

City of Fall River Massachusetts

Office of the City Clerk

RECEIVED

2023 OCT 20 A 11:50

ALISON M. BOUCHARD
CITY CLERK

CITY CLERK
FALL RIVER, MA

INÊS LEITE
ASSISTANT CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
TUESDAY, OCTOBER 24, 2023
AGENDA

5:00 P.M. COMMITTEE ON ORDINANCES AND LEGISLATION

6:00 P.M. CITY COUNCIL COMMITTEE ON FINANCE MEETING (OR IMMEDIATELY FOLLOWING THE COMMITTEE ON ORDINANCES AND LEGISLATION MEETING IF IT RUNS PAST 6:00 P.M.)

1. Citizen Input
2. *The Committee on Finance reconvene with a representative from the Massachusetts Department of Transportation, the City Administrator and the City Engineer for an update on the progress of the Route 79/Davol Street Corridor Improvements Project. (adopted 9-12-2023)
3. *Fiscal Year 2023 Quarter 4 Budget Report (tabled 9-12-2023)
4. *Fiscal Year 2024 Quarter 1 Budget Report (referred 10-10-2023)
5. Transfers and appropriations

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

PRIORITY MATTERS

1. *Mayor and order for the Bank Street Armory Proposal Review and Recommendation (resubmittal) (objected to on 10-10-2023)
2. *Mayor and order to accept donation from Rhode Island Novelty of four boxes of miscellaneous small toys to be used at the Tree Lighting Event in December.
3. *Mayor and order to accept the Massachusetts Executive Office of Public Safety and Security (EOPSS) Municipal Road Safety Program award in the amount of \$60,000 to fund additional traffic enforcement patrols to increase road safety.
4. *Mayor and proposal for Bristol County ARPA funding in the amount of \$35,200.00 for the Open Space and Recreational Plan (OSRP).
5. *Mayor and orders appropriating:
 - a. \$308,843.00 from the Tax Levy to the Reserve Fund
 - b. \$150,000.00 from the Tax Levy to the Overlay Account
 - c. \$31,248.64 from the Reserve Fund to the Intergovernmental Expenses (Bristol Agricultural Assessment)

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

One Government Center • Fall River, MA 02722
TEL 508-324-2220 • FAX 508-324-2211 • EMAIL city_clerks@fallriverma.org

PRIORITY COMMUNICATIONS

6. *Traffic Commission recommending amendments to the traffic ordinances
7. *Planning Board recommendation ***not to approve the following:***
 - a. Discontinuance of Ash Street extending from Center Street to Globe Street
 - b. Discontinuance of Center Street extending from Ash Street to South Beacon Street
8. *Planning Board recommendation ***to approve the following:***
 - a. Acceptance of Gatehouse Drive extending from Maple Street to Prospect Street
 - b. Acceptance of Mohawk Drive extending from Indian Town Road back to Indian Town Road
 - c. Discontinuance of Vine Street from South Beacon Street to Ash Street

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS – None

CITATIONS – None

ORDERS – HEARINGS

Street Acceptances – Hearings to be scheduled for November 14, 2023

9. Hayfield Lane extending from Highland Farm Road to northern and southern terminus
10. Highland Farm Road extending from Highland Avenue to Hayfield Lane
11. Old Pasture Way extending from Highland Farm Road to terminus
12. Steepbrook Terrace extending from Highland Farm Road to terminus

ORDERS – MISCELLANEOUS

13. *Order – cancelling the Committee on Finance and Regular Meetings of the City Council on December 26, 2023
14. Police Chief's report on licenses
Taxicab Drivers
Edward Butler, Jr. Colby Olsen Victor J. Principe, II
15. Auto Body Shop License Renewal
Gabrielle Z. Cabral d/b/a Competitive Auto Body and Sales – 1021 Locust Street
16. Auto Repair Shop License Renewal
Toni Elkhoury, TNK Gas & Repair Inc. d/b/a Tony Gas & Repair – 402 Brightman Street
17. Auto Repair Shop License Transfer
Auto Repair Shop License No. 346 located at 681 Brayton Avenue from Nuno DoSouto, d/b/a Easy Auto Repair, LLC to Cardoso Garage, Inc. d/b/a Easy Auto Repair

COMMUNICATIONS – INVITATIONS – PETITIONS

- 18. *Claims
- 19. *City resident requesting to purchase a parcel of city owned land
- 20. *Structure on or over a public way application for Board of Elections Department to hang banners across South Main Street (downtown) and Bedford Street (at Fire Station)
- 21. Drainlayer License – Rosciti Construction Company, LLC

City Council Minutes:

- 22. *City Council – September 26, 2023
- 23. *Public Hearings – October 10, 2023
- 24. *Committee on Finance – October 10, 2023
- 25. *City Council – October 10, 2023

BULLETINS – NEWSLETTERS – NOTICES

- 26. *Notice of personal injuries pursuant to M.G.L., Ch. 258, Sec. 4, re Millicent Toro, 300 Amity Street



City Clerk

OTHER POTENTIAL MATTERS TO BE ACTED UPON (if received):

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

All readings with Emergency Preamble:

*Proposed Ordinance – Traffic, handicapped parking
Eastern Avenue Eddy Street Forest Street
Fountain Street Mott Street Stafford Road

First Reading

*Proposed Ordinance – Traffic, miscellaneous
Handicapped parking removals:
Birch Street Forest Street Fountain Street Osborn Street Swindells Street

*Proposed Ordinance – Establishment of the Finance, Management and Compliance Analyst Position

(President Joseph D. Camara)

WHEREAS, the Committee on Finance would like periodic updates regarding the Route 79/Davol Street Corridor Improvements Project, now therefore

BE IT RESOLVED, that the Committee on Finance reconvene with a representative from the Massachusetts Department of Transportation, the City Administrator and the City Engineer for an update on the progress of the Route 79/Davol Street Corridor Improvements Project.

In City Council, September 12, 2023
Adopted.

A true copy. Attest:



City Clerk



FY 2023

QUARTER 4

BUDGET REPORT

RECEIVED

2023 JUL 13 P 3:26

CITY CLERK _____
FALL RIVER, MA

CITY OF FALL RIVER
IN CITY COUNCIL
JUL 18 2023

*Referred to the
Committee on
Finance*

Tabled 9-12-23

FINANCE 4

RECEIVED

2023 OCT -4 P 3:42

CITY CLERK
FALL RIVER, MA



FY 2024

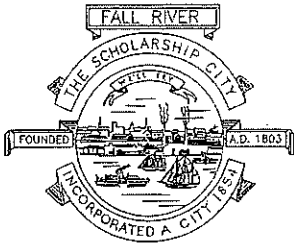
QUARTER 1

BUDGET REPORT

CITY OF FALL RIVER
IN CITY COUNCIL

OCT 10 2023

Referred to the
Committee on Finance



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

PAUL E. COOGAN
Mayor

RECEIVED

2023 OCT -4 P 1:49

CITY CLERK _____
FALL RIVER, MA

October 4, 2023

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

Dear Councilor President and Members of the Honorable Council:

Attached please find a request to resubmit the proposal for the sale of the Bank Street Armory to the Honorable Council for consideration.

Thank you and as always I am available for any questions or concerns you may have regarding this matter.

Sincerely,

Paul E. Coogan
Mayor

PC/amos

CITY OF FALL RIVER
IN CITY COUNCIL

OCT 10 2023

*Objected to and laid on the
table, in accordance with the
City Charter.*

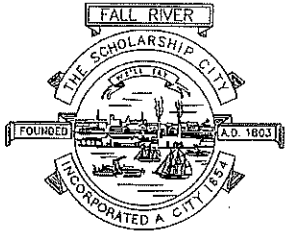
City of Fall River, *In City Council*

ORDERED, that the Mayor is hereby authorized to execute a Purchase & Sales Agreement, in a form acceptable to the Corporation Counsel, for the sale of the Bank Street Armory, 72 Bank Street, Fall River, MA, shown as Fall River Assessors' Parcel # N10-0048, to Main Street Property, LLC for the sum of Two Hundred Thousand and 00/100 (\$200,000.00) Dollars, and further, upon satisfaction of any contingencies set forth in said Purchase & Sales Agreement, that the Mayor is hereby authorized to execute a Quitclaim Deed of said parcel to Main Street Property, LLC, and all closing documentation necessary to effectuate said conveyance.

CITY OF FALL RIVER
IN CITY COUNCIL

OCT 10 2023

objected to and laid on the
table, in accordance with the



CITY OF FALL RIVER, MASSACHUSETTS

October 4, 2023

Honorable Paul E. Coogan
Office of the Mayor
City of Fall River

Re: RFP# 23-05, Bank Street Armory Proposal Review

Mister Mayor:

As you know, in response to Request for Proposals (RFP) 23-05 regarding the Bank Street Armory, the City received one proposal from Main Street Projects, LLC. Pursuant to the terms of the RFP, the proposal was subject to a committee review to evaluate the strength of the proposal.

Attached, please find a summary of the proposal review as well as the Committee's recommendation based on eight (8) different criteria that the proposal is, "Advantageous" to the City.

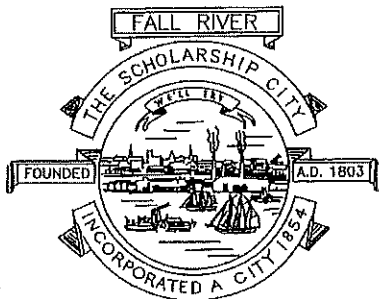
This matter was before the Council on September 26, 2023. With only seven Councilors in attendance, the proposal was supported by a simple majority, but failed to pass with the required two thirds majority.

I am asking that you resubmit this summary and recommendation to the City Council, once again, for their consideration.

Very Best,

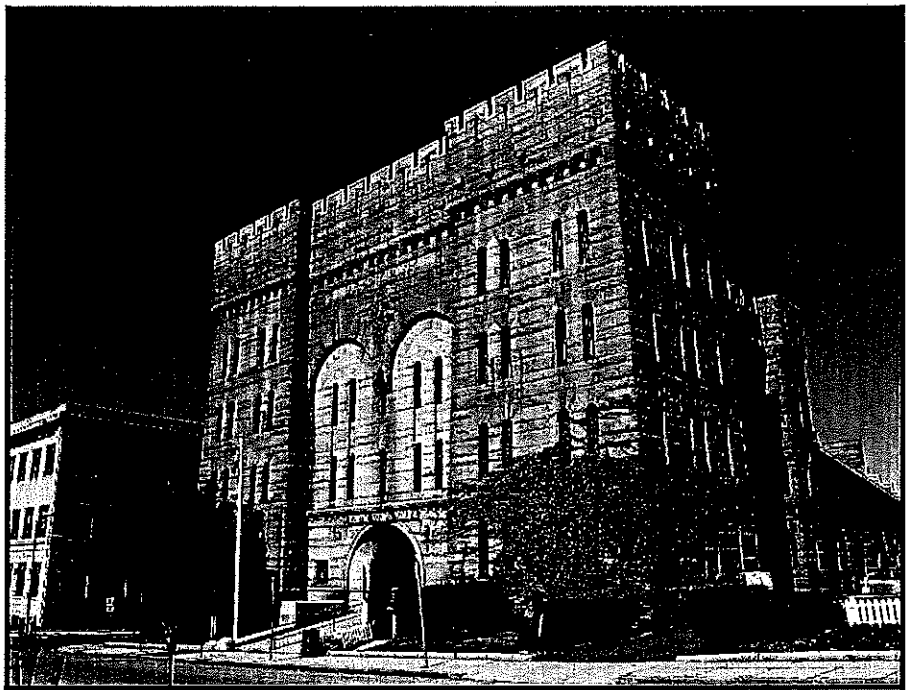


Seth Thomas Aitken
City Administrator



CITY OF FALL RIVER
REQUEST FOR PROPOSALS
SALE OF
BANK STREET ARMORY

RFP# 23-05



PROPOSAL REVIEW TEAM MATERIALS

Thank you for participating in the review of the Proposal that was received in response to RFP# 23-05 for the Sale of the Bank Street Armory. This Packet contains the materials you will need to participate in the review process.

The Proposal Review Criteria and Process was set forth in the Section 10 of the RFP. Section 10, as amended, provides:

10.0 SELECTION CRITERIA AND PROCESS

10.1 The Proposal Review Team - The Proposal Review Team shall consist of the City Administrator, the Assistant City Planner, the City Engineer, the Executive Director of the Fall River Community Development Agency, the Chairperson of the City of Fall River Historical Commission, the Chairperson of the City Council Real Estate Committee, and one (1) additional member of the City Council as selected by the City Council President.

10.2 Comparative Evaluation Criteria - The following Comparative Evaluation Criteria shall be used:

1. Proposed Reuse of the Property;
2. Qualifications and experience of staff expected to work on the redevelopment of the Property;
3. Adequate resources and staffing to successfully redevelop the Property, including availability of pertinent technical disciplines;
4. Adequate funding to successfully redevelop the Property;
5. Knowledge of the City of Fall River;
6. Knowledge of requirements to successfully redevelop the Property and technical approach to the redevelopment project;
7. Price Proposal.

10.3 Comparative Evaluation Matrix - The Comparative Evaluation Matrix attached as Exhibit "A" shall be used for comparative evaluation of all proposals submitted.

10.4 Selection of Most Advantageous Proposal - Following the review of the Comparative Evaluation Criteria by the Proposal Review Team, the City Administrator shall prepare a report identifying the most advantageous Proposal from a responsive and responsible bidder, taking into consideration price and all other evaluation criteria set forth in this RFP, and will deliver the report to the Mayor and City Council for review and award. The selected bidder may not necessarily be the highest Price Proposal. The Property has a present assessed value of \$260,400.00. The City Administrator reserves the right to recommend acceptance of a bid price below said assessed value in accordance with the provisions of M.G.L. c. 30B, § 16(g) and in accordance with the terms and conditions of this RFP. The City will award the bid within sixty (60) days of the submission deadline.

10.5 Execution of a Purchase & Sales Agreement - Upon the selection of a successful bidder, the City Administrator will cause a Purchase and Sale Agreement to be prepared and presented to the selected bidder for execution. The Purchase and Sale Agreement shall be executed by an authorized official(s) of the selected bidder and by the Mayor of the City of Fall River.

All the information contained in this RFP, and the selected bidder's submitted proposal in response to this RFP, shall be incorporated by reference into the Purchase and Sale Agreement which is to be entered into between the selected bidder and the City.

The Purchase and Sale Agreement shall at a minimum require a deposit of 10% of the purchase price and shall require the selected bidder to complete all of its due diligence for the Property and close on the Property no later than December 30, 2023.

10.6 Non-Assignment of Rights – The selected bidder may not assign its rights under the selected Proposal or the Purchase and Sale Agreement without the prior written consent of the City of Fall River

10.7 Rejection of Proposals - The City of Fall River reserves the right to reject any and all proposals received in response to this RFP.

Section 11 of the RFP contained the Proposed Redevelopment Benchmarks. The Proposed Redevelopment Benchmarks set forth in the RFP will be adjusted to account for the delay in commencing the review process.

Section 11 of the RFP provided as follows:

11.0 PROPOSED REDEVELOPMENT BENCHMARKS

Redevelopment of the Property shall be subject to the following proposed Redevelopment Benchmarks:

June 16, 2023	A mutually agreeable Purchase and Sales Agreement for Conveyance of the Property must be executed by this date.
December 31, 2023	The conveyance of the Property must be completed by this date.
December 31, 2024	All environmental remediation must be completed by this date and all necessary permits and approvals for the proposed redevelopment of the Property must be submitted by this date. All Bank Financing must be secured and in place by this date.
June 1, 2025	Construction must begin by this date.

June 1, 2026

A Certificate of Occupancy for the Property must obtained by this date.

The foregoing Benchmarks may be subject to some negotiation based on the details and specifications of the redevelopment and reuse proposed by the successful bidder.

Performance of the finally negotiated Benchmark Schedule will be secured by a Performance Bond or Irrevocable Letter of Credit in the amount of \$75,000.00 in favor of the City of Fall River which shall be secured at the successful bidder's sole cost and expense prior to conveyance of the Property from the City of Fall River.

Please review the attached Non-Price Proposal and the Price Proposal in light of the Comparative Evaluation Matrix attached as Exhibit "A", as follows:

- If you believe the Response to the particular Evaluation Criteria satisfies the definition of "Highly Advantageous" please insert the number "3" in the left column.
- If you believe the Response to the particular Evaluation Criteria satisfies the definition of "Advantageous" please insert the number "2" in the left column.
- If you believe the Response to the particular Evaluation Criteria satisfies the definition of "Not Advantageous" please insert the number "1" in the left column.
- If you believe the Response to the particular Evaluation Criteria satisfies the definition of "Unacceptable" please insert the number "0" in the left column.

During the Proposal Review Team Meeting on Thursday, June 1, 2023 at 10:00 AM in the Conference Room in the Mayor's Office, members of the Team will be given the opportunity to explain why they assigned a particular number to Evaluation Factor.

The various Review Sheets will be tabulated and included in the Report of the City Administrator to the Mayor. Only one response to the RFP was received, but it is still important to review the Proposal to determine if it is advantageous to the City.

EXHIBIT "A"
COMPARATIVE EVALUATION MATRIX

		HIGHLY ADVANTAGEOUS (3)	ADVANTAGEOUS (2)	NOT ADVANTAGEOUS (1)	UNACCEPTABLE (0)
1	Proposed Reuse of the Property	A redevelopment that includes a mix of commercial units/live performance or exhibition space and market rate housing units on the upper floors.	A redevelopment that includes commercial units or live performance/exhibition space, with market rate housing units on the upper floors.	A mixed redevelopment that does not include commercial space or live performance/exhibition space.	Not used
2.	Qualifications and experience of staff expected to work on the redevelopment of the Property	Has over ten years of experience with the redevelopment of urban historically significant properties.	Has between five and ten years of experience with the redevelopment of urban historically significant properties.	Has less than five years of experience with the redevelopment of urban historically significant properties.	No experience with the redevelopment of urban historically significant properties.
3.	Adequate resources and staffing to successfully redevelop the Property, including availability of pertinent technical disciplines	Clearly demonstrates the ability to meet the RFP's Benchmarks.	Presents, with some exceptions, the ability to meet the RFP's Benchmarks.	Does not clearly evidence the ability to meet the RFP's Benchmarks.	No evidence of ability to meet the RFP's Benchmarks.
4.	Adequate funding to successfully redevelop the Property	Clearly demonstrates the funding to meet the RFP's Benchmarks.	Presents, with some exceptions, the funding to meet the RFP's Benchmarks.	Does not clearly evidence the funding to meet the RFP's Benchmarks.	No evidence of the funding to meet the RFP's Benchmarks.
5.	Knowledge of the City of Fall River	Clearly demonstrates a strong understanding of the history, culture and demographics of the City of Fall River, and the role the Bank Street Armory has played in that history.	Presents, with some exceptions, a general understanding of the history, culture and demographics of the City of Fall River, and the role the Bank Street Armory has played in that history.	Does not clearly evidence an understanding of the history, culture and demographics of the City of Fall River, and the role the Bank Street Armory has played in that history.	No evidence of an understanding of the history, culture and demographics of the City of Fall River, and the role the Bank Street Armory has played in that history.

EXHIBIT "A"

COMPARATIVE EVALUATION MATRIX (CONTINUED)

		HIGHLY ADVANTAGEOUS	ADVANTAGEOUS	NOT ADVANTAGEOUS	UNACCEPTABLE
6.	Knowledge of requirements to successfully redevelop the Property and technical approach to the redevelopment project	Clearly demonstrates a strong understanding of project requirements and a thorough technical approach.	Presents, with some exceptions, a general understanding of project requirements and a strong technical approach.	Does not clearly evidence an understanding of project requirements or a reasonable technical approach.	No evidence of an understanding of project requirements or a reasonable technical approach.
7.	Preservation Restriction	Proposal provides a detailed discussion how the proposed adaptive reuse could be accomplished in a fashion that minimizes the impact on the historic integrity of the Property.	Proposal provides a general discussion how the proposed adaptive reuse could be accomplished in a fashion that minimizes the impact on the historic integrity of the Property.	Proposal does not provide a discussion how the proposed adaptive reuse could be accomplished in a fashion that minimizes the impact on the historic integrity of the Property.	No evidence of understanding that the proposed adaptive reuse must be accomplished in a fashion that minimizes the impact of the historic integrity of the Property.
8.	Price Proposal	Provides a Price Proposal that is higher than the suggested minimum bid.	Provides a Price Proposal that is less than or equal to \$20,000.00 less than the suggested minimum bid and provides a justification as to why the Price Proposal is less than the suggested minimum bid.	Provides a Price Proposal that is greater than \$20,000.00 less than the suggested minimum bid and provides a justification as to why the Price Proposal is less than the suggested minimum bid	Provides a Price Proposal that is less than suggested minimum bid and does not provide justification as to why the Price Proposal is less than the suggested minimum bid



Main Street Projects
Re-imagining Historical Properties

3/17/23

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

Re: RFP# 23-05 Sale of the Bank Street Armory

For the City's consideration, please accept our proposal to purchase and rejuvenate the Armory.

We have invested significant time and money to return the Bradford Durfee Textile School to the City's tax roll and will begin redevelopment of the Post Office garage building. We would like to redevelop the Armory as it is adjacent to these properties offering an integrated live/work area for the City.

Our intent with the Post Office building was to change the use from commercial to residential as allowed in the Arts Overlay district. There were to be apartments on the top two floors with parking on the lower level. If granted the opportunity to re-develop the Armory our intention with the Post Office building will change. We would renew the exiting leases with the current commercial tenants, use the top two floors to supplement parking for the Armory and add apartments as a vertical addition.

In our opinion, the City's preferred use of the Armory as an arts and entertainment venue would be prohibitive financially and also impact the economics of other venues nearby, specifically the Narrows and the black box theater underway at the Creative Class. We would be excited if the City could develop a regional arts and entertainment center at the Armory, but we would need to reassess the viability of a black box theater across the street.

We plan to redevelop the Armory into thirty-seven market rate apartments, but would be open to a mixed rate project with twenty percent of the units being designated affordable. The drill hall would accommodate seventeen one-bedroom townhouses and the headhouse would accommodate eighteen one-bedroom residences on the first three floors and a pair of large two-bedroom units on the fourth floor. The property would be marketed as an expansion of the Creative Class campus and be managed by the same on-site staff currently in place.



Main Street Projects
Re-imagining Historical Properties

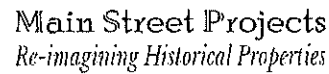
The property presents a unique challenge, as any modification will need to be approved by the Massachusetts Historical Commission. We're familiar with these restrictions as we have had three successful redevelopment projects with MHC to date.

As we work with MHC to insure our plan is consistent with the Preservation Restriction, we are concerned the water infiltration caused by failing gutters, coping, roof ridge and the south headhouse roof could make redevelopment impractical if left to continue. Addressing these issues sooner rather than later is imperative.

Please address communications regarding our proposal to Alan Macomber via the contact information in the footer section below.

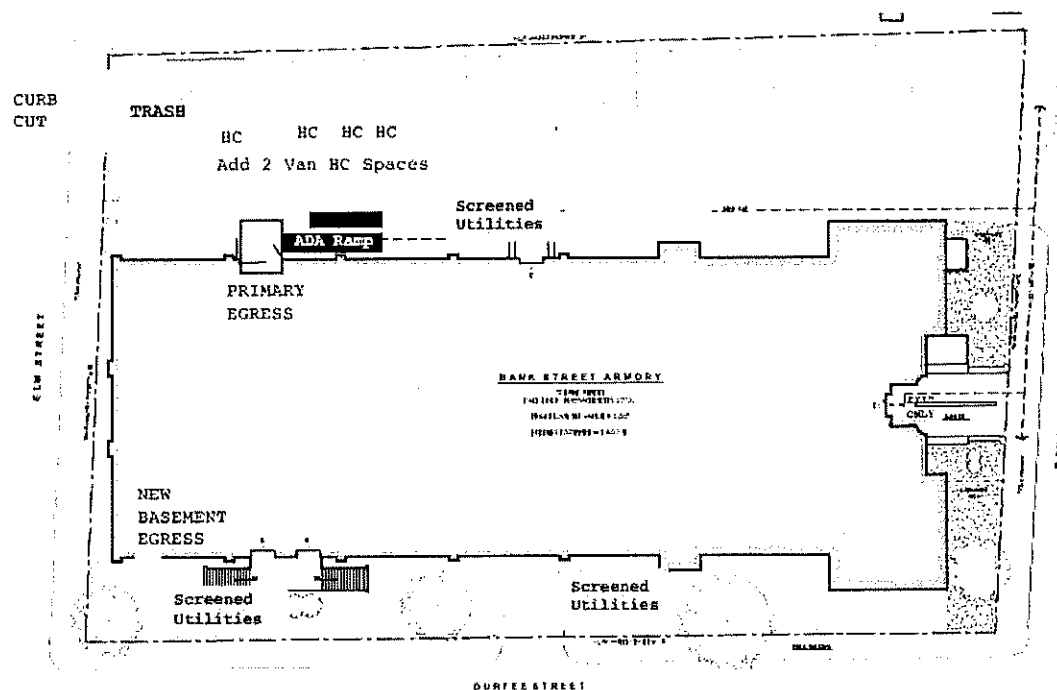
Very Truly Yours,

Alan F. Macomber



We propose to develop the Bank Street Armory to complement our recently completed Creative Class project which re-developed the Bradford Durfee Textile School. The Armory, located across the street, will be developed into 37 apartments, expanding the Creative Class campus to include 92 residences, a coworking office space, a black box theater, retail and an enrichment program for Autistic adults.

Proposed Site Plan

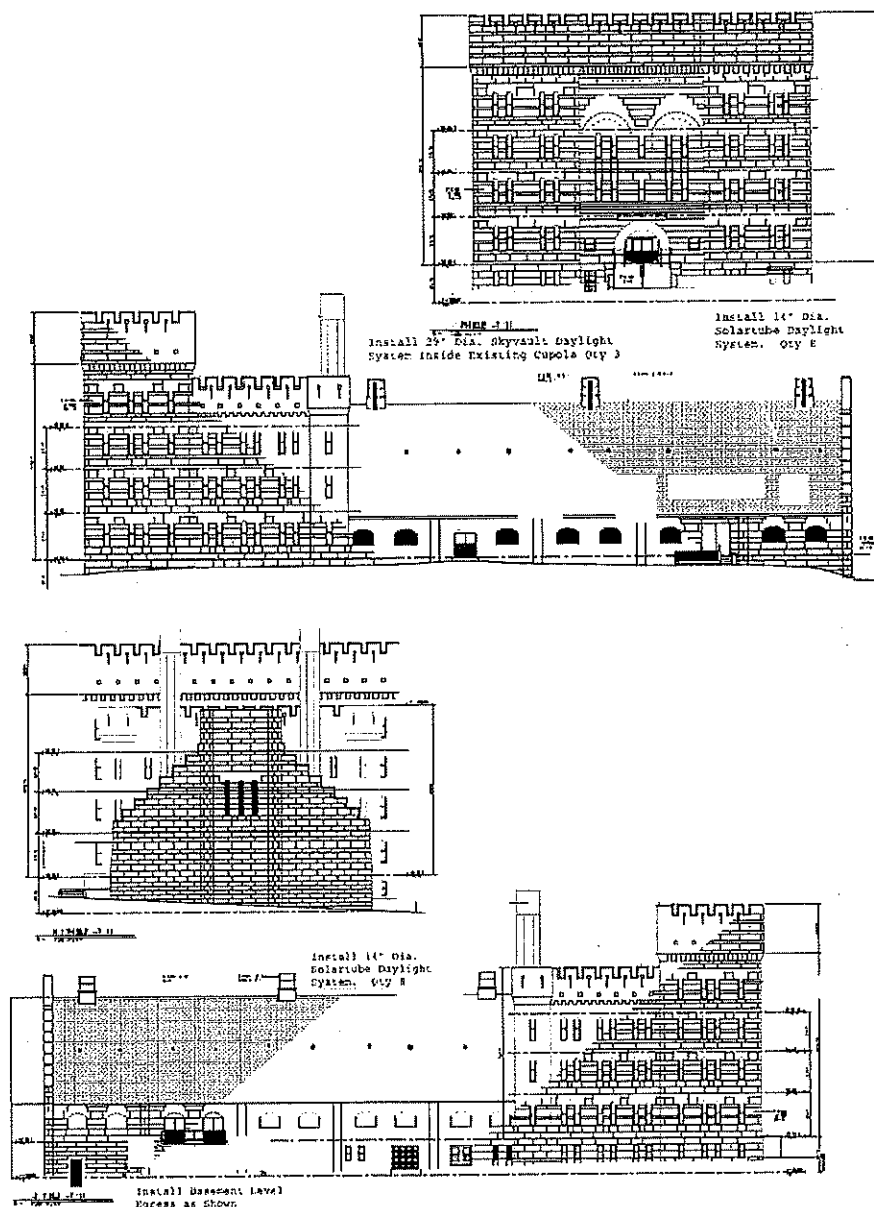


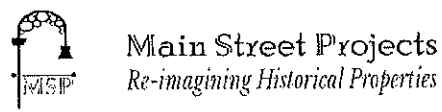


Main Street Projects
Re-imagining Historical Properties

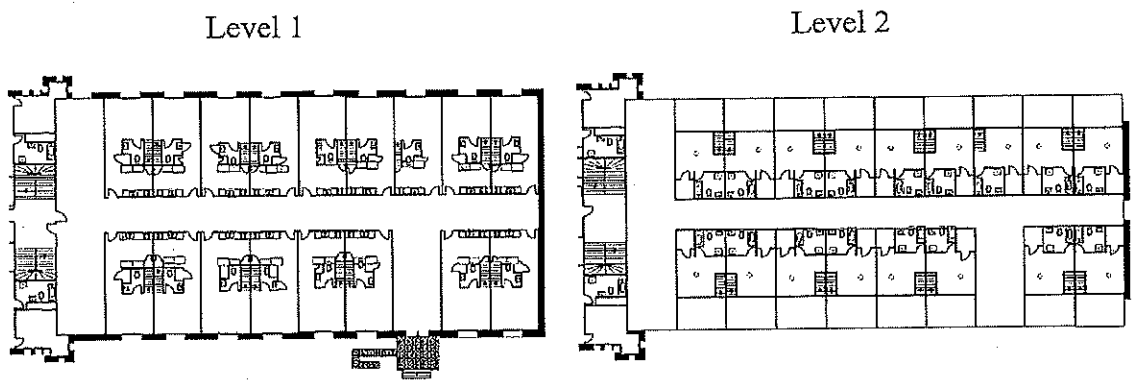
Our proposed re-development will have minimal impact to the historic exterior elevations. There will be nine small penetrations on west drill house roof and eight on the east side to accommodate a daylighting system (shown below). In addition the basement level will include a single door egress on the northeast of the drill house.

Minimal Impact to Historic Façade

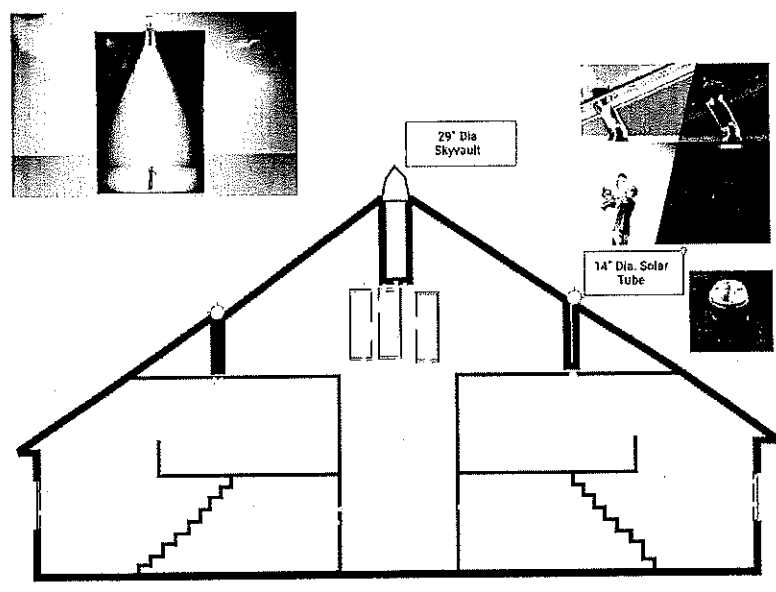




The drill house will have seventeen townhouse apartments in a double loaded corridor set-up.



Daylight will be added through a unique application of an existing technology.



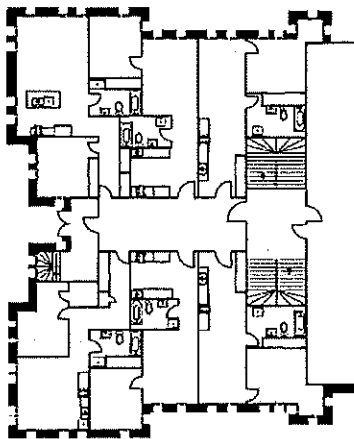
We have refined our concept to have minimal impact on the Armory’s character defining features. The exterior architecture remains as is, including the main entrance, retaining the drill hall gallery and exposed drill hall roof structure. In addition, wood wall paneling, baseboards, main staircase and wood components, and the sequence of spaces will generally remain intact. The pressed tin and ornamented plaster ceilings will be impacted when a new fire suppression system code compliant MEP systems are installed.



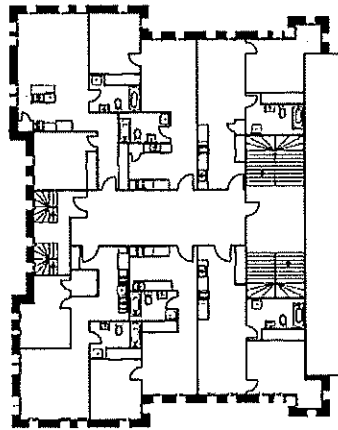
Main Street Projects
Re-imagining Historical Properties

The head house will accommodate twenty apartments spanning four floors. The historic central corridor on each floor remains unchanged, and each apartment's floor plan incorporates the historic wainscoting, fireplaces, wood flooring and expansive rooms.

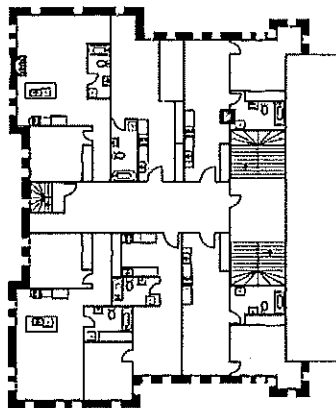
▼ 1st Floor



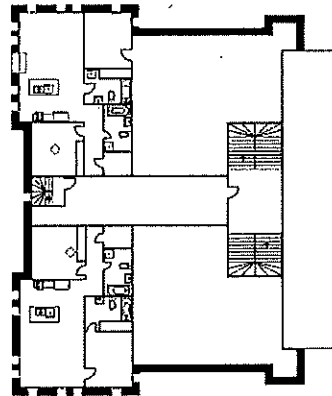
▼ 2nd Floor



▼ 3rd Floor



▼ 4th Floor



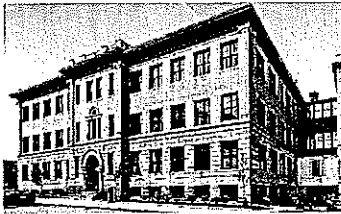


Main Street Projects
Re-imagining Historical Properties

Developer's Qualifications



2010 – 2017 Commonwealth Landing. A 200,000 square foot historic textile mill overlooking Mount Hope Bay in Fall River. Redeveloped into restaurants, retail, office, and market rate apartments. Total development cost \$33M.



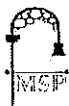
2017 -2022 The Creative Class. Transformed a 100,000 square foot historic college campus overlooking Mount Hope Bay in Fall River's downtown. Redeveloped into a mix of office, retail, art and, market rate and affordable apartments. Total development cost \$21M.

Alan Macomber the Principal of Main Street Projects LLC is a graduate of Worcester Polytechnic University and the University of Connecticut. He has been active in the community serving as a board member with FROED, Bristol County WIB, Greater Fall River Development Corporation, South Coast Hospital President's Council, the Fall River Children's Museum and Child and Family Services.

Development Benchmarks

The proposed benchmarks are acceptable but will require adjustment based on required actions defined in the Preservation Restriction.

In accordance with the Preservation Restriction, the Massachusetts Historical Commission (MHC) must approve the proposed project to insure *"the characteristics which contribute to the architectural and historical integrity are preserved according to the Secretary of the Interior's Standards for the Treatment of Historic Properties for Preserving, Rehabilitating, Restoring and Reconstruction Historic Buildings."*



Main Street Projects
Re-imagining Historical Properties

Based on discussions with Heritage Preservation Consultants, it is our opinion that the redevelopment concept will meet the standards set forth in the preservation restriction.

If selected, we will submit plans and specifications *“in sufficient detail to permit the MHC to make an informed judgement as to the project’s consistency with the purposes of the Preservation Restriction.”*

Note, the italicized phrases above are taken from the deed recorded Preservation Restriction between the Commonwealth and the City of Fall River recorded in Book 9296 Page 1.

We will work diligently to secure MHC approval of the development plan and will be prepared for conveyance of the property sixty days thereafter.

Development Sources and Uses

The total development cost of our proposal will be approximately \$13.6M. The project will support hard debt of \$5.1M in addition to developer equity. We anticipate using the programs identified in the RFP solicitation twinned with other complementary sources as shown below.

Anticipated Sources	
Bank Debt	\$ 5,100,000
Developer Equity	\$ 750,000
HDIP TC	\$ 1,800,000
Federal HTC	\$ 1,800,000
State HTC	\$ 1,700,000
HOME Partnership	\$ 1,350,000
TBD	\$ 400,000
HSF/AHTF	\$ 700,000
	<u>\$ 13,600,000</u>



Main Street Projects
Re-imagining Historical Properties

Organizational Structure

Main Street Projects LLC will be the developer of the Armory Project. The real estate will be purchased through a single purpose LLC. This is the same structure we used in the re-development of Mechanics Mill and the Bradford Durfee Textile School. Alan Macomber is the sole member of Main Street Projects LLC.

Brownfield Development Experience

The developer has re-developed brownfield sites totaling ten acres and 300,000 SF of repurposed space.

Regulatory Actions and Litigation

None.



Main Street Projects
Re-imagining Historical Properties

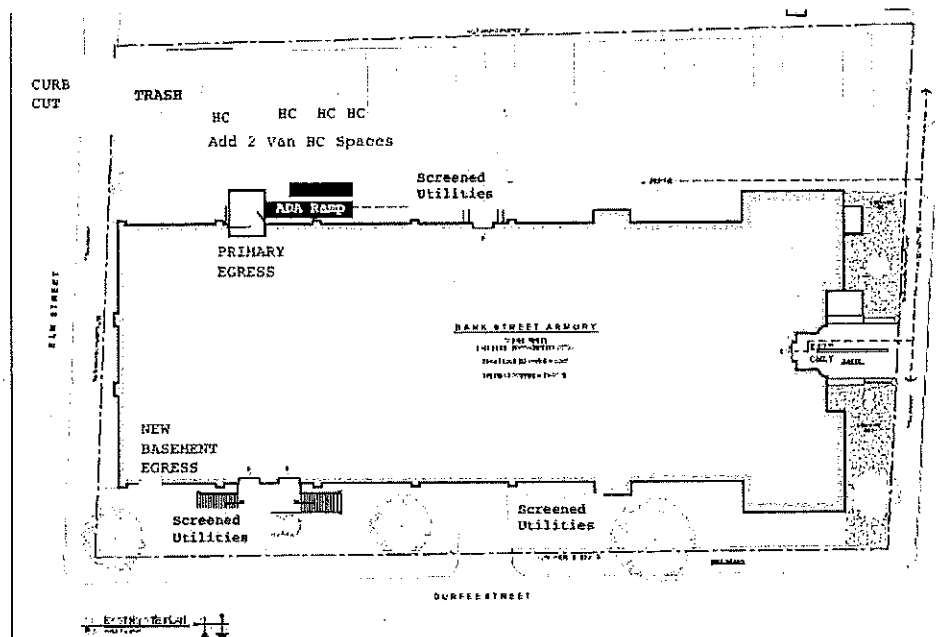
Appendices



Main Street Projects
Re-imagining Historical Properties

Two Bank Street
Fall River, MA 02720

Proposed Site Plan



- Primary accessible entrance moved to existing northeast egress. Front entrance to become exit only in order to forego changes impacting historic character.
- Basement level egress added to northwest corner.
- Curb cut added to Elm Street.
- Drill Hall will not facilitate roof top units. Heat pump compressors to be hidden with a screened fencing.
- On-site parking space count 22. Additional parking can be provided at 10 Durfee Street in order to meet zoning ordinance parking load requirements.

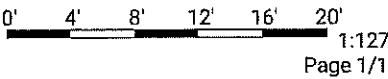
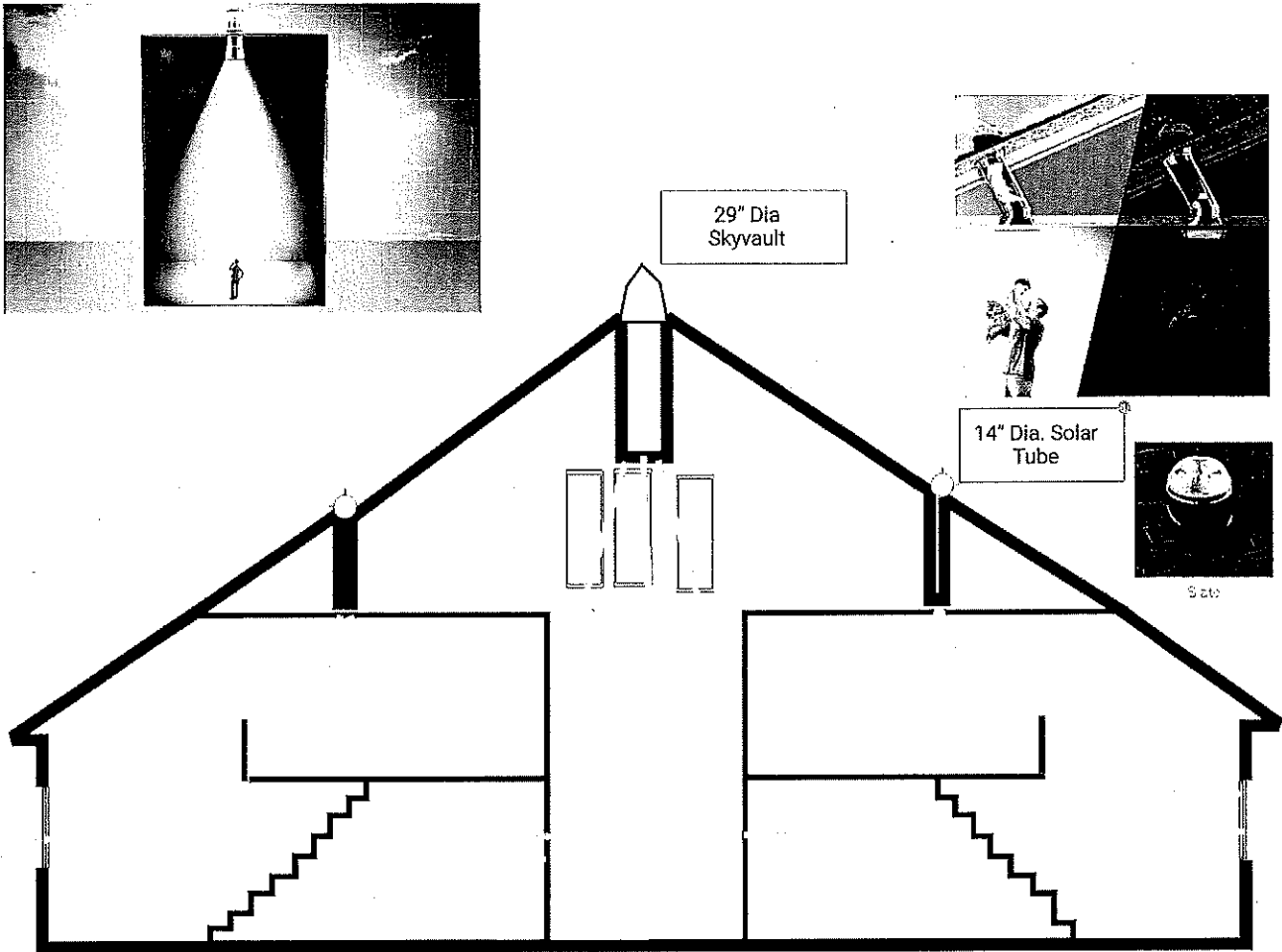
Drill Hall Concept

72 Bank St, 02720 Fall River, MA, United States
FLOORS: 1



▼ 1st Floor

Drill Hall Daylighting System



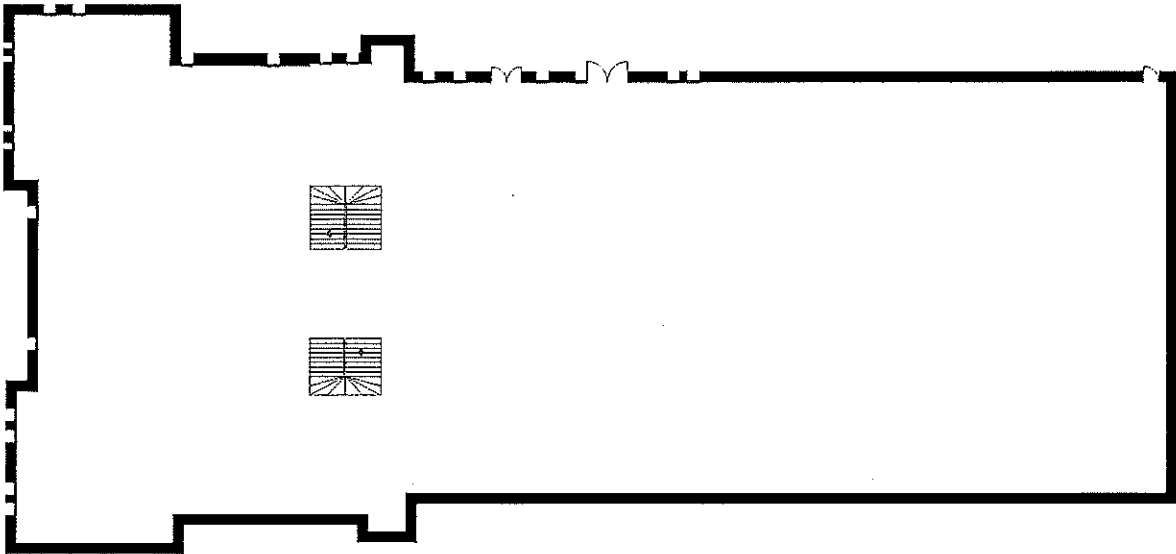
Bank Street Armory

72 Bank St, 02720 Fall River, MA, United States
FLOORS: 5

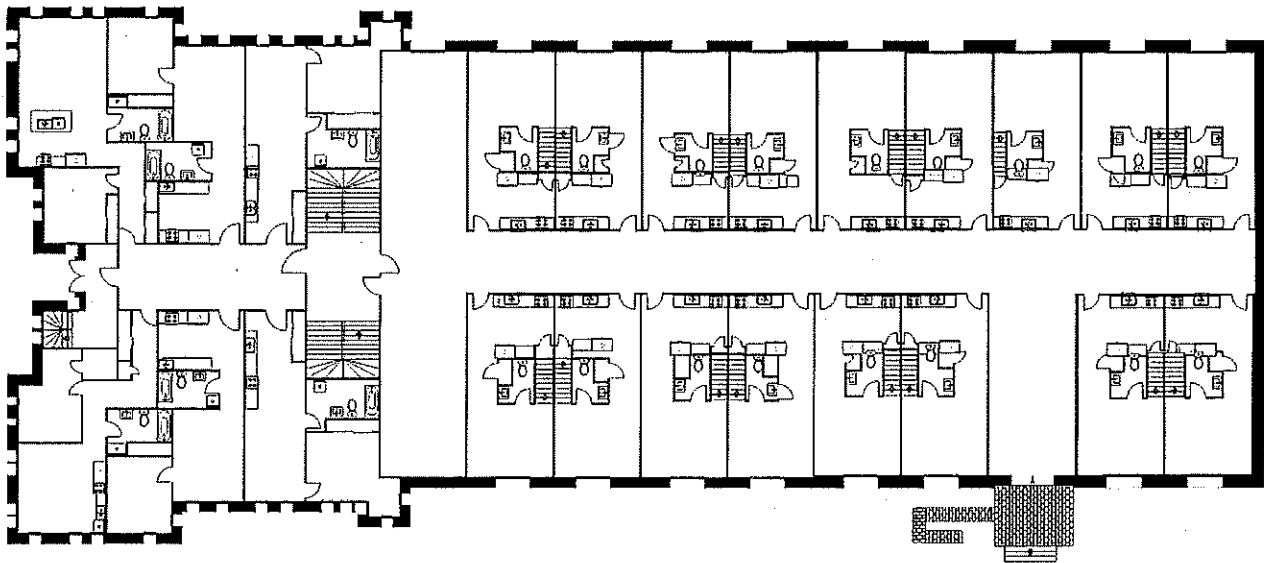


SUBMITTED BY Main Street Projects
alanmacomber@gmail.com

▼ Ground Floor



▼ 1st Floor



0' 16' 32' 48'
1:352
Page 1/3

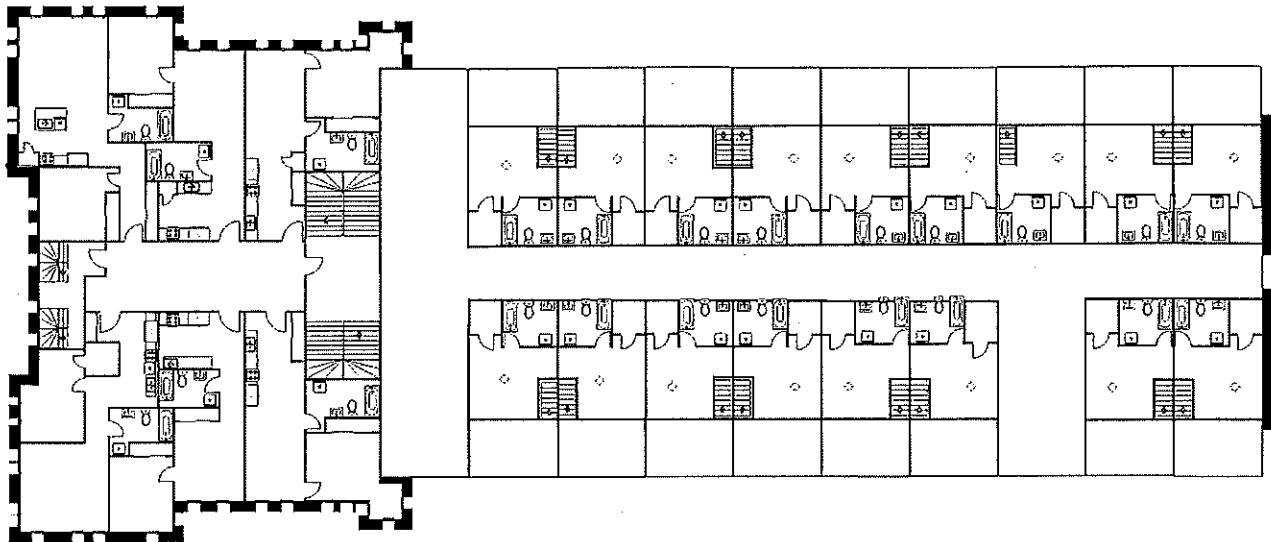
Bank Street Armory

72 Bank St, 02720 Fall River, MA, United States
FLOORS: 5

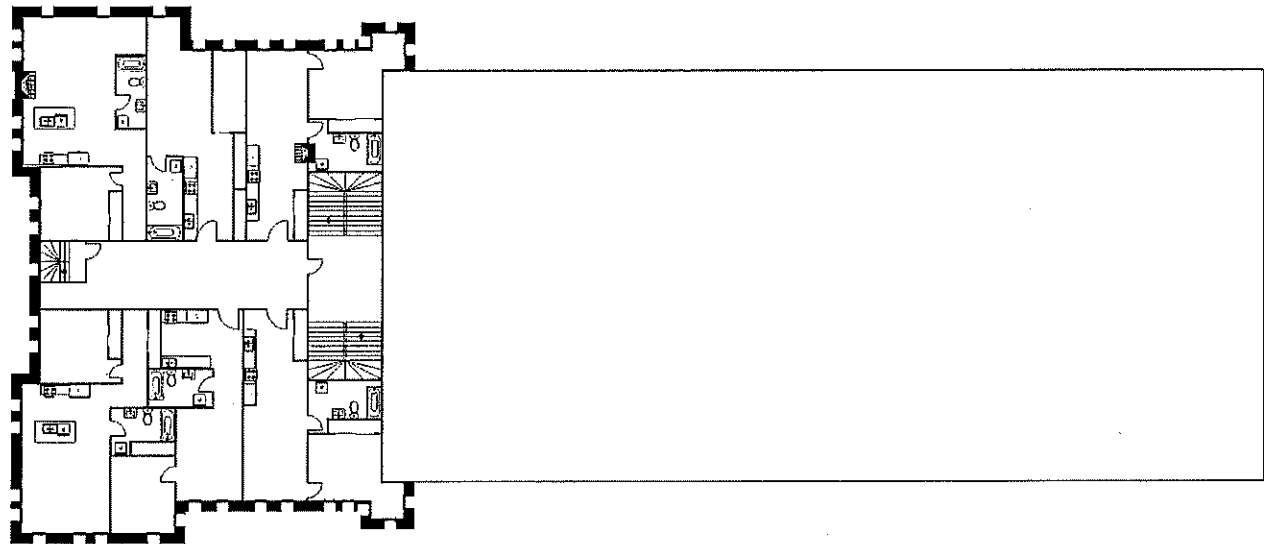


SUBMITTED BY Main Street Projects
alanmacomber@gmail.com

▼ 2nd Floor



▼ 3rd Floor



0' 16' 32' 48' 1:352
Page 2/3

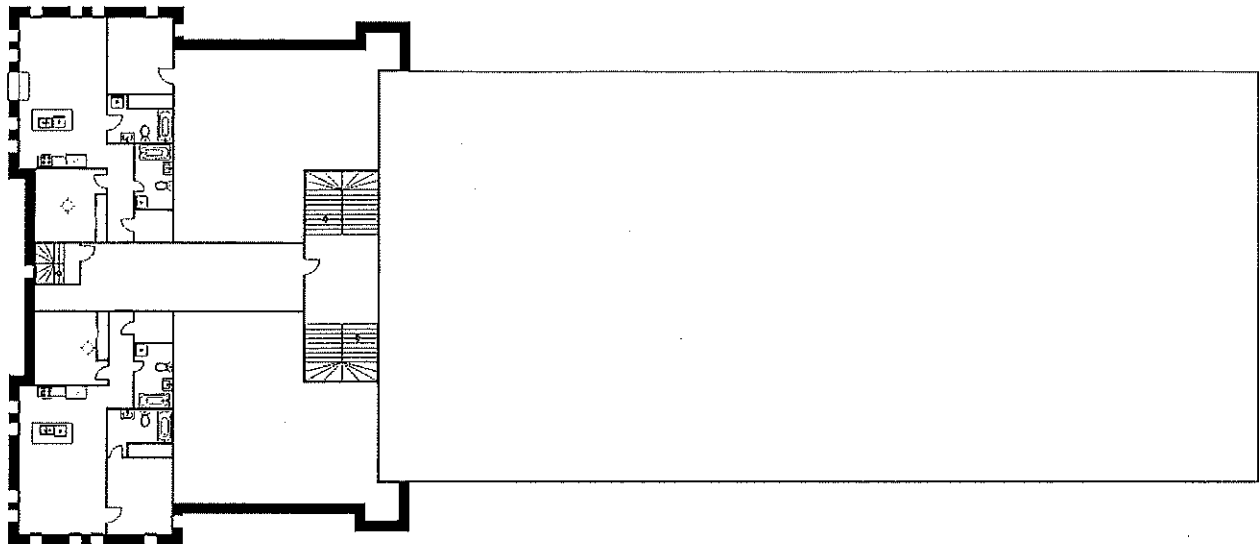
Bank Street Armory

72 Bank St, 02720 Fall River, MA, United States
FLOORS: 5



SUBMITTED BY Main Street Projects
alanmacomber@gmail.com

▼ 4th Floor

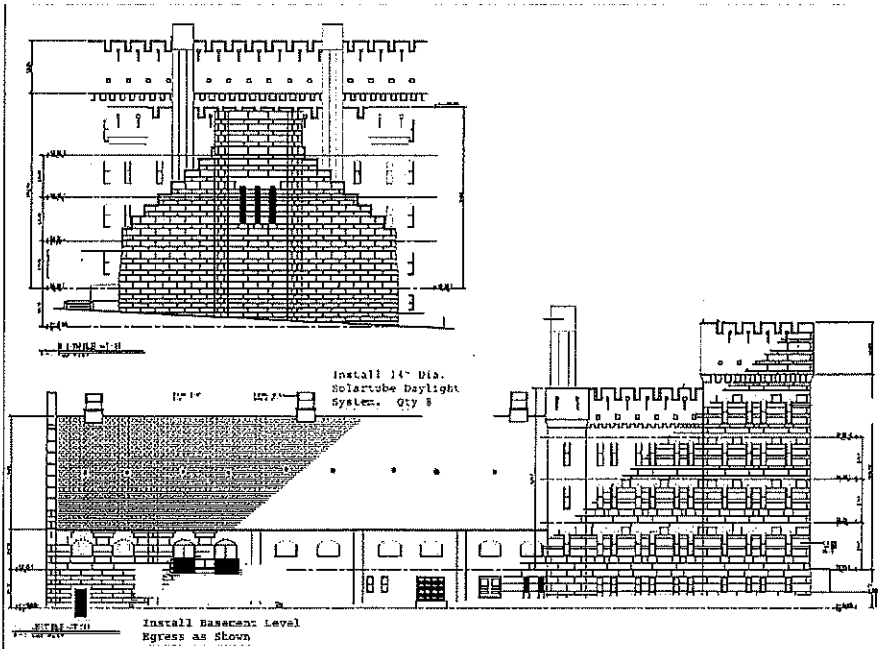
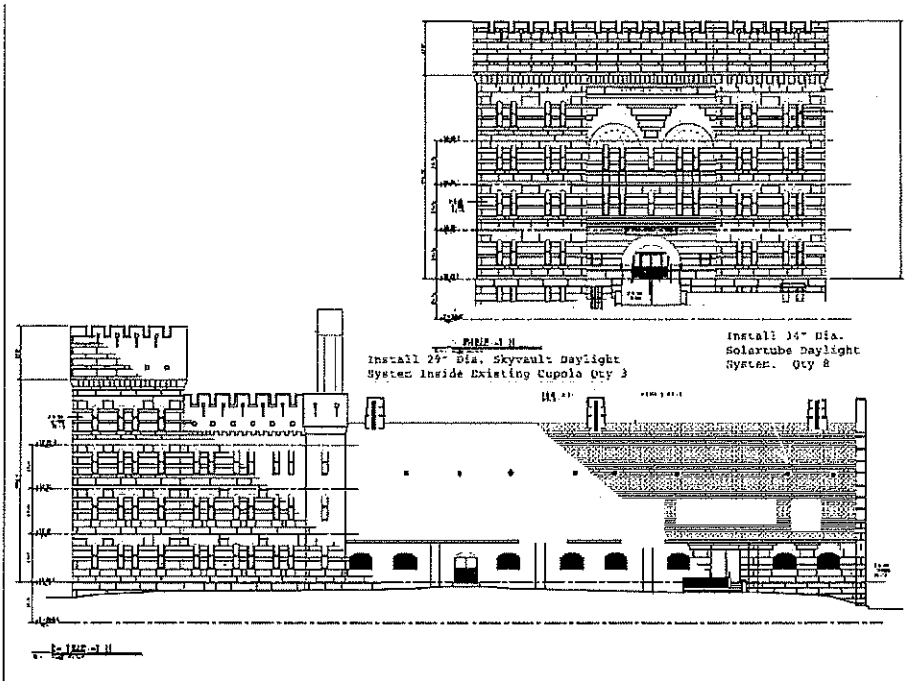




Main Street Projects
Re-imagining Historical Properties

Two Bank Street
Fall River, MA 02720

Minimal Impact to Historic Façade





Main Street Projects
Re-imagining Historical Properties

Two Bank Street
Fall River, MA 02720

Main Street Projects

3/17/2023

Multifamily

Bank Street Armory

Surface Area Sq. Ft.		Floors	5
Ground Floor	16,227	Rooms	287
1st Floor	17,538	Bedrooms	39
2nd Floor	12,446	Bathrooms	54
3rd Floor	5,834	Dishwasher	37
4th Floor	5,859	Electric Stove	37
	57,905	Two-door Refrigerator	37
Living Area Sq. Ft.		Stacked Washer and Dryer	37
Ground Floor	-	Bypass Door	27
1st Floor	16,224	Double Hinged Door	4
2nd Floor	10,412	Hinged Door Interior	146
3rd Floor	5,139	Hinged Door Apartment	37
4th Floor	3,067	Solar Tubes	19
	34,842	Skyvault	3
Wall Area sq ft	145,137	Electric Water Heater	37
Electric Supply AMP	1500	150 AMP Metered Load	37
		300 AMP Metered Load	1
		3 Ton Heat Pump System	37
		12 Ton Heat Pump System	1
		Electric Hot Water Heater	37
		Vanity Sink	39
		Rectangular Sink	17
		Back-to-wall Bath	39
		Double Sink	37
		Toilet	56
		12/12 Window	20
		1/1 Window	168
		Fixed Window	17

CITY OF FALL RIVER
SALE OF BANK STREET ARMORY, FALL RIVER, MA

RFP# 23-05
PAGE 16

Attachment "A"

RFP # 23-05

Sale of Bank Street Armory
72 Bank Street, Fall River, Massachusetts
Parcel ID# N10-0048

PRICE PROPOSAL

<u>Property</u>	<u>Suggested Minimum Bid Price</u>	<u>Proposed Purchase Price</u>
72 Bank Street Fall River, MA N10-0048	\$ 200,000.00	\$ 200,000.00

If the Proposed Purchase Price is less than the Suggested Minimum Bid Price of \$ 200,000.00 then this Price Proposal must be accompanied by a written detailed explanation by the bidder as to how the current condition of the Property adversely affects the minimum suggested bid and why the amount proposed by the bidder is reasonable in light of said conditions. Unless accompanied by such written explanation, a Price Proposal containing a Proposed Purchase Price of less than \$ 200,000.00 will be deemed non-responsive.

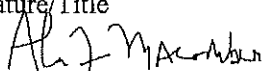
Name: Main Street Projects, LLC

Address: Two Bank Street, Suite 10
Fall River, MA 02720

e-mail: alanmacomber@gmail.com

Tel#: 508-989-3386

By: Alan F. Macomber, Managing Member
Signature/Title



Attachment "C"
COMMONWEALTH OF MASSACHUSETTS
INDIVIDUAL CERTIFICATE OF TAX COMPLIANCE

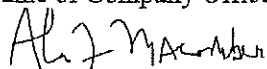
Pursuant to M.G.L. c. 62C, §49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Federal Identification
Number or SS# 85-0547102

Company Name: Main Street Projects, LLC

Address: Two Bank Street Suite 10
Fall River, MA 02720

BY: Alan F. Macomber
Name of Company Officer (printed)



Signature

3/16/23

Date

Attachment "D"
**COMMONWEALTH OF MASSACHUSETTS CORPORATE
OR OTHER LEGAL ENTITY CERTIFICATE OF TAX COMPLIANCE**

Pursuant to the requirements of G.L. c. 62C, s. 49A, the undersigned does hereby state the following:

I, Alan F. Macomber, as the Managing Member of Main Street Projects LLC, whose principal place of business is located at Two Bank Street, Suite 10, Fall River, MA 02720 do hereby certify under the penalties of perjury that, to the best of my knowledge and belief, the above named corporation/firm is in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

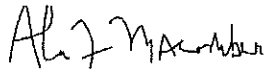
Federal Identification
Number:

85-0547102

Company Name: Main Street Projects LLC

Address: Two Bank Street, Suite 10
Fall River, MA 02720

BY: Alan F. Macomber
Name of Company Officer (printed)



Signature

3/16/23

Date

CITY OF FALL RIVER
SALE OF BANK STREET ARMORY, FALL RIVER, MA

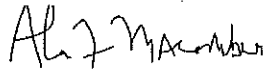
RFP# 23-05
PAGE 22

Attachment "F"
CERTIFICATE OF NON-COLLUSION

The undersigned certifies under penalties of perjury that this Proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club or other organization, entity or group of individuals.

Alan F. Macomber

Signature of individual submitting bid



Main Street Projects LLC

Name of business/organization


3/16/23

Date

Attachment "H"
ACKNOWLEDGEMENT OF SOLICITATION REQUIREMENTS

As evidenced by the signature of the Proposer's authorized signatory below, the Proposer certifies that it has read and understands the Request for Proposal 23-05 - Bank Street Armory, Fall River and understands the requirements of the solicitation.

The Proposer expressly acknowledges RFP Addendum #: none and further expressly acknowledges that said Addendums have been read and that Proposer's Response has been made in light of the information contained in said Addendums.



Proposer's Authorized Signatory

Main Street Projects LLC
Printed Name

3/16/23
Date

Managing Member
Title

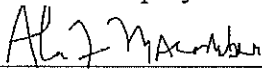
Attachment "T"
TAX STATUS AND HISTORY DISCLOSURE*

The undersigned states that the Proposer, Main Street Projects LLC, is not delinquent in the payment of taxes on any property in the City of Fall River or is current in a pre-existing repayment agreement with the City of Fall River Treasurer's Office. The undersigned further states that the City of Fall River has never foreclosed on property owned by the Proposer.

If Proposer is Corporation, LLC or Trust:

Company Name: Main Street Projects LLC

BY: Alan F. Macomber
 Name of Company Officer (printed)



Signature

3/16/23

Date

If Proposer is an Individual or Partnership:

Signature

Proposer's Name (printed)

Date

* If Proposer is delinquent in the payment of taxes on any property in the City of Fall River, or is not current in a pre-existing repayment agreement with the City of Fall River Treasurer's Office, or the City of Fall River has foreclosed on property owned by the Proposer, state the circumstances of same below. (Attach additional sheets, if necessary.)

Attachment "J"
HEALTH AND BUILDING CODES VIOLATIONS DISCLOSURE*

The undersigned states that the Proposer, Main Street Projects LLC, has never been cited by the City of Fall River, and has never owned any property in the City of Fall River that has been cited, for a violation of the Health Code or Building Code. I further state that the Proposer does not currently own any property in the City of Fall River on which there are outstanding Health or Building Code violations.

If Proposer is Corporation, LLC or Trust:

Company Name: Alan F. Macomber

BY:

Name of Company Officer (printed)

Alan F. Macomber

Signature

3/16/23
Date

If Proposer is an Individual or Partnership:

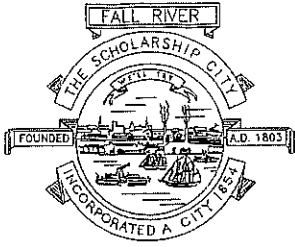
Signature

Proposer's Name (printed)

Date

*If Proposer has been cited by the City of Fall River, or has owned any property in the City of Fall River that has been cited, for a violation of the Health Code or Building Code, or currently owns any property in the City of Fall River on which there are outstanding Health or Building Code violations, state the circumstances of same below. (Attach additional sheets, if necessary.)

ORDERED, that the Mayor is hereby authorized to execute a Purchase & Sales Agreement, in a form acceptable to the Corporation Counsel, for the sale of the Bank Street Armory, 72 Bank Street, Fall River, MA, shown as Fall River Assessors' Parcel # N10-0048, to Main Street Property, LLC for the sum of Two Hundred and 00/100 (\$200,000.00) Dollars, and further, upon satisfaction of any contingencies set forth in said Purchase & Sales Agreement, that the Mayor is hereby authorized to execute a Quitclaim Deed of said parcel to Main Street Property, LLC, and all closing documentation necessary to effectuate said conveyance.



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2023 OCT 10 A 9:03

CITY CLERK _____
FALL RIVER, MA

October 4, 2023

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

Dear Council Presidents and Members of the Honorable City Council:

Attached please find a request from Samantha Barbosa, Event Resource Coordinator, regarding a donation of four boxes of miscellaneous small toys from Rhode Island Novelty to the City of Fall River. These small toys would be given away to children in the community at our annual tree lighting event in December. We ask for your every consideration with this request.

Thank you,

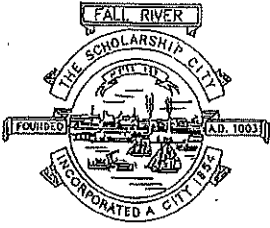
Sincerely,

Paul E. Coogan
Mayor

PC/sb

City of Fall River, In City Council

ORDERED, that under the provisions of M.G.L. Chapter 44, Section 53A 1/2, the City of Fall River be, and the same is hereby, authorized to accept a donation from Rhode Island Novelty of four boxes of miscellaneous small toys to be used at the Tree Lighting Event in December.



CITY OF FALL RIVER, MASSACHUSETTS

October 4, 2023

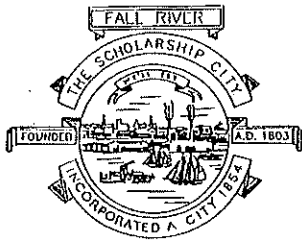
Mayor Paul Coogan
City of Fall River
One Government Center
Fall River, MA 02722

Dear Mayor Coogan:

I am writing to ask you to put forth an order to the honorable city council to accept a donation. The donation is from RI Novelty and is four small boxes of miscellaneous small toys. These small toys would be given away to children in our community for our annual tree lighting celebration in December.

Thank you,

Samantha Barbosa
Event Resource Coordinator



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

RECEIVED

2023 OCT 18 A 11:21

CITY CLERK
FALL RIVER, MA

October 18, 2023

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

RE: FY24 Municipal Road Safety Grant Award

Council President Camara and Members of the Honorable Council:

Please find the following grant award, which the City has been notified of, for your consideration and formal acceptance.

- (1) A Municipal Road Safety Program award in the amount of \$60,000 from the Massachusetts Executive Office of Public Safety and Security (EOPSS)

Thank you in advance for your consideration of this request.

Sincerely,

Paul E. Coogan
Mayor

City of Fall River, *In City Council*

ORDER:

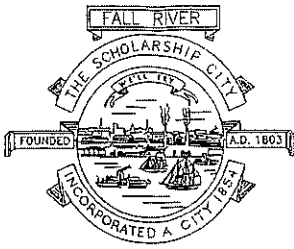
The City of Fall River was awarded a \$60,000 grant through the Massachusetts Executive Office of Public Safety and Security (EOPSS) Municipal Road Safety Program in the amount of \$60,000 with a duration beginning immediately upon contract execution and ending on September 15, 2024. This award will fund 575 hours of additional traffic enforcement patrols to be conducted by the Fall River Police Department to increase road safety in Fall River.

NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL: That the Mayor be and is hereby authorized in the name of the City of Fall River to accept and expend a Grant through EOPSS in the amount of \$60,000 to improve road safety in Fall River.

BE IT FURTHER VOTED: That the Mayor, on behalf of the City of Fall River, be and hereby is, authorized to execute any and all documents necessary in connection with said Grant from EOPSS, including the expenditure thereof.

This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the Standard Contract Form Instructions and Contractor Certifications, the Commonwealth Terms and Conditions for Human and Social Services or the Commonwealth IT Terms and Conditions which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access published forms at CTR Forms: <https://www.macomptroller.org/forms>. Forms are also posted at OSD Forms: <https://www.mass.gov/lists/osd-forms>.

(Updated 7/21/2021) Page 1 of 93



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

RECEIVED

2023 OCT 19 P 2:22

CITY CLERK
FALL RIVER, MA

PAUL E. COOGAN
Mayor

October 19, 2023

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

Dear Councilor President and Members of the Honorable Council:

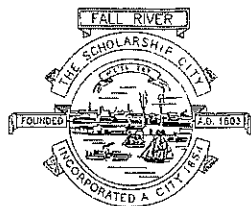
Attached please find a proposal from Council President Joseph Camara for funding from Bristol County ARPA funds for the Open Space and Recreational Plan for your consideration.

Thank you and as always I am available for any questions or concerns you may have regarding this matter.

Sincerely,

Paul E. Coogan
Mayor

PC/amos



City of Fall River
American Rescue Plan Act

PAUL E. COOGAN
Mayor

KARA HUMM
ARPA Director

October 19, 2023

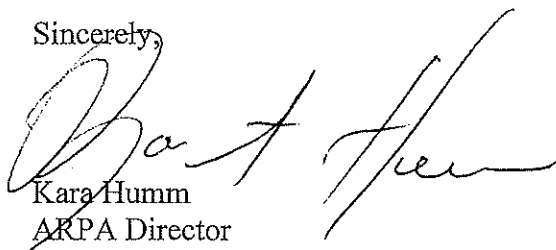
The Honorable Paul Coogan
Mayor of the City of Fall River
One Government Center
Fall River, MA 02722

Dear Mr. Mayor:

Attached please find Councilor Joseph Camara's proposal seeking ARPA funding from the Bristol County Treasury.

If you could please include this proposal on the agenda for the October 24th City Council Meeting it would be greatly appreciated.

Sincerely,



Kara Humm
ARPA Director

ARPA Fund Use: **OPEN SPACE AND RECREATIONAL PLAN**
 Proposal by Councilor Joseph Camara

Description of Proposal: Open Space and Recreational Plan (OSRP) is required by the State of Massachusetts every 7 year and allow the city to be eligible for Department Conservation Services grant programs.

Requested ARPA Funds: \$35,200.00

Quantity	Description	Total
1	Open Space and Recreational Plan	\$35,200.00
TOTAL		\$35,200.00

Category: 2: Negative Economic Impact:

2.22 Strong Healthy Communities: Neighborhood Features
 that Promote Health and Safety

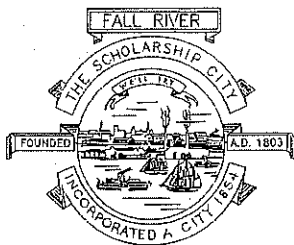
Rationale for ARPA Funding:

An Open Space and Recreational Plan (OSRP) allows the City of Fall River to (1) engage the community to plan for the future of its conservation and recreational resources, (2) provides regional and historical context, (3) provides environmental inventory and analysis, and (4) includes community goals, analysis of needs, and an action plan.

OSRPs are formally approved by the State and Department of Conservation and Recreation (DCR). Once approved the City of Fall River will be eligible for Division of Conservation Services (DCS) grant programs for the next 7 years.

The OSRP is essentially a 7-year action plan that will guide the City of Fall River's park-related work heading towards 2030. The OSRP process requires public engagement and drafting of a report documenting public input received through a survey and public meetings. Required as well, is a complete inventory of city-owned recreation and conservation lands with complete data on condition, method of acquisition, and land preservation status. The last plan done was completed in 2009, so all maps (approx. 30), tables, and charts will be revised and updated. OSRP also requires an evaluation of all publicly accessible city-owned recreation and conversation properties for ADA compliance.

Once the OSRP is completed, the City of Fall River will have an established open space, conservation and recreation goals for the city, and an action plan to accomplish those goals moving forward. Further, they will be eligible for grant program funding from the State of Massachusetts.



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2023 OCT 19 P 3:01

CITY CLERK
FALL RIVER, MA

PAUL E. COOGAN

Mayor

October 19, 2023

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

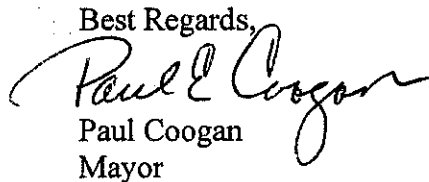
Dear Honorable Council Members:

In accordance with the provisions of Chapter 44, Section 32 of the Massachusetts General Laws, I recommend the following appropriations to your Honorable Body.

1. \$308,843.00 That the sum of \$308,843.00 be, and the same is, hereby appropriated to the RESERVE FUND from the TAX LEVY
2. \$150,000.00 That the sum of \$150,000.00 be, and the same is, hereby appropriated to the OVERLAY ACCOUNT from the TAX LEVY
3. \$31,248.64 That the sum of \$31,248.64 be, and the same is, hereby appropriated to the INTERGOVERNMENTAL EXPENSES (BRISTOL AGRICULTURAL ASSESSMENT) from the RESERVE FUND
Increase due to Tuition debt assessments adjustment on 9/29/23

If you have any questions or concerns regarding this, please feel free to contact me.

Best Regards,


Paul Coogan
Mayor

City of Fall River, In City Council

October 24, 2023

ORDERED:

That the sum of \$308,843.00 be, and the same is, hereby appropriated from the Tax Levy to Reserve Fund.

City of Fall River, In City Council

October 24, 2023

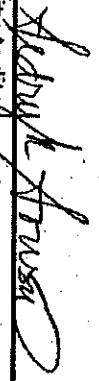
ORDERED:

That the sum of \$150,000.00 be, and the same is, hereby appropriated from the Tax Levy to Overlay Account.

FY24 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
TAX LEVY FY 2024	\$ 132,232,954.00	\$ 458,843.00	\$ 132,691,797.00
OVERLAY	\$ 950,000.00	\$ 150,000.00	\$ 1,100,000.00
RESERVE FUND	\$ 878,440.00	\$ 308,843.00	\$ 1,187,283.00

I certify that there are sufficient funds available for these transfers:


City Auditor
October 24, 2023

City of Fall River, In City Council

October 24, 2023

ORDERED:

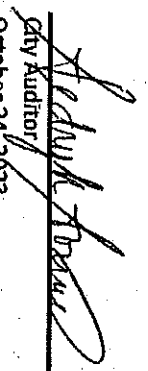
That the sum of \$31,248.64 be, and the same is, hereby appropriated from the Reserve Fund to Intergovernmental Expenses (Bristol Agricultural Assessment.)

50

FY24 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
RESERVE FUND	\$ 1,187,283.00	\$ (31,248.64)	\$ 1,156,034.36
INTERGOVERNMENTAL (BRISTOL AGRICULTURAL ASSESSMENTS)	\$ 486,971.00	\$ 31,248.64	\$ 518,219.64

I certify that there are sufficient funds available for these transfers.


City Auditor
October 24, 2023

6

**City of Fall River
Massachusetts**

Office of Traffic and Parking

**Paul E. Coogan
Mayor**

**Laura Ferreira
Director of Traffic & Parking**

October 10, 2023

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

RECEIVED
2023 OCT 13 P 2:19
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, July 19, 2023, the following request met all guidelines, requirements and was approved in a motion made by the Traffic Board Commission.

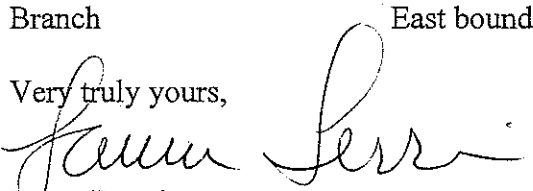
That Chapter 70, Section 241, of the Revised Ordinances be amended in the following section.

Article: 70 STOP SIGN
Section: 241

By inserting in proper alphabetical order the following:

Name of Street:	Direction of Travel	At Intersection of
Branch	East bound drivers	John Street

Very truly yours,


Laura Ferreira
Parking Clerk

W



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

October 10, 2023

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

RECEIVED
2023 OCT 13 P 2:19
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, July 19, 2023 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:

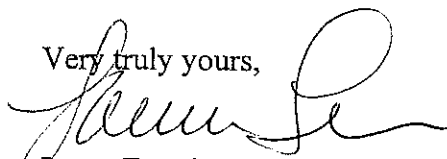
Article: 70
Section: 281 **One Way Street**

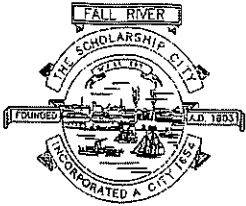
By inserting in proper alphabetical order the following:

INSERT

Name of Street	Direction of Travel	Location
Branch Street	Easterly	From Second Street to John Street

Very truly yours,


Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul E. Coogan

Mayor

LAURA FERREIRA

Director of Traffic & Parking

October 10, 2023

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

RECEIVED
2023 OCT 17 P 3:53
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, August 16, 2023 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

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

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Whipple Street	West	Starting at a point 202 feet South of Morgan Street For a distance of 20 feet south.

Very truly yours,

Laura Ferreira
Director of Traffic & Parking



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

October 10, 2023

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

RECEIVED
OCT 13 P 2:19
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, August 16, 2023 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

By inserting in proper alphabetical order the following.

INSERT

Name of Street	Side	Location
Whipple Street	West	Starting at point of 125 feet south of Morgan Street For a distance of 57 feet southerly.

Very truly yours,

Laura Ferreira
Parking Clerk

7a



PLANNING
CITY OF FALL RIVER

October 17, 2023

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

RECEIVED

2023 OCT 18 A 9:06

CITY CLERK
FALL RIVER, MA

Re: Petition for Discontinuance of Ash Street

Hon. Councilors,

On August 30, 2023, a petition was filed with the City Council requesting that Ash Street (1070' long), extending from Center Street to Globe Street; be discontinued. On September 14, 2023, the City Council referred the matter to the Planning Board for review and comment. On October 11, 2023, the Planning Board conducted a duly noticed public hearing to solicit comments on the petition.

Subsequent to the public hearing discussion, research/review by the Department of Engineering & Planning and the recommendation received from the Department of Community Utilities, with a quorum being present and voting, it was VOTED: to not recommend that the City discontinue Ash Street extending from Center Street to Globe Street.

Respectfully submitted,

Daniel N. Aguiar, City Engineer
On behalf of the Fall River Planning Board

cc: Fall River City Clerk

City of Fall River, In City Council

7a

The City Council hereby recommends that the City Engineer prepare plans for the discontinuance of Ash Street from Ash Street to Globe Street.

CITY OF FALL RIVER
IN CITY COUNCIL

SEP 12 2023

Referred to the
Planning Board



PLANNING

CITY OF FALL RIVER

October 17, 2023

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

RECEIVED

2023 OCT 18 A 9:06

CITY CLERK
FALL RIVER, MA

Re: Petition for the Discontinuance of Center Street

Hon. Councilors,

On August 30, 2023, a petition was filed with the City Council requesting that Center Street (265' long), extending from Ash Street to South Beacon; be discontinued. On September 14, 2023, the City Council referred the matter to the Planning Board for review and comment. On October 11, 2023, the Planning Board conducted a duly noticed public hearing to solicit comments on the petition.

Subsequent to the public hearing discussion, research/review by the Department of Engineering & Planning and the recommendation received from the Department of Community Utilities, with a quorum being present and voting, it was VOTED: to not recommend that the City discontinue Center Street extending from Ash Street to South Beacon Street.

Respectfully submitted,

Daniel N. Aguiar, City Engineer
On behalf of the Fall River Planning Board

cc: Fall River City Clerk

City of Fall River, In City Council

The City Council hereby recommends that the City Engineer prepare plans for the discontinuance of Center Street from South Beacon Street to Ash Street.

CITY OF FALL RIVER
IN CITY COUNCIL

SEP 12 2023

*Referred to the
Planning Board*

8a



PLANNING
CITY OF FALL RIVER

RECEIVED

2023 OCT 18 A 9:06

CITY CLERK
FALL RIVER, MA

October 17, 2023

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

Re: Petition for Acceptance of Gatehouse Drive

Hon. Councilors,

On August 30, 2023, a petition was filed with the City Council requesting that Gatehouse Drive (580' long), extending from Maple Street to Prospect Street; be laid out and accepted. On September 14, 2023, the City Council referred the matter to the Planning Board for review and comment. On October 11, 2023, the Planning Board conducted a duly noticed public hearing to solicit comments on the petition.

Subsequent to the public hearing discussion, research/review by the Department of Engineering & Planning and the recommendation received from the Department of Community Utilities, with a quorum being present and voting, it was VOTED: to recommend that the City layout and accept Gatehouse Drive extending from Maple Street to Prospect Street. Additionally, it was voted to provide the Council with a preliminary estimate in the amount of \$87,000.00 for the restoration of the remaining asphalt surface to an acceptable standard.

Respectfully submitted,

Daniel N. Aguiar, City Engineer
On behalf of the Fall River Planning Board

cc: Fall River City Clerk

8a

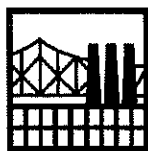
City of Fall River, *In City Council*

The City Council hereby recommends that the City Engineer prepare plans for the acceptance of Gatehouse Drive extending from Maple Street to Prospect Street.

CITY OF FALL RIVER
IN CITY COUNCIL

SEP 12 2023

Referred to the
Planning Board



PLANNING

CITY OF FALL RIVER

October 17, 2023

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

RECEIVED

2023 OCT 18 A 9:06

CITY CLERK
FALL RIVER, MA

Re: Petition for Acceptance of Mohawk Drive

Hon. Councilors,

On August 30, 2023, a petition was filed with the City Council requesting that Mohawk Drive (4500' long), extending from Indian Town Road back to Indian Town Road; be laid out and accepted. On September 14, 2023, the City Council referred the matter to the Planning Board for review and comment. On October 11, 2023, the Planning Board conducted a duly noticed public hearing to solicit comments on the petition.

Subsequent to the public hearing discussion, research/review by the Department of Engineering & Planning and the recommendation received from the Department of Community Utilities, with a quorum being present and voting, it was VOTED: to recommend that the City layout and accept Mohawk Drive extending from Indian Town Road back to Indian Town Road. Additionally, it was voted to provide the Council with a preliminary estimate in the amount of \$100,000.00 for the restoration of 200' of the deteriorated asphalt surface to an acceptable standard and a total cost of \$1,500,000.00 to restore the entire 4500' long roadway surface to an acceptable standard when needed.

Respectfully submitted,

Daniel N. Aguiar, City Engineer
On behalf of the Fall River Planning Board

cc: Fall River City Clerk

City of Fall River, *In City Council*

86

The City Council hereby recommends that the City Engineer prepare plans for the acceptance of Mohawk Drive extending from Indian Town Road to Mohawk Drive.

CITY OF FALL RIVER
IN CITY COUNCIL

SEP 12 2023

Referred to the
Planning Board

8C



PLANNING
CITY OF FALL RIVER

RECEIVED

October 17, 2023

2023 OCT 18 A 9:06

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

CITY CLERK _____
FALL RIVER, MA

Re: Petition for Discontinuance of Vine Street

Hon. Councilors,

On August 22, 2023, a petition was filed with the City Council requesting that Vine Street, extending from South Beacon Street to Ash Street, be discontinued. On September 14, 2023, the City Council referred the matter to the Planning Board for review and comment. On October 11, 2023, the Planning Board conducted a duly noticed public hearing to solicit comments on the petition.

Subsequent to the public hearing discussion, research/review by the Department of Engineering & Planning and recommendation received from the Department of Community Utilities, with a quorum being present and voting, it was VOTED: to recommend that the City discontinue whatever rights it may have in Vine Street from South Beacon Street to Ash Street.

Respectfully submitted,

Daniel N. Aguiar, Director of Engineering & Planning, City Engineer
On behalf of the Fall River Planning Board

cc: Fall River City Clerk

8C

City of Fall River, *In City Council*

The City Council hereby recommends that the City Engineer prepare plans for the discontinuance of Vine Street from South Beacon Street to Ash Street.

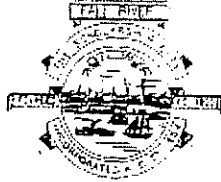
CITY OF FALL RIVER
IN CITY COUNCIL

SEP 12 2023

Referred to the
Planning Board

City of Fall River, In City Council

ORDERED, that the City Council Committee on Finance and Regular Meeting of the City Council scheduled for Tuesday, December 26, 2023 be and the same are hereby cancelled.



City of Fall River
Notice of Claim

RECEIVED

2023 OCT -6 P 1:13

CITY CLERK #23-70
FALL RIVER, MA

1. Claimant's name: Joseph Camara
2. Claimant's complete address: 860 Montgomery St Fall River MA 02720
3. Telephone number: Home: 508-674-4361 Work: 508-558-5770
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Road construction damaged vehicle.
5. Date and time of accident: 9/29 8:30pm Amount of damages claimed: \$ 1,096.53
6. Exact location of the incident: (include as much detail as possible):
Wilson Road Rt 24 Overpass -> Driving west
7. Circumstances of the incident: (attach additional pages if necessary):
Hit a construction road cut causing my wheel to bend.
No visible signs heading west only Bump signs
visible were coming from East. Equipment was blocking
tiny pump sign
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: 10/6/23

Claimant's signature: Joseph Camara

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.

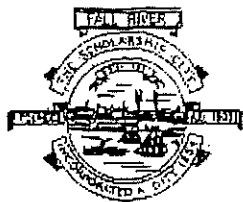
Return this from to: City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

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 ☒ Don

Date: 10/6/23



23-71

City of Fall River
Notice of Claim

RECEIVED

2023 OCT -6 A 11:39

1. Claimant's name: Margaret A Guinen
2. Claimant's complete address: 1380 Locust St, Fall River, MA 02723-2324 CITY CLERK FALL RIVER, MA
3. Telephone number: Cell: 774-526-5773 Home: 774-526-5773 Work: (retired)
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Damage to car tires (2) due to road condition.
5. Date and time of accident: 09/18/2023 05:30 PM Amount of damages claimed: \$ 336.14
6. Exact location of the incident: (include as much detail as possible):
President Ave at/near N Main St intersection
7. Circumstances of the incident: (attach additional pages if necessary):
It was POURING RAIN. I was stopped at red light on President Ave heading easterly. When light turned green I crossed N Main St intersection. A tire blew within seconds and a second tire blew within seconds after the first tire blew.
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: 10/06/2023

Claimant's signature: Margaret A. Guinen

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: 10/6/23

THE STRAIGHT SHOOTER

July 20, 2023

City Clerk
One Government Center
Fall River, MA 02722

RE: Tina Michaud v. City of Fall River

Dear City Clerk:

Please be advised that I have been retained to represent Ms. Tina Michaud.

On January 6, 2023, Ms. Michaud had her vehicle stolen from the front of her home located at 68 Bush Street, Fall River, MA.

She had video of the car being stolen, and reported the theft to the Fall River Police Department and was told that they "were busy" that day and to call back the next day.

Ms. Michaud called back the next day and Officers Jennifer DeLeon and Wanda Otero-Sanchez responded. They took my client's information. They told Ms. Michaud that they would call her back with a police report number, which they did not. They indicated that they were going to take a ride and try to find the vehicle, which they may have. What we know is that neither promptly authored a police report.

My client began calling the police department daily to check and see if they had found her car. They had not.

On January 20, 2023, my client's car was in fact found by the Fall River Police Department. They issued my client a ticket for failure to register the vehicle and failure to insure it. It was located at 225 Danforth Street, and 100 Maple.

The police officer who found the vehicle was officer Erick Bettencourt. He had the vehicle towed to All Day All Night towing, whereafter the vehicle sat, unclaimed for approximately three months before it was crushed.

During this period, my client repeatedly called the Fall River PD to ask if her vehicle had been found. She was repeatedly told that it was not.

It was not until after she received a bench warrant for her arrest, served on her by the Fall River PD on May 23, 2023, that it was discovered that in fact the Fall River PD had located her vehicle, but had not informed her as the vehicle was never reported stolen because the initial police report by Officers DeLeon and Otero-Sanchez was never filed.

Law Offices of Sonja L. Deyoe
395 Smith Street, Providence, RI 02908
sld@the-straight-shooter.com

(401) 864-5877
Fax (401) 648-6738
www.the-straight-shooter.com

RECEIVED
2023 OCT 10 P 2:08
CITY CLERK
FALL RIVER, MA
93-72



City of Fall River
Notice of Claim

RECEIVED

2023 OCT 16 A 11:59

#23-73

1. Claimant's name: EDUARDO PACHECO
2. Claimant's complete address: 157 NEISON ST F.R. MASS 02721
3. Telephone number: Home: 508 789-3277 Work: 508 971-5158
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
VEHICLE DAMAGE
5. Date and time of accident: 9-18-23 5:20 AM Amount of damages claimed: \$ 351.55
6. Exact location of the incident: (include as much detail as possible):
INTERSECTION OF N. MAIN ST AND PRESIDENT AVE
7. Circumstances of the incident: (attach additional pages if necessary):
WAS HEADING EAST UP PRESIDENT AVE AND HIT THE ELEVATED UTILITY COVER EXPOSED IN THE ROAD AND CUT THE SIDEWALL OF MY PASSENGER FRONT TIRE. I HAD ONE PASSENGER IN THE VEHICLE WHICH WAS MY WIFE MARIA PACHECO.
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: 9-20-23

Claimant's signature: Edward Pacheco

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: 10/16/23

10/16/2023

Jennifer & Denise Araujo

123 Greenleaf St.

Fall River, MA 02721

RECEIVED

2023 OCT 19 A 11:23

CITY CLERK _____
FALL RIVER, MA

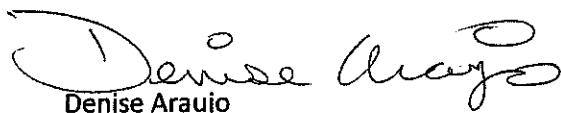
Ladies and Gentlemen of City Council,

We are writing to you today to express our interest in purchasing the city owned 25x100 abutting land on the south side of our property. Parcel Y-09-18. This land starts at a stone wall and comes out 25 feet and goes the 100 foot length of the property. We wish to expand our yard and plant flower beds and fruit bushes.

There has never been vehicle usage on this piece of property and we are not going to stop foot traffic from neighbors behind us from accessing the pond.

This abutment goes further than just our property and we aren't against purchasing more than we are requesting if that is required.

Thank you for your time and consideration,


Denise Araujo



CITY OF FALL RIVER
OFFICE OF THE CITY CLERK

RECEIVED

To the City Council:

Application for permit to place or maintain a structure or device on or over a public way. 2023 OCT 17 P 3:49

Name of Applicant: Ryan Lyons

Name of Business (If applicable): Board of Elections Department

CITY CLERK
FALL RIVER, MA

Address: One Government Center, Office#636 Fall River, Massachusetts

Street

City

State

Phone: 508-324-2630

E-mail: rlyons@fallriverma.gov

Type of structure or device: Vote/Election Day Banners

Description (include dimensions): Vote! (with election date) banners 156 inches X 78 inches.

Location: Double-sided banner hung across South Main Street (downtown) One banner hung across Bedford St. by the Fire Station

Dates: October 31st thru November 7th

The applicant agrees to maintain this structure or device in accordance with the requirements of the Building Inspector and the City Council and that this permit may be revoked at the pleasure of the City Council.

Signature of Applicant

Ryan Lyons

Date

OCT 17 2023

Building Inspector

Date

APPROVED ☒

DISAPPROVED ☐

Director of Traffic

Date

APPROVED ☒

DISAPPROVED ☐

Chief of Police

Date

APPROVED ☒

DISAPPROVED ☐

In City Council,

Date

Permit (approved) (disapproved)

OFFICE USE ONLY

☐ Fee Paid

Allison M. Bouchard

City Clerk

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, September 26, 2023 at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilors Pamela S. Laliberte and Leo O. Pelletier

IN ATTENDANCE: None

President Camara called the meeting to order at 7:01 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

PRIORITY MATTERS

1. Mayor requesting confirmation of the appointment of Sedryk Sousa as the City Auditor
On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was voted, 7 yeas to confirm the appointment, with Councilors Laliberte and Pelletier absent and not voting.

On a further motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to take items 11a through 11c out of order, with Councilors Laliberte and Pelletier absent and not voting.

Councilor Kilby commended all first responders who assisted with the Brightman Street fire that occurred on September 19, 2023. The Fall River Fire Chief, Fall River District Chief and Fall River Fire Department Union President made brief remarks emphasizing the team effort of all involved with the incident.

CITATIONS

11. Citations for Brightman Street Fire responders

- a. Chief Roger St. Martin
- b. District Chief Scott Flannery
- c. Jason Burns, Fall River Fire Department Union President

On a motion made by Councilor Kilby and seconded by Councilor Raposo, it was unanimously voted to adopt the citations, with Councilors Laliberte and Pelletier absent and not voting.

PRIORITY MATTERS

2. Mayor and order transferring the sum of \$49,999 to Health and Human Services Department, Expenses from Opioid Settlement Receipts Stabilization Fund
On a motion made by Councilor Washington and seconded by Councilor Raposo, it was unanimously voted to adopt the order, with Councilors Laliberte and Pelletier absent and not voting.

3. Mayor and order appropriating \$236,374.29 from Community Preservation Act (CPA) undesignated fund for CPA Historic Resources Preservation Projects
On a motion made by Councilor Washington and seconded by Councilor Cadime, it was unanimously voted to adopt the order, with Councilors Laliberte and Pelletier absent and not voting.

*Approved, September 27, 2023
 Paul E. Coogan, Mayor*

4. Mayor and order amending the Fall River Waterfront Urban Renewal Plan to allow inclusion of Lots O-22-0009 and O-23-0004 as properties for acquisition, disposition and redevelopment
Vice President Pereira made a motion to adopt the order. President Camara recognized the motion as a motion to refer the item to the Committee on Finance and proceeded with the vote. Councilor Kilby seconded the motion and it was unanimously voted that the order be referred to the Committee on Finance, with Councilors Laliberte and Pelletier absent and not voting.

5. Mayor and request to establish ordinance creating the position of a Finance, Management & Compliance Analyst to the Financial Services Department
On a motion made by Councilor Dionne and seconded by Councilor Washington, it was unanimously voted to refer the item to the Committee on Ordinances and Legislation, with Councilors Laliberte and Pelletier absent and not voting.

PRIORITY COMMUNICATIONS - None**COMMITTEE REPORTS****Committee on Finance recommending:****Grant Leave to Withdraw:**

6. Resolution - Discussion with Administration re strategies to decrease the number of homeless encampments within the City.

Councilor Raposo made a motion that the resolution be granted leave to withdraw and the motion was seconded by Councilor Washington. Vice President Pereira stated that the resolution should be amended to include updates from the Administration regarding their efforts to resolve the issue of encampments throughout the City. Councilor Dionne agreed and emphasized that residents and business owners are concerned about their own safety. Vice President Pereira made a motion to amend the resolution to include the plans of the Administration to combat this issue and the motion was seconded by Councilor Dionne. The City Clerk stated that the original resolution requested this information from the Administration and recommended the original resolution be referred to the Mayor without an amendment. On a motion made by Vice President Pereira and seconded by Councilor Dionne, it was unanimously voted that the resolution be referred, as is, to Mayor Paul E. Coogan, with Councilors Laliberte and Pelletier absent and not voting. A copy of the letter that accompanied the resolution is attached hereto and made a part of these minutes.

ORDINANCES**Second Reading and Enrollment:**

7. Proposed Ordinance – Traffic, miscellaneous
Handicapped parking removals

Fifth Street	Alden Street	Barnaby Street	Bradford Avenue	Buffinton Street
Charles Street	Division Street	Globe Street	Merchant Street	

On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment, with Councilors Laliberte and Pelletier absent and not voting. On a further motion made by Councilor Raposo and seconded by Councilor Cadime, it was unanimously voted that the proposed ordinance be passed through ordination, with Councilors Laliberte and Pelletier absent and not voting.

Approved, September 27, 2023

Paul E. Coogan, Mayor

8. Proposed Ordinance - Amendments regarding registered and certified mail notification requirements

On a motion made by Councilor Raposo and seconded by Councilor Dionne, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment, with Councilors Laliberte and Pelletier absent and not voting. On a further motion made by Councilor Raposo and seconded by Councilor Cadime, it was unanimously voted that the proposed ordinance be passed through ordination, with Councilors Laliberte and Pelletier absent and not voting.

Approved, September 27, 2023

Paul E. Coogan, Mayor

9. Proposed Ordinance – Thin-Film Plastic Bags

Vice President Pereira and Councilor Washington stated that many residents who are opposed to the plastic bag regulations have contacted them. Councilor Raposo stated that the proposed ordinance would be incongruent with the Commonwealth's proposed law that is currently being discussed. Councilor Cadime stated that this proposed ordinance was created four years ago and multiple meetings have occurred for discussions regarding this item. Councilor Cadime requested that the proposed ordinance not be referred back to the Committee on Ordinances and Legislation and requested that the vote be taken. A motion was made by Councilor Cadime and seconded by Councilor Kilby, to pass the proposed ordinance through second reading and enrollment. Vice President Pereira requested a roll call vote and it was voted 3 yeas, 4 nays, with Vice President Pereira and Councilors Dionne, Raposo and Washington voting in the negative and Councilors Laliberte and Pelletier absent and not voting, and the motion failed to carry.

RESOLUTIONS

10. Administration and related departments address shrub overgrowth within the median on Middle Street near Kennedy Park

Vice President Pereira made brief remarks regarding the overgrowth of plants surrounding parks in the City and the importance of landscaping upkeep. On a motion made by Councilor Kilby and seconded by Councilor Dionne, it was unanimously voted to adopt the resolution, with Councilors Laliberte and Pelletier absent and not voting.

ORDERS – HEARINGS - None

ORDERS – MISCELLANEOUS

12. Police Chief's report on licenses:

Taxicab Driver

Kyle Wilson

Private Livery Driver

Joseph Ozak

On a motion made by Councilor Cadime and seconded by Councilor Raposo, it was unanimously voted to adopt the order, with Councilors Laliberte and Pelletier absent and not voting.

13. Auto Repair Shop License Renewals

Michael Camara d/b/a Performance Auto Center, Inc. - 1148 Davol Street

Jewel Saeed d/b/a Henry's Tire Enterprises, Inc. - 714 Globe Street

On a motion made by Councilor Raposo and seconded by Councilor Washington, it was unanimously voted to adopt the order, with Councilors Laliberte and Pelletier absent and not voting.

Approved, September 27, 2023

Paul E. Coogan, Mayor

14. Auto Repair Shop License Transfer

Auto Repair Shop License No. 183 located at 127 Eastern Avenue from Ziad Elkhoury,

JBIEL LLC d/b/a Rochefort Auto Repair to Antonio F. Garcia, A. Garcia Inc. d/b/a Garcia Automotive

On a motion made by Councilor Raposo and seconded by Councilor Washington, it was unanimously voted to adopt the order, with Councilors Laliberte and Pelletier absent and not voting.

Approved, September 27, 2023

Paul E. Coogan, Mayor

COMMUNICATIONS – INVITATIONS – PETITIONS

15. Claims

On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to refer the claims to Corporation Counsel, with Councilors Laliberte and Pelletier absent and not voting.

16. Communication from Commander of the Disabled American Veterans re: Disabled American Veterans, William S. Greene Chapter 9 withdrawing from the Fall River War Veterans Council

On a motion made by Vice President Pereira and seconded by Councilor Raposo, it was unanimously voted that the communication be accepted and placed on file, with Councilors Laliberte and Pelletier absent and not voting.

17. Communication from Pauline Luiz, 1269 President Avenue, re: Municipal Government Improvement Project and Community Utilities Water Replacement Project
Vice President Pereira expressed gratitude for having received input from residents on the progress of the project, as to date the Council had only been made aware of issues with the project. On a motion made by Councilor Kilby and seconded by President Camara, it was unanimously voted that the communication be accepted and placed on file, with Councilors Laliberte and Pelletier absent and not voting.

18. City Engineer – Street opening less than 5 years on Purchase Street between Bedford Street and Granite Street
On a motion made by Councilor Washington and seconded by President Camara, it was unanimously voted to approve the request, with Councilors Laliberte and Pelletier absent and not voting.

*Approved, September 27, 2023
 Paul E. Coogan, Mayor*

19. Structure on or over a public way application for Timao Center located at 371 Bay Street – 3' x 3' aluminum non-illuminated sign on bracket (permanent)
On a motion made by Councilor Raposo and seconded by Councilor Washington, it was unanimously voted to approve the request, with Councilors Laliberte and Pelletier absent and not voting.

20. Planning Board Minutes – August 9, 2023
On a motion made by Councilor Washington and seconded by Councilor Raposo, it was unanimously voted that the minutes be accepted and placed on file, with Councilors Laliberte and Pelletier absent and not voting.

On a further motion made by Councilor Raposo and seconded by Councilor Kilby, it was unanimously voted to take items 21 through 23 together, with Councilors Laliberte and Pelletier absent and not voting.

City Council Minutes:

- 21. Public Hearings – September 12, 2023
- 22. Committee on Finance – September 12, 2023
- 23. Regular Meeting – September 12, 2023

On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to approve the minutes, with Councilors Laliberte and Pelletier absent and not voting.

BULLETINS – NEWSLETTERS – NOTICES

- 24. Massachusetts Department of Environmental Protection - notice of new regulatory reporting requirement rel. to medium and heavy duty vehicles operated/dispatched in Massachusetts

On a motion made by Councilor Washington and seconded by Councilor Raposo, it was unanimously voted that the notice be accepted and placed on file, with Councilors Laliberte and Pelletier absent and not voting.

COMMITTEE REPORTS

Committee on Finance recommending action:

- 6a. Loan Order re Fall River School Department's proposal to Massachusetts School Building Authority for the Robert L. Medeiros Resiliency Preparatory Academy renovation project

On a motion made by Councilor Kilby and seconded by Councilor Raposo, it was unanimously voted to adopt the loan order, with Councilors Laliberte and Pelletier absent and not voting.

Approved, September 27, 2023

Paul E. Coogan, Mayor

- 6b. Bank Street Armory Proposal Review and Recommendation

Vice President Pereira emphasized the historical significance of the Bank Street Armory and stated that many residents do not want this property sold. Councilor Dionne expressed concern regarding the tax funds that have been used to renovate the property and felt that selling the property would be inconsiderate to taxpayers. On a motion made by Councilor Kilby and seconded by Councilor Washington, it was voted 5 yeas, 2 nays, to adopt the order and approve the proposal, with President Camara and Vice President Pereira voting in the negative and Councilors Laliberte and Pelletier absent and not voting.

Following a brief discussion, it was determined that the City Clerk, although introducing the item as an order relating to the Bank Street Armory Proposal Review and Recommendation, she announced the roll call vote as though it were for a loan order. Councilor Dionne made a motion to reconsider the previous vote, which was seconded by Councilor Pereira, and it was voted 7 yeas that the vote be reconsidered, with Councilors Laliberte and Pelletier absent and not voting.

On a further motion made by Councilor Kilby and seconded by Councilor Cadime, it was voted 4 yeas, 3 nays, to adopt the order and approve the proposal, with President Camara, Vice President Pereira and Councilor Dionne voting in the negative and with Councilors Laliberte and Pelletier absent and not voting. The motion failed to carry as it required a two-thirds vote in the affirmative.

A brief recess was held from 7:30 p.m. to 7:32 p.m. for purposes of signing the Traffic, miscellaneous and the Amendments re Registered and Certified Mail Notification Requirements ordinances.

On a motion made by Councilor Kilby and seconded by Councilor Raposo, it was unanimously voted to adjourn at 7:38 p.m., with Councilor Laliberte and Pelletier absent and not voting.

List of documents and other exhibits used during the meeting:

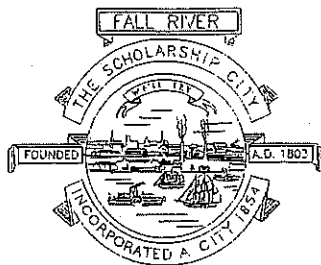
Agenda packet (attached)

DVD of meeting

A true copy. Attest:

Alison M. Bouchard

City Clerk



City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

September 28, 2023

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

Dear Mayor Coogan,

At a Regular Meeting of the City Council held on September 26, 2023, a discussion was held relative to a resolution regarding the Administration's current and future strategies and funding to combat homelessness and homeless encampments throughout the City (a copy of which is enclosed).

Following that discussion, and on a motion made and seconded, it was unanimously voted to refer the attached resolution to the Administration to request a report be sent to the City Council regarding the ongoing and prospective policies to decrease and combat the homeless crisis within the City. If you have any questions in this regard, feel free to contact this office. Thank you for your consideration.

Very truly yours,

Alison M. Bouchard
City Clerk

Enc.

cc: Seth Thomas Aitken, City Administrator

/lv

CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, October 10, 2023 at 5:55 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilors Shawn E. Cadime and Leo O. Pelletier

IN ATTENDANCE: Aaron Roy, National Grid Engineer, 1250 Brayton Point Road,
Somerset, MA 02725

The President called the meeting to order at 6:03 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 Raposo and seconded by Councilor Washington, it was unanimously voted to open the hearings, with Councilors Cadime and Pelletier absent and not voting

Joint Pole Location

1. Massachusetts Electric Company and Verizon New England, Inc, for new jointly owned pole location and relocations as follows:

Locust Street

Two (2) new jointly owned pole locations,
One (1) jointly owned pole relocation

Locust Street – Install two jointly owned poles on Locust Street. Install two jointly owned anchors on Locust Street. Relocate one jointly owned pole on Locust Street. Due to the location of the new Diman Regional Vocational Technical High School, National Grid is proposing to install two new jointly owned poles and two anchors and relocate one jointly owned pole on Locust Street. Pole 78-3 and anchor to be relocated 15 feet east out of proposed driveway. Proposed pole 78-21 to be installed 20 feet east of existing pole 78-2 and proposed pole 78-22 to be installed 95 feet from existing pole 78-2.

In accordance with Plan No. 30793991

The President asked if there were any proponents to be heard.

Aaron Roy, National Grid Engineer, provided a brief explanation regarding the need to relocate multiple poles to provide service for the new Diman Regional Technical Vocational High School. President Camara requested clarification regarding the location of the poles as a resident had

expressed concerns regarding a driveway being obstructed. Mr. Roy confirmed that no driveway would be obstructed with this plan.

The President asked if there were any opponents to be heard and no one came forward.

Curb Removal

2. CSEP Innovation, LLC, 711 Pleasant Street, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
711 Pleasant Street	18'	9'	0'	27'

The applicant proposes to extend the existing 18' curb opening by an additional 9' on the west side. The total opening for the location will be 27'.

The President called for proponents and no one came forward. The President called for opponents and no one came forward.

On a motion made by Councilor Kilby and seconded by Councilor Raposo, it was unanimously voted to close the hearings at 6:08 p.m., with Councilors Cadime and Pelletier absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda (attached)
DVD of meeting

A true copy. Attest:

Alison M. Bouchard

City Clerk

COMMITTEE ON FINANCE

MEETING: Tuesday, October 10, 2023 at 6:00 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Kenneth Fiola, Executive Vice President,
Bristol County Economic Development Consultants
Sarah Page, Executive Director, Fall River Redevelopment Authority

The chair called the meeting to order at 6:08 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

In accordance with a resolution adopted, as amended May 8, 2012, persons are allowed to address the Council for a period of three minutes prior to the beginning or at the conclusion of business in the Committee on Finance.

1. Citizens' Input Time – Before Discussion of Financial Matters:

Mike Herren, 453 Stafford Road – Bank Street Armory

On a motion made by Councilor Kilby and seconded by Vice President Pereira, it was unanimously voted to waive the rules to allow Mr. Herren to speak for an extra three minutes, with Councilors Cadime and Pelletier absent and not voting.

On a further motion made by Councilor Kilby and seconded by Councilor Washington, it was unanimously voted to waive the rules to allow Alan Macomber to speak, with Councilors Cadime and Pelletier absent and not voting.

Alan Macomber, 1 Hope Street, Westport, MA – Bank Street Armory

On a motion made by Councilor Kilby and seconded by Councilor Washington, it was unanimously voted to waive the rules to allow Mr. Macomber to speak for an extra three minutes, with Councilors Cadime and Pelletier absent and not voting.

Alexander Silva, 148 Purchase Street – Bank Street Armory

Kelly Buchanan, 16 Bradford Avenue – Illegal encampments

Councilor Dionne stated that she had been doing research on this issue. Vice President Pereira emphasized that a resolution and letter had been sent to the Mayor and the City Council was awaiting a response. Ms. Buchanan stated that she would continue to attend all meetings to follow up on this topic.

Sue Cordeiro, 181 South Main Street – Noise and lights at Sullivan Drive

Sheila Stubblefield, 181 South Main Street – Noise and lights at Sullivan Drive

Councilor Kilby requested that the residents of 181 South Main Street provide contact information to the City Clerk and explained that he would be reaching out to the Chief of Police regarding this matter.

Wendy Carvalho, 181 South Main Street, Apt. 613 – Noise and lights at Sullivan Drive

Vice President Pereira requested that the City Clerk write a resolution regarding the issues on Sullivan Drive, to be addressed by the Committee on Public Safety.

2. Discussion re: Mayor's request and order amending the Fall River Waterfront Urban Renewal Plan to allow inclusion of Lots O-22-0009 and O-23-0004 as properties for acquisition, disposition and redevelopment

Kenneth Fiola, Executive Vice President, Bristol County Economic Development Consultants, gave a brief explanation regarding the requested amendment for the Fall River Waterfront Urban Renewal Plan. Mr. Fiola stated that the required public hearing was held with no opposition, the Planning Board had approved the proposed amendment and that these two lots being included would provide flexibility of land-use regarding development of this area.

Councilor Dionne requested clarification regarding the funding source for this project and details regarding anticipated renovations in the waterfront area. Mr. Fiola stated that unless eminent domain was used, the renovations would be privately funded by the Redevelopment Authority (RDA). He also provided details regarding the master plan for development and multiple studies that will take place to determine how certain lots should be utilized. Mr. Fiola also explained that the height of any structure would be regulated based on how it would affect the parking and ambiance of the waterfront area. Councilor Dionne asked if the plan to create a satellite station for the train below the Braga Bridge was still viable and Mr. Fiola stated that he was doubtful of the progress of that project due to other developments occurring in that area, such as the Gates of the City. Vice President Pereira and Mr. Fiola held a brief discussion regarding parking garages in this development area and how public transportation will allow for fewer cars to be on the road.

President Camara asked what the City Council's role would be regarding this development plan. Mr. Fiola explained that a majority of decisions would be made by the RDA and would not require City Council approval so long as the properties adhere to the building codes. Mr. Fiola also emphasized that appointments of the members of the RDA were approved by the City Council.

On a motion made by Vice President Pereira and seconded by Councilor Raposo, it was unanimously voted to refer the item to the full Council for action, with Councilors Cadime and Pelletier absent and not voting.

Councilor Pelletier arrived at 6:52 p.m.

3. Citizens' Input Time – After Discussion of Financial Matters:
Jeffrey Gaudreau, 229 Palmer Street – Armory

Councilor Cadime arrived at 6:54 p.m.

Sam Sutter, 259 Dexter Street – Bank Street Armory
Nelson Vasquez, 210 Sunset Hill – Armory

On a motion made by Councilor Raposo and seconded by Councilor Washington, it was unanimously voted to adjourn at 7:02 p.m.

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


Clerk of Committees

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, October 10, 2023 at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: None

President Camara called the meeting to order at 7:10 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 the reappointment of Luis Ferreira to the Conservation Commission

On a motion made by Councilor Raposo and seconded by Councilor Kilby, it was unanimously voted to confirm the reappointment.

2. Mayor and order for the Bank Street Armory Proposal Review and Recommendation (resubmittal)

Councilor Dionne expressed concern regarding this item being resubmitted, stated that there is a due process for how the City Council should address this proposal and read aloud parts of the City Charter, Article 1, Section 1-7, City Charter, Article 2, Section 2-9 and portions of City Ordinances, Chapter 2, Article II, Section 2-78, copies of which are attached and hereto made a part of these minutes.

Vice President Pereira agreed with Councilor Dionne and stated that she would object to this proposal. Vice President Pereira emphasized that there had already been a vote on this item that failed and many residents have expressed their support of keeping the Bank Street Armory.

Councilor Laliberte stated that a communication regarding this item had been received via email from Corporation Counsel. The City Clerk read that communication, a copy of which is attached hereto and made a part of these minutes. Councilor Laliberte asked if the previous submittal had been reconsidered and the City Clerk confirmed that it had been reconsidered, based upon the item being inadvertently announced as a "Loan Order" during the roll call vote. Councilor

Laliberte emphasized that the Administration has stated there will be no funding available for this property for the foreseeable future, expressed confidence that the buyer would successfully redevelop this building and that the resubmittal of this proposal was not in violation of the City Charter or ordinances.

Councilor Cadime expressed concern regarding the delay of the vote with an objection and provided a brief overview of the lack of funding for future renovations by the City. Councilor Cadime also emphasized that all Councilors wanted to restore the Bank Street Armory but had different opinions on how to accomplish that goal. Councilor Kilby agreed with Councilor Cadime, emphasized that this building would deteriorate without redevelopment and stated that it was the responsibility of the City Council to vote on this item without delay.

Councilor Washington agreed that all City Councilors want to save the Bank Street Armory, but there is no funding to achieve that goal. Councilor Raposo stated that as there is no long term plan and no alternative proposal, a vote must be taken.

Vice President Pereira stated that her objection would be due to a lack of proper procedure and that the City Council needs to put forward a request for alternative proposals. President Camara emphasized that this issue is not exclusive to current Administration that it has been ongoing for over eight years and many elected officials have served during that time period.

A motion was made by Councilor Kilby and seconded by Councilor Cadime to adopt the order. President Camara asked for a roll call vote and Vice President Pereira objected to the motion. As a result, the matter was laid on the table in accordance with the Charter.

Councilor Pelletier excused himself at 7:54 p.m.

3. Fiscal Year 2024 Quarter 1 Budget Report

On a motion made by Councilor Dionne and seconded by President Camara, it was unanimously voted to refer the item to the Committee on Finance, with Councilor Pelletier absent and not voting.

PRIORITY COMMUNICATIONS

4. Traffic Commission recommending amendments to the traffic ordinances

On a motion made by Councilor Raposo and seconded by Councilor Laliberte, it was unanimously voted to refer the recommended amendments to the Committee on Ordinances and Legislation, with Councilor Pelletier absent and not voting.

5. Board of Election Commissioners and warrant for City Election scheduled for November 7, 2023

On a motion made by Councilor Dionne and seconded by Councilor Cadime, it was unanimously voted to adopt the order, with Councilor Pelletier absent and not voting.

Approved, October 11, 2023

Paul E. Coogan, Mayor

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS – None

CITATIONS – None

ORDERS – HEARINGS

Joint Pole Location:

6. Massachusetts Electric Company and Verizon New England, Inc – Two (2) new jointly owned pole locations and one (1) jointly owned pole relocation on Locust Street
On a motion made by Councilor Cadime and seconded by Councilor Raposo, it was unanimously voted to adopt the order, with Councilor Pelletier absent and not voting.
Approved, October 11, 2023
Paul E. Coogan, Mayor

Curb Removal:

7. CSEP Innovation, LLC, 711 Pleasant Street – Removal of 9 feet on 711 Pleasant Street for a total opening of 27 feet
On a motion made by Councilor Raposo and seconded by Councilor Washington, it was unanimously voted to adopt the order, with Councilor Pelletier absent and not voting.
Approved, October 11, 2023
Paul E. Coogan, Mayor

ORDERS – MISCELLANEOUS

8. **Police Chief's report on licenses:**

Taxicab Driver:

Luis Parrilla

Private Livery Driver:

Josue Michel

On a motion made by Councilor Cadime and seconded by Councilor Raposo, it was unanimously voted to adopt the order, with Councilor Pelletier absent and not voting.

9. **Auto Body Shop License Renewal:**

John Medeiros d/b/a Medeiros Auto Body and Sales, Inc. – 96-98 Alden Street
On a motion made by Councilor Dionne and seconded by Councilor Raposo, it was unanimously voted to adopt the order, with Councilor Pelletier absent and not voting.
Approved, October 11, 2023
Paul E. Coogan, Mayor

10. **Auto Repair Shop License Renewals:**

Robert W. Saraiva d/b/a Peckham Street Garage – 213 Peckham Street
 Roy Oliveira d/b/a Auto Boutique – 101 Price Place
On a motion made by Councilor Raposo and seconded by Councilor Washington, it was unanimously voted to adopt the order, with Councilor Pelletier absent and not voting.
Approved, October 11, 2023
Paul E. Coogan, Mayor

COMMUNICATIONS – INVITATIONS – PETITIONS

11. **Claims**

On a motion made by Councilor Raposo and seconded by Councilor Dionne, it was unanimously voted to refer the claims to Corporation Counsel, with Councilor Pelletier absent and not voting.

City Council Minutes:

12. Committee on Finance – September 26, 2023

On a motion made by Councilor Raposo and seconded by Councilor Washington, it was unanimously voted to approve the minutes, with Councilor Pelletier absent and not voting.

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: OCTOBER 10, 2023

On a motion made by Councilor Raposo and seconded by Councilor Cadime, it was voted 8 yeas to adopt an emergency preamble allowing orders filed after the agenda deadline to be introduced, with Councilor Pelletier absent and not voting.

PRIORITY MATTERS

3a. Mayor and orders to accept and expend the following grants:

- i. \$72,116 from the National Association for County and City Health Organizations (NACCHO) for Mitigation of Infectious Disease Outbreaks
- ii. \$111,170 from the Mass. Executive Office of Energy and Environmental Affairs (EOEEA) for Municipal Vulnerability Preparedness for a water supply analysis
- iii. \$2,000,000 from the Mass. Executive Office of Economic Development (EOED) for a MassWorks Grant to mitigate flooding and prevent combined sewer overflows at Stafford Square
- iv. \$36,000 from the Mass. Department of Environmental Protection for a Sustainable Materials Recovery Program within the Dept. of Community Maintenance
- v. \$85,000 from the Mass. Executive Office of Economic Development (EOED) for a Downtown Parking Study
- vi. \$7,400 from the Mass. Executive Office of Public Safety and Security (EOPSS) for a Law Enforcement Body-Worn Camera (BWC) Program

Councilor Dionne expressed concern regarding the limited state funding for the Law Enforcement Body-Worn Cameras Program in comparison to other municipalities and Councilor Raposo stated that the amount may be lower as the grant application only included four cameras and docking stations. On a motion made by Councilor Kilby and seconded by Councilor Raposo, it was unanimously voted to adopt the grants, with Councilor Pelletier absent and not voting.

Approved, October 11, 2023

Paul E. Coogan, Mayor

COMMITTEE REPORTSCommittee on Finance recommending action:

5a. Mayor's request and order amending the Fall River Waterfront Urban Renewal Plan to allow inclusion of Lots O-22-0009 and O-23-0004 as properties for acquisition, disposition and redevelopment

On a motion made by Councilor Dionne and seconded by Councilor Raposo, it was unanimously voted to adopt the order, with Councilor Pelletier absent and not voting.

Approved, October 11, 2023

Paul E. Coogan, Mayor

RESOLUTIONS

5b. The Committee on Public Safety convene with the Chief of Police, a representative of the Administration, area residents and any other interested parties to discuss public safety issues in the area of 181 South Main Street and Old Second Street.

On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to adopt the resolution, with Councilor Pelletier absent and not voting.

On a motion made by Councilor Raposo and seconded by Councilor Washington, it was unanimously voted to adjourn at 8:00 p.m., with Councilor Pelletier absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

Email correspondence from Corporation Counsel re Bank Street Armory proposal resubmission

Fall River City Charter, Article 1, Sect. 1-7 (Definitions)

Fall River City Charter, Article 2, Sect. 2-9 (Ordinances and other measures)

Code of the City of Fall River, Chapter 2, Article II, Division 2, Sec. 2-78 (Motion to reconsider)

A true copy. Attest:



City Clerk

Chapter C. The Charter

Article 1. INCORPORATION; SHORT TITLE; DEFINITIONS

SECTION 1-7. DEFINITIONS.

As used in this charter, the following words shall, unless the context clearly requires otherwise, have the following meanings:

- (1) "Charter", this charter and any adopted amendments to it.
- (2) "City", the city of Fall River.
- (3) "City agency", any multiple-member body, any department, division or office of the city of Fall River.
- (4) "City officer or department head", a person having charge of a city office or department.
- (5) "City website", a site established and maintained by the city as its online repository of municipal information, whether on the internet or accessed through electronic means or another comparable technology.
- (6) "Emergency", a sudden, generally unexpected occurrence or set of circumstances demanding immediate action.
- (7) "Full city council", the entire authorized membership of the city council, notwithstanding any vacancy which might exist.
- (8) "Full multiple-member body", the entire authorized membership of a multiple-member body, notwithstanding any vacancy that exists.
- (9) "Full school committee", the entire authorized membership of the school committee, notwithstanding any vacancy that exists.
- (10) "general laws", laws enacted which apply alike to all cities and towns, to all cities, or to a class of 2 or more cities, or to a class of cities and towns of which Fall River is a member.
- (11) "General Laws", the General Laws of the Commonwealth of Massachusetts, a codification and revision of statutes enacted on December 22, 1920, and including all amendments thereto subsequently adopted.
- (12) "Initiative measure", a measure proposed by the voters through the initiative process provided under this charter.
- (13) "Local newspaper", a newspaper of general circulation within Fall River, with either a weekly or daily circulation.
- (14) "Majority vote", when used in connection with a meeting of a multiple-member body, shall mean a majority of those present and voting, unless another provision is made by ordinance or by such body's own rules; provided, however, that General Laws related to any vote to meet in executive session shall always require a majority of the full multiple-member body.
- (15) "Measure", any ordinance, order or other vote or proceeding adopted, or which might be adopted, by the city council or the school committee.
- (16) "Multiple-member body", any council, commission, committee, subcommittee or other body consisting of 2 or more persons, whether elected, appointed or otherwise constituted, but not including the city council, the school committee or an advisory committee appointed by the mayor.
- (17) "Organization or reorganization plan", a plan submitted by the mayor to the city council which proposes a change in the organization or the administrative structure of the city administration or organization or a change in the way in which municipal services are delivered.
- (18) "Quorum", a majority of all voting members of a multiple-member body unless some other number is required by law or by ordinance.
- (19) "Recall", an election to remove an elected official from office before the expiration of the term for which elected.
- (20) "Referendum measure", a measure adopted by the city council or the school committee that is protested under the referendum procedures of this charter.
- (21) "Remove from the city" when a person ceases to be domiciled within the territorial limits of the city.
- (22) "Resolution" a formal expression of opinion or a ceremonial declaration voted by the city council not requiring the signature of the mayor and having no force of law.
- (23) "Voters", registered voters of the city of Fall River.
- (24) "Year", a calendar year, unless otherwise specified.

City of Fall River, MA
Thursday, October 12, 2023

Chapter C. The Charter

Article 2. LEGISLATIVE BRANCH

SECTION 2-9. ORDINANCES AND OTHER MEASURES.

- (a) Measures - No measure shall be passed finally on the date on which it is introduced, except in the case of an emergency. Except as otherwise provided by the charter, every adopted measure shall become effective at the expiration of 10 days after adoption or upon the signature of the mayor, whichever occurs first. No ordinance shall be amended or repealed except by another ordinance adopted in accordance with the charter, or as provided in the initiative and referendum procedures. This section shall not apply to resolutions.
- (b) Emergency Measures - An emergency measure shall be introduced in the form and manner prescribed for measures generally, except that it shall be plainly designated as an emergency measure and shall contain statements after the enacting clause declaring that an emergency exists and describing the scope and nature of the emergency in clear and specific terms. A preamble which declares and defines the emergency shall be separately voted on and shall require the affirmative vote of a minimum of 6 members of the city council. An emergency measure may be passed with an amendment or rejected at the meeting at which it is introduced. No measure making a grant, renewal or extension, whatever its kind or nature, or a franchise or special privilege shall be passed as an emergency measure. Except as provided by the General Laws, such grant, renewal or extension shall be made by ordinance. An emergency measure shall become effective upon adoption or at such later time as it may specify.
- (c) Charter Objection - On the first occasion that the question of adoption of a measure is put to the city council, if a single councilor present objects to the taking of the vote, the vote shall be postponed until the next meeting of the city council, whether regular or special. If more than 1 councilor present objects, such postponement shall be until the next regular meeting. If it is an emergency measure, at least 3 councilors must object. This procedure shall not be used more than once for any specific matter notwithstanding an amendment to the original matter. A charter objection shall have privilege over all motions but must be raised prior to or at the call for a vote by the presiding officer and all debate shall cease.
- (d) Posting - All adopted ordinances shall be posted on the city website within 7 days of adoption, and copies of such documents shall be filed in the office of the city clerk and the main public library.

City of Fall River, MA
Thursday, October 12, 2023

Chapter 2. Administration

ARTICLE II. City Council

DIVISION 2. Meetings

§ 2-78. Motion to reconsider.

A question having been taken, it shall be in order for any member of the City Council voting with the majority to move a reconsideration at the same meeting, or at the next meeting, provided the subject of the vote has not passed out of the custody of the City Council. No more than one motion to reconsider shall be entertained.

Re-Submittal of Item/Issue re: Bank Street Armory

Alan Rumsey <corporatecounsel@fallriverma.gov>

Tue 10/10/2023 2:54 PM

To: City Clerk <city_clerk@fallriverma.gov>

Cc: City Council <City_Council@fallriverma.gov>; Seth Aitken <saitken@fallriverma.gov>

Alison:

I am not aware of any legal authority that would prevent the Mayor from re-submitting an item/issue to the City Council for consideration. The President of the City Council would, of course, be responsible for placing the proposed item/issue on the agenda.

The City Council could also reconsider a vote pursuant to § 2-78 of the Code of the City of Fall River, which allows for "any member of the City Council voting with the majority" to move for a reconsideration at the same or next meeting. The full text of § 2-78 is below:

§ 2-78 Motion to reconsider.

A question having been taken, it shall be in order for any member of the City Council voting with the majority to move a reconsideration at the same meeting, or at the next meeting, provided the subject of the vote has not passed out of the custody of the City Council. No more than one motion to reconsider shall be entertained.

Please contact me if you have any questions.

Alan J. Rumsey, Esq.
Corporation Counsel
City of Fall River
One Government Center
Fall River, MA 02722
508-324-2650



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October 13, 2023

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Town of Fall River
Attn: Town Clerk
One Government Center, Room 227,
Fall River, MA 02722

CITY CLERK
FALL RIVER, MA

**NOTICE OF PERSONAL INJURIES PURSUANT TO MASSACHUSETTS GENERAL
LAWS CHAPTER 258, et al.**

RE: Our Client : Millicent Toro
Date of Loss : July 1, 2023
Location of Accident : Fall River Housing Authority 300 Amity St, Apt
607, Fall River MA 02721

Dear Sir or Madam:

Please be advised that this office represents Ms. Millicent Toro for severe personal injuries sustained on July 1, 2023 when the ceiling in her apartment at 300 Amity Street, Apt 607, Fall River, MA 02721 collapsed. Upon information and belief, the property is owned and maintained by the Fall River Housing Authority. Please allow this correspondence to serve as formal Notice of her claim to you pursuant to M.G.L. c. 258, s. 4.

1. Date of Accident : July 1, 2023
2. Place of Injury : Fall River Housing Authority 300 Amity Street, Apt
607, Fall River, MA 02721
3. Cause of Injury : Ceiling Collapse
4. Description of Injury : Head Injury, Concussion, Post Concussion
Symptoms and dizziness
5. Theory of Liability : Negligence ownership and maintenance of the
Property; failure to repair reported defect/dangerous
condition after same was reported to you.
6. Damages Sought : Medical Bills, Pain and Suffering.

Please be advised that Ms. Toro has received significant medical treatment for her

injuries, and she continues to suffer post-concussion symptoms, including memory issues.

Kindly undertake to contact me upon your receipt and review of this correspondence to discuss the possibility of settlement as well as if you need further documentation related to this incident.

Thank you for your attention to this matter. Please do not hesitate to contact me directly at (978-269-8368) with any questions or concerns.

Very truly yours,

Michael V. Longo

Michael V. Longo