

City of Fall River Massachusetts

Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, February 21, 2017 at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Terrence J. Sullivan, Administrator of Community Utilities

President Shawn E. Cadime called the meeting to order at 9:46 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

PRIORITY MATTERS

1. Mayor and veto of \$123,000,000 loan order for Integrated Wastewater and Stormwater Master Plan Improvements
A motion was made by Councilor Cliff Ponte and seconded by Councilor Raymond A. Mitchell, to override the Mayor's Veto. A further motion was made by Councilor Joseph D. Camara and seconded by Councilor Raymond A. Mitchell to waive the rules and allow the Administrator of Community Utilities to answer some questions. Councilor Joseph D. Camara asked what is the date that the Council would need to act by. Mr. Sullivan stated that by the first week of September, he would need to have an approved loan order and ballot question. Councilor Joseph D. Camara then asked Mr. Sullivan, if we could wait until 2018. Mr. Sullivan stated that we could, but if grant monies become available the City could miss out, if our projects are not shovel ready. On a roll call vote, it was voted 6 yeas, 3 nays to override the Mayor's Veto, with Councilors Joseph D. Camara, Steven A. Camara and Stephen R. Long voting in the negative.
2. Mayor and order for ballot question for \$123,000,000 loan order for Integrated Wastewater and Stormwater Master Plan Improvements
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to lift the item from the table. On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to amend the ballot question by adding November 7, 2017 as the date of the election. On yet a further motion made by Councilor Richard Cabeceiras and seconded by Councilor Raymond A. Mitchell, it was voted 6 yeas, 3 nays to adopt the order, as amended with Councilors Joseph D. Camara, Steven A. Camara and Stephen R. Long voting in the negative.

3. Ratification of vote from Feb. 7, 2017 re: order to transfer \$30,000 from Mayor's Office Salaries to Mayor's Office Expenditures

On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Linda M. Pereira, it was unanimously voted to lift the item from the table. A further motion was made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long to adopt the order, as amended. The amendment had changed the dollar amount from \$30,000 to \$20,000 at the previous meeting. Councilor Raymond A. Mitchell stated that he was absent from the last meeting when this matter was voted on, due to illness. He also stated that with all the changes that have occurred with the branding initiative, he cannot support this transfer. Councilor Steven A. Camara stated that this matter was duly voted on at the previous meeting and now is back on the agenda due to an open meeting law complaint being filed. On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to waive the rules to allow Corporation Counsel to answer questions in this regard. Corporation Counsel stated that the City Council President made the determination that to obviate any continuing Open Meeting Law complaint, he put the matter on the agenda for a vote. What is on the agenda for tonight is ratification of the vote taken on February 7, 2017. He stated that ratification has a particular meaning and that is approval of the previous vote. If ratification passes, then the vote is ratified. If ratification does not pass, then the previous vote stands. A further motion was made by Councilor Steven A. Camara and seconded by Councilor Joseph D. Camara to withdraw the motion to adopt the order, as amended and replace the motion with a motion to ratify the vote that was taken on February 7, 2017. Councilor Raymond A. Mitchell then made a motion to retake the motion that was made on February 7, 2017, but received no second. President Shawn E. Cadime then called for a five minute recess to review the pending motions at 11:01 p.m. The Council reconvened at 11:08 p.m. The City Clerk then called the roll on the previous motion. It was voted 3 yeas, 6 nays to withdraw the motion to adopt the order, as amended and replace the motion with a motion to ratify the vote that was taken on February 7, 2017, with Councilors Richard Cabeceiras, Pam Laliberte-Lebeau, Raymond A. Mitchell, Linda M. Pereira, Cliff Ponte and President Shawn E. Cadime voting in the negative. On yet a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was voted 6 yeas, 3 nays to vacate the vote that was taken on February 7, 2017 with Councilors Joseph D. Camara, Steven A. Camara and Stephen R. Long voting in the negative. A further motion was then made by Councilor Joseph D. Camara and seconded by Councilor Cliff Ponte to allow the City Administrator to answer questions. Councilor Steven A. Camara asked the City Administrator if the \$20,000 that was transferred at the last meeting had been spent. She stated that the money had not been spent.

4. Mayor and order - Oak Grove Cemetery \$99,630 for iron and stone work from CPA funds
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to refer the matter to the Committee on Finance.

5. Collective bargaining agreement for Teamsters Local 251 Public Works Unit
On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to refer the matter to the Committee on Finance.

6. Collective bargaining agreement for IAFF Local 1314 Fall River Firefighters
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to refer the matter to the Committee on Finance.

7. Mayor and easement for Clover Leaf Mills, LLC
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order for the easement.
Approved, March 1, 2017, Mayor Jasiel F. Correia II

8. Mayor and Statements of Interest for consideration of funding through MA School Building Authority's Accelerated Buildings Repair Program for repairs at James Tansey and Samuel Watson Elementary Schools

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was voted, 9 yeas to adopt both Statements of Interest for the repairs of the James Tansey and Samuel Watson Elementary Schools.

Approved, March 1, 2017, Mayor Jasiel F. Correia II

PRIORITY COMMUNICATIONS

9. Planning Bd. recommending dedication of soccer field at Father Travassos Park in honor of The Ponta Delgada Soccer Club

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to adopt the order.

Approved, March 1, 2017, Mayor Jasiel F. Correia II

10. Planning Bd. recommending the establishment of a monument for Flint Neighborhood Veterans lost since 9/11

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to adopt the order. Councilor Linda M. Pereira questioned where this new monument would be located.

Approved, March 6, 2017, Mayor Jasiel F. Correia II

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

11. Administration investigate the possibility of a second provider of cable television to allow for competitive pricing

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the resolution.

Approved, March 1, 2017, Mayor Jasiel F. Correia II

12. Youth Services Coordinator be invited to Committee on Public Safety meeting to provide overview of Fall River Shannon Community Safety Initiative and Safe and Successful Youth Initiative

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to adopt the resolution.

13. Committee on Budget Preparation, Revenue and Audits convene to discuss alternative options to PAYT and the financial impact of terminating the program

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to amend the resolution by adding the words and City Council after the words Administration. On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to adopt the resolution, as amended.

14. Committee on Finance convene to discuss process and status of OML complaints

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to adopt the resolution.

CITATIONS

15. Leroy Campbell – 85th Birthday

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to adopt the citation.

ORDERS – HEARINGS

Curb removal:

16. Robert Maynard, 394 Hancock Street – total of 44 feet at 394 Hancock Street

On a motion made by Councilor Cliff Ponte and seconded by Councilor Richard Cabeceiras, it was unanimously voted to refer the matter to the Committee on Public Works and Transportation.

17. Eleventh Street Associates, Inc., 231 Bedford Street – total of 30 feet at 0 Seventh Street

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order.

Approved, March 1, 2017, Mayor Jasiel F. Correia II

ORDERS – MISCELLANEOUS

18. Police Chief's report on licenses

Taxicab Drivers:

Donel Jean

Aisha Rivera

Noel Vaillancourt

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to adopt the order.

19. Auto Body Shop license renewal:

- Joseph Silva d/b/a Supreme Auto, 421 Third Street

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order.

Approved, March 1, 2017, Mayor Jasiel F. Correia II

COMMUNICATIONS – INVITATIONS – PETITIONS

20. Claims

On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to refer the claims to Corporation Counsel.

21. Open Meeting Law complaint from Patrick Higgins regarding vote taken at February 7, 2017 City Council Meeting

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to refer the matter to Corporation Counsel.

22. Structure over a public way – Banner at 30 Bedford Street for People, Incorporated for Miles for Smiles

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to approve the structure over a public way.

City Council Committee/Meeting Minutes:

23. City Council Meeting – January 10, 2017

24. Committee on Finance – December 27, 2016

25. Public Hearing – February 7, 2017

26. Committee on Public Works and Transportation – February 6, 2017

On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to take items #23 through 26 together. On a further motion

made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to approve the minutes.

BULLETINS – NEWSLETTERS – NOTICES

27. Notice of Casualty and Loss at 530 Fuller Street

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted that the notice be accepted and placed on file.

ITEMS FILED AFTER THE AGENDA WAS PREPARED:

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2017

COMMITTEE REPORTS

Committee on Finance recommending:

Action:

10a. Resolution – Section 108 loan for replacement of fire apparatus and equipment

On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to adopt the resolution.

Approved, March 1, 2017, Mayor Jasiel F. Correia II

10b. Order – funding of cost items in collective bargaining agreement of LAW – Building Custodians

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order.

Approved, March 1, 2017, Mayor Jasiel F. Correia II


On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Steven A. Camara, it was unanimously voted to adjourn at 11:47 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

CD and DVD of meeting

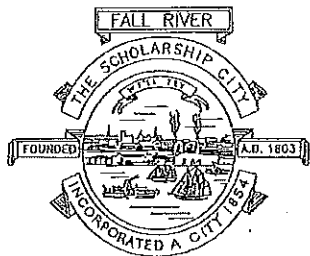
A true copy. Attest:



City Clerk

In City Council, May 16, 2017

Approved.



City of Fall River Massachusetts
Office of the City Clerk

2017 FEB 16 P 1:35

CITY CLERK _____
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

FEBRUARY 16, 2017
MEETINGS SCHEDULED FOR NEXT WEEK
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

TUESDAY, FEBRUARY 21, 2017
AGENDA

5:45 P.M. CITY COUNCIL PUBLIC HEARINGS
Curb Removals

1. Robert Maynard, 394 Hancock Street, requests driveway opening as follows:

	Existing <u>Driveway</u>	Proposed <u>Driveway</u> <u>Access</u>	Existing To Be <u>Replaced</u>	Total <u>Driveway</u> <u>Access</u>
394 Hancock Street	12 feet	Two 16 foot openings	0 feet	44 feet
	(Hancock St.)	(Caleb St.)		

394 Hancock Street is a corner lot on Hancock Street and Caleb Street. The property has 90 feet of frontage on Hancock Street with an existing 12 foot driveway. The property has an additional 104 feet of frontage on Caleb Street. The rear (north) portion of the lot is fenced, which includes 48 feet fronting Caleb Street.

The applicant is intending to install two gates and a "U" shaped driveway to the fenced portion of his property to allow ease of access for an RV, trailer, or similar vehicle. If each gate opens from the corner in, there remains 16 feet in between driveways for street parking, and an additional 56 feet of property frontage on Caleb Street and 70 feet on Hancock Street which is clear for street parking. An additional 15 feet on Caleb Street is available within the Hancock Street right-of-way for street parking. The installation does not represent a significant restriction to on street parking access.

2. Eleventh Street Associates, Inc., 231 Bedford Street, requests the removal of curbing at 0 Seventh Street, as follows:

	Existing Driveway <u>Opening</u>	Curb to be <u>Removed</u>	Curb to be <u>Replaced</u>	New Driveway <u>Opening</u>
0 Seventh Street	0 feet	30 feet	0 feet	30 feet

The requested curb cut would allow for full access to an automotive repair garage.

ADA Coordinator: Gary P. Howayeck, Esq. 508-324-2650
One Government Center • Fall River, MA 02722
TEL 508-324-2220 • FAX 508-324-2211 • EMAIL city_clerks@fallriverma.org

6:00 P.M. COMMITTEE ON FINANCE OR IMMEDIATELY FOLLOWING THE PUBLIC HEARING IF IT RUNS PAST 6:00 P.M.

1. Resolution req. update on status of city owned properties currently for sale (tabled 2-7-17)
2. Resolution regarding Section 108 loan application for the replacement of fire equipment in low income census tracts (referred 2-7-17)
3. Collective bargaining agreement for LAW Local 124 Building Custodians (referred 2-7-17)
4. Order to adopt Chapter 467 of the Acts of 2008 "An Act Relative to the Retirement Benefits of Emergency Medical Technicians" (referred 2-7-17)

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 \$123,000,000 loan order for Integrated Wastewater and Stormwater Master Plan Improvements (held over in accordance with City Charter 2-7-17)
2. *Mayor and order for ballot question for \$123,000,000 loan order for Integrated Wastewater and Stormwater Master Plan Improvements (tabled 2-7-17)
3. *Ratification of vote from Feb. 7, 2017 re: order to transfer \$30,000 from Mayor's Office Salaries to Mayor's Office Expenditures (voted on 2-7-17)
4. *Mayor and order - Oak Grove Cemetery \$99,630 for iron and stone work from CPA funds
5. *Collective bargaining agreement for Teamsters Local 251 Public Works Unit
6. *Collective bargaining agreement for IAFF Local 1314 Fall River Firefighters
7. *Mayor and easement for Clove Leaf Mills, LLC
8. *Mayor and Statements of Interest for consideration of funding through MA School Building Authority's Accelerated Buildings Repair Program for repairs at James Tansey and Samuel Watson Elementary Schools

PRIORITY COMMUNICATIONS

9. *Planning Bd. recommending dedication of soccer field at Father Travassos Park in honor of The Ponta Delgada Soccer Club
10. *Planning Bd. recommending the establishment of a monument for Flint Neighborhood Veterans lost since 9/11

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

11. *Administration investigate the possibility of a second provider of cable television to allow for competitive pricing
12. *Youth Services Coordinator be invited to Committee on Public Safety meeting to provide overview of Fall River Shannon Community Safety Initiative and Safe and Successful Youth Initiative
13. *Committee on Budget Preparation, Revenue and Audits convene to discuss alternative options to PAYT and the financial impact of terminating the program
14. *Committee on Finance convene to discuss process and status of OML complaints

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Taxicab Drivers:

Donel Jean

Aisha Rivera

Noel Vaillancourt

19. Auto Body Shop license renewal:

- Joseph Silva d/b/a Supreme Auto, 421 Third Street

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21. *Open Meeting Law complaint from Patrick Higgins regarding vote taken at February 7, 2017 City Council Meeting
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City Council Committee/Meeting Minutes:

23. *City Council Meeting – January 10, 2017
24. *Committee on Finance – December 27, 2016
25. *Public Hearing – February 7, 2017
26. *Committee on Public Works and Transportation – February 6, 2017

BULLETINS – NEWSLETTERS – NOTICES

27. Notice of Casualty and Loss at 530 Fuller Street


City Clerk

(Councilor Raymond A. Mitchell)

WHEREAS, the Administration has been working with a marketing firm to assist with the sale of various city owned properties, now therefore

BE IT RESOLVED, that the Committee on Finance convene with the Administration to receive an update on the status of city owned properties that are currently for sale.

In City Council, September 13, 2016
Adopted

A true copy. Attest:

Alison M. Bouchard

City Clerk

Finance #1



City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

February 13, 2017

Scott D. Veloso
Penrose Commercial
143 Westminster Street, 3rd Floor
Providence, RI 02909

Dear Mr. Veloso

A meeting of the City Council Committee on Finance will be held on Tuesday, February 21, 2017 at 6:00 p.m. in the Council Chamber, Government Center to discuss the following:

1. Resolution – requesting update on status of city owned properties currently for sale (tabled 2-7-17)

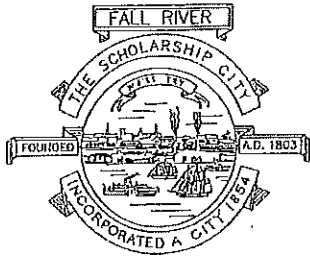
It is respectfully requested that you attend this meeting to discuss this matter.

Very truly yours,

Alison M. Bouchard
City Clerk

Certified mail – 7009 0820 0001 4377 2174

/ct



JASIEL F. CORREIA II
Mayor

City of Fall River
Massachusetts
Community Development Agency
RECEIVED

2017 FEB -2 A 10:43

CITY CLERK
FALL RIVER, MA

Finance # 2

buyfallriver

MICHAEL P. DION
Executive Director / CFO

February 2, 2017

Council President Shawn Cadime and City Councilors
One Government Center
Fall River, MA 02722

Dear President Cadime and City Councilors:

I am pleased to forward to you an amended resolution changing only the terms of pledge collateral on the approved Section 108 Loan Application with the U.S. Department of Housing and Urban Development (HUD) for the replacement of fire equipment in low income census tracts.

Because this matter is of a time sensitive nature, I am requesting that Michael P. Dion, Executive Director/CFO be allowed to come before the Finance Committee on February 21, 2017.

Sincerely,


Jasiel F. Correia II
Mayor

Enclosure

CITY OF FALL RIVER
IN CITY COUNCIL

FEB 07 2017

*Referred to the
Committee on Finance*

Mayor Jasiel F. Correia II

**RESOLUTION OF LOCAL GOVERNING BODY PLEDGING THE CITY'S
FULL FAITH AND CREDIT IN SUPPORT OF ITS SECTION 108 LOAN FOR
THE REPLACEMENT OF FIRE APPARATUS AND EQUIPMENT.**

WHEREAS, the City of Fall River (the City) developed a Section 108 Loan Guarantee Application with the goal of obtaining financing for the replacement of the City's aging fire apparatus and equipment; and

WHEREAS, by resolution adopted by the City Council on April 19, 2016 and approved by Mayor Jasiel F. Correia II on April 22, 2016, the City Council authorized the Mayor Jasiel F. Correia II to submit the Section 108 Loan Guarantee Application and to accept and/or execute the contract(s) with the United States of America and to do all things necessary to carry out the City's application; and

WHEREAS, the City's Section 108 Loan Guarantee Application was approved on August 1, 2016 and the U.S. Department of Housing and Urban Development issued an offer of commitment to guarantee the debt obligations of the City in the principal amount of \$4,998,000, plus interest thereon (the Note) to finance activities described in the City's application; and

WHEREAS, HUD's guarantee of the Note will be governed by a Contract for Loan Guarantee Assistance under Section 108 of the Housing and Community Development act of 1974, as amended, 42 U.S.C. 5308, between the City and HUD (the Contract), which requires a Resolution of the City Council to pledge the City's full faith and credit as security in support of all the obligations of the City of Fall River under the Note and Contract.

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

Section 1. The City Council hereby pledges the full faith and credit of the City of Fall River for the prompt payment of the principal and interest of its Section 108 Loan for the replacement of aging fire apparatus and equipment, as evidenced by the Note, and such other charges as may be authorized under the Contract. The Note and other charges as may be authorized under the Contract constitutes a general indebtedness of the City of Fall River, payable from tax revenues of the City of Fall River and such other money as is lawfully available. For as long as the Note is outstanding the City of Fall River

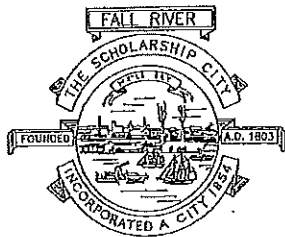
irrevocably pledges that it shall, in the manner provided by law within the constitutional and statutory limitations provided by the law without the assent of the voters, include in its annual property tax levy amounts sufficient, together with other money that is lawfully available, to pay principal and interest on the Note, and such other charges as may be authorized under the Contract, as the same become due. The full faith and credit of the City of Fall River is pledge irrevocably for the prompt payment of the principal and interest on the Note, and such other charges as may be authorized under the Contract, and such pledge shall be enforceable in mandamus against the City of Fall River.

Section 2. The provisions of this resolution are declared to be separate and severable. If a court of competent jurisdiction, all appeals having been exhausted or all appeal periods having run, finds any provision of this resolution to be invalid or unenforceable as to any person or circumstance, such offending provision shall, if feasible, be deemed to be modified to be within the limits of enforceability or validity. If the offending provision cannot be so modified, it shall be null and void with respect to the particular person or circumstance, and all other provisions of this resolution in all other respects, and the offending provision with respect to all other persons and all other circumstances shall remain valid and enforceable.

CITY OF FALL RIVER
IN CITY COUNCIL

FEB - 7 2017

*Referred to the
Committee on Finance*



City of Fall River
Massachusetts
Office of the Mayor

Finance #3

RECEIVED

2017 FEB -2 P 3: 54

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

February 2, 2017

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

Dear Honorable Council Members:

Consistent with the requirements of MGL Chapter 150E, Section 7, I am forwarding the recently negotiated Memorandum of Agreement between LAW Local 124 Building Custodians and the City of Fall River for your approval. It has been ratified by the membership. Enclosed please find the copy for your review.

This Agreement will become a part of the prior contract document and in combination they establish the contractual obligations affecting custodians at Government Center and the Public Library. The Administration is grateful to the members of LAW Local 124 for their understanding of the City's fiscal limitations in approving the terms of this Agreement.

Your approval of this Agreement is respectfully requested. Should you have any questions or concerns, please feel free to contact me.

Best Regards,

Jasiel F. Correia II
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL
FEB 07 2017

*Referred to the
Committee on Finance*

City of Fall River, In City Council

Finance #3

ORDERED, that the funding of the cost items contained in the collective bargaining agreement between the City of Fall River and LAW Local 124 – Building Custodians dated January 26, 2017, is hereby approved.

CITY OF FALL RIVER
IN CITY COUNCIL
FEB - 7 2017

*Referred to the Committee
Law Finance*

CITY OF FALL RIVER
AND LAW LOCAL 124 – BUILDING CUSTODIANS
MEMORANDUM OF AGREEMENT

For good and valuable consideration, each to the other given, the City of Fall River and LAW Local 124, Building Custodians, hereby agree as follows:

1. The Parties agree that employees currently assigned to the library may transferred to Government Center and that bargaining unit work currently being performed at the library will be assumed by a private contractor.
2. All full-time employees that are employed as of the ratification date shall not be laid off as a result of transfer of bargaining unit work to a private contractor during the term of this Agreement. The foregoing provision shall not be subject to the automatic renewal provision of Article XV, section 3.
3. Wages – 2% adjustment effective July 1, 2017

- 2% adjustment effective July 1, 2018
4. Article VI – Hours of work – add to end “Work schedules shall be established by the Director of Building and Grounds. The City shall retain the discretion to determine the number of day shifts and night shifts necessary for the operation.”
5. Article VII – Overtime –
 - A. Add to 4th paragraph – “Employees called into work more than two (2) hours but less than four (4) hours prior to the start of their regularly scheduled shift shall receive four (4) hours of overtime in addition to their regular pay for that day. Employees called into work more than one-half (1/2) hour but less than two (2) hours early shall receive two (2) hours of overtime pay, in addition to their regular pay for that day.”
 - B. Add to end – If two (2) employees are on vacation at the same time, the City shall not be obligated to fill on overtime additional vacancies caused by sick, personal or any other paid leave.
6. Article VIII – Flag Duties – Delete
7. Article IX – Holidays –
 - A. last paragraph – eliminate triple time
 - B. Delete paragraph granting additional paid day off during vacation week.

8. Article X – Personal Days –
 - A. Delete (a), (c)
 - B. (housekeeping) – Management Rights should be separate article
9. Article XI –
 - A. For employees hired on or after date of ratification of this Agreement, vacations shall be in accordance with the following schedule:

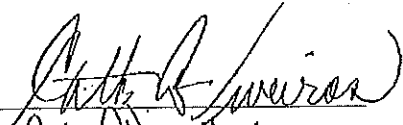
After six (6) month of service - two (2) weeks vacation.
After five (5) years of service - three (3) weeks vacation.
After ten (10) years of service - four (4) weeks vacation.

 - B. No more than two (2) employees on the same shift on vacation without the approval of the Director of Buildings and Grounds.
10. Article XV – Section 1 – Duration – July 1, 2017 through June 30, 2019, modify dates in Section 2 to reflect same.
11. Article XV, section 15 – Bidding, Job Assignments – Add “When vacancies occur, staffing levels, scheduling and number of available shifts shall be determined by the City, acting through the Director of Buildings and Grounds.”
12. Article XV – Sections 21 – delete –
13. Article XV – Section 24 – head custodian only gets \$75 not \$50 above in section 21 Leave current language as is.
14. Article XV - Car Allowance – -- Effective July 1, 2017, delete this article, employees receive a one time payment of \$700.00.
15. Article XV – section 13 – Housekeeping – correct omission from last collective bargaining agreement, snow bonus should be \$2300.00.

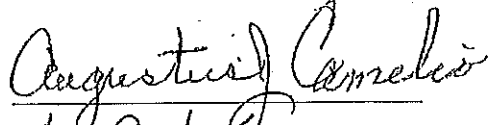
For the City of Fall River

For LAW Local 124


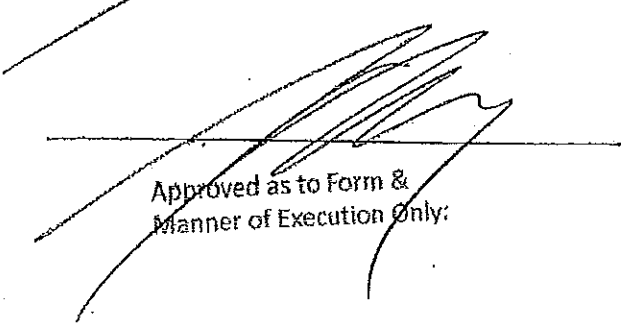
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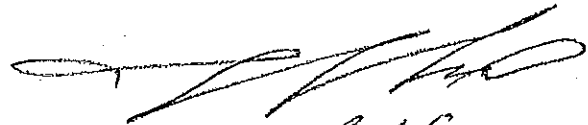

City Administrator

Date 1-26-17


L. A. W.

Date 1/26/2017



Approved as to Form &
Manner of Execution Only:


LAW PRES
1/26/17

CITY OF FALL RIVER
IN CITY COUNCIL
FEB 07 2017

Referred to the
Committee on Finance



City of Fall River
Massachusetts

Office of the Mayor RECEIVED

Finance #4

2017 FEB -2 P 3:54

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

February 2, 2017

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

Dear Honorable Council Members:

In compliance with the recently approved contract with AFSCME Local 1202 EMS Unit, I am forwarding an Order allowing the City to Adopt Chapter 467, "An Act Relative to the Retirement Benefits of Emergency Medical Technicians," paragraph G of subdivision (2) of Section 3 of Chapter 32 of Massachusetts General Laws, which legislation will place emergency medical personnel within Group 4 of the Retirement System. In accordance with the Collective Bargaining Agreement, this action will take effect on the last day of the contract June 30, 2019. Please know that the benefits of Group 4 are not retroactive, and will only be applied to years of service subsequent to the June 30, 2019 enactment.

Your support for this measure recognizes that our EMS personnel confront many of the same personal safety risks encountered by the members of other public safety departments. Your adoption of this Order is respectfully requested.

Best Regards,

Jasiel F. Correia II
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL
FEB 07 2017

*Referred to the
Committee on Finance*

City of Fall River, In City Council

Finance #4

ORDERED, that Chapter 467 of the Acts of 2008 "An Act Relative to the Retirement Benefits of Emergency Medical Technicians", be and the same is hereby accepted.

CITY OF FALL RIVER
IN CITY COUNCIL

FEB 07 2017

Referred to the
Committee on Finance

Chapter 466. AN ACT TO PROMOTE BREASTFEEDING.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by adding the following section:-

Section 221. (a) A mother may breastfeed her child in any public place or establishment or place which is open to and accepts or solicits the patronage of the general public and where the mother and her child may otherwise lawfully be present.

(b) Notwithstanding any general or special law to the contrary, the act of a mother breastfeeding her child, and any exposure of a breast incidental thereto that is solely for the purpose of nursing such child, shall not be considered lewd, indecent, immoral, or unlawful conduct.

(c) No person or entity, including a governmental entity, shall, with the intent to violate a mother's right under subsection (a), restrict, harass or penalize a mother who is breastfeeding her child.

(d) The attorney general may bring a civil action for equitable relief to restrain or prevent a violation of subsection (c).

(e) A civil action may be brought under this section by a mother subjected to a violation of subsection (c). In any such action, the court may: (i) award actual damages in an amount not to exceed \$500; (ii) enter an order to restrain such unlawful conduct; and (iii) award reasonable attorney fees.

(f) A place of religious instruction or worship shall not be subject to this section.

Approved January 9, 2009.

Chapter 467. AN ACT RELATIVE TO THE RETIREMENT BENEFITS OF EMERGENCY MEDICAL TECHNICIANS.

Be it enacted, etc., as follows:

Paragraph (g) of subdivision (2) of section 3 of chapter 32 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by adding the following paragraph:-

A municipality may elect to place in Group 4 uniformed employees of a municipal or public emergency medical service who are certified at any level by the department of public health as an emergency medical technician. This section shall take effect in a municipality upon its acceptance in the following manner: in a city having a Plan D or Plan E charter, by majority vote of its city council and approved by the manager; in any other city by majority vote of the city council and approved by the mayor; in a town, by vote of the board of selectmen.

Approved January 9, 2009.

*Finance 4***Acts (2008)****Chapter 467****AN ACT RELATIVE TO THE RETIREMENT BENEFITS OF
EMERGENCY MEDICAL TECHNICIANS.**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

Paragraph (g) of subdivision (2) of section 3 of chapter 32 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by adding the following paragraph:-

A municipality may elect to place in Group 4 uniformed employees of municipal or public emergency medical service who are certified at an level by the department of public health as an emergency medical technician. This section shall take effect in a municipality upon its acceptance in the following manner: in a city having a Plan D or Plan I charter, by majority vote of its city council and approved by the manager; in any other city by majority vote of the city council and approved by the mayor; in a town, by vote of the board of selectmen.

Approved January 9, 2009

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2017 FEB -7 A 11:49

Massachusetts

Man assaults paramedic, pulls fire alarm

Jeffrey Ryan Kiernan

Wednesday

Posted Jan 18, 2017 at 8:31 PM

By Norman Miller Daily News Staff

CITY CLERK
FALL RIVER, MA

A Natick man assaulted an ambulance driver, harassed a teenage patient at the hospital and then pulled the building's fire alarm Tuesday, authorities said.

Natick Police arrested Jeffrey Ryan Kiernan, 27, at MetroWest Medical Center in Natick at 8:33 p.m. after doctors discharged him, according to a police report filed in Natick District Court on Wednesday.

Police and firefighters went to Kiernan's 52 Pond St. home around 7:40 p.m. for a report of a "heavily intoxicated" man. Paramedics decided to bring Kiernan to the hospital because he was so drunk.

Once in the ambulance, Kiernan swore at a paramedic and then "backhanded" the man across the face, police wrote in the report.

November 8, 2016

BELCHERTOWN, Mass. — A college student pleaded not guilty Monday to charges of assaulting a paramedic who was attempting to treat him.

Dec 11, 2014

He suffered multiple wounds from an intoxicated woman; this is the second time in five years BOSTON, Mass. — EMT Tony O'Brien, a 15-year veteran of Boston EMS, recalls the moment he was bitten and scratched on his face and neck after an intoxicated female patient attacked him and his partner Sean Feeney on December 10.

Nationally

Sep 9, 2016

By EMS1 Staff

CLEVELAND, Tenn. — A Bradley County Emergency Medical Services worker is recovering after being stabbed in the neck during a call early Thursday morning.

The paramedic responded to a call around 2:00 a.m. to medically assess a person found on the campus of Lee University as EMS employees approached the person and began their line of questioning, the suspect stood up, turned and stabbed the paramedic in the neck with a set of keys.

Canned + emailed 3/1/17 & copies to [unclear]

Finance 4

Sept 9, 2015

DETROIT (WXYZ) - Monday morning, medics were responding to a call of a motor vehicle crash on Detroit's west side.

Sources tell 7 Action News, when the medic attempted to keep a patient from entering the roadway, he was punched in the face.

The assault is the latest incident involving attacks on medical first responders.

Last week, a guy put a loaded gun in the face of a medic because he was upset about where the ambulance was parked.

October 20, 2015

DETROIT, Michigan (WWJ) – Officials say two paramedics are in serious condition after they were attacked and stabbed repeatedly while trying to help a woman on Detroit's west side. "It was a horrific scene," said Fire Commissioner Eric Jones. "It was a stabbing and a slashing."

<https://www.youtube.com/watch?v=NwJdiDgzjeU>

if you can watch the link its pretty good

<http://www.firefighterclosecalls.com/category/ems-close-calls/>

<http://www.firefighterclosecalls.com/category/ems-close-calls/>

Finance 4

BOSTON GLOBE

Fielding more calls, city EMTs often attacked, injured

By David Abel, Globe Staff | August 29, 2007

One had his nose broken four times. Another was attacked with cinder blocks dropped off the roof of a housing project. Others have been stabbed with drug-filled syringes, chased by dogs, and strafed by gunfire after arriving at crime scenes before the shooting stopped.

Boston's emergency medical technicians, who often run red lights and speed through the opposite lane of traffic to save lives, are trained to confront broken bones and cardiac arrest.

But EMTs, who are responding to more calls each year, often become victims themselves as they face Boston's rampant street violence without the guns, mace, and nightsticks that police officers carry.

Last year, 28 percent of the 193 injuries suffered by city EMTs were the result of violence, a figure that has held constant over the past five years, according to Boston Emergency Medical Services. This year EMTs have been injured in 24 attacks.

Since 1994, four EMTs have left the department as a result of injuries from violence.

Nationally, no one tracks the number of EMTs and paramedics -- highly trained EMTs -- injured in violence on the job, but the National EMS Memorial Service, a volunteer group in Virginia, said 30 EMTs have died because of violence since 1993, 14 of them while responding to the terrorist attacks on Sept. 11, 2001.

"Violence isn't something an EMT should have to deal with," said Richard Serino, chief of Boston EMS, who noted that more than half of last year's total number of injuries left his employees out of work for a day or more. "One EMT injured as a result of an assault is too many."

Last fiscal year, the city's 333 EMTs responded to 99,266 calls and made a record 68,943 trips to hospitals-- an increase of about 5,000 since 2002 -- without a significant change in staff.

Many EMTs said they are overworked and undertrained for what they confront. They said they are increasingly sent to calls that in the past may have been answered by the police -- such as a report of a "man down" or someone drunk in the street -- and too often must work without police assistance to subdue hostile patients or others interfering with their care.

When they encounter trouble, they have only a radio to call for help and handcuffs to restrain the attacker. Their radios, they say, aren't much help, because they can't call police directly; they must wait for an EMS dispatcher to e-mail police dispatchers.

James Orsino, who has suffered a broken nose four times during his 23 years as a city EMT, said he has dodged bullets after being caught in the crossfire and been punched more times than he can remember. Like other EMTs, he has also been injured by people not willing to accept his help; he once tore his rotator cuff in a struggle with a man trying to jump off the Massachusetts Avenue Bridge.

"We're in a time when there's a lot more going on in the street, and you can feel it," said Orsino, president of the EMS division of the Boston Police Patrolmen's Association. "With everyone's resources stretched thin, we often arrive on the scene before police. Those are classic cases to get hurt on."

Boston EMS, overseen by the Boston Public Health Commission, dispatches teams of two medical technicians from an office adjacent to police dispatchers at police headquarters. When a 911 call comes in, an operator determines whether to transfer the caller to a specially trained EMT dispatcher.

The department, which has a \$37 million budget this fiscal year, offers EMTs the opportunity to take a two-hour self-defense class, but Orsino and others contend it's not enough. He said the city should require EMTs to be certified annually in self-defense, as they are for defensive driving and CPR. He said the department should also outline standard procedures for how to deal with violent patients.

EMTs also worry about fighting back for liability reasons, he said, which is why they don't carry mace.

"When someone is violent in a hospital, six people are used to restrain the person," he said. "In the street, it's you and your partner. There's no one else, nothing to help you out. Whatever comes out of it is what happens, which is why so many people get injured. It's a crazy situation."

Nearly every city EMT has a story about being attacked.

Jim Allen, 33, who has worked as an EMT for 11 years, said it's not uncommon for people to start yelling as his ambulance passes and to "make violent gun gestures."

"I've been bitten by more people than dogs," he said. "It seems every other call they dislike you for something. I think it's because of the badge we wear."

Alcohol and drug abuse are fueling the violence against EMTs. Zach Schiess, 29, who has worked as an EMT for six years, said he was called to a bar in South Boston after a man's arm was twisted in a fight. When he arrived, he said, the man and his girlfriend started swinging at him and his partner, forcing them to lock themselves in their ambulance.

"You can never take for granted what can happen when someone is drunk," he said.

City EMTs receive at least eight months of training, from life support to how to use the radios to how to operate the ambulances. The advanced EMTs, or paramedics, receive two years of training, which includes more advanced life-saving techniques.

Serino said all EMTs are trained to manage aggressive behavior, but he said, "We're always looking for ways to improve our training."

To cope with the stresses of the job, one city paramedic is writing about his experiences on a blog, "Other People's Emergencies: Random Thoughts of an Urban Paramedic."

Jay Weaver, a 22-year veteran and the author of urbanparamedic.blogspot.com, has been stuck with a needle by an AIDS patient, confronted people wielding guns and knives, and dragged three blocks by a man who grabbed him through the window of a car.

On his blog, he covers subjects ranging from how EMTs deal with drunken doctors interfering at scenes, how they subdue people trying to commit suicide, and among other things, how they handle grumpy patients and drivers who cut off their ambulances.

At the end of a December entry titled "Danger," the 47-year-old paramedic wrote: "We are forever one misstep away from serious injury or even death. The next time we fly through an intersection, the impact might be more powerful. The next time I get stuck with a needle, it just might contain a lethal virus. The next time I walk through a door in the projects, there might be a lunatic waiting for me on the other side

Francis 4

with a handgun or a knife. I'm not going to dwell on any of this. You can't do the job if you're afraid of each call."

On a recent shift, Weaver and his partner weaved through rush-hour traffic. They raced through streets that looked like parking lots for calls that required them to do everything from subduing a large psychiatric patient who began beating his social worker on Boston Common to treating a father who was stabbed while taking his 2-year-old son for a stroll in Charlestown.

At the end of the night, as their radio continued to squawk, Weaver said the key to surviving was expecting the unexpected.

"We have family members screaming in our face and people throwing things at us," he said. "You just don't know what you're going to experience on any call."

BANGED UP & BURNED OUT: ASSAULTS BY PATIENTS AGAINST PARAMEDICS & EMTS

**AS SEEN ON EXEL MAGAZINE: DREXEL UNIVERSITY
RESEARCH MAGAZINE**

Twice in her life, Jennifer Taylor has needed to call 911 because a food allergy put her into anaphylactic shock.

"I would have died if I wasn't resuscitated," says Taylor, an associate professor of environmental and occupational health in Drexel's School of Public Health.

When any of us dials 911 for medical reasons, we're confident an emergency medical technician (EMT), trained in basic life support, or a paramedic, who can perform more advanced procedures such as inserting breathing tubes, will show up quickly. For Taylor, that's what happened.

"It's a great social value: If you call 911, someone will come to you," she says.

But consider that 911 experience from the perspective of the EMT or paramedic. When Taylor called, she was helpless, experiencing a life-threatening emergency. But the medics who jumped into an ambulance and headed toward her likely had no idea what they would encounter. They're entering private homes, sometimes where residents are living on the very edge. Sometimes, what's waiting are people who are potentially dangerous, because they're delirious, desperate, on drugs or just plain belligerent. The unfortunate outcome in such a situation might be an injured medic.

Taylor's area of research is injury prevention and control, and she uses her knowledge to address safety issues in health care and first responder industries. With Federal Emergency Management Agency grants of \$870,000 in 2010 and \$1 million in 2013, she's spent the past five years studying line-of-duty nonfatal injuries in members of the fire service in order to understand what it would take to create a national registry of firefighter injuries.

As an epidemiologist, she studies large datasets for patterns and correlations. And so it happened that while she was examining 10 years of firefighter,

paramedic and EMT injury shared with her by the Philadelphia Fire Department, she stumbled across something unexpected.

A striking number of first responders were reporting being assaulted while on a call. At first, Taylor thought the injuries were gender related: 22 percent of women's injuries were caused by being struck by a patient, compared to just 9 percent of men's.

"We didn't understand why women would be reporting that type of injury more than men," she says. Were women easier targets for aggression? Were men less likely to report an assault?

To find the answer, she and her colleagues did something simple: "We asked them."

But as discussions unfolded, the first responders pointed out an important fact that sent Taylor's investigation into an entirely new direction: Most of the women employed by the Philadelphia Fire Department are not firefighters but rather paramedics and EMTs. When it comes to a preponderance of "struck by" injuries, the controlling factor was not gender-related.

"It's all about the occupation," Taylor says of her "a-ha!" moment.

She reorganized the data and discovered that medics are twelvefold more likely than firefighters to be assaulted.

"We think of cops being in a hazardous profession," Taylor points out, "but not EMTs and paramedics."

In her conversations with emergency personnel in the Philadelphia Fire Department, Taylor heard many stories of medics being unexpectedly harmed. One paramedic, for example, told Taylor about an incident where a patient was sitting on a stretcher when he "just comes up and punches me in my mouth with everything he had."

The descriptions of assaults experienced by medics in the fire department's own reports read like police reports from a brawl: "struck by patient on head resulting in laceration above the eye;" "was punched in the face by a drunkard;" "was tackled by a large man;" "patient head-butted [EMT] on the jaw;" "in transport patient became combative."

Taylor also discovered a sad reality: Along with occasionally being hit by the people they're trying to help, many medics feel emotionally battered by their job.

In Philadelphia, 200 paramedics operate 40 advanced life-saving ambulances, each staffed with two responders. About 20 of those vehicles are active at any point. The volume of work is astonishing. In 2011, emergency medical services workers went on more than 337,000 runs. That comes out to nearly 1,000 runs a day.

"Our department is overworked and overstressed; we have a lot of calls," one female paramedic told Taylor. "And I understand that they need to get the units back out on the street ... to get to these people, or else it becomes an embarrassment to the city if something was to go wrong."

The pressure results in stress, burnout and, by extension, some of those injuries, since the hectic pace leaves little time to establish situational awareness. "We're not giving our medics the rest they need to do this job," says Taylor.

Meals, usually poor-quality ones, are scarfed down quickly between runs, during which the medics often deal with traumatic events and might be exposed to people living in desperate conditions. What's the salary for a job this challenging? A mere \$35,000 or so for an EMT and about \$42,000 for a paramedic.

One obvious solution would be to increase the department's headcount, but no national standard exists for how many paramedics a city should employ per 100,000 population. "That doesn't help a city government or a fire department when they're trying to say, 'How many paramedics should we have?'" says Taylor.

Other practical improvements to improve on-the-job safety would entail giving the medics better information going into a scene — Is there a shooter? Is this a house where drugs are sold? — as well as providing training on how to manage a combative patient and de-escalate a scene.

"We're dispatched in way too many incidents that we have no idea what we're walking into," a male EMT said to Taylor. "When we ask dispatch what it is, they're very vague about — 'Oh, I don't know. [It was] sent by police.' That's what we walk into every day."

Police officers are taught how to handle dangerous encounters, but not paramedics and EMTs. A female paramedic noted, "Everybody forgets that we're in the same violent situation because we're dealing with the same people, but no one teaches us how to protect ourselves."

Many medics expressed that they felt undervalued by their leadership and the public, particularly in comparison with the firefighters they work next to in their

department. "When a firefighter gets injured, they go all out," said a female paramedic, describing the resources her bosses marshal. "When a medic gets injured, nothing. ... No one visits us. And that's how it is."

Joe Schulle, president of the Philadelphia Fire Fighters and Paramedics Union, can fire off several suggestions for mitigating the issues faced by medics. He would like to see placards on EMS vehicles like the ones in Canada that tell people it's a felony to assault a first responder, as a reminder that medics fall into that category and are just as important as firefighters and police officers.

"They don't feel anybody cares," Schulle observes.

In addition, the medics need a chance to recover from the exhausting pace and sometimes traumatic runs. "When you talk about what paramedics experience," he says, "there are very few mechanisms to deal with the stress."

He gives an example of a unit that responded to a disturbing car accident that killed an entire family: "Twenty minutes later, [the medics] were required to be back in service."

REMAKING THE MISSION

One of the most intriguing solutions that Taylor posits has to do with the aforementioned community expectations: the idea that if you call 911, a medically trained person will soon appear.

In practice, this policy invites regular overuse of the system by people who don't feel that they have anywhere else to turn. Twenty-six percent of Philadelphians live below the poverty line, with almost half of those in "deep poverty," meaning a family of three that brings in only \$10,000 annually. According to a 2014 report from the Philadelphia Department of Public Health, nearly 20 percent of adult residents lack health insurance. Underserved and low-income populations call for paramedics when they have fevers, need prescriptions picked up or want assistance getting into bed.

"People think we're there to be their taxi service," one EMT reports.

While those events require valuable resources that should be reserved for emergencies, they reveal a powerful underlying attitude: Employees of fire departments are trusted. People readily invite them into their homes. What if there were a way to harness that trust to improve community health?

The model is called community paramedicine, and it entails expanding the job definition of paramedics. Rather than only showing up at the scene of a medical emergency and providing transportation to a hospital, the medics become an extension of the health-care system, providing proactive referrals for people in need of other, long-term services.

Ideally, community paramedicine would identify problems at an early stage. As Taylor explains it, "Medics can figure out what patients need and then connect them with the services or provide that service right there."

Community paramedicine can be employed in urban areas where lack of knowledge about options causes people to let health problems fester or to rely on familiar services, like 911, when another is more suitable.

The model is already being used elsewhere in the United States, including at Christian Hospital, a 13-hospital system in St. Louis with the busiest emergency room in Missouri.

"We were not taking care of these people to the best of their potential," Chris Cebollero, chief of Christian's EMS division, says of the area's low-income population. "We were taking care of the episode, but not the problem."

Cebollero sees clear benefits for the EMTs at Christian Hospital. "A lot of our folks get into this career field because they want to help people," he says. "There are times when they get frustrated by their lack of ability to get people where they really should be. Now we're getting people where they need to go."

The hospital paid for the needed additional training by moving money around, but Cebollero notes that by reducing the use of expensive ambulances to repeatedly transport what he jokingly calls "members of the EMS loyalty program" to the ER, the hospital could save money in the long run.

In Philadelphia, where the fire department's structure is rigidly traditional and its budget is controlled by City Council, change will require political will and persuasive arguments.

Taylor, for her part, is actively pursuing funding to assess every medic and firefighter in the Philadelphia Fire Department for stress, burnout and other indicators of physical and emotional labor.

In the meantime, "The number of calls is increasing, but the number of medic units isn't," says union president Schulle. "You just can't keep adding workload."

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Colleen Taylor

From: Billy Lonardo <blonardo@afscme1202.com>
Sent: Monday, February 06, 2017 9:46 PM
To: scadime.citycouncil@gmail.com; lindamp55@gmail.com; RichC@fallriverma.org; city_council@fallriverma.org; steve@stevecamara.com; Pam.Laliberte-Lebeau@fallriverma.org; CliffPonteJr@gmail.com; b_lonardo@verizon.net; 'Jennifer Farias'; 'Almedia, Andrew'; 'Hopkins, Laura'
Subject: Group IV Retirement - AFSCME Local #1202

February 6th, 2017

Dear Council Members,

I wanted to take a moment to briefly provide you with some important information I feel you should have pertinent to the topic of Group IV retirement as it relates to the Fall River Fire Department, Division of Emergency Medical Services, or; more specifically the paramedics who provide emergency medical services to the City of Fall River. In 2008, the Commonwealth of Massachusetts passed "An Act Relative to the Retirement Benefits of Emergency Medical Technicians" (Acts of 2008, Chapter 467); this act amended G.L. c. 32, § 3(2)(g), creating a local option that would allow municipalities to elect to place uniformed employees of a municipal or public emergency medical service who are certified at any level by the department of public health as an emergency medical technicians into Group IV retirement. (Link: Acts of 2008, Chapter 467 "An Act Relative to the Retirement Benefits of Emergency Medical Technicians", see also, Link: PERAC Memorandum #07, 2009)

Essentially, this act, which was passed on January 22nd, 2009, and became effective on April 9th, 2009, allowed cities and towns which utilize a municipal emergency medical service as their primary provider of EMS service, to grant that emergency medical service group IV retirement benefits. The process for this is clearly described in G.L. c. 32, § 3(2)(g), and requires a majority vote of the city council, and approval by the mayor. (Link: G.L. c. 32, § 3(2)(g))

The relevant paragraph is below:

"A municipality may elect to place in Group 4 uniformed employees of a municipal or public emergency medical service who are certified at any level by the department of public health as an emergency medical technician. This section shall take effect in a municipality upon its acceptance in the following manner: in a city having a Plan D or Plan E charter, by majority vote of its city council and approved by the manager; in any other city by majority vote of the city council and approved by the mayor; in a town, by vote of the board of selectmen."

As I have illustrated thus far, the Fall River City Council, and the Mayor of Fall River, have the authority to grant Group IV retirement benefits to the paramedics employed under the Fall River Fire Department, Division of Emergency Medical Services. In recent years, Boston EMS, a municipal EMS agency, and the primary provider of emergency medical services for the City of Boston was granted entry into the Group IV retirement system. As well, it's my understanding that Wareham EMS, again, a municipal third service EMS agency, and primary provider of emergency medical service to the residents of Wareham was also granted entry into the Group IV retirement system. The City of Fall River would not be unique in its inclusion of our paramedics into the Group IV retirement category.

In fact, interestingly enough, the act allowing municipal EMS agencies to be included in Group IV retirement was spearheaded by members of the Fall River Fire Department and Boston EMS; you'll note in the following article, "Municipal EMTs may see full pensions with fewer years of service",

"In April 2007, 14 Fall River EMTs argued to the Committee on Public Service that the bill should pass because EMT's jobs have "become more hazardous over the past decade with increased assaults, injuries and the ever present risk of exposure to infectious disease and other bio-hazards."

I would also like to alleviate some financial concerns council members may have relevant to the retirement change. The implementation date, as stipulated in the contract between AFSCME 1202 (The Professional Paramedics of Fall River), and the City of Fall River is June 30th, 2019, the final day of the contract. (CBA City of Fall River & AFSCME 1202 Article XXVIII) Essentially, all service prior to this implementation date would be prorated, meaning that no additional funding

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would be required. In essence, this means that the addition of the paramedics into Group IV retirement would not add to the \$336 million pension liability.

As well, moving forward, any funds required to support the addition of the paramedics to Group IV would be taken from the EMS enterprise fund, ultimately, meaning that the conversion from Group II to Group IV would in essence cost the city nothing.

I plan to address the substantial personal risk we face on a daily basis tomorrow evening at the council meeting. But I would like to share with you the results of a recent study done by Drexel University School of Public Health, which found that EMT's and paramedics are 14 times more likely to be "violently injured on the job than the firefighters they work alongside." The risks inherent to firefighting are easily visible, however the risks faced daily by EMS providers can be a bit more obscure, but none the less, clear and present daily. ([Link: Study - Paramedics' Risk of Being Assaulted Exceeds Firefighting Colleagues](#))

Should you have any questions or concerns, please feel free to reach out to one of the AFSCME 1202 executive board members listed below.

Respectfully,

William T. Lonardo, NRP

President

Professional Paramedics of Fall River

AFSCME Local 1202

P.O. Box #9572

Fall River, MA 02720

(401) 692-7395

blonardo@afscme1202.com

Andrew Almedia

Vice President

(774) 319-3403

Lt. Jennifer Farias

Recording Secretary

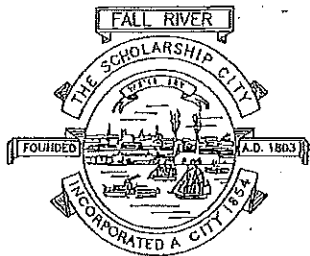
(401) 601-7368

Lt. Nicholas Silva

Treasurer

(508) 951-6481

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Finance 4

City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

February 13, 2017

Mary L. Sahady, Esq.
Director of Financial Services
One Government Center
Fall River, MA 02722

Dear Ms. Sahady,

At a meeting of the City Council held on February 7, 2017, a discussion was held relative to a request from the Mayor to adopt Chapter 467 of the Acts of 2008 "An Act Relative to the Retirement Benefits of Emergency Medical Technicians".

Following that discussion, it was requested that your office forward a letter to the City Council Committee on Finance, describing the impact this unfunded liability will present.

This item has been referred to the Committee on Finance and the members would appreciate your response prior to the next scheduled meeting on February 21, 2017.

Thank you for your assistance in this matter.

Very truly yours,

Alison M. Bouchard
City Clerk

/ct

france 4



Mary Sahady <mary.sahadycpa@gmail.com>

Fwd: Group 2 to Group 4 costs

Mary Sahady <mary.sahadycpa@gmail.com>
To: Chris Tetreault <ctetreault@fallriverretirement.com>

Tue, Feb 14, 2017 at 10:14 AM

FYI

From: Lamenzo, James R. (PER)
Sent: Monday, July 26, 2010 4:14 PM
To: 'christate@comcast.net'
Subject: RE: Group 2 to Group 4 costs

Christine,

Sorry- I thought I had given you these numbers. John had done the work but I hadn't reviewed it and it was sitting in my in box.

As you requested, we have estimated the cost of moving Group 2 EMT members to Group 4. Our results are based on January 1, 2009 data, the department code for EMTs you provided, and the assumptions used in the January 1, 2009 actuarial valuation report for the Fall River System. Note that the January 1, 2010 active data you provided was not readable so we used the January 1, 2009 data.

There are 37 active members included in our study (same as our prior study in 2007). We estimated the cost for only the active members.

To determine the cost increase, we first determined the current cost for the members. We then determined the cost if these members were in Group 4. Our results are shown on the attached exhibit.

2/15/2017

Gmail - Fwd: Group 2 to Group 4 costs

Francis 4

The normal cost reflects the value of benefits expected to be earned in the current year. The net (City) normal cost increases about \$122,000 as of January 1, 2009 under the proposal. The actuarial liability reflects the sum of the past normal costs, or said another way, the projected benefit at retirement pro rated for service to date. The increase in actuarial liability under this proposal is approximately \$322,000 as of January 1, 2009. The increase in actuarial liability was amortized using the System's current funding schedule (4.5% increasing amortization to 2030). The amortization amount is approximately \$22,000 as of January 1, 2009.

The sum of the increase in the normal cost and the amortization of the increase in actuarial liability is the cost of the proposal for the current year. We determined the FY11 cost assuming contributions are paid on July 1 and January 1 each fiscal year (average assumed date October 1) and adjusted our January 1, 2009 figures with an annual interest rate of 8.25% (the rate used in the actuarial valuation) and assuming normal cost increases 5.5% per year. The cost increase due to this proposal is approximately \$162,000 in FY11. This amount would increase approximately 5% per year.

Please call me if you have any questions.

Jim

James R. Lamenzo

Actuary

PERAC

5 Middlesex Avenue, Suite 304

Somerville, MA 02145

(617) 591-8921

JLamenzo@per.state.ma.us

fax (617) 628-4002

From: christate@comcast.net [mailto:christate@comcast.net]

Sent: Monday, July 26, 2010 11:08 AM

To: Lamenzo, James R.(PER)

Subject: Fwd: Group 2 to Group 4 costs

2/15/2017

Gmail - Fwd: Group 2 to Group 4 costs

Financi 4

Anything idea when I'll be getting numbers on this?

Christine A. Tetreault
Executive Director
Fall River Retirement Board
30 Third Street, Suite 301
Fall River, MA 02720
Tel: 508-646-9120
Fax: 508-646-9123

----- Forwarded Message -----

From: christate@comcast.net
To: "James Lamenza" <JLamenza@per.state.ma.us>
Sent: Tuesday, July 6, 2010 6:58:19 AM
Subject: Group 2 to Group 4 costs

Hi Jim,

The city of Fall River has a new mayor so the EMT's are trying to get into group 4 again. The City has requested a cost analysis. Can you run numbers using 1/1/10 data of what the additional cost would be if they moved EMT's into group 4. EMT's can be identified as those in Group 2 with a department number of c220. Thanks.

Christine A. Tetreault
Executive Director
Fall River Retirement Board
30 Third Street, Suite 301
Fall River, MA 02720
Tel: 508-646-9120
Fax: 508-646-9123

CONFIDENTIALITY NOTICE

This electronic message and any attachments are intended only for the addressee(s) and contains information that may be privileged and confidential. If you are not the intended recipient, please notify the sender by reply email and immediately delete this message. Use, disclosure or reproduction of this email by anyone other than the intended recipient(s) is strictly prohibited. Thank you.

Have a Great Day!

~ Mary L. Sahady, CPA, Esq., MST, CGMA
mary.sahadycpa@gmail.com
Director of Financial Services
City of Fall River, Massachusetts

"Success is getting and achieving what you want. Happiness is wanting and being content with what you get."

-- Bernard Meltzer

2 attachments

 **ATT00001.htm**
1K

 **Fall River 2009 EMTs Group 2 to Group 4.xls**
17K

<https://mail.google.com/mail/tu/2/?ui=2&ik=9aa5b450f3&view=pt&search=sent&msg=15a3d3012908c24a&dsqt=1&siml=15a3d3012908c24a>

3/4

2/15/2017

Gmail - Fwd: Group 2 to Group 4 costs

Finance 4

2/15/2017

Gmail - EMS - Group 2 to Group 4

Finance 4



Mary Sahady <mary.sahadycpa@gmail.com>

EMS - Group 2 to Group 4

1 message

Mary Sahady <mary.sahadycpa@gmail.com>
To: Chris Tetreault <ctetreault@fallriverretirement.com>

Tue, Feb 14, 2017 at 12:50 PM

Hi Chris,

I have been given the charge to determine what the additional cost for both the normal cost and the unfunded liability would be if the EMS staff would change from Group 2 employees to Group 4 employees. I was hoping you could reach out to PERAC and request that they provide us with the calculation. The assumption is the employees status would change going forward and not be retroactive.

I'd appreciate if you would ask your board at the next meeting to make this request.

Thanks
Mary

--

Have a Great Day!

~ Mary L. Sahady, CPA, Esq., MST, CGMA
mary.sahadycpa@gmail.com
Director of Financial Services
City of Fall River, Massachusetts

"Success is getting and achieving what you want. Happiness is wanting and being content with what you get."

-- Bernard Meltzer

Francis 4

Fall River EMTs

Cost of Change of Job Group from Group 2 to Group 4 as of January 1, 2009 (brought forward to FY11)

Demographic Information

Active Members	37
Total Salary	1,680,402
Average Salary	45,416
Average Service	9.6
Average Age	38.7

Costs (as of January 1, 2009)

1. Normal Cost	Current Job Group	Proposed Job Group	Increase
a. Total	187,370	317,868	130,498
b. Expected Contributions	146,027	154,329	8,302
c. Net Normal Cost	41,343	163,539	122,196
2. Actuarial Liability	2,902,475	3,224,758	322,283
3. Amortization of Increase in Liability (20 year, 4.5% increasing basis)			22,066
4. Total estimated increase in appropriation for FY11: (1c) x 1.061875 x 1.055 + (3) x 1.061875 x 1.0825			162,258

All appropriation amounts determined assuming payment made on July 1 and January 1.

This is the increase in the FY11 appropriation determined by valuing the cost increase as of January 1, 2009 and adjusting to FY11. FY11 increase in appropriation reflects current Fall River funding schedule (4.5% annual increasing amortization of unfunded liability to 2030).

PERAC

p:\actuarial\cost analyses\Fall River 2009 EMTs Group 2 to Group 4.xls

Finance 4



The Official Website of the Public Employee Retirement Administration Commission
PERAC

Home > Forms & Publications > Memos > Memorandum #07, 2009

Memorandum #07, 2009

TO: All Retirement Boards

FROM: Joseph E. Connarton, Executive Director

RE: Chapter 467 of the Acts of 2008, Group Classification for EMTs

DATE: January 22, 2009

Attached is a copy of Chapter 467 of the Acts of 2008. There was no emergency preamble included in the act, so it becomes effective on April 9, 2009.

This act amends G.L. c. 32, § 3(2)(g), creating a local option that will allow municipalities to elect to place uniformed employees of a municipal or public emergency medical service who are certified at any level by the department of public health as an emergency medical technician in Group 4.

The section shall take effect in a municipality upon its acceptance. In a city having a Plan D or Plan E charter, acceptance is by majority vote of its city council and approved by the manager; in any other city acceptance is by majority vote of the city council and approved by the mayor. In a town, acceptance is by vote of the board of selectmen.

Please advise PERAC when you become aware of the acceptance of this local option, and submit certified copies of the acceptance action.

If you have questions, please feel free to contact this office.

Commonwealth of Massachusetts
Public Employee Retirement

Administration Commission

5 Middlesex Ave, Suite 304

Somerville, MA 02145

Phone 617-666-4446

Fax 617-628-4002

TTY 617-591-8917

www.mass.gov/perac

Domenic J. F. Russo, *Chairman*

A. Joseph DeNucci, *Vice Chairman*

Mary Ann Bradley

Paul V. Doane

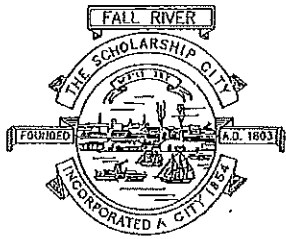
James M. Machado

Donald R. Marquis

Robert B. McCarthy

Joseph E. Connarton, *Executive*

Director



City of Fall River
Massachusetts
Office of the Mayor
RECEIVED

2017 FEB -2 P 3: 54

JASIEL F. CORREIA II
Mayor

CITY CLERK _____
FALL RIVER, MA

February 2, 2017

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

Dear Honorable Council Members:

At your City Council Meeting on January 10, 2017, you approved a Financial Order that I submitted to you in the amount of \$123 million to begin implementation of improvements as outlined in the City's Integrated Wastewater and Stormwater Master Plan. This Order was presented to me on January 31, 2017 for approval. As a result of subsequent information I received while attending the U.S. Conference of Mayors Meeting the week of January 16, 2017, I am exercising my authority under Section 55 of the City Charter to Veto this Order.

My communication to you dated January 27, 2017 outlines my intention to delay action on this Loan Order until such time as the new Trump Administration puts forth its plan to address communities' infrastructure needs and establishes the environmental priorities our City will need to address. While the projects within the Master Plan are all essential to the City's wastewater and stormwater management systems, federal funding for these projects may include new guidelines that have yet to be determined. Certainly the City Council shares my desire to conform with all EPA guidelines and avail ourselves of State and Federal funds prior to issuing local bonds supported by enterprise funds.

I respectfully request that you sustain my Veto of this Loan Order and further vote to table the Loan Order Ballot Question until such time as the Federal Government's infrastructure plans and funding programs have been put in place. I will continue to closely monitor the actions of the Federal Government as it relates to these issues and plan to keep you updated on our next step. Working together hopefully we can minimize the cost to our residents with much needed support from the Federal Government.

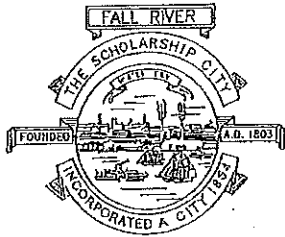
Best Regards,

Jasiel F. Correia II
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL

FEB 07 2017

*Loan over to the next
meeting in accordance
with the City Charter*



City of Fall River
Massachusetts
Office of the Mayor

JASIEL F. CORREIA II
Mayor

January 27, 2017

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

Dear Councilors:

This letter has been prepared to identify my planning and intent related to the expenditures identified to comply with the Federal Clean Water Act and the Federal CSO Court Order.

As you know the City has expended nearly \$200 million dollars on CSO Abatement to comply with the Federal Court Order that was issued in 1992. Said order has a completion date of 2025. This has been a huge financial burden on our residents and businesses. The debt associated with these improvements to the sewer and drainage systems has been the direct cause of the majority of the increases in the utility bills as issued by the Department of Community Utilities.

Recently, the City Council at my request approved loan orders for the implementation of a modified spending plan associated with the Integrated Wastewater and Stormwater Master Plan. I thank you for your support. These requests were per the recommendations from Mr. Sullivan based on his work with the EPA to put forth a spending plan that was significantly less than the Master Plan. The recommendations included needed improvements to the Wastewater Treatment Plant (including review of low cost nitrogen management plans); sewer pumping stations; CSO control; flood management control; equipment and asset management systems.

The loan order for \$3.8 million for the planning and design of the projects as approved is going to proceed as planned.

The loan order for \$123 million is currently subject to continued evaluation based on information that I have received in Washington, D.C. I have attached the proposed ballot question language for your review and input. I am holding off setting a date for the ballot

RECEIVED
2017 JAN 31 P 1:57
CITY CLERK
FALL RIVER, MA

2

question based on potential dramatic changes that could occur in the near future related to funding and regulatory control of infrastructure projects nationally.

Information that I received indicates the following:

- Management of EPA and associated regulations could dramatically change.
- Infrastructure financing opportunities via new Federal programs could dramatically reduce the burden on communities.

As the details of such Federal changes are not clear at this time and much work has to be done I ask that you continue to work with me over the next six months to identify alternative paths to achieve environmental improvement and minimize the cost burden to our residents and businesses via the potential changes of the Federal program structure.

The work that the City Council has done with these loan orders is not lost. I am simply recommending that we evaluate the Federal changes that are being discussed and assure that we take the maximum benefit from any infrastructure financing improvements.

The next steps planned are as follows:

- Review and approve the language in the attached ballot question.
- Monitor and review the potential changes to the Federal programs.
- Work cooperatively to identify the next steps associated with infrastructure improvements and regulatory compliance.

I believe that we all agree that environmental protection and compliance with the Clean Water Act are critical needs that we are all in favor of. However, I believe that we all agree that the financial impact on our residents and businesses is overwhelming and counterproductive to the economic survival of our community.

I look forward to our cooperative efforts together; the support of our Federal/State delegations and the potential improvements within the Federal infrastructure regulatory and financing programs.

Sincerely,



Jasiel F. Correia II

CITY OF FALL RIVER
IN CITY COUNCIL
FEB 07 2017

Tabled

City of Fall River, In City Council

2

An ORDER, Allowing the City of Fall River To Place a Ballot Question On the _____ Fall River Election Ballot

The Board of Elections shall place on the official ballot for the Fall River election to be held on _____ in the City of Fall River the following question:

Do you approve of the following loan order
which has been adopted by the City Council and
approved by the Mayor?

Yes _____
No _____

ORDERED, that the sum of \$123,000,000 be and hereby is appropriated to pay costs of planning, design and construction services related to the Integrated Wastewater and Stormwater Master Plan improvements, including the payment of all other costs incidental and related thereto; that to raise this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow \$123,000,000 under and pursuant to Chapter 29C and Chapter 44, Sections 7 and 8 of the General Laws, as amended, or pursuant to any other enabling authority, and to issue and sell bonds or notes of the City therefore, and further, that the Mayor and the Treasurer are each authorized to file an application to qualify under Chapter 44A of the Massachusetts General Laws any and all bonds of the City issued under and pursuant hereto, and to provide such information and execute such documents as may be required in connection therewith.

Which question may be followed by a summary as follows:

The Integrated Wastewater and Stormwater Master Plan Improvements are intended to continue to address compliance with the Clean Water Act via infrastructure improvements to address rehabilitation of the aged Wastewater Treatment Facility, replacement of aged sewer pumping stations, flooding and drainage issues, combined sewer overflow abatement, equipment replacement and asset management systems.

Adoption of the question will allow initiation of the Integrated Wastewater and Stormwater Master Plan Improvements.

Rejection of the question will not allow the Integrated Wastewater and Stormwater Master Plan Improvements system and can result in violations of the Clean Water Act, environmental pollution, regulatory enforcement orders from the Environmental Protection Agency and/or the Massachusetts Department of Environmental Protection mandating such improvements and/or fines.

CITY OF FALL RIVER
IN CITY COUNCIL

FEB 07 2017

Passed

City of Fall River, In City Council

3

ORDERED:

That the sum of \$20,000 be transferred, from the MAYOR'S OFFICE SALARIES and the same is, hereby appropriated for the MAYOR'S OFFICE EXPENDITURES.

CITY OF FALL RIVER
IN CITY COUNCIL
FEB - 7 2017

*Adopted, as amended,
5 years, 3 days*



City of Fall River
Massachusetts
Office of the Mayor

JASIEL F. CORREIA II
Mayor

4
RECEIVED
2017 FEB 15 P 4:39
CITY CLERK
FALL RIVER, MA

February 15, 2017

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

Dear Honorable Council Members:

The Community Preservation Committee (CPC) has identified two additional community projects and has made recommendations for funding in accordance with the Community Preservation Act (CPA) MGL Chapter 44B Sections 4 to 7. The following project is being recommended for approval.

- Oak Grove Cemetery - \$99,630.00 for iron and stone work

The second project approved by CPC is for repair of the Veteran's Center roof at a cost of \$99,630. This appropriation is not being recommended at this time. While the Administration appreciates the support received from the CPC for this project, the utilization of CPC funds for roof repair will necessitate that additional exterior repair work for windows and masonry conform with historic standards as outlined in U.S. Department of the Interior Heritage Preservation Services. While the historic restoration of these exterior elements is most desirable, this requirement will dramatically increase the cost of this remaining exterior work. We will be addressing the CPC at their March 8, 2017 meeting to determine their ability to assist in the financing of this remaining repair work in conformance with historic preservation standards.

Your approval of the Oak Grove Cemetery Appropriation Order is respectfully requested.

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

Regards,

Jasiel F. Correia II
Mayor

City of Fall River, In City Council

4

APPROPRIATION ORDER

ORDERED, that the following FY 17 supplemental appropriations be provided through the Community Preservation Act (CPA), reserves under the MGL Chapter 44B Sections 4 to 7 in the aggregate, amounting to \$99,630 to be appropriated as follows:

Voted: That \$99,630 be appropriated from the CPA Fund's Undesignated fund balance

For CPA Administrative Expenditures	\$0
For CPA Open Space/Outdoor Recreation	\$0
For CPA Historic Resources Preservation PROJECTS	\$99,630
For CPA Community Housing	<u>\$0</u>

TOTAL	<u>\$99,630</u>
--------------	------------------------

Note: Please note that this a supplemental CPA appropriation for FY 17. The City Council had earlier appropriated \$952,000 for various CPA projects on June 14, 2016. The CPA fund balance is reported at 1,342,004 on June 30, 2016 and is more than sufficient to cover this supplemental appropriations.

4

CP2

Community Preservation Fund Report - Fiscal Year 2016

Surcharge % 1.50

Total fund balance from prior year (PY) report (Form CP-2): 1,887,858.00

NEW REVENUES/OFS

Proceeds from bonds and OFS	0.00	
Collections from community preservation surcharge	842,179.00	
Distributions from State trust fund	247,244.00	
Earnings on investments	70,580.00	
Gifts, Grants, Donations	0.00	
Other	20,893.00	
Total New Revenue/OFS		1,180,896.00

EXPENDITURES/OFU

Expenditures:		
a. Open Space	0.00	
b. Historic Resources	244,533.00	
c. Community Housing	0.00	
d. Other (Community Recreation)	0.00	244,533.00
Expenditures for Debt Service:		
a. Open Space	0.00	
b. Historic Resources	0.00	
c. Community Housing	0.00	
d. Other (Community Recreation)	0.00	0.00
Administrative Expenses	19,178.00	
1. Other	0.00	
Total Expenditures/OFU		263,711.00
Total Fund Balance June 30, 2016 (Detail Following)		2,805,043.00

4

CP2

Community Preservation Fund Report - Fiscal Year 2016

CITY/TOWN of Fall River
Detail of Community Preservation Fund Total Fund Equity
Fiscal year ended June 30, 2016

. Fund Balance Reserved for Encumbrances (3211)	861,253.00
. Fund Balance Reserved for Expenditures (3240)	243,786.00
. Fund Balance Reserved for Open Space (3241)	0.00
. Fund Balance Reserved for Historic Resources (3242)	0.00
. Fund Balance Reserved for Community Housing (3243)	358,000.00
. Fund Balance Reserved for Special Purposes (3280)	0.00
. Fund Balance Reserved for Community reservation Act (3320)/Undesignated (3590)	1,342,004.00
. Total Community Preservation Fund Balance June 30, 2016	2,805,043.00

Total must equal total fund balance page 1)
Has the community met the requirement to either appropriate
or reserve for future appropriation at least 10% of the
estimated annual fund revenue for open space, historic
resources and community housing?
no, explain how the town plans to meet the requirement?

Signatures

Accountant/Auditor

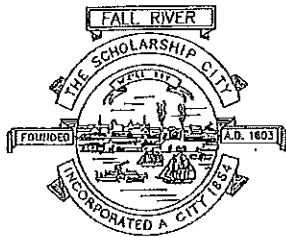
Completed by:

Krishan Gupta, City Auditor, Fall River, kgupta@fallriverma.org 508-324-2200 | 9/28/2016 9:23 AM

Comment:

Comments

0 comments to display.



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2017 FEB 15 P 4:39

JASIEL F. CORREIA II
Mayor

CITY CLERK _____
FALL RIVER, MA

February 15, 2017

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

Dear Honorable Council Members:

Consistent with the requirements of MGL Chapter 150E, Section 7, I am forwarding the recently negotiated Memorandum of Agreement between Teamsters Local 251 Public Works Unit and the City of Fall River for your approval. It has been ratified by the membership. Enclosed please find the copy for your review.

This Agreement will become a part of the prior contract document and, in combination, they establish the contractual obligations affecting DCM employees.

Your approval of this Agreement is respectfully requested. Should you have any questions or concerns, please feel free to contact me.

Best Regards,

Jasiel F. Correia II
Mayor

City of Fall River, *In City Council*

5

ORDERED, that the funding of the cost items contained in the collective bargaining agreement between the City of Fall River and Teamsters Local 251 Public Works Unit dated February 15, 2017, is hereby approved.

5

MEMORANDUM OF AGREEMENT
BETWEEN THE
CITY OF FALL RIVER
AND THE
TEAMSTERS LOCAL 251, PUBLIC WORKS UNIT

For good and valuable consideration, each to the other given, the City of Fall River and Teamsters Local 251, hereby agree as follows:

WHEREAS, the City of Fall River ("the City") and Teamsters Local 251 ("the Union") are parties to a Collective Bargaining Agreement dated July 1, 2013 – June 30, 2015 ("the Contract") which was extended to June 30, 2016:

WHEREAS, the Union and the City are engaged in litigation regarding the privatization of trash collection services for the City, specifically MUP-16-5171, MUP-16-5360, and ARB-16-5437; and

WHEREAS, the Union and the City have agreed to a new collective bargaining agreement to cover the time period from July 1, 2016 – June 30, 2019;

NOW THEREFORE, the Union and the City agree to the following terms and conditions:

1. There shall be no wage increases for the period of July 1, 2016 through June 30, 2017.
2. Effective July 1, 2017, the wage schedules shall reflect a general wage increase of 2%.
3. Effective July 1, 2018, the wage schedules shall reflect a general wage increase of 2%.
4. Article XXIV – Contract Term – Replace with the following – Duration- Section 1 – The term of this Agreement shall be effective July 1, 2016 through June 30, 2019 and shall continue from year to year in full force and effect until a successor agreement is duly executed. Section 2 – Should either party desire to bargain any changes or amendments to this Agreement for the period commencing July 1, 2019, either party shall, by certified return receipt mail notify the other party of its desire to change or amend this Agreement not less than thirty (30) days prior to June 30, 2019. Section 3 – This Article shall not apply to Article XXVII – Privatization, the terms of which shall expire on June 30, 2019.
5. Article XXVII – Privatization – The City agrees that all work being exclusively performed by bargaining unit members as of January 23, 2017 shall remain bargaining unit work through June 30, 2019. The City further agrees that work currently being performed by bargaining unit members shall not be privatized for the period ending June 30, 2019. If a court of competent jurisdiction determined the

5

foregoing is unenforceable beyond one year, the City agrees to re-open this Agreement for the purpose of bargaining over the terms of this provision. The terms of this Article are not subject to the "evergreen" provision of Article XXIV, Contract Term.

6. The City agrees to create two (2) new bargaining unit provisions known as Crew Leaders, and to bargain with the Union over the wages and job descriptions for those positions. Bargaining over these positions shall be concluded by March 15, 2017.
7. The City agrees to maintain forty (40) positions in the bargaining unit, including the two (2) new Crew Leader positions. Two (2) vacant positions shall be filled by April 1, 2017, which shall bring the total of bargaining unit positions to thirty-eight (38) and the two (2) Crew Leader positions shall be filled by April 15, 2017 bringing the total positions in the bargaining unit to forty (40).
8. Article VII- Holidays -- Change Washington's Birthday to Presidents' Day.
9. The City agrees to bargain with the Union over modifications to changes in the job description for any bargaining unit position.
10. The City agrees, on a one-time basis, to pay a maximum of four (4) employees to receive the training necessary to receive a Hoisting Engineer 2B License, subject to the approval of the training program by the Director of Community Maintenance.
11. The City agrees to reimburse employees for the cost of renewing hoisting licenses or CDL licenses.
12. The City agrees to fulfill all obligations bargained on or about June 24, 2016 regarding the impact of layoffs on bargaining unit members, as follows:
 - a. Laid off employees who do not accept employment in any City department shall have recall rights for 5 years from date of layoff.
 - b. Employees that accept employment in any City department shall have recall rights for two years from date of layoff.
 - c. Recall procedures above shall be implemented in a manner consistent with the terms of Article XVIII, Recall, as set forth in the collective bargaining agreement.
 - d. Any employee that is separated from City employment for 6 months or more shall be subject to pre-employment drug testing and physical examination.
 - e. Employees re-hired pursuant to paragraph 10 above shall, for the purpose of accrual of vacation, sick leave and personal days only, be credited with the years of full-time service worked prior to layoff.

5

- f. Upon date of recall or date of hire in another City department, employees shall be allowed up to six (6) months to buy back sick leave in order to recoup all banked sick leave that the employee had accrued as of the date of layoff.
- 13. All other terms of the collective bargaining agreement shall remain in full force and effect.
- 14. If any other City of Fall River bargaining unit receives a general wage increase in excess of 2% for the period of July 1, 2017 through June 30, 2018, or for the period of July 1, 2018 through June 30, 2019, the Parties agree to reopen this agreement for the purposes of discussing wages.
- 15. The Union agrees to withdraw, with prejudice, MUP-16-5171, MUP-16-5360, and ARB-16-5437, and waives the right to pursue any litigation regarding the privatization of trash removal services, except to enforce the terms of this agreement.
- 16. In exchange for the withdrawal of the matters described in Paragraph 15, above, the City agrees to the following:
 - a. On or by March 1, 2017, the City agrees to make the sum of \$245,000 available for payments to members or former members of the bargaining unit.
 - b. The Union shall instruct the City as to which employees shall receive payments under the foregoing, and the amount to be paid to each union member or former union member.
- 17. The Parties agree that the foregoing payments are intended to settle all outstanding claims and disputes arising out of the privatization of City trash removal services and do not constitute an admission of wrongdoing by either Party.
- 18. If this Agreement is not ratified by the Union on or before February 9, 2017, it shall be withdrawn by the City. Once withdrawn by the City, the terms of this Agreement shall not be used by either party in any legal or administrative proceeding.

CITY OF FALL RIVER

By: [Signature] Date: 2/15/17
Jasiel F. Correia II, Mayor

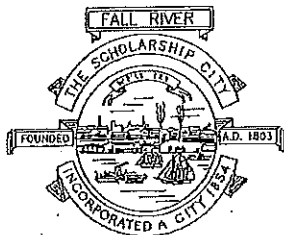
[Signature] Date: 2-15-17
Cathy Ann Viveiros, City Administrator

[Signature] Date: 2/15/17
Hon. Joseph Macos, Corporation Counsel

TEAMSTERS LOCAL 251

By: [Signature] Date: 2/15/17
Paul Santos, President Teamsters Local 251

[Signature] Date: 2/15/17
Nick Williams, B.A. Teamsters Local 251



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2017 FEB 15 P 4:39

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

February 15, 2017

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

Dear Honorable Council Members:

Consistent with the requirements of MGL Chapter 150E, Section 7, I am forwarding the recently negotiated Memorandum of Agreement between Fall River Fire Fighters IAFF Local 1314 and the City of Fall River for your approval. It has been ratified by the membership. Enclosed please find the copy for your review.

This Agreement will become a part of the prior contract document and, in combination, they establish the contractual obligations affecting Fire Department employees.

Your approval of this Agreement is respectfully requested. Should you have any questions or concerns, please feel free to contact me.

Best Regards,

Jasiel F. Correia II
Mayor

City of Fall River, *In City Council*

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ORDERED, that the funding of the cost items contained in the collective bargaining agreement between the City of Fall River and Fall River Firefighters IAFF Local 1314 dated February 15, 2017, is hereby approved.

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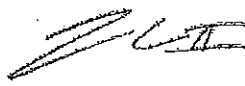
**MEMORANDUM OF UNDERSTANDING
BETWEEN THE
CITY OF FALL RIVER
AND
FALL RIVER FIGHTERS
IAFF LOCAL 1314**

Except as modified by the terms of this Memorandum of Understanding all terms and conditions of the predecessor agreement expiring June 30, 2015 shall remain in full force and effect throughout the duration of this agreement, July 1, 2015 to June 30, 2016.

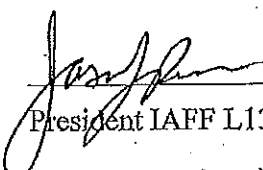
1. **New Stipend: Oplate Awareness and Training Certification.** Effective July 1, 2015, all members shall receive a one-time payment of \$375.00. The parties agree that this payment shall be made to all members employed with the City as of July 1, 2015, as well as all members who were employed as of July 1, 2015 but subsequently retired.

Payment will be made no later than the first City pay period in FY18.

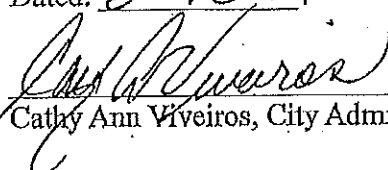
This agreement is subject to ratification by the Union and funding at the next City Council Meeting.



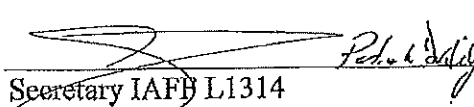
Jasiel F. Correia II, Mayor



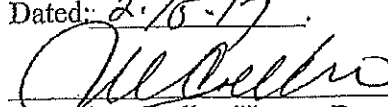
President IAFF L1314

Dated: 2-15-17


Cathy Ann Viveiros, City Administrator.

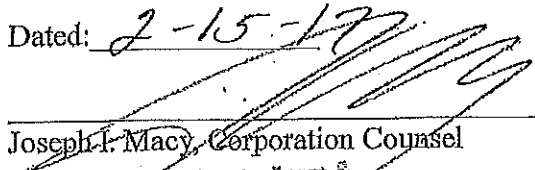
Dated: 2/15/17


Secretary IAFF L1314

Dated: 2-15-17


Madeline Coelho, Human Resources Director

Dated: 2/15/17

Dated: 2-15-17


Joseph I. Macy, Corporation Counsel
Approved as to Form &
Manner of Execution
Dated: 2/15/17

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MEMORANDUM OF UNDERSTANDING

BETWEEN THE CITY OF FALL RIVER AND FALL RIVER FIRE FIGHTERS IAFF LOCAL 1314

Except as modified by the terms of this Memorandum of Understanding, all terms and conditions of the predecessor agreement expiring on June 30, 2016 shall remain in full force and effect throughout the duration of this agreement, July 1, 2016 to June 30, 2019.

1. Wages:

Effective July 1, 2016: 0% across the board increase.

Effective July 1, 2017: 2% across the board increase.

Effective July 1, 2018: 2% across the board increase.

2. New Article: Opiate Awareness and Training Certification.

Effective July 1, 2016, all members shall receive a one-time payment of \$375.00. The parties agree that this payment shall be made to all members currently employed with the City as well as all members who were employed as of July 1, 2016 but subsequently retired:

Payment will be made no later than the first City pay period in FY18.

Effective July 1, 2017, all members shall receive an annual \$250.00 stipend to be paid out that year and in subsequent years no later than the second pay period in August. Payment is made as set forth above for convenience purposes. Members employed as of July 1st of any fiscal year shall be entitled to a full payment of this stipend upon death or separation from service.

3. New Article. Personal Protective Equipment ("PPE")

Effective upon execution and funding of this agreement, the City agrees to provide all new hires with a full set of PPE. Further, the City agrees to provide a full set of PPE to all members whenever their PPE becomes non-compliant. For ordinary circumstances, this means in accordance with NFPA 1971. (The PPE must be a minimum of 10 years and two (2) NFPA cycles from production.)

4. Article 37. Educational Degree Language:

Effective upon execution and funding of this agreement, Article 37 shall be updated to reflect Emergency Management and Public Administration degrees as compensation qualifying degrees.

5. New article. Firefighter/Emergency Medical Technician Certification Stipend. Effective July 1, 2017, all members holding the below certifications shall receive the following stipends:

EMT Basic - \$1,500.00

EMT Intermediate/Advanced - \$2,250.00

EMT Paramedic - \$3,000.00

Anyone hired after February 8, 2016 does not have the option to opt-out of the EMT stipend.

This stipend is to be paid out annually and no later than the first pay period in March. Eligible

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members must submit documentation proving certification level no later than April 1st for the upcoming fiscal year during which the stipend will be paid.

The above mentioned payment date is set forth for convenience purposes. Any member who is employed as of July 1st of any fiscal year shall be entitled to a full payment of his stipend upon death or separation from service.

6. **New Article. EMT Education Stipend.** Effective July 1, 2017, members certified at any EMT level shall be paid an additional three hundred and fifty dollar (\$350.00) annual stipend.. Payment of this stipend shall be made no later than the first pay period of August. The above-mentioned payment is for convenience purposes. Any member employed as of July 1st of any fiscal year shall be entitled to a full payment of this stipend upon death or separation from service.

Also, effective July 1, 2017, these same members shall receive a biennial payment for recertification in the amount of one hundred and fifty dollars (\$150.00). Member shall seek reimbursement for this recertification by submitting required documentation to the Director of EMS. Payment shall be due upon receipt of such documentation.

These payments will begin in FY18.

7. **Article 16: Bereavement Leave.**

Effective upon execution and funding of this agreement, strike the language "blood or marriage" as it pertains to Aunt or Uncle Bereavement Leave.

Paragraph 2 shall now read:

In the event of the death of an employee's aunt or uncle, such employee shall be entitled to one (1) tour of bereavement leave exclusive of days off. In all cases, leave papers shall be submitted on return from bereavement leave.

8. **Squad 11.** The parties agree that the City may implement a so-called Squad car and use bargaining unit members to staff such vehicle under the following below stated circumstances:

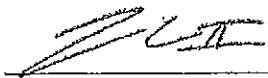
- The City agrees that it shall only staff Squad with members if suppression manpower in the Fall River Department remains at a minimum of thirty-four (34) working during any given shift. In other words, the City shall not staff Squad with members if doing so would drop manpower to less than thirty-four (34) working during any given shift.
- The City agrees that it will not brownout a suppression apparatus in order to staff Squad.
- For hours worked on Squad, members shall receive an additional hourly rate equal to five percent (5%) above that of a firefighter with five (5) years and no degree as shown in Appendix A. In addition, all members shall receive an increase of seventy-five cents (\$0.75) for all hours worked during night shifts.
- The rotation of members working on Squad shall consist of the ten (10) most junior firefighters.
- Members shall not be allowed to work more than one (1) shift consecutively on Squad. (10 or 14 hour shift)
- Those members who accept receipt of an EMT stipend agree to be part of a pool that may be used to staff Squad during a given shift should there be a need and sufficient.

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manpower (34) on suppression forces exists. A member assigned from this pool shall be called in reverse order of seniority.

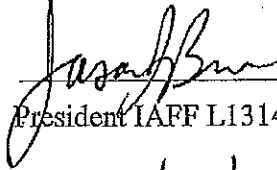
- Members, other than the most junior ten (10) and those in the pool as described above, shall not be forced to work on Squad.
- The City agrees that should there be layoffs in the future, they will do so strictly according to seniority. Additional EMS certification obtained by members will not impact the order of layoffs.

This agreement is subject to ratification by the Union and funding at the next City Council Meeting.



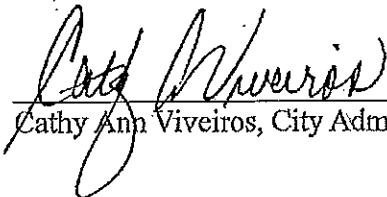
Jasiel F. Correia II, Mayor

Dated: 2-15-17



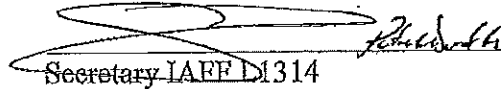
President IAFF L1314

Dated: 2/15/17



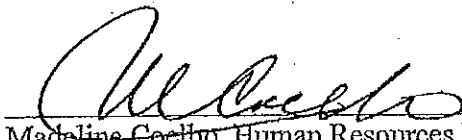
Cathy Ann Viveiros, City Administrator.

Dated: 2-15-17



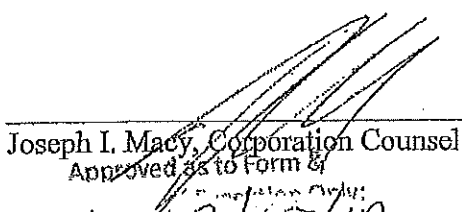
Secretary IAFF L1314

Dated: 2/15/17



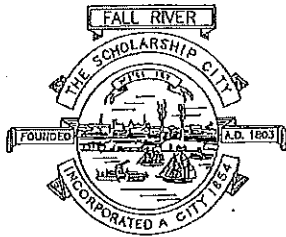
Madeline Coelho, Human Resources Director

Dated: 2-15-17



Joseph I. Macy, Corporation Counsel
Approved as to Form &

Dated: 2/15/17



City of Fall River
Massachusetts
Office of the Mayor

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RECEIVED

2017 FEB 15 P 4:39

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

February 15, 2017

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

Dear Honorable Council Members:

Attached is a Grant of Easement to Clover Leaf Mills LLC for your review and approval. Corporation Counsel Macy has reviewed and approved the document. This Easement grants Clover Leaf the right to pass and repass over City owned land.

Should you have any questions or concerns, please feel free to contact me.

Best Regards,

Jasiel F. Correia II
Mayor

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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

February 15, 2017

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

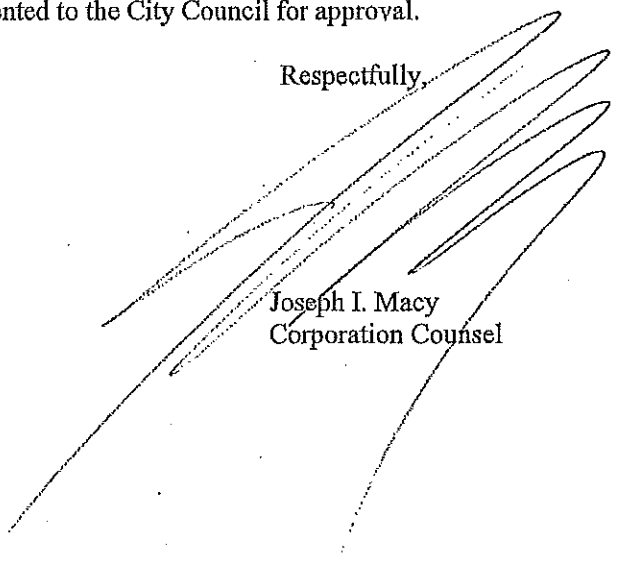
RE: Easement City to Clover Leaf Mills LLC

Dear Mayor Correia :

Attached is a grant of easement from the City of Fall River to Clover Leaf Mills LLC, allowing Clover Leaf to pass and repass over land controlled by the City. The granting of this easement will facilitate transportation to and from Clover Leaf's property and contribute to its' continued development. The land over which the easement is proposed has been previously taken by eminent domain. Therefore there will be no further cost to the City attendant to the granting of the easement.

I request this be presented to the City Council for approval.

Respectfully,



Joseph I. Macy
Corporation Counsel

GRANT OF EASEMENT

This Mutual Grant of Easement is made this day of January, 2017 by and between the City of Fall River, a municipal corporation duly existing under the laws of the Commonwealth of Massachusetts, One Government Center, Fall River, MA 02723 (hereinafter "the City") and Clover Leaf Mills, LLC, a Massachusetts Limited Liability Company, duly created and existing under the laws of the Commonwealth of Massachusetts, 275 Martine Street, Suite 101, Fall River, MA, 02723 (hereinafter "Clover Leaf")

Whereas, the City has previously determined that it was in the public interest to acquire easements in certain parcels of land in the City for the public recreational purpose of the construction, maintenance, operation of an alternative transportation facility for pedestrian and bicycle purposes within a linear park on said parcels of land, and for other municipal purposes reasonably related thereto; and

Whereas, on June 10, 2014, by Instruments of Taking recorded with the Bristol County (Fall River District) Registry of Deeds in Book 8496, Pages 97 & 98, the City did in fact, under the authority of Massachusetts General Laws Chapters 79 & 82 respectively, take by eminent domain, an easement to pass, repass, develop, maintain and operate an alternative transportation facility for pedestrian and bicycle purposes within a linear park, and for other municipal purposes reasonably related thereto, within, over and through the certain parcels of land located in the City of Fall River as shown plans recorded with said Registry in Plan Book 155, Page 78; and

Whereas, the Clover Leaf has requested that the City grant it an easement to pass and repass for all purposes for which a way may be used in the City of Fall River over a portion of said land taken for the above described purpose, but not currently actively occupied by the alternative transportation facility; and

Whereas, the City has agreed to grant Clover Leaf an easement under the terms and conditions set forth herein and Clover Leaf has agreed to accept an easement under such terms, and;

Whereas, the Clover Leaf has agreed to grant the City an easement for the installation and maintenance of municipal water and sanitary sewer lines over a portion of the Clover Leaf property under the terms and conditions set forth herein and City has agreed to accept an easement under such terms, and;

NOW, Therefore, in consideration of good and valuable consideration the sufficiency and receipt of which is hereby acknowledged the parties hereto agree as follow:

1. EASEMENT USES & PURPOSES:

The City hereby grants Clover Leaf a perpetual, non-exclusive easement, to construct and maintain, and pass and repass over a way for all purposes for which a way may be used in the City of Fall River, including the installation and maintenance of utilities, to access the Clover Leaf property on Fr. Devalles Boulevard, Fall River, MA more fully described in Certificate of Title # 5891 filed with the Fall River District of the Land Court from Brayton Avenue (hereinafter the Clover Leaf Easement").

1A. Clover Leaf agrees to grant the City, upon request by the City, a perpetual, non-exclusive easement, for the construction and maintenance of a municipal water and a sanitary sewer line over said property described in said Certificate of Title # 5891 to service the property now or formerly owned by Ruth Glicksman, Trustee and shown on Fall River Assessors Map 124, as Parcel 2, (hereinafter the Water & Sewer Easement").

2. CONSTRUCTION OF IMPROVEMENTS WITHIN THE EASEMENTS:

Clover Leaf shall be solely responsible for the cost of design of, obtaining necessary federal, state and local permits and approvals for, the construction of, and maintenance of said way within the Clover Leaf Easement. The City intends to assign its rights to construct and maintain municipal water and sanitary sewer lines granted hereunder to the current to future owner of the parcels shown on Fall River Assessors Map 124, Parcel 2 and said assignee, shall be solely responsible for the costs of design, obtaining necessary federal, state and local permits and approvals for, the construction of, and maintenance of said municipal water and/or sanitary sewer line within the Water & Sewer Easement.

3. PROPOSED LOCATION OF IMPROVEMENTS WITHIN THE EASEMENTS

The parties hereto acknowledge and agree that the anticipated improvements to be constructed within the easements granted herein are presently intended to be constructed in the locations shown on that certain plan entitled "Access/Utility Extension Plan" dated January 28, 2016 and prepared by SITEC, Inc. A copy of said plan is attached hereto as Exhibit "A" and incorporated herein.

The parties hereto acknowledge and agree that any revisions to said plan must be approved by the parties hereto, which approval shall not be unreasonable withheld.

4. EASEMENTS SUBSERVIENT TO RIGHTS OF THE COMMONWEALTH

The parties hereto acknowledge and agree that right to pass and repass over the Clover Leaf Easement is subject to the rights of the Commonwealth of Massachusetts to reactivate rail service

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over the Clover Leaf Easement. In the event said rail service is reactivated, then the rights granted to Clover Leaf hereunder shall terminate and Clover Leaf shall have no cause of action, at law or equity against the City of Fall River for any matter related to the grant of the Clover Leaf Easement or the termination of Clover Leaf's rights under said Easement.

5. EASEMENTS BIND ALL HEIRS, SUCCESSORS AND ASSIGNS AND RUN WITH THE LAND

The rights, agreements, covenants and easements herein granted and provided shall be rights, agreements, covenants and easement running with the land and shall inure to the benefit of and be binding upon the City and Clover Leaf and their respective successors and assigns, it being the intention of the parties hereto that the respective rights and obligations of the parties hereunder shall pass to subsequent owners upon the conveyance of the burdened premises and benefitted premises, and upon such conveyances, the then-current owners shall possess the rights and carry the burdens and obligations associated herewith, and the prior owners shall no longer possess such rights and shall be relieved from all such obligations.

In Witness Whereof, the parties hereto have set their hands and seals this day of January,

**CITY OF FALL RIVER
BY ITS MAYOR**

JASIEL F. CORREIA, II

**AS TO FORM & MANNER
CORPORATION COUNSEL**

JOSEPH MACY, ESQ.

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CLOVER LEAF MILLS, LLC
BY ITS MANAGER

Witness

ROBERT CARRIG

Commonwealth of Massachusetts

Bristol, ss

On this day of January, 2017, before me, the undersigned notary public, personally appeared Jasiel F. Correia, II, and such person acknowledged to me that he signed this document voluntarily for its stated purpose. The identity of such person was proved to me through satisfactory evidence of identification, which was ☐ photographic identification with signature issued by a federal or state governmental agency ☐ oath or affirmation of a credible witness, or ☐ personal knowledge of the undersigned.

Notary Public

My Commission expires:

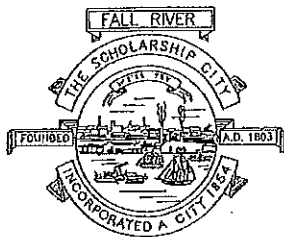
Commonwealth of Massachusetts

Bristol, ss

On this ☐ day of January, 2017, before me, the undersigned notary public, personally appeared Robert Carrig who acknowledged to me that they signed this document voluntarily for its stated purpose. The identity of said persons was proved to me through satisfactory evidence of identification, which was ☐ photographic identification with signature issued by a federal or state governmental agency, ☐ oath or affirmation of a credible witness, or ☐ personal knowledge of the undersigned.

Notary Public

My Commission expires:



City of Fall River
Massachusetts
Office of the Mayor

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2017 FEB 15 P 4:39

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

February 15, 2017

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

Dear Honorable Council Members:

Attached please find a letter from Superintendent Malone regarding the pursuit of Massachusetts School Building Authority funding for repairs at the James Tansey and Samuel Watson Elementary Schools. Your approval of the required Resolutions is respectfully requested.

Should you have any questions or concerns, please feel free to contact me.

Best Regards,

Jasiel F. Correia II
Mayor

FALL RIVER PUBLIC SCHOOLS

"The Scholarship City"

417 Rock Street, Fall River, MA 02720

Matthew H. Malone, Ph.D., Superintendent

February 15, 2017

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


Dear Honorable Council Members:

I am attaching herewith, for your consideration and approval, a request to submit two Statements of Interest for consideration in the Massachusetts School Building Authority's Accelerated Buildings Repair Program.

This program will allow for the replacement of windows, doors, and a boiler at the James Tansey Elementary School as one request. The second request will be for windows, doors, a boiler, and the entire roof replacement at the Samuel Watson Elementary School.

Thank you in advance for your consideration to this matter.

Sincerely,


Matthew H. Malone, Ph.D.
Superintendent of Schools

MHM/rlc

Attachments

RECEIVED
2017 FEB 15 P 3:32
CITY CLERK
FALL RIVER, MA

City of Fall River, *In City Council*

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BE IT RESOLVED, that having convened in an open meeting on February 21, 2017, prior to the closing date, the City Council of Fall River, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 8, 2017 for the James Tansey Elementary School located at 711 Ray Street, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future, replacement, renovation and modernization of the school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility, replacement of one steam boiler and the replacement of all windows within the facility and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Fall River School District to filing an application for funding with the Massachusetts School Building Authority.

City of Fall River, *In City Council*

8

BE IT RESOLVED, that having convened in an open meeting on February 21, 2017, prior to the closing date, the City Council of Fall River, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 8, 2017 for the Samuel Watson Elementary School located at 935 Eastern Avenue, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future, replacement, renovation and modernization of the school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility, replacement of one steam boiler, the removal and replacement of entire roof and the replacement of all windows within the facility and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Fall River School District to filing an application for funding with the Massachusetts School Building Authority.

Massachusetts School Building Authority

Next Steps to Finalize Submission of your FY 2017 Statement of Interest

Thank you for submitting your FY 2017 Statement of Interest (SOI) to the MSBA electronically. **Please note, the District's submission is not yet complete.** The District is required to print and mail a hard copy of the SOI to the MSBA along with the required supporting documentation, which is described below.

Each SOI has two Certification pages that must be signed by the Superintendent, the School Committee Chair, and the Chief Executive Officer*. Please make sure that both certifications contained in the SOI have been signed and dated by each of the specified parties and that the hardcopy SOI is submitted to the MSBA with **original signatures**.

SIGNATURES: Each SOI has two (2) Certification pages that must be signed by the District.

In some Districts, two of the required signatures may be that of the same person. If this is the case, please have that person sign in both locations. Please do not leave any of the signature lines blank or submit photocopied signatures, as your SOI will be incomplete.

**Local chief executive officer: In a city or town with a manager form of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated as the chief executive office under the provisions of a local charter.*

VOTES: Each SOI must be submitted with the proper vote documentation. This means that (1) the required governing bodies have voted to submit each SOI, (2) the specific vote language required by the MSBA has been used, and (3) the District has submitted a record of the vote in the format required by the MSBA.

- **School Committee Vote:** Submittal of all SOIs must be approved by a vote of the School Committee.
 - For documentation of the vote of the School Committee, Minutes of the School Committee meeting at which the vote was taken must be submitted with the original signature of the Committee Chairperson. The Minutes must contain the actual text of the vote taken which should be substantially the same as the MSBA's SOI vote language.
- **Municipal Body Vote:** SOIs that are submitted by cities and towns must be approved by a vote of the appropriate municipal body (e.g., City Council/ Aldermen/Board of Selectmen) in addition to a vote of the School Committee.
 - Regional School Districts do not need to submit a vote of the municipal body.
 - For the vote of the municipal governing body, a copy of the text of the vote, which shall be substantially the same as the MSBA's SOI vote language, must be submitted with a certification of the City/Town Clerk that the vote was taken and duly recorded, and the date of the vote must be provided.

CLOSED SCHOOLS: Districts must download the report from the "Closed School" tab, which can be found on the District Main page. Please print this report, which then must be signed by the Superintendent, the School Committee Chair, and the Chief Executive Officer. A signed report, with original signatures must be included with the District's hard copy SOI submittal. **If a District submits multiple SOIs, only one copy of the Closed School information is required.**

ADDITIONAL DOCUMENTATION FOR SOI PRIORITIES #1 AND #3: If a District selects Priority #1 and/or Priority #3, the District is required to submit additional documentation with its SOI.

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- If a District selects Priority #1, Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of the school children, where no alternative exists, the MSBA requires a hard copy of the engineering or other report detailing the nature and severity of the problem and a written professional opinion of how imminent the system failure is likely to manifest itself. The District also must submit photographs of the problematic building area or system to the MSBA.
- If a District selects Priority #3, Prevention of a loss of accreditation, the MSBA requires the full accreditation report(s) and any supporting correspondence between the District and the accrediting entity.

ADDITIONAL INFORMATION: In addition to the information required with the SOI hard copy submittal, the District may also provide any reports, pictures, or other information they feel will give the MSBA a better understanding of the issues identified at a facility.

If you have any questions about the SOI process please contact Diane Sullivan at 617-720-4466 or Diane.Sullivan@massschoolbuildings.org.

Massachusetts School Building Authority

School District Fall River

District Contact Kenneth C Pacheco TEL: (508) 675-8420

Name of School James Tansey

Submission Date 2/8/2017

SOI CERTIFICATION

To be eligible to submit a Statement of Interest (SOI), a district must certify the following:

- ☒ The district hereby acknowledges and agrees that this SOI is NOT an application for funding and that submission of this SOI in no way commits the MSBA to accept an application, approve an application, provide a grant or any other type of funding, or places any other obligation on the MSBA.
- ☒ The district hereby acknowledges that no district shall have any entitlement to funds from the MSBA, pursuant to M.G.L. c. 70B or the provisions of 963 CMR 2.00.
- ☒ The district hereby acknowledges that the provisions of 963 CMR 2.00 shall apply to the district and all projects for which the district is seeking and/or receiving funds for any portion of a municipally-owned or regionally-owned school facility from the MSBA pursuant to M.G.L. c. 70B.
- ☒ The district hereby acknowledges that this SOI is for one existing municipally-owned or regionally-owned public school facility in the district that is currently used or will be used to educate public PreK-12 students and that the facility for which the SOI is being submitted does not serve a solely early childhood or Pre-K student population.
- ☒ After the district completes and submits this SOI electronically, the district must sign the required certifications and submit one signed original hard copy of the SOI to the MSBA, with all of the required documentation described under the "Vote" tab, on or before the deadline.
- ☒ The district will schedule and hold a meeting at which the School Committee will vote, using the specific language contained in the "Vote" tab, to authorize the submission of this SOI. This is required for cities, towns, and regional school districts.
- ☒ Prior to the submission of the hard copy of the SOI, the district will schedule and hold a meeting at which the City Council/Board of Aldermen or Board of Selectmen/equivalent governing body will vote, using the specific language contained in the "Vote" tab, to authorize the submission of this SOI. This is not required for regional school districts.
- ☒ On or before the SOI deadline, the district will submit the minutes of the meeting at which the School Committee votes to authorize the Superintendent to submit this SOI. The District will use the MSBA's vote template and the vote will specifically reference the school and the priorities for which the SOI is being submitted. The minutes will be signed by the School Committee Chair. This is required for cities, towns, and regional school districts.
- ☒ The district has arranged with the City/Town Clerk to certify the vote of the City Council/Board of Aldermen or Board of Selectmen/equivalent governing body to authorize the Superintendent to submit this SOI. The district will use the MSBA's vote template and submit the full text of this vote, which will specifically reference the school and the priorities for which the SOI is being submitted, to the MSBA on or before the SOI deadline. This is not required for regional school districts.
- ☒ The district hereby acknowledges that this SOI submission will not be complete until the MSBA has received all of the required vote documentation and certification signatures in a format acceptable to the MSBA. If Priority 1 is selected, your Statement of Interest will not be considered complete unless and until you provide the required engineering (or other) report, a professional opinion regarding the problem, and photographs of the problematic area or system.

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Chief Executive Officer *	School Committee Chair	Superintendent of Schools
Jasiel F. Correia	Jasiel F. Correia	Matthew H. Malone
Mayor		
(signature)	(signature)	(signature)
Date	Date	Date

* Local chief executive officer: In a city or town with a manager form of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated to the chief executive office under the provisions of a local charter. Please note, in districts where the Superintendent is also the Local Chief Executive Officer, it is required for the same person to sign the Statement of Interest Certifications twice. Please do not leave any signature lines blank.

8

Massachusetts School Building Authority

School District Fall River

District Contact Kenneth C Pacheco TEL: (508) 675-8420

Name of School James Tansey

Submission Date 2/8/2017

Note

The following Priorities have been included in the Statement of Interest:

1. ☐ Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists.
2. ☐ Elimination of existing severe overcrowding.
3. ☐ Prevention of the loss of accreditation.
4. ☐ Prevention of severe overcrowding expected to result from increased enrollments.
5. ☒ Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility.
6. ☐ Short term enrollment growth.
7. ☐ Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.
8. ☐ Transition from court-ordered and approved racial balance school districts to walk-to, so-called, or other school districts.

SOI Vote Requirement

☒ I acknowledge that I have reviewed the MSBA's vote requirements for submitting an SOI which are set forth in the Vote Tab of this SOI. I understand that the MSBA requires votes from specific parties/governing bodies, in a specific format using the language provided by the MSBA. Further, I understand that the MSBA requires certified and signed vote documentation to be submitted with the SOI. I acknowledge that my SOI will not be considered complete and, therefore, will not be reviewed by the MSBA unless the required accompanying vote documentation is submitted to the satisfaction of the MSBA.

Potential Project Scope: Accelerated Repair
Windows/ Doors
Boiler

Is this SOI the District Priority SOI? YES

School name of the District Priority SOI: 2017 James Tansey

Is this part of a larger facilities plan? YES

If "YES", please provide the following:

Facilities Plan Date: 3/15/2017

Planning Firm: Collins Center for Public Management, U-Mass. Boston

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Please provide an overview of the plan including as much detail as necessary to describe the plan, its goals and how the school facility that is the subject of this SOI fits into that plan:

The Capital Improvement Plan is in the process of being developed by the Collins Center for Public Management, U-Mass, Boston. We are expecting a draft copy of this plan mid March 2017. The CPI which is currently being developed will include all properties controlled by the School district. It will be a comprehensive buildings and ground plan with a 5 year look ahead and will eventually become a ten year document. The draft plan includes window replacement, electrical & lighting upgrades, replacement of small air handler, replace oldest boiler and surrounding controls, valves and piping where necessary. Windows, some doors, one of the boilers, air handler and 50% of the electrical system is original. The District is committed to upgrading the remaining properties which have not be part of any constuction or reconstruction effort in the past. The City of Fall River along with Fall River Public Schools are extremely grateful for the relationship that we have with MSBA. The partnership with MSBA has allowed the City/School Ditriect to provide our students with state of the art buildings which has only enhanced the hard work provided by our staff. We are excited to be involved with MSBA on our new high school quest and we are looking forward to hopefully getting involved with the Accelerated Repair Program.

Please provide the current student to teacher ratios at the school facility that is the subject of this SOI: 27 students per teacher

Please provide the originally planned student to teacher ratios at the school facility that is the subject of this SOI: 25 students per teacher

Does the District have a Master Educational Plan that includes facility goals for this building and all school buildings in District? NO

Does the District have related report(s)/document(s) that detail its facilities, student configurations at each facility, and District operational budget information, both current and proposed? NO

If "NO", please note that:

If, based on the SOI review process, a facility rises to the level of need and urgency and is invited into the Eligibility Period, the District will need to provide to the MSBA a detailed Educational Plan for not only that facility, but all facilities in the District in order to move forward in the MSBA's school building construction process.

Is there overcrowding at the school facility? NO

If "YES", please describe in detail, including specific examples of the overcrowding.

Has the district had any recent teacher layoffs or reductions? YES

If "YES", how many teaching positions were affected? 21

At which schools in the district? Greene3 Letourneau1 Silvia2 Tansey1 Viveiros2 Kuss1, Talbot2 Durfee7 Spencer Borden1 SPED1

Please describe the types of teacher positions that were eliminated (e.g., art, math, science, physical education, etc.).

ELA; Social Studies, Interventionists, Tech Facilitator, Screenings, Math, SPED, Classroom Support,

Has the district had any recent staff layoffs or reductions? YES

If "YES", how many staff positions were affected? 24

At which schools in the district? Durfee 4 RPS 2 SS 1 Sped 2 Admin 2 Spencer Borden 4 Letourneau 1 F&O 6 Safety Officer 1 Tansey 1

Please describe the types of staff positions that were eliminated (e.g., guidance, administrative, maintenance, etc.).

Clerks, Para-Professionals, Vice Principal, Safety Officer, Carpenter, Custodians, Grant Manager, Redesign Coach, Attendance Officer, Guidance Counselor

Please provide a description of the program modifications as a consequence of these teacher and/or staff

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reductions, including the impact on district class sizes and curriculum.

The District layoffs and reductions produced a series of changes throughout the system some of which were felt by remaining faculty, administrators and staff and on a much smaller degree by students. The classroom teacher ranks remained the same, the changes happen mainly on the support staff side. The work load was distributed to remaining administrators and support staff which translates into less time per student support.

Please provide a detailed description of your most recent budget approval process including a description of any budget reductions and the impact of those reductions on the district's school facilities, class sizes, and educational program.

The District has started the process of Zero-Based Budgeting. The District's CFO developed templates for each school using a menu of options. The Superintendent held a senior staff meeting which engaged the staff to work on a mock budget, class size was determined and incoming enrollment estimations were provided. Staff members began building their mock budget from the bottom up. The session lasted approximately 2 1/2 hours. The trial run of this process provided the CFO with feedback on additional information that the Principal's may need to complete their budgets. Principal's meetings were scheduled to provide training, instill expectations and encourage out of the box thinking. The process will also extend to all support service budgets. The Budget process will continue for the next sixty days.

General Description

BRIEF BUILDING HISTORY: Please provide a detailed description of when the original building was built, and the date(s) and project scopes(s) of any additions and renovations (maximum of 5000 characters).

The James Tansey Elementary School, opened in 1952, is named for a prominent union leader, English by birth, who was elected the first President of the United Textile Workers Union at its founding in 1901. A trustee of the Durfee Textile Institute and tireless union leader, Tansey is credited with a major role in the General Court's adoption of the forty hour work week. He held his union post for fifty-five years and died at 88, one month before the Tansey School opened.

TOTAL BUILDING SQUARE FOOTAGE: Please provide the original building square footage PLUS the square footage of any additions.

26689

SITE DESCRIPTION: Please provide a detailed description of the current site and any known existing conditions that would impact a potential project at the site. Please note whether there are any other buildings, public or private, that share this current site with the school facility. What is the use(s) of this building(s)? (maximum of 5000 characters).

The School was erected in 1951 and was built on nine acres of land. The single story 21,289 square foot building contains eight classrooms, cafetorium/gym, storage areas, boys and girls restrooms, principal/administration office and kitchen area. In 1995 six modular classrooms were added on the south side of the building. In 2016 the modular classrooms were renovated. Concrete sidewalks immediately adjacent to the facility are in fair condition. The parking surface is in poor condition and will need resurfacing within the next five years. There is a play area within the u-shaped building configuration, this surface is asphalt and is in fair condition. there is approximately 3 acres of wooded area which is used as a nature trail.

ADDRESS OF FACILITY: Please type address, including number, street name and city/town, if available, or describe the location of the site. (Maximum of 300 characters)

James Tansey Elementary School
711 Ray Street
Fall River, MA 02720

The School is located in a residential neighborhood, Street access on the west, single family homes on north and south and east side is a wooded area which is adjacent to BMC Durfee High School.

BUILDING ENVELOPE: Please provide a detailed description of the building envelope, types of construction materials used, and any known problems or existing conditions (maximum of 5000 characters).

The building is slab on grade construction with the exception of the boiler/mechanical room which forms the basement in the center area of the school. The building has footings on the exterior walls, columns and interior walls which show no signs of settlement or damage. The main structure is block/brick with steel and concrete framing. Exterior doors are metal with upgraded hardware. The windows are steel framed single pane units and are original to the building.

Has there been a Major Repair or Replacement of the EXTERIOR WALLS? NO

Year of Last Major Repair or Replacement:(YYYY) 1951

Description of Last Major Repair or Replacement:

There has never been any major repairs to the exterior walls of this building.

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Roof Section A**Is the District seeking replacement of the Roof Section?** NO**Area of Section (square feet)** 21289**Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))**
pvc**Age of Section (number of years since the Roof was installed or replaced)** 5**Description of repairs, if applicable, in the last three years. Include year of repair:**
none**Window Section A****Is the District seeking replacement of the Windows Section?** YES**Windows in Section (count)** 98**Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))**

Windows are single pane with a steel frame, bottom and top of some windows are operable. This section consists of the following areas; hallways, classrooms, demensions are 66" x 44"

Age of Section (number of years since the Windows were installed or replaced) 66**Description of repairs, if applicable, in the last three years. Include year of repair:**

The repairs to this window section of this building has been limited to replacing broken glass. Painting of the exterior and interior trim is scheduled on a four year basis with repair to trim boards as needed. Wire mesh was installed over the windows along with security cameras to curb vandalism. Some of the windows don't open and those that are operational are extremely difficult to close.

Window Section B**Is the District seeking replacement of the Windows Section?** YES**Windows in Section (count)** 6**Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))**

Windows are single pane with a steel frame, bottom and top of some windows are operable. This section consists of the following areas; boys & girls restrooms, room 100. Window demensions are 48" X 40"

Age of Section (number of years since the Windows were installed or replaced) 66**Description of repairs, if applicable, in the last three years. Include year of repair:**

The repairs to this window section of the building has been limited to replacing broken glass. Painting of the interior and exterior trim is scheduled on a four year basis with repairs to trim boards as needed. Wire mesh was installed over the windows along with security cameras to curb vandalism. Some of the windows don't open and the ones that are operational are extremely difficult to close.

Window Section C**Is the District seeking replacement of the Windows Section?** YES**Windows in Section (count)** 8**Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))**

Windows are single pane with a steel frame, bottom and top of some windows are operable. This section consists of the following areas; Principals office, vice principals office. 40" X 64"

Age of Section (number of years since the Windows were installed or replaced) 66**Description of repairs, if applicable, in the last three years. Include year of repair:**

The repairs to this window section of the building has been limited to replacing broken glass broken glass. Painting the interior and exterior window trim is scheduled on a four year basis with repairs to trim boards as needed. Wire mesh was installed over the windows along with security cameras to curb vandalism. Some of the windows don't open and the ones that are operational are extremely difficut to close.

Window Section D**Is the District seeking replacement of the Windows Section?** YES**Windows in Section (count)** 7**Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))**

8

Windows are single pane with a steel frame, bottom and top of some windows are operational. This section consists of Kitchen & restroom, SAC room 48"X 48"

Age of Section (number of years since the Windows were installed or replaced) 66

Description of repairs, if applicable, in the last three years. Include year of repair:

The repairs to this window section of the building has been limited to replacing broken glass. Painting of the interior and exterior trim is scheduled on a four year basis with repairs to trim boards as needed. Wire mesh was installed over the windows along with security cameras to curb vandalism. Some of the windows don't open and the ones that are operational are extremely difficult to close.

Window Section E

Is the District seeking replacement of the Windows Section? YES

Windows in Section (count) 9

Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))

Windows are single pane with a steel frame, bottom and top of some windows are operational. This section consists of Gym & Cafeteria. 48" X 90"

Age of Section (number of years since the Windows were installed or replaced) 66

Description of repairs, if applicable, in the last three years. Include year of repair:

The repairs to this window section of the building has been limited to replacing broken glass. Painting of the interior and exterior trim is scheduled on a four year basis with repairs to trim boards as needed. Wire meshed was installed over the windows along with security cameras to curb vandalism. Some of the windows don't open and the ones that do are extremely difficult to close.

Window Section F

Is the District seeking replacement of the Windows Section? YES

Windows in Section (count) 8

Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))

Windows are single pane with a steel frame, bottom and top of some windows are operational. this section consists of Computer Lab 44" X 32"

Age of Section (number of years since the Windows were installed or replaced) 66

Description of repairs, if applicable, in the last three years. Include year of repair:

The repairs to this window section of the building has been limited to replacing broken glass. Painting of interior and exterior trim is scheduled on a four year basis with repairs to trim boards as needed. Wire mesh was installed over the windows along with security cameras to curb vandalism. some of the windows don't open and the ones that are operation are extremely difficult to close.

Window Section G

Is the District seeking replacement of the Windows Section? YES

Windows in Section (count) 17

Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))

Windows are single pane with a steel frame, bottom and top of some windows are operational. this section consists of classroom, faculty restroom & open area. 5 - 84"X 68", 10 - 96" X 44", 2 - 48" X 21"

Age of Section (number of years since the Windows were installed or replaced) 66

Description of repairs, if applicable, in the last three years. Include year of repair:

The repairs to this window section of the building has been limited to replacing broken glass. Painting of the interior and exterior trim is scheduled on a four year basis with repairs to trim boards as needed. Wire mesh was installed over the windows along with security cameras to curb vandalism. Some of the windows don't open and the ones that are operational are extremely difficult to close.

MECHANICAL and ELECTRICAL SYSTEMS: Please provide a detailed description of the current mechanical and electrical systems and any known problems or existing conditions (maximum of 5000 characters).

The building is heated by two Weil McLain 788 boilers, low pressure steam, natural gas boilers. The heating system is

pneumatically controlled. Ventilators distribute the heat within the classroom, both fan assisted and natural convection. The electrical system was original a 175 amp service which been upgraded several times. The upgrades were 225 and 200 amp respectfully. These new panels were added in 2008 to support a computer lab. There were other repairs over the years such as the replacement of receptacles and switches, upgrade on lighting. The lighting at Tansey is t-8's and t-12's fluorescent.

Boiler Section 1

Is the District seeking replacement of the Boiler? YES

Is there more than one boiler room in the School? YES

What percentage of the School is heated by the Boiler? 100

Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)

This Building was originally heated by two oil fired steam boilers. The boilers were converted to natural gas in the 80's. One boiler is 8 years old which is the main unit. The second boiler is 66 and is only used in emergencies.

Age of Boiler (number of years since the Boiler was installed or replaced) 66

Description of repairs, if applicable, in the last three years. Include year of repair:

boilers are cleaned each year, relief valves, controls limit switches, condensate pump motors and various repairs to piping system.

Has there been a Major Repair or Replacement of the HVAC SYSTEM? NO

Year of Last Major Repair or Replacement:(YYYY) 2008

Description of Last Major Repair or Replacement:

Boiler replacement.

Has there been a Major Repair or Replacement of the ELECTRICAL SERVICES AND DISTRIBUTION SYSTEM? YES

Year of Last Major Repair or Replacement:(YYYY) 2008

Description of Last Major Repair or Replacement:

The original electrical systems was 175 amps. There have been several upgrades to panels. 200 amp panel and also a 225 amp panel both of which are located in the mechanical room. One of the panels was installed to support a commuter lab. Receptacles and switches have been added or replace over the years. All lighting is T-8's, T-12's fluorescent.

BUILDING INTERIOR: Please provide a detailed description of the current building interior including a description of the flooring systems, finishes, ceilings, lighting, etc. (maximum of 5000 characters).

Floor finishes vary but in general they are 9"x9" or 12"x12" floor tiles. The ceilings within the building are a combination of 12"x12" acoustical tiles splined together, 24"x24" or 24"x48" acoustical tiles in a track system. The lighting in the entire building is fluorescent, surface mounted or drop in track. Interior partitions are glazed block, above block wall is a typical plastered painted wall. fire protection is limited to visual, audible, detectors and pull stations. there is no fire suppression system in this building.

PROGRAMS and OPERATIONS: Please provide a detailed description of the current programs offered and grades served, and indicate whether there are program components that cannot be offered due to facility constraints, operational constraints, etc. (maximum of 5000 characters).

Each day begins with class meeting, students and teacher engage in conversation, thoughts for the day and reflections. The course offerings are ELA, math, writing, science and social studies, physical education, enrichment/intervention. The Tansey Elementary is a 2 unit K-5 school with a current enrollment of 302 students. No programs are not being offered due to the deficiencies in this building.

CORE EDUCATIONAL SPACES: Please provide a detailed description of the Core Educational Spaces within the facility, a description of the number and sizes (in square feet) of classrooms, a description of science

rooms/labs including ages and most recent updates, a description of the cafeteria, gym and/or auditorium and a description of the media center/library (maximum of 5000 characters).

This building has 15 classrooms, a two unit school K-5 with classroom square footage of 890sq. ft. per room. The library and tech lab area is located in one of the modular classrooms. This area is 1,512 sq. ft. and is directly adjacent to other classroom space. Science is taught in the regular classroom while Art & Music is taught in a shared classroom. Special education pull out space utilizes a portion of the library. The gym area is also used for indoor recess and lunch.

CAPACITY and UTILIZATION: Please provide a detailed description of the current capacity and utilization of the school facility. If the school is overcrowded, please describe steps taken by the administration to address capacity issues. Please also describe in detail any spaces that have been converted from their intended use to be used as classroom space (maximum of 5000 characters).

The School is utilized as a K-5 two unit elementary school with a current enrollment of 302 students. Classrooms sizes range from as low as 21 to as high as 30 students. The school is designed in an "L" Shape with classes on only one side of the corridor, in the modular units classrooms are on both sides of the corridor. The original kindergarten classroom is now being used as a meeting room, pull out classroom and library.

MAINTENANCE and CAPITAL REPAIR: Please provide a detailed description of the district's current maintenance practices, its capital repair program, and the maintenance program in place at the facility that is the subject of this SOI. Please include specific examples of capital repair projects undertaken in the past, including any override or debt exclusion votes that were necessary (maximum of 5000 characters).

The District currently use a combination of school department employees and private contracted services to perform all maintenance needs. Contractors assist with medium to large repair projects. Preventive maintenance is covered in-house. In this facility the maintenance to masonry alone is time consuming and tedious work, limited resources make some of the necessary tasks nearly impossible. The repairs requested in this SOI will allow the District to concentrate on masonry, interior work such as floors, walls and ceilings, lighting and plumbing, which when divided into small projects can be completed with school department personnel.

Priority 5

Question 1: Please provide a detailed description of the issues surrounding the school facility systems (e.g., roof, windows, boilers, HVAC system, and/or electrical service and distribution system) that you are indicating require repair or replacement. Please describe all deficiencies to all systems in sufficient detail to explain the problem.

The Tansey Elementary School is heated by two Weil McLain #788 low pressure steam boilers. Boiler 1, Weil McLain #788 steam boiler with a Cyclonic Gas Burner was installed in 1952. Boiler 1 is the backup boiler which is the unit that will be replaced as part of this SOI application. Boiler 2, Weil McLain #788 steam boiler with a Powerflame Dual Fuel Burner was installed in 2008. Boiler 2 will become the backup unit for the facility.

The second portion of this SOI is a request to replace windows. The windows on the facility are original, steel frame with single pane glass. The windows are in poor condition, most of them are not operable, extremely drafty, lacking energy efficiency. The energy cost for this building is high.

Priority 5

Question 2: Please describe the measures the district has already taken to mitigate the problem/issues described in Question 1 above.

The district has replaced one of the two boilers at a cost of \$58,000 in 2008. The windows are maintained, new mechanisms are installed and glass is replaced on a regular basis. The lack of efficiency of the glass area is draining on the system, efforts to seal the openings with plastic to stop the drafts is a losing battle. The lack of operable windows in some classrooms and no air conditioning equate to an uncomfortable building in the spring, summer and early fall.

Priority 5

Question 3: Please provide a detailed explanation of the impact of the problem/issues described in Question 1 above on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.

The boilers at Tansey prior to replacing one unit were 1950's vintage. During a four year period from 2004 to 2008 numerous issues with no heat situations occurred, sometimes resulting in school closures or delayed start. The importance of a reliable redundancy system can not be overstated. The Lack of operable windows in some classrooms and no air conditioning becomes a deterrent for end of school year productivity and also beginning of year functionality not to mention all summer programs.

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Priority 5

Question 4: Please describe how addressing the school facility systems you identified in Question 1 above will extend the useful life of the facility that is the subject of this SOI and how it will improve your district's educational program.

The SOI request will replace all the windows and doors, a new boiler which will provide a solid foundation for future district funded improvements. The window replacement will change the appearance of the building, as with any improvements there is a new attitude which develops, from students, parents and staff, a sense of caring from the community towards the District. The window replacement will also have a significant effect on the energy usage at the facility, saving which can be used for direct student services.

Please also provide the following:

Have the systems identified above been examined by an engineer or other trained building professional?: NO

If "YES", please provide the name of the individual and his/her professional affiliation (maximum of 250 characters):

The date of the inspection:

A summary of the findings (maximum of 5000 characters):

8

REQUIRED FORM OF VOTE TO SUBMIT AN SOI

REQUIRED VOTES

If the SOI is being submitted by a City or Town, a vote in the following form is required from both the City Council/Board of Aldermen **OR** the Board of Selectmen/equivalent governing body **AND** the School Committee.

If the SOI is being submitted by a regional school district, a vote in the following form is required from the Regional School Committee only. **FORM OF VOTE** Please use the text below to prepare your City's, Town's or District's required vote(s).

FORM OF VOTE

Please use the text below to prepare your City's, Town's or District's required vote(s).

Resolved: Having convened in an open meeting on _____, prior to the closing date, the

[City Council/Board of Aldermen,

Board of Selectmen/Equivalent Governing Body/School Committee] Of _____ [City/Town], in

accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated _____ for the

[Name of School] located at

[Address] which

describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future

; [Insert a description of the priority(s) checked off

on the Statement of Interest Form and a brief description of the deficiency described therein for each priority]; and hereby further

specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

8

CERTIFICATIONS

The undersigned hereby certifies that, to the best of his/her knowledge, information and belief, the statements and information contained in this statement of Interest and attached hereto are true and accurate and that this Statement of Interest has been prepared under the direction of the district school committee and the undersigned is duly authorized to submit this Statement of Interest to the Massachusetts School Building Authority. The undersigned also hereby acknowledges and agrees to provide the Massachusetts School Building Authority, upon request by the Authority, any additional information relating to this Statement of Interest that may be required by the Authority.

Chief Executive Officer *	School Committee Chair	Superintendent of Schools
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Jasiel F. Correia	Jasiel F. Correia	Matthew H. Malone
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Mayor		
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(signature)	(signature)	(signature)
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Date	Date	Date
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* Local Chief Executive Officer: In a city or town with a manager form of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated to the chief executive office under the provisions of a local charter. Please note, in districts where the Superintendent is also the Local Chief Executive Officer, it is required for the same person to sign the Statement of Interest Certifications twice. Please do not leave any signature lines blank.

Massachusetts School Building Authority

Next Steps to Finalize Submission of your FY 2017 Statement of Interest

Thank you for submitting your FY 2017 Statement of Interest (SOI) to the MSBA electronically. **Please note, the District's submission is not yet complete.** The District is required to print and mail a hard copy of the SOI to the MSBA along with the required supporting documentation, which is described below.

Each SOI has two Certification pages that must be signed by the Superintendent, the School Committee Chair, and the Chief Executive Officer*. Please make sure that **both** certifications contained in the SOI have been signed and dated by each of the specified parties and that the hardcopy SOI is submitted to the MSBA with **original signatures**.

SIGNATURES: Each SOI has two (2) Certification pages that must be signed by the District.

In some Districts, two of the required signatures may be that of the same person. If this is the case, please have that person sign in both locations. Please do not leave any of the signature lines blank or submit photocopied signatures, as your SOI will be incomplete.

**Local chief executive officer: In a city or town with a manager form of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated as the chief executive office under the provisions of a local charter.*

VOTES: Each SOI must be submitted with the proper vote documentation. This means that (1) the required governing bodies have voted to submit each SOI, (2) the specific vote language required by the MSBA has been used, and (3) the District has submitted a record of the vote in the format required by the MSBA.

- **School Committee Vote:** Submittal of all SOIs must be approved by a vote of the School Committee.
 - For documentation of the vote of the School Committee, Minutes of the School Committee meeting at which the vote was taken must be submitted with the original signature of the Committee Chairperson. The Minutes must contain the actual text of the vote taken which should be substantially the same as the MSBA's SOI vote language.
- **Municipal Body Vote:** SOIs that are submitted by cities and towns must be approved by a vote of the appropriate municipal body (e.g., City Council/ Aldermen/Board of Selectmen) in addition to a vote of the School Committee.
 - Regional School Districts do not need to submit a vote of the municipal body.
 - For the vote of the municipal governing body, a copy of the text of the vote, which shall be substantially the same as the MSBA's SOI vote language, must be submitted with a certification of the City/Town Clerk that the vote was taken and duly recorded, and the date of the vote must be provided.

CLOSED SCHOOLS: Districts must download the report from the "Closed School" tab, which can be found on the District Main page. Please print this report, which then must be signed by the Superintendent, the School Committee Chair, and the Chief Executive Officer. A signed report, with original signatures must be included with the District's hard copy SOI submittal. **If a District submits multiple SOIs, only one copy of the Closed School information is required.**

ADDITIONAL DOCUMENTATION FOR SOI PRIORITIES #1 AND #3: If a District selects Priority #1 and/or Priority #3, the District is required to submit additional documentation with its SOI.

- If a District selects Priority #1, Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of the school children, where no alternative exists, the MSBA requires a hard copy of the engineering or other report detailing the nature and severity of the problem and a written professional opinion of how imminent the system failure is likely to manifest itself. The District also must submit photographs of the problematic building area or system to the MSBA.
- If a District selects Priority #3, Prevention of a loss of accreditation, the MSBA requires the full accreditation report(s) and any supporting correspondence between the District and the accrediting entity.

ADDITIONAL INFORMATION: In addition to the information required with the SOI hard copy submittal, the District may also provide any reports, pictures, or other information they feel will give the MSBA a better understanding of the issues identified at a facility.

If you have any questions about the SOI process please contact Diane Sullivan at 617-720-4466 or Diane.Sullivan@massschoolbuildings.org.

Massachusetts School Building Authority

School District Fall River

District Contact Kenneth C Pacheco TEL: (508) 675-8420

Name of School Samuel Watson

Submission Date 2/8/2017

SOI CERTIFICATION

To be eligible to submit a Statement of Interest (SOI), a district must certify the following:

- ☒ The district hereby acknowledges and agrees that this SOI is NOT an application for funding and that submission of this SOI in no way commits the MSBA to accept an application, approve an application, provide a grant or any other type of funding, or places any other obligation on the MSBA.
- ☒ The district hereby acknowledges that no district shall have any entitlement to funds from the MSBA, pursuant to M.G.L. c. 70B or the provisions of 963 CMR 2.00.
- ☒ The district hereby acknowledges that the provisions of 963 CMR 2.00 shall apply to the district and all projects for which the district is seeking and/or receiving funds for any portion of a municipally-owned or regionally-owned school facility from the MSBA pursuant to M.G.L. c. 70B.
- ☒ The district hereby acknowledges that this SOI is for one existing municipally-owned or regionally-owned public school facility in the district that is currently used or will be used to educate public PreK-12 students and that the facility for which the SOI is being submitted does not serve a solely early childhood or Pre-K student population.
- ☒ After the district completes and submits this SOI electronically, the district must sign the required certifications and submit one signed original hard copy of the SOI to the MSBA, with all of the required documentation described under the "Vote" tab, on or before the deadline.
- ☒ The district will schedule and hold a meeting at which the School Committee will vote, using the specific language contained in the "Vote" tab, to authorize the submission of this SOI. This is required for cities, towns, and regional school districts.
- ☒ Prior to the submission of the hard copy of the SOI, the district will schedule and hold a meeting at which the City Council/Board of Aldermen or Board of Selectmen/equivalent governing body will vote, using the specific language contained in the "Vote" tab, to authorize the submission of this SOI. This is not required for regional school districts.
- ☒ On or before the SOI deadline, the district will submit the minutes of the meeting at which the School Committee votes to authorize the Superintendent to submit this SOI. The District will use the MSBA's vote template and the vote will specifically reference the school and the priorities for which the SOI is being submitted. The minutes will be signed by the School Committee Chair. This is required for cities, towns, and regional school districts.
- ☒ The district has arranged with the City/Town Clerk to certify the vote of the City Council/Board of Aldermen or Board of Selectmen/equivalent governing body to authorize the Superintendent to submit this SOI. The district will use the MSBA's vote template and submit the full text of this vote, which will specifically reference the school and the priorities for which the SOI is being submitted, to the MSBA on or before the SOI deadline. This is not required for regional school districts.
- ☒ The district hereby acknowledges that this SOI submission will not be complete until the MSBA has received all of the required vote documentation and certification signatures in a format acceptable to the MSBA. If Priority 1 is selected, your Statement of Interest will not be considered complete unless and until you provide the required engineering (or other) report, a professional opinion regarding the problem, and photographs of the problematic area or system.

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Chief Executive Officer *	School Committee Chair	Superintendent of Schools
Jasiel F. Correia	Jasiel F. Correia	Matthew H. Malone

Mayor

(signature)	(signature)	(signature)
Date	Date	Date

* Local chief executive officer: In a city or town with a manager form of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated to the chief executive office under the provisions of a local charter. Please note, in districts where the Superintendent is also the Local Chief Executive Officer, it is required for the same person to sign the Statement of Interest Certifications twice. Please do not leave any signature lines blank.

Massachusetts School Building Authority

School District Fall River

District Contact Kenneth C Pacheco TEL: (508) 675-8420

Name of School Samuel Watson

Submission Date 2/8/2017

Note

The following Priorities have been included in the Statement of Interest:

1. ☐ Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists.
2. ☐ Elimination of existing severe overcrowding.
3. ☐ Prevention of the loss of accreditation.
4. ☐ Prevention of severe overcrowding expected to result from increased enrollments.
5. ☒ Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility.
6. ☐ Short term enrollment growth.
7. ☐ Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.
8. ☐ Transition from court-ordered and approved racial balance school districts to walk-to, so-called, or other school districts.

SOI Vote Requirement

☒ I acknowledge that I have reviewed the MSBA's vote requirements for submitting an SOI which are set forth in the Vote Tab of this SOI. I understand that the MSBA requires votes from specific parties/governing bodies, in a specific format using the language provided by the MSBA. Further, I understand that the MSBA requires certified and signed vote documentation to be submitted with the SOI. I acknowledge that my SOI will not be considered complete and, therefore, will not be reviewed by the MSBA unless the required accompanying vote documentation is submitted to the satisfaction of the MSBA.

Potential Project Scope: Accelerated Repair
Roof
Windows/ Doors
Boiler

Is this SOI the District Priority SOI? NO

School name of the District Priority SOI: 2017 James Tansey

Is this part of a larger facilities plan? YES

If "YES", please provide the following:

Facilities Plan Date: 3/15/2017

Planning Firm: Collins Center for Public Management

Please provide an overview of the plan including as much detail as necessary to describe the plan, its goals and how the school facility that is the subject of this SOI fits into that plan:

The Capital Improvement Plan is in the process of being developed by the Collins Center for Public Management, U-Mass, Boston. We are expecting a draft copy of this plan mid March 2017. The CPI which is currently being developed will include all properties controlled by the School district. It will be a comprehensive buildings and ground plan with a 5 year look ahead and will eventually become a ten year document. The draft plan includes window replacement, electrical & lighting upgrades, replace oldest boiler and surrounding controls, valves and piping where necessary. Windows, some doors, one of the boilers, air handler and 50% of the electrical system is original. The District is committed to upgrading the remaining properties which have not be part of any construction or reconstruction effort in the past. The City of Fall River along with Fall River Public Schools are extremely grateful for the relationship that we have with MSBA. The partnership with MSBA has allowed the City/School District to provide our students with state of the art buildings which has only enhanced the hard work provided by our staff. we are excited to be involved with MSBA on our new high school quest and we are looking forward to hopefully getting involved with the Accelerated Repair Program.

Please provide the current student to teacher ratios at the school facility that is the subject of this SOI: 27 students per teacher

Please provide the originally planned student to teacher ratios at the school facility that is the subject of this SOI: 25 students per teacher

Does the District have a Master Educational Plan that includes facility goals for this building and all school buildings in District? NO

Does the District have related report(s)/document(s) that detail its facilities, student configurations at each facility, and District operational budget information, both current and proposed? NO

If "NO", please note that:

If, based on the SOI review process, a facility rises to the level of need and urgency and is invited into the Eligibility Period, the District will need to provide to the MSBA a detailed Educational Plan for not only that facility, but all facilities in the District in order to move forward in the MSBA's school building construction process.

Is there overcrowding at the school facility? NO

If "YES", please describe in detail, including specific examples of the overcrowding.

Has the district had any recent teacher layoffs or reductions? YES

If "YES", how many teaching positions were affected? 21

At which schools in the district? Greene3 Letourneau1 Silvia2 Tansey1 Viveiros2 Kuss1, Talbot2 Durfee7 Spencer Borden1 SPED1.

Please describe the types of teacher positions that were eliminated (e.g., art, math, science, physical education, etc.).

ELA, Social Studies, Interventionists, Tech Facilitator, Screenings, Math, SPED, Classroom Support,

Has the district had any recent staff layoffs or reductions? YES

If "YES", how many staff positions were affected? 24

At which schools in the district? Durfee 4 RPS 2 SS 1 Sped 2 Admin 2 Spencer Borden 4 Letourneau 1 F&O 6 Safety Officer 1 Tansey 1

Please describe the types of staff positions that were eliminated (e.g., guidance, administrative, maintenance, etc.).

Clerks, Para-Professionals, Vice Principal, Safety Officer, Carpenter, Custodians, Grant Manager, Redesign Coach, Attendance Officer, Guidance Counselor

Please provide a description of the program modifications as a consequence of these teacher and/or staff reductions, including the impact on district class sizes and curriculum.

The Districts layoffs and reductions produced a series of changes throughout the system some of which were felt by remaining faculty, administrators and staff and on a much smaller degree by students. The classroom teacher ranks remained the same, the changes happen mainly on the support staff side. The work load was distributed to remaining administrators and support staff which translates into less time per student support.

Please provide a detailed description of your most recent budget approval process including a description of any budget reductions and the impact of those reductions on the district's school facilities, class sizes, and educational program.

The District has started the process of Zero-Based Budgeting. The District's CFO developed templates for each school using a menu of options. The Superintendent held a senior staff meeting which engaged the staff to work on a mock budget, class size was determined and incoming enrollment estimations were provided. Staff members began building their mock budget from the bottom up. The session lasted approximately 2 1/2 hours. The trial run of this process provided the CFO with feedback on additional information that the principals may need to complete their budgets. Principal meetings were scheduled to provide training, instill expectations and encourage "out of box" thinking. The process will also extend to all support service budgets. The Budget process will extend for the next 60 days.

General Description

BRIEF BUILDING HISTORY: Please provide a detailed description of when the original building was built, and the date(s) and project scopes(s) of any additions and renovations (maximum of 5000 characters).

The building opened in 1905, the Samuel Watson School was named for an English immigrant whose career rose with the textile industry. After working a decade as a mill hand, Watson opened a succession of companies. His first was a cordage company which he maintained while managing a group of prominent textile mills. A victim of ill health, primarily of his overworking, Watson returned to England for several recuperative visits. A generous benefactor, Watson donated the chimes which rang from the old city hall and an endowment for scholastic achievement. There was an addition to the building in 1923.

TOTAL BUILDING SQUARE FOOTAGE: Please provide the original building square footage PLUS the square footage of any additions.

45332

SITE DESCRIPTION: Please provide a detailed description of the current site and any known existing conditions that would impact a potential project at the site. Please note whether there are any other buildings, public or private, that share this current site with the school facility. What is the use(s) of this building(s)? (maximum of 5000 characters).

The concrete sidewalks around the school are in fair condition. The parking and playground surface on the west side of the school are in fair condition, not in need of immediate attention. There is a well maintained grass area and garden located on the east side of the building.

ADDRESS OF FACILITY: Please type address, including number, street name and city/town, if available, or describe the location of the site. (Maximum of 300 characters)

Samuel Watson Elementary School
935 Eastern Avenue
Fall River, MA

BUILDING ENVELOPE: Please provide a detailed description of the building envelope, types of construction materials used, and any known problems or existing conditions (maximum of 5000 characters).

The buildings first floor is sub-grade with a basement consisting of the schools boiler/mechanical room. The building has footing on exterior walls with columns and interior walls that show no signs of settlement and damages. The main structure is masonry/brick with steel and wood framing. Exterior doors are metal with upgraded hardware. The windows are aluminum framed double pane. Most of the windows are completely clouded. Windows are in fair condition for weather tightness but are in very poor condition for ventilation and operability.

Has there been a Major Repair or Replacement of the EXTERIOR WALLS? YES

Year of Last Major Repair or Replacement:(YYYY) 1978

Description of Last Major Repair or Replacement:

Approximately 90 percent of the windows were replaced in the late 70's early 80's. Some of the exterior doors were also replaced, along with door hardware on others.

Roof Section A

Is the District seeking replacement of the Roof Section? YES

Area of Section (square feet) 11400

Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))

The roof is a tar & gravel roof with multiple penetrations

Age of Section (number of years since the Roof was installed or replaced) 40

Description of repairs, if applicable, in the last three years. Include year of repair:

The original roof was tar and gravel. With the exception of the first replacement due to an addition in 1923, roofs have been replaced on an average of every thirty years. The last replacement was approximately 1976

Window Section A

Is the District seeking replacement of the Windows Section? YES

Windows in Section (count) 87

Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))

The windows are double hung, double pain. Around 85 percent of the windows have blown seals and fogged.

Approximately 75 percent of the windows are not operable. 81 - 68" X 42", 6 - 56" X 44"

Age of Section (number of years since the Windows were installed or replaced) 35

Description of repairs, if applicable, in the last three years. Include year of repair:

The hardware has been replaced on numerous windows, repairs to broken glass is handled as routine maintenance.

Window Section B

Is the District seeking replacement of the Windows Section? YES

Windows in Section (count) 12

Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))

The windows are double hung, double pain. Around 85 percent of the windows have blown seals and fogged.

Approximately 75 percent of the windows are not operable. 64" X 42" stairways

Age of Section (number of years since the Windows were installed or replaced) 35

Description of repairs, if applicable, in the last three years. Include year of repair:

The hardware has been replaced on numerous windows, repairs to broken glass is handled as routine maintenance.

Window Section C

Is the District seeking replacement of the Windows Section? YES

Windows in Section (count) 33

Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))

The windows are double hung, double pain. Around 85 percent of the windows have blown seals and fogged.

Approximately 75 percent of the windows are not operable. 5 - 78" X 48", 12 - 48" X 24", 7 - 48" X 48", 6 - 44" X 48", 3 - 54" X 48",

Age of Section (number of years since the Windows were installed or replaced) 35

Description of repairs, if applicable, in the last three years. Include year of repair:

The hardware has been replaced on numerous windows, repairs to broken glass is handled as routine maintenance

Window Section D

Is the District seeking replacement of the Windows Section?

Windows in Section (count)

Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))

Age of Section (number of years since the Windows were installed or replaced)

Description of repairs, if applicable, in the last three years. Include year of repair:

MECHANICAL and ELECTRICAL SYSTEMS: Please provide a detailed description of the current mechanical and electrical systems and any known problems or existing conditions (maximum of 5000 characters).

The building is heated by two Weil McLain 788 boilers, low pressure steam, natural gas boilers. The heating system is pneumatically controlled. Cast iron radiators distribute the heat within the classroom, coupled with serpentine piping configurations. The original electrical system was 300 amp service with a 200 amp upgrade. There have been other repairs over the years such as the replacement of receptacles and switches, upgrade on lighting. The lighting at Watson is t-8's and

t-12's fluorescent.

Boiler Section 1

Is the District seeking replacement of the Boiler? YES

Is there more than one boiler room in the School? YES

What percentage of the School is heated by the Boiler? 100

Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)

This building was originally heated by two oil fired boilers. The Boilers are gas fired steam, One boiler is 8 years old which is the main unit. The second boiler is 26 and is only used in emergencies. There is also boiler # 3 non-operational

Age of Boiler (number of years since the Boiler was installed or replaced) 26

Description of repairs, if applicable, in the last three years. Include year of repair:

Boilers are cleaned each year, relief valves, controls limit switches, condensate pump motors and various repairs to piping system.

Has there been a Major Repair or Replacement of the HVAC SYSTEM? NO

Year of Last Major Repair or Replacement:(YYYY) 2008

Description of Last Major Repair or Replacement:

Boiler replacement in 2008, valves fittings, expansion tank, condensate pump and chamber have all be replaced or repaired multiple times.

Has there been a Major Repair or Replacement of the ELECTRICAL SERVICES AND DISTRIBUTION SYSTEM? YES

Year of Last Major Repair or Replacement:(YYYY) 1994

Description of Last Major Repair or Replacement:

The original electrical systems was 300 amps. There was a 200 amp panel added. Receptacles and switches have been added or replace over the years. All lighting is T-8's, T-12's fluorescent. Th schoolhas had ligting upgrades in hallways and corridors.

BUILDING INTERIOR: Please provide a detailed description of the current building interior including a description of the flooring systems, finishes, ceilings, lighting, etc. (maximum of 5000 characters).

The flooring in this building is Maple hardwood in good condition. The ceilings within the building are 24"x24" or 24"x48" acoustical tiles in a track system. The lighting in the entire building is fluorescent, surface mounted or drop in track. Interior partitions are typical plastered painted wall, above wainscot lower sections. Fire protection is limited to visual, audible, detectors and pull stations. there is no fire suppression system in this building. The building does have a 3" fire riser on each floor with a fire hose attached.

PROGRAMS and OPERATIONS: Please provide a detailed description of the current programs offered and grades served, and indicate whether there are program components that cannot be offered due to facility constraints, operational constraints, etc. (maximum of 5000 characters).

Each day begins with class meeting, students and teacher engage in conversation, thoughts for the day and reflections. The course offerings are ELA, math, writing, science and social studies, physical education, enrichment/intervention. The Watson Elementary is a 2 unit K-5 school with a current enrollment of 306 students. No programs are not being offered because of the deficiencies in the building.

CORE EDUCATIONAL SPACES: Please provide a detailed description of the Core Educational Spaces within the facility, a description of the number and sizes (in square feet) of classrooms, a description of science rooms/labs including ages and most recent updates, a description of the cafeteria, gym and/or auditorium and a description of the media center/library (maximum of 5000 characters).

This building contains 17 classrooms, 900sq. Ft. each. The facility does not have a Science lab, but science as with other subject matter is taught in the classroom. Music and some art classes are held in the library and cafeteria. The library and

8

special education pull out space is a shared classroom. The gym is also used as an in door recess area.

CAPACITY and UTILIZATION: Please provide a detailed description of the current capacity and utilization of the school facility. If the school is overcrowded, please describe steps taken by the administration to address capacity issues. Please also describe in detail any spaces that have been converted from their intended use to be used as classroom space (maximum of 5000 characters).

The School is utilized as a K-5 two unit elementary school with a current enrollment of 306 students. Classrooms sizes range from as low as 21 to as high as 28 students. The school is a four story building with classes on both side of the corridor. The basement of the building comprises the boiler room. The first floor contains the cafeteria which house 100 plus students, a 35 X 33 room which serves as a gym, boys and girls restrooms and a custodian room. The second floor contains five classrooms, the principals office and the nurses office. The third floor contains four classrooms, a copy center and the library. The fourth floor contains 5 classrooms.

MAINTENANCE and CAPITAL REPAIR: Please provide a detailed description of the district's current maintenance practices, its capital repair program, and the maintenance program in place at the facility that is the subject of this SOI. Please include specific examples of capital repair projects undertaken in the past, including any override or debt exclusion votes that were necessary (maximum of 5000 characters).

The District currently use a combination of school department employees and private contracted services to perform all maintenance needs. Contractors assist with medium to large repair projects. Preventive maintenance is covered inhouse. In this facility and others built before the 1950's the maintenance to masonry alone is time consuming and tedeous work, limited resouces make some of the necessary tasks nearly impossible. The repairs requested in this SOI will allow the District to concetratre on masonry, interior work such as floors, walls and ceilings, lighting and plumbing, which when divided into small projects can be completed with school Department personnal.

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Priority 5

Question 1: Please provide a detailed description of the issues surrounding the school facility systems (e.g., roof, windows, boilers, HVAC system, and/or electrical service and distribution system) that you are indicating require repair or replacement. Please describe all deficiencies to all systems in sufficient detail to explain the problem.

The Watson Elementary School is heated by one Weil McLain #1188 10-section 2.1 million BTU steam boiler which is 26 years old, one Weil McLain #1188 10-section 2.45 million BTU steam boiler which is 6 years old. The SOI request is to replace the 26 year old boiler and retain the 6 year old boiler as the back up unit.

The second portion of the SOI request is for the replacement of all windows and doors. The current windows are double hung, double pane, the majority of the windows are clouded and are inoperable. The classrooms lack sunlight and are extremely warm and uncomfortable due to the clouded glass. The windows have been repaired repeatedly. The difference a clear glass, energy efficient window would make to the classroom atmosphere is incredible. The energy savings capture will allow needed dollars to reach direct student services.

The third portion of the SOI is to replace a 40 year old tar and gravel roof which has been repaired continuously. the roof would be replaced with a PVC membrane, remove and replace all flashing.

8

Priority 5

Question 2: Please describe the measures the district has already taken to mitigate the problem/issues described in Question 1 above.

The district has replaced one of the boilers in 2008. The windows are constantly repaired, weather stripping and opening hardware has been replaced in all the windows at least twice. The tar and gravel roof has been repaired continuously, some areas have had continuous issues work to prevent water infiltration.

Priority 5

Question 3: Please provide a detailed explanation of the impact of the problem/issues described in Question 1 above on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.

This facility, prior to the replace of the a boiler in 2008 experienced a moderate amount of boiler shutdowns, misfires and delayed starts. The district has a redundancy system in all of the buildings which insures comfortable systems even when a boiler fails. The roof situation creates a nuisance and costly cleanups after even minor rain or snow events disrupting classroom activities. The window issues create a less than desirable environment within the classroom, the natural effect of sunlight is not available to the students and staff.

Priority 5

Question 4: Please describe how addressing the school facility systems you identified in Question 1 above will extend the useful life of the facility that is the subject of this SOI and how it will improve your district's educational program.

The roof replacement is paramount to preserving the structural integrity of the building. Water infiltration from a failed roof system will, in time cause structural damage which could render the building unusable. The heating system in any building is key to operational comfort. The windows will provide a healthy environment by allowing natural sunlight in the classrooms and much needed fresh air changes to the building.

Please also provide the following:

Have the systems identified above been examined by an engineer or other trained building professional?:

NO

If "YES", please provide the name of the individual and his/her professional affiliation (maximum of 250 characters):

The date of the inspection:

A summary of the findings (maximum of 5000 characters):

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REQUIRED FORM OF VOTE TO SUBMIT AN SOI

REQUIRED VOTES

If the SOI is being submitted by a City or Town, a vote in the following form is required from both the City Council/Board of Aldermen **OR** the Board of Selectmen/equivalent governing body **AND** the School Committee.

If the SOI is being submitted by a regional school district, a vote in the following form is required from the Regional School Committee only. **FORM OF VOTE** Please use the text below to prepare your City's, Town's or District's required vote(s).

FORM OF VOTE

Please use the text below to prepare your City's, Town's or District's required vote(s).

Resolved: Having convened in an open meeting on _____, prior to the closing date, the _____ [City Council/Board of Aldermen, Board of Selectmen/Equivalent Governing Body/School Committee] of _____ [City/Town], in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated _____ for the _____ [Name of School] located at _____ [Address] which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future

_____; [Insert a description of the priority(s) checked off on the Statement of Interest Form and a brief description of the deficiency described therein for each priority]; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

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CERTIFICATIONS

The undersigned hereby certifies that, to the best of his/her knowledge, information and belief, the statements and information contained in this statement of Interest and attached hereto are true and accurate and that this Statement of Interest has been prepared under the direction of the district school committee and the undersigned is duly authorized to submit this Statement of Interest to the Massachusetts School Building Authority. The undersigned also hereby acknowledges and agrees to provide the Massachusetts School Building Authority, upon request by the Authority, any additional information relating to this Statement of Interest that may be required by the Authority.

Chief Executive Officer *	School Committee Chair	Superintendent of Schools
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Jasiel F. Correia	Jasiel F. Correia	Matthew H. Malone
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Mayor		
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(signature)	(signature)	(signature)
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Date	Date	Date
------	------	------

* Local Chief Executive Officer: In a city or town with a manager form of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated to the chief executive office under the provisions of a local charter. Please note, in districts where the Superintendent is also the Local Chief Executive Officer, it is required for the same person to sign the Statement of Interest Certifications twice. Please do not leave any signature lines blank.



**City of Fall River
Massachusetts**

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

Planning Division

RECEIVED

2017 FEB -8 P 4: 17

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA, II
Mayor

HENRY R. VAILLANCOURT MD, MPH
Director
Department of Community Services

WILLIAM G. KENNEY
City Planner

February 8, 2017

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

RE: Recommendation Regarding Naming of Soccer Field at Travassos Park

Dear Councilors:

At the request of the City Council and pursuant to Section 66-186€ of the Revised Ordinances of the City of Fall River, the Planning Board conducted a public hearing on Tuesday, February 7, 2017, to consider whether to recommend approval of a request submitted by the Flint Neighborhood Association to dedicate the soccer field at Travassos Park in honor of/to the memory of the Ponta Delgada Soccer Club.

In advance of the public hearing, research determined that this field is owned by the City of Fall River and has not been previously dedicated to or named in honor of or in memory of any other individual, organization or historical event.

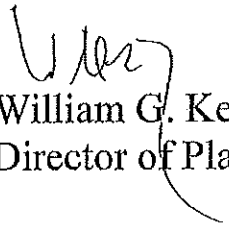
9

At the public hearing, Mr. Carlos Caesar spoke in support of the request on behalf of the Flint Neighborhood Association and explained the historical significance of the Ponta Delgada Soccer Club.

At the conclusion of the public hearing, it was unanimously vote to recommend to the City Council that the soccer field at Travassos Park be dedicated to/named in honor of/in memory of the Ponta Delgada Soccer Club.

A copy of this letter has been mailed to the Flint Neighborhood Association, ATTN.: Mr. Carlos Cesar, 367 Frost Street, Fall River, MA 02721.

Respectfully submitted,


William G. Kenney
Director of Planning

RECEIVED
2011 FEB -8 P 4:17
CITY CLERK
FALL RIVER, MA

ORDERED, that the soccer field located at Father Travassos Park be dedicated to/named in honor of the Ponta Delgada Soccer Club.

Flint Neighborhood Association

Since 1990

9
RECEIVED

2016 DEC 13 P 2:49

CITY CLERK
FALL RIVER, MA

December 12, 2016

Attention City Council members.

The Flint neighborhood Association, would like to request the permission to dedicate the Soccer Field at Travasso's Park on Alden St. after a very recognized Soccer team that made so much history back on the years 40s and 50s,

Our organization got blown away when we found out about "The Ponta Delgada Soccer Club" and how much they give back to our city of Fall River.

If you not familiar with "The Ponta Delgada Soccer Club" we add a second page on this request with they story.

Thank You for your attention and consideration into this request.

Flint Neighborhood Association Board
CITY OF FALL RIVER
IN CITY COUNCIL

DEC 27 2016

Referred to the
Planning Board

C. Planck Bld - 12-29-16



Ponta Delgada Soccer Club, also referred to as Fall River Ponta Delgada, was a United States soccer club, based in Fall River, Massachusetts. The club was formed by members of the city's Portuguese community and shared its name with Ponta Delgada, the capital city of the Azores, an autonomous region of Portugal. During the 1930s, 1940s and 1950s they were one of the most successful amateur teams in the United States, winning the National Amateur Cup six times. In 1947 they won the first-ever National Challenge Cup / National Amateur Cup double. The same year their entire squad was selected en masse to represent the United States at the inaugural North American soccer championship.[1] Between 1951 and 1953 they also played in the American Soccer League. They played some home games at Mark's Stadium in North-Tiverton, Rhode Island, previously the home of Fall River Marksmen. Like the Marksmen, they did this to avoid the Massachusetts Blue Laws that prevented them from playing Sunday games.[2]

Ponta Delgada first came to national attention when they won the National Amateur Cup in 1938, beating Pittsburgh Heidelberg 2-1 in the final on May 1.[3] However, it was during the 1940s and 1950s, inspired by the unrelated John Souza and Ed Souza, that the club enjoyed its golden era. They won the Amateur Cup three times in a row between 1946 and 1948 and then again in 1950 and 1953. They also reached three National Challenge Cup finals, winning the competition in 1947.[4][5]

In July 1946 Ponta Delgada played in the finals of both the Challenge Cup and the Amateur Cup. On July 7 they played Chicago Vikings at Mark's Stadium holding them to 1-1 draw. However, on July 14 at Comiskey Park they lost the return game 2-1. On July 21 they gained some consolation when beat Castle Shannon of Pittsburgh 5-2 in the final of the Amateur Cup.[6] In 1947 Ponta Delgada again reached the final of both competitions, and this time they won the first ever Challenge Cup/Amateur Cup double. On May 24 in the Amateur final, Ed Souza scored five goals as they beat St. Louis Carondelets 10-1. This should have been the first leg of a two game series but a second game was never played. On August 31, in the first leg of the Challenge final, they defeated Chicago Sparta 6-1 at home with Ed Souza scoring another two goals. Joe Ferreira, Ed Valentine, and John Souza also scored that day. On September 7 they completed the double when they won the away leg 3-2 with goals from Valentine, Ferreira and Jim Delgado.[1][7][8] In 1948 they completed another double when they won both the National Soccer League of New England and their third Amateur Cup in three years after beating Pittsburgh Curry Vets 4-1 in the final on May 23.[9]

In 1950 Ponta Delgada once again reached the finals of both the Challenge Cup and the Amateur Cup. On April 22 in the first leg of the Challenge final they lost 2-0 to St. Louis Simpkins-Ford. Then on May 7 they held them to a 1-1 draw with Ed Souza once again on the score sheet. However the St. Louis club won the competition on aggregate. On May 15 in the Amateur final they lost the first-leg 1-0 to Pittsburgh Harmarville but on May 21 they won their fifth Amateur title when they won the return game 4-1. This time Ed Souza scored a hat-trick. The 1951-52 and 1952-53 seasons saw Ponta Delgada join the American Soccer League, playing in the New England Division together with Fall River S.C.. In 1953 they

were division champions, narrowly finishing above second placed Ludlow Lusitano. On May 2, 1953 they completed a league and cup double when Ed Souza scored both goals in a 2-0 win against Chicago Slovaks in the Amateur Cup final.[10][11]

In 1947, after Ponta Delgada won the National Challenge Cup / National Amateur Cup double, the team was selected en masse to represent the United States at the North American soccer championship where they played against Mexico and the host team, Cuba. Despite their cup successes at home, they lost 5-0 and 5-2 respectively. Although representing their national team, Ponta Delgada had to pay for the trip themselves.[1][12]

Several players in the Ponta Delgada team went on to become established members of the national team. Joseph Rego-Costa captained the United States at the 1948 Summer Olympics. This team included Manuel Martin, Joe Ferreira, Ed Souza, and John Souza.[13] Both Ed Souza and John Souza also played in the 1950 World Cup, including the 1-0 win against England.[2][12][14]

10



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

RECEIVED

2017 FEB 14 A 11:47

CITY CLERK _____
FALL RIVER, MA

Planning Division

JASIEL F. CORREIA, II
Mayor

HENRY R. VAILLANCOURT MD, MPH
Director
Department of Community Services

WILLIAM G. KENNEY
City Planner

February 8, 2017

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

RE: Recommendation Regarding Dedication of a Proposed Veterans
Monument at Travassos Park

Dear Councilors:

At the request of the City Council and pursuant to Section 66-186(E) of the Revised Ordinances of the City of Fall River, the Planning Board conducted a Public hearing on Tuesday, February 7, 2017, to consider whether to recommend approval of a request submitted by the Flint Neighborhood Association to dedicate a proposed monument to be established at the former entrance to Travassos Park in honor of/to the memory of Veterans lost from the Flint Neighborhood since the September 11 attacks on the World Trade Center In New York City (said former entrance being located at the junction of Alden And Boutwell Streets).

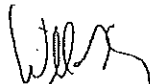
In advance of the public hearing, research determined that this location is owned by the City of Fall River and has not been previously dedicated to or named in honor of or in memory of any other individual, organization or historical event.

At the public hearing, Mr. Carlos Caesar spoke in support of the request on behalf of the Flint Neighborhood Association and explained that he has discussed this proposal with the City's Veterans' Agent, Mr. Hague, and that he is in agreement with the proposal and will be involved approval of final design and placement of any monument.

At the conclusion of the public hearing, it was unanimously vote to recommend to the City Council that the proposed monument to be established at the former entrance to Travassos Park be dedicated in honor of/to the memory of Veterans lost from the Flint Neighborhood since the September 11 attacks on the World Trade Center in New York City.

A copy of this letter has been mailed to the Flint Neighborhood Association, ATTN.: Mr. Carlos Cesar, 367 Frost Street, Fall River, MA 02721.

Respectfully submitted,



William G. Kenney
Director of Planning

City of Fall River, *In City Council*

10

ORDERED, that a Veterans' Monument be established at the former entrance of Father Travassos Park located on Alden Street.

Flint Neighborhood Association

Since 1990

10

RECEIVED

2016 DEC 21 A 11:22

CITY CLERK
FALL RIVER, MA

December 12, 2016

Attention City Councils Members:

The Flint Neighborhood Association, would like to request, support and permission of this City Council to establish a dedication monument for the Veterans we lost from our Neighborhood since 9/11.

The location we are looking for is the old entrance to Travassos Park on Alden St.

We were informed by the Park Board to submit our request regarding our intention to the City Clerk's office in accordance with City Ordinance 66-186.

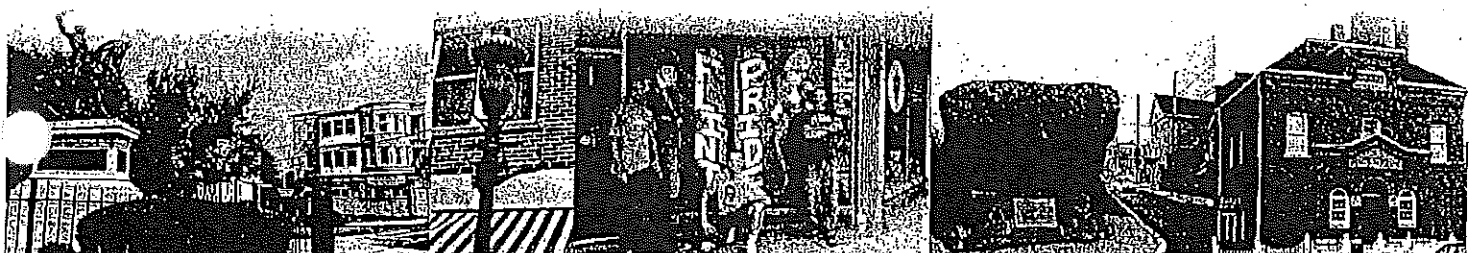
Thank You for your attention and consideration into this request.

Flint Neighborhood Association Board

CITY OF FALL RIVER
IN CITY COUNCIL
DEC 27 2016

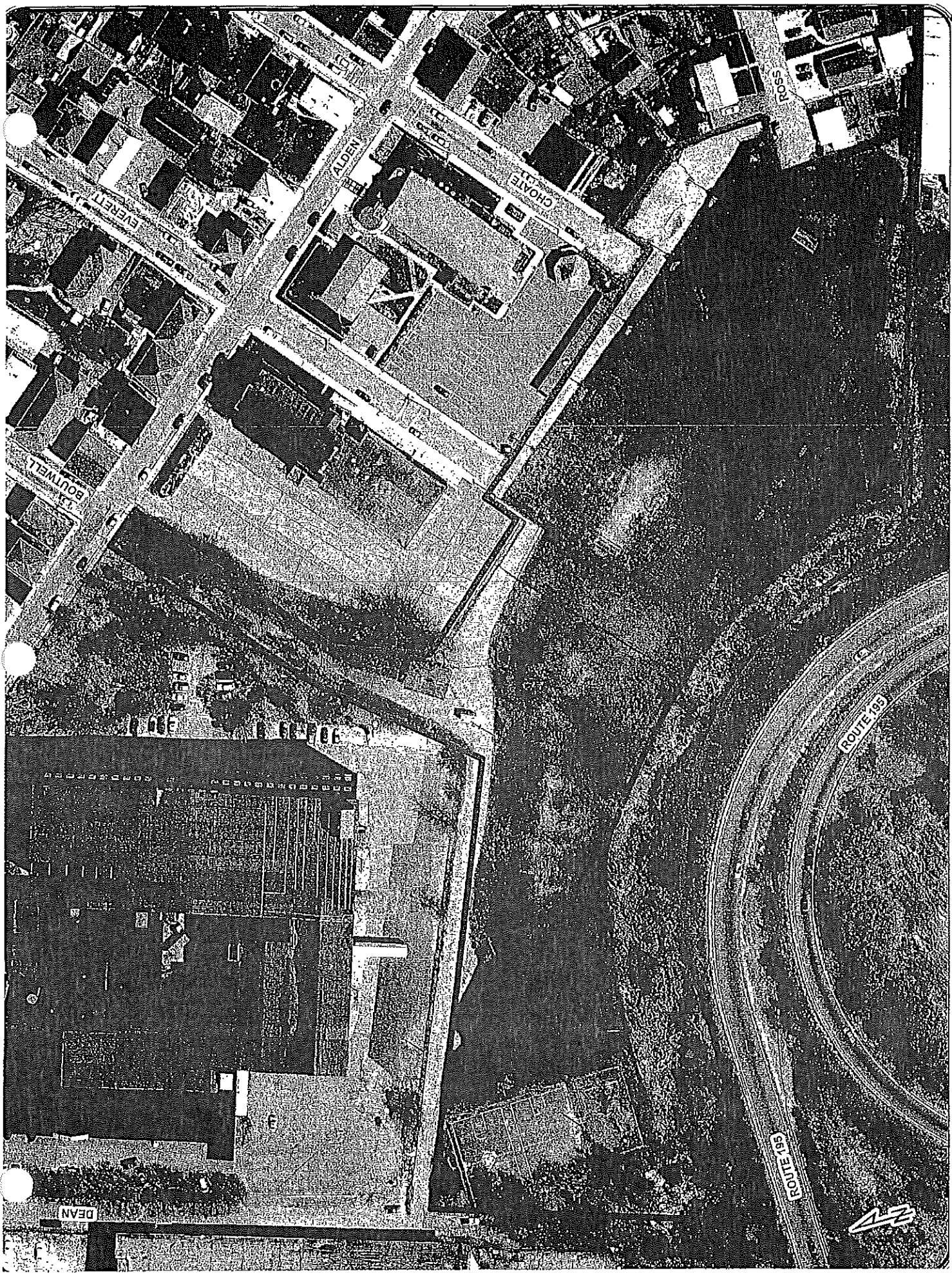
*Referred to the
Planning Board*

Planning Bd. - 12-29-16





2-23



11

City of Fall River, In City Council

(Councilor Raymond A. Mitchell)

WHEREAS, Comcast has an exclusive contract to provide cable television to the residents of Fall River, and

WHEREAS, this contract will expire on November 19, 2019, and

WHEREAS, many residents of the City of Fall River are having great difficulty affording cable television due to higher rates, now therefore

BE IT RESOLVED, that the Administration begin investigating the possibility of having a second provider of cable television to allow for competitive pricing and end the monopoly that currently exists.

City of Fall River, *In City Council*

12

(Councilor Pam Laliberte-Lebeau)

WHEREAS, the City of Fall River receives grant funding for the Fall River Shannon Community Safety Initiative and the Safe and Successful Youth Initiative, and

WHEREAS, these two grants are instrumental in violence prevention in the City of Fall River, now therefore

BE IT RESOLVED, that the Youth Services Coordinator be invited to a future meeting of the City Council Committee on Public Safety to provide an overview of these two very important initiatives.

City of Fall River, In City Council

13

(Councilor Pam Laliberte-Lebeau)
(Councilor Cliff Ponte)

WHEREAS, there has been a steady decrease in Pay-as-you-throw projected revenues since the inception of the program, and

WHEREAS, even with these decreases the projections have still never been met, and

WHEREAS, this revenue has a significant overall impact on our Operating Budget, and

WHEREAS, there are other options available to the City to meet our solid waste needs, now therefore

BE IT RESOLVED, that the Committee on Budget Preparation, Revenue and Audits convene to discuss the financial impact of cancelling the PAYT program and that the Administration offers alternative options to be considered.

14

City of Fall River, *In City Council*

(Councilor Pam Laliberte-Lebeau)
(Councilor Linda M. Pereira)

WHEREAS, several Open Meeting Law complaints have been filed regarding the City Council, and

WHEREAS, these complaints have been referred to Corporation Counsel for action, now therefore

BE IT RESOLVED, that the Committee on Finance convene with Corporation Counsel to review the process of answering these complaints and the current status on any complaints filed beginning January 1, 2016.



20

RECEIVED

City of Fall River
Notice of Claim

2017 FEB -2 A 9:59

CITY CLERK #17-14
FALL RIVER, MA

1. Claimant's name: Michael Matta
2. Claimant's complete address: 39 Bramblewood Cross Little Compton, RI 02837
3. Telephone number: Home: 401 500 6700 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Hit large pothole damaging my car
5. Date and time of accident: 1/12/17 Approx 9:00 PM Amount of damages claimed: \$ 1,007.06
6. Exact location of the incident: (include as much detail as possible):
Amity St (Rd between Rte 1A & Shaw's plaza) Driving toward rte 81
7. Circumstances of the incident: (attach additional pages if necessary):
I was leaving Stop & Shop at approximately 9:00 PM on Thursday January 12th heading towards rte 81 on Amity st. I was driving very slow (under 10mph) as I was approaching red traffic light. I hit a large pothole with front passenger tire and since then my car would vibrate heavily on the highway. Took car in for service where they told me passenger rim was bent and compliance buckings wrecked as a result of pothole
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: 2/1/17Claimant's signature: Michael Matta

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 AdministratorDPWDate: 2/2/17

20
RECEIVEDCity of Fall River
Notice of Claim

2017 FEB -8 A 9:46

CITY CLERK 17-16
FALL RIVER, MA

1. Claimant's name: SANDY SUZUKI
2. Claimant's complete address: 1144 Swelly Ct Apt 20
3. Telephone number: Home: 508 677 7313 Work: SAME
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
POT HOLE
5. Date and time of accident: 2-7-17 11:45 PM Amount of damages claimed: \$ 296.84
6. Exact location of the incident: (include as much detail as possible):
SOUTH MAIN ST - in front of G. Anne's Hospital
7. Circumstances of the incident: (attach additional pages if necessary):

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: 2-8-17Claimant's signature: [Signature]

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

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

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☒ City Administrator ☒ DPWDate: 2/8/17



20

RECEIVED

City of Fall River
Notice of Claim

2017 FEB 15 P 3:50

CITY CLERK #17-17
FALL RIVER, MA

1. Claimant's name: Victor Camara
2. Claimant's complete address: 139 Smith St.
3. Telephone number: Home: 508 617-8236 Work: 508 617 1516
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: 2/11/17 5:51 AM Amount of damages claimed: \$ 1,015.00
6. Exact location of the incident: (Include as much detail as possible):
Rodman St. + Lewiston St.
7. Circumstances of the Incident: (attach additional pages if necessary):
Roads were snow and ice covered, and it was dark. Vehicle pulled out of Lewiston St. suddenly and I couldn't avoid 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
Geico

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: 2/15/17

Claimant's signature: Victor Camara

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

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

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

For official use only:

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

Date: 2/15/17

Grand Total \$ 1139.37

21



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: Patrick Last Name: Higgins

Address: P O Box 24

City: Swansea State: MA Zip Code: 02777

Phone Number: +1 (508) 679-0160 Ext.

Email: patrick@patrickhiggins.co

Organization or Media Affiliation (if any): Patrick Higgins and Associates

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

☐ Individual ☒ Organization ☐ Media

Public Body that is the subject of this complaint:

☒ City/Town ☐ County ☐ Regional/District ☐ State

Name of Public Body (including city/town, county or region, if applicable): Fall River City Council

Specific person(s), if any, you allege committed the violation: Councilor Steve Long and President Shawn Cadime

Date of alleged violation: Feb 7, 2017

21

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

During the regular meeting of the Fall River City Council on Feb. 7, 2017, Councilor Steve Long made a motion to take an item "off the table relating to the transfer of funds from the salary account to the expense account in the mayor's office" when said item was not listed on the meeting notice in violation of the Open Meeting Law.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

1. All City Councilors should be required to attend the March 7th Open Meeting Law training at the Fall River City Council chamber to learn what they can and cannot do to fully comply with the Open Meeting Law.
2. Vacate the vote taken on the transfer that was illegally deliberated and passed by the Council and if the council wishes to transfer these funds, post this item on a properly posted meeting notice and deliberate and make a decision at that properly posted meeting.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

Publication to Website. As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

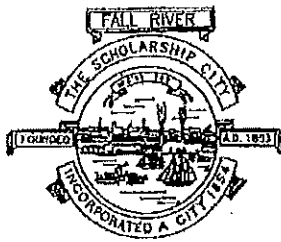
By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: 

Date: 2/7/17



21



City of Fall River Massachusetts

Office of the City Clerk

RECEIVED

2017 FEB -3 P 3:28

CITY CLERK
FALL RIVER, MA

INÉS LEITE
ASSISTANT CITY CLERK

ALISON M. BOUCHARD
CITY CLERK

FEBRUARY 3, 2017
MEETINGS SCHEDULED FOR NEXT WEEK
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

TUESDAY, FEBRUARY 7, 2017
AGENDA

5:45 P.M. CITY COUNCIL PUBLIC HEARING

Auto Repair Shop License

1. Tiago Botelho, 424 High Hill Road, Dartmouth, MA, d/b/a Mill City Diesels Auto Repair and Sales, for a license to operate an auto repair shop at 1139 Slade Street

6:00 P.M. COMMITTEE ON FINANCE OR IMMEDIATELY FOLLOWING THE PUBLIC HEARING IF IT RUNS PAST 6:00 P.M.

1. Resolution req. update on status of city owned properties currently for sale (tabled 9-27-16)

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 \$123,000,000 loan order for Integrated Wastewater and Stormwater Master Plan Improvements
2. *Mayor and order for ballot question for \$123,000,000 loan order for Integrated Wastewater and Stormwater Master Plan Improvements
3. *Collective bargaining agreement for LAW Local 124 Building Custodians
4. *Mayor and order to adopt Chapter 467 of the Acts of 2008 "An Act Relative to the Retirement Benefits of Emergency Medical Technicians"
5. *Mayor requesting proposed ordinance to establish the position of Treasurer/Collector
6. *Mayor and resolution regarding Section 108 loan application for the replacement of fire equipment in low income census tracts
7. Board of Election Commissioners and orders authorizing Preliminary Municipal Election to be held Sept. 12, 2017 and Municipal Election to be held Nov. 7, 2017 and polling places

PRIORITY COMMUNICATIONS – None

COMMITTEE REPORTS

- Committee on Finance recommending:**
Referral to Committee on Budget Preparation, Revenue and Audits
8. Fiscal Year 2017 Quarter 2 Budget Report

ORDINANCES – None

ADA Coordinator: Gary P. Howayeck, Esq. 508-324-2650
One Government Center • Fall River, MA 02722
TBL 508-324-2220 • FAX 508-324-2211 • EMAIL city_clerks@fallriverma.org

RESOLUTIONS – None

CITATIONS – None

ORDERS – HEARINGS

Auto Repair Shop License

9. *Tiago Botelho, 424 High Hill Road, Dartmouth, MA, d/b/a Mill City Diesels Auto Repair and Sales, for a license to operate an auto repair shop at 1139 Slade Street

ORDERS – MISCELLANEOUS

10. *Home rule petition providing accidental death benefits to surviving spouse of Fall River Firefighter Adam Franco

11. Police Chief's report on licenses

Taxicab Drivers:

Ryan Anderson	Dereon Broderick	Gerald Conyers
Jonathan Farlas	James Gomes Jr.	Richard Hannah
Bethany Isherwood	David Marshall Sr.	Colin M. Redlich
Muhammad Shabbir	Matthew L. Stets	

Private Livery Drivers:

Sandra Barcellos Dion
David Marshall Sr.

Private Livery Vehicles:

Princess Limousine LLC – 8 vehicles

12. Auto Repair Shop license renewals:

- Robert Luongo d/b/a Bob Luongo's Auto Sales, 643 Brayton Avenue
- Kirk Carrier, Kirk's Transmissions, Inc., 461 Globe Street

COMMUNICATIONS – INVITATIONS – PETITIONS

13. *Claims
14. *Communication from Attorney General regarding OML complaint of January 17, 2017 regarding OML complaint of December 27, 2016
15. *Communication from Tammy Moutinho, Dept. of Bldgs. & Grounds re: reporting overtime hours of department employees
16. Drainlayer license - Peter Deterra Excavating
17. Zoning Board of Appeals Minutes – December 15, 2016

BULLETINS – NEWSLETTERS – NOTICES – None

Alison M. Bouchard
City Clerk

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

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, January 10, 2017 at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: None

President Shawn E. Cadime called the meeting to order at 8:24 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

PRIORITY MATTERS

1. Transfers and appropriations

On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Cliff Ponte, it was unanimously voted to adopt the order.

2. Mayor and order to establish spending limit of \$12,000 for Mooring Fees Revolving Fund

On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order.

Approved, January 30, 2017, Mayor Jasiel F. Correia II

PRIORITY COMMUNICATIONS – None

COMMITTEE REPORTS

Committee on Finance recommending:

Action, as amended:

3. Loan orders:

a. Integrated Wastewater and Stormwater Master Plan Improvements – Phase One
\$3,800,000

On a motion made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau, it was voted 8 yeas, 1 nay to adopt the loan order, as amended, with Councilor Steven A. Camara voting in the negative.

Approved, January 31, 2017, Mayor Jasiel F. Correia II

- b. Integrated Wastewater and Stormwater Master Plan Improvements – Phase Two
\$123,000,000

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was voted 7 yeas, 2 nays to adopt the loan order, as amended, with Councilors Richard Cabeceiras and Steven A. Camara voting in the negative.

ORDINANCES – None

RESOLUTIONS

4. Administration declare a reprieve of the pay-as-you-throw program for one week for the 2017 Holiday Season

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the resolution.

5. Committee on Finance convene with Administration and Jo Ann Bentley Architect, Inc. to discuss the Veterans Center located at 755 Pine Street

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the resolution. President Shawn E. Cadime stated that he will request an update on the renovations and repairs needed to the Veterans Center from the Administration.

CITATIONS – None

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

6. Police Chief's report on licenses

Taxicab Drivers:

Lynn Cabral	Robert M. Collins Jr.	Scott L. Farias
Susan Griego	Peter Hadad	Md S. Islam
Jeff C. Middleton	Christopher Mota	Ronald Piccone
John D. Purcell	Timothy Svendsen	Jose Ventura

Private Livery Vehicles:

Fall River Taxi Service, Inc. - Toyota Prius

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order.

7. Auto Repair Shop license renewals:

- Michael Carvalho, County Street Collision and Customizing, 946 County Street
- Igor Zinovyev, Boston Auto Fair, LLC, 2147 Pleasant Street

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order.

Approved, January 30, 2017, Mayor Jasiel F. Correia II

COMMUNICATIONS – INVITATIONS – PETITIONS

8. Claims

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to refer the claims to Corporation Counsel.

9. Open Meeting Law complaint from CJ Ferry regarding December 27, 2016
City Council Meeting

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to forward the complaint to Corporation Counsel and that it be accepted and placed on file. Councilor Linda M. Pereira asked if the City Council could go for Open Meeting Law training. The City Clerk stated that there will be training offered in Fall River in April of 2017.

City Council Committee/Meeting Minutes:

- 10 City Council Meeting – December 13, 2016

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to approve the minutes.

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS FILED AFTER THE AGENDA WAS PREPARED:

COMMITTEE REPORTS

Committee on Finance recommending:

Action:

- 3c. Loan order for capital repairs at Thomas Chew and Maplewood Parks -- \$310,000
On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 9 yeas to adopt the order.
Approved, January 30, 2017, Mayor Jasiel F. Correia II

- 3d. \$30,000 request to transfer funds from Mayor's Office Salaries to Mayor's Office Salaries for branding initiative
A motion was made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long to adopt the order. A further motion was made by Councilor Richard Cabeceiras to object to consideration and was seconded by Councilor Raymond A. Mitchell.

A recess was taken at 8:44 p.m. to allow research on the motion made by Councilor Richard Cabeceiras to "Object to Consideration", the Council reconvened at 8:54 p.m.

Council President Shawn E. Cadime stated that since this was not the first time that this matter was before the Council, the motion was inappropriate and could not be entertained. Councilor Steven A. Camara questioned if the amount could be reduced to \$20,000? The City Clerk stated that it could. A motion was made by Councilor Steven A. Camara and seconded by Councilor Cliff Ponte to amend the amount of the transfer from \$30,000 to \$20,000. It was voted 3 yeas, 6 nays with Councilors Richard Cabeceira, Joseph D. Camara, Pam Laliberte-Lebeau, Stephen R. Long, Raymond A. Mitchell and Linda M. Pereira voting in the negative. On yet a further motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Linda M. Pereira, it was voted 5 yeas, 4 nays to table the matter, with Councilors Richard Cabeceiras, Joseph D. Camara, Stephen R. Long and President Shawn E. Cadime voting in the negative.

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to adjourn at 9:14 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
CD and DVD of meeting

A true copy. Attest:

Alison M. Bouchard

City Clerk

COMMITTEE ON FINANCE

MEETING: Tuesday, December 27, 2016 at 6:00 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator
Chris Gallagher, Director of Building and Grounds
Terrance Sullivan, Administrator of Community Utilities
Raymond Laboy, Director
Veterans' Center, 755 Pine Street, Fall River, MA 02720

The chair called the meeting to order at 6:00 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

In accordance with a resolution adopted, as amended May 8, 2012, allowing persons to address the Council for a period of three minutes prior to the beginning or at the conclusion of business in the Committee on Finance, the following persons spoke on the subjects listed:

Before Discussion of Financial Matters:

Jesus Christ, 181 South Main Street, Apt. 614 – Retraction of billion dollar donation to City
Carlos Cesar, 112 Flint Street – Flint Neighborhood Association requests
Suzanne Wordell, 75 Mott Street – Copicut Road

Agenda:

1. Discussion of loan orders with Administrator of Community Utilities
 - a. Integrated Wastewater and Stormwater Master Plan Improvements –
Phase One
\$4,800,000
 - b. Integrated Wastewater and Stormwater Master Plan Improvements –
Phase Two
\$122,000,000

The Administrator of Community Utilities gave a PowerPoint presentation regarding the Integrated Wastewater and Stormwater Master Plan. Councilor Raymond A. Mitchell asked the Administrator of Community Utilities what the average water and sewer bill is now for a single family home. Mr. Sullivan stated that a bill for an average single family home in 2016 is approximately \$640.00 per year, with approximately \$440.00 of that being for sewer,

stormwater and the base meter fee. Councilor Raymond A. Mitchell then asked what the rate would be in 2025. The Administrator of Community Utilities stated that the sewer, stormwater and base meter fee would increase from \$440 per year to \$668 per year. Councilor Raymond A. Mitchell then asked what the water portion of the bill would increase to in 2025. The Administrator of Community Utilities stated that he did not have any estimates on the water portion of the bill as of yet.

Councilor Pam Laliberte-Lebeau asked what the current total amount of loan orders had been authorized this fiscal year. The City Administrator stated that would be \$19,700,000, which is under the \$20,000,000 per year. Councilor Pam Laliberte-Lebeau questioned the Administrator of Community Utilities about the possibility of the Environmental Protection Agency enforcing the removal of nitrogen from wastewater. The Administrator of Community Utilities stated that the City of Fall River has dramatically improved the infrastructure since the 1980's, giving us a much better ability to work with the EPA, but that is not a panacea and does not give us a free pass.

A motion was made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara, to recommend that the loan orders be authorized to be published and referred to the full Council for action.

Councilor Richard Cabeceiras stated that Chapter 2, Section 131 of the Revised Ordinances of the City of Fall River, Massachusetts, which section relates to election required for authorization of certain loan orders, states that any loan order exceeding \$5,000,000.00 requires a vote of the registered voters. He also referenced Ordinance Number 2013-10, which adds the phrase or to exceed \$20,000,000.00 within a fiscal year.

Councilor Steven A. Camara stated that the full Council should amend the loan orders, not the Committee on Finance. The Council President stated that since the Administration requested the amendment, there was no reason why the Committee on Finance could not refer the loan orders to the full Council, as amended. The amendment being to change the \$4,800,000.00 loan order to \$3,800,000.00 and the \$122,000,000.00 loan order to \$123,000,000.00.

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was voted to recommend that the loan orders be authorized to be published and referred to the full Council for action, as amended, with Councilor Richard Cabeceiras opposed.

2. Reso. – Discuss repairs and renovations to Pine Street Veterans' Center
The Director of Building and Grounds gave an overview of work that needs to be performed on the Pine Street Veterans' Center and also work that has already been performed. He stated that lights were changed to LED lights, vines and weeds were removed from the outside of the building and new floors were installed in the kitchen and restrooms. Also, he has been working with Jo Ann Bentley Architects in order to put together estimates of funds that will be needed to complete the necessary work, such as the replacement of the roof and windows. These estimates will be needed in order to apply for CDA and CPA funds. Councilor Stephen R. Long asked how much money is available for repairs for the Veterans' Center today. The Director of Building and Grounds stated zero. Councilor Pam Laliberte-Lebeau questioned if we had enough information to apply for funding. President Shawn E. Cadime stated that you need to have enough information to get a cost analysis and you need to have the specifications to do so. Councilor Joseph D. Camara stated that this Administration has done more to improve the Veterans' Center than the last two Administrations.

Citizens' Input Time – After Discussion of Financial Matters:
None

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to adjourn at 9:07 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

CD and DVD of meeting

PowerPoint presentation – Integrated Wastewater and Stormwater Master Plan

Ordinance No. 2013-10

Chapter 2, Section 131 Election required for authorization of certain loan orders

Cullen A. Taylor
Clerk of Committees

CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, February 7, 2017 at 5:45 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilor Raymond A. Mitchell

IN ATTENDANCE: None

The President called the meeting to order at 5:47 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearing was to hear all persons interested and wishing to be heard on the following:

Auto Repair Shop License

Tiago Botelho, 424 High Hill Road, Dartmouth, MA, d/b/a Mill City Diesels Auto Repair and Sales, for a license to operate an auto repair shop at 1139 Slade Street.

On a motion made by Councilor Cliff Ponte and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Steven A. Camara and seconded by Councilor Richard Cabeceiras, it was unanimously voted to close the hearing.

On a further motion made by Councilor Cliff Ponte and seconded by Councilor Stephen R. Long, it was unanimously voted to adjourn at 5:50 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
CD and DVD of meeting

A true copy. Attest:

Alison M Bouchard
City Clerk

26

COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION

MEETING: Monday, February 6, 2017 at 5:15 p.m.
Council Chamber, One Government Center

PRESENT: Councilor Raymond A. Mitchell, presiding
Councilor Steven A. Camara

ABSENT: Councilor Pam Laliberte-Lebeau

IN ATTENDANCE: Alfred Barnaby, 50 Clark Street
Laura Ferreira, Director of Traffic
Cathy Ann Viveiros, City Administrator
James S. George, Permitting Manager
Mobilitie, LLC, 116 John Street, Suite 210, Lowell, MA 01854
Peter Jeffrey, Regional Director
Mobilitie, LLC, 250 Nashua Road, Groton, MA 01450
John Perry, Director of Community Maintenance
JR Frey, City Engineer

The chairman 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. Resolution – Discuss possibility of resurfacing Wilson Road

Alfred Barnaby stated that the section of Wilson Road from North Main Street to Ling Street is in serious need of resurfacing. The City Engineer stated that there is a process in place to review all city streets to determine which streets need to be resurfaced immediately and which ones can wait. He estimated that it would cost approximately \$150,000.00 to resurface the section of Wilson Road from North Main Street to Ling Street. Councilor Steven A. Camara requested that a list of street repairs that were performed by Liberty Utilities be provided to the committee.

On a motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to refer the matter to the City Engineer and table the resolution, with Councilor Pam Laliberte-Lebeau absent and not voting.

2. Communication – City resident requesting safety improvements to Copicut Road

The Director of Traffic stated that new signs have been installed in the curved area of Copicut Road with large reflective arrows to warn vehicles of the impending curve. Residents have contacted National Grid requesting street lights be installed to increase visibility in the area. Councilor Steven A. Camara requested that National Grid provide the committee with the address of the installation of the street lights and when they are installed. On a motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to forward a letter to National Grid (copy of said letter is attached hereto and made a part of these minutes) and table the resolution, with Councilor Pam Laliberte-Lebeau absent and not voting.

3. Resolution – Discuss possibility of revolving fund for replacement of street lights

The City Administrator stated that \$25,000.00 was deposited into a special account for the timely repair or replacement of street lights. The City Council can transfer more funds into this account as needed from the General Fund or the Insurance Recovery Account. Councilor Raymond A. Mitchell stated that he

would like to commend the Administration for establishing this account, which is long overdue. On a motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to recommend the resolution be granted leave to withdraw, with Councilor Pam Laliberte-Lebeau absent and not voting.

Orders – To install backhaul transport equipment on new single utility pole locations with electricity connection for Mobilitie, LLC:

4. West of the intersection of Pleasant and Thirteenth Street on Pleasant Street
5. East of the intersection of Pleasant and Eighth Streets on Pleasant Street
6. Southwest of the intersection of Highland Avenue and Prospect Street on Highland Avenue
7. Southwest of the intersection of Prospect and Hanover Streets on Hanover Street
8. Northeast of the intersection of Bedford Street and Stonehaven Road on Stonehaven Road
9. Northwest of the intersection of North Main and Cherry Streets on Cherry Street
10. Southwest of the intersection of Seventeenth and Pleasant Streets on Seventeenth Street
11. East of the intersection of Pine and High Streets on Pine Street
12. Northeast of the intersection of Graham and Currant Roads on Graham Road
13. Northeast of the intersection of Rodman and Lonsdale Streets on Rodman Street
14. Northeast of the intersection of Dover and Snell Streets on Dover Street
15. South of the intersection of Elsbree and Montgomery Streets on Elsbree Street
16. Northeast of the intersection of Plymouth Avenue and Tecumseh Street on Plymouth Avenue
17. Northeast of the intersection of Orange and Pine Streets on Orange Street

On a motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell it was unanimously voted to take item numbers 4 through 17 together, with Councilor Pam Laliberte-Lebeau absent and not voting. The Chairman stated that letters had been received by the committee from Joseph I. Macy, Corporation Counsel and Henry R. Vaillancourt, MD MPH, Director of Health and Human Services (copies of said letters are attached hereto and made a part of these minutes). Chairman Mitchell then stated that the contract that was presented to Corporation Counsel was for twenty-five years with a twenty-five year renewal. Also concerning was the fact that the contract could be transferred to another company without the approval of the City Council. James George, Permitting Manager for Mobilitie, LLC stated that the contract that was submitted to Corporation Counsel is a template and stated that different terms can be negotiated. Peter Jeffrey, Permitting Manager for Mobilitie, LLC stated that there would be no interference with hospitals, police or fire dispatching, as these frequencies are regulated by the FCC in a way that does not allow any interference.

Councilor Raymond A. Mitchell stated that the City of Fall River is moving forward with Streetscapes, which is looking to improve the appearance of streets by removing utility poles and this will be increasing the number of poles in the City. James George stated that if poles are concerning to the City, the antennas could be installed on an existing utility pole. He also stated that if Mobilitie, LLC installs a new pole they also work with the City regarding public safety. If the area of the new pole installation is in need of lighting or security cameras, they are willing to work with the City in this respect.

Councilor Raymond A. Mitchell asked James George what the financial benefit would be to the City of Fall River. Mr. George responded that the City will get revenue from a piece of your right of way space, which you are not currently getting. Mobilitie, LLC will pay to install a pole on the right of way, it will be north of zero, but not far north of zero. It is not a big money maker, but more than zero is something. The City Administrator questioned if there would be interference with helipads at the hospitals, due to the height of the poles. Mr. Jeffrey stated that Mobilitie, LLC will be conducting an emissions study and an FAA study for each location.

The Director of Community Maintenance asked if there would be any charge to the City to have lights, cameras or shot spotters installed on the poles. Mr. Jeffrey stated that could be done free of charge based on the arrangements of the agreement.

Councilor Steven A. Camara asked who wanted this service, as he has not had any calls requesting this service. Mr. George stated that their current customer is Sprint.

The City Administrator stated that Dr. Vaillancourt is not an engineer, so to get more information in this regard we would need to hire a consultant that is a specialist in these matters. She also stated that there are a lot of concerns and not much benefit to the City, considering these services could be provided by alternate means.

Mr. Jeffrey stated that wireless technology has been around for many, many years and it has never been

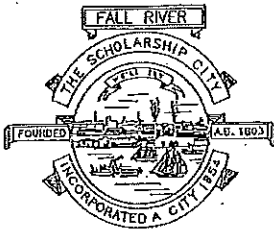
proven that there is any correlation between wireless signals and any kind of health issues. Councilor Steven A. Camara stated that he would like to see specifics for each of the requested pole locations, such as the type and height of the pole so that the abutters would be better informed. Councilor Raymond A. Mitchell stated that the abutters had already been notified and the Public Hearing had been held. On a motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to recommend the that orders #4 through #17 be tabled, with Councilor Pam Laliberte-Lebeau absent and not voting.

On a further motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to adjourn at 6:55 p.m., with Councilor Pam Laliberte-Lebeau absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
CD and DVD of meeting
Mobilitie, LLC petitions and renderings
Memo and email from Henry R. Vaillancourt, MD MPH
Letter from Corporation Counsel

Carleen A. Taylor
Clerk of Committees



CITY OF FALL RIVER, MASSACHUSETTS
CITY COUNCIL

26

COLLEEN A. TAYLOR
CLERK OF COMMITTEES

INÊS LEITE
ASSISTANT CLERK OF COMMITTEES

February 14, 2017

Ms. Angela Birch
National Grid
280 Melrose Street
Providence, RI 02907

Dear Ms. Birch:

At a meeting of the City Council Committee on Public Works and Transportation, held on February 6, 2017, a discussion was held relative to the need for street lights in the area of Copicut Road. There was a fatal accident on Copicut Road recently and the City of Fall River is working to increase safety in this area.

Following that discussion, and on a motion made and seconded, it was unanimously voted to request National Grid install street lights on Copicut Road to assist in the safety of this very dark road. The City of Fall River has already installed large reflective arrows to warn of the upcoming curve in the road. The location would be, traveling northerly on Copicut Road, you would pass Yellow Hill Road and proceed over the dam. At that point the curve would be directly in front of you. Your assistance in this very important matter is greatly appreciated.

Very truly yours,

Colleen A. Taylor
Clerk of Committees

/ct

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City of Fall River
Office of the Corporation Counsel

JASIEL F. CORREIA II
Mayor



JOSEPH L. MACY
Corporation Counsel

GARY P. HOWAYECK
Assistant Corporation Counsel

December 28, 2016

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

RE: Mobilitie LLC

Dear Councilors:

By vote of September 22, 2016 the above matter was referred to this office, among others, for "guidance". Pursuant to that charge I have reviewed the proposed contract submitted by Mobilitie LLC as well as my notes from the presentation made by Mobilitie representatives at those council meetings at which I was present. I have not reviewed the formal minutes of those meetings.

At the outset it needs to be recognized that we are venturing into uncharted territory. The use of "backhaul equipment" appears to be relatively new technology and I express no opinion as to its efficacy or safety. However, I have spoken to Mobilitie's lawyers who, as you might expect, represent there is no problem with the technology.

The relationship proposed by contract between Mobilitie and the City is somewhat different than explained to the City Council. Basically, Mobilitie is looking to execute a blanket "non-exclusive" license to "use and occupy Rights-of-Way throughout the territorial boundaries of the City". The twenty-seven page contract presented provides for City approval of all locations, provides for an unspecified fee per pole, and, in general includes most of the "boiler-plate" language one would expect in a contract of this type. Notably, for the Council's consideration, is the initial term of 25 years for the "Master License", which automatically renews for 25 years unless otherwise notified, and a term of 5 years for each pole. In addition the agreement is able to be assigned or sold. Since the contract is very lengthy I have highlighted only those portions which I believe are particularly relevant to the Council's consideration.

It is important to note that the arrangement contemplated by the contract is a grant of blanket City-wide permission subject to approval of specific pole locations and not the current situation where the City Council is being asked to approve pole locations in a vacuum.

I have tried to summarize the legal situation succinctly and accurately. I have no opinion and no knowledge of the technology involved or the current state of the "back-haul", "broad band" industry. Whether or not to entertain this proposal or to further explore the state of this industry is a policy matter reserved to the Mayor and the Council. Moreover, whether this proposal is consistent with the safety and beautification needs of the City is within your purview.

I am available to further discuss this matter at your convenience.

Very truly yours,

Joseph I. Macy
Corporation Counsel

Cc:
Mayor
City Administrator

26

Henry R. Vaillancourt

From: Henry R. Vaillancourt
Sent: Monday, October 17, 2016 3:28 PM
To: Cathy Ann Viveiros
Subject: MOBilitie LLC proposal

Hi Cathy,

I have reviewed the materials provided by Mobilitie to the City Council – including the site plans for each location. Obviously, I am not a physicist/engineer familiar with RF emissions. There are health risks associated with constant RF exposure, but I believe these are linked to continuous or high bursts. Nonetheless, I would like to see specific modeling reports for the estimated RF-EMF exposure levels for those sites that are located close to dwellings; such as at the Plymouth Avenue/Tecumseh St., Orange & Pine Sts., Robeson & Bedford, and Pine & High Sts. sites.

I also have concerns about potential radiofrequency interference at the following sites: Pleasant & 8th St. – across the street from PrimaCare and their electronic instruments, Highland & Prospect – across from the Hospital, for the same concerns, and near their Helipad), and 17th & Pleasant Sts. (nearby Police Station and potential communications interference).

Most of the poles are 72+ feet in height and raise concerns about their being hit by an automobile and then causing collateral damage to properties, as well as the aesthetic. If the predicted emissions are all below 5% of the maximum permissible exposure levels, there should not be any grave concerns; however, the materials they provided were based on modeling of units that may or may not be placed in Fall River and more specific information should be provided. Any more specific comments, as far as safety goes, would require my reviewing the literature in more detail. Please advise as to the next steps.

Henry R. Vaillancourt MD MPH
Director of Community Services, City of Fall River
Director of Health & Human Services, City of Fall River
508-324-2410



City of Fall River
Massachusetts

Department of Community Services
PLANNING - HEALTH & HUMAN SERVICES
LIBRARY / INSPECTORAL SERVICES
HEALTH & HUMAN SERVICES DIVISION

INTEROFFICE MEMORANDUM

TO: CATEY ANN VIVEROS
FROM: HENRY A. YALLANCOU MD MPH
SUBJECT: MOBILELINE PROJECT
DATE: 1/31/2017

In my original email of October 2016, I based my comments upon a Mobilite report for Site: BS90XS931-A, a site located at 23 Congress St., Salem, MA. There was one antenna planned, and "roofview" modeling predictions were used. The measurements taken were:

- ground/street level at a horizontal distance of 0 feet/Vertical distance of 33.8 feet (Public/Uncontrolled Exposure limit);
- 4 meters from antenna (horizontal distance of 13.2 feet/Vertical distance of 0 feet (Public/Uncontrolled Exposure limit);
- directly in front of antenna at a horizontal distance 0 feet/Vertical distance 0 feet (Occupational/Controlled Exposure limit);
- directly in front of the antenna (Public/Uncontrolled Exposure limit)

The report's conclusions were that the maximum permissible exposure levels for the models were below 5% of the FCC General Public/Uncontrolled Exposure limit, except directly in front of the antenna but at a location where public occupancy would not be expected. Also maximum permissible levels for workers were below 20% of the FCC Occupational/Controlled Exposure limit at elevated levels on the poles. They further stated, on page 13 of their report, "Any carrier or operator's installation that contributes more than 5% of the applicable MPE (maximum permissible exposure limit) must participate in mitigating threats RF hazard."

The site plans made available to me were:

1. West of the intersection of Pleasant and Thirteenth Street on Pleasant Street
2. East of the intersection of Pleasant and Eighth Streets on Pleasant Street
3. Southwest of the intersection of Highland Avenue and Prospect Street on Highland Avenue
4. Southwest of the intersection of Prospect and Hanover Streets on Hanover Street
5. Northeast of the intersection of Bedford Street and Stoughton Road on Stoughton Road
6. Northwest of the intersection of North Main and Cherry Streets on Cherry Street
7. Southwest of the intersection of Seventeenth and Pleasant Streets on Seventeenth Street
8. East of the intersection of Pine and High Streets on Pine Street

9. Northeast of the intersection of Graham and Current Roads on Graham Road
10. Northeast of the intersection of Rodman and Lonsdale Streets on Rodman Street
11. Northeast of the intersection of Dover and Sall Streets on Dover Street
12. South of the intersection of Elsbree and Montgomery Streets on Elsbree Street
13. Northeast of the intersection of Plymouth Avenue and Tecumseh Street on Plymouth Avenue
14. Northeast of the intersection of Orange and Pine Streets on Orange Street

In my original email I wrote:

I have reviewed the materials provided by Mobilite to the City Council - including the site plans for each location. Obviously, I am not a physicist/engineer familiar with RF emissions. There are health risks associated with constant RF exposure, but I believe these are linked to continuous or high bursts. Nonetheless, I would like to see specific modeling reports for the estimated RF-EMF exposure levels for these sites that are located close to dwellings, such as at the Plymouth Avenue/Tecumseh St., Orange & Pine Sts., Robeson & Bedford, and Pine & High Sts. sites.

I also have concerns about potential radiofrequency interference at the following sites: Pleasant & 8th St. - across the street from PrimaCare and their electronic instruments, Highland & Prospect - across from the Hospital, for the same concerns, and near their helipad, and 17th & Pleasant Sts. (nearby Police Station and potential communications interference).

Most of the poles are 72+ feet in height and raise concerns about their being hit by an automobile and then causing collateral damage to properties, as well as the aesthetics.

If the predicted emissions are all below 5% of the maximum permissible exposure levels, there should not be any grave concerns; however, the materials they provided were based on modeling of units that may or may not be placed in Fall River and more specific information should be provided. Any more specific comments, as far as safety goes, would require my reviewing the literature in more detail. Please advise as to the next steps.

After a repeat review of the materials, it would seem that those dwellings that were more than 20 feet horizontally and more than 34 feet vertically from the antennas should yield "General Public/Uncontrolled Exposure limits" below the FCC "5% General MPE (medium permissible exposure)" from the closest dwelling. I am not sure if the dwellings shown on the plans for Robeson & Bedford, Plymouth Avenue & Tecumseh Street/Lyon Street meet these distances.

I still believe that some assurances should be obtained that there will not be any interference with the instrumentation and communications devices at the near PrimaCare (Pleasant/8th), Southcoast Hospital (Prospect/Hanover and Highland/Prospect) and Fall River Police (Pleasant/17th) sites. Also, I still have the same questions about the flight path of helicopters to Southcoast Hospital's helipad and the location of such high poles so nearby, as well as the aesthetics of poles 72 or greater feet within populated areas of the City.

So, in summary, Mobilite should state that the data and report for the planned antennas within Fall River would be the same as that for the report prepared for Salem (I don't know how "roofview" modeling versus ground modeling differ - if at all); that there would be no radiofrequency interference for medical instrumentation or police/emergency communications at the sites near PrimaCare, Southcoast and the Police Station; and what the mitigation plans are for RF hazards that are more than 5% of the applicable maximum permissible exposure.

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City of Fall River
Office of the Corporation Counsel

JASIEL F. CORREIA II
Mayor



JOSEPH L. MACY
Corporation Counsel

GARY P. HOWAYECK
Assistant Corporation Counsel

February 3, 2017

Councilor Raymond Mitchell
One Government Center
Fall River, MA 02722

RE: Meeting February 6, 2017

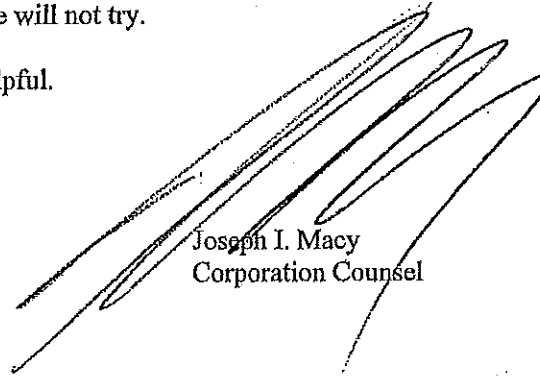
Dear Councilor Mitchell:

As you know I am unavailable to appear the February 6, 2017 meeting. We have previously discussed my unavailability, hence my letter to you of January 30, 2017. That letter referenced a previous two page letter of December 28, 2017 detailing my review of the Mobilitie contract. Frankly, I have nothing to add to that correspondence now and would add nothing if I were present.

At your request I will make Attorney Howayeck available but he is there as an accommodation to the council only, and will not, under any circumstances render any legal advice or opinion in public. This is consistent with the long standing policy of this office that opinions, if any, are rendered in writing and signed only by Corporation Counsel. Therefore, I do not expect Attorney Howayeck to be pressed for definitive answers at the meeting nor will he provide any,

I did speak with Mr. George, the Mobilitie representative, by telephone today. I explained that the function of this office is to provide legal advice to the City, and its bodies, to negotiate and execute contracts but not to insert itself in policy matters. Thus any action on his proposal was not within my purview but exclusively that of the policy makers. Mr. George understands this but I am unsure as to what he expects from your meeting. Certainly, he realizes that the Council will not negotiate with him in public but that does not mean he will not try.

I hope this information is helpful.



Joseph I. Macy
Corporation Counsel