

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

**ALISON M. BOUCHARD**  
CITY CLERK

RECEIVED  
2022 DEC 22 P 1:19  
CITY CLERK  
FALL RIVER, MA  
INES LEITE  
ASSISTANT CITY CLERK

**MEETINGS SCHEDULED**  
**CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER**  
**TUESDAY, DECEMBER 27, 2022**  
**AGENDA**

**5:55 P.M. PUBLIC HEARING**

**Billiards**

1. Bob's Place LLC d/b/a Straight Shooters Billiards, 30 Front Street for permission to maintain a pocket billiard room with twenty-four (24) tables located at 30 Front Street on Lot K-03-0001, Assessors Plan.

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

1. Citizen Input
2. Discussion re: hiring and retaining of police officers (referred 12-13-22)

**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 and Loan Order of \$2,700,000.00 for Construction and Renovation of Buildings to be used by the Emergency Medical Services Department
2. \*Mayor and American Rescue Plan Act (ARPA) Director requesting the rescindment of the vote to approve the Bristol County ARPA Funding to support and fund the "For Youth Initiative," to allow this initiative to be funded through the City's ARPA funds.

**PRIORITY COMMUNICATIONS**

3. \*Traffic Commission recommending amendments to traffic ordinances

**COMMITTEE REPORTS** – None

**ORDINANCES** – None

**RESOLUTIONS** – None

**CITATIONS** – None

**ORDERS – HEARINGS**

**Pool/Billiards:**

4. Bob's Place LLC d/b/a Straight Shooters Billiards, 30 Front Street for permission to maintain a pocket billiard room with twenty-four (24) tables located at 30 Front Street on Lot K-03-0001, Assessors Plan.

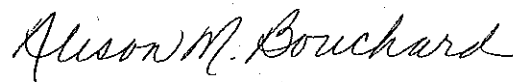
### **ORDERS – MISCELLANEOUS**

5. Auto Repair Shop License Renewals:  
Tiago Botelho d/b/a Mill City Diesels, LLC, located at 1139 Slade Street  
Thomas A. Legault d/b/a Tom Legault's Auto Repair, located at 745 Brayton Avenue  
Everett J. Mello d/b/a Dave's Tire and Auto Service, located at 325 Bedford Street
6. Auto Repair Shop License Transfer:  
Transfer of auto repair shop license no. 263 located at 830 Globe Street from Jose Beirao d/b/a Beirao's Auto Repair Co., Inc. to Mario P. Loureiro d/b/a Marios Auto Repair & Sales, Inc.
7. Police Chief's report on licenses:  
2023 Taxicab Drivers:  
Peter G. Haddad      Laura Rodriguez      Vicky Yamileth Rosario Rodriguez  
  
2023 Livery Vehicle:  
Muhammad Shabbir (two vehicles)

### **COMMUNICATIONS – INVITATIONS – PETITIONS**

8.      \*Claims
9.      \*Zoning Board of Appeals Minutes – November 17, 2022
10.     \*Planning Board Minutes – November 9, 2022
- City Council Minutes:
11.     \*Committee on Finance – December 13, 2022
12.     \*City Council – December 13, 2022

### **BULLETINS – NEWSLETTERS – NOTICES** – None

  
City Clerk

### **ITEMS FILED AFTER THE AGENDA DEADLINE** **CITY COUNCIL MEETING DATE: DECEMBER 27, 2022**

### **BULLETINS – NEWSLETTERS – NOTICES**

13.     \*Department of Public Utilities, Notice of filing and request for comments re: Petition of National Grid for Approval of an Alternative Basic Service Procurement and Pricing Plan with a comment deadline of 5:00 p.m. January 6, 2023.

City of Fall River, In City Council

FINANCE 2

(Councilor Linda M. Pereira)

WHEREAS, hiring and retaining police officers currently is a challenge due to the vilifying of the job, and

WHEREAS, police departments throughout Massachusetts are facing a shortage of new recruits to fill vacancies, and

WHEREAS, an increasing number of Fall River Police Officers are retiring or resigning, and

WHEREAS, this is causing officers to work overtime many days in a row to fill those vacant positions, now therefore

BE IT RESOLVED, that the Committee on Finance convene to discuss this matter which poses a broad public safety concern.

In City Council, December 13, 2022  
Adopted.

A true copy. Attest:



City Clerk



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

**PAUL E. COOGAN**  
*Mayor*

RECEIVED

2022 DEC 15 P 12:22

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

December 13, 2022

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

Dear Honorable Council Members:

The attached amended Loan Order is respectfully requesting that the loan order adopted by the City Council on March 23, 2021, that appropriated \$2,700,000 be amended from financing the construction of a metal building to store EMA equipment, to financing for the construction and renovation of buildings to be used initially by the EMS department, including the payment of all cost incidental or related thereto.

Your approval to amend the loan order is respectfully requested.

Best Regards,

Paul E. Coogan  
Mayor



**City of Fall River**  
**Massachusetts**  
**Emergency Medical Services**

RECEIVED

2022 NOV -7 P 3:10

CITY CLERK  
FALL RIVER, MA  
**TIMOTHY OLIVEIRA**  
Chief of EMS

**PAUL E. COOGAN**  
Mayor

11/07/2022

Mayor  
Paul E Coogan  
1 Government Center  
Fall River ma

I respectfully request to a change the original loan order (construction of an ems metal storage building) That the loan order adopted by the City Council on March 23,2021 that appropriated \$2,700,000 to be used for the construction and renovation of buildings to be used initially by the EMS department, including the payment of all cost incidental or related thereto. The buildings to be affected by the construction renovation shall be Central Fire Station and the Marine Biology wing at the old school auditorium (highschool).Central Fire station shall have 9 ems crew assigned on daily basis. With 8 ems units stored at central fire with 5 units front line 3 units will be spare ems apparatus. The old marine biology center at the auditorium shall be administrative headquarters for emergency medical services department with class rooms to provide a training center. Billing clerks, community paramedicine, professional standards, command staff, emergency shelter, and emergency management agency communication center.

To meet this appropriation, the City Treasurer, with approval of the Mayor, is authorized to borrow said sum under and pursuant to GG.L. c 44, sec 7(1).or pursuant to any other enabling authority, and to issue bonds or notes of the city therefor.

BE IT FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts the "(Commonwealth)" to qualify under G.L. c. 44A. Any and all bonds of the city to be issued pursuant to this order, and to provide such information and execute such documents as such officials of the Commonwealth may require.

Timothy Oliveira  
Chief of Ems  
City of Fall River

# City of Fall River, *In City Council*

## LOAN ORDER

### (Construction and Renovation of Buildings)

ORDERED: That the Loan order adopted by the City Council on March 23, 2021 that appropriated \$2,700,000 for the costs of financing the construction a metal building to store EMA equipment be amended to allow construction and renovation of buildings to be used initially by the EMS department and to remove language no longer required, so that such loan order shall now read as follows:

That the City appropriates the amount of Two Million Seven Hundred Thousand Dollars (\$2,700,000) to be used for the construction and renovation of buildings to be used initially by the EMS department, including the payment of all cost incidental or related thereto.

To meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said sum under and pursuant to G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

BE IT FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under G.L. c. 44A any and all bonds of the City to be issued pursuant to this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require.

130252797v.1



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

**PAUL E. COOGAN**  
*Mayor*

RECEIVED

2022 DEC 20 P 3:14

CITY CLERK  
FALL RIVER, MA

December 19, 2022

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

Dear Council President and Members of the Honorable Council:

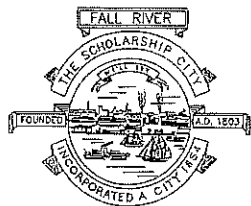
I am submitting for your consideration the attached request from ARPA Director, Kara Humm, to rescind the vote to approve the Bristol County ARPA Funding to support and fund the "For Youth Initiative" and allow this initiative to be funded through the City's ARPA funds which will require a vote of the ARPA Advisory Committee.

Thank you for your consideration with this request.

Sincerely,

Paul E. Coogan  
Mayor

PC/amos



**City of Fall River**  
*American Rescue Plan Act*

**PAUL E. COOGAN**  
Mayor

**KARA HUMM**  
ARPA Director

RECEIVED

2022 DEC 20 P 3:14

CITY CLERK  
FALL RIVER, MA

December 19, 2022

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

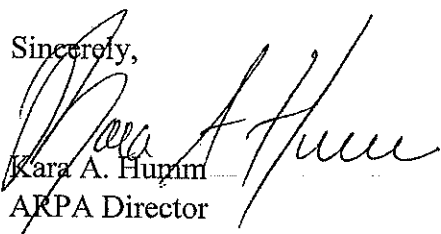
Dear Mayor Coogan:

Attached please find the documents that were submitted for the August 16<sup>th</sup> City Council Meeting pertaining to Councilor Laura Washington's proposal seeking ARPA funding from the Bristol County Treasury for the "For Youth Initiative," as well as, the signed grant agreement after the Council voted and approved the proposal.

As the City's ARPA Director, I believe the "For Youth Initiative" should instead be funded through the City ARPA funds, as it would logistically be easier and less burdensome to administer the program. Therefore I am recommending that the grant agreement for Bristol County Treasury funding for this proposal be rescinded by the Council to allow the administration to request the ARPA Advisory Committee approve the proposal for funding.

If you could please forward this request to the City Council for their consideration to rescind the grant agreement approving the Bristol County Treasury funding of the "For Youth Initiative" at the December 27<sup>th</sup> City Council Meeting it would be greatly appreciated.

Sincerely,

  
Kara A. Humm  
ARPA Director





**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*

**Paul E. Coogan**  
Mayor

**LAURA FERREIRA**  
Director of Traffic & Parking

December 9, 2022

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

RECEIVED  
2022 DEC 13 P 3:26  
CITY CLERK  
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 16, 2022 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

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

By inserting in proper alphabetical order the following:

**INSERT**

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
East Main Street	East	Starting at a point 173 feet north of Dwelly Street For a distance of 20 feet north.

Suzanne Curran  
502 East Main Street  
Fall River MA 02724

Very truly yours,

Laura Ferreira  
Director of Traffic & Parking



**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*

**Paul E. Coogan**  
Mayor

**LAURA FERREIRA**  
Director of Traffic & Parking

December 9, 2022

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 16, 2022 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

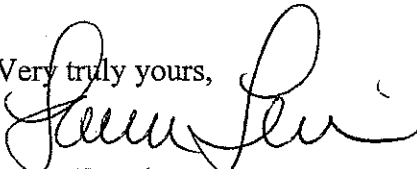
**Article: 70**  
**Section: 387**                      **Handicapped Parking**

By inserting in proper alphabetical order the following:

**INSERT**

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Lebanon Street	North	Starting at a point 67 feet west of Quequechan Street For a distance of 20 feet west.

Richard Souza  
54 Lebanon Street  
Fall River MA 02723

Very truly yours,  
  
Laura Ferreira  
Director of Traffic & Parking

RECEIVED  
2022 DEC 13 P 3:22  
CITY CLERK  
FALL RIVER, MA

*fw*



**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*

**Paul E. Coogan**  
Mayor

**LAURA FERREIRA**  
Director of Traffic & Parking

December 9, 2022

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

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**INSERT**

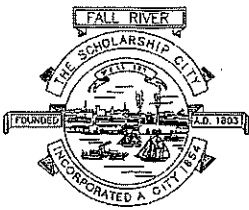
<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Slade Street	North	Starting at a point 162 feet west of Fenner Street For a distance of 20 feet west.

Rachel DeCosta  
854 Slade Street  
Fall River MA 02724

Very truly yours,

Laura Ferreira  
Director of Traffic & Parking

LN



**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*

**Paul E. Coogan**  
Mayor

**LAURA FERREIRA**  
Director of Traffic & Parking

December 9, 2022

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

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FALL RIVER, MA

Honorable Council Members:

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

By inserting in proper alphabetical order the following:

**INSERT**

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Wamsutta Street	South	Starting at a point 354 feet east of Quequechan Street For a distance of 20 feet east.

John Camara  
149 Wamsutta Street  
Fall River MA 02723

Very truly yours,

Laura Ferreira  
Director of Traffic & Parking



RECEIVED

City of Fall River  
Notice of Claim

2022 DEC 13 A 9:57

#22-91

CITY CLERK  
FALL RIVER, MA

1. Claimant's name: Armanda Guedes
2. Claimant's complete address: 111 Borden St apt 516 Fall River Mass 02721
3. Telephone number: Home: 508-6441499 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Slips walking sidewalk was uneven
5. Date and time of accident: 9-24-22 Amount of damages claimed: \$ 1,295.00
6. Exact location of the incident: (include as much detail as possible):  
Pleasant St near Borden Agency
7. Circumstances of the incident: (attach additional pages if necessary):  
Walking
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  
AARP Medicare Advantage P.O. Box 31362 Salt Lake City UT

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: 12-1-2022Claimant's signature: Armanda Guedes

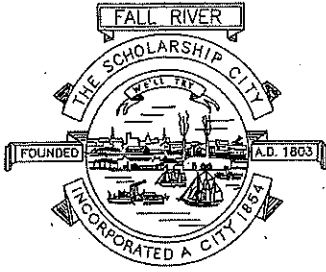
WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

**Return this from to : City Clerk, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722**

You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City AdministratorDCMDate: 12/13/22



**City of Fall River  
Massachusetts**

**RECEIVED**

*Planning Division* 2022 DEC 21 P 2:51

**PAUL E. COOGAN**  
*Mayor*

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA  
**DANIEL N. AGUIAR**  
*City Engineer/Acting Planner*

**TO:** Alison Bouchard  
City Clerk

**FROM:** Nina Krueger  
Head Administrative Clerk, Planning Dept.

**RE:** **Fall River Zoning Board of Appeals Meeting**  
**November 17, 2022**

The Fall River Zoning Board of Appeals held a Public Hearing on Thursday, November 17, 2022, at 6:00PM in the First Floor Hearing Room at One Government Center, Fall River, MA, for the purpose of considering the petitions set forth in the attached minutes of said Public Hearing.

**Members present:** David Assad, Chair; Joseph Pereira, Vice Chair; John Frank III, Clerk; Jim Calkins; Dan Dupere; Alternate John Sylvia

**Members absent:** Alternate Ricky Sahady

**Also present:** Daniel Aguiar, Director of Engineering & Planning; Recording Clerk, Nina Krueger; Craig Salvador of FRGTV.

Notice of the meeting was advertised in the Fall River Herald News on Wednesday, November 2, 2022, and Wednesday, November 9, 2022. The hearing was also posted in the Government Center, on the City of Fall River website, and notice was sent to the petitioners and abutters of the specified properties, as well as the members of the City of Fall River's Planning Board.

*6:00pm Chair read the Open Meeting Law notice, and opening statement.*

One Government Center • Fall River, MA 02722  
TEL (508) 324-2561 • FAX (508) 324-2564 • [planning@fallriverma.org](mailto:planning@fallriverma.org)

**VIEIRA AUTO GROUP INC.**

**1174 & 1204 Pleasant St., Map K-13 Lots 43, 45, & 70**

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In the matter of Vieira Auto Group Inc., the applicant seeks a Variance to construct a triple tenant retail establishment in a B-L (Local Business) Zoning District, waiving front, side, and rear setbacks, along with parking and loading requirements:

**FAVOR**

Steve Gioiosa of Civil and Environmental Consultants was present to address the Board on behalf of the applicant. Mr. Gioiosa explained that the property has one (1) existing two-story mixed-use building, while the remainder of the site holds a parking lot and gravel. He explained that the applicant would like to construct a 2400 sq. ft. mixed-use building which would include 2-3 low-intensity commercial tenants. Mr. Gioiosa explained that the applicant proposes 16 off-street, on-site parking spaces to be included on the lot. Mr. Gioiosa explained that through this project, the amount of impervious surface covered will be lessened compared to what currently exists, which will help with drainage and water run-offs. He explained that the hardship being faced by the applicant is the unique, wedged shape of the lot, which has streets on three (3) sides. Mr. Gioiosa explained that zoning relief is required for front, side, and rear setbacks, as well as for parking requirements. He went on to explain that there is a municipal parking lot nearby and reminded the Board of the off-street parking being provided, which is more than what exists for other nearby lots. Mr. Gioiosa stated that the proposed change to this property conforms to the uniform of the neighborhood and would overall lead to a net improvement.

Mr. Assad asked if the applicant would be willing to change the setback on the northern side of the property from 4.2 ft. to at least 5 ft. Mr. Gioiosa agreed to this request. Mr. Pereira asked which street the new building would face. Mr. Gioiosa explained that the new building would face Harrison St. Mr. Frank asked if the only access point to the property would be through Pleasant St. Mr. Gioiosa stated that yes, that is the only access point for the property. Mr. Sylvia asked if the applicant knew what type of businesses would be in the building. Mr. Gioiosa explained that the applicant had not yet found any tenants, while Mr. Aguiar inserted that the new businesses' uses would still have to comply with the zoning regulations of the B-L district, as no relief for use is being sought.

**OPPOSITION**

There was no one present in opposition to this matter.

**DECISION**

In a motion made by Mr. Calkins and seconded by Mr. Pereira, the Board unanimously voted 5-0 to Grant the Variance request with the following condition:

1. There must be a minimum of 5 ft. of setback on the northern side of the property, all other setbacks and building dimensions specific to site plans submitted.

Mr. Assad, Mr. Calkins, Mr. Dupere, Mr. Frank, and Mr. Pereira voted in favor of the motion and the request was GRANTED WITH CONDITIONS.

**DOCUMENTS:**

Appeal Application  
 Letter of Denial  
 Letter of Appeal  
 Certified Abutters' List  
 Tax Certification  
 Zoning Board of Appeals Site Plan

**BEVERLY PEREIRA c/o Atty. Mark L. Levin**  
**350 Rochester St., Map R-04 Lot 90**

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In the matter of Beverly Pereira, the applicant seeks a Variance to construct an addition to an existing non-conforming garage, waiving area, lot coverage, side and rear setbacks, and dimensional requirements in an S (Single Family) Zoning District:

**FAVOR**

Atty. Mark L. Levin was present to address the Board on behalf of the applicant. Atty. Levin explained that the applicant's dwelling and garage were built in 1926, before the city's zoning bylaws were put in place. He explained that the applicant currently can only use the garage for storage and would like to expand the garage to fit a car. Atty. Levin explained that the roof would stay the same height and would only expand outward as shown on the submitted variance plan. He explained that most of the neighboring properties contain a garage and that none of the abutters had a problem with the proposed plan. Atty. Levin presented a letter of favor to the Board which was signed by 8 abutters.

Mr. Assad asked how many stalls the proposed garage would contain. Atty. Levin explained that the applicant is planning on using the garage as a one (1) stall, with the remaining space to be used for storage.

**OPPOSITION**

There was no one present in opposition to this matter.

**DECISION**

The Board found that owing to the circumstances relating to the existing parcel, especially affecting the locus but not affecting the [S] District in which it is located, a literal enforcement of the zoning ordinance would involve substantial hardship to the petitioner and that if relief were not granted, the petitioner would be denied reasonable use of the property.

In a motion made by Mr. Frank and seconded by Mr. Calkins, the Board unanimously voted 5-0 to Grant the Variance request. Mr. Assad, Mr. Calkins, Mr. Dupere, Mr. Frank, and Mr. Pereira voted in favor of the motion and the request was GRANTED.

**DOCUMENTS:**

Appeal Application  
 Letter of Denial



9

Letter of Appeal  
Certified Abutters' List  
Tax Certification  
Zoning Board of Appeals Site Plan  
Letter of Favor Signed by 8 Abutters

**ALBI GJURA**

**193, 195, & 199 Snell St., Map F-20 Lot 2**

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In the matter of Albi Gjura, the applicant proposes to convert the existing commercial building, 199 Snell St., into two (2) residential units. The applicant seeks a Variance to waive lot area, lot coverage, and dimensional requirements in an A-2 (Apartment) Zoning District. The applicant also seeks a Special Permit to reduce parking requirements:

**FAVOR**

Jeff Tallman of Northeast Engineers and Consultants was present to address the Board on behalf of the applicant. Mr. Tallman explained that this property is a pre-existing nonconforming property due to frontage and area, as there is an existing six-family dwelling, single-family dwelling, and two-story commercial building located on the lot. He explained that the applicant would like to convert the existing commercial building into two (2) residential units. Mr. Tallman explained that the proposed use would be more consistent with the neighborhood, as it is located in an A-2 (Apartment) Zoning District. He explained that the property would change from a nonconforming use to a conforming use through this project. Mr. Tallman explained that the relief being sought included setback relief for the existing properties and relief for parking requirements, as there is physically not enough space on the lot to hold the 18 required parking spaces. Mr. Tallman explained that the applicant would be able to fit nine (9) parking spaces on the lot, or a 1:1 ratio, with 1 (one) off-street parking space per apartment unit located on the parcel. He explained that the conversion would only include the use change and the addition of more off-street parking. He explained that the commercial building has not been in use since the applicant purchased the property in January of 2022.

Mr. Frank asked if any external construction would be taking place during this project. Mr. Tallman explained that there will be a staircase added to the original footprint of the lot, used for ingress and egress to the second floor apartment. Mr. Sylvia asked how many bedrooms would be in the proposed units. Mr. Tallman responded that the applicant had not decided yet; however, they were leaning towards creating three (3) bedrooms for each unit. Mr. Sylvia expressed his worry over parking availability in the neighborhood, as it is already fairly busy. Mr. Tallman explained that the four (4) parking spots being added to the rear of the property covers the two (2) proposed units to comply with zoning and the other four (4) spots being added would be to help alleviate some of the parking issues faced by the other dwelling on the parcel, although that parking issue is pre-existing. He explained that there will be an overall improvement in parking although it does not meet the 18 spaces as required. Mr. Pereira asked if the current parking situation included only parallel parking up the driveway. Mr. Tallman explained that the property owner currently only allows one (1) tenant to park in the driveway. Mr. Aguiar explained that he believes it would be

beneficial to get rid of the current commercial use and that overall, there would be a net improvement in parking conditions for the property.

## **OPPOSITION**

There was no one present in opposition to this matter.

## **DECISION**

In a motion made by Mr. Calkins and seconded by Mr. Frank, the Board unanimously voted 5-0 to Grant a Variance, which included the request for a reduction in parking spaces, with the following conditions:

1. No further subdivision.
2. There shall be a parking ratio of 1:1, with 1 (one) off-street parking space per apartment unit located on the parcel.

Mr. Assad, Mr. Calkins, Mr. Dupere, Mr. Frank, and Mr. Pereira voted in favor of the motion and the request was GRANTED WITH CONDITIONS.

## **DOCUMENTS:**

Appeal Application  
Letter of Denial  
Letter of Appeal  
Certified Abutters' List  
Tax Certification  
Zoning Board of Appeals Site Plan

## **DISCUSSION**

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### **PROPOSED UPDATED FEE SCHEDULE:**

Mr. Aguiar explained to the Board that the purpose of this proposed updated fee schedule is to meet the standard rates of other nearby cities. Mr. Aguiar explained that the Zoning Board fees for Fall River are significantly lower than other cities, as our rates have not increased since 2014. Mr. Aguiar advised the Board members to do their own independent research before having the proposed updated fee schedule go before City Council for approval.

### **DOCUMENTS:**

Proposed Updated Fee Schedule  
Current Fee Schedule  
Previous Fee Schedule from 2014

### **2023 ZONING BOARD OF APPEALS MEETING SCHEDULE:**

In a motion made by Mr. Frank and seconded by Mr. Calkins, the Board voted 5-0 to approve the 2023 Zoning Board of Appeals Meeting Schedule. Mr. Assad, Mr. Calkins, Mr. Dupere, Mr. Frank, and Mr. Pereira voted in favor of the motion.

### **DOCUMENTS:**

Proposed 2023 Zoning Board of Appeals Meeting Schedule

## **CITIZENS' INPUT**

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No one was present for Citizens' Input.

## **APPROVAL OF MINUTES**

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In a motion made by Mr. Calkins and seconded by Mr. Frank, the Board voted 5-0 to waive the reading of the minutes and to approve the minutes from the October 20, 2022 meeting. Mr. Assad, Mr. Calkins, Mr. Dupere, Mr. Frank, and Mr. Pereira voted in favor of the motion.

## **ADJOURNMENT**

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In a motion made by Mr. Dupere and seconded by Mr. Pereira, the Board unanimously voted 5-0 to adjourn the meeting at 6:56pm. Mr. Assad, Mr. Calkins, Mr. Dupere, Mr. Frank, and Mr. Pereira voted in favor of the motion and the meeting was adjourned.

Anyone having a question concerning any of the petitions or materials referenced herein may contact the Planning Dept. at [508] 324-2561, [planning@fallriverma.org](mailto:planning@fallriverma.org) or by writing to the Planning Dept., One Government Center, Fall River, MA 02722.

*Recording Clerk*

In Zoning Board of Appeals, December 15, 2022

**Approved**



# City of Fall River Massachusetts

Planning Department

RECEIVED

2022 DEC 21 P 2:51

PAUL E. COOGAN  
Mayor

DANIEL AGUIAR  
CITY CLERK / ~~City Engineer~~ / Acting Planner  
FALL RIVER, MA

**TO:** Alison Bouchard  
City Clerk

**FROM:** Fall River Planning Board

**RE:** PLANNING BOARD MINUTES  
November 9, 2022

The Fall River Planning Board held a Public Meeting at 5:30 p.m. on Wednesday, November 9, 2022, in the 1<sup>st</sup> Floor Hearing Room, One Government Center, Fall River, MA for the purpose of considering the matters set forth in the agenda originally posted with your office on October 14, 2022 and revised on November 4, 2022.

**Members present:** John Ferreira, Vice Chair; Mario Lucciola; Gloria Pacheco; Elizabeth Andre

**Members absent:** Cynthia Sevigny, Chair

**Also present:** Dan Aguiar, Department Head of Engineering and Planning; Nina Krueger, Recording Clerk; and Craig Salvador, FRGTV.

"Minutes" of this meeting are as follows:

*Mr. Ferreira opened the meeting at 5:30 pm with roll call attendance and read the Open Meeting Law statement*

## New Business

### 1. ROADWAY RECONSTRUCTION – WOOD STREET

Section 66-185 City Ordinance. Considering the Roadway Reconstruction Plan and Profile of the Wood Street Ext.

Mr. Aguiar explained that FHT should have had a representative present to address the Board on behalf of the applicant. Since no representative was able to be at the meeting, Mr. Aguiar proceeded with his report of the item. Mr. Aguiar read aloud a memo letter from the Department of Engineering and Planning and the Department of Community Utilities.

Steven Martins, 936 Wood St. – Mr. Martins expressed his concerns over the roadway reconstruction. He explained that he lives directly in front of the proposed street, facing it and the

two (2) lots that are to be developed. Mr. Martins explained that the street pitches quite a bit and is not elevated properly. He also explained that there is a guardrail and erosion control at the end of the street. Mr. Martins asked what materials would be used for the erosion control at the end of the paved area. Mr. Aguiar explained that staked hay bales and silt fencing would be required. Mr. Martins asked if any trees will be torn down. Mr. Aguiar explained that the applicant would not be touching any green space past the erosion control line heading east, unless more space is needed throughout the drainage improvement plan; although, the City does not help design that. Mr. Martins asked if the hay bales would be permanent. Mr. Aguiar explained that the hay bales and silt fencing will be used during construction and the applicant will have to propose a drainage improvement plan to help with the erosion control and run-off problem.

Karyn Arruda, 906 Wood St. – Ms. Arruda explained that Mr. Martins' previous comments addressed her concerns.

Upon a motion duly made by Ms. Pacheco and Seconded by Mr. Lucciola, it was unanimously VOTED 4-0 to continue this item to the December 14, 2022 meeting to gain additional information on the matter.

**Documents used during the meeting:**

Roadway Reconstruction Plan

Memo letter from the Department of Engineering and Planning and the Department of Community Utilities.

**2. STREET ACCEPTANCE – COURTNEY STREET**

Request acceptance of Courtney Street extending from Highland Avenue to Fieldstone Lane; referred by City Council on October 11, 2022.

Mr. Aguiar explained that the City Clerk originally received this request for street acceptance, which was then brought to City Council on October 11, 2022. The City Council then referred the street acceptance to the Planning Board for comment. Mr. Aguiar explained that when the Highland Farms II subdivision was originally approved, a number of improvements were required to be made to Courtney St. Mr. Aguiar explained that if this was a public way, the city would be able to help make these improvements. Mr. Aguiar explained that the way the street is now is satisfactory as it is a working, paved roadway that gives access to the Royal Crest Apartments and the Highland Farms subdivision.

Upon a motion duly made by Mr. Lucciola and Seconded by Ms. Andre, it was unanimously VOTED 4-0 to recommend this street for acceptance to City Council.

**Documents used during the meeting:**

Street Acceptance Referral Letter from City Council

**3. FORM-A Application for Endorsement of Plan Believed Not to Require Approval (ANR Plan of Land)**

**File No. 22-1542**

**Owner:** Fall River Redevelopment Authority

**Applicant:** V.M.D. Companies, LLC

**Property Location:** 0 Innovation Way

**Assessors Map: W-19-0185 & 0189**

Brian Dunn, of MBL Land Development & Permitting, Corp., was present to address the Board on behalf of the applicant. He explained that the applicant wishes to subdivide the lot into a total of five (5) lots, with four (4) of them being buildable lots. Mr. Dunn explained that both the Fall River Conservation Commission, as well as the Freetown Conservation Commission have given Orders of Conditions for the applicant to follow. Due to Conservation restrictions, the proposed fifth lot has been deemed not buildable. Mr. Dunn explained that the Freetown Planning Board has already given approval to the portion of land that is under their jurisdiction. Mr. Aguiar explained that the original parcel is very large and that each new lot meets and exceeds zoning requirements for the district in which it is located. Mr. Dunn explained that the fifth lot is made up of protected wetlands, which totals to 52 acres of land.

Upon a motion duly made by Ms. Andre and Seconded by Mr. Pacheco, it was unanimously VOTED 4-0 to direct the Chair to endorse the plan "approval under the subdivision control law not required."

**Documents used during the meeting:**

Form A Application for Endorsement of Plan Believed Not to Require Approval  
Tax Certification Form  
Approval Not Required Plan of Land

**4. RECEIPT OF CORRESPONDENCE**

Review and discuss the nomination of S. Gourse & Sons Block for the National Register of Historic Places from the Massachusetts Historical Commission.

Mr. Aguiar pointed out that the letter referenced an "enclosed nomination form" that was not attached to the mailing and advised the Board to continue this item to the next meeting in order to gain additional information.

Upon a motion duly made by Mr. Lucciola and Seconded by Ms. Andre, it was unanimously VOTED 4-0 to continue this item to the December 14, 2022 meeting to gain additional information on the matter.

**Documents used during the meeting:**

Notification of the nomination of S. Gourse & Sons Block for the National Register of Historic Places from the Massachusetts Historical Commission.

**5. DISCUSSION**

Review and Discuss Proposed Updated Fee Schedule.

Mr. Aguiar explained to the Board that the purpose of this proposed updated fee schedule is to meet the standard rates of other nearby cities. Mr. Aguiar explained that the current fee schedule has not been updated in over a decade, and as the price of goods increase, our fees must also rise to follow suit. Mr. Aguiar advised the Board members to do their own independent research before having the proposed updated fee schedule go before City Council for approval.

Ms. Pacheco asked if the updated fee schedule would be the same for commercial as well as residential. Mr. Aguiar explained that yes, the updated fees would apply to both commercial and residential projects. Mr. Aguiar explained that since the Planning Board does not govern the Site Plan Review Committee, as there is a City Ordinance requiring Site Plan Reviews to be done, he would check to see if those fees should be on this fee schedule or another.

Upon a motion duly made by Ms. Pacheco and Seconded by Mr. Lucciola, it was unanimously VOTED 4-0 to continue this item to the December 14, 2022 meeting to gain additional information on the matter.

**Documents used during the meeting:**

Proposed Updated Fee Schedule

Current Fee Schedule

**6. DISCUSSION**

Review and Discuss 2023 Planning Board Meeting Schedule.

Upon a motion duly made by Ms. Andre and Seconded by Ms. Pacheco, it was unanimously VOTED 4-0 to approve the 2023 Planning Board Meeting Schedule.

**Documents used during the meeting:**

Proposed 2023 Planning Board Meeting Schedule

**7. Approval of Minutes:** October 17, 2022 meeting.

Upon a motion duly made by Mr. Lucciola and Seconded by Ms. Andre, it was VOTED 3-0 to approve the minutes from the October 17, 2022 meeting. Mr. Ferreira abstained from voting, as he was not in attendance for the October 17, 2022 meeting.

**8. Citizens' Input:**

No one was present for Citizens' Input.

**Before adjournment, it was mentioned that Mr. Ferreira has resigned from his position on the Community Preservation Committee and a new representative from the Planning Board is needed to fill his place.**

**9. Adjournment**

Upon a motion duly made by Ms. Andre and Seconded by Ms. Pacheco, it was unanimously VOTED 4-0 to adjourn at 6:04pm.

**List of documents and other exhibits used during the meeting:**

Planning Board Agenda for 11/9/2022 Meeting

Planning Board Minutes from 10/17/2022 Meeting

*Recording Clerk*

In Planning Board, December 14, 2022

**Approved**

## COMMITTEE ON FINANCE

MEETING: Tuesday, December 13, 2022 at 6:00 p.m.  
Council Chamber, One Government Center

PRESENT: President Joseph D. Camara, presiding;  
Councilors Shawn E. Cadime, Michelle M. Dionne,  
Bradford L. Kilby, Pamela S. Laliberte,  
Leo O. Pelletier, Linda M. Pereira, Andrew J. Raposo,  
and Laura-Jean Washington

ABSENT: None

IN ATTENDANCE: Seth Thomas Aitken, City Administrator  
Paul Ferland, Administrator of Community Utilities  
Bridget Almon, Director of Financial Services  
Kara Humm, American Rescue Plan Act (ARPA) Director

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

In accordance with a resolution adopted, as amended May 8, 2012, 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.

*Councilor Shawn E. Cadime arrived at 6:03 p.m.*

1. Citizens' Input Time – Before Discussion of Financial Matters:  
Melissa Costa, 251 Renaud Street - Library Protest

2. Discussion of loan order for the Phase 22 Lead Service Removal Water Systems Improvements in the amount of \$4,675,000

*Paul Ferland, Administrator of Community Utilities, gave a brief explanation of the Lead Service Removal Water Systems Improvements. Councilor Michelle M. Dionne asked Mr. Ferland for the full, overall cost of this project. Mr. Ferland gave an estimate of \$23,000,000.00 for the total cost to remove lead pipes throughout the city. Councilor Dionne stated that the project would cost residents a yearly rate increase of \$4.24, which is more than what was originally estimated in the past. Councilor Pamela S. Laliberte asked Mr. Ferland if this project would include lead pipes going up to properties or if it was limited to streets. Mr. Ferland confirmed it would include*



replacing water pipes up to the meter of a building or home. Councilor Linda M. Pereira asked Seth Thomas Aitken, City Administrator, if he could explain the discrepancy between the original resident rate increase that was presented with this project and the one that is being presented today. Mr. Aitken stated that he would need to do research into the previous proposal and he would be happy to forward all information to the City Council as soon as possible. Councilor Shawn E. Cadime stated his concerns regarding arbitrage regulations related to the Bedford Street Streetscape project. Bridget Almon, Director of Financial Services, briefly explained that she was aware of that issue and has been diligent about making sure the City is not currently violating arbitrage regulations with that project by working with both bond counsel and financial advisors. On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to recommend that the loan order be referred to the full Council for action.

3. Discussion re: overview of City of Fall River and Bristol County American Rescue Plan Act (ARPA) funding

Kara Humm, ARPA Director, gave an in-depth overview of how ARPA funding is applied for, processed and obtained. Councilor Linda M. Pereira and Ms. Humm discussed applications, their progress and anticipated amount of funding for River to Recovery, COVID-19 Insurance, Children's Holiday Parade Fund and One South Coast Foundation. Councilor Laura-Jean Washington and Ms. Humm discussed the Youth Services Initiative and the challenges they are facing with utilizing Bristol County ARPA funding. Ms. Humm explained the itemization of receipts that Bristol County ARPA requires and how that is severely delaying the process of starting the initiative as many local businesses are involved. She also explained that there are other methods of funding that would be more efficient and the Bristol County ARPA funding could be rescinded for other proposals. Councilor Washington stated that she would support this so that the Youth Services Initiative could begin as soon as possible. Councilor Pamela S. Laliberte inquired when the new City website would be ready for use. Seth Thomas Aitken, City Administrator, stated that it is anticipated to be launched in March of 2023. Councilor Andrew J. Raposo and Ms. Humm discussed the Hydrangea Project application and its current status. Councilor Michelle M. Dionne asked if it was possible for the City Council to vote to rescind the ARPA funding from the Youth Services Initiative this evening to expedite the process of obtaining new funding. President Joseph D. Camara stated that, per the City Clerk, the City Council cannot vote on an item that was not listed on the agenda.

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to adjourn at 7:05 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

  
Cullen A. Taylor  
Clerk of Committees

**REGULAR MEETING OF THE CITY COUNCIL**

MEETING: Tuesday, December 13, 2022 at 7:00 p.m.  
Council Chamber, One Government Center

PRESENT: President Joseph D. Camara, presiding;  
Councilors Shawn E. Cadime, Michelle M. Dionne, Bradford L. Kilby,  
Pamela S. Laliberte, Leo O. Pelletier, Linda M. Pereira,  
Andrew J. Raposo, and Laura-Jean Washington

ABSENT: None

IN ATTENDANCE: Seth Thomas Aitken, City Administrator  
Kara Humm, ARPA Director  
Tyler Antaya, Information Technology Director

President Joseph D. Camara called the meeting to order at 7:16 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

**PRIORITY MATTERS**

1. Mayor requesting confirmation for reappointment of Jason Burns to the Housing Authority  
*On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Andrew J. Raposo, it was unanimously voted to confirm the appointment.*
2. Mayor requesting confirmation for appointment of Ricky P. Sahady to the Zoning Board of Appeals  
*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to confirm the appointment.*
3. Mayor and Confirmatory Order of Taking for Bicentennial Park  
*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the communication be accepted and placed on file and the order be adopted.*  
*Approved, December 14, 2022, Paul E. Coogan, Mayor*
4. Mayor and proposal for Bristol County ARPA funding in the amount of \$1,034,604 for Capital Improvements, Department of Information Technology  
*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Michelle M. Dionne, it was unanimously voted to waive the rules to allow the ARPA Director and the Information Technology Director to answer questions. Councilor Andrew J. Raposo asked how long the necessary upgrades will take. Tyler Antaya, Information Technology Director, stated that some of the needed upgrades may take a few months. Councilor Andrew J. Raposo then asked if these upgrades were critical. Mr. Antaya stated that these upgrades are most*

important because some of the new upgrades will not be compatible with the 2014 systems that are being used by the City. Councilor Shawn E. Cadime asked what the cost of upgrades will be over the next five years. Mr. Antaya stated that a baseline server costs approximately \$50,000.00 and the City has 12 physical servers that will need upgrading. Councilor Andrew J. Raposo then asked if the City was still contracting with a Managed Service Provider (MSP). Mr. Antaya stated that the City is currently using a MSP and he would not recommend ending that contract. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Laura-Jean Washington, it was unanimously voted that communication be accepted and placed on file and the proposal be approved.

5. Mayor and City Councilor Michelle M. Dionne's proposal for Bristol County ARPA funding in the amount of \$56,592.99 for the purchase of Speed Alert Radar Message signs and trailer equipment

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted that the communication be accepted and placed on file and the proposal be approved.

6. Mayor and allocation of Bristol County ARPA funding in the amount of \$3,000,000 to the Department of Community Utilities, Water Division, for lead service removal
- On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Pamela S. Laliberte, it was unanimously voted that the communication be accepted and placed on file.

7. Mayor and orders to accept and expend the following grants:

- a. \$2,000,000 – MA EOHED – Fund portion of Route 79-Davol St. Corridor Improvements Project
- b. \$10,000,000 – U.S. EPA – Replace public and private lead pipes

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted that the communication be accepted and placed on file and both orders be adopted.

Approved, December 14, 2022, Paul E. Coogan, Mayor

8. Mayor and letter to Robert Beatty, Executive Director, Atlantis Charter School re: public safety concerns in the area of Jefferson and Dickinson Streets and the limited use of the Dickinson Street entrance

Councilor Shawn E. Cadime stated that he has received many calls regarding this matter and would like the matter referred to the Committee on Public Safety for discussion. Councilor Leo O. Pelletier stated that the area is very congested and chaotic in the morning and afternoon when parents are dropping off and picking up students. Councilor Pamela S. Laliberte asked who wrote the letter that was sent to Robert L. Beatty, Executive Director because it was signed City of Fall River without an actual signature. On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Michelle M. Dionne, it was unanimously voted to waive the rules to allow the City Administrator to answer questions. Seth Thomas Aitken, City Administrator, stated that he was the author of the letter. He stated that there was much discussion over what department should actually send the communication, therefore he believed that it should come from the City of Fall River and not just one department. He then mentioned that he has been in communication with Mr. Beatty frequently. He also highlighted that Mr. Beatty informed him that only parents of kindergarten students were allowed to use the Dickinson Street access to the school. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the matter to the Committee on Public Safety.

**PRIORITY COMMUNICATIONS**

9. ARPA Director re: overview of City of Fall River and Bristol County ARPA funding  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Andrew J. Raposo, it was unanimously voted that the communication be accepted and placed on file.*

10. Traffic Commission recommending amendments to traffic ordinances  
*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Andrew J. Raposo, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation.*

**COMMITTEE REPORTS – None****ORDINANCES – None****RESOLUTIONS**

11. Committee on Finance convene to discuss the hiring and retaining of police officers  
*Councilor Linda M. Pereira stated that she filed the resolution because many police officers are leaving the department or retiring. She then stated that exit interviews should be conducted to determine the reasons. For instance, if it is due to the low salaries that the City is offering, then that is something that needs to be addressed with the Administration. On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to adopt the resolution.*

12. Corporation Counsel forward a letter to Fall River Coin Operated Car Wash, located at 1225 Dwelly Street, re: excessive noise and loitering  
*Councilor Leo O. Pelletier stated that this business is still generating an excessive amount of noise, which is disturbing the neighbors. He then mentioned that he filed this resolution so that Corporation Counsel forward a letter to this business requesting the owner secure the lot in such a manner that there is no access to the property after 10:00 p.m. daily. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the resolution.*

13. Committee on Health and Environmental Affairs convene to discuss public health concerns at 222 Peckham Street  
*Councilor Leo O. Pelletier stated that he is contacted by the neighbors frequently with complaints of a severe fish and seafood odor. He also stated that he would like to have an inspector complete a thorough inspection of the property. On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the resolution.*

**CITATIONS – None****ORDERS – HEARINGS – None****ORDERS – MISCELLANEOUS**

14. Police Chief's report on licenses:  
2022 Taxicab Driver:  
 Timothy A. Gardiner

2023 Taxicab Drivers:

Manuel Almeida  
 Edward A. Arruda  
 Melissa Carvalho  
 Gerald Costa  
 Robert R. Diguseppe  
 James S. Gouveia Jr.  
 Michael J. Migliori  
 John D. Purcell  
 Edward Rego  
 Stephen J. Stets  
 Walter Woods

Thomas Andrade  
 Darrell Carlsen  
 Robert M. Collins Jr.  
 Luis Costa  
 David Dube  
 Louis Levesque  
 George Oliveira  
 Todd J. Quintal  
 James E. Smith  
 Gary Teixeira

Ashraf Kamal Antar  
 Douglas J. Carvalho  
 Gilbert W. Correia  
 Simone Desnoyers  
 Timothy A. Gardiner  
 William Marshall  
 Judy Palani  
 Mikael Raposa  
 Delores Socall  
 Dorothy Ward

2023 Livery Driver:

Garry Boursiquot

2023 Livery Vehicle:

Lledoga Limo Service, LLC

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adopt the order.*

15. Revocation of permit for the storage of inflammables (removal of tanks):

City of Fall River, 1117 North Main Street

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adopt the order.*

*Approved, December 14, 2022, Paul E. Coogan, Mayor*

## 16. Light Order – 79 Baird Street

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adopt the order.*

**COMMUNICATIONS – INVITATIONS – PETITIONS**

## 17. Claims

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the claims to Corporation Counsel.*

## 18. Zoning Board of Appeals Minutes – October 20, 2022

*On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Laura-Jean Washington, it was unanimously voted that the minutes be accepted and placed on file.*

## 19. Attorney General Response to Open Meeting Law complaints filed by Patrick Higgins re: alleged violations in minutes of the City Council for meetings held on December 28, 2021 and January 3, 2022 and minutes of the Committee on Finance and City Council for meetings held on January 18, 2022

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Andrew J. Raposo, it was unanimously voted that the communication be accepted and placed on file.*

## 20. Public Employee Retirement Administration Commission (PERAC) re: Appropriation for Fiscal Year 2024

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Laura-Jean Washington, it was unanimously voted that the communication be accepted and placed on file.*

City Council Minutes:

21. Public Hearing – November 22, 2022

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted that the minutes be approved.*

22. Committee on Finance – November 22, 2022

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the minutes be approved.*

23. Regular Meeting of the City Council – November 22, 2022

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted that the minutes be approved.*

**BULLETINS – NEWSLETTERS – NOTICES** – None

**OTHER POTENTIAL MATTERS TO BE ACTED UPON:**

**COMMITTEE REPORTS**

Committee on Finance recommendation:

Action:

10a. Loan order for the Phase 22 Lead Service Removal Water Systems  
Improvements in the amount of \$4,675,000

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was voted 8 yeas, 1 nay to adopt the loan order, with Councilor Shawn E. Cadime voting in the negative.*

*Approved, December 14, 2022, Paul E. Coogan, Mayor*

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 8:01 p.m.*

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

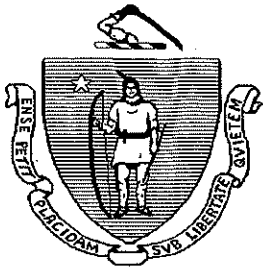
DVD of meeting

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

2022 DEC 22 A 8:54



# The Commonwealth of Massachusetts

CITY CLERK  
FALL RIVER, MA

## DEPARTMENT OF PUBLIC UTILITIES

### NOTICE OF FILING AND REQUEST FOR COMMENTS

D.P.U. 22-BSF-D4

December 21, 2022

Petition of Massachusetts Electric Company and Nantucket Electric Company each d/b/a National Grid for Approval of An Alternative Basic Service Procurement and Pricing Plan

On December 20, 2022, Massachusetts Electric Company and Nantucket Electric Company each d/b/a National Grid Basic Service ("National Grid" or "Company") filed a petition with the Department of Public Utilities ("Department") for approval of an alternative basic service procurement plan for the Company's General Service – Demand G-2 customers and General Services – Time-of-Use G-3 customers ("Industrial customer group") for the period February 1, 2023, through April 30, 2023. The Department docketed this matter as D.P.U. 22-BSF-D4.

Pursuant to Pricing and Procurement of Default Service, D.T.E. 99-60-B (2000) and Default Service Procurement, D.T.E. 02-40-C (2003), the Department requires electric distribution companies to procure 100 percent of their large commercial and industrial ("C&I") basic service load requirements on a quarterly basis. Consistent with these requirements, on December 14, 2022, the Company concluded a request for proposal ("RFP") process to solicit 100 percent of its basic service load requirements for its Industrial customer group for the three-month basic service period February 1, 2023 through April 30, 2023. The RFP process failed to secure basic service supply for the Industrial customer group.

Accordingly, the Company has proposed an alternative basic service procurement and pricing plan to serve the Industrial customer group. The Company proposes to self-supply the Industrial group by assuming the responsibility for managing the load asset for these customers in the ISO New England spot market. The Company proposes to set the monthly basic service rate for the affected customers by estimating cost elements of self-supply. Under the Company's proposal, any under- or over-recovery of costs would be collected through the Company's basic service adjustment provision, set forth in M.D.P.U. No. 1457.

The Department will accept written comments on the Company's petition. Written comments must be filed with the Department no later than close of business (5:00 p.m.) on **January 6, 2023**. To the extent a person or entity wishes to submit comments in accordance with this Notice, electronic submission, as detailed below, is sufficient.

All comments must be submitted to the Department in **.pdf format** by e-mail attachment to [dpu.efiling@mass.gov](mailto:dpu.efiling@mass.gov) and [patrick.m.houghton@mass.gov](mailto:patrick.m.houghton@mass.gov). All comments also must be sent to counsel for National Grid, Meabh Purcell, Esq., by email attachment to

Meabh.purcell@nationalgrid.com. The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 22-BSF-D4); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic file name should identify the document but should not exceed 50 characters in length. Importantly, all large files submitted must be broken down into electronic files that do not exceed 20 MB.

Ordinarily, all parties would follow Sections B.1 and B.4 of the Department's Standard Ground Rules (D.P.U. 15-184-A, App. 1 (March 4, 2020)) regarding the filing of documents. However, at this time, all filings will be submitted to the Department only in electronic format, consistent with the Department's June 15, 2021 Memorandum addressing continued modified filing requirements. Until further notice, parties must retain the original paper version of the filing and the Department will later determine when the paper version must be filed with the Department Secretary.

At this time, a paper copy of the filing will not be available for public viewing at the Company's offices or the Department. The filing and other documents submitted in electronic format will be posted as soon as practicable at on the Department's website through our online File Room at: <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber> (enter "22-BSF-D4"). To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), contact the Department's ADA coordinator at [DPUADACoordinator@mass.gov](mailto:DPUADACoordinator@mass.gov).

Any person desiring further information regarding the Company's filing should contact counsel for National Grid, Meabh Purcell, Esq. at [Meabh.purcell@nationalgrid.com](mailto:Meabh.purcell@nationalgrid.com). Any person desiring further information regarding this notice may contact Patrick Houghton, Hearing Officer, Department of Public Utilities, at [patrick.m.houghton@mass.gov](mailto:patrick.m.houghton@mass.gov).