

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

2018 JUN 26 P 2:33

**AMENDED**

ORIGINAL POSTING: JUNE 22, 2018 AT 3:37 PM

CITY CLERK  
FALL RIVER, MA

**ALISON M. BOUCHARD**  
CITY CLERK

**MEETINGS SCHEDULED**  
**CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER** **INÊS LEITE**  
**TUESDAY, JUNE 26, 2018** **ASSISTANT CITY CLERK**  
**AGENDA**

**5:15 P.M. COMMITTEE ON ECONOMIC DEVELOPMENT AND TOURISM**

**5:45 P.M. PUBLIC HEARINGS OR IMMEDIATELY FOLLOWING THE COMMITTEE ON ECONOMIC DEVELOPMENT AND TOURISM IF IT RUNS PAST 5:45 P.M.**

**Curb Removals**

1. Rhode Island Ave., LLC, 154 Rhode Island Ave., requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
154 Rhode Island Ave. Approx. 68' Aetna Street Rhode Island Ave.		12'	0'	80'

The petitioner is requesting to open a second 12 foot driveway onto Rhode Island Avenue, which is intended to improve circulation and access. 154 Rhode Island Avenue is a commercial property at the corner of Aetna Street and Rhode Island Avenue. The property maintains an existing driveway along Aetna Street with approximately 40 feet without curb and 28 feet painted yellow (no parking) asphalt berm, which is easily traversable in a vehicle. The work does not impact on-street parking. Engineering has no objection to the new driveway opening on Rhode Island Avenue, but recommends the paint indicating no parking against the Cape Cod berm on Aetna Street be removed as there is a "No Parking" zone in ordinance applicable to that location.

2. Stephen and Doreen Soares, 97 Holden Street, request the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
97 Holden Street	14.5'	5'	0'	19.5'

The petitioners are requesting to widen the driveway by 5 feet, which is intended to improve circulation and access to the property. 97 Holden Street is a multi-family property at the corner of Holden Street and Fielden Street, which maintains an existing 14.5 foot driveway and serves a large parking area and a two-car garage that is attached to the residence. The work does not impact utilities or signage, and does not significantly impact on-street parking.

**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)

3. Lourenco Botelho, 57 Florence Street, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
57 Florence Street	11' 4"	8' 8"	0'	20'

The petitioner is requesting to widen the curb cut by 8 feet 8 inches to the east side of the existing 11 foot 4 inch driveway. The work does not impact utilities or signage, and does not significantly impact on-street parking.

4. Daniel and Erin-Beth Reilly, 704 Brayton Avenue, request the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
704 Brayton Avenue	32'	23'	0'	55'

The petitioners are requesting to widen the curb cut by 23 feet to the existing 32 foot driveway to provide access adjacent to their driveway that serves a double garage setback a short distance from the right-of-way. The work does not impact utilities or signage, and does not significantly impact on-street parking.

5. Greenwater Realty, LLC c/o Xiphias Wellness, 5 Pottersville Road, Little Compton, RI., requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
482 Globe Street	0'	28'	0'	28'

The petitioner is requesting to construct a commercial width driveway to serve their property, which is currently accessed via an abutter's driveway. The work does not impact utilities or signage, and does not significantly impact on-street parking.

### **Street Acceptances**

6. The acceptance of Arthur Street, extending from Ashley Street to Sidney Street
7. The acceptance of Ashley Street, extending from North Main Street to a dead end
8. The acceptance of Winslow Street, extending from North Main Street to a dead end

### **Urban Renewal Plans**

9. Waterfront Urban Renewal Plan
10. Downtown Urban Renewal Plan

**6:00 P.M. COMMITTEE ON FINANCE OR IMMEDIATELY FOLLOWING THE PUBLIC HEARINGS IF THEY RUN PAST 6:00 P.M.**

1. Citizen Input
2. Discussion of Revised Fiscal Year 2019 Municipal Budget (see item #1 below)
3. \*Community Preservation Committee Final Report 2018 with Fiscal Year 2019 Project and Funding Recommendations (referred 5-29-18)
4. \*Communication from Mayor and order appropriating \$1,503,617 from Community Preservation Act funds for Fiscal Year 2019 Community Projects (referred 5-29-18)

**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 revised appropriation order for the proposed Fiscal Year 2019 Municipal Budget (see Finance #2 above)
2. \*Mayor and financial transfer order in the amount of \$450,000 for Transportation – Fall River Public Schools from the General Fund Stabilization Account
3. \*Mayor and agreement with EnerNOC, Inc. to enroll the Water Division in the demand response program for electricity
4. \*Mayor and Memorandum of Understanding between the Fall River Police Association, MCOP Local 1854 and the City of Fall River
5. \*Mayor and proposed ordinance for Crime and Data Analyst – Police Department
6. \*Mayor and confirmation of appointment for Glenn Hathaway as Director of Municipal Buildings and Code Enforcement/Inspector of Buildings

**PRIORITY COMMUNICATIONS**

7. \*Communication from Corporation Counsel regarding Open Meeting Law Superior Court decision and response to Open Meeting Law Complaint from Patrick Higgins re: June 6, 2018 City Council Committee on Ordinances and Legislation Meeting
8. \*Traffic Commission recommending amendments to traffic ordinances

**COMMITTEE REPORTS**

Committee on Real Estate recommending:

Adopt:

9. \*Order – Lease agreement between Watuppa Water Board and Bay Coast Rowing Center

Grant leave to withdraw:

10. \*Communication from city resident requesting purchase of property adjacent to 270 London Street

**ORDINANCES**

Second reading and enrollment:

11. \*Proposed Ordinance – Traffic, Miscellaneous
12. \*Proposed Ordinance – Seasonal employee

**RESOLUTIONS**

13. \*Committee on Finance meet with all interested parties regarding the Alfred J. Lima Quequechan River Rail Trail to ensure that no destruction will be done
14. \*Mayor and Corporation Counsel reverse and/or rescind the "easement" provided to Cloverleaf Mills, LLC that will cross the Alfred J. Lima Quequechan River Rail Trail and that the Committee on Finance meet with these parties on the matter

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

15. Alexander Kirk, B.M.C. Durfee High School Unified Sports Track and Field Program – First place finish at the Unified Track and Field State Meet

16. Rhode Island Avenue, LLC – total of 80 feet at 154 Rhode Island Avenue
17. Stephen and Doreen Soares – total of 19.5 feet at 97 Holden Street
18. Lourenco Botelho – total of 20 feet at 57 Florence Street
19. Daniel and Erin-Beth Reilly – total of 55 feet at 704 Brayton Avenue
20. Greenwater Realty, LLC c/o Xiphias Wellness – total of 28 feet at 482 Globe Street

23. Gilbert Lourenco d/b/a Gil's Automotive located at 196 Oak Grove Avenue  
24. Mark Shea d/b/a Shea's Automotive Center located at 400 Stafford Road  
25. Monro Muffler and Brake, Inc. located at 129 Rhode Island Avenue

26. \*Claims
27. \*Drainlayer license for Narragansett Improvement Company
28. \*Open Meeting Law Complaint from Patrick Higgins re: June 14, 2018  
City Council Meetings
29. \*Open Meeting Law Complaint from Patrick Higgins re: June 12, 2018  
City Council Meetings
30. \*Open Meeting Law Complaint from Patrick Higgins re: June 20, 2018  
City Council Committee on Real Estate Meeting
31. \*Communication from the Attorney General's Division of Open Government  
with determination for Open Meeting Law Complaint from Patrick Higgins  
re: September 7, 2016 City Council Committee on Real Estate Meeting
32. \*Communication from the Attorney General's Division of Open Government  
with determination for Open Meeting Law Complaint from Patrick Higgins  
re: August 2, 2016 City Council Committee on Ordinances and Legislation Meeting
33. \*Resignation letter from Kenneth C. Pacheco as a member of the Fall River  
Community Preservation Committee
34. Final Report – Acceptance of Arthur Street, extending from Ashley Street to Sidney Street
35. Final Report – Acceptance of Ashley Street, extending from North Main Street to a dead end
36. Final Report – Acceptance of Winslow Street, extending from North Main Street to a  
dead end

Zoning Board of Appeals Minutes:

- 37. \*January 25, 2018
- 38. \*May 17, 2018

City Council Meeting Minutes:

- 39. \*Public Hearings – May 29, 2018
- 40. \*Committee on Finance – June 27, 2017
- 41. \*Committee on Finance – July 11, 2017
- 42. \*Committee on Finance – May 29, 2018
- 43. \*Committee on Finance – June 12, 2018
- 44. \*Regular Meeting of the City Council – June 27, 2017
- 45. \*Regular Meeting of the City Council – July 11, 2017
- 46. \*Regular Meeting of the City Council – August 15, 2017
- 47. \*Regular Meeting of the City Council – May 29, 2018
- 48. \*Regular Meeting of the City Council – June 12, 2018
- 49. \*Special Meeting of the City Council – June 14, 2018

**BULLETINS – NEWSLETTERS – NOTICES**

- 50. \*Fall River Historical Commission 2018 Annual Report

  
Assistant City Clerk

**ITEMS FILED AFTER THE AGENDA WAS PREPARED:**  
**CITY COUNCIL MEETING DATE: JUNE 26, 2018**

**PRIORITY COMMUNICATIONS**

- 6. \*Council President and requests for residency waivers for the Purchase and Bank Streets Streetscapes Construction Oversight Committee
  - a. Brian Cunha
  - b. Joseph T. Baptista Jr.
- 6c. \*Mayor and orders for City's Safe Routes to School project for the Carlton Viveiros Elementary School located at 525 Slade Street
  - i. Order of Taking
  - ii. Declaration and dedication of public land located at Slade, Lewis, Dwelly and Scott Streets for temporary construction purposes and perpetual public access and public way purposes

**COMMITTEE REPORTS**

Committee on Public Works and Transportation recommending:

Approval:

- 10a. \*Communication – Street opening req. for pavement less than 5 years old – 482 Globe St.
- 10b. \*Street acceptance – Morse Place

Grant leave to withdraw:

- 10c. \*Curb removal – 325 South Beacon Street

Committee on Finance recommending: (if recommendations are received by City Council)

Action:

- 10d. Community Preservation Committee Final Report 2018 with Fiscal Year 2019  
Project and Funding Recommendations
- 10e. Order appropriating \$1,503,617 from Community Preservation Act funds for  
Fiscal Year 2019 Community Projects

**COMMUNICATIONS – INVITATIONS – PETITIONS**

- 30a. \*Open Meeting Law Complaint from Patrick Higgins re: June 6, 2018  
City Council Committee on Ordinances and Legislation Meeting

City Council Meeting Minutes:

- 43a. \*Committee on Finance – June 7, 2018
- 43b. \*Committee on Finance – June 14, 2018



**City of Fall River  
Massachusetts  
City Council**

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2018 JUN 22 P 2:28

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

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

June 22, 2018

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

Honorable Members of the City Council:

Per the attached City Council resolution, I hereby request the residency waiver from the City Council for the following appointment:

Name: Brian Cunha  
Address: 147 Harrison Avenue, Newport, RI 02840  
To: Purchase and Bank Streets Streetscapes  
Construction Oversight Committee

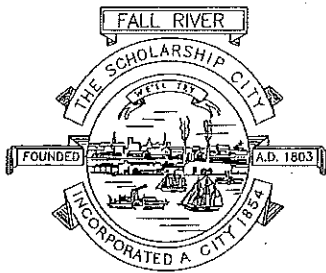
Very truly yours,

*Cliff Ponte*  
*cl*

Cliff Ponte  
President  
City Council

CITY OF FALL RIVER  
IN CITY COUNCIL

JUN 26 2018



**City of Fall River  
Massachusetts  
City Council**

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2018 JUN 25 A 10:27

**CLIFF PONTE**  
*President  
City Council*

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

June 25, 2018

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

Honorable Members of the City Council:

Per the attached City Council resolution, I hereby request the residency waiver from the City Council for the following appointment:

Name: Joseph T. Baptista Jr.  
Address: 33 Jocelyn Circle, Taunton, MA 02780  
To: Purchase and Bank Streets Streetscapes  
Construction Oversight Committee

Very truly yours,

*Cliff Ponte*

Cliff Ponte  
President  
City Council

CITY OF FALL RIVER  
IN CITY COUNCIL

JUN 26 2018



# City of Fall River, In City Council

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(Councilor Steven A. Camara)

WHEREAS, Fall River is preparing to begin the construction of the initial phase of its Streetscapes with bids scheduled to be opened for several projects, and

WHEREAS, this Streetscapes investment is a multi-million dollar commitment to improving the quality of life in the neighborhoods selected for Streetscapes as well as for the entire City, and

WHEREAS, Building Oversight Committees have been established to oversee and advise on previous public investments, and

WHEREAS, the success of public projects has been and is more likely when more people are involved in assuring their success, now therefore

BE IT RESOLVED, that there be, appointed by the Mayor and the City Council President, established Streetscapes Construction Oversight Committees specific to the areas where streetscapes are being constructed that would consist of the City Planner (serving as Chair with voting rights only in the case of a "tie"), City Engineer, two (2) City Councilors, six (6) residents, property owners and/or business owners of the respective neighborhood(s) of which three (3) are appointed by the Mayor and three (3) are appointed by the City Council President who either live, own property or own businesses where the various Streetscapes are being constructed, and

BE IT FURTHER RESOLVED, that Committee members be city residents unless granted a residency waiver by the City Council, and

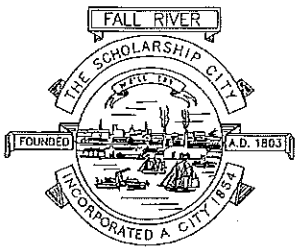
BE IT FURTHER RESOLVED, that these ten (10) person committees provide construction oversight responsibilities as well as feedback and report to the City Council and to the Mayor as issues may arise.

In City Council, October 10, 2017

Adopted, as amended.

A true copy. Attest:

*Alison M. Bouchard*  
City Clerk



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

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

RECEIVED  
2018 JUN 25 P 3:43  
CITY CLERK  
FALL RIVER, MA

June 25, 2018

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

RE: Carlton M. Viveiros Safe-Routes-to-School Project

Mr. President and Members of the Honorable Council:

The Massachusetts Department of Transportation (MassDOT) has prepared final design documents for the Carlton M. Viveiros Safe-Routes-to-School Project. The cost for the construction of this project is being borne entirely by the state and federal governments.

The project limits of the proposed improvements are on Slade Street and Dwelly Street, running from Lewis Street east to South Main Street, and on South Main Street between Slade Street and Dwelly Street. Improvements are primarily located at intersections and are designed to improve safety and accessibility for students at the Viveiros School.

The proposed street improvements are anticipated to include some pavement reconstruction and milling and paving, new sidewalks, new curbing and adjusted curb layouts, and ADA compliance. Traffic signal upgrades and replacements will be made at the intersection of Dwelly and South Main Streets. The project will result in improved safety for pedestrians walking to the Viveiros Elementary School, and improved safety and service levels for vehicles at Dwelly and South Main Streets.

The project requires temporary construction easements consisting of small slivers of land along the roadway frontage and dedication of City land to the constructed purpose in perpetuity. We have worked with the design engineers to minimize disruptions. There are 22 temporary easements on private property which will be effective for three (3) years from the date of this order. Two temporary easements (TE-13 and -14) were donated to the City by the Roman Catholic Bishop of Fall River. Two temporary easements (TE-4, -19) are on City land and do not require a taking. Parcel E-1 is a portion of land owned by the City which will hereafter be dedicated to the purposes for which it was constructed; principally for passage of pedestrians. The parcels on the Viveiros School Property were voted on and approved by the School Committee.

The Fall River City Council is authorized to acquire the necessary land parcels or portions thereof and/or rights in land parcels for the purpose of obtaining a secure and public right of way. This allows for the construction of the Carlton M. Viveiros Safe-Routes-to-School Project. Approval by the City Council is needed to insure that a Right of Way Certificate is obtained for this project. Without the ROW certificate, this project will not get constructed.

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### **What is an easement?**

An easement is a legal document that conveys limited property rights from the grantor (landowner) to the grantee (City of Fall River). A temporary easement only grants restricted use of the property and is not a transfer in real estate ownership. It conveys temporary access and construction rights that terminate upon the completion of the construction of the project.

### **What is a taking?**

A taking is a legal document that conveys property rights from the grantor (landowner) to the grantee (City of Fall River). A taking is a transfer in real estate ownership. There are no takings being made for this contract.

### **What is a dedication?**

A dedication is the creation of an easement for public use. The dedication permanently restricts the use of dedicated property to the elucidated purpose. Parcel E-1 on the Viveiros Elementary School property is dedicated to be used for public access and public ways and sidewalks and all other purposes for which ways are used in the City of Fall River and the Commonwealth of Massachusetts in furtherance of numerous public policies to create convenient and safe public access and travel.

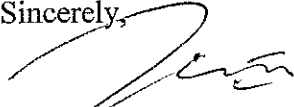
### **What did the appraisal process involve?**

The City of Fall River retained Claude A. Giroux, SRA, to conduct land appraisals of the affected parcels. All residents to be affected were notified in advance and were given an opportunity to discuss the process with either our office or with Mr. Giroux. A monetary value was established and upon Council approval will be offered as fair market value for the temporary easements.

The cost of the appraisal and the cost of the easement and property takings have been approved by MassDOT under the state Chapter 90 program and are thus fully reimbursable by the state.

Attached are two proposed orders; the first to effect these easements, and the second to effect the dedication of land, along with a plan showing the location of all affected parcels.

Sincerely,

  
Jasiel P. Correia II  
Mayor

CITY OF FALL RIVER  
IN CITY COUNCIL

JUN 26 2018

ORDER OF TAKING

ORDERED, that the City of Fall River, Massachusetts, under the authority of Massachusetts General Laws, Chapter 79, as amended, and all other applicable laws and ordinances, does hereby take by eminent domain temporary easements located on those certain parcels of land located in the City of Fall River being further described on the following pages.

Said temporary easements shall run for three years from the effective date of this order, and shall be for the purpose of constructing, maintaining, and repairing public ways and appurtenances thereto, known as Dwelly Street, Slade Street and South Main Street in said Fall River, Massachusetts, in furtherance of the Safe-Routes-to-School Project for Carlton M. Viveiros Elementary School.

Said temporary easements are shown on a plan of land entitled "EASEMENT PLAN FOR DWELLY STREET, SOUTH MAIN STREET & SLADE STREET in the City of Fall River, Bristol County, dated May 21, 2018" and recorded at the Bristol County Fall River District Registry of Deeds in Plan Book 161, Pages 67-70.

Be it further ORDERED, in accordance with Massachusetts General Laws, Chapter 79, Section 6, as amended, that the City of Fall River has determined that the awards for damages are as included on the following pages.

CITY OF FALL RIVER  
IN CITY COUNCIL

JUN 26 2018

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**EXHIBIT A**  
**TEMPORARY EASEMENTS FOR CARLTON M. VIVEIROS ELEMENTARY SCHOOL SAFE ROUTES TO SCHOOL PROJECT**  
**TEMPORARY EASEMENTS: TE-1 THROUGH TE-27**

LOCATION NUMBER	ASSESSOR'S MAP	LOT	STREET ADDRESS	CURRENT OR FORMER TITLEHOLDER	DEED BOOK	PAGE	EASEMENT AREA	EASEMENT VALUE
TE-1	B-12	31	530 DWELLY	ROSALINA CASHMAN	9248	212	455± S.F.	\$950.00
TE-2	B-11	42	531 DWELLY	JOSE M. COSTA & MICHAEL J. COSTA	9377	329	190± S.F.	\$675.00
TE-3	B-11	43	543 DWELLY	PATRICE A. SHAW & MICHAEL P. SEDOMA	6401	56	170± S.F.	\$650.00
TE-5	B-12	18	602 DWELLY	STEPHEN H. & PATRICIA A. LANGLAIS	2649	264	337± S.F.	\$775.00
TE-6	B-11	18	611 DWELLY	PAUL E. SOUZA	1837	164	400± S.F.	\$900.00
TE-7	B-11	20	621 DWELLY	ALBERT PACHECO AND MARIA A. PACHECO	1806	245	150± S.F.	\$565.00
TE-8	B-13	57	1641 SOUTH MAIN	ALLAN BORA & THOMAS DENINGER	5446	74	489± S.F.	\$3,100.00
TE-9	B-16	34	1648 SOUTH MAIN	TAVROS INC.	2906	133	193± S.F.	\$1,100.00
TE-10	B-14	1	1664 SOUTH MAIN	LORILL, LLC, C/O JEFFREY VIVEIROS	4195	157	90± S.F.	\$700.00
TE-11	B-11	28	677 DWELLY	RICHARD A. SROCCZYNSKI, TRUSTEE OF THE RICHARD A. SROCCZYNSKI TRUST	8674	74	107± S.F.	\$895.00
TE-12	B-11	29	1677 SOUTH MAIN	RICHARD A. SROCCZYNSKI & MARILYN L. GIRARD TRUSTEES	2341	337	26± S.F.	\$160.00
TE-15	B-16	14	1552 SOUTH MAIN	DONALD L. DESFORGES & DEBORAH A. DESFORGES	4136	118	55± S.F.	\$520.00
TE-16	B-13	53	1601 SOUTH MAIN	SOUTH COAST PHYSICIANS GROUP INC.	8092	192	1215± S.F.	\$3,550.00
TE-17	B-13	57	1533 SOUTH MAIN	GA 1553 SOUTH MAIN STREET LLC.	9460	243	584± S.F.	\$2,440.00
TE-18	H-04	32	502 SLADE	ALEXANDRA P. BRITO	8764	49	119± S.F.	\$450.00
TE-21	H-04	16	151 CHURCH	CARL H. BRYANT & THERESA L. BRYANT	942	411	337± S.F.	\$775.00
TE-22	B-13	4	138 CHURCH	CHRISTINE CARREIRO, DANNY COUTINHO, KEVIN COUTINHO, MELISSA COUTINHO, MARIA COUTINHO (LIFE ESTATE)	4650	112	527± S.F.	\$1,100.00
TE-23	B-13	6	576 SLADE	MANUEL P. FERNANDES & MARIA T. FERNANDES (LIFE ESTATE) REMAINDER TO PAUL G. FERNANDES & NANCY ENGELHARD (EQUAL SHARE AS TENANT IN COMMON)	5982	79	363± S.F.	\$830.00
TE-24	B-12	12	557 SLADE	DORIAN R. WIERZBA & JESSICA A. ROLLINS	6791	135	142± S.F.	\$530.00
TE-25	B-12	28	571 SLADE	THOMAS C. LABOSSEIRE & ROBIN L. LABOSSEIRE	5358	149	241 ± S.F.	\$700.00
TE-26	B-13	37	583 SLADE	LISA M. CARPENTER (LIFE ESTATE), REMAINDER TO LORETTA MENDES AND NICHOLAS MENDES J/T	8484	273	129± S.F.	\$490.00
TE-27	H-04	17	514 SLADE	JOSE S. & IZAURA R. DE MELLO	828	45	150± S.F.	\$565.00

TOTAL OF TEMPORARY EASEMENTS

**\$22,420.00**

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DECLARATION AND DEDICATION OF PUBLIC LAND  
LOCATED AT SLADE STREET, LEWIS STREET, DWELLY STREET  
AND SCOTT STREET IN FALL RIVER, MASSACHUSETTS FOR  
TEMPORARY CONSTRUCTION PURPOSES AND  
PERPETUAL PUBLIC ACCESS AND PUBLIC WAY PURPOSES

525 Slade Street,  
Fall River, Massachusetts

The City of Fall River, a municipal corporation and body politic and corporate and a political subdivision of the Commonwealth of Massachusetts, having a place of business of One Government Center, Fall River, Massachusetts (the "City"), as the owner of certain City property located at 525 Slade Street, Fall River, Massachusetts (the "City Property"), acting by and through its School Committee and City Council and by virtue of every other power and authority hereto enabling us, hereby declares and dedicates portions of the City Property for construction purposes and for public access, public ways and public sidewalks in connection with the City's "Safe Routes to School" project for the Carlton Viveiros Elementary School located at 525 Slade Street in Fall River, Massachusetts (the "Project") and as follows.

The portions of City Property to which this Declaration and Dedication applies are shown on the plan containing four sheets entitled "EASEMENT PLAN FOR DWELLY STREET, SOUTH MAIN STREET & SLADE STREET" in the City of Fall River, Bristol County, dated May 21, 2018 (the "Plan"), a true copy of which Plan is recorded at the Bristol County Registry of Deeds Fall River District (the "Registry") herewith. A reduced copy of the Plan is attached hereto as Exhibit A.

Perpetual Rights

The City and the general public shall have the non-exclusive perpetual right to enter upon, travel over, maintain, repair and use those portions of the City Property shown on the plan and listed below the Parcels for public access and public ways and sidewalks and all other purposes for which ways are used in the City of Fall River and the Commonwealth of Massachusetts.

<u>Parcel</u>	<u>Assessor ID</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcel E-1	Map B-12, Lot 11	525 Slade Street	767 s.f.

Such purposes, uses and improvements include, by way of illustration and without limitation, passage for pedestrians, vehicles and bicyclists and pavement and improvements for sidewalks, wheelchair ramps, pathways, grading, sloping and drainage. The City shall not make any improvements to the Parcels materially inconsistent with the allowed purposes described above.

In so dedicating the Parcels, the City intends to have the above-described rights over the above-described parcels to be perpetual in duration and to have the Parcels used for public access and public ways

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and sidewalks and all other purposes for which ways are used in the City of Fall River and the Commonwealth of Massachusetts in furtherance of numerous public policies to create convenient and safe public access and travel. To that end, if for any reason this Declaration and Dedication shall be deemed subject to sun-setting provisions, terminated, void or voidable on any grounds, or other principles requiring duration less than perpetual, then the City and its successors shall undertake and carry out all reasonably necessary measures to extend, adopt and/or renew the terms of this Declaration and Dedication to ensure that the Parcels are permanently used in a manner consistent with the terms and intent of this Declaration and Dedication.

#### Temporary Rights

The City and the general public shall have the non-exclusive temporary right to enter upon, travel over, maintain, repair and use those portions of the City Property shown on the plan and listed below the Parcels for public access and public ways and sidewalks and all other purposes for which ways are used in the City of Fall River and the Commonwealth of Massachusetts. Such purposes, uses and improvements include, by way of illustration and without limitation, passage for pedestrians, vehicles and bicyclists and pavement and improvements for sidewalks, pathways, grading, sloping and drainage. The City shall not make any improvements to the Parcels materially inconsistent with the allowed purposes described above during the term of such temporary rights.

<u>Parcel</u>	<u>Assessor ID</u>	<u>Address/Location</u>	<u>Area (±)</u>
Parcel TE-4	Map B-12, Lot 11	525 Slade Street	345 s.f.
Parcel TE-19	Map B-12, Lot 11	525 Slade Street	83 s.f.

Such purposes, uses and improvements include, by way of illustration and without limitation, passage for pedestrians, vehicles and bicyclists and pavement and improvements for sidewalks, pathways, grading, sloping and drainage. The City shall not make any improvements to the Parcels materially inconsistent with the allowed purposes described above.

In so dedicating the Parcels, the City intends to have the above-described rights over the above-described parcels to be temporary in duration, expiring on the date that is three (3) years from the date this instrument is recorded at the Registry, and to have the Parcels used for public access and public ways and sidewalks and all other purposes for which ways are used in the City of Fall River and the Commonwealth of Massachusetts in furtherance of numerous public policies to create convenient and safe public access and travel.

We direct that this instrument be filed with the Registry and with the City Clerk. In the event any provision of this instrument is deemed by a court of competent jurisdiction to be invalid, illegal or unenforceable, the remainder of this instrument shall be valid and enforceable to the fullest extent permitted by law.

For the City's authority to dedicate the City Property pursuant to this instrument, see the certified copy of the City Council Vote attached hereto as Exhibit B.

For title, see the instrument recorded at the Registry in Book 359, Page 531, and title report and certification attached hereto as Exhibit C.

6C

Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_ 2018

**City Council of the City of Fall River, Massachusetts**

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\_\_\_\_\_

In City Council

Adopted \_\_\_\_\_

\_\_\_\_\_  
City Clerk of the City of Fall River

Office of the Mayor of the City of Fall River

Approved \_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor of the City of Fall River



6C

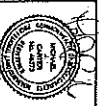
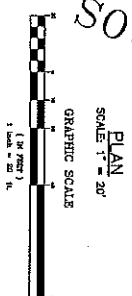
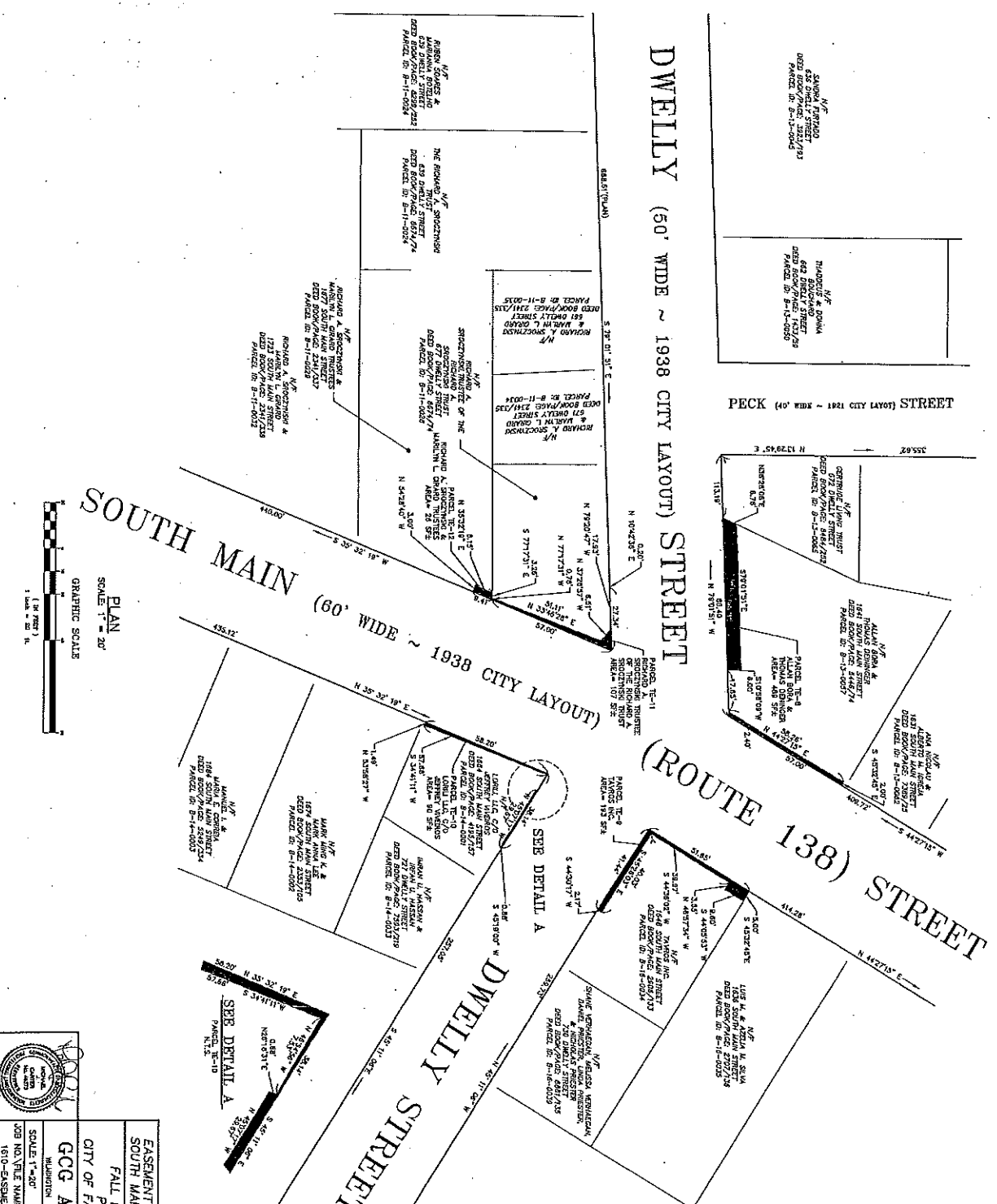
EXHIBIT A

Reduced Copy of Plan

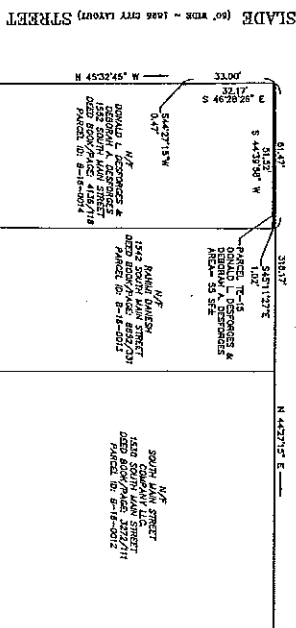
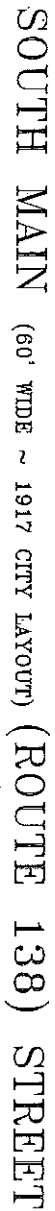
*Journal of Management Education* 36(7) 809-824

6C


FOR RECORD - SEE ONLY

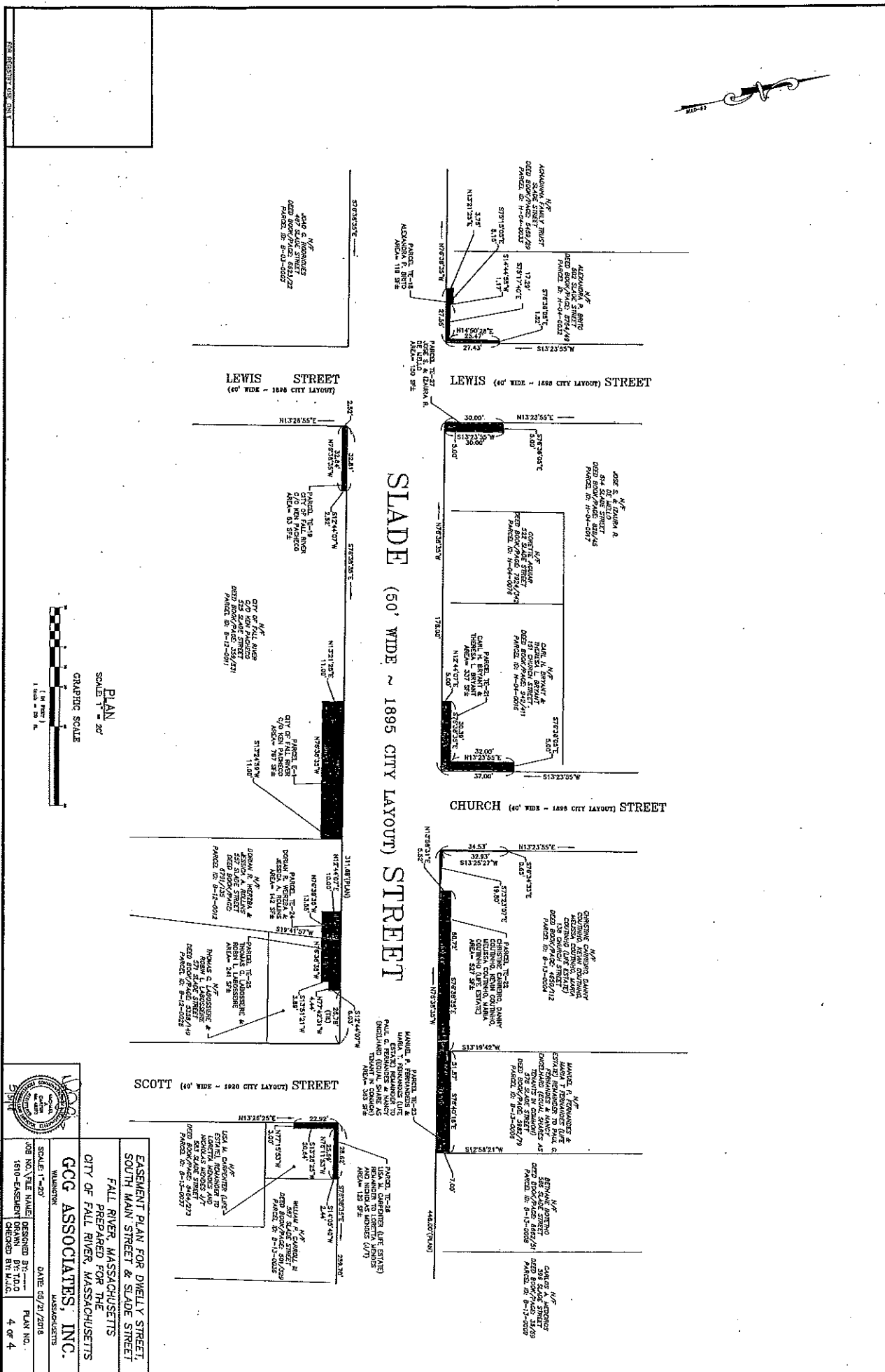


EASEMENT PLAN FOR DWELLY STREET, SOUTH MAIN STREET & SLADE STREET FALL RIVER, MASSACHUSETTS CITY OF FALL RIVER, MASSACHUSETTS			
GCG ASSOCIATES, INC.			
MASSACHUSETTS			
JOE NO. 1716	DATE 08/21/2018	PLAN NO.	2 OF 4
DESIGNED BY: TDO			
CHECKED BY: MJC			



PLAN  
SCALE 1" = 20'  
GRAPHIC SCALE  
(IN FEET)  
1 inch = 20 ft.

 EASEMENT PLAN FOR DWELLY STREET,  
SOUTH MAIN STREET & SLADE STREET  
FALL RIVER, MASSACHUSETTS  
PREPARED FOR THE  
CITY OF FALL RIVER, MASSACHUSETTS  
GCG ASSOCIATES, INC.  
WALVERTON MASSACHUSETTS  
SCALE 1"=20'  
DATE 02/24/2016  
JOB NO./FILE NAME DESIGNED BY: TLO  
1610-B-REBENT CHECKED BY: MMS  
PLAN NO. 3 OF 4



6C

EXHIBIT B

City Clerk Certified Copy of the  
City Council Vote for Dedication Of Land  
and Taking of Temporary Easements

10a

## CITY OF FALL RIVER

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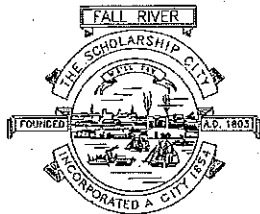
To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on June 25, 2018,  
voted unanimously to recommend that the accompanying communication be approved.

  
Assistant Clerk of Committees

10a



# City of Fall River Massachusetts

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

## Engineering Division


JASIEL F. CORREIA II  
Mayor

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  
IN CITY COUNCIL  
JUN 12 2018

*Referred to the Committee  
on Public Works and Transportation*

CITY OF FALL RIVER  
IN CITY COUNCIL  
JUN 26 2018



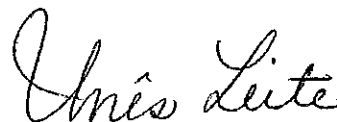
## CITY OF FALL RIVER

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To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on June 25, 2018,  
voted unanimously to recommend that the accompanying final report be accepted and allowed.



Assistant Clerk of Committees

106

**CITY OF FALL RIVER, MASSACHUSETTS  
IN CITY COUNCIL**

This Council having on the 22<sup>nd</sup> day of April, 2014 received a petition signed by thirteen registered voters in the City of Fall River that a new street or public way (**Morse Place**) might be laid out and accepted for the use of the public and the City of Fall River, extending from the east line of Bay Street and running easterly along the southern line of Morse Place for a distance of 383.89 feet to the easterly terminus of the roadway at the west line of Bowen Street, therefore, the same was considered and on the 27th day of February, 2018 it was:

**ORDERED:** That a meeting of the City Council be held at One Government Center on the 27th day of February, 2018 at 5:45 PM o'clock to hear all parties interested and wishing to be heard on the subject of a layout for the said street, and that the City Clerk notify the several owners of land over and besides which it is proposed to layout the said street or public way, of the said meeting, and the intention of this Council to layout the same,

The requisite notice having been given, this Council met at the time and place named, and an opportunity was given to all parties interested and wishing to be heard.

This council did thereupon and does hereby adjudicate and decree that common convenience and necessity require that the said street or public way be called **Morse Place**, and does hereby take, *in fee simple*, the land necessary therefore.

The description of the street layout and the plan annexed are hereby made part of this report.

Said street or public way passes beside or over land supposed to belong, now or formerly to: *Michael Letendre and Robert Blackburn, Brian Viveiros, Jose G. and Maria C. Pereira, Joao L. Sousa and Lucia F. Vitorino, Flordeliz and Jeffrey Costa, and Manuel B. Tavares and Dawn Marie Farias.*

This council considers and decides that no damage is sustained in any of the aforementioned owners' property or by any other persons by the laying out, grading and acceptance of this said street or public way as shown on the annexed plan.

**CITY OF FALL RIVER  
IN CITY COUNCIL**

**FEB 27 2018**

*Referred to the Committee  
on Public Works and Transportation*

**MORSE PLACE****Layout Description**

The Layout of Morse Place in Fall River, Bristol County, Massachusetts, bounded and described as follows:

Beginning at a point at the intersection of Morse Place and Bay Street, such point being on the eastern side of Bay Street, said point being the most southwesterly corner of the herein described Morse Place layout, said point also being 314.27', N 44° 00' 43" E of a drill hole on the easterly side of Bay Street where it intersects the southerly line of Slade Street; thence from the Point of Beginning, running S 66° 38' 57" E along the southerly side of Morse Place for a distance of 383.89 feet to a point in the westerly line of Bowen Street, said point also being 294.00', N 23° 25' 03" E of the southwest corner of the intersection of Slade Street and Bowen Street; thence turning and running N 23° 25' 03" E for a distance of 20.00 feet to a point on the north side of Morse Place, thence running N 66° 38' 57" W for a distance of 376.37 feet to a point in the easterly line of Bay Street; thence turning and running S 44° 00' 43" W for a distance of 21.37 feet to the point of beginning; this layout of Morse Place containing 7,603± square feet.

Said layout is shown on the attached plan entitled: **STREET ACCEPTANCE PLAN located at MORSE PLACE IN FALL RIVER, BRISTOL COUNTY, MASSACHUSETTS**, prepared for: **City of Fall River** dated: **February 10, 2016**.

Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_ 2018

City Council of the City of Fall River, Massachusetts.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

In City Council

**VOTED:** That the report of the City Council be accepted and allowed and that the layout herein described be, and the same is hereby established, decreed and confirmed.

\_\_\_\_\_  
City Clerk of the City of Fall River

Office of the Mayor of the City of Fall River

Approved \_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor of the City of Fall River

10C

## CITY OF FALL RIVER

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To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on June 25, 2018,  
voted unanimously to recommend that the accompanying order be granted leave to withdraw.

  
Assistant Clerk of Committees

# City of Fall River, *In City Council*

10c

WHEREAS, the following order for a curb removal was as follows:

ORDERED, that permission be and the same is hereby granted to:

Jana and Justin Mercier, 325 S. Beacon Street, request the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
325 S. Beacon Street	16'	11' 9"	0'	27' 9"

The petitioners have two existing driveway openings at 325 S. Beacon Street which total 27' 9". They are intending to pave on their property and put the 11' 9" opening into regular use for tenants living at the property. The work provides improved access to the existing lot and results in a minimal impact to on-street parking. The property owner is utilizing this process to formalize a preexisting grandfathered curb cut.

and, on March 27, 2018 the order was referred to the Committee on Public Works and Transportation now therefore, be it

ORDERED, that permission be and the same is hereby granted to:

Jana and Justin Mercier, 325 S. Beacon Street, request the removal of curbing as follows:

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325 S. Beacon Street	16'	11' 9"	0'	27' 9"

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CITY OF FALL RIVER  
IN CITY COUNCIL

JUN 26 2018

Received by email  
6-22-18 1:30 PM

30a



## OPEN MEETING LAW COMPLAINT FORM

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

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.CO

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 Subcommittee on Ordinances

Specific person(s), if any, you allege  
committed the violation: All members

Date of alleged violation: Jun 6, 2018

CITY OF FALL RIVER  
IN CITY COUNCIL

JUN 26 2018

-23-18 emailed to all Councilors; hard copy to Co. Pelletier

**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 Subcommittee on Ordinances violated the open meeting law by holding their meeting at the Fall River Government Center knowing that Richard Branco could not attend this meeting under threat of arrest for trespassing. The city administrator, Cathy Ann Viveiros issued a no trespass order to Richard Branco on April 26, 2018 notifying him that his presence in Government Center would result in his arrest for trespassing. The Fall River City Council subcommittee on Ordinances knew or should have known that Richard Branco was prohibited from attending and observing the Fall River City Council Subcommittee on Ordinances meeting under threat of arrest and should have moved their meeting to a location where all people, including Richard Branco and any other persons who have been served with No Trespass notices, could attend if they desired to.

See <http://www.heraldnews.com/news/20180619/two-issued-no-trespassing-orders-at-fall-river-government-center>; also Division of Open Government determination letter 2018-77.

The subcommittee additionally violated the open meeting law by having a quorum of 5 members of the full City Council present and deliberating on matters that they would be sending to the full City Council with their recommendations on whether or not to approve the actions they took at the subcommittee level. Since they constitute a full quorum of the City Council this would be an exercise in futility.

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.

Move all meetings of the public bodies from Government Center to a location where no one is prevented from attending and observing the meeting under threat of arrest for trespassing.  
Reduce the number of members of the subcommittee on Ordinances to less than a full quorum of the full City Council

**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: 6/22/18

For Use By Public Body  
Date Received by Public Body:

For Use By AGO  
Date Received by AGO:



# COMMITTEE ON FINANCE

MEETING: Thursday, June 7, 2018 at 5:30 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  
Chief John D. Lynch, Fall River Fire Department  
Chief Al Dupere, Fall River Police Department  
Timothy Oliveira, Director of Emergency Medical Services  
Matthew H. Malone, Ph.D., Superintendent of Schools  
Kevin Almeida, Chief Financial Officer, School Department  
Kenneth C. Pacheco, Chief Operating Officer, School Department  
Mark Costa, Vice-Chairperson, School Committee

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

*Councilor Joseph D. Camara arrived at 5:44 p.m.*

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:  
Dawn Saurette, 1984 Robeson Street - PAYT

## Agenda:

2. Discussion of the proposed Fiscal Year 2019 budget of the School Department, followed by a presentation and discussion of the municipal side of the budget.

*The Superintendent of Schools gave an overview of the Fiscal Year 2019 School Department Budget. He then stated that he was proud of this budget, as it contained no pink slips. He also mentioned that the Resiliency School graduated 79 students this year and this was the largest class ever. Councilor Bradford L. Kilby stated that schools are ever changing today, as Massachusetts Comprehensive Assessment System (MCAS) testing is*

now being done online, instead of with paper and pencils. Councilor Joseph D. Camara stated that a few years ago Net School Spending was only at 97%, now we are at 101% which is a great achievement. Back then teachers had to purchase their own classroom supplies, as the schools had no money for supplies.

Councilor Pam Laliberte-Lebeau asked if the Atlantis Charter School can come to the City for transportation costs, now that they will be busing some students due to the location of the new school. The School Superintendent stated that for years the Atlantis Charter School never used transportation, but they will now be looking for transportation for students. Councilor Stephen R. Long asked what the cost was per student for education. The Superintendent of Schools stated approximately \$13,000 per student. He then stated that the average is between \$12,000 and \$15,000, so we are very average. Councilor Derek R. Viveiros stated that he wanted to thank everyone for all the hard work on the School Department Budget. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the School Department Budget to the full council for action.

President Cliff Ponte called for a 5 minute recess at 7:37 p.m. and the Council reconvened at 7:45 p.m.

The City Administrator gave a PowerPoint presentation of the Fiscal Year 2019 Budget. The Director of Financial Services then gave a brief overview of the increases and decreases presented in the Fiscal Year 2019 Budget.

The Fire Chief stated that he has increased manpower from 32 to 35 firefighters per shift. He then stated that presently he has a total of 190 firefighters and his goal is to have 200. He went on to state that after next year, there will only be 2 pieces of equipment that will need to be replaced. Engine 12 which is from 1998 and Ladder 4, which is from 2010. He also mentioned that the Stanley Street Fire Station was built to house horse and wagons, which is very different from the size and weight of new fire apparatus. Councilor Stephen R. Long asked what is the average salary of a firefighter. The Fire Chief stated between \$55,000 and \$60,000 per year.

Councilor Stephen R. Long then asked the Police Chief how much overtime a police officer can work. The Police Chief stated not more than 2 shifts. He then stated that the average police officer makes approximately \$55,000, with entry level salary being approximately \$46,000. Councilor Joseph D. Camara then asked the Police Chief how many homicides have there been in Fall River this year. The Police Chief stated one. Councilor Joseph D. Camara then stated that Dorchester has had 23 homicides this year. He then stated that Fall River is not the worst place to live, it is a safe place to live compared to many other cities. He also mentioned that the Police and Fire Departments should have a Facebook and Twitter Account as these are used by many residents.

Citizens' Input Time – After Discussion of Financial Matters:

None

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to adjourn at 9:17 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

PowerPoint Budget Presentation – School Department

PowerPoint Budget Presentation – Municipal

*Colleen A. Taylor*  
Clerk of Committees

## COMMITTEE ON FINANCE

**MEETING:** Thursday, June 14, 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  
Jennifer Argo, Auditor  
Paulianne Martins-Teixeira, Treasurer  
Ian Schachne, City Collector  
Elizabeth A. Camara, Chairperson, Board of Election Commissioners  
Rhonda Pinnell, Purchasing Agent  
Joseph I. Macy, Corporation Counsel  
Madeline Coelho, Director of Human Resources  
Raymond E. Hague, Director of Veterans' Services  
Terrance J. Sullivan, Administrator of Community Utilities  
Christopher Gallagher, Director of Facilities Maintenance

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:

Citizens' Input Time – Before Discussion of Financial Matters:

None

Agenda:

2. Continuation of discussion – Proposed Fiscal Year 2019 Budget

*Council President Cliff Ponte asked if any Councilors had questions for the City Collector, Treasurer and Auditor and there were no questions for these individuals. Councilor Bradford L. Kilby asked the Chairperson of the Board of Election Commissioners for an estimated cost for new voting machines. The Chairperson stated approximately \$188,000 to \$200,000. She then added that the voting booths also need replacing and the last quote received was for \$86,900 plus \$3,500 shipping costs.*

Councilor Stephen R. Long asked the Director of Veterans' Services why there was a 5% decrease in funding. The Director of Veterans' Services stated that the client base is shrinking. He then stated that the budgeted amount is sufficient to deliver the needed services. He also mentioned that the Veterans' Center on Pine Street has received many improvements in the last 30 months. Councilor Stephen R. Long asked if the veterans were happy with the improvements. The Director of Veterans' Services stated that they are very happy.

Councilor Shawn E. Cadime asked Corporation Counsel about salary increases in his department. Corporation Counsel stated that Assistant Corporation Counsel Gary Howayeck had taken a pay reduction in previous years and now that his salary is increasing from \$75,000/year to \$85,000/year, it is a return to his original salary not really an increase. The Director of Human Resources stated that she is hoping to add an Assistant Human Resources Director to the department. Councilor Leo O. Pelletier stated that he agrees there should be someone able to back up the department head. Councilor Stephen R. Long stated that he agrees with Councilor Leo O. Pelletier's statement. The Director of Financial Services stated that the Assistant Director of Human Resources salary would be, not to exceed \$65,000/year.

Councilor Shawn E. Cadime asked the Administrator of Community Utilities, if he was comfortable with the budget. The Administrator of Community Utilities stated that he was. Councilor Shawn E. Cadime then asked the Director of Facilities Maintenance if AMERESCO was still guaranteeing savings. The Director of Facilities Maintenance stated that they were. Councilor Joseph D. Camara asked why there are so many purchases made at Home Depot. The Director of Facilities Maintenance stated there are always minor items that are needed on a day to day basis, such as drill bits, saw blades, nut and bolts, etc. Councilor Steven A. Camara then asked if the 5 bay garage on Rodman Street was the former Levesque's property. The Administrator of Facilities Maintenance stated that it was. Councilor Shawn E. Cadime asked the Director of Financial Services about the Mayor's Travel Expenses regarding the Mayor's trip to Paris. The Director of Financial Services stated that the flight was approximately \$900 and the other associated expenses were paid by the company offering the seminar.

Council President Cliff Ponte then asked if there were questions for the City Clerk or the City Council and there were none. He then asked if there were any questions for the City Administrator and Councilor Shawn E. Cadime asked the City Administrator if she was still receiving a stipend for tax title property work and she stated that she does not. Councilor Shawn E. Cadime asked about the expense of \$20,000 for customized forms in the MIS Department. The City Administrator stated that this was for the new e-permitting program. Councilor Shawn E. Cadime then asked if Group Benefits Strategies (GBS) was still our group health care consulting firm. The City Administrator stated that they are.

Council President Cliff Ponte called for a 5 minute recess at 9:09 p.m. The Council reconvened at 9:19 p.m.

Councilor Stephen R. Long asked where the revenue from the Vacant Building Registration Fees went. The Director of Financial Services stated into the General Fund. Councilor Pam Laliberte-Lebeau asked for an update on the medical and recreational marijuana licenses. The Director of Financial Services stated that there are 4 agreements pending, with 3 locations close to opening.

Vice-President Pam Laliberte-Lebeau took the podium at 9:40 p.m. to allow President Cliff Ponte to speak. President Cliff Ponte asked the Director of Financial Services what the total estimated receipts would be for Fiscal Year 2018 vehicle excise taxes. The Director of Financial Services stated approximately \$8 million dollars. President Cliff Ponte then stated that the City Council was correct in lowering the estimated vehicle excise taxes in last year's budget. The Director of Financial Services stated that he was correct and then added that other areas of revenue were under estimated, therefore balancing the anticipated revenue amounts in the Fiscal Year 2018 Budget. She stated that an average from Fiscal Year 2015 until present was used to come up with an anticipated \$8.2 million dollars for Fiscal Year 2019. She also stated that the City has a new Collector who is more aggressive in collections and collections are now approximately 82% where in previous years we were averaging 78%. President Cliff Ponte returned to the podium at 10:27 p.m. Councilor Bradford L. Kilby made a motion to table the matter, but received no second.

Councilor Steven A. Camara stated that the citizens of Fall River want the Pay-As-You-Throw Program to be eliminated. He then stated that in his opinion, we should eliminate PAYT, parking meter fee and also CPA funds because the citizens cannot afford all these increases. He stated that there is a 2 ½% tax increase and significant water and sewer rate increases and a proposed significant parking meter fee increase and now this Council wants to add the PAYT revenues back into the Fiscal Year 2019 Budget, the tax payers and rent payers of the City cannot afford all these increases. Councilor Joseph D. Camara stated that when the PAYT program was implemented, it was done wrong. He then stated that the Mayor has not included any PAYT revenue into this proposed budget, so he is confident that he can run the City without the PAYT revenue. He then stated that he will not support the parking meter fee increases, as it is too much of a burden on the residents that frequent the down town area. He then asked the Director of Financial Services how much will the City of Fall River certify in free cash this year. She stated that she did not have that figure, but she would guess approximately \$3 million dollars.

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Bradford L. Kilby, it was voted 1 yea, 8 nays to adjourn at 11:01 p.m., with Councilors Shawn E. Cadime, Joseph D. Camara, Steven A. Camara, Pam Laliberte-Lebeau, Stephen R. Long, Leo O. Pelletier, Derek R. Viveiros and Cliff Ponte voting in the negative and the motion failed to carry. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 6 yeas, 3 nays to refer to Fiscal Year 2019 Budget to the full council for action, with Councilors Shawn E. Cadime, Pam Laliberte-Lebeau and Cliff Ponte voting in the negative. On yet a further motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adjourn at 11:02 p.m.

Citizens' Input Time – After Discussion of Financial Matters:

None

List of documents and other exhibits used during the meeting:

Agenda packet (attached)  
DVD of meeting

*Colleen A. Taylor*  
Clerk of Committees