

City of Fall River Massachusetts

Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

REGULAR MEETING OF THE CITY COUNCIL

INÊS LEITE
ASSISTANT CITY CLERK

MEETING: Tuesday, January 12, 2016 at 7:00 p.m.
Council Chamber, One Government Center

PRESENT: President Shawn E. Cadime, presiding;
Councilors Richard Cabeceiras, Joseph D. Camara, Steven A. Camara,
Pam Laliberte-Lebeau, Stephen R. Long, Raymond A. Mitchell,
Linda M. Pereira and Cliff Ponte

ABSENT: None

IN ATTENDANCE: None

President Shawn E. Cadime called the meeting to order at 7:21 p.m. with a salute to the flag followed by a moment of silent prayer and announced that the meeting may be recorded with audio or video and transmitted through any medium.

AGENDA

PRIORITY MATTERS

1. Transfers and appropriations
 - a. \$4,001 for the Police Department (prior year salaries and wages)
from the Fiscal Year 2015 Surplus Revenue

Adopted, 9 yeas

- b. \$494,100 for the Special Revenue Account – Energy Rebates
- Adopted, 9 yeas*

2. Mayor requesting position of Substance Abuse Prevention Coordinator
Granted leave to withdraw, 6 yeas, 3 nays

PRIORITY COMMUNICATIONS

3. Board of Election Commissioners and order for Presidential Primary March 1, 2016 and
order designating polling places

Communication was accepted and placed on file

Order for Presidential Primary was adopted – Approved, January 13, 2016, Mayor Jasiel F. Correia, II

Order for designating polling places was adopted – Approved, January 13, 2016, Mayor Jasiel F. Correia, II

4. Superintendent of Schools re: Request to amend Fiscal Year 2015 End of Year Report
Referred to the Committee on Finance

COMMITTEE REPORTS – none

ORDINANCES

5. Amend number of members in Committee on Real Estate
Referred to the Committee on Ordinances and Legislation

RESOLUTIONS

6. Request State Delegation consider filing legislation requiring physicals and drug testing for public employees prior to returning to work after a layoff

A motion was made and seconded to adopt the resolution. Councilor Cabeceiras stated that because he is a laid off firefighter, he will be abstaining from any discussion and vote. A motion was made, seconded and unanimously voted to waive the rules to allow Jason Burns, President of the Fall River Firefighters Union, Local 1314 to discuss the matter with the City Council. Mr. Burns stated that all injuries sustained in the line of duty are reviewed by physicians. On a further motion made and seconded, it was unanimously voted to refer the matter to the City Council Committee on Health and Environmental Affairs.

7. Administration be invited to future meeting of Committee on Finance to discuss advertising on City-owned assets

There was discussion that this matter is already tabled in the Committee on Real Estate and that it may be unnecessary to have an additional resolution to discuss the same matter. On a motion made and seconded, it was voted 4 yeas, 5 nays to grant the resolution leave to withdraw and the motion failed to carry. On a further motion made and seconded, it was unanimously voted to adopt the resolution.

8. Committee on Ordinances and Legislation consider adding another City Council standing committee, titled Budget Preparation, Revenue and Audit Committee

It was discussed that other committees needed to be reviewed regarding their responsibilities. On a motion made and seconded, it was unanimously voted to amend the resolution by adding: "Be it further resolved, that the Committee on Ordinances and Legislation also review other subcommittees to determine if their scope of responsibility should be altered or amended and/or should other subcommittees be established". On a further motion made and seconded, it was unanimously voted to adopt, as amended.

CITATIONS

9. Barbara Cleinman – 80th Birthday
Adopted

ORDERS – HEARINGS FOR TONIGHT – none

ORDERS – HEARINGS TO BE SCHEDULED

Street acceptance:

10. Heritage Court from Commonwealth Avenue to dead end
Adopted.

11. Commonwealth Avenue from William S. Canning Boulevard to Heritage Court
Adopted

ORDERS – NO HEARING REQUIRED – none

ORDERS – MISCELLANEOUS

12. Police Chief's report on licenses
Adopted

13. Auto Repair Shop license renewals
Adopted – Approved January 13, 2016, Mayor Jasiel F. Correia, II

14. Auto Body Shop license renewals
Adopted – Approved January 13, 2016, Mayor Jasiel F. Correia, II

15. City Council meeting schedule for January to June 2016
Discussion was held regarding the proposed April 12th and 26th meeting dates. Councilor Pereira requested that the April meetings be changed to the 5th and 19th. On a motion made and seconded, it was unanimously voted to table the order to allow time to verify school vacation week. On a further motion made and seconded, it was unanimously voted to adopt, as amended the order scheduling the next City Council meeting for January 26, 2016.

COMMUNICATIONS – INVITATIONS – PETITIONS

16. Claims
Referred to Corporation Counsel

17. Fall River Charter Commission re: appreciation for use of Council Chambers for monthly meetings
Accepted and placed on file

18. City resident requesting taxicab vehicle medallion
Referred to the Committee on Ordinances and Legislation

BULLETINS – NEWSLETTERS – NOTICES

19. Environmental Notification Form – Taunton River Crossing Gas Distribution Mail Replacement Project – Fall River and Somerset, MA
Accepted and placed on file

ITEMS FILED AFTER THE AGENDA WAS PREPARED:

COMMITTEE REPORTS

Committee on Regulations recommending:

Adoption:

Order – Second Hand Article Store for Pacheco's Used Furniture, 657 Bedford St.
Adopted – Approved, January 13, 2016, Mayor Jasiel F. Correia, II

Committee on Finance recommending:

Referral to full body:

Loan order – Various Outdoor Recreational Facility Improvements
Adopted, 9 yeas – Approved, January 13, 2016, Mayor Jasiel F. Correia, II

RESOLUTIONS

Committee on Human Services, Housing and Elder Affairs meet to discuss veterans' housing
Adopted

On a motion made and seconded, it was unanimously voted to adjourn at 8:17 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

CD and DVD of meeting

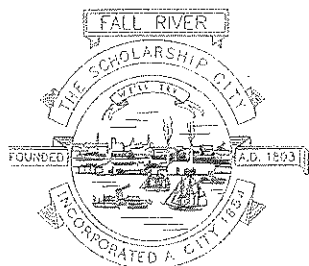
A true copy. Attest:

Alison M. Bouchard

City Clerk

In City Council, May 24, 2016

Approved



City of Fall River Massachusetts

Office of the City Clerk

RECEIVED
JAN 12 2016 P 12:05

JANUARY 8, 2016
MEETINGS SCHEDULED FOR NEXT WEEK
CITY COUNCIL CHAMBER

ALISON M. BOUCHARD
CITY CLERK

TUESDAY, JANUARY 12, 2016

INÊS LEITE
ASSISTANT CITY CLERK

5:30 P.M. COMMITTEE ON REGULATIONS

6:00 P.M. COMMITTEE ON FINANCE OR IMMEDIATELY FOLLOWING THE COMMITTEE ON REGULATIONS IF THAT MEETING RUNS PAST 6:00 P.M.

1. Transfers and appropriations (see #1 below)
2. *Discussion of loan order for Various Outdoor Recreational Facility Improvements for \$367,490 (ref. 12-22-15)

AGENDA

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

PRIORITY MATTERS

1. *Transfers and appropriations (see #1 Finance)
 - a. \$4,001 for the Police Department (prior year salaries and wages) from the Fiscal Year 2015 Surplus Revenue
 - b. \$494,100 for the Special Revenue Account – Energy Rebates
2. *Mayor requesting position of Substance Abuse Prevention Coordinator

PRIORITY COMMUNICATIONS

3. *Board of Election Commissioners and order for Presidential Primary March 1, 2016 and order designing polling places
4. *Superintendent of Schools re: Request to amend Fiscal Year 2015 End of Year Report

COMMITTEE REPORTS – none

ORDINANCES

5. *Amend number of members in Committee on Real Estate

RESOLUTIONS

6. *Request State Delegation consider filing legislation requiring physicals and drug testing for public employees prior to returning to work after a layoff
7. *Administration be invited to future meeting of Committee on Finance to discuss advertising on City-owned assets
8. *Committee on Ordinances and Legislation consider adding another City Council standing committee, titled Budget Preparation, Revenue and Audit Committee

CITATIONS

9. Barbara Cleinman – 80th Birthday

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

ORDERS – HEARINGS FOR TONIGHT – none

ORDERS – HEARINGS TO BE SCHEDULED

Street acceptance:

10. Heritage Court from Commonwealth Avenue to dead end
11. Commonwealth Avenue from William S. Canning Boulevard to Heritage Court

ORDERS – NO HEARING REQUIRED – none

ORDERS – MISCELLANEOUS

12. Police Chief's report on licenses
13. Auto Repair Shop license renewals
14. Auto Body Shop license renewals
15. *City Council meeting schedule for January to June 2016

COMMUNICATIONS – INVITATIONS – PETITIONS

16. *Claims
17. *Fall River Charter Commission re: appreciation for the use of the Council Chambers for monthly meetings
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BULLETINS – NEWSLETTERS – NOTICES

19. Environmental Notification Form – Taunton River Crossing Gas Distribution Mail Replacement Project – Fall River and Somerset, MA


Assistant City Clerk

City of Fall River, In City Council

#2 Finance

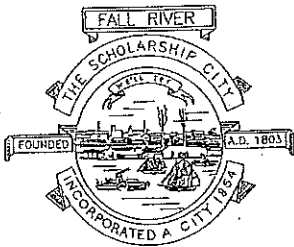
LOAN ORDER
Various Outdoor Recreational Facility Improvements

ORDERED: That the City hereby appropriates Three Hundred and Sixty Seven Thousand Four Hundred and Ninety Dollars (\$367,490) to pay costs of various improvements to Abbott Court Playground, Kennedy Park, and Maplewood Park, and for the payment of all other costs incidental and related thereto. To meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said sum under and pursuant to M.G.L. Chapter 44, Section 7(25) or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that the Mayor is authorized to contract for and expend any federal or state aid available for the project, provided that the amount of the authorized borrowing shall be reduced by the amount of such aid received prior to the issuance of bonds or notes under this order; and that the Mayor is authorized to take any other action necessary to carry out this project.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City to be issued pursuant to this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require.

CITY OF FALL RIVER
IN CITY COUNCIL
DEC 22 2015

Authorized to be published
and referred to the
Committee on Finance, 9 years



C. SAMUEL SUTTER
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2015 DEC 17 P 1:52

CITY CLERK _____
FALL RIVER, MA

December 17, 2015

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

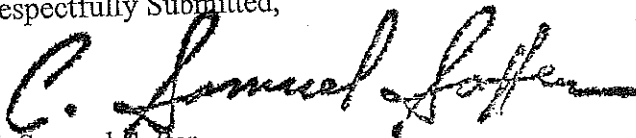
Dear Members of the City Council:

It is respectfully requested that the City Council approve the Various Outdoor Recreational Facility Improvements project loan order.

The City has been awarded a Parkland Acquisitions and Renovations for Communities grant in the amount of \$257,243 to make improvements to three city parks – Abbott Court, Kennedy Park, and Maplewood Park, which will include installation of new fencing at ball fields in each of these parks.

The state funding source, Massachusetts Executive Office of Energy and Environmental Affairs Division of Conservation Services, requests a certified copy of the Council's vote to raise, borrow, or appropriate an amount equal to the total project cost of \$367,490, by the end of the calendar year. Your expeditious approval is appreciated.

Respectfully Submitted,


C. Samuel Sutter
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL

DEC 22 2015

ap & placed on file



City of Fall River Massachusetts

Department of Community Maintenance
CEMETERIES • MUNICIPAL BUILDINGS • PARKS • SANITATION • ENGINEERING
STREETS & HIGHWAYS • TRAFFIC & PARKING • VEHICLES

C. SAMUEL SUTTER
Mayor

KENNETH C. PACHECO
Director

December 17, 2015

Honorable C. Samuel Sutter
Mayor of the City of Fall River
One Government Center
Fall River, MA 02722

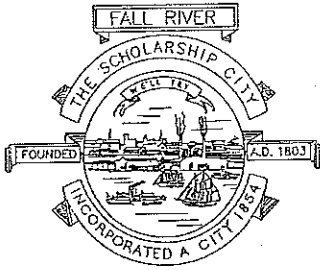
RECEIVED
2015 DEC 18 A 9:56
CITY CLERK
FALL RIVER, MA

Dear Mayor Sutter:

Your approval is hereby requested to ask the City Council for the appropriation of \$367,490.00 for renovations to baseball field fencing located at Kennedy, Abbott Court and Maplewood Parks. The \$367,490.00 amount represents the total design and construction phases. The City will be reimbursed through a grant from the Executive Office of Energy and Environmental Affairs as part of the Parkland Acquisitions and Renovations for Community Assistance program, which is a 70/30 percent grant opportunity. The EOEEA will reimburse the City \$257,243.00 and the City match will be provided by the Community Development Agency in the amount of \$110,247.00. This project will consist of two phases, design work from January 1, 2016 to June 30, 2016 and construction from July 1, 2016 to June 30, 2017. I have attached the letter from the Community Development Agency for verification of the funding.

Sincerely,

Kenneth C. Pacheco
Director of Community Maintenance



C. SAMUEL SUTTER
Mayor

**City of Fall River
Massachusetts**
Community Development Agency



buyfallrivernow

MICHAEL P. DION
Executive Director / CFO

December 14, 2015

Kenneth Pacheco, Director,
City of Fall River
Office of Community Maintenance
One Government Center
Fall River, MA 02722

RECEIVED
2015 DEC 17 P 1:52
CITY CLERK
FALL RIVER, MA

RE: Matching Funds for Parkland Acquisitions and Renovations for Communities Grant Program

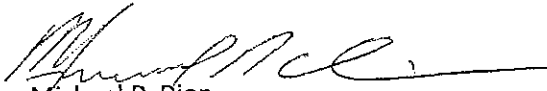
Dear Mr. Pacheco:

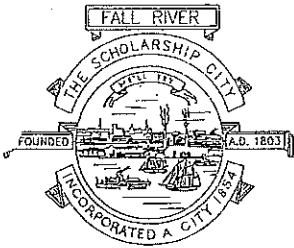
I am writing to express my full support of the City of Fall River's Parkland Acquisitions and Renovation for Communities (PARC) Grant to make improvements to Abbott Court. The Community Development Agency will provide matching funds through the Community Development Block Grant Program (CDBG) beginning July 1, 2016 in the amount of \$110,247.00. Abbott Court is located in low-income census tract and is eligible for CDBG funding. The matching funds will be used for fencing and other related park and playground improvements.

For the past 41 years, CDA has provided Community Development Block Grant (CDBG) funding to the City of Fall River for parks and playground improvements. CDA and the City have partnered successfully to provide safe and beautiful parks, and the CDA is dedicated to working with the City to see these park projects through to completion and to increasing and improving recreational opportunities in Fall River.

Please contact me with any questions you may have.

Sincerely,


Michael P. Dion
Executive Director/CFO



1A

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2016 JAN -7 P 3:12

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

January 7, 2016

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

Dear Honorable Council Members:

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

These appropriations are necessitated due to the regular periodic review of the operating budget. The following appropriations will assist the City in meeting its Fiscal Year 2016 obligations:

1. \$4,001 That the sum of \$4,001 be, and the same is, hereby appropriated for the POLICE DEPARTMENT (PRIOR YEAR SALARIES & WAGES) from the GENERAL FUND FY 15 SURPLUS REVENUE (Freecash).

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

Sincerely,

Jasiel F. Correia II
Mayor

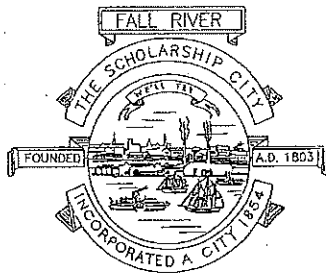
City of Fall River, In City Council

January 12, 2016

1

ORDERED:

**That the sum of \$4,001 be, and the same is, hereby appropriated for the
POLICE DEPARTMENT (PRIOR YEAR SALARIES & WAGES) from the
GENERAL FUND FY 15 SURPLUS REVENUE (Freecash).**



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

RECEIVED

2016 JAN -7 P 3:12

JASIEL F. CORREIA II
Mayor

CITY CLERK
FALL RIVER, MA
JOHN L. NUNES, CMMT, CMMC
Director of Financial Services/Treasurer

PAULIANNE MARTINS-TEIXEIRA
Assistant Treasurer

January 7, 2016

Honorable Jasiel F. Correia II
Mayor of the City of Fall River
One Government Center
Fall River, MA 02722

Dear Mayor Correia II

Your approval is hereby requested to ask the City Council for the appropriation of \$4,001 to pay members of the Fall River Police Department for retro active pay increase for Fiscal Year 2015 that was not approved until August 2015 (Fiscal Year 2016).

By law a City cannot pay bills of a prior year without City Council approval.

These funds will come from the City certified Surplus Revenue (Free Cash).

If you should have any questions, please do not hesitate to contact me.

Very Truly Yours,

John L. Nunes, CMMT/CMMC
Director of Financial Services / Treasurer



Daniel S. Racine
Chief of Police

City of Fall River, Massachusetts
Police Department

Office of the Chief of Police

RECEIVED

2015 JAN -7 P 3:12

CITY CLERK

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

August 6, 2015

This letter will constitute a "side letter" to the current agreement between the City and the Fall River Police Association:

In order to resolve the grievance dated July 27, 2015 regarding proficiency pay for officers who have attained Step 5, the attaché pay scale will be used.

This pay scale will be included in any agreement that is finalized when current negotiations are settled.

Daniel S. Racine 8/6/15

Daniel S. Racine
Chief of Police

Michael Perreira 8/6/15

Michael Perreira
President, Fall River Police Association

FY 16 Appropriation/Transfer Number Analysis # 04

Line	Original/Revised Appropriation	Amount Transferred	New Appropriation
GF Surplus Revenue (Freecash) FY 15	\$ 1,229,076	\$ (4,001)	\$ 1,225,075
Police Salaries & Wages - Prior Year	\$ -	\$ 4,001	\$ 4,001

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



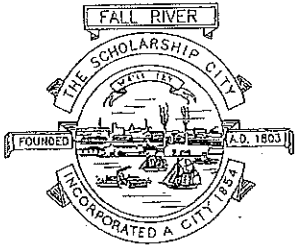
Krishan Gupta, City Auditor

1/7/2016

RECEIVED

2016 JAN -7 P 12:50

CITY CLERK
FALL RIVER, MA



City of Fall River
Massachusetts
Office of the Mayor

1B

RECEIVED

2016 JAN -7 P 4:33

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

January 7, 2016

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

RE: Electricity Rebates

Mr. President and Members of the Honorable Council:

The following Order will allow the City to accept electricity rebate revenue and expend such funds for LED retro-fitting of decorative streetlights and other related work.

Your approval is respectfully requested.

Best Regards,

Jasiel Correia II
Mayor



City of Fall River Massachusetts

Department of Community Maintenance
CEMETERIES • MUNICIPAL BUILDINGS • PARKS • SANITATION • ENGINEERING
STREETS & HIGHWAYS • TRAFFIC & PARKING • VEHICLES

JASIEL F. CORREIA II
Mayor

KENNETH C. PACHECO
Director

January 7, 2016

Honorable Jasiel F. Correia II
Mayor of the City of Fall River
One Government Center
Fall River, MA 02722

RECEIVED
2016 JAN - 8 A 10:36
CITY CLERK
FALL RIVER, MA

Dear Mayor Correia:

This letter is to inform you that the City has received a check in the amount of \$494,100 which is the balance of the anticipated \$705,857.00 of the National Grid Rebate Fund Program. These Funds were awarded to the City for the installation of LED streetlights. The rebate funds will be used for the LED retro-fitting of all decorative streetlights and any underground utility work which may arise during this project.

Sincerely,

Kenneth C. Pacheco, Director

City of Fall River, *In City Council*

January 12, 2016

Ordered, that under the provisions of Massachusetts General Laws, Chapter 44, Section 53 E ½, the City of Fall River by vote of the City Council, hereby accept into the existing Special Revenue Account (5680) Energy Rebates from the Energy Efficiency upgrades and spend up to \$ 494,100 on additional Energy Efficiency upgrades.

Note: The City Council on December 1, 2015 had earlier authorized to receive and spend \$211,757 out of \$705,857 from such energy rebates. Now the remaining \$494,100 has been received.

City of Fall River, In City Council

December 1, 2015

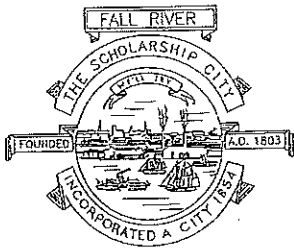
ORDERED, that under the provisions of Massachusetts General Laws, Chapter 44, Section 53 E ½, the City of Fall River by vote of the City Council, hereby establish a Special Revenue Account to receive Energy Rebates from the Energy Efficiency upgrades and spend up to \$ 211,757.00 on additional Energy Efficiency upgrades.

Recommended by the Mayor, November 24, 2015

In City Council, December 1, 2015
Adopted, 8 yeas

A true copy. Attest:

Alison M. Bouchard
City Clerk



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2016 JAN -7 P 3:12

JASIEL F. CORREIA II
Mayor

CITY CLERK
FALL RIVER, MA

January 7, 2016

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

RE: Substance Abuse Prevention Coordinator

Mr. President and Members of the Honorable Council:


My Administration has begun the process of reorganizing City departments to reflect the changing needs of our City and the priorities of my Administration. This initiative has begun in our Health Department where I am requesting a reorganization of staffing to address a serious public health issue. This change will enable us to address the serious substance abuse problems affecting our City's families.

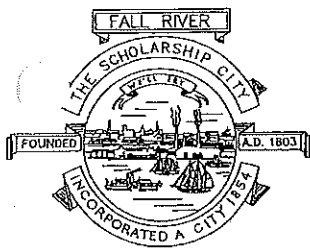
I am requesting the City Council's approval for elimination of a part-time nurse position, currently vacant, in order to provide funding for a new position of Substance Abuse Prevention Coordinator. This change will have zero impact upon the Health Department's Budget.

This position will be filled by Michael Aguiar, a trained and experienced advocate for substance abuse prevention. Mr. Aguiar is currently working part-time in the Health Department under a grant funded position. This will allow us to expand Mr. Aguiar to full-time status and enable him to work with our Police and School Departments to pilot new approaches to intervention and education.

Thank you for your anticipated review and approval of this initiative.

Best Regards,


Jasiel Correia II
Mayor



City of Fall River Massachusetts

Department of Community Services
PLANNING * HEALTH & HUMAN SERVICES
LIBRARY * INSPECTIONAL SERVICES *

Health & Human Services Division

JASIEL F. CORREIA II
Mayor

6 January 2015

Honorable Jasiel F. Correia II, Mayor
City of Fall River
One Government Center
Fall River, MA 02722

Dear Mayor Correia:

In an effort to enable the Health Department to address a severe and growing problem of Substance Abuse within the City, I am requesting that the Health Department be reorganized so that a new position of Substance Abuse Prevention Coordinator be established. This position will replace an existing part-time nurse position which can be eliminated due to the increased availability of vaccine services within the community; this change in staffing will have no increase in my Health Department Budget.

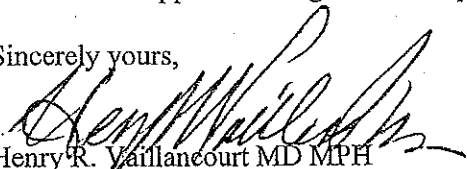
The Substance Abuse Prevention Coordinator will not only be responsible for coordinating the activities of our substance abuse prevention grants, but also acting as a liaison between municipal government and the community on the issues of substance abuse. The Coordinator would be responsible for these grant activities within the City as well as work with the Mayor's Office, Police Department, School Department and private sector service providers to bring the fight against substance abuse such as prescription drug abuse and opiate abuse down to the neighborhood level. In this role, he/she would be responsible for planning events, programs and other educational initiatives that will help to counter this serious problem that has been so devastating to people's quality of life.

Additional funding for this position would come from several sources. The first would be our present MOAPC grant and anticipated PFS 2015 grant. This would result in an annualized salary of \$65,000/year for this critically needed initiative.

I am proposing that Michael Aguiar, our present PFS/MOAPC Grant Coordinator, be given these additional duties and responsibilities. Mr. Aguiar brings with him a wealth of experience in the field of substance abuse prevention and is well-respected on a State level; having worked very closely with the Bureau of Substance Abuse Services (BSAS) on numerous grants/projects. He presently works at SSTAR as Director of Prevention Services and is only one of a few Certified Prevention Specialists within Bristol County.

Therefore, I am humbly requesting that you consider my proposal and permit this reorganization that will enable me to appoint Mr. Aguiar to this position that I have outlined.

Sincerely yours,

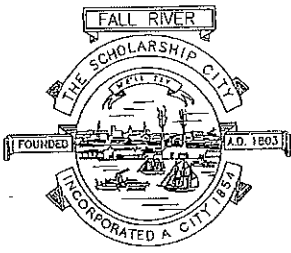

Henry R. Vaillancourt MD MPH
Director Community Services
Director Health & Human Services

RECEIVED

2015 JAN -7 P 3:12

CITY CLERK

HENRY R. VAILLANCOURT MD, MPH
Director of Community Services
Director of Health & Human Services



CITY OF FALL RIVER, MASSACHUSETTS

BOARD OF ELECTION COMMISSIONERS

ONE GOVERNMENT CENTER

TEL. 508-324-2630

RECEIVED

2016 JAN -7 P 1:05

COMMISSIONERS

ELIZABETH A. CAMARA, CHAIRPERSON
ALFREDO P. ALVES
GREGORY A. BRILHANTE
DARYL GONYON

CITY CLERK _____
FALL RIVER, MA

January 7, 2016

Honorable City Council
One Government Center
Fall River MA 02722

Dear City Councillors:

The Board of Election Commissioners is requesting the following locations be designated as polling precincts for the upcoming Presidential Primary being held on Tuesday, March 1, 2016. The Presidential Primary is for Presidential Preference, State Committee Man, State Committee Woman and Ward Committee.

The polls will open at 7:00 A.M. and close at 8:00 P.M.

Sincerely,

Elizabeth A. Camara, Chairperson
Board of Election Commissioners

City of Fall River, *In City Council*

ORDERED; that in accordance with provisions of law, notice is hereby given that meetings of the citizens of Fall River qualified to vote at a Presidential Primary, that will be held on Tuesday, March 1, 2016, in the several polling places designated by this Council, to cast their votes for the election of candidates of political parties for the following offices:

*Presidential Preference

*District Members of State Committee (one man and one woman)

*Ward Committee members for each political party

BE IT FURTHER ORDERED, that the Election Commission be and they are hereby authorized and empowered to cause all necessary rooms, fixtures, apparatus and supplies for the holding of the Presidential Election to be prepared and furnished for the same, the use of the same to be charged to the appropriation for elections.

The polls to be opened from seven o'clock A.M. to eight o'clock P.M. and all voting precincts to be used.

City of Fall River, In City Council

ORDERED, that the following places be and the same are hereby designated as polling places for the Presidential Primary Election to be held on Tuesday, March 1, 2016. The polls to be opened from 7:00 AM to 8:00 PM, and all polling places shall be used.

List of Wards, Precincts and Polling Places

Ward	Prnct	Polling Place Name	Polling Place Address
1	A	ALFRED LETOURNEAU SCHOOL	323 ANTHONY ST
	B	EDWARD F. DOOLAN APTS	CORNER OF LAUREL & MITCHELL DR
	C	ALFRED LETOURNEAU SCHOOL	323 ANTHONY ST
2	A	BLESSED TRINITY CHURCH	1340 PLYMOUTH AVE (ENTRANCE ON WINTHROP ST)
	B	BLESSED TRINITY CHURCH	1340 PLYMOUTH AVE (ENTRANCE ON WINTHROP ST)
	C	CANDEIAS-NIAGARA FIRE STA	CORNER PLYMOUTH AVE & WARREN ST
3	A	MITCHELL APARTMENTS	2100 SOUTH MAIN ST
	B	CARLTON M VIVEIROS SCHOOL	200 LEWIS ST
	C	MATTHEW J KUSS MIDDLE SCH	ENTRANCE ON SHAW ST
4	A	FRANK B. OLIVEIRA APTS	170 WILLIAM ST
	B	JAMES A. O'BRIEN APTS	MORGAN & SECOND STS
	C	THE ATRIUM AT GOV'T CTR	ENTRANCE ON SULLIVAN DR
5	A	CANDEIAS-NIAGARA FIRE STA	CORNER PLYMOUTH AVE & WARREN ST
	B	CHOR BISHOP EID APTS	33 QUEQUECHAN ST
	B1	CHOR BISHOP EID APTS	33 QUEQUECHAN ST
	C	MARY L. FONSECA SCHOOL	160 WALL ST
6	A	FRANCIS J. BARRESI HTS	1863 PLEASANT ST
	B	GEORGE H. COTTELL HTS	1685 PLEASANT ST
	C	RENEY/EASTWOOD FIRE STA	400 EASTERN AVE
	C1	RENEY/EASTWOOD FIRE STA	400 EASTERN AVE
7	A	UNION UNITED METH CHURCH	600 HIGHLAND AVE
	B	THE ATRIUM AT GOV'T CTR	ENTRANCE ON SULLIVAN DR
	C	RAYMOND D. HOLMES APTS	ENTRANCE ON FULTON ST
8	A	MARY L. FONSECA SCHOOL	160 WALL ST
	B	CARDINAL MEDEIROS TOWERS	1197 ROBESON ST (ENTRANCE ON STANLEY ST)
	C	SPENCER BORDEN SCHOOL	ENTRANCE ON CHESTNUT ST
9	A	JAMES TANSEY SCHOOL	711 RAY ST
	B	CALVARY TEMPLE ASSEM OF G	4321 NORTH MAIN ST
	C	CALVARY TEMPLE ASSEM OF G	4321 NORTH MAIN ST

Total Number of Polling Places: 29

No. Pages of Printed: 1

*** End of Report ***

CITY CLERK
FALL RIVER, MA

2016 JAN -7 P. 1:05

RECEIVED

FALL RIVER PUBLIC SCHOOLS

"The Scholarship City"

417 Rock Street, Fall River, MA 02720

Meg Mayo-Brown, Superintendent

4
RECEIVED

2015 DEC 29 P 2:35

December 28, 2015

Mayor C. Samuel Sutter, Chairperson
Fall River School Committee
1 Government Center
Fall River, MA 02722

CITY CLERK _____
FALL RIVER, MA

RE: Request to Amend Fiscal Year 2015 End of Year Report

Dear Honorable Mayor Sutter,

I write in response to the letter I received as copy on December 23, 2015, sent by City Administrator, Cathy Ann Viveiros, requesting an amendment to the End of Year Report filed with the Department of Elementary and Secondary Education (DESE) on November 6, 2015.

In her letter the City Administrator highlighted four areas. I've addressed each below.

- For FY 2015, utilize the previously negotiated MOU for indirect cost allocations. The FRPS Finance Team agrees with this statement as it reflects the negotiated MOU.
- For FY 2016, utilize the "per pupil administrative cost allowance" for indirect cost allocations as agreed to by all parties in May 2015. The FRPS Finance Team agrees with this methodology and since our October 1 student enrollment is now certified by DESE, the actual student enrollment is 10,123, not the 10,374 used by the City's Finance Team. The difference between the projected and actual student enrollment is 251 students. This reduces the per-pupil amount from \$1,130,351 to \$1,103,002, resulting in a net change of \$27,349 using the per-pupil cost of \$108.96.
- For FY 2016, in accordance with 603 CMR 10.04, utilize direct premium costs for property insurance. The FRPS Finance Team will not be submitting a request for an amendment for this area for FY16, however the item is open for discussion for Fiscal Year 2017.
- For FY 2016, in accordance with 603 CMR 10.04 and in acknowledgment of the letter from Jay Sullivan, DESE, utilize direct costs for workers' compensation expenses and settlement claims and excludes legal staff costs. The FRPS Finance Team will not be submitting a request for an amendment for this area for FY 2016, however the item is open for discussion for Fiscal Year 2017.

The City Administrator references a letter dated November 19, 2015 written by John Sullivan, Executive Director of School Finance, DESE, clarifying eligible expenses. In his letter to Mr. Kevin Neida, Chief Financial Officer for FRPS, Mr. Sullivan also states the following:

Your letter states that your understanding of how changes occur to these negotiated agreements is that any change must be agreed to prior to the new fiscal year. Your understanding of how changes occur to these agreements is correct. Changes to a municipal agreement should be negotiated prior to or at the beginning of the fiscal year that the changes will impact. This allows both parties the opportunity to plan the balance of the new year with the changes in mind.

As the City Administrator is requesting changes to the negotiated agreement (MOU) well into Fiscal Year 2016, the FRPS Finance Team is not able to accommodate her request for amendments for Fiscal Year 2016. However, advance planning for Fiscal Year 2017 will allow for negotiating potential changes to the MOU. Further, as we consider changes for Fiscal Year 2017 the FRPS Finance Team would also offer the following for discussion:

- Pension costs to the School Department need review. The current methodology used in the End of Year Report is on the basis of Total Salaries for School Department Employees as a Percentage of the Total of all Salaries for the City's Fall River Retirement System. With the report prepared by PERAC (Massachusetts Public Employee Retirement Administration Commission), we have the Present Value of Pension Benefits or the Actuarial Accrued Liability Figure by Department. Using this actual basis prepared by PERAC, our current expenditure figure would be lowered by \$896,000 to \$1,031,000, depending on the method used.
- After review of the FRPS Health Care account, it is noted that Stop Loss Credits/Reimbursements are fully taken by the City. These credits/reimbursements are done as a reduction to the amounts being charged to the City by Blue Cross/Blue Shield. Credits/Reimbursements related to the School Department should be applied to FRPS.

Additionally, the tuition figure moved to Circuit Breaker was not included in the End of Year report. A total \$73,946 was moved through a journal entry from the Operating Budget to the Circuit Breaker Revolving Fund. This created a surplus within the Operating Budget, thus returning funds to the City for Free Cash and this amount will be amended on the End of Year Report.

In closing, two outstanding areas need to be addressed. First, the City Administrator asserts additional sums for transportation should not be included in the End of Year Report. This matter is comprehensive and historical in nature and a letter from Chief Operating Officer Tom Coogan will be sent under separate cover to address the issue. Second, the City Administrator suggests

there is no need for a MOU. I would caution her recommendation given 603 CMR 10.04, Section 2:

Where the Department's guidelines permit districts to select among two or more permissible methods for allocating the municipal expenditures set forth in 603 CMR 10.04 (1) (a) through (m), one method shall be chosen by the school district and used consistently from year to year. The allocation method used to report expenditures by municipal departments other than the school department may be changed only with the approval of the Commissioner.

As I indicated in my letter to you, dated November 25, 2015, the City's shortfall in meeting required Net School Spending remains at \$1.3 million for Fiscal Year 2016.

Sincerely,



Meg Mayo-Brown
Superintendent of Schools

CC: Fall River School Committee, City Administrator, City Treasurer, City Council Members, John Sullivan

5

City of Fall River, *In City Council*

(President Shawn E. Cadime)

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

That Chapter 2 of the Revised Ordinances of the City of Fall River, Mass., 1999, which chapter relates to Administration be amended, as follows:

By striking out in Section 2-151, which section relates to standing committees established, sub-section (7) in its entirety and inserting in place thereof the following:

- (7) Committee on real estate, consisting of three members.

City of Fall River, In City Council

6
(Councilor Raymond A. Mitchell)

WHEREAS, the City of Fall River has needed to lay off employees from time to time,
and

WHEREAS, many of these employees have been called to return to work, and

WHEREAS, these employees may have been laid off for a long period of time, now
therefore

BE IT RESOLVED, that the State Delegation consider filing legislation requiring
physicals and drug testing for public employees prior to their return to work after a layoff of
six (6) months or longer.

7

City of Fall River, In City Council

(Councilor Cliff Ponte)

WHEREAS, the taxpayers of Fall River cannot be continuously relied upon to fund the increasing costs of needed city services, and

WHEREAS, assets owned by the City of Fall River such as buildings, vehicles and vacant land can be further utilized for city advertising, and

WHEREAS, this can be considered a new source of revenue to help enhance city services, and

WHEREAS, this will not cost the City or its taxpayers any money, now therefore

BE IT RESOLVED, that the Administration be invited to a future meeting of the Committee on Finance to discuss the possibility of utilizing City-owned assets for the use of advertising in an effort to increase revenues at no cost to the City.

City of Fall River, *In City Council*

8

(President Shawn E. Cadime)
(Councilor Linda M. Pereira)
(Councilor Raymond A. Mitchell)
(Councilor Stephen R. Long)
(Councilor Richard Cabeceiras)
(Councilor Pam Laliberte-Lebeau)
(Councilor Cliff Ponte)
(Councilor Steven A. Camara)

WHEREAS, the City of Fall River is working diligently to improve its financial future,
and

WHEREAS, in order to improve the City Council's understanding of the entire budget preparation process, city revenues, and city audits a new standing committee should be created, now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation convene to discuss adding another City Council standing committee, titled Budget Preparation, Revenue & Audit Committee.

City of Fall River, *In City Council*

15

ORDERED, that regular meetings of the City Council during 2016 shall be held as follows, and

BE IT FURTHER ORDERED that at said meetings the Committee on Finance shall begin at 6:00 PM, and the Regular Meeting of the City Council shall begin at 7:00 PM.

January	26
February	9 23
March	8 22
April	12 26
May	10 24
June	14 28

All meetings shall be held in the Council Chamber, Government Center.



City of Fall River
Notice of Claim

RECEIVED

DEC 18 A 11:34

CITY CLERK 15-250
FALL RIVER, MA

1. Claimant's name: Allstate Insurance as subrogee of Jillian Szyndlar
2. Claimant's complete address: PO Box 2169 Boonoke VA 24018
3. Telephone number: Home: 5407257128 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: 11/30/15 1:45 PM Amount of damages claimed: \$ 16,078.85 (not final)
6. Exact location of the incident: (include as much detail as possible):
Chaverton St Fall River MA
7. Circumstances of the incident: (attach additional pages if necessary):
Our insured's vehicle was parked when it was struck by fire dept vehicle driven by Michael Perry
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
Allstate Insurance PO Box 2169 Boonoke VA 24018

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: 12/1/15

Claimant's signature: [Signature]

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

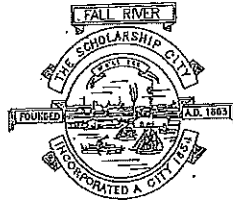
Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

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

For official use only:

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

Date: 12-18-2015



RECEIVED

City of Fall River
Notice of Claim

2015 DEC 22 P 12:09

CITY CLERK 15-251
FALL RIVER, MA

1. Claimant's name: Michael J Amoral
2. Claimant's complete address: 89 Murray St Fall River Ma 02720
3. Telephone number: Home: 508 6747309 Work: 508 617 0219
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
city tree fell on van
5. Date and time of accident: 9-11-15 Amount of damages claimed: \$ 15.00 -
6. Exact location of the incident: (Include as much detail as possible):
89 Murray St
7. Circumstances of the incident: (attach additional pages if necessary):
tree on city sidewalk fell in hood of 2006 van.
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
Commerce Auto Insurance

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: 12-23-15

Claimant's signature: Michael J Amoral

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

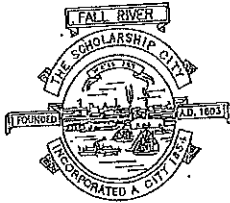
Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

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

For official use only:

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

Date: 12-22-15



Council

RECEIVED

2015 DEC 28 P 2:16

City of Fall River
Notice of Claim

CITY CLERK 15-252
FALL RIVER, MA

1. Claimant's name: Fernando medeiros
2. Claimant's complete address: 444 Osborn St.
3. Telephone number: Home: (508) 837-4257 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Tripped over lifted sidewalk due to tree fell on
5. Date and time of accident: 11-09-15 Amount of damages claimed: \$ 80.00 For Ring
finger & head
6. Exact location of the incident: (include as much detail as possible):
444 Ridge St, near tree & sidewalk, that had Free they
city fixed to cut
7. Circumstances of the incident: (attach additional pages if necessary):

Stitches on finger & cut Ring off
Bruised eye & side of head, Big
Bump

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: 12-24-15

Claimant's signature: Fernando medeiros

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

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

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

For official use only:

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

Date: DEC 28 2015



RECEIVED

City of Fall River
Notice of Claim

2016 JAN -4 A 11:13

CITY CLERK #116-1
FALL RIVER, MA

1. Claimant's name: Elida Cruz
2. Claimant's complete address: 553 N. MAIN APT- 15 Fall River MA
3. Telephone number: Home: 508-840-6104 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):

5. Date and time of accident: 1/12/15 Amount of damages claimed: \$ _____
6. Exact location of the incident: (include as much detail as possible):

7. Circumstances of the incident: (attach additional pages if necessary):
while making a left turn from plymouth Ave (north)
Ave. (south) operator of vehicle #1 went over curb and
subsequently took down a road sign. the vehicle
sustained minor damage.
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: 1/24/15

Claimant's signature: Elida Cruz

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

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

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☒ City Administrator ☒ Traffic Date: 1/24/16

Council

RECEIVED



2016 JAN - 5 A 11: 22

City of Fall River

CLAIM # 15-8006-OF

CITY CLERK

FALL RIVER, MA

Notice of Claim

1. Claimant's name: TROY ROCHA
2. Claimant's complete address: 160 SWELL ST. FALL RIVER MA 02724
3. Telephone number: Home: 508-328-7352 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: 12/4/2015 Amount of damages claimed: \$ 800 - \$1500
6. Exact location of the incident: (include as much detail as possible):
854 KING PHILIP ST. REAR DOOR DAMAGED, AND APT. 111 DOOR DAMAGED
7. Circumstances of the incident: (attach additional pages if necessary):
THE POLICE USED FORCED ENTRY ON 2 BOOKS ON MY PROPERTY WITH A SEARCH WARRANT. THE PERSON ASSOCIATED WITH THE WARRANT HAS NOT LIVED AT THE PROPERTY IN 5 MONTHS. AN ENTIRELY NEW FAMILY LIVES THERE.
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: 12/7/2015Claimant's signature: Troy Rocha

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

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

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

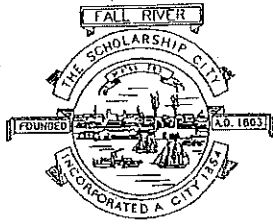
For official use only:

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

Date:

JAN - 5 2016

17



City of

Fall River

Charter Commission

RECEIVED

2016 JAN -7 P 2:29

CITY CLERK
FALL RIVER, MA

January 6, 2016

Shawn E. Cadime, City Council President
City of Fall River
1 Government Center
Fall River, MA 02722

Michael L. Miozza
Chairman

Kris Bartley
Vice Chairman

Brenda Venice
Clerk

Dear City Council Members:

On behalf of the Charter Commission, I would like to express our appreciation for the use of the Council chambers to hold our monthly meetings.

As you are aware the Charter Commission is responsible for:

- Improving the government of Fall River by studying and analyzing issues and concerns of the City
- Educating citizens about the Charter and encouraging involvement in the Commission's work
- Hearing proposals regarding the Charter from the public and the City Council
- Keeping the Charter current by reviewing the provisions and language to keep it up-to-date and coordinated with State laws

Atty. David Assad

James Cusick

Patrick Norton

Dan Robillard

John Silvia

Michael Quinn

I hope that we can continue to strengthen our relationship through more such cooperative efforts. I look forward to seeing City Councilors at future Commission meetings.

Sincerely,

Michael L. Miozza
Fall River Charter Commission
Chairman

