



City of Fall River Massachusetts
Office of the City Clerk

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2019 MAR 15 P 2:07

CITY CLERK
FALL RIVER, MA

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
TUESDAY, MARCH 19, 2019

AGENDA

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

5:30 P.M. JOINT MEETING OF THE CITY COUNCIL AND SCHOOL COMMITTEE
6:30 P.M. COMMITTEE ON FINANCE (OR IMMEDIATELY FOLLOWING THE JOINT MEETING
OF THE CITY COUNCIL AND SCHOOL COMMITTEE IF THAT MEETING RUNS PAST 6:30 P.M.)

1. Citizen Input
2. *Transfer and appropriation (see #1 below)
3. *Discussion with Corporation Counsel, Chief of Police, and Administration re: possibility of limiting the number of licenses for medical and recreational marijuana dispensaries (adopted, as amended 2-5-19)

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. *Transfer and appropriation – \$608,440 from the General Fund Stabilization Fund to the School Appropriation (see Finance #2)

PRIORITY COMMUNICATIONS

2. *Trustees of the Fall River Public Library Board re: emergency funds for roof repair
3. *Traffic Comm. recommending amendments to traffic ordinances
4. *Purchasing Agent re: Fire Department surplus property – 1987 Ford Pumper Truck
5. *City Planner re: zoning amendment – Wind Energy Corridor
6. *City Planner re: zoning amendment – Kennels

COMMITTEE REPORTS – None

ORDINANCES

- Second reading and enrollment, as amended:
7. *Proposed Ordinance – Traffic, miscellaneous

RESOLUTIONS

8. *Committee on Ordinances and Legislation convene to discuss requirement of City Council ratification vote for Board and/or Committee appointments and removals
9. *City Council direct Fall River Task Force to review Recall process and report findings and recommendations to City Council

CITATIONS – None

ORDERS – HEARINGS – None

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

ORDERS – MISCELLANEOUS

10. Auto Repair Shop License Renewals:
Jose Beirao, Beirao's Auto Repair, Inc. at 830 Globe Street
Joseph Ruggiero Sr., First Ford, Inc. at 292 Wm. S. Canning Boulevard
11. Transfer auto repair shop license no. 94 from Phillip DeDucca, d/b/a 851 Motor Sales to Christopher Pineault, d/b/a MP's Auto Repair at 851 Globe Street
12. Police Chief's report on licenses:
Taxicab Drivers:
Rasheen Baldwin David T. Rioux Antonio Sparshott
- Second Hand License Renewals:
Curt Barreira d/b/a Jimmy's Jr's Tire Service at 729 Davol Street
Natasha Vera d/b/a Finders Keepers at 427 Second Street
Howard Sperberg & Andrew Jaynes d/b/a Pawtucket Pawnbrokers Too at 302 South Main Street
Pawtucket Pawnbrokers Too, Inc. d/b/a New England Pawn, Inc. at 407 South Main Street
Joseph Bilan, BP Auto Service Repair, Inc. at 1091 South Main Street
- Pawnbroker License Renewals:
Howard Sperberg & Andrew Jaynes d/b/a Pawtucket Pawnbrokers Too at 302 South Main Street
Pawtucket Pawnbrokers Too, Inc. d/b/a New England Pawn, Inc. at 407 South Main Street

COMMUNICATIONS – INVITATIONS – PETITIONS

13. *Claims
14. *City resident requesting to purchase a parcel of city owned land
- City Council Meeting Minutes:
15. *Regular Meeting – February 5, 2019

BULLETINS – NEWSLETTERS – NOTICES – None


City Clerk

WHEREAS, medical and recreational marijuana dispensaries have recently opened in the City of Fall River, and

WHEREAS, these dispensaries are new to the City of Fall River and the Commonwealth of Massachusetts, now therefore

BE IT RESOLVED, that the Committee on Finance convene with Corporation Counsel, Chief of Police and the Administration to discuss the possibility of limiting the number of licenses for medical and recreational marijuana dispensaries in the City of Fall River.

In City Council, February 5, 2019
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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2019 MAR 14 P 12:01

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

March 14, 2019

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

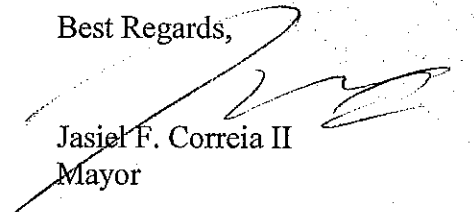
Dear Honorable Council Members:

In accordance with the provisions of Chapter 44, Section 32 of the Massachusetts General Laws, I recommend the following appropriations to your Honorable Body.

1. \$608,440 That the sum of \$608,440 be, and the same is, hereby appropriated to the SCHOOL APPROPRIATION from the GENERAL FUND STABILIZATION FUND.

If you have any questions or concerns regarding this, please feel free to contact me.

Best Regards,


Jasiel F. Correia II
Mayor

City of Fall River, In City Council

March 19, 2019

1

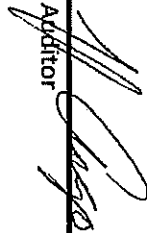
ORDERED:

**That the sum of \$608,440 be, and the same is, hereby appropriated from the
GENERAL FUND STABILIZATION FUND to SCHOOL
APPROPRIATION.**

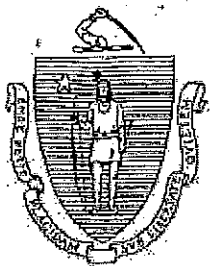
FY19 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
General Fund Stabilization Fund	\$ 7,091,227.32	\$ (608,440.00)	\$ 6,482,787.32
School Appropriation	\$ 98,880,155.00	\$ 608,440.00	\$ 99,488,595.00

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



 Jennifer Argo, City Auditor
 March 19, 2019



Massachusetts Department of Elementary and Secondary Education

75 Pleasant Street, Malden, Massachusetts 02148-4906

Telephone: (781) 338-3000
TTY: N.E.T. Relay 1-800-439-2370

Jeffrey C. Riley
Commissioner

February 11, 2019

Matthew H. Malone, Superintendent
Fall River Public Schools
417 Rock Street
Fall River, MA 02720

Dear Superintendent Malone:

As you know, the Commonwealth's school finance statute, Chapter 70 of the General Laws, establishes an annual minimum local contribution requirement for each Massachusetts school district. This local contribution, when added to a district's Chapter 70 aid, equals its net school spending requirement. Failure to comply with this requirement may result in the loss of Chapter 70 aid, delays in the approval of your municipal tax rate by the Department of Revenue, and/or enforcement action by the Attorney General.

Fall River's FY18 requirement was \$140,500,045. Its End of Year Financial Report shows that the district spent \$140,567,660. I am pleased to see that the district was in compliance last year.

Fall River's FY19 requirement is \$149,318,108. Schedule 19 budget data show that the district plans to spend \$148,709,668, which represents a shortfall of \$608,440. By law, districts are required to appropriate sufficient funds to meet their net school spending requirements, G.L. c. 70, § 6. Please work with your local officials to appropriate these funds to the school budget by March 15, 2019 and submit the necessary amendments to your FY18 End of Year Report.

If you have any questions concerning this information, please contact Rob O'Donnell in the School Finance unit at (781) 338-6512 (rodonnell@doe.mass.edu).

Sincerely,

A handwritten signature in dark ink, appearing to read "Jay Sullivan", written over a horizontal line.

Jay Sullivan
Associate Commissioner, District and School Finance

Cc: Jasiel F. Correia, Mayor, City of Fall River

Enclosures: Two

Massachusetts Department of Elementary and Secondary Education
Office of School Finance
Chapter 70 Net School Spending Compliance, Budgeted FY19

Fall River

	School Committee	City/Town	Total
1 Administration (1000)	3,666,152	1,298,918 ✓	4,965,070
2 Instruction (2000)	70,615,193	0	70,615,193
3 Attendance-Health (3100, 3200)	2,235,567	0	2,235,567
4 Food Services (3400)	0	0	0
5 Athletics/Student Activities/Security (3500, 3600)	2,212,828	0	2,212,828
6 Maintenance (4000)	11,183,157	100,000 ✓	11,283,157
7 Employer Retirement Contributions (5100)	190,000	5,751,565 ✓	5,941,565
8 Insurance (5200)	1,628,724	17,288,134	18,916,858
9 Retired Employee Insurance (5250)	0	7,688,032	7,688,032
10 Rentals (5300)	76,190	0	76,190
11 Short Term Interest (5400)	0	0	0
12 Tuition (9000)	6,320,173	20,790,311	27,110,484
13 FY18 Budgeted School Spending (lines 1 through 12)	98,127,984	52,916,960	151,044,944
14 FY18 Budgeted School Revenues			
14a) FY19 Budgeted School Revenues	0	0	0
14b) FY19 Charter Reimb (local districts)	0	2,335,276	2,335,276
14c) Subtotal, NSS Revenues (36a + 36b)	0	2,335,276	2,335,276
15 FY19 Net School Spending (13 - 14)	98,127,984	50,581,684	148,709,668
16 FY19 Chapter 70 Required Net School Spending			149,318,108
17 Carryover from FY18			0
18 Total FY19 Requirement (16 + 17)			149,318,108
19 Shortfall in Budgeted FY19 Net School Spending (18 - 15)			-608,440
20 Carryover/Penalty Calculation, Percent Unexpended (19 / 16)			-0.4%

East River Public Schools

Analysis of Original End of Year Report Submission versus DESE Certified End of Year Report

Report Received 2/15/2019

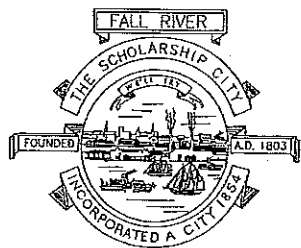
Budgeted FY19 Net School Spending

	Per Original Submission to DESE	Per DESE Certified EOYR	Change
12 Tuition (9000)	21,426,698	20,790,311	(636,387)
14b) FY19 Charter Reimb (local districts)	(2,317,265)	(2,335,276)	(18,011)
Totals	19,109,433	18,455,035	(654,398)

	Per Original Submission to DESE	Per DESE Certified EOYR	Change
15 Net School Spending	149,364,066	148,709,668	(654,398)
16 FY19 Required Net School Spending	149,318,108	149,318,108	-
19 Surplus/(Shortfall) in Budgeted FY19 Net School Spending	45,958	(608,440)	(654,398)

	Per Original Submission to DESE	Per DESE Certified EOYR	Change
Charter School Tuition (Atlantis + Argosy)	20,437,071	19,577,679	(859,392)
School Choice Assessment	901,566	1,124,571	223,005
SPED Assessment	88,061	88,061	-
Total Tuitions	21,426,698	20,790,311	(636,387)
FY19 Charter Reimb (local districts)	(2,317,265)	(2,335,276)	(18,011)
Total Charter Reimb	(2,317,265)	(2,335,276)	(18,011)
Net Change	19,109,433	18,455,035	(654,398)

2



JASIEL F. CORREIA II
Mayor

RECEIVED

**City of Fall River
Massachusetts**

2019 MAR 14 PM 1:38
Department of Community Services

PLANNING • HEALTH & HUMAN SERVICES • LIBRARY
INSPECTIONAL SERVICES

CITY CLERK
FALL RIVER, MA

fallriverlibrary.org

LIANE VERVILLE
Library Administrator
lverville@sailsinc.org

March 15, 2019

To the City Council of Fall River- Please read at the next meeting.

At the meeting of the Trustees of the Fall River Public Library on March 14, a motion was unanimously passed to send this letter, along with a plea to fund a new roof for the Library as soon as possible.

We have now deemed this an emergency.

The roof develops new leaks and widens the old with each storm that passes. The damage at the same time becomes worse, and it will soon pass the point of no return. The employees are becoming demoralized, feeling that their work place-an acknowledged gem of the city- of great architectural and historical significance- is deteriorating and is not cared about.

Patching the old roof is not a solution as has been shown. Each time one area is patched, a new leak will appear. As the roof continues to deteriorate, there is a cause for mold and permanent structural damage.

On behalf of the trustees, I plead with you to act now before it is too late.

Sincerely yours,

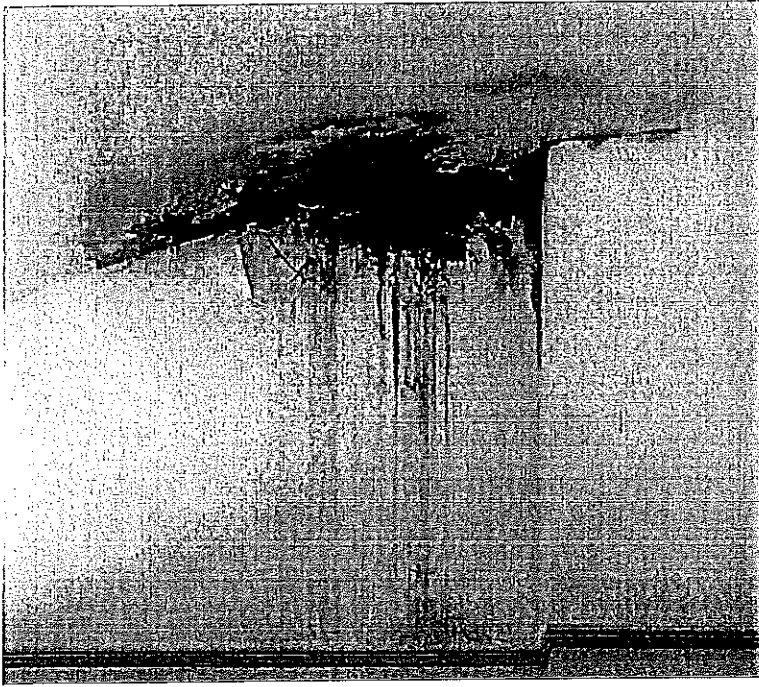
Ronald Caplain

Please see attached

Ronald Caplain
Chairman of the Board of Trustees
Fall River Public Library

Reference Room Ceiling December 2016

2



Reference Room Ceiling December 7, 2017

2

No hole





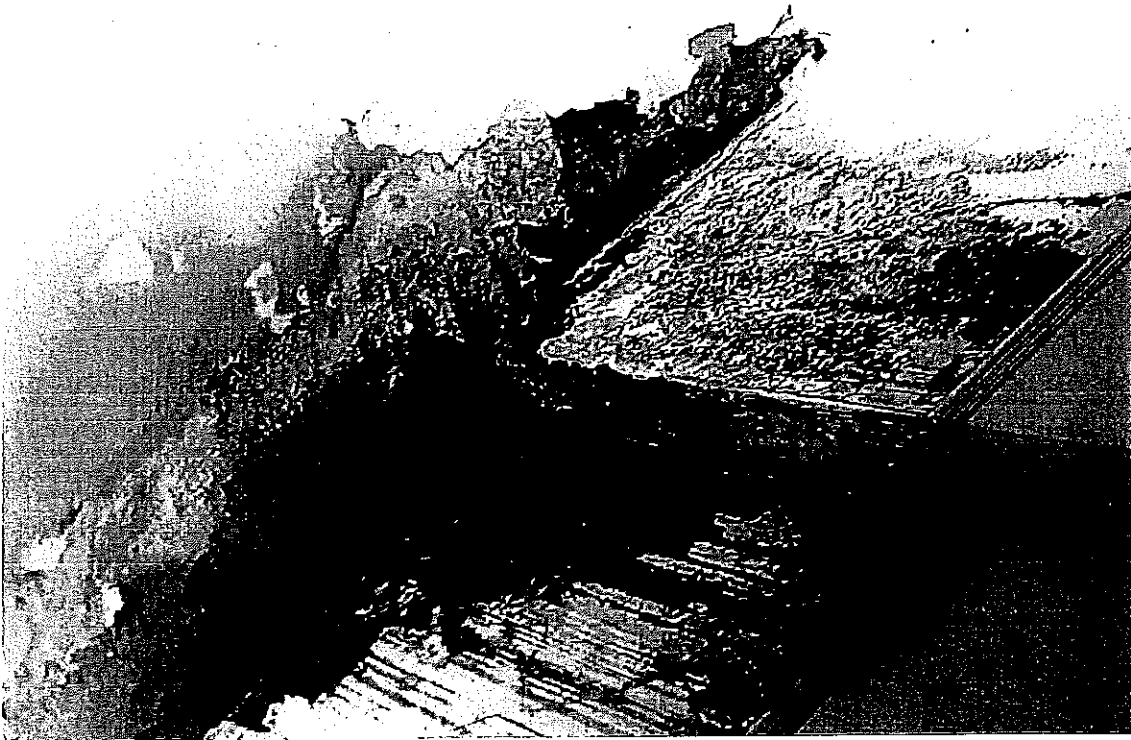
Reference Room Ceiling March 5, 2018 Large hole, heavy rain

2



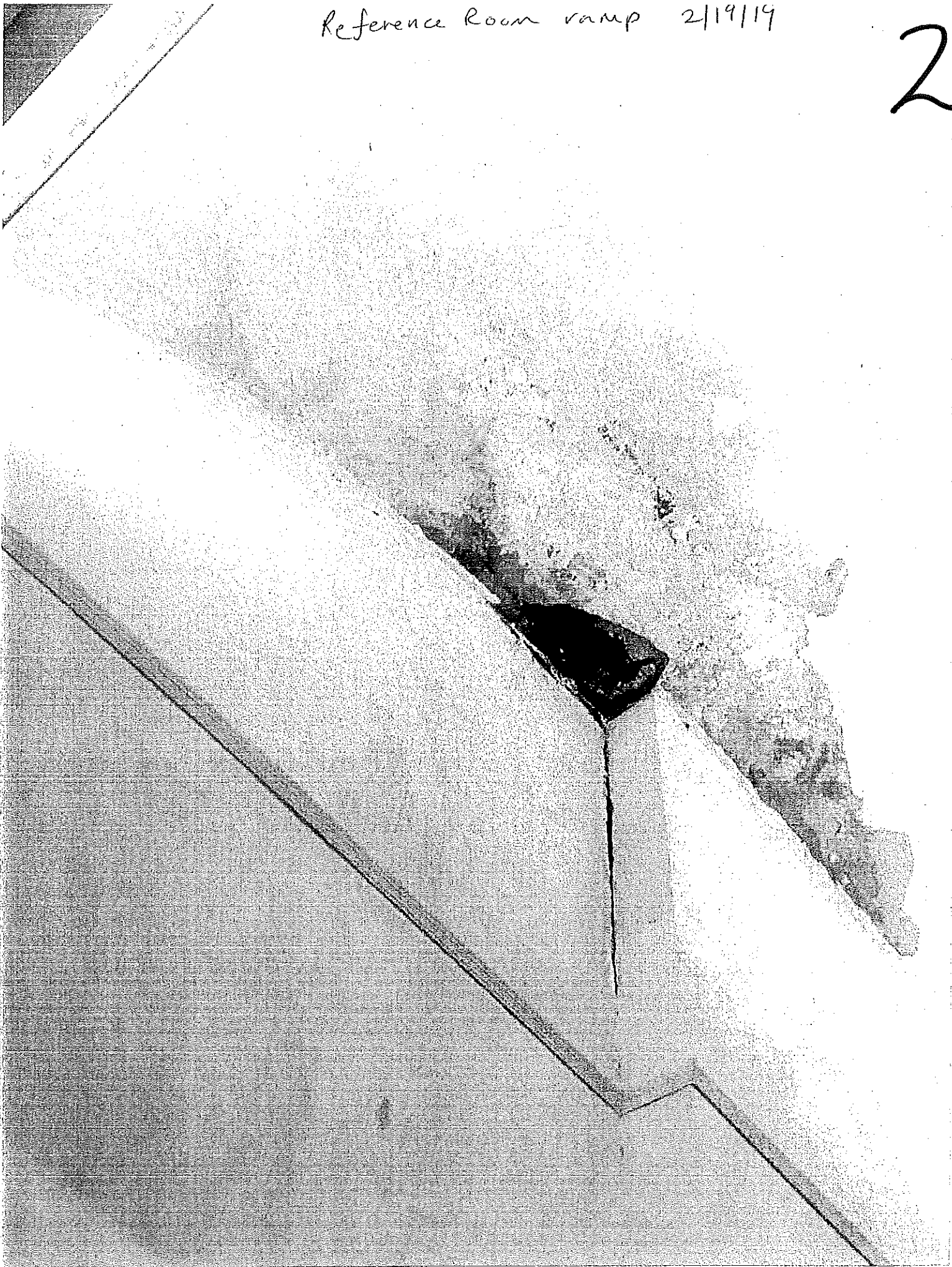
2

Jan. 24, 2019



Reference Room ramp 2/19/19

2



1/24/2019

2

buckets of rain.jpg



Reference Room Kamp 2/19/19

2



Reference Room Ceiling December 7, 2017 Fireplace area

2



Reference Room Ceiling March 2, 2018 Fireplace area

2

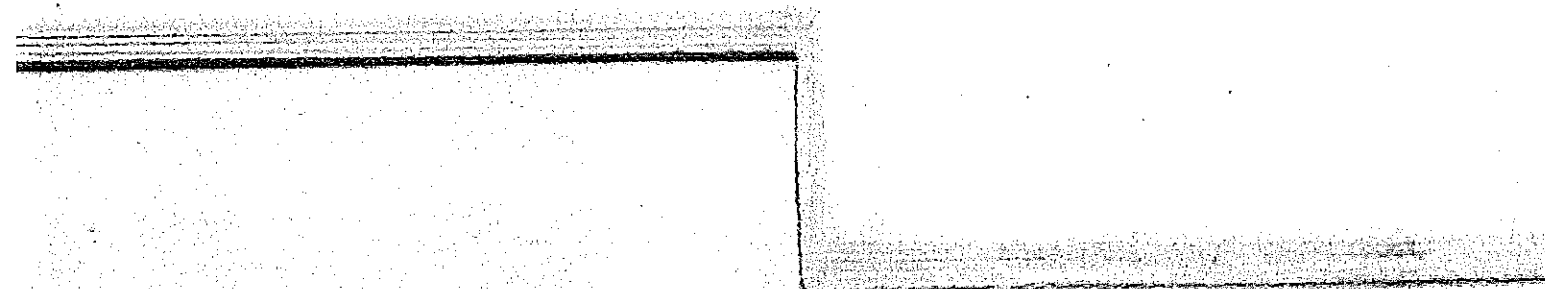


Reference Room Ceiling Fireplace area March 6, 2018



Davis Room near fireplace

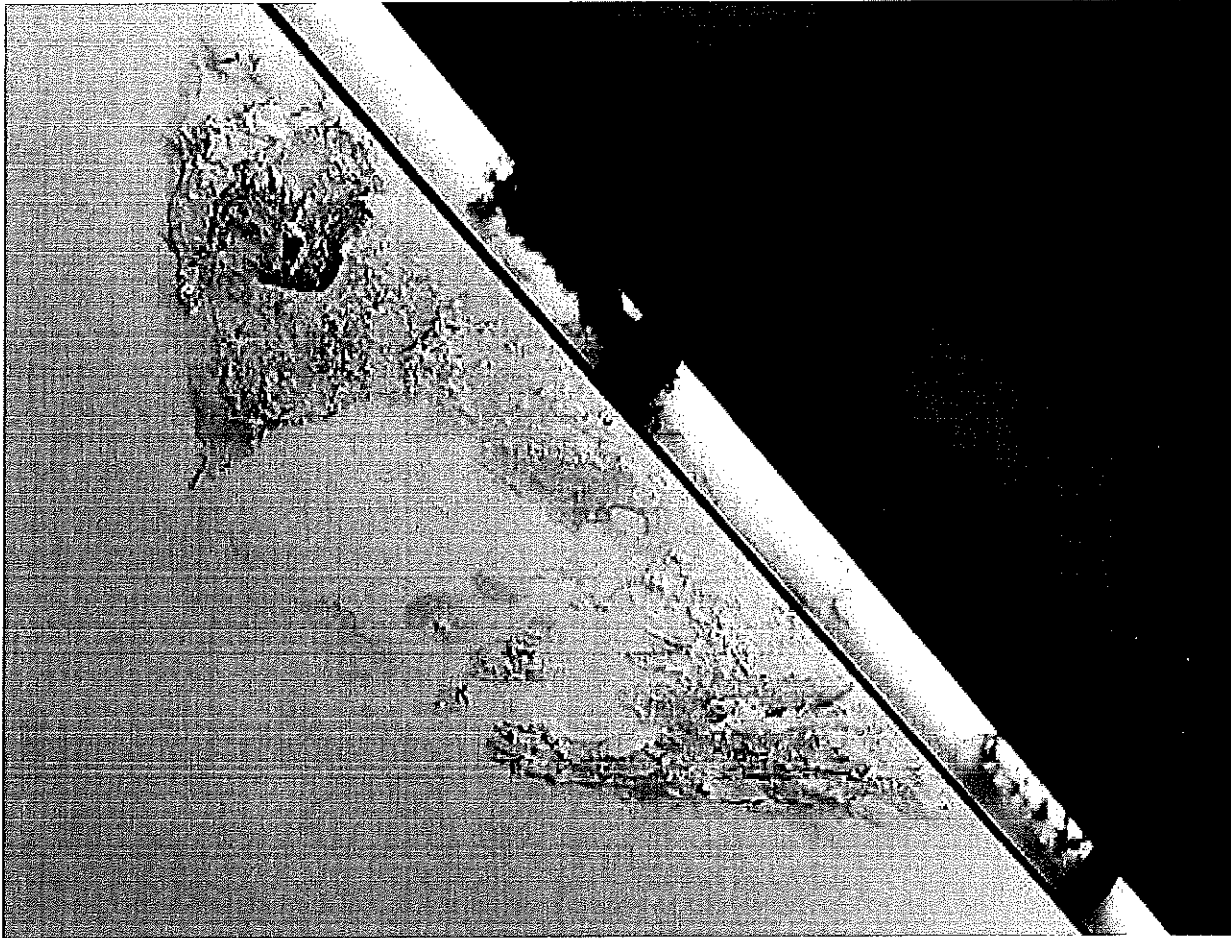
2



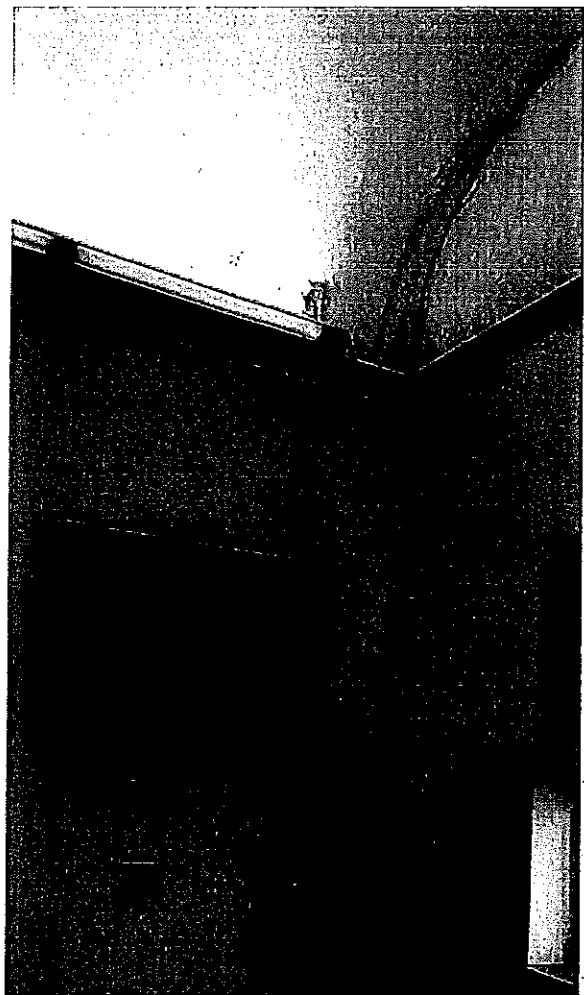
Ryan Reference Room

Near microfilm machine

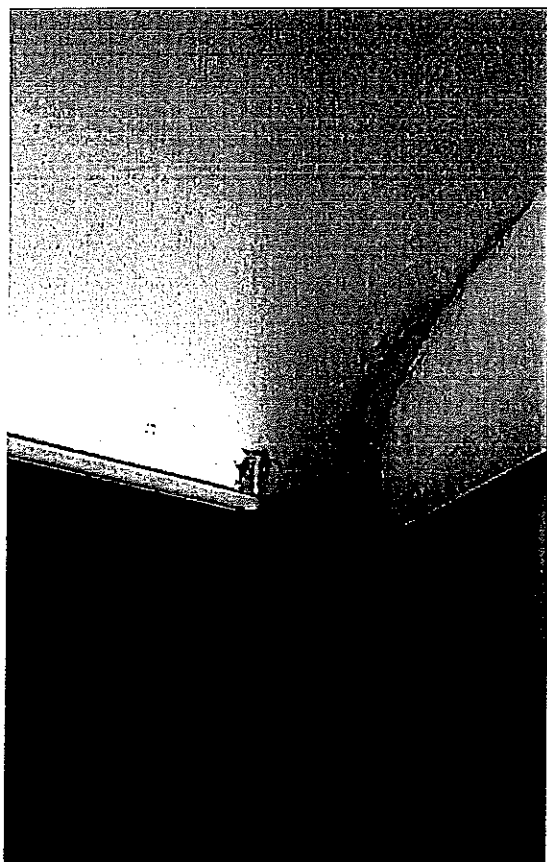
January 8, 2019



2



Ryan Reference Room Ceiling and Wall March 7, 2018

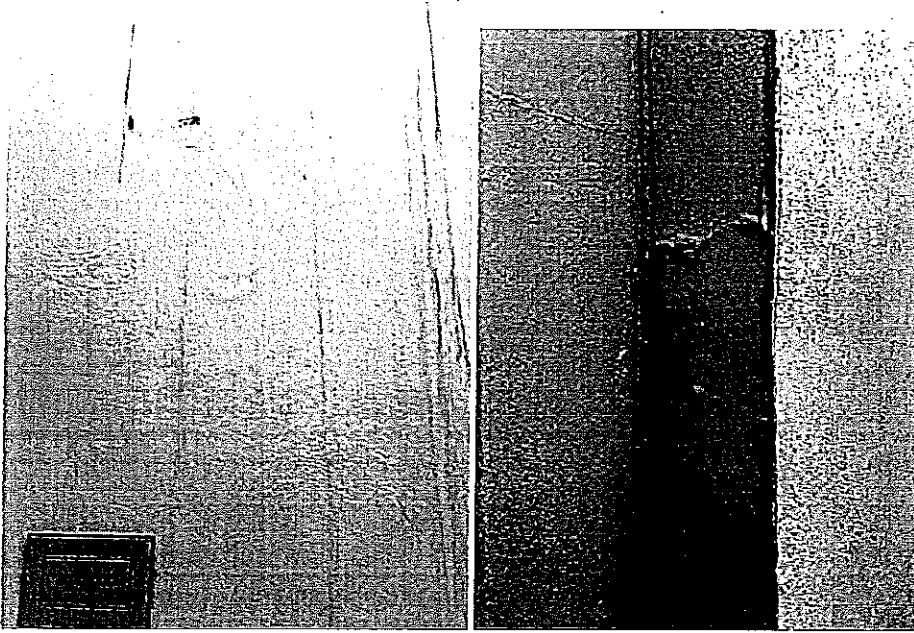


2

Reference Room Wall March 2, 2018



February 21, 2018 Reference Room Wall water bubbles



Ryan Reference Room 2/17/19

2





**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

3

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

March 11, 2019

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

RECEIVED
2019 MAR 14 P 12:56
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, February 27, 2019 the following request was heard and approved by the Traffic Commission.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387 **Handicapped Parking**

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Crawford Street	West	Starting at a point 62 feet east of Charles Street, for a distance of 20 feet southerly.

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

3

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

March 11, 2019

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

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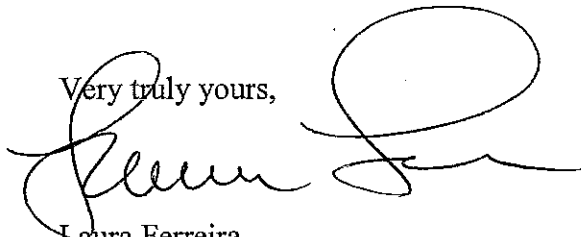
Article: 70
Section: 387 **Handicapped Parking**

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Morgan Street	North	Starting at a point 62 feet east of John Street, for a distance of 20 feet easterly.

Very truly yours,


Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

3

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

March 11, 2019

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

RECEIVED
2019 MAR 14 P 12:55
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

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Article: 70
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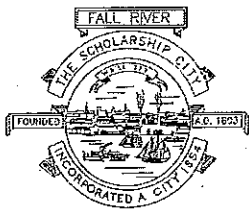
By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
South Beach Street	West	Starting at a point 121 feet south of Sprague Street, for a distance of 20 feet southerly.

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

3

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

March 11, 2019

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

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CITY CLERK
FALL RIVER, MA

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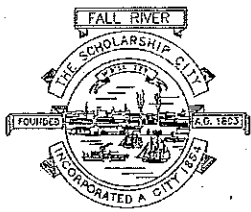
By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Winter Street	West	Starting at a point 72 feet north of Walnut Street, for a distance of 20 feet northerly.

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

3

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

March 11, 2019

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

Honorable Council Members:

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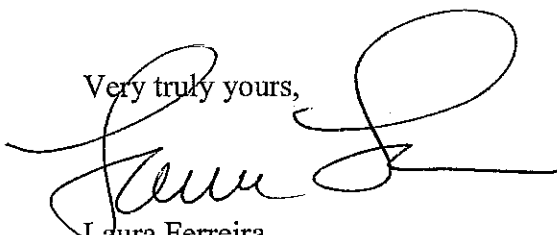
Article: 70
Section: 387 **Handicapped Parking**

By striking out in proper alphabetical order the following.

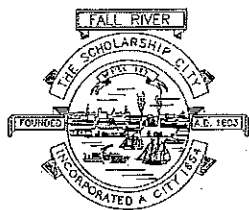
STRIKE OUT

Name of Street	Side	Location
Merino Street	North	Starting at a point 49 feet west of Pitman Street, for a distance of 20 feet westerly.

Very truly yours,


Laura Ferreira
Parking Clerk

RECEIVED
2019 MAR 14 P 12:55
CITY CLERK
FALL RIVER, MA



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

3

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

March 11, 2019

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One Government Center
Fall River, MA 02722

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CITY CLERK
FALL RIVER, MA

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Article: 70
Section: 387 **Handicapped Parking**

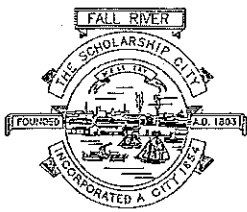
By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Bradford Avenue	North	Starting at a point 214 feet east of Bay Street, for a distance of 20 feet easterly.

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

3

Jasiel F. Correia II
Mayor

RECEIVED

LAURA FERREIRA
Parking Clerk

2019 MAR 13 P 3:25

CITY CLERK
FALL RIVER, MA

October 17, 2018

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02720

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, October 10, 2018 following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Sprague Street	South	Starting at a point 212 feet east of S. Beach Street, for a distance of 20 feet easterly

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

3

Jasiel F. Correia II
Mayor

RECEIVED

LAURA FERREIRA
2019 MAR 13 P 3:25 *Parking Clerk*

CITY CLERK _____
FALL RIVER, MA

October 17, 2018

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02720

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Article: 70
Section: 387 **Handicapped Parking**

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Oliver Street	South	Starting at a point 105 feet east of Broadway, for a distance of 20 feet easterly

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Jasiel F. Correia II
Mayor

LAURA FERREIRA
2019 MAR 13 P 3:24 PM Parking Clerk

CITY CLERK _____
FALL RIVER, MA

October 17, 2018

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02720

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, October 10, 2018 following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Orange Street	West	Starting at a point 22 feet south of Pine Street, for a distance of 20 feet southerly

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

3

Jasiel F. Correia II
Mayor

RECEIVED

LAURA FERREIRA

2019 MAR 13 P 3:24 *Parking Clerk*

CITY CLERK _____
FALL RIVER, MA _____

October 17, 2018

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02720

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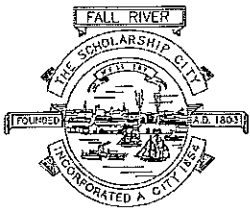
By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Downing Street	South	Starting at a point 116 feet east of Goss Street, for a distance of 20 feet easterly

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Jasiel F. Correia II
Mayor

2019 MAR 13 P 3:28 **LAURA FERREIRA**
Parking Clerk

CITY CLERK _____
FALL RIVER, MA

October 17, 2018

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02720

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, October 10, 2018 following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387 **Handicapped Parking**

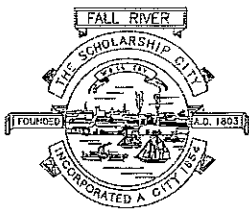
By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Plymouth Avenue	West	Starting at a point 20 feet south of 5 th Street, for a distance of 20 feet southerly

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

3

Jasiel F. Correia II
Mayor

RECEIVED

LAURA FERREIRA

Parking Clerk

2019 MAR 13 P 3:24

CITY CLERK _____
FALL RIVER, MA

October 17, 2018

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02720

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, October 10, 2018 following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387 **Handicapped Parking**

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Andrew Street	West	Starting at a point 124 feet south of Mt. Hope Street, for a distance of 20 feet southerly

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Jasiel F. Correia II
Mayor

LAURA FERREIRA
2019 MAR 13 P 3:24 Parking Clerk

CITY CLERK _____
FALL RIVER, MA

October 17, 2018

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02720

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, October 10, 2018 following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Snell Street	North	Starting at a point 178 feet east of Plymouth Avenue, for a distance of 20 feet easterly

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

CITY CLERK _____
FALL RIVER, MA

October 17, 2018

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02720

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, October 10, 2018 following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

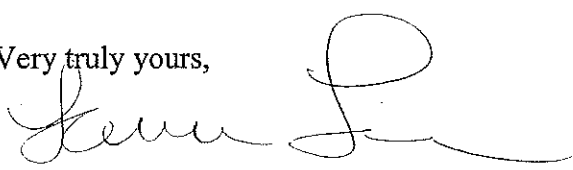
Article: 70
Section: 387 **Handicapped Parking**

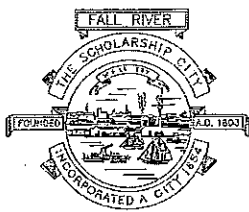
By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Buffinton Street	North	Starting at a point 274 feet west of Dover Street, for a distance of 20 feet westerly

Very truly yours,


Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

2019 MAR 13 P 3:24
LAURA FERREIRA
Parking Clerk

CITY CLERK
FALL RIVER, MA

Jasiel F. Correia II
Mayor

October 17, 2018

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02720

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, October 10, 2018 following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Eastern Avenue	East	Starting at a point 85 feet south of Barnes Street, for a distance of 20 feet southerly

Very truly yours,

Laura Ferreira
Parking Clerk



**City of Fall River
Massachusetts**

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

Purchasing Division

RECEIVED

2019 MAR -5 P 3:04

CITY CLERK _____
FALL RIVER, MA

4

JASIEL F. CORREIA II
Mayor

RHONDA AVILLA PINNELL
PURCHASING AGENT

March 5, 2019

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

Dear Council President Ponte and Councilors,

In accordance with the City Ordinance Division 2, Purchasing Department Sec. 2-972 of the revised ordinances of the City of Fall River, this reads in part as follows:

Surplus property determined by the Purchasing Agent to be no longer useful for any municipal purpose shall be sold or disposed of under such terms and conditions as the City Council shall by order determine.

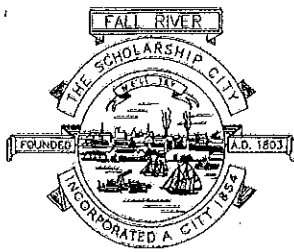
I am submitting to you From the Fall River Fire Department, a 1987 Ford Pumper Truck, Vin# 1FDYD80U1HVA19675 please see attached title, that was taken out of service and is now deemed surplus, and has no value to the City of Fall River. The Vehicle has an estimated scrap value of \$3500.00.

Jason J. Diogo MD phone # 508-523-0556 noticed the truck (please see attached email to Paul Jennings from Fall River Fire Department) and would like to purchase it for \$4500.00

I would like to recommend at this time, that consideration be given to the disposition of the surplus vehicle and the purchase to Dr. Diogo, pursuant to the processes and procedures governing the disposition of surplus items as specified by Massachusetts General Law Chapter 30B, section 15.

Respectfully submitted,

Rhonda Avilla Pinnell
Purchasing Agent



City of Fall River
Massachusetts
Fire Department Headquarters
Office of the Fire Chief

4

JASIEL F. CORREIA II
Mayor

JOHN D. LYNCH
Fire Chief

February 28, 2019

Rhonda Pinnel
Purchasing Agent
City of Fall River, MA

Re: Fire Dept. 1987 Ford Pumper OOS for scrap

Ms. Pinnel,

The Fall River Fire Department has a 1987 Ford Pierce pumper truck, Vin#1FDYD80U1HVA19675 that was taken out of service and is now surplus. The value is around \$3,500. For scrap

Respectfully,


John D. Lynch
Fire Chief

CERTIFICATE OF TITLE

THE COMMONWEALTH OF MASSACHUSETTS

TITLE NUMBER BF269383		VEHICLE IDENTIFICATION NUMBER 1FDYD80U1HVA19675 1FDYD80U1HVA19675		DATE OF ISSUE 01/04/2008	
MFRS. MODEL YEAR 1987	MAKE FORD	MODEL NAME FIRE	MODEL NO.	BODY STYLE/TYPE TRUCK	NEW/USED USED
CYL. PASS. DRS. 08 05 2	PURCHASE DATE 10/23/2007	ODOMETER READING 15,865 15,865 ACTUAL MILEAGE	PREV. TITLE NO. WU872870429		PREV. TITLE STATE NJ
IF PREVIOUS STATE WAS TITLE EXEMPT, REGISTRATION NUMBER IS DISPLAYED.					

MAILING ADDRESS ONLY:

ALL AMERICAN INVESTMENT GROUP
SUITE 830
730 17TH STREET
DENVER, CO 80202

OWNER(S) NAME AND ADDRESS:

FALL RIVER CITY OF
FIRE DEPT
BX 749
FALL RIVER, MA 02722-0749

TITLE TYPE AND BRANDS

TITLE TYPE

BRAND
BRAND
BRAND
BRAND

TITLE MESSAGE(S):

FIRST LIENHOLDER:

ALL AMERICAN INVESTMENT GROUP
730 17TH STREET
SUITE 830
DENVER, CO 80202

SECOND LIENHOLDER:

RELEASE OF FIRST LIEN:
THE FIRST LIENHOLDER'S INTEREST IN THE VEHICLE DESCRIBED IN THIS CERTIFICATE IS HEREBY RELEASED.
NAME:
AUTHORIZED SIGNATURE: X <i>Chris A. Cotton, CEO</i>
DATE RELEASED: 9-2-08

RELEASE OF SECOND LIEN:
THE SECOND LIENHOLDER'S INTEREST IN THE VEHICLE DESCRIBED IN THIS CERTIFICATE IS HEREBY RELEASED.
NAME:
AUTHORIZED SIGNATURE: X
DATE RELEASED:

THE REGISTRAR OF MOTOR VEHICLES HEREBY CERTIFIES THAT AN APPLICATION FOR A CERTIFICATE OF TITLE FOR THE MOTOR VEHICLE DESCRIBED HEREIN HAS BEEN DULY FILED, PURSUANT TO THE PROVISIONS OF THE LAWS OF THE COMMONWEALTH OF MASSACHUSETTS. BASED ON THE STATEMENTS OF THE APPLICANT AND THE RECORDS ON FILE WITH THIS AGENCY, THE APPLICANT NAMED IS THE OWNER OF SAID VEHICLE.

THE REGISTRAR OF MOTOR VEHICLES FURTHER CERTIFIES THAT THE VEHICLE IS SUBJECT TO ANY SECURITY INTERESTS SHOWN HEREIN.

Anne L. Collins

Anne L. Collins

Registrar

CONTROL NO. **F 4070253**
NOT THE TITLE NUMBER

ALTERATION OR ERASURE VOIDS THIS TITLE

KEEP IN SAFE PLACE

REGISTRY OF MOTOR VEHICLES

VERIFY PRESENCE OF WATERMARK
HOLD TO LIGHT TO VIEW

4

Pinnell, Rhonda

From: Paul Jennings <pjennings@frfd.org>
Sent: Tuesday, March 05, 2019 2:48 PM
To: Pinnell, Rhonda
Subject: , Fall River Fire 1987 Ford Pumper Surplus

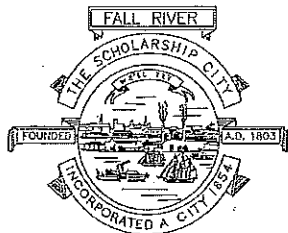
Good evening Paul,

Thank you for taking the time to show me the Ford C8000 retired Engine 29 last week. I have considered the current condition, work needed, scrap price per ton, current auction results for similar engines in comparable condition, and weight of the vehicle and would like to offer \$4,500. I am not sure how this vehicle is titled (? Ford C8000). Perhaps you can let me know at your earliest convenience. I am interested in restoring this vehicle to original configuration and preserve it as a piece of Fall River Fire Dept history and would hate to see it scrapped as many others have been in the past. It will need elbows, hydrant caps, upholstery, 22K gold decals, chrome plating, body and paint repair, wheel covers, mechanical tune up, and new accessory lighting. I will also need to replace canvas covered hose and ladders. I realize it will be a sizeable investment but I think it is solid enough to start with and certainly was a beautiful piece of apparatus when it was acquired from Mantua, NJ Vol. Dept. Interestingly on their website they have it listed as a 1988 model. Please confirm the year of manufacture when you have a chance.

Once again thank you and to Chief Lynch for your time and consideration.

Regards,

Jason J. Diogo, M.D.
1 508 523 0556



**City of Fall River
Massachusetts
Planning Department**

RECEIVED

5

2019 MAR 11 P 2:56

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

WILLIAM D. ROTH JR., AICP
City Planner

Memorandum

Date: March 11, 2019
To: City Council
Allison Bouchard, City Clerk
From: William D. Roth, Jr., AICP *WR*
RE: Zoning Bylaw Amendment – Wind Energy Corridor

In order to position the City for the future uses and the Economic Development that will be coming with the Wind Energy Industry locating in our Region, the following Zoning Bylaw changes are being recommended. The proposed changes are to add three use categories to the Table of Uses and to allow those uses in the WTOD Zoning District. The WTOD District was selected because it is the zoning district for properties adjacent to the City's shoreline. Water and rail access will be two critical needs for the Wind Energy Industry, of which the WTOD District has both.

The following are proposed new uses to the Table of Uses:

CHAPTER 86-36 – TABLE OF USES

DISTRICTS: WTOD

INDUSTRIAL USES

- | | |
|---|---|
| m. Wind energy industry research and development. | Y |
| n. Wind energy industry processing, fabrication, manufacturing, assembly, packaging | Y |
| o. Wind energy industry support services | Y |

cc: Mayor's Office
Cathy Ann Viveiros, City Administrator



City of Fall River
Massachusetts
Planning Department

RECEIVED

2019 MAR 11 P 2:56

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

WILLIAM D. ROTH JR., AICP
City Planner

Memorandum

Date: March 11, 2019
To: City Council
Allison Bouchard, City Clerk
From: William D. Roth, Jr., AICP
RE: Zoning Bylaw Amendment - Kennels

On behalf of Glenn Hathaway, Building Commissioner & Zoning Enforcement Officer, I am submitting the following zoning bylaw amendment with regards to Kennels. It has come to our attention that under Chapter 86, Article II Definitions and Chapter 86-36 Table of Uses that the definition of Kennel is not consistent with M.G.L c.140, sec. 136A and City Code Chapter 6-1.

The additions are indicated in text that is **(bold and underlined)**. The deletions are indicated in bold strikethroughs (~~aaaa~~), and are as follows:

CHAPTER 86: FALL RIVER ZONING ORDINANCE
ARTICLE II. DEFINITIONS

KENNEL: One pack of collection of dogs on a single premises, whether maintained for breeding, boarding, sale, training, hunting or other purposes and including any shop where dogs are on sale, and also including every pack or collection of more than ~~three (3)~~ **four (4)** dogs, three months old or over owned or kept by a person on a single premises irrespective of the purpose for which they are maintained.

CHAPTER 86-36 – TABLE OF USES

RETAIL, RESTAURANT AND
CONSUMER SERVICE USES

g. Kennel (containing more than ~~three~~ **four** canines 3 months of age or older).

cc: Mayor's Office
Cathy Ann Viveiros, City Administrator
Glenn Hathaway, Building Commissioner

City of Fall River, *In City Council*

7

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:

Section 1.

By inserting in Section 70-371, which section relates to parking prohibited at all times the following:

Name of Street	Side	Location
Clinton Street	North	Starting at a point 80 feet west of North Main Street, for a distance of 66 feet westerly

Section 2.

By inserting in Section 70-376, which section relates to two-hour parking the following:

Name of Street	Side	Location	Hours/Days
Bedford Street	North	Starting at a point 90 feet east of Davis Street for a distance of 20 feet easterly	8:00 a.m. – 2:00 p.m. Wednesday through Saturday

Section 3.

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

Name of Street	Side	Location
Fourth Street	West	Starting at a point 371 feet north of Plymouth Avenue, for a distance of 20 feet northerly
16 th Street	West	Starting at a point 141 feet north of Merchant Street, for a distance of 20 feet northerly
Ballard Street	North	Starting at a point 175 feet west of Oregon Street, for a distance of 25 feet westerly
Bradford Avenue	North	Starting at a point 214 feet east of Bay Street, for a distance of 25 feet easterly
Broadway	West	Starting at a point 157 feet south of Oliver Street, for a distance of 20 feet southerly
Buffinton Street	North	Starting at a point 132 feet east of Dover Street, for a distance of 20 feet easterly
Chace Street	North	Starting at a point 260 feet west of Globe Street, for a distance of 20 feet westerly
East Main Street	West	Starting at a point 20 feet south of Slade Street, for a distance of 20 feet southerly
Forest Street	West	Starting at a point 130 feet north of Park Street, for a distance of 20 feet northerly
Fulton Street	East	Starting at a point 125 feet south of Suffolk Street, for a distance of 20 feet southerly
Hambly Street	East	Starting at a point 140 feet south of Globe Street, 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
Middle Street	North	Starting at a point 30 feet west of Second Street, for a distance of 20 feet westerly
Robeson Street	West	Starting at a point 262 south of Locust Street, for a distance of 20 feet southerly
Rodman Street	East	Starting at a point 163 feet north of Brayton Avenue, for a distance of 25 feet northerly

7

Shawmut Street	East	Starting at a distance of 185 feet north of Maple Street, for a distance of 20 feet northerly
South Main Street	East	Starting at a point 182 feet south of King Philip Street, for a distance of 25 feet southerly
South Main Street	West	Starting at a point 123 feet south of Center Street, for a distance of 20 feet southerly
Thomas Street	East	Starting at a point 170 feet south of County Street, for a distance of 20 feet southerly
Tripp Street	West	Starting at a point 95 feet south of Charles Street, for a distance of 20 feet southerly
Tuttle Street	East	Starting at a point 76 feet south of Dwelly Street, For a distance of 20 feet southerly

CITY OF FALL RIVER
IN CITY COUNCIL

MAR - 5 2019

*Passed through first
reading, as amended*

City of Fall River, *In City Council*

8

(Vice President Pam Laliberte-Lebeau)
(Councilor Shawn E. Cadime)

WHEREAS, political retaliation continues by the current Mayor at an alarming rate, and

WHEREAS, by his own admission, the latest act of revenge politics was unjustly leveled against School Committee Vice Chair Mark Costa and School Committeeman Paul Coogan by the Mayor's removing them from the Durfee Building Oversight Committee, and

WHEREAS, the Mayor is the sole appointee to many Boards and Committees, and

NOW BE IT RESOLVED, that the City Council Committee on Ordinances and Legislation convene to discuss and adopt by emergency preamble, that any appointments or removals to Boards and Committees which have policy making or fiduciary responsibilities, will now require a ratification vote of the City Council to ensure fair and just actions are being taken.

City of Fall River, *In City Council*

9

(Councilor Steven A. Camara)

WHEREAS, the City Charter, adopted by the voters of the City of Fall River at the November 7, 2017 City Election, provided a Recall process to remove elected officials (SECTION 8-5 RECALL) and

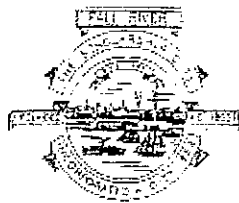
WHEREAS, the Recall process has proven itself to be controversial and may not be a fair means either to remove an existing office holder from a duly elected position, achieved at a City Preliminary and Final City election or a fair means to replace a recalled office holder and

WHEREAS, the Fall River City Council has established a Fall River Task Force which is reviewing a possible amendment to the City Charter to consider proposals establishing a City Manager/City Council form of government to replace Fall River's current form of government and

WHEREAS, this Fall River Task Force in reviewing the Charter to make it more effective in accomplishing its objectives and goals through a better form of government is also considering how a City Manager/City Council might be more effective in carrying out the governing of Fall River, now therefore,

BE IT RESOLVED, that the City Council does direct the Fall River Task Force to expand its scope of review by examining the Recall process to determine if there is a better way to address the citizens' right to remove an office holder from public office while at the same time, assuring the rights of both the elected office holder as well as the rights of citizens of Fall River and

BE IT FURTHER RESOLVED, that the Fall River Task Force report its findings and its recommendations to the City Council for its review and action.



RECEIVED

13

2019 MAR -1 P 2:00

CITY CLERK #19-31
FALL RIVER, MACity of Fall River
Notice of Claim

1. Claimant's name: Joseph Petrucci
2. Claimant's complete address: 275 Beattie St. Fall River, Ma. 02723
3. Telephone number: Home: 949.874.7786 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Pothole damage to tire
5. Date and time of accident: 2/26/19 6:30 pm Amount of damages claimed: \$ 510.00
6. Exact location of the incident: (include as much detail as possible):
In between 25+34 Eddy St. Cross St. Bedford + Eddy, Fall River
7. Circumstances of the incident: (attach additional pages if necessary):
Multiple deep potholes, this road was torn up then fixed a while back, but evidently a poor job of resurfacing. Hit pothole resulting in breaking sidewall of tire, causing dangerous Bobbi
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: 2-28-19Claimant's signature: Joseph Petrucci

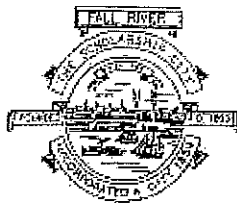
WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

Return this from to : City Clerk, 2nd 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☒ DCMDate: 3-1-19



13

RECEIVED

City of Fall River
Notice of Claim

2019 MAR -7 P 3:04

19-32

CITY CLERK
FALL RIVER, MA

1. Claimant's name: Christopher Parente
2. Claimant's complete address: 238 Chestnut Hill Rd Wakefield, RI 02879
3. Telephone number: Home: 401-284-3237 Work: 401-714-6080
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Pot Hole damage to driver side front tire / Scraped rim / I will not be claiming tire.
5. Date and time of accident: 3/6/2018 Amount of damages claimed: \$
6. Exact location of the incident: (include as much detail as possible):
Entrance to Airport Park (Commerce Drive) / Manhole cover
7. Circumstances of the incident: (attach additional pages if necessary):
The road on north side of manhole cover has erroded away causing large deep hole.
My tiore sunk into it at a low rate of speed. Thus, the tire lost air and created a blister
the rim was clearly scratched. I will not be claiming that
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: 3/8/2018

Claimant's signature: Christopher Parente

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, 2nd 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 ☒ DCW

Date: 3/7/19



13

RECEIVED

City of Fall River
Notice of Claim

2019 MAR 11 A 10:49

#19-33

1. Claimant's name: DANIEL RHEAUME
2. Claimant's complete address: 312 KING RD. FALL RIVER, MA 02878
3. Telephone number: Home: 401-624-2989 Work: ---
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage): RUINED TIRE HIT POT HOLE ON QUARRY ST. BETWEEN PLEASANT ST. & BEDFORD ST. STATEVE. @ 40 PM
5. Date and time of accident: 6:45 PM MARCH 9, 2019 Amount of damages claimed: \$ 144.90
6. Exact location of the incident: (include as much detail as possible): QUARRY ST. HEADING NORTH FROM PLEASANT ST. TO BEDFORD ST.
7. Circumstances of the incident: (attach additional pages if necessary): DRIVING QUARRY ST. TO GET TO BEDFORD ST. PROCEEDING NORTH, FELL IN DEEP POT HOLE.
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: 3-11-19Claimant's signature: Daniel Rheaume

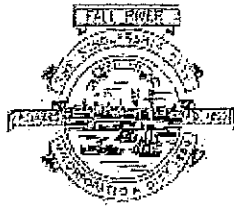
WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

Return this form to: City Clerk, 2nd 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 ☒ Engineering ☒ City Administrator ☒ DCMDate: 3/11/19



RECEIVED

13

City of Fall River
Notice of Claim

2019 MAR 13 P 12:34

CITY CLERK #19-34
FALL RIVER, MA

1. Claimant's name: Paula Soares
2. Claimant's complete address: 70 Adams St Somerset MA 02726
3. Telephone number: Home: 508-677-0691 Work: 508-789-2104
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Pothole (more like a crater) causing a blowout on tire
5. Date and time of accident: March 12, 2019 Amount of damages claimed: \$ 276.89
6. Exact location of the incident: (include as much detail as possible):
Quarry St. after Price Rite and just before Doyle St.
7. Circumstances of the incident: (attach additional pages if necessary):
While traveling north on Quarry St, apprx 7:00 pm. we hit a massive pothole causing a blowout to my tire. While waiting for my husband to assist us with a spare tire, we witnessed two other vehicles hitting the pothole resulting in two more blowouts within a 20min span. Police arrived shortly to assist one of the other vehicles, as they waited for a tow truck. I explained to the officer where pothole was located, and he told me he was going to place a cone there; he left and no cone was placed. (Pictures/Invoice 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: March 13, 2019

Claimant's signature:

Paula M. Soares

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, 2nd 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
Engineering

Date: 3/13/19

RECEIVED

14

March 5, 2019

2019 MAR -6 A 9:45

CITY CLERK _____
FALL RIVER, MA

To Whom it may concern,

We, Joseph and Patricia Valcourt have purchased the property at 66 Lake Avenue. This property has been in our family since 1953. The small parcel which abuts us to the North is city owned and was used as access for emergency vehicles when there were not any hydrants on the street. We now have hydrants.

Over the years this property has filled with yard refuse and silt from the street which has changed the water path and is now eroding the property down to the waters edge creating a void which has made the trees/rock fall into the water.

We, as the new homeowners would like to purchase and care for this property if it is possible.

*Thank you for your time and consideration,
Joseph and Patricia Valcourt*

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, February 5, 2019 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,
Pam Laliberte-Lebeau, Bradford L. Kilby, Leo O. Pelletier and Derek R.
Viveiros

ABSENT: Councilors Stephen R. Long

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator
Mary Sahady, Director of Financial Services
Joseph I. Macy, Corporation Counsel
Sandra Dennis, Administrative Assistant, Community Preservation
Committee
James Soule, Member, Community Preservation Committee

President Cliff Ponte called the meeting to order at 8:05 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 requesting amendment of city ordinances re: Vacant Building Registration and Fee
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted to refer the communication to the Committee on Ordinances and Legislation, with Councilor Stephen R. Long absent and not voting.
2. Mayor and order re: Five Year Contract for School Department Internet and Fiber Network
On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the communication be accepted and placed on file and the order be adopted, with Councilor Stephen R. Long absent and not voting.
Approved, February 6, 2019, Mayor Jasiel F. Correia II
3. Mayor and order appropriating \$375,050 from CPA funds for Historic Resources
Preservation Projects (Fall River Public Library)
A motion was made by Councilor Bradford L. Kilby and seconded Councilor Leo O. Pelletier to adopt the order but was later withdrawn by Councilor Bradford L. Kilby.
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to waive the rules to allow the City Administrator, the Director of Financial Services, Sandra Dennis and James Soule of the Community Preservation Committee (CPC) to answer questions, with Councilor Stephen R. Long absent and not voting. Council

President Cliff Ponte asked the Director of Financial Services if the appropriation would deplete the reserve account in CPC funds. Mary Sahady, Director of Financial Services, stated although she was not prepared with exact information regarding the amount monies in the undeclared reserve account, she did state that there is significant amount of funds. Sandra Dennis, Administrative Assistant to the CPC, stated that the CPC currently has about \$500,000 in their reserve account. If the funds are used for the library repairs they will be left with roughly \$148,000. Councilor Shawn E. Cadime stated there are funds available within the City's reserve and stabilization accounts, and that the City should not look to the CPC to fully fund this project that should have had a capital plan in place. He then asked the Director of Financial Services when they became aware of the need to repair the roof. The Director of Financial Services stated that the library roof repairs were included in the Community Compact Plan. She said that when members of the maintenance department and the members assigned to the Compact Plan met to review the project, they did not see an immediate need to replace the roof, therefore the scheduled repairs were to be done 2 to 3 years from the time the plan was presented. The City Administrator added that the maintenance personnel believed they would be able to repair the areas that were leaking but now have determined that despite their efforts they can no longer keep patching up the areas and the roof is in need of complete replacement. She further stated that since it was determined an emergency and given the historic nature of the building, they felt it appropriate to seek funding through the CPC. Councilor Shawn E. Cadime asked the Director of Financial Services how much was available in the reserve account, and she stated \$1.1 million. Councilor Shawn E. Cadime stated that the funding is available within the operating budget and qualifies as an unforeseen emergency therefore the City should be using their own funds instead of requesting funding through the CPC and he would not be supporting the request.

Councilor Steven A. Camara stated that there has been a history of communications and work orders submitted from the library to facilities maintenance and the need to repair the roof is not sudden. He further stated that the money generated through the Community Preservation Act is generated through locally taxed money with only a small contribution of 12% from the state. Councilor Steven A. Camara stated that although he feels it is bad public policy to use CPC funds for maintenance and repairs, he does not want to hold up action to get the project underway. The City Administrator stated that she feels that the funds are being used appropriately by stating that it is the people's money being used for the people's building.

On a motion made by Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, a resolution was filed requesting the Administration return to the City Council with an appropriation of \$375,050 from FY2019 Reserve Account, to the Facilities Maintenance Account.

Councilor Steven A. Camara asked Corporation Counsel if it was possible for the City Council to amend the original appropriation order from the Mayor to read that the funds come from an account other than the CPC. Corporation Counsel stated that he is inclined to say that the City Council cannot amend the order before them due to the changes they are looking to make and that his answer would not be binding. Councilor Shawn E. Cadime called the question and discussion ceased.

A further motion was made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, to amend the previous motion filing a resolution to read, "Be it resolved, that the Administration return to the City Council with an appropriation of \$375,050 from the FY2019 Reserve Account, to the Facilities Maintenance account, and Be it further resolved, that a discussion be held at the next meeting of the Committee on Finance, with the Director of Facilities Maintenance participating in the discussion."

On yet a further motion made by Councilor Joseph D. Camara and seconded by Councilor Steven A. Camara, it was unanimously voted, to adopt as amended the resolution to read as follows: "Be it resolved, that the Administration return to the City Council with an appropriation of \$375,050 from the FY 2019 Reserve Account, or alternative account, to the Facilities Maintenance account, and Be it further resolved, that a discussion be held at the next meeting of the Committee on Finance, with the Director of Facilities Maintenance participating in the discussion.", with Councilor Stephen R. Long absent and not voting. A copy of the resolution is attached hereto and made part of these minutes.

On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted to refer the order back to the Committee on Finance, with Councilor Stephen R. Long absent and not voting.

4. Mayor and order requesting an easement over City property for Eric J. and Carol A. Lepage on the south side of 439 Martine Street

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the item to the Committee on Real Estate, with Councilor Stephen R. Long absent and not voting.

5. Transfer and appropriation - \$160,000 from Morton Middle School Inactive Fund to the Maplewood Park Acquisition

A motion was made by Councilor Stephen A. Camara and seconded by Councilor Leo O. Pelletier, to adopt the order. A further motion was made by Councilor Joseph D. Camara and seconded by Councilor Bradford L. Kilby, to refer the item to the Committee on Real Estate but was later withdrawn by Councilor Joseph D. Camara. Councilor Steven A. Camara said he disagrees with the item being referred to the Committee on Real Estate, stating he feels it will just delay the opportunity to purchase the lots since People Incorporated already has another offer to purchase. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau to amend the motion to refer to the Committee on Real Estate to also have the City Council meet with Corporation Counsel in executive session at the next City Council meeting for purposes of discussing strategy in regards to the purchase and sale of two lots carried 6 years, 2 nays, with Councilors Steven A. Camara and Leo O. Pelletier voting in the negative and Councilor Stephen R. Long absent and not voting.

Councilor Joseph D. Camara stated that he has been on the City Council for over 20 years and he has never gone into executive session. He said that he feels that referring to the Committee on Real Estate and discussing the offer to purchase the lots should be an open discussion to the public. Councilor Shawn E. Cadime stated just because executive session has never been done in the City Council does not mean it cannot or should not be done. He further stated that one of the ten reasons that allows the City Council to go into executive session is to discuss the strategy to negotiate the purchasing of land, and having an open discussion will reveal those strategies to People Incorporated. Councilor Bradford L. Kilby stated he agreed with Councilor Shawn E. Cadime and suggested that People Incorporated should consider gifting the lots to the City in a form of a PILOT.

A motion was made by Councilor Leo O. Pelletier and seconded by Councilor Steven A. Camara, to refer the item to the Committee on Real Estate. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Bradford R. Kilby, it was voted to amend the motion to refer to the Committee on Real Estate that such meeting is to be scheduled once the executive session is held by the City Council, with Councilor Leo O. Pelletier voting in the negative and Councilor Stephen R. Long absent and not voting.

On yet a further motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was voted to refer the item to the Committee on Real Estate, as amended with Councilor Leo O. Pelletier voting in the negative and Councilor Stephen R. Long absent and not voting.

6. Mayor and order re: Collective bargaining agreement for AFSCME-EMS Unit

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was voted 8 yeas to adopt the order, with Councilor Stephen R. Long absent and not voting.

Approved, February 6, 2019, Mayor Jasiel F. Correia II

7. Mayor and orders re: Greater Fall River Development Corp. land transfers

a. Curren Road, Lot Z-3-132

b. Sykes Road, Lot Z-4-8

On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was voted 4 yeas, 3 nays to adopt the order and the motion failed to carry, with Councilors Shawn E. Cadime, Pam Laliberte-Lebeau, and Cliff Ponte voting in the negative and Councilors Bradford L. Kilby and Stephen R. Long absent and not voting.

On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was voted 7 yeas to refer the item to the Committee on Real Estate, with Councilors Bradford L. Kilby and Stephen R. Long absent and not voting.

8. Mayor requesting salary change for Accreditation Coordinator – Police Department

On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted to refer the item to the Committee on Ordinances and Legislation, with Councilor Stephen R. Long absent and not voting

PRIORITY COMMUNICATIONS

9. City Engineer re: emergency street opening in pavement less than five years old on
Purchase Street

Councilor Shawn E. Cadime stated that it is unacceptable to get requests for street openings after the work has already been performed. Councilor Steven A. Camara stated that four days after the paving of the Purchase Street Streetscapes Project, Verizon discovered there was a broken line in the street that was affecting internet service to customers on Pleasant Street. He also said that subsequently National Grid also discovered a broken line in the same area and also had to cut into the opening that Verizon had made. He further stated that the two repaved cuts were not done well and need some attention.

On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted to refer the item to the Committee on Public Works and Transportation, with Councilor Stephen R. Long absent and not voting.

COMMITTEE REPORTS

Committee on Public Works and Transportation recommending:

Accept and place on file:

10. Communication – Pavement Management System Manual

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Derek Viveiros, it was unanimously voted to accept and place on file the communication, with Councilor Stephen R. Long absent and not voting.

11. Communication – Street opening request for pavement less than five years old at 471 Center Street

A motion was made by Councilor Joseph D. Camara and seconded by Councilor Leo O. Pelletier to approve the request. A further motion was made by Councilor Shawn E. Cadime and seconded by

Councilor Bradford L. Kilby to amend the motion to adopt to include that company provide a \$50,000 bond to be held by the City for the 5 year moratorium period. Councilor Joseph D. Camara stated that he would prefer to create an ordinance reflecting Councilor Shawn E. Cadimes suggestion of implementing a \$50,000 bond requirement for a street opening. Councilor Joseph D. Camara also stated that it is up to the discretion of the City Council to approve or disapprove street openings. If the Council determines an opening is not warranted they can deny the request. Councilor Steven A. Camara also disagreed with the proposed amendment stating he would support a referral to the Committee on Ordinance and Legislation rather than impose a bond on the item presented.

On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was voted to refer the communication to the Committee on Ordinances and Legislation, with Councilor Joseph D. Camara voting in the negative and Councilor Stephen R. Long absent and not voting.

ORDINANCES – None

RESOLUTIONS

12. Committee on Public Safety meet with Chief of Police and Administration to discuss methods to increase police presence for public safety

On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the resolution, with Councilors Pam Laliberte-Lebeau and Stephen R. Long absent and not voting.

13. Committee on Ordinances and Legislation convene with Corporation Counsel, Chief of Police, and Administration to discuss the possibility of limiting the number of licenses for medical and recreational marijuana dispensaries in the City of Fall River

A motion was made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, to adopt the resolution. Councilor Bradford L. Kilby stated that he would like to amend the resolution to have the discussion in the Committee on Finance rather than the Committee on Ordinances and Legislation so that the whole Council can participate in the discussion.

On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to amend the resolution with Councilor Bradford L. Kilby's amendment, with Councilor Stephen R. Long absent and not voting. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the resolution, as amended, with Councilor Stephen R. Long absent and not voting.

CITATIONS – None

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

14. Police Chief's report on licenses:

Taxicab Drivers:

Richard Coderre Neil Dootson Matthew Folsom Delma Sadm

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the order, with Councilor Stephen R. Long absent and not voting.

15. Auto Repair Shop License Renewals:

David J. Motta d/b/a Action Cycles at 326 Pleasant Street

Michael Carvalho d/b/a County Street Collision and Customizing at 958 County Street

Robert Luongo d/b/a Bob Luongo's Auto Sales at 643 Brayton Avenue
 Kirk Carrier, Kirk's Transmission, Inc. at 461 Globe Street
 Timothy Cabral d/b/a Aberdeen Auto LLC at 163-165 Aberdeen 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, with Councilor Stephen R. Long absent and not voting. Approved, February 6, 2019, Mayor Jasiel F. Correia II

COMMUNICATIONS – INVITATIONS – PETITIONS

16. Claims

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to refer the claims to Corporation Counsel, with Councilor Stephen R. Long absent and not voting.

17. Planning Board Minutes – December 17, 2018

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the communication be accepted and placed on file, with Councilor Stephen R. Long absent and not voting.

18. City Council Meeting Minutes:

Regular Meeting of the City Council – January 8, 2019

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to approve the minutes, with Councilor Stephen R. Long absent and not voting.

BULLETINS – NEWSLETTERS – NOTICES

19. Notice of Casualty and Loss at 9 Riverview Street

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the notice be accepted and placed on file, with Councilor Stephen R. Long absent and not voting.

ITEMS FILED AFTER THE AGENDA WAS PREPARED:

CITY COUNCIL MEETING DATE: February 5, 2019

PRIORITY MATTERS

3a. Resolution – That the Administration return to the City Council with an appropriation of \$375,050 from the FY 2019 Reserve Account, or alternative account, to the Facilities Maintenance account, and that a discussion is held at the next meeting of the Committee on Finance, with the Director of Facilities Maintenance participating in the discussion.

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the resolution as amended, with Councilor Stephen R. Long absent and not voting. [Please see item 3 for the discussion]

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adjourn at 9:50 p.m., with Councilor Stephen R. Long absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
 DVD of meeting
 Fiscal Year 2019 Municipal Budget


 City Clerk