

City of Fall River Massachusetts
Office of the City Clerk

2020 OCT -8 P 12: 50

CITY CLERK
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

TUESDAY, OCTOBER 13, 2020
AGENDA

5:00 P.M. COMMITTEE ON PUBLIC SAFETY MEETING

6:00 P.M. COMMITTEE ON FINANCE MEETING (OR IMMEDIATELY FOLLOWING THE COMMITTEE ON PUBLIC SAFETY MEETING IF IT RUNS PAST 6:00 P.M.)

1. Citizen Input
Due to the COVID-19 Essential Services Advisory, citizen input may be submitted by email to city_council@fallriverma.org by Tuesday, October 13, 2020 at 3:00 p.m. to be read at the meeting.
2. *Committee on Finance convene with the Administration to discuss utilizing City-owned assets for the use of advertising (adopted 8-11-20)
3. *Committee on Finance convene with Corporation Counsel and a representative of the Administration to discuss procedures for removal/appointment of Board members (adopted 9-8-20)

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

PRIORITY MATTERS

1. *Mayor requesting confirmation of the appointment of Renee M. Howayeck to the Sewer Commission
2. *Mayor requesting confirmation of the re-appointment of Nadilio D. Almeida to the Sewer Commission
3. *Mayor and order appropriating \$17,000 from the CPA Undesignated Fund (\$15,000 from the CPA Open Space/Outdoor Recreation Projects for the Quequechan River Rail Trail and \$2,000 from the CPA Historic Resources Preservation Projects for Little Theatre of Fall River)
4. *Mayor and proposed ordinances for new parking meter zones and increases in traffic fees and fines

PRIORITY COMMUNICATIONS

5. *Response from Attorney Matthew J. Thomas regarding P & S Agreement for the former Police Station located at 158 Bedford Street
6. *Fall River Public Library Annual Report for Fiscal Year 2020

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

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

Referral to Corporation Counsel:

7. *Resolution – Require trash receptacles at drive-thru establishments and any establishment with a parking lot

Committee on Public Works and Transportation recommending:

Grant leave to withdraw:

8. *Communication – Department of Environmental Protection re: issuance of Chapter 91 Waterways License No. 14859

Committee on Real Estate recommending:

Adoption:

9. *Order – CPC 2020 Final Report – \$54,900 from Open Space/Recreation for the Bioreserve Conservation Land Acquisition

ORDINANCES

Proposed:

10. *Traffic – Stop intersections – Bark Street at the intersection of Reservoir Street

Second reading and enrollment:

11. *Proposed Ordinance – Executive Administrative Assistant to the Chief of Police

Second reading and enrollment, as amended:

12. *Proposed Ordinance – Traffic, miscellaneous

RESOLUTIONS

13. *Committee on Public Works and Transportation convene with South Coast Rail Project Manager to provide overview of construction necessary to bring South Coast Rail to Fall River

CITATIONS – None

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

14. **Auto Repair Shop License Renewals:**
Fernando P. da Silva d/b/a Brodeur's Service Station located at 109 Barrett Street
Jody L. Oliveira, Ground Earth, Inc., located at 1741 Stafford Road
Marco Tavares, Auto Stop, located at 325 Oman Street
George Moreira, George's Auto Tech, LLC, located at 581 Pleasant Street
15. **Auto Body Shop License Renewal:**
Manuel Felix d/b/a Felix Auto Collision Center located at 1201 Slade Street
16. **Police Chief's report on licenses:**
2020 Taxicab Driver:
Shawn M. Stevens

COMMUNICATIONS – INVITATIONS – PETITIONS

17. *Claims
18. Drainlayer Licenses:
a. RJV Construction, Corp.
b. MRC Contracting, Inc.
- Zoning Board of Appeals Minutes:
19. January 16, 2020 Meeting
20. February 20, 2020 Meeting
21. June 22, 2020 Meeting
- City Council Meeting Minutes:
22. *Regular Meeting of the City Council – August 11, 2020
23. *Committee on Finance – August 24, 2020
24. *Committee on Finance – August 31, 2020
25. *Special Meeting of the City Council – August 31, 2020
26. *Joint Meeting of the City Council and School Committee – August 20, 2020
27. *Public Hearings – September 22, 2020
28. *Open Meeting Law Complaint filed by Collin Dias re: alleged violation by City Council Committee on Finance on September 22, 2020

BULLETINS – NEWSLETTERS – NOTICES

29. *Department of Environmental Protection – Notice of Chapter 91 Permit Application by Liberty Utilities for Former MGP Site, Mount Hope Bay off 120 Charles Street
30. Notice of Casualty and Loss at 325 Bullock Street


Assistant City Clerk

(Councilor Michelle M. Dionne)
(President Cliff Ponte)

WHEREAS, the taxpayers of Fall River cannot be continuously relied upon to fund the increasing costs of needed city services, and

WHEREAS, in recent months the COVID-19 pandemic has adversely impacted the ability of many local restaurants to maintain cash flow and remain a viable business in our city, and

WHEREAS, assets owned by the City of Fall River such as buildings, vehicles, and vacant land can be utilized for advertising, and

WHEREAS, this can be considered a new source of revenue to help enhance city services, and

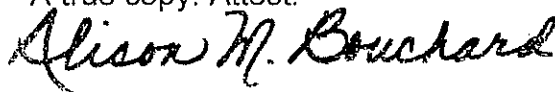
WHEREAS, this will not cost the City or its taxpayers any money, now therefore

BE IT RESOLVED, that the Administration be invited to a future meeting of the City Council Committee on Finance to discuss the possibility of utilizing City-owned assets for the use of advertising in an effort to increase revenues at no cost to the City, and

BE IT FURTHER RESOLVED, that the Administration discuss any previous action, documentation, and/or decisions relative to the use of said assets for advertising purposes.

In City Council, August 11, 2020
Adopted

A true copy. Attest:



City Clerk

(Councilor Michelle M. Dionne)
(Vice President Pam Laliberte-Lebeau)

WHEREAS, a request for the submittal of citizens input was received and not read at the City Council Meeting held on Tuesday, August 11, 2020, and

WHEREAS, new information has been received in relation to Massachusetts General Law: Part I, Title VII, Chapter 45, Section 2, and case law presented to the City Council by Corporation Counsel regarding the removal and subsequent appointment of two members of the Board of Park Commissioners, now therefore

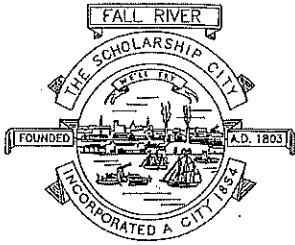
BE IT RESOLVED, that Corporation Counsel and a representative of the Administration be invited to a future meeting of the City Council Committee on Finance to discuss these matters to ensure that the City is following Massachusetts General Law and correct procedures.

In City Council, September 8, 2020
Adopted, 8 yeas, 1 nay

A true copy. Attest:

Alison M. Bouchard

City Clerk



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2020 SEP 25 A 10:10

CITY CLERK
FALL RIVER, MA

September 24, 2020

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


Honorable Members of the City Council:

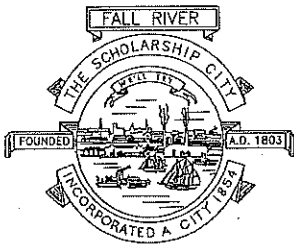
I hereby request the confirmation of the City Council for the following appointment:

Name: Renee M. Howayeck
Address: 188 North Ogden Street
Fall River, MA 02723
To: Sewer Commission
Term to expire: September 25, 2025

Thank you for your favorable consideration in this regard.

Sincerely,


Paul E. Coogan
Mayor



City of Fall River
Massachusetts
Office of the Mayor

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2020 SEP 25 A 10:10

CITY CLERK _____
FALL RIVER, MA

PAUL E. COOGAN
Mayor

September 24, 2020

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

Honorable Members of the City Council:

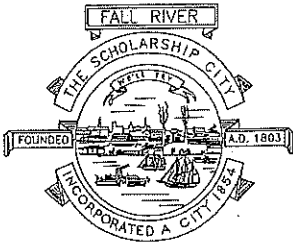
I hereby request the confirmation of the City Council for the following re-appointment:

Name: Nadilio D. Almeida
Address: 152 Garden Street
Fall River, MA 02720
To: Sewer Commission
Term to expire: September 25, 2025

Thank you for your favorable consideration in this regard.

Sincerely,

Paul E. Coogan
Paul E. Coogan
Mayor



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

September 30, 2020

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

Dear Honorable Council Members:


The Community Preservation Committee (CPC) has identified two (2) community projects for supplemental funding for the fiscal year 2021 and has made recommendation for funding in accordance with the Community Preservation Act (CPA) MGL Chapter 44B Sections 4 to 7.

The CPA funding request for these projects are \$17,000 as outlined in the proposed Supplemental Appropriation Order.

Your approval of the associated Appropriation Order is respectfully requested.

Should you have any questions or concerns in this regard, please do not hesitate to contact me.

Best Regards,


Paul E. Coogan
Mayor

CITY CLERK
FALL RIVER, MA

2020 SEP 30 P 4:30

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City of Fall River, In City Council

3

APPROPRIATION ORDER

ORDERED, that the following FY21 supplemental appropriations be provided through the Community Preservation Act (CPA), reserves under the MGL Chapter 44B Sections 4 to 7 in the aggregate, amounting to \$17,000 to be appropriated as follows:

Voted: That \$17,000 be appropriated from the CPA Fund's undesignated fund balance

For CPA Administrative Expenditures	\$0
For CPA Open Space/Outdoor Recreation PROJECTS	\$15,000
For CPA Historic Resources Preservation PROJECTS	\$2,000
For CPA Community Housing	<u>\$0</u>
<u>TOTAL</u>	<u>\$17,000</u>

Note: Please note this is the first supplemental CPA appropriation for FY21. The CPA fund balance is estimated to be at \$1,217,614 on June 30, 2021 and is more than sufficient to cover this supplemental appropriations.



**City of Fall River
Massachusetts
Community Preservation Committee**

JAMES SOUZA
Chairman

JOHN BRANDT
Vice-Chairman

September 22, 2020

City of Fall River
Mayor Paul Coogan
One Government Center
Fall River, MA 02722

Dear Mayor

The Community Preservation Committee voted for supplemental funding at their last meeting, Monday, September 21, 2020 for the combined project under the Fall River Planning Dept. in the amount of \$15,000.00

- Quequechan River Rail Trail – South Watuppa Spur Feasibility Study & Conceptual Design
- Quequechan River Rail Trail – Westport Extension

A letter needs to come from the Mayor approving this funding and for the Auditor to prepare an Appropriation Order in the amount of \$15,000.00 for this combined project.

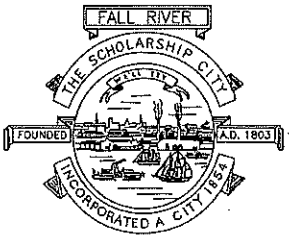
We need this as soon as possible so it can get on the City Council agenda for their next meeting in October of 2020.

Respectfully,

James Souza, Chair

James Souza, Chair
Fall River Community Preservation Committee

CC: Jen Argo, City Auditor
Mary Sahady, Director of Financial Services



**City of Fall River
Massachusetts
Community Preservation Committee**

JAMES SOUZA
Chairman

JOHN BRANDT
Vice-Chairman

September 22, 2020

City of Fall River
Mayor Paul Coogan
One Government Center
Fall River, MA 02722

Dear Mayor Coogan:

On Monday September 21, 2020 the Community Preservation Committee (CPC) voted to approve supplemental funding for the FY20 Little Theatre of Fall River project.

- Little Theatre of Fall River - \$2,000.00 from FY20 funding to complete asbestos abatement and HVAC system upgrades.

The CPC is requesting a letter from the Mayor approving these funds and from the Auditor to prepare an Appropriation Order to complete this project.

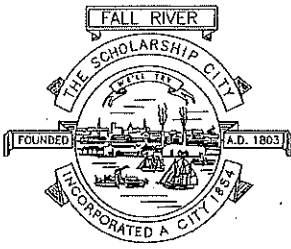
We are requesting this letter be written as soon as possible in order to get this appropriation on the City Council's agenda for their next meeting.

Respectfully,

James Souza Chair

James Souza, Chair
Fall River Community Preservation Committee

CC: Jen Argo, City Auditor
Mary Sahady, Acting City Administrator/Director of Financial Services



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

October 7, 2020

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

RE: Traffic Ordinance Changes

Council President Ponte:

The Traffic Board Commission met on September 30, 2020 and voted to increase several of the traffic fees that have not been adjusted in several years. These ordinances appear in Chapter 70 and include, such fees as parking meters and violations and penalties.

I am requesting that these changes to the fee schedule be sent to the ordinance committee at which time the administration will be available to discuss the impact such changes will have on the City's local receipts.

Please let me know if you have questions or concerns.

Best Regards,

Mayor Paul E. Coogan

CITY CLERK
FALL RIVER, MA

2020 OCT -7 A 11:02

RECEIVED

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**City of Fall River
Massachusetts**

Traffic Board Commission

Paul E. Coogan
Mayor

*Sergeant Kevin Dolan, Chair
Officer Jose Barbosa
Helen Rego
Natalie Melo*

October 6, 2020

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

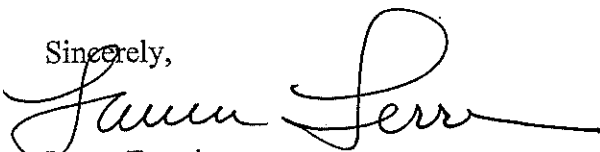
Dear City Councilors:

At a meeting of the Traffic Board Commission held on September 30, 2020 the following items were heard and approved by the Traffic Board.

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

Chapter	70		
Section:	377	Parking Meter Zones:	Two Hour Zones
Sixth Street:		East and West Side:	Between Bedford Street and Pleasant Street
Middle Street:		North and South:	Between Forest Street and South Main Street
Pocasset Street:		South Side:	Between South Main Street and Connector
Davol Street:		West Side:	Between President Avenue and Heritage Parking

Sincerely,



Laura Ferreira
Parking Clerk

4

**City of Fall River
Massachusetts**

Traffic Board Commission

Paul E. Coogan
Mayor

*Sergeant Kevin Dolan, Chair
Officer Jose Barbosa
Helen Rego
Natalie Melo*

October 6, 2020

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

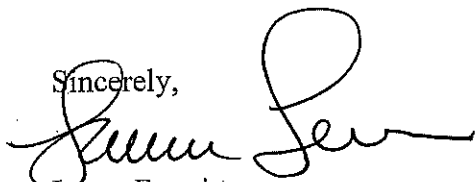
Dear City Councilors:

At a meeting of the Traffic Board Commission held on September 30, 2020 the following items were heard and approved by the Traffic Board.

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

Chapter Section:	70 311	Vilations and Penalties	Proposed Fee
		Chapter 70-312A	\$20.00 \$25.00
		Chapter 70-344, 70-348, 70-377	\$20.00 \$25.00
		Chapter 70-318, 70-320	\$20.00 \$25.00
		For any other Parking violations of this Article:	\$20.00 \$25.00
		Chapter 30, Article IV, Fire Lanes	\$20.00 \$25.00

Sincerely,



Laura Ferreira
Parking Clerk

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**City of Fall River
Massachusetts**

Traffic Board Commission

Paul E. Coogan
Mayor

*Sergeant Kevin Dolan, Chair
Officer Jose Barbosa
Helen Rego
Natalie Melo*

October 6, 2020

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

Dear City Councilors:

At a meeting of the Traffic Board Commission held on September 30, 2020 the following item was heard and approved by the Traffic Board.

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

Chapter 70, Section 311:

Violations and Penalties

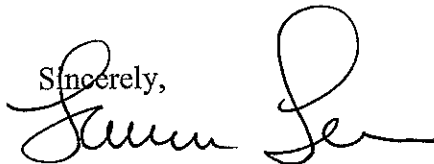
For a Violation Of Chapter 70-312D:

Un-Registered Motor Vehicles

FEE Schedule A:

20-Unregistered Motor Vehicle: \$50.00

Sincerely,



Laura Ferreira
Parking Clerk

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**City of Fall River
Massachusetts**

Traffic & Parking Division

Paul E. Coogan
Mayor

Laura Ferreira
Director of Traffic & Parking

September 2, 2020

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

Dear Councilors:

I submit the following proposal to create a new City Ordinance to deal with un-registered motor vehicles, under Traffic, Chapter 70.

The addition of this violation to the Traffic, Chapter 70 would allow the violation to be added to the parking tags, and enforcement would include Police Officers and Parking Control Officers.

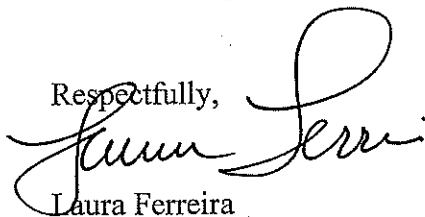
Un-Registered Motor Vehicles

Upon any street, way, road or parkway, unless the vehicle displays a valid registration plate as required pursuant to M.G.L.A. Section 9 of Chapter 90, shall be punished by the fine in fee schedule A.

Added to Fee Schedule A

Un-registered Motor Vehicle: \$50.00

Respectfully,



Laura Ferreira
Director of Traffic & Parking

4

**City of Fall River
Massachusetts**

Traffic Board Commission

Paul E. Coogan
Mayor

*Sergeant Kevin Dolan, Chair
Officer Jose Barbosa
Helen Rego
Natalie Melo*

October 6, 2020

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

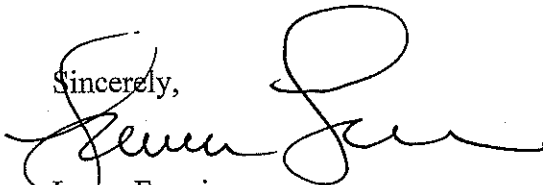
Dear City Councilors:

At a meeting of the Traffic Board Commission held on September 30, 2020 the following items were heard and approved by the Traffic Board.

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

Fee Schedule:	A110-14 Chapter 70, Traffic:	
Section:	Fee:	Proposed Fee:
30-Minute Zones	\$0.25	\$0.50
1-Hour Zones	\$0.50	\$1.00
2-Hour Zones	\$1.00	\$2.00

Sincerely,



Laura Ferreira
Parking Clerk

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MATTHEW J. THOMAS, Esq.

Attorney at Law

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2020 SEP 29 P 4: 28

September 28, 2020

CITY CLERK
FALL RIVER, MA

Jim Soule, President
The Preservation Society of Fall River
263 Pine Street Apt. B1
Fall River, MA 02720

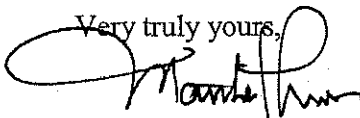
RE: CORRESPONDENCE TO FALL RIVER CITY COUNCIL DATED AUGUST 24, 2020
REGARDING P & S AGREEMENT FOR 158 BEDFORD STREET

Dear Mr. Soule & Members of the Board of Directors:

As you know, I provide services to the City of Fall River as Tax Title Attorney, and it is in that capacity that I am writing to you today. Your correspondence to the Fall River City Council, dated August 24, 2020, was referred to me for response by the City Council Committee on Finance on September 14, 2020. Please accept this letter as said response.

As you know, a Purchase & Sales Agreement for the sale of 158 Bedford Street was executed between the City of Fall River and Wethersfield, LLC on August 12, 2020 (hereinafter the "P & S Agreement"). As has been widely reported, the P & S Agreement incorporates Wethersfield's Response to the RFP into the P & S Agreement and the P & S Agreement also sets forth a number of detailed development requirements and deadlines. The P & S Agreement provides that these development requirements and deadlines will be incorporated in the deed conveying 158 Bedford Street to Wethersfield. Finally, the P & S Agreement requires Wethersfield to post a \$25,000.00 Performance Bond to secure performance of the development requirements and deadlines. Various stages of the redevelopment of 158 Bedford Street will be monitored by the appropriate City Officials.

The Preservation Society of Fall River has a well earned reputation of advocacy for the preservation of Fall River's historic treasures and buildings. Thank you for your interest in 158 Bedford Street.

Very truly yours,

Matthew J. Thomas, Esq.

MJT/ja

cc: Mary Sahady, Director of Financial Services
Alan Rumsey Esq., Corporation Counsel
Fall River City Council

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The Preservation Society of Fall River

P: 508-673-4841 E: psfallriver@gmail.com Web: psfallriver.org



August 24, 2020

Dear members of the City Council,

With a purchase and sale agreement already signed for the former Central Police Station at 158 Bedford Street, members of the Preservation Society request additional details on what processes are in place for municipal follow-up and enforcement of the purchase and sale agreement.

In the past, purchase and sale agreements for city sales of historic buildings have also included conditions to ensure project completion or that the city is properly compensated, if otherwise. Unfortunately, a lack of oversight and follow through has allowed for multiple properties to fall short of their promised redevelopment proposals without consequence.

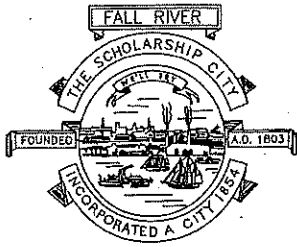
As witnessed with the missing purchase and sale agreements for the N.B. Borden School and Healy School, conditions of sale and provisions to protect the city only extend as far as the city's follow-up and enforcement of the purchase and sale agreement.

It is with that in mind that the Preservation Society requests more information on what processes are in place to ensure the city's best interests are protected.

Sincerely,

The Preservation Society of Fall River, Inc.
Board of Directors
508-361-2714

RECEIVED
2020 AUG 24 A 10:16
CITY CLERK
FALL RIVER, MA



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

Fall River Public Library
fallriverlibrary.org

PAUL E. COOGAN
Mayor

LIANE VERVILLE
Library Administrator
lverville@sailsinc.org

To: City Councilors

Date: September 18, 2020

From: Liane Verville, Library Administrator

Subject: Library Annual Report

L.V.

Enclosed for your perusal as required by City Ordinances (Article VI. Division 2 §66-477) is the Fall River Public Library's Annual Report for FY20. This report highlights the monthly activities that have taken place at the Library as well as staffing changes.

CITY CLERK
FALL RIVER, MA

2020 SEP 18 P 12:18

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FALL RIVER PUBLIC LIBRARY
FALL RIVER, MASSACHUSETTS

ANNUAL REPORT

July 1, 2019 - June 30, 2020

prepared by
Liane Verville
Library Administrator

Approved by the Library Board of Trustees
September 16, 2020



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**ANNUAL REPORT OF THE
FALL RIVER PUBLIC LIBRARY
FALL RIVER, MA**

**REPORT FOR THE YEAR
BEGINNING
JULY 1, 2019 AND ENDING JUNE 30, 2020**

LIBRARY BOARD OF TRUSTEES

**Mr. Ronald Caplain, Chairperson
Mr. James Gibney, Vice-Chairperson
Ms. Kathryn Clarkin
Ms. Joyce Coelho
Mr. Robert Kerr
Ms. Melissa Panchley
Ms. Fran Rachlin
Ms. Ann Rockett-Sperling
Mrs. Donna Williams**

THE YEAR IN REVIEW

6

JULY 2019

The library was closed for two days this month, July 4 and 5th. The Summer Reading Kickoff was well attended, and had entertainment by the Toe Jam Puppet Band.

Technology Supervisor Robert Jordan did a pop-up library at Government Center and the Niagara Senior Center and taught computer classes at both the South Branch and Main Library. Reference Librarian Taylor Silva was a guest lecturer at the Fall River Heritage park talking about genealogy resources; he also participated in Fall River Re-Creation's Free Lunch in the Park program to continue to hand out free books donated by the Friends of the Library and to promote the library.

The bicycle lending program has been very successful. The bikes are being checked out on a regular basis and an additional bike has been donated, bringing the total to 3 bikes.

The library added three new online resources beginning in July: Universal Class (online learning), A to Z World Travel (country and travel information), and A to Z Food America (regional food and recipes). We also have been planning activities to promote CreativeBug, a crafting resource that we added in spring.

The roof continues to leak and the damage to the Reference Room ceiling has worsened. The bids for its replacement were open June 17, 2019 and a contract has been awarded to Capeway Roofing Systems Inc. from Westport, MA. Work is expected to start at the end of August.

AUGUST 2019

A second Library Foundation letter was sent for the Second Century Campaign, encouraging donors to participate in the Campaign and inviting donors to attend the catered reception for contributors on September 29th, featuring the vocal stylings of Taylor Cormier throwing it back with songs of Frank Sinatra, Dean Martin, Tony Bennett and more.

6
Reference Librarian Taylor Silva and Children's Supervisor David Mello represented the Library at the Fall River Police and Public Palooza event in Britland Park.

We are in the process of organizing a Ukulele workshop for patrons to get free lessons over the course of 4-6 weeks and provide them with Ukuleles that will be available for circulation.

On August 28th the Herald News had an article about the Main Library's roof, stating that it is set to start the last week in August or early September. As of today, September 5th, I have not heard any updates as to when the repair work will start.

The Massachusetts Board of Library Commissioners Annual Report Information Survey (ARIS) was submitted; that Ms. Kulpa and I met with the City's IT Department Head to discuss revamping the library's website; that fire and rescue were called for a patron that overdosed in the restrooms and for an intoxicated person outside.

SEPTEMBER 2019

Assistant Administrator Kate Kulpa and Reference Librarian Taylor Silva met with the Passport Acceptance Facility Oversight Inspector on September 11. Our program was commended by the agent who inspected us and informed us that we will not need to be evaluated again for 3 years. He wrote, "This facility has a well-managed program with experienced Acceptance Agents." We received a certificate from the U.S. Department of State, Passport Services.

Reference Librarian Mr. Taylor Silva visited the Schwartz Center (Meeting Street School) in North Dartmouth to visit a number of classrooms to talk about the library.

Work has begun on the Main Library roof. Half of the parking lot is fenced off to accommodate two dumpsters and a crane. There has been minimal interruption during this time. At some point the Reference Room will be closed to the public so that the walls and ceiling can be repaired and repainted. Alternative work plans for Reference staff have been discussed.

The Massachusetts Board of Library Commissioners Municipal Appropriation Requirement (MAR) was submitted and we will once again be applying for a waiver. The Library Foundation

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Second Century Campaign's Thank You Reception was held on September 29th and was enjoyed by all. The annual staff evaluations have been completed and submitted to Human Resources per union contract.

To draw attention to the value of the library's services, our checkout receipts now print out a total of the purchase price of items checked out, with the message, "See what you saved by using your library!"

The Massachusetts Board of Library Commissioners (MBLC) Blog mentioned the library "Fall River Library goes from sharing books to sharing bikes" was distributed; I also noted that on July 30 and August 5 letters appeared in the Herald News Letter to the Editor section regarding our Drag Queen Storyhour; that Children's Supervisor David Mello received a thank you card from the Head Start program for reading to their children; and that Reference staff received a thank you email for their assistance with research. I notified the Board that the Friends of the Library made an emergency purchase for the library: the projector used for our weekly movies broke and the Friends purchased another one.

OCTOBER 2019

The Ghostbusters Night at the Main Library was a huge success. We had face painting; three costumed Ghostbusters; Frankenstein; a spooky fortune teller; and crafts for the kids as well as a scavenger hunt to find four ghosts throughout the library. Many of the patrons came dressed in costumes which added to the festivities.

The Library's Municipal Appropriation Requirement (MAR) waiver was filed with the Massachusetts Board of Library Commissioners.

Two Cultural Council grant applications were filed on behalf of the Friends of the Library (Delvena Theatre Company-Murder à la Carte) and the Library Foundation (hot process all natural soap making), and four artists applying for Cultural Council grants asked for letters of support, which the library provided (Past the Cemetery Gate: the Graveyard as Genealogical

Resource; Solstice Sackbuts musical program; Puzzles, Poetry, and Ponderings; and (2) Acrylic Painting Workshops.

Technology Supervisor Robert Jordan has been out on a medical leave for the month so no adult computer classes or pop-up library at Government Center or the Niagara Senior Center have taken place. Reference Librarian Taylor Silva is doing the Tech Help Tuesdays.

The Main Library staff participated in Government Center's Halloween best decorated department contests. Acting Mayor Ponte selected the Library for best off site department and we were all treated to pizza for lunch.

Work continues on the Main Library roof. As mentioned last month, there has been minimal interruption during this time. At some point the Reference Room will be closed to the public so that the walls and ceiling can be repaired and repainted. Alternative work plans for Reference staff have been discussed. The general contractor is done and now the subcontractors are finishing up. It is expected to be done in a few weeks.

The Library Foundation Board once again voted to have a staff appreciation dinner. Staff voted to have the dinner on Friday, December 13th after work. As in the past, the dinner will be held in the Meeting Room with food from Riccardi's.

Trustees unanimously approved to accept the Library's Long Range Plan 2020-2023 as printed.

NOVEMBER 2019

Technology Supervisor Robert Jordan continues to be out on a medical leave so no adult computer classes or pop-up library at Government Center or the Niagara Senior Center have taken place. Reference Librarian Taylor Silva continues to do the Tech Help Tuesdays. Mr. Silva represented the Library at the SAILS Library Showcase event, speaking about our Dungeons and Dragons program that he runs here.

On November 12th the Reference Room temporarily moved to the Ryan Reference Room while the walls and ceiling are being repaired and repainted. Reference continues to provide services and have computers available for the public. There has been minimal interruption during this project.

Library Foundation Board Member Karin Wood, her husband Mr. Peter Bogle and I met with grant funding representatives at Bank Five. We spoke about some possible funding from them for some of our projects/capital expenditures: resurface and widen our outdoor stage platform; purchasing a microfilm scanner; providing space and funding for a 24/7 library book vending machine; and a bookmobile. Once their committee meets they will contact me as to which, if any, they would be willing to fund so that I can apply for their grant.

The Mayor Elect asked that we put together a few goals and deficiencies together and this is what was submitted:

Goals/Deficiencies

Goals

1. To add a (19 hour or on call as needed) part-time position that would be a floater to cover in various sections, including the short-staffed South Branch, when staff are on vacation/personal/sick leave.
2. To increase the library's outreach services to senior housing units, middle/high schools, and non-traditional locations (such as laundromats).
3. To continue to offer educational and entertaining programs for all ages.
4. To continue to seek and offer new resources; for example, binge-boxes, downloadable movies, ukuleles, and adult bicycles).

Deficiencies

1. Need to create a family restroom out of an existing closet on the lower stack level. This would increase safety for library users, especially children. The current restrooms are insufficient for a building of this size (only two bathrooms for 6 floors); they are also open to anyone, and there have been a number of overdoses and inappropriate behavior in them. This family restroom would be keyed and only available for children, families, and disabled people. Roger Williams University Architecture students did a feasibility study for this.

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2. To have the funds to hire a security guard for all hours the library is open (64 hours per week). Currently we have a security guard for only 24 hours per week. Unfortunately, problem behaviors can occur at any time the library is open.
3. Parking. The library has a small parking lot behind it, but half of it is used by staff, leaving only seven spaces for library patrons. If the Bank St. Armory isn't going to be used for any other business, it could be possible to remove the barrier between the library and the Armory's parking lot to make one big parking lot.
4. To develop a partnership with social services. The library has a number of people that use the library for shelter and the restrooms. This underserved population would benefit by having a social service representative stationed at the library to direct those in need to the resources available to them. Many libraries currently have on-site social workers to assist patrons who are dealing with homelessness, mental health problems, and substance abuse issues. These programs have been successful in other urban libraries and I believe they would benefit our population as well.

The Trustees unanimously approved Library Assistant Fellisha Desmarais request for tuition reimbursement for two classes she has registered to take in the Spring 2020 semester.

DECEMBER 2019

The library had a one hour delay on December 3rd due to the snow. This delay allowed ample time to have the parking lot and sidewalks cleared. The Reference Room is still in their temporary location in the Ryan Reference Room. The Reference Room walls and ceiling have been repainted but some of the walls were too wet and the paint is bubbling in some areas so it will need to be scraped and repainted. Reference continues to provide services and have computers available for the public.

There have been ongoing issues with the Main Library's heat. Repairs have been made to the boiler, but in the near future it will need to be replaced. Mr. Chris Gallagher is aware, and has it in his capital plan for its replacement. I have received a few complaints about patrons smoking on the library grounds (smell drifting into the library, butts all over, etc.). I emailed Mr. Gallagher asking if an area outside can be designated for smoking which would be away from the building.

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The library held a ukulele workshop which was well received (attendees were a mixture of adults, kids, and seniors) and the ukuleles have been circulating very well. In addition to the workshop we had a program called The Unlikely Strummers who entertained the audience with songs and ukulele instruments.

The Fall River Rotary Club approved the library's grant application for our summer program "Puppets On Parade: A Celebration of Puppetry". The week-long program would be composed of performances given by two professional puppeteers, and one puppet show by library staff. Included during the week will be a puppet making workshop where children will be invited to design and assemble their own puppet characters, then bring them to life in the Children's Room's own child-size puppet booth.

As approved by the Board of Trustees, the library held an amnesty week December 16-21 which was very successful in getting items returned. A total of 1,806 items were returned during that week opposed to 1,741 for the same week last year.

Technology Supervisor Robert Jordan resigned December 3rd.

The Library Foundation and the Library Friends have been awarded a Cultural Council Grant, one for a Hot Process All Natural Soap Making Class and the other to have the Delvena Theatre Company perform Murder a la Carte. The Library was mentioned in an article "Teach Your Children Well" that appeared in the Boston Spirit about our Drag Queen Storyhour

The Main Library's roof project is completed, what remains is some interior painting that is expected to be completed shortly. The Board discussed their pleasure with Chris Gallagher moving this project through.

Mr. Caplain has been in contact with the Mayor Elect Coogan who would approve a 1.5% increase in the Library Administrator's contract. The trustees unanimously approved to renew Library Administrator, Liane Verville's contract for three years starting January 1, 2020 at her

current salary and a 1.5% increase effective July 1, 2020. At the end of year one she and the salary will be evaluated.

The trustees unanimously approved the Ukulele Policy as printed.

The Library Board was asked if there are any objections to the following: remove the tree between the library and the adjacent building (tree debris gets into the gutters); extend the fence on the Elm Street side to enclose the performance area with gated access (to discourage people from letting their dogs use the lawn as a bathroom); and relocate the old boiler no longer in use into the new Durfee for its memorabilia. The Board was in agreement with all of the above.

JANUARY 2020

I'm pleased to announce that permission was given to post the vacant Section Head position (formerly filled by Robert Jordan) and Taylor Silva, current Section Head in Reference, has laterally moved to Section Head of Young Adult Services. His former position in Reference was posted in-house and there were no internal candidates, so the posting will go on the city's web site. The former technology services room will be used to expand the Young Adult room. Our collection of Young Adult material has reached capacity in its current location and expanding it into the technology room will allow for growing the collection.

I am awaiting permission to fill a long-time vacancy of a Section Head in Circulation Services. This position has been vacant since Sept. 2016, and since we held a vacancy for almost five months this fiscal year there are funds in this year's budget to cover this expense. Having this added position will also bring us closer to reaching our Municipal Appropriation Requirement for State Aid funding.

The FY21 budget process is underway and due February 8, 2020. As mentioned above, I am trying to fill a Section Head position in Circulation Services as well as fill two part-time Library

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Page positions at ten hours per week, minimum wage. All other budget requests are zero based line items with only contractual and utility increases.

The Reference Section moved back into the Davis Reference Room on January 23rd. Staff and patrons are thrilled to be back in the renovated room with freshly painted walls; all operating light fixtures; and all the paintings hung back in their original locations.

On behalf of the Library Foundation I applied for a grant from BankFive for the purchase of a ScanPro 2200 digital microfilm scanner in the amount of \$7,780. As discussed at the last Board meeting: Cultural Council Grant recipient June Cruz asked if we could be the alternative location for her hand painted tiles. The Board was in agreement with this and David Mello, Children's Supervisor and I met with her and agreed that the tiles will be 12", each one hand painted and to be placed on the outside stage. Department of Community Maintenance agreed to expand the stage and have already outlined and prepared it for the cement. The tiles represent Fall River: sardines (biggest export of Portugal); mills; spools of fabric; and the first printed fabric pattern in Fall River.

The Legislative Breakfast at the Seekonk Public Library was very successful with a number of State Representatives there. Fran Rachlin, Library Board of Trustee and President of the Friends of the Fall River Public Library; Angie Gastall, Friends Board Member and I attended.

FEBRUARY 2020

Mayor Paul E. Coogan attended the Library Board of Trustees meeting and presented a citation for Nancy C. Fell for all of her years of service to the Library (Friends, Foundation and Board of Trustees). Ms. Fell recently resigned from the Library Board of Trustees; Foundation and Friends. Mayor Coogan mentioned that he visited the Library on a Saturday and was impressed with the beauty of the building. He said that he has asked the police officer at Government Center to walk over here twice during the day to do a walk though. Chris Gallagher, Director of Buildings and Grounds, also attended the meeting to discuss building maintenance. He said that

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the windows will be caulked on the inside and outside during the spring and he has been in contact with the Mass Historic Commission about them. He distributed three samples of paint color for the outside of the windows for the Board to choose one. He said that the Elm Street Entrance fence will be added to, to include the outside performance area, which will completely enclose that area and only allow access through a gated area. This is necessary to keep animals from relieving themselves there. He also mentioned that we are in the process of expanding the outside performance area; that grates will be installed over the stairwell in the parking lot and on the side of the building. The roof project is complete and it has a twenty year labor and material warranty.

As mentioned last month, the FY21 budget was submitted to city administration on February 8, 2020. The budget request includes money to fill a Section Head position in Circulation Services as well as fill two part-time Library Page positions at ten hours per week, minimum wage. The Friends of the Library agreed to pay for the furniture in the Young Adult room. This will include two sofas, a ottoman, and two shelving units. The Friends' annual meeting is Saturday, March 28th with the Roaring Twenties entertainment to follow.

There have been a few incidents at the Main Library this month: February 11th someone overdosed in the men's public restroom, also on this day a patron was drinking alcohol and intoxicated on stack level 4. Police responded to the overdose and then to the drinking, both during the same visit. On February 28th a patron was on something and was staggering in the children's hallway and then he collapsed on the floor with his pants down. Police and EMT removed him and I am in the process of issuing a No Trespass against this person. BankFive awarded the Library Foundation \$7,780 to purchase a ScanPro 2200 digital microfilm scanner.

I shared with the Library Board that I received a letter from a patron praising the service he received from Dan Sheahan, Reference Library Assistant, and a note from a South Branch patron praising Elizabeth Washburn and Debra Baptista for their service. Library Assistant Fellisha Desmarais has been accepted to Simmons University to pursue her Masters in Library

Science. The Police were called to remove someone from the restroom (person had a needle on the floor and wasn't coherent). Once this person was taken away the police officer did a walkthrough and found someone drinking alcohol in the stacks and removed him from the library as well.

The FY21 Budget request was submitted. I met with June Cruz, the artist that will be designing the tiles for the outside performance area, and city workers that will be pouring the cement for the area. We are moving forward with the design of the tiles and size of the stage.

The Trustees unanimously approved a motion made by Mr. Gibney and seconded by Ms. Rockett-Sperling to renew Assistant Library Administrator Kathryn Kulpa's contract for two years with a 1.5% pay increase.

MARCH 2020

Jenny Rae Bailey was hired for the Section Head-Reference Services position with a start date of March 9, 2020. She is currently the cataloger at the Brookline Public Library as well as providing Reference services on a rotating schedule there. Kate Kulpa, Taylor Silva and I interviewed three very strong candidates. The decision to hire Jenny was unanimous though.

As mentioned last month, the FY21 budget was submitted to city administration on February 8, 2020. The budget request includes money to fill a Section Head position in Circulation Services as well as fill two part-time Library Page positions at ten hours per week, minimum wage.

Two new Library Board of Trustees members were appointed: Melissa Panchley and Joyce Coelho. The Library received a \$121 donation in honor of the Library's 121st birthday; a large birthday cake was on display in the Adult Services Section announcing the library's 121st birthday. The library received a State Aid Waiver for FY19.

The Trustees unanimously approved the revised and updated policies: Behavior Policy; Borrowing Policy; Children's Room Policy; Circulation Policy; Tuition Reimbursement Policy;

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Leave of Absence Without Pay Policy; Materials Selection; Older Material use; Young Adult Room; and Candy Mold Policy.

The Friends of the Library agreed to donate books for a Free Little Library, which is a small outside reciprocal (looks like a house; or newspaper dispenser) to place outside so that anyone can take a free book. The Library was planning on hosting a book talk on April 23rd with Representative Alan Silva about *Mortal Remains: A True Story of Ritual Murder* but due to the Coronavirus all programs were canceled effective March 12.

This time has been unprecedented for the Library. We closed to the public on March 16th. Staff remained working that week up until March 23rd when we were all sent home at 2 p.m.

APRIL 2020

While closed and at home, a number of staff members took advantage of the free online webinars relating to libraries. SAILS directors continued to meet via zoom to discuss plans for reopening, curbside pickup and overall how libraries will have a new normal for providing services. We focused on building our online collection during the quarantine and increased the borrowing limit for Hoopla from 5 to 7 borrows per month. We also added the option to register for a temporary library card online so people who do not already have cards could use online resources.

MAY 2020

While closed and at home, staff continued to participate in online training and SAILS directors continued to meet via zoom to discuss reopening plans. We increased our online collection during the quarantine and continued to maintain the library's Facebook page and newsletter.

JUNE 2020

The library remained closed to staff and public up until June 8th when staff returned to work. David Mello began filming a series of children's storytimes, some with the help of Library

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Assistant Fellisha Desmarais, others through Fall River Community Media. These were posted on Facebook and on our new YouTube site. Starting June 9th we started offering contactless pickup (Library Take-Out) for our patrons that had items on our hold shelf. Starting June 12 we offered contactless pickup for all of our patrons and a press release and e-newsletter were sent indicating such, as well as promoted on social media. We also started a new promotion, offering free packets of microwave popcorn with each movie checkout. Since we had boxes of popcorn that we bought for our movie nights that cannot be used past this summer, this seemed like a good way to use them and encourage people to use the new library take-out service!

Due to Covid-19 and the unprecedented time we are experiencing, the Library Foundation Board has decided to cancel this year's annual fundraiser and reception. It is uncertain as to when large gatherings can occur again, which makes planning the thank-you reception difficult.

The Library does not have a date for when we will be reopening to the public. Steps have been taken to ensure social distancing: chairs removed; blocking off the study rooms; computers blocked; and marking out the floor for a waiting line are in place for when we are open to the public. While closed Assistant Library Administrator Kate Kulpa has been ordering a large number of e-books and audio books in place of print material since we couldn't accept deliveries and the public couldn't access the print material. Now that we are able to accept deliveries we have been placing print material orders. Staff have been busy with behind the scenes work: Reference is doing a massive weeding; YA room is moving part of its collection in the new room; children's is organizing its stack area and weeding its collection; circulation is retrieving the holds and shelf reading its area; and the South Branch is doing weeding and collection development for its area. We made available online a form that one can fill out if they don't know what title to read next. Staff will curate five items (ten for children) based on their likes and dislikes and bundle them for patrons to pick up.

The furniture for the Young Adult room was installed during the time we were closed and David Mello, children's supervisor, is in the process of painting two comic characters on the

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young adult room's walls. By the time we are able to open to the public that room should be completed and equipped with a security camera.

Programs for FY20 (July 1, 2019 - June 30, 2020)

3D Pen Workshop

Adult Computer Classes at Main and South:

Adult Book Club

Adult Craft Circle

Anime Club

Batman Day

Beyblade Day

Beachy Wind Chimes workshops

Book Club

Book Talk: *Legends of Sleepy Hollow*

Book Talk: *The Real Lawrence of Arabia*

Book Talk: *Trial of Lizzie Borden*

Breaker Space

Census Job Fair

Chair Yoga

Christmas at the Lafayette Durfee House

Consumer Protection Meeting

Creativity Abloom Conversation

CreativeBug Workshop

Creepy Candle

Drop-in Dungeons and Dragons

Duct Tape Teen Craft

Ed the Wizard

End of Summer Reading Club Ceremony

Fall River Innovators/Toastmasters

Family Lego Night

Family Movie Night

Fall River Innovators/Toastmasters

Floating astronaut magnet craft

Frozen Ice Cream Social

Galaxy of Fun family night

GED Classes

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Gel Press Printing
GhostBusters Night
Gravestone Girls
Glittering star bracelet craft
Holiday Sing-A-Long with Unlikely Strummers
Home Safe Meeting
Kids Yoga
Mardi Gras Time
Magic the Gathering
Make and Take Crafts
Mars mud craft
Medicare Information Sessions
Monday movie nights
Needlecraft
New Bedford Symphony Orchestra
Out of this World Animal Presentation
Poetry Group
Police and Public Palooza event in Britland Park
Pilgrims of Plymouth family storytime
Preschool Storyhour-Weekly
The Real Lawrence of Arabia talk
Snowball Follies
South Branch Computer Classes
Teddy Bear Picnic
Teen Video Game Day
Teen Game Night
Teen Anime Club
Teen Magic the Gathering
Ukulele Workshop
Unlikely Strummers Ukulele Sing-Along
Valentine's Treasure Box
VHS Conversion
Wednesday Movie Matinees
What Do You Do with a Didgeridoo?
Writing about Animals Workshop
WWE Night/Day

Young Adult Mug Painting
Zen Zone Book Club

Library Outreach

Fall River Police and Public Palooza!
Heritage State Park
Pop-up Computer classes at North End Senior Center

Pop-up Library

Government Center
Heritage State Park during Free Lunch Program
North End Senior Center
Niagara Senior Center

Class Visits to the Library:

Head Start Program

Children's Outreach Class Visits

9th Street Daycare
Aldrich School Head Start
Bristol Community College/Second Half Program
Green School
Holy Name School
Lafayette Durfee House
Maple Street Head Start
Mary L. Fonseca School
St. Anthony of the Desert
Tansey School
Watson School

Library Friends Programs:

Beachy Wind Chimes
Pinterest Club
Pastel Painting Workshop
Card Making Workshop
Soap Making Workshop

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Sleepy Hollow -Ghosts of New England

Library Friends

Purchases:

Inter Library Loan Book Replacements

Movie License

Museum Passes

Pinterest Supplies

Movie projector

DVD Player

Wireless speaker

Locks for display cases

Beyblades

Young Adult Furniture

Bookshelves in Young Adult Room

Sponsored Legislative Breakfast

Nancy C. Fell

Purchases:

Christmas stocking stuffers

Ice Cream Social

Olaf costume

Sponsored: Chinese New Year Celebration

Stuffed animals for prizes

Pies on National Pie Day

Library Foundation

Purchases:

4-Bookshelves Circulation Services

8-Ukuleles and Carrying cases

8-Wooden chairs

Library Foundation Campaign raised in 2019: \$14,909

The Danner Family

Welcome packages with books, stickers, and bookmarks for new card holders

Craft kits for throughout the Summer

Bicycle for the Summer Reading Program

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Statistics

% comparisons are with FY19

Library was closed to the public March 16, 2020 to July 13, 2020

Circulation

	FY19	FY19	%
Adult	189,122	154,283	
Children	60,123	38,382	
Totals	249,245	192,665	-22.7%

	FY19	FY19	
Reference Transactions			
	25,969	17,853	-31.2%

Programs

Children's	354	270	
Adult	436	246	
Young Adult	82	102	
Total	872	618	-40.8%

Program Attendance

Children's	8,575	6,367	
Adult	3,765	2,097	
Young Adult	1,264	682	
Total	13,604	9,146	-32.7%

Internet Use

Reference	8,121	4,555	
Adult	3,489	2,409	
Children's	792	464	
South	7,032	4,200	
Total	19,434	11,628	-40.1%

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on September 22, 2020, voted unanimously to recommend that the accompanying resolution be referred to Corporation Counsel to prepare a proposed ordinance.


Clerk of Committees

City of Fall River, In City Council

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(Committee on Health and Environmental Affairs)

WHEREAS, many residents are concerned with the amount of trash littering our streets, and

WHEREAS, most of the litter is from food and beverage containers, and

WHEREAS, many of the drive-thru establishments have removed trash receptacles from the drive-thru line, now therefore

BE IT RESOLVED, that the Committee on Health and Environmental Affairs convene to discuss this very important matter, and

BE IT FURTHER RESOLVED, that the Committee on Ordinances and Legislation convene to draft a proposed ordinance to also include establishments that have a parking lot be required to provide trash receptacles on their premises.

CITY OF FALL RIVER
IN CITY COUNCIL

SEP - 8 2020

Referred to the Committee
on Ordinances & Legislation

8

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on September 22, 2020, voted unanimously to recommend that the accompanying communication be granted leave to withdraw.

William A. Taylor
Clerk of Committees



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

CITY OF FALL RIVER
IN CITY COUNCIL

FEB 19 2019

*Accepted on file
& refer to the Committee
on Public Works and
Transportation*

CITY CLERK
FALL RIVER, MA

2019 FEB - 1 A 10:43

RECEIVED

Vanasse Hangen Brustlin, Inc.
c/o Daniel Padien
99 High Street, 10th Floor
Boston, MA 02110

JAN 30 2019

RE: ISSUANCE OF CHAPTER 91 WATERWAYS LICENSE No: 14859

MassDOT South Coast Rail, Filled Tidelands of the Taunton River, Fall River, Bristol County

Dear Mr. Padien:

The Department of Environmental Protection hereby issues the above Waterways License, enclosed, authorizing the Licensee to perform certain activities pursuant to M.G.L. c. 91, the Public Waterfront Act, and the Waterways Regulations at 310 CMR 9.00. Any change in use or alteration of any structure or fill not authorized by this License shall render this License void.

RECORDING OF THE LICENSE

This License must be recorded at the Bristol County Registry of Deeds or, if registered land, with the Land Registration Office within sixty (60) days from the date of license issuance. Failure to record this License within sixty (60) days of the date of issuance will render this License void pursuant to 310 CMR 9.18.

A Waterways License Recordation Notice Form has been enclosed for your use in notifying the Department of the recording information for this License. Failure to notify the Department of the recording of this License is a violation of 310 CMR 9.00 and is subject to enforcement action by the Department.

CERTIFICATE OF COMPLIANCE

Pursuant to 310 CMR 9.19, once the licensed project is complete, the Licensee must file a

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Request for a Certificate of Compliance (Form BRP WW05), within sixty (60) days of completion but in no event later than five (5) years from the License's issuance date. A license for any project for which such a request is not filed and certificate issued may be revoked pursuant to 310 CMR 9.26.

Please feel free to contact Frank Taormina or my staff at frank.taormina@mass.gov or (617) 292-5551 if you have any questions.

Sincerely,



Ben Lynch
Section Chief
Waterways Regulation Program

Cc: Mayor Jasiel F. Correia II, City of Fall River
Fall River City Council
Fall River Planning Board
Fall River Conservation Commission
Massachusetts Department of Transportation
Encl: Waterways License No: 14859
Notification of Waterways License Recording Form

8

Frank Taormina
Department of Environmental Protection
Waterways Regulation Program
1 Winter Street, 5th Floor
Boston, MA 02108

RE: NOTIFICATION OF RECORDING CHAPTER 91 WATERWAYS LICENSE No: 14859
MassDOT South Coast Rail, Filled Tidelands of the Taunton River, Fall River, Bristol County

Dear Mr. Taormina:

This is to notify you that the above referenced Waterways License was recorded with the appropriate Registry of Deeds/ Land Court for this project location and to provide your office with the following recordation information.

Date Recorded: _____

Name of County Registry of Deeds/ Land Court: _____

Book Number _____, Page Number(s) _____ and

Plan Book Number _____, Page Number(s) _____

I will apply for a Certificate of Compliance with your office when the authorized work or change in use is completed.

Sincerely,

Ch.91 Waterways Licensee (or designee)
(sign and print name)

LICENSE VOID IF NOT RECORDED WITHIN 60 DAYS OF ISSUANCE

The Commonwealth of Massachusetts



No. 14859

Whereas, Massachusetts Department of Transportation

of -- Boston -- in the County of -- Suffolk -- and Commonwealth aforesaid, has applied to the Department of Environmental Protection for license to -- construct and maintain a railroad layover facility for the Massachusetts Bay Transportation Authority (MBTA) South Coast Rail Project with associated uses, structures, and fill, as further described below -----

and has submitted plans of the same; and whereas due notice of said application, ~~and of the time and place fixed for a hearing thereon;~~ has been given, as required by law, to the -- Mayor and City Council -- of the -- City of Fall River; -----

NOW, said Department, having heard all parties desiring to be heard, and having fully considered said application, hereby, subject to the approval of the Governor, authorizes and licenses the said -----

Massachusetts Department of Transportation -- subject to the provisions of the ninety-first chapter of the General Laws, and of all laws which are or may be in force applicable thereto, to -
 - construct and maintain a railroad layover facility for the MBTA South Coast Rail Project consisting of six (6) approximately 950-foot long railroad tracks with associated ballasts, bumpers, signals, guardrail, fencing, lighting, aboveground and underground utilities, access and service roads, stormwater management system with infiltration basin, vegetative screening; site grading and placement of 22,000-cubic yards of new fill on previously filled tidelands, and maintenance of an existing drainage system -----

on filled tidelands of the -- Taunton River-- at 2680 North Main Street -- in the -- City of Fall River -- and in accordance with the locations shown and details indicated on the accompanying

8

License Plan No. 14859 (Sheets 1-7), dated December 2018 -----

No specific Legislative Authorizations and/or Licenses have been previously issued for the project site.

The structures authorized hereby shall be limited to the following uses: ancillary facility to a water-dependent public service project, conveyance of stormwater, aboveground and underground utilities, and vehicular roadway.

The structures authorized herein are valid for an unlimited term pursuant to 310 CMR 9.15(1)(c). The Department may amend the license to authorize a structural alteration upon written request by the licensee accompanied by appropriate plans.

This License is subject to the following Special Conditions and Standard Conditions:

Special Condition 1: The Licensee shall maintain all structures in accordance with the terms and conditions specified herein or this License may expire, pursuant to 310 CMR 9.25(1)(c).

Special Condition 2: Issuance of this authorization does not relieve the Licensee of the obligation to comply with all other applicable state and/or federal statutes or regulations. Any changes made to the project authorized herein will require further notification to and approval by the Department in accordance with the 310 CMR 9.05(1), 9.22(3) or 9.24.

Special Condition 3: All structures authorized under this License shall be constructed to meet the Engineering and Construction Standards pursuant to 310 CMR 9.37.

Special Condition 4: The Licensee shall allow agents of the Department to enter the project site to verify compliance with the conditions of this License.

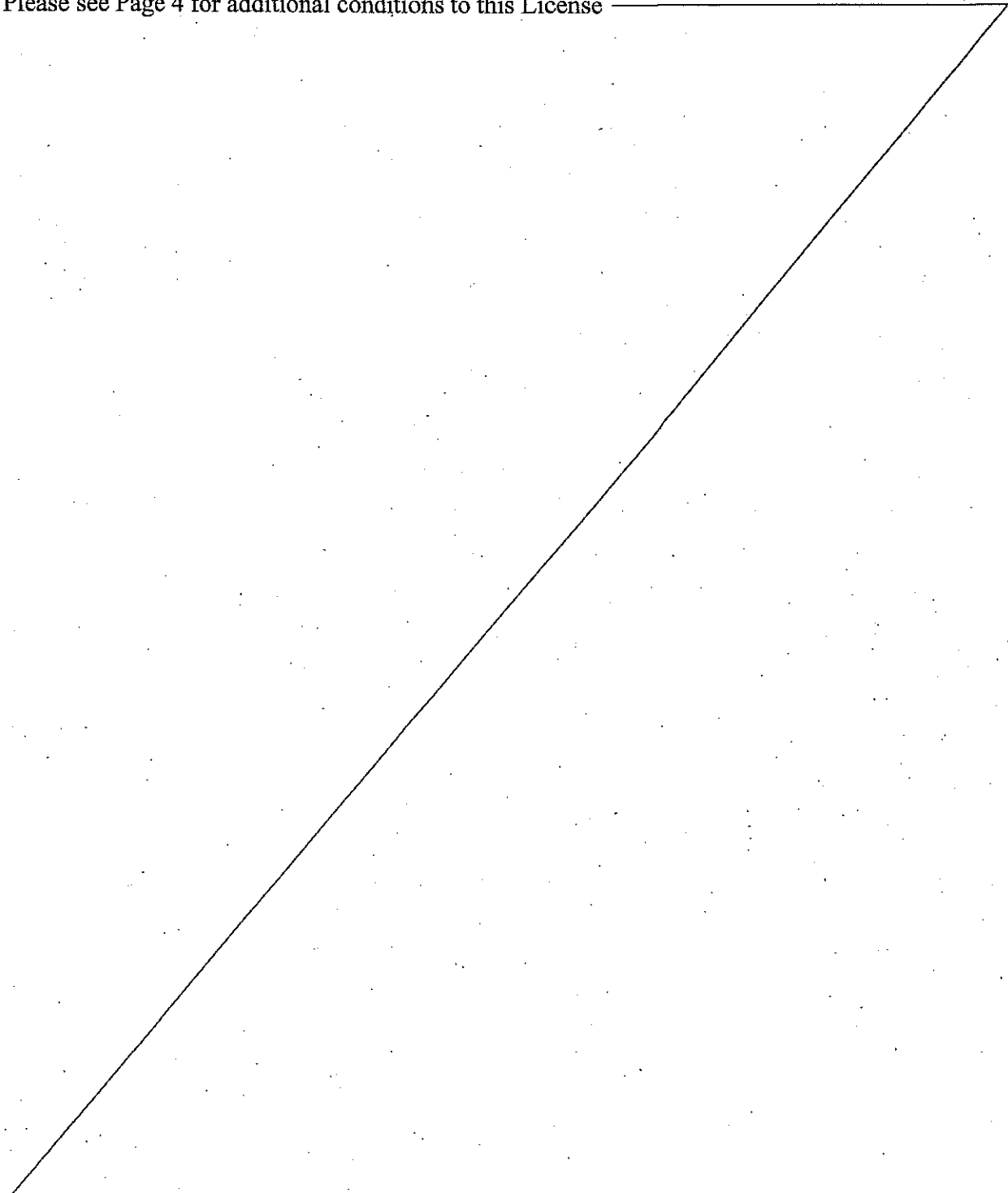
Special Condition 5: All work authorized herein shall be completed within five (5) years of the date of license issuance. Said construction period may be extended by the Department for one or more one year periods without public notice, provided that the Applicant submits to the Department thirty (30) days prior to the end of the construction period, a written request to extend the period and provides adequate justification for said extension.

Special Condition 6: The Licensee shall request in writing that the Department issue a Certificate of Compliance within sixty (60) days completion of the licensed project, but in no event later than five (5) year from the date of license issuance, or any extension thereof, in accordance with 310 CMR 9.19(1). The request shall be accompanied by a certification by a registered professional

8

engineer licensed to do business in the Commonwealth that the project was completed in accordance with the plans, specifications, and conditions of this License.

Please see Page 4 for additional conditions to this License



Duplicate of said plan, License No. 14859 on file in the office of said Department, and original of said plan accompanies this License, and is to be referred to as a part hereof.

STANDARD WATERWAYS LICENSE CONDITIONS

1. Acceptance of this Waterways License shall constitute an agreement by the Licensee to conform with all terms and conditions stated herein.
2. This License is granted upon the express condition that any and all other applicable authorizations necessitated due to the provisions hereof shall be secured by the Licensee prior to the commencement of any activity or use authorized pursuant to this License.
3. Any change in use or any substantial structural alteration of any structure or fill authorized herein shall require the issuance by the Department of a new License in accordance with the provisions and procedures established in Chapter 91 of the Massachusetts General Laws. Any unauthorized substantial change in use or unauthorized substantial structural alteration of any structure or fill authorized herein shall render this License void.
4. This License shall be revocable by the Department for noncompliance with the terms and conditions set forth herein. This License may be revoked after the Department has given written notice of the alleged noncompliance to the Licensee and those persons who have filed a written request for such notice with the Department and afforded them a reasonable opportunity to correct said noncompliance. Failure to correct said noncompliance after the issuance of a written notice by the Department shall render this License void and the Commonwealth may proceed to remove or cause removal of any structure or fill authorized herein at the expense of the Licensee, its successors and assigns as an unauthorized and unlawful structure and/or fill.
5. The structures and/or fill authorized herein shall be maintained in good repair and in accordance with the terms and conditions stated herein and the details indicated on the accompanying License Plans.
6. Nothing in this License shall be construed as authorizing encroachment in, on or over property not owned or controlled by the Licensee, except with the written consent of the owner or owners thereof. The Licensee stated that Weaver Cove Industrial Park, LLC was the property owner at the time the application was submitted.
7. This License is granted subject to all applicable Federal, State, County, and Municipal laws, ordinances and regulations including but not limited to a valid final Order of Conditions issued pursuant to the Wetlands Protection Act, M.G.L. Chapter 131, §40.
8. This License is granted upon the express condition that the use of the structures and/or fill authorized hereby shall be in strict conformance with all applicable requirements and authorizations of the MassDEP.
9. This License authorizes structure(s) and/or fill on:

_____ Private Tidelands - In accordance with the public easement that exists by law on Private Tidelands, the Licensee shall allow the public to use and to pass freely upon the area of the subject property lying between the high and low water marks, for the purposes of fishing, fowling, navigation, and the natural derivatives thereof.

X

_____ Commonwealth Tidelands - The Licensee shall not restrict the public's right to use and to pass freely, for any lawful purpose, upon lands lying seaward of the low water mark. Said lands are held in trust by the Commonwealth for the benefit of the public.

_____ Great Pond of the Commonwealth - The Licensee shall not restrict the public's right to use and to pass freely upon lands lying seaward of the high water mark for any lawful purpose.

_____ Navigable River or Stream - The Licensee shall not restrict the public's right to use and to pass freely, for any lawful purpose, in the waterway.

No restriction on the exercise of these public rights shall be imposed unless otherwise explicitly provided in this License.

10. Unless otherwise expressly provided by this License, the Licensee shall not limit the hours of availability of any areas of the subject property designated for public passage, nor place any gates, fences, or other structures on such areas in a manner that would impede or discourage the free flow of pedestrian movement thereon.

8

MBTA South Coast Rail Layover Facility, Taunton River, Fall River, Bristol County

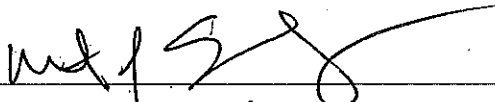
The amount of tidewater displaced by the work hereby authorized has been ascertained by said Department, and compensation thereof has been made by the said -- Massachusetts Department of Transportation -- by paying into the treasury of the Commonwealth -- (N/A) -- for each cubic yard so displaced, being the amount hereby assessed by said Department (N/A)

Nothing in this License shall be so construed as to impair the legal rights of any person.

This License shall be void unless the same and the accompanying plan are recorded within 60-days from the date hereof, at the Registry of Deeds for the -- Fall River District -- of the County of -- Bristol --

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this 30th day of January in the year 2019.

Commissioner



Section Chief



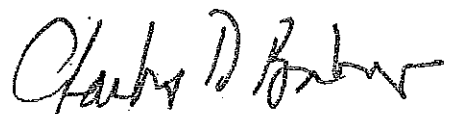
*Department of
Environmental Protection*

THE COMMONWEALTH OF MASSACHUSETTS

This License is approved in consideration of the payment into the treasury of the Commonwealth by the said -- Massachusetts Department of Transportation -- the further sum of -- (N/A) -- the amount determined by the Governor as a just and equitable charge for rights and privileges hereby granted in the land of the Commonwealth.

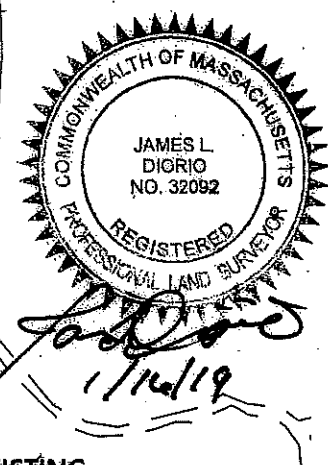
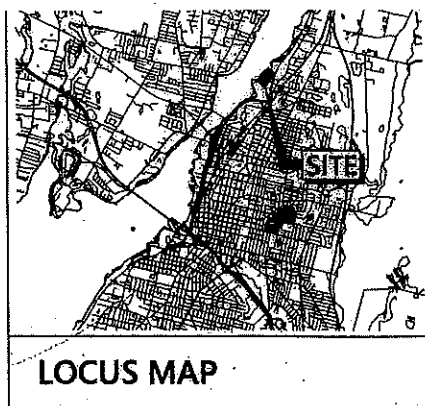
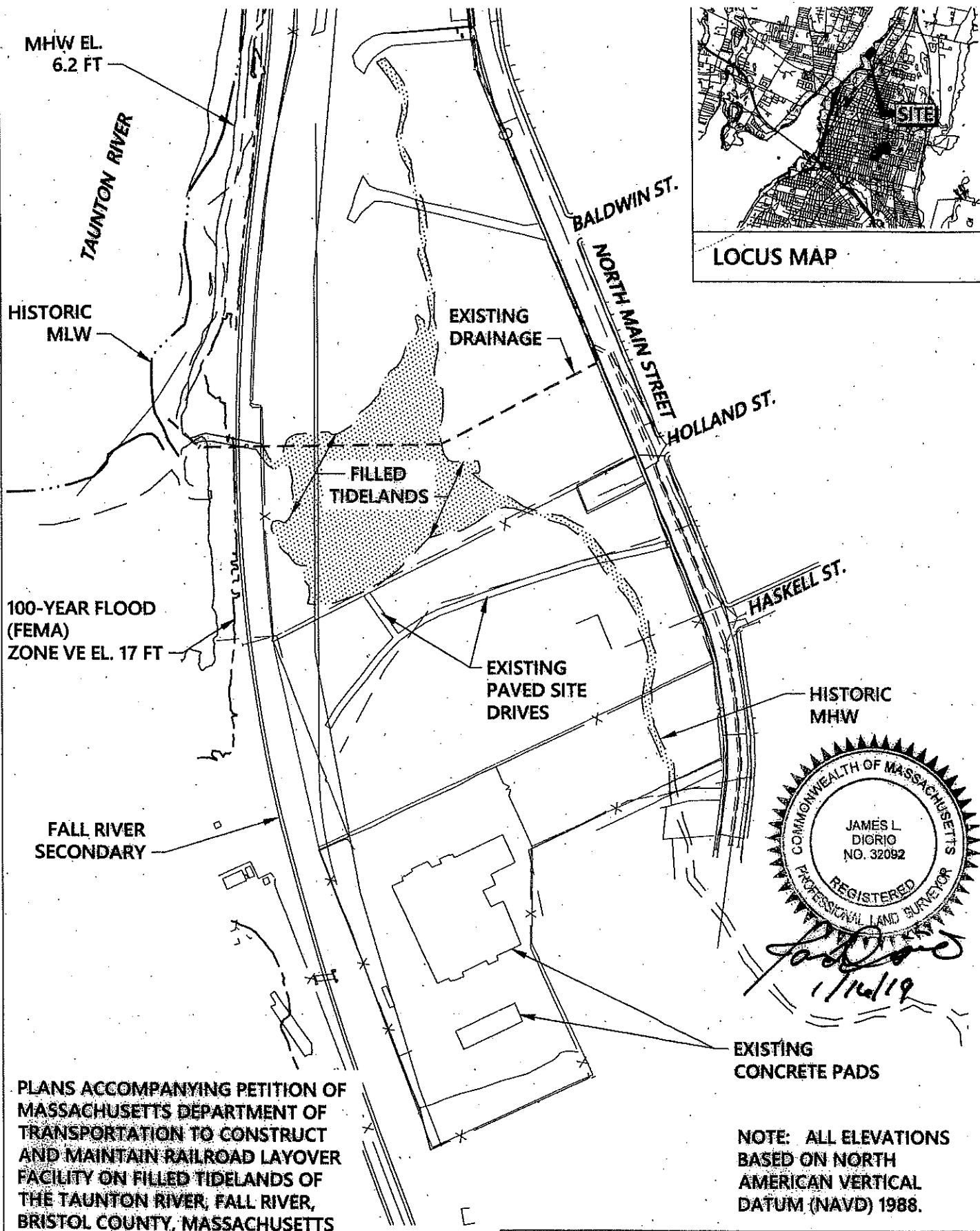
BOSTON,

Approved by the Governor.



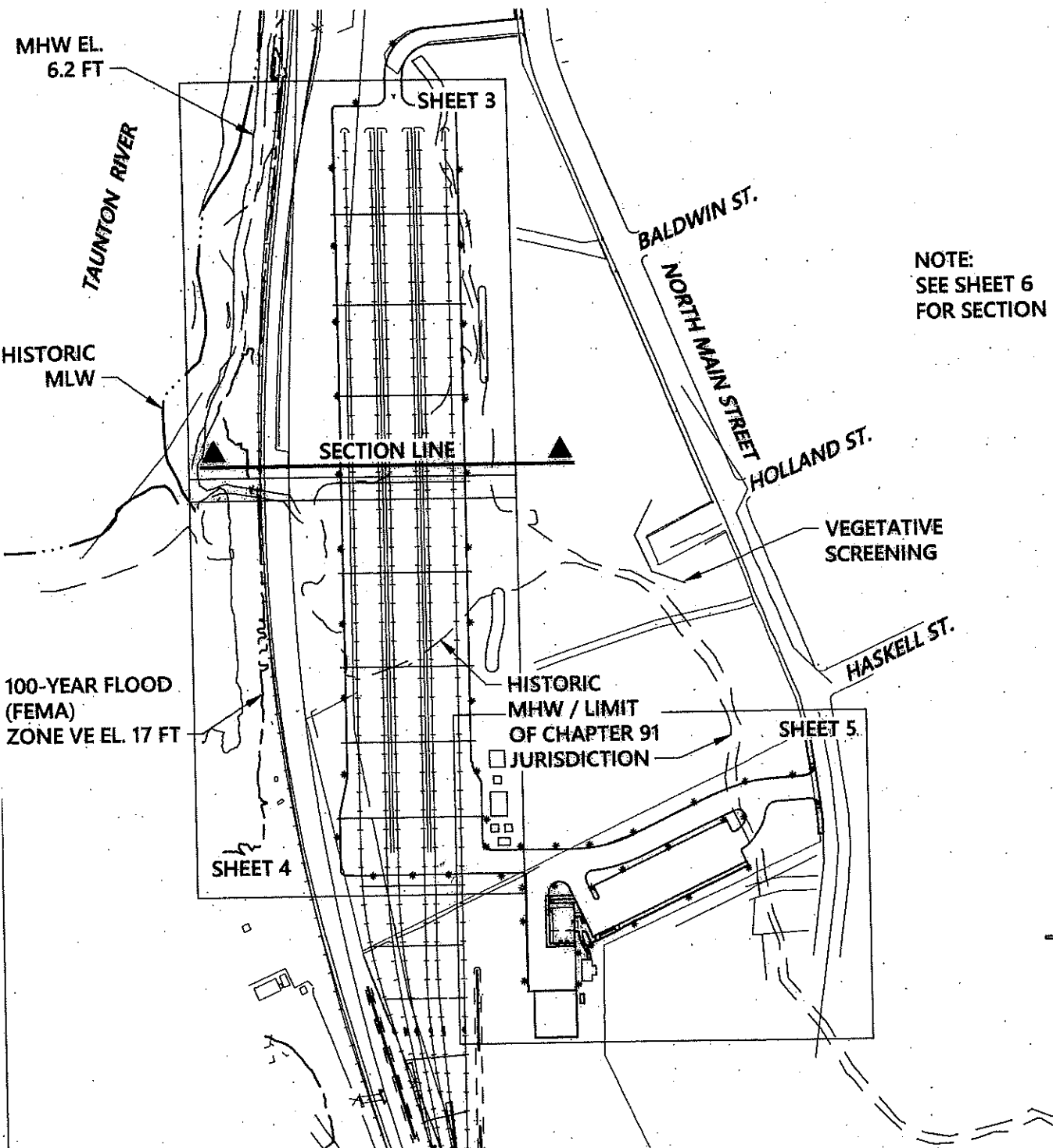
Governor

8

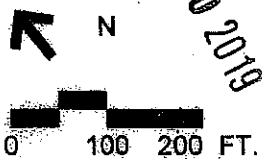


LICENSE PLAN NO. 14859
Approved by Department of Environmental Protection
of Massachusetts
JAN 30 2019

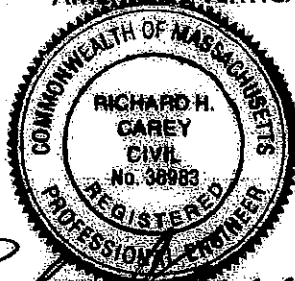
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Approved by Department of Environmental Protection
LICENSE PLAN NO. 14859
Date: JAN 30 2019

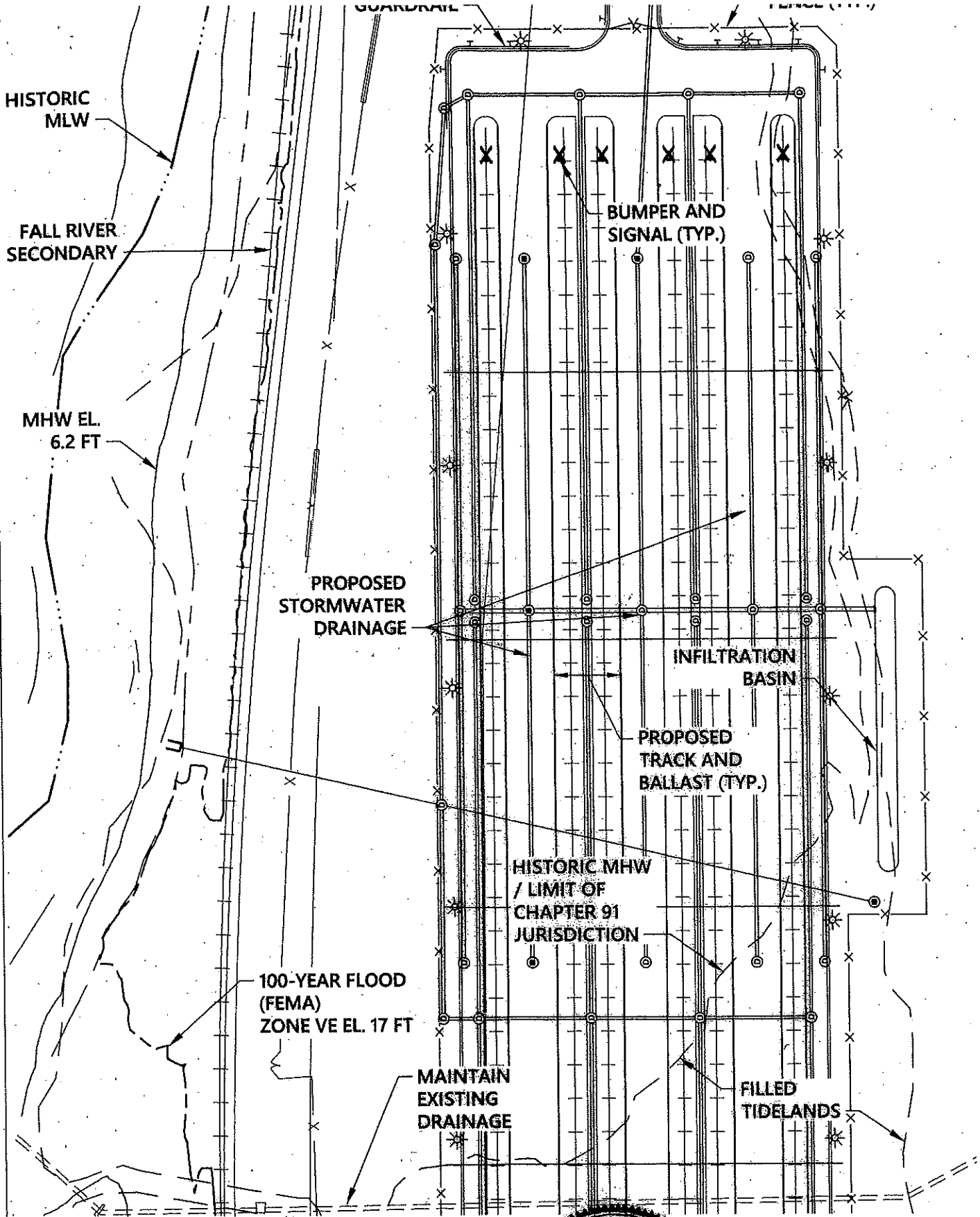


NOTE: ALL ELEVATIONS BASED ON NORTH AMERICAN VERTICAL DATUM (NAVD) 1988.



PROJECT OVERVIEW
SHEET 2 OF 7
DATE: DECEMBER 2018

8



LICENSE PLAN NO.

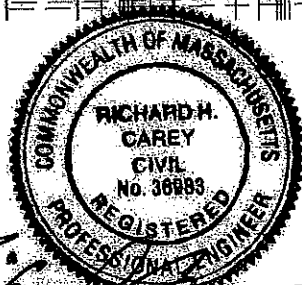
14859

Approved by Department of Environmental Protection
Date;



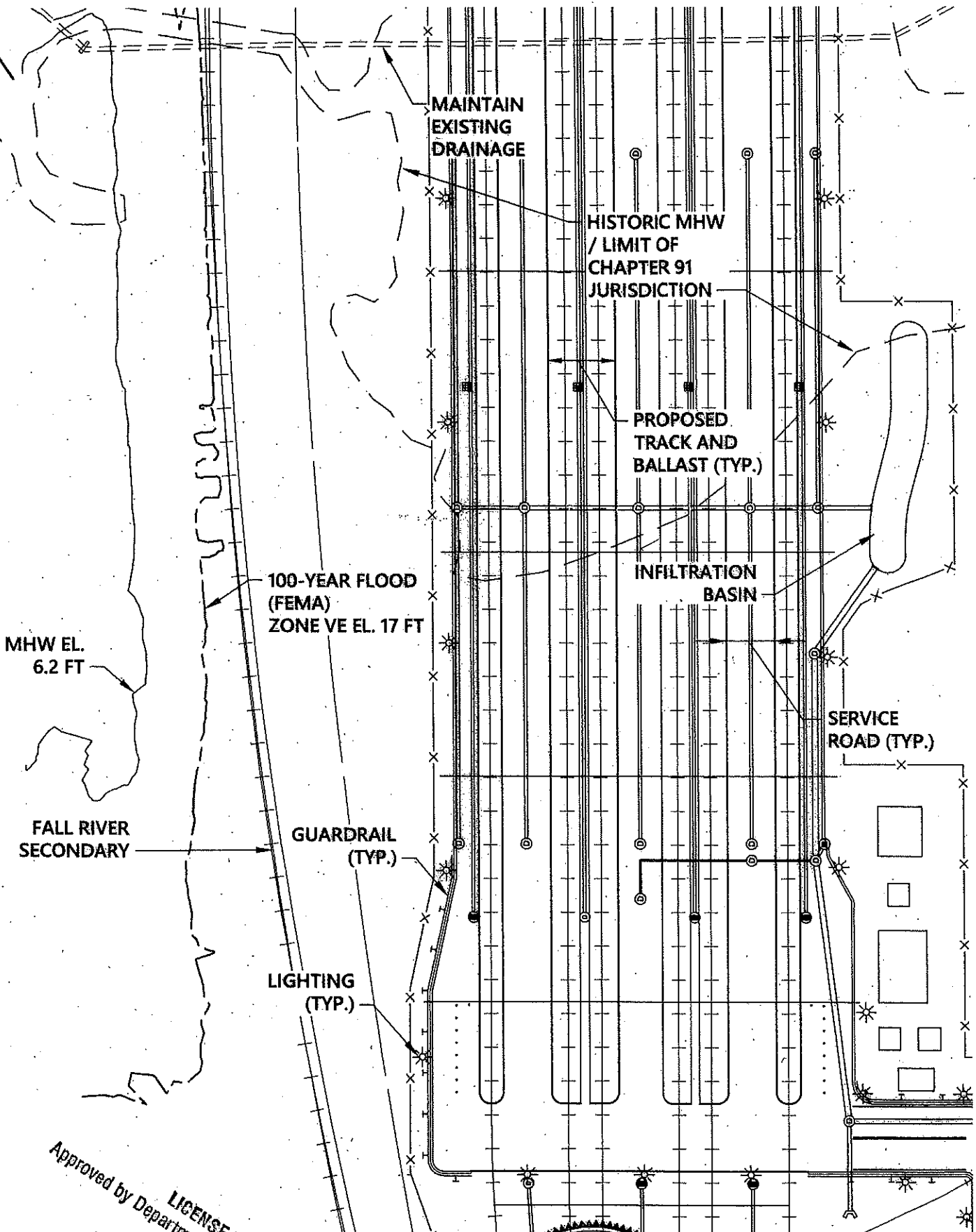
JAN 30 2019

0 30 60 FT.
SCALE: 1" = 60'

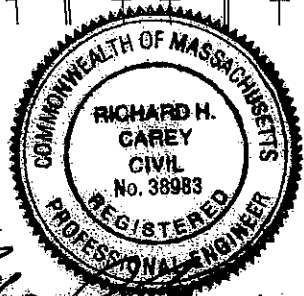
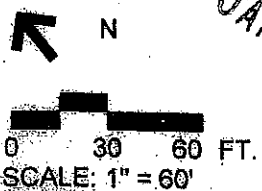


PROPOSED LAYOVER
FACILITY

SHEET 3 OF 7
DATE: DECEMBER, 2018

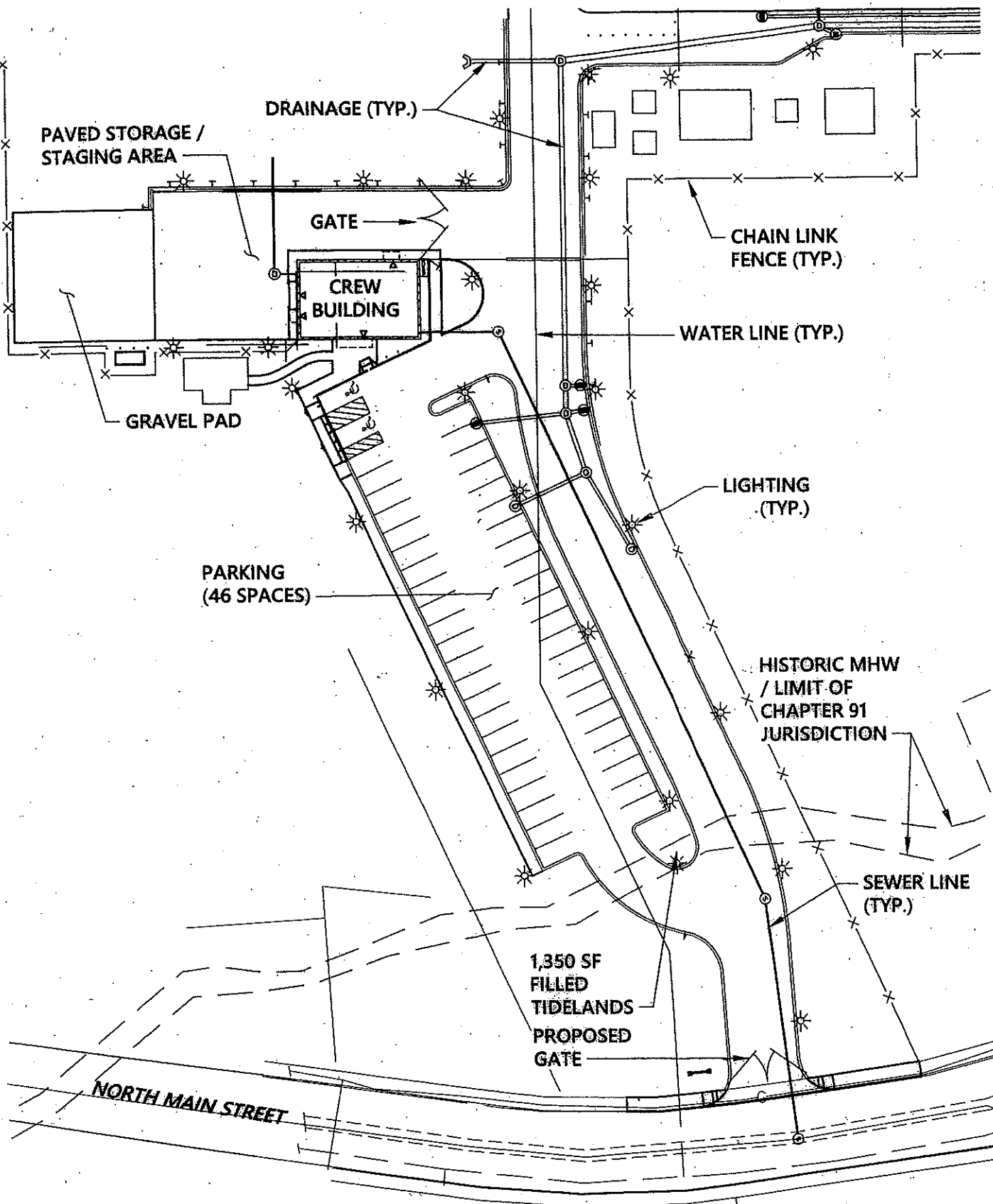


Approved by Department of Environmental Protection
 LICENSE PLAN NO. 14859
 Date: JAN 30 2019



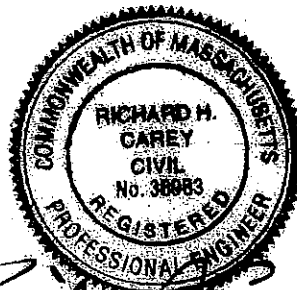
PROPOSED LAYOVER FACILITY
 SHEET 4 OF 7
 DATE: DECEMBER, 2018

8



Approved by Department of Environmental Protection
LICENSE PLAN NO. 14859
Date;

JAN 30 2019

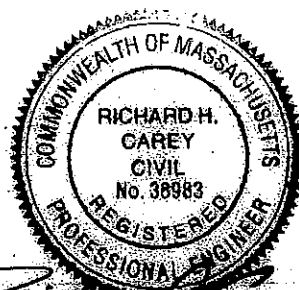
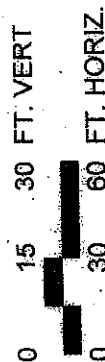
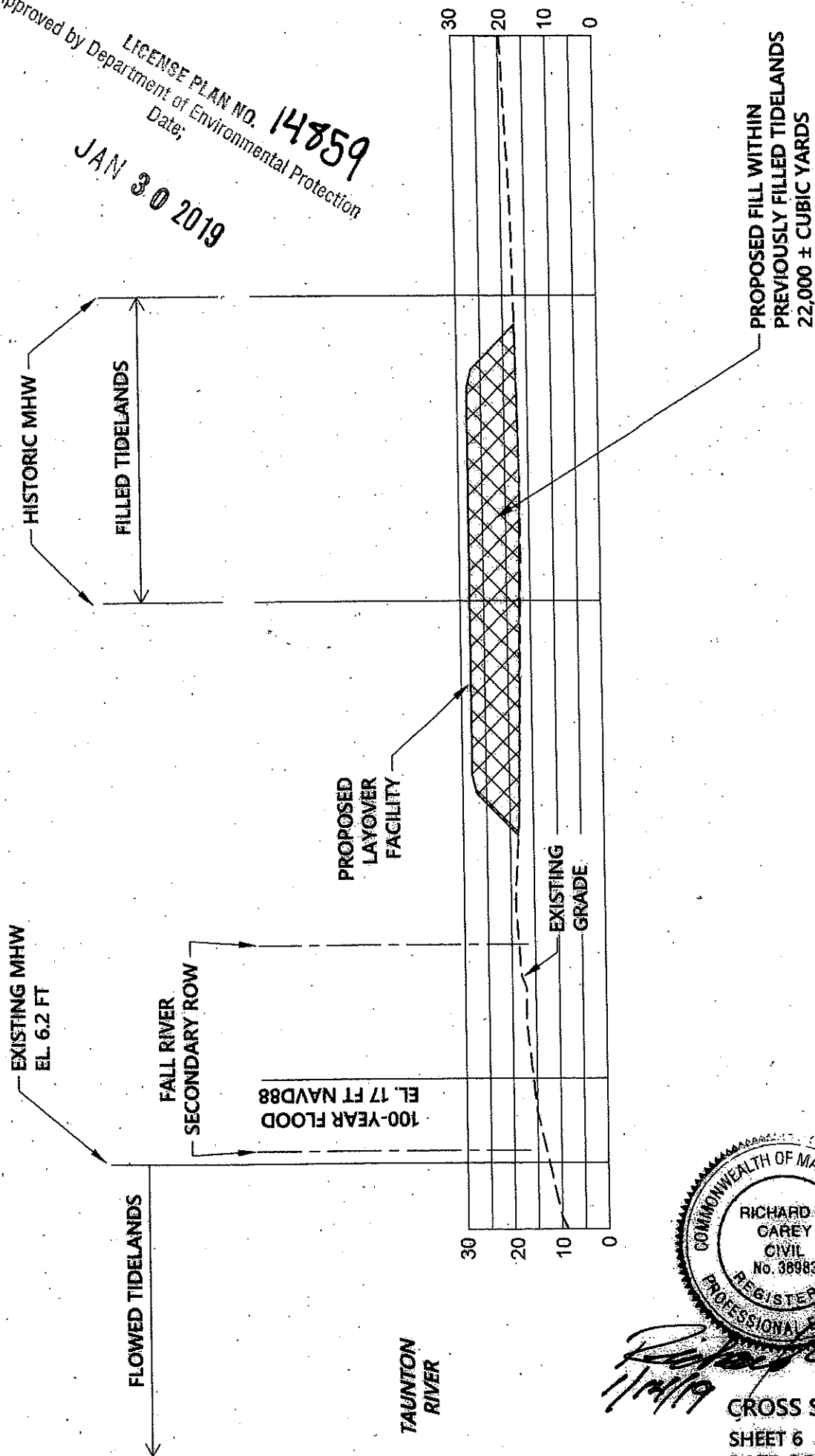


PROPOSED
PARKING AREA

SHEET 5 OF 7
DATE: DECEMBER, 2018

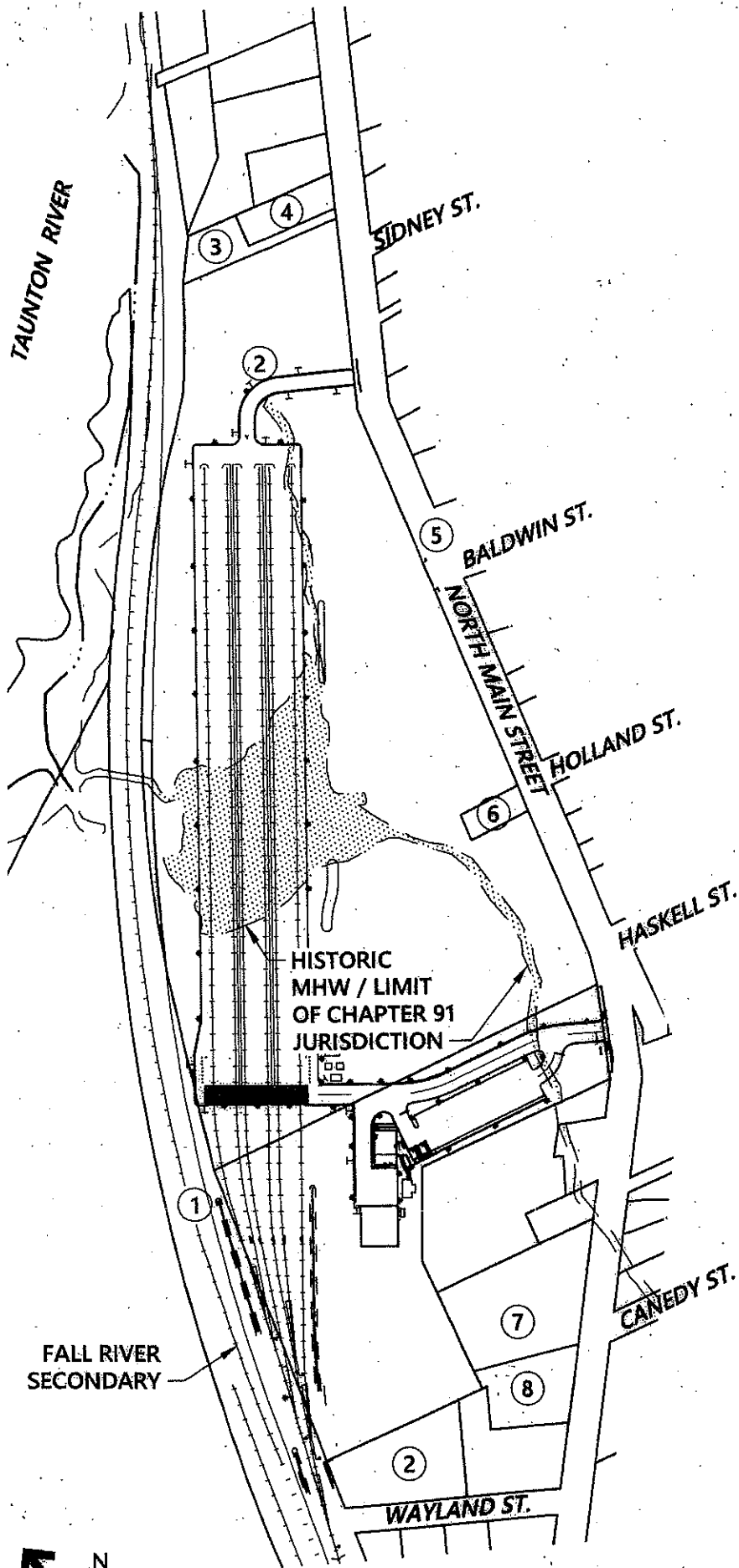
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SCALE: 1" = 60'

Approved by Department of Environmental Protection
 LICENSE PLAN NO. 14859
 Date;
 JAN 30 2019

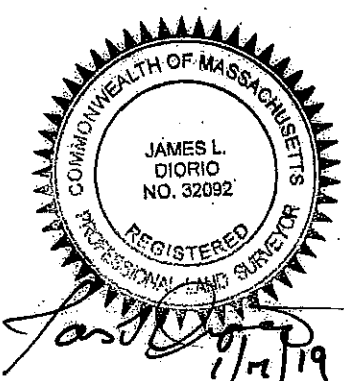


Richard H. Carey
 1/14/19

CROSS SECTION
 SHEET 6 OF 7
 DATE: DECEMBER, 2018



1. RAILROAD ROW
MASSDOT
10 PARK PLAZA, SUITE 4160
BOSTON, MA 02116
2. PARCEL T-01-0038, T-15-0033
WEAVERS COVE INDUSTRIAL
PARK LLC
85-87 BOSTON ST
EVERETT, MA 02149
3. PARCEL T-16-0029
MATTHEW R HART
2990 N MAIN STREET
FALL RIVER, MA 02720
4. PARCEL T-16-0001
DONALD HORNBY
3000 N MAIN STREET
FALL RIVER, MA 02720
5. NORTH MAIN STREET
CITY OF FALL RIVER
ONE GOVERNMENT CENTER
FALL RIVER, MA 02722
6. PARCEL T-15-0005
KATHLEEN GONCALO
2804 N MAIN STREET
FALL RIVER, MA 02720
7. PARCEL T-01-0036
HENRY C LETENDRE
2674 N MAIN STREET
FALL RIVER, MA 02720
8. PARCEL T-01-0028
COSTA DENNIS T TRUSTEE
2634 N MAIN STREET
FALL RIVER, MA 02720



0 125 250 FT.
SCALE: 1" = 250'

LICENSE PLAN NO.
Approved by Department of Environmental Protection
Date; **JAN 30 2019**

ABUTTERS PLAN
SHEET 7 OF 7
DATE: DECEMBER, 2018

CITY OF FALL RIVER

9

To the City Council

Councillors:

The Committee on Real Estate, at a meeting held on September 29, 2020, voted unanimously to recommend that the accompanying order be adopted, with Councilor Bradford L. Kilby absent and not voting.

Carleen A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

9

ORDERED, that \$54,900 from Open Space/Recreation for the Bioreserve Conservation Land Acquisition on the attached 2020 final report, submitted by the Community Preservation Committee, be and the same is hereby approved.

CITY OF FALL RIVER
IN CITY COUNCIL

AUG 11 2020

tabled

CITY OF FALL RIVER
IN CITY COUNCIL

SEP 22 2020

*Referred to the Committee
on Real Estate*

City of Fall River, *In City Council*

9

ORDERED, that the attached 2020 final report, submitted by the Community Preservation Committee, be and the same is hereby approved.

In City Council, August 11, 2020
Adopted with the following conditions:

\$54,900 from Open Space/Recreation for the
Bioreserve Conservation Land Acquisition – Tabled

\$31,250 from Community Housing for 77 Freedom
Street – 7 years, 1 day

\$115,000 (\$15,000 from Historic Preservation and
\$100,000 from Community Housing for the Adams
House) – 7 years to approve project and send a
letter to the Community Preservation Committee
requesting that a supplemental appropriation for
this project be submitted for the Council's
consideration

A true copy. Attest:

Alison M. Bouchard

City Clerk

**COMMUNITY PRESERVATION COMMITTEE
FINAL REPORT 2020
FY21 Project & Funding Recommendations**

Adoption and Preparation

The Citizens of Fall River approved the adoption of the community Preservation Act in the November 2012 election. 57.9% of the voters in the election cast ballots in support of its local adoption. The Community Preservation Committee was formed in October 2013 and held its first meeting on October 28, 2013.

The membership of the Community Preservation Committee includes two members appointed by the Mayor, two members appointed by the City Council, a representative from the Housing Authority, a representative from the Historic Commission, a representative from the Planning Board, a representative from the Conservation Commission and a representative from the Park Board.

Mayor Appointee

- James Souza
- Paul Machado

City Council Appointee

- Vacancy

- Alfred Lima

Housing Authority

- Vacant

Historic Commission

- Kristen Cantara Oliveira

Planning Board

- John Ferrier

Conservation Commission

- John Brandt

Park Board

- Victor Farias

The Community Preservation Committee has developed a local CPA Plan, established the application and hearing process and has become familiar with the statute, GL Ch. 44B and applicable rules. The Community Preservation Committee continues to work closely with the Executive Director of the Community Preservation Coalition as a resource for technical guidance on the implementation of this Act. The Committee frequently utilizes the resources of the Community Preservation Coalition on matters that require clarification.

A website and Facebook have been developed and remains updated for public access. Materials are available through the website as well as at the Community Preservation Committee office at Government Center, 3rd Floor, room 321. As required by statute, the CPC held its annual meeting in

August 2019. This public meeting was preceded by legal notices published in the Fall River Herald News. The annual meeting was an opportunity for the public to obtain information on projects and the financial condition of the committee.

In addition, to the annual public hearings, members of the public have been recognized at each of the CPC's meetings. The identity of the speakers and their comments are documented in the Committee's minutes and the Fall River Government TV video's. No member of the public wishing to address the Community Preservation Committee has ever been denied the opportunity to express his/her views.

The effectiveness of the efforts by the Community Preservation Committee to advertise the availability of these funds is evidenced by the fact that for 2020 28 applications were received, 9 applications were withdrawn, 19 applications made it to eligibility and 16 made it to funding hearings, 10 projects were voted on to recommend funding:

One more application was withdrawn making a total of 9 withdrawn applications.

One project was defunded prior to appropriation order due to information related to project start date making a total of 8 projects being recommended for funding (refer to Appropriation Order below).

OPEN SPACE/RECREATION				
Bioreserve Conservation Land Acquisition - Public	54,900			Open Space/Recreation
HISTORIC PRESERVATION				
Maritime Museum - Private/Non-Profit	150,000			Historic Preservation
Lafayette Durfee House - Private/Non-Profit	130,000			Historic Preservation
Fall River School Dept. - Public	220,000			Historic Preservation
Preserving Water Dept. Documents - Public	30,000			Historic Preservation
Water Street - Private	22,000			Historic Preservation
Bank Street Armory - Public	50,000			Historic Preservation
COMMUNITY HOUSING				
77 Freedom Street - Private	31,250			Community Housing

Two projects received emergency funding:

- Bio-Reserve/L and Acquisition
 - Fall River Public Library Roof
- Two projects were approved for additional funds due to delays and unexpected costs.
- North Burial Ground – Supplemental appropriation
 - Little Theatre of Fall River – Supplemental appropriation

Since the inception of the Community Preservation Committee tools have been implemented. Award agreements have been drafted and financial protocols have been developed. Work on private projects have been completed. Some projects have been delayed due to weather, overruns and change in staffing. It is expected that projects will be completed by fall.

Colorful signs have been re-designed, purchased and placed at construction sites throughout the city. The signs indicate that the work is being conducted because of the Community Preservation Act funding. New processes have been put in place for dispersing funds for reimbursement and payments to vendors.

The Application Process

Hearings on Eligibility, Deliberation and Funding
The Community Preservation Committee adopted a three-step application process. This process was followed during the 2020 funding cycle.

Eligibility

The first part of the process involves an application for eligibility due on September 1st by 12:00pm/noon. Upon receipt of each application for eligibility the Committee scheduled an eligibility hearing and sends notification to each applicant.

The first purpose of these eligibility hearings was for the Committee to determine if the application met the criteria for funding. The Community Preservation Act allows funding for projects involving Open Space, Outdoor Recreation, Historic Preservation and Community Housing. Within each category there are rules involving permissible funding.

During the 2020 funding cycle eligibility hearings were held:
October 1, 2019

Eligibility Hearings

October 1, 2019

PUBLIC PROJECTS	
Bank St. Armory	
Kennedy Park Men's Warming House	
Kennedy Park Tennis Courts	
Oak Grove Cemetery Gatehouse	

6

Boat Ramp @ Bicentennial Park	
FR School Administration Bldg.	
Feasibility Study/Niagar Quequechan Greenway	
PUBLIC PROJECTS	
Barnabas Blossom Workshop Restoration	
QRRT Rodman Street Annex	
Biopreserve Conservation Land Acquisition Readiness Project 2021	
Preserving the Spencer Moacomber Farm	
Preserving Fall River's Small Rural Cemeteries	
Restoration of the 1873 Water Works Stable	
Mystery Stone Relocation	

Preservation of Historic Dall River Water Department Documents	
Securing Article 97 Protection for Open Space parcels omitted from Bioresere CR	
Preserving the Watuppa Native American Legacy	
PRIVATE PROJECTS	
Little Theatre/Project Safety First	
Trolley Building	
Corky Row Club	
Cherry & Webb Building	
Adams House	
Fall River Fire Museum	
Maritime Museum	
36-56 Water Street	
Lafayette Durfee House	
77 Freedom Fire/Police Station	
Eagle Event Center	

The Community Preservation Committee considered the eligibility of each project even when the applicant was not present. Ultimately 20 projects qualified, four (4) projects did not meet eligibility or withdrew. Did not meet eligibility or withdrew.

Kennedy Park Men's Warming House
Kennedy Park Tennis Courts
Oak Grove Cemetery Gatehouse
Boat Ramp @ Bicentennial Park

The second part of the process involves an application for funding due on January 15th before 12:00pm/noon. Upon receipt of each application for funding the Committee scheduled funding hearings and sends notification to each applicant. The purpose of these hearings was for the Committee to become familiar with the projects through applicant presentations. The committee members had frequent questions for these presenters. Once the funding hearings were completed the Community Preservation Committee held a meeting to deliberate on each project. Once deliberations were concluded another meeting was held to vote and recommend projects to the City Council

Funding Hearings

Deliberation

The third part of the process involves the scheduling of meetings, sends notification to each applicant. The purpose of these hearings was for the applicants to present their project and for the Committee to ask questions and make further recommendation, if necessary, before the funding hearings. Once deliberations were concluded another meeting was scheduled to vote and recommend projects to the City Council. Deliberation Hearings were held remotely via ZOOM due to the COVID-19 crisis.

March 30, 2020

Feb. 4th	77 Freedom St.	Design/restore and restoration of 12 windows and one pair of doors. Design for repair and repainting 2,200 sashes and design of new gutters and downspouts.
Feb. 4th	36-50 Water Street	Architectural Services for complete renovation.
Feb. 4th	Bridge Street	Re-roofing, 16 windows.
Feb. 4th	Watkins Street	Electrical System Upgrade.
Feb. 4th	Lakeview Office House	ADA Compliance.
Feb. 10th	Trolley Building	Full re-development 2nd, 3rd, 4th floor. Exterior and facade cleaned and rehabilitated.
Feb. 10th	Corky Row Club	Repair exterior facade, reinforce floor under bar area.
Feb. 10th	Adams House	Roof?
Feb. 10th	Cherry & Webb Building	
Feb. 10th	Fall River Fire Museum	Chimney restoration, window restoration, existing conditions survey.
Feb. 10th	Fall River School Department	
	PUBLIC	
Feb. 25	Barn Street Attorney	Upper Roof.
Feb. 25	Niebla/Quequechan River Greenway	Feasibility Study.
Feb. 25	Thomas Holden Farm	Acquisition.
Feb. 25	Bioregion Conservation	Land Acquisition.
Feb. 25	Sealing Article of Protection for Conservation Lands	Attorney and Title Examples Fees.
Feb. 25	Preserving Water Dept. Documents	Presentation of documents.

Each of the applicants received notification of the hearing date. The applicants had the opportunity to supplement their earlier presentations and to submit additional materials. The Committee members also used this opportunity to ask many questions of each applicant. All proposals were considered even when the applicant was not present for the hearing.

The Voting Process/Funding Recommendations
April 13, 2020

6
Voting and recommendation Hearings were held remotely via ZOOM due to the COVID-19 crisis April 13, 2020

CPC Administrator, Sandy Dennis worked on the tier-voting ballot. This ballot allowed each committee member to rate each project a 1 (high interest), 2 (moderate interest) or a 3 (low interest). Each committee member completed this ballot after the hearings for funding had been concluded and was allowed to assign 6 #1, 5 #2 and 5 #3 to the 16 projects. Sandy Dennis compiled the votes. The votes on these ballots were non-binding but were useful in informing the discussion on each project for the Funding round on April 13, 2020

The final report and appropriation order with recommendation to City Council was sent to the Mayor requesting the order be sent to City Council for vote.

ALLOCATION	AMOUNT FY21	RESERVES	CATEGORY
OPEN SPACE/RECREATION			
Bioreserve Conservation Land Acquisition - Public	54,900		Open Space/Recreation
Bonds			
Year 3 Mt. Hope Bike Path - Public	60,000		Open Space/Recreation
Year 2 Bio Reserve Project # land acquisition - Public	78,000		Open Space/Recreation
SUB TOTAL	192,900		
HISTORIC PRESERVATION			
Maritime Museum - Private/Non-Profit	150,000		Historic Preservation
Lafayette Durfee House - Private/Non-Profit	130,000		Historic Preservation
Fall River School Dept. - Public	220,000		Historic Preservation
Preserving Water Dept. Documents - Public	30,000		Historic Preservation
Water Street - Private	22,000		Historic Preservation
Bank Street Armory - Public	50,000		Historic Preservation
SUB TOTAL	\$602,000.00		Historic Preservation
COMMUNITY HOUSING			
77 Freedom Street - Private	31,250		
SUB TOTAL	\$31,250.00		

Administrative	\$45,000.00		Administrative
SUB TOTAL	\$45,000.00		
CPC OPEN SPACE/RECREATION	192,900		
CPC HISTORIC PRESERVATION	\$602,000.00		
CPC COMMUNITY HOUSING	\$31,250.00		
CPC ADMINISTRATIVE	\$45,000.00		
TOTAL FY20 APPROPRIATION	\$871,150.00		

Each item to be considered a separate appropriation.

Conclusion

The Community Preservation Committee encouraged applications and followed an open and extended review process. Public input was and will continue to be encouraged. The Committee considered many factors in making these final recommendations. Among the factors that the Committee considered was geographic diversity so that the funded projects benefit all areas of the city. A number of other factors influence these final recommendations. In the Historic Preservation category, the urgency of repairs, the importance of preserving, protecting in addition was the benefits to the public.

CITY OF FALL RIVER
APPLICATION FOR CPA FUNDING

Date: January 15, 2020

Project Title: BIORESERVE CONSERVATION LAND ACQUISITION PROJECT 2021(009-FY21)

Name of Applicant/Contact Person: Paul Ferland

Name of Organization: Fall River Department of Community Utilities/Water Division

Mailing Address: One Government Center, Fall River, MA 02722

Telephone: 508-324-2320

Email: pferland@fallriverma.org

CPA Funding Requested: \$ 54,900.00 Total Project Cost: \$ 70,860.00

CPA Category (YOU MUST CHECK OFF A MINIMUM OF ONE CATEGORY, but may identify more than one category, if applicable to your project)

- | | | | |
|-------------------------|-------------------------------------|----------------------|-------------------------------------|
| • Open Space | <input checked="" type="checkbox"/> | • Outdoor Recreation | <input checked="" type="checkbox"/> |
| • Historic Preservation | <input type="checkbox"/> | • Community Housing | <input type="checkbox"/> |

PROJECT DESCRIPTION:

- **All of the following MUST be answered in the space provided.** If space is not adequate, please attach additional information to the back of the application.
- APPLICATIONS WILL BE DENIED IF ALL RELEVANT REQUESTED INFORMATION IS NOT PROVIDED. If a section is not applicable to your project, please put "n/a".
- Include supporting materials and exhibits as necessary.
- Please refer to the Fall River Community Preservation Funding Guidelines posted on the city web site before and while completing this application.
- If space provided is not adequate, please attach additional information to application.

1. **Describe the project.**

The City of Fall River Department of Community Utilities/Water Division will purchase a total of 29.5 acres of undeveloped forestland in the Bioreserve Area of the east section of Fall River for permanent conservation of natural resources and for public recreation.

2. Goals:

a. What are the goals of the proposed project?

The department is poised to acquire those parcels of undeveloped land that have been identified on a list of properties that are critical to long-standing drinking water supply and bioreserve conservation protection goals. (Map attached) That list has been referenced in previous CPA grants and continues to direct all of our land conservation efforts. As of this application, twelve remaining parcels are actively engaged. One, the Thomas Borden Farm, is the subject of another FY2021 CPA Grant Request. Other owners are not willing to sell at this time. The three parcels ready for acquisition in this grant request are available via a unique collaboration with the city's custodian of tax foreclosure property. The parcels W-15-0061, W-15-0076 and W-15-0077 have languished off the tax roles for decades in an "Owner Unknown" status. Now, having gone through foreclosure proceedings, the Water Enterprise Fund may legally purchase them through an interdepartmental transfer that would be exempt from Chapter 30B. The details of this process are provided in the Appendices.

b. Who will benefit and why?

The goal of the project is to permanently protect 29.5 acres of land in an area connected to the Southeastern Massachusetts Bioreserve called the Promised Land. These three parcels are immediately adjacent to the Watuppa Reservation, the Commonwealth of Massachusetts' historic Indian Reservation and to other forestland protected by the Buzzards Bay Coalition. The coalition is scheduled to record Conservation Restrictions on the Desmarais and Costa-Mello properties later this year. The same group will be asked to hold the CRs on these parcels.

Residents of Fall River and visitors from the region and beyond will benefit from increased public access to a pristine wilderness area. Existing recreation trails traverse the area. The deep forest cover and undisturbed ecosystem protects water resources and wetland habitats that connect to the East Branch of the Westport River. The Bread and Cheese Brook which begins nearby is a cold water fishery supporting brook trout and other species. Numerous stone walls cross the properties offering evidence of past agriculture. The adjacent Promised Land parcel, so named in the ancient title deed, has a rich Native American heritage that relate to "Praying Indian" history.

3. Criteria:

How does the project fulfill the General and Specific Criteria of the Community Preservation Committee Guidelines? (Refer to the specifications in the Guidelines)

Section 2 of the CPA legislation defines Open Space and this project protects 7 out of 10 criteria including: Aquifers, recharge areas, and watershed land, Forest land, Fresh marshes and other wetlands, Stream, lake and pond frontage, Lands to protect scenic vistas, Land for wildlife or nature preserve, and Land for recreational use.

Section 2 also defines recreational use. Outdoor, land-based recreational uses of all the lands east of Blossom Road include hiking, mountain biking, birding, cross-country skiing and snowshoeing, and hunting.

4. Community Needs:

a. How does the community benefit from this project?

The community benefits from this project but securing protection and stewardship of three unique, pristine and historic parcels of land. The public will have the assurance that these environmentally sensitive parcels will not be developed or compromised, that they will be open to the public for recreation and education purposes and that they will be managed and cared for in alignment with the conservation goals of the Southeastern Massachusetts Bioreserve.

Protecting the headwaters forest for the Bread and Cheese Brook has implications beyond Fall River. Clean, fresh water feeding the Westport River impacts not only the trout and anadromous fisheries but also shellfish beds and water-based recreation. Protecting connected conservation parcels has important ecological value and, as with most conservation projects in this area, enhances quality of life.

b. Explain how this project addresses needs identified in existing City plans. (Such as in the City of Fall River Master Plan)

This project fulfills land conservation needs identified as a high priority in the following city and regional plans:

1. 2018 Open Space and Recreation Plan and the City of Fall River Master Plan. In the summary of Resource Protection Needs strengthening protection of city-owned drinking water supply and conservation areas is identified as a high priority
2. Municipal/PWS Source Water Assessment and Protection (SWAP) report (2003) – DEP recommends implementing projects to improve the control and quality of stormwater and reduce potential threats.
3. Project is located in priority area identified in Appendix C Priority Development and Priority Areas (PDA-PPA): Fall River Community Priority Areas Summary of the 2013 South Coast Rail Corridor Plan Update. The PPA-PPA give Fall River preference for grants under E.O. 525. Enhancing protect addresses supports this plan.

5. Community/City Endorsement:

a. What is the nature and level of support? Include letters of support from any City boards or community groups that have endorsed the project.

Placing Article 97 protection on existing public water supply and conservation land is a top goal in the 2018 Fall River Open Space and Recreation Plan. The 2017 OSRP was a collaborative effort by a number of city departments (Planning, Conservation, Parks and Cemetery, Water) and representatives of many neighborhood and conservation groups including Green Futures and Bike Fall River. It was facilitated the Southeast Regional Planning and Economic Development District and the final plan was approved and adopted by a vote of the Fall River City Council.

6. Project Budget:

Budget Summary

Total Project Cost	CPA Funds Requested	Additional Funding from Other Sources
\$ 70,860.00	\$ 54,900.00	\$ 15,960.00

Budget Categories - Breakdown

	CPA FUNDS	OTHER FUNDS	TOTAL
Personnel	0	960	960
Equipment	0	0	0
Supplies	0	0	0
Contractual	0	15,000	15,000
Construction	0	0	0
Other	54,900	0	0
TOTAL	54,900	15,960	70,860

Equipment is generally defined as an item with a useful life expectancy of more than one year.

Supplies are defined as an item with a useful life of less than one year.

Construction means all types of work done on a particular property or building including erecting, altering or remodeling. The cost share is very important in giving the application a competitive advantage.

Additional Funding Information

Identify the amount of additional funding for this project. Sources include private, federal, state or local government, or any other sources.

Organization	Item	Amount	Type (cash, in-kind, etc.)
DCU Water Division	Personnel	\$960	Staff time (about 20 hours) to assist with transaction diligence
Buzzards Bay Coalition	Contractual	\$15,000	Endowment to BBC for holding Conservation Restriction

7. Funding:

- Attach commitment letters from any organization providing additional funding contribution listed in the table above.
- Describe any other attempts (including unsuccessful) to secure funding for this project. Rejection letters must also be included in your application packet.

N/A

8. Timeline:

Provide a schedule for project implementation, including a timeline for starting and ending major tasks and project completion.

Spring 2020 - Phase I Low Value Foreclosure Process completed through DOR Gateway. Goes through DOR review and Commissioner of DOR issues affidavit that parcels qualify as Low Value. Affidavit recorded at Registry of Deeds. City schedules auction at which it acquires parcels for outstanding Tax Title Balances.

Summer 2020 - Phase II Water Division acquires City Council approval to transfer parcels to the Water Enterprise Fund through an Intergovernmental Transfer. Closing takes place and fee conveyed.

Fall-Winter 2020 - Phase III Buzzards Bay Coalition drafts, obtains approvals and records Conservation Restriction on parcels. Completes base line document.

9. Implementation: Who is responsible for overseeing this project?

Name:	Michael Labossiere
Daytime Phone:	508-324-2749
Evening Phone:	508-837-0251
Email:	mlabossiere@fallriverma.org

10. Maintenance:

a. If ongoing maintenance is required, who will be responsible for it?

On going management, maintenance and stewardship of protected conservation lands included in this application is the responsibility of the DCU Water Division's Watuppa Reservation Forester and his staff

b. How will it be funded?

On going management, maintenance and stewardship of protected conservation lands included in this application is fully funded by the division's operating budget as approved annually by the Fall River City Council.

Maintenance Budget (if applicable)

Year one	Year two	Year three	Year four	Year five
\$n/a	\$	\$	\$	\$

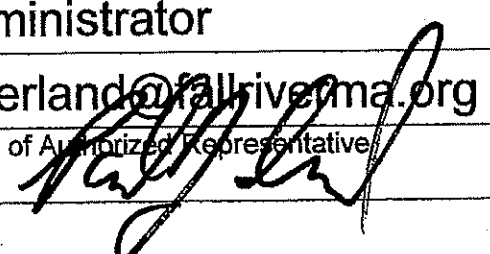
ADDITIONAL INFORMATION:

11. Project Documentation: Attach any applicable engineering plans, architectural drawings, site plans, any other renderings, relevant studies or material.

12. Other Information: Please provide any additional information that might benefit the CPC in consideration of this project.

*****It is recommended that the applicant include a 10% contingency cost for possible cost overruns. Any funds granted and not used must be returned to the Community Preservation Committee.*****

TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE INDIVIDUAL OR GOVERNING BODY OF THE APPLICANT.

Authorized Representative Department of Community Utilities			
First Name Paul		Last Name Ferland	
Title Administrator		Telephone Number 508-324-2320	
Email: pferland@fallriverma.org		Fax Number n/a	
Signature of Authorized Representative 		Date Signed 1/19/2020	

Bioreserve Conservation Land Acquisition Project FY2021
Fall River CPA Project 009-FY21



Promised Land Conservation Area Project



WESTPORT



9

Re: [EXTERNAL] Low Value Foreclosure W15-0061; W15-0076;
W15-0077

Mike Labossiere

Wed 9/18/2019 8:12 AM

Sent Items

To: Matthew J. Thomas, Esq. <mjt@mjthomaslaw.com>;

Thank you Matt.

I have applied for CPC funding to pay for the parcels.

As we have discussed, there are other parcels in the reservation area that should be under the water/sewer department control...particularly stormwater detention ponds. If you send me a comprehensive list of your tax taking parcels I can point them out.

Thank you,

Mike

From: Matthew J. Thomas, Esq. <mjt@mjthomaslaw.com>

Sent: Saturday, September 14, 2019 11:37:45 AM

To: Mike Labossiere

Cc: Mary Sahady; Teixeira, Paulianne; Ian Schachne; Perry, Diane; Mello, Ben

Subject: [EXTERNAL] Low Value Foreclosure W15-0061; W15-0076; W15-0077

Good Morning Mike –

Please accept this e-mail as a follow up to our recent conversations regarding the above referenced parcels. As you know the City is interested in acquiring these Owner Unknown Parcels for watershed protection purposes. The current Assessed Valuation of these parcels is as follows:

W15-0061	R ES Blossom Road	\$ 22,400.00
W15-0076	R ES Blossom Road	\$ 13,300.00
W15-0077	R ES Blossom Road	\$ 19,200.00

Pursuant to DOR IGR19-7 (a copy of which is attached hereto) the maximum valuation of parcels qualifying for the land of low value foreclosure procedure as an alternative to seeking a foreclosure decree from Land Court under General Laws Chapter 60, Section 79 through December 31, 2019 was \$22,458. Therefore the above referenced parcels all qualify for the Low Value Foreclosure Process.

As I explained to you the Low Value Foreclosure process is an administrative rather than a judicial foreclosure process. Under this process the Treasurer's Office, Collector's Office and Assessors'

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Office all complete a portion of a form through the DOR Gateway. This information is then reviewed by DOR and once the review is complete the Commissioner of the DOR issues an Affidavit that the parcels qualify as Low Value. This Affidavit is then recorded with the Registry of Deeds. The City then schedules an auction at which it acquires the parcels for the outstanding Tax Title Balances. As of 9/14/19 the Tax Title Balances on the above referenced parcels were:

W15-0061	R ES Blossom Road	\$ 18 346.71
W15-0076	R ES Blossom Road	\$ 14 667.64
W15-0077	R ES Blossom Road	\$ 17 182.79

Once the City has acquired the parcels, the City can either schedule an Auction of Tax Possessions at which the Water Enterprise Fund could purchase the parcels, or the City could transfer the parcels to the Water Enterprise Fund through an Intergovernmental Transfer that would be exempt from Chapter 30B. This latter option would require approval by the City Council. For planning & budgeting purposes I would suggest that Water Enterprise Fund plan on paying the following for the respective parcels:

W15-0061	R ES Blossom Road	\$ 22,400.00
W15-0076	R ES Blossom Road	\$ 13,300.00
W15-0077	R ES Blossom Road	\$ 19,200.00

It is my understanding the Treasurer's Office, Collector's Office and Assessors' Office are going to being the Gateway process next week. I would anticipate that the entire process will take about 6 months.

Please contact me at (774) 930-2936 if you have any questions or comments.

Thanks,

Matt

Matthew J. Thomas, Esq.
 4 Park Place Suite 101
 New Bedford, MA 02740
 (508) 994-1500 - Office
 (774) 930-2936 - Mobile
 (508) 990-1916 - Fax

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IRS Circular 230 Disclaimer

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advice contained in this e-mail may have been written to support the promotion of transactions or marketing of transactions or matter discussed in the e-mail, every taxpayer should seek advice based on such taxpayer's particular circumstances from an independent tax advisor.



DLS
DIVISION OF LOCAL SERVICES
MA DEPARTMENT OF REVENUE

Christopher C. Harding
Commissioner of Revenue

Sean R. Cronin
Senior Deputy Commissioner

Informational Guideline Release

Bureau of Municipal Finance Law
Informational Guideline Release (IGR) No. 19-7
April 2019

CALENDAR YEAR 2019 ADJUSTMENT
IN
LAND OF LOW VALUE FORECLOSURE VALUATION LIMIT

(G.L. c. 60, § 79)

This Informational Guideline Release (IGR) informs treasurers of the adjusted maximum valuation of parcels qualifying for the land of low value foreclosure procedure in calendar year 2019.

Topical Index Key:

Collection Procedures

Distribution:

Treasurers

CALENDAR YEAR 2019 ADJUSTMENT
IN
LAND OF LOW VALUE FORECLOSURE VALUATION LIMIT

(G.L. c. 60, § 79)

SUMMARY:

The maximum valuation of parcels qualifying for the land of low value foreclosure procedure as an alternative to seeking a foreclosure decree from land court under General Laws Chapter 60, Section 79 was increased to \$15,000 in 2002 and indexed to annual increases in consumer prices beginning January 1, 2003.

The maximum valuation is adjusted using the percentage increase in the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index for Urban Consumers, Boston (CPI-U) for the previous calendar year.

The Commissioner of Revenue has determined that the maximum valuation for parcels qualifying for the land of low value foreclosure procedure will be increased by **2.5%** effective January 1, 2019.

GUIDELINES:

1. During calendar year 2019, treasurers may foreclose tax titles using the land of low foreclosure procedure for parcels worth up to **\$22,458**.

City of Fall River, *In City Council*

(Councilor Leo O. Pelletier)

10

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

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

By inserting in Section 70-241, which section relates to stop intersections designated the following:

Name of Street
Bark Street

Direction of Travel
Northbound and southbound

At Intersection of
Reservoir Street

City of Fall River, In City Council

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

That Chapter 50 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Personnel be amended as follows:

By striking out in Section 50-301, which section relates to Salary schedules for executive officers, department heads, and non-union personnel, the following:

Executive Administrative Assistant to the Chief of Police Not to exceed \$50,000 per annum

and inserting in place thereof the following:

	Grade	Effective Date	
Executive Administrative Assistant to the Chief of Police	EAAP	9-1-2020	Not to exceed \$55,000 per annum

CITY OF FALL RIVER
IN CITY COUNCIL
SEP 22 2020

*Passed through
first reading*

CITY OF FALL RIVER
IN CITY COUNCIL
AUG 11 2020

*Referred to the
Committee on
Ordinances and Legislation*

City of Fall River, *In City Council*

12

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

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

By inserting in section 70-373, which section relates to fifteen-minute parking the following:

Name of Street	Side	Location	Hours/Days
South Main Street	East	Starting at a point 30 feet north of Otis Street for a distance of 20 feet northerly	9:00 a.m. – 5:00 p.m. Monday – Saturday

CITY OF FALL RIVER
IN CITY COUNCIL

SEP 22 2020

*Passed through first
Reading, as amended*

City of Fall River, In City Council

(Councilor Linda M. Pereira)
(Councilor Bradford L. Kilby)

WHEREAS, construction has begun on North Main Street for the Fall River Layover Facility for the South Coast Rail Project, and

WHEREAS, a new Commuter Rail Station will also be constructed on Davol Street, and

WHEREAS, many residents are unaware of all the necessary construction needed for this project and have questions, now therefore

BE IT RESOLVED, that Jean Fox, South Coast Rail Project Manager be invited to a future meeting of the Committee on Public Works and Transportation to provide an overview of the major construction necessary to bring South Coast Rail to Fall River.



RECEIVED

City of Fall River
Notice of Claim

2020 SEP 24 A 11:17

CITY CLERK 20-52
FALL RIVER, MA

1. Claimant's name: Cynthia Grandfield
2. Claimant's complete address: 70 Winifred Way Fall River 02720
3. Telephone number: Home: 508 216 45217 Work: ---
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
tripped and fell on sidewalk
5. Date and time of accident: 9/15/20 approx 9:30 AM Amount of damages claimed: \$ unknown yet
6. Exact location of the incident: (include as much detail as possible):
Across the street from 1855 Highland Ave on the sidewalk and to the right of the driveway to The Highlands down about 20 ft.
7. Circumstances of the incident: (attach additional pages if necessary):
I was powerwalking when I tripped & fell on the raised sidewalk. I scraped my face, leg & hand. My wrist was hurting & starting to swell. I fell on the side of my right breast & upper rib. The wind was knocked out of me & I struggled to breath. I couldn't push myself
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
Harvard Pilgrim PO Box 699183 Quincy, Ma 02269-9183

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: 9/22/20

Claimant's signature: Cynthia Grandfield

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 ☒ DPW

Date: 9/24/2020

9/30/20

I've already filed a claim but don't have a claim # yet. These are the pictures from the fall.

I've also heard from my insurance co. regarding my doctors' visits. I've filled out their paperwork and have given them permission to reach out to you for further information.

Any other questions, my cell is 508 264 5217.
Thank you.

Cynthia Grandfield

RECEIVED

2020 OCT -2 A 11: 21

CITY CLERK 20-52A
FALL RIVER, MA



RECEIVED

City of Fall River Notice of Claim

2020 OCT -2 P 1:47

#20-53
CITY CLERK
FALL RIVER, MA

1. Claimant's name: Bruno Moura
2. Claimant's complete address: 805 Warren St, Fall River MA 02721
3. Telephone number: Home: 774-319-3896 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Sewer drains on Warren St backed up
5. Date and time of accident: 7-8-20 2:30 PM Amount of damages claimed: \$5,796.40
6. Exact location of the incident: (include as much detail as possible):
manhole covers on Warren St were all blocked up, sewage coming back into my house in basement and in my backyard.
7. Circumstances of the incident: (attach additional pages if necessary):
I took all photos when the city lifted the manhole covers were they were filled all the way to the top with crap/etc. Came back into my french drains and all over my sons play area in my backyard and also in our new cemented area out of our back yard coming from our sump pump pumping out. Damages in my basement and in my backyard due to lack of maintenance on Warren St.
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 called my insurance and they stated this was a city issue. My insurance isn't responsible for it

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: 9-24-20Claimant's signature: Bruno Moura

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 AdministratorSewerDate: 10/2/2020

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, August 11, 2020 at 7:00 p.m.
Council Chamber, One Government Center

PRESENT: President Cliff Ponte, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne,
Bradford L. Kilby, Pam Laliberte-Lebeau, Trott Lee,
Leo O. Pelletier and Linda M. Pereira

ABSENT: Councilor Christopher M. Peckham

IN ATTENDANCE: Mary Sahady, Director of Financial Services
Alan J. Rumsey, Corporation Counsel
Paul Ferland, Administrator of Community Utilities
Attorney Matthew J. Thomas, 4 Park Place, Suite 101
New Bedford, MA 02740
Marc Lederman, Wethersfield, LLC, 29 Freemont Avenue,
Chelsea, MA 02150

President Cliff Ponte called the meeting to order at 8:51 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.

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Michelle M. Dionne, it was unanimously voted to take item #15 out of order, with Councilor Christopher M. Peckham absent and not voting. On a further motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to waive the rules to allow Attorney Matthew J. Thomas and Marc Lederman who are non Fall River residents to address the City Council, with Councilor Christopher M. Peckham absent and not voting.

COMMITTEE REPORTS

Committee on Real Estate recommending:

Adoption:

15. Order – Sale of former Police Station located at 158 Bedford Street to Wetherfield, LLC for \$10,000

Councilor President Cliff Ponte asked Attorney Matthew J. Thomas if he anticipated any problems that would prohibit the sale from taking place. Attorney Matthew J. Thomas stated that he does not believe that there are any problems, but he also stated what is different with this parcel than a typical tax possession is that with a typical tax possession the City has a decree from the land

court. He then stated that he has been in communication with Attorney O'Neil who represents Mr. Lederman and the basis of the City's title in this particular instance is a deed in lieu of foreclosure. He then stated that the City actually received a deed back for this property. He also stated that with the exception of the encumbrances that were placed in the interim, between the time that the City owned the property and the time that the City reacquired the property, the title is clear. Council President Cliff Ponte then asked why there is such a long closing period on this property, as it states in the purchase and sales agreement that the closing must be completed on or before 10:00 a.m. on December 31, 2020. Attorney Matthew J. Thomas stated that there is one contingency and that is to allow Mr. Lederman to acquire prospective purchaser status. He then stated that the former police station is a Brownfield Property, which means there is contamination on that property. He also stated that if Mr. Lederman purchases the property, which will give him prospective purchaser status, Mr. Lederman will be in the chain of liability. He then stated that if Mr. Lederman goes through a process that takes approximately two months by hiring a licensed site professional to conduct an all appropriate inquiry on the parcel and provide Mr. Lederman with a prospective purchaser letter, he will then no longer be in the chain of liability and may be able to access some public funds to assist with some of the contamination cleanup of the property. Council President Cliff Ponte then stated that the City will be held harmless for this property. Attorney Matthew J. Thomas stated that the City is still in the chain of liability because when this property was used as a police station, there were certain activities taking place at that location that may have caused the contamination. He further stated that because the City acquired the property back as a tax possession, then the City is not in the chain of liability on any tax possession, but because this was formerly a City owned property, that the City acquired back as a tax possession, then the City is in the chain of liability. Council President Cliff Ponte then asked Attorney Matthew J. Thomas if he was preparing a deed restriction for this property. Attorney Matthew J. Thomas stated that he will be working on the deed restriction within the next few months. He then stated that there are two deed restrictions that if Mr. Lederman would want to convey the property within four years of it being conveyed to Mr. Lederman, the City of Fall River would have to approve the transfer. If Mr. Lederman would want to convey the property to a non-profit organization, within 10 years that non-profit would need to execute a payment in lieu of taxes (PILOT) with the City before the conveyance could take place.

Councilor Leo O. Pelletier stated that he feels confident that Mr. Lederman will move this project forward, as he has proposed. He then stated that it has been over 20 years that the City of Fall River has been working to sell this property and it appears that the sale will take place in the near future. Councilor President Cliff Ponte asked Mr. Lederman for the estimated construction costs of this project. Mr. Lederman stated approximately 5 to 6 million dollars. Council President Cliff Ponte then asked Mr. Lederman how long the construction of the project will take. Mr. Lederman stated that he anticipates 1 to 1 ½ years. Councilor Linda M. Pereira asked Attorney Matthew J. Thomas if any environmental studies were completed on the former police station. Attorney Matthew J. Thomas stated that the City had two studies completed, a hazmat study and a Phase One Environmental Study. Councilor Linda M. Pereira then asked Attorney Matthew J. Thomas if Mr. Lederman will receive copies of the results of these two studies. Attorney Matthew J. Thomas stated that those results have already been shared with Mr. Lederman. Councilor Linda M. Pereira then stated that there is a vacant house behind the former police station that Mr. Lederman may be able to purchase to create parking for the residences that he will be constructing in the former police station. Councilor Shawn E. Cadime asked Attorney Matthew J. Thomas to elaborate on the letter that he mentioned that Mr. Lederman will need. Attorney Matthew J. Thomas stated that under both the federal and the state environmental laws there is something known as the all appropriate inquiry, which is approximately a page in length and references environmental reports that were completed, the history of the property, reviewing uses, and conducting a site visit. He then stated that once a licensed site professional completes this process, they will then submit a

letter to the prospective purchaser. The prospective purchaser can then purchase the property having completed an all appropriate inquiry, so that in the future their obligation is to try to address the contamination, as best as is possible as part of the redevelopment of the property but they are not liable for all the costs. He then stated that there is grant funding available from the Environmental Protection Agency and MassDevelopment to address the contamination of the property. Councilor Shawn E. Cadime then asked Mr. Lederman if he will be applying for historic tax credits. Mr. Lederman stated that he will if it is feasible. He then stated that it is his goal to keep the façade of the building. Councilor Shawn E. Cadime then asked how many apartments are needed to make the project feasible financially. Mr. Lederman stated that he will need to have a minimum of 30 apartments. Attorney Matthew J. Thomas stated that the property is located in the Historic Development Improvement District, which will allow Mr. Lederman to apply for a tax exemption on the residential portion of the project.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order, with Councilor Christopher M. Peckham absent and not voting.

Approved, August 12, 2020, Paul E. Coogan, Mayor

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to take item #24a out of order, with Councilor Christopher M. Peckham absent and not voting.

OTHER POTENTIAL MATTERS (to be acted upon if recommendations are received)

Committee on Finance:

24a. Mayor and order requesting the approval of a five year contract for school bus transportation with Whaling City Transit, Inc. totaling \$2,603,982.00 for the first year of Special Education Transportation, Bus Monitors, and Summer Transportation

A motion was made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier to adopt the order, with Councilor Christopher M. Peckham absent and not voting. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to amend the order to include, "with each subsequent year to be increased by the Consumer Price Index (CPI)", with Councilor Christopher M. Peckham absent and not voting. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order, as amended, with Councilor Christopher M. Peckham absent and not voting.

Approved, August 13, 2020, Paul E. Coogan, Mayor

PRIORITY MATTERS

1. Mayor and proposed FY21 Municipal Budget

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the matter to the Committee on Finance, with Councilor Christopher M. Peckham absent and not voting. Councilor Shawn E. Cadime stated that net school spending is at 98% not 100%. He then stated that he has spoken to members of the School Committee that are upset that the School Committee has not met with the City Council as is required by City Charter to discuss the budget. Council President Cliff Ponte stated that he has spoken to the Mayor regarding the joint meeting with the School Committee and the Mayor stated that he would not be scheduling that meeting. He then requested that the City Clerk forward a communication to the Mayor regarding the scheduling of this meeting and the City Clerk stated that she spoke to the Administrative Assistant to the School Committee and she stated that the Mayor is not opposed to the scheduling of the joint meeting and his secretary will be in contact with the City Clerk's Office with a tentative date in the near future.

2. Mayor and order establishing spending limits of Revolving Funds for Fiscal Year 2021
A motion was made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira to adopt the order. Councilor Linda M. Pereira asked how the amounts for each fund are determined. Councilor Shawn E. Cadime stated that he believes that these spending limits do not need to come before the City Council every year for approval, unless there is a change in the amounts from the previous year. The Director of Financial Services stated that she will need to speak with the City Auditor regarding this matter. On a further motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby it was unanimously voted to refer the matter to the Committee on Finance, with Councilor Christopher M. Peckham absent and not voting.

3. Mayor and proposed ordinance re: Abutters Lot Program
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation, with Councilor Christopher M. Peckham absent and not voting. Councilor Pam Laliberte-Lebeau stated that she will add this matter to the agenda of the Committee on Ordinances and Legislation scheduled for Thursday, August 31, 2020.

4. Mayor and proposed ordinance - Executive Administrative Assistant to the Chief of Police
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation, with Councilor Christopher M. Peckham absent and not voting.

5. Mayor and revised orders as follows:
Council President Cliff Ponte stated that the Council has the ability to reduce, reject or approve each section of item #5b. The City Clerk read each section.

- a. Appropriating \$871,150.00 from Community Preservation Act funds for
FY 2021 Community Projects
 - \$ 45,000.00 CPA Administrative Expenditures
 - \$192,900.00 CPA Open Space and Outdoor Recreation Projects
 - \$602,000.00 CPA Historic Preservation Resources Projects
 - \$ 31,250.00 CPA Housing Projects

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the order, with Councilor Christopher M. Peckham absent and not voting.

Approved, August 13, 2020, Paul E. Coogan, Mayor

- b. Community Preservation Committee 2020 Final Report
 - \$54,900.00 for open space/recreation – Bioreserve Conservation Land Acquisition – Public

A motion was made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, to approve the funding. Councilor Linda M. Pereira stated that she has questions regarding the location of this land. On a further motion made by Councilor Linda M. Pereira and seconded by Councilor Leo O. Pelletier, it was unanimously voted to table the matter, with Councilor Christopher M. Peckham absent and not voting.

- \$60,000.00 for open space/recreation – bond year 3 – Mt. Hope Bike Path – Public

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Leo O. Pelletier, it was unanimously voted to approve the funding, with Councilor Christopher M. Peckham absent and not voting.

- \$78,000.00 for open space/recreation – bond year 2 – Bioreserve Project land acquisition – Public

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to approve the funding, with Councilor Christopher M. Peckham absent and not voting.

- \$150,000.00 for Historic Preservation – Maritime Museum – Private/Non-Profit

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to approve the funding, with Councilor Christopher M. Peckham absent and not voting.

- \$130,000.00 for Historic Preservation – Lafayette Durfee House – Private/Non-Profit

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Trott Lee, it was unanimously voted to approve the funding, with Councilor Christopher M. Peckham absent and not voting.

- \$220,000.00 for Historic Preservation – Fall River School Department – Public

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Trott Lee, it was unanimously voted to approve the funding, with Councilor Christopher M. Peckham absent and not voting.

- \$30,000.00 for Historic Preservation – Water Department (documents) – Public

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Trott Lee, it was unanimously voted to approve the funding, with Councilor Christopher M. Peckham absent and not voting.

- \$22,000.00 for Historic Preservation – Water Street – Private

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Trott Lee, it was unanimously voted to approve the funding, with Councilor Christopher M. Peckham absent and not voting.

- \$50,000.00 for Historic Preservation – Bank Street Armory – Public

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Trott Lee, it was unanimously voted to approve the funding, with Councilor Christopher M. Peckham absent and not voting.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was voted 7 yeas to approve \$115,000.00 for the Adams House Project (\$15,000.00 from Historic Preservation and \$100,000.00 from Community Housing) to be added to Historic Preservation increasing the line item to \$717,000.00 and refer back to the Community Preservation Committee for their reconsideration, with Councilor Christopher M. Peckham absent and not voting and Council

President Cliff Ponte abstaining. Council President Cliff Ponte requested that a letter for the supplemental appropriation order be sent to the Community Preservation Committee requesting it, a copy of which is attached hereto and made a part of these minutes. Council President Cliff Ponte stated that the Community Preservation Committee will need to resubmit a new appropriation order to the City Council for this amount if it is considered favorably.

- \$31,250.00 for Community Housing – 77 Freedom Street – Private

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Trott Lee, it was voted 7 yeas, 1 nay to adopt the order, with Councilor Cliff Ponte voting in the negative and Councilor Christopher M. Peckham absent and not voting.

- \$45,000.00 – Administrative

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order, with Councilor Christopher M. Peckham absent and not voting.

6. Mayor and order re: a Deed in Lieu of Foreclosure from Sandra Greaux, G-03-0086, 45 William Street

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Trott Lee, it was unanimously voted to waive the rules to allow Attorney Matthew J. Thomas to answer questions, with Councilor Christopher M. Peckham absent and not voting. Councilor Linda M. Pereira asked what will happen with this property. Attorney Matthew J. Thomas stated that Sandra Greaux owed approximately \$138,000.00 in unpaid real estate taxes and the City was in foreclosure on the property. He then stated that under M.G.L. Chapter 60, the individual can deed the property to the City in lieu of foreclosure and it is then treated as a tax possession, which must be approved by the City Council. Councilor Linda M. Pereira stated that the property should be sold for \$138,000.00 so that the City recoups the unpaid taxes. Attorney Matthew J. Thomas stated that it is his understanding that this property is now a vacant lot, as the building has been demolished, so the City will most likely not recoup the \$138,000.00. He then stated that the City has 29 tax possessions and this property will make the total 30. He also stated that these properties are being reviewed with various departments, to see what is appropriate to sell and then an auction will be scheduled for the middle of October. He then mentioned that \$78,000.00 of the \$138,000.00 that is owed is interest, therefore the balance is \$60,000.00 which has a better chance of being recouped. Councilor Linda M. Pereira asked if there was a fire at this property, which caused the demolition. Attorney Matthew J. Thomas stated that he believes that is what caused the demolition. Council President Cliff Ponte asked if there is a lien on this property. Attorney Matthew J. Thomas stated that there is no lien on this parcel of land. Councilor Pam Laliberte-Lebeau asked who determines if a piece of property would be taken by a deed in lieu of foreclosure. Attorney Matthew J. Thomas stated that the decision to take the property by a deed in lieu of foreclosure is made purely from the title situation with the property. If there are no outstanding liens, the City is the only one with a lien on the property, and the title is clear, the City will take the property by a deed in lieu of foreclosure and then sell the property as a tax possession. Councilor Linda M. Pereira asked if a married couple own a home and have no heirs and they both are deceased, how long would it take for the City to acquire that property? Attorney Matthew J. Thomas stated that property would become an unprobated parcel, which will require publication, and it may take 1-2 years, as the City is required to search for any heirs. Councilor Linda M. Pereira then stated that 2 years is a long time for the neighbors to have a vacant house next to them with no maintenance and no landscaping. Attorney Matthew J. Thomas stated that he understands the frustration, but the land court must conduct an exhaustive search prior to granting the property to the city or town for auction. Councilor Leo O. Pelletier asked how long a property can remain vacant. Attorney Matthew J. Thomas stated that there is no law in the Commonwealth of Massachusetts that states you cannot have a vacant piece

of property that is secured by boards. The issue is maintaining the property according to community standards and that is when Minimum Housing becomes involved to keep the property clean and free of vermin. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Trott Lee, it was unanimously voted to adopt the order, with Councilor Christopher M. Peckham absent and not voting.

Approved, August 12, 2020, Paul E. Coogan, Mayor

7. Mayor requesting the confirmation of the following reappointments:

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to take items #7a through #7g together, with Councilor Christopher M. Peckham absent and not voting.

- a. Paul Borges as Deputy Shellfish Constable
- b. Paul Borges as Assistant Harbormaster
- c. Michael Lamarine as Deputy Shellfish Constable
- d. Michael Lamarine as Assistant Harbormaster
- e. Bob Smith as Shellfish Constable
- f. Jeffrey Silvia to the Board of Park Commissioners
- g. Victor Farias to the Community Preservation Committee

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to confirm the appointments, with Councilor Christopher M. Peckham absent and not voting.

8. Mayor requesting confirmation of the appointment of Stephanie Perry to the Board of Health

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to confirm the appointment, with Councilor Christopher M. Peckham absent and not voting.

9. Mayor requesting approval to reset a restored World War I Memorial Plaque at the Veteran's Center located at 755 Pine Street

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the order, with Councilor Christopher M. Peckham absent and not voting.

Approved, August 12, 2020, Paul E. Coogan, Mayor

PRIORITY COMMUNICATIONS

10. Traffic Commission recommending amendments to traffic ordinances

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation, with Councilor Christopher M. Peckham absent and not voting.

11. City Planner re: uncompleted subdivisions

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to refer the matter to the Committee on Finance, with Councilor Christopher M. Peckham absent and not voting.

12. Corporation Counsel legal opinion re: Board of Park Commissioners

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted that the opinion be accepted and placed on file, with Councilor Christopher M. Peckham absent and not voting.

13. Corporation Counsel legal opinion re: Attendance of Corporation Counsel at City Council Meetings

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Michelle M. Dionne, it was unanimously voted to waive the rules to allow Corporation Counsel to answer questions, with Councilor Christopher M. Peckham absent and not voting. Councilor Leo O. Pelletier stated that he feels that the opinion is a conflict of interest, since the opinion was rendered by Corporation Counsel regarding the attendance of Corporation Counsel at City Council Meetings. Councilor Trott Lee stated that if Corporation Counsel is unable to attend a meeting then he should instruct the Assistant Corporation Counsel to attend the meeting. Council President Cliff Ponte stated that the City Council schedules two meetings a month and Corporation Counsel will be invited to attend. Councilor Linda M. Pereira stated that she is in agreement that the City Council should have their own legal counsel, but she does not agree with the \$275.00 per hour that was quoted by KP Law. Councilor Shawn E. Cadime stated that he believes it would be beneficial for the City Council to have their own legal counsel. He then stated that he is agreeable with the Council President meeting with Corporation Counsel prior to a City Council Meeting to determine if his presence is required. Councilor Leo O. Pelletier then stated that the City Council can spend thousands of dollars on legal counsel, but Corporation Counsel would still make the final decisions. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the communication be accepted and placed on file, with Councilor Christopher M. Peckham absent and not voting.

14. Request for street opening in pavement less than five years old on 522 Buffinton Street
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 6 yeas to refer the matter to the Committee on Public Works and Transportation, with Councilors Pam Laliberte-Lebeau and Cliff Ponte abstaining and Councilor Christopher M. Peckham absent and not voting.

COMMITTEE REPORTS

Committee on Public Works and Transportation recommending:

Grant leave to withdraw:

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to take items #16 through #18 together, with Councilor Christopher M. Peckham absent and not voting.

- 16. Resolution – Road repairs by Liberty Utilities
- 17. Resolution – Flooding issues on Hyacinth Street
- 18. Communication – City resident regarding flooding on Hyacinth Street

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted that items #16 through #18 be granted leave to withdraw, with Councilor Christopher M. Peckham absent and not voting.

Committee on Ordinances and Legislation recommending:

All readings with Emergency Preamble:

19. Proposed Ordinance – Traffic, Handicapped Parking
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Leo O. Pelletier, it was voted 8 yeas that the proposed ordinance be accompanied by an emergency preamble, with Councilor Christopher M. Peckham absent and not voting. On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Trott Lee, it was unanimously voted that the proposed ordinance, accompanied by an emergency preamble, be passed through first reading, second reading, passed to be enrolled and passed to be ordained, with Councilor Christopher M. Peckham absent and not voting.

Approved, August 12, 2020, Mayor Paul E. Coogan

First Reading:

20. Proposed Ordinance – Traffic, Miscellaneous

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Trott Lee, it was unanimously voted that the proposed ordinance, be passed through first reading, with Councilor Christopher M. Peckham absent and not voting.

21. Proposed Ordinance – EMT Basic Position

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Trott Lee, it was unanimously voted that the proposed ordinance, be passed through first reading, with Councilor Christopher M. Peckham absent and not voting.

Action:

22. Proposed Ordinances – Water and Sewer Rates

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was voted 4 yeas, 4 nays that the proposed ordinance be passed through first reading, with Councilor Christopher M. Peckham absent and not voting, and the motion failed to carry. On a further motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Bradford L. Kilby, it was unanimously voted to table the matter, with Councilor Christopher M. Peckham 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 waive the rules to allow the Director of Financial Services and the Administrator of Community Utilities to answer questions, with Councilor Christopher M. Peckham absent and not voting. The Director of Financial Services stated that the City is two months into the Enterprise Budget for Water and Sewer Divisions and without rate increases, this is causing a structural deficit. She then stated that there are a couple of vacant positions in these departments and that will help to alleviate some of the deficit. The Administrator of Community Utilities stated that after the Water and Sewer Enterprise Fund Budget was approved, an order was placed for the chemicals necessary for the fiscal year. He then stated that if the water and sewer rates are not increased, it will be necessary to meet with the Department of Revenue to have the budget reduced. The Director of Financial Services stated that the majority of the funding for the Sewer Division is for debt service, which was approved by the City Council. Councilor Shawn E. Cadime asked the Administrator of Community Utilities what will occur if the rates are not increased. The Administrator of Community Utilities stated that there are not many things in the budget that can be reduced. He then stated that 92% of the Sewer Budget is fixed costs. Councilor Leo O. Pelletier stated that no one wants to raise rates, but this needs to happen from time to time to continue improving our Water and Sewer Divisions. The Administrator of Community Utilities stated that if the Sewer Budget needs to be reduced, we will need to cut 14 employees and this will make the department unsafe to operate. Council President Cliff Ponte asked the Administrator of Community Utilities how many employees will need to be laid off to balance the budget without any rate increases. The Administrator of Community Utilities stated that there will need to be 14 staff members cut from the Water Department, 7 from Water Maintenance, 3 from the Reservation, 2 from the Water Treatment Plant and 2 from the Water Administration Office. The Director of Financial Services stated that the number of layoffs could increase due to the budget already having been in place for two months. The Administrator of Community Utilities also stated that he considers this matter a public safety issue, as safe drinking water is provided to approximately 100,000 residents. He went on to state that in the Sewer Division there would need to layoff 4 staff members from the office, 18 staff members from Veolia for a total of 22 employees. He also stated that the Sewer Division processes 22 million gallons per day and during a rain storm that can increase to 100 million gallons per day.

Councilor Linda M. Pereira stated that there is so much property owned by the Water Department, why can't some of that land be sold so that those funds can assist in funding the Water and Sewer Enterprise Budget? Councilor Shawn E. Cadime stated that there will need to be some creative

ideas to assist with funding the budget for the next fiscal year. Council President Cliff Ponte stated that if cuts occur and residents begin receiving brown polluted water, they will complain to the City Council. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was voted 6 yeas, 2 nays to reconsider the vote to table the matter, with Councilors Michelle M. Dionne and Linda M. Pereira voting in the negative and Councilor Christopher M. Peckham absent and not voting. A motion was made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier to pass the proposed ordinance through first reading, but was withdrawn. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was voted 6 yeas, 2 nays that the proposed ordinance be accompanied by an emergency preamble, with Councilors Michelle M. Dionne and Linda M. Pereira voting in the negative and Councilor Christopher M. Peckham absent and not voting. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was voted 5 yeas, 3 nays to pass the proposed ordinance, accompanied by an emergency preamble, through first reading, second reading, passed to be enrolled and passed to be ordained, with Councilors Michelle M. Dionne, Trott Lee and Linda M. Pereira voting in the negative and Councilor Christopher M. Peckham absent and not voting. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to request the Administration convene with the Committee on Finance in September to begin discussions regarding the water and sewer rates for Fiscal Year 2022, with Councilor Christopher M. Peckham absent and not voting. Approved, August 12, 2020, Mayor Paul E. Coogan

Referral to Corporation Counsel:

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to take items #23 and #24 together, with Councilor Christopher M. Peckham absent and not voting.

23. Resolution – Review city ordinances relating to the confirmation of appointments

24. Resolution – Review duties and compensation of all Boards and Commissions

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer items #23 and #24 to Corporation Counsel, with Councilor Christopher M. Peckham absent and not voting.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to take item #47 out of order, with Councilor Christopher M. Peckham absent and not voting.

47. Mayor requesting the confirmation of the following appointments:

a. Amber Burns to the Board of Park Commissioners

b. Joseph DaSilva to the Board of Park Commissioners (tabled 7-14-2020)

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Linda M. Pereira, it was unanimously voted to lift the matter from the table, with Councilor Christopher M. Peckham absent and not voting. Councilor Michelle M. Dionne stated that she will not be supporting these appointments, due to the inconsistencies in the manner that they are being appointed. She then stated that her non-support has nothing to do with the candidates or their qualifications. On a further motion made by Councilor Linda M. Pereira and seconded by Councilor Trott Lee, it was unanimously voted to waive the rules to allow Corporation Counsel to answer questions, with Councilor Christopher M. Peckham absent and not voting. Alan J. Rumsey, Corporation Counsel, stated that not all time frames are the same. He also stated that members of the Board of Park Commissioners may resign at a time other than May and from time to time a member may have a term that has expired without their knowledge and they may be reappointed at a time other than the month of May. He then stated that the Administration is working to update all Boards and Commissions to ensure that all members are current, therefore the May timeframe may not apply in

this case. Councilor Michelle M. Dionne then stated that the City has not been in compliance with Massachusetts General Laws regarding the Board of Park Commissioners in many years and she is working to ensure that in the future the City will be in compliance with these laws. On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 5 years, 3 nays to confirm both appointments, with Councilors Michelle M. Dionne, Pam Laliberte-Lebeau and Cliff Ponte voting in the negative and Councilor Christopher M. Peckham absent and not voting.

ORDINANCES – None

RESOLUTIONS

25. Committee on Finance convene with the Administration to discuss utilizing City-owned assets for the use of advertising

Councilor Michelle M. Dionne stated that she is in favor of discussing any idea that can raise funds for the City of Fall River. Councilor Trott Lee also stated that he is in favor of discussing any ideas that can raise funds for the City. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the resolution, with Councilor Christopher M. Peckham absent and not voting.

26. Committee on Finance convene to discuss solid waste and recycling
Councilor Pam Laliberte-Lebeau stated that she wanted to thank Councilor Michelle M. Dionne for her work on this matter. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to adopt the resolution, with Councilor Christopher M. Peckham absent and not voting.

27. City Council request State Auditor review Employee Health Insurance and Solid Waste Division accounts

Councilor Linda M. Pereira stated that she has discussed this matter with the Administration and Representative Carole Fiola and they are in agreement with this request. Councilor Michelle M. Dionne stated that there will be meetings to discuss solid waste and she also stated that she does not feel that an audit of the Solid Waste Division Account is necessary. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the resolution, with Councilor Christopher M. Peckham absent and not voting. A motion was made by Councilor Michelle M. Dionne for the City to undergo a forensic audit, but Council President Cliff Ponte recommended that she file a resolution instead and moved the order of business.

CITATIONS

28. Atlantis Charter School Top Ten Students:

Brayden Bergeron	Tristen Bigos	Taisha Garcia	Grace Kpor
Marley Levy	Michelle Medeiros	Victoria Pimentel	Sierra Soares
Eduarda Tacach	Kalie Viveiros		

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the citations, with Councilor Christopher M. Peckham absent and not voting.

ORDERS – HEARINGS**Auto Repair Shop License:**

29. Tanios Barbour, 21 Second Street, Taunton, MA, d/b/a Barbour Auto Sales Trust, for a license to operate an auto repair shop at 673 Bedford Street

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order, with Councilor Christopher M. Peckham absent and not voting.

Approved, August 12, 2020, Paul E. Coogan, Mayor

ORDERS – HEARINGS TO BE SCHEDULED**Street Acceptances:**

30. Barrows Street, extending from South Main Street to Andrews Street
 31. Chestnut Hill Drive, Extending from North Main Street to a dead end
 32. Estes Lane, extending from Lark Street to (old) Lower Stafford Road

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to table items #30 through #32, with Councilor Christopher M. Peckham absent and not voting.

ORDERS – MISCELLANEOUS – None**COMMUNICATIONS – INVITATIONS – PETITIONS**

33. Claims

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the claims to Corporation Counsel, with Councilor Christopher M. Peckham absent and not voting.

34. Planning Board Minutes – June 15, 2020 Meeting

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the minutes be accepted and placed on file, with Councilor Christopher M. Peckham absent and not voting.

City Council Meeting Minutes:

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to take items #35 and #36 together, with Councilor Christopher M. Peckham absent and not voting.

35. Public Hearings – July 14, 2020

36. Regular Meeting of the City Council – July 14, 2020

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to approve items #35 and #36, with Councilor Christopher M. Peckham absent and not voting.

37. Communication from Sen. Michael Rodrigues re: use of funding from the CARES Act

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the communication be accepted and placed on file, with Councilor Christopher M. Peckham absent and not voting.

38. Communication from StoneMandia, LLC re: Trinity Solar – Application for Solicitor's Permit

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to refer the matter to Corporation Counsel, with Councilor Christopher M. Peckham absent and not voting.

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Shawn E. Cadime, it was unanimously voted to take items #39 and #40 together, with Councilor Christopher M. Peckham absent and not voting.

39. Communication from Michael A. Picciandra re: fire boat emergency calls

40. Communication from Collin Dias re: forensic audit

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted that items #39 and #40 be accepted and placed on file, with Councilor Christopher M. Peckham absent and not voting.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to take items #41 and #42 together, with Councilor Christopher M. Peckham absent and not voting.

41. Open Meeting Law Complaint from Collin Dias re: July 14, 2020 alleged violation by the Fall River City Council

42. Open Meeting Law Complaint from Collin Dias re: July 28, 2020 alleged violation by the Fall River City Council Committee on Finance

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer items #41 and #42 to Corporation Counsel, with Councilor Christopher M. Peckham absent and not voting.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Shawn E. Cadime, it was unanimously voted to take items #43 through #45 together, with Councilor Christopher M. Peckham absent and not voting.

43. Assistant Corporation Counsel response to Open Meeting Law complaint filed by Collin Dias re: City Council Meeting of June 23, 2020

BULLETINS – NEWSLETTERS – NOTICES

44. Notice of Casualty and Loss at 479 Durfee Street

45. National Grid re: 2020 Yearly Operational Plan

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted that items #43 through #45 be accepted and placed on file, with Councilor Christopher M. Peckham absent and not voting.

TABLED MATTERS

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to lift the matter from the table, with Councilor Christopher M. Peckham absent and not voting.

46. Planning Board recommendation for the acceptance of Lynwood Street extending from Mariano Bishop Boulevard to a dead end along with Way Street, as amended (tabled 7-14-2020)

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the order, with Councilor Christopher M. Peckham absent and not voting.

ITEMS FILED AFTER THE AGENDA DEADLINE:
CITY COUNCIL MEETING DATE: AUGUST 11, 2020

COMMUNICATIONS – INVITATIONS – PETITIONS

43a. Drainlayer License – JDQ Excavating, LLC

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to approve the license, with Councilor Christopher M. Peckham absent and not voting.

Approved, August 12, 2020, Paul E. Coogan, Mayor

Council President called for a two minute recess to allow documents to be signed at 11:42 p.m. and reconvened at 11:44 p.m.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adjourn at 11:45 p.m., with Councilor Christopher M. Peckham absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

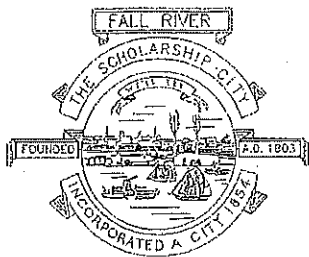
DVD of meeting

Councilor Michelle M. Dionne documents regarding the removal of members from the Board of Park Commissioners

A true copy. Attest:



City Clerk



City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

August 24, 2020

Community Preservation Committee
One Government Center
Fall River, MA 02722

Dear Honorable Members:

At a meeting of the City Council held on Tuesday, August 11, 2020, a discussion was held relative to the Community Preservation Committee Final Report 2020 and projects to be funded in Fiscal Year 2021.

Following that discussion, and on a motion made and seconded, it was voted to adopt the attached order with the following conditions:

- \$54,900 from Open Space/Recreation for the Bioreserve Conservation Land Acquisition – Tabled in full Council
- \$31,250 from Community Housing for 77 Freedom Street, 7 years, 1 nay
- \$115,000 – (\$15,000 from Historic Preservation and \$100,000 from Community Housing for the Adams House), 7 yeas, to approve the project and send a letter to the Community Preservation Committee requesting that a supplemental appropriation for this project be submitted for the Council's consideration.

As such, the City Council respectfully requests that the Community Preservation Committee submit a supplemental appropriation in the amount of \$115,000 for the Adams House project to the City Council for its consideration.

If you have any questions please contact me.

Sincerely,

Inês Leite

Inês Leite
Assistant City Clerk

encl.

/ch

COMMITTEE ON FINANCE

MEETING: Monday, August 24, 2020 at 5:35 p.m.
Council Chamber, One Government Center

PRESENT: President Cliff Ponte, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne,
Bradford L. Kilby, Pam Laliberte-Lebeau, Trott Lee,
Christopher M. Peckham, Leo O. Pelletier and Linda M. Pereira

ABSENT: None

IN ATTENDANCE: Mary Sahady, Director of Financial Services

The chair called the meeting to order at 5:35 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, persons are allowed 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. Due to the COVID-19 Essential Services Advisory, Government Center was closed to the public and citizens were advised to submit their remarks by email to the City Council by August 24, 2020 at 3:00 p.m. to be read at the meeting.

The City Clerk read a communication received from a city resident, a copy of which is attached hereto and made a part of these minutes.

1. Citizen Input
Collin Dias, 560 Ray Street – Fiscal Year 2021 Budget
2. Discussion of the proposed Fiscal Year 2021 Municipal Budget referred on August 11, 2020 as follows:
 - General Fund/Revenue
 - General Government
Mayor; City Clerk; City Council; Elections; Veterans
 - Financial Services
Director of Financial Services; Assessors; Auditor; Treasurer/Collector; Debt Service
 - Community Services
City Planning; Inspectional Services; Health and Human Services; Library

City Council President Cliff Ponte relinquished the chair to Council Vice-President Pam Laliberte-Lebeau at 5:39 p.m. in order to deliver remarks. Council President Cliff Ponte stated that he would like waive the current rules that were set forth regarding the agenda for discussing the Fiscal Year 2021 Budget. He stated that he would like to

discuss insurance. Councilor Linda M. Pereira stated that there are department heads in attendance to answer any questions regarding their departments and she then stated that the discussion on insurance could take an extended period of time and it would be unfair to the department heads to keep them here longer than necessary. Council President Cliff Ponte then stated that he believes that a brief discussion on the matter of insurance may cause the budget to be referred back to the Administration, therefore he believes that the discussion of insurance is necessary. On a motion made by Council President Cliff Ponte and seconded by Councilor Trott Lee, it was voted 8 yeas, 1 nay to waive the rules to allow discussion of insurance which was scheduled for discussion later in the week, with Councilor Linda M. Pereira voting in the negative. President Cliff Ponte stated that insurance is listed on pages 332 and 333 of the proposed Fiscal Year 2021 Budget. He then stated that in the proposed Fiscal Year 2021 Budget, there is a transfer of \$40,500,000.00 to the Employer Trust Fund. He also stated that he is concerned because the Police and Fire Departments are not being fully funded, as there are many vacant positions that are unfunded. The Director of Financial Services stated that the Administration is working diligently to fill as many of these vacant positions as possible. Council President Cliff Ponte then asked the Director of Financial Services, what is the amount of the shortage in the Police and Fire Department Budgets? He then asked if the amount is approximately \$1,400,000.00 that is not being funded to public safety. The Director of Financial Services stated that it is not only positions that are not being funded, there are also retirement buyouts and some capital projects that are not being funded. She then stated that capital projects for all departments are on hold at the moment. Council President Cliff Ponte stated that \$40,500,000.00 will be transferred to the Employer Trust Fund for health insurance. The Director of Financial Services stated that these funds are transferred on a monthly basis. Council President Cliff Ponte stated that upon reviewing the amounts transferred for Fiscal Year 2018 the amount was approximately \$36,000,000.00, in Fiscal Year 2019 the amount was approximately \$36,000,000.00 and in Fiscal Year 2020 \$36,000,000.00 was also budgeted. He then stated that the proposal for Fiscal Year 2021 is \$40,500,000.00 and he cannot support this when public safety is not being fully funded. He also stated that he would like to see \$37,000,000.00 be appropriated to the Employer Trust Fund, which would free up approximately \$3,500,000.00 to be appropriated to other departments, such as \$1,400,000.00 for public safety. The Director of Financial Services stated that she does not feel that this would be a fiscally responsible decision, but if it is the will of the City Council to return the budget to the Administration requesting this change it is definitely possible. Council President Cliff Ponte then stated that the budget that is currently before the City Council, has a \$3,500,000.00 shortfall and includes transferring these funds from the Stabilization Account which he feels is not a financially prudent decision. He then stated that he would like to see the Administration begin offering additional employee health insurance plans that may reduce these amounts. The Director of Financial Services stated that would be possible for Fiscal Year 2022, but it is too late for Fiscal Year 2021 as open enrollment is in the spring. The City Council President then stated that he would prefer to fully fund public safety and then have the opportunity to transfer funds to the Employer Trust Fund if necessary. He also stated that he is unsure if it is fruitful to discuss a budget that does not fully fund public safety. He then stated that he does not feel this is the fault of the Administration, but due to the untimely COVID-19 pandemic. He went on to state that public safety needs to be funded at 100%. The Director of Financial Services stated that she has had discussions with the Mayor, the City Auditor and the Director of Human Resources regarding health insurance. She then stated that if the Memorandum of Understanding (MOU) is changed in the net school spending allocation to charge the School Department the premiums rather than charge the School Department actual claims, it will solve two problems. She stated that these are the current problems that we are discussing because the difference is approximately \$1,600,000.00 and it will solve the problem of reconciling health care with the School Department on a regular basis. She also stated that what this change will do is increase the charge of health insurance to the

School Department based on the premiums that are paid as opposed to the actual claims that are incurred. She then stated that this would be an additional option. A motion was made by Council President Cliff Ponte to return the budget back to the Administration utilizing a reduction in the Employer Trust Fund that will equal \$1,400,000.00 to provide adequate staffing to both the Police and Fire Departments for Fiscal Year 2021 and was seconded by Councilor Christopher M. Peckham.

Council President Cliff Ponte returned to the podium at 5:59 p.m.

Councilor Bradford L. Kilby then asked the Director of Financial Services if there are any additional accounts that may have funds reduced to allow funding the Police and Fire Departments at 100%. The Director of Financial Services stated that the items in this budget that are fixed are debt service, health care, public safety and schools. She then stated that all the remaining departments are small departments by comparison, but the pension appropriation is available and could be reduced. She also stated that the City Council may want to review and discuss each department to see if there are any areas that may be reduced to assist with the needed funds for public safety. The Director of Financial Services also stated that the possibility of a trash fee may need to be discussed at some time in the near future. Councilor Bradford L. Kilby then asked if the Mayor could change health care to the Group Insurance Commission (GIC) without collective bargaining involvement and what would the timeline be on such a change. The Director of Financial Services stated that this could not take effect until Fiscal Year 2022 because open enrollment is not until March. She also stated that she does not believe that this change can take place unilaterally, but some sections of the law allow for a significant savings, but they have to be similar plans. She then stated that another consideration would be to add an additional plan option, which would be a high deductible plan that may not be a worthwhile consideration to an employee but possibly there could be an additional level of a HMO which may have higher copays but not as extreme as a high deductible plan, but also not as generous as the current plans that are offered. She also stated that possibly changing vendors from Blue Cross and Blue Shield to Tuft's Health Plan or Harvard Pilgrim Health Care may be a cost savings to the City. Councilor Shawn E. Cadime stated that he has stated that he would like to work with the Administration on this budget, however it is not the responsibility of the City Council to find line item cuts as those changes should come from the Administration. He also stated that if trash fees need to be considered, that request needs to begin with a request from the Administration. He also stated that he is adamantly opposed to the GIC because the City will have no control and this is not good for employees. Councilor Shawn E. Cadime then asked the Director of Financial Services for the balance in the Employer Trust Fund. The Director of Financial Services stated that the balance is approximately \$3,800,000.00. Councilor Shawn E. Cadime then asked if the City receives any interest on these funds. The Director of Financial Services stated that the City does not receive any interest on these funds, as the funds are held by Blue Cross and Blue Shield. Councilor Shawn E. Cadime then stated that he is in support of the motion made by Council President Cliff Ponte. Councilor Michelle M. Dionne stated that she is in agreement that the GIC is not in the best interest of the employees and also stated that she can attest to that as she is currently insured through the GIC. She also stated that she is in support of the motion made by Council President Cliff Ponte. Councilor Trott Lee stated that there is \$70,000.00 listed under other for the Library and he would like to know what these funds are for. The Director of Financial Services stated that she is unsure, but will forward that information to him tomorrow. Councilor Christopher M. Peckham stated that he is also in agreement with the motion made by Council President Cliff Ponte. He then stated that he has gone on record stating that if there were any cuts to public safety in the Fiscal Year 2021 Budget, he would not be in support of the budget. He then asked the Director of Financial Services what year of the Safer Grant the City is currently in. The Director of Financial Services stated that she

believes the City is in year two of the grant. Councilor Christopher M. Peckham then asked the Director of Financial Services, since the City is not hiring additional firefighters as required by the Safer Grant, how will these funds be reimbursed? The Director of Financial Services stated that she believes the Fire Chief is applying for waivers in this regard. Councilor Linda M. Pereira stated that many cities and towns are attempting to be removed from the GIC, so she cannot understand why the City would consider joining the GIC. She then stated that she would like to have a discussion regarding health insurance with all the necessary parties in attendance. She also stated that she would like to have the Police Chief and the Fire Chief available to answer questions regarding their needs. She then stated that possibly some of the CARES ACT funding may be used to assist the Police and Fire Departments. She also stated that she preferred when department heads were Civil Service, because they could speak the truth and be honest with the City Council without fear of losing their jobs. Councilor Leo O. Pelletier stated that every time there are changes to the health insurance plans, it costs the employees more because co-payments are increased. He then stated that due to the transient population of the City, the Police Department is needed more and more. He also stated that many of the people that are arrested in Fall River are not permanent residents of the city. Councilor Leo O. Pelletier then stated that not funding vacant positions in the Police Department does not make sense with the increased crime that is happening throughout the country. The Director of Financial Services stated that the Chief of Police will be in attendance at the meeting scheduled for Wednesday evening to discuss his department. Councilor Leo O. Pelletier then asked what unions are negotiating salary increases. The Director of Financial Services stated that the City is currently in negotiations with the Police, Teamsters and Custodians unions. Councilor Leo O. Pelletier then asked the Director of Financial Services, if these unions negotiate any salary increases would these funds be listed in this proposed budget. The Director of Financial Services stated that those funds are not part of this proposed budget. Councilor Leo O. Pelletier then asked the Director of Financial Services what amount is being considered by the Administration for a trash fee. The Director of Financial Services stated that she does not believe the Administration has vetted out what the proposed amount would be, but that when the trash fee existed under the Sutter Administration, it was ten dollars per month per unit. Council President Cliff Ponte stated that just for clarification, the unfunded positions for the Police Department are, 12 positions totaling \$670,203.00 and the unfunded positions for the Fire Department are, 13 positions totaling \$742,368.00 and these amounts do not include any buyouts for retirements. Councilor Pam Laliberte-Lebeau stated that she is in agreement with the motion made by President Cliff Ponte. She also stated that she is in agreement that having discussions now regarding a proposed budget that may be returned to the Administration is probably not a good idea. Councilor Shawn E. Cadime stated that the 17.8% increase for Blue Cross and Blue Shield seems extreme. He then stated that in all the years that he has been involved in health insurance, he has never seen an increase over 10%. The Director of Financial Services stated that these amounts are estimates from the consultants hired by the City. President Cliff Ponte then asked if when these estimates are presented, the Administration just accepts them without discussion. The Director of Financial Services stated that much discussion does take place on these matters, but the City must rely on the insurance specialists for their expertise. Councilor Shawn E. Cadime stated that he would rather be short on net school spending and transfer any necessary funds at the end of the year, than have any reductions to public safety. He then stated that if a 10 year analysis of health insurance were conducted, it still would not show any increases over 10%. Councilor Christopher M. Peckham stated that the City of Fall River increased to 12 police sector cruisers per shift in 1965. He then stated that when cuts were made in 2009 the City returned to 10 police sectors per shift to cover the entire city. Councilor Pam Laliberte-Lebeau stated that in the letter from the Mayor it states that some vacant positions are unfunded and some are funded. She then asked the Director of Financial Services what positions are funded. The Director of Financial Services stated that the vacant positions that are funded are the City Administrator and

the City Engineer. Councilor Pam Laliberte-Lebeau asked if there is a listing of the turn back amounts from all departments. The Director of Financial Services stated that they are listed on pages 2 and 3 of the Quarter 4 Budget Report.

Council President Cliff Ponte stated that there is a pending motion to return the budget to the Mayor with a request for a reduction of \$1,400,000.00 from health insurance to provide adequate staffing levels for public safety and explore other cost saving methods in the proposed Fiscal Year 2021 Budget. He then stated that after this vote there are budget deliberations scheduled for tonight, tomorrow and Wednesday and if the previous motion carries, there will be no budget before the City Council to discuss. Councilor Bradford L. Kilby asked the Director of Financial Services what the time frame will be for the resubmission of a budget. The Director of Financial Services stated that she would need to speak with the Administration and would work as diligently as possible to submit a revised budget to the City Council. She then stated that she cannot speak for what changes the Administration could agree with, so she cannot foresee how long this process will take. Councilor Shawn E. Cadime stated that he does not want to rush the Administration to make any of the requested changes. The Director of Financial Services stated that a budget for the month of September is necessary, therefore a budget will need to be in place by September 1, 2020. Councilor Shawn E. Cadime stated that cancelling the scheduled meetings for the remainder of this week and rescheduling meetings for next week would be appropriate. Council President Cliff Ponte requested a roll call on the motion to return the budget to the Mayor with a request for a reduction of \$1,400,000.00 from health insurance to provide adequate staffing levels for public safety and explore other cost saving methods in the proposed Fiscal Year 2021 Budget and the motion carried 8 yeas, 1 nay, with Councilor Linda M. Pereira voting in the negative. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to cancel the scheduled meetings for the remainder of the week.

Citizens' Input Time – After Discussion of Financial Matters:

None

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 7:05 p.m.

List of documents and other exhibits used during the meeting:

Citizens' Input Communication

Agenda packet (attached)

DVD of meeting


Clerk of Committees

AUGUST 24, 2020

COMMUNICATIONS

SUBMITTED

FOR

CITIZENS' INPUT

8/24/2020

Mail - City_Council@fallriverma.org

23

[EXTERNAL] 8/24/2020 Citizens Input

Collin Dias <collind00@aol.com>

Mon 8/24/2020 11:10 AM

To: City Council <City_Council@fallriverma.org>;

Cc: City Clerk <city_clerks@fallriverma.org>;

RECEIVED

2020 AUG 24 A 11: 24

CITY CLERK _____
FALL RIVER, MA

Fall River City Council August 24th, 2020 Meeting Citizens Input
Collin Dias, 560 Ray Street, Fall River, Massachusetts 02720

Topic: FY Budget

Good afternoon Council President and members of the City Council,

Before you today are the start of budget deliberations for the FY 2020. I believe Council President Ponte set up a good tempo for the meeting when he said we're going to scrub at every dollar we can find, and I agree with the council President when he stated that not every possible dollar was quote on quote "scrubbed at" when this budget was presented.

I believe this Council and this city needs to have a clear vision. Councilor Cadime said it perfectly when he discussed the Council wanted to fund projects, then vote against mechanisms to actually fund said projects.

In the short term, we need to make investments into our community. I 100% agree with John Perry that this city needs to invest in a transfer station which can be further transformed into a gasification plant. This city will be better prepared in the future if we do so. We can cut down on the trash costs and open our city to the region and bring in much needed revenue into our city.

The only way this is possible is if the council and the administration supports a mechanism to fund such of an endeavor.

Lastly, I am going to comment at every single meeting on ways we can cut on some costs. At tonight's meeting, let's discuss the fuel. Attached to this citizens input are fuel logs which rack into the thousands in price. I believe there has been a misuse of City fuel which we could look into auditing and cutting down on.

Respectfully submitted,

- Collin Dias

Edited By	Edit Date	Trans Type	Trans Num	Site	Employee / Employee I	Department	Department	Vehicle Nu	Vehicle Des	Odometer	Fueling Poi	Product Nu	Product Na	Quantity U	Trans Date
0	#####	Insert	5259	Fall River P	1229 CORREIA, J.	1	Fall River P	507	PD-507 20:	0	1	1	Unleaded	0	#####
0	#####	Insert	5262	Fall River P	1229 CORREIA, J.	1	Fall River P	507	PD-507 20:	0	1	1	Unleaded	13.54	#####
0	#####	Insert	5527	Fall River P	1229 CORREIA, J.	1	Fall River P	507	PD-507 20:	0	1	1	Unleaded	20.375	#####
0	#####	Insert	5754	Fall River P	1229 CORREIA, J.	1	Fall River P	507	PD-507 20:	0	1	1	Unleaded	21.786	#####
0	#####	Insert	5864	Fall River P	1229 CORREIA, J.	1	Fall River P	507	PD-507 20:	0	1	1	Unleaded	17.647	#####
0	#####	Insert	5845	Fall River P	1229 CORREIA, J.	1	Fall River P	507	PD-507 20:	0	1	1	Unleaded	16.517	#####
0	#####	Insert	6046	Fall River P	1229 CORREIA, J.	1	Fall River P	507	PD-507 20:	0	1	1	Unleaded	18.592	#####
0	#####	Insert	6111	Fall River P	1229 CORREIA, J.	1	Fall River P	507	PD-507 20:	0	1	1	Unleaded	24.338	#####
0	#####	Insert	6258	Fall River P	1229 CORREIA, J.	1	Fall River P	507	PD-507 20:	0	1	1	Unleaded	20.106	#####
0	#####	Insert	6384	Fall River P	1229 CORREIA, J.	1	Fall River P	507	PD-507 20:	0	1	1	Unleaded	20.045	#####
0	#####	Insert	6623	Fall River P	1229 CORREIA, J.	1	Fall River P	507	PD-507 20:	0	1	1	Unleaded	10.193	#####
0	#####	Insert	6745	Fall River P	1229 CORREIA, J.	1	Fall River P	507	PD-507 20:	0	1	1	Unleaded	17.101	#####
0	#####	Insert	6815	Fall River P	1229 CORREIA, J.	1	Fall River P	507	PD-507 20:	0	1	1	Unleaded	19.122	#####

Edited By	Edit Date	Trans Type	Trans Num	Site	Employee / Employee I	Department	Department	Vehicle Nu	Vehicle Des	Odometer	Fueling Poi	Product Nu	Product Na	Quantity U	Trans Date
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0	#####	Insert	7025	Fall River P	1229 CORREIA, J.	1	Fall River P	507	PD-507 20:	0	1	1	Unleaded	19.994	#####
0	#####	Insert	7265	Fall River P	1229 CORREIA, J.	1	Fall River P	509	PD-507 20:	0	1	1	Unleaded	22.596	#####
0	#####	Insert	7351	Fall River P	1229 CORREIA, J.	1	Fall River P	509	PD-507 20:	0	1	1	Unleaded	18.113	#####
0	#####	Insert	7551	Fall River P	1229 CORREIA, J.	1	Fall River P	509	PD-507 20:	0	1	1	Unleaded	15.635	#####
0	#####	Insert	7594	Fall River P	1229 CORREIA, J.	1	Fall River P	509	PD-507 20:	0	1	1	Unleaded	17.641	#####
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0	#####	Insert	8024	Fall River P	1229 CORREIA, J.	1	Fall River P	509	PD-507 20:	0	1	1	Unleaded	14.842	#####
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0	#####	Insert	8251	Fall River P	1229 CORREIA, J.	1	Fall River P	509	PD-507 20:	0	1	1	Unleaded	14.641	#####
0	#####	Insert	8338	Fall River P	1229 CORREIA, J.	1	Fall River P	509	PD-507 20:	0	1	1	Unleaded	16.304	#####
0	#####	Insert	8425	Fall River P	1229 CORREIA, J.	1	Fall River P	509	PD-507 20:	0	1	1	Unleaded	22.28	#####
0	#####	Insert	8753	Fall River P	1229 CORREIA, J.	1	Fall River P	509	PD-507 20:	0	1	1	Unleaded	17.213	#####
0	#####	Insert	8840	Fall River P	1229 CORREIA, J.	1	Fall River P	509	PD-507 20:	0	1	1	Unleaded	12.908	#####
0	#####	Insert	8899	Fall River P	1229 CORREIA, J.	1	Fall River P	509	PD-507 20:	0	1	1	Unleaded	13.442	#####
0	#####	Insert	9128	Fall River P	1229 CORREIA, J.	1	Fall River P	509	PD-507 20:	0	1	1	Unleaded	19.579	#####
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0	#####	Insert	9751	Fall River P	1229 CORREIA, J.	1	Fall River P	509	PD-507 20:	0	1	1	Unleaded	23.075	#####
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0	#####	Insert	10147	Fall River P	1229 CORREIA, J.	1	Fall River P	1509	PD-507 20:	0	1	1	Unleaded	8.208	#####
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0	#####	Insert	10564	Fall River P	1229 CORREIA, J.	1	Fall River P	1508	PD-507 20:	0	1	1	Unleaded	22.68	#####
0	#####	Insert	10793	Fall River P	1229 CORREIA, J.	1	Fall River P	1509	PD-507 20:	0	1	1	Unleaded	19.244	#####
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0	#####	Insert	11310	Fall River P	1229 CORREIA, J.	1	Fall River P	1509	PD-507 20:	0	1	1	Unleaded	23.550	#####
0	#####	Insert	11438	Fall River P	1229 CORREIA, J.	1	Fall River P	1509	PD-507 20:	0	1	1	Unleaded	22.284	#####
0	#####	Insert	11575	Fall River P	1229 CORREIA, J.	1	Fall River P	1509	PD-507 20:	0	1	1	Unleaded	18.007	#####
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0	#####	Insert	11844	Fall River P	1229 CORREIA, J.	1	Fall River P	1509	PD-507 20:	0	1	1	Unleaded	20.482	#####

0 ##### Insert	11928 Fall River P	1229 CORREIA, J	1 Fall River P	1509 PD-507 201	0	1	1 Unleaded	19.075	#####
0 ##### Insert	12076 Fall River P	1229 CORREIA, J	1 Fall River P	1509 PD-507 201	0	1	1 Unleaded	24.081	#####
0 ##### Insert	12217 Fall River P	1229 CORREIA, J	1 Fall River P	1509 PD-507 201	0	1	1 Unleaded	18.013	#####
0 ##### Insert	12491 Fall River P	1229 CORREIA, J	1 Fall River P	1509 PD-507 201	0	1	1 Unleaded	22.986	#####
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0 ##### Insert	13118 Fall River P	1229 CORREIA, J	1 Fall River P	1509 PD-507 201	0	1	1 Unleaded	19.785	#####
0 ##### Insert	13385 Fall River P	1229 CORREIA, J	1 Fall River P	1509 PD-507 201	0	1	1 Unleaded	15.647	#####
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0 ##### Insert	13956 Fall River P	1229 CORREIA, J	1 Fall River P	1509 PD-507 201	0	1	1 Unleaded	15.282	#####
0 ##### Insert	14144 Fall River P	1229 CORREIA, J	1 Fall River P	1509 PD-507 201	0	1	1 Unleaded	16.05	#####
0 ##### Insert	14274 Fall River P	1229 CORREIA, J	1 Fall River P	1509 PD-507 201	0	1	1 Unleaded	15.056	#####
0 ##### Insert	14410 Fall River P	1229 CORREIA, J	1 Fall River P	1509 PD-507 201	0	1	1 Unleaded	19.345	#####
0 ##### Insert	14435 Fall River Police Dept		1 Fall River P	1509 PD-507 201	0	1	1 Unleaded	0	#####
0 ##### Insert	14436 Fall River P	1229 CORREIA, J	1 Fall River P	1509 PD-507 201	0	1	1 Unleaded	15.168	#####
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Fuel Transactions (complete format)

From 07/01/2019 00:00 To 06/30/2020

Page 1 of 1

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SITE VEH	TRAN	DATE	TIME	PR	PR	PRICE	QTY	ERR	TOTAL	QUANTITY	MILES	MPG	KEY1	KEY2
GRAND TOTAL:										100191.19	35723.400	24998		

Records requested
DEPT : DPW Ascending
PR : ALL Ascending

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2020 AUG 21 P 2:22

CITY CLERK
FALL RIVER, MA

DISCARD - TOTAL DOLLARS \$
DUE TO FLUCTUATION OF
GAS PRICES MONTH TO MONTH

COMMITTEE ON FINANCE

MEETING: Monday, August 31, 2020 at 4:00 p.m.
Council Chamber, One Government Center

PRESENT: President Cliff Ponte, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne,
Bradford L. Kilby, Pam Laliberte-Lebeau, Trott Lee,
Christopher M. Peckham, Leo O. Pelletier and Linda M. Pereira

ABSENT: None

IN ATTENDANCE: Mary Sahady, Director of Financial Services
John Perry, Director of Community Maintenance
Kenneth C. Pacheco, Chief Operating Officer, Fall River School
Department
Kevin Almeida, Chief Financial Officer, Fall River School Department
Laura Ferreira, Director of Traffic
Nelia Raposo, Administrator of Assessing
Alan J. Rumsey, Corporation Counsel
Glenn Hathaway, Director of Code Enforcement
John D. Lynch, Fire Chief, Fall River Fire Department
Jeffrey Cardoza, Chief of Police, Fall River Police Department
Madeline Coelho, Director of Human Services
Diane LaFlash, Representative from Gallagher Benefit Insurance
Services, 69 Rumonoski Drive, Northbridge, MA 01534
Chris Nunnally, Representative from Gallagher Benefit Insurance
Services, 44 Cross Street, Lakeville, MA, 02347

The chair called the meeting to order at 4:08 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, persons are allowed 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. Due to the COVID-19 Essential Service Advisory, this meeting is closed to the public. The meeting will be available for viewing at <http://frgtv.fredtv.us> and Channel 18. Citizen input must be submitted by email to city_council@fallriverma.org by August 31, 2020 at 2:00 p.m. to be read at the meeting.

The City Clerk read a communication received from a city resident, copy of which is attached hereto and made a part of these minutes.

1. Citizen Input

Citizens' Input Time – Before Discussion of Financial Matters:

Collin Dias, 560 Ray Street – FY 2021 Municipal Budget and methods to cut costs

2. Continuation of discussion with the following department heads regarding the proposed Fiscal Year 2021 Municipal Budget referred on August 11, 2020:

- Director of Financial Services
- Fire Chief
- Director of Emergency Medical Services
- Chief of Police
- Director of Community Maintenance
- Director of Code Enforcement
- Corporation Counsel
- Chief Financial Officer for the School Department
- Chief Operating Officer for the School Department
- Director of Human Services
- Director of Traffic
- Director of Information Technology
- Administrator of Assessing
- Representative from Gallagher Benefit Insurance Services

Council President Cliff Ponte stated that the Director of Financial Services had already made a presentation regarding the Fiscal Year 2021 Municipal Budget and asked if there were any other significant changes in revenue to disclose. The Director of Financial Services stated that the School Department had CARES funds that did not have the restrictions set in place for its use as did the municipal CARES funds, which allowed for the ability to utilize \$1,000,000.00 of the School Department CARES money to assist in funding nine firefighters and eleven patrolmen. She further noted that \$20,000.00 will go towards police training and \$25,000.00 for the Police Department performance audit. The Director of Financial Services stated that when the City Council had returned the budget, it was requested to reduce \$1.5 million dollars from health insurance. She said that after some consultation, they were able to reduce the \$3,500,000.00 in the health insurance appropriation to \$2,000,000.00, placing \$1,500,000.00 into stabilization.

Councilor Pam Laliberte-Lebeau asked the Director of Financial Services if the projected revenues were enough to sustain the budget if a second wave of COVID-19 forced another shut down. The Director of Financial Services stated that FY 2020 was a very unique year where businesses and government were primarily closed down in the fourth quarter. Fiscal Year 2021 has some uncertainty given the pandemic. She said that if another shutdown were to occur there may be some shortfalls in revenue, however there would also be a savings in expenses if certain functions could not occur due to a shutdown, such as a savings in the School Department transportation costs. She further stated that it is unknown as to what funds would be available from the federal and state governments. The Director of Financial Services stated that FY 2021 will be a challenging year. She said that the reduction of \$1.5 million dollars from health insurance will be placed in stabilization, however in the spring the Administration may have to come back to the City Council if the health insurance estimates come in higher than what they currently are. She said that they do not have all the supplemental Cherry Sheet information from the Governor, and that there will be a need to reevaluate the Charter School assessments/expenses as well as other assessments. She further stated that if Congress decides to loosen the restrictions on the use of CARES funds, the Mayor may be looking to use the money to fund some other positions or other areas of government. Councilor Pam Laliberte-Lebeau stated that she is concerned that would be considered, due to the structural deficit in the proposed budget. The Director of Financial Services stated that this year, every other

community in the Commonwealth is using one time money. Fall River is proposing to use \$2,000,000.00, which is much less than its sister cities are using. She said it is unfortunate and understands there is a structural deficit, however they are looking at different areas where they can save and restructure the budget such as in health insurance and extending the amortization schedules for pensions. Councilor Pam Laliberte-Lebeau then asked if there were any plans to generate new revenues. The Director of Financial Services stated that they are looking at different areas in trash pickup and possibly reinstating a trash fee.

Councilor Trott Lee asked the Director of Financial Services if she could update the Committee on the line item regarding billboards. The Director of Financial Services stated that there were seven applications submitted to the Department of Outdoor Advertising and only one site was approved to erect a billboard at Market Street and South Main Street. The other six applications were denied for various reasons. She further stated that the Mayor does not desire to move forward with a billboard at the Market Street and South Main Street location, but is open to revisit the idea of using billboards as a revenue source at other potential locations.

Councilor Michelle M. Dionne asked the Director of Financial Services when she referenced cutting expenses in solid waste, if she was referring to this proposed budget or looking ahead to the FY 2022 budget. The Director of Financial Services stated that they are looking at FY 2022 unless there is an opportunity to present a supplemental budget prior to setting the tax rate and the recap. She said if the Administration makes a determination regarding potentially reducing the expense of solid waste, the savings could be placed back into stabilization or used for other departmental needs.

Councilor Shawn E. Cadime asked the Director of Financial Services to explain what she is referring to when she says supplemental budget. The Director of Financial Services stated that the Governor has only announced state aid for unrestricted aid and Chapter 70 in order to provide information for the Cherry Sheet. The Governor still needs to provide further information regarding state aid and assessment information. Councilor Shawn E. Cadime then asked how the Administration plans on closing the structural deficit in FY 2022. The Director of Financial Services stated that they are planning to look at the plan designs within health insurance, they are also looking to extend the amortization schedule for PERAC, and potential savings in the area of trash disposal. She stated that she anticipates changes in the collection of solid waste for businesses. Councilor Shawn E. Cadime stated that he is not comfortable approving a budget with a structural deficit. He stated that he wants good government, and at times good government means difficult decisions need to be made. Councilor Shawn E. Cadime said he is not in favor of using one time money, and it will become very challenging in FY 2022 to determine how those funds will be replaced.

The Director of Traffic was called to discuss and answer questions pertaining to the proposed budget for the Traffic Department. Councilor Michelle M. Dionne asked the Director of Traffic how significant a .25 cent increase in the meter fee would affect the budget. The Director of Traffic stated that an analysis was done a few years ago to change meters and place kiosks in certain areas of the city that was denied by the City Council. She stated that Fall River is the only city in the Commonwealth that charges .25 cents for half hour parking and if it was decided to increase the fees, it would be best to install kiosks and give users the ability to pay by credit card. The Director of Financial Services stated if they were to charge .50 cents, the increase in revenue would be approximately \$300,000 minus the merchant fees for the kiosks and credit cards. Councilor Michelle M. Dionne stated that she would prefer to raise user fees than implement a household trash fee. Council President Cliff Ponte encouraged the Director of

Traffic to work with the Administration to increase revenue in her department and begin working on proposals to present to the City Council.

Councilor Bradford L. Kilby asked how much revenue was lost in the FY 2020 budget due to the COVID-19 shut down. The Director of Traffic stated approximately \$90,000. She stated that they did not tag vehicles for the remainder of March, and all of April and May. She further stated that they are currently taking in approximately \$2,400.00 in coins weekly, where they would normally collect \$6,300.00. She said the courthouse not being in full session attributed to the loss in revenue. The Director of Financial Services stated that due to the pandemic, she budgeted \$250,000.00 in parking meter receipts for FY 2021, \$50,000 less from what had been budgeted in FY 2020. She further stated that garage parking receipts exceeded what was originally budgeted in FY 2020. She stated that the Director of Traffic, in working with the Director of Facilities Maintenance, was able to increase spaces available in the Third Street parking garage, which generated a significant increase in the amount that was originally budgeted in FY 2020. Councilor Bradford L. Kilby stated that there is a lot of unknowns and the virus may continue to be a huge factor that may impact the proposed budget.

Councilor Pam Laliberte-Lebeau asked the Director of Traffic for an update on the parking garages. The Director of Traffic stated that the Director of Facilities Maintenance has been working diligently in repairing the roof and holes in the floors of the garages. She stated that she will have 65 new spaces available and that they will be continuing repairs in other sections of the garages that will not interfere with parking.

Councilor Shawn E. Cadime stated that there is an ordinance in place that allows for a vehicle to be tagged twice that has not been utilized since 2006, and asked how much revenue could potentially be generated if that ordinance was followed. The Director of Traffic stated that by city ordinance vehicles can be tagged twice only in certain areas. She stated that it would bring in some revenue, but not as significant as a .25 cent meter fee increase.

Councilor Leo O. Pelletier asked if there were still any parking meters in the Flint area. The Director of Traffic stated that the meters on Pleasant Street were removed during the Lambert Administration and that meters are currently only installed up to Ninth Street. Councilor Leo O. Pelletier then asked if they were considering using kiosks in all areas of the city to replace the meters. The Director of Traffic said when they performed their analysis a few years ago, it was determined that kiosks would only be used in high volume locations such as the courthouse, Rock Street, High Street, and areas of North Main Street and South Main Street. Areas such as Pine Street or Elm Street would continue to have meters, however she would like to replace them with digital meters that could accept credit cards. She further stated that different areas could have different fees, if approved by the City Council.

Councilor Linda M. Pereira stated that businesses in the downtown area have metered parking whereas businesses on Pleasant Street do not. As such, she feels that it should be more equitable for all businesses, and kiosks should be proposed again. Councilor Linda M. Pereira asked how much attorneys were charged for the use of the garage. The Director of Traffic said the attorneys pay \$45.00 per month for a five day pass, and many residents from Borden East, Borden West, and the Academy Building rent parking spaces for \$50.00 per month for a seven day pass. Councilor Linda M. Pereira then asked which ordinance referenced the use of red or blue bags that are used on meters, and what was the associated fee. The Director of Traffic said the red bags are used when there is an event such as elections that are held at Government Center, and the red bags are not in ordinance. The blue bags are meter occupancy

permits that are established in ordinance. Those permits can be purchased for \$10.00 per day per parking space, and is primarily used when there is construction on a street.

The Administrator of Assessing was called to discuss and answer questions pertaining to the Assessors Office proposed budget. Councilor Bradford L. Kilby stated that under the Sutter Administration, while he was the Assessor, he undertook the monumental task of compiling data for the implementation of the household trash fee. He asked the current Administrator of Assessing if her department has been keeping the information and data entry up to date if the current Administration decides to reinstate the household trash fee. The Director of Financial Services stated that they have been collecting information via Patriot Properties and that the Administrator of Assessing along with the Director of Community Maintenance have been working together to determine what the revenue would be. She said there is still ongoing discussion to determine if a five family or six family residence and up is considered a business, and if they will be servicing those properties.

Councilor Michelle M. Dionne asked if the Assistant Assessor II position was going to be filled. The Administrator of Assessing stated that it will not be filled. The Director of Financial Services stated that the position has been removed from the budget. She stated that there were two positions in Facilities Maintenance, two positions in Streets and Highway, and the one Assistant Assessor II position that were no longer being funded. Councilor Michelle M. Dionne noted that the Assistant Assessor II position was not listed as a position that was no longer being funded. Council President Cliff Ponte asked the Director of Financial Services to investigate if that position was in fact removed so that the correct adjustment can be made in the budget. Councilor Shawn E. Cadime stated that he hopes the position is still funded and will be filled. He stated that a city of our size, having one Head Assessor and two Assistant Assessors is not enough given the duties of the department. Councilor Linda M. Pereira and Councilor Bradford L. Kilby stated that they would also like that position to be funded and filled.

Corporation Counsel was called to discuss and answer questions pertaining to the proposed budget for the Office of the Corporation Counsel. Councilor Linda M. Pereira asked how the staffing in his office compares to other communities of similar size as Fall River. Corporation Counsel stated that the City of New Bedford has four full-time and five part-time attorneys, and utilizes some outside legal counsel, with an annual budget of \$1,068,231.00. The City of Brockton has five full-time and two part-time attorneys, utilizes some consultants, with a budget of \$1.6 million dollars. The City of Fall River has one full time and one part-time attorney, utilizes some outside consultants, with a proposed annual budget of approximately \$725,000. Attorney Alan J. Rumsey stated that he feels his department is extremely under staffed and under budgeted. Attorney Alan J. Rumsey also noted that claims and Workers' Compensation cases should have a shorter response time, but due to the workload and lack of staffing, it takes longer than what would be expected.

Councilor Shawn E. Cadime asked why the second Assistant Corporation Counsel position was eliminated. Attorney Alan J. Rumsey stated that when he took over the position of Corporation Counsel in January, he wanted to evaluate the operations of the office and what needs it may have. He stated that due to the COVID-19 shutdown he did not feel it was an ideal time to fill the position during the shutdown. Once things began to reopen, it was now time for a new budget and he saw that the position was removed, but would like to have it be reinstated. Councilor Shawn E. Cadime stated that he agrees that the position needs to be filled. He stated that Attorney Gary Howayeck is only part time leaving Attorney Alan J. Rumsey as the only full time attorney in the office, and given the duties of the office another full time Assistant Corporation

Counsel is greatly needed. Councilor Linda M. Pereira stated that departments have a better opportunity to find ways of increasing revenue when they are appropriately staffed.

Councilor Bradford L. Kilby stated that Assistant Corporation Counsel Howayeck's legal firm is contracted to perform some work, and asked if that was considered a conflict. Attorney Alan J. Rumsey stated that work is contracted out to Attorney Renee Howayeck, the spouse of Attorney Gary Howayeck, and that she has been working for the City for a number of years. He stated that he is very pleased with her performance and it is cost effective to use her given the rate she charges is very reasonable. He further stated that he does not feel there is an issue that would pose a conflict because he issues the work assignments not Attorney Gary Howayeck.

The Director of Code Enforcement was called to discuss and answer questions pertaining to the proposed budget for the Inspectional Services Department. Councilor Pam Laliberte- Lebeau asked if nuisance properties were being fined/warned appropriately. The Director of Code Enforcement stated that during the COVID-19 shutdown the Director of Minimum Housing had assigned inspectors to go to certain areas of the city looking for any violations and were issuing fines. He said they have been successful with receiving payments on the fines, however there are still many outstanding fines that are uncollected or awaiting a hearing. The Director of Code Enforcement also stated that there was an increase in the dumping of bulky items and mattresses throughout the city, and the Director of Community Maintenance has been working along with the Director of Minimum Housing to clean up the various areas and cite violators. Councilor Pam Laliberte- Lebeau asked if there were enough inspectors to handle the volume of calls and inspections. The Director of Code Enforcement stated that he feels he has enough staff at this time, and noted that the two sanitation inspectors have been assisting the housing inspectors.

Councilor Leo O. Pelletier stated that he has received complaints regarding the timeline for the issuance of building permits, stating some applicants receive them within two days of applying while others take two to three weeks. The Director of Code Enforcement stated that many applicants do not fill out the applications properly, some do not provide the proper documentation that is requested such as licenses or site plan review, or some fail to mail in payments in a timely fashion which will delay the issuance of a permit.

Councilor Trott Lee asked if the Community Development Agency assists in funding his department. The Director of Code Enforcement explained that there are times he has reached out to the Community Development Agency on an emergency basis, to provide assistance with hotel accommodations and the expenses associated with the hotel stay when constituents were displaced from a property that needed to be vacated. He said that he does not have allocated funds in his budget that allow for him to assist in the temporary housing. He further stated that there have been a few cases that he has had to vacate a building and place individuals in a hotel due to unsafe living conditions. He said attempts are made to contact the landlords but most times they are unsuccessful. He has made arrangements to house people, and then places a lien on the property until the expenses are reimbursed back to the City.

Councilor Linda M. Pereira asked if the vacant property fees are being utilized. The Director of Code Enforcement stated that they do issue the fees which are \$500 for the first year and \$500 for each additional year that the house remains vacant. Councilor Linda M. Pereira asked what account the money is placed in. The Director of Code Enforcement said it is placed in the vacant properties account which then carries over to the demolition account. Councilor Linda M. Pereira asked if he has enough money budgeted for demolition. The Director of Code

Enforcement stated there is never enough money for demolition, and may come back later in the year to request an increase in funds.

Council President Cliff Ponte called for a 20 minute recess at 6:09 p.m. and reconvened at 6:38 p.m.

Councilor Michelle M. Dionne stated that she heard an announcement on the radio that a new Community Outreach Worker was hired, and that the position is funded through the City and the Housing Authority, and asked the Director of Financial Services if this was accurate. The Director of Financial Services stated that the position is funded through the Community Development Agency and the Housing Authority, not the City. Councilor Michelle M. Dionne then asked for an update on the City Administrator position. The Director of Financial Services stated that it is funded in the budget but currently the position is not filled. Councilor Michelle M. Dionne asked if the position was still being advertised. The Director of Financial Services said at this time, it is not being advertised. Councilor Michelle M. Dionne then asked if the position for the City Engineer will be filled. The Director of Financial Services stated that there is a potential candidate that will be interviewed. Councilor Michelle M. Dionne then indicated that the last budget had three Project Specialists in the Auditors Office and FY 2021 budget has four. The Director of Financial Services stated that there was no longer an Assistant Auditor position so adding the additional Project Specialist who primarily works on payroll saves the City money.

The School Department Chief Financial Officer and the Chief Operating Officer were requested to answer questions pertaining to the proposed School Department budget. Councilor Trott Lee stated that under general classroom supplies, in the nurses section, there was an increase from \$8,500 to \$57,000 and asked why there was such a significant increase. The Chief Financial Officer stated that earlier in the year the School Committee voted to purchase new automated external defibrillators (AEDs), placing at least one at each school and three at Durfee High School. Councilor Trott Lee then asked about the salary increases for guidance counselors. The Chief Financial Officer stated that there were two new guidance counselors hired for the RPA School and this year they increased positions with school adjustment counselors to aid in social emotional support.

The Director of Human Services and representatives from Gallagher Benefit Insurance Services were called to discuss and answer questions pertaining to Insurance Services. Councilor Michelle M. Dionne asked the Director of Human Resources what her involvement and responsibility is in terms of determining the City's health care premiums and its funding obligations. The Director of Human Services stated that she and Diane LaFlash review claims prior to the open enrollment period, review various health plans, and obtain a rating on the claims. She along with Mrs. LaFlash meet with the Director of Financial Services to make sure they are comfortable with the numbers and percentage increases before meeting with the Insurance Advisory Committee. Councilor Michelle M. Dionne asked if the active employees and retiree plans renewed at different times. The Director of Human Resources said active employees renew their plans on July 1st and retiree plans renew on January 1st. Councilor Michelle M. Dionne asked the Director of Financial Services if there was only one Employer and one Employee Insurance Trust Fund. The Director of Financial Services said that was correct. Councilor Michelle M. Dionne then stated that there was only one group health care plan. The Director of Financial Services responded there is one group health care plan with an HMO plan and HSA Plan within it. Then there is the Medex Plan, dental plan, life insurance and other responsibilities. Councilor Michelle M. Dionne asked why the School Department and the Municipal side are divided in the budget as two separate plans. The Director of Financial Services stated it is for net school spending purposes. She further explained that the amount

stated in the budget for health insurance is for a transfer of that amount to the Employer Trust Fund, and that it is not paid from the General Fund. The appropriation order is made to transfer funds to the Employer Trust Fund and the Trust Fund makes the payments. She further stated that originally they had budgeted \$40,500,000.00 for health insurance, and at the request of the City Council it was reduced by \$1,500,000.00. Councilor Michelle M. Dionne asked Mrs. LaFlash what is the City's obligation for its 75% share of the FY 2021 health care premiums. Mrs. LaFlash stated that the total City exposure for FY 2021 based on a static enrollment given at the time of renewal is \$34,719,448.00. for active plans. Medex is not included. Councilor Michelle M. Dionne asked if that included any turn backs or reimbursements. Mrs. LaFlash said no, they try to create a funding rate that will carry the City through any expenses it may have. There is \$1,000,000.00 put at risk to bring down the funding rate, however they are very conservative because they cannot anticipate all the reimbursements and rebates that may come back to the City. Councilor Michelle M. Dionne asked what the Medex portion would be. The Director of Financial Services said it is \$7,695,216.00. Mrs. LaFlash stated that Medex with PDP, is driven by Medicare. She said it is difficult to gauge what the percentage increase will be each year. Mrs. LaFlash stated that in FY 2020 the percentage rate increase was 9%, therefore she plans conservatively and planned for a 9-9.5% increase for FY 2021. Mrs. LaFlash then was pleased to say that the renewal status quo with BCBS Medex II and Humana PDP came in at a 2.7% increase, much lower than projected. Councilor Michelle M. Dionne stated to be clear, the active plan has an increase of 5.7% and the retiree plan increase is 2.7%. She then said that both plans total \$42,414,664.00, and stated \$39,000,000.00 would be under funding. The Director of Financial Services stated that there are recoveries that Gallagher Benefit Insurance Services do not look at when they are setting the rates, such as funds that come in from school grants, BCTC contributions and others.

Council President Cliff Ponte asked if health insurance would be fully funded at \$39,000,000.00. The Director of Financial Services said she feels that \$39,000,000.00 will sufficiently fund health care costs for Fiscal Year 2021. Chris Nunnally stated that Gallagher Benefit Insurance Services develops a working rate from carrier projections, stop loss insurance, and fixed costs and provides the City with a projection. He further stated it is not their practice to speak in regards to the City's Trusts Funds or matters of that nature. Council President Cliff Ponte asked the Director of Financial Services if revenues projected were conservative. The Director of Financial Services said she could not say one way or another. She feels she is leaning more towards the conservative side when using the prior year's actuals, but indicated that the truest unknown is the stop loss insurance projection.

Councilor Trott Lee asked if health care costs increased, could funds from the CARES Act be applied to cover some of the cost. The Director of Financial Services stated that she is going to submit it as an eligible cost and see whether or not they are reimbursed. Councilor Linda M. Pereira asked if taking \$1,500,000.00 from Health Care and placing it in the Stabilization Fund, was to assist in funding the Police and Fire Departments. The Director of Financial Services said no, they received CARES Funds from the School Department to assist in funding the Police and Fire Departments. She further stated that she along with the team from Gallagher Benefit Insurance Services and the Director of Human Resources, looked at the estimates that were provided, looked at the reimbursements from the year prior, and made adjustments to the original schedule to bring it down to \$39,000,000.00. At this time she feels comfortable that this amount will fulfill all of the City's health care needs. Councilor Linda M. Pereira asked if stop loss insurance has been utilized at any point this year. Mrs. LaFlash said yes. The Director of Human Resources stated that stop loss information is provided monthly from Gallagher Benefit Insurance Services so she is aware as to what they are expected to receive. Council President

Cliff Ponte requested that going forward, the Director of Financial Services include stop loss insurance information in the Quarterly Report updates.

The Fire Chief was called to discuss and answer questions pertaining to the proposed budget for the Fire Department. Councilor Leo O. Pelletier asked the Fire Chief if he is comfortable with his staffing now that nine vacancies will be filled. The Fire Chief stated he is pleased the vacancies are being filled. He said he would like to have a compliment of 195, but feels he can manage with 187.

Councilor Shawn E. Cadaime stated that he does not agree with the narrative that has been set forth that the School Department is funding the Fire Department. He stated that the City found \$1.5 million from Health Care to fund Public Safety, and is using one time funding and creating a structural deficit. Councilor Shawn E. Cadime stated that in a perfect world the benchmark number for the Fire Department was 200. The Fire Chief said he was correct. The goal has always been to have a compliment of 200, but having had a compliment of 195 that is now at 187, he would like to get it back to 195 again with the ultimate goal of 200. Councilor Shawn E. Cadime stated that there needs to be a commitment in place between the Administration and the City Council to plan to fund the Fire Department over the next three to five years to get the compliment up to 200. Councilor Shawn E. Cadime then asked if given the duties and burnout rate of firefighters, it would be more cost effective to hire another individual than paying overtime. The Fire Chief stated they have guidelines in place to prevent burnout, only allowing to work so many hours per week or shifts in a row. The Fire Chief further stated that with salary and benefits, it costs approximately \$100,000.00 per firefighter, and last year they paid approximately \$800,000.00 in overtime, which is equivalent to eight positions.

Councilor Christopher M. Peckham asked the Fire Chief if there was a SAFER Grant waiver that would need to be applied for because the compliment was not at 195. The Fire Chief stated that the SAFER Grant looks at the manpower on the suppression side. The pre-SAFER number was 170 and they are at 155. The Fire Chief stated that when he files the quarterly reports to FEMA they look at the response time for fires, which have been very good, and then they look at the pre-SAFER number. If they see a continuing decline, a notice of warning is issued. The Fire Chief stated that he has reached out to FEMA explaining the financial constraints the City is in and if his budget is approved filling the nine vacancies he will then be able to apply for a waiver to lower the pre-SAFER number. Councilor Christopher M. Peckham then asked the Fire Chief what were some needs he had for the Fire Department. The Fire Chief said maintaining regular replacement of apparatus is always a priority, having reliable reserve trucks, and equipment. The Fire Chief stated that currently the equipment is in good condition, but noted that the stations are in need of maintenance, particularly the Center Station, Globe Station, and Stanley Station. He said he has been working with the Director of Facilities Maintenance and he is aware of the issues that need to be addressed. The Fire Chief indicated that he would like to see the Stanley Station be replaced at some point with a more modern facility.

Councilor Linda M. Pereira asked when the new firefighters will be hired. The Fire Chief said he would look to get the individuals in school by late October and hope to have them on the trucks by February. Councilor Linda M. Pereira said she is concerned that going forward to the next fiscal year that maintaining the compliment will be challenging. She said it is disappointing when the City spends time and money on schooling individuals, to later be faced with having to make cuts and the individuals look for new positions in other communities.

The Chief of Police was called to discuss and answer questions pertaining to the proposed Police Department budget. Councilor Leo O. Pelletier asked the Chief of Police how

many individuals are currently in the Academy. The Chief of Police stated there are six individuals currently in the Academy, and if the budget is passed he will be looking to place 12 more in the Academy. He stated that the individuals that graduate from the Academy in January will hopefully be operating a one man cruiser by August. He was also pleased to report that crime is down 17%.

Councilor Bradford L. Kilby asked if the candidates in the Academy are paid. The Chief of Police said they are paid beginning the first day they start the Academy, but the fees for the Academy are withdrawn from their salary. Councilor Bradford L. Kilby then asked if the candidates in the Academy are Fall River residents. The Police Chief said currently they have some Fall River residents and they are given preference.

Councilor Christopher M. Peckham asked if the training stipend was increased to include the candidates currently in the Academy. The Director of Financial Services said yes, as well as an additional \$25,000.00 included for de-escalation training. Councilor Christopher M. Peckham asked the Chief of Police if he feels that is enough funding for de-escalation training. The Police Chief stated he has contacted a few schools, and through some negotiations, he feels the funding will be enough to cover the training. Councilor Christopher M. Peckham then asked if there was anything else that the Chief of Police felt he needed for the Police Department. The Chief said funding to support manpower, training, and new vehicles.

Councilor Linda M. Pereira asked the Chief of Police if they would need more vehicles once candidates were done with the Academy. The Chief of Police stated that they will be updating vehicles that were used for Administrative purposes into front line cruisers. He further stated that he has had a discussion with the Mayor and they will be requesting funding from the Community Development Agency for three more vehicles. Councilor Linda M. Pereira then echoed what she had said previously to the Fire Chief, that she is concerned and hopes that moving forward to the next fiscal year they have the funds to maintain the much needed staffing levels for public safety.

Councilor Trott Lee stated that the maintenance and repairs for police vehicles were approximately \$40,000.00, and it may be beneficial to look towards funding for new vehicles. The Chief of Police said there is never enough funds for maintenance and repairs. The Chief of Police said they also utilize an Insurance Fund for repairs for which they were not at fault. Councilor Trott Lee asked if there was any maintenance needed at the station. The Chief of Police stated that he is working with the Director of Facilities Maintenance and his staff will be performing work to keep the facility up to code for National Accreditation. He also stated that there were muddled areas in the parking lot that required attention. The Chief of Police said he spoke with the Director of Community Maintenance and John Perry was able to use some funds from his budget to lay gravel and pave the areas of the parking lot. The Chief of Police also noted that replacing windows at the station will be something to plan for in the near future.

At 8:49 p.m. Council Vice President Pam Laliberte-Lebeau took the podium so that Council President Cliff Ponte could step out of the Council Chamber.

Councilor Michelle M. Dionne questioned the line item which refers to overtime for special civic events. The Director of Financial Services stated the City Auditor and the Account Manager from the Police Department are working to get the specifics of which events were paid through that overtime account. Councilor Michelle M. Dionne stated that there could be adjustments made to that line item that could pay for a new cruiser each year.

Council President Cliff Ponte returned to the podium at 8:52 p.m.

Councilor Linda M. Pereira asked if the Police Department was using drones. The Chief of Police said yes. One was funded through the Sheriff's Office and the other was funded through the Police Department a few years ago, and are used frequently.

Councilor Shawn E. Cadime asked for the total number of full time non-civilian employees. The Director of Financial Services stated there is one Chief, two Deputy Chiefs, 4 Captains, 13 Lieutenants, 32 Sergeants, and 181 patrolmen, and of the 181 patrolmen, 23 are paid by grants. The Chief of Police stated that to be effective, the bare minimum is 235 officers and they are at 234. He stated that he would like to get close to what the City of New Bedford's Police Department has, which is approximately 265. The Chief of Police stated that as a command staff there are many things they would like to do but it comes down to having the manpower or enough in an overtime budget to do it. With more manpower they can address more issues. Having more officers on Vice would mean more search warrants issued, more officers in Major Crimes would mean cases could be resolved quicker, so for now they prioritize the workload. Councilor Shawn E. Cadime stated that he would like the Chief of Police to work with the Administration to determine a number of officers as a future goal for the Department. The Director of Financial Services stated that a performance audit will be conducted and once the results and suggestions are disclosed from the audit they may have a better idea as to what an ideal staffing number would be. Councilor Shawn E. Cadime stated that he is pleased that the City Council made the motion to return the previous proposed budget because now there was funding made available to fund the 11 positions in the Police Department. The Director of Financial Services stated that an additional \$300,000 was added to the overtime budget and \$45,000 on the expense side. Councilor Shawn E. Cadime stated that he is glad that they were now able to fund public safety, however sharing the same sentiment as Councilor Linda M. Pereira, he is concerned that there is a structural deficit in the budget. He further stated that looking ahead from a sustainability standpoint, there would need to be a plan design to generate some savings, employees would need to move into a higher deductible health plan, and other revenues would need to be generated or else cuts will need to be made going forward. Councilor Shawn E. Cadime then stated that there is too much money spent in overtime. The Chief of Police stated that there are four months out of the year that are the most requested for time off and in service training, and in order to keep a 12 car patrol he needs \$325,000.00 in overtime to have coverage 365 days a year. Councilor Shawn E. Cadime stated that he does not understand why managerial rights are not exercised, and that all vacation and time off is not a guarantee when it is costing \$350,000 in overtime. He then stated that specialty expenses such as SWAT Team trainings and the competitions that they attend should not be done if overtime funding needs to be spent for minimum manning. Councilor Shawn E. Cadime then asked the Director of Financial Services if she were in his position, would she vote to approve the budget that is before her? The Director of Financial Services said yes she would. She stated that she truly believes that this is a very trying budget year, COVID-19 brought on many unexpected and unknown factors into the budget, the loss of \$2 million dollars in revenue from Pay as You Throw, and going forward there is a lot of work that needs to be done. She stated that they had to present two one month budgets because the Commonwealth of Massachusetts was also having challenges putting together a budget given the circumstances that have occurred this year due to the pandemic. Councilor Shawn E. Cadime said the City had two one month budgets because the Administration did not want to take the opportunity to create a level funded budget in June. The Director of Financial Services stated that they could not have put together a level funded budget due to the School Department receiving \$6 million dollars that the City was not prepared to put \$1.2 million dollars into in order to meet net school spending. Councilor Shawn E. Cadime stated that there is a structural deficit in the budget and given Mrs.

Shaday's financial background was surprised that she would support this budget. He stated that this type of deficit will not be able to be made up in FY 2022 and it will only be worse. He expressed frustration that the Administration and the Mayor have not followed through with his suggestions, and that the City Council being presented a budget with a structural deficit on the very last day, and stated "Good government needs to take place now in this fiscal year and if cuts need to be made then that is what should be done."

The Director of Community Maintenance was called to discuss and answer questions pertaining to the Department of Community Maintenance proposed budget. Councilor Michelle M. Dionne asked for the status of the use of the blue recycling carts at the Housing Authority. The Director of Community Maintenance stated that there is a tentative agreement being discussed internally for the financial reimbursement of the collection of the carts, but he is confident that a deal should be in place by the end of September. Councilor Michelle M. Dionne then clarified that the option would be to keep the carts and the Housing Authority pay for the removal of the recyclables. The Director of Community Maintenance stated that was correct, or the other option was to remove the carts and the Housing Authority would then seek an alternative to dispose of those items. Councilor Michelle M. Dionne then stated that solid waste was being removed by EZ Disposal for some businesses that were not in the contract agreement, and city ordinance states that businesses are not to receive trash pick-up, although there are businesses being serviced. The Director of Community Maintenance stated this was correct. Councilor Michelle M. Dionne stated that lettering on the trash trucks identify what municipality the truck is servicing so when the truck goes to the dumping station the city or town is billed accordingly. The Director of Community Maintenance said this was correct. Councilor Michelle M. Dionne then stated that there have been trucks operating in the city that are not properly lettered, which could result in a \$300 fine per truck, but no violations have ever been issued. The Director of Community Maintenance stated that was correct. In the early stages of the agreement with EZ Disposal there were some trucks that were not lettered and no violations were issued to EZ Disposal. He further stated that to his knowledge all the trucks are now lettered. Councilor Michelle M. Dionne stated she recently witnessed an EZ Disposal truck picking up in the city that was not lettered and per the contract they should be fined. She stated that fines are issued to residents that violate ordinances so it is only fair to issue a violation to EZ Disposal. She further stated that there have been issues, which are also against the EZ Disposal contract, where yard waste was getting picked up and loaded with solid waste. When the load is then dumped at the station the yard waste is now adding to weight the City is being charged per ton for solid waste. The Director of Community Maintenance said this was correct. Councilor Michelle M. Dionne then asked what would be the best course of action to take in order to enforce the contract. The Director of Community Maintenance stated that the structure of the contract, and when and how it was implemented have changed, as well as variables and changes on the City side. He stated that there were structures in place that allowed for some leeway and helped cover some costs that are no longer in place now. Councilor Michelle M. Dionne asked how many enforcement officers would be needed to appropriately accommodate his department. The Director of Community Maintenance stated that the department currently has three enforcement officers but has budgeted for four, with hopes of soon filling the position. Councilor Michelle M. Dionne asked the Director of Financial Services if the trash removal for businesses will be reviewed. The Director of Financial Services stated they will be looking at all types of alternatives. They are working with the Assessors Office and the Director of Community Maintenance to determine the number of multi-family units in the city, and what the appropriate cut off should be for pick up, and the implementation of a trash fee is also being considered. The Director of Community Maintenance stated that the conversations for solid waste removal will be an ongoing discussion and a joint effort by the Administration and the City Council.

Councilor Michelle M. Dionne agreed and said a solid waste plan needs to be implemented for the betterment of the City and its residents.

Councilor Leo O. Pelletier asked how much money was budgeted for street repairs. The Director of Community Maintenance said he has approximately \$3.9 million dollars from Chapter 90 funds and reallocated Streetscapes funds, and some funds from the Community Development Agency for sidewalk and street repair. Councilor Leo O. Pelletier then indicated his frustration with the way the flooding issues on Whitefield Street, Lynwood Street, Fredrick Street and Bronson Street have been handled. Councilor Leo O. Pelletier stated that the Director of Community Maintenance was supposed to reach out to the contractor responsible for the faulty work and hold him accountable. He stated that there are too many taxpayers that have been affected in that area and something needs to be done. The Director of Community Maintenance stated that there are many reasons why that project has not come to fruition. He stated that the aforementioned streets are on a list to be paved by the end of the spring, the Planning Department is conducting an audit of all subdivisions that have not been completed by contractors, and there for which residents need to be responsible for, such as the flooding issues they have been experiencing. Councilor Leo O. Pelletier stated that the City should have never allowed homes to be built in that area and action needs to be taken against the contractors. The Director of Community Maintenance stated that he has worked extremely hard to settle the issues in that area. He further stated that these issues are a priority of the Administration, and the City Planner is working on an analysis of all unfinished subdivisions and the City will hold any contractor accountable that has not completed the work that was intended and any funds that are still being retained.

Councilor Pam Laliberte- Lebeau stated that there should be an increase in bulky item fees. She stated that the fees are too low and barely cover the cost of removal. The Director of Community Maintenance stated that he agrees that the fees are low and that this is a conversation that needs to be had going forward.

Councilor Trott Lee stated he had some concerns with the roads in the reservation area. He stated that the Fire Department recently had to respond to a small fire in that area and had a difficult time responding due to the road conditions, and asked if funds would be available to apply gravel on some of the roads. The Director of Community Maintenance stated that they have road grindings that are pulled up from street contracts and when they have the time and manpower they will haul it out to the area and grade it. He further stated that he will reach out to Paul Ferland and Michael Labossierre of the Department of Community Utilities for their input as to what areas need the most attention. Councilor Trott Lee then stated that he is opposed to a trash fee and cannot support a per unit fee increase.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was voted to refer the budget to full Council for action, with Councilor Shawn E. Cadime opposed.

3. Discussion re: order establishing spending limits of revolving funds for Fiscal Year 2021
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was unanimously voted to refer the order to full Council for action.

4. Discussion re: order rescinding July and August continuing appropriation budgets for Fiscal Year 2021
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was voted 6 yeas, 3 nays to refer the order to full Council for action, with Councilor

Shawn E. Cadime, Councilor Michelle M. Dionne, and Councilor Trott Lee voting in the negative.

Citizens' Input Time – After Discussion of Financial Matters:

None

On a motion made by Councilor Bradford L. Kilby and seconded by Christopher M. Peckham, it was unanimously voted to adjourn at 10:01 p.m.

List of documents and other exhibits used during the meeting:

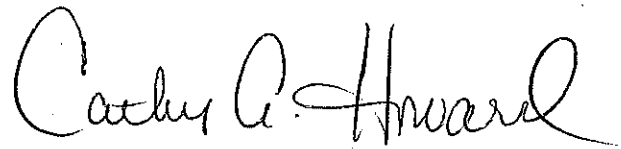
Citizens' Input Communications

Agenda packet (attached)

DVD of meeting

Health Insurance projections from Gallagher Benefit Insurance Services

Quarter 4 Fiscal Year 2020 Report

A handwritten signature in black ink, reading "Cathy A. Howard". The signature is fluid and cursive, with the first name "Cathy" and last name "Howard" being more prominent than the middle initial "A.".

Assistant Clerk of Committees

AUGUST 31, 2020

COMMUNICATIONS

SUBMITTED

FOR

CITIZENS' INPUT

24

City Clerk

RECEIVED

From: Collin Dias <collind00@aol.com>
Sent: Monday, August 31, 2020 1:29 PM
To: City Council
Cc: City Clerk
Subject: [EXTERNAL] Citizens Input

2020 AUG 31 P 1:32

 CITY CLERK _____
 FALL RIVER, MA

Citizens Input Fall River City Council 8/31/2020 Collin Dias 560 Ray Street, Fall River, Massachusetts 02720

Topic: FY 2021 Budget

Good afternoon council President and members of the City Council,

I understand before you today is the FY 21 budget as Revised by the administration.

I believe it is time to start scrubbing at all the funds we can possibly scrub at. I believe the Council President made a great motion to have this budget re examined, and it was a success, because it appears public safety is now fully funded.

This community pays too much into healthcare and insurance, which is burdening the rest of our city's departments and city services.

It is time we move our city into the GIC. The GIC is a state run organization and it stands for the Group Insurance Commission. Our city currently has A + health insurance, the GIC is a B + health insurance. Our city could cut millions on costs, which can further fund police and Fire, or a transfer station.

This city should seriously look into investing into a Transfer Station, which can be transformed into a gasification plant. We can open up to the region, and our city could be accustomed to millions dollars in revenue.

However that is for the future. For this budget, we should look into cutting costs. The City Council should take a deep look into cutting salaries of high paying positions, or high paying positions themselves. There should be an objective of lowering the size of government.

However, there are some councilors, like Councilor Lee who would love to cut the necessary positions of the working class employees of water and sewer, leaving them without a job in the middle of a pandemic, unable to provide for their families, and jeopardizing the critical infrastructure of our water and sewer systems. We should always be cautious of where we recommend budget cuts and should always keep in mind of the consequences. Lastly, we should also look into cutting the 10,000 dollars in compost spending limits, as I was under the impression this composting program was fully funded by grants.

Thank you very much,

- Collin Dias

Sent from my iPhone

SPECIAL MEETING OF THE CITY COUNCIL

MEETING: Monday, August 31, 2020 at 7:00 p.m.
Council Chamber, One Government Center

PRESENT: President Cliff Ponte, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne,
Bradford L. Kilby, Pam Laliberte-Lebeau, Trott Lee,
Christopher M. Peckham, Leo O. Pelletier and Linda M. Pereira

ABSENT: None

IN ATTENDANCE: Mary Sahady, Director of Financial Services

President Cliff Ponte called the meeting to order at 10:01 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium. Due to the COVID-19 Essential Services Advisory, this meeting was closed to the public. The meeting was available for viewing at <http://frgtv.fredtv.us> and Channel 18 and citizen input was to be submitted by email to city_council@fallriverma.org by August 31, 2020 at 2:00 p.m. to be read at the meeting.

1. Citizen Input – None

COMMITTEE REPORTS

Committee on Finance:

2. Order – Proposed Fiscal Year 2021 Municipal Budget

A motion was made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham to approve the Fiscal Year 2021 Municipal Budget.

Councilor Linda M. Pereira stated she still has questions given the uncertainty of the budget but feels that her back is against the wall to vote on the budget given the timeframe. She stated that she is concerned that there will need to be layoffs in the next fiscal year and she would hate to see cuts made to public safety. She said she will support the budget but has reservations. Councilor Linda M. Pereira asked Council President Cliff Ponte what would happen if the budget did not pass. Council President Cliff Ponte stated the City would need to go into another one twelfth budget.

Councilor Shawn E. Cadime stated he is not in support of the budget due to the structural deficit, which will result in the need for significant cuts in Fiscal Year 2022. He stated that there is too much uncertainty, difficult decisions need to be made, and what is best for the City of Fall River needs to be done.

Councilor Michelle M. Dionne stated she shares the same sentiment as Councilor Shawn E. Cadime. She does not feel comfortable approving a budget with a structural deficit and feels that more time is needed for it to be vetted properly. A motion was made by Councilor Michelle M. Dionne and seconded by Councilor Shawn E. Cadime for the Administration to prepare a September Continuing Appropriation Budget for Fiscal Year 2021.

Councilor Pam Laliberte-Lebeau asked Council President Cliff Ponte if he had asked the Administration to prepare a September Appropriation Budget. Council President Cliff Ponte stated that the Mayor would like to see the Municipal Budget that is before the Council passed but that he had indicated to the Director of Financial Services to begin preparations for an appropriation order if the Municipal Budget did not pass. The Director of Financial Services stated that she would need about an hour to complete the order. Councilor Pam Laliberte-Lebeau said that she originally planned on supporting the budget, but could not at this time knowing one third of her colleagues needed more time to review it.

Councilor Trott Lee stated that he feels the budget is unstable. He said that he wants to see public safety funded, but he does not feel confident moving into Fiscal Year 2022 with the deficits in the current proposed budget. Therefore, he will not be supporting the budget.

Councilor Bradford L. Kilby stated that the Council is sending mixed messages to the Administration. The Administration wanted to prepare another one month continuing appropriation, but the Council requested a level funded budget. The Administration fulfilled the Council's request and the Council is now requesting a one month appropriation. He said the pandemic is playing a huge role in the budget creating many unknowns, and he requested a roll call to act on his earlier motion that was seconded to approve the budget.

Councilor Linda M. Pereira stated that all departments need more staffing but there are no funds to support the positions. She stated whether you vote on a one month appropriation or on the budget that is before them, there is still no money.

Councilor Shawn E. Cadime said that is his exact point. He stated that by approving a budget to allow for positions in public safety, it creates a structural deficit that cannot be supported in the next budget and layoffs will need to be made and should be made now. Councilor Shawn E. Cadime further stated that he has never sent mixed messages to the Administration because he has stated on numerous occasions that he is not in support of the budget and cannot support a budget the City cannot afford.

Council President Cliff Ponte stated that the City Council took a bold stance to prioritize to fund and support public safety. He stated that he is not comfortable hearing his colleagues feel rushed into making a decision and he cannot support the budget with that premise. He stated that further work will need to be done by the Administration and the Finance Team.

Councilor Bradford L. Kilby stated that the Council had sufficient time to review and deliberate the budget. He understands Councilor Shawn E. Cadime's concerns, but given the circumstances the City is facing with the effects of pandemic he still feels that the budget should be approved.

Councilor Leo O. Pelletier stated that this is the most difficult budget he has been faced with in the many years he has served as a City Councilor. He understands it is not ideal, but feels that the numbers are not going to change by delaying the vote another month, and he will be supporting the budget.

On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Michelle M. Dionne, it was unanimously voted to waive the rules to allow the Director of Financial Services to speak.

The Director of Financial Services stated that without additional revenue in the current proposed budget, cuts will need to be made to public safety. She said she is aware that they are funding public safety with a structural deficit, but they are working on a number of ways to fix that deficit for the next fiscal year. She further stated that the Council has had the budget since August 6, 2020 and on September 8, 2020 the figures are not going to change. Councilor Shawn E. Cadime said that it does not make sense to support a budget that the Director of Financial Services acknowledges as having a structural deficit. The Director of Financial Services requested that the Council reduce the budget rather than reject it. Councilor Shawn E. Cadime stated that the Administration should come back to the Council with potential cuts that can be made.

On the previous motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, to approve the Fiscal Year 2021 Municipal Budget, it was voted 4 yeas, 5 nays to adopt the budget order, with Councilors Shawn E. Cadime, Michelle M. Dionne, Pam Laliberte-Lebeau, Trott Lee, and Cliff Ponte voting in the negative, and the motion failed to carry.

On motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was voted 5 yeas, 4 nays, to reject the proposed Fiscal Year 2021 Municipal Budget and for the Administration to prepare a September Continuing Appropriation Budget for Fiscal Year 2021 with level services for the Police and Fire Departments, with Councilors Bradford L. Kilby, Christopher M. Peckham, Leo O. Pelletier, and Linda M. Pereira voting in the negative.

Council President Cliff Ponte called for a two minute recess at 10:42 p.m. and convened at 10:49 p.m.

After speaking with the Director of Financial Services, Council President Cliff Ponte said it was determined that the amount of the July Appropriation Order could be carried over to fund the City in the month of September in the amount of \$24,750,167.00. The Director of Financial Services then realized that the School Department is going to need an additional \$13,000,000.00 for the month of September and informed the Council that the appropriation amount would need to be increased. Councilor Bradford L. Kilby said that matters like this cannot be done at the last moment. Councilor Shawn E. Cadime stated that he informed the Administration to be prepared to present a one twelfth budget and they did not follow through. Councilor Shawn E. Cadime then stated that the Administration needs to start respecting the City Council and said that the Jasiel F. Correia II Administration did a better job at managing the City than the current Administration is doing.

Council President called for a five minute recess at 11:01 p.m. to allow the Director of Financial Service to prepare a continuing appropriation order for the month of September and reconvened at 11:27 p.m.

Council President Cliff Ponte stated that the Director of Financial Services prepared an appropriation order for the month of September for Fiscal Year 2021 in the amount of \$40,441,360.00. He further stated that this appropriation will cover the month of September while the Council works with the Administration on the revised proposed operating budget. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Trott Lee, it was voted 6 yeas, 3 nays, to adopt the September Continuing Appropriation Budget for Fiscal Year 2021, with Councilors Bradford L. Kilby, Christopher M. Peckham, and Linda M. Pereira voting in the negative.

3. Order – Establishing Spending Limits for Fiscal Year 2021 Revolving Funds

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the order.

PRIORITY COMMUNICATION

4. Mayor and order rescinding July and August Continuing Appropriation Budgets for Fiscal Year 2021

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Shawn E. Cadime, it was unanimously voted to table the matter.

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 11:30 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

September Continuing Appropriation Budget for Fiscal Year 2021

A true copy. Attest:

Alison M. Bouchard

City Clerk

JOINT MEETING OF THE CITY COUNCIL AND SCHOOL COMMITTEE

MEETING: Thursday, August 20, 2020 at 6:00 p.m.
Council Chamber, One Government Center

PRESENT: President Cliff Ponte, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne, Bradford L. Kilby,
Pam Laliberte-Lebeau, Trott Lee, Christopher M. Peckham, Leo O. Pelletier
and Linda M. Pereira

ABSENT: None

IN ATTENDANCE: Mary Sahady, Director of Financial Services
Kenneth C. Pacheco, Chief Operating Officer, School Department
Matthew H. Malone, Ph.D., Superintendent of Schools
Kevin Almeida, Chief Financial Officer, School Department

President Cliff Ponte called the meeting to order at 6:05 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. Due to the COVID-19 Essential Services Advisory, this meeting was closed to the public. The meeting was available for viewing at <http://frgtv.fredtv.us> and Channel 18 and citizen input was to be submitted by email to city_council@fallriverma.org by August 20, 2020 at 3:00 p.m. to be read at the meeting.

A roll call was taken of the School Committee Members:

PRESENT: Mayor Paul E. Coogan, Kevin Aguiar, Mark Costa, Paul Hart,
Joshua E. Hetzler, Thomas Khoury, Mimi Larrivee

ABSENT: None

Agenda:

1. Citizen Input
None

2. Discuss the Fiscal Year 2021 Budget – School Department

The Superintendent of Schools provided a brief overview of the Fiscal Year 2020 Budget Summary. He then stated that the updated Fiscal Year 2021 Budget to be discussed at the meeting of the School Committee scheduled for Monday, August 24, 2020, contains no reduction of personnel. Council President Cliff Ponte stated that the City Council has received the Municipal Budget but has not yet received the updated School Department Budget.

The Director of Financial Services provided a PowerPoint presentation, summarized below:

- a. Presentation from Director of Financial Services and Superintendent on Fiscal Year 2020 Budget Summary
- b. Presentation from Director of Financial Services and Superintendent on Fiscal Year 2021 Budget Summary
- c. Presentation from Director of Financial Services and Superintendent on short term and long term planning pertaining to School Department
- d. Discussion:

- City Council President to recognize City Council Questions/Discussion

Councilor Linda M. Pereira asked the Director of Financial Services what is the difference between 98% and 100% of net school spending. The Director of Financial Services stated the difference is \$3.5 million dollars. Councilor Linda M. Pereira then asked the Superintendent of Schools who will be responsible for taking the temperature of a child who will be attending school. The Superintendent of Schools stated that he encourages parents to go online to www.fallriverschools.org and review the re-opening plan, which is 35 pages in length. He then stated that pages 7 through 12 are the actual re-opening plan. He also stated that September 16, 2020 is the first day of school for students and there will be a mix of in person and remote learning for all students. The Superintendent of Schools also mentioned that approximately 41% of students have chosen to be fully remote students and that State Guidelines do not require temperature testing for students attending school because of many false positives. He then said that parents should be taking the temperature of their children every day. Councilor Trott Lee asked what would classify as a COVID-19 related expense. The Director of Financial Services stated that each grant has specific requirements to be considered an eligible expense.

Council Vice-President Pam Laliberte-Lebeau took the podium at 6:50 p.m. to allow Council President Cliff Ponte to ask questions. Council President Cliff Ponte stated that in March of this year it was obvious that everyone would be facing challenging times. He then asked the Superintendent of Schools if any of the \$4 million dollars that were received from the CARES ACT would be used for the Fiscal Year 2021 Budget. The Superintendent of Schools stated that it would not be used to supplement the Fiscal Year 2021 Budget. Council President Cliff Ponte then asked the Director of Financial Services if she had met with all departments to ensure that all unnecessary expenses were removed from the budget. The Director of Financial Services stated that Fiscal Year 2021 was built on a zero based budget. She then stated that some departments, such as the Police and Fire Departments, have unknown amounts for fuel costs, as this depends on the number of calls that are received. Council President Cliff Ponte then asked for the amount that is owed to the School Department for health care expenses. Kevin Almeida, Chief Financial Officer for the School Department, stated approximately \$1 million dollars. Council President Cliff Ponte asked if there is any other account that has funds that could be used other than the Stabilization Account. The Director of Financial Services stated that there is an Employer Health Care Fund that may have funds available. Council President Cliff Ponte then asked the Chief Financial Officer for the School Department to keep the City Council up to date on the health care costs. He also stated that Fall River is too dependent on state aid and that since the City has worked very hard over the past few years to increase the amount in the Stabilization Account it causes great concern to the City Council if that account is decreased. The Director of Financial Services stated that 54% of the Fiscal Year 2021 Budget is funded with state aid. She then stated that if the City wants to be less dependent on state aid, then the City needs to increase funding from other sources, such as fees

and the collection of funds for the debt exclusion for the new high school. Council President Cliff Ponte then asked the Director of Financial Services if the City will need to institute the debt exclusion, add fees, or return to the Pay-As-You-Throw program to increase revenue. The Director of Financial Services stated that the City needs to somehow increase revenue and any suggestions will be researched. School Committee Member Mark Costa stated that a discussion was held at a recent meeting of the School Committee and the Mayor stated that he was not interested in instituting the debt exclusion at this time. Mayor Paul E. Coogan agreed and explained that his Administration is not inclined to bring forward the debt exclusion or the Pay-As-You-Throw program. He then stated that he is reviewing the possibility of a trash fee and has discussed the delaying of retirement funding with the City Council President.

Council President Cliff Ponte returned to the podium at 7:40 p.m.

School Committee Member Paul Hart asked the Director of Financial Services to give an overview of the debt exclusion process that was approved by the voters for the construction of the new high school. The Director of Financial Services stated that any payments that need to be made for the new high school can be added to the tax bills. She then stated that after a meeting with the Assessor's Office, if the City were to add the amount that has been spent this year for the construction of the new high school, which is approximately \$3 million dollars, the additional charge to property owners would be approximately \$100 for the year based on the average value of \$225,000 for a residential property. School Committee Member Paul Hart then asked the Director of Financial Services if this amount would be added to the tax bills in addition to the usual 2 ½ percent increase and the Director of Financial Services stated that it would.

Councilor Shawn E. Cadime stated that in his view this meeting should be used for planning purposes instead of the proposed budgets, which are on the budget meeting agendas for next week. He then stated that he anticipates more financial difficulty with the Fiscal Year 2022 Budget, due to all the problems that will be continuing due to COVID-19. Councilor Shawn E. Cadime commended the School Committee for all their hard work on this budget and stated that due to the COVID-19 closures for approximately three months, along with non-emergency doctor's appointments and elective surgeries being cancelled, savings should be realized in the Employer Trust Fund. The Director of Financial Services stated that due to a few employees having significant health care claims that have fallen just short of the stop loss amount that may not be possible. Councilor Shawn E. Cadime said that the City Council is not informed on the health insurance figures and the Director of Financial Services stated that health insurance updates can be added to the Quarterly Reports that are presented to the City Council for review. Councilor Shawn E. Cadime then asked the Director of Financial Services if the plan is to transfer \$3.5 million dollars from the Stabilization Account that has a balance of approximately \$7.5 million dollars to fund the School Department with the possibility of an additional \$1 million dollar transfer for health care. He then stated that with zero based budgets and small amounts being added to the Stabilization Account from free cash, the amount of funds in the account will continue to decrease. The Director of Financial Services stated that health care costs in the Fiscal Year 2021 Budget is approximately \$42 million dollars, which is a significant amount of the budget. She then stated that all aspects of the budget have been reviewed and many cost saving changes have been made, such as combining the positions of the City Treasurer and the City Collector. Councilor Shawn E. Cadime stated that the City Council requests a Capital Plan, but then it does not get funded due to lack of funds. He also stated that municipal buildings are never properly maintained, causing significant repairs due to a lack of maintenance.

School Committee Member Thomas Khoury stated that he thinks the idea of possible quarterly meetings with the City Council would be beneficial. He then stated that he attended many meetings

in Boston regarding the "Student Opportunity Act", which was signed into law in November of 2019 but is now suspended due to the COVID-19 pandemic. He also stated that in 2021 or 2022 it will be reinstated. Councilor Michelle M. Dionne stated that health insurance is a great expense. She then asked if the City is investigating alternate plans for employees to reduce costs. The Director of Financial Services stated that the City is investigating the possibility of offering a higher deductible plan and possibly redesigning the current plans to reduce costs. Councilor Michelle M. Dionne then asked if the \$3.5 million dollars that has been discussed to be transferred to the School Department will be sufficient to supplement the amount needed to bring the total to 100% of net school spending by the City. The Superintendent of Schools stated that he and Keven Almeida are in agreement with the Administration that \$3.5 million dollars will be sufficient.

School Committee Member Mark Costa stated that every year the same discussions are held regarding net school spending. He then stated that the "Student Opportunity Act" will be a great thing for the students, but it will be a budget buster for the City of Fall River. He also stated that 100% of net school spending is the bare minimum required by the Commonwealth of Massachusetts and currently the City is discussing using funds from the Stabilization Account to balance the budget. He then mentioned that there should be significant savings in transportation costs due to the necessary remote learning, which does not require transportation of students. In closing, he stated that the School Department employees are good stewards of the funds that are approved and work to do the most good with the available funds.

Councilor Pam Laliberte-Lebeau stated that this was a good meeting, as it allowed discussion between the School Committee and the City Council. She then stated that she would like to have quarterly meetings with the School Committee when necessary. She also stated that she recalls that during meetings that were held regarding the debt exclusion for the new high school, it was stated that the debt exclusion would not go into effect until 2023 and therefore she will not support a request for it being implemented sooner. Councilor Pam Laliberte-Lebeau then asked the Superintendent of Schools why students will not have their temperatures taken prior to entering school every day. The Superintendent of School stated that currently the Department of Education, the Department of Public Health and the Governor have been explicitly clear that schools do not need to perform temperature checks daily due to numerous false positives. Councilor Pam Laliberte-Lebeau then asked the Superintendent of Schools what will the deadline for parents to decide if their children will physically be returning to school or attending remotely will be. The Superintendent of School stated that parents need to decide in approximately another week and that they are trying to be flexible as circumstances are changing on a daily basis. Councilor Pam Laliberte-Lebeau then asked if the hand sanitizer that is being used in the School Department is being purchased from a Fall River company. The Superintendent of Schools stated that the School Department has purchased multiple brands of hand sanitizer to determine which one is best. He then stated that the Chief Operating Officer, Ken Pacheco, has been on call 24 hours per day, 7 days a week and he has been responsible for vetting all of the materials and cleaning supplies that are needed for the School Department. He also stated that the higher the percentage of alcohol in hand sanitizer the better it is at killing germs and viruses, but it also makes it more flammable which is a concern in schools. The Superintendent also informed the Council that every teacher will receive a face shield and two masks and that these masks are washable and reusable and manufactured by Matouk in Fall River. He also stated that all schools have been made COVID-19 ready by installing Plexiglas where necessary and that these improvements were done without requesting additional funds.

Councilor Linda M. Pereira stated that she agrees with the Councilor in seat #1 in regards to the City not having a long term plan. She then stated that the City Council is discussing ways to reduce the costs of solid waste disposal and have been doing so for years without a conclusion. She also

stated with all landfills anticipating closure in the near future, the City should be investigating the concept of waste to energy. Lastly, Councilor Shawn E. Cadime asked if there is a specific formula for the debt exclusion. The Director of Financial Services stated that she believes that a schedule was discussed and that as long term debt for previous school buildings is paid off, then the debt exclusion would be removed from the burden of the taxpayers.

- Mayor to recognize the School Committee Members for Questions/Discussion

Mayor Paul E. Coogan stated that the only School Committee Members who have not spoken are Joshua E. Hetzler and Kevin Aguiar. School Committee Member Joshua E. Hetzler stated that net school spending requirements are a good thing for school departments, but a burden on the municipal budgets of cities and towns. He then stated that the "Student Opportunity Act" will also increase funding to the School Department. School Committee Member Kevin Aguiar stated that this meeting should have been held in March or April but due to circumstances beyond everyone's control, this meeting is being held now in August. He then stated that the agreement for the debt exclusion was for it to begin in 2023 and end in 2030. He also stated that he is not in agreement with changing these dates as the residents voted for the debt exclusion based on these terms. He then stated that net school spending should be at 100% and the Administration needs to review the health care costs. He also stated that his suggestion to the City Council would be to review budgets for the previous three years to determine what items have increased.

On a motion made by School Committee Member Mark Costa and seconded by School Committee Member Paul Hart, it was voted 7 yeas to adjourn the School Committee Meeting at 8:58 p.m.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adjourn the City Council at 8:58 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

PowerPoint presentation delivered by the Director of Financial Services

A true copy. Attest:


Assistant City Clerk

CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, September 22, 2020 at 5:55 p.m.
Council Chamber, One Government Center

PRESENT: President Cliff Ponte, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne,
Bradford L. Kilby, Pam Laliberte-Lebeau, Trott Lee,
Christopher M. Peckham, Leo O. Pelletier and Linda M. Pereira

ABSENT: None

IN ATTENDANCE: None

The President called the meeting to order at 5:55 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearing was to hear all persons interested and wishing to be heard on the following:

Curb Removals

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was unanimously voted that the hearing be opened. The President asked the City Clerk if any proponents or opponents submitted testimony and the City Clerk stated that none was received.

1. Michael Massoud, 383 Bayview Street, Fall River, MA, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
383 Bayview Street removal on Bailey Street	16'	16'	0'	32'

The petitioner has an existing 16 foot driveway on Bayview Street and is requesting the removal of an additional 16 feet of curbing for a separate driveway opening on the Bailey Street side of the property.

The proposed work improves access to the property and does not cause a significant adverse effect to on-street parking in that area.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the hearing be closed.

On a motion made by Councilor Trott Lee and seconded by Councilor Christopher M. Peckham, it was unanimously voted that the hearing be opened. The President asked the City Clerk if any proponents or opponents submitted testimony and the City Clerk stated that none was received.

2. Andre Soares, 853 Eastern Avenue, Fall River, MA, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
853 Eastern Avenue	12'	15'	0'	27'

The petitioner has an existing 12 foot driveway and is requesting the removal of an additional 15 feet of curbing for a separate driveway opening.

The proposed work improves access to the property and does not cause a significant adverse effect to on-street parking in that area.

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the hearing be closed.

On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adjourn at 5:57 p.m.

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

A true copy. Attest:

City Clerk



OPEN MEETING LAW COMPLAINT FORM

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

RECEIVED

2020 SEP 23 P 12:43

Please note that all fields are required unless otherwise noted.

CITY CLERK
FALL RIVER, MA

Your Contact Information:

First Name: Collin Last Name: Dias

Address: 560 Ray Street

City: Fall River State: MA Zip Code: 02720

Phone Number: 7747076790 Ext. _____

Email: Collind00@aol.com

Organization or Media Affiliation (if any): _____

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 Committee on Finance

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

Date of alleged violation: 9/22/2020

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.

On 9/22/2020. The Fall River City Council Committee on Finance held a public meeting at the Fall River Government Center. During this meeting there was citizens input. I was one of the individuals who submitted citizens input via email, along with several others. During my citizens input I discussed my dissatisfaction with the financial affairs of our city, which I believed would be corrected with the resignation of an public official. I also went on to discuss the need for a transfer station in our community, the councils requirement to respect a vote taken by the voters, and the focus to increase fines when there are violations of our trash ordinances. Right after my citizens input specifically, a quorum of the council committee on finance discussed ideas and strategies to censure parts or total citizens input the council did not agree with, and ways to what members of the community can discuss in future citizens input.

This violates the open meeting law by:

1. A quorum of the council committee on Finance discussed ways to limit and redact parts of citizens input without it being on the agenda for the meeting. This is a violation of Open Meeting Law section 20 (b).
2. This violation Governor Bakers March 12th executive order, which calls for the compliance with all local and state law regarding citizen participation. The council limiting participation violations the city charter.

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.

Future compliance with the Open Meeting Law

Review, sign, and submit your complaint**I. Disclosure of Your Complaint.**

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

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

II. Consulting With a Private Attorney.

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

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

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: Colin [Signature]

Date: 9/23/2020

For Use By Public Body	For Use By AGO
Date Received by Public Body:	Date Received by AGO:

DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM

RECEIVED

Notice of Chapter 91 Permit Application No. W20-5835 and 401 Water Quality Certification Application Transmittal No. X284624

OCT -6 A 11: 31
CITY CLERK
FALL RIVER, MA

Applicant: Liberty Utilities, Corp.

Project Location: Former MGP Site, Mount Hope Bay off 120 Charles Street, Fall River

Public Comments Deadline: As Specified Below

NOTIFICATION DATE: October 1, 2020

Public Notice is hereby given of the Chapter 91 and 401 WQC Combined Application by Liberty Utilities, Corp., to conduct remediation and restoration through dredging and backfilling in flowed tidelands of Mount Hope Bay within the Mount Hope Bay Designation Port Area off 120 Charles Street in the City of Fall River, Bristol County. The proposed project has been determined to be Water-Dependent Industrial.

Written comments on the 401 WQC Application must be sent **within twenty-one (21) days of this Notice by October 22, 2020** to:

Derek Standish, MassDEP Wetlands Program, One Winter Street, 5th Floor, Boston, MA 02108
or via email to: derek.standish@mass.gov

Written comments on the Chapter 91 Permit Application must be sent **within fifteen (15) days of this Notice by October 16, 2020** to:

Susan You, MassDEP Waterways Regulation Program, One Winter Street, 5th Floor, Boston, MA 02108
or via email to: susan.you@mass.gov

The Department will consider all written comments on this Combined Application received by the respective Public Comments Deadlines. Failure of any aggrieved person or group of ten (10) citizens or more to submit written comments as specified above will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c). The group of citizens must include no less than five (5) citizens who are residents of the municipality in which the proposed project is located. A public hearing may be held upon request by the Municipal Official.

Please be advised that the MassDEP Boston office is currently closed to the public and the Waterways Program staffs are working remotely. It is recommended that documents and correspondence be filed electronically when possible; documents should not be hand delivered to One Winter Street, Boston, MA until further notice. Written comments should be addressed the Department Staff above. If you do not have access to email, hard copy documents may be mailed to the Department Staff above.

Additional information regarding this Combined Application may be obtained by contacting the Department Staff above. Project plans and documents for this Application are on file with the Department for public viewing, by appointment only, at MassDEP, 1 Winter Street, Boston, MA 02108.

NOTIFICATION MAILING LIST

**Notice of License and Permit Application pursuant to M.G.L. Chapter 91
Waterways Chapter 91 Permit Application Number W20-5835**

**Mayor Paul Coogan, City of Fall River
Fall River City Council
Fall River Planning Board
Fall River Conservation Commission**

**Massachusetts Department of Environmental Protection
MassDEP Southeast Regional Office
20 Riverside Drive, Lakeville, MA 02347**

**Massachusetts Environmental Policy Act Office
c/o Page Czepiga (EEA No. 15742)
100 Cambridge Street, Suite 900
Boston, MA 02114**

**Massachusetts Division of Fisheries and Wildlife
Natural Heritage & Endangered Species Program
1 Rabbit Hill Road
Westborough, MA 01581**

**Massachusetts Division of Marine Fisheries
836 South Rodney French Blvd
New Bedford, MA 02744**

**Massachusetts Historical Commission
220 Morrissey Boulevard, Columbia Point
Boston, MA 02125**

**U.S. Army Corps of Engineers
New England Division
Regulatory Division
696 Virginia Road
Concord, MA 01742**

Abutters – pursuant to 310 CMR 9.02, an abutter is defined as the owner of land that shares, along the water's edge, a common boundary or corner with a project site, as well as the owner of land that lies within 50 feet across a waterbody from such site. Ownership shall be determined according to the records of the local tax assessors' office.

Landowners and Easement Holders – pursuant to 310 CMR 9.13(1)(a)(6), all landowners of the project site and all persons/parties having a recorded easement interest on the project site.