

**FROM:** Brittany Faria  
Planning, Head Administrative Clerk

**RE:** **Fall River Planning Board Meeting**  
**May 09, 2018**

It is hereby certified by the Planning Board of the City of Fall River, Massachusetts, that at a duly called meeting of said Planning Board held a Public Hearing on May 9, 2018, with a quorum present. Notice of the Public Hearing was advertised in the Fall River Herald News on Wednesday, April 25, 2018, and Wednesday, May 2, 2018. The hearing was also posted in the Government Center and notice was sent to the petitioners and affected property owners of the plans. Both Urban Renewal Plans were made available to the public on the Fall River City Website, as well as hard copies available at the Fall River Library and in the Planning Department, City Hall.

Said Public Hearing was to review and take public comment on the Waterfront and Downtown Urban Renewal Plans proposed by the Fall River Redevelopment Authority. After a review of the proposal from the Applicant, comments and questions from the Planning Board and the public. The Planning Board closed the hearing, moved, seconded and unanimously VOTED the following motion:




*"In consideration of Massachusetts General Laws Chapter 121B and 760 CMR 12.02(f), the Planning Board for the City of Fall River finds that the Fall River Waterfront Urban Renewal Plan and the City of Fall River Downtown Urban Renewal Plan are based upon a local survey and conform with the master plan for the locality as a whole, said master plan being specifically identified as follows: City of Fall River Master Plan, 2009–2030."*

The Planning Board in accordance Massachusetts General Laws Chapter 121B and 760 CMR 12.00 forwards to City Council for their review the following plans, which were filed with the Planning Board.

Plans Entitled: "Fall River Waterfront Urban Renewal Plan" and "Fall River Downtown Urban Renewal Plan" prepared for Fall River Redevelopment Authority by Consultant teams led by Harriman and including FXM Associates, Fitzgerald & Halliday, and Bonz and Company, dated February 22, 2018

Applicant: Fall River Redevelopment Authority  
139 S Main St., Suite 400  
Fall River, MA 02721

Fall River Planning Board  
By:   
Keith Paquette, Chair  
5-31-18  
Dated

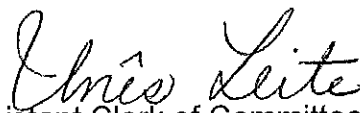
## CITY OF FALL RIVER

---

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on June 6, 2018,  
voted 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.

  
Assistant Clerk of Committees

**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 Section 2-9(b) of the City Charter.**

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

That Chapter 70 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to traffic be amended as follows:

By inserting in Section 70-387, which section relates to handicapped parking generally, the following:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Grant Street	West	Starting at a point 178 feet north of William Street, for a distance of 20 feet northerly
Grove Street	East	Starting at a point 61 feet south of Woodbine Place, for a distance of 20 feet southerly
Hamlet Street	North	Starting at a point 83 feet east of Melville Street, for a distance of 20 feet easterly
Vale Street	West	Starting at a point 65 feet north of Aetna Street, for a distance of 20 feet northerly
Vale Street	West	Starting at a point 64 feet north of Globe Street, for a distance of 20 feet northerly
Walnut Street	North	Starting at a point 25 feet east of Durfee Street, for a distance of 20 feet easterly

Proposed Ordinance – Traffic, misc.  
**CITY OF FALL RIVER**

---

10

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on June 6, 2018, voted to recommend that the accompanying proposed ordinance be passed through first reading.

  
Assistant Clerk of Committees

# City of Fall River, *In City Council*

10

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

That Chapter 70 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to traffic be amended as follows:

By striking out in Section 70-387, which section relates to handicapped parking generally, the following:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Bogle Street	West	Starting at a point 246 feet south of Horton Street, for a distance of 20 feet southerly
Colfax Street	East	Starting at a point 73 feet north of Locust Street, for a distance of 20 feet northerly
Globe Street	North	Starting at a point 30 feet west of Vale Street, for a distance of 20 feet westerly
Oliver Street	South	Starting at a point 106 feet east of Broadway, for a distance of 20 feet easterly
Tecumseh Street	South	Starting at a point 60 feet east of Lawrence Street, for a distance of 20 feet easterly
Weetamoe Street	North	Starting at a point 381 feet north of North Main Street, for a distance of 20 feet easterly
Whitman Street	East	Starting at a point 85 feet north of Miller Street, for a distance of 20 feet northerly

Proposed Ordinance – Seasonal employee  
**CITY OF FALL RIVER**

---

11

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on June 6, 2018, voted to recommend that the accompanying proposed ordinance be passed through first reading.

  
Assistant Clerk of Committees

# City of Fall River, *In City Council*

11

BE IT ORDAINED, by the City Council of the City of Fall River, 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 inserting in Section 50-310.1, which section relates to miscellaneous salary schedule, in proper alphabetical order the following:

Seasonal employee

Not to exceed \$16.00

CITY OF FALL RIVER  
IN CITY COUNCIL

MAY 15 2018

*Referred to the Committee  
on Ordinances and Legislation  
(Cs. Cadime opposed)*



**CITY OF FALL RIVER**

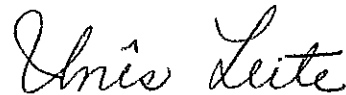
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12

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on June 6, 2018, voted 4 yeas, 1 nay, to recommend that the accompanying proposed ordinances be granted leave to withdraw, with Councilor Derek R. Viveiros voting in the negative.



Assistant Clerk of Committees

# City of Fall River, In City Council

12

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

That Chapter 62 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to solid waste be amended as follows:

## Section 1.

By striking out in Section 62-1, which section relates to Definitions, "Official City Bag" and its definition.

## Section 2.

By striking out Section 62-2(c), in its entirety and inserting in place thereof the following:

(c) The city shall collect solid waste and recyclables from single family dwellings and multiple family residential buildings containing up to six dwelling units. Solid waste shall be collected only if placed in a green cart. Recyclables shall not be placed in green carts and solid waste shall not be placed in blue or pink carts.

## Section 3.

By striking out in Appendix A-Fee Schedule for the Revised Ordinances of the City of Fall River, Massachusetts, 1999, the following:

§62-1 Official City Bag	
(1) 30 gallon	\$ 2.00
(2) 15 gallon	\$ 1.25
(3) 8 gallon	\$ .75

CITY OF FALL RIVER  
IN CITY COUNCIL

MAY 15 2018

*Referred to the Committee  
on Ordinances and Legislation  
(C. Cadime opposed)*

(Councilor Stephen R. Long)  
(Councilor Pam Laliberte-Lebeau)

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

That Chapter 62 of the Code of the City of Fall River, 2018, which chapter relates to solid waste be amended as follows:

By striking out in Section 62-48, "Enforcement shall only be against the generator of the trash." and inserting in place thereof "Enforcement shall be against the property owner."

# City of Fall River, *In City Council*

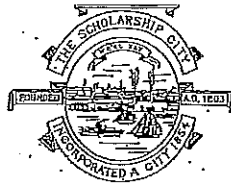
14

(Councilor Stephen R. Long)  
(Councilor Shawn E. Cadime)

WHEREAS, stipends have historically been paid to employees as a method of providing salary increases, and

WHEREAS, stipends established outside of ordinance, state law or collective bargaining agreements have been granted without City Council review, now therefore

BE IT RESOLVED, that stipends outside of ordinance, state law or collective bargaining agreements cannot be granted to any employee without prior approval of the City Council.



Council  
22

RECEIVED

City of Fall River  
Notice of Claim

2018 MAY 25 A 10:46

18-113

1. Claimant's name: Aines de Jesus
2. Claimant's complete address: 628 Prospect St
3. Telephone number: Home: 508 676 3710 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Pothole
5. Date and time of accident: April 2018 Amount of damages claimed: \$ \_\_\_\_\_
6. Exact location of the incident: (include as much detail as possible):  
Dobson St. & River
7. Circumstances of the incident: (attach additional pages if necessary):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
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: \_\_\_\_\_

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 ☐ OCM Date: MAY 25 2018



RECEIVED

City of Fall River  
Notice of Claim

2018 MAY 30 P 3:10

CITY CLERK 18-114  
FALL RIVER, MA

1. Claimant's name: MARILYN J. BEEL
2. Claimant's complete address: 140 Essex ST
3. Telephone number: Home: 5086721034 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
around 4-01 POTHOLE
5. Date and time of accident: 5:00 PM Amount of damages claimed: \$ 686.06
6. Exact location of the incident: (include as much detail as possible):  
Between Warens & Brayton Ave
7. Circumstances of the incident: (attach additional pages if necessary):  
My car hit a pothole & I thought I had lost my tire. My car only has 55,000 miles. Being a Senior Citizen I am deeply concerned.
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: 5-29-18 Claimant's signature: Marilyn Beel

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: 5/30/18



RECEIVED

City of Fall River  
Notice of Claim

2018 MAY 31 P 4: 06

CITY CLERK 18-15  
FALL RIVER, MA

1. Claimant's name: Joe Moniz
2. Claimant's complete address: 10 Emery St. Fall River 02721
3. Telephone number: Home: 774-627-8916 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
car damage caused by pothole
5. Date and time of accident: 5/8/18 10am Amount of damages claimed: \$ 781.90
6. Exact location of the incident: (include as much detail as possible):  
corner of Aetna St and Montaup St. - pothole - also  
street has serious sink holes.
7. Circumstances of the incident: (attach additional pages if necessary):  
my car was seriously damaged resulting in  
needing two struts. Mudas Invoice attached.  
Photos of sink holes and potholes attached.
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: 5/31/18

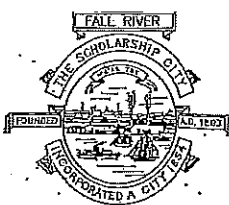
Claimant's signature: Joseph Moniz

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: <input type="checkbox"/> City Clerk <input checked="" type="checkbox"/> Law <input type="checkbox"/> City Council <input checked="" type="checkbox"/> City Administrator	<u>DCM</u> Date: <u>5/31/18</u>



22

RECEIVED

City of Fall River  
Notice of Claim

2018 JUN -7 P. 12:43

CITY CLERK: 18-116  
FALL RIVER, MA

1. Claimant's name: Antone Amaral
2. Claimant's complete address: Box 1565
3. Telephone number: Home: 508-837-6844 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
TRIP-AND-FALL
5. Date and time of accident: 6-6-18 10:38 AM Amount of damages claimed: \$ \_\_\_\_\_
6. Exact location of the incident: (include as much detail as possible):  
BORDEN BLOCK
7. Circumstances of the incident: (attach additional pages if necessary):  
Left TOE BROKEN MAIL LEFT BABY FINGER  
Right KNEE Right SHOULDER

I have 4 witnesses 2 Pick me up I have Pictures

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

NOT AT THIS TIME

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

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

Date: 6-6-18

Claimant's signature: Antone Amaral

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: 6/7/18





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

**City of Fall River  
Massachusetts**

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

*Engineering Division*


RECEIVED

2018 JUN -4 P 2:01

CITY CLERK  
FALL RIVER, MA

**JEFFREY LITTLE**  
*Director*

**J R FREY, P.E.**  
*City Engineer*

**To:** Fall River City Council  
**From:** J R Frey, P.E., City Engineer   
**Date:** May 2, 2018  
**Subject:** Street Opening Request for Pavement Less Than Five Years Old

---

The Engineering Division has received a request for a road opening to install a curb cut at 482 Globe Street. Globe St. between South Main Street and Wilcox St. was paved by Community Utilities in 2017. The improvement is one year old.

The Engineering Division recommends approval of the request subject to the following conditions for pavement restoration in a street less than five years old:

- 1) Sidewalk behind the curb shall be excavated and curb removed from the rear, if possible;
- 2) Asphalt shall be sawcut one-foot (1') off curb line and 6" beyond limit of any disturbance, either side;
- 3) Backfill beneath the asphalt road surface shall be excavatable controlled density fill (flow fill);
- 4) Pavement restoration shall meet or exceed the existing pavement thickness;
- 5) Type I binder course(s) not to exceed 2" shall be placed and thoroughly compacted to within 1.5" of finished grade;
- 6) A Type I surface course shall be placed with a minimum thickness of 1.5";
- 7) Drainlayer shall be responsible for maintenance and repair of pavement associated with the curb cut, and any defects to surrounding pavement caused by the associated work, including spider-cracking, potholes, etc. through the moratorium period which ends December, 2022.

CITY OF FALL RIVER  
OFFICE OF THE CITY CLERK

24

To the City Council:

RECEIVED

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

2018 MAY 31 P 2:18

Name of Applicant: Michael Lund

Name of Business (if applicable): Tipsy Seagull / OPA BOUTRIKAS

Address: 1 Ferry St. Fall River MA

Phone: 508-678-7547

Type of structure or device: Street banner

Description (include dimensions): Street banner advertising  
OPA races. 30ft long; 3ft high

Location: Bedford St.

Dates: 8/1/18 to 8/26/18

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

Signature of Applicant [Signature]

Date 5/30/18

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

[Signature]  
Building Inspector

5/30/18  
Date

2. In City Council, \_\_\_\_\_  
Date

Permit (approved )  
(disapproved)

Alison M. Bouchard  
City Clerk

OFFICE USE ONLY

☒ Fee Paid



## OPEN MEETING LAW COMPLAINT FORM

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

RECEIVED

2018 JUN -7 A 10: 34

CITY CLERK  
FALL RIVER, MA

Please note that all fields are required unless otherwise noted.

### Your Contact Information:

First Name: Patrick Last Name: Higgins

Address: P O Box 24

City: Swansea State: MA Zip Code: 02777

Phone Number: +1 (508) 674-3140 Ext.

Email: patrick@patrickhiggins.xyz

Organization or Media Affiliation (if any): Patrick Higgins and Associates

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

Specific person(s), if any, you allege  
committed the violation: Steve Long, Shawn Cadime, Derek Viveiros, Pam Lebeau and Brad Kilby

Date of alleged violation: Jun 6, 2018

### 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 and the Ordinance Sub Committee violated the open meeting law by having a quorum of the Full City Council meet as the Ordinance Sub Committee without posting a joint meeting with the City Council in violation of the Open Meeting Law. See 2016-117.

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.

This is an intentional and deliberate violation of the open meeting law. The City had appealed the determination to the Superior Court and the Superior Court found that this was a violation. The Division of Open Government should fine the city the \$1000 civil penalty provided for in the Open Meeting Law.

### 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, is considered a public record and will be available to any member of the public upon request.

**Publication to Website.** As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

#### II. Consulting With a Private Attorney.

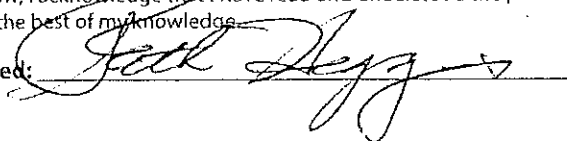
The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

#### 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:

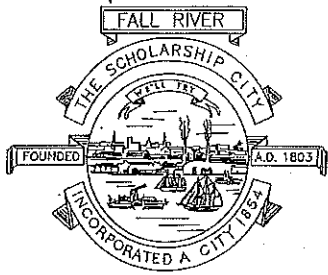


Date:

6/6/16

For Use By Public Body  
Date Received by Public Body:

For Use By AGO  
Date Received by AGO:



**City of Fall River  
Massachusetts**

**Department of Community Services**

PLANNING • HEALTH & HUMAN SERVICES  
LIBRARY • INSPECTIONAL SERVICES

***Planning Division***

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

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

**WILLIAM D. ROTH JR., AICP**  
*City Planner*

26  
RECEIVED

2018 JUN -1 A 11: 20

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

**TO:** Alison Bouchard  
City Clerk

**FROM:** Fall River Planning Board

**RE:** **PLANNING BOARD MINUTES**  
**May 9, 2018**

The Fall River Planning Board held a Public Meeting at 5:30 p.m. on Wednesday, May 9, 2018, in the City Council Chambers, One Government Center, Fall River, MA for the purpose of considering the matters set forth in the agenda originally posted with your office on April 18, 2018, further posted as revised on April 27, 2018 and further posted as second revised on May 7, 2018.

**Members present:** Keith Paquette, Chairman, Mario Lucciola, Charles Moniz, Alice Fagundo, and Cynthia Sevigny

**Also present:** William D. Roth, Jr. AICP, Director of Planning, and Brittany Faria, Recording Clerk.

"Minutes" of this meeting are as follows:

- 1 A. Application for Endorsement of Plan Believed Not to Require Approval –**  
**File No. 18-1401:**  
Owner/Applicant – Denis Keohane  
Location – 99-109 Robeson Street  
Assessor Lots: M-13-69

Mr. Roth explained the joint access easements labeled on the plans and recommended to the Board that the proposal satisfied the requirements for "approval not required" endorsement.

Upon motion made by Mr. Lucciola and seconded by Ms. Fagundo, it was unanimously VOTED 5-0: to direct the Chair to endorse the plan, "Approval Not Required Under the Subdivision Control Law".

**1 B. Application for Endorsement of Plan Believed Not to Require Approval –  
File No. 18-1402**

Owner/Applicant- RGK Realty Trust, Robert G. Kfoury, Trustee  
Location- 386 Kilburn St.  
Assessor Lots: B-17-1, 9, 10

Mr. Roth explained the Variance and Special Permit that was recently granted by the Zoning Board of Appeals and recommended to the Board that the proposal satisfied the requirements for “approval not required” endorsement.

Upon motion made by Ms. Fagundo and seconded by Mr. Moniz, it was unanimously VOTED 5-0: to direct the Chair to endorse the plan, “Approval Not Required Under the Subdivision Control Law”.

**2. NEW BUSINESS - Prima Care PC at Pleasant St.**

**Discussion and Recommendation-** Prima Care PC is proposing a two phase pedestrian walkway project across Pleasant Street. Phase 1 would be an at grade walkway with columns, pedestrian signals and a decorative archway over Pleasant Street. Phase 2 would be an elevated pedestrian walkway over Pleasant Street. The Planning Board needs to review the proposed obstructions within the public right-of-way and recommend to City Council.

Mr. Roth gave an overview of what the Planning Board’s role is in this stage of the proposal as this is an obstruction within the right-of-way. Mr. Roth recommended the Board approve the concept of the proposal and refer it to City Council.

Andrew DiGiammo of Compass Group Architecture LLC, representing Prima Care PC, presented the overview of Phase 1, and what the plans are leading into Phase 2. He explained the need for parking in the area that Prima Care has secured over time. This proposal is to secure the safe passage of patients across Pleasant St. Phase 1 is a crosswalk with an archway that will have a flashing beacon to cross when pressed. Mr. DiGiammo further explained the design for Phase 1, and how the design supports Phase 2, for the enclosed walkway 17’-feet above the roadway, which is higher than MassDOT minimum regulation height.

Board questioned height regulations, sidewalk encroachments, safety to pedestrians in Phase 2 and if there would be a cost to the City.

Mr. DiGiammo assured the Board that 17-feet was more than the state minimum height. He indicated that the pillar design would be on property footage so as not to obstruct the view of the pedestrian from traffic, and reviewed the widths of the sidewalk. He reassured the Board that Phase 2 would be enclosed, for safety and convenience. Mr. Roth confirmed that the applicant would be responsible for any impact on the sidewalk or roadway that they cause, but that new sidewalks or new roadways would be a consideration of Chapter 90 funds.

Upon motion made by Mr. Moniz and seconded by Ms. Seigny, the Board unanimously VOTED 5-0: to approve the concept plans and to recommend referral to City Council.

*Chairman called to order the PUBLIC HEARING portion of the meeting at 5:55pm*

3. **Waterfront and Downtown Urban Renewal Plans - The Planning Board will review the Urban Renewal Plans (URP) proposed by the Fall River Redevelopment Authority for consistency with the Master Plan. The purpose of URP's are to identify current conditions that have been obstacles to investment, determine the needs of the Waterfront and Downtown areas and the goals for their redevelopment, and define those actions that will create incentives for the private market, over time, to address the existing conditions.**

William G. Kenney, Chairman of the Fall River Redevelopment Authority introduced the proposal, outlining the implementation and approval process, and suggesting that the Planning Department increase staffing to support the plans adequately.

Emily Keys Innes, Associate and Senior Urban Planner of Harriman. Ms. Innes explained that this proposal is in the approval process and the role of the Planning Board is to find that the plan is in conformance with the City's Master Plan. Ms. Innes provided details of the implementation agenda, the approval process, the summary of the essence of the Master Plan and how it works with the proposal, and the summary of each of the two Urban Renewal Plans.

In regards to the Waterfront plans, Ms. Innes indicated the primary focus being realignment and downgrading of Route 79 and Davol St. The intention is to reconnect the neighborhoods with the waterfront along that route, coinciding with the creation of 10 acres of land that would be implemented with regulatory controls for future development. Ms. Innes highlighted the proposed plans to coordinate with South Coast Rail.

In regards to the Downtown plan, Ms. Innes indicated the primary intention being to fill in the "missing teeth" along North and South Main St, meaning in-fill development, with considerations in the plans for parking and circulation in the area, rehabilitation of the older buildings and incorporating new buildings, to reestablish Downtown as an important commercial and activity center.

Ms. Innes explained that the Arts Overlay District plays an important role in tying the Downtown effort in with the Waterfront effort. Restoring the Quequechan River corridor was something that was reviewed but would go beyond the 20 year timeline of this proposal; however, the proposal makes recommendations for that initiative. There are also recommendations to incorporate MassDOT's intentions of developing greenways under the Braga Bridge for a park, where the Quequechan River intersects the Taunton River.

#### 4. **Public Input**

Alfred Lima of 488 Hood St. – Asked for more specific intentions regarding the daylighting of Quequechan River. And if there aren't any plans included in this proposal, could plans be added to support this cause.

Mr. Kenney and Ms. Innes indicated that the proposal has a recommendation for the implementation of the MassDOT Infraspaces Program under the Braga Bridge where the Quequechan River and Taunton River meets. In researching the route of the river, it was determined that with the River being so far underground, daylighting plans would have such a magnitude that they would lay outside of the 20 year lifetime of this proposal and so are not included except mentioning's of where the River comes out under the Braga Bridge. The river is currently only seen in a few places, and that there were talks of starting with an above-ground trail along the River route which would help build interest and understanding of the River, with particular focus on the two spots where it is currently exposed near Work Out World, with intentional design that wouldn't prevent future plans to daylight the River.

Steve Camara of 55 Lebaron St. - summarized his perspective on this matter, being a city councilor for two decades, a co-chair of the Neighborhood Association, and an Urban Policy Analyst (having done a study of Fall River regarding the Route 79 separation years ago). He indicated that there have been numerous studies done to connect the waterfront to the neighborhoods but nothing has been implemented, asking specifically if there would be non-motorized connections to the waterfront at Walnut St and Brightman St.

Mr. Kenney addressed the implementation concern advising Mr. Camara that there is a precise implementation schedule for each phase, as well as an outline of to whom the responsibilities lie for each actions taken. He indicated that the Lower Highlands are included in the plans, and indicated an overview of the areas that pertain to Mr. Camara's concern, including a pedestrian bridge.

Mr. Roth confirmed that copies of the Plans have been available to the public at the Library, at the Planning Department, as well as downloadable versions on the City Website. He summarized again the overview process and the limited scope before the Planning Board at this hearing.

Ms. Inness indicated that the current draft is dated February 2018 as presented, and the DHCD has revisions throughout this draft, and that a revised version will be issued after this meeting but before it goes to City Council. Ms. Inness indicated that the revision changes nothing of the main parts of the plan, it will be to address the DHCD technical questions to implement the plans.

Robert Simmons of Oliver St. – Presented his concern that the traffic alterations and layout change may create an increased traffic time to commute to Boston, which affects many people in the area. Asking if a traffic impact, feasibility study has taken place.



Ms. Inness addressed the concern, indicating that the proposed plan does not include the Boulevard, and that the state has already proposed that change to the area. It is already in around 25% design process at MassDOT and they have been responsible for reviewing traffic impacts for that development, which includes federal input. The URP addresses the need for community control of the development of the created 10 acres of land to further the city goals. They have been working closely together with MassDOT on the design with the mindset of furthering city development to identify issues that might conflict with the URP.

*6:57pm Mr. Bill Kenney asked the Chair to be excused for another meeting commitment.*

Mr. Roth further addressed the traffic impact concern, to explain the "Design/Build" process is under State control, as it is a state highway, and the process would include public hearings. Mr. Roth recommended contacting the City Engineer for more detailed information, as that question is more outside of this proposal.

Michelle Dion of 5 Bryon St. - asked 1. For more clarification regarding the involvement of the South Coast Rail for this project. 2. Specific acquisition of land and 3. Difference in population densities that are projected.

Ms. Inness addressed 1. Stating that they are anticipating a full station at Davol St. /President Ave. platform, and a small station past the Braga Bridge, and address parking needs as well as consider developmental impacts of that platform. 2. Acquisitions are identified in the plan, on a map and in a table with parcel numbers, which will be spoken about more with City Council. 3. Population numbers cannot be provided, as the projections were based off of what Building Height and Size would support.

In a motion made by Mr. Lucciola and seconded by Ms. Fagundo, the Board unanimously VOTED 5-0 with the motion being:

*In consideration of Massachusetts General Laws Chapter 121B and 760 CMR 12.02(f), the Planning Board for the City of Fall River finds that the Fall River Waterfront Urban Renewal Plan and the City of Fall River Downtown Urban Renewal Plan are based upon a local survey and conform with the master plan for the locality as a whole, said master plan specifically identified as follows: City of Fall River Master Plan, 2009 –2030.*

**5. Approval of Minutes: February 28, 2018 - Planning Board Meeting**

Upon motion duly made by Mr. Moniz and seconded by Ms. Sevigny, it was unanimously VOTED 5-0: to approve the Minutes of the February 28, 2018.

**March 26, 2018 Planning Board Meeting**

Upon motion duly made by Ms. Sevigny and seconded by Mr. Moniz, it was VOTED 4-0 to approve the Minutes of the March 26, 2018. Ms. Fagundo abstained from the motion.

**6. ADJOURNMENT**

Upon motion duly made by Mr. Lucciola and seconded by Ms. Fagundo, it was unanimously VOTED 5-0: to adjourn the meeting at 7:13pm.

## CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, February 21, 2017 at 5:45 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 and Cliff Ponte

ABSENT: Councilor Linda M. Pereira

IN ATTENDANCE: None

The President called the meeting to order at 5:46 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearing was to hear all persons interested and wishing to be heard on the following:

**Curb Removals**

1. Robert Maynard, 394 Hancock Street, requests driveway opening as follows:

	<u>Existing Driveway</u>	<u>Proposed Driveway Access</u>	<u>Existing To Be Replaced</u>	<u>Total Driveway Access</u>
394 Hancock Street	12 feet (Hancock St.)	Two 16 foot openings (Caleb St.)	0 feet	44 feet

394 Hancock Street is a corner lot on Hancock Street and Caleb Street. The property has 90 feet of frontage on Hancock Street with an existing 12 foot driveway. The property has an additional 104 feet of frontage on Caleb Street. The rear (north) portion of the lot is fenced, which includes 48 feet fronting Caleb Street.

The applicant is intending to install two gates and a "U" shaped driveway to the fenced portion of his property to allow ease of access for an RV, trailer, or similar vehicle. If each gate opens from the corner in, there remains 16 feet in between driveways for street parking, and an additional 56 feet of property frontage on Caleb Street and 70 feet on Hancock Street which is clear for street parking. An additional 15 feet on Caleb Street is available within the Hancock Street right-of-way for street parking. The installation does not represent a significant restriction to on street parking access.

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and Robert Maynard of 394 Hancock Street came forward and stated*

that he has applied for these driveway openings to allow the parking of his motorhome. The President then directed the opponents to be heard and the following opponents came forward:

1. Robert Collins, 35 Caleb Street
2. Nelia Collins, 35 Caleb Street
3. Lucy Rego, 36 Caleb Street
4. Sandy Ouellette, 55 Caleb Street

The opponents stated that parking is very limited in this area and they are opposed to the additional driveway request. The applicant already has one driveway and they feel that this is adequate, as the additional driveway openings will be located on Caleb Street and not Hancock Street. On a motion made by Councilor Cliff Ponte and seconded by Councilor Steven A. Camara, it was unanimously voted to close the hearing.

2. Eleventh Street Associates, Inc., 231 Bedford Street, requests the removal of curbing at 0 Seventh Street, as follows:

	<u>Existing Driveway Opening</u>	<u>Curb to be Removed</u>	<u>Curb to be Replaced</u>	<u>New Driveway Opening</u>
0 Seventh Street	0 feet	30 feet	0 feet	30 feet

The requested curb cut would allow for full access to an automotive repair garage.

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Steven A. Camara and seconded by Councilor Richard Cabeceiras, it was unanimously voted to close the hearing.

On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to adjourn at 5:59 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)  
CD and DVD of meeting

A true copy. Attest:

*Alison M Bouchard*

City Clerk

## CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, March 21, 2017 at 5:45 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

The President called the meeting to order at 5:48 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearing was to hear all persons interested and wishing to be heard on the following:

*Councilors Steven A. Camara and Raymond A. Mitchell arrived at 5:55 p.m.*

### **Auto Repair Shop License**

1. Timothy Cabral, 1 Old Slab Bridge Road, Assonet, MA, d/b/a Aberdeen Auto LLC, for a license to operate an auto repair shop at 163-165 Aberdeen Street, on Lot F-7-115, Assessors Plan.

*On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Cliff Ponte, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and Paul Murphy, Jr. of 150 Glasgow Street came forward. He asked what the hours of operation would be and if a higher fence could be installed. The City Clerk stated that there are no restrictions on the license for the hours of operation, but the City Council can add a restriction to the license for this purpose. On a motion made by Councilor Cliff Ponte and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to close the hearing.*

### **Curb Removals**

2. Lidia Cardoso, 192 Haffards Street, requests the removal of 14 feet of curbing with an existing 9 foot driveway for a total of 23 feet at 192 Haffards Street to allow access to multiple off-street parking spaces.

*On a motion made by Councilor Cliff Ponte and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to close the hearing.*

Councilor Joseph D. Camara had a question regarding the first public hearing. He asked the opponent how high the fence is currently. Mr. Paul Murphy, Jr. stated six feet. Councilor Joseph D. Camara then asked how much higher would he like the fence to be and Mr. Murphy stated two feet, to make it an eight foot fence would be much better to block the view of the auto repair shop from his home. The City Clerk then stated that there were two other written objections to this application. One from the owner of the property located at 61 Baird Street and one from the owner of 79 Baird Street.

3. Matthew Hiscock, 946 Walnut Street, requests the removal of 40.6 feet of curbing with an existing 21 foot driveway for a total of 61.6 feet at 946 Walnut Street to allow improved vehicle access to on-site parking and garages.

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to close the hearing.

On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to adjourn at 5:57 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 COUNCIL PUBLIC HEARINGS**

MEETING: Tuesday, March 28, 2017 at 5:45 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

The President called the meeting to order at 5:45 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearing was to hear all persons interested and wishing to be heard on the following:

**Joint Pole Location:**

Petition of Massachusetts Electric Company and Verizon New England, Inc. for two jointly owned pole locations as follows: NGRID requests to install two jointly owned poles and one anchor for the purpose of providing electrical service on Aldea Street. The first pole will be approximately 67' +/- from pole 3 and be numbered 4. The second pole and anchor will be approximately 50' +/- from pole 4 and be numbered 5. Also extending secondary conductor from pole 3 to pole 5. In accordance with Plan No. 23688605 dated March 3, 2017.

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Joseph D. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to close the hearing.*

*On a further motion made by Councilor Joseph D. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to adjourn at 5:47 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 COUNCIL PUBLIC HEARINGS**

MEETING: Tuesday, May 16, 2017 at 5:45 p.m.  
Council Chamber, One Government Center

PRESENT: President Shawn E. Cadime, presiding;  
Councilors Richard Cabeceiras, Steven A. Camara,  
Pam Laliberte-Lebeau, Linda M. Pereira and Cliff Ponte

ABSENT: Councilors Joseph D. Camara, Stephen R. Long and  
Raymond A. Mitchell

IN ATTENDANCE: None

The President called the meeting to order at 5:46 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearing was to hear all persons interested and wishing to be heard on the following:

**Curb Removal**

1. SF & MM Realty Corp. on behalf of American Spirit Auto Sales Inc., President Jason Frias, 1039 Locust Street, requests the removal of 19.6 feet of curbing with an existing 13 foot driveway for a total of 32.6 feet at 1039 Locust Street to allow improved access to an automobile sales lot.

*On a motion made by Councilor Cliff Ponte and seconded by Councilor Linda M. Pereira, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Cliff Ponte, it was unanimously voted to close the hearing.*

*On a further motion made by Councilor Richard Cabeceiras and seconded by Councilor Linda M. Pereira, it was unanimously voted to adjourn at 5:48 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 COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, May 30, 2017 at 5:45 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

The President called the meeting to order at 5:52 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearing was to hear all persons interested and wishing to be heard on the following:

*Councilor Stephen R. Long arrived at 5:52 p.m.*

#### Joint Pole Location

1. Petition of Verizon New England Inc. and Massachusetts Electric Company, for one jointly owned pole location as follows:

#### Dickinson Street - one (1) jointly owned pole location

Place one new pole 19.5, on the southerly side of Dickinson Street at a point approximately 669' westerly from the centerline of Fuller Street. This pole installation is necessary in order to provide service for the new charter school on Dickinson Street. In accordance with Plan No. MA2017-12 dated March 3, 2017.

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and there were no opponents. Council President Shawn E. Cadime requested that a copy of this joint pole location be sent to the City Engineer and DCM for review, so that the placement of this pole does not obstruct any public way. On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to close the hearing.*



**Second Hand Article Store**

2. Tara R. Dupras, d/b/a It's All About Used, 43 Emmett Street, Fall River, MA for permission to operate and maintain a second hand article store located at 1386 Pleasant Street (furniture, clothing and household items to be sold).

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to close the hearing.*

*On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to adjourn at 5:54 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

## COMMITTEE ON FINANCE

**MEETING:** Tuesday, January 24, 2017 at 6:00 p.m.  
Council Chamber, One Government Center

**PRESENT:** President Shawn E. Cadime, presiding;  
Councilors Richard Cabeceiras, Steven A. Camara,  
Pam Laliberte-Lebeau, Raymond A. Mitchell and Cliff Ponte

**ABSENT:** Councilors Joseph D. Camara, Stephen R. Long and  
Linda M. Pereira

**IN ATTENDANCE:** Cathy Ann Viveiros, City Administrator  
Mary L. Sahady, Director of Financial Services  
Jo Ann Bentley, Architect, 209 Bedford Street, #404  
Chris Gallagher, Director of Building and Grounds  
Joseph I. Macy, Corporation Counsel  
Terrance J. Sullivan, Administrator of Community Utilities  
Michael P. Dion, Exec. Dir. /CFO – Community Development Agency  
Henry R. Vaillancourt, M.D., Director of Health & Human Services  
Michael Aguiar, Substance Abuse Prevention Coordinator

The chair called the meeting to order at 6:00 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

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

Before Discussion of Financial Matters:

Tony Abreu, 96 Boutwell Street – Angels Anonymous Mobile Food Pantry  
Master Lee, 25 Courtney Street – Public School Taekwondo Tournament  
Jason Springer, 144 Grove Street – Public School Taekwondo Tournament

Agenda:

1. Resolution – Discussion with Administration re: architectural design services at Veterans' Center on Pine Street

*The City Administrator stated that the Administration is applying for CPC and CDA funds to repair the Veterans' Center. As of now there are no funds in the budget for any repairs to the Veterans' Center. Councilor Raymond A. Mitchell asked the Executive Director of CDA if there are any funds available that could be used for this project. Mr. Dion stated that he could not commit funding at this time, as he has over \$3.2 million dollars in requests. Councilor Cliff Ponte asked what has been repaired at the Veterans' Center. The Director of Buildings and Grounds stated the following:*

- Replacement of the kitchen floor
- Replacement of the hall floor
- Replacement of ceiling tiles
- Repaired leak in roof
- Patched masonry on chimney
- Replaced HVAC equipment
- Repaired heating system
- Installed plastic inside windows

Councilor Pam Laliberte-Lebeau asked Mr. Dion when he will know if there is funding available. Mr. Dion stated at the end of February.

2. Resolution – Discussion with Administration re: positions of Grant Coordinator and Substance Abuse Prevention Coordinator

Councilor Pam Laliberte-Lebeau stated that she didn't vote for the Substance Abuse Prevention Coordinator because of how it was presented, not because of the position. The Director of Health and Human Services stated that Michael Aguiar is the coordinator of two grants. Councilor Steven A. Camara asked if we are prepared to change the job description to something different. The City Administrator stated not at this time. The Director of Health and Human Services stated that an addiction is a disease, maybe caused by bad choices, but still a disease. He stated that some people become addicted after having only one opioid prescription. Councilor Cliff Ponte stated that he would like to urge Mr. Aguiar to work on a curriculum for the school department. We need to start with our schools to educate our students, so that they understand the risks at an early age.

3. Discussion of Fiscal Year 2017 – Quarter 2 Budget Report

Councilor Cliff Ponte questioned the Administration about the status of the Grant Writer position. The City Administrator stated there are three individuals scheduled for interviews next week. Councilor Cliff Ponte then stated that Clifford and Kenney was paid \$53,000.00 to do all the collective bargaining for the City. He then stated that this is a very favorable rate. Corporation Counsel then stated that he believes that it is in the best interest of the City to continue with this service. Councilor Cliff Ponte then questioned the Director of Buildings and Grounds regarding the allegations of misappropriation of overtime funds. Corporation Counsel stated that misappropriation means a willful intent, not an error. The Director of Buildings and Grounds stated that this was an error on coding the overtime to the wrong account, not a willful intent. Councilor Raymond A. Mitchell asked the City Administrator about the transportation costs. The City Administrator stated that the School Department is hiring a transportation specialist to review all routes and try to reduce all transportation costs.

The City Administrator stated that hundreds of fines for PAYT have been sent out. She then stated that only \$1,200.00 has been paid to date and there is \$300,000.00 still owed for the Household Fee Program. This \$300,000.00 will be added to tax liens.

Councilor Pam Laliberte-Lebeau questioned who paid for the New Year's Eve fireworks. The City Administrator stated that the fireworks were paid for by donations. Councilor Pam Laliberte-Lebeau then asked how was the overtime of police officers was paid. The City Administrator stated that the City of Fall River paid for the overtime. On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Cliff Ponte, it was unanimously voted to refer the Quarter 2 Budget Report to the Committee on Budget Preparation, Revenue and Audits.

Citizens' Input Time – After Discussion of Financial Matters:

None

*On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Cliff Ponte, 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

*Cullen A. Taylor*  
Clerk of Committees

## COMMITTEE ON FINANCE

MEETING: Tuesday, February 7, 2017 at 6:00 p.m.  
Council Chamber, One Government Center

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

ABSENT: Councilor Raymond A. Mitchell

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator

The chair called the meeting to order at 6:01 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

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

Before Discussion of Financial Matters:  
CJ Ferry, 300 Buffinton Street – Group 4

*On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Cliff Ponte it was unanimously voted to waive the rules to allow the following non Fall River resident to speak.*

William Leonardo, 172 Poplar Drive, Cranston, RI – EMS Group 4

*On a motion made by Councilor Cliff Ponte and seconded by Councilor Stephen R. Long it was unanimously voted to waive the rules to allow the following non Fall River resident to speak.*

Beth Faunce, 221 Green Street, Fairhaven, MA - EMS Group 4

### Agenda:

1. Resolution requesting update on status of city owned properties for sale  
*The City Administrator stated that Scott Velozo of Penrose Realty was hired by the City to assist with selling some of the city owned properties. She stated that Mr. Velozo was not comfortable with releasing the names of the prospective buyers. He stated that he showed the former Fall River Police Station and the Lincoln School over a dozen times. All parties needed to sign a waiver to tour the old police station due to the hazardous conditions in that building. He stated that you need to find a developer that likes old and unique buildings. Councilor Richard Cabeceiras questioned what the cost was for this service of Penrose Realty. The City Administrator stated that the cost was \$24,000.00 for four months of service. Councilor Cliff Ponte requested a detailed listing of services that were provided in the \$24,000.00 agreement.*

Councilor Pam Laliberte-Lebeau requested a list of all city owned properties. The City Administrator stated that she will forward a list as soon as possible. The City Council is inviting Mr. Velozo to the next Committee on Finance Meeting which will be held in two weeks. Councilor Cliff Ponte asked what the delay was in closing on the Lincoln and Silvia Schools.

Citizens' Input Time – After Discussion of Financial Matters:

None

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Stephen R. Long, it was unanimously voted to adjourn at 7:36 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 FINANCE

**MEETING:** Tuesday, February 21, 2017 at 6:00 p.m.  
Council Chamber, One Government Center

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

**ABSENT:** None

**IN ATTENDANCE:** Cathy Ann Viveiros, City Administrator  
Joseph I. Macy, Corporation Counsel  
Mary Sahady, Director of Financial Services  
Michael P. Dion, Exec. Dir. /CFO – Community Development Agency  
Chief John D. Lynch, Fall River Fire Department  
Christine Tetreault, Board Administrator – Fall River Retirement Board  
Timothy Oliveira, Director  
Fall River Fire Department/Division of Emergency Medical Services  
Beth Ann Faunce, Deputy Director  
Fall River Fire Department/Division of Emergency Medical Services  
Lt. William Lonardo  
Fall River Fire Department/Division of Emergency Medical Services

The chair called the meeting to order at 6:00 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

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

Before Discussion of Financial Matters:

Mark Lighthall, 345 Mt. Hope Avenue – Group 4 Retirement - EMS

*On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Steven A. Camara it was unanimously voted to waive the rules to allow the following non Fall River resident to speak.*

Robert Camara, 110 Buffington Street, Swansea, MA – Group 4 Retirement - EMS

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Pam Laliberte-Lebeau it was unanimously voted to waive the rules to allow Robert Camara to finish reading his letter.

Councilor Linda M. Pereira arrived at 6:29 p.m.

Agenda:

1. Resolution req. update on status of city owned properties currently for sale  
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras it was unanimously voted to lift the matter from the table. Councilor Cliff Ponte stated that Scott Veloze does not have a Real Estate License. The City Administrator stated that she did not know that. Councilor Cliff Ponte then stated that he wants to file an order stating that Penrose Realty returns the funds that were paid for real estate consulting services. Councilor Raymond A. Mitchell asked the City Administrator if she knew why Mr. Veloze was not in attendance tonight. She stated that she did not. Councilor Raymond A. Mitchell then asked how much Mr. Veloze was paid. The Director of Financial Services stated that he was paid four payments of \$6,000.00, for a total of \$24,000.00. Councilor Stephen R. Long stated that he has asked people to attend a City Council Meeting in Fall River and they have answered that they watch these meetings on television and they asked him if he was kidding.

2. Resolution regarding Section 108 loan application for the replacement of fire equipment in low income census tracts  
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the matter to the full council for action.

3. Collective bargaining agreement for LAW Local 124 Building Custodians  
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the full council for action. Councilor Linda M. Pereira stated that she is unhappy that some employees get snow bonuses and some do not. Councilor Steven A. Camara stated that he is unhappy with the privatization of the Library Custodians.

4. Order to adopt Chapter 467 of the Acts of 2008 "An Act Relative to the Retirement Benefits of Emergency Medical Technicians"  
Councilor Linda M. Pereira asked what is the level of risk? Chief John D. Lynch stated that as Fire Chief and a 31 year veteran of the Fire Department, I have seen many EMS employees come and go to other locations for better salary and benefits. In the 45 years of EMS, there has only been 11 retirements because no one ever stays that long in Fall River. In the last 4 years we have had 104 employees come and go. All members will soon be wearing Personal Protection Equipment, which will be a bullet proof vest. Paramedics also respond to all fire and police calls; fires, shootings, car accidents, suicides, hazmat and water rescues. The Board Administrator of the Fall River Retirement Board stated that Group 4 adds 10 years to someone's age and doesn't have a minimum number of years of service in order to retire. Councilor Pam Laliberte-Lebeau stated that she thinks it is crazy that the District Attorneys' are in Group 4, but not the EMT's that are on the streets. On a motion made by Councilor Steven A. Camara and seconded by Councilor Linda M. Pereira, it was voted 5 yeas, 4 nays to table the matter, with Councilors Richard Cabeceiras, Pam Laliberte-Lebeau, Stephen R. Long and Raymond A. Mitchell voting in the negative.

Citizens' Input Time – After Discussion of Financial Matters:

None



*On a motion made by Councilor Cliff Ponte and seconded by Councilor Richard Cabeceiras, it was unanimously voted to adjourn at 9:38 p.m.*

List of documents and other exhibits used during the meeting:

Agenda packet (attached)  
CD and DVD of meeting

*Colman A. Taylor*  
Clerk of Committees

## COMMITTEE ON FINANCE

**MEETING:** Tuesday, March 21, 2017 at 6:00 p.m.  
Council Chamber, One Government Center

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

**ABSENT:** None

**IN ATTENDANCE:** Cathy Ann Viveiros, City Administrator  
Chief John D. Lynch, Fall River Fire Department  
Timothy Oliveira, Director  
Fall River Fire Department/Division of Emergency Medical Services  
Chris Gallagher, Director of Buildings and Grounds  
Nicholas Williams, Business Agent, Teamsters Local 251  
121 Brightridge Avenue, East Providence, RI 02914

The chair called the meeting to order at 6:00 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

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

Before Discussion of Financial Matters:

Erica Scott-Pacheco, 187 Pitman Street – Marketing and Branding Initiative  
*On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Linda M. Pereira, it was unanimously voted to waive the rules to allow Erica Scott-Pacheco to finish her statement.*

David Rebello, 264 Stevens Street – Park Board

Dawn Saurette, 1984 Robeson Street – SSTAR

*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 Dawn Saurette to finish her statement.*

Collin Dias, 560 Ray Street – City Ordinance Change

Agenda:

## 1. Transfers and appropriations

a. That the sum of \$32,883 be transferred, and the same is, hereby appropriated for the ADMINISTRATIVE SERVICES Salaries from the ADMINISTRATIVE SERVICES Expenditures (MIS Department). The transfer is requested to fund the telephone receptionist position in the Government Center Lobby.

*Councilor Cliff Ponte questioned why this was not added into the budget. The City Administrator stated that after some discussion with Councilors, it was agreed that the receptionist in the Government Center Lobby is a needed to service to the public. Therefore this position had not been funded in the salaries line item during the last budget. Councilor Raymond A. Mitchell stated that he was happy to see this position reinstated. He had many residents contact him complaining that with no employee in the lobby of Government Center, it is very confusing for residents to determine what department they need. Council Vice-President Linda M. Pereira took the podium at 7:05 p.m. to allow Council President Shawn E. Cadime to speak. Councilor Shawn E. Cadime asked the City Administrator, with zero based budgeting, how can we have extra funds to transfer for this position. The City Administrator stated that there were funds available in the expenditures side of the budget and she didn't want to have an extensive conversation regarding old record keeping in that department, but going forward there will be much more stringent record keeping. Council President Shawn E. Cadime returned to the podium at 7:14 p.m.*

b. That the sum of \$150,000 be, and the same is, hereby appropriated for the EMS SALARIES from the EMS STABILIZATION FUND. The transfer is requested to hire four paramedics to staff an additional 911 vehicle.

*Councilor Cliff Ponte questioned the hours of operation of this additional 911 vehicle. Chief John D. Lynch stated that between the hours of 7:00 a.m. and 7:00 p.m. is when the most emergency medical calls come in. These are the hours that the City needs to call for mutual aid or private ambulance service to cover when there are no units available to respond. Timothy Oliveira stated that a survey was done to determine the busiest hours of the day that would need an additional medical rescue. Councilor Cliff Ponte then asked how many mutual aid calls did we have last year. Timothy Oliveira stated there were 1,320 calls for medical mutual aid. He then stated that even with the additional medical rescue in service, it will not eliminate the need for all mutual aid, but will decrease it by 52 to 53%, according to their estimates. This also greatly reduces response times. Councilor Joseph D. Camara asked the Fire Chief if any of the Fire Stations are in need of repair. He answered that most of the buildings are in need of repair. The City Administrator stated that she is expecting the Capital Plan for all our city buildings in the next few weeks. Councilor Stephen R. Long asked to move the question and it was voted unanimously. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the matter to the full council for action.*

2. Order - Oak Grove Cemetery \$99,630 for iron and stone work from CPA funds  
On a motion made by Councilor Cliff Ponte and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to refer the matter to the full council for action.

*On a motion made by Councilor Cliff Ponte and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to take item #4 out of order.*

4. Collective bargaining agreement for IAFF Local 1314 Fall River Firefighters  
 Councilor Linda M. Pereira asked the Fire Chief, if random drug testing is in the contract for the Fall River Firefighters. The Fire Chief stated that it is not. Councilor Linda M. Pereira stated that she feels it should be, but she realizes that this is part of contract negotiations. On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to move the question. On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to refer the matter to full council.

3. Collective bargaining agreement for Teamsters Local 251 Public Works Unit  
 On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the full council for action. Councilor Cliff Ponte asked for a copy of the contract. He stated that he did receive a copy of the IAFF Local 1314 Fall River Firefighters Contract, but not the Teamsters Local 251 Public Works Unit. The City Administrator stated that it must have been an oversight and will get copies for all Councilors. Councilor Pam Laliberte-Lebeau asked that once this agreement is executed, will that finalize all the matters pending regarding this matter. The City Administrator stated that it will close the matter. There will be no further litigation. Councilor Raymond A. Mitchell asked the City Administrator how many full time employees will be in the Public Works Unit now. She stated there are presently 37, but they are budgeted for 40 full time employees. After the restructuring of this department, the goal is 40 employees. Council Vice-President Linda M. Pereira took the podium at 7:49 p.m. to allow Council President Shawn E. Cadime to speak. Council President Shawn E. Cadime stated that he is concerned by the guarantee in this contract that there would be no further reductions in this department. He stated that this puts any future Administrations in a bind. He recalls back in 2009 and 2010 when there had to be reductions in staffing in many departments. There were layoffs in the Fire and Police Departments. The clerks in Government Center took an 8% pay reduction in order to prevent layoffs. This agreement with the Teamsters ties the hands of any future Administration if there were severe cuts made in the near future. Council President Shawn E. Cadime returned to the podium at 7:55 p.m.

Citizens' Input Time – After Discussion of Financial Matters:

Michelle Dionne, 5 Byron Street – Mike Miozza's Letter  
 Edward Avilla, 475 Tower Street – Antone (Tony) Avilla  
 David Sousa, 769 Weetamoe Street – Antone Avilla  
 Steve Boulay, 301 Milliken Boulevard – Antone Avilla

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to adjourn at 8:06 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)  
 CD and DVD of meeting

*Shawn A. Taylor*  
 Clerk of Committees

## COMMITTEE ON FINANCE

**MEETING:** Tuesday, March 28, 2017 at 6:00 p.m.  
Council Chamber, One Government Center

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

**ABSENT:** None

**IN ATTENDANCE:** Cathy Ann Viveiros, City Administrator  
Mary Sahady, Director of Financial Services  
Joseph I. Macy, Corporation Counsel  
John Perry, Director of Community Maintenance

The chair called the meeting to order at 6:02 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

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

Before Discussion of Financial Matters:

Brenda Venice, 25 Wrights Way - SSTAR  
Augie Venice, 25 Wrights Way – Drug and Alcohol Centers  
Nicholas L. Christ, 224 Valentine Street – FROED  
John Sylvia, 51 Ada Street – Detox Center  
Antonio Teixeira, 887 Cherry Street – FROED  
Richard Barlow, 50 Anderson Street – State of the City

Agenda:

1. Resolution – Discussion with Administration re: Tobey Disposal  
*Councilor Linda M. Pereira requested an overview of what is transpiring with Tobey Disposal and its presence at the Lewiston Street Garage. The City Administrator stated that the Mayor was approached in December by Tobey Disposal to discuss the possibility of a pilot program for the sorting of recyclables at the Lewiston Street location. She then stated that our recyclables are costing a great deal more to dispose of due to the high rate of contamination. The Administration agreed to a 60 day pilot program for sorting recyclables to reduce disposal costs. The program also has the possibility of an extension of an additional four months. A permit was required from Mass DEP to allow for the sorting of*

recyclables. This permit does not allow for Municipal Solid Waste (MSW) to be at the site. Councilor Linda M. Pereira then questioned various sections of the agreement. She also stated that she was contacted by residents in the Lewiston Street area complaining of odors and that is when she began to investigate this situation. Councilor Cliff Ponte asked who should be listed on the DEP Permit as the operator. The City Administrator stated that Atlantic Waste, LLC is actually the operator. It is a clerical error that the permit states the operator to be Tobey Waste and Recycling, Inc.. She then stated that she would have this corrected. The permit does list the owner of the permit as the City of Fall River. Councilor Raymond A. Mitchell stated that he received information that Tobey Disposal trucks were using municipal plates and asked who would be responsible if there is an accident with one of the trucks that is using a municipal license plate. Corporation Counsel stated that there are always many possibilities depending on the situation. The City Administrator stated that since March 1, 2017 only city employees will be driving city vehicles. Councilor Stephen R. Long asked is this program working and are we saving any money? The Director of Community Maintenance stated that he is cautiously optimistic and he is hopeful that this will save the City money. Councilor Steven A. Camara stated that by placing plastic bags in the recyclable bins, that contaminates the entire load. Many residents place their recyclables in a plastic store bag and then place the entire bag in the recycling bin, not realizing that these plastic bags are not recyclable. He then stated that more education regarding recycling would be helpful.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to table item #2 and #3.

2. Resolution - Administration provide update regarding street light pole/bulb replacement
3. Resolution - Administration provide update on abandoned properties with overgrown weeds/trash

Citizens' Input Time – After Discussion of Financial Matters:  
CJ Ferry, 300 Buffinton Street – Recyclables

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to adjourn at 8:04 p.m.

List of documents and other exhibits used during the meeting:  
Agenda packet (attached)  
CD and DVD of meeting

*Colleen A. Taylor*  
Clerk of Committees

## COMMITTEE ON FINANCE

**MEETING:** Tuesday, April 11, 2017 at 6:00 p.m.  
Council Chamber, One Government Center

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

**ABSENT:** None

**IN ATTENDANCE:** Cathy Ann Viveiros, City Administrator  
Mary Sahady, Director of Financial Services  
Chris Gallagher, Director of Buildings and Grounds  
Michael P. Dion, Exec. Dir. /CFO – Community Development Agency  
Joseph Biszko, Director of Code Enforcement  
Terrance J. Sullivan, Administrator of Community Utilities  
John McDonagh, Executive Director  
Battleship Cove, 5 Water Street  
Attorney David Dennis, 132 Highland Avenue

The chair called the meeting to order at 6:01 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

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

Before Discussion of Financial Matters:

Dan Dupere, 80 Spencer Street – CDA Budget  
Carmen Richardi, 45 Rock Street – CDA Budget  
James Smith, 695 Pleasant Street – CDA Budget

*On a motion made by Councilor Joseph D. Camara and seconded by Councilor Linda M. Pereira, it was unanimously voted to waive the rules to allow James Smith to finish his statement.*

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte it was unanimously voted to waive the rules to allow the following non Fall River resident to speak.*

Henry Vaillancourt, M.D., 159 Tickle Road, Westport, MA – CDA Budget

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell it was unanimously voted to waive the rules to allow the following non Fall River resident to speak.*

Anne Hartnett, 20 Racine Avenue, Seekonk, MA – Parking Ticket

*On a motion made by Councilor Joseph D. Camara and seconded by Councilor Cliff Ponte, it was unanimously voted to waive the rules to allow citizen input to exceed 30 minutes.*

Joseph Rodrigues, 209 Bedford Street – CDA Budget

Melvin Earle Gaudette, 38 Gaudette Drive – CDA Budget

Grace Gerling, 45 Rock Street – CDA Budget

Clara Fallon, 70 Brown Street – CDA Budget

Bill Perkins, People, Inc., 4 So. Main Street – CDA Budget

John Lynch, 140 Commerce Drive – CDA Budget

*On a motion made by Councilor Joseph D. Camara and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to waive the rules to allow Chief Lynch to finish his statement.*

Anabela Oliveira, 179 No. Main Street – CDA Budget

*On a motion made by Councilor Joseph D. Camara and seconded by Councilor Cliff Ponte, it was unanimously voted to waive the rules to allow Anabela Oliveira to finish her statement.*

Helen Rego, 41 Foster Street – CDA Funding

#### Agenda:

##### 1. Discussion with CDA officials re: Year Three Annual Action Plan

*Councilor Cliff Ponte stated that he will be abstaining from this discussion because he is a Realtor and could have a client receive funds from CDA and exited the Council Chamber. Councilor Pam Laliberte-Lebeau stated that she will be abstaining from this discussion because she is a Realtor and exited the Council Chamber. Councilor Steven A. Camara then stated that he will also be abstaining from any discussions, as he has received funds from the Community Development Agency. Councilor Steven A. Camara also exited the Chamber. The Executive Director of the Community Development Agency then read a prepared statement regarding the Year Three Annual Action Plan.*

*Councilor Raymond A. Mitchell stated that the sidewalks on President Avenue along North Park are in very bad condition. Michael Dion stated that he is aware of these sidewalks and they are on the list for replacement. Councilor Raymond A. Mitchell asked if there are any plans to cut any of the \$300,000.00 for FROED. Michael Dion stated not that he is aware of at this time. Councilor Raymond A. Mitchell then asked if a copy of the Year Three Annual Action Plan could be put in the library for public inspection. Michael Dion stated that there is already a copy of the document at the library and it is also available on the City Website. Councilor Stephen R. Long asked how many census tracts there are and how many are eligible for funds. Michael Dion stated that there are 26 census tracts in the City and 22 are eligible and 4 are not. The 4 that are not eligible, 3 are in the north end of the City and 1 is the Maplewood Park area. Councilor Stephen R. Long then stated that Fall River has the seventh largest elder population in Massachusetts.*



2. Mayor and order for the acquisition of 0 Jefferson Street  
 Councilor Steven A. Camara asked the Administrator of Community Utilities to give an overview of the project regarding the acquisition of 0 Jefferson Street. The Administrator of Community Utilities gave an update of various projects in this area regarding the construction of the new Atlantis Charter School. On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the full council for action.

3. Order – CPA funding for an elevator at the Maritime Museum  
 Councilor Steven A. Camara asked for an update on the tax status of the museum. Attorney David Dennis, representing the Maritime Museum gave a brief history of the changes from the Marine Museum at Fall River and the 501(c)(3) status and now currently the Maritime Museum. Councilor Linda M. Pereira asked if the elevator had already been installed. Attorney David Dennis stated that it is presently under construction. Councilor Linda M. Pereira then asked if the elevator was going to be used to expand the exhibit space. Attorney David Dennis stated that could be possible in the future, but the elevator was necessary to become ADA compliant. Councilor Stephen R. Long asked if there is air conditioning in the museum. John McDonagh, Executive Director of Battleship Cove stated that there is no air conditioning at this time. He then stated that the museum consists of 10,400 square feet of floor space with 20 foot ceilings. We are presently working on a building survey to outline our needs. One of the first items will be to install a new HVAC system and replace all the windows in the building. On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the full council for action.

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to take item #5 out of order.

5. Resolution - Administration provide update on abandoned properties with overgrown weeds/trash

Councilor Linda M. Pereira stated that most of the residents take care of their property and their neighbors properties are overgrown with weeds and littered with trash, it is unfair to the residents that work hard to keep their property clean. She then asked the Director of Code Enforcement what the balance was in the Demolition Account. The Director of Code Enforcement stated that the balance is \$2,532.00. He also stated that the balance in the Minimum Housing Account was \$3,026.00. Councilor Joseph D. Camara asked how many vacant buildings are registered with the City. The Director of Code Enforcement stated about 110 buildings, which is down from 190 vacant buildings a few years ago. Councilor Linda M. Pereira stated that we all need to clean up after ourselves. She mentioned that Dunkin Donuts removed the trash receptacles from the drive thru windows and now she has noticed people throwing cups out of the vehicle windows. Councilor Steven A. Camara questioned if item #5 had been lifted from the table. Council President Shawn E. Cadime stated that it had not. On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to lift the item from the table. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to refer the resolution to the full council for action.

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to take item #6 out of order.

6. Transfers and appropriations

1. That the Appropriation Order #2 from March 14, 2017 for transferring \$150,000 from EMS STABILIZATION FUND to EMS CAPITAL EXPENDITURES be rescinded due to the clerical error. The rescension of earlier order is requested due to a clerical error in its wording. It should have been for "Salaries" and not for "Capital"

2. That the sum of \$150,000 be transferred, and the same is, hereby appropriated for the EMS SALARIES from the EMS STABILIZATION FUND. The transfer is requested to meet the emerging needs of the EMS to provide 911 services.

3. That the sum of \$48,000 be transferred, and the same is, hereby appropriated for the FIRE DEPARTMENT EXPENDITURES from the FIRE DEPARTMENT SALARIES. The transfer is requested to maintain the current fleet of fire vehicles.

4A. Repurpose \$141,600 from the Council Order 2015-05 #5 for the Maplewood Park Land Acquisition and the same is, hereby appropriated for the HERITAGE STATE PARK "BANDSHELL" CAPITAL PROJECT DCR MATCHING FUNDS. The transfer is requested to meet the matching fund requirements of the Grant.

4B. Transfer surplus bond proceeds in the amounts of \$20,012, \$5,605 from Extraordinary Repairs (6/28/2006 Authorization), Street Lights (12/26/2003 Authorization) respectively, and the same is, hereby appropriated for the HERITAGE STATE PARK "BANDSHELL" CAPITAL PROJECT DCR MATCHING FUNDS. This transfer is requested to meet the matching fund requirements for the Grant.

4C. Repurpose \$6,271 from Park Improvements Lafayette/Maplewood and the same is, hereby appropriated for the HERITAGE STATE PARK "BANDSHELL" CAPITAL PROJECT DCR MATCHING FUNDS. The transfer is requested to meet the matching fund requirements for the Grant.

5. That the sum of \$22,360 be transferred, and the same is, hereby appropriated for the COMMUNITY SERVICES (LIBRARY) EXPENDITURES from the COMMUNITY SERVICES (LIBRARY) SALARIES. The transfer is required to meet the custodial services contract for the Library.

*Councilor Richard Cabeceiras made a motion for division of all transfers, but received no second. Councilor Pam Laliberte-Lebeau asked for an explanation of transfers #4A, 4B and 4C regarding the Heritage State Park "Bandshell". The Director of Financial Services gave an overview of all of these transfers. The City Administrator stated that State Representative Carole Fiola was instrumental in this project and has been working with the Administration and the Grant Writer. Vice-President Linda M. Pereira took the podium at 9:48 p.m. to allow Council President Shawn E. Cadime to speak. Council President Shawn E. Cadime then stated that with all the issues in the City of Fall River, a bandshell is not that important. He then stated that he will not be supporting this and also items #1 and #2. Council President Shawn E. Cadime returned to the podium at 9:53 p.m. On a motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to table items #4A, 4B and 4C.*

4. Resolution - Administration provide update regarding street light pole/bulb replacement

*On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to lift the item from the table. Councilor Linda M. Pereira asked the Director of Buildings and Grounds if the City currently has a contract with someone to replace street lights. The Director of Buildings and Grounds stated that we do not presently have a contract. He then stated that the warranty for labor for replacing bulbs ended in November, but the bulbs and the photo sensors are guaranteed for 10 years. Councilor Linda M. Pereira then asked what the cost would be to replace a bulb. The Director of Buildings and Grounds stated that it costs between \$250.00 and \$350.00 for a*

bucket truck to replace one bulb. He also stated, that is why he tries to wait until there are a few bulbs that need replacing to make it more cost efficient. Councilor Linda M. Pereira then asked how much a new light pole costs. The Director of Buildings and Grounds stated that he recently found a company that sells the base, pole and arm for \$985.00, but the lead time on orders is twelve weeks. He then stated that the bucket truck that is on order should be delivered in June or July. Councilor Stephen R. Long asked how many lights are out in the City. The Director of Buildings and Grounds stated that there are approximately 24 poles down that need to be replaced and 7 more have underground electrical problems that National Grid needs to repair.

Citizens' Input Time – After Discussion of Financial Matters:

None

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara, it was unanimously voted to adjourn at 10:34 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 FINANCE

MEETING: Tuesday, May 16, 2017 at 6:00 p.m.  
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator  
Mary Sahady, Director of Financial Services

The chair called the meeting to order at 6:01 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

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

Before Discussion of Financial Matters:

Mary Beth Suneson, 617 New Boston Road – Ordinance  
Julie Suneson, 617 New Boston Road – Ordinance  
Donald Souza, 77 Vincent Street – Ordinance  
Darcy Souza, 77 Vincent Street – Ordinance  
Alphonse S. Hathaway, 541 Tecumseh Street – Litter  
Love, 181 So. Main Street, Apt. 614W – Money for the City  
Augie Venice, 25 Wrights Way- Camara Proposal  
CJ Ferry, 300 Buffinton Street - Charter

Agenda:

1. Discussion of Fiscal Year 2017 – Quarter 3 Budget Report  
*The City Administrator stated that we are nine months into the fiscal year and most accounts are at the 75% mark, which is right on track. The accounts that are not, are mostly due to timing. The Director of Financial Services gave a brief overview of the Quarter 3 Budget Report. Councilor Cliff Ponte mentioned that there is approximately \$64,000.00 remaining in an account from the construction of Fire Department Headquarters. He then asked if these funds can be transferred to repair some of the problems at the Globe Street*

and Bedford Street Fire Stations. The City Administrator stated that as long as the repairs would have the same life expectancy, then these monies can be transferred with a vote of the City Council. Councilor Cliff Ponte then asked the City Administrator to notify all Councilors and the City Clerk when there are new department heads hired. He stated that he needed to contact the City Engineer and was unsure of his name. He believes that this would be helpful to all Councilors.

Councilor Raymond A. Mitchell asked the City Administrator when her contract expires. She stated December 31, 2017. Councilor Raymond A. Mitchell then questioned the Computer Room Expenses, regarding the \$16,925.51 for cell phones. The Director of Financial Services stated that in previous years the City was only using a few accounts for expenses. She then stated that she is working with all departments to add additional accounts for added clarity, instead of most expenses being deducted from the Other Purchased Services category without specifications.

Council Vice-President Linda M. Pereira took the podium at 7:42 p.m. to allow President Shawn E. Cadime to speak. He stated that items that he had requested were not in the budget, like the \$20,000.00 for City Council Legal Expenses. He then stated that his input for the upcoming Fiscal Year 2018 Budget is to add the funding for City Council Legal Expenses and for additional staff for the City Clerk's Office. President Shawn E. Cadime returned to the podium at 7:58 p.m. Councilor Joseph D. Camara stated that he would like to thank the Director of Financial Services for all the work that went into zero based budgeting. Councilor Pam Laliberte-Lebeau asked how much rent was paid by BCTC and CDA. The Director of Financial Services stated that BCTC pays \$38,460.00 annually and CDA pays \$28,487.00 annually. Councilor Pam Laliberte-Lebeau then asked where the rent for FROED was listed. The Director of Financial Services stated that it had not been added into the current budget, because she used historical information when she was putting the current budget together and it had not been included in the previous three years so she had no way of knowing that it should be included. Councilor Stephen R. Long asked why it takes so long to order equipment after the City Council approves the funding. The City Administrator stated that when certain things are ordered, it is a very long process. Such as ordering a piece of fire apparatus. Councilor Stephen R. Long stated that he does understand the time frame for ordering a special order piece of fire apparatus, but why is it so difficult to order a lawn mower or a pick-up truck, these are not special orders. Councilor Linda M. Pereira asked if all vendors have been paid. The Director of Financial Services stated that all invoices are processed on a regular basis, unless a Department Head has an invoice that has not yet been processed through MUNIS for payment that would be the only invoices that have not been processed.

## 2. Transfers and appropriations

Councilor President Shawn E. Cadime read the communication from the Mayor regarding the Morton Middle School transfer.

### Citizens' Input Time – After Discussion of Financial Matters:

Daniel Robillard, 145 Old Second Street – City Attorney & Proposed Charter

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Steven A. Camara, it was unanimously voted to waive the rules to allow Daniel Robillard to finish his statement.

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to adjourn at 8:42 p.m.*

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

CD and DVD of meeting

*Cullen A. Taylor*  
Clerk of Committees

## COMMITTEE ON FINANCE

MEETING: Tuesday, May 30, 2017 at 6:00 p.m.  
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Chief John D. Lynch, Fall River Fire Department

The chair called the meeting to order at 6:01 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

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

Before Discussion of Financial Matters:

Bill Kenney, 571 Florence Street – Streetscapes

*On a motion made by Councilor Joseph D. Camara and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to waive the rules to allow Bill Kenney to finish his statement.*

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Linda M. Pereira, it was voted 4 yeas, 5 nays to allow Corporation Counsel to speak during citizen input, with Councilors Richard Cabeceiras, Pam Laliberte-Lebeau, Raymond A. Mitchell, Linda M. Pereira and President Shawn E. Cadime voting in the negative and the motion did not carry.*

Thomas Cory, 389 Stafford Road – Streetscapes

Collin Dias, 560 Ray Street – Slum Properties

M. Earle Gaudette, 38 Gaudette Drive – Street Conditions

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to waive the rules to allow citizen input to exceed 30 minutes.*

Frank Fournier, 1235 Watkins Street – Safety Concerns  
Sue Mathias, 99 Broad Street – City Council  
Michelle Dionne, 5 Byron Street – Potholes  
Dan Robillard, 145 Old Second Street - Streetscapes

Agenda:

1. Resolution – Administration discuss PILOT (Payment in lieu of taxes) Program  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to recommend the resolution be granted leave to withdraw.*
2. Communication – Mayor regarding revised Capital Plan  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to lift the item from the table. On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to recommend the communication be granted leave to withdraw.*
3. Fire Chief be invited to future Committee on Finance meeting to discuss new policies and Procedures  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to recommend the resolution be granted leave to withdraw. Councilor Joseph D. Camara stated that the Fire Chief was in attendance. He then asked the Fire Chief what was the status of these new policies and procedures. The Fire Chief stated that all matters are now resolved.*

Citizens' Input Time – After Discussion of Financial Matters:

None

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to adjourn at 6:41 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 FINANCE

MEETING: Tuesday, June 13, 2017 at 6:00 p.m.  
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Chief John D. Lynch, Fall River Fire Department  
Timothy Oliveira, Director of EMS  
Kenneth Pacheco, Chairperson, Community Preservation Committee  
Dr. Wayne Christianson, 289 Pleasant Street

The chair called the meeting to order at 6:00 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

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

Before Discussion of Financial Matters:

CJ Ferry, 300 Buffinton Street – Residence and Personnel  
Dennis Poselli, 930 Bedford Street – Public Input  
Bob Tavares, 94 Mitchell Drive – EMS

Agenda:

1. Loan orders for Phase 17 of the Water Improvement Projects:
  - a. \$4,936,000
  - b. \$3,700,000

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the loan orders to the full council for action.*

2. Loan order re: CPA/Mount Hope Bay Bike Path Feasibility Study  
\$240,000

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the loan order to the full council for action.*

3. Proposed ordinance and salary amendment for Chair of Board of Election  
Commissioners/Director, Office of Elections

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*

4. Appropriation order: \$1,593,165 from CPA funds for community projects  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to refer the appropriation order to the full council for action. Councilor Richard Cabeceiras stated that he will need to abstain from voting on the project regarding the American Legion. On a motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to divide the American Legion from the remaining CPA community projects. Councilor Steven A. Camara requested that Kenneth Pacheco provide an overview of all the listed projects. Councilor Raymond A. Mitchell withdrew his previous motion to refer the entire appropriation order to the full council for action. On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to refer all items except the funding for the American Legion to the full council for action. On a further made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell it was unanimously voted to refer the American Legion section of the order to the full council for action.*

Citizens' Input Time – After Discussion of Financial Matters:

None

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to adjourn at 6:45 p.m.*

List of documents and other exhibits used during the meeting:

Agenda packet (attached)  
CD and DVD of meeting  
Letter from Dennis Polselli

*Camara A. Taylor*  
Clerk of Committees

## Recommendation for Participation in Public Input

Residents of Fall River with Disabilities who wish to participate in public input but are unable to come in person to

Government Center, should be allowed to participate in the public input portion of the full City Council meeting or on Sub-committees where public input takes place. They should be allowed to present written communication either by regular mail or through email and to have their comments read out loud by the president of the City Council or designee, in the case of a full Council Meeting, or by the chair of a sub-committee or designee where public input takes place, as if the person was present at the meeting. Anyone requesting this accommodation should be advised to keep their written comments brief as individuals appearing in person to make comments are given three minutes.

CITY CLERK  
FALL RIVER, MA

2017 JUN -9 P 12:30

RECEIVED

Delivered by K. Aguiar on behalf of Dennis Polsell  
read by Dennis Polsell, Chr. Comm. on Disability @ Citizen Input  
on June 13, 2017

## COMMITTEE ON FINANCE

MEETING: Tuesday, January 9, 2018 at 6:00 p.m.  
Council Chamber, One Government Center

PRESENT: President Cliff Ponte, presiding;  
Councilors Shawn E. Cadime, Joseph D. Camara,  
Steven A. Camara, Bradford L. Kilby, Pam Laliberte-Lebeau,  
Stephen R. Long, Leo O. Pelletier, Derek R. Viveiros

ABSENT: None

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator  
Mary Sahady, Director of Financial Services  
Kenneth C. Pacheco, Chief Operating Officer, Fall River School Dept.

The chair called the meeting to order at 6:01 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

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

Citizens' Input Time – Before Discussion of Financial Matters:  
CJ Ferry, 300 Buffinton Street – Sewage Pumps and Ballot Questions  
Jim Soule, 577 Rock Street – 80-84 No. Main Street

### Agenda:

2. Discussion with Fall River Public Schools Chief Operating Officer re: Special Election and approval of funding for Durfee High School Project

*The City Administrator stated that the language on the ballot question has been dictated to us by the Massachusetts School Building Authority. The City does not have discretion to change the wording on the ballot question. This is the format that is used statewide, when projects are being funded by the MSBA and therefore the language is as follows:*

### BALLOT QUESTION

*Shall the City of Fall River be allowed to exempt from the provisions of Proposition two-and-one-half, so called, the amounts required to pay for the bonds issued in order to build a new Durfee High School?*

*The City Administrator then gave a brief overview of the differences between a Proposition two-and-one-half Override and a Debt Exclusion.*

The Chief Operating Officer of the Fall River School Department then discussed the timing of a Special Election for this project. He stated that, the MSBA has set forth a timeline as to when the documents needed to make an informed decision are laid out. He then stated that he will be traveling to Boston with the Administration, to meet with MSBA management on January 24, 2018 to discuss the reimbursements. What items will be allowed and what items are not allowed and as to what extent each of these items will be reimbursed. At that point on January 24, 2018, we will arrive at a figure that they are willing to fund, which will be their portion of the project and on February 14, 2018 the Board will officially vote on that number. The official voting will not take place until February 14, 2018, but the City will know its exact liability on January 24, 2018. At that point on February 14, 2018, the clock will start ticking and the City will have 120 days to secure financing. The projected opening date for the new high school is September 2022. Due to the size of this project, it will be built in stages.

Councilor Leo O. Pelletier asked Mr. Pacheco, what the preferred date of a Special Election would be. Mr. Pacheco stated it is March 6, 2018. The City Administrator stated that the Board of Elections will need sufficient time to schedule a Special Election; therefore she would be relieved if this vote were taken this evening.

Councilor Steven R. Long stated that the present B.M.C. Durfee High School opened in 1978 and construction began in the early 1970's. He then asked the Chief Operating Officer how long buildings are good for. Mr. Pacheco stated, between forty and fifty years. He also stated that the current buildings are functionally obsolete. Councilor Pam Laliberte-Lebeau asked what the cost of a Special Election would be. The Director of Financial Services stated approximately \$60,000.00. Councilor Steven A. Camara made a motion to table the matter, but received no second.

3. Discussion with Administration re: status of King Philip Mill  
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted to lift the matter from the table. The City Administrator then gave a brief overview of the status of the King Philip Mill. She stated that a decision has been made to have another auction bid for the King Philip Mill. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to recommend this matter be referred to the Committee on Real Estate.

4. Discussion with Administration re: Grant Writer  
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to recommend the matter be granted leave to withdraw.

5. Financial orders for Heritage State Park Bandshell  
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was voted 1 yea, 8 nays with Councilors Joseph D. Camara, Steven A. Camara, Bradford L. Kilby, Pam Laliberte-Lebeau, Stephen R. Long, Leo O. Pelletier, Derek R. Viveiros and President Cliff Ponte voting in the negative and the motion failed. On a further motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Steven A. Camara, it was unanimously voted to refer this item to the Committee on Economic Development and Tourism to allow proper vetting.

Citizens' Input Time – After Discussion of Financial Matters:  
None

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to adjourn at 8:47 p.m.*

List of documents and other exhibits used during the meeting:

Agenda packet (attached)  
CD and DVD of meeting

*Carman A. Taylor*  
Clerk of Committees

**REGULAR MEETING OF THE CITY COUNCIL**

MEETING: Tuesday, May 30, 2017 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: Joseph I. Macy, Corporation Counsel  
Mary Sahady, Director of Financial Services  
William Kenney, City Planner

President Shawn E. Cadime called the meeting to order at 7:01 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

**PRIORITY MATTERS**

1. Mayor and (2) loan orders for Phase 17 of the Water Improvement Projects  
*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Stephen R. Long, it was voted 7 yeas, 2 nays to authorize the loan orders to be published and referred to the Committee on Finance, with Councilors Steven A. Camara and Raymond A. Mitchell voting in the negative.*
2. Mayor and loan order – Mount Hope Bay Bike Path Feasibility Study  
*On a motion made by Councilor Joseph D. Camara and seconded by Councilor Pam Laliberte-Lebeau, it was voted 9 yeas to authorize the loan order to be published and referred to the Committee on Finance.*
3. Mayor and order appropriating \$57,932 from CPA funds for Historic Resources Preservation Project (Bank Street Armory)  
*A motion was made by Councilor Cliff Ponte and seconded by Councilor Raymond A. Mitchell to refer the matter to the Committee on Finance, but the motion was then withdrawn by Councilor Cliff Ponte. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Joseph D. Camara, it was unanimously voted to adopt the order.*  
*Approved, June 6, 2017, Mayor Jasiel F. Correia II*

4. Mayor and order appropriating \$1,593,165 from CPA funds for community projects  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the matter to the Committee on Finance.*
5. Mayor and proposed ordinance regarding personnel wage changes  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the Committee on Finance.*

**PRIORITY COMMUNICATIONS** – None

**COMMITTEE REPORTS**

Committee on Ordinances and Legislation recommending:

First Reading:

6. Proposed ordinance – Traffic, miscellaneous  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted that the proposed ordinance be passed through first reading.*
7. Proposed ordinance – Water Rates  
*Councilor Raymond A. Mitchell stated that he will not be supporting this increase. He stated that the Mayor said he is not in support of the increase, but is forwarding the recommendation from the Watuppa Water Board to the City Council for their vote. Councilor Linda M. Pereira stated that she will not be supporting this increase, as she believes that raising the water and sewer rates along with a 2 ½% increase in taxes is excessive for residents. On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was voted 6 yeas, 3 nays that the proposed ordinance be passed through first reading, with Councilors Steven A. Camara, Raymond A. Mitchell and Linda M. Pereira voting in the negative.*
8. Proposed ordinance – Sewer Rates  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Joseph D. Camara, it was voted 6 yeas, 3 nays that the proposed ordinance be passed through first reading, with Councilors Steven A. Camara, Raymond A. Mitchell and Linda M. Pereira voting in the negative.*
9. Proposed ordinance – Dept. of Buildings and Grounds to Facilities Maintenance  
*On a 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.*

First Reading, as amended:

10. Proposed ordinance – Personnel, Architect/Facilities Maintenance  
*Councilor Cliff Ponte stated that he requested a list of upcoming projects that would require an architect, at the Committee on Ordinances and Legislation meeting and has not yet received this requested information. He then stated that he cannot support this position until he receives the requested information. On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara, it was voted 9 yeas to table the matter.*
11. Proposed ordinance – Personnel, Account Manager/Police Department  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was voted 8 yeas, 1 nay that the proposed ordinance be passed through first reading, as amended with Councilor Shawn E. Cadime voting in the negative.*



12. Proposed ordinance – Personnel, Mayor's Administrative Assistant  
*On a motion made by Councilor Steven A. Camara 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 Councilors Raymond A. Mitchell, Linda M. Pereira and Shawn E. Cadime voting in the negative.*

All readings with Emergency Preamble:

13. 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 an emergency preamble. On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long it was unanimously voted to pass the proposed ordinance through first reading, second reading, passed to be enrolled and passed to be ordained.*  
 Approved, June 6, 2017, Mayor Jasiel F. Correia II

Accept and place on file:

14. Communication – Department of Community Utilities Staff Reorganization Report  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted that the communication be accepted and placed on file.*

**ORDINANCES**

15. Proposal to amend ordinance outlining process for review of taxicab driver applications.  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted that the proposed ordinance be referred to the Committee on Ordinances and Legislation.*

Second Reading and enrollment:

16. Proposed ordinance – Traffic, miscellaneous  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to pass the proposed ordinance through second reading and enrollment.*

17. Proposed ordinance – Personnel, establishment of Treasurer/Collector position  
*A motion was made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long to pass the ordinance through second reading and enrollment. A further motion was made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira to table the ordinance, 5 yeas, 4 nays with Councilors Joseph D. Camara, Steven A. Camara, Stephen R. Long and Cliff Ponte voting in the negative.*

18. Proposed ordinance – Regulating the Maintenance of Vacant and Foreclosing Residential Properties  
*Councilor Richard Cabeceiras stated that he would like to commend the Committee on Ordinances and Legislation for their research and work on this matter. A motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell to table the ordinance failed to carry, 2 yeas, 7 nays with Councilors Richard Cabeceiras, Joseph D. Camara, Pam Laliberte-Lebeau, Stephen R. Long, Linda M. Pereira, Cliff Ponte and Shawn E. Cadime voting in the negative. On a further motion made by Councilor Cliff Ponte and seconded by Councilor Pam Laliberte-Lebeau it was unanimously voted to pass the proposed ordinance through second and enrollment.*

Second Reading and enrollment, as amended:

19. Proposed ordinance – Quarterly Budget Updates

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to pass the proposed ordinance through second reading and enrollment, as amended.

**RESOLUTIONS**

20. Streetscape monies be used to repair streets and sidewalks (objected to 5-16-17)

Councilor Linda M. Pereira stated that we cannot maintain the parks that we currently have, how will we maintain these new areas? Council Vice-President Linda M. Pereira took the podium at 8:40 p.m. to allow Council President Shawn E. Cadime to speak. Council President Shawn E. Cadime stated that South Main Street in front of Steward Hospital looks like a war zone. He then asked what will happen, when Chapter 90 money doesn't exist any longer. He also stated that he believes the City Council has the ability to say no, if the bonds have not been issued. Council President Shawn E. Cadime returned to the podium at 9:01 p.m. A motion was made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras to adopt the order. A further motion was made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Raymond A. Mitchell to amend the order to reallocate 50% of the streetscapes funding to street repairs but was later rescinded by Councilor Pam Laliberte-Lebeau. Councilor Steven A. Camara stated that he would be abstaining from any discussion on this matter and exited the Council Chamber. A further motion made by Councilor Linda M. Pereira and seconded by Councilor Richard Cabeceiras to waive the rules and invite Corporation Counsel, The Director of Financial Services and the City Planner to the table carried unanimously, with Councilor Steven A. Camara absent and not voting. Councilor Cliff Ponte asked if these monies could be used for other street projects. The Director of Financial Services stated that you cannot redirect the money and you cannot reissue money for other matters such as filling potholes. Councilor Cliff Ponte then asked the Director of Financial Services, what the term of the bond is for Purchase Street. She responded, 15 or 20 years. Corporation Counsel then stated that you cannot take these loan orders and move the money for other projects. A motion made by Councilor Cliff Ponte and seconded by Councilor Linda M. Pereira to table the order failed to carry, 2 yeas, 6 nays, with Councilors Richard Cabeceiras, Joseph D. Camara, Pam Laliberte-Lebeau, Stephen R. Long, Raymond A. Mitchell and Shawn E. Cadime voting in the negative and Councilor Steven A. Camara absent and not voting. A further motion made by Councilor Linda M. Pereira and seconded by Councilor Cliff Ponte to refer the order to the Committee on Finance failed to carry, 4 yeas, 4 nays, with Councilors Richard Cabeceiras, Joseph D. Camara, Pam Laliberte-Lebeau and Stephen R. Long voting in the negative and Councilor Steven A. Camara absent and not voting. A further motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Raymond A. Mitchell to strike "a portion of these monies for streetscapes" and insert "\$5,729,000" carried 5 yeas, 3 nays with Councilors Joseph D. Camara, Stephen R. Long and Cliff Ponte voting in the negative and Councilor Steven A. Camara absent and not voting. A further motion made by Councilor Richard Cabeceiras and seconded by Councilor Linda M. Pereira to adopt the order, as amended, carried, 5 yeas, 3 nays with Councilors Joseph D. Camara, Pam Laliberte-Lebeau and Stephen R. Long voting in the negative and Councilor Steven A. Camara absent and not voting.

VETOED and not approved, June 16, 2017, Mayor Jasiel F. Correia II

This "Order" being invalid, and of no force or effect, is specifically not approved. This disapproval constitutes a veto which the City Council cannot override.

**CITATIONS**

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to take items #21 through 24 together, after being read by the City Clerk.*

- 21. Irene Orlando – Boys and Girls Club of Fall River, Board Member
- 22. Kenneth Rezendes – Boys and Girls Club of Fall River, Board Member
- 23. F. George Jacome – Bicycle ride to raise funds for Atlantis Charter School
- 24. Hector and Maureen Gauthier – Wedding Anniversary

*On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to adopt items #21 through 24.*

**ORDERS – HEARINGS****Joint Pole Location**

- 25. Dickinson Street - One (1) jointly owned pole location

*A motion was made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long to adopt the order. On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to table the order for the purposes of requesting an opinion from the City Engineer, the Director of Community Maintenance and the Building Inspector regarding any safety issues that may exist and appropriate placement of the pole.*

**Second Hand Article Store**

- 26. Tara R. Dupras, d/b/a It's All About Used at 1386 Pleasant Street

*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 6, 2017, Mayor Jasiel F. Correia II*

**ORDERS – MISCELLANEOUS**

- 27. Auto Repair Shop license renewals:

Frank Correia, Mello's Service Station, Inc. at 801 Bay Street

Zaqueu Francisco da Silva d/b/a Zack's Garage Auto Service at 65 Manchester Street

*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 6, 2017, Mayor Jasiel F. Correia II*

- 28. Auto Repair Shop license renewals:

David Ponte, Brougham Motors, Inc. at 387 Bedford Street

Carl Garcia, Carl's Collision Center, Inc. at 1591 Bay Street

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order.*

*Approved, June 6, 2017, Mayor Jasiel F. Correia II*

- 29. Police Chief's report on licenses:

Taxicab Drivers:

Jennifer Pavao

Charles Smith

Ronald Vaillancourt

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

**COMMUNICATIONS – INVITATIONS – PETITIONS****Drainlayer license:**

30. Green Acres Landscape & Construction Co., Inc.

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to approve the license.*

*Approved, June 6, 2017, Mayor Jasiel F. Correia II*

31. Claims

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

32. Determination from Attorney General regarding OML complaint from December 27, 2016  
City Council Meeting

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

33. Communication from city resident regarding intersection of Meridian and Watkins Streets

*On a motion made by Councilor Cliff Ponte and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the communication to the Committee on Public Safety with a copy to the City Engineer and Building Inspector for an opinion on the appropriateness of the matter.*

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to take items #34 and 35 together, after being read by the City Clerk.*

**City Council Committee/Meeting Minutes:**

34. Committee on Ordinances and Legislation – May 9, 2017

35. Committee on Public Safety – May 16, 2017

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to approve items #34 and 35.*

**BULLETINS – NEWSLETTERS – NOTICES – None****ITEMS FILED AFTER THE AGENDA WAS PREPARED:**

A recess was taken at 10:06 p.m. to allow the ordinances to be signed and the Council reconvened at 10:08 p.m.

Proposed Ordinance – Regulating the Maintenance of Vacant and Foreclosing Residential Properties

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Richard Cabeceiras, it was unanimously voted that the proposed ordinance be passed to be ordained.*

*Approved, June 6, 2017, Mayor Jasiel F. Correia II*

Proposed Ordinance – Traffic, miscellaneous

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted that the proposed ordinance be passed to be ordained.*

*Approved, June 6, 2017, Mayor Jasiel F. Correia II*

Proposed Ordinance – Quarterly Budget Updates

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted that the proposed ordinance be passed to be ordained, as amended.*

*Approved, June 6, 2017, Mayor Jasiel F. Correia II*

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

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

CD and DVD of meeting

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

### REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, June 13, 2017 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 Sahady, Director of Financial Services

President Shawn E. Cadime called the meeting to order at 7:00 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

#### PRIORITY MATTERS

1. Mayor & proposed ordinance establishing revolving funds  
*On a motion made by Councilor Cliff Ponte and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the proposed ordinance to the Committee on Finance. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to reconsider the previous motion. On yet a further motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation.*

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Joseph D. Camara, it was unanimously voted to refer items #2 through #9 to the Committee on Ordinances and Legislation.*

2. Mayor and proposed ordinance regarding personnel title and wage change for  
Director of Solid Waste
3. Mayor and proposed ordinance regarding personnel title and wage change for  
Director of Emergency Medical Services
4. Mayor and proposed ordinance regarding personnel title and wage change for  
Project Manager – Facilities Maintenance
5. Mayor and proposed ordinance regarding personnel wage change for Assistant Treasurer
6. Mayor and proposed ordinance regarding personnel wage change for Director of Facilities  
Maintenance

7. Mayor and proposed ordinance regarding personnel wage change for Network Administrator (MIS)
8. Mayor and proposed ordinance regarding personnel wage change for Human Resources Generalist
9. Mayor & proposed ordinance establishing the King Philip Mills Overlay District
10. Mayor & creation of South End Market Rate Housing Zone  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation.*
11. Mayor & submission of Complete Streets Program and Policy  
*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to refer the matter to the Committee on Public Works and Transportation.*

#### **PRIORITY COMMUNICATIONS**

12. Corporation Council legal opinion regarding placement of basketball hoop on Vincent Street  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted that the communication be accepted and placed on file, with copies to the neighbors that were present at the Ordinance Committee Meeting.*

#### **COMMITTEE REPORTS**

##### Committee on Finance recommending:

##### Grant Leave to Withdraw:

13. Resolution – Discussion re: Fire Dept. rules and regulations  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted that the resolution be granted leave to withdraw.*
14. Resolution – PILOT program  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted that the resolution be granted leave to withdraw.*
15. Communication – FY2015 Capital Plan  
*On a motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted that the communication be granted leave to withdraw.*

##### Committee on Public Works and Transportation recommending:

##### Grant Leave to Withdraw:

16. Resolution – Liberty Utilities road repairs  
*A motion was made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara, that the resolution be granted leave to withdraw. Councilor Joseph D. Camara stated that he doesn't want to see this granted leave to withdraw. He stated there are numerous holes in the streets that are not properly filled. Councilor Raymond A. Mitchell then withdrew his motion. On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to refer the resolution to the Committee on Public Works and Transportation.*
17. Resolution – Pothole epidemic  
*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara, it was unanimously voted that the resolution be granted leave to withdraw.*

18. Resolution – Wilson Road resurfacing

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted that the resolution be granted leave to withdraw.*

Committee on Budget Preparation, Revenue and Audits recommending:

Grant Leave to Withdraw:

19. Resolution – Discussion re: education funding

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara, it was unanimously voted that the resolution be granted leave to withdraw.*

Referral to the Committee on Real Estate:

20. Resolution – Fire Department Facility Plan

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara, it was unanimously voted that the resolution be referred to the Committee on Real Estate.*

**ORDINANCES**

Second Reading and Enrollment:

21. Proposed ordinance – Traffic, miscellaneous

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment.*

22. Proposed ordinance – Water Rates

*On a motion made by Councilor Cliff Ponte and seconded by Councilor Stephen R. Long, it was voted 6 yeas, 3 nays that the proposed ordinance be passed through second reading and enrollment, with Councilors Steven A. Camara, Raymond A. Mitchell and Linda M. Pereira voting in the negative.*

23. Proposed ordinance – Sewer Rates

*On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was voted 6 yeas, 3 nays that the proposed ordinance be passed through second reading and enrollment, with Councilors Steven A. Camara, Raymond A. Mitchell and Linda M. Pereira voting in the negative.*

24. Proposed ordinance – Dept. of Buildings and Grounds to Facilities Maintenance

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment.*

Second Reading and Enrollment, as amended:

25. Proposed ordinance – Personnel, Account Manager/Police Department

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Stephen R. Long, it was voted 8 yeas, 1 nay that the proposed ordinance be passed through second reading and enrollment, with Councilor Raymond A. Mitchell voting in the negative.*

26. Proposed ordinance – Personnel, Mayor's Administrative Assistant

*A motion was made by Councilor Stephen R. Long and seconded by Councilor Joseph D. Camara, to pass the proposed ordinance through second reading and enrollment, as amended. Councilor Richard Cabeceiras stated that he agrees with the position, but he does not agree with the pay bump. On a further motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor*



Cliff Ponte, it was unanimously voted to waive the rules to allow the Administration to answer questions. Councilor Pam Laliberte-Lebeau asked questions regarding this position. The City Administrator stated that the individual in this position is performing many more duties than a receptionist, which is why they are looking to change this position to the Mayor's Administrative Assistant. Vice-President Linda M. Pereira took the podium at 8:02 p.m. to allow President Shawn E. Cadime to speak. President Shawn E. Cadime asked the City Administrator what the salary is for this position in New Bedford and Taunton. The City Administrator stated that it is difficult to compare, because their staffing levels are higher. He then requested a comparative analysis of this position. President Shawn E. Cadime returned to the podium at 8:24 p.m. On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was voted 3 yeas, 6 nays to table the matter with Councilors Joseph D. Camara, Steven A. Camara, Pam Laliberte-Lebeau, Stephen R. Long, Linda M. Pereira and President Shawn E. Cadime voting in the negative and the motion failed to carry. On yet a further motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 5 yeas, 4 nays to recommend the proposed ordinance be passed through second reading and enrollment, as amended with Councilors Richard Cabeceiras, Raymond A. Mitchell, Linda M. Pereira and Shawn E. Cadime voting in the negative.

#### **RESOLUTIONS** - None

#### **CITATIONS**

27. John S. Brayton, Jr. Memorial Community Service Award recipients:

Tina Bell	Elizabeth Duffy
Thomas Lowney	Greg Medeiros
Natalie Melo	Jillian Zucco
Julia & Peter Saulino	Rick & Connie Vaillancourt
The Colonial Navy of MA	The Greater Fall River Food Pantry

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the citations.

28. Girl Scouts of Southern New England Troop #1046:

Dawn Bolger	Katelyn Bolger
Kristen Harrell	Selena Medeiros
Kailee Mena	Nancy Rego
Sarah Rodrigues	

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the citations. Councilor Steven A. Camara requested the City Clerk read the names of all of the recipients.

#### **ORDERS – HEARINGS** - None

#### **ORDERS – MISCELLANEOUS**

Auto Body Shop license transfer:

29. Carla S. DeMedeiros d/b/a C & J Autobody to Antonio Almeida/State Road Auto Sales, Inc. at 2238 South Main Street

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 15, 2017, Mayor Jasiel F. Correia II

30. Police Chief's report on licenses:

Taxicab Drivers:

Chad D. Pavao; Jonathan Riopelle

Second Hand License (renewal):

Sharon Vieira d/b/a J & J Jewelry at 167 Borden Street

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order.*

**COMMUNICATIONS – INVITATIONS – PETITIONS**

31. Historical Commission – 2016 Annual Report

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

32. Drainlayer licenses:

Bartlett Consolidated LLC

G. Lopes Construction, Inc.

Peter Deterra Excavating

Farland Corp. Inc.

Fairhaven Excavation Inc. and Asphalt, Inc.

Joseph Botti Co., Inc.

Steen Realty & Development Corp.

Coastal Water Sewer & Excavation, Inc.

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted that the licenses be approved.*

33. Claims

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted that the claims be referred to Corporation Counsel.*

34. Communication from Attorney General re: resolution of OML complaint against City Council dated February 7, 2017

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

**BULLETINS – NEWSLETTERS – NOTICES** – None

**TABLED MATTERS (to be acted upon if members are prepared to take action)**

35. Proposed ordinance – Personnel, Architect/Facilities Maintenance

36. Proposed ordinance – Personnel, establishment of Treasurer/Collector position

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to lift the matter from the table. On a further motion made by Councilor Stephen R. Long and seconded by Councilor Raymond A. Mitchell, it was voted 6 yeas, 3 nays to pass the proposed ordinance through second reading, with Councilors Richard Cabeceiras, Raymond A. Mitchell and Shawn E. Cadime voting in the negative. On a motion made by Councilor Cliff Ponte and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to waive the rules to allow the Administration to answer questions. Councilor Pam Laliberte-Lebeau questioned some of the salaries of other positions in this department. The Director of Financial Services stated that it is difficult to give an exact amount when no one has been hired yet.*

37. Joint Pole Location - Dickinson Street for one (1) jointly owned pole

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Linda M. Pereira, it was unanimously voted to lift the matter from the table. On a further motion made by Steven A. Camara and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order.*

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

A recess was taken at 9:04 p.m. to allow the ordinances to be signed and the Council reconvened at 9:08 p.m.

Proposed Ordinance – Traffic, miscellaneous

*On a motion made by Councilor Joseph D. Camara and seconded by Councilor Steven A. Camara, it was unanimously voted that the proposed ordinance be passed to be ordained.*

*Approved, June 15, 2017, Mayor Jasiel F. Correia II*

Proposed Ordinance –Personnel, establishment of Treasurer/Collector position

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 5 yeas, 4 nays that the proposed ordinance be passed to be ordained, with Councilors Richard Cabeceiras, Raymond A. Mitchell, Linda M. Pereira and Shawn E. Cadime voting in the negative.*

*Approved, June 15, 2017, Mayor Jasiel F. Correia II*

Proposed Ordinance – Dept. of Buildings and Grounds to Facilities Maintenance

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Steven A. Camara, it was unanimously voted that the proposed ordinance be passed to be ordained.*

*Approved, June 15, 2017, Mayor Jasiel F. Correia II*

Proposed Ordinance – Personnel, Account Manager/Police Department

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Stephen R. Long, it was voted 8 yeas, 1 nay that the proposed ordinance be passed to be ordained, as amended with Councilor Raymond A. Mitchell voting in the negative.*

*Approved, June 15, 2017, Mayor Jasiel F. Correia II*

Proposed Ordinance – Sewer Rates

*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 to be ordained, with Councilors Steven A. Camara, Raymond A. Mitchell and Linda M. Pereira voting in the negative.*

*Approved, June 15, 2017, Mayor Jasiel F. Correia II*

Proposed Ordinance – Water Rates

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Cliff Ponte, it was voted 6 yeas, 3 nays that the proposed ordinance be passed to be ordained, with Councilors Steven A. Camara, Raymond A. Mitchell and Linda M. Pereira voting in the negative.*

*Approved, June 15, 2017, Mayor Jasiel F. Correia II*

Proposed Ordinance – Personnel, Mayor's Administrative Assistant

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Cliff Ponte, it was voted 5 yeas, 4 nays that the proposed ordinance be passed to be ordained, as amended with Councilors Richard Cabeceiras, Raymond A. Mitchell, Linda M. Pereira and Shawn E. Cadime voting in the negative.*

*Approved, June 15, 2017, Mayor Jasiel F. Correia II*

*On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara, it was unanimously voted to adjourn at 9:15 p.m.*

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

CD and DVD of meeting

A true copy. Attest:

A handwritten signature in cursive script, reading "Alison M Bouchard".

City Clerk

**REGULAR MEETING OF THE CITY COUNCIL**

MEETING: Tuesday, May 15, 2018 at 7:00 p.m.  
Council Chamber, One Government Center

PRESENT: President Cliff Ponte, presiding;  
Councilors Shawn E. Cadime, Joseph D. Camara, Steven A. Camara,  
Bradford L. Kilby, Pam Laliberte-Lebeau, Stephen R. Long,  
Leo O. Pelletier and Derek R. Viveiros

ABSENT: None

IN ATTENDANCE: None

President Cliff Ponte called the meeting to order at 7:25 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

**PRIORITY MATTERS**

1. Mayor recommending financial orders/transfers:

a. \$20,000 from Claims and Damages to Administrative Services/Law Department

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Bradford L. Kilby, it was voted 6 yeas, 3 nays to adopt the order with Councilors Shawn E. Cadime, Leo O. Pelletier and Cliff Ponte voting in the negative.*

b. \$60,000 from Inactive Capital Projects to Capital Park Project for Highland Park Netting

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to table the matter.*

2. Mayor and order transferring \$165,000 from General Fund/Stabilization Fund to Police, Salaries to provide funding for recently negotiated Memorandum of Understanding for Fall River Police Superior Officers' Association MassCOP Local 1844

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the order.*

3. Mayor requesting appointment of Edward Arruda to the Council on Aging

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to confirm the appointment.*

4. Mayor requesting appointment of Carolyn A. Burton to the Council on Aging  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Derek R. Viveiros, it was unanimously voted to confirm the appointment.*
5. Mayor and loan order for Phase 18 of the Water Improvement Projects  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to authorize the loan order to be published and referred to the Committee on Finance.*
6. Mayor and proposed ordinance establishing Vehicle Trade-In Revolving Fund.  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
7. Mayor and proposed ordinance abolishing Pay As You Throw program  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
8. Mayor and resolution in support of Philips Lighting Manufacturing workers  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Joseph D. Camara, it was unanimously voted to adopt the resolution.*
9. Mayor and proposed ordinance establishing position and salary of Assistant Human Resources Director  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
10. Mayor and proposed ordinance establishing position and salary of Architect  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
11. Mayor and proposed ordinance establishing position and salary of Seasonal Employee  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
12. Mayor and proposed ordinance regarding compensation schedule of Network Administrator (MIS)  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
13. Mayor and proposed ordinance regarding compensation schedule of Parking Clerk/Director of Traffic and Parking  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*

14. Mayor and proposed ordinance regarding compensation schedule of Assistant City Clerk  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
15. Mayor and proposed ordinance regarding compensation schedule of Manager of Operations – Streets and Highways  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
16. Mayor and proposed ordinance regarding compensation schedule of City Treasurer  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
17. Mayor and proposed ordinance regarding title and compensation schedule of Assistant Commissioner for Recreation Facilities/Director of Recreational Facilities  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Steven A. Camara, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*

#### **PRIORITY COMMUNICATIONS**

18. Corporation Counsel re: Conduct of Meetings  
*On a motion made by Councilor Shawn E. Cadime seconded by Councilor Stephen R. Long, it was unanimously voted that the communication be accepted and placed on file.*
19. Traffic Commission recommending amendments to traffic ordinances  
*On a motion made by Councilor Shawn E. Cadime seconded by Councilor Stephen R. Long, it was unanimously voted to refer the recommendations to the Committee on Ordinances and Legislation.*

#### **COMMITTEE REPORTS**

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

##### Action:

20. Resolution – City Council condemns Benn Water and Heavy Transport contract with the Watuppa Water Board  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was voted 9 yeas to adopt the resolution.*
21. Resolution – City Council support non-renewal of contract between Benn Water and Heavy Transport and the Watuppa Water Board  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was voted 9 yeas to adopt the resolution.*
- Grant leave to withdraw:
22. Resolution – Discuss with various parties the agreement to sell water to a Burrillville, RI energy company  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the resolution be granted leave to withdraw.*

Committee on Ordinances and Legislation recommending:

All Readings with Emergency Preamble:

23. Proposed Ordinance – Traffic, Handicapped Parking

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was voted 9 yeas to adopt an emergency preamble. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to pass the proposed ordinance through first reading, second reading, passed to be enrolled and passed to be ordained.*

*Approved, May 16, 2018, Acting Mayor Cliff Ponte*

First Reading:

24. Proposed Ordinance – Traffic, Miscellaneous

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the proposed ordinance be passed through first reading.*

25. Proposed Ordinance – Water rates

*Councilor Steven A. Camara stated that he cannot support these rate increases as the homeowners and renters cannot afford any more increases. On a motion made by Councilor Stephen R. Long and seconded by Councilor Shawn E. Cadime, it was voted 8 yeas, 1 nay that the proposed ordinance be passed through first reading, with Councilor Steven A. Camara voting in the negative.*

26. Proposed Ordinance – Sewer rates

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was voted 8 yeas, 1 nay that the proposed ordinance be passed through first reading, with Councilor Steven A. Camara voting in the negative.*

First Reading, as amended:

27. Proposed Ordinance – Code adoption

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted that the proposed ordinance be passed through first reading, as amended.*

28. Proposed Ordinance – Special City Charter Committee

*On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Shawn E. Cadime, it was unanimously voted to amend the proposed ordinance, as follows:*

*The two voters appointed by the Mayor and the two voters appointed by the City Council President, shall not be City Employees. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted that the proposed ordinance be passed through first reading, as amended.*

**ORDINANCES – None**

**RESOLUTIONS**

29. Committee on Economic Development and Tourism discuss the position of Director of Tourism and Cultural Affairs

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted that the resolution be adopted.*



**CITATIONS – None****ORDERS – HEARINGS****Pole Location**

30. Petition of Massachusetts Electric Company for one new pole location in vicinity of 409 Bailey Street

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order.*

*Approved, May 16, 2018, Acting Mayor Cliff Ponte*

**ORDERS – MISCELLANEOUS**

31. **Police Chief's report on licenses:**

**Taxicab Drivers:**

Richard Coderre

Jeffrey K. Cormier

Andrew Hamlen

Veronica Marden

Taj Overton

Todd J. Pina

Shawn Pinto

Leroy D. Robinson

**Second Hand License Renewals:**

St. Vincent de Paul – 1799 Pleasant Street

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order.*

32. **Auto Repair Shop License Renewal:**

Sameh Saleb; Keyrlos, Inc. d/b/a South End Sunoco at 2322 South Main Street

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order.*

*Approved, May 16, 2018, Acting Mayor Cliff Ponte*

33. **Auto Body Shop License Renewals:**

Antonio F. Pinto; Pinto's Auto Repair and Sales, Inc. at 2447 South Main Street

Daniel Aguiar d/b/a Advanced Collision Center and Sales at 39 Eleventh Street

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the order. Councilor Leo O. Pelletier requested that the restrictions be read by the City Clerk. The City Clerk stated that the restrictions for Antonio F. Pinto; Pinto's Auto Repair and Sales, Inc. are the doors of the establishment shall remain closed at all times, year round, while sanding motor vehicles.*

*Approved, May 16, 2018, Acting Mayor Cliff Ponte*

34. Transfer auto body shop license no. 147 from Antonio Almeida; State Road Auto Sales, Inc. to Luis Sousa and Rose Raposo; Color Tones Auto Body, LLC at 2238 South Main Street

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order.*

*Approved, May 16, 2018, Acting Mayor Cliff Ponte*

**COMMUNICATIONS – INVITATIONS – PETITIONS**

35. Claims

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to forward the claims to Corporation Counsel.*

36. Structure over a public way – Banner over South Main Street near Government Center for Day of Portugal Fall River event

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to approve the application.*

37. Attorney Arthur D. Frank, Jr. requesting to relinquish right, title and interest in a portion of Center Street from Bay Street easterly  
*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted to refer the communication to the Committee on Real Estate.*

38. Open Meeting Law complaint filed by Patrick Higgins regarding April 24, 2018  
 City Council Meeting  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Bradford L. Kilby, it was unanimously voted to refer the matter to Corporation Counsel and authorize the City Clerk to provide a response.*

City Council Meeting Minutes:

39. Regular Meeting of the City Council – April 10, 2018  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Derek R. Viveiros, it was unanimously voted to approve the minutes.*

40. Regular Meeting of the City Council – April 24, 2018  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Steven A. Camara, it was unanimously voted to approve the minutes.*

*On a motion made by Councilor Steven A. Camara seconded by Councilor Leo O. Pelletier, it was unanimously voted to take item numbers 41 and 42 together. The City Clerk then read the dates of the minutes.*

41. Public Hearings – April 10, 2018

42. Public Hearings – April 24, 2018

*On a further motion made by Councilor Steven A. Camara seconded by Councilor Stephen R. Long, it was unanimously voted to approve the minutes.*

**BULLETINS – NEWSLETTERS – NOTICES**

43. Copy of request of Charles & Joan Swift re: Ch. 61A classification by Board of Assessors  
*On a motion made by Councilor Steven A. Camara and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the communication be accepted and placed on file.*

44. National Grid – 2018 Yearly Operational Plan and 21 day herbicide application notification  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Derek R. Viveiros, it was unanimously voted that the communication be accepted and placed on file.*

**TABLED MATTERS**

City Council meeting dates for June through December 2018  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to lift the item from the table. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to amend the order by changing the August 14, 2018 date to August 21, 2018. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Joseph D. Camara, it was unanimously voted to amend the order by changing the August 21, 2018 date to August 7, 2018. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Joseph D. Camara, it was unanimously voted to adopt the order, as amended.*

**OTHER POTENTIAL MATTERS (to be acted upon if recommendation is received)****Report of the Committee on Regulations:**

Order – William Sanchez, ABG Holdings LLC d/b/a Lambert Auto Body and Auto Sales for renewal of an auto body shop license located at 103 Chavenson Street

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order.*

*Approved, May 16, 2018, Acting Mayor Cliff Ponte*

Order – William Sanchez, ABG Holdings LLC d/b/a Lambert Auto Body and Auto Sales for renewal of an auto repair shop license located at 103 Chavenson Street

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the order.*

*Approved, May 16, 2018, Acting Mayor Cliff Ponte*

**ITEMS FILED AFTER THE AGENDA WAS PREPARED:****COMMUNICATIONS – INVITATIONS – PETITIONS**

- Greater Fall River Vocational School District re: \$1,500,000 for the purpose of paying costs of a Feasibility Study

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the communication to the Committee on Finance.*

**Drainlayer licenses:**

Fairhaven Excavating, Inc.

LAL Construction Co., Inc.

MJD Excavating, Inc.

Alexandres Excavating, Inc.

Bartlett Consolidated, LLC

Sherry Construction Corporation

Thermo-Mechanical Systems Corporation

Bristol Pacific Homes, Inc.

Oliveira Construction, Inc.

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the licenses be approved.*

*Approved, May 16, 2018, Acting Mayor Cliff Ponte*

A recess was taken at 8:22 p.m. to allow the resolution to be signed and the Council reconvened at 8:24 p.m.

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adjourn at 8:24 p.m.*

**List of documents and other exhibits used during the meeting:**

Agenda packet (attached)

DVD of meeting

A true copy. Attest:



City Clerk

**SPECIAL JOINT MEETING OF THE CITY COUNCIL AND SCHOOL COMMITTEE**

MEETING: Tuesday, March 20, 2018 at 6:00 p.m.  
Council Chamber, One Government Center

PRESENT: President Cliff Ponte, presiding;  
Councilors Shawn E. Cadime, Joseph D. Camara, Steven A. Camara,  
Bradford L. Kilby, Pam Laliberte-Lebeau, Stephen R. Long,  
Leo O. Pelletier and Derek R. Viveiros

School Committee members Kevin Aguiar, Paul Coogan, Mark Costa,  
Joshua E. Hetzler, Thomas Khoury and Joseph Martins

ABSENT: None

IN ATTENDANCE: Mayor Jasiel F. Correia II

President Cliff Ponte called the meeting to order at 7:00 p.m. with a moment of silence followed by a salute to the flag. There was a presentation of the colors by the Fall River Police Department and Fall River Fire Department Honor Guards.

Mark Costa, Vice - Chairperson of the Fall River School Committee called the School Committee to order and asked the clerk to call the roll.

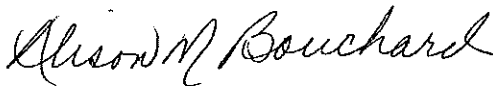
President Cliff Ponte introduced Mayor Jasiel F. Correia II and stated that the purpose of the meeting was for the Mayor's State of the City address, a copy of which is attached hereto and made a part of these minutes.

*On a motion made by School Committee member Joshua E. Hetzler and seconded by School Committee member Paul Coogan, the School Committee voted unanimously to adjourn. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted to adjourn at 6:46p.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