



City of Fall River Massachusetts

Office of the City Clerk

REVISED POSTING: SEPTEMBER 9, 2019 AT 5:00 P.M.

ORIGINAL POSTING: SEPTEMBER 6, 2019 AT 3:15 P.M.

RECEIVED

2019 SEP 10 P 1:34

CITY CLERK
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

INÊS LEITE
ASSISTANT CITY CLERK

TUESDAY, SEPTEMBER 10, 2019
REVISED AGENDA

6:00 P.M. COMMITTEE ON FINANCE

1. Citizen Input
2. *Mayor and loan order of \$6,088,821.00 for the Resiliency Preparatory Academy Repairs (referred 8-12-19)
3. *Mayor and loan order of \$1,704,637.00 for the Westall School Repair Project (referred 8-12-19)
4. *Resolution – discussion with City Engineer re: workmanship on Streetscape project at East Main Street (referred 7-15-19)
5. *Resolution – discussion and review of Streetscape projects at Purchase Street and East Main Street (tabled 6-4-19)
6. *Fall River Task Force Revised Draft for discussion (see item # 8 below)

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

PRIORITY MATTERS

1. *Mayor and veto of proposed ordinance to limit number of marijuana licenses
2. *Report of Committee on Finance re: Fiscal Year 2019 Quarter 4 Budget Report (objection filed 8-12-19)
3. *Mayor requesting amendment of city ordinances as follows:
 - a. create title of Water Maintenance Supervisor/Advanced Backhoe Operator
 - b. create new job classification of Water Treatment Plant Mechanic

PRIORITY COMMUNICATIONS

4. *Board of Election Commissioners and order clarifying vote to purchase new voting machines
5. *Community Preservation Committee – Annual Report
6. *Board of Park Commissioners re: request to rename Aetna Street Playground
7. *City Planner re: Environmental Notification Form and plans for Waterfront and Downtown Urban Renewal Plans
8. *Fall River Task Force Revised Draft for City Council consideration (tabled 8-12-19) and Corporation Counsel's communication regarding proposed language

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

All readings with Emergency Preamble:

9. *Proposed Ordinance – Traffic, Handicapped Parking

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

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First Reading:

10. *Proposed Ordinance – Traffic, miscellaneous
11. *Proposed Ordinance – City Fire Alarms

Referral to Corporation Counsel:

12. *Resolution – Draft of ordinance to reduce thin film single-use plastic check-out bags

ORDINANCES

13. *Proposed Ordinance – Official City Bags
14. *Proposed Ordinance – Political Signs

RESOLUTIONS

15. *Request Administration, Dir. of Recreational Facilities, Dir. of Community Maintenance and representatives of Mass Coastal Railroad and Southcoast Rail coordinate effort to clean Turner Playground
16. *Committee on Health and Environmental Affairs convene to discuss banning balloon releases

CITATIONS

17. Clayton T. "Tommy" Wood – Heroic actions assisting victims of recent motor vehicle accident
18. Stephen Means – Heroic actions assisting victims of recent motor vehicle accident

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

19. Police Chief's report on licenses:

Taxicab Driver:

Aaron L. Cook	Brian Healey	Jesse A. Mello	Eddie Barros Miranda
Shaunce Oliver	Manuel Raposo	William J. Scurio, Sr.	

Private Livery Driver:

Aaron L. Cook

20. Auto Repair Shop License Renewals:

Daniel J. Mello, Mello's Diesel Service, Inc. located at 185 Williston Street
Roger W. Piva d/b/a Piva's Garage located at 252 Crescent Street
Paul J. Amarello, Durfee Street Auto Sales, Inc. located at 345 Durfee Street
Robert W. Saraiva d/b/a Peckham Street Garage located at 213 Peckham Street
Toni Elkhoury, TNK Gas and Repair, Inc. d/b/a Tony Gas and Repair located at
402 Brightman Street
Steven Thornsbury d/b/a T & T Auto Repair and Sales located at 2553 South Main Street
Henry J. Gauthier, Henry's Tire Service, Inc. located at 714 Globe Street
Souhad Saliba, JZ Express, Inc. located at 969 South Main Street

21. Auto Body Shop License Renewal:

Souhad Saliba, JZ Express, Inc. located at 969 South Main Street

COMMUNICATIONS – INVITATIONS – PETITIONS

22. *Claims

23. Drainlayer Licenses:

- a. MJD Excavating, Inc.
- b. Nathanyl Gomes Construction Corp.

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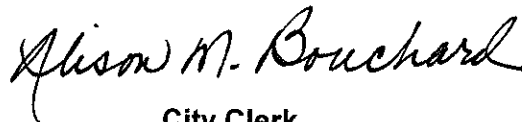
24. Structure over a public way – The Pink Bean Coffee requesting two tables and chairs on the sidewalk against the building
25. *Zoning Board of Appeals Minutes – June 20, 2019

City Council Meeting Minutes:

26. *Public Hearing – August 12, 2019
27. *Committee on Finance – August 12, 2019
28. *Special Meeting of the City Council – August 12, 2019

BULLETINS – NEWSLETTERS – NOTICES

29. Notice of Casualty and Loss on North Main Street



City Clerk

ITEMS FILED AFTER THE AGENDA DEADLINE:
CITY COUNCIL MEETING DATE: SEPTEMBER 10, 2019

PRIORITY MATTERS

- 3a. *Mayor and loan order of \$2,100,000.00 for the purchase of snow removal equipment
- 3b. *City Council President and orders re: temporary removal of Mayor
 - i. Emergency Preamble
 - ii. Emergency Order
- 3c. *Corporation Counsel response to City Council President's letter re: removal of Mayor

RESOLUTIONS

- 16a. *City Council demand resignation of Mayor Jasiel F. Correia II
- 16b. *City Council President appoint an independent audit firm to conduct an audit to review recent allegations against Mayor and city departments

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

Reports of the Committee on Finance:

- Loan Order - \$6,088,821.00 for the Resiliency Preparatory Academy Repairs
- Loan Order - \$1,704,637.00 for the Westall School Repair Project

2019 SEP 10 P 12: 16

(City Council President Cliff Ponte)

CITY CLERK _____
FALL RIVER, MA

EMERGENCY PREAMBLE

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

BE IT RESOLVED, by affirmative vote of no less than two-thirds of the entire Council, that said order is hereby deemed an emergency measure in accordance with the provisions of Section 2-9(b) of the City Charter and the recitals contained in said order.

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2019 SEP 10 P 12: 16

(City Council President Cliff Ponte)

CITY CLERK _____ EMERGENCY ORDER
FALL RIVER, MA

**ORDERED THAT THE CITY COUNCIL OF THE CITY OF FALL RIVER,
ACTING PURSUANT TO SECTION 3-8 OF THE CITY CHARTER, MAKES THE
FOLLOWING DETERMINATION:**

WHEREAS, the City Council of the City of Fall River has deemed the within order to be necessary to protect the public health and safety consistent with Section 2-9(b) of the City Charter, and

WHEREAS, Jasiel F. Correia, II, was indicted in 2018 on charges that he allegedly defrauded investors and used the money to pay for a "lavish lifestyle and political campaign", and in particular, nine counts of wire fraud and four counts of filing false tax returns, and

WHEREAS, law enforcement officials indicated at that time that Mr. Correia was the subject of further investigation potentially involving additional charges, and

WHEREAS, such 2018 arrest, indictments, and ongoing investigation damaged Mr. Correia's credibility, and therefore the City's credibility, the significance of which was evidenced by the statement of Harold Shaw, the FBI Special Agent in Charge for Massachusetts, as follows: "Mayor Correia has brought undeserved shame and embarrassment upon the city of Fall River," and "betrayed the trust of his investors and betrayed the trust of his constituents", as well as the recall election process that followed, and

WHEREAS, Mr. Correia now faces numerous subsequent charges, including bribery, extortion conspiracy, extortion and aiding and abetting, wire fraud, and filing false tax returns, according to the US Attorney for the District of Massachusetts based upon an extensive three-year investigation, and

WHEREAS, according to FBI special agent Joseph R. Bonavolonta, such allegations indicate, "a perfect storm of corruption: the combination of a highly competitive industry and a mayor who was solely responsible for approving all non-opposition letters in the city...", in that according to the indictment, Correia agreed to issue legally required non-opposition letters to cannabis establishments in exchange for payments to him or his campaign ranging from \$100,000 to \$250,000, and

WHEREAS, such 2019 charges involve alleged misuse of funds and abuse of position, and where, as Mayor, he will continue to have unique and unfettered access to the City's financial accounts and documentation, and

City of Fall River, In City Council

WHEREAS, although the 2019 charges are presently allegations, they are of such significance that they implicate the core functions of the City's chief executive, and

WHEREAS, the nature of these indictments and charges, compounded by the earlier indictments and charges, result in a significant and substantial breach of the public trust and cripple Mr. Correia's ability to represent the City as its Mayor, now therefore

BE IT ORDERED that the City Council of the City of Fall River, consistent with the authority granted to the Council pursuant to Section 3-8(a) of the Home Rule Charter, determines that Mr. Correia is unable to perform the duties of the office of Mayor while the charges that are the subject of said 2018 and 2019 indictments are pending.