



City of Fall River Massachusetts

Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

JULY 8, 2016
MEETINGS SCHEDULED FOR NEXT WEEK
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

INÊS LEITE
ASSISTANT CITY CLERK

TUESDAY, JULY 12, 2016
AGENDA

5:45 P.M. PUBLIC HEARINGS

Curb Removals:

1. City of Fall River – Removal of 14 feet of curbing for a total of 30 feet of curbing at 276 Maple Street
2. David Murphy – Removal of 12.4 feet of curbing for a total of 25 feet of curbing at 501 Birch Street
3. Eduardo and Irene Rego – Removal of 29 feet of curbing for a total of 198.8 feet of curbing at 63 North Court Street (curb to be removed on Railroad Avenue)

Joint Pole Relocation:

4. Verizon New England, Inc. and Massachusetts Electric Company – Hall Street – One (1) pole relocation

6:00 P.M. COMMITTEE ON FINANCE OR IMMEDIATELY FOLLOWING THE PUBLIC HEARINGS IF THEY RUN PAST 6:00 P.M.

1. Transfers and appropriations (see #3 below)
2. Resolution – Discuss possibility of City Council having own counsel (adopted 6-14-16)

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. *Mayor and veto of order relative to EZ Disposal contract (adopted 6-28-16)
Laid over to the next meeting in accordance with the City Charter
2. *Mayor and proposed ordinance re: salary adjustments and title changes for managerial and union positions
Accepted and placed on file and passed through first reading and referred to the Committee on Ordinances and Legislation, as amended, 7 yeas, 1 nay
3. *Transfers and appropriations (see #1 Finance)
See attached orders with votes

PRIORITY COMMUNICATIONS

4. *Corporation Counsel and draft report on City ordinances
Referred to the Committee on Ordinances and Legislation
5. *Board of Election Commissioners and order authorizing polling places for State Primary Election to be held September 8, 2016 and State and Presidential Election to be held November 8, 2016
Accepted and placed on file and Adopted
Approved, July 15, 2016, Jasiel F. Correia II, Mayor

6. *Purchasing Agent re: surplus of 1995 Engine 21 E-One and order requesting donation to Westport Fire Department
Accepted and placed on file and Adopted
Approved, July 15, 2016, Jasiel F. Correia II, Mayor
7. *Purchasing Agent re: surplus of ten aged SCBA cylinders and order requesting donation to the Bristol County Regional Technical Rescue Team
Accepted and placed on file and Adopted
Approved, July 15, 2016, Jasiel F. Correia II, Mayor

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

Grant leave to withdraw:

8. Resolution – Review city ordinances regarding approval of contracts
Granted leave to withdraw
9. Resolution – Discuss Sec. 46-7 relative to noise
Granted leave to withdraw

First Reading:

10. Proposed ordinance – Traffic, miscellaneous
Passed through first reading

All readings with Emergency Preamble:

11. *Proposed ordinance – Traffic, handicapped parking
Emergency Preamble, Adopted, 8 years
Passed through first reading, second reading, passed to be enrolled and passed to be ordained.
Approved, July 15, 2016, Jasiel F. Correia II, Mayor

Committee on Regulations recommending:

Adoption:

12. Order – S & H Supreme Eastern Ave. Realty, LLC to store 26,000 gallons of gasoline and diesel underground at 825 Eastern Avenue
Adopted
Approved, July 15, 2016, Jasiel F. Correia II, Mayor

Grant leave to withdraw:

13. Communication – City resident regarding taxicab regulations
Referred to the Committee on Regulations

ORDINANCES – None

RESOLUTIONS

14. *Com. on Ordinances and Legislation convene to discuss granting City Council the ability to confirm the appointment and removal of Corporation Counsel
Adopted, 7 years, 1 nay
15. *Com. on Ordinances and Legislation convene to discuss requiring City Council approval for contracts that exceed three years
Adopted, 6 years, 2 nays
16. *Com. on Ordinances and Legislation convene to review and update all salary ordinances
Adopted
17. *City Council and Mayor forward a letter to USA Today regarding a story published naming Fall River as number five in the fifty worst cities to live in
Granted leave to withdraw

CITATIONS – None

ORDERS – HEARINGS

Curb Removals:

18. City of Fall River – Removal of 14 feet of curbing for a total of 30 feet of curbing at 276 Maple Street

Adopted

Approved, July 15, 2016, Jasiel F. Correia II, Mayor

19. David Murphy – Removal of 12.4 feet of curbing for a total of 25 feet of curbing at 501 Birch Street

Adopted

Approved, July 15, 2016, Jasiel F. Correia II, Mayor

20. Eduardo and Irene Rego – Removal of 29 feet of curbing for a total of 198.8 feet of curbing at 63 North Court Street (curb to be removed on Railroad Avenue)

Adopted

Approved, July 15, 2016, Jasiel F. Correia II, Mayor

Joint Pole Relocation:

21. Verizon New England, Inc. and Massachusetts Electric Company – Hall Street – One (1) pole relocation

Adopted

Approved, July 15, 2016, Jasiel F. Correia II, Mayor

ORDERS – MISCELLANEOUS

22. Police Chief's report on licenses

Adopted

23. Auto Body Shop license renewal

Adopted

Approved, July 15, 2016, Jasiel F. Correia II, Mayor

24. Auto Repair Shop license renewals

Adopted

Approved, July 15, 2016, Jasiel F. Correia II, Mayor

25. *Warrant – State Primary Election – September 8, 2016

Adopted, as amended

Approved, July 15, 2016, Jasiel F. Correia II, Mayor

26. *Warrant – State and Presidential Election – November 8, 2016

Adopted, as amended

Approved, July 15, 2016, Jasiel F. Correia II, Mayor

COMMUNICATIONS – INVITATIONS – PETITIONS

27. *Claims

Referred to Corporation Counsel

28. Notice of Casualty and Loss at 226 Brightman Street

Accepted and placed on file

City Council Committee/Meeting Minutes:

29. *Ordinances and Legislation – January 19, 2016

Approved

30. *Ordinances and Legislation – March 1, 2016

Approved

31. *Ordinances and Legislation – July 5, 2016

Approved

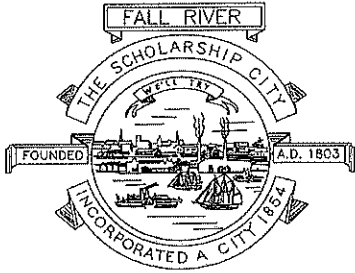
32. *Regulations – July 5, 2016

Approved

BULLETINS – NEWSLETTERS – NOTICES – None

Inês Leite
Assistant City Clerk

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



City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

CITY COUNCIL MEETING DATE: JULY 12, 2016

INÊS LEITE
ASSISTANT CITY CLERK

ITEMS FILED AFTER THE AGENDA WAS PREPARED:

CITATIONS

Madeline Coutroubis – 80th Birthday
Adopted
Richard and Debra Levesque – 25th Anniversary
Adopted
Brightman Corporation – 38th Anniversary
Adopted
Joseph St. Pierre – 100th Birthday
Adopted

City of Fall River, In City Council

1

ORDERED: (FY 16 Orders)

That the sum of \$225,075 be, and the same is, hereby appropriated and credited to GENERAL FUND STABILIZATION FUND from the GENERAL FUND FY 15 SURPLUS REVENUE (Freecash).

Recommended by the Mayor, July 7, 2016

In City Council, July 12, 2016
Adopted, 8 yeas

A true copy. Attest:

Alison M. Bouchard

City Clerk

City of Fall River, In City Council

2

ORDERED: (FY 16 Orders)

That the sum of \$90,000 be transferred, from the CLAIMS and DAMAGES and the same is, hereby appropriated for the WORKMEN COMP (\$50,000) and ADMINISTRATIVE SERVICES EXPENDITURES (\$40,000).

Recommended by the Mayor, July 7, 2016

In City Council, July 12, 2016

Adopted, 8 yeas

A true copy. Attest:

Alison M. Bouchard

City Clerk

City of Fall River, In City Council

3

ORDERED: (FY 16 Orders)

**That the sum of \$20,000 be transferred, from the DEPARTMENT of
COMMUNITY MAINTENANCE Salaries and the same is, hereby
appropriated for the DEPARTMENT of COMMUNITY MAINTENANCE
Expenditures.**

Recommended by the Mayor, July 7, 2016

In City Council, July 12, 2016
Adopted, 8 yeas

A true copy. Attest:

Alison M. Bouchard
City Clerk

City of Fall River, In City Council

4

ORDERED: (FY 16 Orders)

That the sum of \$145,000, \$100,000, \$8,000, \$150,000, \$70,000, \$35,000, \$115,000, \$60,000, \$35,000, \$15,000, \$30,000, \$19,000, \$59,000, \$46,395, and \$50,000 (Total \$937,395) be transferred and appropriated from the PENSION (Recoveries), OPERATING RESERVES, VETERAN DEPARTMENT Salaries, VETERAN DEPARTMENT Expense, ADMINISTRATIVE SERVICES Salaries, DEPARTMENT OF COMMUNITY MAINTENANCE Salaries, COMMUNITY SERVICES Salaries, COMMUNITY SERVICES Expense, FINANCIAL SERVICES Salaries, FINANCIAL SERVICES Expenses, INSURANCE – UNEMPLOYMENT, DEBT SERVICE, POLICE Expenses, FIRE Salaries, FIRE Expenses respectively for the FY 15 SNOW & ICE AMORTIZATION.

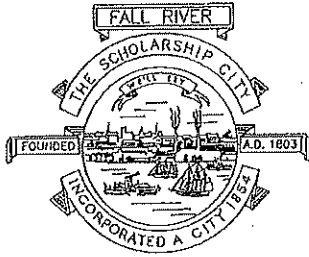
Recommended by the Mayor, July 7, 2016

In City Council, July 12, 2016
Adopted, as amended, 8 yeas

A true copy. Attest:

Alison M. Bouchard

City Clerk



City of Fall River Massachusetts

Office of the City Clerk

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2016 JUL -8 P 1:08

CITY CLERK
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

PUBLIC HEARINGS

INÊS LEITE
ASSISTANT CITY CLERK

Notice is hereby given that public hearings will be held by the City Council on Tuesday, July 12, 2016 at 5:45 p.m. in the Council Chamber, Government Center, to hear all persons interested and wishing to be heard on the following:

Curb Removals

1. City of Fall River, 417 Rock Street, Fall River, MA 02720, requests the removal of 14 feet of curbing with an existing 16 foot driveway for a total of 30 feet at 276 Maple Street, Westall School, to allow for vehicles to have adequate access and egress from the Westall School which is currently undergoing renovations.
2. David Murphy, 501 Birch Street, Fall River, MA 02724, requests the removal of 12.4 feet of curbing with an existing 12.6 foot driveway for a total of 25 feet at 501 Birch Street to allow for off-street parking at this location.
3. Eduardo and Irene Rego, 63 North Court Street, Fall River, MA 02720, request the removal of curbing at 63 North Court Street, Mello's Chourico & Linguica, curb cut to be on Railroad Avenue as follows:

	Existing Driveway Opening	Curb to be Removed	Curb to be Replaced	New Driveway Opening
Railroad Avenue	136.5 feet	29 feet	0 feet	165.5 feet
North Court Street	33.3 feet	0 feet	0 feet	33.3 feet
Total	169.8 feet	29 feet	0 feet	198.8 feet

This request is to allow for turning movements when entering and exiting an existing parking lot. Currently large trucks have problems in negotiating due to the closed off curb areas. There are no property owners on this side of Railroad Avenue.

Joint Pole Relocation

4. Petition of Verizon New England Inc. and Massachusetts Electric Company for one jointly owned pole relocation as follows:

Relocate existing jointly owned pole 13 on the southwesterly side of Hall Street to a point approximately 28' northwesterly from its current location. This pole relocation is necessary in order to accommodate a new driveway entrance to a new building. In accordance with Plan No. MA2016-27 dated June 22, 2016.

Alison M. Bouchard
City Clerk

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

City of Fall River, In City Council

Finance #2

(Councilor Cliff Ponte)

WHEREAS, the City of Fall River's Corporation Counsel currently serves in his capacity as attorney for the City, and

WHEREAS, the position is appointed by the Mayor, and

WHEREAS, there is sometimes a possibility of a conflict of interest in important city matters, and

WHEREAS, there are situations of which the City Council as a body or individually could benefit from having their own counsel, now therefore

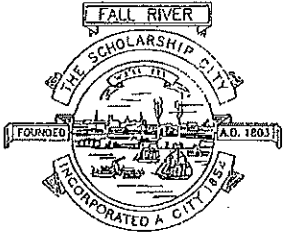
BE IT RESOLVED, that the Committee on Finance convene with members of the administration and Corporation Counsel to determine if the City Council having their own counsel would be in the best interest of the City Council, the City and its residents.

In City Council, June 14, 2016
Adopted, 6 yeas, 3 nays

A true copy. Attest:

Alison M. Bouchard

City Clerk



City of Fall River
Massachusetts
Office of the Mayor

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2016 JUL -6 P 1:31

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

July 6, 2016

City Council
One Government Center
Fall River, MA 02722

Dear Councillors:


I am in receipt of an order of the City Council dated June 28, 2016 that was presented to me on July 1, 2016 relative to the proposed contract with EZ Disposal. The order states, "that the Mayor not execute the proposed contract with EZ Disposal until a decision is rendered by the courts and that they use the appropriation to enter into a short-term contract with laid-off DPW workers to collect trash." In fact, at the time of the order the contract was already executed to take effect July 1, 2016.

On June 28, the City Council by a 5-4 vote approved the entire FY17 City budget and in doing so appropriated the necessary funding for the EZ Disposal contract.

On June 29, 2016 a hearing was held in the court in which the judge ruled that the City of Fall River was governed under a Plan A Charter and as a result the Mayor has the authority to enter into contracts. In her ruling she denied the request for a Temporary Restraining Order.

In accordance with the provisions of Section 55 of the City Charter I am vetoing the attached order.

Sincerely,


Jasiel F. Correia II
Mayor

City of Fall River, In City Council

ORDERED, that the Mayor not execute the proposed contract with EZ Disposal until a decision is rendered by the courts and that they use the appropriation to enter into a short-term contract with laid-off DPW workers to collect trash.

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 28 2016

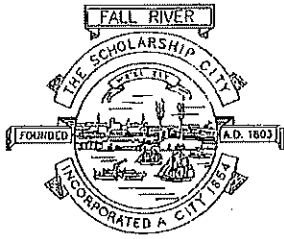
Adopted 6 years, 3 days

PRESENTED TO MAYOR FOR APPROVAL:

JUL - 1 2016

APPROVED:

Mayor



JASIEL F. CORREIA II
Mayor

City of Fall River
Massachusetts
Office of the Mayor

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CITY CLERK _____
FALL RIVER, MA

July 7, 2016

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

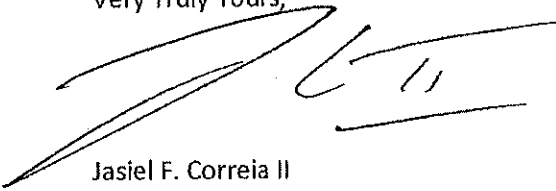
Dear Honorable Council Members:

Attached for your review and action are a combination of salary adjustments, and title changes for managerial and union positions.

The attached listing reflects the corrections in compensation or grades and correction in titles.

Thank you for your consideration and attention to this matter.

Very Truly Yours,


Jasiel F. Correia II
Mayor

City of Fall River, *In City Council*

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

That Chapter 50 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Personnel, be amended as follows:

Section 1

By striking out in Section 50-301, which section relates to Salary schedules generally, the following titles and salaries, the following:

Assistant City Auditor/Chief Accountant
Project Specialist/Treasurer's Office
Special Assistant to the Mayor

Section 2

By inserting in Section 50-301, which section relates to Salary schedules generally, in proper alphabetical order, the following:

Assistant City Auditor
7-1-2016 Not to exceed \$2,873.56

Mayor's Chief of Staff
7-1-2016 Per contract, not to exceed \$78,780.00 per annum

Project Specialist I/Financial Services
7-1-2016 Not to exceed \$70,000.00 per annum

Project Specialist II/Treasurer's Office
7-1-2016 Not to exceed \$56,494.00 per annum

Special Projects/Media – Mayor's Office
7-1-2016 Not to exceed \$52,000.00 per annum

Section 3

By striking out Section 50-302, which section relates to salary schedules for nurses, in its entirety and inserting in place therefore, the following:

Staff Nurse
7-1-2016 Min. \$1,506.59 \$1,565.04 \$1,626.52 \$1,691.01 \$1,758.65 \$1,829.74 \$1,904.32 Max.

Section 4

By striking out in Section 50-307, which section relates to salary schedules for positions covered by Local 3177 other than custodian employees, the salary currently listed for the following position and inserting in place thereof, the following:

Senior Offset Duplicating Machine Operator
7-1-2016 Min. \$1,302.68 \$1,350.57 \$1,398.47 \$1,446.36 \$1,494.26 Max.

Section 5

By inserting in Section 50-307, which section relates to salary schedules for positions covered by Local 3177 other than custodian employees, in proper alphabetical order, the following:

Electrician Maintenance
7-1-2016 \$1,815.45

Heating Ventilation and Air Conditioning (HVAC/Maintenance)
7-1-2016 \$1,815.45

Section 6

By striking out in Section 50-309, which section relates to Salary schedules for executive officers and department heads, the salaries for the following titles and inserting in place thereof, the following:

Administrative Assistant to Board of Assessors/Administrator of Assessing
7-1-2016 Not to exceed \$85,000.00 per annum

City Engineer
7-1-2016 Not to exceed \$90,000.00 per annum

City Planner
7-1-2016 Not to exceed \$88,300.00 per annum

Commissioner of Recreational Facilities and Cemeteries/Administrator of Recreational Facilities,
Cemeteries and Trees
7-1-2016 Not to exceed \$80,000.00 per annum

Director of Community Maintenance
7-1-2016 Per contract, not to exceed \$98,000.00 per annum

Section 7

By inserting in Section 50-309, which section relates to Salary schedules for executive officers and department heads, in proper alphabetical order, the following:

City Treasurer
7-1-2016 Not to exceed \$80,000.00 per annum



City of Fall River
Massachusetts
Office of the Mayor

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JASIEL F. CORREIA II
Mayor

CITY CLERK _____
FALL RIVER, MA

July 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. \$225,075 That the sum of \$225,075 be, and the same is, hereby appropriated and credited to GENERAL FUND STABILIZATION FUND from the GENERAL FUND FY 15 SURPLUS REVENUE (Freecash).
2. \$90,000 That the sum of \$90,000 be transferred, from the CLAIMS and DAMAGES and the same is, hereby appropriated for the WORKMEN COMP (\$50,000) and ADMINISTRATIVE SERVICES EXPENDITURES (\$40,000). The transfer is being requested to meet residual Law Department obligations.
3. \$20,000 That the sum of \$20,000 be transferred, from the DEPARTMENT of COMMUNITY MAINTENANCE Salaries and the same is, hereby appropriated for the DEPARTMENT of COMMUNITY MAINTENANCE Expenditures. The transfer is being requested to meet school buildings maintenance obligations



City of Fall River
Massachusetts
Office of the Mayor

JASIEL F. CORREIA II
Mayor

4. \$937,935 That the sum of \$145,000, \$100,000, \$8,000, \$150,000, \$70,000, \$35,000, \$115,000, \$60,000, \$35,000, \$15,000, \$30,000, \$19,000, \$59,000, \$46,395, and \$50,000 (Total \$937,935) be transferred and appropriated from the PENSION (Recoveries), OPERATING RESERVES, VETERAN DEPARTMENT Salaries, VETERAN DEPARTMENT Expense, ADMINISTRATIVE SERVICES Salaries, DEPARTMENT OF COMMUNITY MAINTENANCE Salaries, COMMUNITY SERVICES Salaries, COMMUNITY SERVICES Expense, FINANCIAL SERVICES Salaries, FINANCIAL SERVICES Expenses, INSURANCE – UNEMPLOYMENT, DEBT SERVICE, POLICE Expenses, FIRE Salaries, FIRE Expenses respectively for the FY 15 SNOW & ICE AMORTIZATION.

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*

1

ORDERED: (FY 16 Orders)

That the sum of \$225,075 be, and the same is, hereby appropriated and credited to GENERAL FUND STABILIZATION FUND from the GENERAL FUND FY 15 SURPLUS REVENUE (Freecash).

City of Fall River, In City Council

2

ORDERED: (FY 16 Orders)

That the sum of \$90,000 be transferred, from the CLAIMS and DAMAGES and the same is, hereby appropriated for the WORKMEN COMP (\$50,000) and ADMINISTRATIVE SERVICES EXPENDITURES (\$40,000).

City of Fall River, In City Council

3

ORDERED: (FY 16 Orders)

**That the sum of \$20,000 be transferred, from the DEPARTMENT of
COMMUNITY MAINTENANCE Salaries and the same is, hereby
appropriated for the DEPARTMENT of COMMUNITY MAINTENANCE
Expenditures.**

ORDERED: (FY 16 Orders)

That the sum of \$145,000, \$100,000, \$8,000, \$150,000, \$70,000, \$35,000, \$115,000, \$60,000, \$35,000, \$15,000, \$30,000, \$19,000, \$59,000, \$46,395, and \$50,000 (Total \$937,935) be transferred and appropriated from the PENSION (Recoveries), OPERATING RESERVES, VETERAN DEPARTMENT Salaries, VETERAN DEPARTMENT Expense, ADMINISTRATIVE SERVICES Salaries, DEPARTMENT OF COMMUNITY MAINTENANCE Salaries, COMMUNITY SERVICES Salaries, COMMUNITY SERVICES Expense, FINANCIAL SERVICES Salaries, FINANCIAL SERVICES Expenses, INSURANCE – UNEMPLOYMENT, DEBT SERVICE, POLICE Expenses, FIRE Salaries, FIRE Expenses respectively for the FY 15 SNOW & ICE AMORTIZATION.

FY 16 Appropriation/Transfer Number Analysis # 10

Line	Original/Revised	Appropriation	Amount Transferred	New Appropriation
FY 15 GF Surplus Revenue (Freecash)	\$	225,075	\$ (225,075)	\$ -
GF Stabilization Fund	\$	500,782	\$ 225,075	\$ 725,857
Claims and Damages	\$	350,000	\$ (90,000)	\$ 260,000
Insurance - WCOMP	\$	830,000	\$ 50,000	\$ 880,000
Administrative Services Expenditures	\$	1,465,555	\$ 40,000	\$ 1,505,555
DCM Salaries	\$	4,613,810	\$ (20,000)	\$ 4,593,810
DCM Expenses	\$	4,640,827	\$ 20,000	\$ 4,660,827
Pension (Recoveries)	\$	23,029,423	\$ (145,000)	\$ 22,884,423
Operating Reserves	\$	100,000	\$ (100,000)	\$ -
Veteran Salaries	\$	240,869	\$ (8,000)	\$ 232,869
Veteran Expenses	\$	2,632,425	\$ (150,000)	\$ 2,482,425
Administrative Services Salaries	\$	1,115,106	\$ (70,000)	\$ 1,045,106
DCM Salaries	\$	4,593,810	\$ (35,000)	\$ 4,558,810
Community Services, Salaries	\$	2,294,932	\$ (115,000)	\$ 2,179,932
Community Services, Expense	\$	442,678	\$ (60,000)	\$ 382,678
Financial Services Salaries	\$	758,994	\$ (35,000)	\$ 723,994
Financial Services Expenses	\$	1,391,069	\$ (15,000)	\$ 1,376,069
Insurance - Unemployment	\$	150,000	\$ (30,000)	\$ 120,000
Debt Service	\$	9,765,510	\$ (19,000)	\$ 9,746,510
Police Expenses	\$	1,320,998	\$ (59,000)	\$ 1,261,998
Fire Salaries	\$	13,668,086	\$ (46,395)	\$ 13,621,691
Fire Expenses	\$	622,331	\$ (50,000)	\$ 572,331
FY 15 Snow & Ice Amortization	\$	-	\$ 937,395	\$ 937,395

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


 Krishan Gupta, City Auditor
 7/7/2016

RECEIVED
 CITY CLERK
 FALL RIVER, MA
 2016 JUL - 7 P 4: 10

City of Hall River, *In City Council*

September 8, 2015

Ordered that the FY 15 Snow and Ice (net) deficit of \$2,812,185 be amortized over three fiscal years (FY 16-18), as provided under Chapter 10, section 58 of the Acts of 2015.

The following amortization schedule is adopted:

FY 16	\$937,395
FY 17	\$937,395
FY 18	<u>\$937,395</u>
Total:	<u>\$2,812,185</u>

In City Council, September 8, 2015
Adopted.

Approved, September 25, 2015
C. Samuel Sutter, Mayor

A true copy. Attest:

Alison M. Bouchard
City Clerk

Snow and Ice Amortization Schedule
Chapter 10, Section 58 of the Acts of 2015

Fall River
City / Town

Deficit as of 6-30-2015	\$ 3,348,794.32	
Less FEMA Reimbursement (Est.)	\$ 536,609.67	
Net Deficit as of 6-30-2015	\$ 2,812,184.65	
	\$ 937,395.00	In FY2016, you must provide for a minimum of one-third (1/3) of the net total balance sheet deficit as of 6-30-2015.

We have adopted the following amortization schedule:

FY2016	\$937,395
FY2017	\$937,395
FY2018	\$937,395
Total	\$2,812,185-

Amortization Tracking Schedule

	General Fund - Balance Sheet Net Deficit as of 6-30	Less Reimbursements (Non FEMA)	Less Appropriations (Any Revenue Source)	Other Amount Raised on Page 2 Recap	Amount Deferred
FY2016	\$ 2,812,184.65			\$ 937,395.00	\$ 1,874,789.65
FY2017	\$ 1,874,789.65			\$ 937,395.00	\$ 937,394.65
FY2018	\$ 937,394.65			\$ 937,394.65	\$ -

SECTION 58. Notwithstanding section 23 of chapter 59 of the General Laws, section 31D of chapter 44 of the General Laws or any other general or special law to the contrary; a city or town may amortize over fiscal years 2016 to 2018, inclusive, in equal installments or more rapidly, the amount of its fiscal year 2015 snow and ice removal deficit. The local appropriating authority as defined in section 21C of said chapter 59 shall adopt a deficit amortization schedule in accordance with the preceding sentence before setting the municipality's fiscal year 2016 tax rate. The commissioner of revenue may issue guidelines or instructions for reporting the amortization of deficits authorized by this section.

FALL RIVER CITY COUNCIL

DATE: September 8, 2015

Joseph R. Canary
Robert J. Blawie
Richard L. Muzzo
R. M. Mott
C. Samuel Saffan

Frank J. Gerardi
John O. Velle
Christine M. Borge

DATE: SEP 25 2015

Mayor

07/07/2016 16:02
citybud

CITY OF FALL RIVER
YEAR TO DATE REVENUE/ EXPENSES REPORT

P 1
glyrbud

FOR 2016 99

JOURNAL DETAIL 2016 1 TO 2016 13

ACCOUNTS FOR:
0100 GENERAL FUND

ORIGINAL APPROP TRANSFRS/ ADJSTMTS REVISED BUDGET YTD EXPENDED ENC/REQ

AVAILABLE BUDGET PCT USED

11010001 CITY COUNCIL SALARIES

511000 SALARIES & WAGES-PERMANENT
51115 LONGEVITY

TOTAL CITY COUNCIL SALARIES

210,247	0	210,247	210,237.44	.00	9.56	100.0%
800	0	800	800.00	.00	.00	100.0%
211,047	0	211,047	211,037.44	.00	9.56	100.0%

11010002 CITY COUNCIL EXPENSES

530600 ADVERTISING
538500 OTHER PURCHASED SERVICES
542500 OTHER OFFICE SUPPLIES

TOTAL CITY COUNCIL EXPENSES

45	0	45	.00	.00	45.00	.0%
2,000	0	2,000	614.99	.00	1,385.01	30.7%
903	0	903	.00	.00	903.00	.0%
2,948	0	2,948	614.99	.00	2,333.01	20.9%

11200001 MAYOR'S OFFICE SALARIES

511000 SALARIES & WAGES-PERMANENT
516900 RETIREMENT BUYOUTS

TOTAL MAYOR'S OFFICE SALARIES

266,001	-14,927	251,074	249,682.56	.00	1,391.88	99.4%
0	14,927	14,927	14,926.56	.00	.00	100.0%
266,001	0	266,001	264,609.12	.00	1,391.88	99.5%

11200002 MAYOR'S OFFICE EXPENSES

538500 OTHER PURCHASED SERVICES
558600 OTHER SUPPLIES
571000 INSTATE TRAVEL/MILEAGE
573100 DUES, MEMBERSHIPS
573400 CONFERENCES

TOTAL MAYOR'S OFFICE EXPENSES

500	1,177	1,677	1,579.85	.00	97.15	94.2%
500	323	823	801.17	.00	21.83	97.3%
1,000	-660	340	336.10	.00	3.90	98.9%
14,500	0	14,500	14,000.00	.00	500.00	96.6%
1,000	-840	160	160.00	.00	.00	100.0%
17,500	0	17,500	16,877.12	.00	622.88	96.4%

11250001 CITY ADMINISTRATION

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ACCOUNTS FOR: GENERAL FUND	ORIGINAL APPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
511000 SALARIES & WAGES-PERMANENT	146,269	-450	145,819	144,300.99	.00	1,518.01	99.0%
511115 LONGEVITY	0	450	450	450.00	.00	.00	100.0%
TOTAL CITY ADMINISTRATION	146,269	0	146,269	144,750.99	.00	1,518.01	99.0%
11250002 CITY ADMINISTRATION							
538500 OTHER PURCHASED SERVICES	5,000	45,914	50,914	51.50	50,000.00	862.67	98.3%
558600 OTHER SUPPLIES	500	1,293	1,793	1,792.97	.00	.00	100.0%
571000 INSTATE TRAVEL/MILEAGE	0	242	242	242.34	.00	.00	100.0%
571300 CHARTER REVIEW	10,000	603	10,603	10,603.20	.00	.00	100.0%
573100 DUES, MEMBERSHIPS	1,070	1,724	2,794	2,794.00	.00	.00	100.0%
573200 SUBSCRIPTIONS	150	-122	28	28.25	.00	.00	100.0%
573400 CONFERENCES	2,500	-1,155	1,345	1,345.07	.00	.00	100.0%
578400 UNCLASSIFIED ITEMS/STAFF DEV	1,500	-1,500	0	.00	.00	.00	.0%
TOTAL CITY ADMINISTRATION	20,720	47,000	67,720	16,857.33	50,000.00	862.67	98.7%
11320002 RESERVE FUND EXPENSES							
578500 UNCLASS. ITEMS/RESERVE FUND A	100,000	0	100,000	.00	.00	100,000.00	.0%
TOTAL RESERVE FUND EXPENSES	100,000	0	100,000	.00	.00	100,000.00	.0%
11350001 AUDITOR'S OFFICE SALARIES							
511000 SALARIES & WAGES-PERMANENT	390,723	-16,580	374,143	362,700.64	.00	11,442.19	96.9%
511115 LONGEVITY	1,300	100	1,400	1,400.00	.00	.00	100.0%
511300 SUMMER HOURS	5,730	0	5,730	5,725.36	.00	4.64	99.9%
513000 OVERTIME SALARIES	2,500	0	2,500	873.02	.00	1,626.98	34.9%
516000 PROFESSIONAL DEY STIPENDS	6,000	0	6,000	6,000.00	.00	.00	100.0%
516901 VACATION BUYBACK	0	1,480	1,480	1,480.17	.00	.00	100.0%
TOTAL AUDITOR'S OFFICE SALARIES	406,253	-15,000	391,253	378,179.19	.00	13,073.81	96.7%
11350002 AUDITOR'S OFFICE EXPENSES							

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ACCOUNTS FOR: GENERAL FUND	ORIGINAL APPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
525000 OFFICE EQUIP FURN MAINT	1,000	3,540	4,540	4,328.84	.00	211.16	95.3%
530200 ACCOUNTING, AUDITING AND LEG	220,000	-26,000	194,000	185,900.00	.00	8,100.00	95.8%
538500 OTHER PURCHASED SERVICES	9,000	-20	8,980	3,586.19	1,555.67	3,838.14	57.3%
558600 OTHER SUPPLIES	1,000	613	1,613	1,161.65	450.95	.00	100.0%
571000 INSTATE TRAVEL/MILEAGE	2,000	-1,536	464	180.00	.00	.00	100.0%
573100 DUES MEMBERSHIPS	1,500	-1,320	180	1,919.67	.00	1,122.66	100.0%
573400 CONFERENCES	3,500	-458	3,042		.00		63.1%
TOTAL AUDITOR'S OFFICE EXPENSES	238,000	-25,181	212,819	197,540.64	2,006.62	13,271.96	93.8%
11380001 PURCHASING DEPT SALARIES							
511000 SALARIES & WAGES-PERMANENT	136,712	-7,230	129,482	122,681.64	.00	6,800.05	94.7%
511115 LONGEVITY BUYOUTS	800	0	800	800.00	.00	.00	100.0%
516900 RETIREMENT ALLOWANCE - SALAR	0	7,230	7,230	7,230.31	.00	.00	100.0%
519700 AUTOMOBILE ALLOWANCE	3,120	0	3,120	2,558.50	.00	561.50	82.0%
TOTAL PURCHASING DEPT SALARIES	140,632	0	140,632	133,270.45	.00	7,361.55	94.8%
11380002 PURCHASING DEPT EXPENSES							
530600 ADVERTISING	5,000	-2,374	2,626	2,625.97	.00	.00	100.0%
573100 DUES, MEMBERSHIPS	175	0	175	175.00	.00	.00	100.0%
573400 CONFERENCES	2,000	-351	1,649	1,365.00	.00	284.03	82.8%
574300 FIDELITY INSURANCE	100	0	100	100.00	.00	.00	100.0%
TOTAL PURCHASING DEPT EXPENSES	7,275	-2,725	4,550	4,265.97	.00	284.03	93.8%
11385352 PURCHASING CITY WIDE EXPENSES							
538500 OTHER PURCHASED SERVICES	1,200	-1,200	0	46,525.35	.00	751.99	98.4%
542500 OTHER OFFICE SUPPLIES	45,000	2,624	47,624		346.19		
TOTAL PURCHASING CITY WIDE EXPENSES	46,200	1,424	47,624	46,525.35	346.19	751.99	98.4%
11410001 ASSESSOR'S OFFICE SALARIES							

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ACCOUNTS FOR:
0100 GENERAL FUND

ORIGINAL APPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
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511000 SALARIES & WAGES-PERMANENT	293,117	6,302	299,419	287,435.53	11,983.46	96.0%
511115 LONGEVITY	2,100	422	2,522	2,521.92	101.92	95.4%
511300 SUMMER HOURS	2,233	0	2,233	2,131.08	101.92	95.4%
516900 RETIREMENT BUYOUTS	0	23,276	23,276	23,276.09	0.00	100.0%
519700 AUTOMOBILE ALLOWANCE - SALAR	4,680	0	4,680	3,120.00	1,560.00	66.7%
TOTAL ASSESSOR'S OFFICE SALARIES	302,130	30,000	332,130	318,484.62	13,645.38	95.9%

11410002 ASSESSOR'S OFFICE EXPENSES

530600 ADVERTISING	9,000	-9,000	0	13,800.00	0.00	100.0%
538400 COMPUTER SERVICES	13,000	800	13,800	13,800.00	0.00	100.0%
538500 OTHER PURCHASED SERVICES	133,925	21,400	155,325	149,618.36	5,706.64	96.3%
542500 OTHER OFFICE SUPPLIES	2,000	25	2,025	1,574.80	419.34	79.3%
571000 INSTANT TRAVEL/MILEAGE	1,000	0	1,000	615.96	384.04	61.6%
573100 DUES, MEMBERSHIPS	500	0	500	230.00	270.00	46.0%
573200 SUBSCRIPTIONS	200	0	200	200.00	200.00	100.0%
573400 CONFERENCES	2,800	0	2,800	1,903.07	896.93	68.0%
TOTAL ASSESSOR'S OFFICE EXPENSES	162,425	13,225	175,650	167,742.19	7,876.95	95.5%

11450001 TREASURER'S OFFICE SALARIES

511000 SALARIES & WAGES-PERMANENT	343,432	-63,174	280,258	280,257.58	0.00	100.0%
511001 TRX TITLE SALARIES	40,956	-8,768	32,188	22,745.08	9,442.86	70.7%
511115 LONGEVITY	700	0	700	700.00	0.00	100.0%
511300 SUMMER HOURS	2,831	0	2,831	2,809.72	21.28	99.2%
513000 OVERTIME SALARIES	1,500	0	1,500	341.11	1,158.89	22.7%
516900 RETIREMENT BUYOUTS	0	26,942	26,942	26,942.48	0.00	100.0%
TOTAL TREASURER'S OFFICE SALARIES	389,419	-45,000	344,419	333,795.97	10,623.03	96.9%

11450002 TREASURER'S OFFICE EXPENSES

525000 OFFICE EQUIP FURN MAINT	10,000	-7,720	2,280	2,192.40	87.63	96.2%
538500 OTHER PURCHASED SERVICES	0	14,761	14,761	14,761.22	0.00	100.0%
538501 OTHER PURCHASED SERV-TRX TIT	156,000	35,991	191,991	191,991.32	0.00	100.0%
542500 OTHER OFFICE SUPPLIES	500	1,172	1,672	1,542.88	39.00	94.6%

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ACCOUNTS FOR: GENERAL FUND	ORIGINAL APPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
570000 OTHER CHARGES AND EXPENSES	80,000	9,177	89,177	89,177.21	.00	.00	100.0%
571000 INSTATE TRAVEL/MILEAGE	700	-15	685	684.71	.00	.00	100.0%
573100 DUES, MEMBERSHIPS	300	40	340	340.00	.00	.00	100.0%
573200 SUBSCRIPTIONS	150	-150	0	.00	.00	.00	0%
573400 CONFERENCES	3,780	-2,220	1,560	1,560.02	.00	.00	100.0%
574300 FIDELITY INSURANCE	3,294	-1,836	1,458	1,458.00	.00	.00	100.0%
TOTAL TREASURER'S OFFICE EXPENSES	254,724	49,201	303,925	303,707.76	39.00	178.02	99.9%
11460001 COLLECTOR'S OFFICE SALARIES							
511000 SALARIES & WAGES-PERMANENT	303,896	-3,456	300,440	300,006.29	.00	433.78	99.9%
51115 LONGEVITY	4,300	0	4,300	4,116.99	.00	183.01	95.7%
511300 SUMMER HOURS	12,571	0	12,571	10,448.83	.00	2,122.17	83.1%
513000 OVERTIME SALARIES	2,500	770	3,270	3,270.26	.00	.00	100.0%
516900 RETIREMENT BUYOUTS	0	2,686	2,686	2,685.67	.00	.00	100.0%
TOTAL COLLECTOR'S OFFICE SALARIES	323,267	0	323,267	320,528.04	.00	2,738.96	99.2%
11460002 COLLECTOR'S OFFICE EXPENSES							
530403 TAX TITLE RECORDING FEES	23,000	-1,250	21,750	21,750.00	.00	.00	100.0%
530600 ADVERTISING	23,000	-6,664	16,336	16,335.63	.00	.00	100.0%
538500 OTHER PURCHASED SERVICES	12,000	8,185	20,185	11,459.40	234.12	8,451.40	58.1%
558600 OTHER SUPPLIES	2,000	-271	1,729	1,729.45	.00	.00	100.0%
571000 INSTATE TRAVEL/MILEAGE	2,000	0	2,000	1,122.73	.00	1,877.27	6.1%
573100 DUES, MEMBERSHIPS	2,000	0	2,000	140.00	.00	60.00	30.0%
573400 CONFERENCES	2,000	0	2,000	665.30	.00	1,334.70	33.3%
574300 FIDELITY INSURANCE	2,400	0	2,400	1,155.00	.00	1,245.00	48.1%
TOTAL COLLECTOR'S OFFICE EXPENSES	66,600	0	66,600	53,397.51	234.12	12,968.37	80.5%
11510001 LAW DEPARTMENT SALARIES							
511000 SALARIES & WAGES-PERMANENT	302,163	-5,353	296,810	261,479.56	.00	35,330.04	88.1%
51115 LONGEVITY	600	0	600	600.00	.00	.00	100.0%
516900 RETIREMENT BUYOUTS	0	5,353	5,353	5,353.40	.00	.00	100.0%
519400 OTHER STIPENDS	26,200	0	26,200	1,500.00	.00	24,700.00	5.7%
TOTAL LAW DEPARTMENT SALARIES	328,963	0	328,963	268,932.96	.00	60,030.04	81.8%

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11510002 LAW DEPARTMENT EXPENSES

530200 ACCOUNTING, AUDITING AND LEG	20,000	-14,770	5,230	5,230.00	.00	.00	100.0%
531200 OTHER PROFESSIONAL SERVICES	130,000	-19,142	110,858	110,857.76	.00	.00	100.0%
558600 OTHER SUPPLIES	6,000	-2,056	3,944	3,743.35	200.27	.00	100.0%
571000 INSTATE TRAVEL/MIILEAGE	2,000	0	2,000	1,517.56	.00	.00	75.9%
573100 DUES, MEMBERSHIPS	2,000	-1,419	581	581.00	.00	.00	100.0%
573200 SUBSCRIPTIONS	15,000	-3,612	11,388	11,315.73	.00	71.89	99.4%

TOTAL LAW DEPARTMENT EXPENSES

175,000	-41,000	134,000	133,245.40	200.27	554.33	99.6%
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11520001 PERSONNEL DEPT SALARIES

511000 SALARIES & WAGES-PERMANENT	249,159	-3,000	246,159	245,451.38	.00	707.62	99.7%
51115 LONGEVITY	600	0	600	600.00	.00	.00	100.0%
516301 VACATION BUYBACK	4,000	0	4,000	.00	.00	4,000.00	.0%

TOTAL PERSONNEL DEPT SALARIES

253,759	-3,000	250,759	246,051.38	.00	4,707.62	98.1%
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11520002 PERSONNEL DEPT EXPENSES

525000 OFFICE EQUIP FURN MAINT	0	167	167	166.73	.00	.00	100.0%
530100 MEDICAL AND DENTAL	1,000	-870	130	130.00	.00	.00	100.0%
530600 ADVERTISING	1,000	-45	956	955.50	.00	.00	100.0%
531200 OTHER PROFESSIONAL SERVICES	4,291	-3,412	879	364.00	.00	514.77	41.4%
571000 INSTATE TRAVEL/MIILEAGE	200	0	200	.00	.00	200.00	.0%
573100 DUES, MEMBERSHIPS	275	0	275	275.00	.00	.00	100.0%
573400 CONFERENCES	0	160	160	160.00	.00	.00	100.0%

TOTAL PERSONNEL DEPT EXPENSES

6,766	-4,000	2,766	2,051.23	.00	714.77	74.2%
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11555511 COMPUTER ROOM SALARIES

511000 SALARIES & WAGES-PERMANENT	296,681	-71,337	225,344	224,973.27	.00	371.05	99.8%
51115 LONGEVITY	2,900	0	2,900	2,900.00	.00	.00	100.0%
511300 SUMMER HOURS	2,402	0	2,402	2,402.29	.00	.00	100.0%

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ACCOUNTS FOR:
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513000 OVERTIME SALARIES
516900 RETIREMENT BUYOUTS

TOTAL COMPUTER ROOM SALARIES

11555512 COMPUTER ROOM EXPENSES

527300 RENTALS AND LEASES
527700 DATA PROCESSING EQUIP - RENT
530010 TRAINER SERVICES
534010 TELEPHONE/COMMUNICATIONS
534300 POSTAGE/COMMUNICATIONS
558300 DATA PROCESSING SUPPLIES

TOTAL COMPUTER ROOM EXPENSES

11610001 CITY CLERK SALARIES

511000 SALARIES & WAGES-PERMANENT
511115 LONGEVITY
511300 SUMMER HOURS
519400 OTHER STIPENDS

TOTAL CITY CLERK SALARIES

11610002 CITY CLERK EXPENSES

525000 OFFICE EQUIP FURN MAINT
530600 ADVERTISING
531200 OTHER PROFESSIONAL SERVICES
534300 POSTAGE/COMMUNICATIONS
538500 OTHER PURCHASED SERVICES
571000 INSTANT TRAVEL/MILEAGE
573100 DUES, MEMBERSHIPS
573200 SUBSCRIPTIONS
574200 LIABILITY INSURANCE

TOTAL CITY CLERK EXPENSES

11620001 ELECTION COMMISSION SALARIES

291,800	-58	291,742	284,293.89	-00	7,447.95	97.4%
3,200	0	3,200	3,200.00	-00	-00	100.0%
4,617	52	4,669	4,668.80	-00	-00	100.0%
1,901	6	1,907	1,907.36	-00	-00	100.0%
301,518	0	301,518	294,070.05	-00	7,447.95	97.5%
1,117,295	91,600	1,208,895	1,157,467.85	43,856.87	7,570.28	99.4%
147,339	3,475	150,814	127,949.51	21,260.75	1,603.99	98.9%
566,956	90,139	657,095	630,097.66	22,188.77	4,808.75	99.3%
1,000	-1,000	0	0.00	407.35	-00	0%
204,000	57,642	261,642	261,234.77	-00	1,157.00	100.0%
150,000	-35,838	114,162	113,003.98	-00	1,157.54	99.0%
48,000	-22,818	25,182	25,181.93	-00	-00	100.0%
1,500	0	1,500	512.04	-00	987.96	34.1%
24,000	-7,664	16,336	16,336.39	-00	-00	100.0%
327,483	-79,000	248,483	247,123.99	-00	1,359.01	99.5%
2,000	-407	2,000	1,996.77	-00	3.23	99.8%
20,000	0	20,000	23,685.06	-00	2,008.44	92.2%
1,500	0	1,500	3,313.12	-00	16,686.88	16.6%
900	0	900	826.79	-00	865.00	42.3%
1,500	0	1,500	430.84	-00	73.21	91.9%
1,700	0	1,700	515.00	-00	1,069.16	28.7%
4,500	407	4,907	4,906.50	-00	185.00	73.6%
500	0	500	222.50	-00	-00	100.0%
57,700	0	57,700	36,531.58	-00	277.50	44.5%
					21,168.42	63.3%

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ACCOUNTS FOR: GENERAL FUND	ORIGINAL APPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
511000 SALARIES & WAGES-PERMANENT	85,736	0	85,736	85,735.40	.00	.60	100.0%
51115 LONGEVITY	1,000	0	1,000	1,000.00	.00	.00	100.0%
511200 PROFESSIONAL SALARIES	61,000	0	61,000	60,069.55	.00	930.45	98.5%
512000 SALARIES & WAGES - TEMPORARY	14,395	0	14,395	13,938.39	.00	456.61	96.8%
513000 OVERTIME SALARIES	5,500	0	5,500	4,904.82	.00	595.18	89.2%
513013 DPM ELECTION OT	5,000	0	5,000	2,925.89	.00	2,074.11	58.5%
TOTAL ELECTION COMMISSION SALARIES	172,631	0	172,631	168,574.05	.00	4,056.95	97.6%
11620002 ELECTION COMMISSION EXPENSES							
525000 OFFICE EQUIP FURN MAINT	10,123	0	10,123	9,505.03	.00	617.97	93.9%
525004 EQUIPMENT MAINT & REPAIR	1,600	0	1,600	1,303.35	.00	296.65	81.5%
527100 BUILDINGS - RENTALS & LEASES	2,040	0	2,040	2,040.00	.00	.00	100.0%
527300 RENTALS AND LEASES	1,000	0	1,000	733.77	.00	266.23	73.4%
530600 ADVERTISING	3,500	0	3,500	1,782.52	.00	1,717.48	50.9%
534300 POSTAGE/COMMUNICATIONS	30,000	0	30,000	28,947.54	.00	1,052.46	96.5%
542500 OTHER OFFICE SUPPLIES	700	0	700	519.82	.00	180.18	74.1%
542600 PRINTING SUPPLIES	41,000	0	41,000	35,860.62	.00	5,139.38	87.5%
549100 FOOD SUPPLIES	300	0	300	226.98	.00	73.02	75.7%
571000 INSURANCE TRAVEL/MILEAGE	250	0	250	.00	.00	250.00	0%
573100 DUES MEMBERSHIPS	150	0	150	.00	.00	150.00	0%
573200 SUBSCRIPTIONS	45	0	45	45.00	.00	.00	100.0%
573400 CONFERENCES	1,000	0	1,000	431.18	.00	568.82	43.1%
TOTAL ELECTION COMMISSION EXPENSES	91,708	0	91,708	81,395.81	.00	10,312.19	88.8%
11750001 PLANNING DEPT SALARIES							
511000 SALARIES & WAGES-PERMANENT	162,247	0	162,247	156,429.51	.00	5,817.13	96.4%
51115 LONGEVITY	800	0	800	800.00	.00	.00	100.0%
511300 SUMMER HOURS	2,725	0	2,725	2,725.36	.00	.00	100.0%
513000 OVERTIME SALARIES	5,000	0	5,000	3,575.88	.00	1,424.12	71.5%
519700 AUTOMOBILE ALLOWANCE - SALAR	1,560	0	1,560	.00	.00	1,560.00	0%
TOTAL PLANNING DEPT SALARIES	172,332	0	172,332	163,530.75	.00	8,801.25	94.9%
11750002 PLANNING DEPT EXPENSES							

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ACCOUNTS FOR:
GENERAL FUND

ORIGINAL
APPROP

TRANSFERS/
ADJUSTMENTS

REVISED
BUDGET

YTD EXPENDED

ENC/REQ

AVAILABLE
BUDGET

PCT
USED

530600 ADVERTISING 31,000 0 31,000 10,447.80 .00 20,552.20 33.7%
538500 OTHER PURCHASED SERVICES 2,000 0 2,000 35.86 .00 1,964.14 1.8%
542100 OFFICE SUPPLIES 2,000 0 2,000 1,931.62 .00 68.38 96.6%
571000 INSTAITE TRAVEL/MLIAGE 200 0 200 39.96 .00 160.04 20.0%
573100 DUES, MEMBERSHIPS 1,000 0 1,000 495.00 .00 505.00 49.5%

TOTAL PLANNING DEPT EXPENSES 36,200 0 36,200 12,950.24 .00 23,249.76 35.8%

11755781 LICENSE BOARD SALARIES

511000 SALARIES & WAGES-PERMANENT 37,021 0 37,021 36,898.57 .00 122.43 99.7%
51115 LONGEVITY 600 0 600 600.00 .00 .00 100.0%
511300 SUMMER HOURS 2,233 0 2,233 2,232.56 .00 .44 100.0%
513000 OVERTIME SALARIES 1,500 0 1,500 1,234.91 .00 265.09 82.3%

TOTAL LICENSE BOARD SALARIES 41,354 0 41,354 40,966.04 .00 387.96 99.1%

11755782 LICENSE BOARD EXPENSES

530600 ADVERTISING 4,000 0 4,000 2,934.80 .00 1,065.20 73.4%
542100 OFFICE SUPPLIES 500 0 500 190.96 67.11 241.93 51.6%

TOTAL LICENSE BOARD EXPENSES 4,500 0 4,500 3,125.76 67.11 1,307.13 71.0%

12100001 POLICE DEPARTMENT SALARIES

500000 EMPLOYEE BENEFIT ALLOCATION 0 1 14,875.138 14,617.074 14,977,575.24 .00 360,501.32 100.0%
511000 SALARIES & WAGES-PERMANENT 14,875.138 1 14,875.138 14,617.074 14,977,575.24 .00 360,501.32 100.0%
51111 PROFICIENCY PAY 7,000 0 7,000 8,000 11,195.40 .00 -3,195.40 139.9%
51115 LONGEVITY 29,300 0 29,300 31,851 42,192.95 .00 -10,342.25 132.5%
513000 OVERTIME SALARIES 50,000 0 50,000 50,000 11,603.97 .00 61,603.97 23.2%
513001 OVERTIME WALKING BEAT 77,000 0 77,000 77,000 71,736.26 .00 5,263.74 93.2%
513002 OVERTIME REPLACEMENT STAFFIN 400,000 0 400,000 400,000 345,519.12 .00 54,480.88 86.4%
513003 OVERTIME INVESTIGATIONS/EMER 75,000 0 75,000 75,000 90,171.94 .00 -15,171.94 120.2%
513006 OVERTIME COURT TIME 380,000 0 380,000 380,000 330,211.43 .00 49,788.57 86.9%
513008 OVERTIME WEATHER/SNOW 35,000 0 35,000 35,000 37,307.12 .00 17,307.12 50.6%
513010 OVERTIME SPECIAL/CIVIC EVENT 106,000 0 106,000 106,000 100,390.66 .00 5,609.34 94.7%
513015 OVERTIME - COMP TIME 200,000 11,728 211,728 211,728 263,862.88 .00 -52,134.54 124.6%

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ACCOUNTS FOR: 0100 GENERAL FUND	ORIGINAL ADPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
513400 OVERTIME-BEYOND TOUR OF DUTY	180,000	0	180,000	171,473.88	.00	8,526.12	95.3%
513500 OVERTIME-REIMBURSABLE	7,000	22,996	29,996	30,569.55	.00	-573.74	101.9%
514200 EDUCATIONAL	462,000	0	462,000	369,271.72	.00	92,728.28	79.9%
514300 SHIFT PREMIUM - SALARIES	390,628	0	390,628	397,107.85	.00	-6,479.85	101.7%
514500 HOLIDAY PAY - SALARIES	1,124,558	0	1,124,558	1,111,373.68	.00	13,184.32	98.8%
514600 SERVICE OUT OF RANK - SALARI	20,000	0	20,000	19,149.48	.00	850.52	95.7%
516900 RETIREMENT BUYOUTS	0	186,507	186,507	225,234.89	.00	-38,727.75	120.8%
516901 VACATION BUYBACK	90,000	9,574	99,574	114,474.27	.00	-14,900.39	115.0%
519300 UNIFORM ALLOWANCE - SALARIES	1,200	0	1,200	1,225.00	.00	-25.00	102.1%
519400 OTHER STIPENDS	106,680	0	106,680	88,600.00	.00	18,080.00	83.1%
519600 PROFESSIONAL DEVELOP. STIPEND	110,000	0	110,000	114,739.29	.00	-4,739.29	104.3%
519700 AUTOMOBILE ALLOWANCE - SALAR	0	0	0	100.00	.00	-100.00	100.0%
519900 OTHER PERSONNEL SERVICES	14,768	0	14,768	3,438.83	.00	11,329.17	23.3%
519999 PYR SALARIES	0	27,708	27,708	4,000.90	.00	23,707.33	14.4%
TOTAL POLICE DEPARTMENT SALARIES	18,741,272	4,001	18,745,273	18,889,705.11	.00	-144,432.11	100.8%
12100002 POLICE DEPARTMENT EXPENSE							
521100 ELECTRICITY	160,000	-80,175	79,825	63,437.70	10,900.00	5,487.16	93.1%
521101 ELECTRIC NMC UXBRIDGE SOLAR	0	103,273	103,273	69,772.88	33,500.00	39,772.88	100.0%
521500 HEAT	40,000	0	40,000	27,706.49	.00	12,293.51	69.3%
524600 VEHICLES - REPAIRS & MAINT	14,000	0	14,000	13,813.79	124.00	62.21	97.1%
525000 OFFICE EQUIP FURN MAINT	4,000	0	4,000	3,882.88	.00	117.12	97.1%
525100 COMPUTER EQUIP. REPAIRS/MAINT	70,000	10,000	80,000	79,440.60	286.03	273.37	98.3%
525800 OTHER REPAIRS & MAINTENANCE	13,000	0	13,000	12,238.16	486.29	215.55	92.7%
527600 OFF. EQUIP. & FURN. - RENT/L	600	0	600	436.17	.00	163.83	72.7%
527700 DATA PROCESSING EQUIP - RENT	0	18,000	18,000	8,909.00	8,909.00	182.00	99.0%
527800 COMMUNICATION LINES & EQUIPM	9,000	0	9,000	5,753.11	499.00	2,747.89	69.5%
528100 OTHER RENTALS AND LEASES	83,000	0	83,000	83,000.00	.00	215.00	100.0%
529400 OTHER PROPERTY RELATED SERVI	400	0	400	185.00	.00	215.00	46.3%
530020 JAIL SERVICES	75,000	-18,000	57,000	42,894.10	3,550.00	10,555.90	81.5%
530100 MEDICAL AND DENTAL	140,000	0	140,000	122,656.91	.00	17,343.09	87.6%
530600 ADVERTISING	900	0	900	845.19	.00	54.81	93.9%
530800 DATA PROCESSING	1,500	0	1,500	1,419.77	60.00	20.23	98.7%
531200 OTHER PROFESSIONAL SERVICES	7,500	0	7,500	4,383.94	.00	3,116.06	58.5%
534300 TELEPHONE/COMMUNICATIONS	13,000	0	13,000	4,041.54	.00	8,958.46	31.1%
534400 POSTAGE/COMMUNICATIONS	500	0	500	4,187.56	.00	312.44	37.5%
538500 OTHER PURCHASED SERVICES	6,000	0	6,000	5,721.80	200.00	78.20	98.7%
541100 GASOLINE/ENERGY SUPPLIES	20,000	-24,615	20,000	14,053.71	166.25	5,780.04	71.1%
542100 OFFICE SUPPLIES	325,000	0	300,385	186,046.15	575.99	114,338.85	61.9%
	3,500	0	3,300	2,063.00		861.01	75.4%

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ACCOUNTS FOR:	ORIGINAL APPROP	TRANSFRS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
0100 GENERAL FUND							
543900 BUILDING AND MAINTENANCE SUP	70,000	2,115	72,115	48,155.18	23,950.00	9,82	100.0%
548100 TIRES,OIL,BATTERIES,ANTI-FREEZ	26,000	0	26,000	21,146.61	37.13	4,816.26	81.5%
548500 PARTS AND ACCESSORIES - VEH	50,000	2,500	52,500	49,489.91	1,337.80	1,672.29	96.8%
558600 OTHER SUPPLIES	25,000	0	25,000	20,442.91	2,363.73	2,193.36	91.2%
558700 LEATHER APPAREL	5,000	0	5,000	4,324.07	306.08	369.85	92.6%
558800 AMUNITION	35,000	10,000	45,000	44,890.75	109.25	109.25	99.8%
570100 WATER/SEWER CSO CHARGE	15,000	0	15,000	15,000.00	.00	.00	100.0%
571000 INSTATE TRAVEL/MILEAGE	500	0	500	884.72	.00	15.28	98.3%
573100 DUES, MEMBERSHIPS	2,500	0	2,500	2,440.00	.00	60.00	97.6%
573200 SUBSCRIPTIONS	9,600	0	9,600	8,278.65	.00	1,321.35	86.2%
TOTAL POLICE DEPARTMENT EXPENSE	1,225,900	23,098	1,248,998	968,002.25	87,251.30	193,744.19	84.5%
12106111 SCHOOL TRAFFIC SALARIES							
512000 SALARIES & WAGES - TEMPORARY	177,406	0	177,406	111,300.00	.00	66,106.00	62.7%
517100 WORKER'S COMPENSATION - SALA	3,404	0	3,404	2,899.07	.00	504.93	85.2%
519300 UNIFORM ALLOWANCE - SALARIES	1,000	0	1,000	725.00	.00	275.00	72.5%
TOTAL SCHOOL TRAFFIC SALARIES	181,810	0	181,810	114,924.07	.00	66,885.93	63.2%
12106141 ENVIRONMENTAL POLICE SALARIES							
511000 SALARIES & WAGES-PERMANENT	236,157	-139	236,018	235,617.15	.00	400.95	99.8%
513000 OVERTIME SALARIES	10,000	0	10,000	6,004.62	.00	3,995.38	60.0%
514300 SHIFT PREMIUM - SALARIES	6,288	0	6,288	6,288.00	.00	.00	100.0%
514500 HOLIDAY PAY - SALARIES	12,515	139	12,654	12,653.90	.00	.00	100.0%
519900 OTHER PERSONNEL SERVICES	500	0	500	500.00	.00	.00	100.0%
TOTAL ENVIRONMENTAL POLICE SALARIES	265,460	0	265,460	261,063.67	.00	4,396.33	98.3%
12106151 ANIMAL CONTROL SALARIES							
511000 SALARIES & WAGES-PERMANENT	108,216	-1,393	106,823	108,213.21	.00	-1,390.49	101.3%
51115 LONGEVITY	100	100	200	200.00	.00	.00	100.0%
513000 OVERTIME SALARIES	8,000	1,293	9,293	9,725.63	.00	-432.35	104.7%
519300 UNIFORM ALLOWANCE - SALARIES	1,800	0	1,800	1,800.00	.00	.00	100.0%
519700 AUTOMOBILE ALLOWANCE - SALAR	1,200	0	1,200	1,100.00	.00	100.00	91.7%
TOTAL ANIMAL CONTROL SALARIES	119,316	0	119,316	121,038.84	.00	-1,722.84	101.4%

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ACCOUNTS FOR: GENERAL FUND ORIGINAL APPROP TRANSFRS/ ADJUSTMTS REVISED BUDGET YTD EXPENDED ENC/REQ AVAILABLE BUDGET PCT USED

12106152 ANIMAL CONTROL EXPENSES

520000 SERVICES	72,000	0	72,000	68,322.37	3,316.34	361.29	99.5%
TOTAL ANIMAL CONTROL EXPENSES	72,000	0	72,000	68,322.37	3,316.34	361.29	99.5%

12200001 FIRE DEPARTMENT SALARIES

511000 SALARIES & WAGES-PERMANENT	12,154,963	-145,383	12,009,580	12,003,091.41	.00	6,488.38	99.9%
51115 LONGEVITY	850	200	1,050	1,050.00	.00	.00	100.0%
513000 OVERTIME SALARIES	215,000	-41	214,959	214,822.40	.00	136.60	99.9%
514500 HOLIDAY PAY - SALARIES	957,326	0	957,326	944,579.35	.00	12,746.65	98.7%
514600 SERVICE OUT OF RANK - SALARI	152,920	-30,893	122,027	85,221.42	.00	36,805.99	69.8%
516900 RETIREMENT BUYOUTS	100,000	146,076	246,076	246,075.80	.00	.00	100.0%
517100 WORKER'S COMPENSATION - SALA	7,743	0	7,743	.00	.00	7,743.00	0%
519000 OTHER PERSONAL SERVICES	4,350	0	4,350	800.00	.00	3,550.00	18.4%
519300 UNIFORM ALLOWANCE - SALARIES	1,800	0	1,800	1,200.00	.00	600.00	66.7%
519600 PROFESSIONAL DEVLAP. STIPEND	5,254	0	5,254	3,726.92	.00	1,527.08	70.9%
519700 AUTOMOBILE ALLOWANCE - SALAR	13,000	0	13,000	5,440.00	.00	7,560.00	41.8%
519901 PREFERRED PERSONAL DAYS FIRE	84,880	41	84,921	84,920.80	.00	.20	100.0%
TOTAL FIRE DEPARTMENT SALARIES	13,698,086	-30,000	13,668,086	13,590,928.10	.00	77,157.90	99.4%

12200002 FIRE DEPARTMENT EXPENSES

521100 ELECTRICITY	65,000	-28,781	36,219	24,534.01	10,650.00	1,035.28	97.1%
521101 ELECTRIC NWC UXBIDGE SOLAR	0	39,542	39,542	28,433.34	11,108.58	.00	100.0%
521500 HEAT	70,000	0	70,000	60,947.61	.00	9,052.39	87.1%
525000 OFFICE EQUIP FURN MAINT	800	0	800	190.83	.00	609.17	23.9%
525800 OTHER REPAIRS & MAINTENANCE	20,000	-5,200	14,800	7,134.29	.00	7,665.71	48.2%
530100 MEDICAL AND DENTAL	70,000	5,000	75,000	67,866.30	.25	2,382.45	96.8%
534100 TELEPHONE/COMMUNICATIONS	17,000	2,000	19,000	17,667.28	.00	1,332.72	93.0%
534300 POSTAGE/COMMUNICATIONS	6,000	0	6,000	3,559.74	.00	2,440.26	59.3%
541100 GASOLINE/ENERGY SUPPLIES	90,000	-39,000	51,000	41,298.65	.00	9,701.35	81.0%
542100 OFFICE SUPPLIES	5,000	11,780	16,780	15,687.26	.11	771.17	95.4%
542600 PRINTING SUPPLIES	2,700	0	2,700	2,677.72	.00	22.28	99.2%
543900 BUILDING AND MAINTENANCE SUP	10,950	0	10,950	7,805.86	.00	2,054.49	81.2%
545100 CLEANING AND CUSTODIAL SUPPL	6,000	0	6,000	5,071.00	.82	264.18	95.6%

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CITY OF FALL RIVER
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ACCOUNTS FOR:
0100 GENERAL FUND

ORIGINAL TRANS/ REVISED YTD EXPENDED ENC/REQ AVAILABLE PCT
APPROP ADJUSTS BUDGET BUDGET USED

548500 PARTS AND ACCESSORIES - VEH	132,500	32,000	164,500	158,427.52	3,384.24	2,688.24	98.4%
558100 FIREFIGHTING SUPPLIES	40,508	1,740	42,248	38,113.82	2,341.68	1,792.50	95.8%
558600 OTHER SUPPLIES	1,500	5,000	6,500	5,290.56	.00	1,209.44	81.4%
570100 WATER/SEWER CSO CHARGE	40,000	7,967	47,967	31,755.25	.00	16,211.59	66.2%
571000 INSTATE TRAVEL/MILEAGE	2,500	0	2,500	562.19	.00	1,937.81	22.5%
573100 DUES, MEMBERSHIPS	1,025	0	1,025	1,010.00	.00	15.00	98.5%
573200 SUBSCRIPTIONS	1,100	0	1,100	1,100.00	.00	.00	100.0%
573400 CONFERENCES	1,500	-1,300	1,200	1,126.00	.00	74.00	63.0%
578400 UNCLASSIFIED ITEMS/STAFF DEV	8,000	-2,000	6,000	5,534.05	.00	465.95	92.2%
579900 TRAVEL OUT OF STATE	1,500	0	1,500	827.62	.00	672.38	55.2%

TOTAL FIRE DEPARTMENT EXPENSES 593,583 28,748 622,331 525,620.90 34,311.33 62,398.36 90.0%

12200004 FIRE DEPARTMENT CAPITAL

586100 OTHER EQUIPMENT 0 30,000 30,000 .00 25,232.44 4,767.56 84.1%

TOTAL FIRE DEPARTMENT CAPITAL 0 30,000 30,000 .00 25,232.44 4,767.56 84.1%

12320001 F.R. EMERG MANAGEMENT SALARIES

511000 SALARIES & WAGES-PERMANENT 15,000 0 15,000 15,000.00 .00 .00 100.0%

TOTAL F.R. EMERG MANAGEMENT SALARIES 15,000 0 15,000 15,000.00 .00 .00 100.0%

12320002 F.R. EMERG MANAGEMENT EXPENSES

525800 OTHER REPAIRS & MAINTENANCE	500	0	500	463.97	.00	36.03	92.8%
542100 OFFICE SUPPLIES	100	0	100	100.00	.00	.00	100.0%
548100 TIRES, OIL, BATTERIES, ANTI-FREE	500	0	500	441.26	.00	58.74	88.3%
548500 PARTS AND ACCESSORIES - VEH	1,000	0	1,000	945.57	.00	54.43	94.6%
558600 OTHER SUPPLIES	2,150	0	2,150	2,141.78	.00	8.22	99.6%

TOTAL F.R. EMERG MANAGEMENT EXPENSES 4,250 0 4,250 4,092.58 .00 157.42 96.3%

12400001 CODE ENFORCEMENT SALARIES

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ACCOUNTS FOR: GENERAL FUND	ORIGINAL APPROP	TRANSERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
511000 SALARIES & WAGES-PERMANENT	872,289	-30,097	842,192	817,514.93	.00	24,676.87	97.1%
511115 LONGEVITY	9,200	0	9,200	9,000.55	.00	199.45	97.8%
511300 SUMMER HOURS	10,320	0	10,320	9,746.29	.00	573.71	94.4%
513000 OVERTIME SALARIES	29,000	8,200	37,200	37,180.18	.00	19.82	99.9%
516900 RETIREMENT BUYOUTS	0	11,897	11,897	11,897.20	.00	.00	100.0%
519300 UNIFORM ALLOWANCE - SALARIES	9,000	0	9,000	7,800.00	.00	1,200.00	86.7%
519700 AUTOMOBILE ALLOWANCE - SALAR	21,840	0	21,840	5,610.95	.00	16,229.05	25.7%
TOTAL CODE ENFORCEMENT SALARIES	951,649	-10,000	941,649	898,750.10	.00	42,898.90	95.4%
12400002 CODE ENFORCEMENT EXPENSES							
531200 OTHER PROFESSIONAL SERVICES	1,000	0	1,000	964.80	.00	35.20	96.5%
538500 OTHER PURCHASED SERVICES	50,000	10,090	60,090	60,049.00	.00	41.00	99.9%
538600 OTHER SUPPLIES	1,500	4,500	6,000	2,353.91	279.34	3,366.75	43.9%
571000 INSTAATE TRAVEL/MIILEAGE	4,000	-1,500	2,500	1,713.30	.00	786.70	68.5%
573100 DUES, MEMBERSHIPS	1,180	2,500	3,680	2,329.34	.00	1,350.66	63.3%
573200 SUBSCRIPTIONS	1,000	0	1,000	666.00	59.95	274.05	72.6%
573400 CONFERENCES	1,000	0	1,000	983.17	.00	16.83	98.3%
TOTAL CODE ENFORCEMENT EXPENSES	59,680	15,590	75,270	69,059.52	339.29	5,871.19	92.2%
12950001 HARBORMASTER SALARIES							
511000 SALARIES & WAGES-PERMANENT	2,500	0	2,500	2,499.96	.00	.04	100.0%
TOTAL HARBORMASTER SALARIES	2,500	0	2,500	2,499.96	.00	.04	100.0%
12950002 HARBORMASTER EXPENSES							
525800 OTHER REPAIRS & MAINTENANCE	2,000	0	2,000	2,000.01	.00	-.01	100.0%
538500 OTHER PURCHASED SERVICES	2,600	0	2,600	2,186.74	413.25	-.01	100.0%
541200 UNLEADED GASOLINE	10,000	0	10,000	8,967.48	1,023.20	9.32	99.9%
545100 CLEANING AND CUSTODIAL SUPPL	100	0	100	.00	100.00	.00	100.0%
548100 TIRES,OIL,BATERIES,ANTI-FREE	500	0	500	500.00	.00	.00	100.0%
548500 PARTS AND ACCESSORIES - VEHI	500	0	500	449.50	50.00	.50	99.8%
573100 DUES, MEMBERSHIPS	100	0	100	.00	100.00	.00	100.0%
TOTAL HARBORMASTER EXPENSES	15,800	0	15,800	14,103.73	1,686.45	9.82	99.9%

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ACCOUNTS FOR:
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	ORIGINAL ADPROP	TRANSFERS/ ADJUSTMTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
13600001 SCH RETIREMENT CONTRIBUTIONS							
517700 RETIRE CONTRIBUTIONS	5,589,222	0	5,589,222	5,589,222.00	-00	.00	100.0%
TOTAL SCH RETIREMENT CONTRIBUTIONS	5,589,222	0	5,589,222	5,589,222.00	-00	.00	100.0%
13820005 SCHOOL DEBT PRINCIPAL							
591000 MATURING PRINCIPAL- LONG TER	4,119,510	0	4,119,510	4,119,506.65	-00	3.35	100.0%
TOTAL SCHOOL DEBT PRINCIPAL	4,119,510	0	4,119,510	4,119,506.65	-00	3.35	100.0%
13840005 SCHOOL DEBT INTEREST							
591500 INTEREST ON LONG TERM DEBT	2,301,000	0	2,301,000	2,300,986.29	-00	13.71	100.0%
592500 DEBT SERVICES/INTEREST ON NO	200,000	-200,000	0	.00	-00	.00	.0%
TOTAL SCHOOL DEBT INTEREST	2,501,000	-200,000	2,301,000	2,300,986.29	-00	13.71	100.0%
13860005 SCHOOL TEMPORARY LOAN INTEREST							
592500 DEBT SERVICES/INTEREST ON NO	90,000	-58,510	31,490	12,465.28	-00	19,024.42	39.6%
TOTAL SCHOOL TEMPORARY LOAN INTEREST	90,000	-58,510	31,490	12,465.28	-00	19,024.42	39.6%
13910005 REGIONAL VOKE HIGH SCHOOL							
560000 GOVERNMENTAL	3,597,144	-13,091	3,584,053	3,560,338.52	-00	23,714.48	99.3%
TOTAL REGIONAL VOKE HIGH SCHOOL	3,597,144	-13,091	3,584,053	3,560,338.52	-00	23,714.48	99.3%
13920005 BRISTOL AGRICULTURAL SCHOOL							

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ORIGINAL APPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
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560000 GOVERNMENTAL
TOTAL BRISTOL AGRICULTURAL SCHOOL

80,842	13,091	93,933	93,933.00	.00	.00	100.0%
80,842	13,091	93,933	93,933.00	.00	.00	100.0%

14007001 STS, HIGHWAYS

511000 SALARIES & WAGES-PERMANENT
511115 LONGEVITY
511300 OVERTIME SALARIES
511300 SHIFT PREMIUM - SALARIES
514300 RETIREMENT BUYOUTS
516900 WORKER'S COMPENSATION - SALA
517500 MEDICARE MATCH
519300 UNIFORM ALLOWANCE - SALARIES
519400 OTHER STIPENDS
519900 OTHER PERSONNEL SERVICES

TOTAL STS, HIGHWAYS

2,099,994	-168,321	1,931,673	1,931,673.28	.00	.00	100.0%
36,800	-1,547	35,253	35,253.15	.00	.00	100.0%
75,000	20,683	95,683	95,682.74	.00	.00	100.0%
5,471	-5,471	0	.00	.00	.00	0%
0	69,830	69,830	69,830.05	.00	.00	100.0%
0	47,812	163,324	163,324.44	.00	.00	100.0%
0	2	2	1.74	.00	.00	100.0%
37,900	-5,000	32,900	32,900.00	.00	.00	100.0%
17,000	-6,200	10,800	10,800.00	.00	.00	100.0%
107,750	-3,050	104,700	104,700.00	.00	.00	100.0%
2,495,427	-51,262	2,444,165	2,444,165.40	.00	.00	100.0%

14007002 STS, HIGHWAYS EXP

521100 ELECTRICITY
521101 ELECTRIC NMC UXBRIDGE SOLAR
521200 ELECTRICITY FOR STREET LIGHT
521500 HEAT
524100 BUILD. & GROUNDS - REPAIR/MA
524600 VEHICLES - REPAIRS & MAINT
525800 OTHER REPAIRS & MAINTENANCE
525900 MUNICIPAL STREET & SIDEWALK
527800 COMMUNICATION LINES & EQUIPM
531200 OTHER PROFESSIONAL SERVICES
541100 GASOLINE/ENERGY SUPPLIES
546100 TOOLS & GROUNDKEEPING SUPPL
548100 TIRES,OIL,BATTERIES,ANTI-FREE
548500 PARTS AND ACCESSORIES - VEH
550100 MEDICAL SUPPLIES
553300 ASPHALT/P.W. & UTILITIES SUPP
553600 SAND,GRAVEL/P.W. & UTILITIES
558600 OTHER SUPPLIES
570100 WATER/SEWER CSO CHARGE

TOTAL STS, HIGHWAYS EXP

9,000	0	9,000	8,921.42	.00	78.58	99.1%
313,964	199,186	513,150	437,786.26	75,364.02	.00	100.0%
186,036	-10,832	175,204	148,064.35	2,900.00	24,239.67	86.2%
30,000	0	30,000	27,833.36	.00	2,166.64	92.8%
48,900	43,590	92,490	82,568.89	7,804.20	2,116.93	97.7%
54,000	-3,394	50,606	50,517.91	28.52	59.65	99.9%
2,444	0	2,444	2,366.94	.00	77.06	96.8%
2,444	-15,796	4,654	4,652.00	.00	2.00	100.0%
61,900	-31,342	30,558	30,558.30	.00	.00	100.0%
22,832	-1,500	24,332	24,246.80	85.20	.00	100.0%
160,000	-39,000	121,000	91,491.63	21,057.94	8,450.43	93.0%
6,000	-3,456	2,544	2,544.36	.00	.00	100.0%
29,568	-13,400	16,168	15,190.19	.00	977.81	94.0%
17,000	0	17,000	16,694.77	259.77	45.45	92.1%
450	0	450	324.56	.00	125.44	72.1%
66,800	23,511	90,311	77,134.67	.00	13,176.35	85.4%
3,606	-1,500	2,106	1,887.49	.00	218.51	89.6%
2,500	0	2,500	2,362.73	137.27	.00	100.0%
28,038	-18,122	9,916	9,916.45	.00	.00	100.0%
1,063,488	130,947	1,194,435	1,035,063.08	107,636.92	51,734.57	95.7%

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14007011 BUILDINGS DIVISION SALARIES

511000 SALARIES & WAGES-PERMANENT	560,309	-155,456	404,853	404,853.39	.00	.00	100.0%
51115 LONGEVITY	7,100	0	7,100	7,100.00	.00	.00	100.0%
513000 OVERTIME SALARIES	60,000	-10,153	49,847	45,560.75	.00	4,286.51	91.4%
514300 SHIFT PREMIUM - SALARIES	12,624	-6,000	6,624	4,192.00	.00	2,432.00	63.3%
516300 RETIREMENT BUYOUTS	0	11,303	11,303	11,303.14	.00	.00	100.0%
519300 UNIFORM ALLOWANCE - SALARIES	10,050	-1,000	9,050	6,300.00	.00	2,750.00	69.6%
519400 OTHER STIPENDS	36,875	-13,825	23,050	23,050.00	.00	.00	100.0%
519700 AUTOMOBILE ALLOWANCE - SALAR	21,840	-9,870	11,970	11,440.00	.00	530.21	95.6%
TOTAL BUILDINGS DIVISION SALARIES	708,798	-185,000	523,798	513,799.28	.00	9,998.72	98.1%

14007012 BUILDINGS DIVISION EXPENSES

521100 ELECTRICITY	145,121	-78,436	66,685	53,682.32	12,000.00	1,002.61	98.5%
521101 ELECTRIC NMC UXBIDGE SOLAR	74,879	160,007	234,886	172,733.78	62,152.22	.00	100.0%
521500 HEAT	200,000	-83,972	116,028	89,785.29	26,242.89	.00	100.0%
524100 BUILD. & GROUNDS - REPAIR/MA	231,500	128,232	359,732	349,499.69	10,232.35	.00	100.0%
524500 HVAC EQUIPMENT - REPAIR/MA	12,000	3,699	15,699	15,698.79	.00	.00	100.0%
527800 COMMUNICATION LINES & EQUIPM	2,500	7,665	10,165	6,941.42	3,224.02	.00	100.0%
531200 OTHER PROFESSIONAL SERVICES	10,000	98,801	108,801	18,801.04	90,000.00	.00	100.0%
545100 CLEANING AND CUSTODIAL SUPPL	30,910	14,241	45,151	45,151.15	.00	.00	100.0%
546100 TOOLS - GROUNDSKEEPING SUPPL	3,000	-2,005	995	994.63	.00	.00	100.0%
558600 OTHER SUPPLIES	8,000	-4,354	3,646	3,645.54	.00	.00	100.0%
570100 WATER/SEWER CSO CHARGE	316,200	-5,059	311,141	311,140.92	.00	.00	100.0%
573400 CONFERENCES	0	160	160	160.00	.00	.00	100.0%
TOTAL BUILDINGS DIVISION EXPENSES	1,034,110	238,979	1,273,089	1,068,234.57	203,851.48	1,002.61	99.9%

14007041 TRAFFIC & PARKING SALARIES

511000 SALARIES & WAGES-PERMANENT	391,646	-31,885	359,761	359,133.81	.00	627.65	99.8%
51115 LONGEVITY	4,200	0	4,200	4,198.08	.00	1.92	100.0%
511300 SUMMER HOURS	2,542	0	2,542	2,541.87	.00	.13	100.0%
513000 OVERTIME SALARIES	20,000	996	20,996	20,995.55	.00	.00	100.0%
516900 RETIREMENT BUYOUTS	0	17,151	17,151	17,150.59	.00	.00	100.0%
519300 UNIFORM ALLOWANCE - SALARIES	4,800	0	4,800	4,200.00	.00	600.00	87.5%
TOTAL TRAFFIC & PARKING SALARIES	423,188	-13,738	409,450	408,219.90	.00	1,229.70	99.7%

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ACCOUNTS FOR:
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ORIGINAL APPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
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14007042 TRAFFIC & PARKING EXPENSES

521100 ELECTRICITY	35,000	0	35,000	32,408.53	.00	2,591.47	92.6%
524600 VEHICLES - REPAIRS & MAINT	2,500	3,000	5,500	5,465.07	.00	34.93	99.4%
524800 CONSTRUCT. EQUIP. - REPAIRS/	5,000	0	5,000	3,593.35	1,384.01	22.64	99.5%
525700 STREET PAVING & MARKING REPA	50,000	2,700	52,700	40,067.00	12,538.72	94.28	99.8%
527300 RENTALS AND LEASES	5,000	-3,000	2,000	1,379.25	437.56	183.19	90.8%
54100 GASOLINE/ENERGY SUPPLIES	2,619	0	2,619	1,505.12	500.00	613.88	76.6%
548600 SIGNS & ACCESSORIES	10,000	0	10,000	9,092.39	649.56	258.05	97.4%
553800 METER PARTS/P.W. & UTILITIES	10,000	-2,700	7,300	4,290.84	2,864.09	145.07	98.0%
TOTAL TRAFFIC & PARKING EXPENSES	120,119	0	120,119	97,801.55	18,373.94	3,943.51	96.7%

14007061 ENGINEERING SALARIES

511000 SALARIES & WAGES-PERMANENT	206,765	0	206,765	206,762.34	.00	2.66	100.0%
51115 LONGEVITY	1,800	0	1,800	1,800.00	.00	.00	100.0%
511300 SUMMER HOURS	6,050	0	6,050	6,005.12	.00	44.88	99.3%
513000 OVERTIME SALARIES	3,000	0	3,000	1,140.35	.00	2,859.65	4.7%
519300 UNIFORM ALLOWANCE - SALARIES	1,200	0	1,200	1,200.00	.00	.00	100.0%
519400 OTHER STIPENDS	2,630	0	2,630	2,620.00	.00	10.00	99.6%
519700 AUTOMOBILE ALLOWANCE - SALAR	1,560	0	1,560	1,560.00	.00	.00	100.0%
TOTAL ENGINEERING SALARIES	223,005	0	223,005	220,087.81	.00	2,917.15	98.7%

14007062 ENGINEERING EXPENSES

530600 ADVERTISING	450	0	450	.00	.00	450.00	.0%
538500 OTHER PURCHASED SERVICES	21,000	2,200	23,200	23,042.86	.00	157.14	99.3%
541100 GASOLINE/ENERGY SUPPLIES	2,200	-2,200	0	.00	.00	.00	.0%
542100 OFFICE SUPPLIES	1,326	0	1,326	275.33	.00	1,050.67	20.8%
542600 PRINTING SUPPLIES	2,554	0	2,554	1,557.52	.00	996.48	61.0%
571000 INSTATE TRAVEL/MILEAGE	100	0	100	.00	.00	100.00	.0%
TOTAL ENGINEERING EXPENSES	27,630	0	27,630	24,875.71	.00	2,754.29	90.0%

14230001 SNOW REMOVAL SALARIES

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ACCOUNTS FOR:
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	ORIGINAL APPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
513000 OVERTIME SALARIES	105,000	63,950	168,950	168,898.58	.00	51.42	100.0%
TOTAL SNOW REMOVAL SALARIES	105,000	63,950	168,950	168,898.58	.00	51.42	100.0%
14230002 SNOW REMOVAL EXPENSES							
529300 SNOW REMOVAL	192,558	735,246	927,804	927,804.31	.00	.00	100.0%
538100 WEATHER REPORTS	3,042	0	3,042	2,843.00	.00	199.00	93.5%
553600 SAND GRAVEL/P.W.& UTILITIES	9,000	-9,000	0	.00	.00	.00	.0%
554600 ROCK SALT/P.W.& UTILITIES	215,000	213,494	429,494	429,400.71	.00	92.98	100.0%
578100 UNCLASSIFIED ITEMS/CLAIMS &	643	0	643	.00	.00	643.00	.0%
TOTAL SNOW REMOVAL EXPENSES	421,243	939,740	1,360,983	1,360,048.02	.00	934.98	99.9%
15108051 PREVENT CARE (PUBLIC HEALTH)							
511000 SALARIES & WAGES-PERMANENT	70,072	-165	69,907	48,122.11	.00	21,784.89	68.8%
513000 OVERTIME SALARIES	1,000	0	1,000	.00	.00	1,000.00	.0%
519300 UNIFORM ALLOWANCE - SALARIES	850	0	850	850.00	.00	.00	100.0%
519700 AUTOMOBILE ALLOWANCE - SALAR	1,500	0	1,500	1,500.00	.00	.00	100.0%
519900 OTHER PERSONNEL SERVICES	525	0	525	70.00	.00	455.00	13.3%
TOTAL PREVENT CARE (PUBLIC HEALTH)	73,947	-165	73,782	50,562.11	.00	23,239.89	68.5%
15108061 HEALTH -YOUTH SERV							
511000 SALARIES & WAGES-PERMANENT	37,827	165	37,992	37,990.23	.00	1.77	100.0%
51115 LONGEVITY	400	0	400	400.00	.00	.00	100.0%
TOTAL HEALTH -YOUTH SERV	38,227	165	38,392	38,390.23	.00	1.77	100.0%
15108072 PREVENTIVE CARE EXPENSES							
550100 MEDICAL SUPPLIES	1,500	0	1,500	1,474.23	.00	25.77	98.3%
574200 LIABILITY INSURANCE	163	0	163	109.00	.00	54.00	66.9%
TOTAL PREVENTIVE CARE EXPENSES	1,663	0	1,663	1,583.23	.00	79.77	95.2%

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ACCOUNTS FOR: GENERAL FUND	ORIGINAL APPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
15108081 HEALTH ADMINISTRATION SALARIES							
511000 SALARIES & WAGES-PERMANENT	186,789	0	186,789	186,168.02	.00	620.80	99.7%
51115 LONGEVITY	1,000	.0	1,000	1,000.00	.00	.00	100.0%
511300 SUMMER HOURS	4,944	0	4,944	4,944.18	.00	.00	100.0%
513000 OVERTIME SALARIES	600	0	600	.00	.00	600.00	.0%
TOTAL HEALTH ADMINISTRATION SALARIES	193,333	0	193,333	192,112.20	.00	1,220.80	99.4%
15108082 HEALTH ADMINISTRATION EXPENSES							
558600 OTHER SUPPLIES	1,900	0	1,900	921.24	.00	978.76	48.5%
571000 INSTANT TRAVEL/MILEAGE	800	-75	725	644.23	.00	80.77	88.9%
573100 DUES, MEMBERSHIPS	625	225	850	850.00	.00	.00	100.0%
573400 CONFERENCES	1,200	-150	1,050	.00	.00	1,050.00	.0%
TOTAL HEALTH ADMINISTRATION EXPENSES	4,525	0	4,525	2,415.47	.00	2,109.53	53.4%
15410001 COUNCIL ON AGING SALARIES							
511000 SALARIES & WAGES-PERMANENT	63,886	0	63,886	39,389.53	.00	24,496.47	61.7%
51115 LONGEVITY	600	0	600	600.00	.00	.00	100.0%
512000 SALARIES & WAGES - TEMPORARY	46,528	0	46,528	38,126.50	.00	8,401.50	81.9%
513000 OVERTIME SALARIES	600	0	600	.00	.00	600.00	.0%
519300 UNIFORM ALLOWANCE - SALARIES	600	0	600	.00	.00	600.00	.0%
TOTAL COUNCIL ON AGING SALARIES	112,214	0	112,214	78,116.03	.00	34,097.97	69.6%
15410002 COUNCIL ON AGING EXPENSES							
541100 GASOLINE/ENERGY SUPPLIES	6,000	0	6,000	.00	.00	6,000.00	.0%
549100 FOOD SUPPLIES	6,500	0	6,500	3,798.90	.00	2,701.10	58.4%
TOTAL COUNCIL ON AGING EXPENSES	12,500	0	12,500	3,798.90	.00	8,701.10	30.4%
15430001 VETERANS BENEFITS SALARIES							

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511000 SALARIES & WAGES-PERMANENT	229,307	-2,141	227,166	215,116.13	.00	12,049.48	94.7%
51115 LONGEVITY	4,100	0	4,100	4,100.00	.00	.00	100.0%
511300 SUMMER HOURS	2,542	0	2,542	2,541.89	.00	.11	100.0%
516900 RETIREMENT BUYOUTS	0	1,885	1,885	1,884.51	.00	.00	100.0%
517100 WORKER'S COMPENSATION - SALA	0	257	257	256.88	.00	.00	100.0%
519300 UNIFORM ALLOWANCE - SALARIES	600	0	600	600.00	.00	.00	100.0%
519700 AUTOMOBILE ALLOWANCE - SALAR	4,320	0	4,320	4,320.00	.00	.00	100.0%
TOTAL VETERANS BENEFITS SALARIES	240,869	0	240,869	228,819.41	.00	12,049.59	95.0%

15430002 VETERANS BENEFITS EXPENSES

524600 VEHICLES - REPAIRS & MAINT	1,000	0	1,000	954.33	.00	45.67	95.4%
525000 OFFICE EQUIP FURN MAINT	2,000	0	2,000	1,532.60	18.39	449.01	77.5%
541100 GASOLINE/ENERGY SUPPLIES	1,800	0	1,800	678.31	.00	1,121.69	37.7%
571000 INSTATE TRAVEL/MILEAGE	4,000	0	4,000	2,324.38	.00	1,675.62	58.1%
573100 DUES, MEMBERSHIPS	75	0	75	55.00	.00	20.00	73.3%
577100 MEDICAL & SURGICAL/VETS BENI	150,000	0	150,000	135,543.83	.00	14,456.17	90.4%
577200 HOSPITAL/VETERANS BENEFITS	75,000	0	75,000	55,780.55	.00	19,219.45	74.4%
577400 AMBULANCE & BURIAL/VETS BENI	35,000	0	35,000	29,209.44	.00	5,790.56	83.5%
577600 MEDICAL VETS/NEGRAVE/VETOTRS	220,000	0	220,000	190,645.48	.00	29,354.52	86.7%
577700 AID/VETERANS BENEFITS	2,143,550	0	2,143,550	1,987,029.49	.00	156,520.51	92.7%
TOTAL VETERANS BENEFITS EXPENSES	2,632,425	0	2,632,425	2,403,753.41	18.39	228,653.20	91.3%

16100001 LIBRARY SALARIES

511000 SALARIES & WAGES-PERMANENT	615,133	-3,215	611,918	607,408.31	.00	4,509.69	99.3%
51115 LONGEVITY	9,800	0	9,800	9,200.00	.00	600.00	93.9%
512000 SALARIES & WAGES - TEMPORARY	76,155	-7,481	68,674	47,015.51	.00	21,658.49	68.5%
513000 OVERTIME SALARIES	11,633	1,590	13,223	13,206.64	.00	16.36	99.9%
514300 SHIFT PREMIUM - SALARIES	4,779	2,981	7,760	6,585.08	.00	1,114.92	85.3%
514500 HOLIDAY PAY - SALARIES	4,436	1,515	5,951	5,950.34	.00	.66	100.0%
515300 UNIFORM ALLOWANCE - SALARIES	0	750	750	750.00	.00	.00	100.0%
519400 OTHER STIPENDS	0	2,300	2,300	2,300.00	.00	.00	100.0%
519700 AUTOMOBILE ALLOWANCE - SALAR	0	1,560	1,560	1,430.00	.00	130.00	91.7%
TOTAL LIBRARY SALARIES	721,876	0	721,876	693,845.88	.00	28,030.12	96.1%

16100002 LIBRARY EXPENSES



FOR 2016 99 JOURNAL DETAIL 2016 1 TO 2016 13

ACCOUNTS FOR: ORIGINAL TRANSFRS/ REVISED YTD EXPENDED ENC/REQ AVAILABLE PCT
 0100 GENERAL FUND APPROP ADJUSTS BUDGET USED

521100 ELECTRICITY	44,000	-18,117	25,883	11,441.39	5,690.03	8,751.36	66.2%
521101 ELECTRIC NMC UXBRIDGE SOLAR	0	25,355	25,355	18,603.43	6,751.65	11,893.70	100.0%
521500 HEAT	24,091	-4,466	19,625	7,731.30	.00	952.95	39.4%
525000 OFFICE EQUIP FURN MAINT	5,200	-558	4,642	3,689.05	.00	.00	79.5%
527100 BUILDINGS - RENTALS & LEASES	29,600	0	29,600	29,600.00	.00	.00	100.0%
529400 OTHER PROPERTY RELATED SERV	17,626	0	17,626	16,156.80	547.20	922.00	94.8%
534100 TELEPHONE/COMMUNICATIONS	475	0	475	382.03	.00	92.97	80.4%
538400 COMPUTER SERVICES	48,200	688	48,888	48,395.32	491.92	.76	100.0%
542100 OFFICE SUPPLIES	10,000	0	10,000	9,955.62	35.53	8.85	99.9%
541100 EDUCATIONAL SUPPLIES	15,603	-1,338	14,265	14,265.00	.00	.27	100.0%
551200 TEXTBOOKS/TECHNOLOGY MATERIA	71,186	520	71,706	68,550.95	1,467.73	1,687.22	97.6%
570100 WATER/SEWER CSO CHARGE	1,750	28	1,778	1,777.52	.00	.48	100.0%
573200 SUBSCRIPTIONS	29,978	8,199	38,177	37,977.05	200.23	.00	100.0%
TOTAL LIBRARY EXPENSES	297,709	10,311	308,020	268,525.46	15,184.29	24,310.56	92.1%

16309002 ARMORY COMMISSION EXPENSES							
521100 ELECTRICITY	25,000	-16,783	8,217	8,172.48	.00	44.69	99.5%
521101 ELECTRIC NMC UXBRIDGE SOLAR	0	5,242	5,242	5,242.08	.00	.01	100.0%
521500 HEAT	40,000	-25,000	15,000	14,650.99	.00	349.01	97.7%
538500 OTHER PURCHASED SERVICES	50,000	39,000	89,000	84,618.69	.00	34,381.31	61.4%
543900 BUILDING AND MAINTENANCE SUP	1,000	0	1,000	.00	.00	1,000.00	.0%
TOTAL ARMORY COMMISSION EXPENSES	116,000	2,459	118,459	82,684.24	.00	35,775.02	69.8%

16309011 CEMETERIES SALARIES							
511000 SALARIES & WAGES-PERMANENT	275,543	-43,630	231,913	221,853.94	.00	10,059.47	95.7%
51115 LONGEVITY	2,400	0	2,400	1,600.00	.00	800.00	66.7%
513000 OVERTIME SALARIES	15,000	0	15,000	8,971.37	.00	6,028.63	59.8%
516900 RETIREMENT BUYOUTS	0	23,771	23,771	23,771.30	.00	.00	100.0%
517100 WORKER'S COMPENSATION - SALA	0	2,358	2,358	2,358.29	.00	.00	100.0%
519300 UNIFORM ALLOWANCE - SALARIES	4,800	0	4,800	4,800.00	.00	.00	100.0%
519400 OTHER STIPENDS	1,400	3,600	5,000	2,500.00	.00	2,500.00	50.0%
519900 OTHER PERSONNEL SERVICES	0	1,400	1,400	1,400.00	.00	.00	100.0%
TOTAL CEMETERIES SALARIES	299,143	-12,500	286,643	267,254.90	.00	19,388.10	93.2%

16309012 CEMETERIES EXPENSES

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ACCOUNTS FOR: 0100 GENERAL FUND	ORIGINAL APPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
521100 ELECTRICITY	3,000	600	3,600	3,454.91	.00	145.09	96.0%
521500 HEAT	4,000	0	4,000	3,178.98	.00	821.02	79.5%
524100 BULD. & GROUNDS - REPAIR/MAINT	2,500	-800	1,700	1,680.30	.00	19.70	98.8%
524600 VEHICLES - REPAIRS & MAINT	1,500	2,783	4,283	4,153.97	60.00	68.59	98.4%
528100 OTHER RENTALS AND LEASES	875	73	802	280.80	421.20	100.00	87.5%
534100 TELEPHONE/COMMUNICATIONS	600	-600	0	.00	.00	.00	.0%
538500 OTHER PURCHASED SERVICES	0	7,300	7,300	7,080.00	.00	220.00	97.0%
541100 GASOLINE/ENERGY SUPPLIES	7,500	-2,100	5,400	4,259.68	.00	1,140.32	78.9%
541100 TOOLS - GROUNDSKEEPING SUPPL	1,000	-645	355	175.00	.00	180.03	49.3%
547300 OTHER GROUNDSKEEPING SUPPL	7,000	2,962	9,962	9,838.95	100.15	22.53	99.8%
558600 OTHER SUPPLIES	9,125	4,000	13,125	12,755.00	.00	370.00	97.2%
TOTAL CEMETERIES EXPENSES	37,100	13,426	50,526	46,857.59	581.35	3,087.28	93.9%
16309021 TREES SALARIES							
511000 SALARIES & WAGES-PERMANENT	77,259	-856	76,403	63,213.87	.00	13,189.46	82.7%
51115 LONGEVITY	600	0	600	600.00	.00	.00	100.0%
513000 OVERTIME SALARIES	5,000	856	5,856	5,855.67	.00	.00	100.0%
513000 UNIFORM ALLOWANCE - SALARIES	1,200	0	1,200	600.00	.00	600.00	50.0%
519900 OTHER PERSONNEL SERVICES	5,400	0	5,400	5,200.00	.00	200.00	96.3%
TOTAL TREES SALARIES	89,459	0	89,459	75,469.54	.00	13,989.46	84.4%
16309022 TREES EXPENSES							
524600 VEHICLES - REPAIRS & MAINT	4,500	-500	4,000	2,695.63	101.36	1,203.01	69.9%
525800 OTHER REPAIRS & MAINTENANCE	1,600	145	1,745	634.17	65.83	1,045.35	40.1%
538500 OTHER PURCHASED SERVICES	35,000	8,215	43,215	42,454.60	.00	1,760.50	98.2%
541100 GASOLINE/ENERGY SUPPLIES	4,000	0	4,000	1,676.48	.00	2,323.52	41.9%
546100 TOOLS - GROUNDSKEEPING SUPPL	2,600	0	2,600	429.00	.00	2,171.00	16.5%
547000 TREES MAINTENANCE	30,000	-8,215	21,785	15,440.00	.00	6,344.90	70.9%
547300 OTHER GROUNDSKEEPING SUPPL	5,000	-4,000	1,000	300.00	.00	700.00	30.0%
TOTAL TREES EXPENSES	82,700	-4,355	78,345	63,629.88	167.19	14,548.28	81.4%
16309041 PARKS SALARIES							

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ACCOUNTS FOR: ORIGINAL TRANSFRS/ REVISED YTD EXPENDED ENC/REQ AVAILABLE PCT
 0100 GENERAL FUND ADJUSTMENTS BUDGET USED

511000 SALARIES & WAGES-PERMANENT	494,130	-86,371	407,759	400,444.42	.00	7,314.16	98.2%
511115 LONGEVITY	8,600	0	8,600	7,067.40	.00	1,532.60	82.2%
513000 OVERTIME SALARIES	10,000	1,972	11,972	11,971.61	.00	.00	100.0%
513000 RETIREMENT BUYOUTS	0	11,884	11,884	11,883.56	.00	.00	100.0%
516900 WORKER'S COMPENSATION - SALA	0	16,326	16,326	16,326.25	.00	.00	100.0%
517100 UNIFORM ALLOWANCE - SALARIES	9,000	0	9,000	7,200.00	.00	1,800.00	80.0%
519300 OTHER PERSONNEL SERVICES	2,800	0	2,800	2,600.00	.00	200.00	92.9%
TOTAL PARKS SALARIES	524,530	-56,190	468,340	457,493.24	.00	10,846.76	97.7%

16309042 PARKS EXPENSES							
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521100 ELECTRICITY	55,000	39,521	94,521	84,778.10	9,715.02	27.75	100.0%
521101 ELECTRIC NMC UXBRIDGE SOLAR	0	7,871	7,871	5,687.18	2,183.56	.00	100.0%
521500 HEAT	20,000	-14,000	6,000	5,612.50	.00	387.50	93.5%
524100 BUILD. & GROUNDS - REPAIR/MA	40,000	-14,070	25,930	21,848.47	401.44	3,680.09	85.8%
524600 VEHICLES - REPAIRS & MAINT	21,000	0	21,000	16,402.85	748.46	3,848.69	81.7%
525800 OTHER REPAIRS & MAINTENANCE	14,000	0	14,000	12,214.29	1,426.47	259.24	97.9%
530600 ADVERTISING	750	0	750	318.64	.00	431.36	42.5%
538500 OTHER PURCHASED SERVICES	8,200	-4,000	4,200	1,864.55	402.68	1,932.77	54.0%
541100 GASOLINE/ENERGY SUPPLIES	22,500	0	22,500	11,413.13	.00	11,086.87	50.7%
545100 CLEANING AND CUSTODIAL SUPPL	100	0	100	.00	.00	100.00	89.3%
546100 TOOLS - GROUNDSKEEPING SUPPL	1,800	0	1,800	1,606.76	.44	192.80	9.9%
547300 OTHER GROUNDSKEEPING SUPPL	1,300	0	1,300	1,246.93	.00	1,170.97	78.3%
558600 OTHER SUPPLIES	1,900	0	1,900	1,246.93	241.66	411.41	100.0%
570100 WATER/SEWER CSO CHARGE	169,800	5,570	175,370	175,360.03	.00	9.97	93.7%
TOTAL PARKS EXPENSES	356,350	20,892	377,242	338,542.46	15,119.73	23,579.42	93.7%

16309062 CIVIC CELEBRATIONS EXPENSES							
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579100 UNCLASSIFIED ITEMS/CIVIC CEL	40,000	0	40,000	32,740.00	.00	7,260.00	81.9%
TOTAL CIVIC CELEBRATIONS EXPENSES	40,000	0	40,000	32,740.00	.00	7,260.00	81.9%

17500005 CITY LONG TERM DEBT SERVICE							
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591000 MATURING PRINCIPAL- LONG TER	2,390,000	54,000	2,444,000	2,444,000.00	.00	.00	100.0%
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ACCOUNTS FOR: GENERAL FUND ORIGINAL APPROP TRANSFRS/ ADJUSTMS REVISED BUDGET YTD EXPENDED ENC/REQ AVAILABLE BUDGET PCT USED

591500 INTEREST ON LONG TERM DEBT	850,000	-21,490	828,510	828,510.30	.00	.00	100.0%
TOTAL CITY LONG TERM DEBT SERVICE	3,240,000	32,510	3,272,510	3,272,510.30	.00	.00	100.0%

17550005 CITY DEBT OTHER EXPENSES							
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527300 RENTALS AND LEASES	100,000	-100,000	0	0.00	.00	.00	100.0%
592500 DEBT SERVICES/INTEREST ON NO	200,000	-159,000	41,000	40,600.62	.00	399.38	99.0%
TOTAL CITY DEBT OTHER EXPENSES	300,000	-259,000	41,000	40,600.62	.00	399.38	99.0%

18000005 ASSESSMENTS							
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562100 COUNTY TAX (A.1)	595,753	0	595,753	595,753.00	.00	.00	100.0%
563100 SPECIAL EDUCATION (B.1)	66,570	6	66,576	83,007.00	.00	-16,431.00	124.7%
563500 MOTOR VEHICLE PARKING SURCHA	299,300	0	299,300	299,300.00	.00	.00	100.0%
563900 MOSQUITO CONTROL PROJECTS	105,653	0	105,653	105,653.00	.00	.00	100.0%
564000 AIR POLLUTION CONTROL DIST (19,996	0	19,996	19,996.00	.00	.00	100.0%
564100 SCHOOL CHOICE ASSESSMENT	473,041	-78,346	394,695	607,684.00	.00	-212,989.00	154.0%
564200 CHARTER SCHOOL ASSESSMENT	13,772,667	1,440	13,774,107	13,122,796.00	.00	651,311.00	95.3%
564300 RETIRED EMPLOYEES HEALTH INS	3,388	0	3,388	3,388.00	.00	.00	100.0%
564800 OTHER ASSESSMENTS - SERPEDD	15,080	-367	14,713	15,079.92	.00	-366.92	102.5%
565000 REGIONAL TRANSIT AUTHORITIES	995,194	0	995,194	995,194.00	.00	.00	100.0%
TOTAL ASSESSMENTS	16,346,642	-77,267	16,269,375	15,847,850.92	.00	421,524.08	97.4%

18100005 CHERRY SHEET OFFSETS							
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565300 SCHOOL CHOICE OFFSET	110,000	-27,950	82,050	.00	.00	82,050.00	.0%
565400 PUBLIC LIBRARY OFFSET	136,257	0	136,257	.00	.00	136,257.00	.0%
TOTAL CHERRY SHEET OFFSETS	246,257	-27,950	218,307	.00	.00	218,307.00	.0%

18200005 OTHER PIN USES							
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565700 SNOW & ICE LAST YEAR	1,000,000	-62,605	937,395	.00	.00	937,395.00	.0%
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YEAR TO DATE REVENUE/ EXPENSES REPORT

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FOR 2016 99

ACCOUNTS FOR:
0100 GENERAL FUND

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	ORIGINAL APPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
566000 OVERLAY	1,200,000	31,930	1,231,930	.00	.00	1,231,929.73	.0%
TOTAL OTHER FIN USES	2,200,000	-30,675	2,169,325	.00	.00	2,169,324.73	.0%
19090001 RETIREMENT BOARD SALARIES							
511000 SALARIES & WAGES-PERMANENT	0	0	0	250.00	.00	-250.00	100.0%
517900 MEDICARE MATCH	0	0	0	-80.89	.00	80.89	100.0%
TOTAL RETIREMENT BOARD SALARIES	0	0	0	169.11	.00	-169.11	100.0%
19100001 RETIREMENT SYSTEM							
517700 RETIRE CONTRIBUTIONS	17,699,201	0	17,699,201	17,390,950.11	.00	308,250.89	98.3%
517730 RECOVERY-DIRECT GRANTS	-300,000	0	-300,000	.00	.00	-300,000.00	.0%
517740 ACTIVE DUTY	35,000	0	35,000	.00	.00	35,000.00	.0%
527730 RECOVERY	0	0	0	-106,286.57	.00	106,286.57	100.0%
TOTAL RETIREMENT SYSTEM	17,434,201	0	17,434,201	17,284,663.54	.00	149,537.46	99.1%
19110001 PENSIONS- NON CONTRIB							
516200 PENSIONS - NONCONTRIB	6,000	0	6,000	.00	.00	6,000.00	.0%
TOTAL PENSIONS- NON CONTRIB	6,000	0	6,000	.00	.00	6,000.00	.0%
19120001 WORKER'S COMPENSATION							
516700 LEGAL FEES	80,000	13,058	93,058	91,109.21	.00	1,948.73	97.9%
517100 WORKER'S COMPENSATION - SALA	250,000	-123,172	126,828	126,828.03	.00	.00	100.0%
TOTAL WORKER'S COMPENSATION	330,000	-110,114	219,886	217,937.24	.00	1,948.73	99.1%
19120002 WORKER'S COMPENSATION							

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ACCOUNTS FOR:
0100 GENERAL FUND

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	ORIGINAL APPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
530100 MEDICAL AND DENTAL	500,000	110,114	610,114	609,377.81	.00	736.22	99.9%
TOTAL WORKER'S COMPENSATION	500,000	110,114	610,114	609,377.81	.00	736.22	99.9%
19130001 UNEMPLOYMENT COMPENSATION							
517300 UNEMPLOYMENT PAYMENTS - SALA	150,000	0	150,000	100,449.53	.00	49,550.47	67.0%
TOTAL UNEMPLOYMENT COMPENSATION	150,000	0	150,000	100,449.53	.00	49,550.47	67.0%
19140002 MEDICARE INSURANCE							
527730 RECOVERY	0	0	0	-4,817.87	.00	4,817.87	100.0%
574900 MEDICARE INSURANCE	600,000	-6,000	594,000	614,337.37	.00	-20,337.37	103.4%
TOTAL MEDICARE INSURANCE	600,000	-6,000	594,000	609,519.50	.00	-15,519.50	102.6%
19150002 EMPLOYEES' GROUP INS EXPENSES							
527730 RECOVERY	0	-50,000	-50,000	-66,458.36	.00	16,458.36	132.9%
596600 TRANSFER TO TRUST & AGENCY	15,745,535	0	15,745,535	15,745,535.04	.00	-.04	100.0%
TOTAL EMPLOYEES' GROUP INS EXPENSES	15,745,535	-50,000	15,695,535	15,679,076.68	.00	16,458.32	99.9%
19400002 GENERAL UNCLASSIFIED-EXPENSES							
596200 TRANSFER TO SPECIAL REVENUE	0	0	0	.00	.00	.00	.0%
596400 TRANSFERS TO ENTERPRISE	0	1,101,233	1,101,233	1,101,233.00	.00	.00	100.0%
TOTAL GENERAL UNCLASSIFIED-EXPENSES	0	1,101,233	1,101,233	1,101,233.00	.00	.00	100.0%
19420002 CLAIMS AND DAMAGES OTHER EXPS							
576000 JUDGEMENTS	150,000	0	150,000	6,547.99	.00	143,452.01	4.4%

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ACCOUNTS FOR:
0100 GENERAL FUND

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ORIGINAL APPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
578100 UNCLASSIFIED ITEMS/CLAIMS &	200,000	0	200,000	156,913.85	.00	43,086.15 78.5%
TOTAL CLAIMS AND DAMAGES OTHER EXPS	350,000	0	350,000	163,461.84	.00	186,538.16 46.7%

19450002 INSURANCE

574100 PROPERTY INSURANCE	600,000	3,660	603,660	603,660.37	.00	.00 100.0%
574110 WATER INSURANCE RECOVERY	0	-10,518	-10,518	-10,518.00	.00	.00 100.0%
574120 SEWER INSURANCE RECOVERY	0	-60,000	-60,000	-60,000.00	.00	.00 100.0%
574140 SANITATION INSURANCE RECOVER	0	-28,038	-28,038	-28,038.00	.00	.00 100.0%
574200 LIABILITY INSURANCE	75,000	-59,104	15,896	15,644.00	.00	251.63 98.4%
TOTAL INSURANCE	675,000	-154,000	521,000	520,748.37	.00	251.63 100.0%
TOTAL GENERAL FUND	128,732,856	1,446,979	130,179,835	125,103,131.25	609,851.37	4,466,852.84 96.6%

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CITY OF FALL RIVER
YEAR TO DATE REVENUE/ EXPENSES REPORT

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FOR 2016 99

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ORIGINAL APPROP	TRANSFRS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
GRAND TOTAL	128,732,856	1,446,979	130,179,835	125,103,131.25	609,851.37	4,466,852.84 96.6%

** END OF REPORT - Generated by Krishan Gupta **

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City of Fall River
Office of the Corporation Counsel

JASIEL F. CORREIA II
Mayor



JOSEPH I. MACY
Corporation Counsel

GARY P. HOWAYECK
Assistant Corporation Counsel

July 1, 2016

City Councilors and Department Heads
One Government Center
Fall River, MA 02722

RE: Draft Ordinances

Dear Councilors and Department Heads :

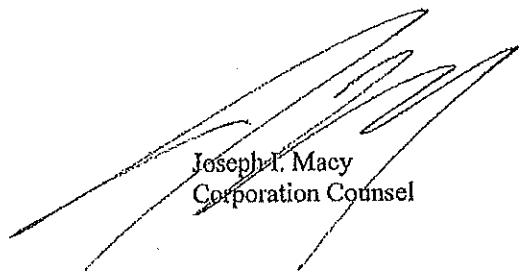
Enclosed is a DRAFT report regarding certain City ordinances prepared through this office by students from University of Massachusetts Law School for your review. It is submitted for comment to insure all interested parties have an opportunity to make their views known.

It is important to note that this report is an initial review and does not purport to be final. It is, rather, a starting point in attempt to make our ordinances cohesive, effective and enforceable. It is presented in a fashion to facilitate discussion but without specific recommendation as that was not within the purview of our charge.

Salient points in the report, in addition to changes in language, are the amount of fines, the appeal process (Court or Municipal Hearing), and the possible addition of three new ordinances. Of particular note for discussion is the Rental Inspection Ordinance (modeled after Boston's) which puts additional responsibilities, and costs, on landlords. These responsibilities may exceed the requirements of State law but are included so that there may be a thorough discussion of the issue.

I think it is important to reiterate that this is a discussion DRAFT only and that neither this office, nor the Mayor's office, is taking any position on the merits of the DRAFT but rather circulating the same in order to allow input from any and all concerned parties.

I am looking forward to your comments.


Joseph I. Macy
Corporation Counsel

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REPORT ON CITY ORDINANCES
MAY, 2016

CITY OF FALL RIVER MASSACHUSETTS
OFFICE OF THE CORPORATION COUNSEL

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I. SUMMARY

A. Charge

In September 2015, in accordance with a City Council resolution presented by Councilor Stephen R. Long, this office undertook a review of current City ordinances with respect to litter, blighted properties, abandoned properties, and zoning enforcement. Part of that charge included presenting revisions, recodification and additions to the ordinances.

In order to accomplish this task, the assistance of the University of Massachusetts Law School was sought. Two students from the law school have been involved in the entire process, and these interns have proven to be invaluable.

B. Methodology/Tasks

In order to achieve the desired results, the following tasks were undertaken in accordance with the methodology described:

- 1: Pertinent ordinances were reviewed to determine where, when, and how they apply.
- 2: A determination was made as to whether existing ordinances are properly codified; i.e. are the sections appropriately grouped?
- 3: A determination was made as to whether existing ordinances, however grouped, are consistent with each other.
- 4: A determination was made as to the enforceability (i.e. legality) of each ordinance and the appropriate agency (i.e. department) of enforcement.
- 5: A determination was made as to whether new ordinances might be added and whether existing ordinances should be consolidated or deleted.

C. Report

The attached report is the result of the above review. It is presented in a fashion to facilitate discussion, and potential approval and adoption. However, it is presented without a specific recommendation as that is both beyond the purview of our charge and would be an incursion into policy matters reserved to the Mayor and Council respectively.

II. EXISTING ORDINANCES

A. Overview

The Corporation Counsel identified generally which chapters of the ordinances were pertinent to the charge: 10, Buildings and Building Regulations; 14, Businesses; 26, Environment; 30, Fire Prevention and Protection; 34, Health; 38, Historical Preservation; 42, Housing; 46, Offenses; 62, Solid Waste; 66, Streets, Sidewalks and Other Public Places; 74, Utilities; and 86, Zoning. Throughout this report, any reference to the "ordinances" are those pertinent ordinances identified above unless otherwise stated in the text.

These ordinances were reviewed to determine where, when, and how they apply. Further, determinations were made as to whether these existing ordinances are properly codified (i.e. are the sections appropriately grouped), whether they are consistent with each other, and as to the enforceability (i.e. legality) of each ordinance and the appropriate agency (i.e. department) of enforcement.

During the analysis process, the ordinances were compared and contrasted with similar ordinances from the Massachusetts cities of New Bedford, Worcester, and Boston.

B. Grouping

The chapters of Fall River's ordinances are broadly categorized by subject. Each of the chapters is broken down into articles by subcategories, and sections are each given descriptive headings summarizing the clauses that follow. Many of the chapters' first sections are general statements of purpose and include a list of definitions. This method of categorization and the predictability of organization among chapters promotes ease of use for the public. Additionally, the Fall River ordinances appear to be logically grouped.

Chapter 10, Division 3, Vacant Building Registration and Fee, Reserved Sections 10-102 to 10-120.

The sections already within this ordinance reference vacant building registration and fees. Sections 10-102 to 10-120 are reserved. In order to maintain the logical grouping and flow of ordinances, the reserved sections within this division are a good place to add information regarding blighted properties specifically.

C. Consistency

The chapters of Fall River's ordinances that were identified as pertinent to the charge do not have any inconsistency or direct conflicts. In the event that suggestions made in this report are adopted by the city, consideration should be given to consistency of the current ordinances with regard to those which may be newly enacted.

Chapter 26-Environment, Sections 26-34, 26-40, 26-41, and 26-43.

To maintain consistency of ordinances, these sections should be cross-referenced with any new blighted property ordinances.

Chapter 34, Health, Sections 34-282 through 34-290

To maintain consistency of ordinances, these sections should be cross-referenced with any new blighted property ordinances.

D. Enforceability

The Fall River ordinances were determined to be legally enforceable, and the appropriate enforcement agency for each ordinance is proper. However, the enforcement of certain ordinances may warrant more specific consideration.

Chapter 1-General Provisions. Section 1-15. General penalty.

This section provides the language for a general penalty applicable to the entire Revised Code. Without a specific monetary penalty for an infraction, there may be enforceability issues. For example, Section 10-31 regarding building permits states: "Any person who shall violate a provision of this article . . . shall be punishable by a fine as provided in section 1-15." However, Section 1-15 does not provide a specific monetary fine to enforce upon a violator. It is suggested that Section 1-15 be re-written to include a definite fine:

Sec. 1-15. General penalty.

Any person who violates a provision of this Revision or of any ordinance of the city, whether included in this Revision or hereafter enacted, whereby any act or thing is enjoined or prohibited or required, shall, unless other provision is expressly made, upon conviction, be liable for a penalty of [DOLLAR AMOUNT] for each offense. This section shall not preclude the city from proceedings to restrain the violation of any provision of this Revision or other ordinance of the city by injunction where such proceeding is more appropriate. Each day a violation continues shall constitute a separate offense.

Chapter 10-Buildings and Building Regulations. Section 10-93. Information to be posted in dwellings rented for residential use.

This section does not indicate which personnel or department is to enforce this ordinance and where appeals should be directed. It is suggested that the City strike out Section 10-93(b) in its entirety and insert in place thereof the following:

- (b) *Penalty.* Any person in violation of this section shall be fined not more than \$50.00. Each Day such violation continues shall be considered a separate offense. A written request for an appeal may be filed to the Fall River District Court within 30 days of the citation date noted on the notice of violation, and must include a copy of the citation, and a description of the basis for the appeal.

Chapter 26-Environment.

Section 62-48 provides that "the director of public works and his authorized agents, including, but not limited to litter enforcement officers, shall have the authority to enforce the provisions of ordinances as detailed in chapter 26, environment; chapter 62, solid waste and sections 2-1021 through 2-1024, of chapter 2, Administration, as said sections related to chapters 26 and 62."

There should be a repeat of, or reference to this information in Chapter 26.

E. Potential Amendments

A determination was made whether existing ordinances should be consolidated or deleted.

Chapter 10-Buildings and Building Regulations. Section 10-31. Penalty.

Due to the lack of a specific fine in Section 1-15, either that section should be revised as stated above, or the following section 10-31 should be revised as follows.

Sec. 10-31. Penalty.

Any person who shall violate a provision of this article or shall fail to comply with any of the requirements of this article, or who shall install, construct, alter, or repair any electrical equipment, plumbing, or building in violation of an approved plan or directive of the inspectional services division, or of a permit issued under the provisions of this article, shall be punished by a fine of [DOLLAR AMOUNT].

Chapter 10-Buildings and Building Regulations. Section 10-38. Fees.

This section references items in the Appendix that are not in the Appendix. All of the italicized text below are without a reference to a fee within Appendix A. Appendix A should be updated to include these fees, otherwise the references in 10-38 should be removed.

Sec. 10-38. Double fee for commencing work without permit.

Any person desiring a *building permit* shall, at the time of filing an application thereof, pay the director of code enforcement the fee required by the schedule set forth in Appendix A of this Revision. The fee schedule also includes permit fees for *repair, alterations, moving, and demolition* of any building or structure, *written zoning opinions, certificates of occupancy and reinspections.*

Chapter 10-Buildings and Building Regulations. Section 10-39. Double fee for commencing work without permit.

This section references items in the Appendix that are not in the Appendix. Therefore, this section is affected in the same way as the previous section. This can be cured by removing the reference to the Appendix and only referencing the fee specified to be paid for the permit.

Strike out Section 10-39 in its entirety and insert in place thereof the following:

Sec. 10-39. Double fee for commencing work without permit.

Where work for which a permit is required by this article is started without a permit, the fee specified to be paid for such permit in Appendix A to this Revision shall be doubled, but payment of such doubled fee shall not relieve any person from fully complying with the requirements of the rules or regulations of the state codes and this chapter in the execution of the work or from any other penalties prescribed by statute or ordinance.

Chapter 10-Buildings and Building Regulations. Section 10-99. Appeal.

This section provides the appeal process for enforcement of vacant property to be taken to the ambiguous "code enforcement." A more specific governing body should be specified like the Division of Minimum Housing Standards.

Sec. 10-99. Appeal

Any owner assessed a registration fee under this chapter shall have the right to appeal the imposition of such fee to [Division of Minimum Housing Standards] upon the filing of an application in writing, no later than 15 calendar days after mailing of the billing statement. The appeal request shall be accompanied by a \$50.00 nonrefundable appeal cost. The appeal shall be limited solely to the issues of whether the building is vacant and how long the building has been vacant. The owner shall have the burden of proof on appeal. Upon the proper filing of an appeal, payment of the registration fee shall be

stayed pending the outcome on appeal. If the decision is adverse to the owner, the payment shall be due within ten calendar days of the decision of code enforcement.

Chapter 46- Offenses, 46-16(b). Chronic Nuisance Property definition.

The definition of "Chronic nuisance property" presumes that certain activities will be considered nuisance activities giving rise to the chronic nuisance status. This could be challenged in that the police must first establish that a nuisance activity has occurred under the list of items in the ordinance. To avoid this, the focus should instead be on an easily established fact like the quantity of police calls to a property in a certain time period. This would allow enforcement officers to more immediately write an actionable citation, that is one where a fine is imposed rather than a mere warning.

It is recommended that the current definition of "Chronic nuisance property" be repealed, and replaced with the following:

Chronic nuisance property means property to which the police has responded two or more times within a sixty (60) day period as a result of complaints of nuisance activities occurring or existing on the property;

Chapter 46- Offenses, 46-16(b). Person responsible for the property definition.

Because the definition of "Person responsible for the property" is syntactically unclear of whom is within the definition, it is recommended that the current definition of "Person responsible for the property" be replaced with the following:

Person responsible for the property or person responsible means, unless otherwise defined, any person in control of the property, and (i) has titled ownership of the property or of the structure thereon, (ii) is the developer, builder, or owner developing the property or the structure or structures thereon, (iii) is the business operator of a business operating on the property, (iv) is a lessee or tenant of the property; or (v) has otherwise accepted a duty to regularly maintain the property.

Chapter 46- Offenses, 46-16(c)(1)-(2). Violation.

Having the violation segmented into the property under (1), and then the person responsible under (2), makes it appear like there are two different ways to violate the ordinance.

It is recommended that items (1) and (2) be repealed, and replaced with the following, and item (3) be renumbered as new item (2):

(c) *Violation.*

(1) Any person responsible for property within the city which is a chronic nuisance property shall be in violation of this section and subject to its remedies.

Chapter 46- Offenses, 46-16(d). Procedure.

The procedure under part (d) is overly burdensome for the city to efficiently enforce. Although the warning notice is fair, it lacks any immediate penalty until the offending person fails to comply. This procedure requires documentation and follow-up by the city to make a determination of non-compliance before the city can effectively take any action against the offender. The likely outcome is that the offender is not motivated to comply, and the city has the burden to establish that the offender failed to do so.

A possible solution is to shift the burden to the offender, and have an immediate consequence occur for a repeat offense. Specifically, alter the trigger for the penalty from the offender's noncompliance after the warning to the offender's repeated offense within a set time period. With this change, upon the occurrence of a repeated offense, the city can issue a violation to the offender requiring payment or appeal to the local district court. A description of this enforcement procedure can be found on the existing form "City of Fall River Notice of Violation of City Ordinance or Regulation." Making this change will ensure this enforcement procedure is in line with already established procedure for other ordinance violations.

It is recommended that 46-16(d)-(e) be repealed and replaced with the following section which encompasses the above possible solution:

(d) Procedure.

(1) When the chief of police, or his/her designee(s), receives documentation confirming that the police have responded to a property two or more times within a sixty (60) day period as a result of complaints of nuisance activities occurring or existing on the property, the chief of police or his/her designee(s), may review such documentation to determine whether it describes the nuisance activities enumerated in subsection (b). If so, the police chief may designate the property a chronic nuisance property.

(2) Upon such designation, the chief of police, or his/her designee(s), shall notify the person responsible for such property, in writing, that the property has been declared a chronic nuisance property. The notice shall contain:

- a. The street address or legal description sufficient for identification of the property;
- b. A concise description of the nuisance activities that exist, or that have occurred on the property giving rise to the chronic nuisance designation;
- c. A demand that the person responsible for such property respond to the chief of police or his/her designee(s) within ten days of service of the notice to discuss the nuisance activities and create a plan to abate the nuisance activities, or a penalty will be assessed in accordance with this section;
- e. A statement that the city reserves its rights for enforcement including without limitation legal action, closure of the property and civil penalties.

(3) The chief of police or his/her designee(s) shall serve or cause to be served such warning upon the person responsible in accordance with the procedures set forth above.

(4) If the person responsible responds as required by the notice and agrees to abate the nuisance activity, the chief of police or his/her designee(s), and the person responsible, may work out an agreed upon course to abate the nuisance activity. Provided, that in the event the chief of police or his/her designee(s) determines that the person responsible has taken reasonable steps to abate the nuisance activity in compliance with the abatement plan, the chronic nuisance designation shall be removed notwithstanding the continuance of the nuisance activity.

(5) If the person responsible fails to respond to the notice within the time prescribed, or fails to comply with the abatement plan, the chief of police or his/her designee(s) shall post a notice at the property of the chronic nuisance designation and send such notice by first class mail to the owner's premises or other responsible party's last known address, and issue the person responsible a citation of

civil infraction including a fine of \$1,000.00. If the notice is returned as undeliverable, the notice shall be deemed properly delivered if it is either posted on the front door of the premises that is the subject of the notice or if it is delivered in person to the owner. Such notice shall be in a similar form to that described in subsection (2) above.

(6) If the person responsible fails to respond to the issued infraction and/or continues to violate the provisions of this section, a fine of [DOLLARS] per police call to the nuisance property involving a nuisance activity shall be imposed upon the person responsible until either (i) an abatement plan is put into effect and satisfied, or (ii) a period of eighteen months has elapsed from the date of the last police call made to the chronic nuisance property involving a nuisance activity.

(7) The person responsible's satisfaction of the abatement plan under this section shall result in the removal of the chronic nuisance designation, and such designation may not be made for a period of no less than six months.

Chapter 46- Offenses, 46-16(e). Appeals.

The current ordinance requires that offenders appeal a violation to the Law Department. This procedure does not comport with the usual duties of the Law Department. The Law Department is not an independent judicial branch, nor is it independent from the city, therefore it is ill equipped to handle appeals. Instead, appeals should be taken to the District Court in a similar procedure to that listed on the form, "City of Fall River Notice of Violation of City Ordinance or Regulation."

Subsection (e) should be repealed, and replaced with the following:

(e) *Appeal.* A written request for an appeal may be filed to the Fall River District Court within 30 days of the citation date noted on the notice of violation, and must include a copy of the citation, and a description of the basis for the appeal.

Chapter 62-Solid Waste, Section 62-3, Depositing refuse generated outside city on street or sidewalk.

This section suffers from the same potential enforceability issues as Section 10-31 with its reference to section 1-15.

Strike out Section 62-3 in its entirety and insert in place thereof the following:

Sec. 62-3. Depositing refuse generated outside city on street or sidewalk.

Anyone who knowingly, willfully, or without right places any refuse not generated in the city on any sidewalk street or public way shall be subject to the penalty of [DOLLAR AMOUNT].

III. ADDITIONAL ORDINANCES

A. Overview

After looking at the ordinances of other Massachusetts cities in comparison with Fall River's existing ordinances, a determination was made as to whether new ordinances might be added. Three were discovered that appeared to address issues in Fall River: New Bedford redress against vacant properties becoming public nuisances; Boston's obligations of landlords to maintain rental units to a certain standard; and Worcester's property owner requirements to properly maintain dilapidated buildings.

B. Vacant Properties Posing a Public Nuisance: New Bedford's Sec. 6-140 – Sec. 6-151

Fall River gives special attention to vacant properties in Chapter 10. However, it falls short of deeming vacant properties a public nuisance with the same force as what has been enacted in New Bedford.

Purpose

New Bedford's purpose outwardly states that vacant buildings can become public nuisances and are constant cause for city monitoring and cleanup. Otherwise it is similar to that of Fall River's Section 10-95.

Sign Posting

The major difference with New Bedford's vacant property ordinance is the obligation of a property owner to post a sign after registering with the city. This requirement makes it physically apparent for anyone that drives by, including city inspectors, to know which vacant properties are registered, and those that are not. Without such a requirement, the city may not readily know which properties are in compliance with the ordinance.

Model Ordinance

It is suggested that the following model ordinance be adopted into Chapter 10. The section number shown is the suggested placement within the current ordinances.

Sec. 10-102.

Within fifteen (15) days of the time a building is to be registered as required herein, the owner shall post upon any building which is boarded, a sign no smaller than two (2) feet x two (2) feet and compliant with the city's sign regulations ordinance, and providing the following information: the name, address, and telephone number of the owner, and in addition, for buildings which are the subject of a foreclosure action, the name, address, and telephone number of the plaintiff and the plaintiff's attorney, if any, in the foreclosure action. The sign must be placed so that its message is legible from the public way.

C. Landlord's Responsibility to Maintain Rental Units: Boston's CBC 9-1.3

Although Fall River requires landlords to identify their rental units pursuant to Section 10-93, it does not have an ordinance which targets landlords who do not maintain rentals. The City of Boston enacted such an ordinance in its own city to which Fall River can look for guidance. The ordinance there intricately details a five-year inspection cycle for rental properties and outlines a violation procedure for ongoing problem rentals.

Purpose

Due to the transient nature of rental units, the City of Boston sought to identify all of the city's rental units and their owners in an effort to sift out those owners who consistently comply with local and state safety regulations from those who do not. The Boston ordinance established a system which gives greater scrutiny to the non-complying owners of notorious problem properties while allowing responsible owners an expedited alternative process.

Registration Requirements

The Boston ordinance requires that all rental housing and landlords be registered with the city every year. This registration includes the posting of a metal notice on the rental building of the owner's

contact information. Owners must also attest to the city that they are familiar with state and local housing regulations as are prepared to abide by them.

Certain properties are exempted from the registration requirement: rentals owned by the government, and rental units of 6 or fewer units where the owner occupies one of the units.

Inspections

The regular course of inspections for the Boston ordinance requires one inspection every five years. For the first year in the cycle and any inspection thereafter, the city can use any information at its disposal regarding the target property to develop an inspection plan.

The city's Inspection Service Division carries out inspections. However, the city authorizes other private inspectors to conduct inspections in lieu of ISD. These authorized inspections are subject to a random inspection where no less than 5% of authorized inspections filed with the city are selected each year.

Enforcement and Chronic Offenders

Boston's ordinance has an intricate system of handling violations and corrective measures. Owners of properties failing the inspection must submit a plan to bring the property into compliance, and must submit for an inspection every year. Larger properties with many units have the ability to apply for alternative plans where rather than all units on the property are subjected to inspection, only a certain percentage are. This alternative plan is subject to approval from the city.

Properties which continue to fail inspections may be deemed problem properties and their owners be chronic offenders. Based on a point system, chronic offenders with a high number of points in a 12-month period are subject to a fine of \$300 for each point above the threshold.

Fees

Boston's registration fees are \$15 for one unit and cap at \$2500 per building and \$5000 per complex. Inspection fees are \$50-\$75 when conducted by the city and include two inspections per fee.

Executive Body

Boston established an Inspection Services Department with an agent representing them to conduct inspections and carry out enforcement. However, Fall River does not have such a department. Therefore, should Fall River want to implement a similar ordinance, it is suggested that perhaps the city Department of Health and Human Services, or the Division of Minimum Housing be the authority to conduct such inspections since the purpose would align with those agencies.

Model Ordinance

It is suggested that the following model ordinance be adopted as a new article. The section numbers shown are the suggested placement within the current ordinances.

ARTICLE IV. RENTAL INSPECTION PROGRAM

Sec. 42-112. Definitions.

Authorized Inspector. Any Division of Minimum Housing Standards (DMHS) Inspector or any other person who (i) is a Commonwealth of Massachusetts Registered Sanitarian or a Commonwealth of Massachusetts Certified Health Officer or a Commonwealth of Massachusetts Certified Home Inspector, or has proof of training acceptable to DMHS, and (ii) has demonstrated a proficiency in the application of

the State Sanitary Code by satisfactorily completing the DMHS certificate program for qualifying authorized professionals to perform inspections under this article, and has been issued a certificate of completion.

Director. Director of the Division of Minimum Housing Standards or a designee.

Days. Consecutive calendar days

Owner. A for-profit or not-for-profit individual or corporation, an agent of a for-profit or not-for-profit individual or corporation, or any person having legal charge of or authority over a private dwelling, tenement, lodging house, or other residential rental property dedicated to residential use.

Problem property. A problem property is a chronic nuisance property as it is defined by Section 46-16.

Rental unit. A non-owner occupied room or group of related rooms within a dwelling used or intended for use by one family or household for living, sleeping, cooking, and eating. A rental unit shall also mean a non-owner occupied condominium unit.

Sec. 42-113. Purpose of article.

The purpose of this article is to implement a proactive rental inspection program that maximizes the effectiveness of City resources in rental property code enforcement. It identifies all rental units in the City and their owners on a continuous and recurring basis in order to accommodate the transient nature of the rental market, and prioritizes notorious problem properties in order to economically target City resources toward chronic and priority offenders. It also provides an alternative compliance plan process available to responsible owners who consistently comply with City and State code in order to expedite them through an inspection process aimed at maintaining a uniform minimum standard for conditions exhibited by rental properties in Fall River in the interests of public health and safety.

Sec. 42-114. Effective; invalidity.

The provisions of this article shall be effective one hundred twenty (120) days after its date of passage. If any provision of this article shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

Sec. 42-115. Exemptions.

The following rental units shall be exempt from the inspection requirements of this article: (i) rental units owned or operated by Federal, State, or City Government, and (ii) rental units located in dwellings containing six (6) or fewer rental units, one of which is occupied by the owner. DMHS will provide exempt unit owners with education materials on all code requirements relative to their units on a regular basis.

Sec. 42-116. DMHS shall promulgate rules.

DMHS shall promulgate written rules and regulations necessary to implement and enforce the provisions of this article. The Director of DMHS will work to employ and implement technology to the extent possible in order to optimize the fairness and effectiveness of the registration and inspection processes within these rules, which may be revised from time to time.

Sec. 42-117. Registration. [EDITOR'S NOTE: Cross reference Section 10-93 regarding registration.]

(i) All owners of private residential rental housing units ("Owners"), including condominium units, in the City of Fall River shall register no later than July 1st of each year with the Division of Minimum Housing Standards ("DMHS") identifying the property by street address and the number of units that they own at each address.

(ii) An owner of a rental unit, who does not reside within the subject dwelling, shall post and maintain or cause to be posted and maintained on such dwelling adjacent to the mailboxes for such dwelling or elsewhere in the interior of such dwelling in a location visible to the residents a notice constructed of durable material, not less than twenty (20) square inches in size, bearing her/his name, address and telephone number. If the owner is a realty trust or partnership, the name, address and telephone number of the managing trustee or partner shall be posted. If the owner is a corporation, the name, address and telephone number of the president of the corporation shall be posted. Where the owner employs a manager or agent who does not reside in such dwelling, such manager or agent's name, address and telephone number shall also be included in the notice. P.O. boxes do not satisfy the address requirement of this section.

(iii) All owners must register each rental unit annually with DMHS, and must attest to and affirm that they are familiar with their obligations to comply with this section, the State Sanitary Code (105 CMR 410), the State Building Code (780 CMR), the City of Fall River Zoning Code, Federal, State and Local fair housing regulations, and all other regulations applicable to residential dwellings, and that they intend to comply with said regulations, by signing a form provided by and approved by the DMHS. An owner owning multiple units in the same building may submit one form representing all said units. Any owner residing outside of the Commonwealth of Massachusetts must designate a Fall River based resident agent authorized to accept service on the owner's behalf.

(iv) Transfer of ownership of rental units must be reported to DMHS within thirty (30) days of closing. New property owners must register within thirty (30) days of closing and must submit a reasonable maintenance plan that identifies and addresses any significant code deficiencies within the subject property. If the property was acquired during its inspection year and the inspections did not occur before the transfer of ownership, then pursuant to this article the new owner must, within ninety (90) days, complete any required inspection or apply for an alternative compliance plan.

(v) The Director of DMHS shall charge a filing fee of [DOLLARS] for any registration or sworn statement filed by an owner, authorized Inspector or other agent of the owner; said filing fees shall be capped at a maximum of [DOLLARS] per building or [DOLLARS] per complex.

Sec. 42-118. Inspection frequency; prioritization; equivalent inspections.

All non-exempt rental units must be inspected at least once every five (5) years. In order to develop the inspection plan for the first year, and subsequent years of the five (5) year inspections cycle, DMHS shall utilize data that may include, but shall not be limited to, inspection records, court records, documented constituent complaints, and any information related to the status of the property with the Fall River police department or information compiled by the Fall River police department to prioritize a list of properties for inspection in each neighborhood. DMHS shall perform periodic and random audit inspections of no less than five percent (5%) of the "authorized" inspections that are filed with DMHS. Annual comprehensive apartment inspections conducted by other Federal, State, or City inspection

programs that are accepted by DMHS as being substantially equivalent, may be used to satisfy the five (5)-year inspection requirement.

Sec. 42-119. Inspection fulfillment.

Residential rental unit owners may fulfill the requirements of this article by either requesting an inspection from DMHS within thirty (30) calendar days from issuance of an inspection notice, or notifying DMHS within thirty (30) calendar days that the inspection will be completed utilizing one of the alternate methods 42-118

Sec. 42-120. Inspection requirements.

All inspections performed under this article shall be performed in accordance with the requirements of the State Sanitary Code and recorded on a form approved by the DMHS.

For an inspection performed by DMHS, the Director shall charge a fee of [DOLLARS] per unit for buildings of one (1)-to-three (3) units and [DOLLARS] per unit for all other buildings, including condominium units. This inspection fee shall provide up to two (2) inspections, for three (3) or more inspections, the Director shall charge a fee of [DOLLARS] per inspection for each rental unit inspected.

Sec. 42-121. Inspection notice to and denied inspection entry by occupants.

Before conducting an inspection of an occupied unit pursuant to this section, reasonable advance notice shall be provided to the occupant in writing. Results of the inspection shall be provided to both the owner and the occupant.

If an owner's agent is denied access by the occupant for purposes of conducting an inspection, the owner of said unit shall notify DMHS of such denial within seven (7) calendar days. Such denial shall be noted on a sworn, dated statement filed by an authorized inspector. If any person is denied access to a unit for the purposes of conducting such an inspection by the occupant, then DMHS shall verify and document in writing such denial, which shall exempt the owner from the inspection requirements of this section for the period of one (1) year. Denial of access by the occupant shall neither deem the dwelling to be in compliance with the State Sanitary Code nor bar the occupant from exercising legal rights. The Director may cause the unit to be inspected pursuant to the terms herein in the manner provided for in the State Sanitary Code.

Sec. 42-122. Alternative compliance.

An owner of a unit or units may apply to the DMHS for a "5-Year" alternative compliance plan under this section to inspect a rental unit once every five (5) years for the compliance with the provisions of the State Sanitary Code. An owner seeking such an alternative plan shall file an application in a format approved by the Director of DMHS. The Director shall issue written findings regarding the approval or denial of an alternative plan within thirty (30) business days of such application, and shall base the written findings on factors including, but not limited to, the following: (i) a review of the owner's history of property management on file with the City of Fall River and a management plan submitted for the property, (ii) a review of the unit's history of compliance with the Massachusetts State Sanitary Code, (iii) a site visit of the property for which alternative compliance is sought, and (iv) if relevant, a history of compliance with other City ordinances under Chapter 42. An alternative plan approved by the Director shall be subject to revocation following a hearing held by the City Department of Health and Human Services if the unit subject to the alternative plan has one (1) or more violations of the Massachusetts

State Sanitary Code and if, upon proper notice of those violations to the owner, the violations have not been corrected in the time provided in such notice. An owner approved for an alternative plan shall be required to maintain maintenance records for any and all alternative plan units for the duration of the effectiveness of the alternative plan, and such records shall be available for review by DMHS during regular business hours or upon reasonable notice to the owner. An owner approved for an alternative plan shall be required to maintain compliance with all of the requirements of Chapter 42.

DMHS shall charge a fee of: (i) [DOLLARS] for the first unit for a five (5)-year alternative compliance plan, (ii) an additional [DOLLARS] for each additional unit in the same building up to a maximum of [DOLLARS] per building, and if two (2) or more buildings comprise a complex owned by the same owner then the fee shall not exceed [DOLLARS]. An owner may apply for an extension of an alternative compliance plan upon expiration, provided that the owner shall complete the entire alternative compliance plan application process and DMHS may cause ten to twenty percent (10% to 20%) of the units to be inspected pursuant to 42-117. The Director shall follow the same process and procedure as for an original alternative compliance plan application. Alternative compliance plan extensions shall be granted contingently upon a site visit, if DMHS determines it is needed, and a favorable review of the unit history dating back to its last inspection. Consistent records of ownership and compliance shall be weighed heavily in the granting of alternative compliance plan extensions and may render such an extension a formality at the discretion of DMHS barring any documented circumstances examined on a case by case basis.

Sec. 42-123. Inspectors and inspection reports

Owners may request that DMHS conduct the inspection of his unit, or said owner may engage a non-DMHS inspector meeting the qualifications under Section 42-112 for an authorized inspector.

All authorized inspectors shall perform all inspections in a manner consistent with this article and shall refer to DMHS any issue involving imminent life safety or health problems. Authorized inspectors accept the designation to perform these inspections with the understanding that the failure to adhere to the standards of good faith, fair dealing and honesty will result in the revocation of the status as authorized to perform these inspections, action against the professional license and if relevant, notification to authorities for criminal prosecution. DMHS shall immediately revoke the approval of any authorized inspector, or owner who has been granted an inspection waiver, who misrepresents the condition of a unit or fails to inspect a unit with due care, misrepresents any information on the application form or any form or document submitted under this section, or for any reason demonstrating a failure to honor the requirement of good faith and fair dealing. An authorized inspector may request a hearing once aggrieved by such a revocation of approval. A hearing shall be held within thirty (30) days upon a written request from the aggrieved party.

Non-DMHS inspection reports must be submitted subject to the regulations promulgated by the Director according to this article. Failed Non-DMHS inspections must be accompanied by a compliance plan acceptable to DMHS that will bring the subject rental unit into compliance with the minimum standards for human habitation for a residential dwelling as set forth in the Massachusetts State Sanitary Code (105 CMR 410), as it may be adopted and amended from time to time. All inspections shall include a sworn statement and shall be signed by a DMHS Inspector, or an authorized inspector. An authorized inspector shall be prohibited from charging more than one hundred thirty-three percent (133%) of the fee charged by the City of Fall River for an inspection performed under this article.

Sec. 42-124. Problem properties

Any rental unit determined to be a problem property as defined by Ordinance 46-16, as it may be adopted and amended from time to time, must annually request an inspection from DMHS. Each owner of a problem property shall also file with DMHS an annual management plan, within thirty (30) days of its classification as a problem property, outlining the remediation of any outstanding code violations or other persistent conditions requiring the landlord's affirmative response. Said management Plan shall identify the deficiencies in the property, identify consultants and contractors engaged to proceed with any remediation work, detail any proposal made by the contractors or consultants, and set out a timeline over which the work will be completed.

Sec. 42-125. Chronic offenders.

Residential rental property owners who fail to register or who repeatedly fail to comply with notices of violations, or warnings of noncompliance, or municipal fines, shall be assessed points based on the following schedule at the time of registration or at the time the violation is found (property owners cannot be assessed points under more than one of the following sections for the same violation):

1. Inclusion on the Problem Property list, (2 points).
2. Failure to comply with an DMHS notice of violation under the state sanitary code (105 CMR 400 & 410) the state building code (780 CMR) or Fall River zoning code, within the time frame provided, (1 point).
3. Failure to make a good faith effort to correct emergency violations after two (2) inspections (2 points).
4. Failure to register and/ or complete the inspection requirements of this article, (1 point).

Upon being assessed with points in excess of the amount allowed, as described in Table 1 below, DMHS shall notify owners of their classification as a "chronic offender". DMHS shall notify owners of each point assessed. The owner shall have fourteen (14) days to request a hearing to contest each point assessment or their classification as a "chronic offender". Chronic offenders are subject to fines of [DOLLARS], or the maximum allowed, for each subsequent point received in a twelve (12)-month rolling period, and may also be subject to court prosecution under the applicable codes and regulations. Chronic offenders shall be required to request an inspection of each rental unit once every three (3) years, and it shall be mandatory that DMHS conduct said three (3) year inspection. Chronic offenders with less than two (2) points in a rolling twelve (12)-month period shall have the chronic offenders classification removed on the last day of the twelfth (12th) month following their classification. DMHS shall send notices pursuant to this section by mail, return receipt requested to the owner's address registered with DMHS, or if none, the last address listed with the registry of deeds for property.

[TABLE 1]

# Rental Units Owned	12-Month Point Threshold	16-Month Point Threshold
1 to 50 units	6	10
51 to 500 units	10	16

501 or more units	14	24	

Sec. 42-126. Failure to comply; enforcement.

Failure to comply with any provisions of this article shall be punishable by a fine. Any failure to comply with Section 9-1.3 will result in the assessment of a fine of [DOLLARS] per month beginning in the first month in which the property is found not to be in compliance and continuing for each subsequent month thereafter. This article may be enforced in accordance with the noncriminal disposition process of M.G.L. c. 40, s. 21D, provided that this section shall not preclude the City of Fall River from proceeding to restrain a violation by injunction.

Sec. 42-127. Director's annual report.

In an effort to evaluate the effectiveness of the inspection programs delineated herein, the Director shall annually prepare a report detailing the activities of the program no later than July 31st of each calendar year. The annual written report shall include the following items:

1. The number of registration statements received by DMHS during the prior twelve (12)-month period.
2. The number of owners issued fines or citations by DMHS.
3. The total number of inspections performed by DMHS inspectors during the prior twelve (12) months, along with a district categorized list of the number of inspections performed in such district during such period.
4. The total number of inspections performed on problem properties, as defined in Section 46-16 along with a breakdown by district of the number of problem properties inspected in such district.
5. Such other information as may be requested by the City Council.

Sec. 42-128. Public records.

Any and all notices, statements, inspection forms, applications including supporting documentation, and any other documents concerning an inspection pursuant to this article shall be a matter of public record.

D. Dilapidated Buildings and Property: Worcester's Chapter 8 sec. 42

Fall River ordinances Sections 26-40 through 26-41 prohibits littering and the growth of weeds on private improved or vacant property. However, these two ordinances fall short of what the City of Worcester has done to focus on the dilapidated nature of buildings and property, and the steps to prevent and remediate such blight.

Purpose

The City of Worcester considers dilapidated buildings, overgrowth, debris, trash, stagnant pools of water, property having defective weather protection and vacant or abandoned buildings as sources of public nuisance and blight in the city. The effects of which adversely "affect the property values for adjacent and surrounding property," and "also impair the public health and safety."

Maintenance Standards

Under the Worcester ordinance, a standard is established for the upkeep and maintenance of private real property regardless of whether it is vacant or occupied. First, all property must be in good repair and in a sanitary condition so as to not create a hazardous condition or affect adjacent property's value. Next, properties must be free of overgrowth exceeding 12 inches in height, and dead or dying vegetation so as to avoid rodents, pests, concealed stagnant water, obstructions and dangerous conditions. Structures themselves—including fences, and appurtenant buildings—must be in good repair free of hazardous conditions, peeling paint, and leaks. There must not be an accumulation of trash or debris. And lastly, the owner's failure to maintain must not result in the creation of pools of stagnant water.

Procedure and Enforcement

Owners of properties which fail to meet the established standards are obligated to remove the conditions contributing to the failure. However, the city must give adequate notice to the owner of the failed standards with an opportunity to address the problems before the city can impose penalties for a violation.

An owner is in violation of the ordinance if he does not remove the conditions identified in the notice in the prescribed time. Once a violation has occurred, the city is permitted to remove the condition itself and impose a fine on top of the obligating the owner to reimburse the city for its effort.

Repeat violations allow the city to increase the fines which start at \$50, and go up to \$300 for each time the owner is in violation.

Model Ordinance

It is suggested that section 26-40 and 26-41 be repealed, and the following model ordinance be adopted into a new article. The section numbers shown are the suggested placement within the current ordinances.

ARTICLE III. BLIGHT AND DECAY

Sec. 26-60. Purpose of article.

It is the purpose of this article to eliminate urban blight and decay in the city. Dilapidated buildings, overgrowth, debris, trash, stagnant pools of water, property having defective weather protection and vacant or abandoned buildings cause and contribute to blight and decay within neighborhoods and commercial areas of the city and adversely affect the property values for adjacent and surrounding property. Such blight and decay also impair the public health and safety. This ordinance is intended to further the objectives of and to act in concert with any existing state or local laws.

Sec. 26-61. Property standards.

All property in the city shall be maintained in the accordance with the following property standards:

1. All property, whether occupied or vacant, shall be maintained in good repair and a safe and sanitary condition as provided herein, so as to not cause or contribute to the creation of a hazardous or blighted area or to affect adversely the public health and safety or property value of adjacent or surrounding property.

2. All property shall be maintained free of vegetation over twelve (12) inches high that is or may reasonably become infested with rodents, vermin, or other animals, conceal pools of stagnant water, or create a fire safety hazard. All property shall be kept free of overgrown, decayed, dead, or hazardous trees, shrubs, or any other vegetation that poses a hazard to the health and safety of any person in the vicinity of the property, including any persons traveling on any portion of any public way, or any surrounding property.

3. All structures, including any buildings, fences, storage sheds, or any element thereof shall be maintained in a structurally sound condition and in good repair, including proper weather protection and waterproofing, and shall be maintained in a condition so as to not cause or contribute to creation of a fire safety hazard. All property shall be maintained free of extensive peeling, flaking, or chipped paint. All property with siding shall be maintained in a weather resistant and watertight condition.

4. All property shall be maintained in a clean and sanitary manner and free from the accumulation of litter, rubbish, trash or other debris, except in closed receptacles intended for such use.

5. All property shall be maintained to prohibit the formation of stagnant pools of water, which may affect adversely the public health by attracting and harboring mosquitoes and other insects.

Sec. 26-62. Enforcement.

It shall be unlawful for the owner of any property in the city to violate any one or number of the property standards contained in Section 26-61 and any such property in violation shall be deemed to be a public nuisance. The city Director of the Division of Minimum Housing Standards, the city Commissioner of the Department of Health and Human Services, or the city fire chief may seek an injunction shall declare the property a public health nuisance and order the property owner to remove the nuisance within ten (10) days after service of notice of the violation. Such notice shall be served in accordance with G.L. c. 111, § 124. The notice shall contain the following information:

1. The street address and description of the property sufficient for identification of the property.
2. A statement that the property has been declared a public nuisance because of the presence of a nuisance on the property.
3. A concise description of the conditions on the property that have led to the determination that the property is a public nuisance.
4. A statement that the nuisance shall be removed from the property within ten days from service of the notice and that if the owner fails to remove the nuisance within the time frame specified that the owner will be in violation of this ordinance and subject to the penalties described therein.

Sec. 26-63. Violations.

(i) If the owner fails to remove such nuisance within the time frame provided in Section 26-62, the city may enter the property and remove or caused to be removed the nuisance and the owner shall reimburse the city for the expense incurred for such removal. The sum so expended may be recovered by the city as provided in G.L. c. 111, § 125 or in an action of contract by the city against the owner.

(ii) This section may also be enforced by civil process, criminal process or by non-criminal disposition as provided in General Laws, chapter 40, §21D. Each day on which a violation exists shall be

deemed to be a separate offense and any person in violation of this section shall be subject to the following fines:

1. First violation: \$50.00
2. Second violation: \$100.00
3. Third violation: \$200.00
4. Fourth and each subsequent violation: \$300.00

(iii) In addition to the penalties set forth above, city Director of the Division of Minimum Housing Standards, the city Commissioner of the Department of Health and Human Services, or the city fire chief may seek an injunction from a court of competent jurisdiction to restrain any violation of this section.

(4) This section shall not be enforced against the city, the commonwealth of Massachusetts, its authorities, departments, or agencies, or the U.S. federal government, its authorities, department or agencies.

E. Other Areas of Consideration

Receivership of Properties in Violation of Sanitary Code

Cities enforcing the state sanitary code against property owners who will not promptly remedy violations of that code may petition the court to appoint a receiver under M.G.L. 111 § 127I. The receiver is charged with remedying the violations at the property owner's expense. Enforcement of this statute should be considered with relation to Article III Minimum Housing Standards of Chapter 42 of the Fall River city ordinances.

Burnt or Dangerous Buildings

M.G.L. ch. 139 § 1-3 permits the alderman or selectmen in a city to demolish buildings deemed burnt or dangerous after having held a hearing and serving notice on the owner. Chapter 30 Fire Protection and Prevention makes reference to this state statute, but does not contain an ordinance giving a local right or procedure to the city to enforce it.

Attractive Nuisance Properties

Properties which are likely to invite trespass by children due to a dangerous condition on the property that the property owner knew or should have known about are attractive nuisance properties under M.G.L. c. 231, § 85Q. Property owners of attractive nuisance properties who fail to exercise reasonable care in eliminating the dangerous condition are liable for any harm which comes to those trespassing children. This concept can be considered in the purpose of enacting ordinances protecting neighborhoods from urban blight and public nuisances.

Green Ticket Law

For cities which adopt M.G.L. ch. 40U, the state provides a thorough procedure for enforcing snow removal including the imposition of fines up to \$200 per offense. Fall River's snow ordinances under 66-32 and 66-33 are not as thorough as those provisions set up under the state statute.

A copy of Chapter 40U is attached. It allows The City to establish a Municipal Hearing Officer who could conduct the initial hearing. After the Hearing an appeal could be taken to the District court. Other Communities have found this to be effective.

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WESTLAW

CHAPTER 40U. MUNICIPAL FINES

☐ Select all items No items selected

☐ Pt. I, T. VII, Ch. 40U, Refs & Annos

☐ Chapter 40U. Municipal Fines (Refs & Annos)

☐ § 1. Definitions

"Municipal hearing officer", a person appointed by the appointing authority of a municipality to conduct hearings of alleged code violations pursuant to this chapter.

"Unpaid charge", an unpaid fine incurred as a result of a violation of a rule, regulation, order, ordinance or by-law regulating the housing, sanitary or municipal snow and ice removal requirement.

☐ § 2. Effective date of chapter in municipality

This chapter shall take effect in a municipality upon its acceptance.

☐ § 3. Procedures for payment of municipal fines; power to revoke or rescind

A municipality that adopts this chapter shall, in the manner provided in this chapter adopt procedures for the payment of the municipal fines provided in this chapter and may revoke or rescind any such acceptance.

☐ § 4. Procedures for payment of fines determined by majority vote

The adoption of procedures for the payment of certain municipal fines under this chapter shall be by majority vote of the city council or town meeting.

☐ § 5. Sidewalk snow and ice removal; penalties for non-compliance; standards for clearance

A municipality shall by ordinances and by-laws provide for the removal of snow and ice from sidewalks within such portions of the municipality as they consider expedient by the owner of land abutting such sidewalks. Such ordinances and by-laws shall determine the time and manner of removal and shall affix penalties, not exceeding \$200, for each such violation. Such ordinances and by-laws shall be specific as to the width of the area to be cleared and the standards for clearance.

☐ § 6. Municipal hearing officer

A municipality shall appoint a municipal hearing officer. The officer shall hear appeals of violation notices issued within the municipality. The municipal hearing officer may be the same person appointed as a municipal hearing officer pursuant to chapter 148A.

☐ § 7. Administrative disposition of noncriminal violations

A municipality may implement a system for the administrative disposition of noncriminal violations pursuant to section 21D of chapter 40.

☐ § 8. Violation notices

Every officer and inspector who takes notice of a violation of a rule, regulation, order, ordinance or by-law regulating the housing, sanitary or snow and ice removal requirement shall provide the offender with a notice forthwith, which shall be in tag form, to appear before the municipal hearing officer or the hearings officer's designee during regular office hours, not later than 21 days after the date of such violation. All tags shall be prepared in triplicate or by the use of an automated ticketing device and shall be pre-numbered.

☐ § 9. Affixing of violation tags

The tag shall be affixed securely to the building or, for a building with an onsite professionally-managed property office, delivered to the office during normal business hours and shall contain, but shall not be limited, to: the date, time and place of the violation, the specific violation charged, the name and badge number of the officer or inspector and his division, a schedule of payment for established fines and instructions for return of the tag.

☐ § 10. Retention and delivery of violation notice copies

Within 3 business days after completion of each shift, the officer or inspector shall give to his superior those copies of each notice of a violation issued during such shift. The superior shall retain and preserve 1 copy and shall, not later than the beginning of the next business day after receipt of the notice, deliver another copy to the municipal hearing officer before whom the offender has been notified to appear, unless the ticket was produced by an automated ticketing device, in which case no duplicate copies need be retained. The municipal hearing officer shall maintain a docket of all such notices to appear.

☐ § 11. Schedule of fines for violations

The municipality shall, by ordinance or by-law, establish a schedule of fines for violations subject to this chapter committed within the municipality; provided, however, that all such fines shall be uniform for the same offense committed in the same zone or district, if any. A fine established under this chapter shall not exceed the maximum allowable amount under the relevant sections of the housing or sanitary code or municipal snow and ice removal requirement, excluding late fees.

☐ **§ 12. Return of notice of violation; payment; request for hearing; additional charges for non-payment**

Where a notice of violation is issued for a code violation, the alleged violator, within 21 days, shall return the notice of violation by mail, personally or by an authorized person, to the municipal hearing officer and shall either: (1) pay in full the scheduled fine by check, postal note, money order or other legal tender; or (2) request a hearing before the municipal hearing officer. Each violation issued shall contain a statement explaining the procedure to adjudicate the violation by mail. Any amounts paid shall be payable to the municipality. If a fine remains unpaid for 21 days and no hearing has been requested, a letter shall be sent to the property owner of record's mailing address and, if appropriate to the local individual or property management company responsible for the maintenance of the property, with a processing fee of not more than \$10, notifying him that the fine shall be paid within 30 days after receipt of that notice unless within 14 days of receiving that notice the property owner requests a hearing before the municipal hearing officer and swears in writing under the pains and penalties of perjury that the property owner did not receive the notice of violation. If the fine remains unpaid after that 30 day period, additional penalties and interest may be attached. Thereafter, any fine and additional penalties and interest that may be attached and which remain unpaid shall become an additional assessment on the property owner's tax bill. Such amount and cost relative thereto may also be a lien upon such real estate as provided in section 42B of chapter 40. A municipality's determination of whether to place a lien on the property may involve the number of and the dollar amount of the violations on the property. The property owner of record shall be notified by certified mail of the lien on the property. No lien shall be removed without notice from the tax collector that all such matters have been disposed of in accordance with law. Additional charges equal to the amount required to file the lien and the amount required to release the lien shall be assessed against the owner of record for the purpose of ensuring that all costs associated with filing and release are recovered.

☐ **§ 13. Challenge to validity of violation notice**

Any person notified to appear before the municipal hearing officer, as provided herein may, without waiving the right to a hearing provided by this chapter and without waiving judicial review as provided in section 14 of chapter 30A, challenge the validity of the violation notice and receive a review and disposition of the violation from the municipal hearing officer by mail. The alleged violator may, upon receipt of the notice to appear, send a signed statement of objections to the violation notice as well as signed statements from witnesses, police officers, government officials and other relevant parties. Photographs, diagrams, maps and other documents may also be sent with the statements. Any statements or materials sent to the municipal hearing officer for review shall have attached the person's name and complete address as well as the ticket number and the date of the violation. The municipal hearing officer shall, within 21 days after receipt of such material, review the material and dismiss or uphold the violation and notify the alleged violator by mail of the disposition of the hearing. If the outcome of the hearing is against the alleged violator, the municipal hearing officer shall explain the reasons for the outcome on the notice. Such review and disposition conducted by mail shall be informal, the rules of evidence shall not apply and the decision of the municipal hearing officer shall be final, subject to any hearing provisions provided by this chapter or to judicial review as provided in said section 14 of said chapter 30A.

☐ **§ 14. Written request for hearing; time and location of hearing**

Notwithstanding section 21D of chapter 40, a person who desires to contest a violation of any ordinance or by-law of a municipality alleged in a notice to appear, pursuant to violations issued by a municipality in accordance with said section 21D of said chapter 40, shall request, in writing a hearing before a municipal hearing officer. The notice to appear shall be in the format specified in said section 21D of said chapter 40, except that the third copy of the notice shall be submitted to the municipal hearing officer unless the ticket was produced by an automated ticketing device.

If the alleged violator requests a hearing before the municipal hearing officer in a timely manner, the municipal hearing officer shall schedule a hearing not later than 45 days after receiving the hearing request. The municipal hearing officer shall duly notify the alleged violator of the date, time and location of the hearing. Hearings shall be held on at least 2 evenings each month. When a hearing notice is sent, the alleged violator shall be given an opportunity to request a rescheduled hearing date. The municipal hearing officer so designated shall not be an employee or officer of the department associated with the issuance of the notice of violation.

The municipal hearing officer shall receive annual training in the conduct of administrative hearings. The hearing and disposition shall be informal and shall follow the rules set forth in chapter 30A. Rules for judicial proceedings shall not apply. In conducting the hearing, the municipal hearing officer shall determine whether the violation occurred and whether it was committed by the person notified to appear.

☐ **§ 15. Appeal of decision of municipal hearing officer**

A person aggrieved by a decision of the municipal hearing officer may appeal to the district court, housing court or other court of competent jurisdiction pursuant to section 21D of chapter 40, on a form provided by the municipality, and shall be entitled to a de novo hearing before a clerk magistrate of the court. The court shall consider such appeals under a civil standard. The aggrieved person shall file the appeal within 10 days after receiving notice of the decision from the municipal hearing officer who conducted the hearing.

☐ **§ 16. Effect of failure to pay, request hearing or appear**

Any person who has received a notice of violation issued in accordance with this chapter who, within the prescribed time, fails to pay the same or fails to request a hearing before the municipal hearing officer or who fails to appear at the time and place of the hearing, shall be deemed responsible for the violation as stated in the notice of violation. Such finding of responsibility shall be considered prima facie evidence of the violation in a civil proceeding regarding that violation and shall be admissible as evidence in a subsequent criminal proceeding. If a person fails to appear at the scheduled hearing without good cause, the appeal shall be dismissed and the violator shall waive any further right of appeal. If the condition which caused the notice of violation to issue continues to exist, the finding of responsibility may also be used by a municipality as prima facie evidence of the existence of a violation in any proceeding to suspend or revoke any license, permit or certificate issued by such municipality relative to that building, structure or premises pending the correction of the condition.

☐ **§ 17. Payments of fines, penalties or assessments to the general fund of municipality**

All fines, penalties or assessments in actions under this chapter shall be paid to the general fund of the municipality.

☐ **§ 18. Local ordinances and by-laws superseded**

In a municipality that has accepted this chapter, this chapter shall supersede any local ordinances or by-laws to the contrary.

IV. CONCLUSION

The City of Fall River is a proud harbor community with much historical and economic significance for Massachusetts. It is of great importance that the city takes substantial steps to protect itself from the urban blight and decay which could erode the city's pride if left neglected. This office's undertaking of a review of current City ordinances with respect to litter, blighted properties, abandoned properties, and zoning enforcement is one of those steps in protecting the city.

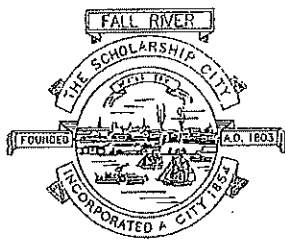
The City extends its gratitude and thanks to the interns of the University of Massachusetts School of Law for their work on this project. This report is evidence of the invaluable asset a south coast public law school is to the City of Fall River.

DRAFT

V. REFERENCES

- Benjamin v. City of Worcester, 51 Mass. App. Ct. 1114 (2001) (supporting the enforcement of M.G.L ch. 139 §§ 1-3).
- City of Boston Municipal Code (2014), available at http://www.amlegal.com/codes/client/boston_ma/
- City of Boston v. Rochalska, 72 Mass. App. Ct. 236 (2008) (holding that the appointment of a receiver of a certain vacant property pursuant to M.G.L ch. 111 § 127I is not vacated).
- City of Fall River Notice of Violation of City Ordinance or Regulation
- City of Worcester Revised Ordinances (2015), available at <http://www.worcesterma.gov/city-clerk/ordinances-regulations>
- Dagget v. Board of Assessors of the Town of Saugus, 75 Mass. App. Ct. 1106 (2009) (supporting the enforcement of M.G.L ch. 139 §§ 1-3).
- Revised Ordinances of the City of Fall River, Massachusetts (rev. 2011) available at <http://ecode360.com/28845732>.
- M.G.L ch. 139 §§ 1-3 (regarding municipal demolition of burnt or dangerous properties).
- M.G.L ch. 111 § 127I.
- New Bedford, Massachusetts Code of Ordinances (2016) available at https://www2.municode.com/library/ma/new_bedford/codes/code_of_ordinances.

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CITY OF FALL RIVER, MASSACHUSETTS

BOARD OF ELECTION COMMISSIONERS

ONE GOVERNMENT CENTER

TEL. 508-324-2630

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CITY CLERK
FALL RIVER, MA

COMMISSIONERS

ELIZABETH A. CAMARA, CHAIRPERSON

GREGORY A. BRILHANTE

DARYL GONYON

MANUEL LEITE

July 1, 2016

Honorable City Council
One Government Center
Fall River MA

Dear City Councillors:

The Board of Election Commissioners is requesting the attached list of locations be designated as polling precincts for the upcoming State Primary being held on Thursday, September 8, 2016 and the State Election being held on Tuesday, November 8, 2016. The Elections are for the office of:

President (Nov. 8th)
Vice President (Nov. 8th)
U.S. Representative
Governor's Council
State Senator
Representative in General Court
County Commissioner
Sheriff

Also for any questions appearing on the ballot. The polls will open at 7:00 AM and close at 8:00 PM.

Sincerely,

Elizabeth A. Camara, Chairperson
Board of Election Commissioners

City of Fall River, In City Council

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

CITY of FALL RIVER

Jul 01, 2016 09:11

Page No 1

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

RECEIVED
 2016 JUL - 1 A 10:59
 CITY CLERK
 FALL RIVER, MA

Total Number of Polling Places: 29

No. Pages of Printed: 1

*** End of Report ***



City of Fall River
Massachusetts

Department of Administrative Services
HUMAN RESOURCES • INFORMATION SYSTEMS • LAW • PURCHASING

Purchasing Division

RECEIVED

2016 JUL -6 P 4:07

CITY CLERK
FALL RIVER, MA
RHONDA AVILLA PINNELL
INTERIM PURCHASING AGENT

JASIEL F. CORREIA II
Mayor

July 6, 2016

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

Dear Councilors,

In accordance with the City Ordinance Division 2, Purchasing Department Sec. 2-972 of the revised ordinances of the City of Fall River, this reads in part as follows:

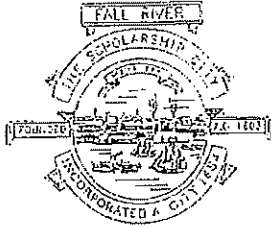
Surplus property determined by the Purchasing Agent to be no longer useful for any municipal purpose shall be sold or disposed of under such terms and conditions as the City Council shall by order determine.

I am submitting to you, a 1995 Engine 21 E-One with a motor that has been declared unrepairable, the shop values it at \$1500-\$2000 as scrap.

I would like to recommend at this time, that consideration be given to the donating/gifting this vehicle to the Westport Fire Department as they are interested in refurbishing it as a ceremonial parade truck.

Respectfully submitted,

Rhonda Avilla Pinnell
Interim Purchasing Agent



**City of Fall River
Massachusetts**
Fire Department Headquarters
Office of the Fire Chief

JASIEL F. CORREIA II
Mayor

JOHN D. LYNCH
Acting Fire Chief


July 6, 2016

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

Dear Councilors:

I respectfully request that our 1995 Engine 21 E-One be declared surplus equipment. The motor has been declared economically unrepairable. Before the engine developed problems it was a backup only. The shop values it at \$1,500-\$2,000 as scrap. However, the Westport Fire Department is interested in refurbishing it as a ceremonial parade truck. My recommendation is that with your and the Mayor's approval we donate it to the Westport Fire Department.

Respectfully,


John D. Lynch
Acting Fire Chief

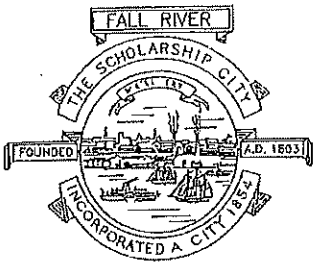
CITY CLERK
FALL RIVER, MA

2016 JUL -7 P 1:10

RECEIVED

City of Fall River, *In City Council*

ORDERED, that under the provisions of Section 2-972 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, the Mayor be, and is hereby authorized to gift a 1995 Engine 21 E-One to the Westport Fire Department.



City of Fall River
Massachusetts

Department of Administrative Services
HUMAN RESOURCES • INFORMATION SYSTEMS • LAW • PURCHASING

Purchasing Division

RECEIVED

2016 JUL -6 P 4:07

CITY CLERK
FALL RIVER, MA
RHONDA AVILLA PINNELL
INTERIM PURCHASING AGENT

JASIEL F. CORREIA II
Mayor

July 6, 2016

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

Dear Councilors,

In accordance with the City Ordinance Division 2, Purchasing Department Sec. 2-972 of the revised ordinances of the City of Fall River, this reads in part as follows:

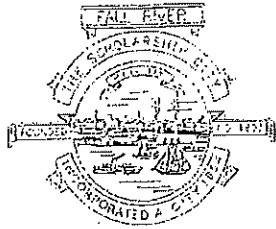
Surplus property determined by the Purchasing Agent to be no longer useful for any municipal purpose shall be sold or disposed of under such terms and conditions as the City Council shall by order determine.

I am submitting to you, (10) ten aged SCBA cylinders that are no longer in use, due to the department acquiring new SCBA that have 45 minute cylinders instead of the old cylinders having only a 30 minute duration.

I would like to recommend at this time, that consideration be given to the donating/gifting these cylinders to the Bristol County Regional Technical Rescue Team for their operations equipment.

Respectfully submitted,

Rhonda Avilla Pinnell
Interim Purchasing Agent



**City of Fall River
Massachusetts**
Fire Department Headquarters
Office of the Fire Chief

RECEIVED

2016 JUL -6 P 4:40

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

JOHN D. LYNCH
Acting Fire Chief

July 6, 2016

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

Dear Councilors:

I respectfully request that (10) ten aged SCBA cylinders be declared surplus equipment. These cylinders are no longer needed or used due to our acquiring new SCBA that have 45 minute cylinders. These old cylinders are only of 30 minute duration. Their value is minimal due to the age and capacity. The Bristol County Regional Technical Rescue team would like these for their operations equipment. I recommend that we donate these to the team.

Respectfully,


John D. Lynch
Acting Fire Chief

City of Fall River, *In City Council*

ORDERED, that under the provisions of Section 2-972 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, the Mayor be, and is hereby authorized to gift ten aged SCBA cylinders to the Bristol County Regional Technical Rescue Team.

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on July 5, 2016, 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.

Cecilia A. Taylor
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 Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to traffic be amended as follows:

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

Bowen Street, west side, starting at a point 449 feet north of Pokross Street, for a distance of 20 feet northerly

Hunter Street, east side, starting at a point 27 feet south of William Street, for a distance of 20 feet southerly

Prospect Street, north side, starting at a point 612 feet west of Hanover Street, for a distance of 20 feet westerly

Washington Street, west side, starting at a point 28 feet north of William Street, for a distance of 20 feet northerly

City of Fall River, *In City Council*

14

(Councilor Raymond A. Mitchell)

WHEREAS, Corporation Counsel is an extremely important appointment for the City of Fall River, and

WHEREAS, the Mayor appoints the Corporation Counsel without the confirmation of the City Council, and

WHEREAS, Corporation Counsel also represents the City Council in matters, now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation convene to draft an ordinance granting the City Council the ability to confirm the appointment and removal of the Corporation Counsel as necessary.

City of Fall River, *In City Council*

15

(Councilor Raymond A. Mitchell)

WHEREAS, the Mayor has the authority to enter into contracts on behalf of the City of Fall River, and

WHEREAS, these contracts from time to time are for several years, now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation convene to discuss requiring City Council approval for contracts that exceed three years.

City of Fall River, In City Council

16

(Councilor Cliff Ponte)

WHEREAS, the salary chart in Chapter 50 of the Revised Ordinances of the City of Fall River, Massachusetts was last updated in 2013, and

WHEREAS, the most recent salary adjustments listed became effective June 30, 2014, now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation convene to review and update all salary ordinances.

17
City of Fall River, *In City Council*

(Councilor Raymond A. Mitchell)

WHEREAS, a story published in USA Today named Fall River as number five in the fifty worst cities to live in, and

WHEREAS, according to the National Civic League, Fall River has been selected to receive the "All-America City Award", now therefore

BE IT RESOLVED, that the City Council and the Mayor forward a letter to USA Today to advise them that there are great things happening in Fall River and that instead of looking at cities from afar, USA Today should visit the cities they are selecting as the Fifty Worst Cities To Live In, prior to publishing the list.

City of Fall River, *In City Council*

25

ORDERED, that in accordance with provisions of law, notice is hereby given that meetings of the citizens qualified to vote at a State Primary Election, will be held on Thursday, September 8, 2016 in the several voting places designated by the Council, to cast their votes for the candidates of political parties for the following offices:

U.S. Representative
Governor's Council
State Senator
Representative in General Court
County Commissioner
Sheriff

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 State Primary Election to be prepared and furnished for the same, the use of same to be charged to the appropriation for elections.

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

26

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 State and Presidential Election, will be held on Tuesday, November 8, 2016, in the several polling places designated by this Council, to give in their votes for the election of candidates for the following offices:

President
Vice President
U.S. Representative
Governor's Council
State Senator
Representative in General Court
County Commissioner
Sheriff

and to give in their votes on the questions appearing on the ballot.

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 State and 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.

27

RECEIVED



2016 JUN 28 A 11:15

CITY CLERK #16-86 City of Fall River
FALL RIVER, MA Notice of Claim

1. Claimant's name: Jose E. Moniz
2. Claimant's complete address: 111 Sprague St Fall River, MA 02724
3. Telephone number: Home: 508-673-0963 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Auto accident (looking for rental reimbursement)
5. Date and time of accident: 6/6/16 09:22 AM Amount of damages claimed: \$ 855.76
6. Exact location of the incident: (include as much detail as possible):
499 Globe St Fall River
7. Circumstances of the incident: (attach additional pages if necessary):
DPW truck Collided with my parked vehicle.
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

Safety Insurance Company 20 Custom House St Boston, MA 02110

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: 6/27/16

Claimant's signature: X [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 ☒ DPW Date: 6/28/16



Council

RECEIVED

City of Fall River
Notice of Claim

2016 JUN 29 P 1:43

CITY CLERK 16-87
FALL RIVER, MA

1. Claimant's name: David Fontaine
2. Claimant's complete address: 174 Eagle St
3. Telephone number: Home: 508-536-1277 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: 6/20/2016 3:21 AM Amount of damages claimed: \$ Total
6. Exact location of the incident: (Include as much detail as possible):
Eagle St.
7. Circumstances of the incident: (attach additional pages if necessary):
Fire truck hit the vehicle
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: 6/29/2016

Claimant's signature: David Fontaine

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

Date: JUN 29 2016



RECEIVED

City of Fall River
Notice of Claim

2016 JUL -7 P 1:11

CITY CLERK 16-88
FALL RIVER, MA

1. Claimant's name: James Connolly
2. Claimant's complete address: 56 Jules St Fall River MA 02720
3. Telephone number: Home: 508-415-0995 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: 4/4/2016 Amount of damages claimed: \$ UN-SURE
6. Exact location of the incident: (include as much detail as possible):
Mailbox post from contracted snow plowing
7. Circumstances of the Incident: (attach additional pages if necessary):
See Attached photos/info
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: 7/5/2016

Claimant's signature: James Connolly

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

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

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

For official use only:

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

DCM

Date: 7/7/16

COMMITTEE ON ORDINANCES AND LEGISLATION

MEETING Tuesday, January 19, 2016 at 5:30 p.m.
Council Chamber, One Government Center

PRESENT Councilor Cliff Ponte, presiding
Councilors Joseph D. Camara, Pam Laliberte-Lebeau,
Stephen R. Long and Linda M. Pereira

ABSENT None

IN ATTENDANCE Laura Ferreira, Director of Traffic
Cathy Ann Viveiros, City Administrator
Joseph I. Macy, Corporation Counsel
Councilor Steven A. Camara
Councilor Richard Cabeceiras
Council President Shawn E. Cadime
Terrance J. Sullivan, Administrator of Community Utilities
Thomas Azevedo, 330 Lake Avenue

The chairman called the meeting to order at 5:30 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

Agenda:

1. Proposed Ordinance – Traffic, Handicapped Parking

On a motion made and seconded, it was unanimously voted to recommend the proposed ordinance, accompanied by an emergency preamble, be passed through first reading, second reading, passed to be enrolled and passed to be ordained.

2. Proposed Ordinance – Traffic, Misc.

On a motion made and seconded, it was unanimously voted to recommend the proposed ordinance, be passed through first reading.

A motion was made, seconded and voted unanimously to take item #5 out of order.

5. Resolution – Consider new standing committee, titled Budget Preparation, Revenue & Audits Committee

It was discussed that this proposed new standing committee, titled Budget Preparation, Revenue & Audits Committee has many similarities as the proposed Financial Audit Advisory Committee which is item #6 on the agenda. On a motion made and seconded, it was unanimously voted to recommend a proposed ordinance (copy of which is attached hereto and made a part of these minutes) be passed through first reading. On a further motion made and seconded, it was unanimously voted that the resolution be tabled.

A motion was made, seconded and voted unanimously to take item #6 out of order.

6. Mayor and proposed ordinance re: Financial Audit Advisory Committee

The City Administrator stated that the Mayor is in support of this proposed ordinance to establish a Financial Audit Advisory Committee. On a motion made and seconded, it was voted 5 yeas to recommend the proposed ordinance be passed through first reading.

3. Mayor and proposed ordinance re: water/sewer service connections

A motion was made and seconded to refer the proposed ordinance to the full council for action. A further motion was made, seconded and unanimously voted to reconsider the previous motion. On yet a further motion made and seconded it was voted, 3 yeas, 2 nays to recommend the proposed ordinance be passed through second reading, as amended, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau voting in the negative. The amendment is by striking out "Any existing structure tying into sewer must connect to water if available" from Section 1 and by striking out "Any existing structure tying into water must connect to sewer if available" from Section 2 (a copy of which is attached hereto and made a part of these minutes).

4. Proposed Ordinance – Amend number of members – Real Estate Committee

On a motion made and seconded, it was unanimously voted to recommend the proposed ordinance be passed through first reading.

On a motion made and seconded it was unanimously voted to adjourn at 7:19 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
CD and DVD of meeting

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

By inserting in Section 2-151, which section relates to standing committees established, the following:

(10) Committee on Budget Preparation, Revenue and Audit Committee, consisting of three members

(a) Recommendations of the committee shall be referred directly to the City Council Committee on Finance

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 Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to utilities, be amended as follows:

Section 1.

By inserting in Section 74-112, which section relates to connection to main drain or common sewer, the following:

- (c) Any new construction must tie into sewer where available.

Section 2:

By inserting a new section to read as follows:

74-335 Connection to water main

Any new construction must tie into water where available.

COMMITTEE ON ORDINANCES AND LEGISLATION

MEETING Tuesday, March 1, 2016 at 5:30 p.m.
Council Chamber, One Government Center

PRESENT Councilor Cliff Ponte, presiding
Councilors Pam Laliberte-Lebeau, Stephen R. Long and
Linda M. Pereira

ABSENT Councilor Joseph D. Camara

IN ATTENDANCE Laura Ferreira, Director of Traffic
Cathy Ann Viveiros, City Administrator
Joseph I. Macy, Corporation Counsel
Bob Smith, Fall River Harbormaster
Michael B. Lund, Borden Light Marina, 1 Ferry Street
Kenneth C. Pacheco, Director of Community Maintenance

The chairman called the meeting to order at 5:30 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

Agenda:

1. Proposed Ordinance – Traffic, Handicapped Parking

On a motion made and seconded, it was unanimously voted to recommend the proposed ordinance, accompanied by an emergency preamble, be passed through first reading, second reading, passed to be enrolled and passed to be ordained, with Councilor Joseph D. Camara absent and not voting.

2. Proposed Ordinance – Traffic, Misc.

On a motion made and seconded, it was unanimously voted to recommend the proposed ordinance, be passed through first reading, with Councilor Joseph D. Camara absent and not voting.

3. Proposed Ordinance – Mooring Fees

The Harbormaster stated that mooring fees in Fall River are \$35.00 per season, compared to the rate in New Bedford of \$800.00 per season. He stated that the average mooring fee in the area is \$200.00 per season. He is requesting that the seasonal mooring fees be increased to bring Fall River in line with surrounding communities. On a motion made and seconded, it was unanimously voted to recommend the proposed ordinance be passed through first reading, with Councilor Joseph D. Camara absent and not voting.

4. Proposed Ordinance – Waterways User Fee

The Chairman read a communication received from Mayor Correia requesting that this proposed ordinance be granted leave to withdraw (copy of said letter is attached hereto and made a part of these minutes). On a motion made and seconded, it was unanimously voted to recommend the proposed ordinance be granted leave to withdraw, with Councilor Joseph D. Camara absent and not voting.

5. Resolution – Discuss implementation and enforcement of city wide street sweeping program

The Director of Community Maintenance stated that a street sweeper can sweep approximately 10 to 15 miles per day. It was also stated that main streets require more sweeping than small side streets. The main streets may need to be swept once per week, while side streets may only need to be swept once every other month. A street sweeping pilot program was tried a few years ago, but abandoned after a few months. On a motion made and seconded, it was unanimously voted to recommend the resolution be tabled, with Councilor Joseph D. Camara absent and not voting.

6. Resolution – Consider vacant building registration fees being deposited into Revolving Fund for Community Services

The City Administrator stated that the Vacant Building Registration fees are deposited in the General Fund. If it is desired to have the fees deposited into a revolving fund, then an ordinance would need to be submitted to establish the revolving fund. This ordinance brought in \$79,000 in fiscal year 2014, \$130,500 in fiscal year 2015 and year to date for fiscal year 2016 \$84,700. On a motion made and seconded, it was unanimously voted to recommend the resolution be granted leave to withdraw, with Councilor Joseph D. Camara absent and not voting.

7. Proposed Ordinance – Maintenance of vacant properties

Corporation Counsel stated that he is in the process of reviewing the proposed ordinance regarding the maintenance of vacant properties. His office is also in the process of reviewing all current ordinances and will be submitting a packet of recommended amendments in the future. On a motion made and seconded, it was unanimously voted to recommend the proposed ordinance be tabled, with Councilor Joseph D. Camara absent and not voting.

On a motion made and seconded it was unanimously voted to adjourn at 7:17 p.m.

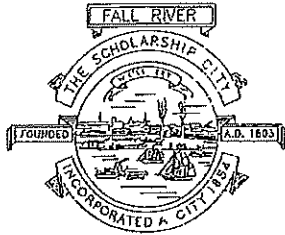
List of documents and other exhibits used during the meeting:

Agenda packet (attached)

CD and DVD of meeting

Letter from Mayor Jasiel F. Correia II regarding the Waterways Fee

Colleen A. Taylor
Clerk of Committees



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

RECEIVED

2016 MAR -1 P 2:18

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

March 1, 2016

City Councilor Cliff Ponte, Chairman
City Council Committee on Ordinances
One Government Center
Fall River, MA 02722

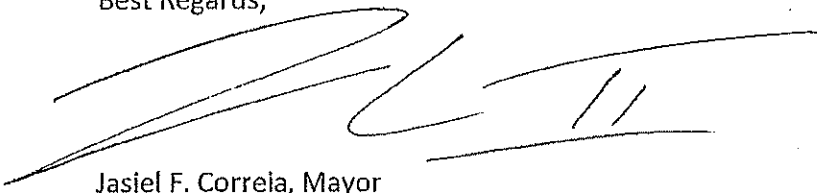
RE: Proposed Waterways Fee

Chairman Ponte:

The Administration has received additional information regarding the proposed Waterways Fee currently before your Committee. I am requesting that you give the item Leave to Withdraw.

Thank you for your anticipated assistance in allowing my Administration additional time to consider this matter.

Best Regards,



Jasiel F. Correia, Mayor

COMMITTEE ON ORDINANCES AND LEGISLATION

MEETING Tuesday, July 5, 2016 at 5:45 p.m.
 Council Chamber, One Government Center

PRESENT Councilor Cliff Ponte, presiding
 Councilors Joseph D. Camara, Pam Laliberte-Lebeau,
 Stephen R. Long and Linda M. Pereira

ABSENT None

IN ATTENDANCE Joseph I. Macy, Corporation Counsel

The chairman called the meeting to order at 5:51 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

Agenda:

1. Proposed Ordinance – Traffic, Handicapped Parking

On a motion made and seconded, it was unanimously voted to recommend the proposed ordinance, accompanied by an emergency preamble, be passed through first reading, second reading, passed to be enrolled and passed to be ordained.

2. Proposed Ordinance – Traffic, miscellaneous

On a motion made and seconded, it was unanimously voted to recommend the proposed ordinance be passed through first reading.

3. Resolution – Review city ordinances re: approval of contracts

On a motion made and seconded, it was unanimously voted to lift the item from the table. Corporation Counsel stated that some of the items on the agenda are discussed in the "Draft Ordinance" packet that his office is distributing to all City Councilors and Department Heads for review and comments. Councilor Joseph D. Camara asked if a copy can be made available at the library for public inspection. Corporation Counsel stated that he would have a copy delivered to the library. Councilor Linda M. Pereira questioned why some employment contracts are confirmed by the City Council and some are not. Corporation Counsel stated that Fall River has a Plan A Charter and that authorizes the Mayor to negotiate and sign all contracts. The few employment contracts that are sent to the City Council for confirmation have been agreed to by former Mayors, but were not required. On a motion made and seconded, it was unanimously voted to recommend the resolution be granted leave to withdraw.

4. Proposed Ordinance – Maintenance of vacant properties

On a motion made and seconded, it was unanimously voted to lift the item from the table. Corporation Counsel stated that this is part of the "Draft Ordinances" that will be formally submitted at the City Council meeting scheduled for July 12, 2016. On a motion made and seconded, it was unanimously voted to table the matter.

5. Resolution – Discuss Sec. 46-7 relative to noise

On a motion made and seconded, it was unanimously voted to lift the item from the table. Corporation Counsel read Section 46-7 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which section relates to noise (a copy of which is attached hereto and made a part of these minutes). He stated that the current ordinance was sufficient to cover any matters relating to noise. On a motion made and seconded, it was unanimously voted to recommend the resolution be granted leave to withdraw.

6. Resolution – Duty of property owners keeping their premises free of litter and weeds

On a motion made and seconded, it was unanimously voted to lift the item from the table. It was discussed that the City of Fall River is the biggest violator of many ordinances regarding keeping premises free of litter and weeds and also the removal of snow and ice from sidewalks. If the City is moving forward to review and revise ordinances regarding the maintenance of properties, then the city will need to begin maintaining city owned property. Councilor Joseph D. Camara stated that city owned property must be maintained if the city expects property owners to comply. On a motion made and seconded, it was unanimously voted to table the matter.

On a motion made and seconded, it was unanimously voted to adjourn at 6:30 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

CD and DVD of meeting

Sec. 46-7 Ordinance relating to noise

Draft report on city ordinances presented by Corporation Counsel

Cecilia A. Taylor
Clerk of Committees

State law reference— Malicious injury to fences, trees, etc., M.G.L.A. c. 266, § 114.

Sec. 46-7. Noise.

- (a) All noises that menace the health or interrupt or disturb sleep of residents of the city between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and 10:00 p.m. and 8:00 a.m. on Sundays are hereby prohibited.
- (b) Without limiting the generality of subsection (a) of this section, it is intended by this section that the following noises are prohibited: those caused by trucks, the loading or unloading of trucks, all types of mechanical devices, including lawn mowers, and animals and birds.

(Rev. Ords. 1988, § 13-10)

Sec. 46-8. Fictitious report of crime.

No person shall, by a verbal, written or printed communication, willfully, deliberately and knowingly make or cause to be made to a police officer or other lawful authority a false or fictitious report of a crime, knowing that such report is false or fictitious.

(Rev. Ords. 1988, § 13-11)

Sec. 46-9. Consumption of alcoholic beverages on public property; consumption on private property without permission.

- (a) No person shall drink any alcoholic beverages, as defined in M.G.L.A. c. 138, § 1, while on, in or upon any public way or upon any way to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, park or playground, or private land or place without consent of the owner or person in control thereof.
- (b) All alcoholic beverages being used in violation of this section shall be seized and safely held until final adjudication of the charge against the person arrested or summoned before the court, at which time they shall be returned to the person entitled to lawful possession.

(Rev. Ords. 1988, § 13-14)

State law reference— Arrest without warrant for violation of this section, M.G.L.A. c. 272, § 59.

Sec. 46-10. Wearing uniform similar to official police uniform.

No person employed as a constable, private detective or guard, person working in a similar capacity, or any other person shall wear a uniform similar in color to the official uniform of the city police department. The uniform shirt of the police department shall be a dark blue color for police officers and sergeants.

(Rev. Ords. 1988, § 13-15)

Sec. 46-11. Fingerprinting.

Fingerprinting services will be provided at the request of the public. The fee for said service shall be in accordance with the fee schedule located in Appendix A to this Revision. Should a retake be required, it shall be performed at no cost.

(Ord. No. 2000-12, § 7, 6-20-2000)

COMMITTEE ON REGULATIONS

MEETING: Tuesday, July 5, 2016 at 5:15 p.m. in the
Council Chamber, One Government Center

PRESENT: Councilor Linda M. Pereira, presiding
Councilors Joseph D. Camara and Steven A. Camara

ABSENT: None

IN ATTENDANCE: Joseph I. Macy, Corporation Counsel
Andy Patel, 510 Brayton Avenue
Douglas Carvalho, 360 Ferry Street

The chair called the meeting to order at 5:17 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

Agenda:

1. Order – S & H Supreme Eastern Ave. Realty, LLC to store 16,000 gallons of gasoline and 10,000 gallons of diesel for a total of 26,000 gallons underground at 825 Eastern Avenue

The objector, Michael Bernier who owns the property located at 800 Eastern Avenue, was not in attendance. On a motion made and seconded, it was unanimously voted to recommend the order be adopted.

2. Communication – city resident regarding taxicab regulations

Douglas Carvalho, who submitted the communication, discussed various matters concerning Vet's Safe-T-Cab. Corporation Counsel stated that these matters are not relating to the City Council and if he wishes to pursue this he should file a complaint as this is a civil matter. On a motion made and seconded, it was unanimously voted to recommend the communication be granted leave to withdraw.

On a motion made and seconded, it was unanimously voted to adjourn at 5:47 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
CD and DVD of meeting

Cullen A. Taylor
Clerk of Committees