

City of Fall River Massachusetts
Office of the City Clerk

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2022 MAR -1 P 4:56

CITY CLERK _____
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

SPECIAL MEETING OF THE CITY COUNCIL

THURSDAY, MARCH 3, 2022 AT 7:00 P.M.

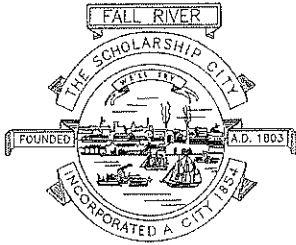
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

AGENDA

1. Citizen Input
2. Mayor and veto of City Council vote taken on February 22, 2022 regarding communication from Diman Regional Vocational Technical High School relating to construction of new Diman Regional Vocation Technical High School
3. Order and warrant scheduling Special Election for April 11, 2022
4. Order designating polling places
5. Order – Ballot Question re: Diman Regional Vocational Technical High School

Alison M. Bouchard
City Clerk

ADA Coordinator: Gary P. Howayeck, Esq. 508-324-2650



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

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2022 MAR -1 P 4: 13

CITY CLERK
FALL RIVER, MA

PAUL E. COOGAN
Mayor

March 1, 2022

Madam President
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:

Please find attached to this communication my disapproval and veto of the February 22, 2022 vote taken by this Council relative to the communication from the Superintendent of the Diman Regional Vocational Technical High School.

I am exercising my prerogative to disapprove the vote and return the matter, along with the reasons for my disapproval, to the Council for reconsideration. As grounds for this veto, it is the position of this Administration that any vote for the City to incur a debt obligation in excess of \$5,000,000.00 must be ratified by a majority of the voters. I do not believe that the vote that took place on February 22, 2022 made provision for such a City-wide vote.


As a starting point, please understand that personally, I categorically support the mission of Diman and I support any initiative, including this project, which helps to advance that mission. However, as much as I support Diman, I also agree with the sentiments expressed by many Council members during the February 22 debate that the process of approving and funding the Diman project must be completely transparent and accessible to the residents of Fall River. This veto reflects my firm belief that the voters should have a voice in how this project proceeds and gets funded.

As a matter of law, under Fall River's form of government, the process whereby a regional school committee seeks approval for a project such as this one, necessarily bypasses the Mayor's office. As such, on February 22, my administration attempted to refrain from taking any position that might have swayed the Council's position one way or the other. For the same reason, I did not send down an order on which the Council could have voted. Unfortunately, those restraints imposed on the Administration by this unusual process led to some confusion and resulted in no provision being made for the subsequent special election necessary to ratify the vote of the Council.

Because Fall River's proposed share of the Diman project is in excess of \$5,000,000.00, the City Council's approval to support and fund the construction of a new Diman necessarily requires ratification by a majority of the voters. For that reason, along with my disapproval of the February 22, vote, I am submitting to the City Council a proposed order asking the Council to disapprove of the Diman appropriation in order to authorize a special election on April 11, 2022 during which the registered voters of the City of Fall River might decide the matter.

I am also submitting a proposed ballot question to be used in the special election. The question asks the voters to approve the Diman project by also authorizing the City to fund its share of the cost of the Diman project via a Proposition 2 ½ debt exclusion. It is the opinion of this Administration that even with certain now-existing debt coming off in future years, there is no way to fund the City's share of this project without a temporary additional assessment on Fall River real estate taxes. I believe that any attempt to pay the City's share of this project without additional revenue from a debt exclusion would require cuts to City personnel and services.

Sincerely,

A handwritten signature in cursive script that reads "Paul E. Coogan".

Paul E. Coogan
Mayor

PC/amos

ORDER

Upon consideration of the Greater Fall River Vocational School District Committee's vote to approve an appropriation in the amount of \$293,479,760 for the construction of a new Diman Regional Vocational Technical High School, the City Council of Fall River states as follows:

Pursuant to 2-131 of the Code of the City of Fall River, City Council must DISAPPROVE of the Greater Fall River Vocational School District Committee's proposed appropriation until receiving approval from the voters. This vote of the City Council will automatically change to an APPROVAL of the project if the majority of voters approve of an exemption from the provisions of Proposition two-and-one-half.

A Special Election will take place in the City of Fall River on April 11, 2022 for the sole purpose of determining if the voters of Fall River will approve of an exemption from the provisions of Proposition two-and-one-half, which is deemed necessary to pay for the bonds issued to build a new Diman Regional Vocational Technical High School.

List of Wards, Precincts and Polling Places

Ward	Prnct	Polling Place Name	Polling Place Address
1	A	ALFRED LETOURNEAU SCHOOL	323 ANTHONY ST
	B	EDWARD F. DOOLAN APTS	CORNER OF LAUREL & MITCHELL DR
	C	ALFRED LETOURNEAU SCHOOL	323 ANTHONY ST
2	A	BLESSED TRINITY CHURCH	1340 PLYMOUTH AVE (ENTRANCE ON WINTHROP ST)
	B	BLESSED TRINITY CHURCH	1340 PLYMOUTH AVE (ENTRANCE ON WINTHROP ST)
	C	CANDEIAS-NIAGARA FIRE STA	CORNER PLYMOUTH AVE & WARREN ST
3	A	MITCHELL APARTMENTS	2100 SOUTH MAIN ST
	B	CARLTON M VIVEIROS SCHOOL	200 LEWIS ST
	C	MATTHEW J KUSS MIDDLE SCH	ENTRANCE ON SHAW ST
4	A	FRANK B. OLIVEIRA APTS	170 WILLIAM ST
	B	JAMES A. O'BRIEN APTS	MORGAN & SECOND STS
	C	THE ATRIUM AT GOV'T CTR	ENTRANCE ON SULLIVAN DR
5	A	CANDEIAS-NIAGARA FIRE STA	CORNER PLYMOUTH AVE & WARREN ST
	B	CHOR BISHOP EID APTS	33 QUEQUECHAN ST
	C	MARY L. FONSECA SCHOOL	160 WALL ST
6	A	FRANCIS J. BARRESI HTS	1863 PLEASANT ST
	B	GEORGE H. COTTELL HTS	1685 PLEASANT ST
	C	RENEY/EASTWOOD FIRE STA	400 EASTERN AVE
7	A	UNION UNITED METH CHURCH	600 HIGHLAND AVE
	B	THE ATRIUM AT GOV'T CTR	ENTRANCE ON SULLIVAN DR
	C	RAYMOND D. HOLMES APTS	ENTRANCE ON FULTON ST
8	A	MARY L. FONSECA SCHOOL	160 WALL ST
	B	CARDINAL MEDEIROS TOWERS	1197 ROBESON ST (ENTRANCE ON STANLEY ST)
	C	SPENCER BORDEN SCHOOL	ENTRANCE ON CHESTNUT ST
9	A	JAMES TANSEY SCHOOL	711 RAY ST
	B	CALVARY TEMPLE ASSEM OF G	4321 NORTH MAIN ST
	C	CALVARY TEMPLE ASSEM OF G	4321 NORTH MAIN ST

Total Number of Polling Places: 27
No. Pages of Printed: 1

*** End of Report ***

BALLOT QUESTIONS

Shall the City of Fall River be allowed to exempt from the provisions of Proposition two-and-one-half, the amounts required to pay for the bonds issued in order to build a new Diman Regional Vocational Technical High School?

_____ Yes

_____ No