

# City of Fall River Massachusetts

## Office of the City Clerk

**ALISON M. BOUCHARD**  
CITY CLERK

**INÊS LEITE**  
ASSISTANT CITY CLERK

### **REGULAR MEETING OF THE CITY COUNCIL**

**MEETING:** Tuesday, April 10, 2018 at 7:00 p.m.  
Council Chamber, One Government Center

**PRESENT:** President Cliff Ponte, presiding;  
Councilors Shawn E. Cadime, Joseph D. Camara, Steven A. Camara,  
Bradford L. Kilby, Pam Laliberte-Lebeau, Stephen R. Long,  
Leo O. Pelletier and Derek R. Viveiros

**ABSENT:** None

**IN ATTENDANCE:** None

President Cliff Ponte called the meeting to order at 8:32 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 Fiscal Year 2019 Sewer Division Enterprise Fund Budget and proposed ordinance for rate modifications

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Bradford L. Kilby, it was unanimously voted to refer the proposed ordinance for sewer rate modifications to the Committee on Ordinances and Legislation. On a further motion made by Councilor Shawn E. Cadime and seconded by Leo O. Pelletier, it was unanimously voted to refer the Sewer Division Enterprise Fund Budget to the Committee on Finance.*

2. Mayor and Fiscal Year 2019 Water Division Enterprise Fund Budget and proposed ordinance for rate modifications

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the proposed ordinance for water rate modifications to the Committee on Ordinances and Legislation and to refer the Water Division Enterprise Fund Budget to the Committee on Finance.*

3. Mayor and Fiscal Year 2019 EMS Enterprise Fund Budget

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the EMS Enterprise Fund Budget to the Committee on Finance.*

4. Corporation Counsel and decision of Open Meeting Law complaint appeal

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the communication from Corporation Counsel and decision of the Open Meeting Law complaint appeal be accepted and placed on file.*

4a. Mayor and resolution regarding Year Four Annual Action Plan

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Bradford L. Kilby, it was voted 7 yeas to adopt the resolution.*

*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

**PRIORITY COMMUNICATIONS**

5. Traffic Commission recommending amendments to the traffic ordinances

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to refer the amendments to the Committee on Ordinances and Legislation.*

**COMMITTEE REPORTS**

Committee on Real Estate recommending:

Grant leave to withdraw:

6. Order – Disposition of 15 school buildings

*Councilor Bradford L. Kilby stated that all fifteen schools have finally been sold. On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the order be granted leave to withdraw.*

7. Resolution – Administration provide update on King Philip Mill

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the resolution be granted leave to withdraw.*

Committee on Economic Development and Tourism recommending:

Grant leave to withdraw:

8. Resolution – Administration outline plans for the “Make It Here” campaign

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted that the resolution be granted leave to withdraw.*

9. Resolution – Discuss City’s plan for Economic Development and determine if HUD funding needs to be returned

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted that the resolution be granted leave to withdraw.*

**ORDINANCES**

10. Proposed Ordinance – Code Adoption

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*

Second reading and enrollment:

11. Proposed Ordinance – Traffic, Miscellaneous

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to pass the proposed ordinance through second reading and enrollment.*

12. Proposed Ordinance – Street Sweeping

*Councilor Leo O. Pelletier stated that he has seen the street sweepers all around the city and they are doing a great job. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was voted 7 yeas, 2 nays to pass the proposed ordinance through second reading and enrollment, with Councilors Joseph D. Camara and Steven A. Camara voting in the negative.*

13. Proposed Ordinance – Student Intern Apprentice

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to pass the proposed ordinance through second reading and enrollment.*

14. Proposed Ordinance – Administrative Assistant/Code Enforcement

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Steven A. Camara, it was unanimously voted to pass the proposed ordinance through second reading and enrollment.*

Second reading and enrollment, as amended:

15. Proposed Ordinance – Executive Administrative Assistant to the Chief of Police

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to pass the proposed ordinance through second reading and enrollment, as amended.*

**RESOLUTIONS**

16. Committee on Regulations meet to review licenses held by Souhad Saliba operating at 969 South Main Street

*Councilor Leo O. Pelletier stated that there have been many complaints over the past two years regarding paint odors. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the resolution.*

17. Presentation of proposed digital billboards plan be made to the Committee on Health and Environmental Affairs

*Councilor Steven A. Camara stated that he thought that this matter was going to be heard by the Zoning Board of Appeals, but the matter was withdrawn, so he would like to have the Committee on Health and Environmental Affairs discuss the matter. Councilor Leo O. Pelletier asked who has the last say on these billboards, the City or the State. President Cliff Ponte responded that the City of Fall River has the last approval. On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the resolution.*

**CITATIONS**

18. Sadia Melo – Diman Vocational Business Technology Program – Skills USA State and National T-shirt design winner

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Derek Viveiros, it was unanimously voted to adopt the citation.*

19. Kimberly Lajoie – Diman Vocational Graphic Communications Program – Skills USA State pin design winner

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Derek Viveiros, it was unanimously voted to take item numbers 19 through 21 together and adopt the citations after being read by the City Clerk.*

20. Kylie Cooper – Diman Vocational Graphic Communications Program – DECA State program cover design winner
21. Sara Almeida – Diman Vocational Graphic Communications Program – DECA State pin design winner

### **ORDERS – HEARINGS**

#### **Second Hand Article Store:**

22. Mickie Garcia, d/b/a A Whole Lot of Things, located at 308 Fourth Street  
*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order.*  
*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

### **ORDERS – MISCELLANEOUS**

23. Police Chief's report on licenses:

#### **Taxicab Drivers:**

Nathan Brousseau	Kyle Costa	Paul Ferreira
Renan P. Pereira	Vincent Pitts	Richard P. Surgens
Michael Wasilowski Sr.	Radha Shyam Yadav	

#### **Private Livery Drivers:**

Dennis G. Amaral

#### **Second Hand License Renewals:**

Joey and Ana Pacheco d/b/a Pacheco's Used Furniture at 657 Bedford Street  
William F. Leach d/b/a Marine Consignment of Fall River at 75 Ferry Street  
Michael W. West d/b/a A1 Antiques and Used Furniture at 1091 Plymouth Avenue  
ecoATM, LLC at 638 Quequechan Street  
Natasha Vera d/b/a Finders Keepers at 427 Second Street  
Robert Janelle d/b/a Our Place at 156 Tripp Street

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the order.*

*The City Clerk stated that Albert Piva has a "no painting" restriction to be added and William Sanchez was denied by the Police Chief. It was then stated that each renewal be voted on separately.*

24. **Auto Repair Shop License Renewals:**

Albert Piva d/b/a Piva's Auto Repair and Body Shop at 151 Cove Street

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the order with the restriction of "no painting".*  
*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

Antonio Pavao d/b/a Dave's Muffler Center, Inc. at 697 Pleasant Street

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order.*  
*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

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

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the order to the Committee on Regulations.*

Jared Babcock d/b/a Babcock Tuning, Inc. at 67 Kay Street

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

*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

25. Auto Body Shop License Renewals:

Thomas Rego, C&D Auto Body, Inc. at 83 Mulberry Street

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order.*

*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

Albert Piva d/b/a Piva's Auto Repair and Body Shop at 151 Cove Street

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

*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

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

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted to refer the order to the Committee on Regulations.*

**COMMUNICATIONS – INVITATIONS – PETITIONS**

26. Claims

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the claims to Corporation Counsel.*

**BULLETINS – NEWSLETTERS – NOTICES**

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to take item numbers 27 through 32 together.*

27. Notice of Casualty and Loss at 276 Rochester Street

28. Notice of Casualty and Loss at 442 Bullock Street

29. Notice of Casualty and Loss at 5500 North Main Street

30. Notice of Casualty and Loss at 25 Jefferson Street

31. Notice of Casualty and Loss at 29 Harding Street

32. Notice of Casualty and Loss at 196 Bark Street

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted item numbers 27 through 32 be accepted and placed on file.*

**ITEMS FILED AFTER THE AGENDA WAS PREPARED:**

A recess was taken at 8:54 p.m. to allow the ordinances to be signed and the Council reconvened at 9:00 p.m.

Proposed Ordinance – Administrative Assistant/Code Enforcement

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the proposed ordinance be passed to be ordained.*

*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

Proposed Ordinance – Executive Administrative Assistant to the Chief of Police

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the proposed ordinance be passed to be ordained, as amended.*

*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

Proposed Ordinance – Student Intern Apprentice

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the proposed ordinance be passed to be ordained.*

*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

Proposed Ordinance – Street Sweeping

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the proposed ordinance be passed to be ordained.*

*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

Proposed Ordinance – Traffic, Miscellaneous

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the proposed ordinance be passed to be ordained.*

*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

#### **RESOLUTIONS (filed at the meeting)**

*Councilor Joseph D. Camara stated that he did not have a copy of the resolutions.*

*A recess was taken at 9:11 p.m. to allow copies of the resolutions to be made and the Council reconvened at 9:21 p.m.*

Committee on Public Safety meet to discuss concerns with 295A Indiantown Road

*Councilor Steven A. Camara stated that there is much confusion finding this address. He stated that he would like to find out what it will take to resolve this. On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the resolution, as amended.*

Corporation be invited to a future meeting of the Committee on Finance to discuss claims

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was voted, 9 yeas to adopt the resolution.*

City Council forward a letter to the federal delegation in support of the CDBG, ESG and HOME programs

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was voted, 7 yeas to adopt the resolution.*

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adjourn at 9:26 p.m.*

List of documents and other exhibits used during the meeting:

Agenda packet (attached)  
CD and DVD of meeting

A true copy. Attest:

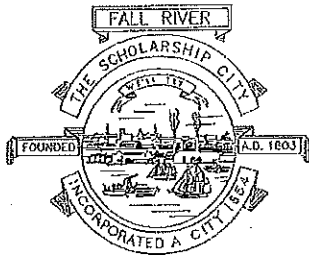
A handwritten signature in black ink, reading "Alison M. Bouchard". The signature is written in a cursive style with a large, stylized initial 'A'.

City Clerk

In City Council, May 15, 2018  
Approved.







# City of Fall River Massachusetts

Office of the City Clerk

RECEIVED

AMENDED

ORIGINAL POSTED APRIL 6, 2018 3:12 P.M.

2018 APR -6 P 4: 20

## MEETINGS SCHEDULED

CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

FALL RIVER, MA  
INES LEITE

ASSISTANT CITY CLERK

ALISON M. BOUCHARD  
CITY CLERK

**TUESDAY, APRIL 10, 2018**  
**AGENDA**

### **5:45 P.M. PUBLIC HEARINGS**

#### **Second Hand Article Store**

Mickle Garcia, d/b/a A Whole Lot of Things, 84 Perkins Street, Brockton, MA 02301 for permission to operate and maintain a second hand article store located at 308 Fourth Street (toys, housewares, apparel, and electronics to be sold.)

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

1. Citizen Input
2. \*Communication – PERAC – FY19 Appropriation (referred 12-19-17)
3. \*Resolution – Administration provide details of proposed plan to eliminate PAYT purple bags (tabled 10-24-17)
4. \*Discussion regarding Year Four Annual Action Plan (referred 3-27-18)

### **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 Fiscal Year 2019 Sewer Division Enterprise Fund Budget and proposed ordinance for rate modifications
2. \*Mayor and Fiscal Year 2019 Water Division Enterprise Fund Budget and proposed ordinance for rate modifications
3. \*Mayor and Fiscal Year 2019 EMS Enterprise Fund Budget
4. \*Corporation Counsel and decision of Open Meeting Law complaint appeal
- 4a. \*Mayor and resolution regarding Year Four Annual Action Plan

#### **PRIORITY COMMUNICATIONS**

5. Traffic Commission recommending amendments to the traffic ordinances

#### **COMMITTEE REPORTS**

Committee on Real Estate recommending:

Grant leave to withdraw:

6. \*Order – Disposition of 15 school buildings
7. \*Resolution – Administration provide update on King Philip Mill

Committee on Economic Development and Tourism recommending:

Grant leave to withdraw:

8. \*Resolution – Administration outline plans for the "Make It Here" campaign
9. \*Resolution – Discuss City's plan for Economic Development and determine if HUD funding needs to be returned

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

One Government Center • Fall River, MA 02722

TEL 508-324-2220 • FAX 508-324-2211 • EMAIL [city\\_clerks@fallriverma.org](mailto:city_clerks@fallriverma.org)

## **ORDINANCES**

10. \*Proposed Ordinance – Code Adoption

### **Second reading and enrollment:**

11. \*Proposed Ordinance – Traffic, Miscellaneous  
12. \*Proposed Ordinance – Street Sweeping  
13. \*Proposed Ordinance – Student Intern Apprentice  
14. \*Proposed Ordinance – Administrative Assistant/Code Enforcement

### **Second reading and enrollment, as amended:**

15. \*Proposed Ordinance – Executive Administrative Assistant to the Chief of Police

## **RESOLUTIONS**

16. \*Committee on Regulations meet to review licenses held by Souhad Saliba operating at 969 South Main Street  
17. \*Presentation of proposed digital billboards plan be made to the Committee on Health and Environmental Affairs

## **CITATIONS**

18. Sadia Melo – Diman Vocational Business Technology Program – Skills USA State and National T-shirt design winner  
19. Kimberly Lajoie – Diman Vocational Graphic Communications Program – Skills USA State pin design winner  
20. Kylie Cooper – Diman Vocational Graphic Communications Program – DECA State program cover design winner  
21. Sara Almeida – Diman Vocational Graphic Communications Program – DECA State pin design winner

## **ORDERS – HEARINGS**

### **Second Hand Article Store:**

22. Mickle Garcia, d/b/a A Whole Lot of Things, located at 308 Fourth Street

## **ORDERS – MISCELLANEOUS**

23. Police Chief's report on licenses:

### **Taxicab Drivers:**

Nathan Brousseau

Kyle Costa

Paul Ferreira

Renan P. Pereira

Vincent Pitts

Richard P. Surgens

Michael Wasilowski Sr.

Radha Shyam Yadav

### **Private Livery Drivers:**

Dennis G. Amaral

### **Second Hand License Renewals:**

Joey and Ana Pacheco d/b/a Pacheco's Used Furniture at 657 Bedford Street

William F. Leach d/b/a Marine Consignment of Fall River at 75 Ferry Street

Michael W. West d/b/a A1 Antiques and Used Furniture at 1091 Plymouth Avenue  
ecoATM, LLC at 638 Quequechan Street

Natasha Vera d/b/a Finders Keepers at 427 Second Street

Robert Janelle d/b/a Our Place at 156 Tripp Street

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

24. Auto Repair Shop License Renewals:  
Albert Piva d/b/a Piva's Auto Repair and Body Shop at 151 Cove Street  
Antonio Pavao d/b/a Dave's Muffler Center, Inc. at 697 Pleasant Street  
William Sanchez, ABG Holdings LLC d/b/a Lambert Auto Body and Auto Sales at  
103 Chavenson Street  
Jared Babcock d/b/a Babcock Tuning, Inc. at 67 Kay Street
25. Auto Body Shop License Renewals:  
Thomas Rego, C&D Auto Body, Inc. at 83 Mulberry Street  
Albert Piva d/b/a Piva's Auto Repair and Body Shop at 151 Cove Street  
William Sanchez, ABG Holdings LLC d/b/a Lambert Auto Body and Auto Sales at  
103 Chavenson Street

**COMMUNICATIONS – INVITATIONS – PETITIONS**

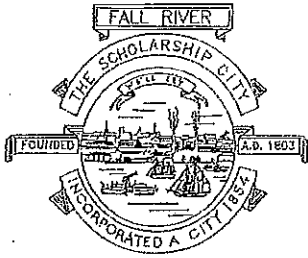
26. \*Claims

**BULLETINS – NEWSLETTERS – NOTICES**

27. Notice of Casualty and Loss at 276 Rochester Street  
28. Notice of Casualty and Loss at 442 Bullock Street  
29. Notice of Casualty and Loss at 5500 North Main Street  
30. Notice of Casualty and Loss at 25 Jefferson Street  
31. Notice of Casualty and Loss at 29 Harding Street  
32. Notice of Casualty and Loss at 196 Bark Street

  
City Clerk





JASIEL F. CORREIA II  
Mayor

City of Fall River  
Massachusetts  
Community Development Agency



buyfallrivernow

MICHAEL P. DION  
Executive Director / CFO

March 8, 2018

Council President Cliff Ponte & City Councilors  
One Government Center  
Fall River, MA 02722

Dear President Ponte & City Councilors:

I am pleased to forward to you the City of Fall River Year Four Annual Action Plan which I propose to file with the U.S. Department of Housing and Urban Development (HUD) for continued funding of the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG) and HOME Investment Partnerships (HOME) Program. The Action Plan details activities to be undertaken during the July 1, 2018- June 30, 2019 program year.

Under a separate cover on March 28, 2018, I shall submit a proposed resolution for your consideration at your April 10<sup>th</sup> meeting. The resolution would authorize submission of the City of Fall River Year Four Annual Action Plan with the U.S. Department of Housing and Urban Development. The Year Four Annual Action Plan is being submitted to you now in order to provide adequate review time prior to City Council consideration of the resolution at the April 10<sup>th</sup> meeting.

The proposed program of activities, which was advertised on February 23<sup>rd</sup> for public comment, was developed on the basis of testimony and proposals received at public hearings held January 3<sup>rd</sup> and March 7<sup>th</sup>.

The timetable provides for submission of the Year Four Annual Action Plan no later than May 2, 2018.

Should you or any other Councilor have questions or comments prior to April 10<sup>th</sup>, I urge you to immediately contact Michael P. Dion, Executive Director/ CFO of the Fall River Community Development Agency. Mr. Dion will also be present at the City Council meeting to respond to any questions.

Sincerely,

Jasiel F. Correia II  
Mayor

Enclosure

CITY OF FALL RIVER  
IN CITY COUNCIL

MAR 27 2018

*Referred to the  
Committee on Finance*

CITY CLERK  
FALL RIVER, MA

2018 MAR 19 P 4:28

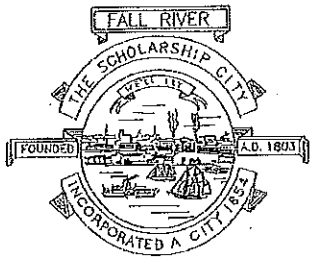
RECEIVED

One Government Center • Fall River, MA 02722

TEL (508) 679-0131 • VOICE/TDD (508) 679-0131 • FAX (508) 679-0752

fallriverma.org • buyfallrivernow.com





# City of Fall River Massachusetts

Office of the City Clerk

RECEIVED

2018 APR -6 P 3:12

## MEETINGS SCHEDULED CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

CITY CLERK  
FALL RIVER, MA

TUESDAY, APRIL 10, 2018

### AGENDA

ALISON M. BOUCHARD  
CITY CLERK

INÊS LEITE  
ASSISTANT CITY CLERK

#### 5:45 P.M. PUBLIC HEARINGS

##### Second Hand Article Store

Mickle Garcia, d/b/a A Whole Lot of Things, 84 Perkins Street, Brockton, MA 02301 for permission to operate and maintain a second hand article store located at 308 Fourth Street (toys, housewares, apparel, and electronics to be sold.)

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

1. Citizen Input
2. \*Communication – PERAC – FY19 Appropriation (referred 12-19-17)
3. \*Resolution – Administration provide details of proposed plan to eliminate PAYT purple bags (tabled 10-24-17)

#### 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 Fiscal Year 2019 Sewer Division Enterprise Fund Budget and proposed ordinance for rate modifications
2. \*Mayor and Fiscal Year 2019 Water Division Enterprise Fund Budget and proposed ordinance for rate modifications
3. \*Mayor and Fiscal Year 2019 EMS Enterprise Fund Budget
4. \*Corporation Counsel and decision of Open Meeting Law complaint appeal

#### PRIORITY COMMUNICATIONS

5. Traffic Commission recommending amendments to the traffic ordinances

#### COMMITTEE REPORTS

Committee on Real Estate recommending:

Grant leave to withdraw:

6. \*Order – Disposition of 15 school buildings
7. \*Resolution – Administration provide update on King Philip Mill

Committee on Economic Development and Tourism recommending:

Grant leave to withdraw:

8. \*Resolution – Administration outline plans for the "Make It Here" campaign
9. \*Resolution – Discuss City's plan for Economic Development and determine if HUD funding needs to be returned

#### ORDINANCES

10. \*Proposed Ordinance – Code Adoption

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

One Government Center • Fall River, MA 02722

TEL 508-324-2220 • FAX 508-324-2211 • EMAIL [city\\_clerks@fallriverma.org](mailto:city_clerks@fallriverma.org)

Second reading and enrollment:

11. \*Proposed Ordinance – Traffic, Miscellaneous
12. \*Proposed Ordinance – Street Sweeping
13. \*Proposed Ordinance – Student Intern Apprentice
14. \*Proposed Ordinance – Administrative Assistant/Code Enforcement

Second reading and enrollment, as amended:

15. \*Proposed Ordinance – Executive Administrative Assistant to the Chief of Police

**RESOLUTIONS**

16. \*Committee on Regulations meet to review licenses held by Souhad Saliba operating at 969 South Main Street
17. \*Presentation of proposed digital billboards plan be made to the Committee on Health and Environmental Affairs

**CITATIONS**

18. Sadia Melo – Diman Vocational Business Technology Program – Skills USA State and National T-shirt design winner
19. Kimberly Lajoie – Diman Vocational Graphic Communications Program – Skills USA State pin design winner
20. Kylie Cooper – Diman Vocational Graphic Communications Program – DECA State program cover design winner
21. Sara Almeida – Diman Vocational Graphic Communications Program – DECA State pin design winner

**ORDERS – HEARINGS**

Second Hand Article Store:

22. Mickle Garcia, d/b/a A Whole Lot of Things, located at 308 Fourth Street

**ORDERS – MISCELLANEOUS**

23. Police Chief's report on licenses:

Taxicab Drivers:

Nathan Brousseau	Kyle Costa	Paul Ferreira
Renan P. Pereira	Vincent Pitts	Richard P. Surgens
Michael Wasilowski Sr.	Radha Shyam Yadav	

Private Livery Drivers:

Dennis G. Amaral

Second Hand License Renewals:

Joey and Ana Pacheco d/b/a Pacheco's Used Furniture at 657 Bedford Street  
William F. Leach d/b/a Marine Consignment of Fall River at 75 Ferry Street  
Michael W. West d/b/a A1 Antiques and Used Furniture at 1091 Plymouth Avenue  
ecoATM, LLC at 638 Quequechan Street  
Natasha Vera d/b/a Finders Keepers at 427 Second Street  
Robert Janelle d/b/a Our Place at 156 Tripp Street

24. Auto Repair Shop License Renewals:

Albert Piva d/b/a Piva's Auto Repair and Body Shop at 151 Cove Street  
Antonio Pavao d/b/a Dave's Muffler Center, Inc. at 697 Pleasant Street

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



William Sanchez, ABG Holdings LLC d/b/a Lambert Auto Body and Auto Sales at  
103 Chavenson Street  
Jared Babcock d/b/a Babcock Tuning, Inc. at 67 Kay Street

25. Auto Body Shop License Renewals:

Thomas Rego, C&D Auto Body, Inc. at 83 Mulberry Street  
Albert Piva d/b/a Piva's Auto Repair and Body Shop at 151 Cove Street  
William Sanchez, ABG Holdings LLC d/b/a Lambert Auto Body and Auto Sales at  
103 Chavenson Street

**COMMUNICATIONS – INVITATIONS – PETITIONS**

26. \*Claims

**BULLETINS – NEWSLETTERS – NOTICES**

- 27. Notice of Casualty and Loss at 276 Rochester Street
- 28. Notice of Casualty and Loss at 442 Bullock Street
- 29. Notice of Casualty and Loss at 5500 North Main Street
- 30. Notice of Casualty and Loss at 25 Jefferson Street
- 31. Notice of Casualty and Loss at 29 Harding Street
- 32. Notice of Casualty and Loss at 196 Bark Street

  
City Clerk

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

## PERAC

COMMONWEALTH OF MASSACHUSETTS | PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

PHILIP Y. BROWN, ESQ., Chairman

JOSEPH E. CONNARTON, Executive Director

Auditor SUZANNE M. BUMP | KATHLEEN M. FALLON | KATE FITZPATRICK | JAMES M. MACHADO | ROBERT B. MCCARTHY | JENNIFER F. SULLIVAN

## MEMORANDUM

TO: Fall River Retirement Board  
 FROM: *Joseph E. Connarton*  
 Joseph E. Connarton, Executive Director  
 RE: Appropriation for Fiscal Year 2019  
 DATE: December 8, 2017

Required Fiscal Year 2019 Appropriation: \$30,633,000

This Commission is hereby furnishing you with the amount to be appropriated for your retirement system for Fiscal Year 2019 which commences July 1, 2018.

Attached please find summary information based on the present funding schedule for your system and the portion of the Fiscal Year 2019 appropriation to be paid by each of the governmental units within your system.

The current schedule is due to be updated by Fiscal Year 2020.

If you have any questions, please contact PERAC's Actuary, Jim Lamenzo, at (617) 666-4446 Extension 921.

JEC/jrl  
 Attachments

cc: Office of the Mayor  
 City Council  
 Town Manager

p:\actuarial\approp\approp19\fy19 for web\fall river approp 19.docx

CITY OF FALL RIVER  
 IN CITY COUNCIL

DEC 19 2017

*Referred to the  
 Committee on Finance*

FIVE MIDDLESEX AVENUE, SUITE 304 | SOMERVILLE, MA 02145  
 PH 617 666 4446 | FAX 617 628 4002 | TTY 617 591 8917 | WWW.MASS.GOV/PERAC



CITY CLERK  
 FALL RIVER, MA

2017 DEC 13 A 11:48

RECEIVED

# Fall River Retirement Board

## Projected Appropriations

Fiscal Year 2019 - July 1, 2018 to June 30, 2019

Aggregate amount of appropriation: \$30,633,000

Fiscal Year	Estimated Cost of Benefits	Funding Schedule (Excluding ERI)	ERI	Total Appropriation	Pension Fund Allocation	Pension Reserve Fund Allocation	Transfer From PRF to PF
FY 2019	\$35,773,957	\$29,838,995	\$794,005	\$30,633,000	\$30,633,000	\$0	\$5,140,957
FY 2020	\$36,862,857	\$32,566,764	\$57,236	\$32,624,000	\$32,624,000	\$0	\$4,238,857
FY 2021	\$37,985,939	\$34,745,000	\$0	\$34,745,000	\$34,745,000	\$0	\$3,240,939
FY 2022	\$39,144,277	\$37,003,000	\$0	\$37,003,000	\$37,003,000	\$0	\$2,141,277
FY 2023	\$40,338,978	\$39,408,000	\$0	\$39,408,000	\$39,408,000	\$0	\$930,978

The Total Appropriation column shown above is in accordance with your current funding schedule and the scheduled payment date(s) in that schedule. Whenever payments are made after the scheduled date(s), the total appropriation should be revised to reflect interest at the rate assumed in the most recent actuarial valuation. Payments should be made before the end of the fiscal year.

For illustration, we have shown the amount to be transferred from the Pension Reserve Fund to the Pension Fund to meet the estimated Cost of Benefits for each year. If there are sufficient assets in the Pension Fund to meet the Cost of Benefits, this transfer is optional.

Finance 2

## Fall River Retirement Board Appropriation by Governmental Unit

Fiscal Year 2019 - July 1, 2018 to June 30, 2019

Aggregate amount of appropriation: \$30,633,000

UNIT	Percent of Aggregate Amount	Funding Schedule (excluding ERI)	ERI	Total Appropriation
City of Fall River	91.49%	\$27,299,696	\$633,621	\$27,933,317
Fall River Redevelopment	0.03%	\$8,952	\$0	\$8,952
Fall River Housing Authority	6.98%	\$2,082,762	\$160,384	\$2,243,146
Diman Voc.	1.50%	\$447,585	\$0	\$447,585
<b>UNIT TOTAL</b>	<b>100%</b>	<b>\$29,838,995</b>	<b>\$794,005</b>	<b>\$30,633,000</b>

The Total Appropriation column shown above is in accordance with your current funding schedule and the scheduled payment date(s) in that schedule. Whenever payments are made after the scheduled date(s), the total appropriation should be revised to reflect interest at the rate assumed in the most recent actuarial valuation. Payments should be made before the end of the fiscal year.

(Councilor Pam Laliberte-Lebeau)

WHEREAS, the Mayor has run a series of radio commercials that he will be ending the purple bag Pay-As-You-Throw program, and

WHEREAS, the Mayor stated at the People's Debate on August 30, 2017 that he was prepared to share publicly how he is going to end the purple bag Pay-As-You-Throw program, now therefore

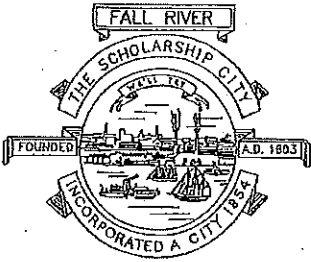
BE IT RESOLVED, that the Committee on Finance convene with the Administration to update the City Council with the details of this proposed plan.

In City Council, September 26, 2017  
Adopted

A true copy. Attest:

*Alison M. Bouchard*  
City Clerk

*10-24-17*  
*10-24-17*



**City of Fall River**  
**Massachusetts**  
**Department of Community Utilities**  
WATER • SEWER

**JASIEL F. CORREIA II**  
*Mayor*

**TERRANCE SULLIVAN**  
Administrator

March 29, 2018

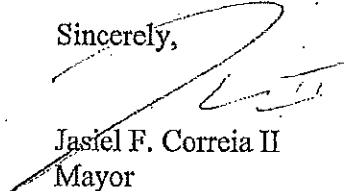
The Honorable City Council  
One Government Center  
Fall River, MA 02722

RE: FY19 Budget Submission  
Sewer Division

Dear Council Members:

Please find enclosed the proposed FY19 budget and rate ordinance modification for the Sewer Division. This submittal meets the requirements of Ordinance Sections 2-183 and 2-184 that requires that Enterprise Fund budgets be submitted to the City Council by April 1, and rate proposals by May 1.

Sincerely,

  
Jasiel F. Correia II  
Mayor

CITY CLERK  
FALL RIVER, MA

2018 MAR 29 A 10:11

RECEIVED

The City of FALL RIVER - COMMUNITY UTILITIES FY 2019 Proposed Budget SEWER DIVISION: 4/1/18	FY2017 Actual	FY2018 Budget	FY2019 Proposed Budget
---	------------------	------------------	------------------------------

64400000 SEWER FUND REVENUE	FY17 Actuals	FY18 Budget	FY19 Proposed
64400000 414200 TAX LIENS REDEEMED	-246,734.34	\$218,067	\$209,000
64400000 414500 TAX LIENS FORECLOSED	0.00	\$50,000	\$0
64400000 417150 SEPTAGE INTEREST REVENUE	-740.20	\$700	\$700
64400000 417300 INTEREST & PENALTY TAX LIEN	-97,057.81	\$87,000	\$85,000
64400000 417420 INT & PENALTY SEWER	-114,211.20	\$116,000	\$110,000
64400000 417600 INT & PEN ON UTILITY LIENS	-11,981.11	\$4,300	\$4,300
64400000 417760 SEWER DEMANDS	-51,116.19	\$48,000	\$50,000
64400000 417765 SEWER FINAL DEMAND	-30.00	\$10	\$10
64400000 421000 SEWER USAGE CHARGES	-13,492,829.92	\$13,928,113	\$14,152,402
64400000 421500 STORMWATER FEE/CHARGE	-5,384,599.38	\$5,709,368	\$5,923,059
64400000 422100 SEPTAGE REVENUE	-225,345.67	\$237,000	\$237,000
64400000 428080 UTILITY LIENS REDEEMED	-1,042.62	\$0	\$0
64400000 428015 UTILITY LIENS REDEEMED 2016	-47.31	\$0	\$0
64400000 428016 UTILITY LIENS REDEEMED 2017	-39,995.32	\$1,101,190	\$0
64400000 428017 UTILITY LIENS REDEEMED 2018	-1,092,259.73	\$0	\$1,103,506
64400000 439900 OTHER REVENUE	-353,682.26	\$320,000	\$371,000
64400000 442900 PERMIT FEE-SEWER	-66,020.00	\$89,000	\$89,000
64400000 499300 OFS FREE CASH SURPLUS REVENUE		\$0	\$224,590
64400000 499900 OTHER FINANCING SOURCES	-18.92	\$0	\$0
<b>TOTAL SEWER FUND REVENUE</b>	<b>-\$21,177,711.98</b>	<b>\$21,908,748</b>	<b>\$22,559,567</b>

#### 3000 SEWER FUND EXPENSES

34400005 SEWER TREATMENT PLANT OTHER	FY17 Actuals	FY18 Budget	FY19 Proposed
64400005 596100 TRANSFERS TO GENERAL FUND	\$1,211,243	\$1,422,620	\$1,427,014
64400005 596800 TRANSFER GF - HEALTH	\$159,089	\$96,471	\$92,398
64400005 596900 TRANSFER GF PENSIONS	\$191,315	\$105,772	\$124,076
<b>TOTAL SEWER TREATMENT PLANT OTHER</b>	<b>\$1,561,647</b>	<b>\$1,624,863</b>	<b>\$1,643,488</b>

34407191 SEWER PLANT & PROG SALARIES	FY17 Actuals	FY18 Budget	FY19 Proposed
64407191 511000 SALARIES & WAGES - PERMANENT	481,742.71	\$288,676	\$401,587
64407191 511115 LONGEVITY	7,935.06	\$4,100	\$4,900
64407191 511300 SUMMER HOURS	7,390.97	\$2,729	\$0
64407191 513000 OVERTIME	47.77	\$500	\$500
64407191 514500 HOLIDAY PAY	3,384.35	\$1,063	\$0
64407191 514600 SERVICE OUT OF RANK - SALARIES	593.28		
64407191 516900 RETIREMENT BUYOUTS	25,575.03	\$0	\$0
64407191 517900 MEDICARE MATCH	6,036.58	\$5,800	\$6,100
64407191 519300 UNIFORM ALLOWANCE	2,400.00	\$1,800	\$1,800
64407191 519400 OTHER STIPENDS	3,000.00	\$3,000	\$3,000
64407191 519700 AUTOMOBILE ALLOWANCE	2,470.00	\$0	\$0
64407191 519900 OTHER PERSONNEL COSTS	\$0	\$109,000	\$84,500
<b>TOTAL SEWER PLANT &amp; PROG SALARIES</b>	<b>\$540,575.75</b>	<b>\$416,668</b>	<b>\$502,387</b>

64407192 SEWER TREATMENT PLANT EXPENSES			FY17 Actuals	FY18 Budget	FY19 Proposed
64407192	525000	OFF EQUIP/FURN MAINTENANCE	1,951.33	\$500	\$1,000
64407192	530100	MEDICAL AND DENTAL	0.00	\$130	\$130
64407192	530600	ADVERTISING	1,433.12	\$2,000	\$2,000
64407192	531000	ENGINEERING/ARCHITECTURE SERVI	14,800.00	\$53,000	\$40,000
64407192	534100	TELEPHONE	14,739.00	\$16,000	\$16,000
64407192	538400	COMPUTER SERVICES	2,605.24	\$500	\$500
64407192	551100	EDUCATIONAL SUPPLIES	2,281.00	\$5,000	\$5,000
64407192	553800	METER PARTS/P.W. & UTILITIES S	26,876.60	\$20,000	\$80,000
64407192	558600	OTHER SUPPLIES	0.00	\$400	\$400
64407192	570100	WATER/SEWER CSO CHARGE	93,533.75	\$85,000	\$90,000
64407192	571000	IN STATE TRAVEL	184.87	\$500	\$500
64407192	573100	DUES & MEMBERSHIPS	290.00	\$500	\$500
64407192	574100	PROPERTY INSURANCE	66,033.00		
64407192	578100	CLAIMS & DAMAGES	5,812.37	\$1,000	\$5,000
<b>TOTAL SEWER TREATMENT PLANT EXPENSES</b>			<b>\$230,540.28</b>	<b>\$184,530</b>	<b>\$241,030</b>

64407202 SEWER TREATMENT PLANT EXPENSES			FY17 Actuals	FY18 Budget	FY19 Proposed
64407202	521100	ELECTRICITY	813,640.43	\$1,600,000	\$1,750,000
64407202	521101	ELECTRIC NMC UXBRIDGE SOLAR	711,753.35	\$0	\$0
64407202	521500	NATURAL GAS FOR HEAT	91,960.28	\$89,640	\$85,000
64407202	528100	OTHER RENTALS & LEASES	3,980.86	\$5,546	\$5,546
64407202	531200	OTHER PROFESSIONAL SERVICES	5,889,884.70	\$6,025,023	\$6,267,185
64407202	534300	POSTAGE	27,157.95	\$28,000	\$28,000
64407202	538500	OTHER PURCHASED SERVICES	1,976,980.84	\$2,305,560	\$2,324,243
64407202	554200	CHEMICALS	334,814.63	\$430,914	\$443,920
64407202	573400	CONFERENCES	1,100.00	\$700	\$1,000
64407202	574400	MOTOR VEHICLE INSURANCE	19,295.00	\$20,000	\$22,000
<b>TOTAL SEWER TREATMENT PLANT EXPENSES</b>			<b>\$9,870,568.04</b>	<b>\$10,505,383</b>	<b>\$10,926,894</b>

64407204 SEWER TREATMENT PLANT CAPITAL			FY17 Actuals	FY18 Budget	FY19 Proposed
64407204	584900	OTHER IMPROVEMENTS	149,682.51	\$50,000	\$80,000
<b>TOTAL SEWER TREATMENT PLANT CAPITAL</b>			<b>\$149,682.51</b>	<b>\$50,000</b>	<b>\$80,000</b>

64409905 STORM WATER DEBT SERVICE			FY17 Actuals	FY18 Budget	FY19 Proposed
64409905	591000	MAT PRIN ON LONG TERM DEBT	5,288,099.88	\$5,543,132	\$5,780,523
64409905	591500	INTEREST ON LONG TERM DEBT	2,838,984.29	\$2,859,983	\$2,737,839
64409905	592500	INTEREST ON NOTES	19,944.44	\$540,000	\$458,000
64409905	594000	DEBT ADMINISTRATIVE COSTS	170,448.44	\$167,691	\$165,731
64409905	594100	DEBT ORIGATION FEES	10,500.00	\$16,498	\$23,675
<b>TOTAL STORM WATER DEBT SERVICE</b>			<b>\$8,327,977.05</b>	<b>\$9,127,304</b>	<b>\$9,165,768</b>

	FY17 Actuals	FY18 Budget	FY19 Proposed
<b>TOTAL REVENUES</b>	<b>-\$21,177,711.98</b>	<b>\$21,908,748</b>	<b>\$22,559,567</b>
<b>TOTAL EXPENSES</b>	<b>\$20,680,990.63</b>	<b>\$21,908,748</b>	<b>\$22,559,567</b>

delta	-\$41,858,703	\$0	\$0
-------	---------------	-----	-----

rates			
sewer per ccf	\$5.28	\$5.33	\$5.38
stormwater per ERU/quarter	\$40.00	\$43.00	\$44.00

Annual Impact on Average Family at 109 GPD.		
FY18 cost for sewer/stormwater at 109 GPD		\$454.49
FY19 cost for sewer/stormwater at 109 GPD		\$461.14
delta: Increase from fy18 to fy19 per family at 109 GPD		\$6.65



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

**Section 1.**

That Section 74-134 of Appendix A-Fee Schedule of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which Section relates to User Charges for Wastewater collection, be amended, as follows:

**Sub-Section 1.**

By striking out in sub-section (1) of said section, "\$5.33", and inserting in place thereof, "\$5.38", and by striking out "July 1, 2017", and inserting in place thereof, "July 1, 2018".

**Sub-Section 2.**

By striking out in paragraph (a) of sub-section (2) of said section, "\$5.33 ", and inserting in place thereof, "\$5.38", and by striking out "July 1, 2017", and inserting in place thereof, "July 1, 2018".

**Sub-Section 3.**

By striking out in paragraph (b) of sub-section (2) of said section, "\$2.50", and inserting in place thereof, "\$2.53", and by striking out "July 1, 2017", and inserting in place thereof, "July 1, 2018".

**Sub-Section 4.**

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

\$ 177.00  
\$ 343.00  
\$ 515.00  
\$ 686.00  
\$ 858.00  
\$ 1,025.00  
\$ 1,196.00  
\$ 1,363.00  
\$ 1 534.00  
\$ 1,706.00

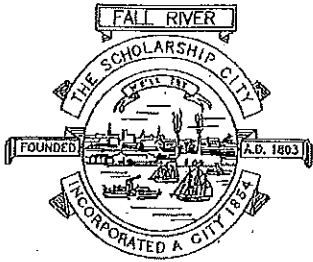
and, by striking out in said sub-section (4) "July 1, 2017", and inserting in place thereof, "July 1, 2018".

**Section 2.**

That Section 74-140 of Appendix A-Fee Schedule of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which section relates to Stormwater Fee, be amended as follows:

By striking out said section in its entirety, and inserting in place thereof, the following:

Effective July 1, 2018, the equivalent residential unit (ERU) shall be defined as 2,800 square feet of impervious area. Residential parcels (ERU) will be assessed: \$176.00 per year or \$44.00 per quarter. All other developed parcels will be assessed for each 2,800 square feet impervious area rounded to the nearest 100 square feet: \$176.00 per year or \$44.00 per quarter.



City of Fall River  
Massachusetts  
Department of Community Utilities  
WATER • SEWER

2

JASIEL F. CORREIA II  
Mayor

TERRANCE SULLIVAN  
Administrator

March 29, 2018

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

RE: FY19 Budget Submission  
Water Division

Dear Council Members:

Please find enclosed the proposed FY19 budget and rate ordinance modification for the Water Division. This submittal meets the requirements of Ordinance Sections 2-183 and 2-184 that requires that Enterprise Fund budgets be submitted to the City Council by April 1, and rate proposals by May 1.

Sincerely,

Jasiel F. Correia II  
Mayor

CITY CLERK  
FALL RIVER, MA

2018 MAR 29 A 10:12

RECEIVED

2

FY 2019 PROPOSED COMMUNITY UTILITIES PROPOSED BUDGET			FY17	FY18	FY19
WATER DIVISION			Actual	Budget	Proposed Budget
4/1/2018					
REVENUE					
64500000	414200	TAX LIENS REDEEMED	-133,324.90	\$109,000.00	\$119,703.00
64500000	414500	TAX LIENS FORECLOSURES	0.00	\$5,000.00	\$0.00
64500000	417300	INTEREST & PENALTY TAX LIEN	-44,894.01	\$37,000.00	\$40,000.00
64500000	417310	INT & PEN ON UTILITY WATER	-59,394.85	\$58,000.00	\$63,000.00
64500000	4176000	INT & PEN ON UTILITY LIENS	-5,616.56	\$2,200.00	\$5,600.00
64500000	417761	WATER DEMANDS	-40,623.57	\$40,000.00	\$47,000.00
		WATER FINAL DEMAND	-50.00	\$80.00	\$80.00
64500000	418000	WATER OVER/SHORT	0	\$0.00	\$0.00
64500000	421000	WATER USAGE CHARGES	-8,749,377.55	\$9,486,537.00	\$9,900,002
64500000	422000	OTHER WATER CHARGES	-195,382.78	\$188,000.00	\$198,000.00
64500000	422500	METER SALES	0	\$10,000.00	\$0.00
64500000	427000	BASE METER FEE	-1,066,543.03	\$1,257,146.00	\$1,257,146.00
64500000	427100	LUMBER REVENUE	-1,570.00	\$2,400.00	\$1,500.00
64500000	427200	TOWER RENTAL	-128,928.18	\$120,000.00	\$150,000.00
64500000	427300	BULK SALES	-21,946.40	\$20,000.00	\$47,000.00
64500000	427400	APPLICATIONS AND TESTING	-2,596.46	\$2,500.00	\$7,600.00
64500000	428000	UTILITY LIENS REDEEMED	802.35	\$0.00	\$0.00
64500000	428015	UTILITY LIENS REDEEMED 2015	-2.04	\$0.00	\$0.00
64500000	428016	UTILITY LIENS REDEEMED 2016	-25,326.38	\$0.00	\$0.00
64500000	428017	UTILITY LIENS REDEEMED 2017	-580,785.75	\$519,526.00	\$612,909.00
64500000	439900	OTHER REVENUE	-104,122.46	\$140,000.00	\$110,534.00
64500000	499900	OTHER FINANCING SOU (retained earnings)		\$488,626.00	\$0.00
TOTAL WATER REVENUE			-\$11,159,682.57	\$12,486,015	\$12,560,074

Water Rate Per CCF	\$2.87	\$2.96	\$3.14
Base Meter fee for 5/8" per quarter	\$12	\$14	\$14
Base Meter fee for 3/4" per quarter	\$12	\$14	\$14
Base Meter fee for 1" per quarter	\$16	\$16	\$16
Base Meter fee for 1.5" per quarter	\$30	\$30	\$30
Base Meter fee for 2" per quarter	\$50	\$50	\$50
Base Meter fee for 3" per quarter	\$100	\$150	\$150
Base Meter fee for 4" per quarter	\$120	\$200	\$200
Base Meter fee for 6" per quarter	\$200	\$300	\$300
Base Meter fee for 8" per quarter	\$240	\$400	\$400
Base Meter fee for 10" per quarter	\$300	\$500	\$500

4507241 WATER ADMINISTRATION SALARIES			FY17	FY18	FY19
			Actual	Budget	Proposed Budget
64507241	511000	SALARIES & WAGES - PERMANENT	193,138.48	\$439,135	\$450,073
64507241	511115	LONGEVITY	4,800.00	\$9,600	\$9,100
64507241	511300	SUMMER HOURS	2,700.58	\$8,003	\$5,484
64507241	513000	OVERTIME	0.00	\$500	\$3,000
64507241	514500	HOLIDAY PAY	1,736.30	\$1,689	\$0
64507241	516900	RETIREMENT BUYOUTS	\$0.00	\$0	\$15,000
64507241	517100	WORKMEN'S COMPENSATION	\$0.00	\$0	\$0
64507241	517900	MEDICARE MATCH	2,676.75	\$2,600	\$4,300
64507241	519300	UNIFORM ALLOWANCE	1,200.00	\$2,400	\$2,400
64507241	519400	OTHER STIPENDS		\$2,500	\$2,000
64507241	519700	AUTOMOBILE ALLOWANCE	3,120.00	\$4,680	\$4,680
64507241	519900	OTHER PERSONNEL COSTS	\$0.00	\$0	\$0
TOTAL WATER ADMINISTRATION SALARIES			\$209,372.11	\$471,107	\$496,037

2

64507242 WATER ADMINISTRATION EXPENSES			FY17 Actual	FY18 Budget	FY19 Proposed Budget
64507242	525000	OFF EQUIP/FURN MAINTENACE	-739.21	\$500.00	\$500.00
64507242	525600	R & M METERS	39,872.50	\$20,000.00	\$10,000.00
64507242	528100	OTHER RENTALS & LEASES	1,166.01	\$1,720.00	\$1,720.00
64507242	530100	MEDICAL AND DENTAL	0.00	\$500.00	\$200.00
64507242	530600	ADVERTISING	6,394.84	\$10,000.00	\$7,000.00
64507242	531200	OTHER PROFESSIONAL SERVICES	370.00	\$3,500.00	\$2,500.00
64507242	534100	TELEPHONE	17,022.84	\$16,000.00	\$16,000.00
64507242	534300	POSTAGE	27,631.54	\$28,000.00	\$28,000.00
64507242	534400	OTHER COMMUNICATIONS	409.63	\$700.00	\$100.00
64507242	538400	COMPUTER SERVICES	879.07	\$1,000.00	\$1,000.00
64507242	538500	OTHER PURCHASED SERVICES	2,251.69	\$2,500.00	\$2,500.00
64507242	542500	OTHER OFFICE SUPPLIES	442.41	\$500.00	\$500.00
64507242	547300	OTHER GROUNDS KEEPING SUPPLIES	61.92	\$1,000.00	\$100.00
64507242	551100	EDUCATION SUPPLIES	1,100.00	\$2,000.00	\$1,500.00
64507242	553800	METER PARTS	19,005.61	\$20,000.00	\$10,000.00
64507242	565801	PYR Expenditures	-1,500.00		
64507242	570100	WATER/SEWER CSO CHARGE	18,472.44	\$20,000.00	\$20,000.00
64507242	574100	PROPERTY INSURANCE	30,015.00		
TOTAL WATER ADMINISTRATION EXPENSES			\$164,334.71	\$127,920.00	\$101,620.00

64507244 WATER ADMINISTRATION CAPITAL			FY17 Actual	FY18 Budget	FY19 Proposed Budget
64507244	584900	OTHER IMPROVEMENTS	23,334.83	\$72,000.00	\$245,000.00

64507245 WATER ADMININISTRATIVE AND INDIRECT COSTS			FY17 Actual	FY18 Budget	FY19 Proposed Budget
64507245	596100	TRANSFERS TO GENERAL FUND	\$1,413,944.00	\$1,431,787	\$1,230,838
64507245	596800	TRANSFER GF - HEALTH	\$644,448.00	\$851,052	\$800,171
64507245	596900	TRANSFER GF PENSIONS	\$748,421.00	\$713,423	\$688,156
TOTAL WATER ADMINISTRATIVE AND INDIRECT COSTS			\$2,806,813.00	\$2,996,262	\$2,719,165

64507251 WATER MAINT & DISTRIB SALARIES			FY17 Actual	FY18 Budget	FY19 Proposed Budget
64507251	511000	SALARIES & WAGES - PERMANENT	731,278.50	\$763,776.00	\$858,804
64507251	511115	LONGEVITY	3,407.66	\$3,800.00	\$4,700
64507251	513000	OVERTIME	48,750.09	\$65,000.00	\$65,000
64507251	514500	HOLIDAY PAY	5,699.72	\$2,933.00	\$0
64507251	516900	RETIREMENT BUYOUTS	12,900.83	\$0.00	\$0
64507251	517100	WORKMEN'S COMPENSATION	57,968.60	\$57,299.00	\$50,994
64507251	517300	UNEMPLOYMENT PAYMENTS	8,421.21	\$0.00	\$0
64507251	517900	MEDICARE MATCH	11,410.75	\$11,400.00	\$12,400
64507251	519300	UNIFORM ALLOWANCE	12,000.00	\$12,000.00	\$12,000
64507251	519400	OTHER STIPENDS	28,890.54	\$37,600.00	\$35,300
64507251	519700	AUTOMOBILE ALLOWANCE	1,560.00	\$1,560.00	\$0
64507251	519900	OTHER PERSONNEL COSTS	\$0.00	\$90,000.00	\$12,000
TOTAL WATER MAINT & DISTRIB SALARIES			\$922,287.90	\$1,045,368.00	\$1,051,198

64507252 WATER MAINT & DISTRIB EXPENSES			FY17	FY18	FY19
			Actual	Budget	Proposed Budget
64507252	521100	ELECTRICITY	10,044.75	\$10,000.00	\$10,000.00
64507252	521500	HEATING FUEL	13,365.14	\$20,000.00	\$20,000.00
64507252	524100	BUILDINGS & GROUNDS MAINTENANC	1,363.28	\$7,000.00	\$4,000.00
64507252	524600	R & M VEHICLES	47,908.57	\$60,000.00	\$40,000.00
64507252	525000	R & M OFFICE EQUIPMENT	3,503.06	\$1,000.00	\$3,500.00
64507252	525800	OTHER REPAIRS & MAINTENANCE	3,805.35	\$8,000.00	\$2,000.00
64507252	525900	WATER PIPE REPLACE, REPAIR, RE	23,428.00	\$40,000.00	\$20,000.00
64507252	527400	CONSTRUCTION EQUIPMENT RENTAL	2,343.54	\$3,000.00	\$2,500.00
64507252	527800	COMMUNICATION LINES & EQUIP RE	449.54	\$500.00	\$100.00
64507252	529400	OTHER PROPERTY RELATED SERVICE	612.06	\$1,500.00	\$1,500.00
64507252	530100	WORKERS COMP. MEDICAL BILLS	58,007.32	\$60,000.00	\$30,000.00
64507252	538500	OTHER PURCHASED SERVICES	12,610.28	\$20,000.00	\$20,000.00
64507252	541100	GASOLINE	34,266.86	\$40,000.00	\$40,000.00
64507252	542100	PAPER	450.00	\$500.00	\$950.00
64507252	542800	R & M CONSTRUCTION EQUIPMENT	24,406.12	\$40,000.00	\$25,000.00
64507252	543900	BUILDING & MAINTENANCE SUPPLIE	1,913.40	\$2,000.00	\$2,000.00
64507252	545100	CLEANING SUPPLIES	1,596.10	\$2,000.00	\$2,000.00
64507252	546100	TOOLS	18,285.34	\$8,000.00	\$8,000.00
64507252	548100	MOTOR OIL AND LUBRICANTS	14,684.81	\$16,000.00	\$2,500.00
64507252	548500	PARTS AND ACCESSORIES	50,173.73	\$60,000.00	\$40,000.00
64507252	550100	MEDICAL SUPPLIES	197.22	\$200.00	\$200.00
64507252	551100	EDUCATIONAL SUPPLIES	5,834.00	\$5,000.00	\$7,000.00
64507252	553100	CONCRETE/CEMENT	58,187.50	\$70,000.00	\$60,000.00
64507252	553200	CORPS/STOPS/TUBING	5,935.00	\$9,000.00	\$10,000.00
64507252	553400	LUMBER	308.25	\$500.00	\$500.00
64507252	553600	SAND AND GRAVEL	1,470.98	\$1,500.00	\$1,500.00
64507252	553900	PIPE AND FITTINGS	41,298.22	\$53,000.00	\$45,000.00
64507252	554000	HYDRANTS/HYDRANT PARTS	42,133.13	\$40,000.00	\$42,000.00
64507252	554100	STOP BOXES	11,656.57	\$5,000.00	\$10,000.00
64507252	554400	ELECTRICAL SUPPLIES	55.00	\$500.00	\$500.00
64507252	558600	OTHER SUPPLIES	5,461.22	\$5,500.00	\$5,500.00
64507252	574400	MOTOR VEHICLE INSURANCE	29,353.00	\$32,000.00	\$32,000.00
64507252	578100	CLAIMS & DAMAGES	0.00	\$1,000.00	\$1,000.00
TOTAL WATER MAINT & DISTRIB EXPENSES			\$525,107.34	\$622,700.00	\$489,250.00

64507261 WATER TREATMENT PLANT SALARIES			FY17	FY18	FY19
			Actual	Budget	Proposed Budget
64507261	511000	SALARIES & WAGES - PERMANENT	692,140.95	\$714,442.00	\$736,354
64507261	511115	LONGEVITY	6,916.39	\$4,700.00	\$4,600.00
64507261	511300	SUMMER HOURS	2,518.78	\$2,546.00	\$2,546.00
64507261	513000	OVERTIME	88,781.70	\$99,000.00	\$99,000.00
64507261	514500	HOLIDAY PAY	3,986.12	\$2,746.00	\$0.00
64507261	514300	SHIFT PREMIUM	9,009.00	\$8,600.00	\$11,336.00
64507261	516900	RETIREMENT BUYOUTS	20,605.95	\$0.00	\$0.00
64507261	517100	WORKMEN COMPENSATION	5,995.42	\$0.00	\$18,494.00
64507261	517300	UNEMPLOYMENT COMPENSATION	11,101.70	\$0.00	\$0.00
64507261	517900	MEDICARE MATCH	10,200.00	\$11,800.00	\$12,400.00
64507261	519300	UNIFORM ALLOWANCE	17,646.45	\$9,600.00	\$9,600.00
64507261	519400	OTHER STIPENDS	3,548.97	\$13,100.00	\$8,100.00
64507261	519700	AUTOMOBILE ALLOWANCE	252.05	\$3,120.00	\$1,560.00
64507261	519900	OTHER PERSONNEL COSTS	\$0.00	\$16,000.00	\$28,000.00
TOTAL WATER TREATMENT PLANT SALARIES			\$872,703.48	\$885,654.00	\$931,990

2

64507262 WATER TREATMENT PLANT EXPENSES			FY17 Actual	FY18 Budget	FY19 Proposed Budget
64507262	521100	ELECTRICITY	490,734.33	\$640,000.00	\$725,000.00
			199,808.68		
64507262	521500	HEATING FUEL	35,858.30	\$45,000.00	\$35,000.00
64507262	524100	BUILDING & GROUNDS MAINT	27,433.23	\$25,000.00	\$25,000.00
64507262	524200	RESERVATION HQ O&M	28,340.97	\$30,000.00	\$30,000.00
64507262	524400	WATER PUMPING STATION MNT	7,921.98	\$15,750.00	\$10,000.00
64507262	524800	R & M CONSTRUCTION EQUIPMENT	0.00	\$500.00	\$100.00
64507262	525000	OFF EQUIP/FURN MAINTENANCE	391.92	\$500.00	\$100.00
64507262	525100	COMPUTER EQUIPMENT MAINTENANCE	9,145.50	\$15,000.00	\$13,000.00
64507262	527400	CONSTRUCTION EQUIPMENT RENTAL	211.08	\$500.00	\$100.00
64507262	529400	OTHER PROPERTY RELATED SERVICE	0.00	\$1,200.00	\$100.00
64507262	530100	WORKERS COMP. MEDICAL BILLS	0.00	\$0.00	\$500.00
64507262	531200	OTHER PROFESSIONAL SERVICES	30,373.89	\$50,500.00	\$40,000.00
64507262	531300	LAB TESTING SERVICES	25,704.25	\$35,000.00	\$28,000.00
64507262	538500	OTHER PURCHASED SERVICES	1,816.55	\$5,000.00	\$2,000.00
64507262	545100	CLEANING SUPPLIES	317.36	\$2,000.00	\$500.00
64507262	546100	TOOLS	814.34	\$2,500.00	\$500.00
64507262	551100	EDUCATIONAL SUPPLIES	6,549.45	\$8,000.00	\$8,000.00
64507262	553100	CONCRETE/CEMENT	0.00	\$500.00	\$100.00
64507262	553400	LUMBER	0.00	\$500.00	\$100.00
64507262	554200	CHEMICALS	373,844.64	\$410,000.00	\$420,000.00
64507262	558600	OTHER SUPPLIES	0.00	\$500.00	\$100.00
64507262	560000	INTERGOVERNMENTAL	63,384.35	\$75,000.00	\$65,000.00
TOTAL WATER TREATMENT PLANT EXPENSES			\$1,302,650.82	\$1,362,950.00	\$1,403,200.00

64509905 WATER DEBT SERVICE			FY17 Actual	FY18 Budget	FY19 Proposed Budget
64509905	591000	MAT PRIN ON LONG TERM DEBT	3,144,527.71	\$3,376,296.00	\$3,632,789
64509905	591500	INTEREST ON LONG TERM DEBT	1,376,757.41	\$1,296,127.00	\$1,299,942
64509905	592500	INTEREST ON NOTES	11,966.67	\$156,000.00	\$118,000
64509905	594000	DEBT ADMINISTRATIVE COSTS	89,112.14	\$50,559.00	\$51,858
64509905	594100	DEBT ORIGATION COSTS	16,750.00	\$23,072.00	\$20,025
TOTAL WATER DEBT SERVICE			\$4,639,113.93	\$4,902,054.00	\$5,122,614

			FY17 Actual	FY18 Budget	FY19 Proposed Budget
GRAND TOTAL -EXPENSES			\$11,465,718.12	\$12,486,015.00	\$12,560,074
GRAND TOTAL -REVENUE			-\$11,159,682.57	\$12,486,015.00	\$12,560,074
DELTA			\$306,035.55	\$0.00	\$0
RETAINED EARNINGS BUDGETED			\$443,679.00	\$488,626.00	\$0.00

Annual Impact on Average Family at 109 GPD.			
FY18 cost for water/base fee at 109 GPD			\$212.88
FY19 cost for water/base fee at 109 GPD			\$222.42
delta: increase from fy18 to fy19 per family at 109 GPD			\$9.54

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

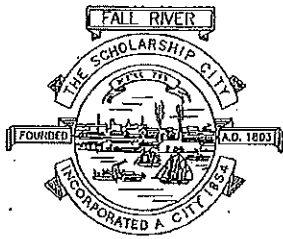
Section 1.

That Chapter 74 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to utilities, be amended as follows:

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

For water billed on or after July 1, 2018, per 100 cu. ft.

\$3.14



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

3

**JASIEL F. CORREIA II**  
*Mayor*

March 29, 2018

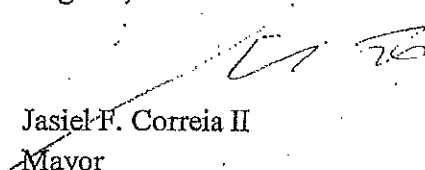
The Honorable City Council  
One Government Center  
Fall River, MA 02722

RE: FY19 Budget Submission  
EMS Enterprise Fund

Dear Council Members:

Please find enclosed the proposed FY19 budget for the Emergency Medical Services (EMS) Enterprise Fund. This submittal meets the requirements of Ordinance Sections 2-183 and 2-184 that requires the Enterprise Fund budgets be submitted to the City Council by April 1.

Regards,

  
Jasiel F. Correia II  
Mayor

CITY CLERK  
FALL RIVER, MA

RECEIVED  
2018 MAR 29 A 10:12



The City of Fall River - EMS	FY 2017 Revised Budget	FY 2018 Revised Budget	FY 2019 Projection	Percent +/-	Support/ Calculations
<b>FY 2019 Proposal Budget EMS - 4/1/18</b>					
<b>Emergency Medical Revenue:</b>					
User Fees		\$ 7,175,000	\$ 7,050,000		
PCG Reimbursement		\$ 925,000	\$ 1,100,000		
Shared Revenue with General Fund		\$ (500,000)	\$ (550,000)		
User Fees	\$ 5,753,192	\$ 7,600,000	\$ 7,600,000		Estimate based on rates and historical collections
	FY 2017 Revised Budget	FY 2018 Revised Budget	FY 2019 Projection	Percent +/-	Support/ Calculations
<b>Emergency Medical Services Salaries:</b>					
SALARIES & WAGES-PERMANENT	\$ 2,022,501	\$ 2,853,764	\$ 2,966,928		See Personnel Detail
EMS SHARED SQUAD			\$ 307,043		[5] BASE, HOLIDAY, STIPENDS, STEP
LONGEVITY	\$ 9,600	\$ 7,600	\$ 9,800		Longevity compensation per CBA
PER DIEM SALARIES	\$ 149,000	\$ 149,000	\$ 149,000		Compensation for per diem employees to defer overtime cost
SALARIES - OVERTIME	\$ 187,000	\$ 197,000	\$ 197,000		Due to reclassification/overtime rate will increase
SALARIES - SNOW / EVENTS	\$ -	\$ 15,000	\$ 18,000		Boat races & other events
EDUCATIONAL	\$ 12,950	\$ 16,800	\$ 17,150		Compensation for educational requirements
SHIFT PREMIUM - SALARIES	\$ 37,000	\$ 46,592	\$ 47,556		Night differential
HOLIDAY PAY - SALARIES	\$ 173,068	\$ 212,734	\$ 221,977		Compensation for holidays per CBA
SERVICE OUT OF RANK - SALARIES	\$ 4,000	\$ 4,000	\$ 4,000		Compensation for back fill of officers
RETIREMENT BUYOUTS	\$ 25,000	\$ 25,000	\$ 25,000		Compensation for employees separating employment
WORKER'S COMPENSATION - SALARIES	\$ 60,000	\$ 60,000	\$ 60,000		Salaries for employees injured on duty
UNEMPLOYMENT PAYMENTS - SALARIES	\$ -	\$ -	\$ -		
MEDICARE MATCH	\$ 36,701	\$ 46,592	\$ 47,500		1.45% salaries, overtime, per diem salaries
OTHER PERSONAL SERVICES	\$ -	\$ -	\$ -		Duplicate of duty officer stipend
UNIFORM ALLOWANCE - SALARIES	\$ 29,600	\$ 42,000	\$ 42,875		\$75.00 per full time employee/increase due to CBA
DUTY OFFICER STIPEND	\$ 6,600	\$ 5,280	\$ 5,280		Duty officer stipend
ACTING DIRECTOR STIPEND	\$ -	\$ -	\$ -		
AUTOMOBILE ALLOWANCE - SALARIES	\$ -	\$ -	\$ -		
Total Salaries	\$ 2,753,019	\$ 3,681,362	\$ 4,119,109	49.62%	
	FY 2017 Revised Budget	FY 2018 Revised Budget	FY 2019 Projection	Percent +/-	Support/ Calculations
<b>Emergency Medical Services Expenditures:</b>					
ELECTRICITY	\$ 5,000	\$ 5,000	\$ 6,500		Electricity for department buildings, charging of ambulances, and various equipment 1,500/qr
HEAT	\$ 6,000	\$ 6,000	\$ 6,000		Heat provided for ambulance quarters/bays Xper cu ft 3 yr average 5,633.44
REPAIRS/MAINTENANCE	\$ 1,000	\$ 1,000	\$ 1,000		Repair of printer, scanner, copier, stamp machine, bill printer
RADIO REPAIRS & MAINTENANCE	\$ 1,000	\$ 1,000	\$ 5,000		For radio batteries and replacement, pending new medical rescue
RENTALS AND LEASES	\$ 171,000	\$ 262,088	\$ 178,000		Medical Rescue 4 (\$84,087.61) Rescue 3, Rescue 5 & M-1 (combined lease 178,000)
WORKERS COMP MEDICAL	\$ 12,000	\$ 15,000	\$ 15,000		Workers compensation treatment bills for employees injured on duty
DATA PROCESSING	\$ 20,000	\$ 30,000	\$ 40,000		Billing program \$10,480, cardiac monitor preventative maintenance \$8568.00, Insurance research \$2,900, electronic billing \$4750 (cost increase with increases of 75 over submissions, IMC dispatch program \$2,125, aldatec scheduling program \$4,100, lucas maintenance \$7,797.60
TELEPHONE/COMMUNICATIONS	\$ 4,500	\$ 4,500	\$ 5,000		Director cell, duty phone cell \$ 49.99 x 2 per mo, comcast Internet service 25% = \$26.25 per month, radio license fee 25% = \$49.88 per year, mobile access to CAD and patient care reporting \$40.00 per month (6) = \$2,880.00
POSTAGE/COMMUNICATIONS	\$ 2,000	\$ 2,000	\$ 2,000		Cost of postage for medical bills, attorney correspondence, employee correspondence, certified mail, rental of postal machine 3 yr average \$1,776.66 varies postal increases
MEDICAL DIRECTOR COMPENSATION	\$ 22,500	\$ 22,500	\$ 22,500		Medical director compensation 1855.00 per month
GASOLINE/ENERGY SUPPLIES	\$ 62,500	\$ 67,500	\$ 77,500		Gasoline/diesel fuel used in the medical rescues, department vehicles 3 year average \$ 62,189.12
OFFICE SUPPLIES	\$ 1,800	\$ 1,800	\$ 1,800		Paper clips, certificate paper, staplers, printer paper, cabinets, folders, expandable folders for record keeping, staplers, computer mouse, note pads 3 year avg 1745.91
OTHER OFFICE SUPPLIES	\$ 195	\$ 195	\$ 195		HCFA billing forms 46.00 per box of 500 x 4 boxes plus shipping 195.00
PRINTING SUPPLIES	\$ 500	\$ 500	\$ 500		Printer paper, envelopes various sizes required for billing purposes, business cards, letterhead
OTHER R&M SUPPLIES	\$ 700	\$ 700	\$ 1,600		Repair of primer vents (NFPA mandated), keys, 25% of \$44.00 per month pest control \$132.00, Hi VIS Jackets (3) 300

FY 2019 Proposal Budget EMS - 4/1/18	Revised Budget	Revised Budget	Projection	+/	
	FY 2017	FY 2018	FY 2019	Percent	Support/ Calculations
	Revised Budget	Revised Budget	Projection	+/	
CLEANING SUPPLIES	\$ 1,500	\$ 1,500	\$ 1,500		Custodial supplies for maintenance of crews quarters
MOTOR OIL AND LUBRICANTS	\$ 5,019	\$ 5,019	\$ 10,000		Cost of routine maintenance of medical rescues (oil products required to validate warranty, tires for general wear to meet manufacturer specifications, flats, antifreeze for winterizing of medical rescues (cost increase due to manufacturer parts required to not void extended warranty) 3 year average \$5,019.00
PARTS AND ACCESSORIES - VEHICLES	\$ 25,000	\$ 35,000	\$ 40,000		For medical rescue parts and accessories for the purpose of medical rescues 3 yr average \$3,463.97
MEDICAL SUPPLIES	\$ 131,000	\$ 167,976	\$ 187,664		Medical supplies for providing patient care as per IFB, medications, cost of stocking new medical rescues, oxygen for patient treatment 3 yr average \$130,163.62
EDUCATIONAL SUPPLIES	\$ 625	\$ 625	\$ 625		Protocol books, narcotics logs, station journals, stretcher repair logs as mandated by DPH, AHA Heart Association Updates 126.00 each (3) all levels
BOOKS	\$ 687	\$ 600	\$ 600		American Medical Association 361.20 updated coding books, 325.00 Polk Directory 325.00 address, name research for billing purposes
DATA PROCESSING SUPPLIES	\$ 970	\$ 970	\$ 970		Printer scanner copier ink 126.99 (3) \$381.00, 146.99 (4) \$588.00 total: 969.00
STRETCHER REPAIR/MAINTENANCE	\$ 5,880	\$ 5,880	\$ 7,880		For the repair of stretchers, wheel casters, frames, mattresses, batteries, vehicle mounts 3 yr average \$7,271.73
OTHER INTERGOVERNMENTAL	\$ 16,500	\$ 6,100	\$ 6,100		ambulance licenses 600 per year & 200 per vehicle (5) \$1,600, ambulance drug licenses \$300 (5) \$1500.00, certification reimbursement per CBA \$150 (20) \$3000
EMS DOCUMENTATION PROGRAM	\$ 10,919	\$ 11,000	\$ 11,000		EMS report writing program/integrates into EMS billing program
WATER/SEWER CSO CHARGE	\$ 2,600	\$ 3,600	\$ 3,600		Water and CSO charge 3 yr average \$2,566.28
INSTATE TRAVEL/MILEAGE	\$ 300	\$ 300	\$ 300		Parking, and mileage for travel, currently mobile integrated health care meeting parking \$39.00
	FY 2017	FY 2018	FY 2019	Percent	Support/ Calculations
	Revised Budget	Revised Budget	Projection	+/	
SUBSCRIPTIONS	\$ 100	\$ 100	\$ 100		JEMS magazine (5) subscriptions 20.00 per year
MOTOR VEHICLE INSURANCE	\$ 111,000	\$ 111,000	\$ 116,000		Motor vehicle insurance and malpractice umbrella insurance total \$110,980
CLAIMS & DAMAGES	\$ 2,500	\$ 2,500	\$ 2,500		For claims involving medical rescues, and deductibles
STAFF DEVELOPMENT	\$ 5,975	\$ 4,125	\$ 12,125		First responder training certification and AHA CPR training as mandated by law \$875.00, IV pump education \$3,250, CPE Software \$7900
TRAINING EXPENSE	\$ 12,000	\$ 12,000	\$ 15,000		Purchase of AHA CPR cards/plus training expenses/deferred by CPR Training revenue
STERILIS SYRINGE DISPOSAL	\$ -	\$ -	\$ 11,500		yearly fee (2) \$5,000, \$1,500 parts (potential repairs)
OTHER EXPENSES	\$ -	\$ -	\$ 20,000		Printer/copier; related supplies & other
<b>Total Expenditures</b>	<b>\$ 643,270</b>	<b>\$ 788,078</b>	<b>\$ 810,059</b>	<b>25.93%</b>	
OTHER EQUIPMENT	\$ 95,678	\$ 542,547	\$ 203,236		
<b>Total Capital</b>	<b>\$ 95,678</b>	<b>\$ 542,547</b>	<b>\$ 203,236</b>	<b>117.42%</b>	
TRANSFERS TO GENERAL FUND	\$ 933,751	\$ 600,498	\$ 1,151,057		
TRANSFER GF - HEALTH	\$ 629,111	\$ 637,939	\$ 759,680		
TRANSFER GF PENSIONS	\$ 698,363	\$ 450,880	\$ 346,639		
TRANSFER GF-SHARED PAYROLL	\$ -	\$ 898,696	\$ 210,219		Health, Pension (Squad)
<b>Total Transfers</b>	<b>\$ 2,261,225</b>	<b>\$ 2,588,013</b>	<b>\$ 2,467,596</b>	<b>9.13%</b>	
<b>Total Expenditures</b>	<b>\$ 3,000,173</b>	<b>\$ 3,918,638</b>	<b>\$ 3,480,891</b>		
<b>Total Emergency Medical Services</b>	<b>\$ 5,753,192</b>	<b>\$ 7,600,000</b>	<b>\$ 7,600,000</b>	<b>92.10%</b>	

4

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

**JASIEL F. CORREIA II**  
Mayor



RECEIVED

**JOSEPH I. MACY**  
Corporation Counsel

2018 APR -2 P 3:00

**GARY P. HOWAYECK**

CITY CLERK Assistant Corporation Counsel  
FALL RIVER, MA

**JESSICA A. ADLER**  
Assistant Corporation Counsel

April 2, 2018, 2018

City Council President Cliff Ponte  
Fall River City Council  
One Government Center  
Fall River, MA 02722

RE: Open Meeting Law Appeal

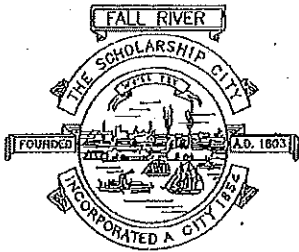
Dear President Ponte:

Enclosed please find the recent decision of Judge Merita Hopkins upholding the Attorney General's finding that the City Council violated the Open Meeting Law. While I am disappointed in this ruling I am not surprised as it is difficult to overturn an administrative decision particularly from the Attorney General. Moreover, the judge took the narrowest possible approach in making her decision confining her reasoning to the "arbitrary and capricious" analysis.

Under these circumstances we can take one of two approaches: 1) we can accept the decision and modify our procedures or 2) we can appeal the judges decision. I am available to discuss this matter with you at your convenience. Since I will be away from April 6 to the end of the month I have instructed my office to file a notice of appeal to protect the record.

I am looking forward to hearing from you.

  
Joseph I. Macy, Corporation Counsel



City of Fall River  
Massachusetts  
City Council

CLIFF PONTE  
President  
City Council

April 4, 2018

Joseph L. Macy  
Corporation Counsel  
One Government Center  
Fall River, MA 02722

RE: Open meeting Law Appeal

Attorney Macy:

Please be advised that there is no desire to appeal Judge Merita Hopkins' decision regarding the open meeting law complaint filed on February 16, 2016 and subsequent appeal. I have every intention of adhering to the Judge's ruling.

Based on the Judge's decision, it would appear that the Ordinance Committee may currently be in violation of the Open Meeting Law, therefore we need to resolve the situation quickly.

At this time, I request that your office provide a legal opinion as to how the City Council should proceed with respect to this matter. Should you determine that an ordinance amendment is required, I would like to have a draft ordinance submitted at the next City Council meeting.

Additionally, please advise whether there are any financial obligations associated with the ruling that the City Council should be made aware of.

I am willing to discuss this matter further, if you feel that a discussion is warranted. However, I would prefer to have this communication in writing to ensure I do not miss any steps and so that I can forward your suggestion to my colleagues for their review.

Please respond as soon as possible and feel free to contact me at 508-567-8604 if you have any questions. Thank you in advance for your assistance in this matter.

Very truly yours,

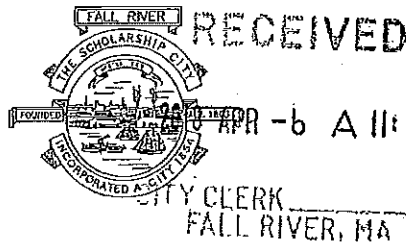
*Cliff Ponte*  
Cliff Ponte *JPB*  
President, City Council

cc: City Council members

4

**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

April 5, 2018

Cliff Ponte, President  
Fall River City Council  
One Government Center  
Fall River, MA 02722

Re: Open Meeting Law Appeal

Dear President Ponte:

In light of your decision not to appeal Judge Hopkins' ruling I offer the following:

Our appeal was based on the premise that the Attorney General's original decision disenfranchised citizens by preventing their elected representatives from acting in their elected capacity. However, this would have been a case of first impression had the Council decided to appeal and the outcome was by no means certain.

The decision by the Attorney General issued on September 1, 2016 found the Council violated the Open Meeting Law and ordered the Council's immediate and future compliance with the Open Meeting Law, and cautioned the Council that similar future violations may be considered evidence of intent to violate the law.


I believe the Ordinance Committee may remain as constituted so long as no other councilors act contrary to the Judge's ruling. Alternatively, the committee could be reduced to three members.


The real problem with proceeding in accordance with the Judge's ruling is that it effectively prevents any non-committee councilor from participating in a committee meeting except as a spectator. The problem can be solved by all non-committee councilors not attending such meetings. Alternatively, all committee meetings could also be noticed as full council meetings with no agenda other than the committee agenda.

The selection of either alternative is up to the council. I will be away until April 30 but will be available by telephone if there is need for further discussion.

City of Fall River,

Joseph I. Macy, Corporation Counsel

<div>CLERK'S NOTICE</div>	<div>DOCKET NUMBER</div> <div>1673CV00865</div>	<div>Trial Court of Massachusetts</div> <div>The Superior Court</div> <div> 4</div>
<div>CASE NAME:</div> <div>Fall River City of vs. Maura Healey Attorney General for the Commonwealth of Massachusetts</div>	<div>Marc J. Santos, Clerk of Court</div> <div>Bristol County</div>	
<div>TO:</div> <div>Joseph I Macy, Esq.</div> <div>1219 Highland Ave</div> <div>Fall River, MA 02720</div>	<div>COURT NAME &amp; ADDRESS</div> <div>Bristol County Superior Court - New Bedford</div> <div>441 County Street, 1st floor</div> <div>New Bedford, MA 02740</div>	
<div>You are hereby notified that on 03/16/2018 the following entry was made on the above referenced docket:</div> <div>Endorsement on Motion for judgment on the pleadings MRCP 12(c) (#8.0): ALLOWED and decision AFFIRMED. Refer to Decision and ORDER.</div> <div>Judge: Hopkins, Hon. Merita A</div> <div>Applies To: Maura Healey Attorney General for the Commonwealth of Massachusetts (Defendant)</div> <div><div>CITY OF FALL RIVER, MA LAW DEPT. 18 MAR 33 AM 10:27</div></div>		
<div>DATE ISSUED</div> <div>03/26/2018</div>	<div>ASSOCIATE JUSTICE/ ASSISTANT CLERK</div> <div>Hon. Merita A Hopkins</div>	<div>SESSION PHONE#</div> <div>(508)996-2051</div>

<b>JUDGMENT ON THE PLEADINGS</b> #11		<b>Trial Court of Massachusetts</b> <b>The Superior Court</b> 
DOCKET NUMBER 1673CV00865	BRISTOL, SS SUPERIOR COURT FILED MAR 26 2018	Marc J. Santos, Clerk of Court Bristol County 4
CASE NAME Fall River City of vs. Maura Healey Attorney General for the Commonwealth of Massachusetts		COURT NAME & ADDRESS Bristol County Superior Court - New Bedford 441 County Street, 1st floor New Bedford, MA 02740
<p>This action came before the Court, Hon. Merita A Hopkins, presiding, upon a motion for judgment on the pleadings,</p> <p>After hearing or consideration thereof;</p> <p>It is <b>ORDERED AND ADJUDGED:</b></p> <p>that the decision of the Attorney General is <b>AFFIRMED</b> and the complaint be and is hereby <b>DISMISSED</b>.</p> <p style="text-align: right;">CITY OF FALL RIVER, MA LAW DEPT. 18 MAR 30 AM 10:27</p>		
DATE JUDGMENT ENTERED 03/26/2018	CLERK OF COURTS/ ASST. CLERK X	Garrett R Fregault, Esq. Assistant Clerk/Magistrate

#10

BRISTOL, SS SUPERIOR COURT  
FILED

MAR 26 2018

4

CITY OF FALL RIVER, MA  
LAW DEPT

COMMONWEALTH OF MASSACHUSETTS

18 MAR 33 AM 10:27

BRISTOL, ss.

MARC J. SANTOS, ESQ.  
CLERK/MAGISTRATE

SUPERIOR COURT  
CIVIL ACTION  
NO. 2016-865

FALL RIVER CITY COUNCIL

vs.

MAURA HEALEY, Attorney General of the Commonwealth of Massachusetts

**MEMORANDUM OF DECISION AND ORDER**  
**ON PARTIES' CROSS-MOTIONS FOR JUDGMENT ON THE PLEADINGS**

The plaintiff, the Fall River City Council ("Council"), appeals from a determination of the defendant, Maura Healey, Attorney General of the Commonwealth of Massachusetts ("Attorney General"), that the Council violated the Open Meeting Law, G. L. c. 30A, §§ 18-25.

The matter is before the court on the parties' Cross-Motions for Judgment on the Pleadings. After a hearing and careful review of the parties' submissions, and for the reasons that follow, the Council's Motion for Judgment on the Pleadings is **DENIED** and the Attorney General's Motion for Judgment on the Pleadings is **ALLOWED**.

**BACKGROUND**

The Council is a nine-member public body. Five of the Council's councilors are members of the Ordinance and Legislation Subcommittee ("Subcommittee"). On February 10, 2016, the Subcommittee posted notice of a meeting to be held on February 16, 2016. The notice stated that the Subcommittee would (1) consider a proposed ordinance regarding the Department of Community Maintenance; and (2) discuss ambiguity in a zoning ordinance regarding apartment districts. The notice did not state that the meeting would be a joint meeting between the Subcommittee and the full Council.



At the hearing on February 16, 2016, four of the Subcommittee's members were present and were seated at a rectangular table in the middle of the City Council chamber, in front of the council dais and the assigned seats for council members. Four other councilors, who are not members of the Subcommittee, attended the meeting and sat in their assigned seats in the Council chamber. During the meeting, the non-Subcommittee councilors actively participated in questioning the presenters who were appearing before the Subcommittee. The non-Subcommittee councilors were referred to as "Councilor," and they consistently referred to themselves as having the floor or yielding the floor. The non-Subcommittee councilors used more time than the Subcommittee councilors to question the presenters, offer comment, and opine as to their opinion or recommendation as to what the outcome and position should be of the Subcommittee.

On February 16, 2016, CJ Ferry ("Ferry") complained to the Council that it had violated the Open Meeting Law. In an amended complaint filed February 22, 2016, Ferry stated that the Council violated the Open Meeting Law because a quorum of the City Council was present and deliberated at the meeting. Corporation Counsel for Fall River responded that the Council had not violated the Open Meeting Law because there was no "deliberation" that involved the non-members of the Subcommittee. On March 30, 2016, the Attorney General received an Open Meeting Law complaint from Ferry.

On September 1, 2016, the Attorney General determined that the Council had violated the Open Meeting Law because the non-members of the Subcommittee had "deliberated." In deciding whether improper deliberation by parent public body members occurs during a subcommittee meeting, the Attorney General stated that it looks at whether the parent public body members were seated with the general public and whether they participated by open

participation. The Attorney General stated that the non-members of the Subcommittee sat in their seats at the Council dais and were called the "honorific 'Councilor'" when recognized to speak. The Attorney General concluded that "a reasonable member of the public watching the recording of the meeting would have believed they were watching a joint meeting of the Council and the Subcommittee" and thus, the Council violated the Open Meeting Law. The Attorney General ordered immediate and future compliance with the Open Meeting Law.

### DISCUSSION

The Open Meeting Law requires that, except in limited circumstances, "all meetings of a public body shall be open to the public." G. L. c. 30A, § 20(a); see Ghiglione v. School Comm. of Southbridge, 376 Mass. 70, 72 (1978) (open meeting law designed to eliminate secrecy surrounding deliberations and decisions on which public policy is based). A subcommittee is a distinct "public body" that is obligated to comply with the requirements of the Open Meeting Law. G. L. c. 30A, § 18. A "meeting" is defined as "a deliberation by a public body with respect to any matter with the body's jurisdiction,"<sup>1</sup> but does not include the "attendance by a quorum of a public body at a meeting of another public body that has complied with the notice requirements of the open meeting law, so long as the visiting members communicate only by open participation in the meeting on those matters under discussion by the host body and do not deliberate." G. L. c. 30A, § 18. "Deliberation" is defined as "an oral or written communication ... between or among a quorum of a public body on any public business within its jurisdiction."

---

<sup>1</sup> The Attorney General's Open Meeting Law Guide, dated March 18, 2015, at page 4, states that "any matter of public business on which a quorum of the public body may make a decision or recommendation is considered a matter within the jurisdiction of the public body."

G. L. c. 30A, § 18. "Deliberation" does not include, however, "the distribution of a meeting agenda, scheduling information or distribution of other procedural meeting or the distribution of reports or documents that may be discussed at a meeting, provided that no opinion of a member is expressed."

The Attorney General has the authority to interpret the Open Meeting Law and to issue written letter rulings or advisory opinions regarding the law. G. L. c. 30A, § 25(b). A public body aggrieved by an order of the Attorney General may seek judicial review of the order through an action in the nature of certiorari under G. L. c. 249, §4. See G. L. c. 30A, §23(d). Review in the nature of certiorari is limited to the record before the governmental body or officer that made the order of which the plaintiff complains. Board of Selectman of Oxford v. Civil Service Comm'n, 37 Mass. App. Ct. 587, 588 n.4 (1994). The standard of review to be applied under G. L. c. 249, §4, depends on "the nature of the action for which review is sought." Revere v. Massachusetts Gaming Comm'n, 476 Mass. 591, 604 (2017). In this instance, the Attorney General determined that the Board did not comply with the Open Meeting Law. As the Open Meeting Law provides no fixed criteria by which the Attorney General is to make a determination as to whether the statute has been violated, the Attorney General's determination is an exercise of discretion. See Board of Selectmen of Hull v. Healey, 2017 Mass. Super. LEXIS 205 \*11-12 (Plymouth Super. Ct. Dec. 14, 2017) (Ricciuti, J.). Thus, the Court reviews the Attorney General's decision under an arbitrary and capricious standard of review. Revere, 476 Mass. at 605. "A decision is not arbitrary and capricious unless there is no ground which reasonable [persons] might deem proper to support it." FIC Homes of Blackstone, Inc. v. Conservation Comm'n of Blackstone, 41 Mass. App. Ct. 681, 684-685 (1996) (addition in

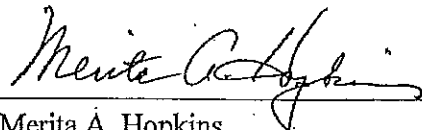
original); see also Cambridge v. Civil Service Comm'n, 43 Mass. App. Ct. 300, 303 (1997) (decision is not arbitrary and capricious unless it "lacks any rational explanation that reasonable persons might support").

The court determines that the Attorney General's conclusion that the non-Subcommittee councilors "deliberated" is not arbitrary or capricious. During the meeting, the non-Subcommittee councilors' communication went beyond the "open participation" contemplated by G. L. c. 30A, § 18 and "deliberated." The non-Subcommittee councilors' "deliberation" is evidenced by the following: the amount of time that is devoted to non-Subcommittee councilors' questions; the non-Subcommittee councilors active participation in the questioning of the presenters; and that the non-Subcommittee councilors consistently referred to themselves as having the floor or yielding the floor; referred to their jobs as councilors when examining the presenters; and expressed their support or lack thereof regarding the issue before the Subcommittee and opinions, including those regarding what should ultimately be voted on. A review of the video of the meeting indicates that the non-Subcommittee councilors considered themselves in the same position as the members of Subcommittee; the substance of their participation reflected that they were "deliberating" as Council members in a Subcommittee meeting. Thus, the court agrees that the Council's failure to properly notice a joint meeting of the Subcommittee and the full Council violated the Open Meeting Law.

4

ORDER

For the reasons discussed above, it is hereby ORDERED the Fall River City Council's Motion for Judgment on the Pleadings is DENIED and the Attorney General's Motion for Judgment on the Pleadings is ALLOWED. The Attorney General's decision is AFFIRMED.



Merita A. Hopkins  
Associate Justice

Dated: March 16, 2018

**CITY OF FALL RIVER**

---

6

To the City Council

Councillors:

The Committee on Real Estate, at a meeting held on March 26, 2018, voted to recommend that the accompanying order be granted leave to withdraw.

  
Assistant Clerk of Committees

City of Fall River, In City Council

6

ORDERED, that the City Council of the City of Fall River, pursuant to M.G.L.A. c. 40 § 15A and pursuant to a vote of the School Committee, does hereby transfer the care, custody, management and control of the school buildings and grounds attached hereto as "Exhibit A" from the Fall River School Department to the City of Fall River for the purpose of reviewing and determining the subsequent sale, conveyance, disposition or other use of said buildings and grounds.

In City Council, June 9, 2009  
Adopted, 9 yeas

Approved, June 22, 2009  
Robert Correia, Mayor

A true copy. Attest:

*Carol A. Valcourt*

City Clerk

*6/5/17 Table & place back on  
Agenda in 4 months*

*Added 12-18-17*

**EXHIBIT A**

Admin. South/Old Henry Lord School	615 Tucker Street
Hugo Dubuque School	Oak Grove Avenue
Hector Belisle School	40 Clarkson Street
Brayton Avenue School	425 Brayton Avenue
William Connell School	650 Plymouth Avenue
Coughlin School	1975 Pleasant Street
Davol School	112 Flint Street
Hartwell Street School	106 Hartwell
Fowler School	286 Sprague Street
Harriet T. Healy School	726 Hicks Street
Highland School	Robeson Street
Lincoln School	439 Pine Street
Osborn Street School	160 Osborn Street
NB Borden School	45 Morgan Street
Susan H. Wixon School	263 Hamlet Street



## CITY OF FALL RIVER

---

7

To the City Council

Councillors:

The Committee on Real Estate, at a meeting held on March 26, 2018, voted to recommend that the accompanying resolution be granted leave to withdraw.

*Unis Leite*  
Assistant Clerk of Committees

City of Fall River, In City Council

7

(Councilor Raymond A. Mitchell)

WHEREAS, the King Philip Mill site has been undergoing various changes regarding financing and zoning, and

WHEREAS, the area residents are questioning the status of this property, now therefore

BE IT RESOLVED, that the Administration be invited to a future meeting of the Committee on Finance to present an update on the status of this property.

In City Council, September 26, 2017  
Adopted

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

10-10-17  
Filed  
1-9-18  
Ref. to B.E. Comm

CITY OF FALL RIVER  
IN CITY COUNCIL

JAN 23 2018

Refer to Committee  
on Real Estate

## CITY OF FALL RIVER

---

8

To the City Council

Councillors:

The Committee on Economic Development and Tourism, at a meeting held on April 3, 2018 voted unanimously to recommend that the accompanying resolution be granted leave to withdraw.

*Chris Leite*  
Assistant Clerk of Committees

# City of Fall River, In City Council

8

(Councilor Pam Laliberte-Lebeau)

WHEREAS, the City of Fall River has embarked on a new marketing/branding initiative, and

WHEREAS, several months have passed with this initiative underway, now therefore

BE IT RESOLVED, that the City Administrator be invited to a future meeting of the Committee on Finance to provide an update on the contract responsibilities of both Figmint and EGN, and

BE IT FURTHER RESOLVED, that the Administration outline future plans for the "Make It Here" campaign and how it will be funded.

CITY OF FALL RIVER  
IN CITY COUNCIL  
APR 11 2017

*Referred to the Committee  
on Economic Development  
and Tourism, 5 years, 4 days*

Filed 4-4-17

## CITY OF FALL RIVER

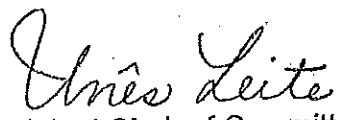
---

9

To the City Council

Councillors:

The Committee on Economic Development and Tourism, at a meeting held on April 3, 2018 voted unanimously to recommend that the accompanying resolution be granted leave to withdraw.

  
Assistant Clerk of Committees

# City of Fall River, *In City Council*

9

(Councilor Pam Laliberte-Lebeau)

WHEREAS, Economic Development was listed as the number 1 priority in the 5 year Community Development Consolidated Plan, and

WHEREAS, the Community Development Agency had appropriated \$325,000 for Economic Development for the current Fiscal Year, and

WHEREAS, we are 3/4 of the way through the Fiscal Year and currently no funds have been expended, and the City has been operating without an Economic Development plan,

NOW THEREFORE, BE IT RESOLVED that the Executive Director of the Community Development Agency as well as the City Administrator be invited to a future meeting of the City Council Committee on Economic Development and Tourism to discuss what the City's plan is for Economic Development and if we will need to return to HUD any funding appropriated and not expended.

In City Council, March 27, 2018  
Adopted.

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

**PROPOSED CODE ADOPTION ORDINANCE**

**Chapter 1  
GENERAL PROVISIONS**

**ARTICLE II  
Adoption of Code**

**§ 1-21. Code adopted.**

The revised ordinances of the City of Fall River of a general and permanent nature adopted by the City Council, as previously codified in the 1999 Revised Ordinances of the City of Fall River, and the ordinances of a general and permanent nature adopted by the City Council subsequent to that codification, all as revised and codified by General Code, LLC, are hereby approved, adopted, ordained and enacted as the Code of the City of Fall River, hereinafter known and referred to as the "Code."

**§ 1-22. Changes in previously adopted ordinances.**

- A. In compiling and preparing the ordinances for adoption and revision as part of the 2018 Code of the City of Fall River, certain grammatical changes and other minor changes were made in one or more of said ordinances. It is the intention of the City Council that all said changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.
- B. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance.

10

City of Fall River Code Adoption  
Schedule A

## Fees

Throughout the Code, fee references have been revised to consistently: 1) include specific fee amounts in Chapter A110, Fee Schedule; and 2) refer in individual chapters and/or articles to the fee amounts in Chapter A110.

In the following sections, fee amounts were removed to Chapter A110 and replaced with text indicating that fees are "as set forth in Chapter A110, Fee Schedule, of the City Code": § 2-512; § 6-2; § 6-4; § 6-17D; § 10-97; § 10-99; § 14-316; § 14-666F, G and I; § 14-703B; § 14-707; § 26-49D; § 74-149C; § 82-67D.

## Chapter 1, General Provisions

1. Section 1-1 is amended as follows:

*The ordinances embraced in this and the following chapters shall be designated the "Code of the City of Fall River," ~~"Revised Ordinances of the City of Fall River, Massachusetts, 1999,"~~ and may be so cited.*

2. Throughout the Code, "this Revision" is changed to "this Code" when referring to the Code of the City of Fall River.
3. Section 1-8N is amended to change "state department of public works" to "State Department of Transportation."

## Chapter 2, Administration

1. Section 2-208B is amended as follows:

*B. Divisions. The divisions within the Department of Community Maintenance shall be the Parks Division, ~~and~~ Cemeteries Division, Streets and Highways Division (including a Vehicle Management Unit), Traffic and Parking Division, Sanitation Division and Engineering Division.*

2. Section 2-210 is amended to change "management information systems division" to Information Systems Division."
3. Section 2-214 is amended to change "veterans' benefits agent" to "Veterans' Agent."
4. In § 2-222, the definition of "employee" is amended as follows:

*EMPLOYEE – Any person appointed, reappointed, elected, selected or chosen to serve on all authorities, advisory boards, boards, commissions or committees, whether compensated or not for such service. ~~or~~*

5. Section 2-356C is amended to change the Code of Massachusetts Regulations citation from "751 CMR § 11.05(4)" to "760 CMR 22."
6. Section 2-503 is amended as follows:

*The Director of Financial Services, through the City Collector, shall ~~forthwith, after receipt of a warrant and tax list from the Assessors and within the time required by law,~~ make out and distribute tax bills to each taxpayer as set forth in § 2-508 of this division, ~~showing the taxes assessed to him.~~*



10

City of Fall River Code Adoption  
Schedule A

7. Section 2-504 is amended as follows:

*The Director of Financial Services, through the City Collector, shall serve on all persons whose taxes for that year are then unpaid a statement of the amount and a demand for the payment of the taxes as set forth in § 2-509 of this division. ~~with the interest required by law and the cost of the demand as required by MGL c. 60. In case the taxes shall not be paid forthwith, the director of financial services shall proceed to their collection according to law. The foregoing provisions of this section shall not apply to motor vehicle excise taxes, but the City collector shall proceed to collect the taxes expeditiously and as required by law.~~*

8. Section 2-591 is amended to change "veterans' services department" to "Office of Veterans' Services."

9. Section 2-641 is amended as follows:

*There shall be a division in the City known as the "Planning Division" under the direction and control of the City Planner. ~~The planning division shall also include the conservation division, and licensing division.~~*

10. Section 2-642 is amended as follows:

*~~The divisions within the Planning Division shall also include the Conservation Division and the Licensing Division. are the Division of Engineering, the division of licensing, the division of minimum housing and the division of conservation.~~*

11. Section 2-655 is amended to change "planning director" to "Director of Community Maintenance."

12. Division 7, formerly "Department of Health and Human Services," is amended in its entirety to read as follows:

**DIVISION 7**

**Department of Community Services**

**§ 2-808. Established. Director; divisions.**

- A. *Established. There shall be a department of the City known as the "Department of Community Services," which shall be under the direction and control of the Director of Community Services.*
- B. *Appointment. The Director of Community Services shall be appointed by the Mayor.*
- C. *Duties. The Director of Community Services, under the direction of the Mayor or his designee, shall be responsible for the supervision, coordination and operation of the following municipal departments and their employees: Division of Minimum Housing, Council on the Aging and Health and Human Services Department. The Director of Community Services shall serve as, and exercise the powers and duties of, the City's Director of the Council on the Aging and Director of Public Health.*

13. Former Article IX, Miscellaneous Fees, is repealed and its provisions are relocated within this chapter as follows:

- a. Former § 2-1001, Fees charged by City Clerk, is moved to become § 2-453.
- b. Former § 2-1002, Fees charged by Sealer of Weights and Measures, is moved to become § 2-574.
- c. Former § 2-1003, Fees charged to Parks and Cemeteries Division, is moved to become § 2-208D.

14. Section 2-1022 is amended to change "this chapter" to "MGL c. 40U" throughout; and to delete any references to "Town Meeting" or "bylaws."

10

City of Fall River Code Adoption  
Schedule A

**Chapter 6, Animals**

1. In § 6-1, the definition of "article" is deleted and replaced with "chapter" as follows:  
*CHAPTER – Chapter 6 of the Code of the City of Fall River, Massachusetts, unless otherwise stated.*
2. In § 6-1, Subsection F of the definition of "dangerous dog" is amended as follows:  
*F. Any dog which bites or attacks any persons.*
3. In § 6-1, the definition of "dangerous or vicious animal" is amended as follows:  
*DANGEROUS OR VICIOUS ANIMAL – Any animal that may be at large and/or with the same or similar dangerous or vicious propensities as a dangerous or vicious dog. Any provisions of this chapter applicable to dangerous or vicious dogs shall be applicable to a dangerous or vicious animal.*
4. Section 6-2B is amended to delete the repealed statutory citation as follows:  
*B. The provision of MGL c. 140, § 138, ~~and 138A~~ as amended, shall be expressly incorporated herewith and shall henceforth apply under this chapter.*
5. The second sentence of § 6-3D is amended as follows:  
*D. . . . Within seven days after such public hearing said City Council shall make an order either revoking or suspending such kennel license, or dismissing said petition. . . .*
6. Section 6-8 is amended to change "director of municipal services" to "City Administrator."
7. The lead-in paragraph to § 6-12 is amended as follows:  
~~*Pursuant to the authority permitted under Massachusetts General Laws chapter 140, § 147A (MGL c. 140 § 147A), The following penalties (fines), except where indicated herein, shall be in effect for violations of the provisions of this article: . . .*~~
8. Section 6-17D is amended as follows:  
*D. When any domestic animal dies, its owner shall cause the animal to be removed to an animal rendering company, or buried within 72 hours of the death of the animal. The administrative and disposal fee shall be as set forth in Chapter A110, Fee Schedule, of the City Code, payable within 30 days to the City of Fall River.*

**Chapter 10, Buildings and Building Regulations**

1. Section 10-96 is amended to revise the first sentence as follows:  
*Within 45 days of a building becoming vacant, each owner of such vacant building shall register said building with Inspectional Services ~~code enforcement~~ by providing such division, ~~department~~, on a form to be created by such division, ~~department~~, with the name, address and telephone number of each owner of the building, the street address of the building and the map, block and parcel number of such building. . . .*
2. Section 10-97A is amended as follows:  
*A. On or before November 15 of each calendar year, the owner of any vacant building on a lot of less than 1/2 acre shall pay to Inspectional Services a registration fee to cover the administrative cost of the monitoring of such vacant buildings. The annual registration fee shall be based on the duration of the vacancy as of November 15 of such year according to the schedule set forth in Chapter A110, Fee Schedule, of the City Code.*

10

**City of Fall River Code Adoption  
Schedule A**

3. Sections 10-98 and 10-99 are amended to change "code enforcement" to "Inspectional Services."
4. Section 10-101 is amended to change "code enforcement officer" to "Inspector of Buildings."
5. Section 10-176B is amended as follows:
  - B. *Fee. Any person desiring an electrical permit shall, at the time of filing an application therefor, pay ~~the director of code enforcement~~ the fee required by the City as provided in Chapter A110, Fee Schedule, of the City Code.*

**Chapter 14, Businesses**

1. In § 14-315, the definition of "push cart" is amended as follows:

*PUSH CART – Any wagon, cart, or similar wheeled container, but not a vehicle, from which goods, wares, or merchandise are offered for sale to the public. This definition specifically excludes push carts from which food is offered for sale to the public.*

2. Section 14-376 is amended as follows:

*The ~~records book~~ required to be kept by § 14-375 shall at all times be ~~open to~~ available for inspection by ~~of the City Council, or of any person authorized by the City Council to make inspection, or of any member of the police force.~~*

3. The definitions in § 14-621 are amended as follows:

*PROMOTER – A business or person which or who operates for the purpose of either, directly or indirectly, renting, leasing or granting a license to use space to any vendor for the display for sale or for the sale of tangible personal property or services subject to tax under MGL c. 64H; provided, however, that this shall not include a state or county fair as defined in MGL c. 128A, § 1; and provided, further, that a promoter licensed under this article shall comply with MGL c. 62C, §§ 8A and 67A or any regulations pursuant thereto as required by the Commissioner of Revenue.*

*TEMPORARY OR TRANSIENT BUSINESS – Any exhibition and sale of goods, wares or merchandise which is carried on in any tent, booth, building or other structure, unless such place is open for business during usual business hours for a period of at least 12 consecutive months; provided, however, that this shall not include a business operating under a written agreement with a licensed promoter.*

*TRANSIENT VENDOR – Any person, either as principal or agent, not a resident and taxpayer of the City, who engages in a temporary or transient business in the City, either in one locality or in traveling from place to place, selling goods, wares or merchandise; provided, however, that this shall not include a person operating under a written agreement with a licensed promoter.*

4. A new § 14-626 is added as follows:

*§ 14-626. Special license for sales for charitable purposes.*

*The City Clerk shall, in accordance with authority granted through MGL c. 101, § 12A, under such conditions as he deems proper, grant to any organization engaged in charitable work or to a post of any incorporated organization of veterans who served in the military or naval service of the United States in time of war or insurrection, a special license authorizing it, for a particular time period not to exceed a total of four days, to be stated in such a license, to conduct under their control a temporary or transient business in which transient vendors participating in such sales shall not be subject to the provisions of MGL*

10

City of Fall River Code Adoption  
Schedule A

c. 101, §§ 3 to 12, inclusive. The exercise of all licenses provided for in this section shall be subject to the provisions of all statutes, ordinances, rules and regulations not inconsistent with this section.

5. Section 14-671A is amended as follows:

A. Each violation of any provision of this article shall be punished by a fine in accordance with § 1-15 of the City Code. ~~not to exceed \$300.~~

6. Section 14-710 is amended as follows:

~~For the purposes of this article, a food vending permit holder shall not be considered a transient vendor under Article XVI. Further, a food vending permit holder shall not be subject to the time limitation described in Article VIII, § 14-309.~~

## Chapter 22, Emergency Services

1. Section 22-37B is amended as follows:

B. Any alarm system emitting a continuous and uninterrupted signal for more than 15 minutes which cannot be shut off or otherwise curtailed due to the absence or unavailability of the alarm user ~~or those persons designated by him under subsection (a) of this section,~~ and which disturbs the peace, comfort or repose of a community, or a neighborhood or the area where the alarm system is located, shall constitute a public nuisance. Upon receiving complaints regarding such a continuous and uninterrupted signal, the Police Chief or his designee shall endeavor to contact the alarm user, or members of the alarm user's family, ~~or those persons designated by the alarm user under subsection (a) of this section~~ in an effort to abate the nuisance. The Police Chief shall cause to be recorded the names and addresses of all complainants and the time each complaint was made.

2. Section 22-77 is amended as follows:

- A. Every owner or, if the owner is not in control, the occupant of a building or portion thereof wherein there are employed eight or more persons, or which regularly hosts eight or more patrons at any time, or an aggregate of both employees and patrons, and wherein, because of the nature of the work being done or for any other reason, adequate and seasonable warning of fire or other emergency affecting their safety might not be received by such employees, shall cause to be installed therein an alarm system designed to warn those employees of such fire or other emergency, and shall cause such system to be kept in operating condition.
- B. Such system shall be inspected by the Chief of the Fire Department for its adequacy and shall conform to the requirements of NFPA 72. ~~such minimum requirements and regulations as he may establish.~~

## Chapter 26, Article II, Litter

Section 26-42A is amended as follows:

- A. Within the protected City-owned land surrounding the shoreline of the Copicut Reservoir bound by Quanaoag Road, Copicut Road, the Dartmouth Town Boundary Line and the Freetown Town Boundary Line, where public access is allowed (further described as that portion of Parcel C on Exhibit C of the Conservation Restriction and Conservation

## City of Fall River Code Adoption Schedule A

*Easement recorded March 4, 2009 that encompasses the shoreline of Copicut Reservoir),  
the following activities are prohibited: . . .*

### Chapter 30, Fire Protection and Prevention

1. Section 30-81 is amended as follows:

*~~[In addition to] The State Fire Code, 527 CMR, [state board of fire prevention regulations, there] is hereby adopted by the City, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion. f, the fire prevention code recommended by the American Insurance Association, 1976 edition, and the whole thereof, save and except such portions as are deleted, modified or amended by § 30-83. Three copies of such codes have been and now are filed in the office of the City Clerk.] Such code is [codes are] hereby adopted and incorporated as fully as if set out at length in this section, and the provisions thereof shall be controlling within the limits of the City.~~*

2. Former § 30-83, Amendments to adopted code, is repealed.
3. Former § 30-97, Smoking in theaters, is repealed.

### Chapter 38, Historical Preservation

Section 38-113 is amended to change "historic commission" to "Historical Commission."

### Chapter 46, Offenses

The statutory citation in § 46-2.1B is changed from "MGL c. 53, § 65" to "MGL c. 53, §§ 70A through 70H."

### Chapter 50, Personnel

1. In § 50-248, "Director of Resources" is changed to "Director of Human Resources."
2. Section 50-252 is amended as follows:

*Junior building custodians and senior building custodians shall receive longevity compensation as set forth in the current agreement. follows. ~~[The current schedule is on file in the City offices.]~~*

The "current agreement" is also cited in similar provisions in §§ 50-253A, 50-254A, 50-256A, 50-257A, 50-258A, 50-263A.

3. Section 50-310B is added as follows:

*B. The President of the Sewer Commission shall receive as compensation the sum of \$2,000 per annum. Each of the other members shall receive \$1,400 per annum.*

### Chapter 54, Public Facilities

Section 54-150 is amended to delete original Subsections (d), (e) and (f), regarding abatement of public hazards or nuisances.

**City of Fall River Code Adoption  
Schedule A**

**Chapter 62, Solid Waste**

Section 62-7 is amended as follows:

*Any person who, without the approval of the Director of Community Maintenance, ~~in the case of refuse receptacles, or the Director of Community Maintenance in the case of garbage receptacles,~~ moves, disturbs or in any way interferes with the storage or placing for collection of garbage or refuse receptacles shall be guilty of a violation of this chapter.*

**Chapter 70, Traffic**

1. Throughout this chapter, references to the Massachusetts "Department of Public Works" are changed to refer to the "Department of Transportation."
2. Section 70-162 is amended as follows:

*The driver of a vehicle, when about to be overtaken and passed by another vehicle approaching from the rear, shall give way to the right in favor of the overtaking vehicle on visible ~~visible and audible~~ signal being given by the driver of the overtaking vehicle, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.*

3. Section 70-174B is amended as follows:

*B. It shall be unlawful for the operator of any motor-driven vehicle, other than one operated in an emergency, to sound the horn of such vehicle within the limits of the City between the hours of 10:00 p.m. and 7:00 a.m., except when necessary to ensure safe operation in accordance with Subsection A or as a warning to pedestrians in accordance with § 70-418.*

4. In the table of stop intersections in § 70-241, the following "Kay Street" entry is amended as follows:

Name of Street	Direction of Travel	At Intersection of
Kay Street	Northbound	<del>North Rockliffe Street at Doyle Street</del>

5. In the table of one-way streets in § 70-281, the following entries are repealed:

Name of Street	Direction of Travel	At Intersection of
Cherry Street	West	From North Main Street to Rock Street
Pine Street	Easterly	From North Main Street to Purchase Street

6. Section 70-311 is amended to read as follows:

**§ 70-311. Violations and penalties.**

*A. Any person who violates any of the following provisions shall be subject to the following fines if such fine is paid within 21 days:*

- (1) For a violation of § 70-312A(7): \$60.*
- (2) For a violation of § 70-312A(9): \$20.*

City of Fall River Code Adoption  
Schedule A

- (3) For a violation of § 70-312C: \$50.
  - (4) For a violation of § 70-314: \$40.
  - (5) For a violation of §§ 70-344, 70-348 and 70-377: \$20.
  - (6) For a violation of §§ 70-318 and 70-320: \$20.
  - (7) For a violation of Chapter 30, Article IV, Fire Lanes, of the City Code: \$20.
  - (8) For any other parking violations of this article: \$20.
  - (9) For any other violation of this article: as provided by § 1-15 of the City Code.
  - (10) Violation of § 70-319: \$35.
- B. All fines paid after 21 days but before the Parking Clerk reports to the Registrar of Motor Vehicles as provided in MGL c. 90 § 20A 1/2 shall be \$25.
- C. All fines paid thereafter shall be subject to a penalty of \$45.
7. Section 70-312C is amended as follows:
- C. Any vehicle that is required to be inspected pursuant to MGL c. 90 and displays an inspection sticker that is more than one month expired shall be in violation of this section and subject to a fine, as set forth in § 70-311 above, the fee schedule located in Appendix A. Each day the vehicle remains uninspected shall be a separate offense.
8. Section 70-324 is amended as follows:
- Officers of the Police Department assigned to the Housing Authority are hereby authorized to issue noncriminal citations for violations of the rules and regulations for the use of Housing Authority parking areas as adopted by the Housing Authority pursuant to MGL c. 121B, § 32A. Violations shall be subject to a fine of \$20.*
9. Sections 70-342, 70-344A and B, 70-347A and 70-348 are amended to change "proper coin of the United States" or "required coin of the United States" or "coin" to "proper payment."
10. In the table of prohibited parking locations in § 70-371:
- a. The "Seventh Street, East" entry is amended to add "Entire length" in the "Location" column.
  - b. The "Copicut Road" entry from the intersection of Copicut/Indian Town Road south to the intersection of Copicut Road/Copicut Pump Station is amended to add "Both" in the "Side" column.
  - c. The "Grinnell Street" entry, starting at a point 75 feet west of Jefferson Street, westerly for a distance of 112 feet, is deleted.
  - d. The "Rodman Street" entries, from Salem Street easterly and westerly for a distance of 30 feet, are deleted.
11. The organization of § 70-372, Parking prohibited during certain hours, is amended to delete separate Subsections (1) through (36) and to include all entries in a single table, alphabetized by street name. The following generic lead-in paragraph has been added:
- No person shall park a vehicle during the hours and in the locations indicated on the following streets or parts of streets: . . .*

**City of Fall River Code Adoption  
Schedule A**

12. The organization of § 70-373, Fifteen-minute parking, is amended to delete separate Subsections (1) through (44) and to include all entries in a single table, alphabetized by street name. The following generic lead-in paragraph has been added:

*No person shall park a vehicle for longer than 15 minutes upon the following streets or parts thereof during the hours specified: . . .*

13. The organization of § 70-374, Thirty-minute parking, is amended to delete separate Subsections (1) through (51) and to include all entries in a single table, alphabetized by street name. The following generic lead-in paragraph has been added:

*No person shall park a vehicle for longer than 30 minutes upon the following streets or parts thereof during the hours specified: . . .*

14. The organization of § 70-375, One-hour parking, is amended to delete separate Subsections (1) through (23) and to include all entries in a single table, alphabetized by street name. The following generic lead-in paragraph has been added:

*No person shall park a vehicle for longer than one hour upon the following streets or parts thereof during the hours specified: . . .*

15. The organization of § 70-376, Two-hour parking, is amended to delete separate Subsections (a) through (m) and to include all entries in a single table, alphabetized by street name. The following generic lead-in paragraph has been added:

*No person shall park a vehicle for longer than two hours upon the following streets or parts thereof during the hours specified: . . .*

16. Section 70-385, Loading zones, service zones and passenger zones, is reorganized to read in its entirety as follows:

**§ 70-385. Loading zones, service zones and passenger zones.**

*It shall be unlawful for any person to park a vehicle in any loading zone, service zone or passenger zone during the times indicated in this section, except while actually engaged in loading or unloading, provided that such loading and unloading does not exceed a period of time longer than 1/2 hour.*

- A. **Loading zones.** Loading zones are hereby established on the following streets and portions of streets at the times and on the days indicated:

<i>Name of Street</i>	<i>Side</i>	<i>Location</i>	<i>Hours/Days</i>
Third Street	East	Starting at a point 20 feet north of Rodman Street, for a distance of 28 feet northerly	9:00 a.m. to 5:00 p.m./Monday through Friday
Sixth Street	East	Starting at a point 52 feet north of Pleasant Street, for a distance of 20 feet northerly	10:00 a.m. to 5:00 p.m./Monday through Saturday
Sixth Street	East	Starting at a point 125 feet north of Pleasant Street, northerly for a distance of 30 feet	6:00 a.m. to 5:00 p.m./Monday through Friday
10th Street	East	Starting at a point 20 feet south of Bedford Street, for a distance of 28 feet southerly	10:00 a.m. to 5:00 p.m./Monday through Saturday
10th Street	West	Starting at a point 221 feet north of Pleasant Street, for a distance of 40 feet northerly	7:00 a.m. and 6:00 p.m./Monday through Saturday
Anthony	South	Starting at a point 10 feet west of Stafford Road,	8:00 a.m. to 1:00 p.m./Monday



# **City of Fall River Code Adoption Schedule A**

<i>Street</i>		<i>westerly for a distance of 56 feet</i>	<i>through Saturday</i>
<i>Bank Street</i>	<i>South</i>	<i>Starting at a point 20 feet east of North Main Street, easterly for a distance of 96 feet</i>	<i>8:00 a.m. to 6:00 p.m./Monday through Friday</i>
<i>Barlow Street</i>	<i>West</i>	<i>Starting at a point 96 feet north of Pleasant Street, northerly for a distance of 75 feet</i>	<i>8:00 a.m. to 6:00 p.m./Monday through Friday</i>
<i>Bay Street</i>	<i>West</i>	<i>Starting at a point 269 feet south of Middle Street, for a distance of 30 feet southerly</i>	<i>6:00 a.m. to 5:00 p.m./Monday through Friday</i>
<i>Bedford Street</i>	<i>North</i>	<i>Starting at a point 146 feet east of High Street, easterly for a distance of 46 feet</i>	<i>9:00 a.m. to 5:00 p.m./Monday through Friday</i>
<i>Bogle Street</i>	<i>West</i>	<i>Starting at a point 48 feet south of Pleasant Street, for a distance of 50 feet southerly</i>	<i>9:00 a.m. to 5:00 p.m./Monday through Friday</i>
<i>Boomer Street</i>	<i>West</i>	<i>From a point 50 feet north of President Avenue for a distance of 27 feet</i>	<i>All/All</i>
<i>Bowen Street</i>	<i>East</i>	<i>Starting at a point 20 feet north of Walter Street, northerly for a distance of 46 feet</i>	<i>8:00 a.m. to 5:00 p.m./Monday through Saturday</i>
<i>Bradford Avenue</i>	<i>North</i>	<i>Starting at a point 30 feet east of Diman Street, for a distance of 43 feet easterly</i>	<i>8:00 a.m. to 6:00 p.m./Monday through Friday</i>
<i>Broadway</i>	<i>West</i>	<i>Starting at a point 20 feet south of Griffin Street, for a distance of 81 feet southerly</i>	<i>6:00 a.m. to 5:00 p.m./Monday through Friday</i>
<i>Broadway</i>	<i>West</i>	<i>Starting at a point 213 feet north of William Street, for a distance of 20 feet northerly</i>	<i>9:00 a.m. to 5:00 p.m./Monday through Friday</i>
<i>Brownell Street</i>	<i>North</i>	<i>Starting at a point 20 feet west of North Court Street, for a distance of 39 feet westerly</i>	<i>8:00 a.m. to 5:00 p.m./Monday through Friday</i>
<i>Cherry Street</i>	<i>North</i>	<i>Starting at a point 41 feet west of Plain Street, for a distance of 45 feet westerly</i>	<i>7:00 a.m. and 6:00 p.m./Monday through Saturday</i>
<i>Chestnut Street</i>	<i>East</i>	<i>From President Avenue to Stanley Street</i>	<i>All/All</i>
<i>Chestnut Street</i>	<i>East</i>	<i>Starting at a point 59 feet north of President Avenue, for a distance of 119 feet southerly</i>	<i>All/All</i>
<i>Chicago Street</i>	<i>North</i>	<i>Starting at a point 26 feet east of Jefferson Street, for a distance of 40 feet easterly</i>	<i>8:00 a.m. to 5:00 p.m./Monday through Saturday</i>
<i>Columbia Street</i>	<i>South</i>	<i>Starting at a point 75 feet west of Fountain Street, westerly for a distance of 30 feet</i>	<i>9:00 a.m. to 5:00 p.m./Monday through Friday</i>
<i>Dover Street</i>	<i>West</i>	<i>Starting at a point 12 feet north of Snell Street, northerly for a distance of 54 feet</i>	<i>6:00 a.m. to 10:00 a.m./All</i>
<i>Durfee Street</i>	<i>East</i>	<i>Starting at a point 63 feet north of Pine Street, northerly for a distance of 76 feet</i>	<i>8:00 a.m. to 5:00 p.m./Monday through Saturday</i>
<i>Eagle Street</i>	<i>East</i>	<i>Starting at a point 53 feet south of Columbia Street, southerly for a distance of 56 feet</i>	<i>All/All</i>
<i>Eagle Street</i>	<i>East</i>	<i>Starting at a point 27 feet north of Hope Street, northerly for a distance of 46 feet</i>	<i>All/All</i>

# **City of Fall River Code Adoption Schedule A**

<i>Eagle Street</i>	<i>West</i>	<i>From William Street southerly for a distance of 35 feet</i>	<i>8:00 a.m. to 6:00 p.m./Monday through Friday</i>
<i>Eastern Avenue</i>	<i>West</i>	<i>Starting at a point 339 feet south of County Street, southerly for a distance of 120 feet</i>	<i>June 1 through September 1</i>
<i>East Main Street</i>	<i>West</i>	<i>Starting at a point 275 feet south of Palmer Street, southerly for a distance of 50 feet</i>	<i>All/All</i>
<i>Elm Street</i>	<i>North</i>	<i>Starting at a point 185 feet east of Durfee Street, easterly for a distance of 60 feet</i>	<i>7:00 a.m. to 12:00 noon Monday through Friday</i>
<i>Foster Street</i>	<i>East</i>	<i>Starting at a point 84 feet south of Buffinton Street, for a distance of 48 feet southerly</i>	<i>7:00 p.m. and 10:00 p.m./Monday, Tuesday, Thursday and Saturday</i>
<i>Fulton Street</i>	<i>West</i>	<i>Starting at a point 20 feet south of Wellington Street, for a distance of 58 feet southerly</i>	<i>8:00 a.m. to 5:00 p.m./Monday through Saturday</i>
<i>Globe Street</i>	<i>North</i>	<i>Starting at a point 20 feet west of East Main Street, for a distance of 20 feet westerly</i>	<i>8:00 a.m. to 5:00 p.m./Monday through Saturday</i>
<i>Grinnell Street</i>	<i>North</i>	<i>From Lapham Street to Jackson Street</i>	<i>7:30 a.m. to 3:00 p.m./Monday through Friday</i>
<i>Hambly Street</i>	<i>East</i>	<i>From Globe Street southerly for a distance of 52 feet</i>	<i>All/All</i>
<i>Hanover Street</i>	<i>West</i>	<i>Starting at a point 24 feet north of Maple Street for a distance of 34 feet northerly</i>	<i>All/All</i>
<i>Hope Street</i>	<i>South</i>	<i>Starting at a point 20 feet west of Fountain Street, for a distance of 37 feet westerly</i>	<i>8:00 a.m. to 6:00 p.m./Monday through Friday</i>
<i>Howard Street</i>	<i>East</i>	<i>Starting at a point 98 feet south of Division Street for a distance of 62 feet southerly</i>	<i>8:00 a.m. to 6:00 p.m./Monday through Friday</i>
<i>Jefferson Street</i>	<i>East</i>	<i>Starting at a point 84 feet north of Brayton Avenue for a distance of 40 feet north</i>	<i>8:00 a.m. to 6:00 p.m./Monday through Friday</i>
<i>Linden Street</i>	<i>West</i>	<i>Starting at a point 20 feet south of Locust Street, southerly for a distance of 25 feet</i>	<i>6:30 a.m. to 7:00 p.m./Monday through Friday</i>
<i>Locust Street</i>	<i>North</i>	<i>Starting at a point 109 feet east of High Street, for a distance of 33 feet easterly</i>	<i>6:00 a.m. to 5:00 p.m./Monday through Friday</i>
<i>Montaup Street</i>	<i>East</i>	<i>From Globe Street southerly for a distance of 40 feet</i>	<i>8:00 a.m. to 6:00 p.m./Monday through Friday</i>
<i>Mott Street</i>	<i>East</i>	<i>From Cambridge Street southerly for a distance of 128 feet</i>	<i>7:00 a.m. to 8:00 p.m./Monday through Saturday</i>
<i>North Court Street</i>	<i>West</i>	<i>Starting at a point 107 feet south of Ballard Street, for a distance of 44 feet southerly</i>	<i>7:00 a.m. to 8:00 p.m./Monday through Saturday</i>
<i>North Main Street</i>	<i>East</i>	<i>Starting at a point 53 feet north of Granite Street, northerly for a distance of 41 feet</i>	<i>9:00 a.m. to 12:00 noon/Monday through Friday</i>
<i>North Main Street</i>	<i>East</i>	<i>Starting at a point 159 feet north of Granite Street, northerly for a distance of 30 feet</i>	<i>9:00 a.m. to 12:00 noon/Monday through Friday</i>
<i>North Main Street</i>	<i>East</i>	<i>Starting at a point 232 feet north of Pearce Street, northerly for a distance of 46 feet</i>	<i>All/All</i>

**City of Fall River Code Adoption  
Schedule A**

10

North Main Street	East	Starting at a point 152 1/2 feet south of Prospect Street, southerly for a distance of 34 feet	All/All
North Main Street	West	Starting at a point 113 feet south of Malvey Street, southerly for a distance of 30 feet	All/All
O'Grady Street	West	Beginning at a point 200 feet north of Bank Street, for a distance of 89 feet	9:00 a.m. to 5:00 p.m./Monday through Friday
Oliver Street	South	Starting at a point 364 feet west of South Main Street, for a distance of 60 feet westerly	All/All
Pearce Street	South	Starting at a point 176 feet west of Dyer Street, westerly for a distance of 103 feet	All/All
Pearl Street	East	Starting at a point 50 feet south of Spring Street, southerly for a distance of 148 feet	7:00 a.m. to 8:00 p.m./Monday through Saturday
Pelham Street	North	Starting at a point 62 feet east of Stafford Road, for a distance of 41 feet easterly	9:00 a.m. to 4:30 p.m./Monday to Friday; 9:00 a.m. to 12:00 noon/Saturday
Pine Street	South	Starting at a point 20 feet east of North Main Street, easterly for a distance of 25 feet	All/All
Pleasant Street	North	Starting at a point 72 feet west of Fifteenth Street for a distance of 32 feet westerly	7:00 a.m. and 6:00 p.m./Monday through Saturday
Pleasant Street	North	Starting at a point 40 feet east of Choate Street, for a distance of 26 feet easterly	8:00 a.m. to 5:00 p.m./Monday through Saturday
Pleasant Street	North	Starting at a point 116 feet west of Irving Street, westerly for a distance of 89 feet	All/All
Pleasant Street	South	Starting at a point 227 west of Ninth Street, for a distance of 20 feet westerly	All/All
Pleasant Street	South	Starting at a point 6 feet west of Prevost Street, westerly for a distance of 51 1/2 feet	All/All
Plymouth Avenue	East	Starting at a point 20 feet south of Stafford Road, for a distance of 46 feet southerly	8:00 a.m. to 5:00 p.m./Monday through Friday
Plymouth Avenue	West	Starting at a point 57 feet north of the northeast corner of Wordell Street, northerly for a distance of 57 feet	All/All
Pocasset Street	South	Starting at a point 295 feet west of South Main Street, westerly for a distance of 72 feet	All/All
President Avenue	North	Starting at a point 12 feet west of Boomer Street, for a distance of 64 feet westerly	8:00 a.m. to 5:00 p.m./Monday through Saturday
Purchase Street	East	Starting at a point 81 feet north of Bank Street, for a distance of 20 feet northerly	6:00 a.m. to 5:00 p.m./Monday through Friday
Quequechan Street	West	From Hargraves Street southerly for a distance of 30 feet	All/All
Ray Street	East	Starting at a point 269 feet south of Langley Street, for a distance of 100 feet southerly	7:30 a.m. to 8:30 a.m. and 2:00 p.m. to 3:00 p.m./Monday through

10

**City of Fall River Code Adoption  
Schedule A**

			<i>Friday</i>
<i>Ridge Street</i>	<i>West</i>	<i>From a point 161 feet south of the southwest corner of Cottage Street and Ridge Street, southerly for a distance of 51 feet</i>	<i>All/All</i>
<i>Robeson Street</i>	<i>East</i>	<i>Starting at a point 87 feet south of New Boston Road, for a distance of 47 feet</i>	<i>7:00 a.m. to 8:00 p.m./Monday through Saturday</i>
<i>Robeson Street</i>	<i>West</i>	<i>Starting at a point 57 feet north of Stanley Street, northerly for a distance of 33 feet</i>	<i>All/All</i>
<i>St. Joseph Street</i>	<i>North</i>	<i>At a point 28 feet west of Notre Dame Street, for a distance of 155 feet westerly</i>	<i>7:30 a.m. to 8:30 a.m. and 2:00 p.m. to 3:00 p.m./Monday through Friday</i>
<i>Seabury Street</i>	<i>West</i>	<i>Starting at a point 101 feet south of Pine Street, for a distance of 40 feet southerly</i>	<i>All/All</i>
<i>South Main Street</i>	<i>East</i>	<i>Starting at a point 154 feet north of Spring Street, for a distance of 52 feet</i>	<i>8:00 a.m. to 9:00 p.m./Monday through Saturday</i>
<i>South Main Street</i>	<i>East</i>	<i>From a point 192 feet south of Sullivan Drive southerly for a distance of 27 feet</i>	<i>8:00 a.m. to 9:00 p.m./Monday through Saturday</i>
<i>South Main Street</i>	<i>West</i>	<i>Starting at a point 122 feet south of Anawan Street, for a distance of 28 feet southerly</i>	<i>8:00 a.m. to 6:00 p.m./Monday through Friday</i>
<i>South Main Street</i>	<i>West</i>	<i>Starting at a point 86 feet south of Pocasset Street, for a distance of 30 feet</i>	<i>All/All</i>
<i>South Main Street</i>	<i>West</i>	<i>Starting at a point 86 feet south of Pocasset Street, for a distance of 30 feet</i>	<i>8:00 a.m. to 9:00 p.m./Monday through Saturday</i>
<i>South Main Street</i>	<i>West</i>	<i>Starting at a point 187 feet south of Slade Street, for a distance of 25 feet southerly</i>	<i>9:00 a.m. to 5:00 p.m./Monday through Friday</i>
<i>South Main Street</i>	<i>West</i>	<i>Starting at a point 131 feet north of Spring Street, for a distance of 40 feet northerly</i>	<i>8:00 a.m. to 5:00 p.m./Monday through Saturday</i>
<i>Spring Street</i>	<i>North</i>	<i>Starting at a point 54 feet east of South Main Street, easterly for a distance of 27 feet</i>	<i>8:00 a.m. to 5:00 p.m./Monday through Saturday</i>
<i>Stafford Road</i>	<i>West</i>	<i>Starting at a point 65 feet south of Winthrop Street, southerly for a distance of 25 feet</i>	<i>All/All</i>
<i>Stetson Street</i>	<i>West</i>	<i>Starting at a point 162 feet south of President Avenue, for a distance of 60 feet southerly</i>	<i>7:30 a.m. to 8:30 a.m. and 2:00 p.m. to 3:00 p.m./Monday through Friday</i>
<i>Troy Street</i>	<i>East</i>	<i>Starting at a point 264 feet north of Pleasant Street, for a distance of 59 feet</i>	<i>All/All</i>
<i>Union Street</i>	<i>East</i>	<i>Starting at a point 52 feet southeast of Hope Street, northwesterly for a distance of 88 feet</i>	<i>9:00 a.m. to 5:00 p.m./Monday through Friday</i>
<i>Union Street</i>	<i>West</i>	<i>Starting at a point 25 feet north of South Main Street, for a distance of 25 feet northerly</i>	<i>8:00 a.m. to 6:00 p.m./Monday through Friday</i>
<i>Walnut Street</i>	<i>North</i>	<i>Starting at a point 87 feet west of Grove Street, westerly for a distance of 63 feet</i>	<i>7:00 a.m. to 8:00 p.m./Monday through Saturday</i>

10

**City of Fall River Code Adoption  
Schedule A**

West Street	West	Starting at a point 86 feet north of Propper Lane, northerly for a distance of 124 feet	All/All
Weybosset Street	West	Starting at a point 250 feet south of Pleasant Street, southerly for a distance of 79 feet	All/All
Weybosset Street	East	Beginning 54 feet south of Pleasant Street, for a distance of 49 feet	8:00 a.m. to 5:00 p.m./Monday through Saturday

- B. *School bus loading zones.* School bus loading zones are hereby established for the purpose of loading and unloading between the hours and on the days indicated at the following streets or locations:

Name of Street	Side	Location	Hours/Days
Belmont Street	East	From French Street southerly for a distance of 50 feet	8:00 a.m. to 4:30 p.m./Monday through Friday
Columbia Street	South	From Hunter Street westerly for a distance of 90 feet	8:00 a.m. to 4:30 p.m./Monday through Friday
High Street	East	From Locust Street southerly for a distance of 130 feet	8:00 a.m. to 4:30 p.m./Monday through Friday
McDonald Street	West	Starting at a point 262 feet south of Brightman Street, for a distance of 40 feet southerly	8:00 a.m. to 4:30 p.m./Monday through Friday
O'Grady Street	East	Starting at a point 10 feet south of Pine Street, southerly for a distance of 182 feet	8:00 a.m. to 4:30 p.m./Monday through Friday
Rodman Street	East	Starting at a point 30 feet north of Stockton Street, northerly for a distance of 31 feet	8:00 a.m. to 4:30 p.m./Monday through Friday

- C. *Passenger zones.* Passenger zones are hereby established at the times indicated on the following streets or parts thereof:

Name of Street	Side	Location	Hours/Days
Bedford Street	North	Starting at a point 18 feet west of High Street, for a distance of 30 feet westerly	All/All
Durfee Street	West	Starting at a point 71 feet north of Bank Street, for a distance of 39 feet northerly	All/All
High Street	East	Starting at a point 94 feet north of Locust Street, for a distance of 30 feet northerly	7:00 a.m. to 10:00 p.m./All
Middle Street	South	Starting at a point 92 feet east of South Beach Street, for a distance of 25 feet easterly	All/All
Palmer Street	North	Starting at a point 62 feet east of Plymouth Avenue, for a distance of 25 feet easterly	All/All
Pleasant Street	South	Starting at a point 162 feet east of Campbell Street, for a distance of 25 feet easterly	All/All
President Avenue	North	Starting at a point 64 feet east of Thompson Street, for a distance of 69 feet easterly	7:45 a.m. to 8:45 a.m. and 2:45 p.m. to 3:45 p.m./Monday through Friday

10

**City of Fall River Code Adoption  
Schedule A**

South Main Street	West	Starting at a point 20 feet north of Summit Street, for a distance of 136 feet northerly	7:45 a.m. to 8:45 a.m. and 2:45 p.m. to 3:45 p.m./Monday through Friday
Stetson Street	West	Starting at a point 162 feet south of President Avenue, for a distance of 60 feet southerly	7:30 a.m. to 8:30 a.m. and 2:00 p.m. to 3:00 p.m./Monday through Friday
Summit Street	North	Starting at a point 20 feet west of South Main Street, for a distance of 136 feet westerly	7:45 a.m. to 8:45 a.m. and 2:45 p.m. to 3:45 p.m./Monday through Friday

D. Loading, service and passenger zones. No person shall park a vehicle in any loading zone, service zone or passenger zone between the hours or on the days indicated on the following streets or parts of streets:

Name of Street	Side	Location	Hours/Days
Queen Street	East	Starting at a point 200 feet north of Globe Street, for a distance of 17 feet northerly	7:00 a.m. to 1:00 p.m./Monday through Friday
Queen Street	West	Starting at a point 202 feet north of Globe Street, for a distance of 10 feet northerly	7:00 a.m. to 1:00 p.m./Monday through Friday
South Main Street	West	Starting at a point 266 feet south of Anawan Street, for a distance of 31 feet southerly	9:00 a.m. to 4:00 p.m./Monday through Friday

E. Loading and passenger zones. Loading and passenger zones are hereby established on the following streets at the times and on the days indicated:

Name of Street	Side	Location	Hours/Days
South Main Street	West	Starting at a point 148 feet south of Spring Street, for a distance of 20 feet southerly	7:00 p.m. to 3:00 a.m.

17. Section 70-387D is amended as follows:

D. Liability for towing and storage charges. Whoever violates this section shall be liable for charges for the removal and storage of the vehicle parked in violation hereof and shall be subject to a fine of \$200, ~~as provided in the Fee Schedule in Appendix A to this revision.~~

18. In the list of handicapped parking locations in § 70-387E:

a. The Smith Street at Warren Street entry, starting at a point 58 feet north of Warren Street, northerly for a distance of 25 feet, is amended to add "North" in the "Side" column.

19. Section 70-388A is amended to correct the statutory citation from "MGL c. 40, § 24, cl. 24" to "MGL c. 40, § 21, cl. 24."

20. Section 70-389 is amended to read as follows:

**§ 70-389. Valet parking.**

A. Parking shall be prohibited between the hours and on the days indicated at the following locations, except for use as valet parking in connection with a duly licensed establishment dispensing food and beverages to travelers along the way:

10

City of Fall River Code Adoption  
Schedule A

Name of Street	Side	Location	Hours/Days
South Main Street	West	Two parking meter spaces for a distance not to exceed 40 feet in front of 201 South Main Street	5:00 p.m. to 10:00 p.m./Wednesday through Saturday
South Main Street	West	Starting at a point 384 feet north of Spring Street, for a distance of 88 feet northerly	6:00 p.m. to 2:00 a.m./Friday to Saturday
South Main Street	West	Starting at a point 67 feet north of Spring Street, for a distance of 37 feet northerly	5:00 p.m. to 1:00 a.m./Thursday to Sunday

- B. Any establishment wishing to avail itself of valet parking shall provide evidence of liability insurance to the Traffic Commission.

#### Chapter 74, Utilities

1. Section 74-52 is amended to delete former Subsection B, establishing the compensation of the President and other members of the Sewer Commission. See now Chapter 50, § 50-310B.

2. Section 74-113A is amended as follows:

A. Generally. No person shall make or cause to be made any entrance into any main drain, common sewer or water main unless he shall have been licensed to do so by the City Council and shall have given a bond in the sum of not less than \$25,000 for the faithful performance of his work and to indemnify the City against any loss or damage from negligence or defective work. An acceptable certificate of insurance in accordance with the provisions of §§ 66-371 and 66-372 shall be filed with the required bond. Each such license shall be granted for one year from May 1 until April 30, of the following year, and the required bond and certificate of insurance shall be co-terminus with the license. Such license may be suspended for cause by the Sewer Commission or City Engineer, which shall report the suspension to the City Council at its next meeting. Every application for a drainlayer's license shall first be submitted to the City Engineer, who shall endorse thereon his recommendation for approval or disapproval and his reason therefor. ~~The required fee for said license will be as set forth in the fee schedule in Appendix A of this Code.~~

3. In § 74-141B, the definition of "process wastewater" is amended as follows:

PROCESS WASTEWATER – Water which during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

4. In the following sections, references to 248 CMR 2.06 and 2.09 are changed to refer instead to 248 CMR 10.09: § 74-227B(1)(c), (2), (3), C(4) and § 74-257D(1)(b) and (c).

5. In § 74-257, the following Code of Massachusetts Regulations citations are amended:

In Subsection A, 22.22(5) is changed to 22.22(4)

In Subsection A, 22.22(8)(b) is changed to 22.22(7)(b)

In Subsection C(5), 22.22(914)(f) is changed to 22.22(13)(e)

In Subsection C(8), 22.22(14) is changed to 22.22(13)

City of Fall River Code Adoption  
Schedule A

In Subsection D(2)(a), 22.22(4) is changed to 22.22(3)

In Subsection G(1), 22.22(5) is changed to 22.22(4)

In Subsection H(1)(k), 22.22(12)(f) is changed to 22.22(11)(f)

In Subsection H(2)(h), 22.22(912)(f) is changed to 22.22(11)(f)

6. In § 74-257K(4), the statutory citation to "MGL c. 114 160a" is changed to "MGL c. 111, § 160A."

7. In § 74-258, Table 22.1 is amended to add the following key:

Key:		
AG	=	Air Gap Separation
AVB	=	Atmospheric Vacuum Breaker
BFAV	=	Backflow Preventer with Intermediate Atmospheric Vent
DCVA	=	Double Check Valve Assembly
RPBP	=	Reduced Pressure Backflow Preventer

Chapter 82, Waterways

1. In § 82-68C, the last entry in the mooring tackle specifications table is amended to change the "Vehicle Length" column from "51 to 50" to "51+"

2. Section 82-73A is amended as follows:

*A. The owner of any vessel, mooring or other object not properly moored, not properly permitted, or in violation of any harbor rules and regulations contained herein may be subject to a noncriminal citation, removal of the mooring, removal and impounding of the vessel or a combination of the same, and/or a fine of \$50. ~~as set forth in the fee schedule located in Appendix A to this Revision.~~*

3. Section 82-76 is amended as follows:

*All boats using the waters of Fall River for more than 14 days per calendar year (cumulative) are required to display a Fall River waterway permit. The Harbormaster will, upon request from the owner and verification that no excise taxes are due on the vessel, provide a decal at no charge. Such decal shall be affixed approximately 18 inches from the stem and four inches from the gunnel, on the starboard side. These decals shall be displayed so as to be clearly visible for inspection by the Harbormaster. Failure to display a current Fall River waterway permit decal shall be a violation of this article and subject to a fine of \$50 per day. ~~as provided in the fee schedule in Appendix A.~~*

Chapter 86, Zoning

1. In § 86-9, the definition of "building height" is amended as follows:

*BUILDING HEIGHT – The vertical distance ~~to~~ of the highest point of the roof as measured from the mean ground level at all elevations of a building.*



10

City of Fall River Code Adoption  
Schedule A

2. In § 86-9, the definition of "sign" is amended as follows:

*SIGN – A structure which consists of a device, light, letter, word, model, banner, pennant, trade flag, logo, insignia, or representation which advertises, directs, or announces a use conducted, goods, products, services, or facilities available which influence persons, or conveys information, including electric signs, but excluding window displays or merchandise and signs which are incidental to the displayed merchandise. Refer to Article VI, Division 2, § 86-450 et seq., of this chapter § 86-461 for additional sign provisions.*

3. Section 86-347A is amended to change "Soil Conservation Service" to "Natural Resources Conservation Service."
4. Organizationally, the numbering of Article IV, Division 5, is changed from a single § 86-373, Subsections (a) through (d), to §§ 86-373 through 86-376.
5. In § 86-390, the definition of "adult use" is amended as follows:
- ADULT USE – An establishment, a building or portion thereof, or a use of land having as a substantial or significant portion of its business activity, stock-in-trade, or other matter or materials for sale, rental, distribution or exhibition which are distinguished or characterized by their emphasis on matter depicting, describing or relating to sexual conduct or sexual excitement as defined in MGL c. 272, § 31, including but not limited to the following as defined herein: adult bookstore, adult club, adult entertainment establishment, adult motion-picture theater, adult paraphernalia store or adult video store.*
6. Organizationally, this chapter is amended to remove former §§ 86-446, Setbacks for garages and sheds, 86-447, Home occupation as of right, and 86-448, Pigeon lofts, from Article VI, General Regulations, Division 1, Parking and Loading, to a new Division 5, Other Uses, as §§ 86-466, 86-467 and 86-468, respectively.
7. Organizationally, the numbering of Article VI, Division 2, Signs, is changed from a single § 86-461, Subsections (a) through (h), to §§ 86-450 through 86-457.
8. Section 86-451N(2) is amended as follows:
- (b) Such signs shall not ~~exceed~~ extend above the lowest point of the roof, nor beyond the ends of the wall to which ~~it is~~ they are attached.*
9. Article VI, Division 3, Noxious Use, is amended to add a new § 86-461 section number and title.
10. The Table of Dimensional Requirements is amended to add the following "Note" to the WTOD entry: See also § 86-175.

**Chapter A110, Fee Schedule.**

1. The following is added to the Chapter 6 animals fees:

*Kennel licenses:*

*Domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse for the relief of suffering among animals: no charge*

2. The following is added to the Chapter 74 water fees:

*Rates for metered water customers outside City. All out-of-City customers receiving water supplied by the City of Fall River will pay a rate not less than 70% higher than the rate charged to City of Fall River customers as established by § 74-353. This rate shall be \$2.27 per 100 cubic feet for water billed on or after January 1, 2008.*

**City of Fall River Code Adoption  
Schedule A**

3. The penalties for violations of Chapter 82, Article IV, §§ 82-73 and 82-76 are removed from this chapter and included in § 82-73A and § 82-76, respectively.

# City of Fall River, In City Council

11

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:

## Section 1.

By inserting in section 70-241, which section relates to stop intersections designated, in proper alphabetical order the following:

Barclay Street Northbound drivers on Barclay Street at Slade Street.

## Section 2.

By inserting in Section 70-281, which section relates to one-way streets designated, in proper alphabetical order the following:

Barclay Street, from Dwelly Street to Slade Street in a northerly direction.

## Section 3.

By inserting in Section 70-374, which section relates to thirty-minute parking, in proper alphabetical order the following:

- (19) 8:00 a.m. – 9:30 p.m. Monday through Sunday  
Pleasant Street, north side, starting at a point 88 feet west of Irving Street, for a distance of 30 feet westerly
- (45) 9:00 a.m. – 9:00 p.m. Monday through Saturday and 12:00 p.m. to 5:00 p.m. Sunday  
South Main Street, east side, starting at a point 20 feet north of Palmer Street, for a distance of 35 feet northerly

## Section 4.

By inserting in Section 70-375, which section relates to one-hour parking, in proper alphabetical order the following:

- (22) 11:00 a.m. – 7:00 p.m. Monday through Friday, 11:00 a.m. – 4:00 p.m. Saturday through Sunday  
Kilburn Street, west side, starting at a point 62 feet north of Charles Street, for a distance of 60 feet.

## Section 5.

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

- Barlow Street, west side, starting at a point 318 feet south of Eaton Street, for a distance of 20 feet southerly
- Beverly Street, west side, starting at a point 60 feet north of Walnut Street, for a distance of 20 feet northerly
- High Street, west side, starting at a point 61 feet north of Franklin Street, for a distance of 20 feet northerly
- Prospect Street, north side, starting at a point 20 feet north of Belmont Street, for a distance of 20 feet easterly

CITY OF FALL RIVER  
IN CITY COUNCIL

MAR 27 2013

*Passed Through  
first reading*

# City of Fall River, In City Council

12

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 a new section to read as follows:

Section 70-390 Street Sweeping

From April to November, Monday through Saturday, 8:00 a.m. to 2:00 p.m. as posted. Vehicles will be tagged/towed at owner's expense.

CITY OF FALL RIVER  
IN CITY COUNCIL  
FEB 27 2018

*Referred to the Committee  
on Ordinances and Legislation*

CITY OF FALL RIVER  
IN CITY COUNCIL

MAR 27 2018

*Passed Through  
first reading,  
7 yeas, 2 nays*

# 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:

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

Student Intern Apprentice

Not to exceed \$15/hour

CITY OF FALL RIVER  
IN CITY COUNCIL

MAR 27 2013

*Passed through  
first reading*

# City of Fall River, In City Council

14

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

Administrative Assistant/Code Enforcement

Not to exceed \$50,000.00 per annum

CITY OF FALL RIVER  
IN CITY COUNCIL  
FEB 27 2018

*Referred to the Committee  
on Ordinances and Legislation*

CITY OF FALL RIVER  
IN CITY COUNCIL  
MAR 27 2018

*Passed through first  
reading, 8 yea, 1 nay*

# City of Fall River, In City Council

15

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

Executive Administrative Assistant to the Chief of Police      Not to exceed \$50,000.00 per annum

CITY OF FALL RIVER  
IN CITY COUNCIL

MAR 27 2013

Passed Through first  
reading, as amended

(Councilor Leo O. Pelletier)

WHEREAS, licenses to operate an auto body shop and an auto repair shop were granted to Souhad Saliba, doing business as JZ Express, Inc., in October of 2017, and

WHEREAS, during the license renewal process, neighbors expressed concerns regarding odors emanating from the business, and

WHEREAS, neighbors recently expressed similar concerns regarding odors and hours of operation, now therefore

BE IT RESOLVED, that the Committee on Regulations meet to review the licenses held by Souhad Saliba, operating at 969 South Main Street, to address these concerns.



# City of Fall River, In City Council

17

(Councilor Steven A. Camara)

WHEREAS, the City Council previously approved forwarding a proposed plan to locate six (6) electronic 70' tall x 50' wide Digital Billboards at these locations: "Easterly End of Bedford Street"; "South of Central Street, West of Route 79"; "North of Father DeValles Blvd"; "Fourth Street, Corner of Hartwell Street"; "North Side of Brayton Avenue, Corner of Route 195 Ramp"; "Market Street, Facing South Main Street" to the Zoning Board of Appeals (ZBA) and

WHEREAS, this proposal which was presented to the Zoning Board of Appeals (ZBA) as a request for "Special Permits" but was given "Leave to Withdraw" with no action taken by the ZBA and

WHEREAS, the proposal for these six (6) electronic 70' tall x 50' wide Digital Billboards have been increased to eight (8) 70' tall x 50' wide Digital Billboards and this proposal for eight (8) 70' tall x 50' wide Digital Billboards reportedly has been forwarded to the Commonwealth of Massachusetts' Department of Transportation for their input and presumably approval and

WHEREAS, there has been no public presentation in Fall River of what these billboards will look like and how they will affect the neighborhoods in which they would be constructed should the process move forward and

WHEREAS, "Photoshop" and other technological advances can produce a "virtual" reality of what these billboards would look like, should the process move forward now, therefore,

BE IT RESOLVED, that the Fall River City Council through its Committee on Health and Environmental Affairs hold a public hearing to consider issues concerning this proposal and get updates, including "Photoshop" or other virtual reality presentations from the City Administration and any of its consultants concerning this proposal so the people of Fall River and the City Council may understand the full impact of these Digital Billboards on Fall River and the neighborhoods in which they are intended to be constructed.



RECEIVED

2018 MAR 22 P 3:33

City of Fall River

Notice of Claim

CITY CLERK 18-65  
FALL RIVER, MA

1. Claimant's name: Andrea Medeiros
2. Claimant's complete address: 103 Niagara St Fall River MA 02721
3. Telephone number: Home: 508-837-7014 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
damage to tire from pothole
5. Date and time of accident: 3/7/18 6:50pm Amount of damages claimed: \$ 107.51
6. Exact location of the incident: (include as much detail as possible):  
Between 35-45 Jefferson St
7. Circumstances of the incident: (attach additional pages if necessary):  
Couldn't see pot hole due to the rain storm we had.  
See pictures attached
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: 3/22/18

Claimant's signature: Andrea Medeiros

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

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

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

For official use only:

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

Date: 3/22/18



26

RECEIVED

City of Fall River  
Notice of Claim

2018 MAR 23 P 1:09

CITY CLERK  
FALL RIVER, MA

1. Claimant's name: William Francis CLARK
2. Claimant's complete address: 99 High St Assonet MA 02702
3. Telephone number: Home: 508 212 4399 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Hit Pot hole
5. Date and time of accident: March 16, 2018 Amount of damages claimed: \$ 326.17
6. Exact location of the incident: (include as much detail as possible):  
80 William S. Canning Blvd North Bound side
7. Circumstances of the incident: (attach additional pages if necessary):  
Traveling from Harbor Mall toward Walgreens around 10 PM Large Pot Hole across from Volvo Wagon dealership Large Pot Hole full of water was struck and Popped Tire on drivers side
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: March 21, 2018Claimant's signature: William F Clark

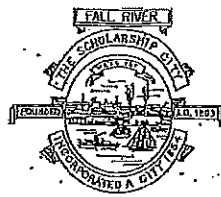
WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

**Return this from to: City Clerk, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722**

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☐ City Council ☐ City Administrator ☒ DPWDate: 3/23/18



26

RECEIVED

City of Fall River  
Notice of Claim

2018 MAR 26 A 9:53

CITY CLERK 18-67  
FALL RIVER, MA

1. Claimant's name: Marco Borges
2. Claimant's complete address: 472 Coggeshall St Fall River MA
3. Telephone number: Home: 9508-562921 Work: Same
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Crushed my whole exhaust system on a pot hole
5. Date and time of accident: 2/17/18 Amount of damages claimed: \$1,733.78
6. Exact location of the incident: (include as much detail as possible):  
Manchester St Fall River Bottom where school buses  
are
7. Circumstances of the incident: (attach additional pages if necessary):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☒ Yes ☐ No  
Travelers inc / Cordieras Ins 171 pleasant st 15086895885

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: 3/26/18

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, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722

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

For official use only:

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

Date: MAR 26 2018



26

RECEIVED

City of Fall River  
Notice of Claim

2018 MAR 26 A 10:58

CITY CLERK 18-68  
FALL RIVER, MA

1. Claimant's name: Susan Braga
2. Claimant's complete address: 354 Tickle Rd, Westport MA 02790
3. Telephone number: Home: 774-319-5206 Work: 508-679-5233 x4409
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
brand new tire blowout on a pothole (deep)
5. Date and time of accident: 3/16/18 7:50AM Amount of damages claimed: \$173.27
6. Exact location of the incident: (include as much detail as possible):  
William S Canning Blvd, in front of McDonalds in left lane,  
Deep potholes.
7. Circumstances of the incident: (attach additional pages if necessary):  
I was driving to work. I was in the left lane, saw pothole but  
could not change lanes due to traffic. My tire immediately  
went flat in the middle of the road. Light went on right away  
in my car stating tire flat. I always try to avoid them but couldn't
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: this time.  
☐ 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: 3/22/18Claimant's signature: Susan Braga

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

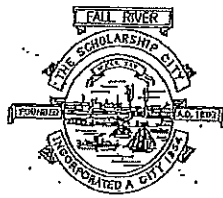
Return this from to : City Clerk, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722

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

For official use only:

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

Date: 3/26/18



26

RECEIVED

City of Fall River  
Notice of Claim

2018 MAR 26 P 1:18

18-69

1. Claimant's name: Leonard Casey CITY CLERK: FALL RIVER, MA 02722
2. Claimant's complete address: 112 Kilburn St. Fall River MA 02722
3. Telephone number: Home: # 508-971-2080 Work: 508-677-9198  
Cell:
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Pot Hole - Front End damage to truck.
5. Date and time of accident: 2-25-18 Amount of damages claimed: Parts 312.00 Labor 360.00 Total 654.20
6. Exact location of the incident: (include as much detail as possible):  
Pine St right across from park
7. Circumstances of the incident: (attach additional pages if necessary):  
Raining out driving down Pine St. (never seen pot hole) it was full of water  
Hit hole loud noise and wheel pulled to the left so I got out of truck and seen wheel bent out would and truck would not rolled. Had tow truck pick up truck and called me with damage
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 3/20/18

Claimant's signature: Leonard Casey

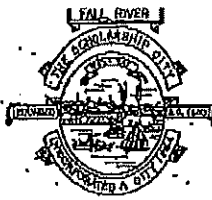
WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

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

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

For official use only:

Copies forwarded to: ☒ City Clerk ☐ Law ☐ City Council ☐ City Administrator ☒ DPW Date: 3/20/18



26

RECEIVED

City of Fall River  
Notice of Claim

2018 MAR 26 A 11:03

#18-70

1. Claimant's name: Robert Marchand CITY CLERK FALL RIVER, MA
2. Claimant's complete address: 1131 Wood St Fall River MA 02721
3. Telephone number: Home: 5086712905 Work: 5086788330
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Personal Injury
5. Date and time of accident: 3/12/18 7:44 Amount of damages claimed: \$ 11375
6. Exact location of the incident: (include as much detail as possible):  
Wm S Canning Blvd opposite VW Dealership
7. Circumstances of the incident: (attach additional pages if necessary):  
Driving north bound in out side lane I lane of traffic  
allegator of hole at left front tire I could not  
avoid due to traffic on my right side  
Potable water has happened in it to water meter
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: 3-20-18

Claimant's signature: Robert Marchand

**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 form to:** City Clerk, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722

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

For official use only:

Copies forwarded to: ☐ City Clerk ☐ Law ☐ City Council ☐ City Administrator ☒ DPW Date: 3/26/18



26

RECEIVED

City of Fall River  
Notice of Claim

2018 MAR 26 P 4: 29

CITY CLERK #18-71  
FALL RIVER, MA

1. Claimant's name: Danulle J. Pyley
2. Claimant's complete address: 5300 N. Main St, #7 FR. MA
3. Telephone number: <sup>cell</sup> Home: 7744884030 Work: 02-720
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
hubcap broke due to large pothole.
5. Date and time of accident: <sup>9pm</sup> 3/16/18 Amount of damages claimed: \$ 41.00
6. Exact location of the incident: (Include as much detail as possible):  
Middle street - approx 100ft down from intersection of  
Broadway & Middle
7. Circumstances of the incident: (attach additional pages if necessary):  
After striking a pothole, the hubcap on  
my 2016 Honda Civic flew off and I  
needed to buy a new one. The total cost is  
\$41.00 for a hubcap purchased at the Honda  
dealership in Dartmouth. Pictures are attached
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: 3/26/18 Claimant's signature: Danulle Pyley

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

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

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator ☒ DPW Date: 3/26/18





26

RECEIVED

City of Fall River  
Notice of Claim

2018 MAR 27 P 12:14

1. Claimant's name: Kristen Cabral CITY CLERK 18-72  
FALL RIVER, MA
2. Claimant's complete address: 1081 Bark St. Swansea MA 02777
3. Telephone number: Home: 508-3970697 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Property damage - tires on car
5. Date and time of accident: 3/8/18 Amount of damages claimed: \$ 257.63
6. Exact location of the incident: (Include as much detail as possible):  
Highland Avenue pot hole
7. Circumstances of the incident: (attach additional pages if necessary):  
On my way to work @ Charlton in the morning, my tires slammed the large pothole - both front & back on driver side and created bubbles in those tires - this is actually the
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 2nd time in 1 year that this has happened

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: 3/27/18Claimant's signature: Kristen Cabral

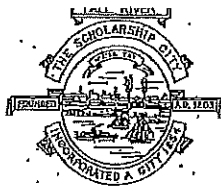
WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

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

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☒ City Administrator ☒ DPWDate: 3/27/18



26

City of Fall River  
Notice of Claim

RECEIVED

2018 MAR 27 P 12:28

1. Claimant's name: Holly Dunham CITY CLERK 18-73
2. Claimant's complete address: 11 Blossom Lane, Berkley, MA 02714 FALL RIVER, MA
3. Telephone number: Home: 508-880-8989 Work: 508-714-1055
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Property damage
5. Date and time of accident: 3/15/18 @ 8:15pm Amount of damages claimed: \$ 93.85
6. Exact location of the incident: (include as much detail as possible):  
Pothole outside the entrance of Mattie Imports on William S. Canning Blvd.
7. Circumstances of the incident: (attach additional pages if necessary):  
Front left wheel hit unmarked pothole on William S. Canning Blvd. causing damage to hubcap of wheel.
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: 3/27/18

Claimant's signature: Holly Dunham

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

Return this from to : City Clerk, 2<sup>nd</sup> FL, One Government Center, Fall River, MA 02722

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

For official use only:

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

Date: 3/22/18



RECEIVED

City of Fall River  
Notice of Claim

2018 MAR 27 P 2:36

18-74  
CITY CLERK  
FALL RIVER, MA

26

1. Claimant's name: Derek J. Atkinson
2. Claimant's complete address: 73 Brown St. (APT. 1) Fall River, MA 02724
3. Telephone number: Home: 508 951-0416 Work: 508-951-0416
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Property damage from Pothole
5. Date and time of accident: 3/9/18 7:30 PM Amount of damages claimed: \$ 816.33
6. Exact location of the incident: (include as much detail as possible):  
Between 740 and 772 Second St.
7. Circumstances of the incident: (attach additional pages if necessary):  
While Travelling North bound on Second St; on 3/9/18, my right front wheel went into a deep pothole causing the tire to rupture (sidewall) and the wheel to bend. I am seeking Compensation in the amount of \$816.33 for a new wheel and tire. An invoice is attached. Thank you!
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: 3/26/18

Claimant's signature: Derek Atkinson

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

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

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

For official use only:

Copies forwarded to: ☒ City Clerk

☒ Law

☒ City Council

☒ City Administrator

☒ EDRW

Date: 3/27/18



City of Fall River  
Notice of Claim

RECEIVED

2018 MAR 27 P 3:59

CITY CLERK  
FALL RIVER, MA

18-75

1. Claimant's name: PAUL CARVALHO
2. Claimant's complete address: 10 WOLF HILL Drive SWANSEA, MA, 02777
3. Telephone number: Home: 508-496-5473 Work: 508-677-0401
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
CITY Tree Limbs fell on top of my TOYOTA Tacoma
5. Date and time of accident: 3-2-18 1:00pm Amount of damages claimed: \$ 500.00
6. Exact location of the incident: (include as much detail as possible):  
605 2nd ST. FALL RIVER, MA.
7. Circumstances of the incident: (attach additional pages if necessary):  
See ATTACHED LETTER FOR EXPLANATION OF Incident.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☒ Yes ☐ No  
Geico One Geico Blvd, Fredericksburg, VA. 22412

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: 3-26-18

Claimant's signature: Paul Carvalho

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

Return this from to : City Clerk, 2<sup>nd</sup> FL, One Government Center, Fall River, MA 02722

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

For official use only:

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

DCM

Date: MAR 27 2018

To Whom It May Concern:

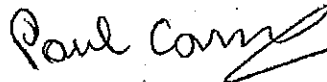
RECEIVED

2018 MAR 27 P 3:59

CITY CLERK  
FALL RIVER, MA

26

On March 2, 2018 at 1:00pm My 2013 Toyota Tacoma Plate # 414WZM was parked by a city tree located in front of 605 2<sup>nd</sup> St in Fall River, MA. The tree was previously reported to city officials on two occasions that it was dead and the branches were falling off. On March 2, 2018 high winds throw large limbs from the tree onto my truck that caused damage on the roof and other areas of the truck. I have filed a claim with my Insurance Company, but I will be held responsible for the 500.00 deductible. I have attached photos of the truck getting hit by the city branches on two different occasions. Also I have included a cd containing video files from a surveillance system showing the city branches hitting the truck. Please feel free to contact me if you have any other questions.



Paul Carvalho

508-496-5473

Ibanezss@hotmail.com

RECEIVED



#18-76

26

2018 MAR 28 P 3:35

City of Fall River  
Notice of Claim

CITY CLERK

1. Claimant's name: FALL RIVER, MA Joel Normandin
2. Claimant's complete address: 949 High St. Apt. 2, Fall River, MA
3. Telephone number: Home: 508-558-1069 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
pothole damage on vehicle
5. Date and time of accident: 03/03/2018 Amount of damages claimed: \$ 307.49
6. Exact location of the incident: (include as much detail as possible):  
William S Canning Blvd. (At the road near Ford)
7. Circumstances of the incident: (attach additional pages if necessary):  
I was driving and avoided numerous holes until this large hole. The front left tire was popped & the rim bent. Photos available upon request.
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: 03/28/2018

Claimant's signature: Joel Normandin

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

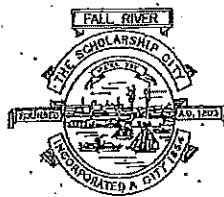
**Return this from to : City Clerk, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722**

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator ☒ DPW Date: 3/28/18

Council



26

City of Fall River  
Notice of Claim

RECEIVED

2018 MAR 29 A 11:44

CITY CLERK

18-77

1. Claimant's name: DAVID WALKER
2. Claimant's complete address: 919 Bay St, Unit 104, Fall River, MA 02724
3. Telephone number: Home: 508-673-7697 Work: N/A
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
DAMAGE OF TIRE BY POT HOLE
5. Date and time of accident: 3/16/18 (8:50 AM) Amount of damages claimed: \$
6. Exact location of the incident: (include as much detail as possible):  
AT DWELLY ST + EAST MAIN ST ON SOUTH SIDE OF STREET
7. Circumstances of the incident: (attach additional pages if necessary):  
DROVE UP DWELLY ST HIT POT HOLE. UNABLE TO SEE IT DUE TO BEING FILLED WITH WATER. SUBSIDED TO AVOID IT BUT CAUGHT THE OUTER PORTION WITH RIGHT FRONT TIRE. IT IMMEDIATELY WENT FLAT. VEHICLE IS A 2017 WITH 2472 MILES.
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: 3/16/18

Claimant's signature: David Walker

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 form to: City Clerk, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722

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

For official use only:

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

Date: MAR 29 2018



City of Fall River  
Notice of Claim

RECEIVED

2018 MAR 29 A 11:37

CITY CLERK  
FALL RIVER, MA

Council  
26

1. Claimant's name: Progressive Direct Insurance Company a/s/o LEAVITT, CHRISTINA

2. Claimant's complete address: PO BOX 512929 LOS ANGELES, CA 90051

3. Telephone number: Home: \_\_\_\_\_ Work: 440-910-5587

4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
AUTO ACCIDENT

5. Date and time of accident: 01-16-18 AT 5:11 PM Amount of damages claimed: \$ 2,270.79

6. Exact location of the incident: (include as much detail as possible);  
OSBORN STREET & WHIPPLE ST IN FALL RIVER

7. Circumstances of the incident: (attach additional pages if necessary):

Our named insured's 2001 Hyundai Accent was traveling on Osborn St. in the middle of the intersection with Whipple St. without a stop sign, when a City of Fall River 2017 Ford F550, plate number MFC122, was traveling on Whipple St. and ran a stop sign at the intersection of Osborn St. and struck and damaged our insured's vehicle. The driver, Patrick Steinkamp, is the proximate cause of this accident due to failure to maintain proper lookout.

8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☒ Yes ☐ No  
Progressive Direct Insurance Company PO BOX 512929 LOS ANGELES, CA 90051

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: 3/22/18

Claimant's 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, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722

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

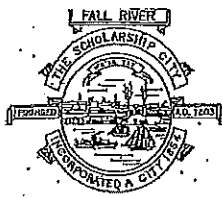
For official use only:

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

EMS

Date: MAR 29 2018





26

RECEIVED

City of Fall River  
Notice of Claim

2018 APR -2 P 1:58

18-79

CITY CLERK: FALL RIVER, MA

02842

1. Claimant's name: WILLIAM GRAMITT
2. Claimant's complete address: 20 POCAHONTAS DRIVE, MIDDLETOWN, RI
3. Telephone number: Home: 401-846-2259 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
POT-HOLE ON WILLIAM S. CANNING BLVD, DESTROYED LEFT-FRONT  
TIRE-RIM-HUBCAP! 03/17/2018
5. Date and time of accident: 03/17/2018 Amount of damages claimed: \$ 326.75
6. Exact location of the incident: (include as much detail as possible):  
TOFFERED TO GO WITH OFFICER JOSE DAPEDRA TO IDENTIFY POT-HOLE BUT  
HE REFUSED MY ASSISTANCE! # 106950
7. Circumstances of the incident: (attach additional pages if necessary):  
I HAD BOUGHT AND HAD <sup>PREVIOUSLY</sup> INSTALLED 4 BRAND NEW TIRES AT POP BOYS  
IN SEEKONK MASS WHERE I HAD MY VEHICLE TOWED BY AAA  
TO REPLACE EVERYTHING BROKEN THEY HAD TO REORDER!  
ONLY ONE (1) TIRE + RIM + HUBCAP WERE DESTROYED BY DEEP POT-HOLE!
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: MARCH 31<sup>ST</sup>, 2018Claimant's signature: William Gramitt

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

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

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

For official use only:

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

DCM

Date: APR - 2 2018



RECEIVED

2018 APR -3 A 11: 21

CITY CLERK  
FALL RIVER, MA

26

City of Fall River  
Notice of Claim

1. Claimant's name: EUGENE S. PIERRE JR.
2. Claimant's complete address: 525 Whipple St, Fall River, MA 02724
3. Telephone number: Home: 508-689-8194 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
POT HOLD -
5. Date and time of accident: 3-28-18 Amount of damages claimed: \$ \_\_\_\_\_
6. Exact location of the incident: (include as much detail as possible):  
EAST MAIN ST - FALL RIVER GOING NORTH ABOUT 50' FROM DOWNEY ST INTERSECTION
7. Circumstances of the incident: (attach additional pages if necessary):  
Heading North on East Main with a car going South on other side of ST. Hit a DEEP POT HOLD - A could not stop or go around it due to a car behind me and one going South on side of me. Hit it hard then pulled over. Took pictures after I seen the damage it did.
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: 3-28-18Claimant's signature: Eugene S. Pierre Jr.

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

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

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☒ City Administrator ☒ SCMDate: 4-3-18



RECEIVED

2018 APR -3 P 3:24

CITY CLERK #18-81  
FALL RIVER, MA

26

City of Fall River  
Notice of Claim

1. Claimant's name: CARL FERREIRA
2. Claimant's complete address: 344 AMERICAN LEGION HIGHWAY Westport MA
3. Telephone number: Home: 508-922-6013 Work: 508-646-3991
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
POT HOLE
5. Date and time of accident: 3/17/18 8:15 PM Amount of damages claimed: \$ 433.00
6. Exact location of the incident: (include as much detail as possible):  
80 WILLIAM S CANNING BLVD
7. Circumstances of the incident: (attach additional pages if necessary):  
DRIVING ON WILLIAM S CANNING BLVD @ NIGHT, H.T. Large Pot hole on drivers side. Traffic cone WAS NOT in the hole at time that it was in median. Went back the next morning to take pictures and apparently a barrel was put there After everyone hit it. See photo's attached.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 4/2/18Claimant'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, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722

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

For official use only:

Copies forwarded to: ☒ City Clerk☒ Law☒ City Council☐ City Administrator☒ DPWDate: 4/4/18



26

RECEIVED

City of Fall River  
Notice of Claim

2018 APR -5 P 12:48

CITY CLERK 18-82  
FALL RIVER, MA

1. Claimant's name: Ethan Cousineau
2. Claimant's complete address: 124 Beale Street, Fall River, MA 02723
3. Telephone number: Home: 1-774-365-1912 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Damaged Tire due To Large Pot Hole
5. Date and time of accident: 3/17/2018 approx. 7:00 PM Amount of damages claimed: \$ \_\_\_\_\_
6. Exact location of the Incident: (include as much detail as possible):  
William S. Canning Blvd, near Volks Wagon Auto Sales, North Travel Lanes (IN LEFT lane)
7. Circumstances of the Incident: (attach additional pages if necessary):  
I was Traveling North on William S. Canning Blvd, in the Left Lane. When I got in front of Mattie Volkswagen, I hit a pot hole with my left front tire. By the time I got to the set of lights my tire was flat. I pulled into the lot at CARDIS near Penny's.
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: 3/22/18Claimant's signature: Ethan Cousineau

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

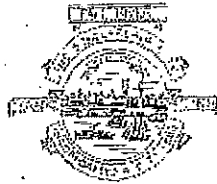
Return this from to : City Clerk, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator ☒ DPWDate: 4/5/18

26



City of Fall River  
Notice of Claim

RECEIVED

2018 APR -5 A 11:49

CITY CLERK 18-83  
FALL RIVER, MA

1. Claimant's name: Zoe Van Kirk
2. Claimant's complete address: 4 Hammond St. Apt. #1 Newport, RI 02840
3. Telephone number: Home: (860)-944-0442 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
property damage - flat tire from pothole
5. Date and time of accident: <sup>6:20 am</sup> 3/19/18 Amount of damages claimed: \$ 108.92
6. Exact location of the incident: (include as much detail as possible):  
around 80 William S. Canning Blvd. between Walgreens and the Four Seasons gas station
7. Circumstances of the incident: (attach additional pages if necessary):  
I was on my way to my nursing clinical and it was still dark out. By the time I realized how large the pothole actually was, I was unable to swerve around it b/c there was a car next to me in the other lane. Waited for AAA for two hours and when he came and changed the tire he was annoyed b/c this was about his 25th call to this exact location
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 past four days

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

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

Date: 4/2/18

Claimant's signature: Zoe Van Kirk

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

**Return this from to : City Clerk, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722**

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

For official use only:

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

Date: 4/5/18

