

# 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, December 18, 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 7:16 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

### PRIORITY MATTERS

1. Mayor and loan order – \$750,000 Community Preservation Act Bio Reserve Project  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted that the loan order be authorized to be published and referred to the Committee on Finance.*
2. Mayor requesting confirmation of the appointment of Christine P. Blair-Cyr to the Urban Tree Commission  
*Councilor Steven A. Camara stated that although Ms. Blair-Cyr has an impressive resume, it does not indicate that she has any expertise with trees. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier to confirm the appointment, it was voted 6 yeas, 3 nays with Councilors Shawn E. Cadime, Steven A. Camara and Cliff Ponte voting in the negative.*
3. Mayor and resolution approving Economic Development Incentive Program (EDIP) for Millstone Medical Outsourcing LLC  
*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the resolution.*  
*Approved, December 19, 2018, Mayor Jasiel F. Correia II*
4. Certificate from Assistant City Clerk regarding petitions for recall of Mayor Jasiel F. Correia II  
*Councilor Leo O. Pelletier stated that he believes that the City Council is doing the right thing. Council President Cliff Ponte stated that the purpose of tonight's meeting is to accept the certificate and to notify the Mayor. He also stated that tonight's meeting is not to schedule a Special Election. Councilor Leo O. Pelletier then asked if the Mayor decides to take the matter to Court, what happens then. Council President Cliff Ponte stated that is a legal question. Councilor Leo O.*

Pelletier then asked, can we waive the rules to request Corporation Council answer questions. Councilor Steven A. Camara then made a motion to waive the rules to allow Corporation Counsel to answer questions. Council President Cliff Ponte called for a two minute recess at 7:24 p.m. to review documents that were hand delivered to the City Council by William Golden, Esquire. The City Council reconvened at 7:29 p.m. Councilor Shawn E. Cadime stated that this is the second time that the Mayor has disrupted a City Council Meeting. He also stated, we were handed a communication from the Mayor's Attorney stating that we should not take a vote on this matter. Councilor Steven R. Long stated, to say that I'm frustrated is an understatement. He then stated that we need to do our duty as City Councilors. Councilor Joseph D. Camara stated that we need to vote on this matter and do what we believe is right. Councilor Steven A. Camara made a motion to waive the rules to allow Corporation Counsel to answer questions, but received no second. He then stated that he would like to have a discussion with Corporation Counsel, but if there is no appetite for that then we will need to move forward. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was voted 9 yeas to accept the certificate and notify the Mayor that he has five days to resign. The five days will expire on December 20, 2018.

#### **PRIORITY COMMUNICATIONS**

5. Traffic Comm. recommending amendments to the traffic ordinances

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation.*

6. Traffic Comm. recommending an amendment to the traffic ordinances

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation.*

#### **COMMITTEE REPORTS** – None

#### **ORDINANCES**

7. Proposed Ordinance – Stop intersections on Highland Avenue and Maple Street

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation.*

#### **RESOLUTIONS**

8. Administration declare reprieve of the PAYT program for one week from  
December 26, 2018 to January 2, 2019

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the resolution.*

*Approved, December 19, 2018, Mayor Jasiel F. Correia II*

#### **CITATIONS**

9. Keith Paquette – Years of service on the Fall River Planning Board

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

#### **ORDERS – HEARINGS** – None

#### **ORDERS – MISCELLANEOUS**

10. Police Chief's reports on licenses:

- a. 2018 Taxicab Driver:  
Diamond Jackson-Mesidor

2019 Taxicab Driver:  
Diamond Jackson-Mesidor

- b. 2018 Taxicab Driver:  
Edsie Parson

2019 Taxicab Drivers:

Sharon Acevedo	Joseph Anthony Andre	Ashraf Kamal Antar
Brian Araluce	Edward Arruda	Darrelle Carlsen
Jeffrey Carreiro	Robert Carroll	Gerald Costa
April Crotteau	Michael Diniz	Carlton Ducharme
Tiffany Evans	Philip James Fay	Sharon Fernandes
Brian Ferreira	James Soares Gouveia Jr.	Peter Hadad
Frederick Humes Jr.	Paul Laberge	Kathleen Lamothe
Louis Levesque	Jeff Middletow	Edsie Parson
Todd Quintal	Dale Rancourt	Mikael Raposa
Ricardo Raposa	George Robidoux	Jeremiah Soares
Delores Socall	Richard Souza	Matthew Stets
Stephen Stets	Rebecca Walkden	Dorothy Ward

2019 Private Livery Vehicle  
Fall River Taxi – Toyota Prius

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt items #10a and 10b.*

11. City Engineer prepare plans for the acceptance of Brookside Street extending from Highland Avenue to a dead end

*Councilor Pam Laliberte-Lebeau stated that she has been working on this matter and would like to thank the Director of Community Maintenance for filling the severe potholes on this street. She went on to state that one of the residents of Brookside Street had just received a lung transplant and needed to have constant care and Mr. Perry had the pot holes filled to allow the health care professionals to have access to the residence. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the Planning Board.*

12. Auto Body Shop License Renewal:

Joseph Silva d/b/a Supreme Auto located at 421 Third Street

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the order.*

*Approved, December 19, 2018, Mayor Jasiel F. Correia II*

13. Auto Repair Shop License Renewal:

Igor Zinovyev, Boston Auto Fair, LLC located at 2147 Pleasant 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, December 19, 2018, Mayor Jasiel F. Correia II*

**COMMUNICATIONS – INVITATIONS – PETITIONS**

14. Claims

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

15. Claims

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

16. Communication from city resident regarding recycling at condominiums

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the communication to the Committee on Ordinances and Legislation.*

17. Open Meeting Law Complaint from Collin Dias re: December 4, 2018 City Council Meeting

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Shawn E. Cadime, it was unanimously voted to refer the complaint to Corporation Counsel.*

18. Street opening request from City Engineer for pavement less than five years old at  
471 Center Street

*On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Shawn E. Cadime, it was unanimously voted to refer the request to the Committee on Public Works and Transportation.*

19. Communication from city resident regarding sale of property classified under Chapter 61B

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

20. Pavement Management System Manual from Engineering Division

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the request to the Committee on Public Works and Transportation.*

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to take items #21 through #24 together.*

City Council Meeting Minutes:

21. Public Hearings – November 27, 2018

22. Committee on Finance – November 27, 2018

23. Regular Meeting of the City Council – November 6, 2018

24. Regular Meeting of the City Council – November 27, 2018

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to approve the minutes.*

**BULLETINS – NEWSLETTERS – NOTICES**

25. Department of Public Utilities regarding increase in electric base distribution rates

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted that the notice be accepted and placed on file.*

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted to adjourn at 7:55 p.m.*

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

Communication from Baker, Braverman & Barbadoro, P.C.

A true copy. Attest:

*Alison M Bouchard*

City Clerk

In City Council, January 8, 2019

Approved.





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

RECEIVED

2018 DEC 14 A 10:57

CITY CLERK  
FALL RIVER, MA

**ALISON M. BOUCHARD**  
CITY CLERK

**INÊS LEITE**  
ASSISTANT CITY CLERK

**MEETINGS SCHEDULED**  
**CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER**

**MONDAY, DECEMBER 17, 2018**

**5:30 P.M. COMMITTEE ON ECONOMIC DEVELOPMENT AND TOURISM**

**TUESDAY, DECEMBER 18, 2018**

**5:15 P.M. COMMITTEE ON REAL ESTATE**

**AGENDA**

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

1. Citizen Input
2. \*Resolution – Discuss winter snow plowing (tabled 12-4-2018)

**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 loan order – \$750,000 Community Preservation Act Bio Reserve Project (objected to 12-4-2018)
2. \*Mayor requesting confirmation of the appointment of Christine P. Blair-Cyr to the Urban Tree Commission (objected to 12-4-2018)
3. \*Mayor and resolution approving Economic Development Incentive Program (EDIP) for Millstone Medical Outsourcing LLC
4. \*Certificate from Assistant City Clerk regarding petitions for recall of Mayor Jasiel F. Correia II

**PRIORITY COMMUNICATIONS**

5. \*Traffic Comm. recommending amendments to the traffic ordinances (objected to 12-4-2018)
6. \*Traffic Comm. recommending an amendment to the traffic ordinances

**COMMITTEE REPORTS** – None

**ORDINANCES**

7. \*Proposed Ordinance – Stop intersections on Highland Avenue and Maple Street

**RESOLUTIONS**

8. \*Administration declare reprieve of the PAYT program for one week from December 26, 2018 to January 2, 2019 (objected to 12-4-2018)

**CITATIONS**

9. Keith Paquette – Years of service on the Fall River Planning Board

**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)

**ORDERS – HEARINGS – None**

**ORDERS – MISCELLANEOUS**

10. Police Chief's reports on licenses:

a. 2018 Taxicab Driver:

Diamond Jackson-Mesidor (objected to 12-4-2018)

2019 Taxicab Driver:

Diamond Jackson-Mesidor (objected to 12-4-2018)

b. 2018 Taxicab Driver:

Eddie Parson

2019 Taxicab Drivers:

Sharon Acevedo	Joseph Anthony Andre	Ashraf Kamal Antar
Brian Araluce	Edward Arruda	Darrelle Carlsen
Jeffrey Carreiro	Robert Carroll	Gerald Costa
April Crotteau	Michael Diniz	Carlton Ducharme
Tiffany Evans	Philip James Fay	Sharon Fernandes
Brian Ferreira	James Soares Gouveia Jr.	Peter Hadad
Frederick Humes Jr.	Paul Laberge	Kathleen Lamothe
Louis Levesque	Jeff Middletow	Eddie Parson
Todd Quintal	Dale Rancourt	Mikael Raposa
Ricardo Raposa	George Robidoux	Jeremiah Soares
Delores Socall	Richard Souza	Matthew Stets
Stephen Stets	Rebecca Walkden	Dorothy Ward

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**COMMUNICATIONS – INVITATIONS – PETITIONS**

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



City Council Meeting Minutes:

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BULLETINS – NEWSLETTERS – NOTICES

- 25. \*Department of Public Utilities regarding increase in electric base distribution rates

  
Assistant City Clerk

ITEMS FILED AFTER THE AGENDA WAS PREPARED:  
CITY COUNCIL MEETING DATE: DECEMBER 18, 2018

OTHER POTENTIAL MATTERS (to be acted upon if recommendation is received)

Committee on Real Estate recommendation:

Communication from Mayor requesting parking facilities controlled by the Fall River Redevelopment Authority be transferred back to the City

(Councilor Shawn E. Cadime)

WHEREAS, the City of Fall River just had a winter storm, and

WHEREAS, the response time in combination with the lack of manpower and the potential concern with funding was apparent, now therefore

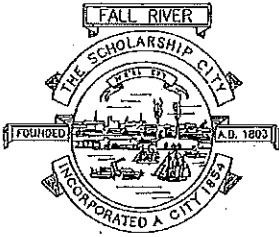
BE IT RESOLVED, that the Administration, Director of the Department of Community Maintenance, the Director of Streets and Highways, and representatives from MassDOT's Highway Division District 5 office be invited to a future meeting of the Committee on Finance to discuss any funding concerns with the Snow and Ice account, the process for winter storm preparation and operations of the current winter storm, changes in the process from prior fiscal years, manpower numbers including private vendors, the reason why there was a lack of manpower, and provide a detailed summary of the number of plow drivers that were called at this most recent storm in comparison to snow storms in recent years.

CITY OF FALL RIVER  
IN CITY COUNCIL

JAN - 9 2018

*Referred to the Committee  
on Finance, as amended*

*1-23-18  
tabled  
3-27-18  
tabled  
12-4-18  
tabled  
5 years ago*



City of Fall River  
Massachusetts  
Office of the Mayor

FINANCE 2  
RECEIVED

2018 DEC 10 P 12:58

JASIEL F. CORREIA II  
Mayor

CITY CLERK  
FALL RIVER, MA

December 10, 2018

Honorable Members of the City Council  
One Government Center  
Fall River, MA 02720

RE: Cost of Snow Removal

Council President:

In response to your request, we prepared an analysis of the total cost of snow removal for each of the last three fiscal years. In addition, utilizing the weather forecasting statements certified by Precision Weather Forecasting we prepared a graph of the cost per inch to remove snow for each of the storms in both fiscal years ending June 30, 2017 and 2018.

Attached are both schedules.

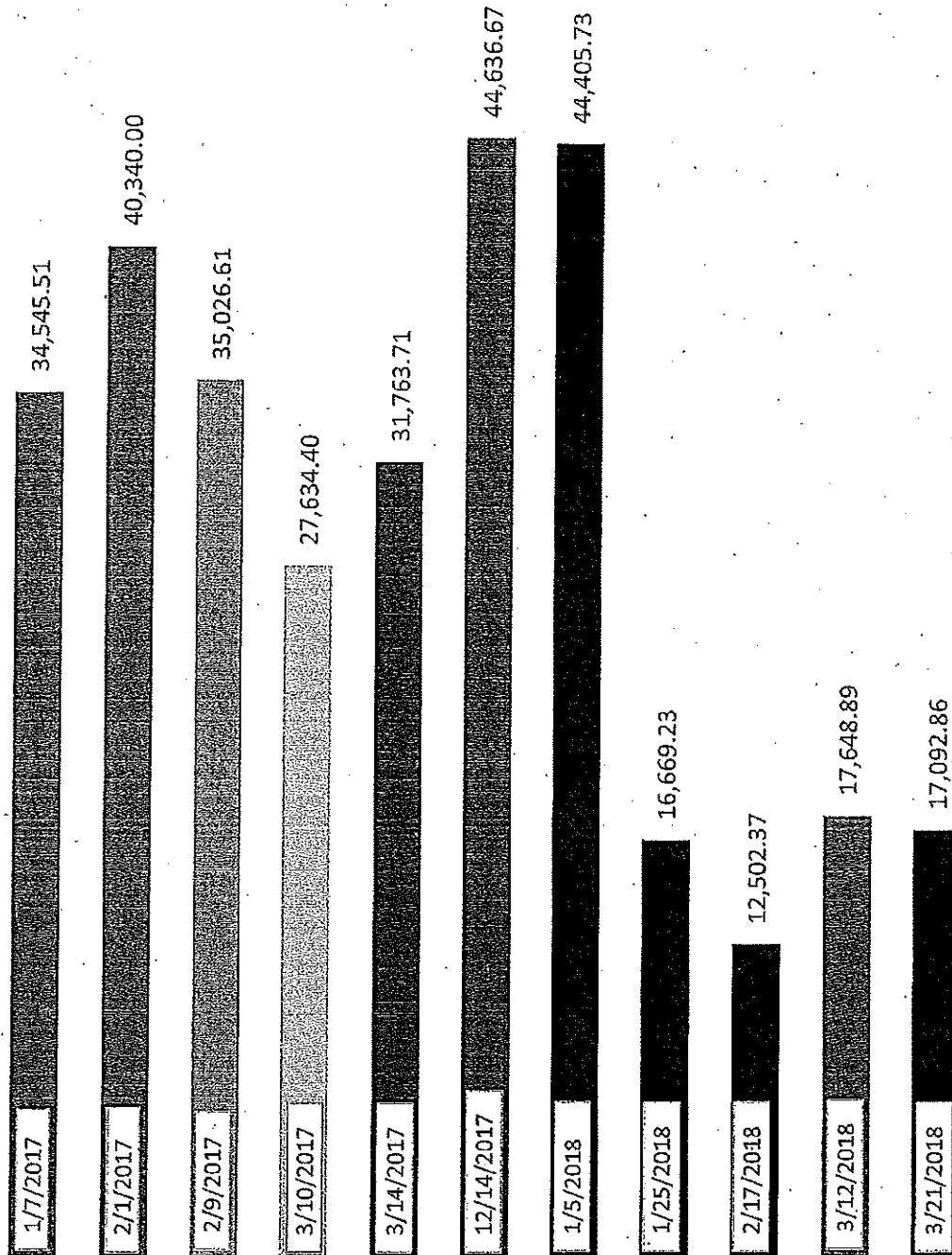
Best Regards,



Mayor Jasiel F. Correia II

## PLOWING & HAULING SNOW REMOVAL COST PER INCH

■ 10.7 ■ 2.6 ■ 12.4 ■ 2.5 ■ 3.5 ■ 2.1 ■ 14.3 ■ 6.5 ■ 3.8 ■ 18.0 ■ 2.8



City of Fall River  
Snow Analysis

# FINANCE 2

	2016	2017	2018
<i>Salary &amp; Wages</i>			
Stipends	147,050.00	105,954.00	109,326.45
Overtime	168,898.58	181,674.50	170,130.15
	<u>315,948.58</u>	<u>287,628.50</u>	<u>279,456.60</u>
Rock Salt	429,400.71	413,012.09	432,291.41
<i>Weather Reports</i>			
Telvent DTN	1,548.00		
Precision	1,295.00	1,295.00	1,295.00
<i>Snow Removal</i>			
GPS	23,478.64	27,963.36	38,849.44
Plowing	952,151.67	1,085,503.33	1,124,896.69
Hauling - city		28,090.00	130,788.00
Hauling - school			80,400.00
	<u>1,407,874.02</u>	<u>1,555,863.78</u>	<u>1,728,120.54</u>
Total	<u>1,723,822.60</u>	<u>1,843,492.28</u>	<u>2,007,577.14</u>
<i>Snow fall in inches</i>	40.50	40.80	58.70
Cost per Inch	<u>\$ 42,563.52</u>	<u>\$ 45,183.63</u>	<u>\$ 34,200.63</u>

City of Fall River, MA  
Actual Snow Stipends

FINANCE 2

From Payroll Accumulator January 1, 2018-December 4, 2018

Emp #	Last Name	First Name	Status	Year	Employee Gross	Loc	Group/BU	Org	Obj
22233	ANDRADE	GENOVEVA	A	2018	10,000.00	C120	CCON	11200001	511000
10438	AGUIAR	CHRISTOPHER	A	2018	1,250.00	C400	CTEM	14007001	511000
10587	BALDIA	ARTHUR	A	2018	2,250.00	C400	CTEM	14007001	511000
3980	BORDEN	STEPHEN	A	2018	1,250.00	C400	CTEM	14007001	511000
8910	CARREIRO	JOHN	A	2018	1,250.00	C400	CTEM	14007001	511000
1859	CLEMENT	GREGORY	A	2018	2,500.00	C400	CTEM	14007001	511000
6640	DECOSTA	KEITH	A	2018	2,500.00	C400	CTEM	14007001	511000
3739	DELISLE	WAYNE	I	2018	2,500.00	C400	CTEM	14007001	511000
8140	DEMELO	PAUL	A	2018	2,500.00	C400	CTEM	14007001	511000
4719	DENMEAD	CHARLES	A	2018	2,500.00	C400	CTEM	14007031	511000
900	DESMARAIS	JASON	A	2018	2,500.00	C400	CTEM	14007001	511000
8861	DESOUSA	MICHAEL	I	2018	1,250.00	C400	CTEM	14007001	511000
2574	FERREIRA	JOHN	I	2018	1,000.00	C400	CTEM	14007001	511000
352	GARCIA	ANTONIO	A	2018	1,000.00	C400	CTEM	14007001	511000
20886	GOSSELIN	MATTHEW	A	2018	2,500.00	C400	CTEM	14007001	511000
8523	GUILMETTE	BRIAN	A	2018	2,250.00	C400	CTEM	14007001	511000
6807	HEPPE	JASON	A	2018	2,500.00	C400	CTEM	14007001	511000
5214	HERMANS	RAYMOND	A	2018	2,500.00	C400	CTEM	14007001	511000
8952	HOLMES	KENNETH	A	2018	2,250.00	C400	CTEM	14007001	511000
20868	LAMBERT	JEREMY	A	2018	2,500.00	C400	CTEM	14007001	511000
16692	MANCHESTER	JEFFREY	A	2018	2,500.00	C400	CTEM	14007001	511000
3997	MANCHESTER	NORMAN	A	2018	1,000.00	C400	CTEM	14007001	511000
9610	MANCHESTER	WAYNE	A	2018	1,000.00	C400	CTEM	14007001	511000
7983	MEDEIROS	DARREN	A	2018	2,500.00	C400	CTEM	14007001	511000
6808	NUNES	MICHAEL	A	2018	1,000.00	C400	CTEM	14007001	511000
2289	OLDRID	TIMOTHY	A	2018	2,500.00	C400	CTEM	14007001	511000
4636	PERRY	JOHN	A	2018	3,265.00	C400	CMAN	14007001	511000
1414	PIELA	PAMELA	A	2018	2,500.00	C400	CAFS	14007001	511000
6806	PINEL	ALAN	I	2018	1,000.00	C400	CTEM	14007001	511000
8167	PIRES	DONALD	A	2018	2,500.00	C400	CTEM	14007001	511000
7746	REBELLO	BRANDON	A	2018	1,250.00	C400	CTEM	14007001	511000
6639	RESENDES	ROY	A	2018	1,250.00	C400	CTEM	14007001	511000
9277	RODRIGUES	MARIO	I	2018	1,000.00	C400	CTEM	14007001	511000
1222	RONCA	WILLIAM	A	2018	1,250.00	C400	CTEM	14007031	511000
9765	SOKOLL	JOSHUA	A	2018	1,000.00	C400	CTEM	14007001	511000
1685	SUTTON	WILLIAM	A	2018	2,500.00	C400	CTEM	14007001	511000
4870	TABER	JOSHUA	A	2018	2,250.00	C400	CTEM	14007001	511000
3583	FERREIRA	LAURA	A	2018	2,211.45	C410	CMAN	14007041	511000
18188	MACARTHUR	STEVEN	A	2018	2,300.00	C410	CAFS	14007041	511000
2277	LAVOIE	DAVID	A	2018	2,300.00	C415	CCUS	14007011	511000
389	MEDEIROS	HENRY	A	2018	2,300.00	C415	CCUS	14007011	511000
18332	REBELLO	JOSEPH	A	2018	2,300.00	C415	CCUS	14007011	511000
22394	BUCHANAN	JOSHUA	A	2018	135.62	C452	CAFS	64507251	511000
21632	BURNS	PATRICK	A	2018	20.55	C452	CAFS	64507251	511000
3007	COUTURE	JEFFREY	A	2018	1,500.00	C452	CAFS	64507251	511000
3180	FURNA	JOSEPH	I	2018	1,310.96	C452	CAFS	64507251	511000

# FINANCE 2

## City of Fall River, MA Actual Snow Stipends

From Payroll Accumulator January 1, 2018-December 4, 2018

Emp #	Last Name	First Name	Status	Year	Employee Gross	Loc	Group/BU	Org	Obj
18699	JACOB	BRIAN	A	2018	1,500.00	C452	CAFS	64507251	511000
18121	MORAIS	JEFFREY	A	2018	1,500.00	C452	CAFS	64507251	511000
8016	PACHECO	MARC	A	2018	1,500.00	C452	CAFS	64507251	511000
18546	ROBINETTE	DAVID	A	2018	1,500.00	C452	CAFS	64507251	511000
22282	SOARES	NORBERT	A	2018	969.86	C452	CAFS	64507251	511000
7590	SOSA	NORMAN	I	2018	663.01	C452	CAFS	64507251	511000
20087	TAVARES	PAUL	A	2018	1,500.00	C452	CAFS	64507251	511000
21033	WARHALL	MARK	A	2018	1,500.00	C452	CAFS	64507251	511000
10255	KELLY	ROBERT	A	2018	2,300.00	C631	CAFS	16309011	511000
2657	MARTIN	CHRISTOPHER	A	2018	1,500.00	C631	CAFS	16309021	511000
7600	RODRIGUES	PHILLIP	I	2018	1,500.00	C631	CAFS	16309021	511000

109,326.45

City of Fall River, MA  
Budgeted Snow Stipends  
For the Year Ended June 30, 2018

EXHIBIT B  
**FINANCE** 2

<i>Mayors Office</i>			
ANDRADE	GENOVEVA	CHIEF OF STAFF	\$ 10,000.00
<i>Department of Community Service</i>			
PERRY	JOHN	DIRECTOR OF OPERATIONS	\$ -
PIELA	PAMELA	HEAD CLERK	\$ 2,500.00
BURKS	MICHAEL	HMEO SHMEO 1A	\$ 2,500.00
DECOSTA	KEITH	HMEO SHMEO 1A	\$ 2,500.00
DEMELO	PAUL	HMEO SHMEO 1A	\$ 2,500.00
GUILMETTE	BRIAN	HMEO SHMEO 1A	\$ 2,500.00
HOLMES	KENNETH	HMEO SHMEO 1A	\$ 2,500.00
MEDEIROS	DARREN	HMEO SHMEO 1A	\$ 2,500.00
PIRES	DONALD	HMEO SHMEO 1A	\$ 2,500.00
BALDIA	ARTHUR	HMEO SHMEO 1A	\$ 2,500.00
TABER	JOSHUA	HMEO SHMEO 1A	\$ 2,500.00
DESOUSA	MICHAEL	LITTER ENFORCEMENT OFFICER	\$ 1,250.00
RONCA	WILLIAM	LITTER ENFORCEMENT OFFICER	\$ 1,250.00
AGUIAR	CHRISTOHER	MEO LABORER 2A	\$ 1,250.00
BORDEN	STEPHEN	MEO LABORER 2A	\$ 1,250.00
CARREIRO	JOHN	MEO LABORER 2A	\$ 1,250.00
DELISLE	WAYNE	MEO LABORER 2A	\$ 1,250.00
FERRERA	JOHN	MEO LABORER 2A	\$ 1,250.00
GARCIA	ANTONIO	MEO LABORER 2A	\$ 1,250.00
MANCHESTER	NORMAN	MEO LABORER 2A	\$ 1,250.00
MANCHESTER	WAYNE	MEO LABORER 2A	\$ 1,250.00
NUNES	MICHAEL	MEO LABORER 2A	\$ 1,250.00
PINEL	ALAN	MEO LABORER 2A	\$ 1,250.00
REBELLO	BRANDON	MEO LABORER 2A	\$ 1,250.00
REGO	EDWARD	MEO LABORER 2A	\$ 1,250.00
RESENDES	ROY	MEO LABORER 2A	\$ 1,250.00
RODRIGUES	MARIO	MEO LABORER 2A	\$ 1,250.00
SOKOLL	JOSHUA	MEO LABORER 2A	\$ 1,250.00
CLEMENT	GREGORY	MOTOR EQUIP REPAIRMAN	\$ 2,500.00
GOSSELIN	MATTHEW	MOTOR EQUIP REPAIRMAN	\$ 1,250.00
LAMBERT	JEREMY	MOTOR EQUIP REPAIRMAN	\$ 1,250.00
DESMARAIS	JASON	SPECIAL C/L-BA	\$ 2,500.00
OLDRID	TIMOTHY	SPECIAL C/L-BA	\$ 2,500.00
SUTTON	WILLIAM	SPECIAL C/L-BS	\$ 2,500.00
HERMANS	RAYMOND	W F MOTOR EQUIP REPAIRMAN	\$ 2,500.00
CHASSE	PAUL	CHIEF LABORER A WORKING FOREMAN	\$ 2,500.00
DENMEAD	CHARLES	CHIEF LABORER A WORKING FOREMAN	\$ 1,250.00
HEPPE	JASON	CHIEF LABORER A WORKING FOREMAN	\$ 2,500.00
<i>Department of Facility Management</i>			
KELLY	ROBERT	GROUNDS/MEO II	\$ 2,300.00
MACARTHUR	STEVEN	GROUNDS/MEO II	\$ 2,300.00
LAVOIE	JEFFREY	JR BD CUST	\$ 2,300.00
REBELLO	JOSEPH	JR BD CUST	\$ 2,300.00
ST PIERRE	WILLIAM	JR BD CUST	\$ 2,300.00
MEDHIROS	HENRY	SR CUS. 20	\$ 2,300.00
LAVOIE	DAVID	JR CUS. 20	\$ 2,300.00
<i>Traffic Department</i>			
FERRERA	LAURA	PARK CLERK	\$ 2,500.00
<i>Tree Department</i>			
MARTIN	CHRISTOPHER	SUP. TREE	\$ 1,500.00



City of Fall River, MA  
Budgeted Snow Stipends  
For the Year Ended June 30, 2018

FINANCE 2

RODRIGUES	PHILLIP	FOR. MBO	\$	1,500.00
<i>Water</i>				
COUTURE	JEFFREY	CHF WTR IN	\$	1,500.00
HARTSFIELD	KEVIN	WT MT WK I	\$	1,500.00
JACOB	BRIAN	WT MT WK I	\$	1,500.00
LOPES	JASON	WT MT WK I	\$	1,500.00
MORAIS	JEFFREY	WT MT WK I AD BH	\$	1,500.00
PACHECO	MARC	WT MT WK I	\$	1,500.00
ROBINETTE	DAVID	WT MT WK I	\$	1,500.00
WARHALL	MARK	WT MT WK I	\$	1,500.00

111,100.00



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

RECEIVED

2018 NOV 29 P 2:14

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

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

November 29, 2018

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

Dear Councilors:

Please find enclosed the Loan Authorization to purchase 2 parcels of land that is being funded by CPC Funding:

- 861 Indian Town Road; Lot W-24-0001
- 75 Yellow Hill Road; Lots W-38-0050 and W-38-0051 (excluding the house and barn and 2-5 acres to be sub-divided).

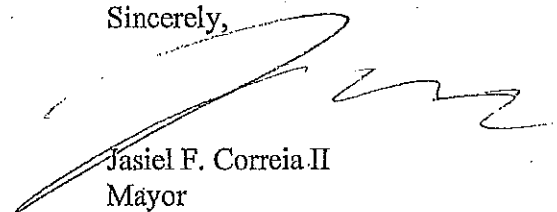
861 Indian Town Road, Lot number W-27-0001 is within the Bioreserve and the watershed of the North Watuppa Pond. The Lot would be retained for conservation purposes adding to the Bioreserve and serving to continue future protection of our primary water supply. The lot is 16 acres and is entirely upland. The lot consists of a mature pine-oak forest. The parcel is contiguous to other protected lands. Funding is planned via the Community Preservation Plan. The proposed purchase/sale agreement and appraisal report are attached. The appraisal value was \$365,000. The agreed purchase price is \$325,000.

75 Yellow Hill Road, Lot numbers W-38-0050 and 51 are within the area of the Copicut Reservoir. The Lots would be retained for conservation purposes. The lot is 36 acres and consists of upland pine-oak forest, two abandoned agricultural fields and a small forested wetland. The parcel is proximal to other protected lands. The house, barn and 2-5 acres shall be sub-divided and not included in the purchase. Funding is planned via the Community Preservation Plan. The proposed purchase/sale agreement and appraisal report are attached. The appraisal value was \$425,000. The agreed purchase price is \$400,000.

The Authorization amount is for \$750,000 for the purchase of these properties that was approved by CPC and the City Council. This is for a 10 Year bond to be paid by CPC funding with and annual payment by CPC for \$78,000 (CPC contract attached).

Please contact me or Mr. Ferland if you have any questions.

Sincerely,



Jasiel F. Correia II  
Mayor

CITY OF FALL RIVER  
IN CITY COUNCIL

DEC 04 2018

Objected to by Cs.  
Shawn E. Cadime  
and laid on the table  
until the next meeting  
in accordance with the  
City Charter.

# City of Fall River, *In City Council*

## LOAN ORDER: COMMUNITY PRESERVATION ACT (Bio Reserve Project)

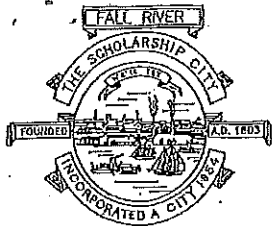
ORDERED: That the City appropriates the amount of Seven Hundred Fifty Thousand (\$750,000) for the purpose of purchasing land for the Bio Reserve Project including the payment of all cost incidental or related thereto. To meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority, and,

To meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said sum under and pursuant to M.G.L. Chapter 44 Section 7(9), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. Any premiums received by the City upon the sale of any bonds or notes approved by this vote, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

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

CITY OF FALL RIVER  
IN CITY COUNCIL  
DEC 04 2018

*objected to by Cs.  
Shawn E. Cadome  
and laid on the table  
until the next meeting  
in accordance with the  
City Charter.*



# City of Fall River Massachusetts Community Preservation Committee

**JASIEL F. CORREIA II**  
Mayor

## CITY OF FALL RIVER COMMUNITY PRESERVATION ACT OPEN SPACE AWARD AGREEMENT

**JAMES SOUZA**  
Chairman

**ANTONE DIAS**  
Vice-Chairman

This award agreement is made between the City of Fall River, through its Community Preservation Committee, One Government Center, Fall River acting by and through the **Fall River Dept. of Community Utilities** and the recipient, **City of Fall River, One Government Center, Fall River, MA 02722**. The purpose of this grant agreement is to implement the following award:

Grantee: **Terrance Sullivan, Director**  
**City of Fall River, Dept. of Community Utilities**

Project Description: The applicant, Mike Labossiere, City of Fall River, Dept. of Community Utilities, sought funds for:

**\$780,000.00 (\$78,000.00 per year for 10 years - 10 Year Bond)**

Land Acquisition:

- 16.00 acres Indian Town Road
- 38.50 acres Yellow Hill Road

**Located in the Bio Reserve, Fall River, MA 0272**

**Refer to Funding Application for details**

Date of City Council Approval: August 23, 2018

This award is subject to the following terms and conditions:

Award: The City of Fall River, Community Preservation Committee, agrees to award the recipient the amount of **\$780,000.00 (Seven Hundred and Eighty Thousand Dollars)**.

**\$78,000.00 per year for 10 years - 10 Year Bond) for land acquisition:**

- 16.00 acres Indian Town Road
- 38.50 acres Yellow Hill Road

Project Application: The project application which had been submitted to the Fall River Community Preservation Committee (herein after also referred to as Fall River C.P.C.) is incorporated into this document by reference.

1. Term: The term of this award is one year which begins on the date of execution of this agreement. All of the work described in this award agreement must be completed by the completion date, **October 30, 2019**, unless the Fall River Community Preservation Committee grants an extension for good cause.

Funds not utilized on this project must be returned to the Fall River Community Preservation Fund Reserve and will be made available for future appropriation to other recipients.

2. Budget: Prior to starting any work, the recipient must submit a complete project budget that accounts for (1) the expenditure of funds awarded under this award agreement and (2) all other sources of funding, if necessary to complete the project. The recipient will not expend any award funds unless sufficient sources of funding have been secured to complete the work and the project budget has been approved by the Fall River CPC.
3. Reports: The recipient will provide a written report on the progress of the project to the Fall River CPC every three months. A final report shall be filed with the Fall River CPC within thirty days of completion of the project.

All documents, including any photographs or videos, submitted to the Fall River Community Preservation Committee shall become the property of the City of Fall River and shall be available to the public under the Massachusetts Public Records Law.

4. Deed Restrictions: Restrictions are legal documents that place limitations on the use of a property. These restrictions apply to all future owners of the property and can't easily be changed or removed by subsequent owners.

Section 12a of the Community Preservation Act requires that a permanent restriction be placed on any "real property interest" acquired using CPA funds to ensure that the property continues to be used for the applicable CPA purpose. Given this statutory requirement, a CPA project involving acquisition of any real property interest is technically not complete until the restriction is approved by the appropriate state agency and filed at the Registry of Deeds.

For Open Space Conservation and Outdoor Recreation Projects:  
Conservation Restrictions

Approved by the MA Executive Office of Energy and Environmental Affairs (EOEEA)

Every project that involves an award for Open Space Conservation and Outdoor Recreation Projects: Must be approved by the MA Executive Office of Energy and Environmental Affairs (EOEEA).

Note: It is the policy of the CPC that all projects funded through CPA require a Deed Restriction.

Recipient is required to file a Deed Restriction, provided by the CPC with the Fall River Register of Deeds, within 90 days of this signing. A request for an extension of this time may be requested for unforeseen conditions out of the control of either the grantor or of the grantee

5. Compliance with Laws and Agreement: Recipient understands and accepts that this award is made pursuant to the Community Preservation Act MGL Ch 44B and compliance with

the provisions of that statute is implicit in this agreement. The recipient also agrees to comply with all requirements of this award agreement.

6. Permits and Licenses: It is the obligation of the recipient to obtain all permits and licenses necessary for implementation of the project. No local permit or license is waived by granting of this award.

7. No Liability of City: By making this award, the City of Fall River, does not accept any liability for any acts, omissions or errors associated with this project. Recipient agrees to indemnify the City of Fall River from all claims, suits or demands resulting from implementation of this project.

The issuance of a Building Permit will require those pulling permit to be licensed/insured etc.

The recipient is responsible for confirming that all contractors are appropriately licensed and insured. Additionally, the recipient is responsible for confirming that appropriate bidding procedures are followed and that terms of employment are in compliance with the law.

8. Community Preservation Act Awareness: If applicable, the recipient agrees to allow a sign to be posted on the property during the period of this agreement until thirty days after its completion. Recipient shall also identify that the project was funded through the City of Fall River Community Preservation Act in its written materials about the project, including all press releases and brochures.

9. No Assignment: This agreement may not be assigned without the written approval of the City of Fall River.

10. Entire Agreement: The agreement constitutes the entire agreement between the parties and may be amended only in writing executed by both parties. The signatory avers that he has authority to execute this agreement on behalf of the recipient.

Executed on \_\_\_\_\_ 2019

By: The City of Fall River, Community Preservation Committee acting by and through the Fall River Dept. of Community Utilities

Grantor:

Name

Date

Grantee:

Name

Date

Duly Authorized

Grantee:

Name (City Administrator

Date

Duly Authorized

Jasiel F. Correia II, Mayor:

Date

Joseph Macy, Corporation Counsel

Date



# City of Fall River, In City Council

ORDERED, that the Mayor is hereby authorized to acquire the property identified as 75 Yellow Hill Road, Assessor Parcel Numbers W-38-0050 and W-38-0051 in Fall River, Massachusetts subject to any changes and final approval by the Corporation Counsel. The acquisition and ownership of said lot will provide a location for future conservation protection for the Community Utilities Department.

In City Council, September 11, 2018  
Adopted.

Approved, September 13, 2018  
Jasiel F. Correia, II, Mayor

A true copy. Attest:



City Clerk

# City of Fall River, *In City Council*

ORDERED, that the Mayor is hereby authorized to acquire the property identified as 861 Indian Town Road, Assessor Parcel Number W-24-0001 in Fall River, Massachusetts subject to any changes and final approval by the Corporation Counsel. The acquisition and ownership of said lot will provide a location for future conservation protection for the Community Utilities Department.

In City Council, September 11, 2018  
Adopted.

Approved, September 13, 2018  
Jasiel F. Correia, II, Mayor

A true copy. Attest:

*Alison M. Bouchard*

City Clerk



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

2

**JASIEL F. CORREIA II**  
Mayor

RECEIVED

2018 NOV 29 A 9:56

BY CLERK  
FALL RIVER, MA

November 29, 2018

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

**RE: Urban Tree Commission**

Mr. President and Members of the Honorable Council:

I hereby request the confirmation of the City Council for the following appointment:

Christine P Blair - Cyr  
385 President Avenue  
Fall River, MA 02720

As a member of the Urban Tree Commission with a term commencing 11/29/2018 and expiring 11/29/2020.

Thank you for your favorable consideration in this regard.

Jasiel F. Correia II  
Mayor

CITY OF FALL RIVER  
IN CITY COUNCIL  
DEC 04 2018

Objected to by  
Cs. Shawn E. Padime  
and laid on the table  
until the next meeting  
in accordance with the  
City Charter.

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

Christine P Blair-Cyr  
385 President Avenue  
Fall River, MA USA 02720  
Telephone: 508 674-6193 cell: 774-526-4064

Background:

Present  
Holy Name School  
Fall River MA  
Computer Technology Teacher

2007-2014  
BMC Durfee High School  
Fall River MA  
Biology/Chemistry Teacher  
Assessment Center (MCAS position)

2005-2007  
Ste. Trinity College  
Cambridge shire, England  
Teacher - Business and ITT Computer Applications and Design

1995-2003      2005-2007 (layoff in between years)  
Diman Regional Vocational Technical High School  
251 Stonehaven Road, Fall River, MA 02723

Certified Massachusetts Department of Education Graphic  
Arts/Communications, Visual Design  
Desktop Publishing  
Business - Computers - PC and Mac  
Coach- Girls Varsity Volleyball, Girls Basketball  
Skills USA/VICA Advisor - Chapter Business Procedures -

City of Fall River, Teen works Summer Program 2009-2013  
Supervisor

\*Managing students working in the city with sign designs, art,

2002-2005  
Bishop Connolly High School  
277 Elsbree Street, Fall River, MA 02720  
Coach- Girls Varsity Volleyball, Boys Varsity Tennis

1985-present  
Graphic Glz Images Design  
Owner, designer, entertainment planner

1982-1995  
Fall River/New Bedford Real Estate Journal  
Co-owner Design Photoshop, computer

Educational Background:

Fitchburg State College  
Graphic Communications/Teacher  
Human Relations Teacher/Arts  
University of Massachusetts/Dartmouth/Boston  
Health and Human Relations  
Graphic Design/Teacher  
Bristol Community College/Fall River MA  
Health and Human Relations  
Business  
BMC Durfee High School/Fall River, MA  
1979 Graduate/Business

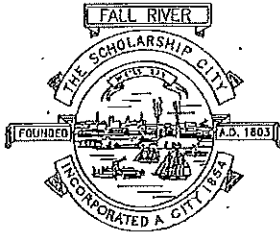
Certifications:

Massachusetts Department of Education - Teaching Computer/  
Graphic Arts/84 # 502-7922  
Special Needs in the Classroom  
Nutritionist  
Coach

Special Interest:

Holy Name School - Volunteer PTO  
Treasurer - Fall River Ride to Remember  
Veterans Association, Pine St Fall River MA  
Faxon Animal Shelter Fall River MA  
Associate - Miss Massachusetts Scholarship Program  
Associate - Miss America Scholarship Program  
Massachusetts Vocational Association officer and member

\*traveled abroad to England, Germany and Ireland during school breaks and summer working in class rooms as a teacher to learn additional curriculum and teaching skills in foreign countries



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

3

RECEIVED

2018 DEC -7 P 2:08

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

**JASIEL F. CORREIA II**

*Mayor*

December 7, 2018

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

RE: Millstone Medical Outsourcing LLC

Honorable Council Members:

The Tax Increment Financing Agreement recently approved by the City Council for Millstone Medical Outsourcing LLC has been reviewed by the Economic Assistance Coordinating Council (EACC). Millstone is also eligible for State tax incentives provided the City supports their application. Your approval of the following Resolution is respectfully requested.

Best Regards,

Jasiel F. Correia II  
Mayor

RESOLUTION APPROVING  
ECONOMIC DEVELOPMENT INCENTIVE  
LOCAL TAX INCENTIVE CERTIFIED PROJECT OF  
Millstone Medical Outsourcing LLC

WHEREAS, Millstone Medical Outsourcing LLC has submitted an Economic Development Incentive Program (EDIP) Local Tax Incentive Application to the City of Fall River and is seeking Certified Project Status under the Massachusetts Economic Development Incentive Program created by Chapter 23A of the Massachusetts General Laws; Chapter 166 of the Acts of 2009 and 402 CMR 2.00, and

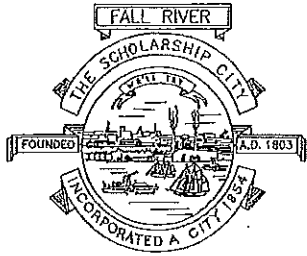
WHEREAS, the City of Fall River has been designated a gateway municipality by the Commonwealth of Massachusetts and Millstone Medical Outsourcing LLC plans to invest an estimated \$10,000,000 in the construction of a 60,000 SF facility to be located at AP Z-5, Lot 5, 633 Commerce Drive, Fall River, Massachusetts. Said investment will result in the creation of 100 new full-time jobs, and

WHEREAS, Millstone Medical Outsourcing LLC is seeking a Tax Increment Financing Agreement of the Certified Project approval and meets the minimum requirements of 402 CMR 2.00 and the project described in the Economic Assistance Coordinating Council Tax Incentive Project Application and will have a reasonable chance of creating employment opportunities for residents of the Economic Target Area, and

WHEREAS, the proposed Tax Incentive Certified Project is located at AP Z-5, Lot 5, 633 Commerce Drive, Fall River, Massachusetts, which is within the boundaries of the gateway municipality of Fall River, and

WHEREAS, approval of the Millstone Medical Outsourcing LLC Economic Assistance Coordinating Council Tax Incentive Project Application in accordance with the above referenced laws, rules and regulations of the Commonwealth of Massachusetts is hereby accepted by the City Council, now therefore

BE IT RESOLVED that the City Council of Fall River approves the Millstone Medical Outsourcing LLC Economic Assistance Coordinating Council Tax Incentive Project Application and Certified Project status and forwards said application for final project certification to the Massachusetts Economic Assistance Coordinating Council for its approval and endorsement.



City of Fall River Massachusetts  
Office of the City Clerk

4

ALISON M. BOUCHARD  
CITY CLERK

INÊS LEITE  
ASSISTANT CITY CLERK

December 12, 2018

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

Dear President Ponte:

I am in receipt of the petitions for the recall of Mayor Jasiel F. Correia II.

The Board of Election Commissioners has confirmed that said petitions contain the signatures of 4,533 registered voters. I hereby certify the petitions filed are sufficient.

In accordance with Section 8-5 of the City Charter, the City Council shall forthwith provide written notice of the receipt of this certificate to Mayor Jasiel F. Correia II.

Please advise how you would like to proceed.

Sincerely,

Inês Leite  
Assistant City Clerk

Cc: City Council members





# CITY OF FALL RIVER, MASSACHUSETTS

BOARD OF ELECTION COMMISSIONERS

ONE GOVERNMENT CENTER

TEL. 508-324-2630

4

CITY CLERK  
FALL RIVER, MA

2018 DEC 12 P 3:50

RECEIVED

December 12, 2018

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

Dear Mrs. Bouchard:

In accordance with the provisions of Section 8-5 of the City Charter, the Board of Election Commissioners certified 4,533 signatures of the 199 petitions received by the City Clerk.

While certifying the 78 petitions received on 11/16/18, we discovered there were 79 petitions.

The following is a breakdown of the results:

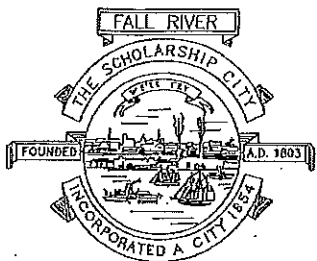
44 petitions received 11/09/18	1,402 signatures certified
76 petitions received 11/13/18	2,060 signatures certified
<u>79</u> petitions received 11/16/18	<u>1,071</u> signatures certified

199

4,533 Total

Sincerely,

Kelly A. Souza-Young, Chairperson  
Board of Election Commissioners



**City of Fall River**  
**Massachusetts**  
**City Council**

4

**CLIFF PONTE**  
*President*  
*City Council*

December 12, 2018

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

Dear Members of the City Council:

I am in receipt of the Clerk's certificate relative to the recall petitions for the recall of Mayor Jasiel F. Correia II. The certificate indicates that the petitions are sufficient and the recall process will continue.

In accordance with Section 8-5 of the City Charter, the City Council shall forthwith provide written notice of the receipt of this certificate to Mayor Jasiel F. Correia II.

As such, this matter will be placed on the agenda at the next meeting of the City Council scheduled for Tuesday, December 18, 2018 for the Council's consideration.

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

Sincerely,

*Cliff Ponte*  
*cl*

Cliff Ponte  
President

Cc: Mayor Jasiel F. Correia II



**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*

**Jasiel F. Correia II**  
*Mayor*

**LAURA FERREIRA**  
*Parking Clerk*

November 8, 2018

The Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02720

RECEIVED  
2018 NOV 28 P 4:58  
CITY OF FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, October 31, 2018 following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

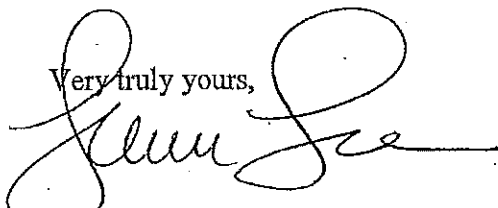
Article: 70  
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

**INSERT**

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Mason Street	West	Starting at a point 74 feet south of County Street, for a distance of 20 feet southerly

Very truly yours,

  
Laura Ferreira  
Parking Clerk

CITY OF FALL RIVER  
**IN CITY COUNCIL**  
**DEC 04 2018**

One Government Center Fall River, MA 02722

Objected to by TEL: (508) 324-2123 FAX (508) 324-2578 EMAIL Lferreira@fallriverma.org  
Cs. Shawn E. Cadine  
and laid on the table  
until the next meeting  
in accordance with the City Charter.



**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*

**Jasiel F. Correia II**  
*Mayor*

**LAURA FERREIRA**  
*Parking Clerk*

November 8, 2018

The Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02720

RECEIVED  
2018 NOV 28 P 4:58  
CITY OF FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, October 31, 2018 following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

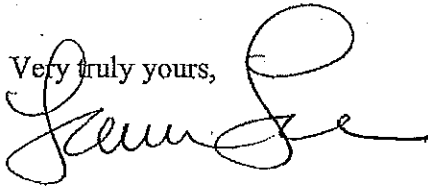
Article: 70  
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

**INSERT**

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Oxford Street	West	Starting at a point 143 feet south of Warren Street, for a distance of 20 feet southerly

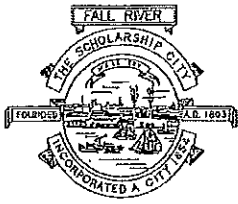
Very truly yours,

  
Laura Ferreira  
Parking Clerk

**CITY OF FALL RIVER  
IN CITY COUNCIL**

**DEC 04 2018**

Objected to by Shawn E. Cadogan  
And laid on the table until the next meeting in accordance with the City Charter  
One Government Center Fall River, MA 02722  
TEL: (508) 324-2123 FAX (508) 324-2578 EMAIL Lferreira@fallriverma.org



CITY OF FALL RIVER  
MASSACHUSETTS

Traffic & Parking Division

5

Jasiel F. Correia II  
Mayor

LAURA FERREIRA  
Parking Clerk

November 8, 2018

The Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02720

RECEIVED  
2018 NOV 28 P 4:58  
CITY CLERK  
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, October 31, 2018 following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70  
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Manchester Street	West	Starting at a point 147 feet south of Nashua Street, for a distance of 20 feet southerly

Very truly yours,

Laura Ferreira  
Parking Clerk

CITY OF FALL RIVER  
IN CITY COUNCIL

DEC 04 2018

One Government Center Fall River, MA 02722

Objected to by TEL: (508) 324-2123 FAX (508) 324-2578 EMAIL Lferreira@fallriverma.org  
Cs. Shawn E. Cadime  
and laid on the table until the  
next meeting in accordance with the City Charter



**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*

5

**Jasiel F. Correia II**  
*Mayor*

**LAURA FERREIRA**  
*Parking Clerk*

November 8, 2018

The Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02720

RECEIVED  
2018 NOV 28 P 4:57  
CITY OF FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, October 31, 2018 following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

**Article: 70**  
**Section: 387**                      **Handicapped Parking**

By inserting in proper alphabetical order the following:

**INSERT**

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Oxford Street	West	Starting at a point 20 feet north of Pelham Street, for a distance of 20 feet northerly

Very truly yours,

Laura Ferreira  
Parking Clerk

CITY OF FALL RIVER  
IN CITY COUNCIL  
DEC 04 2018

One Government Center Fall River, MA 02722

Objected to by  
CS. Shawn E. [illegible] (508) 324-2123 FAX (508) 324-2578 EMAIL Lferreira@fallriverma.org  
and laid on the table  
until the next meeting  
in accordance with the City Charter



CITY OF FALL RIVER  
MASSACHUSETTS

Traffic & Parking Division

5

Jasiel F. Correia II  
Mayor

LAURA FERREIRA  
Parking Clerk

November 8, 2018

The Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02720

RECEIVED  
2018 NOV 28 P 4 57  
CITY OF FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, October 31, 2018 following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70  
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Rodman Street	West	Starting at a point 118 feet south of Warren Street, for a distance of 20 feet southerly

Very truly yours,

Laura Ferreira  
Parking Clerk

CITY OF FALL RIVER  
IN CITY COUNCIL  
DEC 04 2018

One Government Center Fall River, MA 02722

Objected to by TEL: (508) 324-2123 FAX (508) 324-2578 EMAIL Lferreira@fallriverma.org  
Cs. Shawn E. Cadime  
and laid on the table  
until the next meeting in accordance with the City Charter



CITY OF FALL RIVER  
MASSACHUSETTS

Traffic & Parking Division

5

Jasiel F. Correia II  
Mayor

LAURA FERREIRA  
Parking Clerk

November 8, 2018

The Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02720

RECEIVED  
2018 NOV 28 P 4:57  
CITY CLERK  
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, October 31, 2018 following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

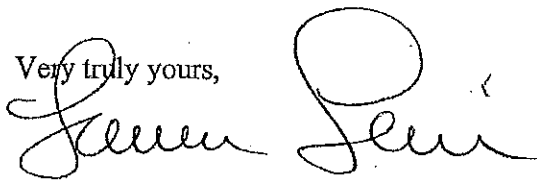
Article: 70  
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Merchant Street	North	Starting at a point 27 feet west of 18 <sup>th</sup> Street, for a distance of 20 feet westerly

Very truly yours,

  
Laura Ferreira  
Parking Clerk

CITY OF FALL RIVER  
IN CITY COUNCIL

DEC 04 2018

One Government Center Fall River, MA 02722

Objected to by TEL: (508) 324-2123 FAX (508) 324-2578 EMAIL Lferreira@fallriverma.org  
CS: Shawn E. Cadome  
and laid on the table until the  
next meeting in accordance with the City Charter





**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*

5

**Jasiel F. Correia II**  
*Mayor*

**LAURA FERREIRA**  
*Parking Clerk*

November 8, 2018

The Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02720

RECEIVED  
2018 NOV 28 P 4:57  
CITY CLERK  
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, October 31, 2018 following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

**Article: 70**  
**Section: 387**                      **Handicapped Parking**

By inserting in proper alphabetical order the following:

**INSERT**

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Cross Street	East	Starting at a point 20 feet north of Fruit Street, for a distance of 20 feet northerly

Very truly yours,

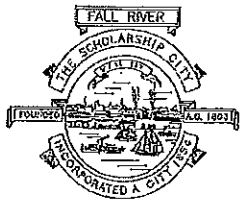
Laura Ferreira  
Parking Clerk

**CITY OF FALL RIVER  
IN CITY COUNCIL**

**DEC 04 2018**

Objected to by  
Cs. Shawn E. Codine  
and laid on the table  
until the next meeting  
in accordance with the City Charter

One Government Center Fall River, MA 02722  
TEL: (508) 324-2123 FAX (508) 324-2578 EMAIL [Lferreira@fallriverma.org](mailto:Lferreira@fallriverma.org)



CITY OF FALL RIVER  
MASSACHUSETTS

Traffic & Parking Division

5

Jasiel F. Correia II  
Mayor

LAURA FERREIRA  
Parking Clerk

November 8, 2018

The Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02720

RECEIVED  
2018 NOV 28 P 4:51  
CITY CLERK  
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, October 31, 2018 following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70  
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Downing Street	North	Starting at a point 125 feet east of Haffords Street, for a distance of 20 feet easterly

Haffords

Very truly yours,

Laura Ferreira  
Parking Clerk

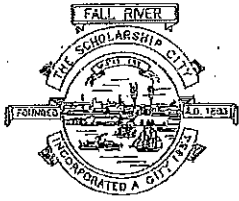
CITY OF FALL RIVER  
IN CITY COUNCIL

DEC 04 2018

One Government Center Fall River, MA 02722

Objected to by  
Cs. Shawn E. Chidime  
and laid on the table  
until the next meeting  
in accordance with the City Charter

TEL: (508) 324-2123 FAX (508) 324-2578 EMAIL Lferreira@fallriverma.org



**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*

*Jasiel F. Correia  
Mayor*

2018 DEC -5 P 4:19

**LAURA FERREIRA**  
*Parking Clerk*

CLERK  
FALL RIVER, MA

December 5, 2018

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, October 31, 2018 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70  
Section: 376

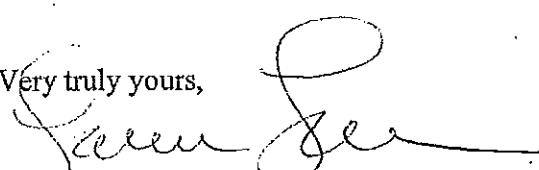
**2 Hour Parking Only**

**Wednesday – Saturday  
8 a.m. – 2 p.m.**

By inserting in proper alphabetical order the following.

**Bedford Street, north side, starting at a point 90 feet east of Davis Street, for a distance of 20 feet east.**

Very truly yours,

  
**Laura Ferreira**  
Manager of Traffic

# City of Fall River, *In City Council*

(Councilor Steven A. Camara)

7

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

That Chapter 70 of the Code of the City of Fall River, Massachusetts, 2018, 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:

Highland Avenue      Northbound and Southbound at Maple Street,

Maple Street          Eastbound and Westbound at Highland Avenue.

Filed 12/7/2018

# City of Fall River, In City Council

(Councilor Pam Laliberte-Lebeau)

8

WHEREAS, during the holiday season residents have a greater amount of trash due to wrapping paper, gift boxes and food items, and

WHEREAS, the pay-as-you-throw program can be difficult during this time of the year, now therefore

BE IT RESOLVED, that the Administration declare a reprieve of the pay-as-you-throw program for one week from Wednesday, December 26, 2018 through Wednesday, January 2, 2019 with advance notice being publicized so that residents are informed ahead of time.

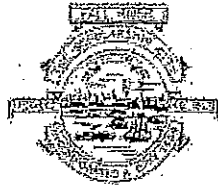
CITY OF FALL RIVER  
IN CITY COUNCIL  
DEC 04 2018

Objected to by  
Cs. Shawn E. Codrime  
and laid on the table  
until the next meeting  
in accordance with the  
City Charter.

CITY OF FALL RIVER  
IN CITY COUNCIL

DEC 04 2018

Objected to by  
C. Shawn E. Ladime  
and laid on the table  
in accordance with  
the City Charter



City of Fall River  
Notice of Claim

RECEIVED

2018 NOV 20 A 10:18

CITY CLERK 18-176  
FALL RIVER, MA

14

1. Claimant's name: Ronald Luzitano
2. Claimant's complete address: 818 Middle St apt 303 FALL RIVER MA 02721
3. Telephone number: Home: 508 678 6328 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Hit Gopher
5. Date and time of accident: Nov 18-2018 Amount of damages claimed: \$450.00  
Turner 11 AM
6. Exact location of the incident: (include as much detail as possible):  
Warren St, heading west, just after 150' or so
7. Circumstances of the incident: (attach additional pages if necessary):  
Heading home from Wal Mart, normal rate of speed (40), light traffic, deep potholes, potholes made from a round
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: 11-20-18

Claimant's signature: Ronald Luzitano

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:

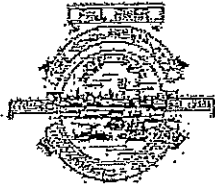
Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator ☒ DCM

Date: 11/20/18

CITY OF FALL RIVER  
IN CITY COUNCIL

DEC 04 2018

Objected to by  
C. Shawn E. Codrime  
and laid on the table  
in accordance with the  
City Charter



City of Fall River  
Notice of Claim

RECEIVED

2018 NOV 21 A 11:41

CITY CLERK 18-177  
FALL RIVER, MA

14

1. Claimant's name: Melanie Oliveira
2. Claimant's complete address: 49 Anthony St Somerset, MA 02725
3. Telephone number: Home: 508-447-7181 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Pothole on Northmain St
5. Date and time of accident: Nov 7 2018 1130am Amount of damages claimed: \$ \$8.00 (damages)  
Total: 78.00 \$200 on hubcap
6. Exact location of the Incident: (include as much detail as possible):  
Northmain St outside 1567 N. main St Fall River, ma Not yet purchased
7. Circumstances of the Incident: (attach additional pages if necessary):  
pulled over a the pothole on Northmain St  
outside 1567 W. main St ripped open my front  
passenger side tire.  
It also ruined the hubcap which I have not yet replaced
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: 11/21/2018

Claimant's signature: Melanie Oliveira

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

Date: 11/21/18

CITY OF FALL RIVER  
IN CITY COUNCIL  
DEC 04 2018



RECEIVED

2018 NOV 28 A 10:48

CITY CLERK  
FALL RIVER, MA

14

Objected to by  
C. Shawn E. Cadome  
and laid on the table  
in accordance with  
the City Charter

City of Fall River  
Notice of Claim

1. Claimant's name: Pamela Santos
2. Claimant's complete address: 25 CROSS ROAD NO. Dartmouth MA 02747
3. Telephone number: Home: 508994-7478 Work: 5089618256
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Pot hole damage to right tire
5. Date and time of accident: 11-6-18 6pm Amount of damages claimed: \$ 73.92
6. Exact location of the incident: (include as much detail as possible):  
New Boston Road And Eastern Ave
7. Circumstances of the incident: (attach additional pages if necessary): I was on New Boston Road stopped at lights when making a left hand turn on to Eastern Ave my car fell into something heard a bang so it was dark and there where no cone's or steel plates covering whatever it was my car fell into, I made it home by that time my tire was flat
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 diagonal

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: 11-26-18

Claimant's signature: Pamela Santos

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: 11-28-18



CITY OF FALL RIVER  
IN CITY COUNCIL  
DEC 04 2018



RECEIVED

2019 NOV 29 P 12:12

CITY CLERK 18-179  
FALL RIVER MA

Objected to by  
Cs. Shawn E. Cadime  
and laid on the table  
in accordance with  
the City Charter

City of Fall River  
Notice of Claim

1. Claimant's name: Progressive Direct Insurance Company a/s/o REED, MARYELLEN
2. Claimant's complete address: PO BOX 512929 LOS ANGELES, CA 90051
3. Telephone number: Home: \_\_\_\_\_ Work: 440-910-5828
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: 09-08-18 Amount of damages claimed: \$ 10:05 AM
6. Exact location of the incident: (include as much detail as possible):  
439 MIDDLE ST
7. Circumstances of the incident: (attach additional pages if necessary):  
Our named Insured's 2014 Ford Fusion was parked at 439 Middle St., when a City of Fall River 2008 Ford Vehicle, plate number M94517, was traveling on Middle St. and struck and damaged our insured's vehicle. The driver, Ronald Costa, 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: 11/21/18

Claimant's signature: \_\_\_\_\_

Richard W Berlan  
Direct: 440.910.5828  
Fax: 888.781.6947  
Richard\_W\_Berlan@Progressive.com  
Attention our claim number

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 ☒ Per

Date: 11/29/18

# THE NORFOLK & DEDHAM GROUP®

## INTER-COMPANY REIMBURSEMENT NOTIFICATION

15

November 28, 2018

Our File No.: C1847937  
Our Insured: Silva, Cynthia  
Address: 118 Valley Bars Rd  
Bourne, MA

City of Fall River  
1 Government Center  
Fall River, MA 02722

Your File No.: N/A  
Your Insured:  
Address:

Loss Date: 11/07/2018  
Location: 110 Fountain St. Fall River

Sir/Madam:

Our investigation of this accident indicates liability rests with your insured. We request reimbursement for benefits paid, and/or for amounts paid under physical damage coverages.

### I PERSONAL INJURY PROTECTION

☐ PRELIMINARY

☐ FINAL

Name of Injured	BENEFITS		EXPENSE		TOTAL
	Medical	Wage	Allocated	Unalloc	
	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00	0.00
Total					\$0.00

### II PHYSICAL DAMAGE COVERAGE

Total Loss	NO	Bailment Claimed	NO	Supporting Papers	YES
1. Total Amt. of Damage	\$	226.75			
2. Deductible	+\$	500.00			
3. Rental Reimbursement	+\$	0.00			
Total \$726.75					
GRAND TOTAL I & II					\$726.75

Sincerely,

Dylan Becker  
Property Damage Examiner  
1-800-688-1825 Ext. 1272

School Bus No. 68 License plate 21396

Home Office  
222 Ames Street, P.O. Box 9109  
Dedham, MA 02027-9109  
Phone: (800) 688-1825

Lav  
ND  
SINCE 1825

1 original + 1 copy  
1 copy school  
1 copy - city clerk  
1 copy - city council

CITY CLERK  
FALL RIVER, MA  
2018 NOV 30 P 12:01

RECEIVED



City of Fall River  
Notice of Claim

RECEIVED

2018 DEC -3 A 9:19

18-181

CITY CLERK  
FALL RIVER, MA

1. Claimant's name: Andres de Souza
2. Claimant's complete address: 624 Prospect St Fall River
3. Telephone number: Home: 5086763710 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):

5. Date and time of accident: 11-27-18 Amount of damages claimed: \$ 19933

6. Exact location of the incident: (include as much detail as possible):  
Pot holes on Robeson street

7. Circumstances of the incident: (attach additional pages if necessary):  
Due to the very big pot holes on Robeson st where I have to drive to in order to get home, my car's two front tires got damaged and had to get replaced.

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: 11/30/18 Claimant's signature: Andres de Souza

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: 12/3/18

15  
JOHN R. MITCHELL

Attorney at Law  
105 Bank Street  
Fall River, Massachusetts 02720  
Telephone (508) 676-6000 • Fax (508) 676-6600  
e-mail: [jrmitchlaw@gmail.com](mailto:jrmitchlaw@gmail.com)

November 30, 2018

Jasiel F. Correia, Mayor  
City of Fall River  
One Government Center, 6<sup>th</sup> Fl.  
Fall River, MA 02720

Joseph Macy, Corporation Counsel  
City of Fall River  
One Government Center, 6<sup>th</sup> Fl.  
Fall River, MA 02720

✓ Alison Bouchard, City Clerk  
City of Fall River  
One Government Center, 2<sup>nd</sup> Fl.  
Fall River, MA 02720

RECEIVED  
2018 NOV 30 P 2:34  
CITY CLERK 18-182  
FALL RIVER, MA

Re: Notice of Massachusetts Tort Claim Pursuant to M.G.L.c. 258 §4 and its related provisions concerning Zackari Harrop, a minor, by and through his parents, Gregory Bouchard and Traci Harrop-Bouchard and his parents individual claims for loss of consortium

D/O/L: December 7, 2016

Location: Talbot Middle School, 124 Melrose Street, Fall River, Massachusetts

Dear Ms. Bouchard:

This letter is sent on behalf of Zachari Harrop, by and through his parents, Gregory Bouchard and Traci Harrop-Bouchard of 172 Anthony Street, Seekonk, Massachusetts, 02771, formerly of 12 Holden Street, Fall River, Massachusetts and is sent pursuant to M.G.L. c. 258 §4 and its related provisions (the Massachusetts Tort Claim Act), and is sent as a presentment of a claim made on Zachari's behalf for injuries he suffered on December 7, 2016 at the Talbot Middle School in Fall River, Massachusetts, while Zachari was a student.

As a result of the negligence of the school officials and his teachers instructing and teaching Zachari Harrop that day, he was caused to suffer serious injuries, including a severely broken right leg with fractures to his tibia, knee, and ankle which took many months to heal and for him to recover from before he could return to school.

C: 12-6-18

City Clerk      School Dept  
City Council      Law Dept

The injury occurred on December 7, 2016 during Zachari's early morning physical education class at the Talbot Middle School. The class was a first period session conducted by Zachari's physical education teacher. He and his classmates were playing a hazardous game called "Last Man Standing" when Zachari trying to avoid the ball jumped and landed awkwardly breaking his right leg. We contend that his fall was awkward because of the particular game being played and because of the defective and uncared for area of the gym floor on which he landed.

It took an excessive time for school officials to respond to Zachari's injury and he was not given immediate medical attention or care. He was left waiting for a nurse and when the nurse arrived there was further delay in his treatment. At no time did the school summons an ambulance or rush Zachari to a hospital, or otherwise act promptly. After some delay, his mother was called. When she arrived at the school, she brought him to the hospital as no ambulance had been called. Zachari was treated on December 7, 2016 at the emergency room at the Charlton Memorial Hospital (Southcoast Hospital) on Highland Avenue, Fall River.

Thereafter he treated with Doctor Christopher J. Breen of New Bedford an orthopedic surgeon affiliated with the Southcoast Physicians Group. Dr. Breen found it necessary to reset Zachari's fractured leg. Zachari's treatment included numerous x-rays at the Southcoast Hospital as well as several visits to follow-up with Southcoast Physicians Group.

Once Zachari was cleared to return to school however he learned that his leg was still not properly healed. He thereafter treated with Doctor David Bullis, another orthopedist, in Fall River, Massachusetts who referred him for extensive therapy.

During his recovery Zachary was casted, then bootied, and had to use for a considerable amount of time a walker in order to get around.

Because of the School Department's failure to readily provide him with tutoring assistance, he fell behind with his school work.

Mr. Harrop suffered these injuries because of the negligent instruction and supervision of the City of Fall River School Department's staff and teachers on the date of his injuries and the Department's failure to provide him prompt medical care once he was injured.

The Fall River School Department was also negligent in its training, supervision, and the direction given to its employees, servants and agents, in particular its teachers, nurses, and other school personnel at the Talbot Middle School, in the way they conducted their physical education classes and the way a student like Zachari was engaged in the activity during which he was injured and also in how the school and its nurses responded in treating Zachari's injuries and providing him medical care and getting him medical treatment either at a hospital or elsewhere off campus.

Further the gym floor and other structures and materials at the Talbot School gymnasium in his physical education class were defective and contained foreign substances and also were not maintained properly by the School Department, so that they were in a condition that caused Mr. Harrop to fall awkwardly and break his leg in the manner he did.

15

Further Mr. Harrop's parents Gregory Bouchard and Traci Harrop-Bouchard have claims for loss of consortium as a result of Zachari's injuries for the attention, care, and other services they provided to Zachari because of this injury.

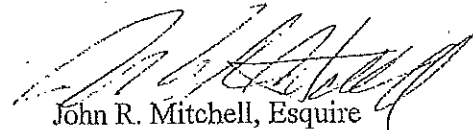
As a consequence of this accident, and in light of the serious injuries suffered by Zachari including his fractured leg, and the resulting treatment, the medical care it required, his conscious pain and suffering, his medical bills, his loss of convenience, his expected future pain and suffering, and future medical expenses, his loss of time from school, his loss of enjoyment and his on-going residual injuries and prognosis, and his other damages, I am making a formal demand of \$100,000.00 in resolution of Zachari's claim.

Further, I am making a claim for loss of consortium by each of his parents in a separate amount of \$100,000.00 for Mr. Bouchard and \$ \$100,000.00 for Ms. Harrop-Bouchard.

I ask that you respond to his demand at your earliest convenience. If I have not heard from you within six (6) months from the date of this notice, I will file the appropriate civil complaint on behalf of my client.

I thank you for your attention to this matter and remain,

Sincerely yours,



John R. Mitchell, Esquire

JRM/mjr

Edward Avilla, Constable  
11-30-2018



City of Fall River  
Notice of Claim

RECEIVED 15  
2018 DEC -5 P 3:57

CLERK 18-183  
FALL RIVER, MA

1. Claimant's name: Vidalia Carreiro
2. Claimant's complete address: 805 2nd Street, Apt 2 Fall River, MA 02721
3. Telephone number: Home: 774-451-1580 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Auto Accident involving a Fall River Fire Truck
5. Date and time of accident: 10/14/18 Amount of damages claimed: \$ TBD
6. Exact location of the incident: (include as much detail as possible):  
Bedford St and Troy St. in Fall River, MA
7. Circumstances of the incident: (attach additional pages if necessary):  
Please see police report 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

Claimant's policy only carries third party coverage.

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

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

Date: 12/4/18

Claimant's signature: V. Carreiro

**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

☒ Fire Dept Date: 12/6/18



18-184

15

RECEIVED

City of Fall River  
Notice of Claim

2018 DEC -6 P 3:47

CITY CLERK  
FALL RIVER, MA

1. Claimant's name: Dawn Dacosta
2. Claimant's complete address: 209 Adams Street, Fall River, ma
3. Telephone number: Home: 774-330-9258 Work: Same 02720
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Water Pipe was broken and was leaking in my yard
5. Date and time of accident: 9/10/18 Amount of damages claimed: \$ 8,180.63
6. Exact location of the incident: (include as much detail as possible):  
Yard, Basement Area, Pool
7. Circumstances of the incident: (attach additional pages if necessary):  
See 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  
S. Gorman Adjusters, Inc.

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

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

Date: 12/6/18Claimant's signature: Dawn Dacosta

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.

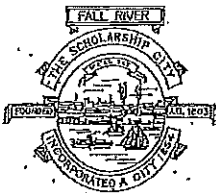
Return this from to : City Clerk, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722

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☒ WaterDate: 12/6/18





RECEIVED

15

City of Fall River  
Notice of Claim

2018 DEC -7 A 10:13

CITY CLERK #18-185  
FALL RIVER, MA

1. Claimant's name: Tyrhale Smith
2. Claimant's complete address: 54 Everett St.
3. Telephone number: Home: 774-319-6697 Work: 774-319-6697
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: 07/29/18 2242 Amount of damages claimed: \$ 800
6. Exact location of the incident: (include as much detail as possible):  
Driveway on 370 buffington
7. Circumstances of the incident: (attach additional pages if necessary):  
The police officer was not paying attention while in reverse and struck my moped as a result.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 12/7/18Claimant's signature: Tyrhale Smith

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☒ PoliceDate: 12/7/18

18-186  
15  
RECEIVED

2018 DEC 12 A 9:42

City of Fall River  
Notice of ClaimCITY CLERK  
FALL RIVER, MA

1. Claimant's name: Aires de Roeder
2. Claimant's complete address: 624 Prospect St. Fall River Mass
3. Telephone number: Home: 5086763710 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Tire damage
5. Date and time of accident: 12/8/18 Amount of damages claimed: \$ 6269
6. Exact location of the incident: (include as much detail as possible):  
Troy Street
7. Circumstances of the incident: (attach additional pages if necessary):  
Due to potholes, my tire (rear passenger) popped and needed to get replaced.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 12/10/18Claimant's signature: Aires de Roeder

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 ☒ DPWDate: 12-12-18

DANIEL STONE  
3865 N. Main St., Unit 1  
Fall River, MA 02720

RECEIVED

2018 NOV 28 A 10:49

November 24, 2018

CITY CLERK  
FALL RIVER, MA

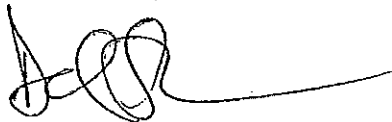
City Council  
One Government Center  
Room 619  
Fall River, MA 02722

Dear Council Members:

We recently moved to a condominium unit in Fall River. We were surprised to learn from the Fall River Department of Solid Waste that residents of condos and apartments have no access to recycling in this City. As I understand it, these residents cannot participate in the City's solid waste collection. They must have private collection and only those with City collection can obtain recycling bins. Fall River has no recycling at its solid waste facility on Lewiston Street.

We would be happy to do whatever was necessary to participate in a recycling program and assume that many other apartment/condo residents would as well. We hope that Fall River can make arrangements so that this significant proportion of its residents can recycle their recyclable waste.

Sincerely,



CITY OF FALL RIVER  
IN CITY COUNCIL  
DEC 04 2018

Objected to by  
Cs. Shawn E. Cadime  
and laid on the table  
until the next meeting  
in accordance with the  
City Charter



## OPEN MEETING LAW COMPLAINT FORM

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

RECEIVED

2018 DEC -5 P 1:10

CITY CLERK  
FALL RIVER, MA

Please note that all fields are required unless otherwise noted.

### Your Contact Information:

First Name: Collin Last Name: Dias

Address: 560 Rav Street

City: Fall River State: MA Zip Code: 02720

Phone Number: 7747076790 Ext. \_\_\_\_\_

Email: Collind00@aol.com

Organization or Media Affiliation (If any): \_\_\_\_\_

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

(For statistical purposes only)

☒ Individual ☐ Organization ☐ Media

### Public Body that is the subject of this complaint:

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

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

Specific person(s), if any, you allege committed the violation: \_\_\_\_\_

Date of alleged violation: 12/4/18

## Description of alleged violation:

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

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

During the 12/4 city council meeting, Mayor Jasiel F. Correia II came down to a city council Meeting on finance and requested a motion to table a measure, which passed, even though he had no authority to. That is an obvious violation of the open meeting law.

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

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

Invite Gen Andrade and Mayor Jasiel F. Correia II to a future council meeting to discuss Gen Anderade's stipend.

Future compliance with the open meeting law

## Review, sign, and submit your complaint

### I. Disclosure of Your Complaint.

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

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

### II. Consulting With a Private Attorney.

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

### III. Submit Your Complaint to the Public Body.

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

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

Signed: 

Date: 12/4/18

For Use by Public Body

Date Received by Public Body

For Use by AGO

Date Received by AGO



# City of Fall River Massachusetts

## Department of Community Maintenance

CEMETERIES • MUNICIPAL BUILDINGS • ENGINEERING • SANITATION •  
PARKS • STREETS & HIGHWAYS • TRAFFIC & PARKING • VEHICLES

### Engineering Division

2018 DEC -7 P 12:11

JASIEL F. CORREIA II  
Mayor

CITY CLERK JOHN A. PERRY JR.  
FALL RIVER Director

J R FREY, P.E.  
City Engineer

To: Fall River City Council  
From: J R Frey, P.E., City Engineer  
Date: December 6, 2018  
Subject: Street Opening Request for Pavement Less Than Five Years Old

The Engineering Division has received a request for a road opening to install a fire suppression water line at 471 Center Street. Center St. between Broadway and South Main St. was paved in 2018. The improvements are less than one year old.

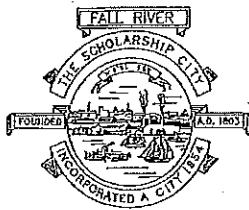
A variance was granted to the property to allow for a change in use. The change in use requires a new fire suppression system which requires a new, dedicated connection to the water main.

The Engineering Division recommends approval of the request subject to the following conditions for pavement restoration in streets less than five years old:

- 1) All work shall meet or exceed the "Standards Employed by the Public Utility Operators When Restoring Municipal Streets" (the Standards) as published by the Commonwealth of Massachusetts Division of Telecommunications and Industry and with the requirements of the Fall River City Council;
- 2) All excavated material shall be removed from the site and appropriately disposed of;
- 3) Backfill shall consist of Controlled Density Fill (CDF) in conformance with City Ordinance;
- 4) Binder material meeting Superpave 12.5mm MassDOT specification shall be placed in two (2) lifts of two and one-half inches (2.5") compacted depth for a total depth of five-inches (5") compacted, with tack applied along the edges, the subgrade, and between lifts;
- 5) A settlement period of six (6) weeks shall occur, and within three (3) weeks of the conclusion of the settlement period, the contractor shall return to complete the final patch;
- 6) The final patch shall be constructed by cutting a tapered edge six-inches (6") outside the existing patch, one and one-half inches (1 ½") deep into the existing pavement, and removal of pavement within the tapered edge to a minimum depth of one and one-half inches (1 ½");

One Government Center • Fall River, MA 02722

Telephone: (508) 324-2512 • Fax: (508) 324-2564 • Email: [ENGINEERING@FALLRIVERMA.ORG](mailto:ENGINEERING@FALLRIVERMA.ORG)



# City of Fall River Massachusetts

## Department of Community Maintenance

CEMETERIES • MUNICIPAL BUILDINGS • ENGINEERING • SANITATION •  
PARKS • STREETS & HIGHWAYS • TRAFFIC & PARKING • VEHICLES

### *Engineering Division*

JASIEL F. CORREIA II  
*Mayor*

JOHN A. PERRY JR.  
*Director*

J.R. FREY, P.E.  
*City Engineer*

- 7) The patch area shall be heated using infrared to a surface temperature sufficient to allow remixing asphalt without oxidation or burning, but in no case shall the surface temperature exceed 350 degrees F;
- 8) Tack shall be applied to the entire exposed surface and a surface course meeting the Superpave 9.5mm MassDOT specification shall be placed with a minimum compacted thickness of one and one-half inches (1 ½");
- 9) The surface shall be compacted using a steel drum roller, resulting in a smooth, tight, pavement surface which matches the grade of the existing pavement;
- 10) Sand should be evenly distributed over the surface to fill small voids and absorb excess sealant if surface sealant is applied;
- 11) The repaired area shall be allowed to cool to 175 degrees F before opening to traffic.

Prior to opening the street, the applicant shall provide to the City Engineer a copy of the contract for any subcontractor providing work covered by this application. A minimum of 24-hours in advance of excavation, the contractor must call the Engineering Division at 508-324-2512 to request inspection services. Material specifications shall be provided to the City Engineer for all materials brought to the site for use as backfill, base course, and surface course.

Agnes Croteau  
1316 North Hixville Road  
North Dartmouth, MA 02747

19  
RECEIVED

2018 DEC 12 A 11:26

December 11, 2018

CITY CLERK  
FALL RIVER, MA

Board of Assessors  
City of Fall River  
One Government Center  
Fall River, MA 02720

RE: Fall River Assessors Parcels W-38-0050 and W-38-0051

Dear Sirs,

It is my intention to sell my property in Fall River that is presently classified under Chapter 61B. The parcels are identified as W-38-0050 and W-38-0081 (formerly W-38-0051). The majority of the land will be purchased by the City of Fall River Water Department for conservation purposes. Two ANR lots, one with a dwelling, will be retained for future sale and development.

My purpose at this time is comply with the notification requirement of Chapter 61B, Section 9. In consideration of the conservation outcome of the disposition of this property, I would ask that the city immediately waive it's right of first refusal and release the Chapter 61B lien upon the parcels so that the sale may proceed.

An attachment is provided for you convenience. Lot 2 and Lot 4 will be purchased by the City of Fall River Water Department. Lot 1 and Lot 3 will be retained for future sale.

Thank you for your consideration,

Sincerely,



Agnes Croteau

Enc: 1  
Cc: Mayor of Fall River  
Fall River City Council  
Fall River Planning Board  
Fall River Conservation Commission  
Commissioner of DCR, c/o State Forester.





# CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, November 27, 2018 at 5:45 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: Brigida Viveiros, 572 Locust Street  
Patrick Sullivan, Program Mgr., National Grid  
Patric Yaghoobian, Design Engineer, National Grid  
Cathy Ann Viveiros, City Administrator  
Mary Sahady, Director of Financial Services  
Benjamin Mello, Administrator of Assessing  
Richard Gonsalves, Chairman, Board of Assessors  
Richard Wolfson, Member, Board of Assessors  
Richard Branco, 137 Fifth Street

The President called the meeting to order at 5:51 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearing was to hear all persons interested and wishing to be heard on the following:

## Auto Body Shop License

1. Steven Melo, 118 Raymond Allard Blvd., Swansea, MA, Choice Collision Center, Inc., for a license to operate an auto body shop at 645 Brayton Avenue, on Lot F-07-0004, Assessors Plan.

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was voted that the hearing be opened, with Councilor Joseph D. Camara absent and not voting. The President then directed the proponents to be heard and no one came forward. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was voted to close the hearing, with Councilor Joseph D. Camara absent and not voting.*

**Auto Repair Shop License**

2. Luis Pimentel, 25 Wyoming Street #4, Dorchester, MA, d/b/a L and S Auto Repair, for a license to operate an auto repair shop at 1138 Pleasant Street, on Lot K-13-59, Assessors Plan.

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was voted that the hearing be opened, with Councilor Joseph D. Camara absent and not voting. The President then directed the proponents to be heard and no one came forward. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was voted to close the hearing, with Councilor Joseph D. Camara absent and not voting.*

**Curb Removals**

3. Hyde Development, LLC, 1500 Vine Street, Somerset, MA, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
217 Napoleon Street	0'	25'	0'	25'

The petitioner is requesting to construct a 25 foot driveway opening as part of a new home construction. The driveway does not interfere with utilities or signage, and does not have an adverse effect on on-street parking.

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was voted that the hearing be opened, with Councilor Joseph D. Camara absent and not voting. The President then directed the proponents to be heard and no one came forward. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was voted to close the hearing, with Councilor Joseph D. Camara absent and not voting.*

4. Hyde Development, LLC, 1500 Vine Street, Somerset, MA, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
143 Napoleon Street	0'	28'	0'	28'

The petitioner is requesting to construct a 28 foot driveway opening as part of a new home construction. The driveway does not interfere with utilities or signage, and does not have an adverse effect on on-street parking.

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was voted that the hearing be opened, with Councilor Joseph D. Camara absent and not voting. The President then directed the proponents to be heard and no one came forward. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was voted to close the hearing, with Councilor Joseph D. Camara absent and not voting.*

Councilor Joseph D. Camara arrived at 5:55 p.m.

5. Brigida Viveiros, 572 Locust Street, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
572 Locust Street	25'	11'	0'	36'

The petitioner is requesting to remove an additional 11 feet of curbing to the already existing 25 foot driveway opening. This removal will provide access to park a towed camper, RV, or similar vehicle. No utilities or signage are affected by the request. Depending on the size of the vehicles and how careful people are parking, this would represent a reduction of between a partial space which would not otherwise be utilized, and a full space.

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and Brigida Viveiros came forward. Councilor Steven A. Camara asked the City Clerk if 572 Locust Street was located between Winter Street and Grove Street. The City Clerk stated that it was. Brigida Viveiros stated that this removes two vehicles from the street and she also hopes to park a camper or RV someday on her property. Councilor Shawn E. Cadime asked who determines that it would represent a reduction of between a partial space and a full space. The City Clerk stated that the City Engineer makes these determinations after he visits the site. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to close the hearing.*

6. Michael Couto, 555 Broadway, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
555 Broadway on Oliver Street	17'	10' 7"	0'	27' 7"

The petitioner is requesting to remove an additional 10 feet 7 inches of curbing to the already existing 17 foot driveway opening on Oliver Street. The parcel contains a commercial building and a residential building. The existing curb opening is necessary for the viability of the commercial business and the request will provide additional access to park a vehicle. The additional driveway area does not adversely affect parking on Oliver Street.

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and no one came forward. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Steven A. Camara, it was unanimously voted to close the hearing.*

## Underground Conduit

### 7. North Main Street

National Grid requests to install conduit duct bank from manhole 38 in the sidewalk on the northwest side of North Main Street to manhole 185. Pavement, sidewalk and curb will be restored to original conditions. In accordance with Plan No. 23992703 dated October 15, 2018. On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and Patrick Sullivan, Program Engineer for National Grid and Patric Yaghoobian, Design Engineer for National Grid came forward. Councilor Leo O. Pelletier requested that the patch be curb to curb. The Program Manager for National Grid stated that this project will take place in 2020 or 2021 and he will note that the patch must be curb to curb. Councilor Shawn E. Cadime requested an updated list of double poles in the City. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Steven A. Camara, it was unanimously voted to close the hearing.

## Tax Classification

### 8. Adoption of the percentage of the local tax levy to be borne by each class of property for Fiscal Year 2019.

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and Cathy Ann Viveiros, Mary Sahady, Benjamin Mello, Richard Gonsalves and Richard Wolfson came forward. The City Administrator stated that currently the City is at a factor of 1.70 and the Administration is recommending a factor of 1.72 for fiscal year 2019. Using the factor of 1.72, the residential rate would be \$14.59 and the following percentages would be in effect in the City of Fall River for fiscal year 2019:

Residential	(Class I)	62.5568
Open Space	(Class II)	-0-
Commercial	(Class III)	21.7052
Industrial	(Class IV)	9.9966
Personal Property	(Class V)	5.7414

The City Administrator also stated that a re-evaluation had taken place this year. The Director of Financial Services stated that with a factor of 1.70 the average residential increase will be \$136.00 and with a factor of 1.72 the average residential increase will be \$114.00. The Administrator of Assessing stated that an average single family home that was valued at \$217,050 for Fiscal Year 2018 changed to \$225,300 for Fiscal Year 2019. Councilor Stephen R. Long stated that taxes will increase, regardless of what is voted on. Councilor Steven A. Camara stated that he sides with the residents and he is prepared to make a motion to have the tax factor at 1.75. Councilor Bradford L. Kilby asked what the tax factor is in New Bedford. The Chairman of the Board of Assessors stated that he was unsure. Councilor Shawn E. Cadime stated that the average tax bill in New Bedford is \$3,522.00 and the average tax bill in the City of Fall River is \$3,173.00. He then stated that he would like to see the tax factor stay at 1.70. Richard Branco then came forward and stated that he would like to see a factor of 1.75 as he feels that commercial properties can afford the increase more than the residents. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to close the hearing.

On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adjourn at 7:01 p.m.

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

A true copy. Attest:

A handwritten signature in cursive script, reading "Alison M. Bouchard".

City Clerk

# COMMITTEE ON FINANCE

MEETING: Tuesday, November 27, 2018, 2018 at 6:00 p.m.  
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator  
Mary Sahady, Director of Financial Services  
John Perry, Mgr. of Operations, Streets and Highways Division,  
Department of Community Maintenance  
Joseph I. Macy, Corporation Counsel

The chair called the meeting to order at 7:01 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

In accordance with a resolution adopted, as amended May 8, 2012, allowing persons to address the Council for a period of three minutes prior to the beginning or at the conclusion of business in the Committee on Finance, the following persons spoke on the subjects listed:

Citizens' Input Time – Before Discussion of Financial Matters:  
Brenda Venice, 25 Wrights Way – Fall River Charter

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier it was unanimously voted to waive the rules to allow the following non Fall River resident to speak.*

Jessica Franco, 293 Ocean Grove Avenue, Swansea, MA – Everything  
Augie Venice, 25 Wrights Way – Appointments

2. Loan order – \$250,000 for Resiliency Preparatory Academy/Westall Feasibility Study  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the loan order be referred to the full council for action.*

3. Communication from Mayor requesting discussion of purple bag program  
*A motion was made by Councilor Steven A. Camara and seconded by Councilor Derek R. Viveiros, to direct the Committee on Ordinances and Legislation to eliminate the PAYT purple bag program. Councilor Steven A. Camara stated that the bags are of poor quality and the residents that are the most unable to pay are being burdened. Councilor Shawn E. Cadime asked what has changed. The City Administrator stated that there have been no changes, but the Mayor is still requesting to eliminate the program due to work beginning on*

the Fiscal Year 2020 Budget. Councilor Shawn E. Cadime then stated, so nothing has changed. He then asked how much is generated by the PAYT program. The Director of Financial Services stated approximately \$2.2 million dollars annually.

Councilor Bradford L. Kilby asked what is the compliance rate of the program. The Manager of Operations for the Streets and Highways Department stated approximately 92%.

Councilor Bradford L. Kilby then asked, so why would we want to discontinue the program when the compliance rate is 92%. He also stated that this strikes me as a diversion, to take the spot light off the Mayor. Councilor Pam Laliberte-Lebeau stated that she doesn't agree with the timing of this request. She then stated that she would prefer discussing this matter after receiving the second quarter budget report, so that six months of information is available.

The Manager of Operations, Streets and Highways stated that the bags have been upgraded to a thicker mil plastic. He then stated that the two complaints have been the quality of the bags and the color of the bags. He then stated that Waste Zero has upgraded the quality of the bags, but the variations in color are caused by the recycled materials used in the manufacture of the bags.

Councilor Derek R. Viveiros stated that his thoughts have not changed and asked how many years this program has been in effect. The Director of Financial services stated since May of 2015. Councilor Derek R. Viveiros then stated that he feels that this program has not worked well and would like to see the program ended.

Council Vice-President Pam Laliberte-Lebeau took the podium at 8:11 p.m. to allow President Cliff Ponte to speak.

Councilor Joseph D. Camara asked if fewer stores are carrying the bags. The Manager of Operations, Streets and Highways stated that they have not had many stores defect from the program and there are approximately 130 stores carrying the bags.

Council President Cliff Ponte stated that he believes that we cannot reduce our income. He then asked if the Administration wants to get rid of the purple bag program, then where are we going to get the \$2.1 million dollars in revenue from the program. He then asked the Director of Financial Services if the cost of trash removal will increase next year. The Director of Financial Services stated she believes the contract will increase approximately \$750,000 next year. Council President Cliff Ponte then asked the City Administrator and the Director of Financial Services if they felt that with the increases in the trash contract and other increases, such as the school department, fire department and police department do they feel confident that we can take a reduction of approximately \$2.1 million dollars.

Council President Cliff Ponte returned to the podium at 8:33 p.m.

Councilor Steven A. Camara stated that he would like to return to the motion on the floor and propose an amendment. A motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, to add the following to the previous motion: "pending any change in who would be responsible for payment of fines (because right now it is the tenants who are responsible), that the City Council Committee on Finance recommend to the Committee on Ordinances and Legislation that it eliminate the PAYT Program", failed to carry 4 yeas, 5 nays with Councilors Shawn E. Cadime, Bradford L. Kilby, Pam Laliberte-Lebeau, Leo O. Pelletier and Cliff Ponte voting in the negative. A roll call vote was then taken on the previous motion requesting that the City Council direct the Committee on Ordinances and Legislation to eliminate the purple bag program and the motion carried 5 yeas, 4 nays, with Councilors Shawn E. Cadime, Bradford L. Kilby, Pam Laliberte-Lebeau, and Cliff Ponte voting in the negative.

4. Communication from Mayor requesting the parking facilities controlled by the Fall River Redevelopment Authority be transferred back to the City  
A motion made by Councilor Bradford L. Kilby and seconded by Councilor Pam Laliberte-Lebeau to table the matter until such time as the Fall River Redevelopment Authority is available to be in attendance failed to carry 4 yeas, 5 nays with Councilors Joseph D. Camara, Steven A. Camara, Stephen R. Long, Leo O. Pelletier and Derek R. Viveiros voting



in the negative. Councilor Steven A. Camara then stated that he is concerned with delaying this matter, due to impending winter weather which may cause more damage to the parking garages. A further motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby to table the matter failed to carry 4 yeas, 5 nays with Councilors Joseph D. Camara, Steven A. Camara, Stephen R. Long, Leo O. Pelletier and Derek R. Viveiros voting in the negative. Councilor Pam Laliberte-Lebeau asked why the Redevelopment Authority voted to transfer the parking garages back to the City of Fall River. The City Administrator stated that the Redevelopment Authority received information that Business for Better Parking, Inc. did not want to continue operating the parking garages. She also mentioned that some of the problems with buildings downtown is the lack of parking. She stated that the City had a difficult time marketing the former Police Station located on Bedford Street, due to the lack of parking. Councilor Shawn E. Cadime stated that he would like to have the Redevelopment Authority available to answer questions. He then asked the City Administrator how many spaces are contained in the parking facilities on Third Street. The City Administrator stated that there are 220 spaces available and 40 are paid for by City Employees. Councilor Shawn E. Cadime then stated that he would like to see this matter referred to the City Council Committee on Real Estate. The City Administrator stated that she agrees that this matter should be discussed further in the Committee on Real Estate. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted to refer the matter to the Committee on Real Estate and request that the Chair invite the Redevelopment Authority and Business for Better Parking, Inc. to the meeting.

Citizens' Input Time -- After Discussion of Financial Matters:

None

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted to adjourn at 9:14 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

Business for Better Parking, Inc. document provided by the Director of Financial Services

*William A. Taylor*  
Clerk of Committees

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, November 6, 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 8:19 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. Motions from City Council request to address recent issues relating to Mayor Jasiel F. Correia II in accordance with Section 3-8 of the City Charter (objected to 10-16-2018):
  - a. Declare Mayor unable to perform duties in accordance with the City Charter
  - b. Vote of no confidence
  - c. Request Mayor resign from office

Item 1a:

*A motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara to lift the item from the table carried unanimously. Councilor Steven A. Camara stated that the Mayor is not in the hospital and unable to perform his duties or in a foreign country without telephone and internet access. He is in his office performing his duties. Councilor Shawn E. Cadime stated that he is not trying to remove the Mayor from office. He then stated that there are only two ways to remove the Mayor. They are by a recall petition or if the Mayor were convicted of a felony. A further motion was made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby to amend the motion on the floor and replacing it with the following:*

- (1) Jasiel F. Correia II has been indicted, according to the United States Attorney for the District of Massachusetts, for defrauding investors and using the money to pay for a "lavish lifestyle and political campaign", and in particular, nine counts of wire fraud and four counts of filing false tax returns;
- (2) Mr. Correia was arrested in a city-owned vehicle at 6:00 a.m., a time when he was clearly not using the vehicle for municipal business;

- (3) Such indictments involve misuse of funds and where, as Mayor, he has unfettered access to the City's finances;
- (4) Law enforcement officials have indicated that Mr. Correia is the subject of further investigation potentially involving additional charges;
- (5) Such arrest, indictments, and ongoing investigations destroy Mr. Correia's credibility, and therefore the City's credibility, the significance of which is evidenced by the statement of Harold Shaw, the FBI Special Agent in Charge for Massachusetts, as follows: "Mayor Correia has brought undeserved shame and embarrassment upon the City of Fall River," and "betrayed the trust of his investors and betrayed the trust of his constituents", and
- (6) Where the nature of such indictments and arrest constitute a significant breach of the public trust and cripple his ability to represent the City as its Mayor;

And further, therefore, that the City Council of the City of Fall River, consistent with the authority granted to the Council pursuant to Section 3-8(a) of the Home Rule Charter, determine that Mr. Correia is unable to perform the duties of the office of Mayor while the charges that are the subject of said indictments are pending. Councilor Steven A. Camara questioned whether Councilor Shawn E. Cadime's motion was for an amendment or for a new motion. The Council President ruled that Councilor Shawn E. Cadime's motion was to amend. A motion made by Councilor Steven A. Camara and seconded by Councilor Joseph D. Camara to challenge the ruling of the Chair failed to carry, 2 yeas, 7 nays, with Councilors Shawn E. Cadime, Bradford L. Kilby, Pam Laliberte-Lebeau, Stephen R. Long, Leo O. Pelletier, Derek R. Viveiros and Cliff Ponte voting in the negative. Councilor Joseph D. Camara asked the City Clerk, what time she received the amendment. She stated approximately between 4:30 p.m. to 4:45 p.m. Councilor Joseph D. Camara then asked why the Councilors just received a copy at 8:45 p.m.

Councilor Leo O. Pelletier stated that the Mayor is doing his job and I think the recall is the way to go. He also stated that he doesn't want to take a chance and spend lots of money, when there is no need to. After discussion, Councilor Cadime's motion to amend carried 6 yeas, 3 nays, with Councilors Joseph D. Camara, Steven A. Camara and Leo O. Pelletier voting in the negative. A further motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime to adopt the motion, as amended failed to carry 4 yeas, 5 nays, with Councilors Joseph D. Camara, Steven A. Camara, Stephen R. Long, Leo O. Pelletier and Derek R. Viveiros voting in the negative.

Item 1b.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to lift the item from the table. A further motion was made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier to adopt the motion on the floor. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier to move the question, the motion carried 8 yeas, 1 nay, with Councilor Steven A. Camara voting in the negative. On the previous motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier to adopt the motion to take a vote of no confidence on Mayor Jasiel F. Correia II, the motion carried 8 yeas, 1 nay, with Councilor Steven A. Camara voting in the negative.

Item 1c.

A motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby to lift the item from the table carried unanimously. A further motion was made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime to adopt the motion on the floor. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau to move the question, the motion carried 6 yeas, 3 nays, with Councilors Joseph D. Camara, Steven A. Camara and Leo O. Pelletier voting in the negative. On the previous motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was voted 6

yeas, 3 nays to adopt the motion requesting Mayor Jasiel F. Correia II resign from office, with Councilors Joseph D. Camara, Steven A. Camara and Leo O. Pelletier voting in the negative.

2. Mayor – Communication and log of activities from October 12, 2018 to October 31, 2018  
On a motion made by Councilor Steven A. Camara and seconded by Councilor Pam Laliberte-Lebeau, it was voted 9 yeas that the communication and log be accepted and placed on file.

3. Mayor – Communication requesting discussion of purple bag program  
A motion was made by Councilor Steven A. Camara, to refer the matter to the Committee on Ordinances and Legislation, but was later withdrawn. Councilor Bradford L. Kilby questioned why this was being resubmitted by the Mayor. Councilor Steven A. Camara stated that he had requested that the Mayor resubmit this matter for further discussion. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the Committee on Finance.

4. Mayor and orders re:

- a. Acceptance of M.G.L. Chapter 32B relating to Other Post-Employment Benefits (OPEB) Liability Trust Fund

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order.

- b. Transfers and appropriations of \$100,000.00 to the OPEB Trust Fund from the following:

General Fund Free Cash	\$ 70,000.00
Water Fund Free Cash	\$ 10,000.00
Sewer Fund Free Cash	\$ 10,000.00
EMS Fund Free Cash	\$ 10,000.00

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

5. Mayor and loan order – \$250,000 for Resiliency Preparatory Academy/Westall Feasibility Study

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to authorize the loan order to be published and referred to the Committee on Finance.

6. Mayor requesting approval of contract between School Department and Clean Energy Collectives

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was voted to approve the contract. Councilor Shawn E. Cadime and President Cliff Ponte were opposed.

7. Mayor requesting confirmation of the following appointments:

- a. Rev. James Hornsby – Conservation Commission

Councilor Shawn E. Cadime stated that he will not approve any appointments at this time. On a motion made by Councilor Steven A. Camara and seconded by Councilor Joseph D. Camara, it was voted 7 yeas, 2 nays to confirm the appointment, with Councilors Shawn E. Cadime and Cliff Ponte voting in the negative.

b. Andrew Liss RFC – Conservation Commission

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was voted 7 yeas, 2 nays to confirm the appointment, with Councilors Shawn E. Cadime and Cliff Ponte voting in the negative.*

c. Patti Rego Platt – Historical Commission

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 7 yeas, 2 nays to confirm the appointment, with Councilors Shawn E. Cadime and Cliff Ponte voting in the negative.*

d. Joyce B. Rodrigues – Historical Commission

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was voted 7 yeas, 2 nays to confirm the appointment, with Councilors Shawn E. Cadime and Cliff Ponte voting in the negative.*

**PRIORITY COMMUNICATIONS**

8. Corporation Counsel – Response to inquiry by Councilor Steven A. Camara regarding anticipated Counsel fees if motion to declare the Mayor unable to perform his duties prevail

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was voted 8 yeas, 1 nay that the communication be accepted and placed on file, with Councilor Shawn E. Cadime voting in the negative.*

9. Planning Board recommendation for the acceptance of Tone Street

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the communication be accepted and placed on file.*

10. Mayor re: corrected expiration of term for Robert J. Rei, Commission on Disability

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted that the communication be accepted and placed on file, with Councilor Shawn E. Cadime opposed.*

**COMMITTEE REPORTS – None**

**ORDINANCES**

Second reading and enrollment, as amended:

11. Proposed Ordinance – Traffic, Niagara Street inserting one-way

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was voted 7 yeas that the proposed ordinance, be passed through second reading and enrollment, as amended with Councilors Pam Laliberte-Lebeau and Cliff Ponte abstaining. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was voted 6 yeas that the proposed ordinance be passed to be ordained, as amended with Councilors Bradford L. Kilby absent and not voting and Councilors Pam Laliberte-Lebeau and Cliff Ponte abstaining. Approved, November 7, 2018, Mayor Jasiel F. Correia II*

12. Proposed Ordinance – Traffic, Niagara Street striking out one-way

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was voted 7 yeas that the proposed ordinance, be passed through second reading and enrollment, as amended with Councilors Pam Laliberte-Lebeau and Cliff Ponte abstaining. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was voted 6*

yeas that the proposed ordinance be passed to be ordained, as amended with Councilors Bradford L. Kilby absent and not voting and Councilors Pam Laliberte-Lebeau and Cliff Ponte abstaining.  
Approved, November 7, 2018, Mayor Jasiel F. Correia II

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to take items #13 and #14 together.

13. Proposed Ordinance – Traffic, Dickinson Street prohibited parking

14. Proposed Ordinance – Traffic, Striking out handicapped parking

On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted that items #13 and #14, be passed through second reading and enrollment, as amended. On a further motion made by Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was voted that item #13 be passed to be ordained, as amended, with Councilor Bradford L. Kilby absent and not voting. On yet a further motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was voted that item #14 be passed to be ordained, as amended with Councilor Bradford L. Kilby absent and not voting.  
Items #13 and #14 were:

Approved, November 7, 2018, Mayor Jasiel F. Correia II

**RESOLUTIONS** – None

**CITATIONS** – None

Councilor Bradford L. Kilby left the meeting at 9:40 p.m.

#### **ORDERS – HEARINGS**

##### Curb Removals:

15. Jacqueline Lopes, 1315 Plymouth Ave. – Total of 48' at 1310 Plymouth Ave. on Francis St. On a motion made by Councilor Steven A. Camara and seconded by Councilor Joseph D. Camara, it was unanimously voted that the clerical error on the agenda be corrected by changing 1310 Plymouth Avenue to 1301 Plymouth Avenue. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order, as amended, with Councilor Bradford L. Kilby absent and not voting.  
Approved, November 7, 2018, Mayor Jasiel F. Correia II

16. City of Fall River, 417 Rock Street – Total of 281' at 360 Elsbree Street  
On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the order, with Councilor Bradford L. Kilby absent and not voting.  
Approved, November 7, 2018, Mayor Jasiel F. Correia II

#### **ORDERS – MISCELLANEOUS**

17. Police Chief's report on licenses:

##### Taxicab Drivers:

Joseph Alves

Robert Carroll

Robert MacDougall

##### Private Livery Drivers:

Patrick Cantwell

Julio Riveira-Colon

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order, with Councilor Bradford L. Kilby absent and not voting.

Auto Repair Shop License Renewal:

18. Tiago Botelho d/b/a Mill City Diesel Auto Repair and Sales located at 1139 Slade 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, with Councilor Bradford L. Kilby absent and not voting.*  
 Approved, November 7, 2018, Mayor Jasiel F. Correia II

19. Reschedule Committee on Finance Meeting and Regular Meeting of the City Council from  
 Tuesday, November 20, 2018 to Tuesday, November 27, 2018  
*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order, with Councilor Bradford L. Kilby absent and not voting.*

**COMMUNICATIONS – INVITATIONS – PETITIONS**

20. Claims

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the claims to Corporation Counsel, with Councilor Bradford L. Kilby absent and not voting.*

21. Drainlayer licenses:

a. GT Excavating Corp.

b. Northeast Construction Services, Inc.

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted to approve both drainlayer licenses, with Councilor Bradford L. Kilby absent and not voting.*

Approved, November 7, 2018, Mayor Jasiel F. Correia II

22. Fall River Contributory Retirement Board – 2019 Annual Budget

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the communication be accepted and placed on file, with Councilor Bradford L. Kilby absent and not voting.*

23. Zoning Board of Appeals Minutes – September 20, 2018

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted that the minutes be accepted and placed on file, with Councilor Bradford L. Kilby absent and not voting.*

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to take items #24 through #29 together, with Councilor Bradford L. Kilby absent and not voting.*

City Council Meeting Minutes:

24. Public Hearings – October 9, 2018

25. Committee on Finance – September 25, 2018

26. Committee on Finance – October 9, 2018

27. Regular Meeting of the City Council – September 25, 2018

28. Regular Meeting of the City Council – October 9, 2018

29. Special Meeting of the City Council – October 16, 2018

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted that items #24 through #29, be approved after being read by the City Clerk, with Councilor Bradford L. Kilby absent and not voting.*

**BULLETINS – NEWSLETTERS – NOTICES** – None

**TABLED MATTERS**

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to lift all items listed below from the table, with Councilor Bradford L. Kilby absent and not voting.*

6 a. Mayor requesting confirmation of the following reappointments:

a. Laurence Dykes, Jr. – Historical Commission

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 7 yeas, 1 nay to confirm the appointment, with Councilor Shawn E. Cadime voting in the negative and Councilor Bradford L. Kilby absent and not voting.*

b. Richard Mancini – Fall River Historic District Commission

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 6 yeas, 2 nays to confirm the appointment, with Councilors Shawn E. Cadime and Cliff Ponte voting in the negative and Councilor Bradford L. Kilby absent and not voting.*

c. Kristen Cantara Oliveira – Fall River Historic District Commission

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 7 yeas, 1 nay to confirm the appointment, with Councilor Shawn E. Cadime voting in the negative and Councilor Bradford L. Kilby absent and not voting.*

19a. City Council reappointment of Laurence Dykes, Jr. to the Fall River Historic District Commission

*A motion was made by Councilor Steven A. Camara that the reappointment be granted leave to withdraw, but received no second. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 3 yeas, 5 nays to confirm the reappointment, with Councilors Shawn E. Cadime, Steven A. Camara, Pam Laliberte-Lebeau, Stephen R. Long and Cliff Ponte voting in the negative and Councilor Bradford L. Kilby absent and not voting.*

**ITEMS FILED AFTER THE AGENDA WAS PREPARED:**  
**CITY COUNCIL MEETING DATE: NOVEMBER 6, 2018**

**RESOLUTION**

14a. Committee on Ordinances and Legislation consider combining Historical Commission with the Fall River Historic District Commission

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was voted to adopt the resolution, with Councilor Bradford L. Kilby absent and not voting.*

*A recess was taken at 9:50 p.m. to allow the ordinances to be signed and reconvened at 9:53 p.m.*

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to adjourn at 9:55 p.m., with Councilor Bradford L. Kilby absent and not voting.*

**List of documents and other exhibits used during the meeting:**

Agenda packet (attached)

DVD of meeting

Amendment to item #1 submitted by Councilor Shawn E. Cadime

A true copy. Attest:

*Alison M. Bouchard*

City Clerk



### REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, November 27, 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 9:19 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 requesting confirmation of the following appointments:

- a. Daniel Reitzas – Board of Police

*Councilor Steven A. Camara asked if Daniel Reitzas had resigned from the Traffic Commission. The City Clerk stated that he had resigned and this would be the only board that he would be serving on. Councilor Shawn E. Cadime stated that he will not be supporting any appointments, as he feels that many of them are not in the best interest of the City. On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was voted 7 yeas, 2 nays to confirm the appointment, with Councilors Shawn E. Cadime and Cliff Ponte voting in the negative.*

- b. Rev. Mr. Jay Mello, S.T.L – Greater Fall River Vocational School District Committee

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Joseph D. Camara, it was voted 6 yeas, 3 nays to confirm the appointment, with Councilors Shawn E. Cadime, Pam Laliberte-Lebeau and Cliff Ponte voting in the negative.*

- c. John Garcia – Planning Board

*Councilor Steven A. Camara asked if John Garcia was a member of any other board or commission. The City Clerk stated that Mr. Garcia was not a member of any other board or commission. On a motion made by Councilor Joseph D. Camara and seconded by Councilor Steven A. Camara, it was voted 4 yeas, 5 nays to confirm the appointment, with Councilors Shawn E. Cadime, Bradford L. Kilby, Pam Laliberte-Lebeau, Stephen R. Long and Cliff Ponte voting in the negative and the motion failed to carry. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was voted 8 yeas, 1 nay that the appointment be granted leave to withdraw with Councilor Steven A. Camara voting in the negative.*

d. Ryan Lyons -- Election Commission

*The City Clerk stated that item 1d. is a request to appoint Ryan Lyons to the Election Commission. She also stated that she has received a request from the Mayor to withdraw this proposed appointment. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to accept the communication and that the appointment be granted leave to withdraw.*

2. Mayor requesting confirmation of the following re-appointments:

a. James Souza -- Community Preservation Committee

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was voted 8 yeas, 1 nay to confirm the re-appointment, with Councilor Shawn E. Cadime voting in the negative.*

b. Joan Menard -- Greater Fall River Vocational School District Committee

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was voted 8 yeas, 1 nay to confirm the re-appointment, with Councilor Shawn E. Cadime voting in the negative.*

c. Charles J. Moniz -- Planning Board

*Councilor Steven A. Camara asked if Mr. Moniz served on any other boards or commissions. The City Clerk stated that he is a member of the Community Preservation Committee, as the Planning Board designee. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Joseph D. Camara, it was voted 8 yeas, 1 nay to confirm the re-appointment, with Councilor Shawn E. Cadime voting in the negative.*

3. Mayor requesting approval of TIF for Millstone Medical Outsourcing LLC

*A motion was made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, to refer the matter to the Committee on Finance, but was withdrawn. On a motion made by Councilor Joseph D. Camara and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to waive the rules to allow the City Administrator to make a statement. The City Administrator stated that this TIF is scheduled to be heard by the State Economic Advisory Council on December 13, 2018, so it is time sensitive. On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the TIF agreement. Approved, November 28, 2018, Mayor Jasiel F. Correia II*

4. Mayor requesting re-approval of the Order of Taking for 1941-1945 Bay Street,  
Lots A-14-0034 and A-14-0036

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order. Approved, November 28, 2018, Mayor Jasiel F. Correia II*

**PRIORITY COMMUNICATIONS**

5. Traffic Commission recommending an amendment to the traffic ordinance

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

6. Board of Election Commissioners re: the Official Results of the State Election held on  
November 6, 2018

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted that the communication be accepted and placed on file.*

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7. Mayor regarding name change amendment for Historical Commission member from Patti Rego Platt to Patricia Rego  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the communication be accepted and placed on file.*

**COMMITTEE REPORTS** – None

**ORDINANCES** – None

**RESOLUTIONS**

8. City Council President establish a Special Committee or Task Force to establish a Home Rule Charter to create a City Council/City Manager form of government for the City of Fall River  
*Councilor Steven A. Camara stated that this resolution would be an exploratory first step towards the possibility of the establishment of a Home Rule Charter to create a City Council/City Manager form of government for the City of Fall River and it doesn't commit the City Council to anything in the future. It is just the opportunity for the Council President to appoint a committee that would look into the matter. On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was voted 8 yeas, 1 nay that the communication be accepted and placed on file, with Councilor Joseph D. Camara voting in the negative.*

**CITATIONS** – None

**ORDERS – HEARINGS**

Auto Body Shop License:

9. Steven Melo, 118 Raymond Allard Blvd., Swansea, MA, Choice Collision Center, Inc., located at 645 Brayton Avenue  
*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, November 28, 2018, Mayor Jasiel F. Correia II*

Auto Repair Shop License:

10. Luis Pimentel, 25 Wyoming Street #4, Dorchester, MA, d/b/a L and S Auto Repair, located at 1138 Pleasant Street  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the order.*  
*Approved, November 28, 2018, Mayor Jasiel F. Correia II*

Curb Removals:

11. Hyde Development, LLC, 1500 Vine Street, Somerset, MA, – Total of 25 feet at 217 Napoleon 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, November 28, 2018, Mayor Jasiel F. Correia II*
12. Hyde Development, LLC, 1500 Vine Street, Somerset, MA – Total of 28 feet at 143 Napoleon Street  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order.*  
*Approved, November 28, 2018, Mayor Jasiel F. Correia II*

13. Brigida Viveiros, 572 Locust Street – Total of 36 feet at 572 Locust Street  
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the order.  
Approved, November 28, 2018, Mayor Jasiel F. Correia II

14. Michael Couto, 555 Broadway – Total of 27 feet 7 inches at 555 Broadway on Oliver 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.  
Approved, November 28, 2018, Mayor Jasiel F. Correia II

Underground Conduit:

15. North Main Street  
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order, as amended. The amendment adds the condition that the cuts include curb to curb restoration  
Approved, November 28, 2018, Mayor Jasiel F. Correia II

Tax Classification:

16. Order – Fiscal Year 2019 Tax Factor  
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was voted 4 yeas, 5 nays to adopt a tax factor of 1.70 with Councilors Joseph D. Camara, Steven A. Camara, Leo O. Pelletier, Derek R. Viveiros and Cliff Ponte voting in the negative and the motion failed to carry. Councilor Steven A. Camara made a motion to adopt a tax factor of 1.75, but received no second. On yet a further motion made by Councilor Leo O. Pelletier and seconded by Councilor Joseph D. Camara, it was voted 7 yeas, 2 nays to adopt a tax factor of 1.72 with Councilors Shawn E. Cadime and Steven A. Camara voting in the negative.  
Approved, November 28, 2018, Mayor Jasiel F. Correia II

17. Order – Fiscal Year 2019 Tax Levy  
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the local tax levy to be borne by each class of real property, as defined in Chapter 59, Section 2A of the Massachusetts General Laws, and personal property for Fiscal Year 2019, to be as follows:

Residential	(Class I)	62.5568
Open Space	(Class II)	-0-
Commercial	(Class III)	21.7052
Industrial	(Class IV)	9.9966
Personal Property	(Class V)	5.7414

Approved, November 28, 2018, Mayor Jasiel F. Correia II

ORDERS – MISCELLANEOUS

18. Police Chief's report on licenses:

2018 Taxicab Drivers:

Raymond Cabral	Deena Feldman	Soneck Figaro	David Justice
Mark Silvia	Ashley Smith		

2018 Private Livery Drivers:

Christopher Botelho Rhonda Coppinger

2019 Taxicab Drivers:

Thomas Andrade	Michael Coelho	Robert Collins	Jacques Dumont
Deena Feldman	Soneck Figaro	David Justice	Donald Pelletier
Renan Pereira	Gerald Pinault	Edward Rego	Paul Santos
Mark Silvia	Ashley Smith	Walter Woods	

2019 Private Livery Drivers:

Christopher Botelho Patrick Cantwell Anthony Correia Rhonda Coppinger

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

19. Auto Body Shop License Renewal:

Globe Auto, Inc., d/b/a Globe Auto located at 165 Tucker 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, November 28, 2018, Mayor Jasiel F. Correia II*

20. Auto Repair Shop License Renewals:

Everett J. Mello, Dave's Tire and Auto Service, Inc., located at 325 Bedford Street

Michael Camara, John's Auto Service, Inc., located at 334 President Avenue

Globe Auto, Inc., d/b/a Globe Auto, located at 165 Tucker Street

George Moreira, George's Auto Tech, LLC, located at 581 Pleasant 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, November 28, 2018, Mayor Jasiel F. Correia II*

21. Transfer auto repair shop license no. 183 from Karen and Donald Rochefort, Rochefort Auto Repair to Ziad Elkhoury, Jbiel, LLC d/b/a Rochefort Auto Repair at located at 127 Eastern Avenue

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order.*

*Approved, November 28, 2018, Mayor Jasiel F. Correia II*

COMMUNICATIONS – INVITATIONS – PETITIONS

22. Claims

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

23. Communication from the Attorney General's Division of Open Government regarding Open Meeting Law Complaint from Patrick Higgins for July 12, 2018 City Council Meeting

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to take items #23 through #31 together. On a further motion made by Councilor Stephen R. Long and seconded by Councilor Derek R. Viveiros, it was unanimously voted to reconsider the previous motion. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted that the communication be accepted and placed on file.*

24. Communication from the Attorney General's Division of Open Government regarding Open Meeting Law Complaint from Jo Goode for July 12, 2018  
City Council Committee on Finance Meeting

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted that the communication be accepted and placed on file.*

25. Communication from PERAC regarding Fiscal Year 2020 Appropriation

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted that the communication be accepted and placed on file. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to amend the previous motion by adding that a letter be sent to the Administration requesting that actuarials be sent to the Retirement Board by any group other than PERAC. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the communication be accepted and placed on file, as amended.*

26. Communication from the Department of Public Utilities – Notice of filing and public hearing

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the communication be accepted and placed on file.*

27. Communication from National Grid and Eversource Energy regarding the Bell Rock Substation Rebuild Project and Acushnet to Fall River Reliability Project

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Steven A. Camara, it was unanimously voted that the communication be accepted and placed on file.*

28. Street opening request from City Engineer for pavement less than five years old at 152 John Street

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to approve the request.*

*Approved, November 28, 2018, Mayor Jasiel F. Correia II*

29. Structure On or Over a Public Way – 30"x72" sign for Saint Stanislaus Parish, 36 Rockland Street (on Broadway side of property)

*On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to approve the request.*

*Approved, November 28, 2018, Mayor Jasiel F. Correia II*

30. Planning Board Minutes – September 27, 2018

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the minutes be accepted and placed on file.*

31. Planning Board Minutes – October 30, 2018

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the minutes be accepted and placed on file.*

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City Council Meeting Minutes:

- 32. Public Hearing – November 6, 2018
- 33. Committee on Finance – October 23, 2018
- 34. Committee on Finance – November 6, 2018
- 35. Regular Meeting of the City Council – October 23, 2018

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted to approve items #32 through #35 after being read by the City Clerk. The City Clerk read items #32 through #35.*

**BULLETINS – NEWSLETTERS – NOTICES** – None

**ITEMS FILED AFTER THE AGENDA WAS PREPARED:**  
**CITY COUNCIL MEETING DATE: NOVEMBER 27, 2018**

**OTHER POTENTIAL MATTERS (to be acted upon if recommendation is received)**

Committee on Finance recommending:

Adoption:

- 7a. Loan order – \$250,000 for Resiliency Preparatory Academy/Westall Feasibility Study

*On a motion made by Councilor Joseph D. Camara and seconded by Councilor Bradford L. Kilby, it was voted 9 yeas to adopt the order.*

*Approved, November 28, 2018, Mayor Jasiel F. Correia II*

Refer to the Committee on Real Estate:

- 7b. Communication – Parking facilities controlled by RDA be transferred back to City

*On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the communication to the Committee on Real Estate.*

Refer to the Committee on the Committee on Ordinances and Legislation:

- 7c. Communication – Purple bag program

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Shawn E. Cadime, it was voted 5 yeas, 4 nays to refer the communication to the Committee on Ordinances and Legislation, with a recommendation to direct the Committee to eliminate the Pay-As-You-Throw program, with Councilors Shawn E. Cadime, Bradford L. Kilby, Pam Laliberte-Lebeau and Cliff. Ponte voting in the negative.*

*A recess was taken at 10:01 p.m. to allow the tax levy document to be signed and reconvened at 10:03 p.m.*

*On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Stephen R. Long, it was unanimously voted to adjourn at 10:03 p.m.*

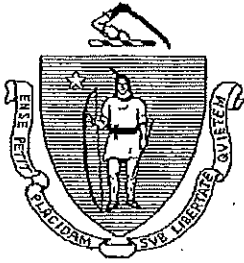
List of documents and other exhibits used during the meeting:

Agenda packet (attached)  
DVD of meeting

A true copy. Attest:

*Alison M. Bouchard*

City Clerk



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### NOTICE OF FILING, PUBLIC HEARINGS, AND PROCEDURAL CONFERENCE

D.P.U. 18-150

November 29, 2018

Petition of Massachusetts Electric Company and Nantucket Electric Company, each doing business as National Grid, pursuant to G.L. c. 164, § 94 and 220 CMR 5.00, for Approval of General Increases in Base Distribution Rates for Electric Service.

On November 15, 2018, Massachusetts Electric Company ("MECo") and Nantucket Electric Company ("Nantucket Electric"), each doing business as National Grid ("National Grid" or "Company"), filed a petition with the Department of Public Utilities ("Department") for an increase in electric base distribution rates. The Department has docketed this matter as D.P.U. 18-150, and has suspended the effective date of the proposed rate increase until October 1, 2019, to investigate the propriety of the Company's request.

The Company is also proposing to replace its capital investment recovery mechanism with a performance-based ratemaking mechanism that would allow MECo and Nantucket Electric to adjust their distribution rates on an annual basis through the application of a revenue-cap formula and to put into place a set of metrics to evaluate the Company's performance. Further, the Company proposes to implement an electric vehicles program, gateway access program, and storage program. The Company also proposes to make certain changes to its existing storm fund mechanisms and vegetation management programs. Additional information regarding these and all other proposals can be found in the Company's filing.

National Grid has requested to delay implementation of changes in rates to November 1, 2019, based on rate increases effective October 1, 2019. The Company was last granted an increase in base distribution rates in 2016. Massachusetts Electric Company/Nantucket Electric Company, D.P.U. 15-155 (2016).

The Company seeks approval for an increase in base distribution rate revenues of \$132.2 million. The Company contends that its petition also includes a \$61.9 million decrease in revenues recovered in charges outside of base distribution rates. Thus, the Company claims that its petition requests a net increase in annual delivery revenues of \$70.3 million. National Grid states that if its petition is approved as requested, the proposed revenue increases will have the following effects:



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For MECo Customers:

- a typical residential customer receiving service under Rate R-1, that uses on average 600 kilowatt hours ("kWh") of electricity per month will experience a monthly bill increase of \$4.07, or 2.6 percent;
- a typical low-income residential customer receiving service under Rate R-2, that uses on average 600 kWh of electricity per month will experience a monthly bill decrease of (\$1.62), or 1.6 percent; and
- Commercial and industrial ("C&I") customers will experience monthly increases in the range of 0.6 percent to 4.4 percent.

For Nantucket Electric Customers:

- a typical residential customer receiving service under Rate R-1, that uses on average 600 kWh of electricity per month will experience a monthly bill increase of \$4.07, or 2.6 percent;
- a typical low-income residential customer receiving service under Rate R-2, that uses on average 600 kWh of electricity per month will experience a monthly bill decrease of (\$1.68), or 1.6 percent; and
- C&I customers will experience monthly increases in the range of 0.6 percent to 3.9 percent.

The Attorney General of the Commonwealth of Massachusetts ("Attorney General") has filed a notice to intervene in this matter pursuant to G.L. c. 12, § 11E. Further, pursuant to G.L. c. 12, § 11E(b), the Attorney General has filed a notice of retention of experts and consultants to assist in her investigation of the Company's filing, and has requested Department approval to spend up to \$550,000 in this regard. Pursuant to G.L. c. 12, § 11E(b), the costs incurred by the Attorney General relative to her retention of experts and consultants may be recovered in the Company's rates.

The Department has scheduled the following public hearings to receive comment on National Grid's filing:

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Lawrence, MA

Tuesday, March 26, 2019, at 7:00 p.m.  
South Lawrence East Elementary School Auditorium  
165 Crawford Street  
Lawrence, MA 01843

Brockton, MA

Thursday, March 28, 2019, at 7:00 p.m.  
South Junior High School Auditorium  
105 Keith Avenue Ext.  
Brockton, MA 02301

Nantucket, MA

Tuesday, April 2, 2019, at 7:00 p.m.  
PSF Community Room  
4 Fairgrounds Road  
Nantucket, MA 02554

Worcester, MA

Thursday, April 4, 2019, at 7:00 p.m.  
Worcester Technical High School Auditorium  
1 Skyline Drive  
Worcester, MA 01605

Great Barrington, MA

Tuesday, April 9, 2019, at 7:00 p.m.  
Great Barrington Fire Station  
Meeting Room  
37 State Road  
Great Barrington, MA 01230

A procedural conference in this matter will be held at the Department's office on Thursday, January 3, 2019, at 2:00 p.m.

Persons interested in commenting on National Grid's filing may appear at any of the public hearings or may file written comments by the close of business (5:00 p.m.) on Tuesday, April 9, 2019.

Any person who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene or to participate in the proceeding no later than the close of business (5:00 p.m.) on Friday, December 21, 2018. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 CMR 1.01(4). To

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be allowed, a petition under 220 CMR 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10. Any person who seeks to intervene in this matter and also desires to comment on the Attorney General's notice of retention of experts and consultants must file the comments no later than the close of business (5:00 p.m.) on Friday, December 21, 2018.

Written comments, petitions for leave to intervene or to participate, and comments on the Attorney General's notice of retention of experts and consultants should be addressed to: Mark D. Marini, Secretary, Department of Public Utilities, One South Station, Boston, MA, 02110. Receipt by the Department, not mailing, constitutes filing.

Further, in addition to paper filings with the Department, all documents also should be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dpu.efiling@mass.gov](mailto:dpu.efiling@mass.gov) and the Hearing Officer, [carol.pieper@mass.gov](mailto:carol.pieper@mass.gov); or (2) on CD-ROM. The text of the e-mail or CD-ROM must specify: (1) the docket number of the proceeding (D.P.U. 18-150); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. All documents submitted in electronic format will be posted on the Department's website: website at <http://web1.enr.state.ma.us/DPU/FileRoom/dockets/bynumber> (enter "18-150").

A copy of National Grid's filing is available for inspection during regular business hours at the following locations: (1) Brockton Public Library, Main Library, 304 Main Street, Brockton, MA, 02301; (2) Nantucket Atheneum, 1 India St, Nantucket, MA, 02554; (3) Worcester Public Library, 3 Salem Street, Worcester, MA, 01608; (4) Mason Public Library, 231 Main Street, Great Barrington, MA, 01230; and (5) Lawrence Public Library, 51 Lawrence Street, Lawrence, MA, 01841.

National Grid's filing also is available on the Department's website. A copy of National Grid's filing also is available at the offices of National Grid, 40 Sylvan Road, Waltham, MA, 02451, and the Department's offices, One South Station, 5<sup>th</sup> Floor, Boston, MA, 02110. To request materials in accessible formats (braille, large print, electronic files, audio format), contact the Department's ADA coordinator at [DPUADACoordinator@mass.gov](mailto:DPUADACoordinator@mass.gov) or (617) 305-3642. Any person desiring further information regarding National Grid's petition should contact National Grid's counsel, Daniel P. Venorá, Esq., Keegan Werlin, 99 High Street, Suite 2900, Boston, MA, 02110, telephone (617) 951-1400.

The Attorney General's notice of retention of experts and consultants is available on the Department's website. A copy of the Attorney General's notice of retention of experts and consultants is also available for inspection during regular business hours at the Attorney General's offices, One Ashburton Place, Boston, MA, 02110, and at the Department's offices, One South Station, 5<sup>th</sup> Floor, Boston, MA, 02110. Any person desiring further

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information regarding the Attorney General's notice of retention of experts and consultants should contact Joseph W. Rogers, Assistant Attorney General, at (617) 727-2200.

Reasonable accommodations at public or evidentiary hearings for people with disabilities are available upon request by contacting the Department's ADA coordinator at [DPUADACoordinator@mass.gov](mailto:DPUADACoordinator@mass.gov) or (617) 305-3642. Please include a description of the accommodation you will need, including as much detail as you can. Also include a way the Department can contact you if we need more information. Provide as much advance notice as possible. Last-minute requests will be accepted, but may not be accommodated. Any person desiring further information regarding this notice should contact Carol Pieper, Hearing Officer, Department of Public Utilities, at (617) 305-3500.

# BB Baker, Braverman & Barbadoro, P.C.

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KIMBERLY K. KROHA\*\*\*  
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\*\*ALSO ADMITTED IN NY & CA  
\*\*\*ALSO ADMITTED IN FL

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OF COUNSEL  
WILLIAM B. GOLDEN  
DOUGLAS C. PURDY (1943-2016)  
DOROTHY O'FLAHERTY NEDELMAN

December 18, 2018

## *Via Hand Delivery*

City Council  
1st Floor, Government Center  
One Government Center  
Fall River, MA 02772

RE: Recall Petition of Mayor Jasiel F. Correia II

Dear Councilors:

Please be advised that this firm represents Mayor Jasiel F. Correia II in connection with the petition seeking his recall from office under Section 8-5 of the City Charter. We understand that this recall petition is before the City Council tonight.

It is our opinion that, as a matter of law, the City Council does not have authority to take any action whatsoever with regard to the recall petition currently before the council. The recall petition is not valid because of the duly filed objection by Jasiel F. Correia II, Mayor of the City of Fall River. Applicable law clearly specifies that when such an objection has been filed, a petition referred to the City Council cannot be considered as valid until such time as the objection is ruled on by the Board of Election Commission. Specifically, G.L. c. 43, § 38 governs certifications of signatures transmitted by the city clerk to the city council as follows:

"When such certificate has been so transmitted, said petition shall be deemed to be valid unless written objections are made thereto by a registered voter of the



city within forty-eight hours after such certification by filing such objections with the city council or the school committee, and a copy thereof with the registrars of voters or the board or commission having similar duties. Section seven of chapter fifty-five B shall apply to such objections, and the board of registration of voters shall transmit a copy of its decision to the city council or school committee.” G.L. c. 43, § 38.

Therefore, the City Council does not have a valid recall petition before it and it has no authority to take any action on said petition. The recall petition would only be valid at this time if no objection was filed, but the Mayor timely filed such an objection, a copy of which is attached hereto. Once an objection has been filed, the provisions of G.L. c. 55B, § 7 apply and require the Board of Election Commission to issue a decision within fourteen days of the objection. Because of the timely objection and the period given to the Board to issue a decision, there is no valid petition before the City Council on which it may place a vote.

Additionally, the recall petition before you tonight is not valid for one or more of the reasons set forth below:

- We believe the petition blanks issued by the City Clerk failed to comply with Section 8-5(b) of the Charter;
- the City Clerk’s office lacked authority to issue such certification under Section 8-5 of the City Charter because the Board of Election Commissioners did not certify the signatures as required by Section 8-5(b) of the Charter;
- the Board of Election Commissioners failed to issue a certificate conforming with the requirements of G.L. c. 43, § 38, within five days of the filing of the petition;
- if the Board of Election Commissioners took any action, the action was invalid it purported to carry out its duties without a valid quorum under City Charter;
- if the Board of Election Commissioners took any action, the action as invalid as the board fails to comply with the equal political party membership requirements G.L. c. 51, § 16A;
- the petition failed to include valid authentic signatures from five percent (5%) of registered voters as specifically set forth in the attached objection;
- the sponsors of the petition failed to demonstrate authenticity of the signatures;
- the petition process was tainted with fraud and invalidity; or
- as set forth above, the Mayor submitted a timely written objection to the City Clerk, and the Board of Election Commissioners must issue a decision under G.L. c. 55B, § 7, determining the sufficiency of the certification before the City Council may commence the five-day resignation period triggered by notice to the Mayor under Section 8-5(c) of the Charter.





Recall Petition  
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Accordingly, we hereby request that the City Council does not take any action on the recall petition at its hearing tonight.

Regards,



WILLIAM GOLDEN, ESQ.



City Clerk  
One Government Center  
Room 227  
Fall River, MA 02772

Dear Madame City Clerk,

The purpose of this correspondence is to object, pursuant to G.L. c. 55B, § 7 and other relevant state and city law, to the certificate of petition for recall issued on December 12, 2018.

Based on information and belief, a substantial number of petition signatures are not valid signatures of registered voters because, on information and belief, they have been forged, duplicated, signed by someone other than the stated signatory without the requisite legal authority to sign on behalf of the stated voter, have an incorrect address, have an illegible signature or address, do not match voter signatures on the voter's signatory cards on file in Fall River, or there was no such registered voter or resident in Fall River at the time of signing. Moreover, there is evidence indicating that proponents of the recall petition were not the persons gathering the signatures. The act providing for recall elections in the City of Fall River, Chapter 292 of the Acts of 1980, requires the city clerk to deliver the petition blanks to the ten voters who are proponents of the petition, indicating that these ten voters were responsible for gathering the signatures themselves. There is no evidence of authenticity and validity of any of the signatures provided by the petitioners or by any other source. The recall petition must have authentic signatures from five percent (5%) of registered voters. When the affidavit required under St. 1980, c. 292 was filed, the stated registered voter count was 50,207, which would require signatures from 2,510 registered voters. The Board of Election Commissioners has not provided an updated number that includes all voters registered at the time of certification.

As a result of such errors and deficiencies, the recall petition does not have the requisite number of registered voter signatures for the petition to be certified as sufficient. At least three (3) days before an evidentiary hearing before the Board of Election Commissioners, we will provide additional evidence supporting the claims herein, including opinions from a handwriting expert.

At such hearing, the proponents of the petition should be obligated to prove the authenticity of the signatures contained thereon. See Stapleton v. Nyhan, 1995 WL 809921, \*5, n.11 (Mass. Sup. Ct. 1995). In Stapleton v. Nyhan, the Superior Court judge noted that a recall election is considerably different from a typical election where the burden is on the challenger to prove that signatures are invalid. In a typical election scenario, a person challenging voter signatures is attempting to change the outcome expressed by the public will in electing an individual. In a recall election, however, the opposite occurs. As here, the elected official who is challenging the signatures is aligned with the will of the people as expressed in the general election. Fall River only requires five percent (5%) of registered voters to sign a petition to establish a recall election, where the voter turnout is likely to be less than in a general election and could represent something other than the overall will of the people. Under a



recall scenario, the judge recognized that the proper burden would be on the proponent of the recall petition to prove the authenticity of the signatures, not on the elected official.

Additionally, I hereby request that the City Clerk or Elections Commission evaluate the authenticity of the signatures by cross referencing the alleged signatures on the petition with the voter's signatory card, driver's license, or other government document produced in the normal course of business that would contain the signature of the voter.

Regards,

Mayor Jasiel Correia, II

Cc: City Council Chambers  
1st Floor, Government Center  
One Government Center  
Fall River, MA 02772

Board of Elections Commission  
One Government Center  
Fall River, MA 02772

