



City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2022 MAY 20 P 12:56

MEETINGS SCHEDULED

CITY CLERK _____
FALL RIVER, MA

CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
TUESDAY, MAY 24, 2022

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

AGENDA

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

1. Citizen Input
2. *Resolution – Committee on Finance convene to discuss allowable use of the Bristol County ARPA funds that Fall River will be receiving (adopted 5-10-22)

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 requesting confirmation of the appointment of Paul F. Gauvin as Chief of Police and order requesting approval of contract
2. *Mayor requesting confirmation of the appointment of Ryan Lyons as Chairperson of the Board of Election Commissioners
3. *Mayor requesting confirmation of the following reappointments:
 - a. John Brandt to the Conservation Commission
 - b. James Cusick to the Conservation Commission

PRIORITY COMMUNICATIONS

4. *Traffic Commission recommending amendment to traffic ordinances

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

All readings with Emergency Preamble:

5. *Proposed Ordinance – Traffic, Handicapped Parking (inserting)
223 Eagle Street 1956 Pleasant Street 610 Slade Street
139 Williston Street

Committee on Human Services, Housing, Youth and Elder Affairs recommending:

Grant Leave to Withdraw:

6. *Resolution – Committee on Human Services, Housing, Youth and Elder Affairs use their platform to announce Youth Violence Prevention Week to be held April 25-29, 2022

ORDINANCES

Second Reading and Enrollment, as amended:

7. *Proposed Ordinance – Traffic, Miscellaneous
Stop Intersections designated
Indian Town Road at Blossom Road
Thirty minute parking
1942 South Main Street

Handicapped parking (striking out)

57 Lyon Street	205 Barnaby Street	152 Buffinton Street
34 Canonicus Street	492 Division Street	1124 Dwelly Street
875 Eastern Avenue	354 Linden Street	26 Oliver Street
169 Pitman Street	27 Harriman Street	23 Tripp Street
897 Charles Street	534 William Street	

Second Reading and Enrollment:

8. *Proposed Ordinance – Water Rates
9. *Proposed Ordinance – Sewer Rates
10. *Proposed Ordinance – Residential Compost Recycling Program
11. *Proposed Ordinance – Historical Preservation

RESOLUTIONS

12. *Director of Cemeteries fly flag flown over the United States Capital at Oak Grove Cemetery in honor of Fall River residents who have served in the military and made the ultimate sacrifice in defending our country

CITATIONS

13. Judy Collins – 30 years of outstanding service to the Saturday kitchen
14. Christopher Blanchette – Dedication and commitment to Morton Middle School 8th Grade Civics Class

ORDERS – HEARINGS – None

ORDERS – HEARING TO BE SCHEDULED

Underground Conduit:

15. Massachusetts Electric Company – Installation of appropriately 220 feet of underground conduit on Highland Avenue

ORDERS – MISCELLANEOUS

16. Police Chief's report on licenses:

2022 Taxicab Drivers:

Akeem Barlow	Jean P. Charlot	James Smith	Michael Wasilowski
--------------	-----------------	-------------	--------------------

17. Auto Repair Shop License Renewal:

Jose Pinheiro d/b/a Pinheiro Automotive and Repair Center, Inc., located at 697 Pleasant Street

18. Auto Repair Shop License Transfer:

Transfer of auto repair shop license no. 228 located at 410 Second Street from Robert Fouquette d/b/a Big Wheel Truck Sales, Inc., to Paulo A. Carvalho d/b/a Carvalho's Tire and Auto Center, Inc.

19. Auto Body Shop License Transfer:

Transfer of auto body shop license no. 116 located at 410 Second Street from Robert Fouquette d/b/a Big Wheel Truck Sales, Inc., to Paulo A. Carvalho d/b/a Carvalho's Tire and Auto Center, Inc.

COMMUNICATIONS – INVITATIONS – PETITIONS

20. *Claims
21. Drainlayer Licenses:
a. MRC Contracting, Inc.
b. East Coast Landscaping & Construction, Inc.
c. Jones Excavating LLC
d. W. C. Smith and Son, Inc.
e. JB Lanagan & Company
22. Structure on or over a public way permit – Banner at 205 South Main Street to promote Day of Portugal 2022
23. Planning Board Minutes – April 23, 2022
- City Council Minutes:
24. *Public Hearings – April 26, 2022
25. *Regular Meeting of the City Council – April 26, 2022

BULLETINS – NEWSLETTERS – NOTICES

26. Notice of Casualty and Loss at 3865 North Main Street, Unit 14
27. Notice of Casualty and Loss at 79 Woodlawn Street
28. Notice of Casualty and Loss at 123 Knights Way


Assistant City Clerk

OTHER POTENTIAL MATTERS TO BE ACTED UPON:

ORDINANCES

7. Ordination, as amended:
*Proposed Ordinance – Traffic, Miscellaneous
Stop Intersections designated
Indian Town Road at Blossom Road
Thirty minute parking
1942 South Main Street
Handicapped parking (striking out)
57 Lyon Street 205 Barnaby Street 152 Buffinton Street
34 Canonicus Street 492 Division Street 1124 Dwelly Street
875 Eastern Avenue 354 Linden Street 26 Oliver Street
169 Pitman Street 27 Harriman Street 23 Tripp Street
897 Charles Street 534 William Street
- Ordination:
8. *Proposed Ordinance – Water Rates
9. *Proposed Ordinance – Sewer Rates
10. *Proposed Ordinance – Residential Compost Recycling Program
11. *Proposed Ordinance – Historical Preservation

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

WHEREAS, the City of Fall River will be receiving \$16,035,844.70 in Bristol County ARPA funds, and

WHEREAS, the spending of these funds requires signatures of 5 members of the Fall River City Council, now therefore

BE IT RESOLVED, that each member of the City Council review the ARPA Funds allowable uses and be prepared to make recommendations to the Administration on how these funds are spent, and

BE IT FURTHER RESOLVED, that the City Administrator, and the Director of Financial Services be invited to attend the Committee on Finance meeting scheduled for Tuesday, May 24, 2022 to discuss and provide guidance on the Council's recommendations, in order to ensure the final decision on the use of these funds is reached in cooperation with the Administration, and in the best interest of the residents, businesses, and City of Fall River.

In City Council, May 10, 2022
Adopted.

A true copy. Attest:

Alison M. Bouchard
City Clerk



Vermont League
of Cities & Towns

ARPA ELIGIBLE USES MATRIX

Reference Documents:

Interim Final Rule

Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) FAQ

31CFR Part 35- Pandemic Relief Programs, Subpart A - Coronavirus State and Local Fiscal Recovery Funds, §35.6

1: PUBLIC HEALTH

ACTIVITY/EXPENSE	POSSIBLE EXPENDITURE CATEGORY (EC)	REF DOC	NOTES OF IMPORTANCE
Expenses related to COVID-19 vaccination programs and sites, including staffing, acquisition of equipment or supplies, facilities costs, and information technology or other administrative expenses	1.1 COVID-19 Vaccination ^	FAQ 2.1; 31 CFR 35.6	
Vaccine incentive programs (cash or in-kind transfer, lottery programs, or other incentives for individuals who get vaccinated)	1.1 COVID-19 Vaccination ^	FAQ 2.12	
Mental health treatment	1.10 Mental Health Services*	IFR	
Hotlines or warmlines	1.10 Mental Health Services*	IFR	
Crisis intervention	1.10 Mental Health Services*	IFR	
Infectious disease prevention	1.10 Mental Health Services*	IFR	
Services or outreach to promote access to physical or behavioral health primary care or preventative medicine	1.10 Mental Health Services*	IFR	
Substance misuse treatment	1.11 Substance Use Services*	IFR	
Overdose prevention	1.11 Substance Use Services*	IFR	
Supports for vulnerable populations to access medical or public health services	1.12 Other Public Health Services	FAQ 2.1	
Enhancement of public health data systems	1.12 Other Public Health Services	FAQ 2.1	
Other public health responses	1.12 Other Public Health Services	FAQ 2.1	
Other behavioral health services	1.12 Other Public Health Services	IFR	
Testing and monitoring	1.2 COVID-19 Testing ^	FAQ 2.1	
Cost for monitoring case trends and genomic sequencing for variants	1.3 COVID-19 Contact Tracing	31 CFR 35.6	
Contact tracing	1.3 COVID-19 Contact Tracing	FAQ 2.1	
Ventilation improvements in congregate settings, health care settings or other key locations	1.4 Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.)*	FAQ 2.1	
COVID-19 related expenses for prevention, mitigation or other services in congregate living facilities, including skilled nursing facilities, long-term care facilities, incarceration settings, homeless shelters, residential foster care facilities, residential behavioral health treatment, and other group living facilities and other key settings like schools	1.4 Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.)*	FAQ 2.1; 31 CFR 35.6	
Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment	1.5 Personal Protective Equipment	FAQ 2.1; 31 CFR 35.6	
Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions	1.9 Payroll Costs for Public Health, Safety, and Other Public Sector Staff Responding to COVID-19	31 CFR 35.6	



Vermont League
of Cities & Towns

ARPA ELIGIBLE USES MATRIX

Reference Documents:

Interim Final Rule

Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) FAQ

31 CFR Part 35- Pandemic Relief Programs, Subpart A - Coronavirus State and Local Fiscal Recovery Funds, 535.6

Expenses for treatment of the long-term symptoms or effects of COVID-19, including post-intensive care syndrome	1.6 Medical Expenses (Including Alternative Care Facilities)	31 CFR 35.6	
Emergency medical response expenses, including emergency medical transportation, related to COVID-19	1.6 Medical Expenses (Including Alternative Care Facilities)	31 CFR 35.6	
Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment	1.6 Medical Expenses (Including Alternative Care Facilities)	31 CFR 35.6	
Medical care	1.6 Medical Expenses (Including Alternative Care Facilities)	FAQ 2.1	
Enhancement to health care capacity, including through alternative care facilities	1.6 Medical Expenses (Including Alternative Care Facilities)	FAQ 2.1	
Continue to provide care and services to address near and long-term needs	1.6 Medical Expenses (Including Alternative Care Facilities)	IFR	
COVID-19-related expenses of public hospitals, clinics, and similar facilities	1.6 Medical Expenses (Including Alternative Care Facilities)		
Capital investments in public facilities to pandemic operation needs, such as physical plant improvements to public hospitals and health clinics or adaptations to public buildings to implement COVID-19 mitigation tactics	1.7 Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency	FAQ 2.1	
Improvement to public parks from increased use during the pandemic resulting in damage or increased maintenance needs	1.7 Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency	FAQ 2.18	
Expenses for disinfection of public areas and other facilities in response to the COVID-19 public health emergency	1.8 Other COVID-19 Public Health Expenses (Including Communications, Enforcement, Isolation/Quarantine)	31 CFR 35.6	
Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety	1.8 Other COVID-19 Public Health Expenses (Including Communications, Enforcement, Isolation/Quarantine)	31 CFR 35.6	
Expenses for communication related to COVID-19 vaccination programs and communication or enforcement by recipients of public health orders related to COVID-19	1.8 Other COVID-19 Public Health Expenses (Including Communications, Enforcement, Isolation/Quarantine)	31 CFR 35.6	



Vermont League
of Cities & Towns

ARPA ELIGIBLE USES MATRIX

Reference Documents:

[Interim Final Rule](#)

[Coronavirus State and Local Fiscal Recovery Funds \(CSLFRF\) FAQ](#)

[31 CFR Part 35- Pandemic Relief Programs, Subpart A - Coronavirus State and Local Fiscal Recovery Funds, §35.6](#)

Public health surveillance (e.g. monitoring case trends, genomic sequencing of variants)	1.8 Other COVID-19 Public Health Expenses (Including Communications, Enforcement, Isolation/Quarantine)	FAQ 2.1	
Public health surveillance (e.g. monitoring case trends, genomic sequencing of variants)	1.8 Other COVID-19 Public Health Expenses (Including Communications, Enforcement, Isolation/Quarantine)	FAQ 2.1	
Enforcement of public health orders	1.8 Other COVID-19 Public Health Expenses (Including Communications, Enforcement, Isolation/Quarantine)	FAQ 2.1	
Public communication efforts	1.8 Other COVID-19 Public Health Expenses (Including Communications, Enforcement, Isolation/Quarantine)	FAQ 2.1	
Expenses for quarantining or isolation of individuals	1.8 Other COVID-19 Public Health Expenses (Including Communications, Enforcement, Isolation/Quarantine)	FAQ 2.1; 31 CFR 35.6	
Improve efficacy of programs addressing negative economic impacts of COVID-19, including through use of targeted consumer outreach, improvements to data or technology infrastructure, impact evaluations and data analysis	1.8 Other COVID-19 Public Health Expenses (Including Communications, Enforcement, Isolation/Quarantine)	FAQ 4.12	
Outreach to increase uptake of federal assistance programs - Child Tax Credit	1.8 Other COVID-19 Public Health Expenses (Including Communications, Enforcement, Isolation/Quarantine)	FAQ 4.12	
Outreach to increase uptake of federal assistance programs -SNAP	1.8 Other COVID-19 Public Health Expenses (Including Communications, Enforcement, Isolation/Quarantine)	FAQ 4.12	
Planning and analysis in order to improve programs addressing COVID-19, including through use of targeted consumer outreach, improvements to data or technology infrastructure, impact evaluations and data analysis	1.8 Other COVID-19 Public Health Expenses (Including Communications, Enforcement, Isolation/Quarantine)	IFR	

1/5/2022

3



Vermont League
of Cities & Towns

ARPA ELIGIBLE USES MATRIX

Reference Documents:

[Interim Final Rule](#)

[Coronavirus State and Local Fiscal Recovery Funds \(CSLFRF\) FAQ](#)

[31CFR Part 35- Pandemic Relief Programs, Subpart A - Coronavirus State and Local Fiscal Recovery Funds, §35.6](#)

Payroll and covered benefits expenses for public safety staff, public health, health care, human services, and similar employees, to the extent that their services are devoted to mitigating or responding to COVID-19	1.9 Payroll Costs for Public Health, Safety, and Other Public Sector Staff Responding to COVID-19	IFR	
Payroll, covered benefit, and other costs associated with the recipient increasing the number of its employees up to the number of employees that it employed on January 27, 2020	1.9 Payroll Costs for Public Health, Safety, and Other Public Sector Staff Responding to COVID-19	IFR	

2: NEGATIVE ECONOMIC IMPACTS

ACTIVITY/EXPENSE	POSSIBLE EXPENDITURE CATEGORY (EC)	REF DOC	NOTES OF IMPORTANCE
Food assistance	2.1 Household Assistance: Food Programs* A	FAQ 2.5	
Assistance to implement COVID-19 mitigation and infection prevention measures to enable safe resumption of tourism, travel, and hospitality services, for example, improvements to ventilation, physical barriers or partitions, signage to facilitate social distancing, provision of masks or personal protective equipment, or consultation with infection prevention professionals to develop safe reopening plans.	2.11 Aid to Tourism, Travel, or Hospitality	FAQ 2.13	
Provide aid to support safe reopening of businesses in the tourism, travel and hospitality industries and to districts that were closed during the COVID-19 public health emergency, as well as aid a planned expansion or upgrade of tourism, travel and hospitality facilities delayed due to the pandemic.	2.11 Aid to Tourism, Travel, or Hospitality	FAQ 2.9	



Vermont League
of Cities & Towns

ARPA ELIGIBLE USES MATRIX

Reference Documents:

Interim Final Rule

Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) FAQ

31 CFR Part 35- Pandemic Relief Programs, Subpart A- Coronavirus State and Local Fiscal Recovery Funds, §35.6

			Provided that recipients consider the extent of the impact in such industries as compared to tourism, travel, and hospitality, the industries enumerated in the statute. For example, nationwide the leisure and hospitality industry has experienced an approximately 17 percent decline in employment and 24 percent decline in revenue, on net, due to the COVID-19 public health emergency. Recipients should also consider whether impacts were due to the COVID-19 pandemic, as opposed to longer-term economic or industrial trends unrelated to the pandemic. Recipients should maintain records to support their assessment of how businesses or business districts receiving assistance were affected by the negative economic impacts of the pandemic and how the aid provided responds to these impacts. (FAQ 2.10)
Assistance to impacted industries other than travel, tourism, and hospitality,	2.12 Aid to Other Impacted Industries	IFR	
Rent, mortgage, utility assistance	2.2 Household Assistance: Rent; Mortgage, and Utility Aid* ^	FAQ 2.5	
Survivor's benefits to surviving family members of COVID-19 victims, or cash assistance to widows, widowers and dependents of eligible COVID-19 victims	2.3 Household Assistance: Cash Transfers* ^	31 CFR 35.6	
Cash assistance	2.3 Household Assistance: Cash Transfers* ^	FAQ 2.5	
Emergency assistance for burials	2.3 Household Assistance: Cash Transfers* ^	FAQ 2.5	
Emergency assistance for home repairs, weatherization or other needs	2.3 Household Assistance: Cash Transfers* ^	FAQ 2.5	
Internet access or digital literacy assistance	2.4 Household Assistance: Internet Access Programs* ^	FAQ 2.5	
Provide assistance to households facing negative economic impacts due to Covid-19, including digital literacy training and other programs that promote access to the Internet.	2.4 Household Assistance: Internet Access Programs* ^	FAQ 6.6	



Vermont League
of Cities & Towns

ARPA ELIGIBLE USES MATRIX

Reference Documents:

Interim Final Rule

Coronavirus State and Local Fiscal Recovery Funds (SLFRF) FAQ

31CFR Part 35- Pandemic Relief Programs, Subpart A - Coronavirus State and Local Fiscal Recovery Funds, §35.6

Counseling and legal aid to prevent eviction or homelessness (This includes housing stability services that enable eligible households to maintain or obtain housing, such as housing counseling, fair housing counseling, case management related to housing stability, outreach to households at risk of eviction or promotion of housing support programs, housing related services for survivors of domestic abuse or human trafficking, and specialized services for individuals with disabilities or seniors that supports their ability to access or maintain housing.

2.5 Household Assistance: Eviction Prevention* ^

FAQ 2.5

Provided the recipient considers whether, and the extent to which, the household has experienced a negative economic impact from the pandemic. Additionally, cash transfers must be reasonably proportional to the negative economic impact they are intended to address. Cash transfers grossly in excess of the amount needed to address the negative economic impact identified by the recipient would not be considered to be a response to the COVID-19 public health emergency or its negative impacts. In particular, when considering appropriate size of permissible cash transfers made in response to the COVID-19 public health emergency, state, local, territorial, and Tribal governments may consider and take guidance from the per person amounts previously provided by the federal government in response to the COVID crisis.

Cash transfer program to unemployed workers or low-moderate families which have faced disproportionate economic harms due to COVID-19; cash transfers must be reasonably proportional to the negative economic impact they intended to address

2.6 Unemployment Benefits or Cash Assistance to Unemployed Workers*

IFR

Assistance, including job training, for individuals who want and are available for work, including those who have looked for work sometime in the past 12 months or who are employed part time but who want and are available for full-time work

2.7 Job Training Assistance (e.g., Sectoral job-training, Subsidized Employment, Employment Supports or Incentives)* ^

31 CFR 35.6

Pay "back to work incentives" (e.g., cash payments for newly employed workers after a certain period of time on the job). This assistance can include job training or other efforts to accelerate rehiring and thus reduce unemployment, such as childcare assistance, assistance with transportation to and from a jobsite or interview, and incentives for newly employed workers.

2.7 Job Training Assistance (e.g., Sectoral job-training, Subsidized Employment, Employment Supports or Incentives)* ^

FAQ 2.16



Vermont League
of Cities & Towns

ARPA ELIGIBLE USES MATRIX

Reference Documents:

Interim Final Rule

Coronavirus State and Local Fiscal Recovery Funds (SLFRF) FAQ

31CFR Part 35- Pandemic Relief Programs, Subpart A - Coronavirus State and Local Fiscal Recovery Funds, §35.6

Public jobs programs, subsidized employment, combined education and on-the-job training programs, or job training to accelerate rehiring or address negative economic or public health impacts experienced due to a worker's occupation or level of training. The broad range of permitted services can also include other employment supports, such as childcare assistance or assistance with transportation to and from a jobsite or interview.	2.7 Job Training Assistance (e.g., Sectoral job-training, Subsidized Employment, Employment Supports or Incentives)* ^	FAQ 2.16	
Job training to address negative economic or public health impacts experienced due to a worker's occupation or level of training	2.7 Job Training Assistance (e.g., Sectoral job-training, Subsidized Employment, Employment Supports or Incentives)* ^	FAQ 2.5	
Assistance to Unemployed Workers including services like job training to accelerate rehiring of employed workers	2.7 Job Training Assistance (e.g., Sectoral job-training, Subsidized Employment, Employment Supports or Incentives)* ^	IFR	
Contributions to an unemployment trust fund up to the level required to restore the unemployment trust fund to its balance on January 27, 2020 or to pay back advances received under Title XII of the Social Security Act (42 U.S.C. 1321) for the payment of benefits between January 27, 2020 and May 17, 2021	2.8 Contributions to UI Trust Funds	31 CFR 35.6	
State unemployment insurance trust funds	2.8 Contributions to UI Trust Funds	IFR	
Provide assistance to adopt safer operating procedures, weather periods of closure,, or mitigate the financial hardship resulting from COVID-19	2.9 Small Business Economic Assistance (General)* ^	FAQ 2.17	
Assistance to small businesses to support to enhance outdoor spaces for COVID-19 mitigation (e.g., restaurant patios) or to improve the built environment of the neighborhood (e.g., façade improvements).	2.9 Small Business Economic Assistance (General)* ^	FAQ 2.18	
Loans or grants to small businesses and non-profits to mitigate financial hardship such as declines in revenues or impacts of periods of business closure, for example by supporting payroll and benefits costs, costs to retain employs, mortgage rent, utilities costs and other operating costs	2.9 Small Business Economic Assistance (General)* ^	FAQ 2.5	
Loans, grants, or in-kind assistance to small businesses or non-profits to implement COVID-19 prevention or mitigation tactics, such as physical plant changes to enable social distancing, enhanced cleaning efforts, barriers, or partitions, or COVID-19 vaccination, testing or contact tracing programs	2.9 Small Business Economic Assistance (General)* ^	FAQ 2.5	
Technical assistance, counseling, or other services to assist business planning needs	2.9 Small Business Economic Assistance (General)* ^	FAQ 2.5	

3: SERVICES TO DISPROPORTIONATELY IMPACTED COMMUNITIES

ACTIVITY/EXPENSE	POSSIBLE EXPENDITURE CATEGORY (EC)	REF DOC	NOTES OF IMPORTANCE
Evidence-based practices like focused deterrence, street outreach, violence interrupters, and hospital-based violence intervention models, complete with wraparound services such as behavioral therapy, trauma recovery, job training, education, housing and relocation services, and financial assistance	3.16 Social Determinants of Health: Community Violence Interventions* ^	IFR	



Vermont League
of Cities & Towns

ARPA ELIGIBLE USES MATRIX

Reference Documents:

Interim Final Rule

Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) FAQ

31 CFR Part 35- Pandemic Relief Programs, Subpart A - Coronavirus State and Local Fiscal Recovery Funds, 535.6

Capacity-building efforts at CVI programs like funding more intervention workers; increasing their pay; providing training and professional development for Intervention workers; and hiring and training workers to administer the programs.	3.16 Social Determinants of Health: Community Violence Interventions* ^	IFR	Recipients may provide these services to other populations, households, or geographic areas disproportionately impacted** by the pandemic. ** In identifying these disproportionately impacted communities, recipients should be able to support their determination that the pandemic resulted in disproportionate public health or economic outcomes to the specific populations, households or geographic areas to be served. ("support their determination" means be able to show documentation supported by real data)
Summer education and enrichment programs in these communities, which include many communities currently struggling with high levels of violence	3.16 Social Determinants of Health: Community Violence Interventions* ^	IFR	
Programs that address learning loss and keep students productively engaged	3.3 Education Assistance: Academic Services* ^	IFR	
Enhanced services for foster youths and home visiting programs	3.8 Healthy Childhood Environments: Services to Foster Youth or Families Involved in Child Welfare System* ^	IFR	
Summer camps and recreation	3.9 Healthy Childhood Environments: Other* ^	IFR	
Facilitate access to resources that improve health outcomes, including services that residents with health care resources and public assistance programs and build healthier environments	3.13 Social Determinants of Health: Other* ^	FAQ 2.11	
Funding community health workers to help community members access health services and services to address social determinants of health	3.14 Social Determinants of Health: Community Health Workers or Benefits Navigators* ^		
Funding public benefits navigators to assist community members with navigating and applying for available Federal, State, and local public benefits or services	3.14 Social Determinants of Health: Community Health Workers or Benefits Navigators* ^		
Housing services to support healthy living environments and neighborhoods conducive to mental and physical wellness	3.12 Housing Support: Other Housing Assistance* ^		

Remediation of lead paint or other lead hazards to reduce risk of elevate blood lead levels among children	3.15 Social Determinants of Health: Lead Remediation ^	FAQ 2.11	Recipients may provide these services to other popuations, households, or geographic areas disproportionately impacted** by the pandemic.
Evidence-based community violence intervention programs to prevent violence and mitigate the Increase of violence during the pandemic	3.16 Social Determinants of Health: Community Violence Interventions* ^		
Services to address homelessness such as supportive housing, and to improve access to stable, affordable housing among unhoused individuals:	3.11 Housing Support: Services for Unhoused Persons* ^		



Vermont League
of Cities & Towns

ARPA ELIGIBLE USES MATRIX

Reference Documents:

Interim Final Rule

Coronavirus State and Local Fiscal Recovery Funds (SLFRF) FAQ

31CFR Part 35- Pandemic Relief Programs, Subpart A - Coronavirus State and Local Fiscal Recovery Funds, 535.6

Affordable housing development to increase supply of affordable and high-quality living units; Housing vouchers, residential counseling, or housing navigation assistance to facilitate household moves to neighborhoods with high levels of economic opportunity and mobility for low-income residents, to help residents increase their economic opportunity and reduce concentrated areas of low economic opportunity.	3.10 Housing Support: Affordable Housing* ^	IFR	** In identifying these disproportionately impacted communities, recipients should be able to support their determination that the pandemic resulted in disproportionate public health or economic outcomes to the specific populations, households or geographic areas to be served. ("support their determination" means be able to show documentation supported by real data)
	3.12 Housing Support: Other Housing Assistance* ^		
New, expanded, or enhanced early learning services, including prekindergarten, Head Start, or partnerships between pre kindergarten programs and local education authorities, or administration of those services;	3.6 Healthy Childhood Environments: Child Care* ^		
Providing assistance to high-poverty school districts to advance equitable funding across districts and geographies	3.2 Education Assistance: Aid to High-Poverty Districts ^		
Evidence-based educational services and practices to address the academic needs of students, including tutoring, summer, afterschool, and other extended learning and enrichment programs	3.3 Education Assistance: Academic Services* ^		
Evidence-based practices to address the social, emotional, and mental health needs of students	3.4 Education Assistance: Social, Emotional, and Mental Health Services* ^		
New or expanded high-quality childcare to provide safe and supportive care for children	3.6 Healthy Childhood Environments: Child Care* ^		
Home visiting programs to provide structured visits from health, parent educators, and social service professionals to pregnant women or families with young children to offer education and assistance navigating resources for economic support, health needs, or child development	3.7 Healthy Childhood Environments: Home Visiting* ^		
Enhanced services for child welfare involved families and foster youth to provide support and training on child development, positive parenting, coping skills, or recovery for mental health and substance use challenges	3.8 Healthy Childhood Environments: Services to Foster Youth or Families Involved in Child Welfare System* ^		
Investments in parks, public plazas, and other public outdoor recreation spaces may be responsive to the needs of disproportionately impacted communities by promoting healthier living environments and outdoor recreation and socialization to mitigate the spread of COVID-19.	3.13 Social Determinants of Health: Other* ^	FAQ 2.18	



Vermont League
of Cities & Towns

ARPA ELIGIBLE USES MATRIX

Reference Documents:

Interim Final Rule
Coronavirus State and Local Fiscal Recovery Funds (SLFRF) FAQ
31CFR Part 95- Pandemic Relief Programs, Subpart A - Coronavirus State and Local Fiscal Recovery Funds, §35.6

4: PREMIUM PAY

ACTIVITY/EXPENSE	POSSIBLE EXPENDITURE CATEGORY (EC)	REF DOC	NOTES OF IMPORTANCE
Grants to 3rd party employers of eligible essential workers	4.2 Private Sector: Grants to Other Employers	FAQ 5.2	Selection of third-party employers and contractors who receive grants is at the discretion of recipients. To ensure any grants respond to the needs of essential workers and are made in a fair and transparent manner, the rule imposes some additional reporting requirements for grants to third-party employers, including the public disclosure of grants provided.
Grants to 3rd party contractors who employ eligible essential workers	4.2 Private Sector: Grants to Other Employers	FAQ 5.2	

5: INFRASTRUCTURE

ACTIVITY/EXPENSE	POSSIBLE EXPENDITURE CATEGORY (EC)	REF DOC	NOTES OF IMPORTANCE
Treatment, transmission and distribution (including lead service line replacement), source rehabilitation and decontamination, storage, consolidation, and new systems development.	5.12 Drinking water: Transmission & Distribution: Lead Remediation	FAQ 6.1	To confirm eligibility for water, sewer and stormwater projects, please refer to: EPA's Drinking Water State Revolving Fund (DWSRF) Eligibility Handbook (2017)
Upgrade broadband connections to non-residential users of broadband, including private businesses and institutions that serve the public, such as schools, libraries, healthcare facilities, and public safety organizations.	5.17 Broadband: Other projects	FAQ 6.16	
Stormwater management projects with a water quality benefit (and be designed to incorporate water quality benefits consistent with the goals of the Clean Water Act. Summary of the Clean Water Act).	5.6 Clean Water: Stormwater	FAQ 6.14	
Construction of publicly- owned treatment works, nonpoint source pollution management, national estuary program projects, decentralized wastewater treatment systems, stormwater systems, water conservation, efficiency, and reuse measures, watershed pilot projects, energy efficiency measures for publicly-owned treatment works, water reuse projects, security measures at publicly-owned treatment works, and technical assistance to ensure compliance with the Clean Water Act.	5: Infrastructure.....	FAQ 6.1	or EPA's Overview of Clean Water State Revolving Fund (CWSRF) Eligibilities (2016)
Cybersecurity needs to protect water and sewer Infrastructure	5: Infrastructure.....	FAQ 6.1	



Vermont League
of Cities & Towns

ARPA ELIGIBLE USES MATRIX

Reference Documents:

Interim Final Rule
Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) FAQ
31 CFR Part 35- Pandemic Relief Programs, Subpart A- Coronavirus State and Local Fiscal Recovery Funds, 535.6

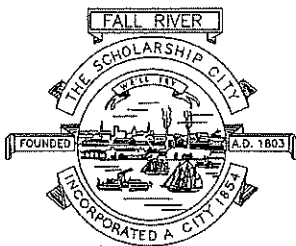
Road repairs and upgrades directly related to an eligible water or sewer project.	5: Infrastructure.....		
Invest in broadband infrastructure that, wherever it is practicable to do so, is designed to deliver service that reliably meets or exceeds symmetrical upload and download speeds of 100 Mbps to households or businesses that are not currently serviced by a wireline connection that reliably delivers at least 25 Mbps download speed and 3 Mbps of upload speed. Treasury interprets "businesses" in this context broadly to include non-residential users of broadband, including private businesses and institutions that serve the public, such as schools, libraries, healthcare facilities, and public safety organizations.	5.17 Broadband: Other projects	FAQ 6.16	
Provide assistance to households facing negative economic impacts due to Covid-19, including digital literacy training and other programs that promote access to the Internet.	5.17 Broadband: Other projects	FAQ 6.6	

6: REVENUE REPLACEMENT

ACTIVITY/EXPENSE	POSSIBLE EXPENDITURE CATEGORY (EC)	REF DOC	NOTES OF IMPORTANCE
Provision of government services.	6.1 Provision of Government Services	FAQ 3	

7: ADMINISTRATIVE

ACTIVITY/EXPENSE	POSSIBLE EXPENDITURE CATEGORY (EC)	REF DOC	NOTES OF IMPORTANCE
Cover the portion of payroll and benefits of employees corresponding to time spent on administrative work necessary due to the COVID-19 public health emergency and its negative economic impacts. This includes, but is not limited to, costs related to disbursing payments of Fiscal Recovery Funds and managing new grant programs established using Fiscal Recovery Funds	7.1 Administrative Expenses	FAQ 10.2	
Costs for administering the CSLFRF/CLFRF (ARPA) program, including costs of consultants to support effective management and oversight, including consultation for ensuring compliance with legal, regulatory, and other requirements.	7.1 Administrative Expenses	FAQ 10.5	



City of Fall River
Massachusetts
Office of the Mayor

FINANCE 2

RECEIVED

2022 MAY 19 P 4: 57

CITY CLERK _____
FALL RIVER, MA

PAUL E. COOGAN
Mayor

May 19, 2022

Madam President and
Honorable Members of the City Council
City of Fall River
One Government Center
Fall River, Ma 02722

Madam President and Members of the Honorable Council:

As the Committee on Finance begins to consider how to expend \$16,035,844.70 in Bristol County American Rescue Plan Funds on behalf of the City of Fall River, I am submitting for your consideration:

- 1) Published guidance regarding permissible uses of ARPA funding;
- 2) A summary of Fall River ARPA commitments to date;
- 3) A list of proposed ARPA eligible purchases and projects with projected associated costs that would fill existing essential needs in the City of Fall River.

Thank you for your consideration of this.

Sincerely,

Paul E. Coogan
Mayor

PC/amos

ARPA ELIGIBLE USES BY CATEGORY**1. Expenditure Category: Public Health**

- 1.1 COVID-19 Vaccination
- 1.2 COVID-19 Testing
- 1.3 COVID-19 Contact Tracing
- 1.4 Prevention in Congregate Settings
- 1.5 Personal Protective Equipment
- 1.6 Medical Expenses (including Alternative Care Facilities)
- 1.7 Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency
- 1.8 Other COVID-19 Public Health Expenses (including Communications, Enforcement, Isolation/Quarantine)
- 1.9 Payroll Costs for Public Health, Safety, and Other Public Sector Staff Responding to COVID-19
- 1.10 Mental Health Services
- 1.11 Substance Use Services
- 1.12 Other Public Health Services

2. Expenditure Category: Negative Economic Impacts

- 2.1 Household Assistance: Food Programs
- 2.2 Household Assistance: Rent, Mortgage, and Utility Aid
- 2.3 Household Assistance: Cash Transfers
- 2.4 Household Assistance: Internet Access Programs
- 2.5 Household Assistance: Eviction Prevention

2.6 Unemployment Benefits or Cash Assistance to Unemployed Workers

2.7 Job Training Assistance (e.g., Sectoral job-training, Subsidized Employment, Employment Supports or Incentives)

2.8 Contributions to UI Trust Funds*

2.9 Small Business Economic Assistance

2.10 Aid to nonprofit organizations

2.11 Aid to Tourism, Travel, or Hospitality

2.12 Aid to Other Impacted Industries

2.13 Other Economic Support

2.14 Rehiring Public Sector Staff

3. Expenditure Category: Services to Disproportionately Impacted Communities

3.1 Education Assistance: Early Learning

3.2 Education Assistance: Aid to High-Poverty Districts

3.3 Education Assistance: Academic Services

3.4 Education Assistance: Social, Emotional, and Mental Health Services

3.5 Education Assistance: Other

3.6 Healthy Childhood Environments: Child Care

3.7 Healthy Childhood Environments: Home Visiting

3.8 Healthy Childhood Environments: Services to Foster Youth or Families Involved in Child Welfare System

3.9. Healthy Childhood Environments: Other

3.10 Housing Support: Affordable Housing

3.11 Housing Support: Services for Unhoused persons

3.12 Housing Support: Other Housing Assistance

3.13 Social Determinants of Health: Other

3.14 Social Determinants of Health: Community Health Workers or Benefits Navigators

3.15 Social Determinants of Health: Lead Remediation

3.16 Social Determinants of Health: Community Violence Interventions

4. Expenditure Category: Premium Pay

4.1 Public Sector Employees

4.2 Private Sector: Grants to other employers

5. Expenditure Category: Infrastructure

5.1 Clean Water: Centralized wastewater treatment

5.2 Clean Water: Centralized wastewater collection and conveyance

5.3 Clean Water: Decentralized wastewater

5.4 Clean Water: Combined sewer overflows

5.5 Clean Water: Other sewer infrastructure

5.6 Clean Water: Stormwater

5.7 Clean Water: Energy conservation

5.8 Clean Water: Water conservation

5.9 Clean Water: Nonpoint source

5.10 Drinking water: Treatment

5.11 Drinking water: Transmission & distribution

5.12 Drinking water: Transmission & distribution: lead remediation

5.13 Drinking water: Source

5.14 Drinking water: Storage

5.15 Drinking water: Other water infrastructure

5.16 Broadband: "Last Mile" projects

5.17 Broadband: Other projects

6. Expenditure Category: Revenue Replacement

6.1 Provision of Government Services

7. Administrative and Other

7.1 Administrative Expenses

7.2 Evaluation and data analysis

7.3 Transfers to Other Units of Government

City of Fall River, Massachusetts

ARPA Commitments

Amount Allocated to City: \$69,599,142.00

Amount Received: 6/1/2021 \$34,799,571.00

ARPA – 1	City of FR	Loss Revenue Provision	\$10,000,000
ARPA9 - 1C	FR Police Dept.	Crime Prev. Training and Equipment(Police Cars)	\$275,000
ARPA – 16	FR Assessor Dept.	RCC/Patriot Property Software Purchase	\$360,000
ARPA – 17	FR Engineering Dept.	Nearmap Software Purchase	\$50,203.50
Loss Revenue Provision Balance			\$9,314,796.50
ARPA – 2	City of FR	Rehire Provision	\$2,909,785
ARPA – 3	FR Police Dept.	Operation Compass	\$579,686
ARPA – 4	CD Recreation Inc.	Fall River Holiday Parade	\$ 75,000
ARPA – 5	Community Utilities	Water Main Replacement (Contract 1)	\$8,350,000
ARPA – 6	Jobs for Fall River, Inc.	Small Business Grant Assistance Program	\$3,260,000
ARPA – 7	FR EMS	Med Cat Ambulance Purchase	\$ 298,900
ARPA - 8	FR IT Dept.	Computers/Printers for Police Cruisers	\$220,000
ARPA – 9	FR Police Dept.	Crime Prevention Training and Equipment	\$287,000
ARPA – 10	FR Planning Dept.	Quequechan Rail Trail – Phase 4 Project	\$4,000,000
ARPA – 11	FR Planning Dept.	Jerry Lawton Plaza Rehabilitation Project	\$ 300,000
ARPA – 12	FR Park Dept.	Kennedy Park	\$ 60,000
ARPA – 13	FR Park Dept.	Abbot/North/Lafayette Skateboard Parks	\$ 44,135
ARPA – 14	FR Water Dept.	Watuppa Rowing Center	\$ 200,000
ARPA – 15	Boys & Girls Club	Social/Emotional Supports Program	\$ 65,000
ARPA – 18	CD Recreation Inc.	Community Sailing Program - Equipment	\$ 75,155
ARPA – 19	CANS	Hydrangea Planting	\$ 25,000
ARPA – 20	One Stage Prod	Tuition Assistance	\$ 30,000
ARPA – 21	River to Recovery	COVID Response Program	\$ 140,000

Total: \$30,919,661

Total Remaining to Commit: \$ 3,879,910

SNAPSHOT OF PROPOSED EXPENDITURES USING BRISTOL COUNTY ARPA FUNDS

FULLY DOCUMENTED PROPOSALS

BODY-WORN CAMERAS

Fall River Police – Purchase of Body-worn cameras and camera compatible tasers, (including equipment maintenance and data storage for five (5) years).

\$1,522,877.00

GRAFFITI REMOVAL MACHINES

Department of Community Maintenance – Purchase of new graffiti removal machine and retrofit of existing graffiti removal machine.

\$75,400.00

POT-HOLE AND ASPHALT REPAIR

Department of Community Maintenance – Purchase of two (2) infra-red-equipped “hot box” asphalt arrays for year-round pothole and road repair capability

\$122,568.00

STREET SWEEPERS

Department of Community Maintenance and Department of Community Utilities – Purchase of three (3) street sweepers

\$950,000

BIORESERVE DISCOVERY CENTER

Department of Community Utilities – Design and construction of a Bioreserve Environmental Education and Discovery Center at the Adirondack Farm on North Watuppa

\$1,365,000

BLUE WATER PROJECT

Department of Community Utilities – Blue Water Project, South Watuppa Pond Infrastructure

\$242,275.00

911 COMMUNICATION SYSTEM

Necessary upgrade of the 911 system utilized by Fall River Police, Fire, EMS

\$305,000.00

ADDITIONAL PROPOSALS NEEDING MORE INFORMATION

Animal Shelter

Parking

Remington Street Pier Landscaping and Benches

Skate Park renovations

The Administration is glad to assist in researching and developing full proposals for any Councilor who has a suggestion or area of interest that might benefit from Bristol County ARPA funding.



City of Fall River
Massachusetts
Office of the Mayor

1

RECEIVED

2022 MAY 19 P 4:41

CITY CLERK _____
FALL RIVER, MA

PAUL E. COOGAN

Mayor

May 18, 2022

Madam President and
Honorable Members of the City Council
City of Fall River
One Government Center
Fall River, Ma 02722

Madam President and Members of the Honorable Council:

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

Name: Paul F. Gauvin

Address: 593 Madison Street
Fall River, Ma 02720

Position: Chief of Police

Effective: May 25, 2022

Term to expire: See contract

Salary: See Contract

Sincerely,

Paul E. Coogan
Mayor

PC/amos

City of Fall River, *In City Council*

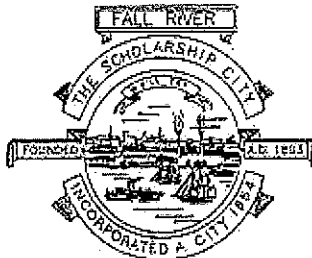
1

ORDERED, that the appointment by the Mayor of Paul F. Gauvin as Chief of Police be and the same is hereby confirmed, and be it further

ORDERED, that the contract which is attached hereto and incorporated herein by reference, is hereby approved.

RECEIVED

2022 MAY 19 P 3:02

CITY CLERK _____
FALL RIVER, MA

**POLICE CHIEF
EMPLOYMENT AGREEMENT**

This Employment Agreement (hereinafter "AGREEMENT") is made by and between the City of Fall River and Paul F. Gauvin.

WHEREAS, the City of Fall River is a municipal corporation (hereinafter "CITY"), located at One Government Center, Fall River, Massachusetts 02722; and

WHEREAS, pursuant to §2-401 of the Fall River Code, the Chief of Police is the head of the Police Department and shall be responsible for the management and operation of such department; and

WHEREAS, Paul E. Coogan, as the Mayor of the CITY, desires to appoint Paul F. Gauvin to serve in the position of Chief of Police for the City of Fall River; and

WHEREAS, Paul F. Gauvin (hereinafter "POLICE CHIEF") is willing to accept employment as the Chief of Police for the City of Fall River;

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein, the CITY and POLICE CHIEF hereby agree as follows:

DUTIES

The POLICE CHIEF shall be the head of the Fall River Police Department and shall be responsible and accountable for the effective management and operation of said department in accordance with all laws, city ordinances, collective bargaining agreements, and city policies and procedures. The POLICE CHIEF shall devote sufficient time, skill, and attention necessary to perform the duties under this AGREEMENT in an efficient, trustworthy and professional manner, all in the best interest of the CITY. The POLICE CHIEF shall report directly to the Mayor, but shall have the authority to effectively and efficiently operate the Fall River Police Department, including, but not limited to, the following duties:

- A. POLICE CHIEF shall be responsible for the overall operation and management of the Police Department, including its property, equipment, motor vehicles, and buildings;
- B. POLICE CHIEF shall supervise the daily operations of the Police Department, including the assignment of personnel to tours, shifts, and duties as needed;

- C. POLICE CHIEF shall implement and supervise all training programs for Police Department personnel;
- D. POLICE CHIEF shall prepare the annual budget for the Police Department and shall oversee departmental finances;
- E. POLICE CHIEF shall establish uniform, equipment, weapons, and ammunitions specifications for the Police Department;
- F. POLICE CHIEF shall, when necessary, take appropriate disciplinary actions against members of the Police Department;
- G. POLICE CHIEF shall be responsible for communication with the public on matters related to public safety, police operations, and department policy; and
- H. POLICE CHIEF shall maintain appropriate and consistent communication with the Mayor, in order to keep the Mayor apprised of pertinent issues in the Police Department.

PROFESSIONAL DEVELOPMENT

The CITY recognizes the importance of the POLICE CHIEF'S continued professional development and will reimburse the POLICE CHIEF for reasonable travel, food and lodging expenses incurred in connection with attendance at professional development courses and/or seminars that are approved by the Mayor. POLICE CHIEF must obtain the Mayor's approval of all professional development expenses before they are incurred. Such approval of the Chief's attendance at such courses and seminars and approval of expenses related thereto shall not be unreasonably withheld.

PERFORMANCE EVALUATION

The POLICE CHIEF'S performance may be reviewed and evaluated by the Mayor and/or the Mayor's designee annually, in accordance with applicable department accreditation standards.

TERM

The term of this AGREEMENT shall be three (3) years, beginning on May 25, 2022 and ending on May 25, 2025, and may be renewed by mutual agreement of the parties.

COMPENSATION AND BENEFITS

The CITY agrees to pay the POLICE CHIEF a salary of: One Hundred Eighty-Five Thousand Dollars (\$185,000.00) during the first year (beginning 5/25/22) of this AGREEMENT; One Hundred Eighty-Eight Thousand Dollars (\$188,000.00) during the second year (beginning

5/25/23) of this AGREEMENT; and One Hundred Ninety-Two Thousand Dollars (\$192,000.00) during the third year (beginning 5/25/24) of this AGREEMENT.

The POLICE CHIEF's salary shall be payable at the same time and manner as other employees of the City of Fall River. Additionally, the POLICE CHIEF shall be entitled to the following benefits:

- A. Health, dental, life insurance, and retirement benefits.
- B. Vacation Days and Personal Day. Forty-Eight (48) paid vacation days and Four (4) Personal days per year, which will expire without compensation at the end of the calendar year (December 31st). Vacation and personal leave requests must be approved by the Mayor or City Administrator, and must not interfere with effective operation of the Police Department.
- C. Sick Leave. Sick leave shall be accrued in accordance with the Fall River Superior Officer's Association Collective Bargaining Agreement.
- D. Holidays. Eleven (11) paid holidays per year, which include New Year's Day, Martin Luther King Jr. Day, Presidents' Day, Patriot's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, and Christmas Day.
- E. The POLICE CHIEF is entitled to injured on-duty benefits as set forth in M.G.L. c. 41, § 111F and M.G.L. c. 32, § 94.
- F. The CITY agrees to reimburse the POLICE CHIEF for annual dues paid to the Massachusetts Police Association Legal Defense Fund, Massachusetts Chiefs of Police, International Association of Chiefs of Police, and Police Executive Research Foundation.
- G. If the CITY has not paid the POLICE CHIEF for compensatory time earned prior to execution of this AGREEMENT, then POLICE CHIEF shall be entitled to carry over and utilize the previously earned compensatory time with notice to the Mayor.

The POLICE CHIEF acknowledges that he will often be required, without additional compensation, to devote evening and/or weekend hours as necessary for the proper performance of his duties as the chief of police. The POLICE CHIEF is not entitled to overtime compensation, compensatory time, personal days, or bereavement leave.

The POLICE CHIEF acknowledges that he will not be entitled to any salary increases or bonuses, such as the Quinn Bill, unless specifically stated in this AGREEMENT. The parties understand and agree that the annual salary in this AGREEMENT is the maximum amount the CITY is required to pay the POLICE CHIEF. Therefore, If the CITY is required to pay any additional financial benefit, then the salary of the POLICE CHIEF will be reduced by the same amount.

At the discretion of the Mayor, the POLICE CHIEF may be awarded an increase to his compensation package during the term of this AGREEMENT, but at no time will the

compensation or other benefits be reduced, except when such reduction is evenly applied across-the-board for all employees of the CITY.

AUTOMOBILE AND PHONE

The CITY shall provide an unmarked city-owned vehicle for use by the POLICE CHIEF in connection with the performance of his duties, with maintenance, operating expenses and insurance to be paid by the CITY.

Since the POLICE CHIEF is frequently required to respond to emergencies and otherwise be on-call at all times, the POLICE CHIEF is authorized to use said vehicle for personal use, provided that said vehicle is never taken more than fifty (50) miles from Fall River without prior authorization from the Mayor. The POLICE CHIEF must relinquish possession of the city-owned vehicle if on leave or unable to perform the duties of the position for more than twenty-one (21) consecutive days. Failure to comply with the terms of this provision may result, in the Mayor's sole discretion, in a temporary or permanent loss of use of a city-owned vehicle and termination of this Automobile provision.

The City acknowledges that the POLICE CHIEF currently has unlimited access to a City cell phone and shall retain such access during the term of this agreement.

TERMINATION

This AGREEMENT may be terminated at any time for the following reasons:

- A. Termination for Just Cause. The CITY may terminate this AGREEMENT at any time by providing POLICE CHIEF with written notice of the termination for just cause, including the facts and grounds in support thereof, at least thirty (30) days prior to termination. The Chief shall be afforded the opportunity to address the City's facts and grounds for termination at a hearing before the City Administrator. The Police Chief will be entitled to choose a public or private hearing and all evidence presented at the hearing shall relate to the facts and grounds for termination as set forth in the written notice. Just cause shall be defined to include any misconduct materially related to performance of official duties, including, but not limited to, any of the following:
1. Material breach of this AGREEMENT and/or the duties contained therein;
 2. Resume fraud or other acts of material dishonesty in the hiring process;
 3. Unauthorized leave;
 4. Conviction of a felony offense or a misdemeanor involving moral turpitude;
 5. Material violation of the CITY's laws, ordinances, or regulations, including, but not limited to, the CITY policies against discrimination or harassment;
 6. Unlawful use or possession of illegal drugs;

- B. Termination Due to Incapacity. To the extent permitted by state or federal law, the CITY may terminate this AGREEMENT due to the incapacity of the POLICE CHIEF, which is defined as an inability to perform the Duties of the position for a continuous period of over sixty (60) days.
- C. Termination Due to Resignation, Retirement or Death. This AGREEMENT shall immediately terminate if the POLICE CHIEF submits his resignation, retires, or is deceased. POLICE CHIEF shall give at least three (3) months written notice to the Mayor prior to resignation or retirement. If the POLICE CHIEF resigns or if the CITY fails to renew this AGREEMENT, and the CITY does not have just cause to terminate this AGREEMENT, then the POLICE CHIEF shall be entitled to be immediately reinstated into the position and rank of full-time Captain in the Fall River Police Department. In the event of the Police Chief's resignation, the number of years served as Chief of Police shall be credited to him for the purpose of civil service rights, retirement rights and benefits.
- D. For any other reason not already indicated in the above sub-sections, the POLICE CHIEF may terminate this agreement by notifying the Mayor in writing of his intent to terminate not less than nine (9) months prior to the intended date of termination. Likewise, for any other reason not indicated in the above sub-sections, The City may terminate this contract by notifying the POLICE CHIEF in writing of its intent to terminate not less than six (6) months prior to the intended termination date.

INDEMNIFICATION

The CITY agrees to defend and indemnify the POLICE CHIEF from any claim, demand, action, or lawsuit arising out of any action or omission by the POLICE CHIEF that occurs within the scope of employment. The POLICE CHIEF acknowledges that the CITY is self-insured and no policy coverage or rider is provided above and beyond the terms of this agreement for indemnification. This provision will survive termination of this agreement with respect to acts or omissions occurring within the scope of employment while serving as Chief of Police.

PROHIBITION OF POLITICAL ACTIVITY

During the term of this AGREEMENT, the POLICE CHIEF shall not engage in political activity, including, but not limited to, publicly endorsing any candidate seeking elective office.

ENTIRE AGREEMENT

This AGREEMENT contains the entire agreement between the parties, and supersedes all other agreements, either oral or in writing. Any agreement, statement, promise, or inducement not contained within this AGREEMENT shall not be valid or binding upon either party. The terms of this AGREEMENT may only be changed or modified by written instrument duly executed by both parties.

MASSACHUSETTS LAW

This AGREEMENT shall be constructed and interpreted in accordance with the laws of the Commonwealth of Massachusetts. If any provision in this AGREEMENT is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.

IN WITNESS WHEREOF, the parties have executed this AGREEMENT in the City of Fall River on this _____ day of May, 2022

POLICE CHIEF:

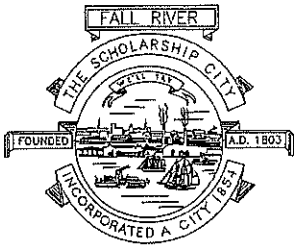
CITY OF FALL RIVER:

Paul F. Gauvin
Fall River Police Department

Paul E. Coogan
Mayor

Approved as to Form & Manner of Execution Only:

Alan J. Rumsey
Corporation Counsel
City of Fall River



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2022 MAY 19 P 4:41

CITY CLERK _____
FALL RIVER, MA

PAUL E. COOGAN
Mayor

May 19, 2022

Alison Bouchard
City Clerk
One Government Center
Fall River, MA 02722

Dear Ms. Bouchard:

I hereby make the following appointment:

Ryan Lyons
763 Plymouth Avenue, Apartment 2W
Fall River, MA 02721

To: Chairperson of the Board of Election Commissioners

Effective Date:
5/25/2022

Salary:
\$57,500.00

Sincerely,

Paul Coogan
Mayor

cc: Auditor
Human Resources



City of Fall River
Massachusetts
Office of the Mayor

3a

RECEIVED

2022 MAY 19 A 11:34

CITY CLERK
FALL RIVER, MA

PAUL E. COOGAN
Mayor

May 18, 2022

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

Madam President and Members of the Honorable Council:

I hereby request the confirmation by the City Council for the following reappointment:

Name: John Brandt

Address: 116 Rock Street
Fall River, MA 02720

Position: Conservation Commission

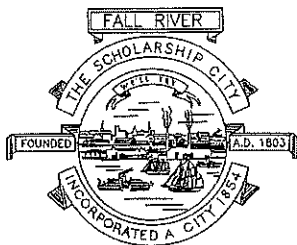
Effective: May 18, 2022

Term to Expire: May 18, 2025

Sincerely,

Paul E. Coogan
Mayor

PC/amos



City of Fall River
Massachusetts
Office of the Mayor

3b

RECEIVED

2022 MAY 19 A 11:34

CITY CLERK _____
FALL RIVER, MA

PAUL E. COOGAN
Mayor

May 18, 2022

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

Madam President and Members of the Honorable Council:

I hereby request the confirmation by the City Council for the following reappointment:

Name: James Cusick

Address: 1528 Highland Avenue
Fall River, MA 02720

Position: Conservation Commission

Effective: May 18, 2022

Term to Expire: May 18, 2025

Sincerely,

Paul E. Coogan
Mayor

PC/amos



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

May 18, 2022

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

RECEIVED
2022 MAY 19 A 9:37
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, April 20, 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: 371

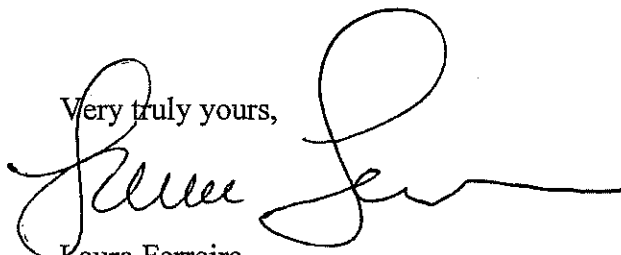
Parking Prohibited at all times

By inserting in proper alphabetical order the following.

INSERT

Name of Street	Side	Location
Crescent Street	East	Starting at a point 44 feet south of Bliss Street, for a distance of 74 feet southerly

Very truly yours,


Laura Ferreira
Parking Clerk

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 17, 2022, voted unanimously to recommend the accompanying proposed ordinance, accompanied by an emergency preamble, be passed through first reading, second reading, passed to be enrolled and passed to be ordained, with Trott Lee absent and not voting.


Assistant Clerk of Committees

City of Fall River, In City Council

EMERGENCY PREAMBLE

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

BE IT RESOLVED, that said ordinance is hereby deemed an emergency measure in accordance with the provisions of Section 2-9(b) of the City Charter.

City of Fall River, *In City Council*

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 70-387, which section relates to handicapped parking generally, the following:

Name of Street	Side	Location
Eagle Street	West	Starting at a point 71 feet south of William Street, for a distance of 20 feet southerly
Pleasant Street	North	Starting at a point 168 feet east of Barlow Street, for a distance of 20 feet easterly
Slade Street	North	Starting at a point 276 feet east of Church Street, for a distance of 20 feet easterly
Williston Street	West	Starting at a point 334 feet north of Cambridge Street, for a distance of 20 feet northerly

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Human Services, Housing, Youth and Elder Affairs, at a meeting held on May 17, 2022, voted unanimously to recommend that the accompanying proposed resolution be granted leave to withdraw.



Assistant Clerk of Committees

6

City of Fall River, *In City Council*

(Committee on Human Services, Housing, Youth and Elder Affairs)

WHEREAS, the Committee on Human Services, Housing, Youth, and Elder Affairs convened to discuss at risk youth, and

WHEREAS, the youth of the City feel isolated and in need of help and resources, with nowhere to turn to for guidance, and/or support, and

WHEREAS, the City needs to become more involved and get partnerships and events together to help these children get out of their comfort zones, and

WHEREAS, we need to be more up to speed and take advantage of using the digital platforms children are using to share events, updates, and resources to allow them to have all the information at their fingertips, now therefore

BE IT RESOLVED, the City Council Committee on Human Services, Housing, Youth and Elder Affairs use their platform to announce Youth Violence Prevention Week to be held April 25-29, 2022.

In City Council, March 22, 2022
Adopted.

A true copy. Attest:

Alison M. Bouchard

City Clerk

GLTW 5-17-22

City of Fall River, In City Council

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

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

Section 1.

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

Name of Street	Direction of Travel	At Intersection of
Indian Town Road	Eastbound	Blossom Road

Section 2.

By inserting in Section 70-374, which section relates to thirty minute parking, the following:

Name of Street	Side	Location	Hours/Days
South Main Street	East	Starting at a point 289 feet south of Charles Street for a distance of 25 feet south	8:00 a.m. to 5:00 p.m. Monday through Friday

Section 3.

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

Name of Street	Side	Location
Third Street	East	Starting at a point 25 feet north of Lyon Street, for a distance of 20 feet northerly
Barnaby Street	East	Starting at a point 123 feet south of Lincoln Avenue, for a distance of 20 feet southerly
Buffinton Street	North	Starting at a point 435 feet west of Coggeshall Street, for a distance of 20 feet westerly
Canonicus Street	North	Starting at a point 168 feet east of Quequechan Street, for a distance of 20 feet easterly
Division Street	North	Starting at a point 21 feet west of Mulberry Street, for a distance of 20 feet westerly
Dwelly Street	North	Starting at a point 32 feet west of Montaup Street, for a distance of 25 feet westerly
Eastern Avenue	West	Starting at a point 259 feet north of Edgemond Street, for a distance of 20 feet northerly
Linden Street	West	Starting at a point 132 feet north of Walnut Street, for a distance of 25 feet northerly
Oliver Street	North	Starting at a point 135 feet east of South Beach Street, for a distance of 20 feet easterly
Pitman Street	West	Starting at a point 234 feet south of Harriman Street, for a distance of 20 feet southerly
Raymond Street	West	Starting at a point 22 feet south of Harriman Street, for a distance of 20 feet southerly
Tripp Street	West	Starting at a point 117 feet south of Dwelly Street, for a distance of 20 feet southerly
Tuttle Street	East	Starting at a point 46 feet south of Charles Street, for a distance of 20 feet southerly
William Street	North	Starting at a point 20 feet west of Hunter Street, for a distance 20 feet westerly

CITY OF FALL RIVER

IN CITY COUNCIL
MAY 10 2022

Passed through first reading, as amended

City of Fall River, In City Council

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

That Chapter 74 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to utilities, be amended as follows:

By striking out Sec. 74-353 in Appendix A-Fee Schedule, which section relates to utilities, in its entirety, and inserting in place thereof, the following:

For water billed on or after July 1, 2022, per 100 cu. ft.

\$3.57

CITY OF FALL RIVER
IN CITY COUNCIL

MAY 10 2022

Passed through
first reading
Councilors Dionne + Lee
opposed

City of Fall River, In City Council

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

That Chapter 74 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to utilities, be amended as follows:

Sub-Section 1.

By striking out in sub-section (1) of said section, "\$5.67", and inserting in place thereof, "\$5.75", and by striking out "October 1, 2021", and inserting in place thereof, "July 1, 2022".

Sub-Section 2.

By striking out in paragraph (a) of sub-section (2) of said section, "\$5.67", and inserting in place thereof, "\$5.75", and by striking out "October 1, 2021", and inserting in place thereof, "July 1, 2022".

Sub-Section 2.

By striking out in paragraph (b) of sub-section (2) of said section, "\$2.67", and inserting in place thereof, "\$2.71", and by striking out "October 1, 2021", and inserting in place thereof, "July 1, 2022".

Sub-Section 4.

By striking out in sub-section (4) of said section, all dollar values and inserting in place thereof, the following:

\$	189.26
\$	367.22
\$	551.34
\$	733.40
\$	916.50
\$	1,096.52
\$	1,278.58
\$	1,457.56
\$	1,639.62
\$	1,823.74

and, by striking out in said sub-section (4) "October 1, 2021", and inserting in place thereof, "July 1, 2022".

CITY OF FALL RIVER
IN CITY COUNCIL

MAY 10 2022

*Passed through
first reading
Councilors Division
+ Lee approved*

City of Fall River, *In City Council*

10

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

That Chapter 62 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to solid waste, be amended by inserting a new section as follows:

Section 62-33 Residential Compost Recycling Program.

A. Findings and intent.

The City Council, in consultation with the Board of Health, find that the excessive food and organic materials deposited into the solid waste stream and authorized receptacles in the City are harmful to the environment and are creating a potential health and safety hazard for residents, affect the general welfare of the public, increase the cost associated with solid waste disposal for the City, and may constitute a public nuisance. It further finds that composting is a powerful method to reduce household waste. According to the United States Environmental Protection Agency, food scraps accounted for 22% of the 34.6 million tons of municipal solid waste produced in 2018, and much of our municipal waste stream is compostable. As such, this article establishes the City's support for a residential compost program to help reduce the amount of compostable materials found within the City's solid waste stream. The program is also intended to educate and guide residents as to the importance of reducing waste through composting.

B. Definitions.

Unless otherwise set out in this article, any term defined in 310 CMR 16.00 shall have the same meaning in this article, and shall be expressly incorporated herein, and, to the extent any regulation set forth herein or adopted hereunder is less strict than the state regulations, the state regulations shall govern.

C. Purchase of composting bins.

After providing no less than 7 days-notice and an opportunity for public input, nothing herein shall prohibit residents from participating in a private compost recycling program so long as they comply with applicable standards, rules, and regulations for the placement and disposal of compost in the City.

D. Standards for placement of composting bins.

1. Compost bins and containers purchased from the Department of Community Maintenance shall not be used as domestic trash containers and shall be placed at the location or residence from which the compostable materials are disposed. The Compost Bins and containers shall be placed at least one (1) foot from all property lines and shall not be placed in the street or in any area which creates a safety or traffic hazard.
2. No such composting bins or receptacles shall be placed or maintained in such a manner as to constitute a safety hazard to pedestrians, cyclists, or motor vehicles. The Traffic Commission may prescribe additional rules and regulations governing the placing and maintaining of any composting bins, which may be amended from time to time.

3. Nothing herein shall be construed as replacing or supplanting the requirement that certain persons apply for permits and licenses with respect to non-exempt solid waste disposal. All persons shall comply with any other applicable federal, state, or local laws with respect to solid waste disposal.

E. Educational materials.

1. The Department of Community Maintenance shall make available educational materials to all residents of the City, as well as information about how residents may participate in the Compost Recycling Program.
2. Introductory materials about the benefits of composting and how to maintain a composting bin also may be found in the rules and regulations promulgated hereunder as well as at the Massachusetts Department of Environmental Protection.

F. Rules and regulations.

Regulations adopted hereunder shall generally outline the process for providing and distributing any bins and educational materials, as well as the types of materials that may and may not be composted and separated from the City's solid waste stream. Prior to promulgating regulations concerning the types of materials that may be composted, the Director of Community Maintenance shall first consult with Director of Health and Human Services, and then with the Board of Health, which board shall approve, in open session, the proposed list of compostable and non-compostable items, and provide such other policy direction, consistent with its statutory authority, as it deems appropriate. The Director of Community Maintenance shall be authorized, following the provision of no less than 7 days-notice on the city website and an opportunity for public input, to promulgate appropriate regulations concerning that departments responsibilities for implementing this program.

G. Violations and penalties; disposition of fines.

The provisions of this article shall be enforced by the Police Department, Board of Health, the Director of Health and Human Services, Department of Community Maintenance, or their agents or designees, in law or in equity. Each day that any composting bin or other receptacle is placed or maintained in violation of this section shall constitute a separate offense and shall be punishable as provided in § 2-1025 of the City Code.

CITY OF FALL RIVER
IN CITY COUNCIL

MAY 10 2022

*Passed through
first reading*

City of Fall River, *In City Council*

11

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

That Chapter 38 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Historical Preservation, be amended as follows:

Section 1.

By striking out ARTICLE II. Historical Commission in its entirety and inserting in place thereof the following:

ARTICLE II. Historical Commission

§ 38-31. Established

There is hereby established under the provisions of MGL c. 40, § 8D, the Historical Commission of the City, for the purposes and with the rights and duties provided by law.

§ 38-32. Purpose

The purpose of this article is to aid in the preservation and protection of the distinctive characteristics and architecture of buildings, structures, and places significant in the history of the Fall River.

§ 38-33. Definitions

As used in this article, the following terms shall have the meanings indicated:

ALTERATION; TO ALTER

The act or the fact of rebuilding, reconstruction, restoration, replication, removal, demolition, and other similar activities.

BUILDING

A combination of materials forming a shelter for persons, animals or property.

CERTIFICATE

A certificate of appropriateness, a certificate of non-applicability, or a certificate of hardship as set forth in this article.

COMMISSION

The Historical Commission as established in this article.

CONSTRUCTION; TO CONSTRUCT

The act of building, erecting, installing, enlarging, moving and other similar activities.

EXTERIOR ARCHITECTURAL FEATURE

Such portion of the exterior of a building or structure as is open to view from a public way or ways, including but not limited to architectural style and general arrangement and setting thereof, the kind and texture of exterior building materials, and the type and style of windows, doors, lights, signs and other appurtenant exterior fixtures.

LOCAL HISTORIC DISTRICT

An area designated as historic by the Historical Commission because the area/district contains a significant portion of buildings, structures or other improvements which, considered as a whole, merit preservation and protection due to distinctive characteristics and architecture.

PERSON AGGRIEVED

The applicant; an owner of adjoining property; an owner of property within the same district area; an owner of property within 100 feet of said district area; and any charitable corporation in which one of its purposes is the preservation of historic places, structures, buildings or districts.

STRUCTURE

A combination of materials other than a building including, but not limited to, a sign, fence, wall, terrace, walk, driveway, monument, cemetery, or fountain.

TEMPORARY STRUCTURE OR BUILDING

A building not to be in existence for a period of more than two years; a structure not to be in existence for a period of more than one year. The Historical Commission may further limit the time periods set forth herein as it deems appropriate.

§ 38-34. Membership of the Historical Commission

The Historical Commission shall consist of seven members. Four members shall be appointed by the Mayor; two members initially to be appointed for one year, one for two years, and one for three years. Three members shall be appointed by the City Council; one member initially to be appointed for one year, one for two years, and one for three years. Each successive appointment shall be made for three years.

§ 38-35. Powers and Duties of the Historical Commission

- A. The Historical Commission is responsible for monitoring the preservation of historically significant structures and resources in the City. The Commission's duties include encouraging proper development and maintenance of historic structures, creating public awareness of historic preservation, reviewing demolition and alteration requests of historic properties, and conducting studies of significant historical events.
- B. The Historical Commission shall monitor and approve any proposed alteration or demolition of any historic structure or building within a designated historic district, as set forth under the procedures and criteria established in this article. In exercising its powers and duties hereunder, the Historical Commission shall pay due regard to the distinctive characteristics of each building, structure and district area.
- C. The Historical Commission may designate additional properties, structures, or resources as historic, may expand existing historic districts, and may create additional historic districts.
- D. The Historical Commission may adopt reasonable rules and regulations, setting forth such forms and procedures as it deems necessary for the regulation of its affairs and the conduct of its business, including requirements for the contents and form of applications for certificates, fees, hearing procedures and other matters. The Historical Commission shall file a copy of any such rules and regulations with the office of the City Clerk.

- E. The Historical Commission, after a public hearing duly posted and advertised at least 14 days in advance in a conspicuous place in the Fall River Government Center and in a newspaper of general circulation, may adopt and amend guidelines which set forth the designs for certain exterior architectural features which are, in general, suitable for the issuance of a certificate. No such design guidelines shall limit the right of an applicant for a certificate to present other designs to the Historical Commission for approval.
- F. The Historical Commission shall annually elect a Chairman, a Vice Chairman and Secretary, and file notice of such election with the office of the City Clerk.
- G. The Historical Commission shall keep a permanent record of its resolutions, transactions, decisions and determinations and of the vote of each member participating therein.
- H. The Historical Commission shall undertake educational efforts to explain to the public and property owners the merits and functions of a district.

§ 38-36. Demolition, Alteration and Construction Prohibited without Certificate

In a Local Historic District, no building permit or demolition permit shall issue unless the Historical Commission has first issued a certificate of appropriateness, certificate of non-applicability, or certificate of hardship for the proposed construction, alteration or demolition.

§ 38-37. Review of Applications; Determinations; Appeals

- A. Any person who desires to obtain a certificate shall file an application with the Historical Commission for a certificate of appropriateness, certificate of non-applicability, or certificate of hardship. The application shall be accompanied by such plans, elevations, specifications, material, and other information required by the Historical Commission to enable it to make a determination on the application. In the case of demolition or removal, a statement of the proposed condition and appearance of the property thereafter is required.
- B. The Historical Commission does not have jurisdiction over interior renovations or exterior architectural features not visible from a public way and, therefore, shall immediately issue a certificate of non-applicability for said applications.
- C. The Historical Commission shall determine, within fourteen (14) days of the filing of an application for a certificate, if the Commission has jurisdiction over the application because the proposal involves substantial alteration of exterior architectural features visible from a public way.
- D. If the Historical Commission has jurisdiction, it shall hold a public hearing on the application within forty-five (45) days from the date of the filing of the application. At least fourteen (14) days prior to the public hearing, public notice shall be given by posting a notice in a conspicuous place in the Fall River Government Center and in a newspaper of general circulation in Fall River. Such notice shall identify the time, place and purpose of the public hearing. Concurrently, a copy of said public notice shall also be mailed to the applicant, to the owners of all adjoining properties, and to the Planning Board. A public hearing on an application for a certificate need not be held if such hearing is waived in writing by all persons entitled to notice thereof.

- 11
- E. The concurring vote of a majority of the members shall be required to issue a certificate.
 - F. The Historical Commission shall issue a certificate, a conditional approval, or a disapproval notice within sixty (60) days of the application filing date. Each certificate shall be signed by the Chair, or other person designated to sign certificates on behalf of the Historical Commission. Copies of the decision shall be sent to the applicant, the City Clerk, and the Building Commissioner. If the Historical Commission fails to comply with this sixty (60) day deadline, and has not obtained the applicant's written agreement to extend the time for filing the decision, then the City Clerk shall issue, upon the applicant's request, a certificate of hardship. The official date for issuance of the certificate or disapproval shall be the date the decision is filed with the City Clerk.
 - G. If the application for a certificate is conditionally approved, the Historical Commission may impose certain conditions and limitations before issuing a certificate of appropriateness, such as requiring architectural or plan modifications consistent with the intent and purpose of this article.
 - H. If the application for a certificate is denied, the disapproval notice shall set forth the reasons for the denial, and may include recommendations that would make any subsequent application more suitable for approval.
 - I. When considering issuance of a certificate of hardship, the Historical Commission shall determine whether, owing to conditions especially affecting the building or structure involved, but not affecting the district generally, failure to approve an application will involve a substantial hardship, financial or otherwise, to the applicant and whether such application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this article. The Historical Commission may issue a certificate of hardship even when not specifically requested by the applicant.
 - J. Any person aggrieved by a decision of the Historical Commission may, within twenty (20) days of the decision, file a written appeal with the Fall River City Planner. The appeal will be reviewed by the City Planner, or a person or persons designated by the City Planner, and a written decision on the appeal shall be filed with the City Clerk within forty-five (45) days of the request. The decision of the City Planner or designee shall be binding on the applicant and the Historical Commission, unless a further appeal is sought in the Superior Court, as provided in MGL c. 40C, § 12A. The filing of such further appeal shall occur within twenty (20) days after the finding of the City Planner or designee has been filed with the office of the City Clerk.

§ 38-38. Criteria for Determinations

- A. In deliberating on applications for certificates, the Historical Commission shall consider the historic significance and architectural value of the site, building or structure, including its relationship to similar buildings and structures in the surrounding area.
- B. In the case of an addition to an existing building or structure within a Local Historic District, the Historical Commission shall consider the materials to be used for the addition and the appropriateness of the scale, shape and proportions of the building or structure both in relation to the land area upon which the building or structure is situated and in relation to buildings and structures in the vicinity.

- C. When ruling on applications for certificates on solar energy systems as defined in MGL c. 40A, § 1A, the Historical Commission shall consider the policy of the Commonwealth of Massachusetts to encourage the use of solar energy systems and to protect solar access.
- D. The Historical Commission shall not consider interior arrangements or architectural features not subject to public view from a public way.

§ 38-39. Exclusions

- A. The Historical Commission shall issue a certificate of non-applicability for any construction, alteration, or request that is not within the purview of the Commission, including the following categories:
 - 1. The color of paint;
 - 2. Terraces, walks, driveways, sidewalks and similar structures, provided that any such structure is substantially at grade level;
 - 3. Storm windows and doors, screen windows and doors, and window air conditioners;
 - 4. The color of roofing materials;
 - 5. The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other natural causes, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.
- B. Nothing in this article shall be construed to prevent the ordinary maintenance, repair or replacement of any exterior architectural feature that does not involve a change in design, material or the outward appearance thereof, nor to prevent landscaping with plants, trees or shrubs, nor construed to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, nor construed to prevent any construction or alteration under a permit duly issued prior to the effective date of this article.

§ 38-40. Categorical Approval

After a public hearing, the Historical Commission may determine that certain categories of exterior architectural features, structures or buildings may be constructed or altered without review by the Commission without causing substantial derogation from the intent and purpose of this article.

§ 38-41. Enforcement; Violations and Penalties

- A. The Historical Commission shall be charged with the enforcement of this article, and shall determine whether a particular activity is in violation.
- B. The Historical Commission may, upon its own initiative, or upon a written complaint of any resident of Fall River, take action to prevent, correct, restrain or abate alleged violations of this article. The Commission may not, however, file a lawsuit or take other formal legal action in the name of the City of Fall River without first obtaining the approval of the Corporation Counsel. If the Historical Commission declines to take action on a written complaint submitted by a resident, the Commission shall promptly notify the resident of the decision.

- C. Whoever violates any of the provisions of this article may be punishable by a daily fine of up to \$300 for each offense.
- D. The Historical Commission may designate the Building Commissioner of the City of Fall River to act on its behalf and to enforce this article.

§ 38-42. Severability

If any of the provisions, sections, subsections, sentences or clauses of this article shall be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this article shall continue to be in full force and effect.

§ 38-43 through § 38-60. (Reserved)

Section 2.

By striking out ARTICLE IV. Highlands Local Historic District in its entirety and inserting in place thereof the following:

ARTICLE IV. Local Historic Districts

§ 38-150. Highlands Local Historic District

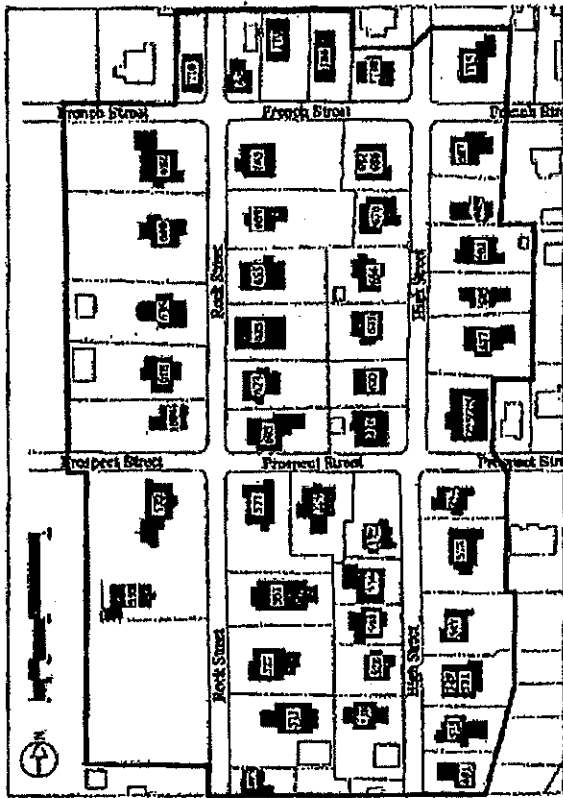
The Highlands Local Historic District shall consist of the following addresses, depicted in the attached map:

French Street: 162, 170, 186

Prospect Street: 216, 225, 258/260, 259

Rock Street: 497, 511, 527, 551, 570, 577, 603, 604, 618, 623, 635, 636, 655, 660, 669, 682, 685, 710

High Street: 491, 513, 518, 528, 529/531, 544, 547, 556, 572, 573, 622, 637, 638, 645, 654, 661, 669, 670, 682/686, 687, 710, 715



§ 38-151 through § 38-162. (Reserved)

CITY OF FALL RIVER
IN CITY COUNCIL

MAY 10 2022
Passed through
first reading

City of Fall River, *In City Council*

(Council President Pam Laliberte-Lebeau)

WHEREAS, many residents of the City of Fall River have served in the military and made the ultimate sacrifice in defending our country, and

WHEREAS, Memorial Day will be observed on May 30, 2022, and

WHEREAS, a flag has been procured that was flown over the United States Capitol, now therefore

BE IT RESOLVED, that the Director of Cemeteries be requested to fly this flag at Oak Grove Cemetery in honor of those men and women.

Filed 5-5-22



RECEIVED

City of Fall River
Notice of Claim

2022 MAY -9 A 11: 16

CITY CLERK 22-51
FALL RIVER, MA

1. Claimant's name: Alicia Schneider
2. Claimant's complete address: 5 Bucky Dr. Bellingham, MA 02019
3. Telephone number: Home: 774-300-1501 Work: 617-965-7200 X114
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Property damage to car - hitting tire on highway (Rte. 24)
5. Date and time of accident: 4/16/22 19:26 Amount of damages claimed: \$ 1,776.13
6. Exact location of the incident: (include as much detail as possible):
Rte. 24 NB at Stafford Rd overpass
7. Circumstances of the incident: (attach additional pages if necessary):
* See State Police Report Attached *
Hit tire that was in the LTL resulting in 2 left
blown tires (front + back). Also damaged other two
tires on Rt. side. Damaged/broke side skirt - drivers side
had to be towed and didn't have car for 3 days
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.

Date: 5/3/22

Claimant's signature: Alicia Schneider

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

Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☐ City Council ☐ City Administrator ☒ DCM Date: 5.9.2022

RECEIVED



#22-52

2022 MAY 10 P 3: 22

City of Fall River
Notice of Claim

CITY CLERK
FALL RIVER, MA

1. Claimant's name: Jamie Swierk
2. Claimant's complete address: 22 Spruce Avenue, Tiverton, RI, 02878
3. Telephone number: Home: _____ Work: (401)-378-8924
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Damage to vehicle due to massive pothole
5. Date and time of accident: 4/22/22 @ 7:00 am Amount of damages claimed: \$ 1573.52
6. Exact location of the incident: (include as much detail as possible):
In the front of 575 Newton Street, heading to the traffic light at the corner.
7. Circumstances of the incident: (attach additional pages if necessary):
Heading to the traffic light on the corner of Newton St. and William S. Canning Blvd. and in the right lane to turn right,
my car hit and sunk into a massive pothole in the road. The pothole was not immediately visible due to the congestion
of morning traffic and the line of cars turning right at the corner. After my hit and car sunk into the deep pothole,
I heard extremely loud metallic sounds emitting from the front of my vehicle, damage I subsequently had to get repaired.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.

Date: 5/3/2022

Claimant's signature: _____

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: 5/10/22

CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, April 26, 2022 at 5:55 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, Trott Lee, Leo O. Pelletier, Linda M. Pereira and
Andrew J. Raposo

ABSENT: None

IN ATTENDANCE: Naomi Soares, 1030 Dwelly Street
Michael Frazier, National Grid
245 South Main Street, Hopedale, MA 01747

The President called the meeting to order at 5:56 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:

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the hearing be opened.

Auto Repair Shop:

1. Naomi Soares, 1030 Dwelly Street, d/b/a RS Performance and Repair for a license to operate an auto repair shop at 1030 Dwelly Street, on Lot G-15-44 Assessors Plan.
The President asked if there were any proponents and Naomi Soares came forward. She stated that she would like to open an auto repair shop at this location. Councilor Linda M. Pereira stated that there was an auto repair shop at this location previously. The President then asked if there were any opponents and no one came forward. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the hearing be closed.

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the hearing be opened.

Pole Location:

2. Massachusetts Electric Company for new pole location as follows:
Essex Street One (1) new pole location
The petitioner is proposing the installation of a new 35' pole and anchor with guying approximately 105' west of existing pole #9. The extension of a secondary conductor will allow for two new houses to be serviced.

In accordance with Plan No. 30560272

Dated: April 7, 2022

The President asked if there were any proponents and Michael Frazier came forward. He stated that the installation of the new pole is to provide service to new homes. The President then asked if there were any opponents and no one came forward. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted that the hearing be closed.

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Linda M. Pereira, it was unanimously voted to adjourn at 5:59 p.m.

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

A true copy. Attest:

Glison M. Bouchard

City Clerk

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, April 26, 2022 at 7:00 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, Trott Lee, Leo O. Pelletier, Linda M. Pereira and
Andrew J. Raposo

ABSENT: None

IN ATTENDANCE: None

President Pam Laliberte-Lebeau called the meeting to order at 8:20 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 of Ashley Pires to the position of City Auditor
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to confirm the appointment.

PRIORITY COMMUNICATIONS

2. Planning Board recommending the acceptance of Glendale Street from North Main to a dead end
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the communication be accepted and placed on file and the order be adopted.
3. Fall River Police Department Annual Report
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the report be accepted and placed on file.

COMMITTEE REPORTS

- Committee on Economic Development and Tourism recommending:
Grant leave to withdraw:
4. Resolution – Provide electrical cabinets to handle electrical needs at Gates of the City
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the resolution be granted leave to withdraw.
- Committee on Public Works and Transportation:
Refer to Planning Board:
5. Final Report - acceptance of Small Street, extending from President Avenue to a dead end and 280 feet of Stanley Street extending from Small Street to Damon Street
On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Andrew J. Raposo, it was unanimously voted to refer the matter to the Planning Board.

Adopt, as amended:

6. Order – Michelle Arruda, 37 Chicago Street for the removal of 10 feet of curbing for a total of 32 feet

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Shawn E. Cadime, it was voted to adopt the order, as amended with Councilor Leo O. Pelletier abstaining. Approved, April 27, 2022, Paul E. Coogan, Mayor

ORDINANCES – None**RESOLUTIONS**

7. City Council support Fair Share Amendment that will appear on the Massachusetts State Election scheduled for November 8, 2022

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

CITATIONS – None**ORDERS – HEARINGS**Auto Repair Shop:

8. Naomi Soares, d/b/a RS Performance and Repair – 1030 Dwelly Street
On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order. Approved, April 27, 2022, Paul E. Coogan, Mayor

Pole Location:

9. Essex Street – (1) new pole location
On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adopt the order. Approved, April 27, 2022, Paul E. Coogan, Mayor

ORDERS – HEARING TO BE SCHEDULEDSecond Hand Article Store:

10. Malerie Rosa, d/b/a Black Brick Market – 575 Globe Street
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to schedule the hearing.

ORDERS – MISCELLANEOUS

11. Police Chief's report on licenses:

2022 Taxicab Drivers:

David Dube Ashraf Hussien

2022 Second Hand License Renewals:

ecoATM, LLC – 4171 North Main Street

ecoATM LLC – 638 Quequechan Street

Woozlande N. Legrand d/b/a Evita's Thrift Store – 1348 Pleasant Street

St. Vincent de Paul Exchange Store, Inc. – 1799 Pleasant Street

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Joseph D. Camara, it was unanimously voted to adopt the order, pending necessary approvals.

12. Auto Body Shop License Renewals:

Joseph Silva d/b/a Joe's Collision Center located at 170 Jefferson Street
William Sanchez, ABG Holdings LLC d/b/a Lambert Auto Body and Auto Sales
located at 103 Chavenson Street

Karen Isabel d/b/a Karen's Collision Specialist located at 70 Jepson Street

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adopt the order.

Approved, April 27, 2022, Paul E. Coogan, Mayor

13. Auto Repair Shop License Renewals:

Joseph Silva d/b/a Joe's Collision Center located at 170 Jefferson Street
William Sanchez, ABG Holdings LLC d/b/a Lambert Auto Body and Auto Sales
located at 103 Chavenson Street

Joseph Silva d/b/a Supreme Auto located at 421 Third Street

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order.

Approved, April 27, 2022, Paul E. Coogan, Mayor

COMMUNICATIONS – INVITATIONS – PETITIONS

14. 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.

15. Drainlayer Licenses:

- a. Coastal Water Sewer & Excavation, Inc.
- b. Khoury Excavating, Inc.
- c. Foley Excavation LLC

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Andrew J. Raposo, it was unanimously voted to approve the licenses.

Approved, April 27, 2022, Paul E. Coogan, Mayor

16. Planning Board Minutes – February 9, 2022

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted that the minutes be accepted and placed on file.

17. Structures On or Over a Public Way Permit – Lawn Signs for Department of Health & Human Services promoting FRVAX.com (various locations)

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Michelle M. Dionne, it was unanimously voted to approve the applications.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted to take items #18 through #22 together.

City Council Minutes:

18. Public Hearings – April 12, 2022

19. Committee on Finance – March 22, 2022

20. Committee on Finance – April 12, 2022

21. Joint Meeting of the City Council and School Committee – April 7, 2022

22. Regular Meeting of the City Council – March 22, 2022

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Andrew J. Raposo, it was unanimously voted to approve items #18 through #22.

BULLETINS – NEWSLETTERS – NOTICES – None

OTHER POTENTIAL MATTERS TO BE ACTED UPON:

COMMITTEE REPORTS

Committee on Finance recommendations (if received):

Adopt:

6a. Fiscal Year 2023 budgets for Water and Sewer Divisions

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 7 yeas, 2 nays to adopt the orders, with Councilors Michelle M. Dionne and Trott Lee voting in the negative.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adjourn at 8:31 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

A true copy. Attest:

Glison M. Bouchard
City Clerk