

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

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2024 APR 19 P 12:11

**ALISON M. BOUCHARD**  
CITY CLERK

CITY CLERK  
FALL RIVER, MA

**INÊS LEITE**  
ASSISTANT CITY CLERK

**MEETINGS SCHEDULED**  
**CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER**  
**APRIL 23, 2024**  
**AGENDA**

**5:00 P.M. COMMITTEE ON HEALTH AND ENVIRONMENTAL AFFAIRS**

**6:00 P.M. CITY COUNCIL COMMITTEE ON FINANCE MEETING (OR IMMEDIATELY FOLLOWING THE COMMITTEE ON HEALTH AND ENVIRONMENTAL AFFAIRS MEETING IF IT RUNS PAST 6:00 P.M.)**

1. Citizen Input
2. \*Community Development Agency Year Five Annual Action Plan (referred 4-9-2024)
3. \*Communication re Fiscal Year 2023 Financial Audit prepared by Roselli, Clark & Associates (referred 4-9-2024)

**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 confirmation of the appointment of Officer Jose Barbosa to the position of Harbormaster
2. \*Mayor and order appropriating \$1,771,482 from Community Preservation Act funds for Fiscal Year 2025 community projects
3. \*Mayor and resolution authorizing submission of the Community Development Agency's Year Five Annual Action Plan
4. \*Fiscal Year 2024 Quarter 3 Budget Report

**PRIORITY COMMUNICATIONS**

5. \*Traffic Commission recommending amendments to the traffic ordinances
6. \*Planning Board report re Proposed Zoning Map Amendment (Waterfront Transit-Oriented Development District) and proposed ordinance amendment.

**COMMITTEE REPORTS**

Committee on Finance recommending:  
Action

7. \*Fiscal Year 2025 Enterprise Fund budget for Emergency Medical Services Division

Committee on Ordinances and Legislation recommending:

**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](mailto:city_clerks@fallriverma.org)

All readings with Emergency Preamble:

8. \*Proposed Ordinance – Traffic, handicapped parking
- Broadway, East, 126 feet south of Griffin Street
  - Foster Street, West, 51 feet south of Warren Street
  - Harrison Street, West, 484 feet north of Alden Street
  - Pine Street, North 122 feet east of Rock Street

First Reading

9. \*Proposed Ordinance – Traffic, miscellaneous  
Parking prohibited at all times:  
Grinnell Street, North, 132 feet west of Jefferson Street

Referral to Corporation Counsel (requesting responses within thirty days)

10. \*Resolution – Discuss amending the powers, duties, and responsibilities of the Armory Commission from the Board of Park Commissioners to the Historical Commission and the Preservation Society to assist in future remediations for the Bank Street Armory
11. \*Resolution – Convene with Corporation Counsel, the City Administrator and representatives of Historical Commission and Preservation Society to discuss possible ordinance amendments.

Adoption

12. \*Order to accept recommendations from the City Assessor and Board of Assessors re M.G.L. Ch. 59 § 5 clause forty-first C re elderly exemptions

Grant Leave to Withdraw

13. \*Resolution – Committee on Finance meet with various parties regarding Fall River Cannabis Review Commission and process of approving marijuana licenses and Committee on Ordinances and Legislation convene with the same parties to draft such commission.

**ORDINANCES**

Second Reading and Enrollment

14. \*Proposed Ordinance – Traffic, miscellaneous  
Handicapped parking removals
- Birch Street, North, 291 feet east of King Street
  - Cory Street, North, 106 feet east of Oregon Street
  - Holden Street, North, 170 feet west of Fielden Street
  - Lebanon Street, North, 67 feet west of Quequechan Street
  - Prospect Street, North, 30 feet east of Barnaby Street
15. \*Proposed Ordinance – FY 2025 Sewer Rates

Second Reading and Enrollment, as amended

16. \*Proposed Ordinance – FY 2025 Water Rates

**RESOLUTIONS** - None

## **CITATIONS**

17. Fall River Lion's Club Peace Portrait Winners  
High School  
Sophie Baker   Reynaliz Lugo   Rebecca De Moraes  
  
Middle School  
Cole Rebello   Lennix Sullivan   Alychia Almeida  
  
Elementary School  
Abigail Foster   Gwen Hetzler   Aubry Ferreira
18. Fall River Police Officers Guy Furtado and Garrett Nelson – Heroic actions which helped to save the life of a fellow skier

## **ORDERS – HEARINGS – None**

## **ORDERS – MISCELLANEOUS**

19. Police Chief's report on license:  
Taxicab Drivers  
Jamie Lee DeTerra   Steven Little  
  
Second Hand License Renewal  
Laura Pacheco d/b/a Laura's Vintage Attic – 1800 South Main Street
20. Auto Repair Shop License Renewal:  
Geoffrey Brisbon d/b/a Brisbon Diesel Service Inc – 2524 North Main Street  
Sameh Saleb, Keyrlos, Inc. d/b/a South End Benzina – 2322 South Main Street  
Carlos Jaquez, Jaquez Auto Sales, LLC d/b/a Jaquez Auto and Repair – 182 Stafford Road
21. Revocation of permit for the storage of inflammables (removal of tanks):  
\*City of Fall River – Wastewater Treatment, 1979 Bay Street

## **COMMUNICATIONS – INVITATIONS – PETITIONS**

22. \*Claims
23. \*Attorney General Response to Open Meeting Law complaint filed by Patrick Higgins re: February 15, 2024 alleged violation by City Council Committee on Ordinances and Legislation
24. Drainlayer Licenses:  
Bartlett Consolidated DE, LLC  
Biszko Contracting Corp.  
Coastal Water Sewer & Excavation, Inc.  
DaSilva Landscaping & Construction, LLC  
East Coast Landscaping & Construction, Inc. Inc.  
Geologic Earth Exploration, Inc.  
JH Landscaping & Construction Inc.  
Joseph Botti Co., Inc

City Council Minutes

- 25. \*Committee on Finance – March 26, 2024
- 26. \*City Council – March 26, 2024
- 27. \*Joint Meeting of the City Council and School Committee – April 9, 2024
- 28. \*Public Hearings – April 9, 2024
- 29. \*Committee on Finance – April 9, 2024
- 30. \*City Council – April 9, 2024

**BULLETINS – NEWSLETTERS – NOTICES** – None

  
City Clerk



PAUL E. COOGAN  
Mayor

City of Fall River  
Massachusetts  
Community Development Agency

2024 APR -2 P 2:43

CITY CLERK  
FALL RIVER, MA

FINANCE 2

buyfallriver

MICHAEL P. DION  
Executive Director / CFO

April 2, 2024

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:

I am pleased to forward to you the City of Fall River Year Five Annual Action Plan which I propose to file with the U.S. Department of Housing and Urban Development (HUD) for continued funding of the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG) and HOME Investment Partnerships (HOME) Programs. The Action Plan details activities to be undertaken during the July 1, 2024- June 30, 2025 program year.

Under a separate cover on April 17, 2024, I shall submit a proposed resolution for your consideration at your April 23<sup>rd</sup> meeting. The resolution would authorize submission of the City of Fall River Year Five Annual Action Plan with the U.S. Department of Housing and Urban Development. The Year Five Annual Action Plan is being submitted to you now in order to provide adequate review time prior to City Council consideration of the resolution at the April 23<sup>rd</sup> meeting.

The proposed program of activities, which was advertised on February 23<sup>rd</sup> for public comment, was developed on the basis of testimony and proposals received at public hearings held January 3<sup>rd</sup> and March 6<sup>th</sup>.

The timetable provides for submission of the Year Five Annual Action Plan no later than May 1, 2024.

Should you or any other Councilor have questions or comments prior to April 23<sup>rd</sup>, I urge you to immediately contact Michael P. Dion, Executive Director/ CFO of the Fall River Community Development Agency. Mr. Dion will also be present at the City Council meeting to respond to any questions.

Sincerely,

Paul E. Coogan  
Mayor

CITY OF FALL RIVER  
IN CITY COUNCIL

APR 09 2024

*Referred to the  
Committee on Finance*

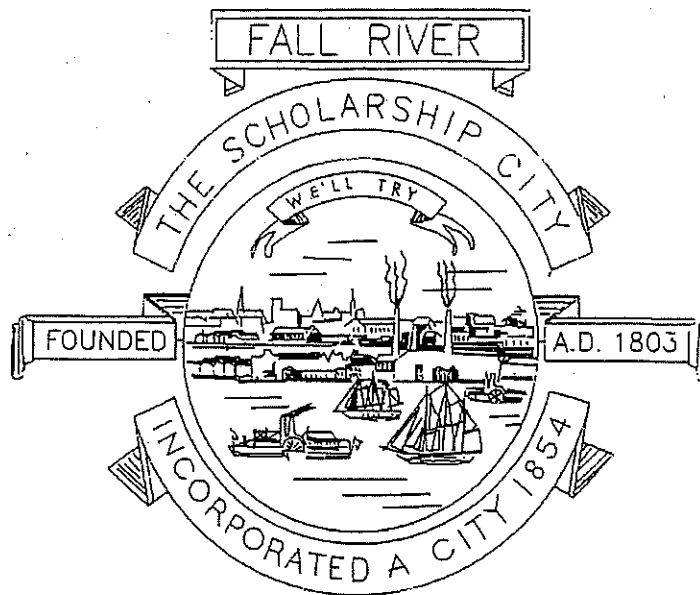
Enclosure

# City of Fall River, Massachusetts

Paul E. Coogan, Mayor

Fall River Community Development Agency

Michael P. Dion, Executive Director/CFO



**Year 5 Annual Action Plan**  
**July 1, 2024 – June 30, 2025**

*Community Development Block Grant Program*  
*Home Investment Partnership Program*  
*Emergency Solutions Grant Program*

Submitted to the U.S. Department of  
Housing & Urban Development



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Citizen Participation – Public Hearing Minutes

Maps

Appendices

Recapture/Resale Guidelines

Emergency Solutions Grant Written Standards

Operational Standards for Coordinated Entry Systems

Refinancing Guidelines

CD HOME Program Specific Requirements

Grantee SF-424s and Certifications

CITY CLERK  
FALL RIVER, MA

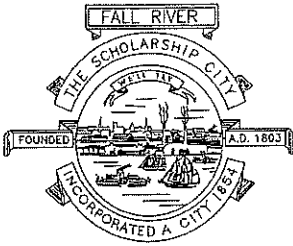
2024 APR - 2 P 3:25

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CITY OF FALL RIVER

IN CITY COUNCIL

*April 9, 2024*  
*Referred to the*  
*Committee on Finance*



**PAUL E. COOGAN**  
*Mayor*

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

**FINANCE 3**

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2024 APR -4 A 9:00

CITY CLERK  
FALL RIVER, MA

April 3, 2024

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 for your information and review the FY 2023 City of Fall River Financial Audit as prepared by Roselli, Clark and Associates and the related correspondence.

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

APR 09 2024

*Referred to the  
Committee on Finance*





**City of Fall River  
Massachusetts**  
Department of Financial Services  
TREASURER • COLLECTOR • AUDITOR • ASSESSOR

**FINANCE 3**

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2024 APR -4 A 9:00

**PAUL E. COOGAN**  
*Mayor*

**Bridget Almon**  
*Director of Financial Services*

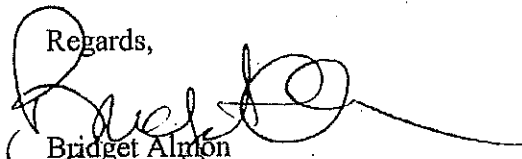
April 3, 2024

The Honorable Paul E. Coogan  
Mayor of the City of Fall River  
One Government Center  
Fall River, MA 02721

Dear Mr. Mayor:

Please find attached the audited financial statements for fiscal year ending June 30, 2023 and the related correspondence from Roselli, Clark & Associates. I am requesting to have the audited statements provided to the City Council.

Regards,

  
Bridget Almon  
Director of Financial Services



**ROSELLI, CLARK & ASSOCIATES**  
CERTIFIED PUBLIC ACCOUNTANTS

500 West Cummings Park  
Suite 4900  
Woburn, MA 01801

Telephone: (781) 933-0073

[www.roselliclark.com](http://www.roselliclark.com)

March 21, 2024

The Honorable Mayor and City Council  
City of Fall River, Massachusetts

We have audited the financial statements of the City of Fall River (the "City") as of and for the year ended June 30, 2023. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards (and, if applicable, *Government Auditing Standards* and the Uniform Guidance), as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated December 8, 2023. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

*Qualitative Aspects of Accounting Practices*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City are described in the notes to the basic annual financial statements. The significant accounting policies used by the City are described in Note II to the basic financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2023. We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the City's financial statements were:

- Net pension liability, which is actuarially-determined. We audited the fiscal year 2023 Fall River Contributory Retirement System financial statements (as of and for the year ended December 31, 2022) and issued an unmodified report on those financial statements dated December 12, 2023. In connection with that audit, we evaluated the key factors and assumptions used to develop the net pension liability in determining that it is reasonable in relation to the financial statements taken as a whole.

- Net OPEB liability, which is actuarially determined. We evaluated the key factors and assumptions used by the City to develop the net OPEB liability in determining that it is reasonable in relation to the financial statements taken as a whole.
- Management's estimate of the allowance for doubtful accounts is based on historical revenues, historical loss levels, and an analysis of the collectibility of individual accounts. The most significant allowances pertain to the allowance reported in the City's enterprise funds as well as the allowance for uncollectible parking ticket and mortgage receivables. We evaluated the key factors and assumptions used to develop the allowance in determining that it is reasonable in relation to the financial statements taken as a whole.
- The financial position and results of operations of the Fall River Redevelopment Authority, a legally separate entity, were audited by others. We did not audit these balances or amounts; we relied on the audit of the other auditors. Due to its nature and significance of its relationship to the City, the Fall River Redevelopment Authority is presented as a discretely-presented component unit in the City's government-wide financial statements. Additionally, significant disclosures related to the Fall River Redevelopment Authority are included in the notes to the basic financial statements.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the financial statements pertained to the estimates described above and can be found in the notes to the financial statements.

The financial statement disclosures are neutral, consistent, and clear.

#### *Difficulties Encountered in Performing the Audit*

We encountered no significant difficulties in dealing with management in performing and completing our audit.

#### *Corrected and Uncorrected Misstatements*

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. A schedule summarizing uncorrected misstatements of the financial statements has been previously provided to management. Management has determined that their effects are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

*Disagreements with Management*

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

*Management Representations*

We have requested certain representations from management that are included in the management representation letter dated March 11, 2024.

*Management Consultations with Other Independent Accountants*

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditors' opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

*Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Turnover in key financial and accounting positions over the past year presents a greater opportunity for incidents of theft and fraud to go undetected by Management. We have discussed these risks with the City's current financial leadership.

Other Matters

We applied certain limited procedures to the budgetary comparison, pension and OPEB schedules, which are required supplementary information ("RSI") that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

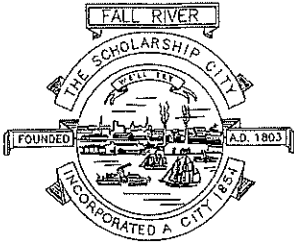
Restriction on Use

This information is intended solely for the information and use of City's governing body and management of the City and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

A handwritten signature in cursive script that reads "Roselli, Clark & Associates". The signature is written in dark ink and is positioned above the printed name of the firm.

Roselli, Clark & Associates  
Certified Public Accountants  
Woburn, Massachusetts



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

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2024 APR 11 P 3:06

**PAUL E. COOGAN**  
*Mayor*

CITY CLERK  
FALL RIVER, MA

April 18, 2024

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

Dear Council President and Members of the Honorable Council:

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

Name: Officer Jose Barbosa

Address 685 Pleasant Street  
Fall River, MA 02723

Position: Harbormaster

Expiration: April 17, 2027

Sincerely,

  
Paul E. Coogan  
Mayor

PC/amos



# City of Fall River, Massachusetts Police Department

Office of the Chief of Police

Paul F. Gauvin  
Chief of Police

685 Pleasant St.  
Fall River, MA 02721  
Tel. 508-324-2787  
Fax: 508-324-2809  
TDD: 508-324-2790

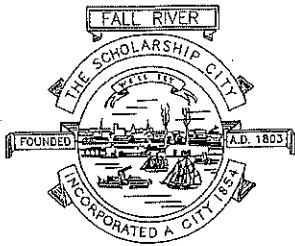
April 10, 2024

Honorable Mayor Paul Coogan,

I am requesting that Officer Jose Barbosa be considered for appointment as the Harbormaster. Officer Barbosa has been filling this position unofficially for the past year. He is qualified and meets all training requirements. Thank You for your consideration.

Sincerely,

Chief Paul F. Gauvin



City of Fall River  
Massachusetts  
Office of the Mayor

PAUL E. COOGAN  
Mayor

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2024 APR 11 P 3:06

CITY CLERK  
FALL RIVER, MA

April 11, 2024

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

Dear Honorable Council Members:

The Community Preservation Committee (CPC) has identified community projects for the fiscal year 2025 and had made recommendations for funding in accordance with the Community Preservation Act (CPA) MGL Chapter 44B Sections 4 to 7.

The total CPA funding request for FY 25 is \$1,771,482 as outlined in the proposed Appropriation Order.

Your approval of the associated Appropriation Order is respectfully requested.

Should you have any questions or concerns in this regard, please do not hesitate to contact me.

Best Regards,

Paul E. Coogan  
Mayor

PC/amos



# City of Fall River, In City Council

2

## APPROPRIATION ORDER

ORDERED, that the following FY 25 appropriations be provided through the Community Preservation Act (CPA), revenues and reserves under the MGL Chapter 44B Sections 4 to 7 in the aggregate, amounting to \$1,771,482 to be appropriated as follows:

Voted: That \$1,771,482 be appropriated from the CPA Fund FY 25 Annual Revenues

For CPA Administrative Expenditures	\$ 45,000
For CPA Open Space/Outdoor Recreation PROJECTS	\$ 255,148
For CPA Historic Resources Preservation PROJECTS	\$ 1,269,212
For CPA Community Housing RESERVES	\$ <u>177,148</u>
For CPA Community Housing Unreserved/Undesignated	\$ <u>24,974</u>
<b><u>TOTAL</u></b>	<b><u>\$ 1,771,482</u></b>

**Note:** This is the twelfth year of CPA implementation. Anticipated CPA Surcharge revenue is \$1,458,010. Supplemental state trust fund distributions are estimated at \$313,472. Total \$1,771,482. Minimum 10% (\$177,148) must be spent or reserved under each of the three categories and the administrative expenditure cannot exceed 5% (\$88,574).



2

**City of Fall River  
Massachusetts  
Community Preservation Committee**

**JOHN BRANDT**  
Chairman

**KRISTEN CANTARA OLIVEIRA**  
Vice-Chairman

April 11, 2024

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

Dear Mayor Coogan:

The Community Preservation Committee voted to recommend the following appropriation to the City Council for the FY25 year.

The CPC Committee is requesting the Appropriation Order be sent to the City Council so it can be placed on the next April 2024 meeting agenda.

**APPROPRIATION ORDER**

ORDERED, that the following FY 25 appropriations be provided through the Community Preservation Act (CPA), revenues and reserves under the MGL Chapter 44B Sections 4 to 7 in the aggregate, amounting to \$1,771,482 to be appropriated as follows:

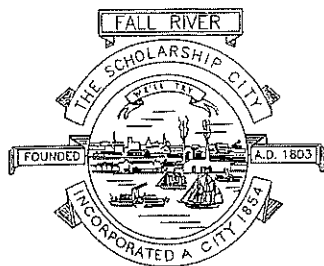
Voted: That \$1,771,482 be appropriated from the CPA Fund FY 25 Annual Revenues	
For CPA Administrative Expenditures	\$ 45,000
For CPA Open Space/Outdoor Recreation PROJECTS	\$ 255,148
For CPA Historic Resources Preservation PROJECTS	\$ 1,269,212
For CPA Community Housing RESERVES	\$ <u>177,148</u>
For CPA Community Housing Unreserved/Undesignated	\$ <u>24,974</u>
<b><u>TOTAL</u></b>	<b><u>\$ 1,771,482</u></b>

*Note: This is the twelfth year of CPA implementation. Anticipated CPA Surcharge revenue is \$1,458,010. Supplemental state trust fund distributions are estimated at \$313,472. Total \$1,771,482. Minimum 10% (\$177,148) must be spent or reserved under each of the three categories and the administrative expenditure cannot exceed 5% (\$88,574).*

Respectfully,

*John Brandt, Chair*

John Brandt, Chair  
Community Preservation Committee



PAUL E. COOGAN  
Mayor

City of Fall River  
Massachusetts  
Community Development Agency

buyfallriver

MICHAEL P. DION  
Executive Director / CFO

April 17, 2024

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

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2024 APR 17 A 8:23

Dear Council President and Members of the Honorable Council:

I am pleased to forward to you the proposed resolution authorizing submission of the City of Fall River Year Five Annual Action Plan with the U.S. Department of Housing and Urban Development (HUD) for continued funding of the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG) and HOME Investment Partnerships (HOME) Programs. The Action Plan details activities to be undertaken during the July 1, 2024 - June 30, 2025 program year.

The resolution and the Year Five Annual Action Plan are being submitted to you in order to provide review time prior to City Council consideration of the resolution at the April 23<sup>rd</sup> Council meeting. The Plan was submitted for your review under separate cover.

The proposed program of activities, which was advertised on February 23<sup>rd</sup> for public comment, was developed on the basis of testimony and proposals received at public hearings held January 3<sup>rd</sup> and March 6<sup>th</sup>.

The timetable provides for submission of the Year Five Annual Action Plan no later than **May 1, 2024**.

Should you or any other Councilor have any questions or comments prior to April 23<sup>rd</sup>, I urge you to immediately contact Michael P. Dion, Executive Director/Chief Financial Officer of the Fall River Community Development Agency. Mr. Dion will be present at the City Council meeting to respond to any questions.

Sincerely,

Paul E. Coogan  
Mayor

Enclosure

# City of Fall River, *In City Council*

(Mayor Paul E. Coogan)

## **RESOLUTION OF LOCAL GOVERNING BODY AUTHORIZING SUBMISSION OF THE CITY OF FALL RIVER YEAR FIVE ANNUAL ACTION PLAN WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**WHEREAS**, the City of Fall River Consolidated Plan integrates and has simplified the planning, application and reporting requirements for the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG) and HOME Investment Partnerships (HOME) Programs; and

**WHEREAS**, the overall goal of the Consolidated Plan programs and activities is the development of viable urban communities by providing decent housing and a suitable environment and expanding economic opportunities, principally for low and moderate-income persons; and

**WHEREAS**, the City of Fall River estimates that entitlements from the U.S. Department of Housing and Urban Development (HUD) will be \$2,631,721.00 under CDBG, \$242,767.00 under ESG and \$1,164,759.00 under HOME; and

**WHEREAS**, the Year Five Annual Action Plan provides the necessary assurances and/or certificates of compliance with applicable Federal regulations and requirements of the CDBG, ESG and HOME Programs; and

**WHEREAS**, Mayor Paul E. Coogan must be authorized to submit the Year Five Annual Action Plan to the Secretary of the U.S. Department of Housing and Urban Development and to accept and/or execute the Grant Agreements.

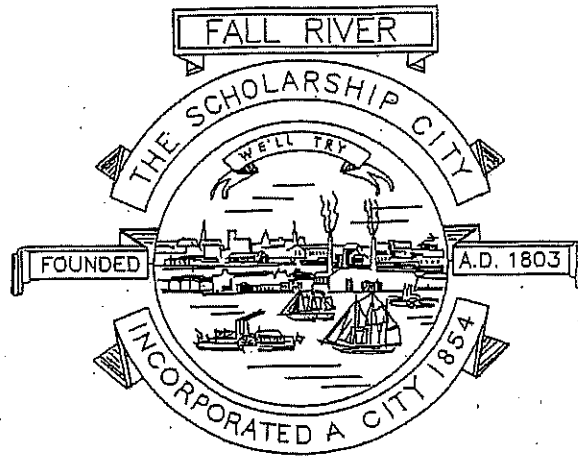
**NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER CITY  
COUNCIL** that:

Mayor Paul E. Coogan is authorized to submit the Year Five Annual Action Plan and applications for CDBG, ESG and HOME entitlement funds and to accept and/or execute the contract(s) with the United States of America and to do all things necessary to carry out the Programs, including the execution of contracts and the submission of such reports, certificates, and other materials as the U.S. Department of Housing and Urban Development shall require.

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2024 APR 18 A 8:29

CITY CLERK  
FALL RIVER, MA



# FY 2024

## QUARTER 3

# BUDGET REPORT

CITY OF FALL RIVER  
MASSACHUSETTS

*Traffic & Parking Division*



2024 APR 18 P 2:27

CITY CLERK  
FALL RIVER, MA

**Paul E. Coogan**  
*Mayor*

**Stephanie MacArthur**  
*Director of Traffic & Parking*

April 18, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, April 17, 2024 the following request was heard and approved by the Traffic Commission.

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

Article: 70

Section: 387

**Handicapped Parking**

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Bedford Street	North	Starting at a point 338 feet west of Covell Street, For distance of 20 feet westerly.

Very truly yours,

Stephanie MacArthur  
Director of Traffic & Parking

CITY OF FALL RIVER  
MASSACHUSETTS

5

*Traffic & Parking Division*



RECEIVED  
2024 APR 18 P 2:27

CITY CLERK  
FALL RIVER, MA

**Paul E. Coogan**  
*Mayor*

**Stephanie MacArthur**  
*Director of Traffic & Parking*

April 18, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, April 17, 2024 the following request was heard and approved by the Traffic Commission.

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

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

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Fountain Street	East	Starting at a point 249 feet north of Columbia Street, For distance of 20 feet northerly.

Very truly yours,

*Stephanie MacArthur*

Stephanie MacArthur  
Director of Traffic & Parking

5.1

CITY OF FALL RIVER  
MASSACHUSETTS

5

Traffic & Parking Division



2024 APR 18 P 2:27

CITY CLERK  
FALL RIVER, MA

Paul E. Coogan  
Mayor

Stephanie MacArthur  
Director of Traffic & Parking

April 18, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, April 17, 2024 the following request was heard and approved by the Traffic Commission.

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

Article: 70  
Section: 387

Handicapped Parking

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Rockland Street	South	Starting at a point 60 feet west of S. Main Street, For distance of 20 feet westerly.

Very truly yours,

*Stephanie MacArthur*

Stephanie MacArthur  
Director of Traffic & Parking

J.S.



CITY OF FALL RIVER  
MASSACHUSETTS

5

*Traffic & Parking Division*



RECEIVED  
APR 18 P 2:27  
CITY CLERK  
FALL RIVER, MA

**Paul E. Coogan**  
*Mayor*

**Stephanie MacArthur**  
*Director of Traffic & Parking*

April 18, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, April 17, 2024 the following request was heard and approved by the Traffic Commission.

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

Article: 70  
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
S Main Street	West	Starting at a point 237 feet south of Woodman Street, For a distance of 20 feet southerly.

Very truly yours,

*Stephanie MacArthur*

Stephanie MacArthur  
Director of Traffic & Parking

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**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*



REC'D  
CITY CLERK  
FALL RIVER, MA  
APR 18 P 2:27

**Paul E. Coogan**  
*Mayor*

**Stephanie MacArthur**  
*Director of Traffic & Parking*

April 18, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, April 17, 2024 the following request was heard and approved by the Traffic Commission.

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

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

By striking out in proper alphabetical order the following.

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
William Street	South	Starting at a point 107 feet west of Washington Street, For a distance of 20 feet westerly.

Very truly yours,

*Stephanie MacArthur*

Stephanie MacArthur  
Director of Traffic & Parking



**PLANNING**  
**CITY OF FALL RIVER**

April 11, 2024

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

2024 APR 11 A 10:14

CITY CLERK  
FALL RIVER, MA

**Planning Board Report**

**Proposed Zoning Map Amendment**

**Waterfront Transit-Oriented Development District**

This report is provided to the City Council in accordance with MGL Ch. 40A, sec. 5. On April 9, 2024, the Planning Board at a joint meeting with the City Council opened a public hearing for the proposed Waterfront and Transit-Oriented Development District Map Amendment.

The public hearing was held at One Government Center in the City Council Chambers. Due notice was given in accordance with the requirements of MGL Ch. 40A, sec. 5 and with the Ordinances of the City of Fall River.

The hearing was opened on April 9, 2024, at 7:05 PM, at which time the Director of Engineering and Planning, Daniel N. Aguiar, delivered a comprehensive presentation detailing the proposed map amendment, testimony was received by the public, and the hearing was formally closed.

Subsequently, at a meeting of the Planning Board held on April 10, 2024, at One Government Center in the First Floor Hearing Room, the Planning Board deliberated and voted to recommend the attached draft ordinance for approval to the City Council.

Sincerely,

Daniel N. Aguiar  
Director of Engineering and Planning  
On behalf of the Planning Board

# City of Fall River, *In City Council*

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

That Chapter 86 of the Code of the City of Fall River, 2018, which Chapter relates to Zoning be amended as follows:

That the Planning Director be, and he is hereby authorized and directed to amend the map entitled "Zoning Map of the City of Fall River" which Chapter 86, Section 32 of the Code of the City of Fall River, 2018 is made a part of said Chapter, by drawing on it, in addition to the presently existing districts shown thereon the following:

Waterfront and Transit-Oriented Development District (WTOD) to include areas from Davol Street (Northbound) easterly to North Main Street and from Walnut Street northerly to a point 640 feet North of Wayland Street to the current Waterfront and Transit-Oriented District as delineated on the district map included herewith entitled: Waterfront and Transit-Oriented Development District Map Amendment and dated: January 2024.

# CITY OF FALL RIVER

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7

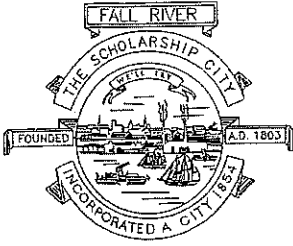
To the City Council

Councillors:

The Committee on

Finance, at a meeting held on April 9, 2024 voted unanimously to recommend that the accompanying budget be referred to the full Council for action, with Councilor Andrew J. Raposo absent and not voting.

  
City Clerk



City of Fall River  
Massachusetts  
Office of the Mayor

PAUL E. COOGAN  
Mayor

7  
RECEIVED  
MAR 21 P 3:47

CITY CLERK  
FALL RIVER, MA

March 21, 2024

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 the Emergency Medical Services (EMS) FY 25 budget 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*

Paul E. Coogan  
Mayor

PC/amos

CITY OF FALL RIVER  
IN CITY COUNCIL

MAR 26 2024

*Referred to the  
Committee on Finance*

One Government Center • Fall River, MA 02722  
TEL (508) 324-2600 • FAX (508) 324-2626 • EMAIL [mayor@fallriverma.org](mailto:mayor@fallriverma.org)

# City of Fall River, *In City Council*

**BE IT ORDERED:** That the following FY 25 appropriations be provided through the Emergency Medical Services (EMS) rates under Chapter 53F 1/2 in the aggregate, amounting to \$13,735,000 be appropriated as follows

**A. Voted:** That the following sums be appropriated for the EMS Enterprise.

from EMS Rate Revenues, for EMS, Salaries	\$ 8,622,323
from EMS Stabilization Fund, for EMS, Expenses	\$ -
from EMS Rate Revenues, for EMS, Expenses	\$ 1,609,120
from EMS Rate Revenues, for EMS, Capital	\$ 220,000
from EMS Rate Revenues, for EMS, Transfers (Indirect Costs)	\$ 3,283,557
from EMS Rate Revenues, for EMS, Debt	\$ -

**TOTAL:** \$ 13,735,000

and that \$13,735,000 be raised as follows:

EMS Stabilization Fund	\$ -
Departmental Receipts	\$ 13,735,000
	<u>\$ 13,735,000</u>

Recommend that the following sums be appropriated to operate the EMS Enterprise:

Direct

Salaries	\$ 8,622,323
Expenses	\$ 1,609,120
Capital	\$ 220,000
Debt	\$ -
Subtotal	<u>\$ 10,451,443</u>

Indirect

Health Insurance	\$ 1,044,885
Pensions	\$ 1,132,652
Other	\$ 1,106,020
Subtotal	<u>\$ 3,283,557</u>

**TOTAL:** \$ 13,735,000

7



**City of Fall River**  
**Massachusetts**  
Fall River  
Emergency Medical Services



**PAUL E. COOGAN**  
*Mayor*

**Timothy Oliveira**  
*Chief of EMS*

March 14, 2024

The Honorable Paul E. Coogan  
One Government Center  
Fall River, MA 02722

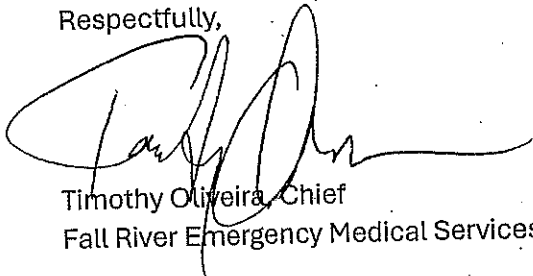
RE: FY25 Budget Submission  
Emergency Medical Services Enterprise Fund

Dear Mayor Coogan:

Please find the enclosed documents for the above referenced budget submittal. This submittal meets the requirements of M.G.L. Chapter 44, Section 53F ½ for submittal of Enterprise Fund Budgets 120 days prior to the beginning of the fiscal year. Further, Ordinance Sections 2-183 and 2-184 require that Enterprise Fund Budgets be submitted to the City Council by April 1<sup>st</sup>.

Our revenue projections are based on rate increases from federally mandated insurances, increased call volume.

Respectfully,



Timothy Oliveira, Chief  
Fall River Emergency Medical Services



	FY 2024	FY 2024 thru	FY 2025	Support/ Calculations
	Revised Budget	03/31/21	Projection	Percent +/-
<b>Emergency Medical Revenue:</b>				
User Fees	\$ 10,450,000	\$ -	\$ 12,500,000	
Prima Care Reimbursement	\$ -	\$ -		
PCG Reimbursement	\$ 1,100,000	\$ -	\$ 1,200,000	
EMT School			\$ 10,000	
EMS Vaccine Program			\$ 20,000	
CPR Training			\$ 5,000	
<b>Shared Revenue with General Fund</b>				
Transfer from Free cash & stabilization	\$ -	\$ -		
<b>Total Revenue</b>	<b>\$ 11,550,000</b>	<b>\$ -</b>	<b>\$ 13,735,000</b>	<b>18.9%</b>

Estimate based on rates and historical collections

	FY 2024	FY 2024 thru	FY 2025	Support/ Calculations
	Revised Budget	03/31/22	Projection	Percent +/-
<b>Emergency Medical Services Salaries:</b>				
SALARIES & WAGES-PERMANENT	\$ 5,497,874	\$ -	\$ 6,526,464	See Personnel Detail
EMS SHARED SQUAD	\$ 336,375	\$ -	\$ 336,375	(5) BASE, HOLIDAY, STIPENDS, STEP
POLICE DISPATCHERS	\$ 257,555	\$ -	\$ 257,555	(5) BASE, HOLIDAY, STIPENDS, STEP (\$51,511 actual)
FIRE MECHANICS	\$ 30,000	\$ -	\$ 30,000	EMS MAINTENANCE SHOP
LONGEVITY	\$ 34,250	\$ -	\$ 35,800	Compensation for years of service per CBA
PER DIEM SALARIES	\$ 100,000	\$ -	\$ 125,000	Compensation for per diem employees to defer overtime cost
SALARIES - OVERTIME	\$ 350,000	\$ -	\$ 450,000	Compensation for overtime hours
SALARIES - SNOW / EVENTS	\$ 25,000	\$ -	\$ 50,000	Compensation for details
EDUCATIONAL	\$ 24,500	\$ -	\$ 30,450	Education Stipend per CBA
SHIFT PREMIUM - SALARIES	\$ -	\$ -	\$ -	Compensation for shift differential
HOLIDAY PAY - SALARIES	\$ 463,242	\$ -	\$ 546,393	Compensation for holidays per CBA
SERVICE OUT OF RANK - SALARIES	\$ 7,500	\$ -	\$ 7,500	Compensation for employees back fill officers
RETIREMENT BUYOUTS	\$ 75,000	\$ -	\$ 75,000	Employees severing employment
WORKER'S COMPENSATION - SALARIES	\$ 30,000	\$ -	\$ 30,000	Employees injured on duty
UNEMPLOYMENT PAYMENTS - SALARIES	\$ -	\$ -	\$ -	
MEDICARE MATCH	\$ 87,175	\$ -	\$ 104,086	1.45% salaries, overtime, per diem salaries, snow/events
UNIFORM ALLOWANCE - SALARIES	\$ 62,125	\$ -	\$ -	moved to expense due to change in CBA
DUTY OFFICER STIPEND	\$ 14,340	\$ -	\$ 17,700	on call stipend
<b>Total Salaries</b>	<b>\$ 7,394,936</b>	<b>\$ -</b>	<b>\$ 8,622,323</b>	<b>16.6%</b>

## Support/ Calculations

	FY 2024 Revised Budget	FY 2024 thru 03/31/21	FY 2025 Projection	Percent +/-
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## Emergency Medical Services Expenditures:

ELECTRICITY	\$ 9,000	\$ -	\$ 9,000		Electricity for department buildings, charging of ambulances, and various equipment 1,500/qr
HEAT	\$ 6,500	\$ -	\$ 6,500		Heat provided for ambulance quarters/bays %per cu ft 3 yr average 5,633.44
REPAIRS/MAINTENANCE	\$ 1,200	\$ -	\$ 1,200		Repair of printer, scanner, copier, stamp machine lease 174.17
RADIO REPAIRS & MAINTENANCE	\$ 8,000	\$ -	\$ 8,000		For radio batteries and replacement, and accessories (increase cost for accessories)
RENTALS AND LEASES	\$ 285,000	\$ -	\$ 456,000		(2) 98,000 leases, transfer van 180,000
WORKERS COMP MEDICAL	\$ 20,000	\$ -	\$ 20,000		Workers compensation treatment bills for employees injured on duty
	\$ 49,300	\$ -	\$ 49,300		cardiac monitor/lucas preventative \$13000, insurance research \$14,500, electronic billing \$9480 (cost increase with increases of 75 over submissions, IMC dispatch program \$2,125, aldatec scheduling program \$7,057, old billing \$7,800
DATA PROCESSING	\$ 10,400	\$ -	\$ 10,400		\$550 per month verizon/apparatus cellphones and mifi only, comcast internet service 25% = \$26.25 per month, radio license fee 25% = \$49.88 per year, mobile access to CAD and patient care reporting \$40.00 per month (6) =2,880.00
TELEPHONE/COMMUNICATIONS	\$ 4,000	\$ -	\$ 7,500		Cost of postage for medical bills, attorney correspondence, employee correspondence, certified mail, rental of postal machine 3 yr average \$1,776.66 varies postal increases
POSTAGE/COMMUNICATIONS	\$ 22,500	\$ -	\$ 22,500		Medical director compensation 1855.00 per month
MEDICAL DIRECTOR COMPENSATION	\$ 175,000	\$ -	\$ 175,000		Gasoline/diesel fuel used in the medical rescues, department vehicles 6 MONTH 95,000.00, FY 22 122,914.00
GASOLINE/ENERGY SUPPLIES	\$ 1,800	\$ -	\$ 1,800		Paper clips, certificate paper, staplers, printer paper, cabinets, folders, expandable folders for record keeping, staplers, computer mouse, note pads 3 year avg 1745.91
OFFICE SUPPLIES	\$ 195	\$ -	\$ 195		HCFA billing forms 46.00 per box of 500 x 4 boxes plus shipping 195.00
OTHER OFFICE SUPPLIES	\$ 1,500	\$ -	\$ 7,500		Printer paper, envelopes various sizes required for billing purposes, business cards, letterhead, RICOH OVERAGES-RENTALS
PRINTING SUPPLIES	\$ 8,600	\$ -	\$ 8,600		Repair of primer vents (NEPA mandated), keys, 25% of \$44.00 per month pest control \$132.00, EMS Gear per contract (3) \$2658.00 per new employee CBA
OTHER R&M SUPPLIES	\$ 1,500	\$ -	\$ 1,500		Custodial supplies for maintenance of crews quarters
CLEANING SUPPLIES	\$ 30,000	\$ -	\$ 30,000		Cost of routine maintenance of medical rescues ford products required to validate warranty, tires for general wear to meet manufacturer specifications, flats, antifreeze for winterizing of medical rescues (cost increase due to manufacturer parts required to not void extended warranty) 3 year average \$5,019.00
MOTOR OIL AND LUBRICANTS	\$ 148,470	\$ -	\$ 150,000		For medical rescue parts and accessories for the purpose of medical rescues 6 MO FY23 \$ 69,500-one time expense paint for rescues
PARTS AND ACCESSORIES - VEHICLES					

	FY 2043 Revised Budget	FY 2024 thru 03/31/21	FY 2025 Projection	Percent +/-	Support/ Calculations
MEDICAL SUPPLIES	\$ 185,000	\$ -	\$ 205,000		Medical supplies for providing patient care as per IFB, medications, cost of stocking new medical rescues, oxygen for patient treatment 3 yr average \$130,163.62
EDUCATIONAL SUPPLIES	\$ 625	\$ -	\$ 625		Protocol books, narcotics logs, station journals, stretcher repair logs as mandated by DPH, AHA Heart Association Updates 126.00 each (3) all levels
BOOKS	\$ 600	\$ -	\$ 600		American Medical Association 361.20 updated coding books, 325.00 Polk Directory 325.00 address, name research for billing purposes
DATA PROCESSING SUPPLIES	\$ 2,500	\$ -	\$ 2,500		Printer scanner copier ink 126.99 (3) \$381.00, 146.99 (4) \$588.00 total: 969.00
STRETCHER REPAIR/MAINTENANCE	\$ 6,000	\$ -	\$ 6,000		For the repair of stretchers, wheel casters, frames, mattresses, batteries, vehicle mounts 3 yr average \$7,271.73
OTHER INTERGOVERNMENTAL	\$ 8,500	\$ -	\$ 10,000		ambulance licenses 600 per year & 200 per vehicle (10) \$2,600, ambulance drug licenses \$300 (7) \$2100.00, certification reimbursement per CBA \$150 (20) \$3000, 850.00 CMED
EMS DOCUMENTATION PROGRAM	\$ 46,000	\$ -	\$ 50,000		EMS report writing program, billing software 30000/16000 CAD INTEGRATION
WATER/SEWER CSO CHARGE	\$ 4,500	\$ -	\$ 4,500		Water and CSO charge 3 yr average \$2,566.28
INSTATE TRAVEL/MILEAGE	\$ 300	\$ -	\$ 300		Parking, and mileage for travel, currently mobile integrated health care meeting parking \$39.00
SUBSCRIPTIONS	\$ 100	\$ -	\$ 100		JEMS magazine (5) subscriptions 20.00 per year
MOTOR VEHICLE INSURANCE	\$ 180,000	\$ -	\$ 210,000		Motor vehicle insurance and malpractice umbrella insurance total \$129,683
CLAIMS & DAMAGES	\$ 2,000	\$ -	\$ 2,000		For claims involving medical rescues, and deductibles
STAFF DEVELOPMENT	\$ 11,000	\$ -	\$ 11,000		First responder training certification and AHA CPR training as mandated by law \$875.00, honor guard academy, EMS1 education \$6,500
CPR TRAINING	\$ 12,000	\$ -	\$ 12,000		Purchase of AHA CPR cards/plus training expenses/deferred by CPR Training revenue, EMS ACADEMY BOOKS/EXAMINERS
STERILIS SYRINGE DISPOSAL	\$ 11,500	\$ -	\$ 11,500		yearly fee (2) \$5,000, \$1,500 parts (potential repairs)
COMMUNITY VACCINE PROGRAM			\$ 20,000		
CLOTHING			\$ 88,000		AFSCME 1202 CLOTHING ALLOCATION \$1,000 PER EMPLOYEE (SWITCH FROM SALARIES/EXPENSES)
EMT SCHOOL			\$ 10,000		NEW EMS ACADEMY
<b>Total Expenditures</b>	<b>\$ 1,253,590</b>	<b>\$ -</b>	<b>\$ 1,609,120</b>	<b>28.4%</b>	

	FY 2024	FY 2024 thru	FY 2025	Support/ Calculations
	Revised Budget	03/31/21	Projection	Percent +/-
OTHER EQUIPMENT	\$ 175,000	\$ -	\$ 220,000	
<b>Total Capital</b>	<b>\$ 175,000</b>	<b>\$ -</b>	<b>\$ 220,000</b>	<b>25.7%</b>
TRANSFERS TO GENERAL FUND	\$ 896,660	\$ -	\$ 958,592	6.8% INCREASE FY 25
TRANSFER GF - HEALTH	\$ 791,730	\$ -	\$ 1,044,885	FY24 ACTUAL FULL (990,440.84) (144,444)
TRANSFER GF PENSIONS	\$ 890,656	\$ -	\$ 1,132,652	
TRANSFER GF-SHARED PAYROLL	\$ 147,428	\$ -	\$ 147,428	Health, Pension (Squad & Dispatchers) \$48,836 plus 16.2 normal cost per employee pension
<b>Total Transfers</b>	<b>\$ 2,726,474</b>	<b>\$ -</b>	<b>\$ 3,283,557</b>	<b>20.4%</b>
<b>Total Expenditures</b>	<b>\$ 4,155,064</b>	<b>\$ -</b>	<b>\$ 5,112,677</b>	
<b>Total Emergency Medical Services</b>	<b>\$ 11,550,000</b>	<b>\$ -</b>	<b>\$ 13,735,000</b>	<b>18.9%</b>

## CITY OF FALL RIVER

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To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on April 16, 2024,  
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.

  
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:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Broadway	East	Starting at a point 126 feet south of Griffin Street, for a distance of 20 feet southerly
Foster Street	West	Starting at a point 51 feet south of Warren Street, for a distance of 20 feet southerly
Harrison Street	West	Starting at a point 484 feet north of Alden Street, for a distance of 20 feet northerly
Pine Street	North	Starting at a point 122 feet east of Rock Street, for a distance of 20 feet easterly

## CITY OF FALL RIVER

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To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on April 16, 2024, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading.

  
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:

By inserting in Section 70-371, which relates to Parking prohibited at all times, the following:

Name of Street	Side	Location
Grinnell Street	North	Starting at a point 132 feet west of Jefferson Street, for a distance of 163 feet northerly

## CITY OF FALL RIVER

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To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on April 16, 2024,  
voted unanimously to recommend the accompanying resolution be referred to Corporation  
Counsel for preparation of a proposed ordinance within thirty days of this referral.

  
Clerk of Committees

(Councilor Michelle M. Dionne)

WHEREAS, the Bank Street Armory has sat dormant since 2015 and as such has deteriorated without proper oversight, and where it is the will of the City Council to move forward with a plan for restoration and best use of the Armory, and

WHEREAS, in the Code of the City of Fall River, Massachusetts, 2018, Chapter 54, Article III, Section 101, the Board of Park Commissioners exercises the powers, duties, and responsibilities of the Armory Commission, of which historic property is not their area of expertise, and

WHEREAS, the Bank Street Armory was placed on the National Register of Historic Places in 1983, with a preservation restriction added in 2017, and the City of Fall River has an appointed Historical Commission with insight and expertise in the preservation and development of historic properties, and

WHEREAS, the Historical Commission and the City have the ability to apply for grant funding for a feasibility study and the emergency funding necessary to address and remediate deficiencies causing the damage and deterioration to the Bank Street Armory including but not limited to the roof, window replacement, repointing, removal of vegetation, and a heating system; now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation convene to discuss amending Chapter 54 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Public Facilities, to reflect the current state of the property and to transfer the oversight of the Armory Commission from the Board of Park Commissioners to the Historical Commission, and

BE IT FURTHER RESOLVED, that the Historical Commission, in conjunction with The Preservation Society of Fall River, as the new managing commission, have the ability to create a subcommittee to focus solely on the redevelopment of the Bank Street Armory, including the creation of an updated feasibility study for future and best use consistent with the preservation deed restriction.

In City Council, February 15, 2024  
Adopted, as amended.

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

## CITY OF FALL RIVER

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To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on April 16, 2024,  
voted 5 yeas to recommend the accompanying resolution be referred to Corporation Counsel for  
preparation of a proposed ordinance within thirty days of this referral.

  
Clerk of Committees

11

# City of Fall River, *In City Council*

(Vice President Pam Laliberte-Lebeau)

WHEREAS, there are many historic buildings throughout the City, and

WHEREAS, several of these buildings are city owned, and

WHEREAS, there should be careful thought and consideration into the use, reuse and/or sale of these properties, and

WHEREAS, the Historical Commission and Preservation Society have provided input on appropriate guidelines to consider, now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation, convene with Corporation Counsel, the City Administrator, along with the Chairs or representatives from the Historical Commission and the Preservation Society to review our current ordinances and discuss any possible amendments.

In City Council, October 22, 2019  
Adopted

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

## CITY OF FALL RIVER

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12

To the City Council

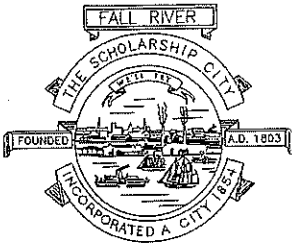
Councillors:

The Committee on Ordinances and Legislation, at a meeting held on April 16, 2024, voted unanimously to recommend the accompanying order be adopted.

  
Clerk of Committees

**City of Fall River, *In City Council***

ORDERED, that the attached recommendations regarding Massachusetts General Laws, Chapter 59, Section 5, Clause Forty-First C from the Board of Assessors be and the same are hereby approved.



12

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

**PAUL E. COOGAN**  
*Mayor*

RECEIVED

2024 APR -4 P 1:09

CITY CLERK  
FALL RIVER, MA

April 3, 2024

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 for your information please find the Review of Current General Laws Chapter 59, Section 5, Clause 41C Elderly Exemption and recommendations from the City Assessor and Board of Assessors.

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

Sincerely,

Paul E. Coogan  
Mayor

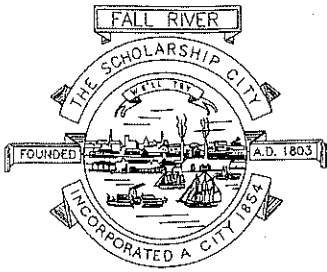
PC/amos

CITY OF FALL RIVER  
IN CITY COUNCIL  
APR 09 2024

*Referred to the Committee  
on Ordinances & Legislation*



12



# City of Fall River Massachusetts

## Department of Financial Services

TREASURER • COLLECTOR • AUDITOR • ASSESSOR

RECEIVED

2024 APR -4 P 1:09

CITY CLERK  
FALL RIVER, MA

**PAUL E. COOGAN**  
*Mayor*

**Bridget Almon**  
*Director of Financial Services*

March 25, 2024

The Honorable Paul E. Coogan  
Mayor of the City of Fall River  
One Government Center  
Fall River, MA 02721

RE: Review of Current General Laws Chapter 59, Section 5, Clause 41C Elderly Exemption

Dear Mr. Mayor:

As you know, at your request, the Finance Team and the City of Fall River Board of Assessors has been reviewing the current Elderly Exemption pursuant to General Laws Chapter 59, Section 5, Clause Forty-First C. Currently property owners in the City who are over 65 years old and occupy the property as their domicile can qualify for a \$500.00 real estate tax exemption. To qualify for the exemption, the property owner must meet the following current income and asset requirements. The Assessors Office and the Board of Assessors have reviewed with the Finance Team and would make the following recommendation:

Retain the current exemption of \$500.00 and increase the Asset and Income Limits by \$10,000.00 respectively, as shown in the following Table:

	<u>Current</u>	<u>Proposed</u>
<b>Assets:</b>		
Single Asset Limit:	\$28,000.00	\$38,000.00
Married Asset Limit:	\$30,000.00	\$40,000.00
<b>Income:</b>		
Single Income Limit:	\$20,000.00	\$30,000.00
Married Income Limit:	\$30,000.00	\$40,000.00

It is difficult to accurately determine how many additional property owners would qualify under the new Asset & Income Limits since there is no way to know the number of property owners who chose not to apply for the 41C Exemption. However, the assessor's office with the treasurer will keep a close eye on the balance in the overlay and request an appropriation increase if necessary.

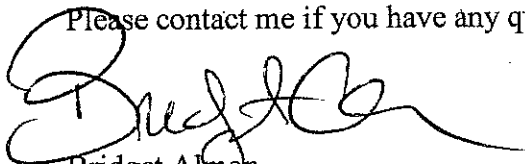
12

Last year, the Financial Team recommended that rather than make any adjustments to the 41C Exemptions, it was more fiscally prudent to wait and see if the General Court passed the new real estate exemption that was being proposed. The General Court did not do so. The Municipal Empowerment Act that that been filed By Governor Healey, and is now pending before the General Court, proposed a new local option real estate exemption that could be crafted by the municipality to address exemption concerns.

It was the recommendation of the Board of Assessors that rather than increase the amount of the 41C Exemption, that the Income and Asset Limits be increased by \$10,000.00 as shown above and indexed to cost of living adjustments pursuant to General Laws Chapter 59, Section 5, Clause Forty-First D. It was further the recommendation of the Board of Assessors that the City then review the fiscal impact in FY2025 and based on that review, revisit the discussion of increasing the amount of the 41C Exemption.

The Finance Team joins in the recommendation. By implementing the Option the City will increase the number of property owners who can qualify for the 41C Exemption. In FY2025 the City can review the impact on the Overlay. It can also review the appropriateness of any local acceptance exemptions that have been enacted by the General Court. Then, considering these reviews, the City can then revisit the possibility of increasing the amount of 41C Exemption.

Please contact me if you have any questions.



Bridget Almon  
Director of Financial Services

One Government Center • Fall River, MA 02722  
TEL (508) 324-2260 • FAX (508) 324-2040

## CITY OF FALL RIVER

---

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on April 16, 2024, voted unanimously to recommend the accompanying resolution be granted leave to withdraw.

  
Clerk of Committees

# City of Fall River, In City Council

(Councilor Shawn Cadime)

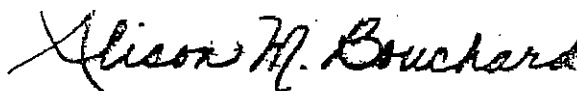
WHEREAS, concerns exist regarding the creation and existence of the Fall River Cannabis Review Commission, now therefore

BE IT RESOLVED, that the Corporation Counsel, Kenneth Fiola, Executive Vice President of BCEDC, or a representative of the Mayor's office who is qualified to respond to questions regarding this Commission and the process of approving marijuana licenses, as well as a representative of KP Law, be invited to a meeting of the Committee on Finance, and

BE IT FURTHER RESOLVED, that the Committee on Ordinances and Legislation meet with the same parties to draft an ordinance establishing such Commission.

In City Council, October 18, 2021  
Adopted.

A true copy. Attest:

  
City Clerk

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

Name of Street	Side	Location
Birch Street	North	Starting at a point 291 feet east of King Street, for a distance of 20 feet easterly
Cory Street	North	Starting at a point 106 feet east of Oregon Street, for a distance of 20 feet easterly
Holden Street	North	Starting at a point 170 feet west of Fielden Street, for a distance of 20 feet westerly
Lebanon Street	North	Starting at a point 67 feet west of Quequechan Street, for a distance of 20 feet westerly
Prospect Street	North	Starting at a point 30 feet east of Barnaby Street, for a distance of 20 feet easterly

CITY OF FALL RIVER  
IN CITY COUNCIL

APR 09 2024

*Passed through first  
reading*

# City of Fall River, In City Council

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

That Section 74-134 of Appendix A-Fee Schedule of the Code of the City of Fall River, Massachusetts, 2018, which Section relates to User Charges for Wastewater collection, be amended, as follows:

## Section 1.

By striking out in sub-section (1) of said section, "\$6.06", and inserting in place thereof, "\$8.11", and by striking out "July 1, 2023", and inserting in place thereof, "July 1, 2024".

## Section 2.

By striking out in paragraph (a) of sub-section (2) of said section, "\$6.06", and inserting in place thereof, "\$8.11", and by striking out "July 1, 2023", and inserting in place thereof, "July 1, 2024".

## Section 2.

By striking out in paragraph (b) of sub-section (2) of said section, "\$2.89", and inserting in place thereof, "\$3.87", and by striking out "July 1, 2023", and inserting in place thereof, "July 1, 2024".

## Section 4.

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

\$ 266.94  
\$ 517.94  
\$ 777.63  
\$ 1,034.42  
\$ 1,292.67  
\$ 1,546.56  
\$ 1,803.35  
\$ 2,055.79  
\$ 2,312.58  
\$ 2,572.27

and, by striking out in said sub-section (4) "July 1, 2023", and inserting in place thereof, "July 1, 2024".

CITY OF FALL RIVER  
IN CITY COUNCIL

MAR 12 2024

*Referred to the  
Committee on Ordinances  
and Legislation*

CITY OF FALL RIVER  
IN CITY COUNCIL

APR 09 2024

*Passed through  
first reading,  
6 yeas, 3 nays*

16

# City of Fall River, *In City Council*

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

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

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

The charge for water supplied by the City as measured by a water meter shall be as follows:

For water billed on or after July 1, 2024, per 100 cu. ft.	\$4.24
--	--------

CITY OF FALL RIVER  
IN CITY COUNCIL

'APR 09 2024

*Passed Through first  
reading, as amended,  
6 years, 3 days.*

**City of Fall River, *In City Council***

ORDERED, that the following license for the storage of inflammables be revoked at the request of the owner:

License No. 586

Granted: November 30, 1981

City of Fall River – Wastewater Treatment, One Government Center to store 29,500 gallons of No. 2 fuel oil in tanks underground at 1979 Bay Street on Lot A-14-2,1,41,42, Assessors Plan.





#24-33 22

City of Fall River  
Notice of Claim

RECEIVED

2024 APR -8 P 1:34

1. Claimant's name: Andrea Morgan (MPIUA Insured)
2. Claimant's complete address: 188 Slade St. Fall River, MA 02724  
CITY OF FALL RIVER, MA
3. Telephone number: Home: 508-672-3770 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
property damage
5. Date and time of accident: 3/10/2024 Amount of damages claimed: \$ unknown
6. Exact location of the incident: (include as much detail as possible):  
at home address above
7. Circumstances of the incident: (attach additional pages if necessary):  
City of Fall River construction of sidewalk caused property damage to driveway and retaining wall
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  
Donna Baxter MPIUA 617-557-5625 OK claim # 478881

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: 4/4/2024

Claimant's signature: [Signature]

Donna Baxter

Subro examiner MPIUA

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, 2<sup>nd</sup> 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

Streets & Highways

Date: 4/8/24



# 24-34

22

April 10, 2023 RECEIVED

**WYNN & WYNN**  
ATTORNEYSVIA CERTIFIED MAIL – RRR: 7020 1810 0002 1681 2649 P 1: 24  
USPS TRACKING NO. 9590 9402 6525 0346 4766 79Michael R. Mancinelli  
John J. O'Day, Jr.  
Raymond C. Pelote\*  
William Rosa\*  
Paul F. Wynn  
Thomas J. WynnMayor Paul E. Coogan  
City of Fall River  
One Government Center  
Room 619  
Fall River, MA 02722CITY CLERK  
FALL RIVER, MA

Of Counsel

RE: April Heroux v. City of Fall River

Keough & Sweeney  
William E. O'Keefe

**PRESENTMENT OF CLAIM PURSUANT TO**  
**MASS. GEN. L. CHAPTER 258, SECTION 4**  
**AND NOTICE TO PRESERVE RELEVANT EVIDENCE**

Admitted:  
\*Massachusetts and Rhode Island

Dear Mayor Coogan:

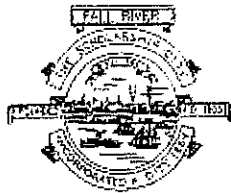
Wynn & Wynn, P.C. represents April Heroux, a life-long Fall River resident who suffered a broken leg because of three negligent Paramedics from the City of Fall River Division of Emergency Medical Services.

Pursuant to the Massachusetts Tort Claims Act (Mass. Gen. L. c. 258, § 4), this letter is formal presentment of a negligence claim. Please forward this letter to the City's insurer and notify counsel of Ms. Heroux's claim against the City of Fall River for money damages, as set forth below.

**FACTS**

On March 3, 2023, around 4:45 a.m., Paramedics Michaela Karman, Brittany Carlson, and Michael Leduc responded to a report of a seizure at 2147 Meridian Street, the residential home of April Heroux and her fiancée, Aja Scott. Minutes earlier, Aja had called 9-1-1 in tears and stated that April had suffered a seizure in their second-floor bedroom. Upon arrival, medics found April unclothed on the floor next to their bed. She was extremely confused, disoriented, and phasing in and out of consciousness.

Paramedics assessed April's situation, directed her to walk to the ambulance outside under her own power, and dismissed Aja's concerns about having her do so. At this time, April weighed approximately 330 pounds. The Paramedics did not strap April to a stretcher, a stair chair, or a similar device to move her, and they did nothing to otherwise support her balance or movement. Instead, while April was confused, disoriented and phasing in and out of consciousness in her post-ictal state, the Paramedics directed her to walk herself to the ambulance.



**City of Fall River  
Notice of Claim**

RECEIVED

2024 APR 12 P 1:23

#24-35

22

1. Claimant's name: Progressive Direct Insurance Company A/S/O DIERCKS, COURTNEY Q
2. Claimant's complete address: PO Box 94639 Cleveland, OH 44101
3. Telephone number: Home: 877-818-0139 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
AUTO ACCIDENT
5. Date and time of accident: 12/20/2023, 11:00 AM ET Amount of damages claimed: \$ \$1,282.33
6. Exact location of the incident: (include as much detail as possible):  
Parked at 273 Oak Grove Ave, in Fall River, MA
7. Circumstances of the incident: (attach additional pages if necessary):  
Our insured's vehicle was parked at 273 Oak Grove Ave, in Fall River, MA when a city water dept vehicle with plate # M88969 operated by Perez, Hector, failed to maintain proper lookout and control of vehicle, struck our insureds parked vehicle. We are seeking reimbursement for our insured's vehicle damages.
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  
Progressive Direct Insurance Company PO Box 94639 Cleveland, OH 44101

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: 4/5/2024

Claimant's signature: Dan J. McNeil

Progressive Direct Insurance Company  
SUBROGATION SPECIALIST

**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, 2<sup>nd</sup> 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:	<input checked="" type="checkbox"/> City Clerk <input checked="" type="checkbox"/> Law <input checked="" type="checkbox"/> City Council <input type="checkbox"/> City Administrator <input checked="" type="checkbox"/> <u>water dept</u>
Date: <u>4/12/24</u>	



RECEIVED

2024 APR 17 P 12:21 City of Fall River  
Notice of Claim

1. Claimant's name: Stephanie Alves 24-36
2. Claimant's complete address: 40 Lewis St. Fall River MA 02724
3. Telephone number: Home: 714-218-0431 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Car towing
5. Date and time of accident: 4/9/24 Amount of damages claimed: \$ 204.77
6. Exact location of the incident: (include as much detail as possible):  
40 Lewis St. Fall River MA 02724
7. Circumstances of the incident: (attach additional pages if necessary):  
left for vacation on 3/31/24 nothing was posted about construction on my street I have no driveway so I park on street and the day I was returning was date of construction they towed my car
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: 4/17/24

Claimant's signature: Stephanie Alves

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, 2<sup>nd</sup> 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: 4/17/24



City of Fall River  
Notice of Claim

RECEIVED

2024 APR 17 A 11:33

1. Claimant's name: Stephanie Cordeiro CITY CLERK 24-37
2. Claimant's complete address: 38 Plantation Dr. Tiverton, RI 02878
3. Telephone number: Home: 774-930-9816 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Car Damage / Tire replacement due to pothole
5. Date and time of accident: 4/12/24 @ 6:55 AM Amount of damages claimed: \$ 565.12
6. Exact location of the incident: (include as much detail as possible):  
Pothole in front of 466 Hurlock St. Fall River, MA
7. Circumstances of the incident: (attach additional pages if necessary):  
ON 4/12/24 it was pouring rain, pothole was filled with water. Drove into pothole, cut tire and needed a full replacement. Rim was also gouged.
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: 4/13/24

Claimant's signature: Stephanie Cordeiro

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, 2<sup>nd</sup> 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: <input checked="" type="checkbox"/> City Clerk <input type="checkbox"/> Law <input checked="" type="checkbox"/> City Council <input type="checkbox"/> City Administrator <input checked="" type="checkbox"/> DCM	Date: <u>4/17/24</u>

22

April 15, 2024

**Via Certified Mail, Return Receipt Requested**

City of Fall River City Clerk  
2<sup>nd</sup> Floor, One Government Center  
Fall River, MA 02722

Office of the Corporation Counsel  
City of Fall River  
One Government Center, Room 627  
Fall River, MA 02722

RECEIVED

2024 APR 18 A 11:44

CITY CLERK 24-38  
FALL RIVER, MA

**Demand and Letter of Presentment Pursuant to M.G.L. c. 258, Section 2**

Re: Our Client: Gerald M Polycarpe  
Your Insured: Fall River City Of School Department  
Claim Number:  
Date of Incident: 6/12/2023

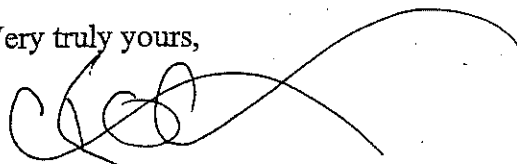
Please be advised that this office represents Mr. Gerald Polycarpe in connection with injuries that he sustained on June 12<sup>th</sup>, 2023, due to being struck by a City of Fall River School Department vehicle. As a result of the incident, Mr. Polycarpe suffered serious injuries to his back, neck, legs, and arms. A demand package containing the entirety of Mr. Polycarpe's accident-related medical bills and records is enclosed.

It is our contention that the serious injuries to Mr. Polycarpe were caused by the negligent and/or wrongful acts or omissions of employees of the City of Fall River, including, but not limited to, the driver of the City of Fall River School Department vehicle, as they negligently and carelessly operated said School Department vehicle. As you know, the City of Fall River will be held responsible for my client's injuries that were caused by the negligent conduct of the involved driver.

Accordingly, a demand for settlement is hereby made on behalf of Gerald Polycarpe in the amount of Twenty-Five Thousand Dollars (\$25,000.00).

I look forward to hearing from you as required by M.G.L. c. 258. Please feel free to contact me at (857) 242-4863, or via email at Aoconnor@anslawyers.com.

Very truly yours,



Anthony O'Connor

23



THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL  
ONE ASHBURTON PLACE  
BOSTON, MASSACHUSETTS 02108

ANDREA JOY CAMPBELL  
ATTORNEY GENERAL

2024 APR 12 P 1:27

(617) 727-2200  
www.mass.gov/ago

CITY CLERK  
FALL RIVER, MA

April 12, 2024

OML 2024 - 65

Gary P. Howayeck, Esq.  
Assistant Corporation Counsel  
City of Fall River  
One Government Center  
Fall River, MA 02722

By email only: ghowayeck@fallriverma.org

RE: Open Meeting Law Complaint

Dear Attorney Howayeck:

This office received a complaint from Patrick Higgins on February 28, 2024, alleging that the Fall River City Council Committee on Ordinances and Legislation (the "Committee") violated the Open Meeting Law, G.L. c. 30A, §§ 18-25. The complaint was originally filed with the Committee on or about February 15, 2024, and you responded to the complaint, on behalf of the Committee, by letter dated February 28, 2024. The complaint alleges that the Committee failed to properly post notice for a meeting held on February 15, 2024.

Following our review, we find that the Committee did not violate the Open Meeting Law in the way alleged. In reaching this determination, we reviewed the original complaint, the Committee's response to the complaint, the complaint filed with our office requesting further review, and the original and revised notices, as well as a video recording, of the Committee meeting held on February 15, 2024.<sup>1</sup>

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<sup>1</sup> A video recording of the Committee meeting held on February 15, 2024, is available at <https://www.youtube.com/watch?v=2EvWHWef9w>.

06



2024, had been cancelled and notice of the cancellation had been posted. See OML 2016-38 (finding it unlikely that any member of the public was genuinely confused by an error in the meeting notice which misstated the date of the meeting, listing the year as 2016 instead of 2015, and reminding the public body of its obligations under the Open Meeting Law). However, we encourage the Committee to be more attentive to preventing errors that may cause confusion as to meeting dates.

For the reasons stated above, we find that the Committee did not violate the Open Meeting Law. We now consider the complaint addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with our office or the Committee. Please feel free to contact our office at (617) 963-2540 if you have any questions regarding this letter.

Sincerely,



KerryAnne Kilcoyne  
Assistant Attorney General  
Division of Open Government

cc: Patrick Higgins – By email only: [patrick@openmeetinglawenforcer.com](mailto:patrick@openmeetinglawenforcer.com)  
Fall River City Council Committee on Ordinances and Legislation c/o Chair Linda M. Pereira – By email only: [lindacitycouncil@gmail.com](mailto:lindacitycouncil@gmail.com)  
Fall River City Clerk – By email only: [city\\_clerk@fallriverma.gov](mailto:city_clerk@fallriverma.gov)

**This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by a final order of the Attorney General may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty-one days of receipt of a final order.**

**COMMITTEE ON FINANCE**

MEETING: March 26, 2024, at 6:00 p.m.  
Council Chamber, One Government Center

PRESENT: President Joseph D. Camara, presiding;  
Councilors Michelle M. Dionne, Paul B. Hart,  
Bradford L. Kilby, Linda M. Pereira, Cliff Ponte,  
Andrew J. Raposo and Laura-Jean Sampson

ABSENT: Councilor Shawn E. Cadime

IN ATTENDANCE: Paul Ferland, Administrator of Community Utilities  
Zachary Aaronson, Professional Engineer, Woodard and Curran, Inc.  
33 Broad Street, Providence, RI  
Dave Fox, Vice President, Raftelis Financial Consultants, Inc.  
24 Superior Drive, Suite 107, Natick, MA

The chair called the meeting to order at 6:06 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

Richard Barlow, 50 Anderson Street – I don't know what to say  
Nelson Vasquez, 210 Sunset Hill – Proposition 2 ½

2. Fiscal Year 2025 Enterprise Fund budgets for Water and Sewer Divisions

*A detailed summary of the Fiscal Year 2025 (FY25) Proposed Budgets for the Water and Sewer Divisions was presented by Paul Ferland, Administrator of Community Utilities, Zachary Aaronson, Professional Engineer, Woodard and Curran, Inc., and Dave Fox, Vice President, Raftelis Financial Consultants, Inc. This presentation included information regarding changes to water and sewer utility rates, increases in material costs, and fixed versus volumetric expenses and revenue. Mr. Fox provided flowcharts comparing the anticipated increase in costs of service and consumer rates from 2025 to 2029 and emphasized that the Water and Sewer Divisions had multiple ways to generate the funds needed to maintain the operation, distribution and costs of the services provided to the City. Mr. Ferland provided general information regarding grant funding and American Rescue Plan Act (ARPA) funding that has been used to limit the cost to consumers. Mr. Fox provided data regarding the lower rate cost these other forms of funding provided, which is estimated to be about \$118 less per customer per year, and provided information regarding how rates affect different types of customers, such as residential and commercial consumers.*

A brief discussion was held between Councilor Dionne, Mr. Ferland and Mr. Fox regarding the information given to residents about using less water, such as purchasing more efficient shower heads, and that the lower use of water has increased the consumer rates. Mr. Fox explained that when consumption is reduced, the cost typically increases to compensate for the loss of volumetric revenue. Councilor Dionne also asked if additional ARPA funding for the Water and Sewer Divisions would have helped to lower these rates more for consumers. Mr. Fox stated that he did not have enough information regarding the potential ARPA funding to provide any information regarding how it may have affected rates. Councilor Dionne stated that water is a necessary resource, and residents can only decrease their use of water to a certain degree. Mr. Ferland confirmed that the base fee for water would not increase in FY25.

Councilor Kilby and Mr. Fox held a brief discussion regarding the anticipated costs over the next five years and Councilor Kilby expressed concern that the cost amounts appeared to be conservative. Mr. Fox explained that the costs listed were based on anticipated grant funding for the Water and Sewer Divisions and the Administrator of Community Utilities provided information regarding new debt services being applied during the next few years due to the water main replacement project.

A discussion regarding stormwater fees was held between President Camara, Vice President Pereira, Councilor Kilby, Mr. Ferland and Mr. Fox and information was requested regarding the anticipated end-date for this fee. Mr. Ferland stated that he is unable to provide a timeline for that fee and Mr. Fox provided information regarding the stormwater fee having a larger effect on large volume customers. Councilor Kilby asked what would occur if fees were not increased for any of the divisions' services and Mr. Fox stated that the Water and Sewer Divisions would not have enough funding to pay their debts.

Councilor Ponte and Mr. Ferland discussed the concept of an outside performance audit of the Water and Sewer Divisions to identify any additional methods that could be used to conserve funds, as one-time funding is not sustainable. Mr. Ferland explained that there have been inside audits frequently, but that the most recent outside audit was done in, or around, 2008. Councilor Ponte emphasized that Mr. Ferland should speak with the Administration regarding an outside audit being performed. Councilor Ponte asked for information regarding any remaining ARPA funding within the Water and Sewer Divisions. Mr. Ferland stated that he did not have the exact amount available at the meeting but that he was happy to provide additional information to the Councilors in the future.

Vice President Pereira requested information regarding the process of securing a new contract for the Sewer Division services and if the use of solar power at the new Water Treatment Facility has been considered. Mr. Ferland stated that the negotiations for a new contract are ongoing and that he is working with National Grid to determine how solar power can be utilized at the new building.

On a motion made by Councilor Ponte and seconded by Councilor Dionne, it was unanimously voted to recommend that a letter be sent to the Administration requesting that a Request for Proposals be drafted for a performance audit of the Water and Sewer Divisions, with Councilor Cadime absent and not voting, a copy of which is attached hereto and made a part of these minutes.

On a further motion made by Councilor Ponte and seconded by Vice President Pereira, it was unanimously voted to refer the Fiscal Year 2025 Proposed Water and Sewer Division Budgets to the full Council for action, with Councilor Cadime absent and not voting.

3. Transfer and appropriation

*Councilor Raposo requested clarification regarding the amended, decreased fund amount on the requested transfer and the City Clerk stated that the Director of Financial Services had received a communication from the School Department to adjust the transfer to the decreased amount of \$1,062,707 from the originally submitted appropriation in the amount of \$1,100,000.*

*On a motion made by Councilor Raposo and seconded by Councilor Dionne, it was unanimously voted to adjourn at 7:30 p.m., with Councilor Cadime absent and not voting.*

List of documents and other exhibits used during the meeting:

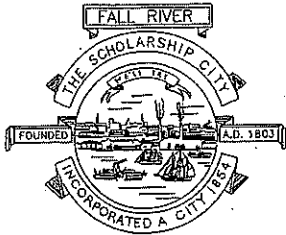
Agenda packet (attached)

DVD of meeting

Documents from Nelson Vazquez re: Proposition 2 ½

PowerPoint presentation re: FY25 Proposed Budgets for Water and Sewer Enterprise Funds

  
Clerk of Committees



# CITY OF FALL RIVER, MASSACHUSETTS

## CITY COUNCIL

LAUREN A. VALCOURT  
CLERK OF COMMITTEES

April 10, 2024

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

Dear Mayor Coogan,

At the City Council Committee on Finance Meeting held on March 26, 2024, and on a motion made and seconded, it was unanimously voted to send this communication requesting that the Administration and the Administrator of Community Utilities discuss a future outside audit of the Water and Sewer Divisions. During this City Council Committee on Finance Meeting, the Administrator of Community Utilities stated that the last outside audit of these divisions occurred in, or around, 2008.

As this review of revenue and expenditures has not been analyzed by an independent accounting consultant in over sixteen years, and it would benefit the taxpayers and the Administration to receive data regarding the efficiency of the current financial protocols, the City Council Committee on Finance requests that this topic be addressed as soon as possible.

If you have any questions in this regard, feel free to contact this office. Thank you for your consideration.

Very truly yours,

  
Lauren A. Valcourt  
Clerk of Committees

cc: Seth Thomas Aitken, City Administrator  
Paul Ferland, Administrator of Community Utilities  
Bridget Almon, Director of Financial Services

### REGULAR MEETING OF THE CITY COUNCIL

**MEETING:** March 26, 2024, at 7:00 p.m.  
Council Chamber, One Government Center

**PRESENT:** President Joseph D. Camara, presiding;  
Councilors Shawn E. Cadime, Michelle M. Dionne, Paul B. Hart,  
Bradford L. Kilby, Linda M. Pereira, Cliff Ponte, Andrew J. Raposo  
and Laura-Jean Sampson

**ABSENT:** None

**IN ATTENDANCE:** Christian McCloskey, Youth Services Coordinator  
Bill Keefe, Executive Director,  
Public Employee Retirement Administration Commission  
Patrick Charles, Deputy General Counsel,  
Public Employee Retirement Administration Commission  
Michael Pasternak, Executive Director, Fall River Contributory  
Retirement Board  
Robert Camara, Vice Chair, Fall River Contributory Retirement Board

President Camara called the meeting to order at 7:41 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.

*On a motion made by Vice President Pereira and seconded by Councilor Kilby, it was unanimously voted to take item 10 out of order for purposes of presenting the citations to the Fall River Youth of the Year 2023 Award Winners and Finalists, with Councilor Cadime absent and not voting.*

### PRIORITY MATTERS

1. Mayor and confirmation of the appointment of Nicholas L. Christ to the Fall River Contributory Retirement Board

*Vice President Pereira stated she is a Fall River retiree and that at the advice of the State Ethics Commission she was recusing herself for the discussion of this item and exited the City Council Chamber. A motion was made by Councilor Kilby and seconded by Councilor Sampson to confirm the appointment. On a further motion made by Councilor Ponte and seconded by Councilor Raposo, it was unanimously voted to waive the rules to allow representatives from the Public Employee Retirement Administration Commission (PERAC) and the Fall River Contributory Retirement Board (FRCRB) to answer questions regarding this item, with Vice President Pereira abstaining and Councilor Cadime absent and not voting.*

Bill Keefe, Executive Director, PERAC, provided a summary regarding the rules, policies and memos that must be followed by all Contributory Retirement Boards within the Commonwealth of Massachusetts. Mr. Keefe also provided details regarding the events that occurred in both meetings of the FRCRB in 2024 and the lack of interviews that occurred for potential candidates. Mr. Keefe stated that there was a flaw in the process of electing a fifth member as the interviews did not occur. A brief discussion was held between Councilor Dionne and Mr. Keefe regarding the possibility of litigation regarding the lack of interviews. Patrick Charles, Deputy General Counsel, PERAC, stated that while that portion of the process could be litigated, the appointment of the fifth member is now the responsibility of the Mayor and the City Council.

Michael Pasternak, Executive Director, FRCRB, stated that he posted the application to the website and received information from two candidates and one candidate submitted a letter of interest, while the other submitted a letter of interest and a resume. Mr. Pasternak stated that there was an intent to interview both candidates but only one of them was available within the thirty-day window.

Councilor Kilby asked that the written response to this matter sent by the General Counsel of the FRCRB be read aloud for the record. The City Clerk read the communication into the record sent by Michael Sacco, Esq., Sacco & Collins, P.C.

Councilor Sampson asked Mr. Keefe to confirm that the Mayor and City Council now had the power to appoint a fifth member and asked for clarification regarding the requirement of interviews. Mr. Keefe confirmed that the Mayor and City Council are now responsible for the appointment of a fifth member, but also stated that all Memorandums sent by PERAC must be adhered to, which includes PERAC's interpretation of needing to conduct interviews, even if it is not specifically defined in the Massachusetts General Laws. Mr. Keefe stated that he disagreed with the correspondence from the General Counsel of the FRCRB, as it did not adhere to the requirement in the PERAC Memorandum regarding interviews.

Councilor Cadime arrived at 8:12 p.m.

Councilor Ponte asked Mr. Pasternak why these interviews did not take place. Mr. Pasternak explained that the Vice Chair asked the FRCRB members if they wanted to hold interviews and there wasn't a majority consensus among the membership to do so and as a result the interviews did not move forward. On a motion made by Councilor Ponte and seconded by Councilor Dionne, it was unanimously voted to waive the rules to allow the Vice Chair of the FRCRB to provide additional information, with Vice President Pereira abstaining and not voting.

Robert Camara, Vice Chair, FRCRB, provided his recollection of the February meeting, including a discussion regarding interviews and a vote that was tied to appoint a fifth member.

Councilor Ponte stated that the City Council's duty is to confirm or deny this appointment based on the qualifications of the candidate and that he was disappointed in the lack of adherence to the PERAC Memorandums during the search for a new board member.

Councilor Dionne made a subsequent motion to waive the rules to allow Mr. Camara to address the Council again but received no second.

On yet a further motion made by Councilor Hart and seconded by Councilor Kilby, it was voted 4 yeas, 4 nays to move the question, with President Camara and Councilors Hart, Kilby and Sampson voting in the affirmative and Vice President Pereira abstaining and not voting, and the motion failed to carry.

Councilor Ponte stated that the motion to move the question meant to end the discussion and that a motion was now needed to take up the item. Councilor Ponte made a motion to confirm the appointment of Mr. Christ, but President Camara stated that the motion was already on the floor. President Camara explained that calling the question meant that the motion to confirm the appointment was not before the City Council, but Councilor Ponte made a motion to reconsider, which was seconded by Councilor Kilby, and the motion carried, with Councilor Dionne opposed and Vice President Pereira abstaining and not voting.

On a further motion made by Councilor Kilby and seconded by Councilor Sampson, it was voted 7 yeas, 1 nay to confirm the appointment, with Councilor Dionne voting in the negative and Vice President Pereira abstaining and not voting.

Vice President Pereira returned to the City Council Chamber at 8:36 p.m.

2. Mayor and order transferring the sum of \$1,100,000 from the FY23 Surplus Revenue to School Appropriation

An amended financial order was submitted by the Mayor for the City Council's consideration and the City Clerk stated that the new amount was in the sum of \$1,062,707. On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted to accept the communication and place it on file and adopt the order, as amended.

3. Mayor and order to accept a donation of fourteen (14) cameras

On a motion made by Councilor Ponte and seconded by Councilor Raposo, it was unanimously voted to accept the communication and place it on file and adopt the order.

Approved, March 27, 2024

Paul E. Coogan, Mayor

Councilor Kilby exited the Chamber at approximately 8:36 p.m. and returned after item 5.

4. Mayor and proposed Fiscal Year 2025 Emergency Medical Services Budget

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to refer the proposed budget to the Committee on Finance, with Councilor Kilby absent and not voting.

#### **PRIORITY COMMUNICATIONS**

5. Traffic Commission recommending amendments to the traffic ordinances

On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to refer the recommendations to the Committee on Ordinances and Legislation, with Councilor Kilby absent and not voting.



## **COMMITTEE REPORTS**

### **Committee on Ordinances and Legislation recommending:**

#### **All readings with Emergency Preamble:**

6. Proposed Ordinance – Traffic, handicapped parking
  - Albion Street, West, 30 feet south of Downing Street
  - Hamlet Street, North, 22 feet east of Ridge Street
  - King Phillip Street, South, 447 feet east of King Street
  - North Underwood Street, West, 52 feet north of Langley Street

*On a motion made by Councilor Raposo and seconded by Councilor Hart, it was voted 9 yeas to adopt the emergency preamble. On a further motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted that the proposed ordinance be passed through first reading, second reading, passed to be enrolled and passed to be ordained.*

*Approved, March 27, 2024*

*Paul E. Coogan, Mayor*

### **First Reading**

7. Proposed Ordinance – Traffic, miscellaneous

#### **Section 1.**

##### **Loading zones**

Locust Street, South, Starting at a point 121 feet east of June Street for a distance of 40 feet east, 6:00 a.m. to 3:00 p.m, Monday through Friday

#### **Section 2.**

##### **Handicapped parking removals**

- 18<sup>th</sup> Street, East, 150 feet south of Merchant Street
- Bay Street, East, 126 feet north of Pokross Street
- Brownell Street, North, 64 feet north of North Court Street
- Cash Street, West, 87 feet south of Pleasant Street
- County Street, North, 53 feet west of Roccliffe Street
- Fenner Street, West, 200 feet north of Dwelly Street
- Fulton Street, West, 87 feet south of Suffolk Street
- Grant Street, West, 178 feet north of William Street
- Grant Street, West, 190 feet north of Division Street
- Grinnell Street, South, 20 feet east of Arlington Street
- Hambly Street, West, 172 feet south of Globe Street
- John Street, West, 202 feet south of Morgan Street
- Middle Street, South, 144 feet west of Broadway
- Norfolk Street, South, 145 feet east of Fulton Street
- North Underwood Street, West, 136 feet south of Narragansett Street
- Oxford Street, West, 20 feet north of Pelham Street
- Pokross Street, North, 296 feet west of Bowen Street
- Pokross Street, North, 440 feet east of Bay Street
- Snell Street, North, 120 feet west of Dover Street
- Stone Street, West, 35 feet north of Lafayette Street

*On a motion made by Councilor Raposo and seconded by President Camara, it was unanimously voted that the proposed ordinance be passed through first reading.*

## ORDINANCES – None

### RESOLUTIONS

8. The Committee on Public Safety convene with the Administration and the Chief of Police to discuss the mitigation of firearm violence, any funding that may be needed to assist the Fall River Police Department with this challenging task and to provide public education on firearm safety

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

9. The City Council request that the Chief of Police provide an updated crime data and analysis report to the public as soon as possible

*A brief discussion was held by the Councilors regarding the need for regular meetings with the Police Chief regarding crime data, attendance of community meetings with the Police Chief and the type of crimes that have increased in Fall River, specifically targeted crime. Councilor Sampson emphasized the need for available public data and stated that she prepared these both resolutions to address the concerns of all residents and business owners regarding crime and violence increasing. Councilor Sampson also emphasized that this crime data was needed to hold discussions and ask questions regarding this matter. On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to adopt the resolution.*

### CITATIONS

10. Fall River Youth of the Year 2023 Award Winners and Finalists

#### Winner

Emma McDonnell

#### Runner-Up

Eshal Zahra

#### Finalists

Eva Bhandari

Julia Hargraves

Elizabeth Kinnane

Rachel Lemma

Inez Medeiros

Maggie O'Connell

Ayla Roias

*Vice President Pereira made brief remarks regarding Julia Hargraves and her achievements, as she was unable to attend. On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to adopt the citations.*

## ORDERS – HEARINGS - None

**ORDERS – MISCELLANEOUS**

11. Police Chief's report on license:  
Private Livery Driver  
 Melanie A. Nadeau

Second Hand License Renewals

Curt Barreira d/b/a Jimmy Jr's Tire Service – 729 Davol Street  
 EcoATM, LLC – 4171 North Main Street (inside Shaw's)  
 EcoATM, LLC – 638 Quequechan Street  
 Wayne Confoey d/b/a Cash for Gold – 1503 Pleasant Street  
 Joseph Bilan d/b/a BP Auto Service Repair – 1091 South Main Street  
 Alan Confoey d/b/a Alan's Jewelry – 1661 South Main Street

Pool/Billiards License Renewal

Bob's Place, LLC d/b/a Straight Shooters Billiards (24 tables) – 30 Front Street

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

12. Auto Repair Shop License Renewal:

Wilson Frank Elias d/b/a One Stop Auto Center, Inc. – 697 Pleasant Street  
 Haissam Elazar, Inc. d/b/a Joe's Gas Auto Sales – 2608 South Main Street

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

*Approved, March 27, 2024*

*Paul E. Coogan, Mayor*

13. Order – City Council Reappointment of Alexander Silva to the Community Preservation Committee

*On a motion made by Vice President Pereira and seconded by Councilor Kilby, it was unanimously voted to adopt the order.*

**COMMUNICATIONS – INVITATIONS – PETITIONS**

14. Claims

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

15. Anonymous letter regarding parking issues in the Danforth Street neighborhood

*On a motion made by Councilor Kilby and seconded by Councilor Raposo, it was unanimously voted that the communication be accepted and placed on file.*

16. Application for a License to Conduct One-Day Bingo – We Love Children Fund Organization, June 7, 2024 at 20 Star Street

*On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to approve the application.*

*Approved, March 27, 2024*

*Paul E. Coogan, Mayor*

17. Communication from New England Power Company d/b/a National Grid re SEMA 2 Projects Introduction

*On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted that the communication be accepted and placed on file.*

18. Drainlayer Licenses:  
 JB Lanagan & Company Inc.  
 Foley Excavation LLC  
 Bristol Pacific Homes, Inc.  
 Sandstone Construction, Inc.  
 Narragansett Improvement Company  
 ELJ, Inc.  
 A. Difazio Construction, Inc.

*On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to approve the drainlayer licenses.*

*Approved, March 27, 2024*

*Paul E. Coogan, Mayor*

*On a further motion made by Councilor Raposo and seconded by Councilor Kilby, it was unanimously voted to take items 19 through 25 together.*

#### City Council Minutes

- 19. Public Hearings – February 27, 2024
- 20. Committee on Finance – February 27, 2024
- 21. Regular Meeting of the City Council – February 27, 2024
- 22. Joint Meeting of the City Council and School Committee – March 12, 2024
- 23. Public Hearings – March 12, 2024
- 24. Committee on Finance – March 12, 2024
- 25. Regular Meeting of the City Council – March 12, 2024

*On a motion made by Councilor Dionne and seconded by Councilor Cadime, it was unanimously voted to approve the minutes.*

#### **BULLETINS – NEWSLETTERS – NOTICES** - None

*On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adjourn at 8:57 p.m.*

#### List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

Email correspondence from Michael Sacco, Esq., Sacco & Collins, P.C.

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

**JOINT MEETING OF THE CITY COUNCIL AND SCHOOL COMMITTEE**

MEETING: Tuesday, April 9, 2024 at 5:30 p.m.  
Council Chamber, One Government Center

PRESENT: President Joseph D. Camara, presiding;  
Councilors Shawn E. Cadime, Michelle M. Dionne, Paul B. Hart,  
Bradford L. Kilby, Linda M. Pereira, Cliff Ponte, and Laura-Jean Sampson

ABSENT: Councilor Andrew J. Raposo

IN ATTENDANCE: Seth T. Aitken, City Administrator  
Bridget Almon, Director of Financial Services  
Maria Pontes, Superintendent, Fall River Public Schools  
Kevin Almeida, Chief Financial Officer, Fall River Public Schools  
Kenneth Pacheco, Chief Operating Officer, Fall River Public Schools

President Joseph D. Camara called the meeting to order at 5:31 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

The following School Committee Members were present at the meeting:

PRESENT: Mayor Paul E. Coogan, Thomas Khoury, Michelle "Mimi" Larrivee,  
Shelli Pereira and Sara Rodrigues

ABSENT: Kevin Aguiar and Bobby Bailey

1. Citizen's Input Time - None

*Councilor Cadime arrived at 5:34 p.m.*

2. Review of the fiscal and financial condition of the city, revenue and expense forecasts, and other relevant information in preparation for the Fiscal Year 2025 budget. *Superintendent Maria Pontes, Fall River Public Schools, provided a brief overview of the Fiscal Year 2025 (FY25) Fall River School Department Budget and emphasized that the department has worked closely with teachers and staff to provide services and staff that are greatly needed, such as special education staff, but have also worked to limit non-essential expenditures to the FY25 budget. Kevin Almeida, Chief Financial Officer, Fall River Public Schools, provided a detailed PowerPoint presentation regarding the planned FY25 Fall River School Department Budget. This presentation provided information regarding funding from the Commonwealth of Massachusetts, local contributions, net-school spending, transportation, and staffing.*

Councilor Kilby requested clarification regarding the noted debt of net school spending for the past year and Mr. Almeida explained that the debt would be balanced at the end of June 2024, like previous fiscal years.

Councilor Ponte held a brief discussion with Superintendent Pontes, Mr. Almeida and Kenneth Pacheco, Chief Operating Officer, Fall River Public Schools, regarding additional needs for schools that were not able to be addressed in the planned FY25 budget. Superintendent Pontes provided information regarding ongoing projects, such as repairs at the Robert Medeiros Resiliency Preparatory Academy, where an Americans with Disabilities Act (ADA) compliant elevator was just installed, and that a similar elevator was needed at Edmond P. Talbot Middle School. Superintendent Pontes emphasized that these are ongoing projects and will continue through additional fiscal years, but that the largest need in Fall River Public Schools is currently adequate staffing. Mr. Almeida confirmed that to keep the budget balanced, all necessary hiring couldn't be completed as they had to focus on filling priority positions. Mr. Almeida provided a brief explanation regarding their plan to sustain grant funding for as long as possible and provide funding to maintain the new B.M.C Durfee High School, so the proposed budget has only been increased by \$2,200,000 this year. Mr. Pacheco provided information regarding maintenance plans for the new high school and stated that the electrical utilities in the new facility were much more cost efficient. Councilor Ponte asked if the City owes the School Department any additional net school spending and Mr. Almeida stated that they do not currently have an outstanding balance.

Councilor Dionne and Mr. Pacheco held a brief discussion regarding the City's collaboration with the owner of the former Atlantis Charter School, located on South Main Street, such as assisting with utility payments and repairing parts of the property. Mr. Pacheco explained that the Request for Proposal (RFP) for this property would allow the City to continue use of the former Atlantis Charter School and that there is an escrow account for these repairs. Councilor Dionne and Mr. Almeida also discussed the decrease in the Expense Reductions for this property and Mr. Almeida clarified that the City will have the former school property paid off within the next year. A brief discussion was held between Councilor Dionne and Mr. Pacheco regarding current and future solar panel use on school properties, which can help to alleviate electric bills. Mr. Pacheco emphasized that many schools need new roof repairs prior to installing panels, but the long-term goal is to have solar energy panels on all school buildings. President Camara and Mr. Pacheco discussed the estimated lifespan, and lease agreement length, of solar panels, which is about twenty years of use.

Vice President Pereira and Mr. Pacheco discussed the costs and challenges with school transportation, as many school buses are not filled to capacity. Mr. Pacheco provided information regarding the long-term plan to adjust bus maps to increase ridership and explained that small school vans are more costly than larger buses.

Councilor Cadime and Superintendent Pontes discussed the enrollment rates for all public schools and the consistent increase of students. Mr. Pacheco provided information regarding the cost of maintaining these schools, specifically the new B.M.C. Durfee High School, to help support the growing number of students. Mr. Pacheco also stated that the Robert Medeiros Resiliency Preparatory Academy will have new windows installed in the Fall. Councilor Cadime requested information regarding the ongoing indirect cost agreements and Superintendent Pontes and Mr. Almeida stated that those agreements are currently being developed, but no specific information can be provided at this time.

27

Bridget Almon, Director of Financial Services, provided a brief PowerPoint presentation regarding the planned FY25 Municipal Budget, which included information regarding a 4.1% budgetary increase, surplus revenue retained for the short-term funding of the new Diman Regional Vocational Technical High School, and a moratorium on adding additional debts.

Councilor Sampson and Ms. Almon held a brief discussion regarding one-time funding that will be used for FY25. Ms. Almon stated that the City is utilizing \$1,800,000 from American Rescue Plan Act (ARPA) funding and \$1,000,000 from the Retained Revenue (Free Cash) funds. Ms. Almon clarified that a majority of the Retained Revenue fund will go towards the debt for the new B.M.C. Durfee High School.

Councilor Dionne requested additional information regarding planned elderly property tax exemption limits, plans for creating more affordable housing, and the plan to install more solar panels in the City. Ms. Almon provided a brief explanation of the increased income limits for elderly property owners and that these changes will allow more property owners to apply for the tax exemption. Seth Thomas Aitken, City Administrator, provided information regarding the Community Development Agency and their work to provide additional affordable housing in Fall River. Mr. Aitken also stated that there are additional, ongoing projects to assist with this matter, such as Councilor Ponte's proposed Affordable Housing Trust. Mr. Aitken stated that this issue is challenging as surrounding communities are not providing enough affordable housing. The City Administrator also explained that the City of Fall River uses Opioid Settlement Funds to provide housing to those who are in addiction recovery. Mr. Aitken provided a summary of the Director of City Operation's plan to install not only solar power machinery, but also wind power machinery, to help offset electricity costs.

Councilor Ponte and Mayor Paul E. Coogan, Chair of the School Committee, held a brief discussion regarding the future use of the Nagle Auditorium at the former B.M.C. Durfee High School. Mayor Coogan stated that the City would be funding the roof replacement and the development of classrooms and that the School Department will assist with additional classroom funding in the future. Councilor Ponte and Mr. Aguiar discussed the possibility of the City splitting the cost of transportation for the former B.M.C. Durfee High School and the limitations of Elementary and Secondary School Emergency Relief funding to help with repairs of the former high school. Councilor Cadime asked for clarification regarding ownership of this property and Mayor Coogan stated that while the School Department still owns the property, the City is assisting with funding. Vice President Pereira and Mayor Coogan held a brief discussion regarding the rentals of school property to churches on Sundays and the increased revenue that these rentals provide for the School Department.

Councilor Ponte and Mayor Coogan held a discussion regarding debt payments for new schools that will be due in the next few years and the effect that will have on residents and property owners. Mayor Coogan emphasized the plan to put this topic on the ballot for the November election due to the large debt amount of \$6,000,000. Councilor Kilby stated that the new Diman Regional Vocational Technical High School project should have been on a previous ballot itself, not just the option for debt payments.

President Camara and Mayor Coogan discussed transportation costs for Diman Regional Vocational Technical High School and Mayor Coogan stated that the Commonwealth of Massachusetts covers 80% of the transportation costs, as it is a regional school. Mayor Coogan explained that while there is a Massachusetts General Law that states the Commonwealth can also fund public schools, the State Senators and Representatives have never allocated funding to provide that financial assistance.

On a motion made by School Committee Member Thomas Khoury and seconded by School Committee Member Michelle "Mimi" Larrivee, it was unanimously voted to adjourn the School Committee meeting at 6:54 p.m., with Committee Members Kevin Aguiar and Bobby Bailey absent and not voting.

On a motion made by Councilor Ponte and seconded by Councilor Sampson, it was unanimously voted to adjourn the City Council meeting at 6:54 p.m., with Councilor Raposo absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

PowerPoint Presentation by Kevin Almeida, CFO, Fall River Public Schools

PowerPoint Presentation by Bridget Almon, Director of Financial Services

Packet from Massachusetts Municipal Association regarding their support of S. 2571,

*An Act Empowering Municipalities and Local Governments*

A true copy. Attest:

*Alison M. Bouchard*

City Clerk



### CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, April 9, 2024, at 5:55 p.m.  
Council Chamber, One Government Center

PRESENT: President Joseph D. Camara, presiding;  
Councilors Shawn E. Cadime, Michelle M. Dionne, Paul B. Hart,  
Bradford L. Kilby, Linda M. Pereira, Cliff Ponte, and Laura-Jean Sampson

ABSENT: Councilor Andrew Raposo

IN ATTENDANCE: Seth Thomas Aitken, City Administrator  
Bridget Almon, Director of Financial Services  
Daniel Aguiar, Director of Engineering and Planning  
Chris Parayno, Assistant City Planner  
Kenneth Fiola, Executive Vice President,  
Bristol County Economic Development Consultants  
Brandyn Demelo, 64 Division Street  
Nelson Vasquez, 210 Sunset Hill.

The President called the meeting to order at 7:01 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 Ponte and seconded by Vice President Pereira, it was unanimously voted to open the hearings with Councilor Andrew Raposo absent and not voting.*

#### **Curb Removal**

1. Brandyn Demelo, 64 Division Street, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
64 and 66 Division Street	14'	16'	0'	30'

The parcel is currently serviced by a 14-foot curb opening and driveway. The applicant proposes to extend that opening by an additional 16 feet. The total opening for the location will be 30 feet.

*The President asked if there were any proponents and Brandyn Demelo, 64 Division Street, came forward and provided a brief explanation of the need to widen the driveway to allow*

additional parking spaces to be added along with a sufficient area to allow other cars to pass behind them as they drive to the second property. The President asked if there were any opponents, and no one came forward.

### Zoning Change

2. Zoning Map Amendments (Joint Hearing with Planning Board)  
Waterfront and Transit-Oriented Development District (WTOD)

John Ferreira, Chair, Planning Board opened the Planning Board hearing at 7:07 p.m.

PRESENT: John Ferreira, Chair, Planning Board  
Elizabeth Andre, Member, Planning Board  
Michael Farias, Member, Planning Board  
Mario Lucciola, Member, Planning Board  
Gloria Pacheco, Member, Planning Board  
Nina Kreuger, Clerk, Planning Board

ABSENT: None

Daniel Aguiar, Director of Engineering and Planning, and Chris Parayno, Assistant City Planner, provided a detailed PowerPoint presentation with information regarding the proposed zoning map amendment that would allow for additional development in the Waterfront and Transit-Oriented Development District (WTOD). Mr. Aguiar stated that this zoning district was created in 2011 to promote tourism and use of the area. Mr. Aguiar stated that this amendment would not remove any of the current properties within this zoning area but would extend the area beyond the current boundaries. Mr. Aguiar stated that this proposal considered the parking that would be needed following the completion of the Davol Street/Route 79 Project. Mr. Aguiar explained that this amendment to the zoning district would allow for additional types of housing units and eliminate the need for most zoning variants that are currently being applied for in this area. President Camara requested additional information regarding those who have worked to develop this area of the City. Mr. Aguiar stated that the Redevelopment Authority (RDA) originally developed the existing zoning map for this area and that in 2019 it was amended to include a larger portion of land. The City Engineer stated that this has been discussed frequently with consultants for the RDA as well. Mr. Aguiar stated that these improvements will help increase investments in this neighborhood, which will benefit the residents of Fall River. Mr. Aguiar explained that the development of the WTOD is currently under the City's purview with no assistance or funding from the Commonwealth of Massachusetts. Mr. Aguiar also stated that this would assist with compliance of the Massachusetts Bay Transportation Authority (MBTA) housing requirements which would allow the City to receive funding from the Commonwealth in the future.

Councilor Dionne requested additional information regarding the need for this additional development and asked the City Engineer to clarify the specific requirements that the MBTA require municipalities to adhere to in order to be eligible for funding. Mr. Aguiar provided information regarding the Urban Renewal Plan which was presented in the past to begin the development of this section of the City while being in compliance with the Commonwealth's housing requirements regarding market-rate units and affordable housing units within a few miles of the new train station. Mr. Aguiar also presented information regarding Massachusetts General Laws (M.G.L.) Part 1, Title VII, Chapter 40A, § 3A that has certain requirements for funding. Mr. Aguiar emphasized that there are many nearby communities who are not pursuing these funding requirements, such as Milton and Wrentham. The City Engineer emphasized that

this law requires a zoning district that allows a specific amount of housing density (15 units/acre) to qualify for additional funding. Since none of the current homes in this area can be grandfathered into the required zoning amount, the development is necessary to allow Fall River to be compliant with the MBTA requirements. Mr. Aguiar emphasized that this project would benefit the City in the distant future.

President Camara requested additional information regarding tenement houses in the district, which were constructed prior to the current zoning ordinances being in place, and if any of those properties would be grandfathered into the program. The City Engineer clarified that, while they will not be included in the count of required units, they will no longer require certain zoning variances from the Zoning Board of Appeals, such as the development additional living space. Councilor Cadime made brief remarks regarding Mendon, MA, voting against this MBTA zoning requirement and the potential lawsuit related to this decision. Mr. Aguiar stated that communities with larger budgets and fewer financial concerns do not have the same incentive to comply with these requirements, as they do not need the additional funding as much as other municipalities. The City Engineer explained that there is a timeline he must adhere to when submitting the data regarding compliance to the Commonwealth and emphasized the importance of zoning compliance.

Councilor Sampson and Mr. Aguiar discussed the outcome of this zoning map ordinance amendment as well as residential opposition to new housing developments in the WTOD. Councilor Dionne and Mr. Aguiar discussed the allowance of a grandfather clause for specific types of mill buildings within the City.

Kenneth Fiola, Executive Vice President, Bristol County Economic Development Consultants, made brief remarks regarding his support of this zoning map ordinance amendment and read aloud his letter of support. Vice President Pereira asked if an architectural firm had been hired to work on this plan and Mr. Aguiar explained that the RDA has been working with Stantec, an engineering consultant firm. Mr. Fiola explained that they are an architectural and planning entity and explained that the RDA consulted with many types of firms during the development of this district plan. Vice President Pereira stated that she supports the development of the waterfront and the importance of housing units, business growth and parking garage development.

Councilor Hart asked Mr. Aguiar for specifics regarding the borders of the proposed expanded WTOD. Mr. Aguiar provided the outline of the proposed expansion, which would move to the southern side of Walnut Street. Councilor Hart asked how many housing units are required within the district to be compliant with the MBTA guidelines. Mr. Aguiar stated that 6,600 units of multifamily affordable housing were required to gain eligibility for additional funding resources. Mr. Aguiar provided further details of all the requirements which include a height limit of 80 feet for larger buildings, which is the same as the current zoning requirement for this area, so no changes will occur regarding the limits of stories within new properties.

President Camara asked how many units could be developed this area with the proposed zoning amendment. Mr. Aguiar stated that the amendment would add 250 acres to the district and would provide the ability to develop between 3,000 and 4,000 additional units, which will allow the City to exceed the required amount dictated by the MBTA requirements. Michael Farias, Member, Planning Board, stated that he is an engineer and has voluntarily worked with the RDA to assist them in choosing a development partner. The President asked if there were any opponents and Nelson Vasquez, 210 Sunset Hill, came forward and stated that he believes this zoning amendment will increase rental costs throughout

the City. Mr. Vasquez and the Director of Engineering and Planning held a brief discussion regarding the potential increase in the cost of living in Fall River. Mr. Aguiar emphasized that this development was required by the MBTA but that he understands that rental costs may increase. The Director of Engineering and Planning also clarified that the goal of this development was to reduce the need for variances and allow for further development of the WTOD.

On a motion made by Councilor Cadime and seconded by Councilor Hart, it was unanimously voted to request that the Planning Board provide a report regarding the WTOD Zoning Map Amendment, with Councilor Raposo absent and not voting.

On a motion made by Mario Lucciola, Member, Planning Board, and seconded by Elizabeth R. Andre, Member, Planning Board, it was unanimously voted to close the Planning Board hearing at 8:06 p.m.

On a motion made by Councilor Dionne and seconded by Councilor Kilby, it was unanimously voted to close the hearings at 8:07 p.m. with Councilor Raposo absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

PowerPoint Presentation re WTOD Zoning Map Amendment

Letter of support re WTOD Zoning Map Amendment, Kenneth Fiola, Executive Vice President,  
Bristol County Economic Development Consultants

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

### COMMITTEE ON FINANCE

MEETING: Tuesday, April 9, 2024, at 6:00 p.m.  
Council Chamber, One Government Center

PRESENT: President Joseph D. Camara, presiding;  
Councilors Shawn E. Cadime, Michelle M. Dionne, Paul B. Hart,  
Bradford L. Kilby, Linda M. Pereira, Cliff Ponte, and Laura-Jean Sampson

ABSENT: Councilor Andrew J Raposo

IN ATTENDANCE: Seth Thomas Aitken, City Administrator  
Bridget Almon, Director of Financial Services  
Chief Timothy Oliveira, Emergency Medical Services  
Deputy Chief Bethann Faunce, Emergency Medical Services

The chair called the meeting to order at 8:08 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

Nelson Vasquez, 210 Sunset Hill - Durfee and Diman

2. Fiscal Year 2025 Enterprise Fund Budget - Emergency Medical Services  
*Councilor Ponte compared the Emergency Medical Services budgets of Fiscal Year 2023 (FY23) and Fiscal Year 2024 (FY24), noted the gradual increases in the annual budgets, and requested additional information regarding the need for the growth each year. Chief Timothy Oliveira, Emergency Medical Services (EMS), stated that they now have an inter-facility non-emergency transport program, which has expanded, and that they have a vaccine program for children. Chief Oliveira clarified that the vaccine program does not create any additional revenue as the immunizations are provided for free. Chief Oliveira stated that the budget increase also reflects the need for more staffing. Councilor Ponte asked if it would be an option to abolish the enterprise fund and move the EMS Division into the General Budget. Bridget Almon, Director of Financial Services, explained that the EMS indirect revenues already reimburse the General Fund for retirement contributions and health insurance premium processing and contributes to additional funds within the Financial Services Departments. Ms. Almon explained that during FY25, EMS had received just over 3 million dollars in Retained Revenue (Free Cash), which was used to reimburse the Federal Emergency Management Agency (FEMA) COVID fund.*

Ms. Almon stated 30% of the 13 million proposed budget is going toward the General Fund. Ms. Almon explained that during the COVID-19 pandemic, due to other financial obligations, the pension costs had not been completely funded, so this reimbursement will assist in balancing those financial costs. Councilor Ponte stated that EMS generates a large amount of revenue for the City and the EMS Enterprise Fund. Deputy Chief Bethann Faunce, EMS, clarified that a large portion of residents are currently on Medicare or Mass Health and that these insurance policies don't pay the full rate for ambulance services. Deputy Chief Faunce explained that most of these types of plans will only pay federal rates, which are much lower. The Deputy Chief of EMS stated that last year there were 24,000 reimbursable calls, 4,045 calls for MassHealth and 4,872 calls for Medicaid and a large portion of uninsured calls.

On a motion made by Vice President Pereira and seconded by Councilor Dionne, it was unanimously voted to refer the proposed EMS Enterprise Fund budget to the full Council for action, with Councilor Raposo absent and not voting.

### 3. Transfers and appropriations

Councilor Dionne requested clarification regarding the Federal Emergency Management Agency (FEMA) COVID Fund. Bridget Almon, Director of Financial Services, stated that this fund was created to serve as a reimbursement account for FEMA expenditures. Ms. Almon explained that these funds were designed to be expended during the pandemic and the federal government would reimburse cities and towns for these expenditures, but due to the confusion during the COVID-19 pandemic, this account never received repayment funds. A brief discussion was held between Councilor Cadime and the Director of Financial Services as this fund account was never presented to the City Council. Ms. Almon explained that this was most likely created with a variance that is allowed during a federal Public Health Emergency, such as the COVID-19 Pandemic, but that she could not confirm this as she was not an employee of the City of Fall River at the time that this account was created.

On a motion made by Councilor Sampson and seconded by Councilor Hart, it was unanimously voted to adjourn at 8:27 p.m. with Councilor Raposo absent and not voting.

#### List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

  
Lauren A. Valcourt  
Clerk of Committees

### REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, April 9, 2024, at 7:00 p.m.  
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Paul Ferland, Administrator of Community Utilities

President Camara called the meeting to order at 8:28 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 and confirmation of the appointment of Reverend James Hornsby to the Community Preservation Committee

*On a motion made by Vice President Pereira and seconded by Councilor Ponte, it was unanimously voted to confirm the appointment, with Councilor Raposo absent and not voting.*

2. Mayor and confirmation of the appointment of Marlene Santos to the Election Commission

*Councilor Dionne stated that she would not support this appointment and emphasized that this decision is not related to the new candidate, but the decision to discontinue David Dennis's tenure on the Commission. On a motion made by Councilor Hart and seconded by Councilor Sampson, it was voted to confirm the appointment, with Councilor Dionne opposed and Councilor Raposo absent and not voting.*

3. Mayor and confirmation of the reappointment of Timothy S. Campos to the Election Commission

*On a motion made by Councilor Hart and seconded by Councilor Sampson, it was unanimously voted to confirm the reappointment, with Councilor Raposo absent and not voting.*

4. Mayor and confirmation of the reappointment of James C. Calkins to the Zoning Board of Appeals

*On a motion made by Councilor Ponte and seconded by Councilor Sampson, it was unanimously voted to confirm the reappointment, with Councilor Raposo absent and not voting.*

5. Mayor and orders appropriating:

a. \$135,773.43 from FY23 Free Cash to FEMA COVID Fund

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

b. \$2,662,076.00 from EMS Fund Free Cash to FEMA COVID Fund

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

6. Mayor and grant order of \$8,613 from the Massachusetts Office of Outdoor Recreation (MOOR) for the Inclusive and Accessible Outdoor Recreation Events Grant Program

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

*Approved, April 10, 2024*

*Paul E. Coogan, Mayor*

7. Mayor and Community Development Agency Year Five Annual Action Plan

*On a motion made by Vice President Pereira and seconded by Councilor Dionne, it was unanimously voted that the item be referred to the Committee on Finance, with Councilor Raposo absent and not voting.*

8. Mayor and Memorandum of Understanding between Local 1314 International Association of Firefighters and City of Fall River

*On a motion made by Vice President Pereira and seconded by Councilor Dionne, it was unanimously voted to adopt the Memorandum of Understanding, with Councilor Raposo absent and not voting.*

*Approved, April 10, 2024*

*Paul E. Coogan, Mayor*

9. Mayor and recommendations from the City Assessor and Board of Assessors re M.G.L. Ch. 59 §5 clause forty-first C re elderly exemptions

*On a motion made by Councilor Ponte and seconded by Councilor Kilby, it was unanimously voted to refer the recommendation to the Committee on Ordinances and Legislation, with Councilor Raposo absent and not voting.*

10. Mayor and communication re Fiscal Year 2023 Financial Audit prepared by Roselli, Clark & Associates

*On a motion made by Councilor Ponte and seconded by Councilor Sampson, it was unanimously voted to refer the communication to the Committee on Finance, with Councilor Raposo absent and not voting.*

**PRIORITY COMMUNICATIONS**

11. Traffic Commission recommending amendments to the traffic ordinances

*On a motion made by Councilor Ponte and seconded by Councilor Hart, it was unanimously voted to refer the recommendations to the Committee on Ordinances and Legislation, with Councilor Raposo absent and not voting.*



## **COMMITTEE REPORTS**

### Committee on Economic Development and Tourism recommending:

#### Action

12. City Council send letter to the Administration and various departments regarding potential actions to improve tourism and support local groups and the community at-large.

*On a motion made by Councilor Ponte and seconded by Councilor Hart, it was unanimously voted to approve the sending of the proposed letter, with Councilor Raposo absent and not voting.*

*On a further motion made by Councilor Cadime and seconded by Councilor Dionne, it was unanimously voted to take items 15 and 16 out of order, with Councilor Raposo absent and not voting.*

*On a further motion made by Councilor Ponte and seconded by Councilor Cadime, it was unanimously voted to waive the rules to allow the Administrator of Community Utilities to answer questions for items 15 and 16.*

### Committee on Ordinances and Legislation recommending:

#### First Reading

15. Proposed Ordinance – FY 2025 Sewer Rates

*A lengthy discussion was held between Councilor Dionne and Paul Ferland, Administrator of Community Utilities, regarding the large increase of the Sewer Rates for Fiscal Year 2025. Mr. Ferland reviewed details regarding revenue, expenditures, and debt services for the Sewer Division and the end goal of eliminating the use of one-time funding to allow the enterprise funds to become self-sufficient. Councilor Dionne expressed concern that residents would not be able to afford these rates and asked if these rate increases could be done more incrementally. Mr. Ferland explained that the consultants provided a plan to allow the Sewer Division to make up for past underfunding and to be more financially stable moving forward. The Administrator of Community Utilities also explained that in the past five years, there have been large amounts of funding obtained by grants and that he works hard to keep all project expenditures within the grant funding amount. Councilor Dionne asked how the Sewer Division would be affected if these rates were not increased and Mr. Ferland stated that the Wastewater Treatment Plant would no longer be able to operate as almost all staffing positions would not be properly funded. The Administrator of Community Utilities also stated that water treatment chemicals couldn't be purchased, and that debt services would go into default. Councilor Dionne stated that she understands the need for the rate increase but will not support the proposed ordinance.*

*Councilor Raposo arrived at 9:07 p.m.*

*On a motion made by Councilor Hart and seconded by Councilor Cadime, it was voted 6 yeas, 3 nays to pass the proposed ordinance through first reading, with Vice President Pereira, Councilor Dionne and Councilor Ponte voting in the negative.*

First Reading, as amended16. Proposed Ordinance – FY 2025 Water Rates

*Councilor Dionne requested information regarding the lack of fluoride treatment in the tap water. Mr. Ferland stated that due to the backorder of the product and the increased costs of other similar products, fluoride was discontinued in 2018. Mr. Ferland explained that the Water Division must keep the line item in the budget for fluoride as the Board of Health still requires the product if it becomes available again.*

*A lengthy discussion was held between Councilor Ponte and the Administrator of Community Utilities regarding the significant increase in the water rates over the past few years. Mr. Ferland explained that the water revenue has continued to decrease and that during the COVID-19 pandemic, many commercial properties were not used as offices were closed. Mr. Ferland also provided information about the Water Division reaching more adequate staffing, which increased the salary component of the budget. Mr. Ferland stated that the budget consultants had recommended against using one-time funding in the budget, but the Committee on Ordinances and Legislation is recommending it be utilized this year to help lower the rates by \$0.12.*

*President Camara and Councilor Ponte discussed the use of one-time funding and President Camara emphasized that a large reason for lack of growing revenue in the Water Division is the closure of manufacturing buildings, such as mills, over the past few decades. President Camara also stated that he supports Mr. Ferland's efforts to discontinue the need to subsidize the enterprise fund budgets with retained revenue each year. Vice President Pereira expressed her concern regarding the lack of solar panels in the watershed area to offset electricity costs for the Water Division.*

*On a motion made by Councilor Kilby and seconded by Councilor Cadime, it was voted 6 yeas, 3 nays, to pass the proposed ordinance through first reading, as amended, with Vice President Pereira, Councilor Dionne and Councilor Ponte voting in the negative.*

Committee on Finance recommending:Action13. Fiscal Year 2025 Enterprise Fund budgets for Water and Sewer Divisions

*The City Clerk clarified with the City Councilors that the Administrator of Community Utilities had provided a revised budget for the Water Division due to the amendment of the original water rate and confirmed with the City Councilors that they wished to vote upon the revised Water Division budget.*

*On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was voted 6 yeas, 3 nays to adopt the Water Division Budget, as amended, and the Sewer Division budget, with Vice President Pereira, Councilor Dionne and Councilor Ponte voting in the negative.*

Committee on Ordinances and Legislation recommending:

First Reading

14. Proposed Ordinance – Traffic, miscellaneous  
Handicapped parking removals
- Birch Street, North, 291 feet east of King Street
  - Cory Street, North, 106 feet east of Oregon Street
  - Holden Street, North, 170 feet west of Fielden Street
  - Lebanon Street, North, 67 feet west of Quequechan Street
  - Prospect Street, North, 30 feet east of Barnaby Street

*On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted that the proposed ordinance be passed through first reading.*

Refer to Corporation Counsel

17. Resolution - Discuss establishment of an ordinance to require ratification of constable applications by the City Council

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

*On a further motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to take items 18 through 20 together.*

Grant Leave to Withdraw

18. Resolution – Prohibiting balloon releases  
19. Resolution – Trash collection and proposal for cart program  
20. Resolution – Establishment of "Veterans Advisory Board"

*On a motion made by Councilor Cadime and seconded by Councilor Raposo, it was unanimously voted that the resolutions be granted leave to withdraw.*

**ORDINANCES**

Second Reading and Enrollment

21. \*Proposed Ordinance – Traffic, miscellaneous

Section 1.

Loading zones

Locust Street, South, Starting at a point 121 feet east of June Street for a distance of 40 feet east, 6:00 a.m. to 3:00 p.m, Monday through Friday

Section 2.

Handicapped parking removals

- 18<sup>th</sup> Street, East, 150 feet south of Merchant Street
- Bay Street, East, 126 feet north of Pokross Street
- Brownell Street, North, 64 feet north of North Court Street
- Cash Street, West, 87 feet south of Pleasant Street
- County Street, North, 53 feet west of Roccliffe Street
- Fenner Street, West, 200 feet north of Dwelly Street
- Fulton Street, West, 87 feet south of Suffolk Street
- Grant Street, West, 178 feet north of William Street
- Grant Street, West, 190 feet north of Division Street
- Grinnell Street, South, 20 feet east of Arlington Street
- Hambly Street, West, 172 feet south of Globe Street
- John Street, West, 202 feet south of Morgan Street

- Middle Street, South, 144 feet west of Broadway
- Norfolk Street, South, 145 feet east of Fulton Street
- North Underwood Street, West, 136 feet south of Narragansett Street
- Oxford Street, West, 20 feet north of Pelham Street
- Pokross Street, North, 296 feet west of Bowen Street
- Pokross Street, North, 440 feet east of Bay Street
- Snell Street, North, 120 feet west of Dover Street
- Stone Street, West, 35 feet north of Lafayette Street

*On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment. On a further motion made Councilor Raposo and seconded by Councilor Cadime, it was unanimously voted that the proposed ordinance be passed through ordination.*

*Approved, April 10, 2024*

*Paul E. Coogan, Mayor*

### **RESOLUTIONS**

22. The Administration and Corporation Counsel prepare a report within thirty (30) days to include information regarding disbursement of funds in relation to ongoing litigation involving the City of Fall River

*Vice President Pereira made brief remarks regarding funds being utilized for legal matters and the need to identify the cost of legal services. On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the resolution.*

### **CITATIONS**

23. Maria Pontes, Fall River Public Schools Superintendent – Retirement after 39 years of working as an educator in Fall River (1985–2024)

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

### **ORDERS – HEARINGS**

#### **Curb Removal**

24. Brandyn Demelo, 64 Division Street – removal of 16 feet at 64 and 66 Division Street

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

*Approved, April 10, 2024*

*Paul E. Coogan, Mayor*

### **ORDERS – MISCELLANEOUS**

25. Police Chief's report on license:

#### **Taxicab Drivers**

Derek Leite

Maurice Mack

Maritza Rodriguez Carrero

#### **Second Hand License Renewal**

TVI, Inc. d/b/a Savers Thrift Store – 109 Mariano Bishop Boulevard

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

26. Auto Repair Shop License Renewal:

William Sanchez, ABG Holdings, LLC d/b/a  
Lambert Auto Body & Auto Sales – 103 Chavenson Street

*The City Clerk notified the City Councilors that this applicant had been denied by the Police Chief, the City Collector, and the Deputy Tax Collector. On a motion made by Vice President Pereira and seconded by Councilor Raposo, it was unanimously voted to refer the application to the Committee on Regulations.*

27. Auto Repair Shop License Transfer:

Auto Repair Shop License No. 338 located at 182 Stafford Road from Jessica M. Rodrigues d/b/a Stafford Road Auto Repair and Sales to Jaquez Auto Sales, LLC d/b/a Jaquez Auto and Repair.

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

*Approved, April 10, 2024*

*Paul E. Coogan, Mayor*

28. Auto Body Shop License Renewal:

Antonio F. Pinto d/b/a Pinto's Auto Repair and Sales, Inc. – 2447 South Main Street  
William Sanchez, ABG Holdings, LLC d/b/a  
Lambert Auto Body & Auto Sales – 103 Chavenson Street

*The City Clerk notified the City Councilors that the second applicant was denied by the Police Chief, the City Collector, and the Deputy Tax Collector for this Auto Body Shop License Renewal Application. On a motion made by Vice President Pereira and seconded by Councilor Sampson, it was unanimously voted that the application for renewal of an auto body shop license for 2447 South Main Street be adopted. On a further motion made by Vice President Pereira and seconded by Councilor Raposo, it was unanimously voted that the application for renewal of an auto body shop license for 103 Chavenson Street be referred to the Committee on Regulations.*

*Approved, April 10, 2024*

*Paul E. Coogan, Mayor*

**COMMUNICATIONS – INVITATIONS – PETITIONS**

29. Claims

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

30. Drainlayer Licenses:

Albert Moreira and Son  
Alexandre's Excavating, Inc.  
Century Paving and Construction, Corp.  
D.W. White – SPS JV  
Geosearch, Inc.  
Green Acres Landscape & Construction Co., Inc.  
J & R Resendes Corp.  
JDQ Excavating, LLC  
JLC Construction Co., Inc.  
Khoury Excavating, Inc.  
MJD Excavating, Inc.  
Perry Heavy Equipment Services, LLC

Raposo Company Landscape & Construction, LLC  
RMT Excavation, Inc.  
Sherry Construction Corporation  
Thermo-Mechanical Systems Inc.

*On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to approve the drainlayer licenses.*

*Approved, April 10, 2024*

*Paul E. Coogan, Mayor*

**BULLETINS – NEWSLETTERS – NOTICES** - None

*A brief recess was held from 9:30 p.m. to 9:33 p.m. for purposes of signing the proposed ordinance.*

*On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to adjourn at 9:33 p.m.*

**List of documents and other exhibits used during the meeting:**

Agenda packet (attached)

DVD of meeting

A true copy. Attest:

*Alison M Bouchard*

City Clerk