

City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2023 MAY 25 P 12:42

CITY CLERK
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
TUESDAY, MAY 30, 2023
AGENDA

5:55 P.M. PUBLIC HEARING

Joint Pole Location

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

President Avenue and North Main Street One (1) new jointly owned pole location,
Two (2) jointly owned pole relocations,
One (1) solely owned pole relocation

North Main Street – Install one jointly owned pole on President Avenue. Relocate one solely owned on North Main Street. Relocate two jointly owned poles on North Main Street. National Grid to relocate three poles (two jointly owned and one solely owned) and set one new jointly owned pole on North Main Street at President Avenue due to the reconstruction of the intersection. Pole 40 will move six feet west, Pole 41 and anchor will move six feet southwest and pole 41-1 will move twelve feet south. Pole 13-50 President Avenue is the new set that will better service Riverside Gas Station on the northeast corner of the intersection.

In accordance with Plan No. 30752775

6:00 P.M. CITY COUNCIL COMMITTEE ON FINANCE MEETING (OR IMMEDIATELY FOLLOWING THE PUBLIC HEARINGS IF THEY RUN PAST 6:00 P.M.)

1. Citizen Input
2. *Discussion with administration regarding park fee revenue being directed to the Park Division budget (referred 4-11-23)
3. *Discussion with representatives from the Administration re the Bank Street Armory (Municipal Veterans Memorial) (referred 5-16-23)
4. *Discussion with a representative of Massachusetts Department of Transportation, the City Administrator and the City Engineer for a general update on the Route 79/Davol Street Corridor Improvements Project (referred 5-16-23)

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

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 accepting gift of a framed paintings, sketches and miscellaneous items relating to Lodovico Cremonini for the Fall River Public Library from Rosemary Capanna.

PRIORITY COMMUNICATIONS

2. *Fall River Retirement Board notification of public meeting re: cost of living adjustment on May 31, 2023
3. *Traffic Commission recommending amendments to traffic ordinances

COMMITTEE REPORTS

Committee on Regulations recommending:

- Adoption
4. *Order - Auto Repair Shop License for Robert Ferraz d/b/a Integrity Auto – 851 Globe Street
 5. *Order - Auto Repair Shop License Renewal for Mario P. Loureiro d/b/a Mario's Auto Repair and Sales, Inc. – 830 Globe Street

- Accept and place on file
6. *Communication from anonymous resident re: taxi companies

Committee on Ordinances and Legislation recommending:

- All readings with Emergency Preamble:
7. *Proposed Ordinance – Traffic, handicapped parking
Fourth Street Barnaby Street Crawford Street
Grove Street Holden Street Mason Street Rock Street South Oxford Street

- First reading:
8. *Proposed Ordinance – Traffic, miscellaneous
Handicapped Parking removals:
Barnaby Street Bogle Street (east side) Bogle Street (west side)
Bradford Avenue Haffards Street Kilburn Street
Quequechan Street South Main Street William Street

- Section 2
Stop Intersections Designated
Almond Street (Northbound) at the intersection of Ferry Street
9. *Proposed Ordinance – Zoning Board of Appeals and Planning Board fee schedule amendments
 10. *Proposed Ordinance – Salary increase for School Committee members
 11. *Proposed Ordinance – Cost of Living Adjustments for Elected Officials

ORDINANCES

12. *Proposed Ordinance – Amendment to the duty of property owners to keep premises free of litter and weeds

RESOLUTIONS - None

CITATIONS - None

ORDERS – HEARINGS

Joint Pole Location:

13. Massachusetts Electric Company and Verizon New England, Inc – One (1) new jointly owned pole location, two (2) jointly owned pole relocations and one (1) solely owned pole relocation on President Avenue and North Main Street

ORDERS – MISCELLANEOUS

14. Police Chief's report on licenses:

Taxicab Drivers

Pedro L. Fernandez William J. Scurio, Sr.

Livery Drivers

Otis Aliemeke Christopher Botelho

Livery Vehicles

Otis Aliemeke – one (1) vehicle

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

*Yates Realty Trust, 222 Sykes Road

16. City Engineer prepare plans for the acceptance of Lisbon Street from Clay Street to dead end

COMMUNICATIONS – INVITATIONS – PETITIONS

17. *Claims
18. *Letter from Sandra Garcia, 120 Jules Street, re requiring permits to remove trees on private property
19. *Structure on or over a public way application for Fall River Day of Portugal Festival Committee located at South Main Street near Fall River District Court
20. *Structure on or over a public way application for Steppingstone Inc. located between 111 Durfee Street and 134 Durfee Street
21. Drainlayer Licenses:
 - a. JB Lanagan & Company, Inc.
 - b. HM Lopes LLC

City Council Minutes:

- 22. *Public Hearings – May 16, 2023
- 23. *Committee on Finance – May 16, 2023
- 24. *Regular Meeting – May 16, 2023

BULLETINS – NEWSLETTERS – NOTICES – None

Alison M. Bouchard
City Clerk

(Councilor Linda M. Pereira)

WHEREAS, the Parks Division of the Department of Community Maintenance has worked tirelessly to keep City parks clean and safe, and

WHEREAS, the residents and visitors of the City benefit greatly from rehabilitation efforts to improve public spaces, and

WHEREAS, local teams and organizations pay fees to use certain fields within City parks and those payments are placed in the General Fund, now therefore

BE IT RESOLVED, that the Committee on Finance convene with the administration to discuss redirecting the revenue from those fees from the General Fund into the Park Division's budget to assist with funding repairs and routine maintenance of City parks.

In City Council, April 11, 2023
Adopted.

A true copy. Attest:

Alison M. Bouchard

City Clerk

(Councilor Linda M. Pereira)

WHEREAS, the Bank Street Armory, also known as the Municipal Veterans Memorial, was built in 1897 and was transferred from the Commonwealth to the City of Fall River in 1976, and

WHEREAS, this structure has provided benefits to the community such as being a functional, supplemental military armory and later redeveloped as the former location of the Greater Fall River RE-CREATION organization, and

WHEREAS, this building has fallen into drastic disrepair and needs a significant amount of restoration in order to return it to its former glory, and

WHEREAS, there have been numerous residents and business owners who have expressed concern regarding the future of the Bank Street Armory, now therefore

BE IT RESOLVED, that the Committee on Real Estate convene with representatives from the Administration to discuss the revitalization of this prominent, historical location.

CITY OF FALL RIVER
IN CITY COUNCIL
MAY 16 2023

*Reconsidered and
referred to the
Committee on Finance*

(President Joseph D. Camara)

WHEREAS, the Route 79/Davol Street Corridor Improvements Project is valuable to the economic development of the City, and

WHEREAS, the future development of this project includes new roads, improvement of storm water and sewage systems and parcels of land that will be developed, now therefore

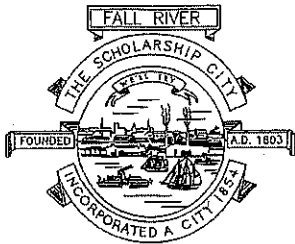
BE IT RESOLVED, that the Committee on Finance convene with a representative from the Massachusetts Department of Transportation, the City Administrator and the City Engineer for a general update on the Route 79/Davol Street Corridor Improvements Project.

In City Council, May 16, 2023
Adopted.

A true copy. Attest:



City Clerk



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

RECEIVED

2023 MAY 19 P 1:01

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

May 18, 2023

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

Dear Council President and Members of the Honorable Council,

Attached please find a request from Liane Verville, Library Administrator, to accept a donation of framed paintings, sketches and miscellaneous items relating to Lodovico Cremonini. We ask for your every consideration with this request.

Thank you for your consideration.

Sincerely,

Paul E. Coogan
Mayor

PC/amos

1

City of Fall River, *In City Council*

ORDERED, that under the provisions of M.G.L. Chapter 44, Section 53A 1/2, the Fall River Public Library be, and the same is hereby, authorized to accept a donation from Rosemary Capanna of framed paintings, sketches and miscellaneous items relating to Lodovico Cremonini.



**City of Fall River
Massachusetts**
Department of Community Services
PLANNING • HEALTH & HUMAN SERVICES • LIBRARY
INSPECTIONAL SERVICES

Fall River Public Library
fallriverlibrary.org

PAUL E. COOGAN
Mayor

LIANE VERVILLE
Library Administrator
lverville@sailsinc.org

May 15, 2023

The Honorable Paul E. Coogan
Mayor
City of Fall River
Fall River, MA 02722

RECEIVED
2023 MAY 19 P 1:01
CITY CLERK
FALL RIVER, MA

Dear Mayor Coogan:

In accordance with the provisions of MGL c. 44 §53A I hereby ask that the City Council accept a donation from Rosemary Capanna (406 Malden Road, Coal Center, PA 15423) a framed painting by Lodovico Cremonini "A Mother's Jewel" and other paintings: a garden scene, Stolen Kiss and Flight into Egypt. Also some sketches on a study roll and miscellaneous items relating to Cremonini. The paintings will be hung in the Main Library.

Sincerely,

Liane Verville
Library Administrator



2

COMMONWEALTH OF MASSACHUSETTS
Fall River Contributory Retirement Board
21 Father DeValles Boulevard • Suite GR1 • Unit 14 • Fall River, MA 02723
Tel. (508) 646-9120 • Fax (508) 646-9123

RECEIVED

2023 MAY 15 P 3:34

CITY CLERK
FALL RIVER, MA

TO: Alison Bouchard, City Clerk

FROM: Fall River Contributory Retirement Board

DATE: May 12, 2023

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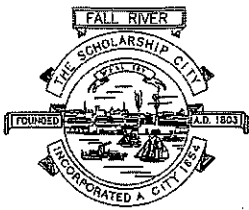
NOTICE

In accordance with the provisions of Massachusetts General Laws Chapter 32, section 103 (i) the Fall River Contributory Retirement Board will be holding a public meeting for the purpose of determining whether to grant up to a 3% cost of living adjustment, to be effective July 1, 2023, to eligible retirees of the Fall River Contributory Retirement System.

Meeting day/date: Wednesday, May 31, 2023

Meeting location: 21 Father DeValles Blvd., Ste. GR1
Fall River, MA 02723

Meeting time: 8:30 AM



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

March 16, 2023

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

CITY CLERK
FALL RIVER, MA

2023 MAY 19 P 1:11

RECEIVED

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, February 15, 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:

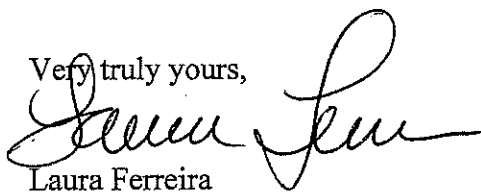
Article: 70
Section: 281 **One Way Street**

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Direction of Travel	Location
Thompson Street	Southerly	From Brownell Street to President Avenue

Very truly yours,


Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

March 16, 2023

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

RECEIVED
2023 MAY 19 P 1:11
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, February 15, 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
Thompson Street	West	Starting at point of 73 feet south of Brownell Street For a distance of 25 feet southerly.

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

March 16, 2023

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

RECEIVED
2023 MAY 19 P 1:11
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, February 15, 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
Thompson Street	West	Starting at point of 107 feet north of President Avenue For a distance of 36 feet northerly.

Very truly yours,

Laura Ferreira
Parking Clerk

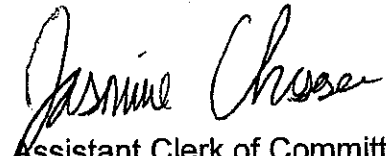
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CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Regulations, at a meeting held on May 23, 2023 voted unanimously to recommend that the accompanying order be adopted.


Assistant Clerk of Committees

City of Fall River, In City Council

WHEREAS, the following order for an auto repair shop license as follows:

ORDERED, that permission be and the same is hereby granted to:

Robert Ferraz, 19 Tobin Street, Westport, MA 02790 d/b/a Integrity Auto for a license to operate an auto repair shop at 851 Globe Street, on Lot G-14-1 Assessors Plan.

and, on May 16, 2023 the order was referred to the Committee on Regulations now therefore, be it

ORDERED, that permission be and the same is hereby granted to:

Robert Ferraz, 19 Tobin Street, Westport, MA 02790 d/b/a Integrity Auto for a license to operate an auto repair shop at 851 Globe Street, on Lot G-14-1 Assessors Plan.


5

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Regulations, at a meeting held on May 23, 2023 voted unanimously to recommend that the accompanying order be adopted.


Assistant Clerk of Committees

City of Fall River, *In City Council*

WHEREAS, the following order for an auto repair shop license as follows:

ORDERED, that the attached application for the renewal of an auto repair shop license be and the same is hereby approved:

<u>Name</u>	<u>Location</u>	<u>Lic. #</u>
Mario P. Loureiro d/b/a Mario's Auto Repair & Sales, Inc.	830 Globe Street	263

and, on May 16, 2023 the order was referred to the Committee on Regulations now therefore, be it

ORDERED, that permission be and the same is hereby granted to:

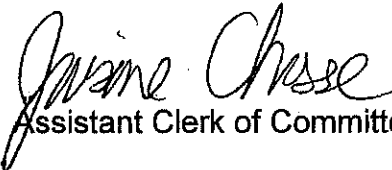
<u>Name</u>	<u>Location</u>	<u>Lic. #</u>
Mario P. Loureiro d/b/a Mario's Auto Repair & Sales, Inc.	830 Globe Street	263

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Regulations, at a meeting held on May 23, 2023 voted unanimously to recommend that the accompanying communication be accepted and placed on file.


Assistant Clerk of Committees

City Council, April 20, 2023

There are several important matters that should be handled with the Cal Campuses in Fall River.
1) They are requesting money for the phone
2) to get the internet that Redwooder is requesting
3) We turn off a number these phones.
3) Stop telling people they need other to pick them up, their too busy for them
4) Move the phone number to the Redwooder
5) Stop telling the customers they have more important people to pick up.

6) Stop telling them that only pick up the phone for Redwooder
7) They are not the Cal. I don't help with packages while the customers are being asked.
8) Who is Paul & the City is going to be dead if it keeps up

RECEIVED

2023 APR 26 P 12:13

CITY CLERK
FALL RIVER, MA
Approved
By
City Council

CITY OF FALL RIVER
IN CITY COUNCIL

April 25, 2023
Referred to the
Committee on Regulations

6

RECEIVED

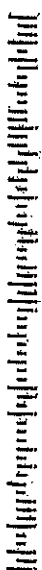
2023 APR 20 P 12:14

CITY CLERK
FALL RIVER, MA

City Council
City Government Ctr
Fall River, MA

02720

02722-770001



PROVIDENCE RI 029
17 APR 2023 PM 3 L




CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on
Ordinances and Legislation, at a meeting held on May 23, 2023,
voted unanimously to recommend the accompanying proposed ordinance,
accompanied by an emergency preamble, be passed through first reading, second
reading, passed to be enrolled and passed to be ordained.


Assistant Clerk of Committees

City of Fall River, In City Council

EMERGENCY PREAMBLE

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

BE IT RESOLVED, that said ordinance is hereby deemed an emergency measure in accordance with the provisions of Chapter 43, Section 20 of the Massachusetts General Laws.

City of Fall River, *In City Council*

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

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

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

Name of Street	Side	Location
Fourth Street	West	Starting at a point 292 feet south of Morgan Street, for a distance of 20 feet south
Barnaby Street	West	Starting at a point 314 feet south of Lincoln Avenue, for a distance of 20 feet south
Crawford Street	East	Starting at a point 20 feet south of Larouche Street, for a distance of 20 feet south
Grove Street	North	Starting at a point 179 feet north of Franklin Street
Holden Street	North	Starting at a point 109 feet east of Eastern Avenue, for a distance of 20 feet east
Mason Street	West	Starting at a point 275 feet north of Pleasant Street, for a distance of 20 feet north
Rock Street	East	Starting at a point 291 feet north of Lincoln Avenue, for a distance of 20 feet north
South Oxford Street	West	Starting at a point 288 feet south of Brayton Avenue, for a distance of 20 feet north

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 23, 2023, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading.


Assistant Clerk of Committees

City of Fall River, *In City Council*

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

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

Section 1.

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

Name of Street	Side	Location
Barnaby Street	West	Starting at a point 21 feet north of Lincoln Avenue, for a distance of 20 feet northerly
Bogle Street	East	Starting at a point 358 feet south of Horton Street, for a distance of 20 feet southerly
Bogle Street	West	Starting at a point 23 feet north of Pleasant Street, for a distance of 22 feet northerly
Bradford Avenue	North	Starting at a point 95 feet west of Howard Street, for a distance of 95 feet westerly
Haffards Street	West	Starting at a point 214 feet north of Donnelly Street, for a distance of 20 feet northerly
Kilburn Street	East	Starting at a point 115 feet north of Dwelly Street, for a distance of 20 feet northerly
Quequechan Street	West	Starting at a point 255 feet south of County Street, for a distance of 20 feet southerly
South Main Street	East	Starting at a point 62 feet south of Globe Street, for a distance of 20 feet southerly
William Street	South	Starting at a point 143 feet west of Hunter Street, for a distance of 20 feet westerly

Section 2.

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

Name of Street	Direction of Travel	At Intersection of
Almond Street	Northbound	Ferry Street

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 23, 2023, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading.


Assistant Clerk of Committees

City of Fall River, *In City Council*

9

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

That the Code of the City of Fall River, Massachusetts, 2018, be amended as follows:

Section 1:

By inserting at the end of section 86-486, which section relates to fees, the following:
as provided in Chapter A110, Fee Schedule of the City Code, to be paid to the Planning Division.

Section 2.

By inserting a new section after section 86-487, which section relates to Planning Board, the following:

§86-488. Fees charged by Planning Board.

The Planning Board may adopt reasonable fees and applicable legal advertisement costs and abutter notification costs, as provided in Chapter A110, Fee Schedule of the City Code, to be paid to the Planning Division.

Section 3:

By inserting a new section in Chapter A110 Appendix A – Fee Schedule, which section relates to zoning, the following:

§86-486, Zoning Board of Appeals schedule of fees and legal advertisement costs.

(1) Zoning Variance – Residential:

- | | |
|---------------------------------|---|
| a. All residential variances | \$600 |
| b. Division of property | \$600; plus \$200 per each new lot being created, excluding the first lot |
| c. Additional residential units | \$600; plus \$100 per additional unit |
| d. Other | \$600 |

(2) Zoning Variance – Commercial:

- | | |
|-----------------------------|---|
| a. All commercial variances | \$1,000 |
| b. Division of property | \$1,000; plus \$100 per each new lot being created, excluding the first lot |
| c. Other | \$1,000 |

(3) Special Permits – Residential and Commercial:

- | | |
|-----------------------------|----------------------------|
| a. All special permits | \$800 |
| b. Residential developments | \$800; plus \$100 per unit |
| c. Division of property | \$800 |
- (Section 86-243)

(4) Request for six month extension: \$500.

(5) Appeal of an action of the Zoning Enforcement Officer: \$600

(6) Request by applicant to table or continue the hearing: \$500

This fee shall not apply when a matter is tabled at the request of the board or when a full board is not present. At the discretion of the board, this fee may be waived.

(7) After-the-fact filing (Work commenced without Building Permit):

Additional \$500 added to total cost of fees

If an applicant is seeking multiple forms of relief, the appropriate fee for each request is required.

(8) Legal Advertisement Cost:

The cost of the Legal Notice shall be the responsibility of the applicant. The Planning Division will prepare the legal notice, get the estimated cost from the newspaper and notify the applicant of the cost. The applicant shall provide the Planning Division with a check or money order to cover the Legal Notice advertisement prior to the public hearing date or the application will not be heard until payment is received. Cash will not be accepted.

Section 4.

By inserting a new section in Chapter A110 Appendix A – Fee Schedule, which section relates to zoning, the following:

§86-488 Fees charged by Planning Board.

Planning Board schedule of fees and applicable legal advertisement costs and abutter notification costs.

- | | |
|--|---|
| (1) Form A (ANR) Plans: | \$500 fee; plus an additional \$100 for each newly created lot |
| (2) Late fee: | Additional \$500 (If filed after the deadline of one week prior to the scheduled meeting; with the late fee, Form A (ANR) Plans will be accepted until 2 p.m., four days prior to scheduled meeting). |
| (3) Form B Plans: | \$1,000 |
| (4) Form C Plans: | \$1,000 fee; plus an additional \$100 per lot; plus an additional \$5.00 per linear foot of roadway; plus \$500 per revision. |
| (5) Change/Reduction of performance guarantee: | \$200 |
| (6) Request for rehearing: | \$500 |
| (7) Street reconstruction: | \$500 fee; plus \$5.00 per linear foot of roadway |
| (8) Site plan review: | \$500 Minor site plan plus \$50 per revision.
\$1,000 Major site plan plus \$200 per revision. |

(9) Legal Advertisement Cost:

The cost of the legal notice shall be the responsibility of the Applicant. The Planning Division will prepare the legal notice, get the estimated cost from the newspaper and notify the applicant of the cost. The applicant shall provide the Planning Division with a check or money order to cover the legal notice advertisement prior to the public hearing

date or the application will not be heard until payment is received. Cash will not be accepted.

(10) Abutter Notification Cost:

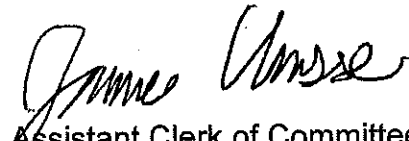
The cost of the abutter notification shall be the responsibility of the applicant. The Planning Division will prepare and administer the notification. The Planning Division will notify the applicant of the cost. The applicant shall provide the Planning Division with a check or money order to cover the cost of abutter notification prior to the public hearing date or the application will not be heard until payment is received. Cash will not be accepted.

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 23, 2023, voted to recommend that the accompanying proposed ordinance be passed through first reading, with Councilor Michelle M. Dionne opposed.


Assistant Clerk of Committees

City of Fall River, *In City Council*

(Committee on Ordinances and Legislation)

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

That Chapter 50 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Personnel be amended by inserting in Section 50-303, which section relates to Salary schedules for political appointments and boards/committees, the following, after salary schedule amount for City Councilor, Mayor and School Committee:

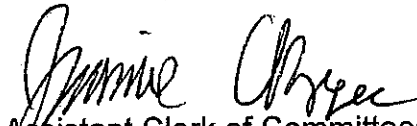
"1-1-2024 and thereafter, salary shall be adjusted annually according to the Consumer Price Index"

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 23, 2023, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading.


Assistant Clerk of Committees

City of Fall River, *In City Council*

(Committee on Ordinances and Legislation)

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

That Chapter 50 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Personnel be amended by striking out in Section 50-303, which section relates to Salary schedules for political appointments and boards/committees, the following:

School Committee	SCOM	7-1-2017	\$7,197 per annum
and inserting in place thereof:			
School Committee	SCOM	1-1-2024	\$16,091.06 per annum

City of Fall River, *In City Council*

(Councilor Linda Pereira)

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

That Chapter 26 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Environment be amended as follows:

Section 1.

By inserting in Section 26-40 sub-section (a), which section relates to Duty of property owners to keep premises free of litter and weeds, the following:

After "The owner or person in control of any private property shall at all times maintain the premises free of litter" inserting, "and control the growth of any wild plants and lawn;"

Section 2.

By inserting in Section 26-40 sub-section (b), which section relates to Duty of property owners to keep premises free of litter and weeds, the following:

After "and control the growth of any wild plants", inserting "and lawn"

City of Fall River, In City Council

ORDERED, that the following license for the storage of flammables be revoked due to the removal of the storage tanks as follows:

License No. 593

Granted: June 15, 1982

Yates Realty Trust, 222 Sykes Road, Fall River, MA to store 10,000 gallons of fuel oil and 10,000 gallons of processing oil underground for a total of 20,000 gallons on lot Z-03-0099,0016,0017, Assessors Plan.



RECEIVED

City of Fall River
Notice of Claim

2023 MAY 17 P 2:01

#23-19

1. Claimant's name: OLUSEGUN OLUBANWO CITY CLERK FALL RIVER, MA
2. Claimant's complete address: 183 Winthrop street, Fall River, MA
3. Telephone number: Home: 774-319-8997 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Property Damage (Door to 3rd floor Apartment)
5. Date and time of accident: 4/20/23 6:40pm Amount of damages claimed: \$ 400.00 (Labor + material)
6. Exact location of the incident: (include as much detail as possible):
183 Winthrop St., Apt. 3, Fall River, MA
7. Circumstances of the incident: (attach additional pages if necessary):
Officers came for wellness check of Linda Lane (Tenant), could not get to her, thus had to break the door to get into the apartment
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 5/16/23

Claimant's signature: _____

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

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

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator

☒ Police

Date: 5/17/23



**City of Fall River
Notice of Claim**

RECEIVED

2023 MAY 18 P 1:54

1. Claimant's name: KENNETH FIOLA
2. Claimant's complete address: 307 ARCHER STREET
3. Telephone number: Home: 508-965-4942 Work: 508-324-2620
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
AUTO DAMAGE FORM POT HOLE
5. Date and time of accident: 8:00 PM 8.28.22 Amount of damages claimed: \$ 6147.04
6. Exact location of the incident: (include as much detail as possible):
POT HOLE ON NICHOLS STREET BETWEEN RAY STREET AND ELSBREE STREET
7. Circumstances of the incident: (attach additional pages if necessary):
POT HOLE BROKE FRONT RIGHT AXEL, STRUT, BRAKE ROTOR, UPPER CONTROL ARM, STRUT ASEMBLY NUT, OUERTIE ROD AND TIRE, ETC
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: 10.15.23

Claimant's signature: [Signature]

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

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

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

For official use only:		<u>City Council</u>		<u>Dem</u>		Date: <u>5.18.23</u>
Copies forwarded to:	<input checked="" type="checkbox"/> City Clerk	<input checked="" type="checkbox"/> Law	<input checked="" type="checkbox"/> City Council	<input checked="" type="checkbox"/> City Administrator		



RECEIVED

City of Fall River
Notice of Claim

2023 MAY 19 A 8:35

1. Claimant's name: Joseph S. Gaglio CITY CLERK 2021
FALL RIVER, MA
2. Claimant's complete address: 153 Flynn St. Fall
3. Telephone number: Home: 774-488-9262 Work: (508) 990-8020
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Property Damage / Pole at end of Drive Way
5. Date and time of accident: 4/7/23 Amount of damages claimed: \$ 153.73
6. Exact location of the incident: (include as much detail as possible):
153 Flynn St. Fall River, MA 0
7. Circumstances of the incident: (attach additional pages if necessary):
Lt. William Leonardo, NRP, EMS I/C Has all
information & Documents including taking of
Photos of Damage's
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 5-11-2023

Claimant's signature: Joseph S. Gaglio

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 ☒ FRFD

Date: 5/19/23



17

RECEIVED

**City of Fall River
Notice of Claim**

2023 MAY 22 P 12:44

#23-22

1. Claimant's name: Ashley Thompson
2. Claimant's complete address: 3117 N. MAIN St Fall River, MA 02720
3. Telephone number: Home: 508-542-5926 Work: 401-245-2626
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
BROKEN strut due to construction
5. Date and time of accident: 5/6 @ 12:45pm Amount of damages claimed: \$ 116.37
6. Exact location of the incident: (include as much detail as possible):
On president Ave right in front of Truesdale Clinic
7. Circumstances of the incident: (attach additional pages if necessary):
I was driving down the street while they were doing construction i couldn't drive on the left because its still 2 way traffic. My only option was to drive in torn up street.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 5/9/23Claimant's signature: [Signature]

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

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

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator☒ DPWDate: 5/22/23



17
Claim #23-23

City of Fall River
Notice of Claim

RECEIVED

2023 MAY 22 A 11:21

1. Claimant's name: BEVERLY D. PEREIRA
2. Claimant's complete address: 295 NEWBURY ST CITY CLERK
FALL RIVER, MA
3. Telephone number: Home: 508-674-5139 Cell: 508 728-4592 Work: 508 728-4592
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
CRACKED TRANS PAN FROM DEEP HOLE
5. Date and time of accident: 5-1-23 3PM Amount of damages claimed: \$ 540.00
6. Exact location of the incident: (include as much detail as possible):
I was driving north on Oak Grove Ave toward New Boston Rd →
7. Circumstances of the incident: (attach additional pages if necessary):
See reverse side →
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 5/17/23

Claimant's signature: Beverly D Pereira

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

☒ Engineering

Date: 5-22-23

Water Dept.



#23-24

17

City of Fall River
Notice of Claim

RECEIVED

2023 MAY 23 A 11:05

1. Claimant's name: RYAN O'Connell
2. Claimant's complete address: 203 HAFFARDS ST, FALL RIVER, MA 02723
CITY CLERK, FALL RIVER, MA
3. Telephone number: Cell: 774 322 6922 Home: 774 322 6922 Work:
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
TIRE DAMAGE
5. Date and time of accident: 5-21-23 4:30 AM Amount of damages claimed: \$ 200
6. Exact location of the incident: (include as much detail as possible):
QUEQUECHAN ST, FALL RIVER MA
7. Circumstances of the incident: (attach additional pages if necessary):
UNMARKED CONSTRUCTION DUG OUT IN STREET
MY TIRE WAS SPLIT AND NON REPAIRABLE
(SEE ATTACHED PHOTOS AND RECEIPT FOR REPAIR)
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: 3-23-23

Claimant's signature: [Signature]

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

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

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

For official use only:

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

Date: 5/23/23



RECEIVED

City of Fall River
Notice of Claim

2023 MAY 24 A 10:19

1. Claimant's name: EARLE B. BRYER 23-25
2. Claimant's complete address: 164 CHESTNUT ST. NEW BEDFORD MA. 02740
3. Telephone number: Home: 508-491-7842 Work: N/A
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
5. Date and time of accident: 5/17/23 10PM Amount of damages claimed: \$ 322.00
6. Exact location of the incident: (include as much detail as possible):
TURN OFF AT 24 FIRST INTO TIVERTON
7. Circumstances of the incident: (attach additional pages if necessary):
I WAS TAKING THE TURN INTO TIVERTON I SWERVED TO MY LEFT TO AVOID A PIPE IN THE ROAD. THE STEEL PIPE WAS APPROX. 1 FT LONG AND 2" DIA. I HIT A LARGE POT HOLE ON THE SIDE OF THE ROAD AND DESTROYED 2 NEW TIRES
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 5/24/23

Claimant's signature: Earle B. Bryer

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

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

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

For official use only:

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

Date: 5-24-23

City Council

From: Sandra Garcia
Sent: Monday, May 15, 2023 1:29 PM
To: City Council; Linda Pereira; Shawn Cadime (GMAIL); Michelle Dionne; Bradford Kilby (AOL); Laliberte-Lebeau, Pam; Raposo, Andrew; Councilor Washington
Subject: [EXTERNAL] Proposed Change To Existing Tree Ordinance
Attachments: Tree Ordinance word doc.docx

CAUTION: This email originated from a sender outside of the City of Fall River mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe. If you are unsure of the validity of the email, please contact IT.

Hello,

I hope this email finds you well. Please read the attached letter I wrote in regards to making a change to the current tree ordinance that is in place for the City of Fall River. This change will require a permit for removing trees on private property. My goal is to preserve the many benefits of the beautiful trees in our city neighborhoods. Sadly they are rapidly being removed. Some of these trees took 100 years to mature and sadly they will never be replaced in our lifetime.

I am not sure who to direct this to so please feel free to forward this letter to who you may think will help get this ball rolling.

Any help is greatly appreciated.

Sincerely Concerned Constituent,

Sandra Garcia

May 12, 2023

To Whom It May Concern,

I am writing this letter in hopes of making an important change to the existing city tree ordinance that is in place for the City of Fall River. The current ordinance is great for protecting trees on city property. However, there needs to be some bylaws that also protect the trees that are on private properties as well.

I live in a highly coveted neighborhood in Fall River. What makes this neighborhood so desirable is that when you're here you don't feel as if you are "in the city". That is in part to the trees everywhere. These trees not only increase property value by 7-19% they also enhance the visual aesthetic qualities of the neighborhood.

In the last month alone I watched 6 beautiful, mature and healthy trees be cut down. Some of these trees took 100 years to grow and can never be replaced in our lifetime. I asked my neighbors why they were cutting the trees down and the reasons I've gotten from these homeowners were as follows: -"I am getting solar panels", -"I'm tired of raking these leaves", -"the acorns make a mess in my yard". Not one of these homeowners took the time to think about how removing these trees impacted their neighborhood.

These trees have many environmental, social and economic benefits including:

- Conserving energy, by providing shade and evaporative cooling through transpiration
- Improving local and global air quality by absorbing carbon dioxide and ozone, absorbing particulate matter, and producing oxygen
- Reducing noise pollution
- Providing habitat for birds, small mammals, and other wildlife
- Increasing property values and enhance aesthetics of a neighborhood
- Contribute to neighborhood image, pride, and quality of life.

This change to the ordinance should require that a permit be obtained before protected trees can be removed. No tree should be removed simply because it's a nuisance or creates work for the homeowner. The change should also require some trees be preserved during construction projects. The goal is to preserve the many benefits these trees provide our city and neighborhoods.

Sincerely yours,

Sandra Garcia

120 Jules Street,
Fall River, MA 02720
(617)216-6653

CITY OF FALL RIVER
OFFICE OF THE CITY CLERK



RECEIVED

2023 MAY 22 A 9:38

To the City Council:

Application for permit to place or maintain a structure or device on or over a public way.

CITY CLERK
FALL RIVER, MA

Name of Applicant: DAY OF PORTUGAL FALL RIVER

Name of Business (if applicable): _____

Address: PO Box 522 SUMNERSET MA
Street City State

Phone: 7746443894 - Tim CARNAL E-mail: DAYOFPORTUGALFR@gmail.com

Type of structure or device: BANNER

Description (include dimensions): 3'6" X 36' BANNER TO BE HUNG TO
PROMOTE DAY OF PORTUGAL FALL RIVER FESTIVAL

Location: SOUTH MAIN ST NEAR COURTHOUSE

Dates: UNTIL JUNE 12, 2023

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 [Signature]

Date 5/11/23

[Signature] 5-18-23
Building Inspector Date

APPROVED ☒
DISAPPROVED ☐

[Signature] 5-18-23
Director of Traffic Date

APPROVED ☒
DISAPPROVED ☐

[Signature] 5-18-23
Chief of Police Date

APPROVED ☒
DISAPPROVED ☐

In City Council, _____
Date

Permit (approved) (disapproved)

OFFICE USE ONLY

☒ Fee Paid 0

Alison M. Bouchard
City Clerk



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 MAY 23 P 1:12

Name of Applicant: Kathleen Schedler Clark CITY CLERK

Name of Business (if applicable): Steppingstone Inc. FALL RIVER, MA

Address: 111 Durfee Street Fall River MA
Street City State

Phone: 508-844-8020 E-mail: kclark@steppingstoneinc.org

Type of structure or device: Banner

Description (include dimensions): 30 feet wide by 35 1/2 inches
Banner that promotes our 2023 Get Steppin Walk

Location: Hung between 111 & 134 Durfee Street

Dates: 6/1/2023 - 8/15/2023

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

DocuSigned by:

Kathleen Schedler-Clark

Date 5/16/2023

6A25665F50CA4F9...

Building Inspector

Date

5-22-2023

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

Alison M. Bouchard
City Clerk

CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, May 16, 2023 at 5:55 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

The President called the meeting to order at 5:58 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 hearing.

Curb Removal

1. David G. Fisher & John Costa, 236 Fieldstone Lane, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
236 Fieldstone Lane	16'	12'	0'	28'

The applicant proposes to extend the existing 16 feet curb opening by an additional 12 feet resulting in a total combined opening of 28 feet.

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

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

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

On a motion made by Councilor Raposo and seconded by Councilor Washington, it was unanimously voted to open the hearing.

Auto Repair Shop License

2. Robert Ferraz, 19 Tobin Street, Westport, MA 02790 d/b/a Integrity Auto for a license to operate an auto repair shop at 851 Globe Street, on Lot G-14-1 Assessors Plan

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

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

On a motion made by Councilor Raposo and seconded by Councilor Washington, it was unanimously voted to close the hearing.

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

A true copy. Attest:



City Clerk

COMMITTEE ON FINANCE

MEETING: Tuesday, May 16, 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. Pelleiter, Linda M. Pereira,
Andrew J. Raposo, and Laura-Jean Washington

ABSENT: None

IN ATTENDANCE: Seth Thomas Aitken, City Administrator
Terenzio Volpicelli, Roselli, Clark & Associates

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

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

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

Jim Terrio, 53 Delcar Street – Dimax Geothermal

On a motion made by Councilor Raposo and seconded by Councilor Washington, it was unanimously voted to waive the rules and allow Mr. Terrio to speak for an extra three minutes.

2. Discussion of Roselli, Clark & Associates Basic Financial Statements for year ending June 30, 2022

Mr. Volpicelli read a written statement regarding the independent audit aloud, a copy of which is attached hereto and made a part of these minutes. Following reading the communication aloud, Councilor Pereira expressed concern regarding the pension system and the need for increased payments to avoid a financial issue in the future. Mr. Volpicelli stated that based on the data, the pension is scheduled to be fully funded by 2036, which is four years prior to the year that it must be fully funded.

3. Fiscal Year 2023 Quarter 3 Report

Councilor Dionne requested clarification regarding the "Administration Services, Personnel and Training" section of the report and held a discussion with Councilor Cadime and Mr. Aitken as to how those line items were for the Department of Human Resources. Councilor Dionne and Mr. Aitken discussed the "Community Maintenance, School Crossing Guards" section of the report and why it wasn't included with the School Department budget. Mr. Aitken explained that Crossing Guards are within the City's budget and have been in the past. Councilor Dionne and

Mr. Aitken also discussed the lower salary amount within the Purchasing Department and that it was a result of currently having only one clerk within the department. Councilor Dionne expressed concern that American Rescue Plan Act (ARPA) funding had been approved for purchase of city vehicles, but that the budget report shows city funds being utilized for vehicle purchases. Mr. Aitken gave a brief explanation that some vehicles were being purchased with ARPA funds to replace very old vehicles that do not experience a heavy work load, while the regular budget was for purchasing new heavy-duty vehicles, such as those for plowing. Councilor Dionne and Mr. Aitken also discussed the salary buyout line item and its relation to the retirement of a long-time Grant Writing employee.

A discussion was held regarding the utilization of the Director of Financial Services, Clifton and Larson, LLP, an independent auditing firm, and Edward Iacaponi, an independent consultant, as resources for organizing the City's finances going forward. President Camara and Councilors Cadime, Dionne, Kilby, Pereira, Raposo and Washington expressed concerns regarding the cost to the City budget and the taxpayers. Councilor Pereira read an email correspondence from the City Administrator aloud regarding this issue, a copy of which is attached hereto and made a part of these minutes, and stated that there was a discrepancy of salaries and costs between the email and the current discussion. Councilor Cadime asked Mr. Aitken to provide data regarding these expenses prior to the next City Council meeting. Councilor Kilby stated that the previous Director of Financial Services had performed the required tasks without consultation with independent parties. Mr. Aitken gave information regarding many positions within the financial departments that were either vacant or occupied by new employees, which required more training, and that the overall plan was to decrease the need for consultants as training was completed. Councilor Raposo asked that the administration provide a target date as to when this training would be completed.

Councilor Pelletier asked why the budget report line items included position titles instead of employee names and made a statement supporting raises for non-department head employees. Mr. Aitken stated that the position title would always be consistent while the employee name may change during the year if an employee resigns or is newly hired. President Camara emphasized the need for employee names within these line items going forward. Councilor Dionne inquired about different Police Department line items, including the School Resource Officer (SRO) and overtime salaries. Mr. Aitken stated that the School Department reimbursed the City for the SRO salary and that due to lack of staffing within the Police Department, that has increased overtime. A discussion was held regarding the plan for recruiting more officers.

4. Transfers and appropriations

Councilor Dionne requested information regarding the resignation buyout for the Purchasing Department as the employee had also been a full time employee of Facilities Maintenance. Mr. Aitken stated that the employee became a full time Purchasing Department employee prior to their departure as the reorganization of departments last year had eliminated their Facilities Maintenance position. A discussion was held between Councilors Cadime, Dionne and Mr. Aitken regarding other line items, including the union contracts that had been recently agreed upon within the Department of Public Works (DPW) and the Medicare line item. Mr. Aitken explained that certain portions of the DPW was employed exclusively by specific union members. Mr. Aitken also explained that the Medicare funding had been underestimated at the beginning of the fiscal year and therefore required a transfer of funds.

5. Citizens' Input Time – After Discussion of Financial Matters: Eugene Banks, 1261 Plymouth Avenue – City Inspections

Deolinda C. Camara, 5 Wayland Street – Wayland Street

Mary Feitelberg, 697 Davol Street – Wayland Street

Councilor Dionne asked if Ms. Feitelberg was a resident on Wayland Street and Ms. Feitelberg stated she was not but was aware that there is currently trash pickup and plowing occurring on the street. Councilor Dionne stated that the city was not required to provide those services right now as Wayland Street is an unaccepted street. Councilor Laliberte asked for clarification as to who had submitted the petition and Ms. Feitelberg stated it was a newer resident on the street.

On a motion made by Councilor Raposo and seconded by Councilor Washington, it was unanimously voted to adjourn at 7:34 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

Roselli, Clark & Associates written statement

Councilor Pereira's email correspondence with the City Administrator


Clerk of Committees

CITY OF FALL RIVER

May 16, 2023

President Camara, Honorable Members of the City Council, Ladies & Gentlemen

- We were engaged to perform an audit of the City's 2022 financial statements (first year of a 2-year engagement). The City's 2022 audited financial statements were issued on March 2, 2023. We issued an unmodified, or "clean" audit opinion.
- The 2022 audited financial statements included the financial position and results of operations of the Fall River Redevelopment Authority. In past years, this component unit was not included in the City's annual financial statements, which caused a modification to our audit opinion.
- Required communications at the conclusion of our audit were provided to the City's Mayor previously (dated 3/13/2023). Some highlights include:
 1. Management is responsible for the selection and use of appropriate accounting policies.
 2. In 2022, the City adopted a new accounting standard related to leases, however this did not have a material effect on the City's financial statements.
 3. Accounting estimates are integral part of the financial statements. Certain accounting estimates and the corresponding disclosures are more sensitive than others. The most sensitive accounting estimates include:
 - Determination of the total pension liability (12/31/2021)
 - \$733 million total pension liability less net position of \$399 million = \$334 million net pension liability
 - Actuary estimates pension is 54% funded at 12/31/2021
 - Discount rate used is 7.0%, which is about the median discount rate we see used in MA public pension systems
 - City's proportionate share is approximately 91%, Housing is 7%, Diman is 2%.
 - Determination of the total OPEB liability
 - \$485.3 million total OPEB liability less net position of \$1.4 million = \$483.9 million net OPEB liability
 - City is 0.28% funded at 6/30/2022

- The City entered FY 2023 with the following financial reserves:
 1. General stabilization funds exceeded \$7.2 million, which is approximately \$2 million lower than the prior year.
 2. Certified free cash at July 1, 2022 was approximately \$5.0 million for the general fund, \$1.5 million for sewer, \$400K for water and \$857K for EMS.
 3. The City established an OPEB Trust fund several years ago. In 2022, the City contributed \$610K into this trust, which entered FY 2023 with a balance of nearly \$1.4 million. The City's independent actuary estimated that this trust is approximately 0.28% funded.
- The City reports significant long-term liabilities associated with debt as well as personnel-related obligations such as compensated absences, OPEB and pensions. In its governmental activities (which exclude water, sewer and EMS), these liabilities exceeded \$932.5 million at June 30, 2022.
- At June 30, 2022, the City's long-term debt approximated \$349 million, for which \$160 million was general obligation bonds in the City's general governmental operations and the remainder was held by its enterprise operations (sewer and water).
- In January 2023, as part of the City's general obligation bond placement, Moody's affirmed the City's credit score from A3. This signified that Moody's believes the City has strong capacity to meet its financial commitments but may be somewhat more susceptible to the adverse effects of changes in economic circumstances than other higher-rated organizations.
- The net OPEB liability in governmental activities approached \$471 million at June 30, 2022. For the entire City (which would include the enterprise operations), this liability approached \$484 million.
- Additionally, the net pension liability for the City's governmental activities exceeded \$283 million (\$305 million inclusive of enterprise operations). The Retirement System was 54% funded at December 31, 2022 (average is 73% based on latest published data from PERAC on the matter – July 2022).
- Based on July 2022 data published by PERAC, the City's pension system was in the bottom 10% of the State in terms of funded ratio.

Begin forwarded message:

From: "Seth T. Aitken" <saitken@fallriverma.org>
Date: April 11, 2023 at 9:00:56 AM EDT
To: Linda Pereira <lindacitycouncil1@gmail.com>, Bridget Almon
<BAimon@fallriverma.org>
Subject: Re: budget question

Good Morning Councilor

Bridget's Annual Salary - \$144,450

Ed Iacopone has been paid \$68,093.75 to date (this fiscal year) for consulting services to the Auditor, Treasurer and Assessor Departments.

In FY 23 his time has been reduced to 2 to 3 days / week for approximately 4 hours per day. Ed's original focus was assisting Bridget's transition to the City. Ed's focus is now primarily on helping to develop and support Financial Services department heads and assistant heads since we have so many new and junior people in those positions. As you know,

- the Assistant Auditor has been in the position for only one year and there is currently no City Auditor
- the City Assessor has only been in the position for two +/- months
- the Assistant Treasurer and Assistant Collector have each been in their positions for less than a year
- with Tammy's departure, there is no Purchasing Agent and the Assistant Treasurer, who has recently completed the Purchasing training is helping to bridge the gap.

- In the past year, the Auditors office has lost two of its most experienced clerks. One left for the school department and the other took a position in HR.
- The City just implemented an upgrade to its MUNIS, our planning, reporting, budgeting software, and for the first time all departments are creating their budgets in MUNIS.

Finally, there is no company we are "paying to close out the books". Clifton Larson is a consulting firm who was brought on last year to work with Ashley as she transitioned into the Auditor role. During the work with Ashley and following her departure, Bridget and the consultants identified a number of areas in the Financial Services departments that could benefit from continued professional and technical development. Accordingly, Clifton Larson has stayed on, now in a reduced capacity from what was originally requested, and they continue to work with the Financial Services staff. To date they have been paid \$68,788. Part of how Clifton Larson conducts its training and development is to work with departments through their essential functions and tasks. While they are currently working with our staff through the essential function of closing the books, it wouldn't be correct to say that Clifton Larson was brought in for that specific purpose.

Seth Thomas Aitken

City Administrator

City of Fall River

One Government Center

Fall River, MA 02722

(508) 324-2650

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, May 16, 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 7:48 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.

A motion was made by Councilor Dionne and seconded by Councilor Pelletier to reconsider the resolution, adopted on April 25, 2023.

RESOLUTIONS

9a. Committee on Real Estate convene with representatives from the Administration to discuss the Bank Street Armory (Municipal Veterans Memorial)
On a further motion made by Councilor Dionne and seconded by Councilor Cadime, it was unanimously voted to refer the resolution to the Committee on Finance.

PRIORITY MATTERS

1. Mayor and order transferring \$561,075.00 from the Operating Reserve Fund to the following:

Purchasing Salaries (Resignation Buyout)	\$ 30,017.00
Medicare (Collective Bargaining Agreement)	\$100,000.00
City Administration Salaries (Retirement Buyout)	\$ 14,000.00
Licensing Salaries (Collective Bargaining Agreement)	\$ 2,000.00
Code Enforcement Salaries	\$ 50,000.00
(Collective Bargaining Agreement/Overtime)	
Library Salaries (Collective Bargaining Agreement)	\$ 16,000.00
D.P.W. Streets Salaries	
(Collective Bargaining Agreement)	\$349,058.00

On a motion made by Councilor Kilby and seconded by Councilor Pereira, it was voted to accept and place the communication on file and to adopt the order, with Councilor Cadime opposed.

2. Mayor requesting confirmation of Nikita Lynn Viera, MPH, to the Conservation Commission

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

On a further motion made by Councilor Pereira and seconded by Councilor Dionne, it was unanimously voted to take items 3a and 3b together.

3. Mayor requesting confirmation of the following to the Board of Park Commissioners:
 - a. Reappointment of Helen Rego
 - b. Appointment of Bernard J. McDonald

Councilor Dionne requested clarification regarding Helen Rego's service within the City as there is a regulation within the City Charter that prohibit serving on more than one board. The City Clerk responded that both positions Ms. Rego holds are unpaid and therefore the regulation does not apply. On a motion made by Councilor Pereira and seconded by Councilor Washington, it was unanimously voted to confirm the reappointment and appointment.

A further motion was made by Councilor Pereira and seconded by Councilor Kilby to take items 4a through 4e together. Councilor Laliberte asked that item 4e be taken separately and Councilor Pereira withdrew her motion. On a further motion made by Councilor Laliberte and seconded by Councilor Washington, it was unanimously voted to take items 4a through 4d together.

PRIORITY COMMUNICATIONS

4. Planning Board recommendation for the acceptance of streets as follows:
 - a. Hayfield Lane extending from Highland Farm Road north & south to terminus
 - b. Highland Farm Road extending from Highland Avenue to Hayfield Lane
 - c. Old Pasture Way extending from Highland Farm Road to terminus
 - d. Steepbrook Terrace extending from Highland Farm Road to terminus

On a motion made by Councilor Kilby and seconded by Councilor Washington, it was unanimously voted to adopt the orders.

- e. Wayland Street extending from North Main Street to dead end

Councilor Laliberte expressed concern regarding the opposition from residents that were discussed during the Committee on Finance Citizens' Input Time. Councilor Laliberte made a motion to refer the recommendation to the Committee on Public Works and Transportation, but there was no second and the motion failed to carry. Councilors Kilby stated that he has communicated with opponents of this street petition many times and advised them to attend the Planning Board meeting. Councilor Kilby stated that the Planning Board heard their concerns and are recommending the order be adopted. On a motion made by Councilor Kilby and seconded by Councilor Pereira, it was voted to adopt the order, with Councilor Laliberte opposed.

5. Traffic Commission recommending amendments to traffic ordinances
On a motion made by Councilor Pereira and seconded by Councilor Cadime, it was unanimously voted to refer the recommendations to the Committee on Ordinances and Legislation.

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

6. The Director of Cemeteries shall fly a flag that has been flown over the United States Capitol Building at Oak Grove Cemetery during their Memorial Day observance in honor of all Fall River residents who made the ultimate sacrifice defending their country
A motion was made by Councilor Dionne and seconded by Councilor Raposo to adopt the resolution. Councilor Pereira stated that the resolution should be amended to have the flag flown throughout the year and a spotlight placed on the flag. Councilor Laliberte stated this is a yearly tradition with Oak Grove Cemetery and the Veterans' Services Department and that she was agreeable to amending the resolution. On a further motion made by Councilor Dionne and seconded by Councilor Washington, it was unanimously voted to adopt the resolution, as amended.
7. The City Council dedicate May 21-27, 2023 as Emergency Medical Services Week in honor of EMS workers that serve our community with vital health services
On a motion made by Councilor Raposo and seconded by Councilor Washington, it was unanimously voted to adopt the order.
8. The Committee on Finance convene with a representative of Massachusetts Department of Transportation, the City Administrator and the City Engineer for a general update on the Route 79/Davol Street Corridor Improvements Project.
Councilors Laliberte and Dionne made brief remarks that information for this project is available by signing up for weekly emails from the Massachusetts Department of Transportation as well as postings on the City website. President Camara stated that there was uncertainty regarding land ownership once the project was completed and wanted to learn more about housing development and zoning. On a motion made by Councilor Raposo and seconded by Councilor Kilby, it was unanimously voted to adopt the resolution.
9. The Committee on Finance convene with a member from the Diman Regional Vocational Technical High School Building Committee and a representative from Kaestle Boos, the electrical engineering company scheduled to work on the project, to discuss a general update and answer further questions regarding geothermal energy.
Councilor Pereira made brief remarks regarding her interest in learning more about this project and the benefits and risks of utilizing geothermal energy. On a motion made by Councilor Kilby and seconded by Councilor Dionne, it was unanimously voted to amend the resolution by striking out "Committee on Finance" and inserting "Committee on Health and Environmental Affairs." On a further motion made by Councilor Kilby and seconded by Councilor Pereira, it was unanimously voted to adopt the order, as amended.

CITATIONS

10. Durfee High School students participating in the Fall River Educational Television program and Annual Video Festival

Class of 2023

Tomaz Cabral	Eliane Centeio	Bryce Choquette	Brady Dias
Aden Ferreira	Ariana Fortes	Emma Gomes	Anthony Grannum
Emma Kershaw	Avalone Lima	Bryan Moss	Herickson Pires-Lopes
Angel Santiago	Jacob Wordell		

Class of 2024

Aiden DeCosta	Savannah Ferreira
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Class of 2025

Tanisa Joseph	Clara Mason	Carlos Rivera
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Class of 2026

Abbey Almeida	Cody Cabral	Trevor Camara	Hayden Lopes
Gavin Pereira			

Councilor Raposo made brief remarks regarding a future event to honor students who have participated in the Fall River Education Television program at Durfee High School. On a motion made by Councilor Kilby and seconded by Councilor Raposo, it was unanimously voted to adopt the citation.

11. Debra Polselli – Retirement after 47 years of teaching
Councilors Pereira and Raposo made brief remarks regarding Ms. Polselli's teaching tenure and her contributions to students of Fall River. On a motion made by Councilor Raposo and seconded by Councilor Pereira, it was unanimously voted to adopt the citation.

ORDERS – HEARINGS**Curb Removals:**

12. David G. Fisher & John Costa, 236 Fieldstone Lane – Removal of 12 feet on 236 Fieldstone Lane

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

Approved, May 17, 2023

Paul E. Coogan, Mayor

Auto Repair Shop License

13. Robert Ferraz d/b/a Integrity Auto – 851 Globe Street
Councilors Pelletier and Pereira expressed concerns regarding parking at this address. On a motion made by Councilor Kilby and seconded by Councilor Cadime, it was unanimously voted to refer the order to the Committee on Regulations.

ORDERS – MISCELLANEOUS

14. Order – rescheduling Committee on Finance and Regular Meetings of the City Council from June 13, 2023 to June 6, 2023

Councilor Laliberte inquired as to why the meeting date was being rescheduled and President Camara stated he would be unable to attend the meeting scheduled for June 13, 2023.

Councilor Laliberte stated that she would be unable to attend the meeting rescheduled for June 6, 2023. On a motion made by Councilor Pereira and seconded by Councilor Kilby, it was voted to adopt the order, with Councilor Laliberte opposed.

15. Auto Body Shop License Renewals

David Ponte d/b/a Brougham Motors Inc. – 387 Bedford Street

Michael Carvalho d/b/a County Street Collision and Customizing – 958 County Street

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

Approved, May 17, 2023

Paul E. Coogan, Mayor

16. Auto Repair Shop License Renewal

Mario P. Loureiro d/b/a Mario's Auto Repair and Sales, Inc. – 830 Globe Street

The City Clerk stated that the Police Chief had denied the license renewal application. On a motion made by Councilor Pereira and seconded by Councilor Raposo, it was unanimously voted to refer the order to the Committee on Regulations.

17. Police Chief's report on licenses:

Taxicab Drivers

Cynthia Forest Shelly Opoku Luis Parrilla

Livery Drivers

Otis Aliemeke

Livery Vehicles

Otis Aliemeke – one (1) vehicle

Richard J. Oliveira – eight (8) vehicles

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

COMMUNICATIONS – INVITATIONS – PETITIONS

18. Claims

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

19. Invitation to the Miguel A. Sanjurjo Bench Dedication Memorial – May 18, 2023

On a motion made by Councilor Pereira and seconded by Councilor Cadime, it was unanimously voted that the invitation be accepted and placed on file.

20. Drainlayer Licenses:
- a. B&B Excavation, Inc.
 - b. JDQ Excavating, LLC
 - c. Steven Steen
 - d. K. R. Rezendes, Inc.
 - e. JLC Construction Co., Inc.
 - f. DaSilva Landscaping & Construction LLC
 - g. Thermo-Mechanical Systems Inc.
 - h. W.C. Smith & Son, Inc.
 - i. Farland Corp. Inc.

On a motion made by Councilor Kilby and seconded by Councilor Pereira, it was unanimously voted to approve the licenses.

On a further motion made by Councilor Dionne and seconded by Councilor Washington, it was unanimously voted to take items 21 and 22 together.

City Council Minutes:

21. Committee on Finance – April 25, 2023

22. Regular Meeting – April 25, 2023

On a motion made by Councilor Raposo and seconded by President Camara, it was unanimously voted to approve the minutes.

BULLETINS – NEWSLETTERS – NOTICES – None

A recess was taken from 8:18 p.m. to 8:30 p.m.

The City Clerk announced that the dates for the meetings regarding the Fiscal Year 2024 Proposed Budget would be June 1st, 6th, 7th and 8th, so long as a legal advertisement could be placed in due time. The City Clerk stated a Regular City Council Meeting would be held on June 6th, 2023, and that the Committee on Finance portion would be focused on the budget discussions.

President Camara asked the City Councilors to review the proposed budgets and advise the City Clerk which department heads they would like to meet with to discuss portions of the budget.

On a motion made by Councilor Pereira and seconded by Councilor Dionne, it was unanimously voted to adjourn at 8:33 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

A true copy. Attest:

Alison M. Boucher

City Clerk