



City of Fall River Massachusetts  
Office of the City Clerk

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

**ORIGINAL POSTING: FEBRUARY 17, 2022 AT 12:26 P.M.**

ALISON M. BOUCHARD  
CITY CLERK

**MEETINGS SCHEDULED**  
**CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER**  
**TUESDAY, FEBRUARY 22, 2022**

INÊS LEITE  
ASSISTANT CITY CLERK

**REVISED AGENDA**

**6:00 P.M. CITY COUNCIL COMMITTEE ON FINANCE MEETING**

1. Citizen Input
2. Presentation of the MSBA project for Diman Regional Vocational Technical High School (referred 2-8-22)
3. Greater Fall River Vocational School District Committee re: amount of \$293,479,760 for designing, engineering, constructing and equipping the new Diman Regional Vocational Technical High School and related athletic facilities (see #5 below)

**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 and approval of the contract of Roger St. Martin to the position of Fire Chief
2. \*Mayor requesting confirmation of the appointment and approval of the contract of Nicholas A. Macolini to the position of Human Resources Director
3. \*Mayor and request from Fall River Public Schools for approval to submit Statement of Interest on March 25, 2022 into the Accelerated Repair Program of the Massachusetts School Building Authority for the Stone Therapeutic Day School at Westall
4. \*Mayor and request from Fall River Public Schools for approval to submit Statement of Interest on March 25, 2022 into the Accelerated Repair Program of the Massachusetts School Building Authority for the Robert L. Medeiros Resiliency Preparatory Academy

**PRIORITY COMMUNICATIONS**

5. \*Greater Fall River Vocational School District Committee re: amount of \$293,479,760 For designing, engineering, constructing and equipping the new Diman Regional Vocational Technical High School and related athletic facilities (see #2 in Finance)

**COMMITTEE REPORTS** – None

**ORDINANCES** – None

**RESOLUTIONS** – None

**CITATIONS** – None

**ORDERS – HEARINGS** – None

**ORDERS – MISCELLANEOUS**

6. Police Chief's report on licenses:  
2022 Taxicab Drivers:  
Gabriel Olivierre
7. Auto Repair Shop License Renewals:  
Rabih Khoury, R & B, Inc. d/b/a Warren Auto Repair, located at 857 Warren Street  
Haissam Elazar d/b/a Joe's Gas Auto Sales, located at 2608 South Main Street

**COMMUNICATIONS – INVITATIONS – PETITIONS**

8. \*Claims
9. \*Open Meeting Law complaint filed by Patrick Higgins re: February 11, 2022 alleged violation by City Council and Council President Pam Laliberte-Lebeau
10. \*Open Meeting Law complaint filed by Patrick Higgins re: February 11, 2022 alleged violation by City Council Committee on Finance and Council President Pam Laliberte-Lebeau

**BULLETINS – NEWSLETTERS – NOTICES** – None

  
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**OPEN MEETING LAW COMPLAINT FORM**

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

**RECEIVED**

2022 FEB 14 A 9 59

Please note that all fields are required unless otherwise noted.

CITY CLERK  
FALL RIVER, MA

**Your Contact Information:**

First Name: Patrick Last Name: Higgins

Address: P O Box 290

City: Northport State: AL Zip Code: 35476

Phone Number: 5086425274 Ext. \_\_\_\_\_

Email: patrick@patrickhiggins.co

Organization or Media Affiliation (if any): Patrick Higgins and Associates

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

Individual  Organization  Media

**Public Body that is the subject of this complaint:**

City/Town  County  Regional/District  State

Name of Public Body (including city/town, county or region, if applicable): Fall River City Council Committee on Finance

Specific person(s), if any, you allege committed the violation: Pam Laliberte-Lebeau, President

Date of alleged violation: 02/11/2022

**Description of alleged violation:**

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

The Fall River City Council Committee on Finance published the agenda for their Feb 15, 2022 meeting at 12:33 pm on Feb 11, 2022. As part of their agenda packet, they included the minutes from their Jan 18, 2022 meeting. The minutes violate the open meeting law in that they don't include the "list of all the exhibits and other documents used by the public body during the meeting." G. L. 30A, section 22(a). See "Public Body checklist for creating and approving meeting minutes" memo issued by the Division of Open Government on September 25, 2017.

In the minutes for the Jan 18, 2022 meeting of the City Council Committee on Finance, they simply list "Agenda packet (attached)". This does not comply with section 22(a) of the Open Meeting Law.

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.

All member should be required to attend the training webinar given by the Division of Open Government within 45 days.

List "all of the documents and other exhibits used by the public body during the meeting" in all future minutes as required by Section 22(a) of 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.

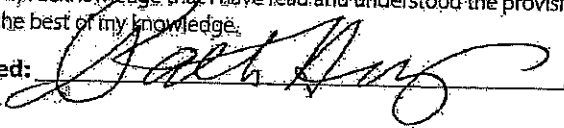
**II. Consulting With a Private Attorney.**

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](mailto:openmeeting@state.ma.us).

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: 

Date: 02/11/2022

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

**COMMITTEE ON FINANCE**

- MEETING:** Tuesday, January 18, 2022 at 6:00 p.m.  
Council Chamber, One Government Center
- PRESENT:** President Pam Laliberte-Lebeau, presiding;  
Councilors Shawn E. Cadime, Joseph D. Camara,  
Michelle M. Dionne, Bradford L. Kilby, Trött Lee,  
Leo O. Pelletier, Linda M. Pereira and Andrew J. Raposo
- ABSENT:** None
- IN ATTENDANCE:** Kenneth C. Pacheco, Chief Operating Officer, Fall River School Department  
Edward F. Iacaponi, Consultant

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.

**1. Citizens' Input**

Collin Dias, 560 Ray Street – American Rescue Plan Act (ARPA) Committee

2. Transfer and appropriation - \$105,408 from General Fund Free Cash to School Transportation  
*Kenneth C. Pacheco stated that when invoices were being processed for payment last year, this item was overlooked. He then provided a brief overview of the tiered bus transportation process. He highlighted that this invoice is primarily wait time due to the tiered bus transportation. Mr. Pacheco then stated that the Matthew J. Kuss Middle School is tiered with the Henry Lord Community School, and the Spencer Borden Elementary School is tiered with the Frank M. Silvia Elementary School. He then explained that the City realized a savings of approximately \$2.7 million dollars last year by using tiers for bus transportation. Councilor Shawn E. Cadime asked if this transfer will cover all the prior year invoices. Kenneth C. Pacheco stated that this amount covers all normal invoices. He then explained that there are some invoices in dispute due to the pandemic and those will be addressed when the Administration comes to an agreement with the bus company.*

**3. Discussion of Fiscal Year 2022 – Quarter 2 Budget Report**

*Edward F. Iacaponi stated that he has reviewed the Quarter 2 Budget Report and most items are on target. He then mentioned that the compilation of the Fiscal Year 2023 Budget has started, therefore the traditional problem areas in the current budget will be monitored closely. Councilor Shawn E. Cadime stated that local receipts are at 42.2%, and then asked if this percentage is on target based on the forecast. He then highlighted that he understands that motor vehicle excise taxes are not due until*

March. Edward F. Iacaponi stated that the motor vehicle excise taxes will be included in the next quarter. He then mentioned that the City received a large deposit today from the State for marijuana excise taxes. Councilor Linda M. Pereira asked what the amount of the deposit was. Edward F. Iacaponi stated approximately \$200,000.00. Councilor Andrew F. Raposo asked if any of the inactive capital funds could be used for other expenses. Edward F. Iacaponi stated that he can review all these funds with the Administration to determine what may be used. Councilor Michelle M. Dionne stated that under the revenue section, on the second page it lists Medicaid reimbursement at 0%. She then asked if this was correct. Edward F. Iacaponi stated that Medicaid reimbursement is usually quite large and is generated by the School Department. He then stated that is unusual, but these funds are not received monthly, so it is very possible. He then indicated that he will review the matter.

Citizens' Input Time – After Discussion of Financial Matters:  
None

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 6:24 p.m.

- List of documents and other exhibits used during the meeting:  
Agenda packet (attached)  
DVD of meeting

*Cullen A. Taylor*  
Clerk of Committees