

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: Thursday, September 14, 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: Cathy Ann Viveiros, City Administrator
Joseph I. Macy, Corporation Counsel
Kenneth C. Pacheco, COO, Fall River School Department
Elizabeth A. Camara, Chairperson, Board of Election Commissioners

President Shawn E. Cadime called the meeting to order at 9:11 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to take items #15 and #16 out of order.

ORDERS – HEARINGS

Second Hand Article Store

15. Melissa Resendes, d/b/a Melissa's New To You! At 2577 South Main Street
A motion was made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara to adopt the order. The Assistant City Clerk stated that an anonymous letter of objection had been received. Councilor Linda M. Pereira asked that the letter of objection be read and the Assistant City Clerk read the letter. On a further motion made by Councilor Joseph D. Camara and seconded by Councilor Cliff Ponte, it was unanimously voted to refer the matter to the Committee on Regulations. Councilor Raymond A. Mitchell stated that he is troubled by the fact that this letter of objection was submitted anonymously.

ORDERS – MISCELLANEOUS

16. Accept provisions of MGL Chapter 53, Section 18B regarding information relating to questions on city, town or district ballots
A motion was made by Councilor Steven A. Camara and seconded by Councilor Cliff Ponte to adopt the order. Councilor Steven A. Camara stated that Corporation Counsel was in the Council Chamber if any member of the City Council has questions. He then asked, do we provide voters with the maximum amount of information on one of the most important issues facing our

community? He then stated that in March a printed Home Rule Charter Preliminary Report was mailed to all residents. He went on to state that 98% of the residents probably don't remember receiving the mailing or reading it. He also stated that he had conversations with the Attorney General's Office and their advice has always been; listen to your Corporation Counsel. On a motion made by Councilor Cliff Ponte and seconded by Councilor Stephen R. Long, it was unanimously voted to waive the rules to allow Corporation Counsel and the Chairperson of the Board of Elections to answer questions in this matter. Corporation Counsel stated that if you adopt Chapter 53, Section 18B it applies to all questions, at all times unless or until it is rescinded. Therefore it would not only apply to this question, it would apply to the loan order question and also every other question, as they come up. A motion was made by Councilor Raymond A. Mitchell that the order be granted leave to withdraw, but received no second.

Councilor Pam Laliberte-Lebeau asked if there should actually be two votes, one to adopt Chapter 53, Section 18B and then another vote to place this on the ballot. Councilor Cliff Ponte asked what the approximate cost of this mailing will be. The City Administrator stated approximately \$30,000.00. On a motion made by Councilor Cliff Ponte and seconded by Councilor Stephen R. Long, it was voted 7 yeas, 2 nays to move the question with Councilors Stephen R. Long and Raymond A. Mitchell voting in the negative. On the previous motion made by Councilor Steven A. Camara and seconded by Councilor Cliff Ponte, it was voted 5 yeas, 4 nays to adopt the order with Councilors Stephen R. Long, Raymond A. Mitchell, Linda M. Pereira and Cliff Ponte voting in the negative. A further motion was made by Councilor Steven A. Camara as follows: If feasible and if it doesn't delay the printing of the ballot, the pros and cons that will be collected as a result of our previous vote be printed on the ballot and the motion received no second.

PRIORITY MATTERS

1. Mayor and authorization to proceed with permitting process for eight proposed billboards
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 Committee on Ordinances and Legislation.

2. Mayor and proposed ordinance regarding definition and fee structure for dog kennels
On a motion made by Councilor Cliff Ponte and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation.

PRIORITY COMMUNICATIONS

3. Planning Board recommending the basketball court at Ruggles Park be named in honor of Manny Papoula

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

Approved, September 22, 2017, Mayor Jasiel F. Correia II

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

First Reading:

4. Proposed Ordinance – Traffic, miscellaneous

On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Stephen R. Long, it was unanimously voted to pass the proposed ordinance through first reading.

5. Proposed Ordinance – Personnel, City Council Principal Clerk

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to pass the proposed ordinance through first reading.

6. Proposed Ordinance – Personnel, Chairperson, board of election commissioners/ director of office of elections
On a motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to pass the proposed ordinance through first reading.

All readings with Emergency Preamble:

7. Proposed ordinance – Traffic, handicapped parking
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was voted 9 yeas to adopt an emergency preamble. On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to pass the proposed ordinance through first reading, second reading, passed to be enrolled and passed to be ordained.
Approved, September 22, 2017, Mayor Jasiel F. Correia II

Second Reading and enrollment, as amended:

8. Proposed Ordinance – Personnel, Director of Emergency Medical Services
On a motion made by Councilor Stephen R. Long and seconded by Councilor Steven A. Camara, it was voted 8 yeas, 1 nay to pass the proposed ordinance through second reading and enrollment, as amended with Councilor Raymond A. Mitchell voting in the negative.

Adoption:

9. Resolution – Housing Development Incentive Program (HDIP) – King Philip Mills
On a motion made by Councilor Stephen R. Long and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the resolution.
Approved, September 22, 2017, Mayor Jasiel F. Correia II

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to take items #10 and #11 together.

Grant leave to withdraw:

10. Resolution – No stipends be granted without City Council approval
On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 5 yeas, 4 nays that the proposed ordinance be granted leave to withdraw, with Councilors Richard Cabeceiras, Raymond A. Mitchell, Linda M. Pereira and Shawn E. Cadime voting in the negative.
11. Resolution – Travel expenses in excess of \$1,000.00 be approved by City Council
On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 5 yeas, 4 nays that the proposed ordinance be granted leave to withdraw, with Councilors Richard Cabeceiras, Raymond A. Mitchell, Linda M. Pereira and Shawn E. Cadime voting in the negative.

ORDINANCES

Proposed:

12. Proposed Ordinance – Wage Theft and Violations to wage laws by licensees or permittees
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.

Second Reading and enrollment:

13. Proposed ordinance – Community Utilities personnel modifications
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was voted 8 yeas, 1 nay to pass the proposed ordinance through second reading and enrollment, with Councilor Raymond A. Mitchell voting in the negative.

RESOLUTIONS

14. Request Amazon consider Fall River for the location of their second headquarters
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, September 22, 2017, Mayor Jasiel F. Correia II

CITATIONS – None

ORDERS – MISCELLANEOUS

17. Police Chief's report on licenses:

Taxicab Drivers:

Sharon Acevedo

Joseph A. Andre

Melissa Carvalho

Starlex Dorcely

James Furtado

Kenneth Rego

Juan Serrano

Caree Smith

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

18. Auto Repair Shop license renewals:

Daniel J. Mello, Mello's Diesel Service, Inc. at 185 Williston Street

Henry J. Gauthier, Henry's Tire Service, Inc. at 714 Globe Street

Souhad Saliba, JZ Express, Inc. at 969 South Main Street

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to separate Souhad Saliba, JZ Express, Inc. from the renewals and refer this renewal to the Committee on Regulations. On a further motion made by Councilor Richard Cabeceiras and seconded by Councilor Raymond A. Mitchell, it was unanimously voted that the order be adopted, as amended.

Approved, September 22, 2017, Mayor Jasiel F. Correia II

19. Auto Body Shop license renewals:

Manuel Felix d/b/a Felix Auto Collision Center at 1201 Slade Street

Souhad Saliba, JZ Express, Inc. at 969 South Main Street

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to separate Souhad Saliba, JZ Express, Inc. from the renewals and refer this renewal to the Committee on Regulations and that the order be adopted, as amended.

Approved, September 22, 2017, Mayor Jasiel F. Correia II

COMMUNICATIONS – INVITATION S – PETITIONS

20. Drainlayer license - SJM, LLC

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

Approved, September 22, 2017, Mayor Jasiel F. Correia II

21. Claims

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

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to take items #22 through #27 together.

City Council Committee/Meeting Minutes:

- 22. Committee on Ordinances and Legislation – August 28, 2017
- 23. Committee on Ordinances and Legislation – August 14, 2017
- 24. Committee on Public Safety – August 22, 2017
- 25. Committee on Public Works and Transportation – August 8, 2017
- 26. City Council Meeting – March 28, 2017
- 27. City Council Public Hearings – August 14, 2017

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to approve items #22 through #27.

BULLETINS – NEWSLETTERS – NOTICES

- 28. Notice of Casualty and Loss at 292-306 North Main Street

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted that the notice be accepted and place on file.

OTHER POTENTIAL MATTERS TO BE ACTED UPON

Mayor and request for residency waiver for Rochelle St. Martin Pettenati to serve as member of the Cultural Council

On a motion made by Councilor Stephen R. Long and seconded by Councilor Steven A. Camara, it was voted 5 yeas, 4 nays to reconsider the residency waiver vote of August 15, 2017 that failed to carry, with Councilors Richard Cabeceiras, Raymond A. Mitchell, Linda M. Pereira and Shawn E. Cadime voting in the negative. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 6 yeas, 3 nays to grant the residency waiver with Councilors Richard Cabeceiras, Raymond A. Mitchell and Linda M. Pereira voting in the negative.

ITEMS FILED AFTER THE AGENDA WAS PREPARED:
CITY COUNCIL MEETING DATE: SEPTEMBER 14, 2017

PRIORITY COMMUNICATIONS

Mayor and loan order– Feasibility Study of the Tansey/Watson proposed projects
On a motion made by Councilor Steven A. Camara and seconded by Councilor Richard Cabeceiras, it was unanimously voted to waive the rules to allow the Chief Operating Officer of the School Department to answer questions. Kenneth Pacheco gave a brief overview of the projects, stating that both schools are in need of new boilers and the Watson School is in need of a new roof, so these are time sensitive projects. On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was voted 8 yeas, 1 nay to adopt an emergency preamble for the feasibility study of the Tansey/Watson School. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 9 yeas, that the loan order be authorized to be published and referred to the Committee on Finance, as amended.

Chair of Fall River Charter Commission re language of summary of ballot question
On a motion made by Councilor Steven A. Camara and seconded by Councilor Richard Cabeceiras, it was unanimously voted that the notice be accepted and place on file.

ORDERS – HEARINGS

Hearing to be scheduled:

Street acceptance - Frederick Street from Whitefield Street to Mariano Bishop Boulevard
On a motion made by Councilor Steven A. Camara and seconded by Councilor Richard Cabeceiras, it was unanimously voted that the hearing be scheduled.

A recess was taken at 10:54 p.m. to allow the ordinances to be signed and the Council reconvened at 10:56 p.m.

Proposed Ordinance – Personnel, Director of Emergency Medical Services
On a motion made by Councilor Cliff Ponte and seconded by Councilor Stephen R. Long, it was voted 8 yeas, 1 nay be passed to be ordained, as amended with Councilor Shawn E. Cadime voting in the negative.

Approved, September 22, 2017, Mayor Jasiel F. Correia II

Proposed ordinance – Community Utilities personnel modifications
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was voted 8 yeas, 1 nay be passed to be ordained, with Councilor Shawn E. Cadime voting in the negative.

Approved, September 22, 2017, Mayor Jasiel F. Correia II

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to adjourn at 10:58 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

CD and DVD of meeting

Letter of objection for item #15

A true copy. Attest:



City Clerk

In City Council, July 12, 2018

Approved.



City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2017 SEP 12 P 5:07

CITY CLERK _____
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

***AMENDED AGENDA**
(ORIGINAL AGENDA POSTED ON SEPT. 8, 2017 AT 2:31 PM)

INÊS LEITE
ASSISTANT CITY CLERK

SEPTEMBER 8, 2017
MEETINGS SCHEDULED FOR NEXT WEEK
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

THURSDAY, SEPTEMBER 14, 2017
AGENDA

5:15 P.M. PUBLIC HEARINGS

Zoning Change – King Philip Mills Overlay District (Joint Hearing with Planning Board)

1. Enacting Section 86-178 King Philip Mills Overlay District (KPMOD) for the purpose of providing adequate minimum standards and procedures for the construction of new and rehabilitation of existing structures so as to promote economic and cultural development in the King Philip Mill area.

Second Hand Article Store

2. Melissa Resendes, d/b/a Melissa's New To You!, 1255 Rodman Street, for permission to operate and maintain a second hand article store at 2577 South Main Street (gently used clothing, shoes, and household items to be sold.)

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

1. *Mayor & Corp. Counsel re: Charter Commission ballot question and summary to be placed on the Municipal Election Ballot, November 7, 2017 (ref. 8-15-17)
2. *Resolution – Committee on Finance convene with City Administrator and Director of Financial Service to discuss FY2018 budget cuts within various departments (ref. 8-15-17)
3. *Resolution – Committee on Finance convene with Administration to review all expense adjustments made in balancing of the Fiscal Year 2018 budget (ref. 8-15-17)

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 authorization to proceed with permitting process for eight proposed billboards
2. *Mayor and proposed ordinance regarding definition and fee structure for dog kennels

PRIORITY COMMUNICATIONS

3. *Planning Board recommending the basketball court at Ruggles Park be named in honor of Manny Papoula

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

First Reading:

4. *Proposed Ordinance – Traffic, miscellaneous

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

5. *Proposed Ordinance – Personnel, City Council Principal Clerk
6. *Proposed Ordinance – Personnel, Chairperson, board of election commissioners/
director of office of elections

All readings with Emergency Preamble:

7. *Proposed ordinance – Traffic, handicapped parking

Second Reading and enrollment, as amended:

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Adoption:

9. *Resolution – Housing Development Incentive Program (HDIP) – King Philip Mills

Grant leave to withdraw:

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11. *Resolution – Travel expenses in excess of \$1,000.00 be approved by City Council

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RESOLUTIONS

14. *Request Amazon consider Fall River for the location of their second headquarters

CITATIONS – None

ORDERS – HEARINGS

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ORDERS – MISCELLANEOUS

16. *Accept provisions of MGL Chapter 53, Section 18B regarding information relating to
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18. Auto Repair Shop license renewals:

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- 21. *Claims

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- 25. *Committee on Public Works and Transportation – August 8, 2017
- 26. *City Council Meeting – March 28, 2017
- 27. *City Council Public Hearings – August 14, 2017

BULLETINS – NEWSLETTERS – NOTICES

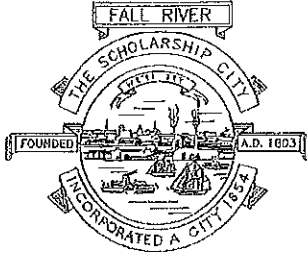
- 28. Notice of Casualty and Loss at 292-306 North Main Street

OTHER POTENTIAL MATTERS TO BE ACTED UPON

Report of Committee on Finance:

- *Mayor & Corp. Counsel re: Charter Commission ballot question and summary to be placed on the Municipal Election Ballot, November 7, 2017
- *Mayor and request for residency waiver for Rochelle St. Martin Pettenati to serve as member of the Cultural Council


City Clerk



City of Fall River Massachusetts

Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

ITEMS FILED AFTER THE AGENDA WAS PREPARED:
CITY COUNCIL MEETING DATE: SEPTEMBER 14, 2017

PRIORITY COMMUNICATIONS

*Mayor and loan order– Feasibility Study of the Tansey/Watson proposed projects

*Chair of Fall River Charter Commission re language of summary of ballot question

ORDERS – HEARINGS

Hearing to be scheduled:

Street acceptance - Frederick Street from Whitefield Street to Mariano Bishop Boulevard

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



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

RECEIVED

2017 SEP 12 P 4: 36

JASIEL F. CORREIA II
Mayor

CITY CLERK _____
FALL RIVER, MA

September 12, 2017

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

Honorable Council Members:

The School Committee has received approval from the Massachusetts School Building Authority's Accelerated Buildings Repair Program to complete a Feasibility Study of the proposed Tansey/Watson renovation projects. The School Committee voted at its September 11, 2017 meeting to request funding for the \$250,000 Feasibility Study which is eligible for an 80/20% grant opportunity.

While the City Council vote will authorize a \$250,000 Loan Order, the Administration anticipates that only 20% of this amount will be bonded long term. Your approval of this Loan Order is respectfully requested.

Best Regards,

Jasiel F. Correia II
Mayor



FALL RIVER PUBLIC SCHOOLS

Facilities & Operations

RECEIVED

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

Kenneth C. Pacheco
Chief Operations Officer

2017 SEP 12 P 4:36

CITY CLERK _____
FALL RIVER, MA

September 12, 2017

The Honorable Jasiel F. Correia II
City of Fall River
1 Government Center
Fall River, MA 02722

Dear Mayor Correia:

I am attaching herewith, for your consideration and approval, a request through the Mayor; to the City Council to appropriate funds for the Feasibility Study of the Tansey/Watson proposed projects so authorized by the School Committee in September 11, 2017. The request to the City is for \$250,000 which is eligible for an 80/20% grant opportunity. The School District along with the City submitted two Statements of Interest for consideration in the Massachusetts School Building Authority's Accelerated Buildings Repair Program and was invited into the next round which is the feasibility study round. This study will determine if the projects which have been presented to the MSBA are sound in nature and economically feasible. The proposed projects are 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, the entire roof replacement and a boiler at the Samuel Watson Elementary School.

Thank you in advance for your consideration to this matter.

Sincerely,

Kenneth C Pacheco

Kenneth C. Pacheco,
Chief Operations Officer

City of Fall River, *In City Council*

LOAN ORDER

(TANSEY/WATSON FEASIBILITY STUDY)

ORDERED: That the City appropriates the amount of Two Hundred and Fifty Thousand Dollars (\$250,000) for the purpose of paying costs of a feasibility study for the replacement of windows, doors, and a boiler at the James Tansey Elementary School and the windows, doors, roof replacement and a boiler at the Samuel Watson Elementary School including the payment of all cost incidental or related thereto, and for which the City may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of Fall River School Building Committee. To meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the City incurs in excess of any grant approved by and received from MSBA shall be the sole responsibility of the City, and that the amount borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the City and the MSBA, and,

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



City of

Fall River

Charter Commission

RECEIVED

2017 SEP 12 P 3:40

CITY CLERK _____
FALL RIVER, MA _____

September 11, 2017

Dear Clerk Bouchard:

Per Attorney Macy's letter dated September 8, 2017, he states if the ballot summary is inaccurate it should be amended. Provided is an amended ballot question and summary, which removes two sentences and replaces them with sentences that better reflects the language in the proposed home rule charter (see below). Please forward the amended ballot question and summary to the city councilors, since this matter is scheduled to come before them at their meeting on Thursday, September 14, 2017.

REMOVED: Elected officials convicted of a felony will be barred from holding any elective or appointed office in the city.

REPLACED WITH: An elected official convicted of a state or federal felony while holding office must vacate the office.

REMOVED: After that review, the charter and ordinances will be reviewed every 10 years.

REPLACED WITH: After that review, the charter will be reviewed in 10-year intervals in each year ending in a 7. Ordinances will be reviewed at 5-year intervals in years ending in a 3 and 8.

Regards,

Michael L. Miozza

Michael L. Miozza
Chair, Fall River Charter Commission

Michael L. Miozza
Chairman

Kris Bartley
Vice Chairman

Brenda Venice
Clerk

Atty. David Assad

James Cusick

Patrick Norton

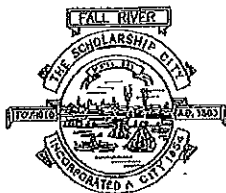
Dan Robillard

John Silvia

Michael Quinn

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

JESSICA A. ADLER
Assistant Corporation Counsel

September 8, 2017

Mike Miozza
Chair, Fall River Charter Commission

Mr. Miozza,

As you know the Charter Commission, independently of the city and with the paid assistance of the Collins Center, created the proposed new charter. The language the commission adopted is the language which must go before the voters.

If the summary is inaccurate it should be amended; the charter proposal may not be.

While this office has attempted to be helpful to the commission given that you have no staff the ultimate responsibility for the submission to the voters is yours not this office. We were asked to review the summary not the charter nor were we asked to compare the charter to the summary or to your bullet points.

I hope this is helpful.

Very truly yours,



Joseph I. Macy, Corporation Counsel

BALLOT QUESTION AND SUMMARY

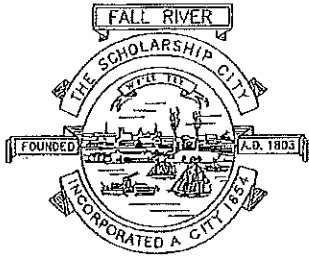
Shall this city approve the new charter recommended by the charter commission, summarized below?

_____ Yes _____ No

SUMMARY

Effective at the 2019 municipal election, voters will continue to elect a mayor, a 9 member city council, and 6 members of the school committee, all at-large. The mayor shall continue to serve as chair of the school committee. All elected officials will be elected by the voters citywide for 2-year terms.

The charter contains procedures for adoption of an annual operating budget, a long-term financial forecast, a debt management plan and a capital improvement plan. The council will review and approve all proposed mayoral appointments. There is a public comment provision applying to all elected and appointed bodies. The mayor is responsible for assuring that the planning and management needs of the city are examined on a regular basis. Free petition, initiative petition, referendum, and recall provisions are included allowing for direct voter participation. An elected official convicted of a state or federal felony while holding office must vacate the office. Candidates may seek only one office at each election. Members of the city council and school committee will be prohibited from holding any other city position while in office. The charter will be initially reviewed after 5 years. After that review, the charter will be reviewed in 10-year intervals in each year ending in a 7. Ordinances will be reviewed at 5-year intervals in years ending in a 3 and 8.



City of Fall River Massachusetts

Office of the City Clerk

RECEIVED

2017 SEP -8 P 2:31

ALISON M. BOUCHARD
CITY CLERK

CITY CLERK _____ INÊS LEITE
FALL RIVER, MA ASSISTANT CITY CLERK

SEPTEMBER 8, 2017
MEETINGS SCHEDULED FOR NEXT WEEK
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

THURSDAY, SEPTEMBER 14, 2017
AGENDA

5:15 P.M. PUBLIC HEARINGS

Zoning Change – King Philip Mills Overlay District (Joint Hearing with Planning Board)

1. Enacting Section 86-178 King Philip Mills Overlay District (KPMOD) for the purpose of providing adequate minimum standards and procedures for the construction of new and rehabilitation of existing structures so as to promote economic and cultural development in the King Philip Mill area.

Second Hand Article Store

2. Melissa Resendes, d/b/a Melissa's New To You!, 1255 Rodman Street, for permission to operate and maintain a second hand article store at 2577 South Main Street (gently used clothing, shoes, and household items to be sold.)

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

1. *Mayor & Corp. Counsel re: Charter Commission ballot question and summary to be placed on the Municipal Election Ballot, November 7, 2017 (ref. 8-15-17)
2. *Resolution – Committee on Finance convene with City Administrator and Director of Financial Service to discuss FY2018 budget cuts within various departments (ref. 8-15-17)
3. *Resolution – Committee on Finance convene with Administration to review all expense adjustments made in balancing of the Fiscal Year 2018 budget (ref. 8-15-17)

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 authorization to proceed with permitting process for eight proposed billboards
2. *Mayor and proposed ordinance regarding definition and fee structure for dog kennels

PRIORITY COMMUNICATIONS

3. *Planning Board recommending the basketball court at Ruggles Park be named in honor of Manny Papoula

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

First Reading:

4. *Proposed Ordinance – Traffic, miscellaneous

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

5. *Proposed Ordinance – Personnel, City Council Principal Clerk
6. *Proposed Ordinance – Personnel, Chairperson, board of election commissioners/
director of office of elections

All readings with Emergency Preamble:

7. *Proposed ordinance – Traffic, handicapped parking

Second Reading and enrollment, as amended:

8. *Proposed Ordinance – Personnel, Director of Emergency Medical Services

Adoption:

9. *Resolution – Housing Development Incentive Program (HDIP) – King Philip Mills

Grant leave to withdraw:

10. *Resolution – No stipends be granted without City Council approval
11. *Resolution – Travel expenses in excess of \$1,000.00 be approved by City Council

ORDINANCES

Proposed:

12. *Proposed Ordinance – Wage Theft and Violations to wage laws by licensees or permittees

Second Reading and enrollment:

13. *Proposed ordinance – Community Utilities personnel modifications

RESOLUTIONS

14. *Request Amazon consider Fall River for the location of their second headquarters

CITATIONS – None

ORDERS – HEARINGS

Second Hand Article Store

15. Melissa Resendes, d/b/a Melissa's New To You! At 2577 South Main Street

ORDERS – MISCELLANEOUS

16. *Accept provisions of MGL Chapter 53, Section 18B regarding information relating to
questions on city, town or district ballots

17. Police Chief's report on licenses:

Taxicab Drivers:

Sharon Acevedo

Joseph A. Andre

Melissa Carvalho

Starlex Dorcely

James Furtado

Kenneth Rego

Juan Serrano

Caree Smith

18. Auto Repair Shop license renewals:

Daniel J. Mello, Mello's Diesel Service, Inc. at 185 Williston Street

Henry J. Gauthier, Henry's Tire Service, Inc. at 714 Globe Street

Souhad Saliba, JZ Express, Inc. at 969 South Main Street

19. Auto Body Shop license renewals:

Manuel Felix d/b/a Felix Auto Collision Center at 1201 Slade Street

Souhad Saliba, JZ Express, Inc. at 969 South Main Street

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

COMMUNICATIONS – INVITATION S – PETITIONS

- 20. Drainlayer license - SJM, LLC
- 21. *Claims

City Council Committee/Meeting Minutes:

- 22. *Committee on Ordinances and Legislation – August 28, 2017
- 23. *Committee on Ordinances and Legislation – August 14, 2017
- 24. *Committee on Public Safety – August 22, 2017
- 25. *Committee on Public Works and Transportation – August 8, 2017
- 26. *City Council Meeting – March 28, 2017
- 27. *City Council Public Hearings – August 14, 2017

BULLETINS – NEWSLETTERS – NOTICES

- 28. Notice of Casualty and Loss at 292-306 North Main Street

OTHER POTENTIAL MATTERS TO BE ACTED UPON

Report of Committee on Finance:

- *Mayor & Corp. Counsel re: Charter Commission ballot question and summary to be placed on the Municipal Election Ballot, November 7, 2017
- *Mayor and request for residency waiver for Rochelle St. Martin Pettenati to serve as member of the Cultural Council


City Clerk



City of Fall River
Massachusetts
Office of the Mayor

FINANCE
RECEIVED

2017 AUG 10 A 11:43

JASIEL F. CORREIA II
Mayor

August 10, 2017

CITY CLERK _____
FALL RIVER, MA

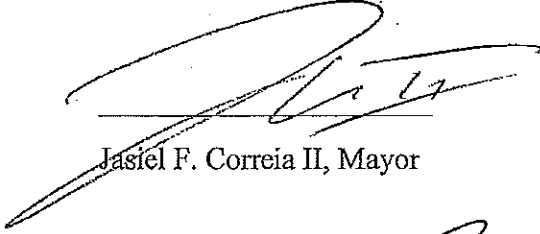
The Honorable City Council
One Government Center
Fall River, MA 02722

Dear Councilors:

At the request of the Charter Commission I am forwarding the following order to you.

Per the Charter Commission the following Ballot Question and Summary will appear on the ballot for the election to be held on November 7, 2017. It will be reproduced to give voters an opportunity to become familiar with it prior to Election Day. Please note that the summary is necessarily brief and describes the most significant of the proposed changes. The Final Report of the Charter Commission contains the entire proposed charter.

Very Truly Yours,



Jasiel F. Correia II, Mayor

I concur,



Joseph I. Macy, Corporation Counsel

CITY OF FALL RIVER
IN CITY COUNCIL

AUG 15 2017

*Referred to the
Committee on Finance
5 Years, 4 days*

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

An ORDER, Allowing the City of Fall River to Place a Ballot Question On the
November 7, 2017 Fall River Election Ballot

The Board of Elections shall place on the official ballot for the Fall River election to be held on November 7, 2017 in the City of Fall River the following question:

BALLOT QUESTION AND SUMMARY

Shall this city approve the new charter recommended by the charter commission summarized below?

_____ Yes _____ No

SUMMARY

Effective at the 2019 municipal election, voters will continue to elect a mayor, a 9 member city council, and 6 members of the school committee, all at-large. The mayor shall continue to serve as chair of the school committee. All elected officials will be elected by the voters citywide for 2-year terms.

The charter contains procedures for adoption of an annual operating budget, a long-term financial forecast, a debt management plan and a capital improvement plan. The council will review and approve all proposed mayoral appointments. There is a public comment provision applying to all elected and appointed bodies. The mayor is responsible for assuring that the planning and management needs of the city are examined on a regular basis. Free petition, initiative petition, referendum, and recall provisions are included allowing for direct voter participation. Elected officials convicted of a felony will be barred from holding any elective or appointed office in the city. Candidates may seek only one office at each election. Members of the city council and school committee will be prohibited from holding any other city position while in office. The charter will be initially reviewed after 5 years. After that review, the charter and ordinances will be reviewed every 10 years.

CITY OF FALL RIVER
IN CITY COUNCIL
AUG 15 2017

*Referred to the
Committee on Finance
5 Year, 4 days*

City of Fall River **FINANCE**
Office of the Corporation Counsel

JASIEL F. CORREIA II
Mayor



JOSEPH I. MACY
Corporation Counsel

GARY P. HOWAYECK
Assistant Corporation Counsel

JESSICA A. ADLER
Assistant Corporation Counsel

August 31, 2017

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

RE: Charter Commission Ballot

Dear Councilors:

At a recent city council meeting I was asked to look into the legality of placing a "Pro-Con" section on the ballot below the question. In arriving at the within answer I have used standard rules of statutory construction, Massachusetts case law, and have consulted with the local government division of the Attorney General's Office, the Secretary of State's Office, and the Election Commission.

The uniform guidance has been that the language of the statute governs. The statute in question, MGL 43B s11, provides the language to be placed on the ballot; i.e. "Shall this city approve the new charter recommended by the charter commission summarized below?" Yes or No." This is the exact language sent to the council.

The summary, also submitted to the council, provides for a summary of the proposed charter. "Only the most significant proposed change must be set forth. ... The brief summary called for in s11 is obviously designed to identify for the voter the general subject on which he is asked to express an opinion."

The question as to the legality of adding an additional section to the ballot question allowing for arguments "Pro-Con" may also be answered directly. State ballots may contain such information because that is permitted by state law. However, only municipalities which have accepted MGL 53 s18B may make such an addition to their ballot. Fall River has not adopted this statute.

Therefore, there being no language permitting the suggested addition in the operative statute (MGL 43B s11) and this City not having adopted MGL 53 s18B, there may be no additional language added to the ballot question. This opinion is in accord with information received from the Attorney General and the Secretary of State, on which we may rely, and information from the Collins Center which is advisory.

Nothing in this opinion precludes any individual or group from independently contacting voters with mailings or handouts. This opinion deals only with the question asked and is confined thereto.

Joseph I. Macy, Corporation Counsel

One Government Center • Fall River, MA 02722 • TEL (508) 324-2650
Workers' Compensation (508) 324-2540 • FAX (508) 324-2655 • EMAIL lawoffice@fallriverma.org
Equal Justice Under Law

Enclosed - all Councilors, etc.

RECEIVED
2017 AUG 31 P 4:48
CITY CLERK
FALL RIVER, MA

City of Fall River **FINANCE**
Office of the Corporation Counsel

JASIEL F. CORREIA II
Mayor



JOSEPH I. MACY
Corporation Counsel

GARY P. HOWAYECK
Assistant Corporation Counsel

JESSICA A. ADLER
Assistant Corporation Counsel

September 6, 2017

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

Re: Charter Commission Ballot

Dear Councilors:

I provided information to you on 8/31/2017 regarding the legality of placing a "Pro-Con" section on the ballot below the question.

Below please find a summary of timeframes specified within MGL 53 sec18B which would need to be abided by. Though the adoption of Chapter 53 sec18B can take place during the next City Council meeting, the timeframes specified within the chapter may not be able to be met. It is important to note as well, approving the ballot question and summary is separate from adopting Chapter 53 sec18B.

Two separate approvals are necessary from the City Council. While the two approvals may be given in any order, they must both be enacted in order for Chapter 53 sec18B to apply.

The ballot question and summary must be approved by the City Council as indicated in Chapter 43B sec11: "The city council or board of selectmen shall cause the final report of a charter commission, or a charter amendment proposed in an order which has become effective under section ten, to be printed and a copy to be distributed to each residence of one or more registered voters. Such distribution shall occur not later than two weeks before the election at which the question of adopting, revising or amending the charter is to be submitted to the voters."

Chapter 53 sec18B has to be adopted by the City Council. If adopted by the City Council, the order is sent to the Mayor who has ten (10) days to approve or veto said order. If the Mayor approves the order, it will be sent back to the City Clerk and the mandated actions and timeframes within Chapter 53 sec18B can begin.

7/2/17 added to all communications

FINANCE /

Theses timeframes are as follows:

Chapter 53 sec18B states, "(c) Not later than the day following the date of the determination that a question shall appear on the ballot in an election, the governing body shall provide written notification to the city solicitor or town or district counsel and to the city or town clerk."

"(d) Not later than seven (7) days after the determination that a question shall appear on the ballot, the city solicitor or town or district counsel, as applicable, shall seek written arguments from the principal proponents and opponents of the question. For the purposes of this section, the principal proponents and opponents of a question shall be those persons determined by the solicitor or counsel to be best able to present the arguments for and against the question. The solicitor or counsel shall provide not less than seven (7) days' written notice to the opponents and proponents of the date on which the written arguments shall be received. Proponents and opponents shall submit their arguments, which shall be not more than 150 words, to the solicitor or counsel, together with a copy thereof to the city or town clerk or, in a district, to the clerk of each city and town within the district. The arguments and summary shall be submitted by the solicitor or counsel to the governing body at least 20 days before the election for distribution to voters in accordance with subsection (b)¹. A copy of the arguments and summary shall also be submitted by the solicitor or counsel to the city, town or district clerk."

"(e) ... the solicitor or counsel shall determine, based on a review of arguments received, the person or group best able to present arguments for and against a question."

"(b)... Not later than seven (7) days before an election at which the question shall be submitted to the voters in a city, town or district, the information in this subsection shall be sent to each household wherein a person whose name appears on the current voting list for the city, town, or district resides."

It has come to my attention that the ballots and all accompanying information MUST be sent to the printer by October 1, 2017. With the deadline of October 1, 2017 to the printer and the City Council meeting occurring on September 14, 2017, abiding by all of the time deadlines specified in MGL 53 sec18B, even if the process is as expeditious as possible, would be problematic.



Joseph I. Macy, Corporation Counsel

¹ (b) The governing body of a city, town or district which accepts this section in the manner provided in section 4 of chapter 4 shall print information relating to each question that shall appear on the city, town or district ballot. The information shall include: (1) the full text of each question; (2) a fair and concise summary of each question, including a 1 sentence statement describing the effect of a yes or no vote, which shall be prepared by the city solicitor, town counsel or counsel for the city, town or district; and (3) arguments for and against each question as provided in subsections (d) and (e). Not later than 7 days before an election at which the question shall be submitted to the voters in a city, town or district, the information in this subsection shall be sent to each household wherein a person whose name appears on the current voting list for the city, town or district resides.

(Councilor Cliff Ponte)

WHEREAS, there were various suggested cuts in the Fiscal Year 2018 Budget,
and

WHEREAS, these cuts were only suggestions as to what line items were to be
cut, now therefore

BE IT RESOLVED, that the Committee on Finance convene with the City
Administrator and the Director of Financial Services to discuss what items were actually
cut in various departments.

In City Council, August 15, 2017

Adopted .

A true copy. Attest:

Alison M. Bouchard

City Clerk

(Councilor Pam Laliberte-Lebeau)

WHEREAS, the City Council approved a Fiscal Year 2018 budget of \$268,977,320, and

WHEREAS, revenue and specific amounts of expenses were reduced per department, and

WHEREAS, the Administration has shifted expenses from the MIS Department to both the Police and Fire Departments, who did not budget for those expenses and are now forced to make cuts, now therefore

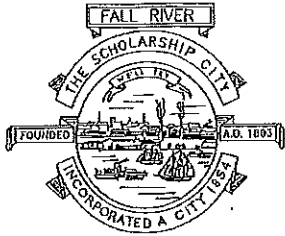
BE IT RESOLVED, that the Administration be invited to a future meeting of the Committee on Finance for a review of all expense adjustments made by the Administration in balancing of the Fiscal Year 2018 budget.

In City Council, August 15, 2017
Adopted

A true copy. Attest:

Elison M. Bouchard

City Clerk



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

RECEIVED

2017 SEP -7 P 4: 36

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

September 7, 2017

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

Honorable Council Members:

After many months of due diligence by my Administration and our vendor, Capital Associates, I am pleased to submit to you for review and preliminary approval eight sites for billboard installation. Simultaneous with the City Council's review, Capital Associates will be securing Special Permits for these sites through our local Zoning Board of Appeals. Once these approvals are obtained, the sites can be forwarded to the MassDOT Office of Outdoor Advertising for billboard permits.

At this time we are only requesting authorization to proceed with the State approval process. Once these sites have received State permits, Capital Associates will begin marketing the sites to outdoor advertising companies through the competitive, MGL Chapter 30B process. Once these companies have been selected, land leases with compensation terms will be forwarded to the City Council for formal approval.

Enclosed are the eight recommended sites and some anticipated revenues associated with these proposed locations. The ultimate income to be received by the City will be determined once the sites have been approved by the City Council and the lease terms for these sites have been secured from the advertising companies.

Your authorization to proceed with the permitting process is respectfully requested.

Respectfully,

Jasiel F. Correia II
Mayor

Enclosure

Fall River Digital Billboard Development Sites/Revenue Expectations

Site Location	Upfront Revenue	Annual lease Revenue
Braga Bridge City	\$1,875,132- \$2,678,760	\$122,304
Braga Bridge CSX	\$1,875,132- \$2,678,760	\$122,304
Municipal 1	\$751,464- \$1,073,520	\$53,508
Municipal 2	\$751,464- \$1,073,520	\$53,508
City Land near WM	\$1,126,020- \$1,608,600	\$76,440
City Sewer	\$1,126,020- \$1,608,600	\$76,440
Incinerator	\$1,126,020- \$1,608,600	\$76,440
FR Water Filtration	\$1,126,020- \$1,608,600	\$76,440
Totals	\$9,757,272-\$13,938,960	\$657,384

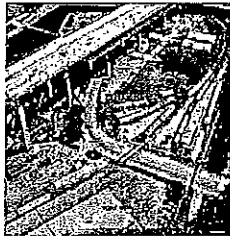
[Sign in](#)[Download](#)

Permit sites FR

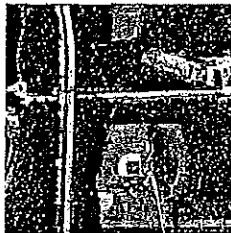
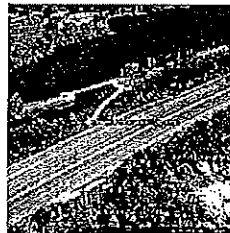
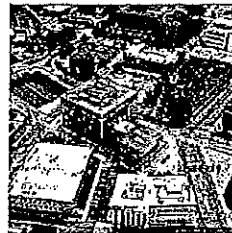
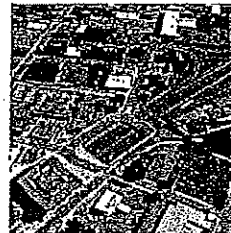
Sorted by name



Braga bridge city land.jpg

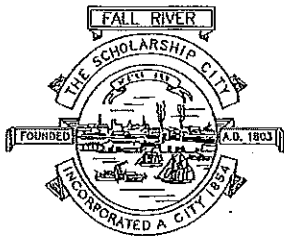


Braga Bridge CSX.jpg

city sewer #24 plus relo...
tion.jpgCity property near
Walmart.jpgFall River 8 sites Reven...
ns.xlsxFall River Water
Filtration.jpgIncinerator building
DPW.jpgmunicipal 1 and 2 pote...ial
1.jpg

Municipal 2.jpg

2



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2011 SEP -5 P 12: 36

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

August 30, 2017

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

Members of the City Council:

Due to recent changes in State laws regarding kennel licenses, I am submitting changes to Chapter 6 of the local ordinances governing the definition and fee structure for dog kennels. Additionally, you have before you an Order to accept the provisions of M.G.L. Chapter 140, Section 139, regarding fees for service dogs and dogs owned by persons aged 70 or over.

Your approval of these measures is respectfully requested.

Best Regards,

Jasiel F. Correia II
Mayor



City of Fall River Massachusetts
Office of the City Clerk

2

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

August 28, 2017

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

Dear Mayor Correia:

Due to recent changes in the state laws regulating kennel licenses, I have met with Cynthia Berard-Cadima, Supervisor of Animal Control, to review city ordinances and propose necessary amendments.

One of the changes discussed relate to requirements for kennel licenses. City ordinance requires a kennel license for owners of three dogs or more. The law has been revised to allow four dogs to be kept on a single premises.

Additionally, fees for dog licenses were increased in 2002, but those increases only affected single licenses, not kennel licenses.

I have attached a proposed ordinance amending kennel license requirements and increasing said fees and an order accepting the provisions of M.G.L. Chapter 140 § 139 authorizing the issuance of licenses for service dogs and dogs owned by persons aged 70 or over for free.

If authorized, the new fees will take effect during the 2018 licensing period.

Your consideration is respectfully requested.

Very truly yours,

Alison M. Bouchard
City Clerk

City of Fall River, In City Council

2

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

Section 1.

That Chapter 6 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Animals, be amended as follows:

by striking out the definition of "*Kennel*" in Section 6-1 and inserting in place thereof the following:

Kennel. Any premises wherein any person, partnership or corporation engages in the business of boarding, breeding, buying, selling for hire, training for a fee, selling dogs, or engages in training dogs for guard or sentry purposes, or, every pack or collection of more than four dogs three months old or over owned or kept on a single premises irrespective of the purpose for which they are maintained.

Section 2.

That Appendix A - Fee Schedule of Revised Ordinances of the City of Fall River, Massachusetts, 1999 be amended as follows:

by striking out Section 6-4 (c), which section relates to fees for kennel licenses in its entirety, and inserting in place the following:

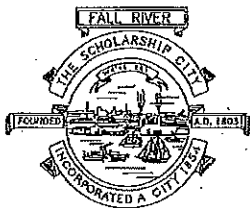
The fee for every kennel license shall be as follows:

Five dogs or less	\$25.00
Over five dogs, not over ten dogs	\$50.00
Over ten dogs, not over twenty-five dogs	\$75.00

City of Fall River, *In City Council*

2

ORDERED, that the City Council hereby accepts the provisions of Massachusetts General Laws, Chapter 140, Section 139, which section pertains to fees for service dogs and dogs owned by persons aged 70 or over.



**City of Fall River
Massachusetts**

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

Planning Division

RECEIVED

2017 AUG 30 A 9:25

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

August 29, 2017

Alison Bouchard, City Clerk
One Government Center
Fall River, MA 02722

RE: Dedication of Ruggles Park Basketball Court to Manny Papoula

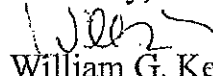
Dear Ms. Bouchard:

On June 27, 2017, the City Council referred the above-referenced matter to the Planning Board for investigation and public hearing pursuant to Sec. 66-186 of the Revised Ordinances of the City of Fall River.

Pursuant to Sec. 66-186(E), the Planning Board held a public hearing on Tuesday, August 29, 2017, and immediately thereafter, a quorum of the Planning Board being present, it was duly moved, seconded and unanimously VOTED:

To recommend that the City Council name the Ruggles Park basketball court in honor of Manny Papoula.

Sincerely,


William G. Kenney
Director of Planning

City of Fall River, In City Council

3

(Councilor Raymond A. Mitchell)

ORDERED, that the basketball court in Ruggles Park be named in honor of Manny Papoula. He is an inspiration and works to fix and/or replace the nets on all basketball courts throughout the City every year.

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 27 2017

*Referred to
Planning Board for
recommendation*

Filed: 6-15-17

-1 Pl. Bd 6/2017

CITY OF FALL RIVER

4

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on August 28, 2017, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading.

Cecilia A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

4

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

That Chapter 70 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to traffic be amended as follows:

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

Barnes Street, north side, starting at a point 319 feet east of County Street, for a distance of 20 feet easterly
Charles Street, south side, starting at a point 190 feet west of Bowen Street, for a distance of 20 feet westerly
Cook Street, west side, starting at a point 70 feet south of Hamlet Street, for a distance of 25 feet southerly
Globe Street, north side, starting at a point 435 feet east of Chace Street, for a distance of 20 feet easterly
Merchant Street, north side, starting at a point 49 feet west of Eighteenth Street, for a distance of 20 feet westerly
North Main Street, east side, starting at a point 55 feet south of Jones Street, for a distance of 20 feet southerly
Park Street, north side, starting at a point 148 feet east of South Main Street, for a distance of 20 feet easterly
Pleasant Street, north side, starting at a point 145 feet east of Barlow Street, for a distance of 20 feet easterly
Pulaski Street, west side, starting at a point 77 feet south of Buffinton Street, for a distance of 20 feet southerly
Rodman Street, west side, starting at a point 65 feet south of Grinnell Street, for a distance of 20 feet southerly
Wilbur Street, west side, starting at a point 81 feet north of Globe Street, for a distance of 20 feet northerly

CITY OF FALL RIVER

5

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on August 28, 2017, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading.

Cullen A. Taylor
Clerk of Committees

City of Fall River, In City Council

5

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

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

By striking out in Section 50-301, which section relates to salary schedules generally, in proper alphabetical order, the following:

City council senior clerk typist/senior clerk typist:

7-1-2013	\$938.55	\$983.93	\$1,029.41	\$1,074.71	\$1,128.44
6-30-2014	\$947.94	\$993.77	\$1,039.70	\$1,085.46	\$1,139.72

and, by inserting in place thereof, the following:

City Council Principal Clerk..... not to exceed \$35,000.00 per annum

CITY OF FALL RIVER

6

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on August 28, 2017, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading.

Cecilia A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

6

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

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

By striking out in Section 50-309, which section relates to salary schedules for executive officers and department heads, the following:

Chairperson, board of election commissioners/director of office of elections

7-1-2013 \$2,134.84

6-30-2014 \$2,156.19

And by inserting in place thereof, the following:

Chairperson, board of election commissioners/director of office of elections

Not to exceed \$65,000.00 per annum

CITY OF FALL RIVER

7

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on August 28, 2017, voted unanimously to recommend the accompanying proposed ordinance, accompanied by an emergency preamble, be passed through first reading, second reading, passed to be enrolled and passed to be ordained.


Clerk of Committees

EMERGENCY PREAMBLE

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

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

City of Fall River, *In City Council*

7

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

That Chapter 70 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to traffic be amended as follows:

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

Barnes Street, north side, starting at a point 448 feet west of County Street, for a distance of 20 feet westerly

Dover Street, north side, starting at a point 84 feet west of Lonsdale Street, for a distance of 20 feet westerly

Hunter Street, west side, starting at a point 75 feet north of William Street, for a distance of 20 feet northerly

Kellogg Street, east side, starting at a point 33 feet north of Hamlet Street, for a distance of 20 feet northerly

Rodman Street, west side, starting at a point 203 feet north of Warren Street, for a distance of 20 feet northerly

Whipple Street, east side, starting at a point 477 feet south of Cottage Street, for a distance of 20 feet southerly

CITY OF FALL RIVER

8

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on August 28, 2017, voted unanimously to recommend that the accompanying proposed ordinance be passed through second reading and enrollment, as amended.

Cameron A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

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

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

By striking out in Section 50-309, which section relates to salary schedules for executive officers and department heads, the following:

Supervisor of emergency medical services/director of emergency medical services:

7-1-2013 \$2,826.78

6-30-2014 \$2,855.05

And by inserting in place thereof, the following:

Director of Emergency Medical Services

7-1-2017 \$93,000.00 per annum

7-1-2018 \$98,000.00 per annum

7-1-2019 \$108,000.00 per annum

CITY OF FALL RIVER

9

To the City Council

Councillors:

The Committee on Ordinances and Legislation at a meeting held on August 28, 2017, voted unanimously to recommend that the accompanying resolution be adopted.


Cullen A. Taylor
Clerk of Committees

City of Fall River, In City Council

RESOLUTION OF LOCAL GOVERNING BODY APPROVING THE ESTABLISHMENT OF A HOUSING DEVELOPMENT ZONE AND THE FILING OF AN APPLICATION WITH THE MASSACHUSETTS DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT REQUESTING APPROVAL ON A HOUSING DEVELOPMENT ZONE AND PLAN

WHEREAS, the attached Housing Development Zone for Fall River was adopted by the City Council on September __, 2017 and approved by the Mayor on September __, 2017; and

WHEREAS, the Housing Development Zone is established as illustrated on the attached Map, which is hereby made a part of this Resolution; and

WHEREAS, the Mayor is hereby authorized to submit the Housing Development Zone Plan and Map to the Massachusetts Department of Housing and Community Development; and

WHEREAS, the Mayor is authorized to act in connection with the submittal of the Plan and to provide such additional information as may be required by the Massachusetts Department of Housing and Community Development; and

WHEREAS, the Mayor and the Tax Increment Financing Board, subject to City Council approval, are hereby authorized to negotiate tax increment exemptions from property taxes for a period not to exceed twenty (20) years for projects that meet the guidelines set forth under M.G.L. Chapter 40V and the regulations set forth at 760 CMR 66.00; now therefore

BE IT RESOLVED BY THE FALL RIVER CITY COUNCIL THAT, the local governing body does hereby authorize the Mayor to submit an application to the Massachusetts Department of Housing and Community Development requesting approval of the Housing Development Zone and Plan and also authorizes the Mayor to do all the things necessary to comply with the statutory and regulatory guidelines governing the Housing Development Zone and Plan.

CITY OF FALL RIVER

10

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on August 28, 2017, voted unanimously to recommend that the accompanying resolution be granted leave to withdraw.

William A. Taylor
Clerk of Committees

10
City of Fall River, In City Council

(Councilor Raymond A. Mitchell)

WHEREAS, stipends have recently been paid to employees as a method of providing salary increases, and

WHEREAS, the salaries of municipal employees should be established in ordinance, and stipends established in ordinance or state law, now therefore

BE IT RESOLVED, that no additional stipends be granted to any employee without prior approval of the City Council.

CITY OF FALL RIVER
IN CITY COUNCIL
JUN 27 2017

Ref. to Com. on
Ord. & Res.

Filed 6-13-17

CITY OF FALL RIVER

11

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on August 28, 2017, voted 3 yeas, 2 nays to recommend that the accompanying resolution be granted leave to withdraw, with Councilors Linda M. Pereira and Cliff Ponte voting in the negative.


Clerk of Committees

City of Fall River, In City Council

(Councilor Raymond A. Mitchell)

BE IT RESOLVED, that any travel expenses in excess of \$1,000.00, whether it be grant funded or city funded be approved by the City Council and all information be shared with members of that department.

CITY OF FALL RIVER
IN CITY COUNCIL
JUL 11 2017

*Referred to the
Committee on
Ordinances and
Legislation, 7 years,
& may*

(Councilor Raymond A. Mitchell)

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

Section 1

That Chapter 2 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Administration, be amended by inserting a new section as follows:

Section 2-949 Wage Theft.

- (a) The following section shall be incorporated into the City of Fall River's Standard Contract General Conditions Form as of July 1, 2018 and apply to every new contract and every renewal term of a contract entered into after that date:

The Contractor certifies that neither it nor any of its subcontractors have been subject to a federal or state criminal or civil judgment, administrative citation, final administrative determination, order or debarment resulting from a violation of M.G.L. Chapter 149, M.G.L. Chapter 151, the Fair Labor Standards Act or any other state or federal laws regulating the payment of wages within three years prior to the date of the contract; or certifies that it has provided copies of any and all of the above to the City prior to the date of the contract and any required wage bond or insurance; and certifies that while the contract is in effect, it will report any instance of the above to the City within five days of the contractor's receipt.

- (b) The following provisions shall be included in any request for proposals, invitation for bids or request for qualifications issued by the City on or after July 1, 2018:
- (1) Prospective vendors must provide the following certifications or disclosures in writing to the purchasing agent with their bids or proposals. Failure to provide the following shall result in rejection of the bid or proposal;
 - (2) Prospective vendors must certify that neither they nor any of their subcontractors have been subject to a federal or state criminal or civil judgment, administrative citation, final administrative determination, order or debarment resulting from a violation of M.G.L. Chapter 149, M.G.L. Chapter 151, the Fair Labor Standards Act or any other state or federal laws regulating the payment of wages within three years prior to the date vendors submit their bids or proposals; or
 - (3) Prospective vendors must disclose any such criminal or civil judgments, administrative citation, final administrative determination, order or debarment and include copies with their bids or proposals.
 - (4) Prospective vendors are notified that they must report any such criminal or civil judgment, administrative citation, final administrative determination, order or debarment from a violation of M.G.L. Chapter 149, M.G.L. Chapter 151, the Fair Labor Standards Act or any other state or federal laws regulating the payment of wages while any of their bids or proposals to the purchasing agent official is pending and, if awarded a contract, during the term of the resulting contract, within five days of vendor's receipt.
 - (5) Prospective vendors that are subject to a state or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the Commonwealth or any of its agencies or subdivisions will be deemed not responsible and their bids or proposals shall be rejected. Such vendors shall be deemed not responsible for the entire term of debarment or other stated time period. During the term of a contract, upon a finding or order of such debarment or prohibition, the City may terminate the contract.

- (6) Vendor(s) awarded a contract that have disclosed a federal or state criminal or civil judgment, administrative citation, final administrative determination, order or debarment resulting from a violation of M.G.L. Chapter 149, M.G.L. Chapter 151, the Fair Labor Standards Act or any other state or federal laws regulating the payment of wages within three years prior to the date they submit their bids or proposals, or vendor(s) awarded a Contract that receive a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of M.G.L. Chapter 149, M.G.L. Chapter 151, the Fair Labor Standards Act or any other state or federal laws regulating the payment of wages during the term of the contract and that are not otherwise prohibited from public contracting may be required by the City to obtain a wage bond or other form of suitable insurance in an amount equal to the aggregate of one year's gross wages for all employees, based on an average of its total labor costs for the past two years. Such bond must be maintained for the terms or extensions of any contract, and proof of such bond must be provided upon request by the City.
- (7) Vendor(s) awarded a contract that have disclosed a federal or state criminal or civil judgment, administrative citation, final administrative determination, order or debarment resulting from a violation of M.G.L. Chapter 149, M.G.L. Chapter 151, the Fair Labor Standards Act or any other state or federal laws regulating the payment of wages within three years prior to the date they submit their bids or proposals and through the contract term shall furnish their monthly certified payrolls to the purchasing agent for all employees working on such contract.

Section 2

That Chapter 14 of the Revised Ordinances of the City of Fall River, 1999, which chapter relates to Businesses, be amended by inserting a new section as follows:

Sec. 14-45 Violations of wage laws by licensees or permittees.

- (a) Any application to the licensing board for any license issued pursuant to M.G.L. Chapter 138 or M.G.L. Chapter 140 may be denied if, during the three-year period prior to the date of the application, the applicant has been subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of M.G.L. Chapter 149, M.G.L. Chapter 151, the Fair Labor Standards Act or any other state or federal laws regulating the payment of wages. Each applicant for a license shall certify that he has not been found guilty, liable or responsible, in the past three years, in any judicial or administrative proceeding, for any violation of any of the laws set forth above.
- (b) Any license or permit issued by the licensing board under M.G.L. Chapter 138 or M.G.L. Chapter 140 may be modified, suspended or revoked if, during the term of the license or permit, the licensee or permittee has been subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of M.G.L. Chapter 149, M.G.L. Chapter 151, the Fair Labor Standards Act or any other state or federal laws regulating the payment of wages.

City of Fall River, In City Council

13

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

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

Section 1

By striking out in Section 50-281 which section relates to classification of position and compensation grades, the following:

<u>Class Title/In House Title</u>	<u>Compensation Grade</u>
Laborer (Water System) Water Maintenance Worker II	10B
Motor Equipment Operator and Water System Laborer/Water Maintenance Worker II or Reservation Caretaker	11B
Special Heavy Motor Equipment Operator (Water Dept.) Water Maintenance Worker I	16B
Water Reservation Caretaker	11B
Water System Foreman/Supervisor Water Distribution and Maintenance	19B
Senior Water Service Inspector/Chief Water Inspector or Water Service Worker II	19C

And by inserting in place thereof the following:

<u>Class Title/In House Title</u>	<u>Compensation Grade</u>
Water Maintenance Worker II	16B
Water Maintenance Worker I	19B
Water Maintenance Worker I (with CDL or Backhoe License)	20B
Water Maintenance Worker I (with CDL and Backhoe License)	22B
Water Maintenance Worker I (advanced backhoe operator)	28B
Water Maintenance Worker I (advanced backhoe operator with MA D-4 license)	29B
Water Maintenance Supervisor	25B
Water Maintenance Supervisor (with MA D-1 license)	27B
Water Maintenance Supervisor (with MA D-4 License)	29B

Water Division Sr. Engineering Aide	26B
Water Maintenance Sr. Engineering Aide (with MA D-4 license)	29B
Chief Water Inspector	26B
Chief Water Inspector (with MA D-4 license)	29B
Community Utilities – Asset Manager/GIS Specialist	§ 50-310
Community Utilities – Deputy Administrator	§ 50-310
Community Utilities – Project Manager	§ 50-310
Community Utilities – Project Specialist	§ 50-310

Section 2

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

29B:	<u>Minimum</u>	<u>2nd Step</u>	<u>3rd Step</u>	<u>4th Step</u>	<u>Maximum</u>
7-1-2017	\$1,877.05	\$1,941.34	\$1,964.67	\$1,993.94	\$2,023.18

Section 3

By inserting in Section 50-310, which section relates to salary schedules for Water Department and Sewer Commission Supervisors, the following:

Community Utilities – Asset Manager/GIS Specialist	7/1/17 up to \$60,000 per annum
Community Utilities – Deputy Administrator	7/1/17 up to \$89,000 per annum
Community Utilities – Project Manager	7/1/17 up to \$72,817 per annum
Community Utilities – Project Specialist	7/1/17 up to \$56,494 per annum

CITY OF FALL RIVER
IN CITY COUNCIL
AUG 15 2017

Passed through first reading
(C. Mitchell opposed)

City of Fall River, In City Council

14

(Councillor Steven A. Camara)

WHEREAS, Amazon is publicly requesting proposals to host their second headquarters in North America (Amazon HQ2), which is expected to be a five billion dollar (\$5,000,000,000.00) investment in construction costs and creating as many as fifty thousand (50,000) high paying jobs, and

WHEREAS, Amazon recently has located a distribution center in Fall River, currently employing approximately fifteen hundred (1,500) people, and

WHEREAS, Amazon Headquarters are located in Seattle, Washington, and

WHEREAS, Fall River, Massachusetts would be an excellent location for Amazon HQ2 due to its east coast location with easy access to water, road, rail and air transportation, and

WHEREAS, Fall River's location approximately twenty (20) miles from Rhode Island's capital city of Providence and fifty (50) miles from Massachusetts's capital city of Boston meets its requirement to be located in a major metropolitan area and otherwise, provides the criteria Amazon is seeking for Amazon HQ2, now therefore

BE IT RESOLVED, that the Fall River City Council calls on the City Administration, Governor Charles Baker and his administration, its state and federal elected officials, its business-oriented advocacy organizations, including the Bristol County Chamber of Commerce and the Fall River Office of Economic Development (FROED) and all others interested in promoting Fall River as a viable site for Amazon HQ2 to pursue all possible channels to participate in Amazon's public process to select a North American site for Amazon HQ2.

City of Fall River, *In City Council*

16

(Councilor Steven A. Camara)

ORDERED, that the provisions of Section 18B of Chapter 53 of the Massachusetts General Laws, which section pertains to Information relating to questions on city, town or district ballot; contents; written arguments by principal proponents and opponents; public inspection, be and the same is hereby accepted.

16

Part I ADMINISTRATION OF THE GOVERNMENT**Title VIII** ELECTIONS**Chapter 53** NOMINATIONS, QUESTIONS TO BE SUBMITTED TO THE
VOTERS, PRIMARIES AND CAUCUSES**Section 18B** INFORMATION RELATING TO QUESTIONS ON CITY,
TOWN OR DISTRICT BALLOT; CONTENTS; WRITTEN
ARGUMENTS BY PRINCIPAL PROPONENTS AND
OPPONENTS; PUBLIC INSPECTION

Section 18B. (a) As used in this section "governing body" shall mean, in a city, the city council or board of aldermen acting with the approval of the mayor subject to the charter of the city, in a town having a town council, the town council, in every other town, the board of selectmen and in a district as provided in sections 113 to 119, inclusive, of chapter 41, the prudential committee, if any, otherwise the commissioners of the district.

(b) The governing body of a city, town or district which accepts this section in the manner provided in section 4 of chapter 4 shall print information relating to each question that shall appear on the city, town or district ballot. The information shall include: (1) the full text of each question; (2) a fair and concise summary of each

16

question, including a 1 sentence statement describing the effect of a yes or no vote, which shall be prepared by the city solicitor, town counsel or counsel for the city, town or district; and (3) arguments for and against each question as provided in subsections (d) and (e). Not later than 7 days before an election at which the question shall be submitted to the voters in a city, town or district, the information in this subsection shall be sent to each household wherein a person whose name appears on the current voting list for the city, town or district resides.

(c) Not later than the day following the date of the determination that a question shall appear on the ballot in an election, the governing body shall provide written notification to the city solicitor or town or district counsel and to the city or town clerk.

(d) Not later than 7 days after the determination that a question shall appear on the ballot, the city solicitor or town or district counsel, as applicable, shall seek written arguments from the principal proponents and opponents of the question. For the purposes of this section, the principal proponents and opponents of a question shall be those persons determined by the solicitor or counsel to be best able to present the arguments for and against the question. The solicitor or counsel shall provide not less than 7 days' written notice to the opponents and proponents of the date on which the written arguments shall be received. Proponents and opponents shall submit their arguments, which shall be not more than 150 words, to the solicitor or counsel, together with a copy thereof to the city or town clerk or, in a district, to the clerk of

16

each city and town within the district. The arguments and summary shall be submitted by the solicitor or counsel to the governing body at least 20 days before the election for distribution to voters in accordance with subsection (b). A copy of the arguments and summary shall also be submitted by the solicitor or counsel to the city, town or district clerk.

(e) In determining the principal proponents and opponents of a ballot question, the solicitor or counsel shall contact each ballot question committee, if any, as defined in section 1 of chapter 55. The principal proponents or opponents of a ballot question may include officers of a ballot question committee or officers of a city, town or district office or committee including, but not limited to, a finance committee or a school committee. In addition, the principal proponents or opponents may include the first 10 signers or a majority of the first 10 signers of a petition initiating the placement of such question on the ballot. The solicitor or counsel shall determine, based on a review of arguments received, the person or group best able to present arguments for and against a question. If no argument is received by the solicitor or counsel within the time specified by the solicitor or counsel, the solicitor or counsel shall prepare an argument and submit the argument to the governing body and to the city or town clerk or, in a district, to the clerk of each city and town within the district within the time specified in subsection (d).

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(f) All arguments filed or prepared pursuant to this section and the information prepared pursuant to subsection (b), shall be open to public inspection at the office of city or town clerk or, in a district, at the office of the clerk of each city and town within the district. In addition, each city or town clerk shall make such information available to the voters at all polling places within the city, town or district.

BRIAN R. CUNHA, ESQ.**
NELIA CAMARA DeSTEFANO, ESQ.**

HONEY POLNER, ESQ., R.N.
KAREN A. ALEGRIA, ESQ.**
SHARON D. SYBEL, ESQ.**

**MEMBER MA & RI BAR

LAW OFFICES

BRIAN CUNHA
& ASSOCIATES

21
311 PINE STREET
FALL RIVER, MASSACHUSETTS 02720
(508) 676-9500

RECEIVED
FAX: (508) 676-9500

WEBSITE: www.briancunha.com

August 17, 2017

2017 AUG 21 P 2:19

CITY CLERK #17-58A
FALL RIVER, MA

Certified Mail Return Receipt No. 7015 0660 0000 7524 5165

Jasiel F. Correia II, Mayor
CITY OF FALL RIVER
One Government Center
Fall River, MA 02722

RE: Client : Courtney Salva, 180 Highland Avenue #16, Fall River, MA 02720
Date of Loss : June 15, 2017
My File No. : 21210-ND

AMENDED NOTICE PURSUANT TO M.G.L., CHAPTER 84 §15

Dear Mr. Correia:

Please be advised that our office has been retained to represent the above-named, Courtney Salva, for injuries she sustained on June 15, 2017 while walking on the sidewalk located at 263 Stanley Street, Fall River, Massachusetts. On this date, at approximately 11:00 a.m., Mrs. Salva was walking on the sidewalk when she was caused to slip and fall due to a pothole and defects in said sidewalk. As a result of her fall, she sustained an injury to her left ankle and a left non-displaced fracture of the fifth metatarsal.

Our investigation reveals that said fall was a result of the negligent failure of the City of Fall River to maintain its premises in a safe condition for the public.

As a result of this fall, Mrs. Salva sustained serious and permanent injuries for which we are making a claim on her behalf.

Kindly provide this office with the policy limits of your insured. Also, please direct all correspondence and communications to the undersigned. Thank you for your prompt attention to this matter.

Very truly yours,
BRIAN CUNHA & ASSOCIATES, P.C.

Nelia M. DeStefano, Esquire

NMD:smf

cc: City Clerk's Office, City Hall, One Government Center, Fall River, MA

117 ✓
Law, City Clerk, City Council, DCM, Engineering
TOLL FREE
1-800-322-8300

NEW BEDFORD, MA
(508) 991-2100

E. PROVIDENCE, RI
(401) 434-5300

Jay Smith, Claim Manager

August 11, 2017

City Of Fall River
City Clerks Office
1 Government Center
FALL RIVER, MA 02722

Claim Number: 033787391
Policy Number: HC456446
Company Name: Arbella Mutual Insurance Company

This office represents the interest of Arbella Mutual Insurance Company. By virtue of payment under the Collision portion of a policy of insurance, we have become subrogated to the rights of our insured (LORI BIELLO, 682 PROSPECT ST, FALL RIVER, MA 02720) for the damage to their motor vehicle sustained in the accident described below:

Place of accident: 682 prospect street Type of accident: MATDAM 1
Date & time: 12/28/2016, 12:00:00 AM EST

This collision was caused by the negligent operation of a motor vehicle driven by Glen Silvia, and bore operator's license number S61068293. They were operating a motor vehicle described as a City Fire truck, bearing Mass. Registration number MFA164, belonging to the City of Fall River.

Pursuant to Chapter 258 of the Mass. General Laws, notice is given and claim is hereby made against the City of Fall River, for the damages caused by said collision in the amount of \$ 238.08. Attached for your convenience is a copy of the damage appraisal.

Please include our file number on all correspondence and send all communications to me at the address above.

Very truly yours,

Jacob Roderick
Claim Service Specialist
Bridgewater Claim Office
800-272-3552 ext. 7361
Fax 617-773-4760

RECEIVED
2017 AUG 16 A 11:54
#17-69
CITY CLERK
FALL RIVER, MA

Enclosure: Appraisal

8/16/17
C: City Clerk
City Council
Law
Fire Dept

1100 Crown Colony Drive	P.O. Box 699195	Quincy, MA 02269-9195	telephone (800) ARBELLA	www.arbella.com
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BRIAN R. CUNHA, ESQ.**
NELIA CAMARA DESTEFANO, ESQ.**

HONEY POLNER, ESQ., R.N.
KAREN A. ALEGRIA, ESQ.**
SHARON D. SYBEL, ESQ.**

**MEMBER MA & RI BAR

LAW OFFICES

BRIAN CUNHA
& ASSOCIATES

311 PINE STREET
FALL RIVER, MASSACHUSETTS 02720
(508) 675-9500

FAX: (508) 679-6360

WEBSITE: www.briancunha.com

August 16, 2017

Certified Mail Return Receipt No. 7017 0660 0000 7524 5158

Jasiel F. Correia II, Mayor
CITY OF FALL RIVER
One Government Center
Fall River, MA 02722

RE: Client : Lorraine Brown
111 Borden Street
Fall River, MA 02721

Date of Loss : July 11, 2017
My File No. : 21260-ND

RECEIVED
2017 AUG 18 A 11:19
CITY CLERK #17-70
FALL RIVER, MA

NOTICE PURSUANT TO M.G.L., CHAPTER 84

Dear Sir:

Please be advised that our office has been retained to represent the above-named, Lorraine Brown, for injuries she sustained on July 11, 2017 while walking on the sidewalk located at 181 South Main Street, Fall River, Massachusetts. On this date, at approximately 10:30 a.m., Mrs. Brown was walking on the sidewalk when she was caused to fall due to broken sidewalk and defects in said sidewalk. As a result of her fall, she sustained injuries to her right wrist, right knee and contusions to her head.

Our investigation reveals that said fall was directly and proximately caused a result of the negligent failure of the City of Fall River to maintain a safe and hazardous free premises for the public.

As a result of this fall, Mrs. Brown sustained serious and permanent injuries for which we are making a claim on her behalf.

Kindly provide this office with the policy limits of your insured. Also, please direct all correspondence and communications to the undersigned. Thank you for your prompt attention to this matter.

Very truly yours,
BRIAN CUNHA & ASSOCIATES, P.C.

Nelia M. DeStefano, Esquire

NMD/ko

cc: City Clerk's Office, City Hall, One Government Center Room 227, Fall River, MA 02722
Office of Corporation Counsel, One Government Ctr, Room 627, Fall River, MA 02722

TOLL FREE
1-800-322-8300

NEW BEDFORD, MA
(508) 991-2100

E. PROVIDENCE, RI
(401) 434-5300

8/18/17 City Clerk
City Council
Law Dept.
DCM, Engineering

BRIAN R. CUNHA, Esq.**
NELIA CAMARA DE STEFANO, Esq.**

HONEY POLNER, Esq., R.N.
KAREN A. ALEGRIA, Esq.**
SHARON D. SYBEL, Esq.**

**MEMBER MA & RI BAR

LAW OFFICES

BRIAN CUNHA
& ASSOCIATES

311 PINE STREET
FALL RIVER, MASSACHUSETTS 02720
(508) 675-9500

FAX: (508) 679-6360

WEBSITE: www.briancunha.com

August 22, 2017

City Clerk's Office
City of Fall River
One Government Center
Fall River, MA 02722

RE: Justin Parsons
2931 North Main Street, Fall River, MA
Personal Injury - August 16, 2017

RECEIVED
2017 AUG 23 A 11:38
CITY CLERK
FALL RIVER, MA
17-71

NOTICE PURSUANT TO MASSACHUSETTS GENERAL LAWS
CHAPTERS 258 AND 84

Dear Sir/Madam:

Notice is hereby given to the City Clerk's Office, pursuant to Massachusetts General Laws Chapters 258 and 84, that on August 16, 2017, at approximately 1:00 p.m., Mr. Justin Parsons of 2931 North Main Street, Fall River, Massachusetts, was caused to fall on an uncovered water main hole on Hope Street and Fountain Streets in Fall River, Massachusetts.

Our client, Mr. Parsons, claims that said incident was directly and proximately caused by the failure of the City of Fall River to maintain a safe and hazardous free premise.

As a result of said incident, Mr. Parsons sustained serious and permanent injuries for which we are making a claim.

Kindly contact me at your earliest convenience so we may discuss settlement of this matter. If this matter is not resolved within the six months as required under M.G.L. c. 258, a complaint will be filed against the City of Fall River, its agents, servants and/or employees. Your anticipated courtesy and cooperation is greatly appreciated.

Very truly yours,
BRIAN CUNHA & ASSOCIATES, P.C.

Sharon D. Sybel, Esquire

SDS/mcp

CERTIFIED MAIL
RETURN RECEIPT NO: 7015 0640 0001 3612 3324

TOLL FREE
1-800-322-8300

City Clerk
City Council
Law
Dr. M. Water

NEW BEDFORD, MA
8/23/17 (508) 991-2100

E. PROVIDENCE, RI
(401) 434-5300

City of Fall River
Notice of Claim

21
RECEIVED #17-72

2017 AUG 24 P 12:29

1. Claimant's name: Ashley Rose
2. Claimant's complete address: 777 Hicks St Apt 2 Fall River, MA 02724
3. Telephone number: Home: (774) 488 9244 Work: N/A
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Irreparable tire damage due to a pothole
5. Date and time of accident: 8/16/17 at 7:10 AM Amount of damages claimed: \$9166.69
6. Exact location of the incident: (include as much detail as possible):
1.5 ft North of the intersection of Slade St & King St and pothole is on King St.
7. Circumstances of the incident: (attach additional pages if necessary):
Owner of the vehicle was driving on King St and heading North. Just after the intersection of King St and Slade St, the owner saw the pothole that appeared to be only an inch or so shallow. The owner drove over the pothole at a slower speed after having stopped at the intersection. The pothole popped the tire on the side wall and after closer inspection, the pothole has dangerous jagged edges that cause unexpected damage.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No
Photographic proof of the location and pothole may be provided upon request
AAA information and documentation may also be provided if necessary to confirm tire damage & location
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: 8/24/17

Claimant's signature: Ashley Rose 8/24/17

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

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

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

For official use only:

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

Date: 24 2017

Engineering

21

STEVEN P. SABRA
ssabra@sabraandaspden.com
MATTHEW M. ASPDEN*
maspden@sabraandaspden.com
MATTHEW W. ASPDEN, II
mwa@sabraandaspden.com

1026 COUNTY STREET
SOMERSET, MA 02726
Tel (508) 674-0890
Fax (508) 679-5998

September 1, 2017

REGULAR AND CERTIFIED MAIL NO. 70150640000298389996

City Clerk - City of Fall River
One Government Center
Fall River, MA 02720

RE: Manuel Ferreira
VS: City of Fall River
Date of Incident: September 11, 2015

Dear Sir or Madam:

Please be advised that I represent the above named Manuel Ferreira with regard to property damage sustained in an incident that occurred on September 11, 2015 at 343 Snell Street in Fall River, Massachusetts.

Mr. Ferreira alleges, through counsel, that on the above date, the City of Fall River, its agents, servants, or employees, were negligent and careless in their ownership, control, and maintenance of the area near 343 Snell Street.

More specifically, Biszko's Construction, who was contracted by the City of Fall River to perform certain road construction services on Snell Street, broke a sewer line while performing work on the site. The City of Fall River, through its agents, servants and/or employees, attempted to repair the sewer pipe but did so in a negligent and careless and/or unworkmanlike manner. As a result, on said September 11, 2015, the repair failed, causing sewerage to back up into my client's premises at 343 Snell Street, resulting in damage with the cost to repair in excess of \$48,000.00.

I forward you this notice in accordance with the provisions of Massachusetts General Laws, Chapter 258 and Chapter 84 and advise you that Mr. Ferreira hereby makes a claim for damages against the City of Fall River.

*Clerk
Council
Law
sewer m
eng 9/6/17*

RECEIVED
2017 SEP -6 A 10:53
CITY CLERK 17-124
FALL RIVER, MA

Law Offices

Sabra & Aspden
A Professional Association

RECEIVED

2017 SEP -5 A 11:40

Council
21

STEVEN P. SABRA
ssabra@sabraandaspden.com
MATTHEW M. ASPDEN*
maspden@sabraandaspden.com
MATTHEW W. ASPDEN, II
mwa@sabraandaspden.com

CITY CLERK 17-73
FALL RIVER, MA 1026 COUNTY STREET
SOMERSET, MA 02726
Tel (508) 674-0890
Fax (508) 679-5998

September 1, 2017

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City Clerk - City of Fall River
One Government Center
Fall River, MA 02720

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VS: City of Fall River
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*MEMBER OF MASSACHUSETTS AND RHODE ISLAND BARS
Website: www.sabraandaspden.com

*clerk
Council
law
sewer
eng.*



City of Fall River
Notice of Claim

RECEIVED

2017 SEP -6 A 9:24

CITY CLERK
FALL RIVER, MA

1. Claimant's name: Joseph E Cowen
2. Claimant's complete address: 15 allen st fall River MA 02724
3. Telephone number: Home: _____ Cell: 774 319 0749 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
cell phone dropped by police during peaceful arrest
5. Date and time of accident: 2 Sept 2017 Amount of damages claimed: \$ 400.00
UBreakwefix.com
6. Exact location of the incident: (include as much detail as possible):
Home 15 allen st
7. Circumstances of the incident: (attach additional pages if necessary):
The police officer emptied my pockets onto the roof of the car, when we all got in he drove off causing the phone to fall to the street breaking the screen.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 6 Sept 2017

Claimant's signature: [Signature]

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

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

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

For official use only:

Copies forwarded to: ☒ City Clerk

☒ Law

☒ City Council

☒ City Administrator

☒ Police

Date: 9.6.17

COMMITTEE ON ORDINANCES AND LEGISLATION

MEETING Monday, August 28, 2017 at 5:30 p.m.
Council Chamber, One Government Center

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

ABSENT None

IN ATTENDANCE Cathy Ann Viveiros, City Administrator
Joseph I. Macy, Corporation Counsel
Madeline Coelho, Director of Human Resources
Chief John Lynch, Fall River Fire Department
Alison M. Bouchard, City Clerk
Mary Sahady, Director of Financial Services

The chairman called the meeting to order at 5:30 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium. Councilor Linda M. Pereira arrived at 5:31 p.m. and Councilor Pam Laliberte-Lebeau arrived at 5:32 p.m.

Agenda:

1. Proposed Ordinance – Traffic, Handicapped Parking
On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long; it was unanimously voted to recommend the proposed ordinance be accompanied by an emergency preamble. On a further motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long it was unanimously voted to recommend the proposed ordinance, accompanied by an emergency preamble be passed through first reading, second reading, passed to be enrolled and passed to be ordained.

2. Proposed Ordinance – Traffic, miscellaneous
On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to recommend the proposed ordinance be passed through first reading.

On a motion made by Councilor Stephen R. Long and seconded by Councilor Joseph D. Camara, it was unanimously voted to take items #4, #5 and #6 out of order.

4. Communication from Mayor and proposed ordinance re: personnel title and wage change for Director of Emergency Medical Services
On a motion made by Councilor Stephen R. Long and seconded by Councilor Joseph D. Camara, it was unanimously voted to amend the proposed ordinance as follows:

By striking out the proposed salary of: Not to exceed \$108,000.00 per annum

And by inserting the following:

7/1/2017	\$93,000.00 per annum
7/1/2018	\$98,000.00 per annum
7/1/2019	\$108,000.00 per annum

On a further motion made by Councilor Stephen R. Long and seconded by Councilor Joseph D. Camara, it was unanimously voted to recommend the proposed ordinance be passed through second reading and enrollment, as amended. Councilor Cliff Ponte requested an organizational chart of the Emergency Medical Services Division and the Fire Department. Chief Lynch stated that he will provide this information to the City Council.

5. Communication from Mayor and proposed ordinance re: personnel title and wage change for Chairman of Board of Election Commissioner
Councilor Linda M. Pereira asked if there were any steps involved in this wage change. The City Administrator stated that there were no steps. On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to recommend the proposed ordinance be passed through first reading.

6. Communication from Mayor and proposed ordinance re: personnel title and wage change for City Council Principal Clerk.
On a motion made by Councilor Stephen R. Long and seconded by Councilor Linda M. Pereira, it was unanimously voted to recommend the proposed ordinance be passed through first reading.

3. Communication from Mayor and Housing Development Incentive Program (HDIP) Establishment of a proposed South End Market Rate Housing Zone
Councilor Linda M. Pereira asked if this South End Market Rate Housing Zone could be considered spot zoning. The City Administrator stated that it could not, as the King Phillip Mill is three parcels of land. On a motion made by Councilor Stephen R. Long and seconded by Councilor Joseph D. Camara it was unanimously voted to recommend the resolution be adopted.

7. Resolution requesting review of all board and commissions
Corporation Counsel stated that he will be meeting with the Mayor to review all boards and commissions. The City Administrator stated that some boards and commissions may be affected by the possible Charter changes. On a motion made by Councilor Joseph D. Camara and seconded by Councilor Linda M. Pereira it was unanimously voted to table the matter.

8. Resolution requesting no stipends be granted without City Council approval
Councilor Linda M. Pereira stated that some stipends are given and the City Council is not informed. The City Administrator stated that some stipends are part of collective bargaining and would need to be negotiated to be changed or removed. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Stephen R. Long, it was unanimously voted to recommend that the resolution be granted leave to withdraw.

9. Resolution -- travel expenses in excess of \$1,000.00 be approved by the City Council
On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was voted 3 yeas, 2 nays to recommend the resolution be granted leave to withdraw with Councilors Linda M. Pereira and Cliff Ponte voting in the negative.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Stephen R. Long, it was unanimously voted to adjourn at 5:57 p.m.

List of documents and other exhibits used during the meeting:
Agenda packet (attached)
CD and DVD of meeting

Colleen A. Taylor
Clerk of Committees

COMMITTEE ON ORDINANCES AND LEGISLATION

MEETING Monday, August 14, 2017 at 5:15 p.m.
Council Chamber, One Government Center

PRESENT Councilor Cliff Ponte, presiding
Councilors Stephen R. Long and Linda M. Pereira

ABSENT Councilors Joseph D. Camara and Pam Laliberte-Lebeau

IN ATTENDANCE Cathy Ann Viveiros, City Administrator
Joseph I. Macy, Corporation Counsel
Terrance J. Sullivan, Administrator of Community Utilities

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

Agenda:

1. Administrator of Community Utilities and proposed ordinance for personnel modifications

The Administrator of Community Utilities stated that he had submitted the reorganization of the Department of Community Utilities to the City Council on May 23, 2017 and then once the Fiscal Year 2018 Budget was approved he resubmitted the proposed ordinances for approval. On a motion made by Councilor Stephen R. Long and seconded by Councilor Linda M. Pereira, it was unanimously voted to recommend that the proposed ordinance be passed through first reading with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.

2. Resolution - allow submission of communications via email or regular mail for Citizen Input Time

The Chairman read a letter that was submitted by Dennis Polselli, Chairman of the Fall River Commission on Disability regarding citizen input. The request is to allow citizen input to be submitted via email or regular mail if the resident is handicapped and unable to attend the meeting at which they wish to speak. Councilor Linda M. Pereira stated that the communication will need to include their name, address and the topic that they wish to comment on. On a motion made by Councilor Stephen R. Long and seconded by Councilor Linda M. Pereira it was unanimously voted to amend the Citizen Input Resolution to allow disabled residents to submit items to be read at citizen input if they are unable to attend and recommend adoption, as amended with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Stephen R. Long, it was unanimously voted to adjourn at 5:58 p.m., with Councilors Joseph D. Camara and 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

Letter from Dennis Polselli (attached)

Colleen A. Taylor
Clerk of Committees

COMMITTEE ON PUBLIC SAFETY

MEETING: Tuesday, August 22, 2017 at 5:30 p.m.
Council Chamber, Government Center

PRESENT: Councilor Pam Laliberte-Lebeau, presiding
Councilors Richard Cabeceiras and Cliff Ponte

ABSENT: None

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator
Albert Dupere, Deputy Police Chief
Michael Perreira, President, Fall River Patrolman's Union
Francis Fournier, 1235 Watkins Street
JR Frey, City Engineer
John Perry, Director of Community Maintenance
Councilor Linda M. Pereira
Michelle Dionne, 5 Byron Street
John Silvia, 51 Ada Street
Richard Branco, 137 Fifth Street
Colin Dias, 560 Ray Street

The chair called the meeting to order at 5:35 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

Agenda:

On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Cliff Ponte, it was unanimously voted to take agenda item #2 out of order.

2. Communication – city resident regarding intersection of Meridian and Watkins Streets

Mr. Fournier stated that the height of the shrubs on the corner of Meridian and Watkins Streets has been an ongoing problem for the past four years. He stated that as you try to exit Watkins Street onto Meridian Street your view is obstructed by the high shrubs. The Director of Community Maintenance stated that the shrubs had been cut down to four feet, but the neighbors are looking to have them lowered to three feet. He stated that he has been in contact with the owner of the property and the owner has agreed to have the shrubs lowered to three feet, which a landscaper will perform this week. Councilor Richard Cabeceiras requested that the city inspect this area next week to assure the work has been completed. The Director of Community Maintenance stated that he will do the inspection. The City Engineer stated that the safety of this intersection is fine, as long as the 30 mph speed limit is adhered to. The Director of Community Maintenance stated he will speak with the Director of Traffic to have a speed limit sign installed. On a motion made by Councilor Cliff Ponte and seconded by Councilor Richard Cabeceiras, it was unanimously voted to table the matter.

1. Resolution -- Discuss ways to increase Police Department staffing levels
 On a motion made by Councilor Cliff Ponte and seconded by Councilor Richard Cabeceiras, it was unanimously voted to lift the resolution from the table. Various residents spoke and stated that they would like to see more walking beat police officers in various neighborhoods. Councilor Richard Cabeceiras asked the Deputy Police Chief if there has been an increase in shootings. The Deputy Chief stated there has not been an increase and most of these shootings are drug and gang related. Councilor Richard Cabeceiras stated that maybe the city should be paying officers overtime pay, instead of issuing compensatory time. The Deputy Chief stated that this is contractual and subject to collective bargaining. Councilor Cliff Ponte stated that having \$6 million dollars in the Stabilization Account and not having enough police officers on the street is a problem.

Councilor Cliff Ponte asked why the City does not have a contract with the Fall River Patrolman's or Superior's Unions. The City Administrator stated that the matter is in arbitration. Councilor Cliff Ponte then questioned why the Police Department couldn't have another "Blue Thunder"? Michael Perreira stated that "Blue Thunder" was held in 2010 and approximately 50 police officers volunteered for this operation. He also stated that this was done to honor the newly appointed Police Chief.

The City Administrator stated that the Administration has approved an additional \$100,000 to be spent on overtime, as the Police Chief sees necessary. On a motion made by Councilor Cliff Ponte and seconded by Councilor Richard Cabeceiras, it was unanimously voted to table the matter.

3. Resolution -- Discuss status of vacant mills in the city
 On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Cliff Ponte, it was unanimously voted to lift the resolution from the table. Councilor Linda M. Pereira stated that she hoped the proposed zoning revision for the King Philip Mill will not be considered spot zoning and rejected by the state. The City Administrator stated that the developer is looking to have an electrician hard wire the King Philip Mill building and have heat detectors installed in the building. Councilor Richard Cabeceiras questioned if there was security 24 hours a day at the King Philip Mill. The City Administrator stated that there is security only from 7 p.m. to 7 a.m. Councilor Richard Cabeceiras questioned why there was not a fire watch at this complex. He then requested that Fire Chief John Lynch be invited to the next meeting to discuss this matter. On a motion made by Councilor Cliff Ponte and seconded by Councilor Richard Cabeceiras, it was unanimously voted to table the matter.

4. Discussion re: issues and concerns related to public safety throughout the city
 No citizens came forward.

On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Cliff Ponte, it was unanimously voted to adjourn at 7:35 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

CD and DVD of meeting

List of shots fired submitted by Deputy Police Chief Dupere

Photos shown by Francis Fournier of shrubs on Meridian Street

Cullen A. Taylor
 Clerk of Committees

25

COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION

MEETING: Tuesday, August 8, 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: Cathy Ann Viveiros, City Administrator
John Perry, Director of Community Maintenance
Dennis Silvia, General Construction Inspector
Councilor Joseph D. Camara
William Kenney, City Planner
Attorney Ronald J. Ritchie, Counsel for Liberty Utilities, 36 Fifth Street
James J. Carey, Senior Manager Customer Care, Liberty Utilities
William Peck, Supervisor of Construction & Maintenance, Liberty Utilities
John Amorim, Supervisor of Engineering, Liberty Utilities

The chairman called the meeting to order at 5:16 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

Agenda:

1. Resolution – Discussion with Liberty Utilities re: quality of road repairs and plans to meet State Standards on future construction

The City Administrator stated that there have been significant improvements to many repairs, especially in the area of St. Anne's Hospital. She also stated that there is still a huge backlog of repairs that have not been completed. She stated that the timeliness of these repairs is very important. Attorney Ritchie stated that Liberty Utilities is under mandate to replace all leak prone infrastructure within a twenty year period and they are in the third year of this program. There is still over 150 miles of pipe to be replaced within the next 17 years. This year there will be 8 miles of gas mains replaced.

The General Construction Inspector for the City of Fall River stated that many streets have been repaired but not the sidewalks in the same area. William Peck, Supervisor of Construction and Maintenance for Liberty Utilities stated that sidewalk repairs have just begun this past week. He admitted that these repairs are behind schedule. Dennis Silvia stated that infra-red patches are only required on streets that are less than five years old.

Councilor Steven A. Camara stated that he would like to commend Liberty Utilities for the repairs that were made in the area of St. Anne's Hospital. He also stated that repairs that were made on President Avenue from North Main Street to Bicentennial Park are not very good. Attorney Ritchie stated that he would review the repairs that were made in this area and see what improvements need to be made.

On a motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to table the resolution, with Pam Laliberte-Lebeau absent and not voting.

2. Communication from Mayor regarding The Complete Streets Program

On a motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to adopt the "Complete Streets Program", 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 6:42 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

Copies of Gas Permits from Engineering Division

Cullen A. Taylor
Clerk of Committees

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, March 28, 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: Attorney Kenneth Fiola, Jr., Executive V.P., FROED
Cathy Ann Viveiros, City Administrator
Maria Vann, Director, Maritime Museum
Mary Sahady, Director of Financial Services

President Shawn E. Cadime called the meeting to order at 8:16 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 Year Three Annual Action Plan
On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the matter to the Committee on Finance.
2. Mayor and order for the acquisition of 0 Jefferson Street (Lot D-20-16)
On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Cliff Ponte, it was unanimously voted to refer the matter to the Committee on Finance.
3. Mayor and creation of Office of Economic Development
On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 3 yeas, 6 nays to table the matter with Councilors Richard Cabeceiras, Pam Laliberte-Lebeau, Raymond A. Mitchell, Linda M. Pereira, Cliff Ponte and President Shawn E. Cadime voting in the negative and the motion failed to carry. A motion was then made by Councilor Cliff Ponte and seconded by Councilor Raymond A. Mitchell to waive the rules and allow Attorney Kenneth Fiola, Jr. to answer questions and discuss this matter. Councilor Cliff Ponte asked Attorney Kenneth Fiola, Jr. what he meant when he stated to the news media that this proposal from the Mayor would be an unmitigated disaster. Attorney Kenneth Fiola, Jr. stated that we are on the cusp of many good things happenings in the City of Fall River and we don't want to ruin this:

Councilor Linda M. Pereira stated that she is not in favor of referring this to a committee. Councilor Richard Cabeceiras made a motion to waive the rules to allow the City Administrator to speak on the matter. President Shawn E. Cadime stated that the rules had already been waived, so a motion was not necessary. On a motion was made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Raymond A. Mitchell, it was voted 6 yeas, 3 nays that the matter be granted leave to withdraw, with Councilors Joseph D. Camara, Steven A. Camara and Stephen R. Long voting in the negative.

4. Mayor and order for emergency CPA funding for an elevator at the Maritime Museum (formerly the Marine Museum)

On a motion made by Councilor Cliff Ponte and seconded by Councilor Richard Cabeceiras, it was unanimously voted to lift the item from the table. On a motion made by Councilor Steven A. Camara and seconded by Councilor Richard Cabeceiras, it was unanimously voted to waive the rules to allow the Director of the Maritime Museum to address the Council. The Director gave an update on the process of the installation of an elevator in the museum. Councilor Steven A. Camara requested that the Director of Financial Services answer a few questions regarding the taxes that are still pending payment. The Director of Financial Services stated that Attorney Matthew Thomas has been working with the Maritime Museum on clearing all taxes that accumulated during the time which the museum's non-profit status had lapsed. The Director of Financial Services stated that all pending taxes are in the process of being waived and she does not anticipate any further problems. On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira it was unanimously voted to refer the item to the Committee on Finance.

PRIORITY COMMUNICATIONS

5. Traffic Commission recommending amendments to the traffic ordinances
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the communications to the Committee on Ordinances and Legislation.

COMMITTEE REPORTS

Committee on Real Estate recommending:

Referral to the Committee on Ordinances and Legislation:

6. Resolution – Ensure compliance regarding demolition of buildings on historical register
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Cliff Ponte, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation.

Committee on Finance recommending:

Action:

7. Order – \$99,630 from CPA funds for Oak Grove Cemetery iron and stone work
On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to adopt the order.
Approved, April 3, 2017, Mayor Jasiel F. Correia II

ORDINANCES – None

RESOLUTIONS

8. Administration consider use of SeeClickFix and Committee on Finance convene to discuss this database
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the resolution.

9. Corporation Counsel investigate whether City can be reimbursed for real estate consultant Services

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

10. Requirement of Mayor to notify City Council President of his absence
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara, it was unanimously voted to refer the resolution to the Committee on Ordinances and Legislation.

CITATIONS

11. David Machado – Lifelong dedication to public service
On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to take items #11 and #12 together. On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to adopt the citation.

12. Dorothy Nicolau – Celebration of 80th 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

Joint pole location:

13. Massachusetts Electric Company and Verizon New England, Inc. – Aldea Street – two poles
On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the order.
Approved, April 3, 2017, Mayor Jasiel F. Correia II

ORDERS – MISCELLANEOUS

14. Home Rule Petition – An Act Relative to the Disposal of Municipally Owned Property
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to adopt the order.

15. Committee on Finance and Regular Meetings of the City Council be changed from May 9 and 23, 2017 to May 16 and 30, 2017
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Cliff Ponte, it was unanimously voted to adopt the order.

16. Police Chief's report on licenses

Taxicab Drivers:

Dereon Broderick
 Vincent Pitts

Alfred W. Cuttle Jr.

Adalberto Martinez

Second Hand Licenses:

Game Stop, Inc. d/b/a Game Stop 6735
 Michael W. West d/b/a A1 Antiques and Used Furniture
 Joseph Neronha d/b/a South Baptist Church Thrift Store

Pool/Billiards

Robert and John Albin d/b/a Straight Shooters

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

Auto Repair Shop license renewal:

17. Brian D. Vieira, Aime's Auto Repair, Inc. at 88 Earle 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, April 3, 2017, Mayor Jasiel F. Correia II

COMMUNICATIONS – INVITATIONS – PETITIONS

18. Claims
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to refer the claims to Corporation Counsel.
Approved, April 3, 2017, Mayor Jasiel F. Correia II

19. Drainlayer license – Foley Excavation, Inc.
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to approve the license.
Approved, April 3, 2017, Mayor Jasiel F. Correia II

20. Communication from Attorney General regarding OML complaint of February 7, 2017 regarding alleged violation occurring on December 27, 2016
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to refer the matter to Corporation Counsel.

City Council Committee/Meeting Minutes:

21. Regular Meeting of the City Council – January 24, 2017
On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to take items #21, #22 and #23 together. On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to approve items #21, #22 and #23.

22. Committee on Public Safety – March 2, 2017
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to approve the minutes.

23. Committee on Ordinances and Legislation – March 21, 2017
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to approve the minutes.

BULLETINS – NEWSLETTERS – NOTICES

24. Notice of Casualty and Loss at 453 Montgomery Street
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Cliff Ponte, it was unanimously voted that the notice be accepted and placed on file.

25. Notice of Casualty and Loss at 297 Woodlawn Street
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted that the notice be accepted and placed on file.

ITEMS FILED AFTER THE AGENDA WAS PREPARED:
CITY COUNCIL MEETING DATE: MARCH 21, 2017

RESOLUTIONS

Committee on Health and Environmental Affairs meet at Bristol Community College on Earth Day, April 19, 2017
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Richard Cabeceiras, it was unanimously voted to adopt the resolution.

Committee on Finance meet with various parties to discuss and the impact of the proposed SSTAR facility at 75 Weaver Street and the zoning process for such facility
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the resolution.

COMMITTEE REPORTS

Committee on Regulations recommending:

Adoption:

Order – Auto repair shop license for Timothy Cabral d/b/a Aberdeen Auto LLC at 163-165 Aberdeen 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, April 3, 2017, Mayor Jasiel F. Correia II

On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to adjourn at 10:49 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

CD and DVD of meeting

Email distributed by Attorney Kenneth Fiola, Jr., Executive V.P., FROED

A true copy. Attest:

Alison M. Bouchard

City Clerk

CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, August 14, 2017 at 5:30 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
State Representative Alan Silvia
Michelle Dionne, 5 Byron Street
CJ Ferry, 300 Buffinton Street
Pat Casey, 26 Mt. Hope Avenue

The President called the meeting to order at 5:34 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:

Housing Development Zone

1. Establishment of a proposed South End Market Rate Housing Zone (HD Zone) and Housing Development Zone Plan (HD Zone Plan).

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and the City Administrator came forward and gave an overview of the Housing Development Incentive Program (HDIP) for the King Philip Mills. State Representative Alan Silvia came forward and stated that he is the President of the South End Neighborhood Association and the neighborhood association is in favor of the plan. He believes this will help with the revitalization of the neighborhood. Michelle Dionne then came forward and stated that she also supports this plan. The President then directed the opponents to be heard and CJ Ferry came forward. He stated that he is not a supporter of Housing Incentive Development Programs for various reasons, but one being that there is not enough parking for this development and this neighborhood is already very congested. On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to close the hearing.

Curb Removals

2. Roland Fournier, 51 Barclay Street, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
51 Barclay Street	24'	7' 10"	0'	31' 10"

51 Barclay has an existing 12 foot opening to a garage, and a second 12 foot opening on the south side of the house. The petitioner is requesting to expand the southern curb cut to the north by 7 feet 10. inches. There are no evident impacts to signage or utility infrastructure. The work would eliminate one parking spot on the street, but would improve access to the southern driveway for off-street parking.

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

3. Joe Medeiros, 742 Sharps Lot Road, Swansea, MA, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
414 Bay Street	0'	18'	0'	18'

414 Bay Street is a corner lot on Bay Street and Sachem Street. There are no existing curb cuts. Any curb cut must be constructed such that the existing utility pole and fire hydrant are not disturbed. The installation does not represent a significant restriction to on street parking access.

On a motion made by Councilor Raymond A. Mitchell 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 Linda M. Pereira and seconded by Councilor Stephen R. Long, it was unanimously voted to close the hearing.

4. Maria Sarmento, 614 Grinnell Street, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
614 Grinnell Street	10.5'	12'	0'	22.5'

The petitioner is requesting an additional curb cut on the opposite (east) side of the property from existing curb cut on the west side of the property. There are no evident impacts to signage

or utility infrastructure. The installation does not represent a significant restriction to on street parking access.

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

5. John Moniz, 110 Hemlock Street, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
110 Hemlock Street	15'	7'	0'	22'

The petitioner is requesting an additional curb cut extending the existing curb cut within the property. There are no evident impacts to signage or utility infrastructure. The installation does not represent a significant restriction to on street parking access and would increase off-street parking availability for tenants of the property.

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

6. Kenneth Tavares, 107 Mount Hope Avenue, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
107 Mt. Hope Ave.	25.4'	10'	0'	35.4'

The petitioner is requesting an additional curb cut extending the existing curb cut within the property. There are no evident impacts to signage or utility infrastructure. The installation does not represent a significant restriction to on street parking access and would increase off-street parking availability for tenants of the property.

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and Pat Casey came forward. She stated that she is in favor of this driveway opening as it will improve parking in this area. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to close the hearing.

7. Portuguese Madeirense Sports, Inc., 106 Webster Street requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
102/106 Webster St.	18' 2"	20' 6"	11' 4"	27' 4"

The previously existing structure at 102 Webster Street was demolished. The petitioner is requesting to close up previous driveway access to 102 Webster and increase the existing access to 106 Webster across frontage of 102 Webster. 102 Webster is currently configured as an extension of parking serving 106 Webster. There are no evident impacts to signage or utility infrastructure. The installation does not represent a significant restriction to on-street parking access and would increase off-street parking availability for the owners of 102/106 Webster Street.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, 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 Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to close the hearing.

8. Antonio DaSilva, 148 Summer Street, Rehoboth, MA, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
116 Lonsdale St.	16'	16'	0'	32'

116 Lonsdale is a multi-family residence at the corner of Lonsdale Street and Nashua Street. An existing 16' driveway opening is located on Lonsdale Street. The petitioner is requesting to open a 16' section facing Nashua Street for additional off-street parking. There are no evident impacts of signage or utility infrastructure. The work would eliminate one parking spot on the street, but would provide two off-street parking spaces.

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

Second Hand Article Store

9. Beverly Post, d/b/a Anything, 507 King Road, Tiverton, RI 02878 for permission to operate and maintain a second hand article store located at 1791 South Main Street (used furniture and household items to be sold.)

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

On a further motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to adjourn at 6:12 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



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

RECEIVED

2017 AUG 10 P 4: 35

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

August 10, 2017

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

President and Honorable Members of the City Council:

I wish to appoint Rochelle St. Martin Pettenati to the Fall River Cultural Council. I respectfully request the Council's consideration in waiving the residency requirement for this appointment. Ms. St. Martin Pettenati's name has been submitted for consideration by Mr. Richard Pelletier, Chairman, Local Cultural Council and she is employed by the Fall River School Department as an Art teacher.

I hereby request the waiver of residency for the following appointment

Name: Rochelle St. Martin Pettenati

Address: 77 Watuppa Road
Westport, MA 02790

To: Cultural Council

Term to expire: September 14, 2020

Very truly yours,


Jasiel F. Correia II
Mayor

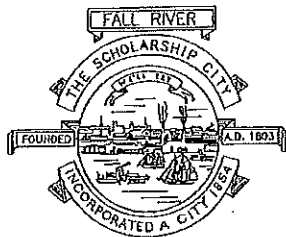
CITY OF FALL RIVER
IN CITY COUNCIL

AUG 15 2017

*Motion to approve
waiver, failed to carry,
3 yeas, 6 nays*

One Government Center • Fall River, MA 02722

TEL (508) 324-2600 • FAX (508) 324-2626 • EMAIL mayor@fallriverma.org



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

JASIEL F. CORREIA II
Mayor

August 7, 2017

Alison M. Bouchard
City Clerk
One Government Center
Fall River, MA 02722

Dear Mrs. Bouchard:

I hereby make the following reappointment to:

Name: Rochelle St. Martin Pettenati

Address: 777 Watuppa Road
Westport, MA 02790

To: Fall River Cultural Council

Term to expire: September 14, 2020

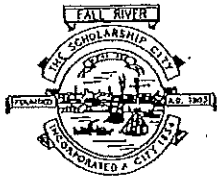
Best Regards,

Jasiel F. Correia II
Mayor

CITY CLERK
FALL RIVER, MA

2017 AUG 10 A 9:52

RECEIVED



City of Fall River, Massachusetts

Fall River Cultural Council

2017 AUG -1 A 10:29

CITY CLERK _____
FALL RIVER, MA

July 27, 2017

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

Dear Mr. Mayor:

Your approval is respectfully requested to re-appoint Rochelle St. Martin Pettenati to the Fall River Cultural Council for a period of 3 years. Rochelle's current term will expire October 14, 2017.

As an art teacher for the Fall River School Department, Rochelle has been an exceptional asset to the Fall River Cultural Council.

Rochelle St. Martin Pettenati
77 Watuppa Road
Westport, MA 02790
(774) 309-4064

Respectfully,

Richard R., Chairman

RRP/dap

cc: Rochelle St. Martin Pettenati, Alison M. Bouchard, City Clerk, Cathy Ann Viveiros, City Administrator

THIS COUNCIL IS FUNDED BY THE



One Government Center Fall River, Massachusetts 02722

THIS COUNCIL IS FUNDED BY THE

