

City of Fall River Massachusetts

Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Thursday, July 12, 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 9:25 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to take item #7c after the agenda, out of order.

7c. Proposed Ordinance – Traffic, President Avenue

Councilor Steven A. Camara stated that he had requested this item to be tabled in the Committee on Ordinances and Legislation in February to allow input from area residents. He then stated that the Highland Neighborhood Association voted not to forward any opinion on the matter. On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to pass the proposed ordinance through first reading.

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted to take item #7h after the agenda, out of order.

Adoption, as amended:

7h. Orders – Mobilitie, LLC to attach wireless backhaul transport equipment to existing poles owned by National Grid and Verizon as follows:

- a. Hanover Street and New Boston Road
- b. Franklin and High Streets
- c. Rodman and Lonsdale Streets
- d. Lyon and Third Streets
- e. Dover and Tecumseh Streets
- f. Plymouth Avenue and End Street
- g. Orange and Cherry Streets

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the orders be adopted, as amended.

Approved, July 17, 2018, Mayor Jasiel F. Correia II

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted to take item #7i after the agenda, out of order.

Adoption, as amended:

- 7i. Orders – New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, including fiber optic cable, remote nodes and pole top antennas, to be attached to existing National Grid utility poles and install underground conduits or direct bury fiber cables as follows:
- a. 887 Plymouth Avenue, Pole #4
 - b. 188 Nashua Street, Pole #7
 - c. 70 William Street, Pole #3/6874
 - d. 372 Plymouth Avenue, Pole #22-3
 - e. 170 Baird Street, Pole #260/8
 - f. 191 Aetna Street, Pole #17
 - g. 35 Pelham Street, Pole #246/1/490
 - h. 1069 Plymouth Avenue, Pole #1240S
 - i. 23 Norfolk Street, Pole #597
 - j. 565 Bedford Street, Pole #17/28 near Bank 5 sign
 - k. 738 Oak Grove Avenue, Pole #38-84
 - l. 229 Coggeshall Street, Pole #282/5

The City Clerk stated that the Committee on Public Works and Transportation added some amendments that were received from the City Engineer and Corporation Counsel. The City Clerk then read the following conditions and engineering restrictions:

SUBJECT TO THE FOLLOWING CONDITIONS:

- *The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.*
- *The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.*
- *The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.*
- *The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.*
- *The company shall obtain all required federal, state and local permits and licenses.*
- *The company may maintain or replace the equipment with other equipment that is the same size or smaller in size, weight and height.*
- *Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.*
- *The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.*

ENGINEERING RESTRICTION:

- Approval is hereby granted to New Cingular Wireless PCS, LLC ("AT&T") to lay and maintain underground at each of the locations identified in the attached order, conduit conveying ground wire terminating at a new ground rod within the sidewalk. All sidewalk panels impacted by the work shall be removed and replaced in their entirety.

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the orders be adopted, as amended.

Approved, July 17, 2018, Mayor Jasiel F. Correia II

PRIORITY MATTERS

1. Transfers and appropriations

FROM:

Claims & Damages	\$ 120,000
Veteran's – Expenses	\$ 413,172
Insurance	\$ 55,023
Fire – Salaries	\$ 185,222
Community Services – Salaries	\$ 107,988
Community Maintenance – Salaries	\$ 25,000
Financial Services – Salaries	\$ 94,504
Other Assessments	<u>\$ 904,889</u>
TOTAL:	\$1,905,798

TO:

Financial Services – Expenses	\$ 37,076
Administrative Services – Expenses	\$ 282,914
Community Maintenance – Expenses	\$ 25,000
City Clerk – Expenses	\$ 3,450
Debt Service	\$ 10,598
Elections – Salaries	\$ 34,386
Veterans' Benefits – Salaries	\$ 22,007
Vocational Assessments	\$ 37,959
Snow Removal	<u>\$1,452,408</u>
TOTAL:	\$1,905,798

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

2. Mayor and order establishing spending limits of Revolving Funds for Fiscal Year 2019

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, July 17, 2018, Mayor Jasiel F. Correia II

3. Mayor and agreement for the Greater Boston Police Council to construct a wireless telecommunications facility on city-owned property at Copicut Hill

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

Approved, July 17, 2018, Mayor Jasiel F. Correia II

4. Mayor and request for donation of 250 cobblestones to the Fall River Historical Society

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, July 17, 2018, Mayor Jasiel F. Correia II

5. Mayor and proposed ordinance for the creation of a Police Cruiser Revolving Fund
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.

6. Appointment of James E. Soule to the Community Preservation Committee
On a motion made by Councilor Joseph D. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted to approve the appointment.

PRIORITY COMMUNICATIONS

7. Traffic Commission recommending amendments to traffic ordinances
On a motion made by Councilor Joseph D. Camara and seconded by Councilor Steven A. Camara, it was unanimously voted to refer the communications to the Committee on Ordinances and Legislation.

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

8. Committee on Ordinances and Legislation meet to discuss drafting an ordinance requiring City Council approval of any stipend exceeding \$2,000
On a motion made by Councilor Stephen R. Long and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the resolution.

CITATIONS

9. Elizabeth A. Camara – Retirement after 29 years of dedicated service
On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the citation.

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

10. Police Chief's report on licenses:

Taxicab Drivers:

Jairim Calais

Carol Correia

Jacques Dumont

Devin Miranda

Victoria Quintal

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

Revocation of license for storage of inflammables at request of owner:

11. 52 Ferry LLC, to store 2,100,000 gallons of petroleum products at 52 Ferry 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, July 17, 2018, Mayor Jasiel F. Correia II

COMMUNICATIONS – INVITATIONS – PETITIONS

12. Claims

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted to forward the claims to Corporation Counsel.

13. Open Meeting Law Complaint from Patrick Higgins re: June 25, 2018 City Council Committee on Public Works and Transportation Meeting
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to forward the complaint to Corporation Counsel.
14. Open Meeting Law Complaint from Patrick Higgins re: June 26, 2018 City Council Meetings
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to forward the complaint to Corporation Counsel.
15. Open Meeting Law Complaint from Patrick Higgins re: June 26, 2018 City Council Committee on Economic Development and Tourism Meeting
On a motion made by Councilor Stephen R. Long and seconded by Councilor Bradford L. Kilby, it was unanimously voted to forward the complaint to Corporation Counsel.
16. Communication from resident regarding School Lunch Program
On a 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.
- On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to take items #17 through #21 together.*
- City Council Meeting Minutes:
17. Committee on Finance – August 15, 2017
18. Committee on Finance – September 14, 2017
19. Public Hearings – September 14, 2017
20. Public Hearings – June 26, 2018
21. Regular Meeting of the City Council – September 14, 2017
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted to approve items #17 through #21.

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS FILED AFTER THE AGENDA WAS PREPARED:
CITY COUNCIL MEETING DATE: JULY 12, 2018

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

All Readings with Emergency Preamble:

- 7a. Proposed Ordinance – Traffic, Handicapped Parking
On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was voted 9 yeas to adopt an Emergency Preamble. On a further motion made by Councilor Joseph D. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted to pass the proposed ordinance through first reading, second reading, passed to be enrolled and passed to be ordained.
Approved, July 17, 2018, Mayor Jasiel F. Correia II

First Reading:

- 7b. Proposed Ordinance – Traffic, Miscellaneous
On a motion made by Councilor Stephen R. Long and seconded by Councilor Shawn E. Cadime, it was unanimously voted to pass the proposed ordinance through first reading.

7d. Proposed Ordinance – Pay As You Throw – Enforcement

A motion was made by Councilor Stephen R. Long to pass the proposed ordinance through first reading, but received no second. On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was voted to table the matter with Councilor Joseph D. Camara voting in the negative.

7e. Proposed Ordinance – Crime and Data Analyst – Police Department

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

Grant leave to withdraw:

7f. Proposed Ordinance – Fee Schedule, Parking Meter Fees

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the proposed ordinance be granted leave to withdraw.

Committee on Public Works and Transportation recommending:

Adoption:

7g. Order – Curb Removal – 325 South Beacon Street

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, July 17, 2018, Mayor Jasiel F. Correia II

COMMUNICATIONS – INVITATIONS – PETITIONS

7j. Open Meeting Law Complaint from Patrick Higgins re: July 10, 2018 City Council

Committee on Ordinances and Legislation Meeting

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

7k. Open Meeting Law Complaint from Patrick Higgins re: July 12, 2018 City Council

Meeting

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

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

Report of the Committee on Real Estate:

7l. Orders for City's Safe Routes to School project for the Carlton Viveiros

Elementary School located at 525 Slade Street

a. Order of Taking

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, July 17, 2018, Mayor Jasiel F. Correia II

b. Declaration and dedication of public land located at Slade, Lewis, Dwelly and Scott Streets for temporary construction purposes and perpetual public access and public way purposes

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the declaration and dedication be accepted and allowed.

Approved, July 17, 2018, Mayor Jasiel F. Correia II

Report of the Committee on Finance:

7m. Order - Appropriate \$450,000 for Transportation – Fall River Public Schools from the General Fund Stabilization Account

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

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted to adjourn at 9:56 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

A true copy. Attest:

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

City Clerk

In City Council, September 11, 2018
Approved.



City of Fall River Massachusetts

Office of the City Clerk

RECEIVED

2018 JUL 10 P 2:39

CITY CLERK _____
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
THURSDAY, JULY 12, 2018
AGENDA

5:15 P.M. COMMITTEE ON REAL ESTATE

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

1. Citizen Input
2. *Transfers and appropriations (see item #1 below)
3. *Discussion re: assurance that no destruction will occur to Alfred J. Lima Quequechan River Rail Trail (resolution adopted 6-26-18)
4. *Discussion re: reversal and/or withdrawal of easement provided to the Cloverleaf Mills, LLC (resolution adopted 6-26-18)
5. *Request for \$1,500,000 for costs of Feasibility Study at Diman Regional Vocational Technical High School (referred 5-15-18)

7:00 P.M. REGULAR MEETING OF THE CITY COUNCIL OR IMMEDIATELY FOLLOWING THE COMMITTEE ON FINANCE MEETING IF THAT MEETING RUNS PAST 7:00 P.M.

PRIORITY MATTERS

1. *Transfers and appropriations (see item #2 above)

FROM:

Claims & Damages	\$ 120,000
Veteran's - Expenses	\$ 413,172
Insurance	\$ 55,023
Fire - Salaries	\$ 185,222
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Community Maintenance - Salaries	\$ 25,000
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Other Assessments	\$ 904,889
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TOTAL:	\$1,905,798

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

2. *Mayor and order establishing spending limits of Revolving Funds for Fiscal Year 2019
3. *Mayor and agreement for the Greater Boston Police Council to construct a wireless telecommunications facility on city-owned property at Copicut Hill
4. *Mayor and request for donation of 250 cobblestones to the Fall River Historical Society
5. *Mayor and proposed ordinance for the creation of a Police Cruiser Revolving Fund
6. *Appointment of James E. Soule to the Community Preservation Committee

PRIORITY COMMUNICATIONS

7. Traffic Commission recommending amendments to traffic ordinances

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

8. *Committee on Ordinances and Legislation meet to discuss drafting an ordinance requiring City Council approval of any stipend exceeding \$2,000

CITATIONS

9. Elizabeth A. Camara – Retirement after 29 years of dedicated service

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

10. Police Chief's report on licenses:

Taxicab Drivers:

Jalrim Calais

Carol Correia

Jacques Dumont

Devin Miranda

Victoria Quintal

Revocation of license for storage of inflammables at request of owner:

11. 52 Ferry LLC, to store 2,100,000 gallons of petroleum products at 52 Ferry Street

COMMUNICATIONS – INVITATIONS – PETITIONS

12. *Claims
13. *Open Meeting Law Complaint from Patrick Higgins re: June 25, 2018 City Council Committee on Public Works and Transportation Meeting
14. *Open Meeting Law Complaint from Patrick Higgins re: June 26, 2018 City Council Meetings
15. *Open Meeting Law Complaint from Patrick Higgins re: June 26, 2018 City Council Committee on Economic Development and Tourism Meeting
16. *Communication from resident regarding School Lunch Program

City Council Meeting Minutes:

17. *Committee on Finance – August 15, 2017
18. *Committee on Finance – September 14, 2017
19. *Public Hearings – September 14, 2017
20. *Public Hearings – June 26, 2018
21. *Regular Meeting of the City Council – September 14, 2017

BULLETINS – NEWSLETTERS – NOTICES – None


City Clerk

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

ITEMS FILED AFTER THE AGENDA WAS PREPARED:
CITY COUNCIL MEETING DATE: JULY 12, 2018

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

Report of the Committee on Real Estate:

Orders for City's Safe Routes to School project for the Carlton Viveiros
Elementary School located at 525 Slade Street

- a. Order of Taking
- b. Declaration and dedication of public land located at Slade, Lewis, Dwelly and
Scott Streets for temporary construction purposes and perpetual public access
and public way purposes

WHEREAS, The Alfred J. Lima/Quequechan River Rail Trail (AJL/QRRT) is a valuable asset to Fall River and when dedicated by the City of Fall River all who participated unanimously appreciated what it offers to bicyclists, pedestrians, skaters, parents with strollers and all who visit and

WHEREAS, an easement was granted through an order submitted by the Mayor with all City Councilors and most citizens not realizing the impact of this easement could result in a road cutting through the AJL/QRRT and

WHEREAS, it is agreed that any road, in addition to the roads already constructed, which would cut through the completed AJL/QRRT would be detrimental to the original intent of this "river trail" and

WHEREAS, officials of the City of Fall River signed a contract with the Commonwealth of Massachusetts that states: "Any interest in land acquired are to be permanently preserved as public park under Article 97 of the MA Constitution either via a Chapter 184 type restriction approved by the Secretary of Energy and Environmental Affairs or the transfer of the property to the care and custody of the Parks and Recreation Dept. with an appropriate deed notation recorded at the Registry of Deeds." and

WHEREAS, documented evidence exists that due to funding sources from the Gateway Cities Parks Program through the Environmental Bond Bill for the purpose of "the creation and restoration of parks and recreational facilities in underserved urban neighborhoods" and Fall River City Ordinances for the Fall River Park Board specify that these types of facilities come under the Park Board, now, therefore,

BE IT RESOLVED, that the City Council Committee on Finance convene to give all parties the opportunity to be heard on this issue and

BE IT FURTHER RESOLVED, that the following be invited to this Committee on Finance meeting: advocates for the AJL/QRRT, the Mayor, Corporation Counsel; the Director of Code Enforcement, the Director of Parks, the Planning Director and the Chair of the Conservation Commission and any others interested in this issue to reach a means to assure that no destruction will be done to the AJL/QRRT and its immediate environment.

In City Council, June 26, 2018
Adopted, 7 yeas

A true copy. Attest:

Alison M. Bouchard

City Clerk

WHEREAS, citizens of Fall River and other advocates in support of maintaining the character and integrity of the Alfred J. Lima/Quequechan River Rail Trail (AJL/QRRT) have formed under the name, "The Alliance to Save the Trail" and

WHEREAS, "The Alliance to Save the Trail" members and advocates have called on the City of Fall River Mayor, City Councilors and Corporation Counselor to take the necessary steps to reverse the "easement" granted through a City of Fall River "Order" to Cloverleaf Mills, LLC and,

WHEREAS, the Mayor has stated on several occasions that if the citizens of Fall River and other advocates in support of maintaining the character and integrity of the AJL/QRRT do not want a road crossing the AJL/QRRT then a road will not cross the AJL/QRRT and

WHEREAS, the Fall River City Council through an "Order" it unanimously adopted on October 24, 2017 and which then, was approved by Mayor Jasiel F. Correia II on November 6, 2017 and through a separate "Resolution" it unanimously adopted on October 24, 2017, established its solidarity and agreement with those citizens and advocates of maintaining the character and integrity of the AJL/QRRT now, therefore,

BE IT RESOLVED, that the Fall River City Council urges the Mayor and the City Corporation Counselor to take all necessary steps to reverse and/or rescind the "easement" provided to Cloverleaf Mills, LLC and

BE IT FURTHER RESOLVED, that the Committee on Finance convene with the Mayor and/or his designee, Corporation Counsel and representatives of Cloverleaf Mills, LLC to seek a legitimate and righteous end to this travesty and ill-conceived plan to allow a road to cross the AJL/QRRT, destroying its character and integrity and the valuable resource it has become to the people who access it as a safe, serene and environmentally valuable City of Fall River resource.

In City Council, June 26, 2018
Adopted, 7 yeas

A true copy. Attest:

Alison M. Bouchard

City Clerk

Greater Fall River Vocational School District **FINANCE** 5

FALL RIVER • SOMERSET

Thomas F. Aubin, Superintendent-Director
taubin@dimanregional.org

Elvio Ferreira, Assistant Superintendent/Principal
eferreira@dimanregional.org



SWANSEA • WESTPORT

251 Stonehaven Road
Fall River, Massachusetts 02723
Telephone: 508-678-2891
Fax: 508-679-6423

May 11, 2018

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

Dear City Council President Ponte:

This letter is being sent in accordance with Massachusetts General Law and the Greater Fall River Vocational School District Regional Agreement to inform you that the School Committee of the Greater Fall River Vocational School District voted unanimously on May 10, 2018 to appropriate the amount of One Million Five Hundred Thousand Dollars (\$1,500,000) for the purpose of paying costs of a Feasibility Study at the Greater Fall River Vocational School District (Diman Regional Vocational Technical High School), 251 Stonehaven Road, Fall River, Massachusetts, 02723.

We would like to thank you in advance for your support in helping the District carry out our mission – “to develop the unique potential of each learner”.

Sincerely,

Lucy Thompsen
District Secretary

Enclosure

RECEIVED
2018 MAY 11 A 9:20
CITY CLERK
FALL RIVER, MA

CITY OF FALL RIVER
IN CITY COUNCIL

MAY 15 2018

Referred to the
Committee on
Finance

GREATER FALL RIVER VOCATIONAL SCHOOL DISTRICT
DIMAN REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL
CERTIFICATE OF THE SECRETARY

FINANCE 5

I, the undersigned, hereby certify that I am the duly appointed Secretary of the Greater Fall River Vocational School District (Diman Regional Vocational Technical High School), Fall River, Massachusetts (the "District") and that, as such, I keep and have custody of the records of the meetings of the Greater Fall River Vocational School District School Committee (the "Committee"). I further certify that, a meeting of the Committee duly called and held on Thursday, May 10, 2018, after proper notice given the public and to each member of the Committee, which meeting was attended by five (5) of the six (6) members of the Committee, constituting a quorum, the following votes were unanimously adopted by the vote of five (5) members voting in the affirmative, zero (0) members voting in the negative and zero (0) members abstained from the vote:

VOTED: That the Greater Fall River Vocational School District hereby appropriates the amount of One Million Five Hundred Thousand Dollars (\$1,500,000) for the purpose of paying costs of a Feasibility Study at the Greater Fall River Vocational School District (Diman Regional Vocational Technical High School), 251 Stonehaven Road, Fall River, Massachusetts, 02723, including all costs incidental and related thereto (the "Study") said amount to be expended under the direction of the Greater Fall River Vocational School District Committee. To meet this appropriation, the District is authorized to borrow said amount under and pursuant to c. 697 of the Acts of 1962, as amended and supplemented, G.L.c.71, § 16(d), and the District Agreement, as amended, or pursuant to any other enabling authority. The District acknowledges that the Massachusetts School Building Authority's ("MSBA's") grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District; provided further, that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the costs approved by this vote in accordance with G.L.c.44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

FURTHER VOTED: That within seven (7) days from the date on which this vote is adopted the Secretary be and hereby is instructed to notify the City Council of the City of Fall River, and the Board of Selectmen of each of the member towns of this District as to the amount and general purposes of the debt herein authorized, as required by c. 697 of the Acts of 1962, as amended and supplemented, the District Agreement, as amended and supplemented, and by G.L. c. 71, § 16(d).

I further certify that within seven days after the date of adoption of the aforesaid votes, I notified the City Council of the City and the Board of Selectmen of each of the member towns of the District in writing of the amount of debt authorized thereby and the general purposes for which the debt was authorized and that in connection with such notification, I furnished to each City Council and Board of Selectmen a copy of said votes.

WITNESS my hand and seal of said District, this 11th day of May, 2018.


Lucy Thompson, District Secretary



JASIEL F. CORREIA II
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2018 JUL -9 P 12: 03

CITY CLERK _____
FALL RIVER, MA

July 9, 2018

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

Dear Honorable Council Members:

In accordance with the provisions of Chapter 44, Section 32 of the Massachusetts General Laws, I recommend the following appropriations to your Honorable Body.

These appropriations are necessitated due to the year-end review of the operating budget. The following appropriations will assist the City in meeting its Fiscal Year 2018 obligations:

FROM:

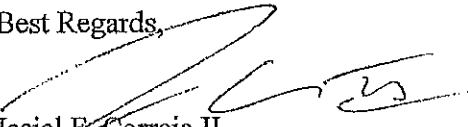
Claims & Damages	\$120,000
Veteran's - Expenses	\$413,172
Insurance	\$55,023
Fire - Salaries	\$185,222
Community Service - Salaries	\$107,988
Community Maintenance - Salaries	\$25,000
Financial Services - Salaries	\$94,504
Other Assessments	\$904,889
Total	<u>\$1,905,798</u>

TO:

Financial Services - Expenses	\$37,076
Administrative Services - Expenses	\$282,914
Community Maintenance -- Expenses	\$25,000
City Clerk -- Expenses	\$3,450
Debt Service	\$10,598
Elections -- Salaries	\$34,386
Veterans' Benefits -- Salaries	\$22,007
Vocational Assessments	\$37,959
Snow Removal	\$1,452,408
Total	<u>\$1,905,798</u>

If you have any questions or concerns regarding this, please feel free to contact me.

Best Regards,



Jasiel E. Correia II
Mayor

City of Fall River, *In City Council*

July 12, 2018

1

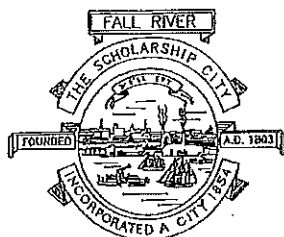
ORDERED: (FY 18 Orders)

Transfer and appropriate \$1,905,798 from:

Claims & Damages	\$120,000
Veteran's - Expenses	\$413,172
Insurance	\$55,023
Fire – Salaries	\$185,222
Community Services – Salaries	\$107,988
Community Maintenance - Salaries	\$25,000
Financial Services - Salaries	\$94,504
Other Assessments	\$904,889
Total	<u>\$1,905,798</u>

And Transfer and appropriate \$1,905,798 to:

Financial Services - Expenses	\$37,076
Administrative Services - Expenses	\$282,914
Community Maintenance – Expenses	\$25,000
City Clerk – Expenses	\$3,450
Debt Service	\$10,598
Elections – Salaries	\$34,386
Veterans' Benefits – Salaries	\$22,007
Vocational Assessments	\$37,959
Snow Removal	\$1,452,408
Total	<u>\$1,905,798</u>



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2018 JUL -6 P 3:15

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

July 12, 2018

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

Dear Honorable Council Members:

Massachusetts General Laws Chapter 44, § 53E½ require spending limits be established for revolving funds for use by the City, departments, boards, committees, agencies and officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities.

Your approval of the associated appropriation order is respectfully requested.

Ordered, that under the provisions of Massachusetts General Laws, Chapter 44, Section 53 E ½, the City of Fall River by vote of the City Council, hereby establishes authorized spending limits for the following Revolving Funds for FY 19:

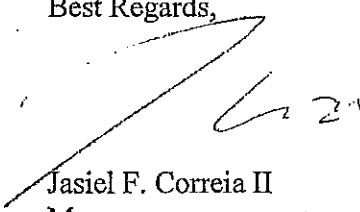
Fire Department	\$20,000	Hazardous Material Recovery
Community Services	\$50,000	Cleaning & Securing Buildings
Community Services	\$200,000	Demolition
Community Maintenance	\$10,000	Home Composting
Community Maintenance	\$10,000	Solid Waste – Recycling Recovery
Community Maintenance	\$40,000	Trolley & handicap Bus
Police Department	\$6,000	Moorings Maintenance
Community Maintenance	\$25,000	Street Light Poles Repairs/Replacement
School Dept	\$100,000	Summer Tuition
School Dept	\$50,000	Athletic Events
School Dept	\$25,000	Music Revolving
School Dept	\$5,000	School Store

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

School Dept	\$50,000	Culinary Arts Meals/ Functions
School Dept	\$200,000	Daycare Services
School Dept	\$175,000	School Buildings Use

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

Best Regards,



Jasiel F. Correia II
Mayor

City of Fall River, In City Council

Ordered, that under the provisions of Massachusetts General Laws, Chapter 44, Section 53 E ½, the City of Fall River by vote of the City Council, hereby establishes authorized spending limits for the following Revolving Funds for FY 19:

Fire Department	\$20,000	Hazardous Material Recovery
Community Services	\$50,000	Cleaning & Securing Buildings
Community Services	\$200,000	Demolition
Community Maintenance	\$10,000	Home Composting
Community Maintenance	\$10,000	Solid Waste – Recycling Recovery
Community Maintenance	\$40,000	Trolley & handicap Bus
Police Department	\$6,000	Moorings Maintenance
Community Maintenance	\$25,000	Street Light Poles Repairs/Replacement
School Dept	\$100,000	Summer Tuition
School Dept	\$50,000	Athletic Events
School Dept	\$25,000	Music Revolving
School Dept	\$5,000	School Store
School Dept	\$50,000	Culinary Arts Meals/ Functions
School Dept	\$200,000	Daycare Services
School Dept	\$175,000	School Buildings Use

3



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2018 JUL -9 P 3:13

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

June 27, 2018

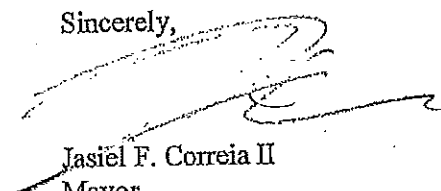
The Honorable City Council
One Government Center
Fall River, MA 02722

Dear Councilors:

Please find enclosed a proposed agreement for your review and approval. The agreement is to allow the Greater Boston Police Council to construct a wireless telecommunications facility on Copicut Hill on land owned by the City. The will improve the communications for multiple safety organizations.

Please contact Police Chief Dupere and/or Terrance Sullivan if you have any questions.

Sincerely,



Jasiel F. Correia II
Mayor

City of Fall River, *In City Council*

3

ORDERED, that the Mayor is hereby authorized to enter into an agreement with the Greater Boston Police Council for construction of a telecommunication facility on Copicut Hill subject to any changes and final approval by the Corporation Counsel. Said land is in Fall River, Massachusetts on the east side of Yellow Hill Road.

3

MEMORANDUM OF AGREEMENT

BETWEEN THE

GREATER BOSTON POLICE COUNCIL
2 WINTER STREET, SUITE 302
WALTHAM, MASSACHUSETTS 02451

AND

CITY OF FALL RIVER, MASSACHUSETTS
ONE GOVERNMENT CENTER
FALL RIVER, MASSACHUSETTS 02722

THIS AGREEMENT is entered into this ____ day ____ 2018 by and between the Greater Boston Police Council, a non-profit membership organization of law enforcement and public safety agencies, of 2 Winter Street, Suite 302, Waltham, Massachusetts 02451 ("GBPC") and the City of Fall River, Massachusetts, a corporation with an address at One Government Center, Fall River, Massachusetts 02722 ("City"). GBPC and the City are sometimes collectively referred to herein as the "Parties".

WHEREAS the City is the Owner of a parcel of land on which the parties want to construct a wireless telecommunications facility ("Facility") located at Copicut Hill that includes a wireless communications compound comprised of a perimeter fence, tower, shelter and emergency generator and designed to improve City, Bristol County, SRAC, and BAPERN, or other public safety communications; interoperability capabilities and gaps and to support Mission Critical communications for first responder communities in Bristol County;

WHEREAS GBPC is desirous of installing Mission Critical radio equipment and associated electronic equipment, and point to point radio on the Facility and entering into an Agreement to clarify working arrangements and responsibilities by and between GBPC and the City;

NOW THEREFORE in consideration of the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and adequacy of which is agreed to by the Parties, GBPC and the City, and each of them agree as follows:

1. RESPONSIBILITIES:

A. CITY RESPONSIBILITIES: Under the terms and conditions of this Agreement, the City agrees to:

- 1). Provide the GBPC with a non-exclusive right to use space on a 75' x 75' parcel on the adjoining property (hereinafter referred to as the Premises") located on Copicut Hill, Fall River Massachusetts.
- 2). GBPC may, at its sole cost and expense, install, maintain, repair, replace, improve and operate the Equipment described in Exhibit A attached hereto. All items installed by GBPC on

the Premises shall be firmly and securely anchored and installed and run to and from the Shelter.

2). In no event shall the City be responsible for providing space that does not exist at the time of this Agreement.

3). Allow the GBPC to have the right to add additional Equipment to be located within its equipment rack(s) in the Shelter without the City's consent provided there is adequate space in the Shelter but with advance written notice to the City. GBPC understands and agrees that no other equipment shall be added to the Premises by GBPC without prior written notification.

4). Allow GBPC personnel, or their agents, access to the Premises Shelter on a 24-hour basis, 365 days of the year for maintenance and emergency repair purposes.

5). Designate a City Contact Person and notify the GBPC within thirty (30) days of execution of this Agreement.

6). Authorize the GBPC and other Public Safety tenants to use the premises at no cost during the period of this contract.

7). The City shall make electricity available for GBPC's use and the City agrees to pay all reasonable charges for electricity used by GBPC and tenants in the operation of equipment located on the premises covered under this agreement. GBPC will pay the city for its own electricity. Notwithstanding anything herein to the contrary, GBPC shall be solely responsible for any other utilities used in the operation of its equipment. Any other public safety agency utilizing the facility will pay its own electricity, and other utility charges.

8). The City requires that any new tenant agrees that new radio frequencies to be operated in the future at the Facilities shall have an independent engineer of the Tenants choosing to perform the necessary Interference Study [Intermodulation, Transmitter Noise, and Receiver Desense] to determine if the new applicant's frequencies will cause harmful radio interference to existing site equipment. The New Tenant is responsible to pay for such Interference Study.

The New Tenant shall agree to provide, at their expense, additional equipment or services to mitigate potential interference to the existing site users based upon the results of the Interference Study.

9). If the New Tenant equipment interferes with existing site user radio equipment, the New Tenant shall have the obligation to eliminate any interference at its expense. If such interference is not eliminated to the City's satisfaction, the City shall have the right to terminate this lease.

The City agrees that it will require any subsequent New Tenant of the Facilities to provide existing tenants these same assurances against interference.

10). The City acknowledges that the Equipment delineated in Exhibit A, attached and appended hereto, and all improvements and accessories related to the Equipment are the property of GBPC and shall not be deemed, by the City to be fixtures upon the Premises.

11). Excepting for any damages caused by GBPC or its agents, servants, employees and representatives for which GBPC agrees to be solely responsible, the City shall maintain and repair the Facilities and any easements thereto such that GBPC may utilize the Premises for the purposes and to the extent herein permitted, including, without limitation, the lighting system and markings and the structural integrity of the Premises. The City shall comply with any laws or regulations in the maintenance and repair of the Facility, and shall obtain and renew all of the certificates, permits, and all other approvals, which may be required with respect to its operation of the Premises.

12). Upon completion of constructed Facilities, accept ownership of the Facility, and maintenance of the communications compound.

B. GBPC RESPONSIBILITIES: Under the terms and conditions of this Agreement, GBPC agrees to:

1). Design and construct Facility at their own expense and upon completion, transfer full and complete ownership and maintenance of the facility to the City. The City may elect to add other public safety agencies access to the tower and compound. All non-GBPC equipment will be maintained by the respective Agency.

2). Be solely responsible for telephone costs and any other utilities used in the operation of its equipment.

3). Provide, at no cost to the City, all materials, labor and equipment necessary for the preparation, set up, and operation of the radio equipment located on the premises.

4). Maintain, in acceptable order, all facilities, equipment and improvements provided. GBPC will do everything possible to ensure that no damage is done to any item provided or used at the Premises, including equipment and improvements by other users, except for normal wear and tear. In the event, equipment or improvement by others is damaged by GBPC or its agents, servants, employees and/or representatives, GBPC agrees to indemnify and hold harmless the City from and against any damage or injury claims, including reasonable counsel fees.

5). Abide by all rules, regulations, ordinances, and statutes and obtain license(s) pertaining to the operation of its radio equipment on the premises.

6). Designate a GBPC Contact Person and notify the City within thirty (30) days of execution of this Agreement.

3

7). Vacate the premises upon termination of this agreement, remove all Equipment from the site, and restore areas to their original condition within one year of receiving written notice to do same.

8). Ensure that all persons or entities engaged by GBPC to work on the premises and on City property are skilled and experienced in their trades and maintain the proper licensure if necessary. The GBPC will provide the necessary property and casualty insurance, as agreed to with the City of Fall River. Certificates of Insurance shall be provided prior to the commencement of any work on the premises to the contact person at the City.

2. MISCELLANEOUS: The Parties understand that the Premises is unmanned other than for periodic or emergency maintenance purposes and that environmental impact or extraordinary safety requirements are not anticipated. It is also understood and agreed that no property interest is being conveyed by the City, this agreement being in the nature of a license or right to use the property of the City.

3. TERMS OF AGREEMENT: This Agreement shall be for a term of Ninety-Nine (99) years and effective when signed by both parties and shall remain in full force effect as needed.

4. TERMINATION: Either party may terminate this agreement by providing one year written notice to the other. Neither party may change any term or provision of this Agreement without the written consent of the other party. Any modification to the Agreement will also be in writing.

[*THE REST OF THIS PAGE LEFT INTENTIONALLY BLANK*]

63

WITNESS OUR HANDS AND SEALS THIS ____ OF ____, 2018

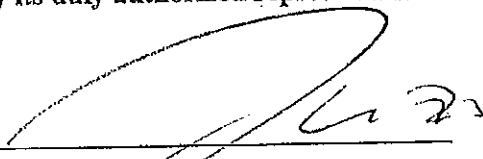
BAPERN

By its duly authorized representative:

Name: _____, Chairman
Greater Boston Police Council

CITY

By its duly authorized representative:



Name: Jastel F. Correia II

Title: Mayor

Date: _____

Approved As To Form & Manner

Atty Joseph Macy, Corporation Counsel

3

EXHIBIT A

Facilities

Premises shall include the following items:

1. 75 Ft x 75 Ft area with 8 Ft high fence and gate with barbed wire
2. 12 Ft x 20 Ft equipment shelter with foundation
3. Standby generator with foundation, fuel tank and automatic transfer switch
4. 180 Ft self-support lattice tower with foundation
5. R-56 grounding guidelines

Equipment

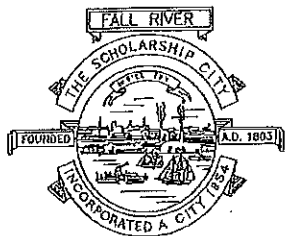
GBPC shall be allowed to install the following equipment in the shelter:

1. Three (3) 90" open rack
2. Four (4) Motorola GTR 8000 UHF Repeater Stations
3. GPS Receiver
4. TENSER T1 Channel Bank and/or IP Routers/Ethernet switches
5. UPS and/or Batteries with Rectifier
6. Passive transmitter combiner and receiver multi-coupler
7. Microwave carrier equipment for multiple paths
8. Additional radio system support equipment

GBPC shall be allowed to install the following equipment on the tower:

1. Six (6) 6db Omni-directional antennas for transmit and receive
2. Three (3) runs of 7/8" antenna transmission line for the transmit and receive antennas
3. GPS antenna
4. Six [6] - 6' parabolic antennas with radome for multiple paths
5. 7/8" antenna transmission lines for multiple microwave paths

4



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

RECEIVED

2018 JUL -9 P 3:13

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor
July 9, 2018

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

RE: Cobblestone Donation to Fall River Historical Society

Council President:

The Fall River Historical Society is requesting that the City donate 250 cobblestones to continue adding borders to the planting areas within their gardens. These cobblestones will match other stones previously donated by the City.

The Historical Society letter is attached for your review. Your approval of this donation is respectfully requested.

Jasiel F. Correia II
Mayor

FALL RIVER HISTORICAL SOCIETY
451 ROCK STREET
FALL RIVER, MASSACHUSETTS 02720

Mayor Jasiel F. Correia II
City of Fall River, Massachusetts
One Government Centre
Fall River, Massachusetts

COPY

Dear Mayor Correia,

On behalf of the board of directors and members of the Fall River Historical Society I am writing to request the contribution of approximately 250 granite cobblestones from the supply currently held in storage by the City of Fall River.

The stones will be used to add additional borders to planting areas in the gardens on the museum grounds, including a large area spans the entire length of the south façade of the building.

When the gardens were originally designed and laid out, the City of Fall River generously provided a large quantity of cobblestones, which were used extensively throughout the grounds bordering walkway, terraces, and planting areas. At that time, a few areas were left without borders for esthetic reasons, but erosion and encroaching plantings have necessitated the installation of additional borders.

In keeping with the mission of the FRHS to preserve and promote the history of Fall River and its multicultural people, it is preferable that the materials used have some connection to the city.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Michael Martins
Curator
1 June 2018



JASIEL F. CORREIA II
Mayor

City of Fall River Massachusetts

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

Purchasing Division

4
RECEIVED

2018 JUL 10 P 4:03

CITY CLERK
RHONDA AVILLA PINNELL
PURCHASING AGENT

July 10, 2018

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

Council President,

In accordance with City Ordinances of the City of Fall River which reads in part as follows:

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

I am submitting to you, a request to donate 250 cobblestones to the Fall River Historical Society to continue adding borders to the planning areas within their gardens. These cobblestones will match other stones previously donated by the City.

Very Truly,

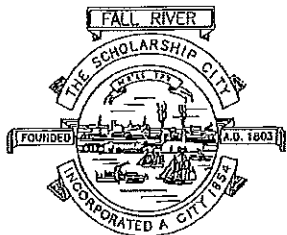
Rhonda Avilla Pinnell

Purchasing Agent

City of Fall River, *In City Council*

4

ORDERED, that under the provisions of Section 2-972 of the Code of the City of Fall River, Massachusetts, 2018, the Mayor be, and is hereby authorized to gift 250 cobblestones, to the Fall River Historical Society.



JASIEL F. CORREIA II
Mayor

City of Fall River
Massachusetts
Office of the Mayor

5
RECEIVED

2018 JUL -6 P 3:15

CITY CLERK
FALL RIVER, MA

June 13, 2018

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

Dear Honorable Council Members:

Massachusetts General Laws Chapter 44, § 53E½ require that an Ordinance be established for revolving funds for use by the City, departments, boards, committees, agencies and officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities.

Your approval of the associated Ordinance is respectfully requested.

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

Best Regards,

Jasiel F. Correia II
Mayor

5

City of Fall River, *In City Council*

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

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

Section 1.

By inserting a new article to read as follows:

Article XI. REVOLVING FUNDS

Section 2.

By inserting in ARTICLE XI, a new section to read as follows:

2-1056 Police Cruiser Revolving Fund

The purpose of this revolving fund is to meet, in whole or in part, expenses relating to the replacement of aging cruisers in the Police Department. The account shall be funded by receipts related to Police Detail with cruisers. The fund will be utilized by the Police Department. The fund shall be held in and appropriated from in manner provided in Massachusetts General Laws, Chapter 53, Section E ½.

City of Fall River, *In City Council*

6

ORDERED, that the City Council hereby appoints the following individual to serve on the Community Preservation Committee:

James E. Soule

The term shall expire on October 28, 2020 to complete the term of Kenneth C. Pacheco.

James E. Soule
577 Rock St, Fall River, MA 02720
508 361 2714 jiminc3@msn.com

Education:

Massasoit Community College ADS 1988
Cape Cod Community College ADN 1993
Fort Leonardwood MO Basic Training 1985
Fort Lee VA AIT 1986

Employment:

USARMY Reserves 1985-1989
Respiratory Therapist Brockton Hospital '86-87
Registered Respiratory Therapist St Lukes New Bedford '87-88
Registered Respiratory Therapist St Annes's Fall River '88-89
Registered Respiratory Therapist Dept Vet Affairs Brockton '88-93
Registered Nurse Staff Dept Vet Affairs Boston '94-01
Registered Nurse CM/Program Director Gabriel Care Fall River '02-08
Registered Nurse Case Manager Dept of Vet Affairs Providence '08-16
Registered Nurse Case Manager Dept of Vet Affairs Boston '16-present

Community Activism:

Co-founder Preservation Society of Fall River, Inc 501c3
President Preservation Society '07-present
Co-founder Arts United Fall River 501c3

Preservation Society High (and low) Points:

Pres Society Re-incorporation '07
Historic House Tours, annual '07-11
Central Congregation Charrette (Abbey Grill) National Register of Historic Places 2012 (SAVED)
CPA adoption, first Massachusetts Gateway city to do so 2014
Efforts to save the King Philip Mill Registered National Register of Historic Places (FAILED)
Establishment of Fall River's first MGL 40C Local Historic District 2017

Personal:

Born Bridgewater, Massachusetts, living in Fall River since 1991. Married Maria Connie Soule, 2 children Nick and Alyssa, 2 step-children Jennifer and Nichole, 6 grandchildren; Sarah, Ethan, Emma, Haley, Jack, and James.
Aside from my professional career revolving the medical field, I have studied and advocated historic preservation as a major economic catalyst. My wife and I have historically restored two National Register Historic Properties in Fall River; Dana Brayton House c.1901 577 Rock St, and Margaret and Martha Peeves House c.1901 256 Maple St, Fall River.

City of Fall River, *In City Council*

(Councilor Stephen R. Long)

WHEREAS, the City Council adopted a resolution on June 12, 2018 requesting that stipends outside of ordinance, state law or collective bargaining agreements cannot be granted to any employee without prior approval of the City Council, now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation meet to discuss the drafting of an ordinance requiring any stipend above \$2,000 be sent to the City Council as an ordinance for approval.

100 Old Faunce Corner Rd - North Dartmouth, MA 02747
(508) 993-2616
www.toyotaofdartmouth.com

CHECK✓ COLLISION

7 Boat Rock Rd - Mattapoisett, MA 02739
(774) 377-3431
www.checkcollision.com

CELL: 774-526-5195

CUSTOMER NO. 48211		ADVISOR CASCIOUS ARRUDA 105218		TAG NO. 362	INVOICE DATE 06/21/18	INVOICE NO. TOCS231699
NORMAN MILAN 107 HARRISON ST FALL RIVER, MA 02723-2122		LABOR RATE		LICENSE NO. 563KY0	MILEAGE 300,000	STOCK NO.
		YEAR / MAKE / MODEL 05/TOYOTA/COROLLA/COROLLA				COLOR TAN/
		VEHICLE I.D. NO. 2 T 1 B R 3 2 E X 5 C 3 7 7 1 3 4				DELIVERY DATE 01/01/05
		F.T.E. NO.				DELIVERY MILES
		P.O. NO.				PRODUCTION DATE 01/01/05
RESIDENCE PHONE		BUSINESS PHONE		COMMENTS		REPRINT# 1
						MO: 300000

JOB# 1 CHARGES

LABOR
J# 1 21 TOZ RECHARGE W/ R134 FREON AND ADDED DYE. (S) 30.75 183.13
EVACUATE, RECLAIM, RECHARGE A/C SYSTEM W/ R134 FREON, AND
ADD DYE--CUSTOMER STATES A/C NOT COLD, AT TIMES DOES NOT
BLOW COLD. CHECK FUSES CUSTOMER STATES SOMEONE PUT A FUSE
FOR AC CHECK IF IT IS CORRECT AND WORKING
ATR.
COMPLETED A/C RECHARGE W/ R134 FREON AND ADDED DYE

PARTS-----	QTY----	FP-NUMBER-----	DESCRIPTION-----	UNIT PRICE-	
	2	00263-00134-01	R134A WARRANTY	18.95	37.90
	1	LEAKTEST	LEAK DYE	18.99	18.99
			TOTAL - PARTS		56.89

MISC-----CODE-----DESCRIPTION-----CONTROL NO-----	
10PP 10% PARTS DISCOUNT	-40.00
TOTAL - MISC	-40.00

JOB# 1 TOTALS-

LABOR	183.13
PARTS	56.89
MISC	-40.00

JOB#	1	JOURNAL PREFIX	TOCS	JOB#	1	TOTAL	200.02
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JOB# 2 CHARGES

LABOR -
JUN 25 21 02Z 908
UPON INSPECTION TECHNICIAN NOTED
RECOVERED AC FOUND ONLY .5LBS OF FREON INSIDE. EVACUATED AND
ADDED DYE AND RECHARGED. AC STILL BLOWING WARM, AND
PRESSURES ON BOTH SIDE VERY HIGH. HIGH SIDE PIPING BURNING
HOT, SEEMS LIKE A RESTRICTION IN AC SYSTEM. MUST DIAGNOSE
FURTHER. NEED 1 HR IN ADDITION TO THE 1.4 FOR THE AC
SERVICE.
CONTINUED WITH DIAGNOSIS AND FOUND CONDENSER FAN
INTERMITTENTLY INOPERATIVE. INSPECTED AND FOUND CONNECTOR
CONTAMINATED AND FIT NOT TO SPECS. TOOK APART AND
CLEANED WITH CONTACT CLEANER, SEALED WITH DIECAST SEAL
SILICONE, AND TIGHTEN PIN FIT. NOW AC FAN WORKING PROPERLY
AND PRESSURES STAYING WITH IN RANGE AND AC BLOWING AT 40
DEGREES.

JOB# 2 TOTALS-

LABOR 234 129.00

JOB#	2	JOURNAL PREFIX	TDCS	JOB#	2	TOTAL	129.00
------	---	----------------	------	------	---	-------	--------

MISC-----CODE-----	DESCRIPTION-----	CONTROL NO-----	
JOB # A	SHS SHOP SUPPLIES		19.95
		TOTAL - MISC	19.95

A Quality Job is our

#1 Goal

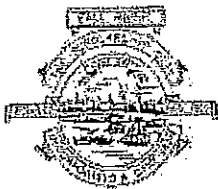
If you were satisfied with these repairs today, please tell your friends. If you were not, please tell us.

Thank You
Parts and Service
Director

Tom Menchi
(508) 993-2616

**Please visit us
online to schedule
your next appointment
www.toyotaofdartmouth.com**

**Thank You
for your
business!**



City of Fall River
Notice of Claim

RECEIVED

2018 JUN 25 A 11:43

CITY CLERK
FALL RIVER, MA
#18-121

1. Claimant's name: Mark Jarden
2. Claimant's complete address: 30 Daisy Ct Somerset MA 02726
3. Telephone number: Home: 508-646-4062 Work: 774-266-3324
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: 6/16/18 Amount of damages claimed: \$ 5610⁰⁰
6. Exact location of the incident: (include as much detail as possible):
43 Lexington St Fall River MA 02723
7. Circumstances of the incident: (attach additional pages if necessary):
43 Lexington was vacant property until April 2018.
water main replacement was conducted by the city in
~ Summer 2017. Main sewer line was damaged at exact
location of water main replacement. Discovered 6/16/18.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 6-25-18

Claimant's signature: [Signature]

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

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

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

For official use only:

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

☒ Water

Date: 6/25/18

12

LAW OFFICE OF PATRICE L. SIMONELLI
ATTORNEYS AND SUPPORT STAFF ARE EMPLOYEES OF
GOVERNMENT EMPLOYEES INSURANCE COMPANY

29 Crafts Street, Suite 200
Newton, Massachusetts 02458
Telephone: (617) 244-0016
Facsimile: (617) 244-0077

2018 JUN 25 P 12: 08

CITY CLERK #118-122
FALL RIVER, MA

Mark R. O'Connor
Paul C. Daly
Christopher R. Lemmons

Patrice L. Simonelli
John E. Stafford
David M. Lentini, II
Charles J. Braley

VIA CERTIFIED AND FIRST CLASS MAIL: 7015 3010 0001 2430 9149

June 20, 2018

City Clerk
One Government Center
Room 227
Fall River, MA 02722

RE: GEICO as Subrogee of Lisa L. Hebert v. Kristen Steakelum and City of Fall River
Fire Department
Claim No.: 0583131480101029

Dear Sir/Madam:

Please be advised this office represents Government Employees Insurance (GEICO) as subrogee of Lisa L. Hebert relative to injuries and property damage sustained in a motor vehicle collision with Kristin Steakelum, an employee of the City of Fall River Fire Department operating a vehicle within the scope of her employment.

Liability:

On or about March 30, 2017, Ms. Hebert was traveling on Palmer Street in Fall River, Massachusetts in her 2010 Dodge when Ms. Steakelum approached Ms. Hebert while responding to an emergency fire call by striking the fire engine trucks tire to left rear portion of Ms. Hebert's vehicle. Please see appended hereto police report marked as Exhibit A. Ms. Steakelum by failing to yield to Ms. Hebert breached the duty of care owed to Mr. Hebert and caused her damages. By employing Ms. Steakelum the City of Fall River Fire Department had a ministerial duty to ensure safe operation of vehicles by its agents.

As a direct and proximate result of the actions listed above Ms. Hebert was caused to have incurred \$7,368.35 in PIP subro damages.



City of Fall River
Notice of Claim

RECEIVED

2018 JUN 26 P 3:59

CITY CLERK #18-123
FALL RIVER, MA

1. Claimant's name: Collin Dias
2. Claimant's complete address: 560 Ray Street, Fall River, Massachusetts 02720
3. Telephone number: Home: 774-707-6790 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Personal Injury
5. Date and time of accident: 2016 Amount of damages claimed: \$ 10,000
6. Exact location of the incident: (Include as much detail as possible):
Facebook
7. Circumstances of the Incident: (attach additional pages if necessary):
Mayor Jasiel Correia II, blocked me on his social media account, forbidding me to comment or react to his content. This is a clear violation of my first amendment rights, because the Mayors Facebook account is a public forum I am now forbidden on.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 6/22/18

Claimant's signature: Collin Dias

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

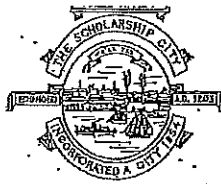
Return this from to: City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

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For official use only:

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

MAJOR'S OFFICE Date: 6/26/18



City of Fall River
Notice of Claim

RECEIVED

2018 JUN 27 P 12:01

12

1. Claimant's name: Maria Barbosa
2. Claimant's complete address: 340 Barnes St Fall River MA 02723
3. Telephone number: Home: 508 324 1091 Work: 508 679 4914
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Property Damage water main broke in street
5. Date and time of accident: called 6/5/18 Amount of damages claimed: \$ 5000
4:00 PM
6. Exact location of the incident: (include as much detail as possible):
Basement
7. Circumstances of the incident: (attach additional pages if necessary):
Bedroom Set, Couch, Rugs, Hats, Sneakers, Cloths,
Books, tools, end table, Bike frame, vacuum

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

(Only for property Damage) mapfre insurance
11 Gore Road, webster, MA 01570
Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

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

Date: 6/25/18 Claimant's signature: Maria R. Barbosa

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

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

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

For official use only:

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

Date: 6/27/18



Council
12

RECEIVED

City of Fall River
Notice of Claim

2018 JUN 27 P 2:02

1. Claimant's name: Helder Silva CITY CLERK 18-125
FALL RIVER, MA
2. Claimant's complete address: 121 Plain St, Fall River, MA 02723
3. Telephone number: Home: 508-837-8350 Work: 508-536-3138
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Property Damage, Part of tree fell on car
5. Date and time of accident: 6/18/18 3:20 PM Amount of damages claimed: \$ 1535.46
6. Exact location of the incident: (Include as much detail as possible):
In front of 115 Plain St, Huge tree growing on side walk
7. Circumstances of the incident: (attach additional pages if necessary):
Tree has not been maintained in the last 7 years I have lived at my residence and does have a little rot where the section of tree fell from the wind that day. The tree is overgrown and has many cables and electrical wires going through it, these broke the fall of the branch on my car.
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
All State 74 State Rd, Dartmouth, MA 02747

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

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

Date: 6/22/2018

Claimant's signature: Helder Silva

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

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

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

For official use only:

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

Date: JUN 27 2018



City of Fall River
Notice of Claim

12
RECEIVED

2018 JUL -2 A 11:45

CITY CLERK #18-126
FALL RIVER, MA

1. Claimant's name: Kerrie A Hall & Robert Resendes
2. Claimant's complete address: 270 Ridge St, Fall River, MA 02721
3. Telephone number: Home: 508-496-9524 Work: 508-679-6486
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: 03/19/2018 Amount of damages claimed: \$ 173.93
6. Exact location of the incident: (Include as much detail as possible):
Second St @ Rodman St, Fall River, MA
7. Circumstances of the incident: (attach additional pages if necessary):
I was heading North on Second St when FRPD vehicle ran red light and we collided. 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

* For collision damage only - Do not have rental on my policy

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: 06/28/2018

Claimant's signature: Kerrie A. Hall & Robert Resendes

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

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

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For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator ☒ P.D.

Date: 7/2/18



City of Fall River
Notice of Claim

RECEIVED

2018 JUL -5 A 10:04

CITY CLERK #18-127
FALL RIVER, MA

1. Claimant's name: Debra Fastino
2. Claimant's complete address: 211 Carl St.
3. Telephone number: (cell) 508-982-3108 Home: 508-982-3108 Work: Same
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Property damage
5. Date and time of accident: 4/20/18 afternoon Amount of damages claimed: \$ \$160.88
6. Exact location of the incident: (include as much detail as possible):
Stafford Rd. going east one of the exits to Seabra.
7. Circumstances of the incident: (attach additional pages if necessary):
It looks like someone repaired it now.
Driving and hit the pothole
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 7/5/18

Claimant's signature: Debra Fastino

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, 2nd Fl., One Government Center, Fall River, MA 02722

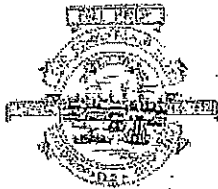
You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

For official use only:

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

DPW

Date: 7/5/18



12
RECEIVED

2018 JUL -6 P 12: 16

City of Fall River
Notice of Claim

CITY CLERK #18-128
FALL RIVER, MA

1. Claimant's name: TYLER MEDEIROS
2. Claimant's complete address: 254 ROBESON ST 1F FALL RIVER MA 02720
3. Telephone number: Home: 7747046176 Work: 5086745600
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
FALL ON PUBLIC WAY
5. Date and time of accident: 06/28/18 8:35AM Amount of damages claimed: \$ 900
6. Exact location of the incident: (Include as much detail as possible):
MANHOLE COVER ON THE SIDEWALK FACING ST. ANNE'S HOSPITAL LOADING DOCK
7. Circumstances of the incident: (attach additional pages if necessary):
I was walking on the sidewalk attached to Melville St. I approached the end of the sidewalk facing Osborn St, and as I was about to walk across the street, I stepped on the manhole cover and it completely caved in from under me. This caused me to fall into the street face first, with my left wrist and right knee breaking majority of the fall from first glance. In succession, this caused my phone to smash against the concrete and shatter the screen amongst other defects. I also lost my lunch after it spread across the street from the fall. I suffered road rash and scrapes on my right knee and right middle finger, as well as a sprained wrist, and damages to my phone and pants.
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: 06/29/2018

Claimant's signature: [Signature]

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

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

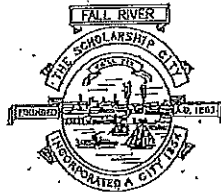
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For official use only:

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

☒ DCM

Date: 7/6/18



RECEIVED

12

2018 JUL -6 P 2:35

City of Fall River
Notice of ClaimCITY CLERK #18-129
FALL RIVER, MA

1. Claimant's name: Anna Sebastian
2. Claimant's complete address: 73 Hodges Ave. Somerset MA 02725
3. Telephone number: Home: 508-567-4408 Work: cell # 774-955-9448
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
damage, auto tires
5. Date and time of accident: 7-5-2018 Amount of damages claimed: \$ 1,357.68
6. Exact location of the incident: (include as much detail as possible):
Leaving South Coast Apartment Place, Fall River MA
7. Circumstances of the incident: (attach additional pages if necessary):
Drifting out South Coast Apartment Place in Fall River
both pass side tires blew out
Spiced on side walks from road damage
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 7-6-2018Claimant's signature: Anna Sebastian

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

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

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For official use only:

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

DCM

Date: 7/6/18

13

**OPEN MEETING LAW COMPLAINT FORM**

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

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: Patrick Last Name: Higgins

Address: P O Box 24

City: Swansea State: MA Zip Code: 02777

Phone Number: +1 (508) 674-3140 Ext. _____

Email: PATRICK@PATRICKHIGGINS.CO

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

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

(For statistical purposes only)

☒ Individual ☐ Organization ☐ Media

Public Body that is the subject of this complaint:

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

Name of Public Body (including city/town, county or region, if applicable): City Council Committee on Public Works and Transportation Committee

Specific person(s), if any, you allege committed the violation: All members

Date of alleged violation: Jun 25, 2018

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.

City Council Committee on Public Works and Transportation committee violated the open meeting law by holding their meeting at the Fall River Government Center knowing that Richard Branco could not attend this meeting under threat of arrest for trespassing. The city administrator, Cathy Ann Viveiros issued a no trespass order to Richard Branco on April 26, 2018 notifying him that his presence in Government Center would result in his arrest for trespassing. The City Council Committee on Public Works and Transportation committee knew or should have known that Richard Branco was prohibited from attending and observing the City Council Committee on Public Works and Transportation committee meeting under threat of arrest and should have moved their meeting to a location where all people, including Richard Branco and any other persons who have been served with No Trespass notices, could attend if they desired to.

See <http://www.heraldnews.com/news/20180619/two-issued-no-trespassing-orders-at-fall-river-government-center>; also Division of Open Government determination letter 2018-77.

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.

Move all meetings of the public bodies from Government Center to a location where no one is prevented from attending and observing the meeting under threat of arrest for trespassing.

Review, sign, and submit your complaint**I. Disclosure of Your Complaint.**

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

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

II. Consulting With a Private Attorney.

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

III. Submit Your Complaint to the Public Body.

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

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

Signed: 

Date: 6/26/18

For Use By Public Body

Date Received by Public Body:

For Use By AGO

Date Received by AGO:

14



OPEN MEETING LAW COMPLAINT FORM

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

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: Patrick Last Name: Higgins

Address: P O Box 24

City: Swansea State: MA Zip Code: 02777

Phone Number: +1 (508) 674-3140 Ext.

Email: PATRICK@PATRICKHIGGINS.CO

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

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

(For statistical purposes only)

☒ Individual ☐ Organization ☐ Media

Public Body that is the subject of this complaint:

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

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

Specific person(s), if any, you allege committed the violation: All members

Date of alleged violation: Jun 26, 2018

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.

Fall River City Council violated the open meeting law by holding their meeting at the Fall River Government Center knowing that Richard Branco could not attend this meeting under threat of arrest for trespassing. The city administrator, Cathy Ann Viveiros issued a no trespass order to Richard Branco on April 26, 2018 notifying him that his presence in Government Center would result in his arrest for trespassing. The Fall River City Council knew or should have known that Richard Branco was prohibited from attending and observing the Fall River City Council meeting under threat of arrest and should have moved their meeting to a location where all people, including Richard Branco and any other persons who have been served with No Trespass notices, could attend if they desired to.

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II. Consulting With a Private Attorney.

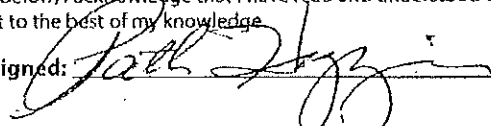
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By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: _____



Date: _____

6/26/18

For Use By Public Body

Date Received by Public Body:

For Use By AGO

Date Received by AGO:

15



OPEN MEETING LAW COMPLAINT FORM

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

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: Patrick Last Name: Higgins

Address: P O Box 24

City: Swansea State: MA Zip Code: 02777

Phone Number: +1 (508) 674-3140 Ext.

Email: PATRICK@PATRICKHIGGINS.CO

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

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

(For statistical purposes only)

☒ Individual ☐ Organization ☐ Media

Public Body that is the subject of this complaint:

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

Name of Public Body (including city/town, county or region, if applicable): Fall River Committee on Economic Development & Tourism

Specific person(s), if any, you allege committed the violation: All members

Date of alleged violation: Jun 26, 2018

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.

Fall River Committee on Economic Development & Tourism violated the open meeting law by holding their meeting at the Fall River Government Center knowing that Richard Branco could not attend this meeting under threat of arrest for trespassing. The city administrator, Cathy Ann Viveiros issued a no trespass order to Richard Branco on April 26, 2018 notifying him that his presence in Government Center would result in his arrest for trespassing. The Fall River Committee on Economic Development & Tourism knew or should have known that Richard Branco was prohibited from attending and observing the Fall River Committee on Economic Development & Tourism meeting under threat of arrest and should have moved their meeting to a location where all people, including Richard Branco and any other persons who have been served with No Trespass notices, could attend if they desired to.

See <http://www.heraldnews.com/news/20180619/two-issued-no-trespassing-orders-at-fall-river-government-center>; also Division of Open Government determination letter 2018-77.

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

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Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

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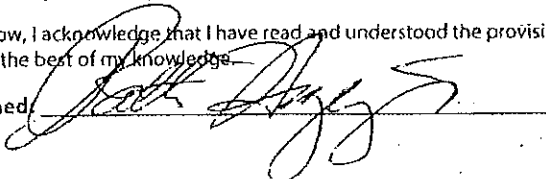
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III. Submit Your Complaint to the Public Body.

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

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

Signed



Date:

6/26/18

For Use By Public Body

Date Received by Public Body:

For Use By AGO

Date Received by AGO:

RECEIVED
 Dear Members of The Fall River City Council

2018 JUL -5 P 2:05

Dear City Councilors, it's been 9 1/2 years since
 FALL RIVER'S School Lunch Program was ^{CEASE} ~~DESTROYED~~ &
 Decimated by former Mayor Will Flanagan twisted
 Beyond Comprehension And SOLD DOWN THE RIVER
 in this case FALL RIVER. One of the reasons I'm
 bringing this serious matter - I hope & believe, or Consider
 it serious enough to do something about. You should Care
 About Putting FALL RIVER'S School Lunch Program Back
 Into FALL RIVER MASS. AGAIN - Not some Catering
 Company from New York - Making A Profit from it and leaving
 crumbs to, and for Fall River to pick up. Do you REALLY
 WANT THAT FOR THE FUTURE OF FALL RIVER EVERYTHING
 TO BE CONTROLLED, AND REGULATED BY PRIVATIZATION?
 Look what was done to the Trash Program BML - SOLD
 DOWN THE RIVER twisted by the way also means
 UNIONIZED TOO By the way the only question I ask
 myself is why don't they care enough to do something
 about putting this SCHOOL LUNCH BACK INTO FALL RIVER
 AGAIN, Somerset MASS. Dropped it - PRIVATIZATION
 Several years ago, so it can be Considered NORMAL
NOT ABNORMAL. IF FALL RIVER CAN PUT OUT FRESH FRUIT
 AND VEGETABLES AND COOK FRESH HEALTHY MEALS FOR
 FALL RIVERITES NOT A CATERING COMPANY FROM NEW
 YORK When A Lawyer whom was once a Mayor

We ~~impacted~~, because of his Policies.

By Another way - That's a Typical Liberal Lawyer's
 Trait by the way - THEY DESTROY EVERYTHING
 THEY TOUCH. However I will Admit Former
 Mayor Flanagan also did many positive
 things - too along the way such as ^{re}build
 the Somerset Street Bridge - But you must
 first start to do something about this today
 so when tomorrow arrives - we'll try - we'll
 do,

CITIZEN OF FALL RIVER WHOM
 CARES ABOUT THE DIRECTION IT'S
 GOING IN, AND TO THE PEOPLE
 SEEN AND UNSEEN WHOM DO NOT
 WANT CORRUPTION TO ENTER INTO
 THIS City.

COMMITTEE ON FINANCE

MEETING: Tuesday, August 15, 2017 at 6:00 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator
Chief John D. Lynch, Fall River Fire Department
Beth Faunce, Deputy Director of Emergency Medical Services
Christine Tetreault, Administrator, Fall River Retirement Board

The chair called the meeting to order at 6:12 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

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

Before Discussion of Financial Matters:

Alan Silvia, 684 Woodman Street – King Philip Mill & Home Rule Petition
Kenneth Medeiros, 221 Osborn Street – JZ Express Body Shop
Nancy Correia, 221 Osborn Street – JZ Express Body Shop
Alita Rogers, 230 Osborn Street – JZ Express Body Shop
Michael Martin, 180 President Avenue – Liquor License
Sunil Sunkara, 1755 South Main Street – Liquor License

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to waive the rules and allow citizen input to exceed 30 minutes.

CJ Ferry, 300 Buffinton Street – Appointment
Don Vezina, 928 Rock Street – Liquor License
Kris Bartley, 83 Norfolk Street – Charter Ballot Question
Albert Karam, 445 Adams Street – Liquor License
Gerald Fallon, 100 Maple Street – Roads

Tom & Cindy St. Pierre, 999 Wm. S. Canning Blvd. – Home Rule Petition
On a motion made by Councilor Joseph D. Camara and seconded by Councilor Cliff Ponte, it was unanimously voted to waive the rules and allow Tom & Cindy St. Pierre to exceed 3 minutes to finish their statement.

Rob Mellion, 200 Pocasset Street – Home Rule Petition
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Steven A. Camara, it was unanimously voted to waive the rules and allow Rob Mellion to exceed 3 minutes to finish his statement.

Steve Cowen, 105 Massachusetts Ave., Suite 2F, Cambridge, MA – Home Rule Petition
Ron Golub, 105 Massachusetts Ave., Suite 2F, Cambridge, MA – Home Rule Petition
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to waive the rules and allow non Fall River residents to speak and Steven Cowen and Ron Golub to exceed 3 minutes to make their statement.

Dan Robillard, 145 Old Second Street – Citizen Input
Erica Scott, 187 Pitman Street – Citizen Input
Pat Casey, 8 Mt. Hope Avenue – Liquor Licenses
Augie Venice, 25 Wrights Way – Charter
Glenn Viens, 710 Langley Street – Liquor Licenses
Manny Chaves, 7 Daniel Lane, Swansea, MA – Liquor License
On a motion made by Councilor Steven A. Camara and seconded by Councilor Richard Cabeceiras, it was unanimously voted to waive the rules and allow Manny Chaves to exceed 3 minutes to finish his statement.

Joseph A. Zaibak, 78 Fountain Street – Joe's Liquor
Carlos Cesar, 367 Frost Street – Liquor License
Matthew Porter, 340 Rhode Island Avenue – Liquor License
Jay Patel, Jay's Wine and Spirits, 340 Rhode Island Avenue – Liquor License

President Shawn E. Cadime requested a two minute recess at 10:46 p.m. and the City Council reconvened at 10:50 p.m.

Agenda:

1. Order establishing spending limits for Revolving Funds for FY 2018
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the full council for action.

2. Order to adopt Chapter 467 of the Acts of 2008 "An Act Relative to the Retirement Benefits of Emergency Medical Technicians"
Councilor Linda M. Pereira asked what the additional costs would be for this change in retirement benefits for Emergency Medical Technicians. The Administrator for the Fall River Retirement Board stated approximately \$195,000.00 annually. The Deputy Director for Emergency Medical Services stated that Emergency Medical Services certified \$1.2 million dollars for the general fund, after all their expenses are paid so they are 100% self-supporting. The City Administrator stated that the City of Fall River is losing medics to other services, due to lack of benefits that other services and cities and towns offer. She then stated that the City of Fall River is not an easy city to work as a medic, due to numerous multi-family homes with many difficult stairways to carry patients. The Fire Chief stated that since February the City has lost 7 full time paramedics, causing the department to rehire new individuals. In the last year they have lost a total of 10 full time paramedics.

Vice-President Linda M. Pereira took to podium to allow President Shawn E. Cadime to speak. President Shawn E. Cadime questioned if the additional costs of \$195,000.00 could be absorbed by the Enterprise Fund. The Deputy Director of Emergency Medical Services stated that it could. He then asked how many other communities have Group 4 Retirement. The Deputy Director of Emergency Medical Services stated Wareham, Boston, Lynn, Lowell and others that she is unaware of. President Shawn E. Cadime returned to the podium at 11:14 p.m.

On a motion made by Councilor Richard Cabeceiras and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the full council for action.

Citizens' Input Time – After Discussion of Financial Matters:
None

On a motion made by Councilor Cliff Ponte and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to adjourn at 11:15 p.m.

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

Cullen A. Taylor
Clerk of Committees

COMMITTEE ON FINANCE

MEETING: Thursday, September 14, 2017 at 6:00 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator
Mary Sahady, Director of Financial Services
Joseph I. Macy, Corporation Counsel
Elizabeth A. Camara, Chairperson, Board of Election Commissioners
Kris Bartley, Vice-Chairman, Charter Commission

The chair called the meeting to order at 6:00 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

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

Before Discussion of Financial Matters:

CJ Ferry, 300 Buffinton Street – Charter/Residency

August Venice, 25 Wright's Way – Charter

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to waive the rules and allow Mr. Venice to exceed 3 minutes to finish his statement.

Gloria Saddler, 318 Jencks Street – Charter

Kris Bartley, 83 Norfolk Street – Charter Ballot Question

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to waive the rules and allow Mr. Bartley to exceed 3 minutes to finish his statement.

Jim Pimental, 210 Dwelly Road – Wage Theft

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Joseph D. Camara, it was unanimously voted to waive the rules to allow a non-Fall River resident to speak.

On a motion made by Councilor Cliff Ponte and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to waive the rules and allow citizen input to exceed 30 minutes.

Pat Casey, 26 Mt. Hope Avenue – Home Rule Petition
Dale Freedman, 424 Dwelly Street – Home Rule Petition

Agenda:

1. Mayor & Corp. Counsel re: Charter Commission ballot question and summary to be placed on the Municipal Election Ballot, November 7, 2017

Corporation Counsel stated that he would like to make something crystal clear; he stated that he represents the City of Fall River and not the Charter Commission or the Secretary of State. He also stated that he has worked with the Charter Commission, because they don't have staff but he does not represent them. Councilor Richard Cabeceiras stated that he is willing to have a Special City Council Meeting to vote on this matter if it is necessary, as this is such an important issue.

Corporation Counsel then stated that he has informed the Charter Commission that while his office has attempted to be helpful, it is the Charter Commission not the Office of the Corporation Counsel that is ultimately responsible for submission to the voters.

Kris Bartley, Vice-Chairman of the Charter Commission stated that there would not be any other changes to the Charter. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Raymond A. Mitchell, it was voted 5 yeas, 4 nays to table the matter with Councilors Joseph D. Camara, Steven A. Camara, Pam Laliberte-Lebeau and Stephen R. Long voting in the negative.

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Linda M. Pereira, it was unanimously voted to take items #2 and #3 together.

2. Resolution – Committee on Finance convene with City Administrator and Director of Financial Service to discuss FY2018 budget cuts within various departments
3. Resolution – Committee on Finance convene with Administration to review all expense adjustments made in balancing of the Fiscal Year 2018 budget

Councilor Cliff Ponte asked why the Police and Fire Departments budgets were cut when the City Council cut the Administrative Services budget. The Director of Financial Services stated that computer software programs that were originally in various departmental budgets are now all in the MIS department budget. Therefore the cuts were made in the MIS department budget, but it will affect various departments. Vice-President Linda M. Pereira took the podium to allow President Shawn E. Cadime to speak at 7:45 p.m. He stated that public safety is a priority and he would like to see the cuts made in other departments, not police and fire. He then stated that it was not his intent to cut police and fire department budgets. He also mentioned that the consolidation of copy machines is actually costing the City more money, not saving money. President Shawn E. Cadime returned to the podium at 8:18 p.m.

Citizens' Input Time – After Discussion of Financial Matters:
David Pitts, 324 Locust Street – Section 18B, Item #16

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted to adjourn at 8:56 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
CD and DVD of meeting

Colleen A. Taylor
Clerk of Committees

CITY COUNCIL PUBLIC HEARINGS

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

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

ABSENT: None

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator
Joseph I. Macy, Corporation Counsel
William G. Kenney, City Planner
Alice Fagundo, Planning Board Member
Mario Lucciola, Planning Board Member
Charles Moniz, Planning Board Member
Attorney Keith Paquette, Chair, Planning Board
Cynthia Sevigny, Planning Board Member

The President called the meeting to order at 5:16 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearing was to hear all persons interested and wishing to be heard on the following:

Councilor Steven A. Camara arrived at 5:22 p.m. and Councilor Stephen R. Long arrived at 5:25 p.m.

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

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

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Cliff Ponte, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and the following proponents came forth:

1. *Cathy Ann Viveiros, City Administrator came forth to give an overview of the King Philip Mills Overlay District. She then stated that the residents of this area are in favor of the overlay district.*
2. *Michelle Dionne, 5 Byron Street came forth and stated that she is in favor of the overlay district. She then stated that she believes that this is in the best interest of the neighborhood.*

The President then directed the opponents to be heard and the following came forth:

1. C.J. Ferry, 300 Buffinton Street came forth and stated that he is not a proponent of market rate housing. He asked if there will be a minimum of two parking spaces per unit, as there are not sufficient parking spaces surrounding the King Philip Mills.

Councilor Linda M. Pereira asked if this would be considered spot zoning and the City Planner stated that it would not.

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

Second Hand Article Store

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

On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Stephen R. Long, it was unanimously voted to close the hearing.

On a further motion made by Councilor Raymond A. Mitchell and seconded by Richard Cabeceiras, it was unanimously voted to adjourn at 5:41 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

CD and DVD of meeting

A true copy. Attest:



City Clerk

CITY COUNCIL PUBLIC HEARING

MEETING: Tuesday, June 26, 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: Michael Rodrigues, 49 Arthur Street
Adolf Frias, 18 Winslow Street
William Roth, City Planner
Attorney Kenneth Fiola, Jr., Executive Vice-President, FROED
Emily Keys Innes, AICP, LEED AP ND, Associate, Senior Urban Planner
Harriman Associates, 170 Milk Street, Suite 5, Boston, MA 02109-3438

The President called the meeting to order at 5:54 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:

Curb Removals

1. Rhode Island Ave., LLC, 154 Rhode Island Ave., requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
154 Rhode Island Ave. Approx. 68' Aetna Street		12'	0'	80'
		Rhode Island Ave.		

The petitioner is requesting to open a second 12 foot driveway onto Rhode Island Avenue, which is intended to improve circulation and access. 154 Rhode Island Avenue is a commercial property at the corner of Aetna Street and Rhode Island Avenue. The property maintains an existing driveway along Aetna Street with approximately 40 feet without curb and 28 feet painted yellow (no parking) asphalt berm, which is easily traversable in a vehicle. The work does not impact on-street parking. Engineering has no objection to the new driveway opening on Rhode Island Avenue, but recommends the paint indicating no parking against the Cape Cod berm on Aetna Street be removed as there is a "No Parking" zone in ordinance applicable to that location.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to close the hearing.

2. Stephen and Doreen Soares, 97 Holden Street, request the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
97 Holden Street	14.5'	5'	0'	19.5'

The petitioners are requesting to widen the driveway by 5 feet, which is intended to improve circulation and access to the property. 97 Holden Street is a multi-family property at the corner of Holden Street and Fielden Street, which maintains an existing 14.5 foot driveway and serves a large parking area and a two-car garage that is attached to the residence. The work does not impact utilities or signage, and does not significantly impact on-street parking.

On a motion made by Councilor Shawn E. Cadime 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 there were no proponents, but a letter had been previously submitted by the petitioners and it was read by the City Clerk (copy of said letter is attached hereto and made a part of these minutes). 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 Stephen R. Long, it was unanimously voted to close the hearing.

3. Lourenco Botelho, 57 Florence Street, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
57 Florence Street	11' 4"	8' 8"	0'	20'

The petitioner is requesting to widen the curb cut by 8 feet 8 inches to the east side of the existing 11 foot 4 inch driveway. The work does not impact utilities or signage, and does not significantly impact on-street parking.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Stephen R. Long and seconded by Councilor Shawn E. Cadime, it was unanimously voted to close the hearing.

4. Daniel and Erin-Beth Reilly, 704 Brayton Avenue, request the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
704 Brayton Avenue	32'	23'	0'	55'

The petitioners are requesting to widen the curb cut by 23 feet to the existing 32 foot driveway to provide access adjacent to their driveway that serves a double garage setback a short distance from the right-of-way. The work does not impact utilities or signage, and does not significantly impact on-street parking.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to close the hearing.

5. Greenwater Realty, LLC c/o Xiphias Wellness, 5 Pottersville Road, Little Compton, RI., requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
482 Globe Street	0'	28'	0'	28'

The petitioner is requesting to construct a commercial width driveway to serve their property, which is currently accessed via an abutter's driveway. The work does not impact utilities or signage, and does not significantly impact on-street parking.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Derek R. Viveiros, it was unanimously voted to close the hearing.

Street Acceptances

6. The acceptance of Arthur Street, extending from Ashley Street to Sidney Street
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and Michael Rodrigues of 49 Arthur Street came forward. He stated that Arthur Street and Ashley Street are in deplorable condition and need to be paved as soon as possible. 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 Stephen R. Long, it was unanimously voted to close the hearing.

7. The acceptance of Ashley Street, extending from North Main Street to a dead end
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and Michael Rodrigues of 49 Arthur Street came forward. He stated that Arthur Street and Ashley Street are in deplorable condition and need to be paved as soon as possible. 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.

8. The acceptance of Winslow Street, extending from North Main Street to a dead end
On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Stephen R. Long, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and Adolf Frias of 18 Winslow Street came forward. He stated that he has lived there for eighteen years and the street gets worse every year. He stated that this is a small dead end street that is mostly dirt and is in need of repair and paving. 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 Stephen R. Long, it was unanimously voted to close the hearing.

Urban Renewal Plans

9. Waterfront Urban Renewal Plan

On a motion made by Councilor Shawn E. Cadime 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 Emily Keys Innes of Harriman Associates, William Roth, City Planner and Kenneth Fiola, Jr. of FROED came forward. A Power Point presentation was

given by Emily Keys Innes of the Waterfront Urban Renewal Plan. Councilor Pam Laliberte-Lebeau asked if the property owners had been notified. Kenneth Fiola stated that there were two public meetings in 2017 and property owners have been notified. Councilor Shawn E. Cadime asked if there was a vote needed tonight on this matter. Emily Keys Innes stated that there was no vote needed this evening. William Roth stated that a master plan is good for about twenty years. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to close the hearing.

10. Downtown Urban Renewal Plan

On a motion made by Councilor Stephen R. Long 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 there were no proponents. 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 Stephen R. Long, 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 7:13 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
DVD of meeting
Letter from Stephen & Doreen Soares
Waterfront Urban Renewal Plan
Downtown Urban Renewal Plan

A true copy. Attest:


City Clerk

Stephen J. Soares
Doreen A. Soares

RECEIVED

97 Holden Street
Fall River Ma. 02723

2018 JUN 22 A 9:23

CITY CLERK _____
FALL RIVER, MA

June, 21, 2018

To whom it may concern,

My wife and I will both be out of state all of next week and will not be able to attend the hearing on 6/26/18 regarding our proposed curb cut application.

The current driveway opening is only 14.5 feet in width and people park their vehicles tight to either side of the existing driveway opening. Holden Street is only 26 feet wide and it is very difficult to enter and exit the current drive when vehicles are parked tight to the existing curb opening as well as on the other side of the street. This situation gets worse when these people park 6 inches or more away from the curb which they do quite frequently.

Thanks for the consideration

Stephen J. Soares
Doreen A. Soares



REGULAR MEETING OF THE CITY COUNCIL

MEETING: Thursday, September 14, 2017 at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: None

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

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

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

ORDERS – HEARINGS

Second Hand Article Store

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

ORDERS – MISCELLANEOUS

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

A motion was made by Councilor Steven A. Camara and seconded by Councilor Cliff Ponte to adopt the order. Councilor Steven A. Camara stated that Corporation Counsel was in the Council Chamber if any member of the City Council has questions. He then asked, do we provide voters with the maximum amount of information on one of the most important issues facing our

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

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

PRIORITY MATTERS

1. Mayor and authorization to proceed with permitting process for eight proposed billboards
On a motion made by Councilor Steven A. Camara and seconded by Councilor Raymond A. Mitchell, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation.

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

PRIORITY COMMUNICATIONS

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

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

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

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

First Reading:

4. Proposed Ordinance – Traffic, miscellaneous

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

5. Proposed Ordinance – Personnel, City Council Principal Clerk

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

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

All readings with Emergency Preamble:

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

Second Reading and enrollment, as amended:

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

Adoption:

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

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

Grant leave to withdraw:

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

11. Resolution – Travel expenses in excess of \$1,000.00 be approved by City Council
On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 5 yeas, 4 nays that the proposed ordinance be granted leave to withdraw, with Councilors Richard Cabeceiras, Raymond A. Mitchell, Linda M. Pereira and Shawn E. Cadime voting in the negative.

ORDINANCES

Proposed:

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

Second Reading and enrollment:

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

RESOLUTIONS

14. Request Amazon consider Fall River for the location of their second headquarters
On a motion made by Councilor Raymond A. Mitchell and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the resolution.
Approved, September 22, 2017, Mayor Jasiel F. Correia II

CITATIONS – None

ORDERS – MISCELLANEOUS

17. Police Chief's report on licenses:

Taxicab Drivers:

Sharon Acevedo	Joseph A. Andre	Melissa Carvalho	Starlex Dorcelly
James Furtado	Kenneth Rego	Juan Serrano	Caree Smith

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

18. Auto Repair Shop license renewals:

Daniel J. Mello, Mello's Diesel Service, Inc. at 185 Williston Street
 Henry J. Gauthier, Henry's Tire Service, Inc. at 714 Globe Street
 Souhad Saliba, JZ Express, Inc. at 969 South Main Street

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

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

19. Auto Body Shop license renewals:

Manuel Felix d/b/a Felix Auto Collision Center at 1201 Slade Street
 Souhad Saliba, JZ Express, Inc. at 969 South Main Street

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

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

COMMUNICATIONS – INVITATIONS – PETITIONS

20. Drainlayer license - SJM, LLC

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

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

21. Claims

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

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

City Council Committee/Meeting Minutes:

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

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

BULLETINS – NEWSLETTERS – NOTICES

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

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

OTHER POTENTIAL MATTERS TO BE ACTED UPON

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

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

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

PRIORITY COMMUNICATIONS

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

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

ORDERS – HEARINGS

Hearing to be scheduled:

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

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

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

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

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

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

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

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

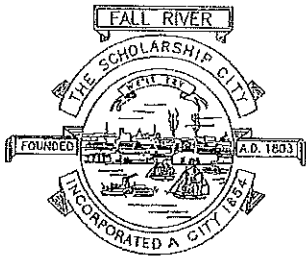
CD and DVD of meeting

Letter of objection for item #15

A true copy. Attest:



City Clerk



City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2018 JUL 11 P 3:16

CITY CLERK _____
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

AMENDED
ORIGINAL POSTING: JULY 10, 2018 AT 2:39 PM

INÊS LEITE
ASSISTANT CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
THURSDAY, JULY 12, 2018
AGENDA

5:15 P.M. COMMITTEE ON REAL ESTATE

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

1. Citizen Input
2. *Transfers and appropriations (see item #1 below)
3. *Discussion re: assurance that no destruction will occur to Alfred J. Lima Quequechan River Rail Trail (resolution adopted 6-26-18)
4. *Discussion re: reversal and/or withdrawal of easement provided to the Cloverleaf Mills, LLC (resolution adopted 6-26-18)
5. *Request for \$1,500,000 for costs of Feasibility Study at Diman Regional Vocational Technical High School (referred 5-15-18)

7:00 P.M. REGULAR MEETING OF THE CITY COUNCIL OR IMMEDIATELY FOLLOWING THE COMMITTEE ON FINANCE MEETING IF THAT MEETING RUNS PAST 7:00 P.M.

PRIORITY MATTERS

1. *Transfers and appropriations (see item #2 above)

FROM:

Claims & Damages	\$ 120,000
Veteran's – Expenses	\$ 413,172
Insurance	\$ 55,023
Fire – Salaries	\$ 185,222
Community Services – Salaries	\$ 107,988
Community Maintenance – Salaries	\$ 25,000
Financial Services – Salaries	\$ 94,504
Other Assessments	\$ 904,889
TOTAL:	\$1,905,798

TO:

Financial Services – Expenses	\$ 37,076
Administrative Services – Expenses	\$ 282,914
Community Maintenance – Expenses	\$ 25,000
City Clerk – Expenses	\$ 3,450
Debt Service	\$ 10,598
Elections – Salaries	\$ 34,386
Veterans' Benefits – Salaries	\$ 22,007
Vocational Assessments	\$ 37,959
Snow Removal	\$1,452,408
TOTAL:	\$1,905,798

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

2. *Mayor and order establishing spending limits of Revolving Funds for Fiscal Year 2019
3. *Mayor and agreement for the Greater Boston Police Council to construct a wireless telecommunications facility on city-owned property at Copcut Hill
4. *Mayor and request for donation of 250 cobblestones to the Fall River Historical Society
5. *Mayor and proposed ordinance for the creation of a Police Cruiser Revolving Fund
6. *Appointment of James E. Soule to the Community Preservation Committee

PRIORITY COMMUNICATIONS

7. Traffic Commission recommending amendments to traffic ordinances

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

8. *Committee on Ordinances and Legislation meet to discuss drafting an ordinance requiring City Council approval of any stipend exceeding \$2,000

CITATIONS

9. Elizabeth A. Camara – Retirement after 29 years of dedicated service

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

10. Police Chief's report on licenses:
Taxicab Drivers:

Jairim Calais	Carol Correia	Jacques Dumont
Devin Miranda	Victoria Quintal	
11. Revocation of license for storage of inflammables at request of owner:
 52 Ferry LLC, to store 2,100,000 gallons of petroleum products at 52 Ferry Street

COMMUNICATIONS – INVITATIONS – PETITIONS

12. *Claims
13. *Open Meeting Law Complaint from Patrick Higgins re: June 25, 2018 City Council Committee on Public Works and Transportation Meeting
14. *Open Meeting Law Complaint from Patrick Higgins re: June 26, 2018 City Council Meetings
15. *Open Meeting Law Complaint from Patrick Higgins re: June 26, 2018 City Council Committee on Economic Development and Tourism Meeting
16. *Communication from resident regarding School Lunch Program
- City Council Meeting Minutes:
17. *Committee on Finance – August 15, 2017
18. *Committee on Finance – September 14, 2017
19. *Public Hearings – September 14, 2017
20. *Public Hearings – June 26, 2018
21. *Regular Meeting of the City Council – September 14, 2017

BULLETINS – NEWSLETTERS – NOTICES – None

Alison M Bouchard
 City Clerk

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

ITEMS FILED AFTER THE AGENDA WAS PREPARED:
CITY COUNCIL MEETING DATE: JULY 12, 2018

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

All Readings with Emergency Preamble:

*Proposed Ordinance – Traffic, Handicapped Parking

First Reading:

*Proposed Ordinance – Traffic, Miscellaneous

*Proposed Ordinance – Traffic, President Avenue

*Proposed Ordinance – Pay As You Throw – Enforcement

*Proposed Ordinance – Crime and Data Analyst – Police Department

Grant leave to withdraw:

*Proposed Ordinance – Fee Schedule, Parking Meter Fees

Committee on Public Works and Transportation recommending:

Adoption:

*Order – Curb Removal – 325 South Beacon Street

Adoption, as amended:

*Orders – Mobilitie, LLC to attach wireless backhaul transport equipment to existing poles owned by National Grid and Verizon as follows:

- a. Hanover Street and New Boston Road
- b. Franklin and High Streets
- c. Rodman and Lonsdale Streets
- d. Lyon and Third Streets
- e. Dover and Tecumseh Streets
- f. Plymouth Avenue and End Street
- g. Orange and Cherry Streets

*Orders – New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, including fiber optic cable, remote nodes and pole top antennas, to be attached to existing National Grid utility poles and install underground conduits or direct bury fiber cables as follows:

- a. 887 Plymouth Avenue, Pole #4
- b. 188 Nashua Street, Pole #7
- c. 70 William Street, Pole #3/6874
- d. 372 Plymouth Avenue, Pole #22-3
- e. 170 Baird Street, Pole #260/8
- f. 191 Aetna Street, Pole #17
- g. 35 Pelham Street, Pole #246/1/490
- h. 1069 Plymouth Avenue, Pole #1240S
- i. 23 Norfolk Street, Pole #597
- j. 565 Bedford Street, Pole #17/28 near Bank 5 sign
- k. 738 Oak Grove Avenue, Pole #38-84
- l. 229 Coggeshall Street, Pole #282/5

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

OTHER POTENTIAL MATTERS (to be acted upon if recommendation is received)
Report of the Committee on Real Estate:

Orders for City's Safe Routes to School project for the Carlton Viveiros
Elementary School located at 525 Slade Street

- a. Order of Taking
- b. Declaration and dedication of public land located at Slade, Lewis, Dwelly and
Scott Streets for temporary construction purposes and perpetual public access
and public way purposes

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on July 10, 2018, voted unanimously to recommend the accompanying proposed ordinance, accompanied by an emergency preamble, be passed through first reading, second reading, passed to be enrolled and passed to be ordained, with Councilors Shawn E. Cadime and Pam Laliberte-Lebeau absent and not voting.

William A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

EMERGENCY PREAMBLE

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

BE IT RESOLVED, that said ordinance is hereby deemed an emergency measure in accordance with the provisions of Section 2-9(b) of the City Charter.

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 12 2018

City of Fall River, *In City Council*

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

That Chapter 70 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to traffic be amended as follows:

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

Name of Street	Side	Location
Crawford Street	East	Starting at a point 25 feet south of Larouche Street, for a distance of 20 feet southerly
Diman Street	West	Starting at a point 100 feet north of Bradford Avenue, for a distance of 20 feet northerly
Eastern Avenue	East	Starting at a point 429 feet south of Horton Street, for a distance of 20 feet southerly
Oliver Street	North	Starting at a point 402 feet west of Broadway, for a distance of 20 feet westerly
Ridge Street	West	Starting at a point 124 feet south of Cottage Street, for a distance of 20 feet southerly
South Main Street	West	Starting at a point 63 feet south of Center Street, for a distance of 20 feet southerly
Tuttle Street	East	Starting at a point 87 feet south of Charles Street, for a distance of 20 feet southerly

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 12 2018

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on

Ordinances and Legislation, at a meeting held on July 10, 2018, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading, with Councilors Shawn E. Cadime and Pam Laliberte-Lebeau absent and not voting.


Carmen A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

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

That Chapter 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 70-385, which section relates to loading zones, in proper alphabetical order the following:

Name of Street	Side	Location	Hours/Days
Columbia Street	North	Starting at a point 63 feet east of Mulberry Street for a distance of 23 feet easterly	5:00 a.m. – 3:00 p.m. Monday through Sunday

Section 2.

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

Name of Street	Side	Location
Wellington Street	South	Starting at a point 137 feet west of Fulton Street, for a distance of 20 feet westerly

CITY OF FALL RIVER
IN CITY COUNCIL
JUL 12 2018

Proposed Ordinance – Traffic, President Avenue
CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on July 10, 2018, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading, with Councilors Shawn E. Cadime and Pam Laliberte-Lebeau absent and not voting.


Clerk of Committees

City of Fall River, *In City Council*

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

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

By inserting in section 70-372, which section relates to parking prohibited during certain hours, in proper alphabetical order the following:

- (13) 7:00 a.m. – 4:00 p.m. Monday through Friday
President Avenue, south side, starting at a point 30 feet east of Stetson Street for a distance of 739 feet easterly

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 12 2018

Filed 2-13-18

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on July 10, 2018, voted to recommend that the accompanying proposed ordinance be passed through first reading, with Councilor Derek R. Viveiros opposed and Councilors Shawn E. Cadime and Pam Laliberte-Lebeau absent and not voting.

Calleen A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

(Councilor Stephen R. Long)
(Councilor Pam Laliberte-Lebeau)

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

That Chapter 62 of the Code of the City of Fall River, 2018, which chapter relates to solid waste be amended as follows:

By striking out in Section 62-48, "Enforcement shall only be against the generator of the trash." and inserting in place thereof "Enforcement shall be against the property owner."

CITY OF FALL RIVER
IN CITY COUNCIL
JUN 12 2018

*Referred to the Committee
on Ordinances and Legislation*

CITY OF FALL RIVER
IN CITY COUNCIL
JUL 12 2018

Proposed Ordinance – Crime and Data Analyst – Police Department
CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on July 10, 2018, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading, with Councilors Shawn E. Cadime and Pam Laliberte-Lebeau absent and not voting.

Colleen A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

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

That Chapter 50 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Personnel, be amended as follows:

Section 1.

By inserting in Section 50-281, which section relates to classification schedule, in proper alphabetical order the following:

Crime and Data Analyst – Police Department 50-301

Section 2.

By inserting in Section 50-301, which section relates to salary schedules for executive officers, department heads and non-union personnel, in proper alphabetical order the following:

Crime and Data Analyst – Police Department July 1, 2018 Not to exceed \$60,000.00

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 26, 2018

*Referred to the
Committee on Ordinances
And Legislation, 8 years, 1 may*

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 12 2018

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on July 10, 2018, voted unanimously to recommend that the accompanying proposed ordinances be granted leave to withdraw, with Councillors Shawn E. Cadime and Pam Laliberte-Lebeau absent and not voting.

Colleen A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

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

That Chapter 110 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to fee schedule be amended as follows:

By striking section 70-345 in its entirety and inserting in place thereof the following:

Section 70-345 Parking Meter Fees:

30-minute zones	\$.50
1-hour zones	\$1.00
2-hour zones	\$2.00

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 12 2018

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted.


Clerk of Committees

City of Fall River, *In City Council*

WHEREAS, the following order for a curb removal was as follows:

ORDERED, that permission be and the same is hereby granted to:

Jana and Justin Mercier, 325 S. Beacon Street, request the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
325 S. Beacon Street	16'	11' 9"	0'	27' 9"

The petitioners have two existing driveway openings at 325 S. Beacon Street which total 27' 9". They are intending to pave on their property and put the 11' 9" opening into regular use for tenants living at the property. The work provides improved access to the existing lot and results in a minimal impact to on-street parking. The property owner is utilizing this process to formalize a preexisting grandfathered curb cut.

and, on June 26, 2018 the order was referred to the Committee on Public Works and Transportation now therefore, be it

ORDERED, that permission be and the same is hereby granted to:

Jana and Justin Mercier, 325 S. Beacon Street, request the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
325 S. Beacon Street	16'	11' 9"	0'	27' 9"

The petitioners have two existing driveway openings at 325 S. Beacon Street which total 27' 9". They are intending to pave on their property and put the 11' 9" opening into regular use for tenants living at the property. The work provides improved access to the existing lot and results in a minimal impact to on-street parking. The property owner is utilizing this process to formalize a preexisting grandfathered curb cut.

**CITY OF FALL RIVER
IN CITY COUNCIL**

JUL 12 2018

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

William A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

ORDERED, that permission be and the same is hereby granted to:

Mobilitie, LLC to attach wireless backhaul transport equipment to an existing utility pole owned by National Grid (Massachusetts Electric Company) and Verizon for one jointly owned pole location as follows:

Hanover Street & New Boston Road One (1) jointly-owned pole location

Pole ID: Null, has Hanover Street sign attached, with electricity connection. In accordance with Project No. 9MAB001689.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
- The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.
- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
- The company shall obtain all required federal, state and local permits and licenses.
- The company may maintain or replace the equipment with other equipment that is the same size or smaller in size, weight and height.
- Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.
- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

**CITY OF FALL RIVER
IN CITY COUNCIL**

JUL 12 2018

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

Callen A. Taylor
Clerk of Committees

City of Fall River, In City Council

ORDERED, that permission be and the same is hereby granted to:

Mobilitie, LLC to attach wireless backhaul transport equipment to an existing utility pole owned by National Grid (Massachusetts Electric Company) and Verizon for one jointly owned pole location as follows:

Franklin Street & High Street

One (1) jointly-owned pole location

Pole ID: NET&T CO. 702, with electricity connection. In accordance with Project No. 9MAB001690.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
- The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.
- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
- The company shall obtain all required federal, state and local permits and licenses.
- The company may maintain or replace the equipment with other equipment that is the same size or smaller in size, weight and height.
- Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.
- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 12 2018

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

Callum A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

ORDERED, that permission be and the same is hereby granted to:

Mobilitie, LLC to attach wireless backhaul transport equipment to an existing utility pole owned by National Grid (Massachusetts Electric Company) and Verizon for one jointly owned pole location as follows:

Rodman Street & Lonsdale Street

One (1) jointly-owned pole location

Pole ID: 27-84(NG)/27S(VZ), with electricity connection. In accordance with Project No. 9MAB001692.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
- The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.
- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
- The company shall obtain all required federal, state and local permits and licenses.
- The company may maintain or replace the equipment with other equipment that is the same size or smaller in size, weight and height.
- Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.
- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

**CITY OF FALL RIVER
IN CITY COUNCIL**

JUL 12 2018

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.


Catherine A. Taylor
Clerk of Committees

City of Fall River, In City Council

ORDERED, that permission be and the same is hereby granted to:

Mobilitie, LLC to attach wireless backhaul transport equipment to an existing utility pole owned by National Grid (Massachusetts Electric Company) and Verizon for one jointly owned pole location as follows:

Lyon Street & Third Street

One (1) jointly-owned pole location

Pole ID: 68/7, with electricity connection. In accordance with Project No. 9MAB001693.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
- The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.
- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
- The company shall obtain all required federal, state and local permits and licenses.
- The company may maintain or replace the equipment with other equipment that is the same size or smaller in size, weight and height.
- Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.
- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

CITY OF FALL RIVER
IN CITY COUNCIL
JUL 12 2018

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

Callen A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

ORDERED, that permission be and the same is hereby granted to:

Mobilite, LLC to attach wireless backhaul transport equipment to an existing utility pole owned by National Grid (Massachusetts Electric Company) and Verizon for one jointly owned pole location as follows:

Dover Street & Tecumseh Street

One (1) jointly-owned pole location

Pole ID: FREL-N E T 4208 420, with electricity connection. In accordance with Project No. 9MAB001694.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
- The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.
- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
- The company shall obtain all required federal, state and local permits and licenses.
- The company may maintain or replace the equipment with other equipment that is the same size or smaller in size, weight and height.
- Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.
- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

CITY OF FALL RIVER
IN CITY COUNCIL
JUL 12 2018

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

Callum A. Taylor
Clerk of Committees

City of Fall River, In City Council

ORDERED, that permission be and the same is hereby granted to:

Mobilitie, LLC to attach wireless backhaul transport equipment to an existing utility pole owned by National Grid (Massachusetts Electric Company) and Verizon for one jointly owned pole location as follows:

Plymouth Avenue & End Street

One (1) jointly-owned pole location

Pole ID: NG1, with electricity connection. In accordance with Project No. 9MAB001695.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
- The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.
- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
- The company shall obtain all required federal, state and local permits and licenses.
- The company may maintain or replace the equipment with other equipment that is the same size or smaller in size, weight and height.
- Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.
- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 12 2018

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

Cecilia A. Taylor
Clerk of Committees

City of Fall River, In City Council

ORDERED, that permission be and the same is hereby granted to:

Mobilite, LLC to attach wireless backhaul transport equipment to an existing utility pole owned by National Grid (Massachusetts Electric Company) and Verizon for one jointly owned pole location as follows:

Orange Street & Cherry Street

One (1) jointly-owned pole location

Pole ID: FREL-NET 8500-1, with electricity connection. In accordance with Project No. 9MAB001699.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
- The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.
- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
- The company shall obtain all required federal, state and local permits and licenses.
- The company may maintain or replace the equipment with other equipment that is the same size or smaller in size, weight and height.
- Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.
- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

CITY OF FALL RIVER
IN CITY COUNCIL
JUL 12 2018

Order – New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, to be attached to existing National Grid utility poles and install underground conduits or direct bury fiber cables at 887 Plymouth Avenue

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

Colleen A. Taylor
Clerk of Committees

City of Fall River, In City Council

ORDERED, that permission be and the same is hereby granted to:

New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, including fiber optic cable, remote nodes and pole top antennas, to be attached to an existing National Grid utility pole location as well as to install underground conduits or direct bury fiber cables as follows:

Plymouth Avenue

One (1) pole location

887 Plymouth Avenue, Pole #4. In accordance with Project No. cRAN_Frvr_31C.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
- The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.
- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
- The company shall obtain all required federal, state and local permits and licenses.
- The company may maintain or replace the equipment with other equipment that is the same size or smaller in size, weight and height.
- Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.
- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

**CITY OF FALL RIVER
IN CITY COUNCIL**

JUL 12 2018

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

Celena A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

ORDERED, that permission be and the same is hereby granted to:

New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, including fiber optic cable, remote nodes and pole top antennas, to be attached to an existing National Grid utility pole location as well as to install underground conduits or direct bury fiber cables as follows:

Nashua Street

One (1) pole location

188 Nashua Street, Pole #7. In accordance with Project No. cRAN_Frvr_26A.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
- The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.
- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
- The company shall obtain all required federal, state and local permits and licenses.
- The company may maintain or replace the equipment with other equipment that is the same size or smaller in size, weight and height.
- Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.
- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

CITY OF FALL RIVER
IN CITY COUNCIL
JUL 12 2018

Order – New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, to be attached to existing National Grid utility poles and install underground conduits or direct bury fiber cables at 70 William Street

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

Cecilia A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

ORDERED, that permission be and the same is hereby granted to:

New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, including fiber optic cable, remote nodes and pole top antennas, to be attached to an existing National Grid utility pole location as well as to install underground conduits or direct bury fiber cables as follows:

William Street

One (1) pole location

70 William Street, Pole #3/6874. In accordance with Project No. cRAN_Frvr_27A.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
- The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.
- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
- The company shall obtain all required federal, state and local permits and licenses.
- The company may maintain or replace the equipment with other equipment that is the same size or smaller in size, weight and height.
- Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.
- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 12 2018

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

Callen A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

ORDERED, that permission be and the same is hereby granted to:

New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, including fiber optic cable, remote nodes and pole top antennas, to be attached to an existing National Grid utility pole location as well as to install underground conduits or direct bury fiber cables as follows:

Plymouth Avenue

One (1) pole location

372 Plymouth Avenue, Pole #22-3. In accordance with Project No. cRAN_Frvr_25A.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
- The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.
- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
- The company shall obtain all required federal, state and local permits and licenses.
- The company may maintain or replace the equipment with other equipment that is the same size or smaller in size, weight and height.
- Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.
- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 12 2018

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

Collen A. Taylor
Clerk of Committees

City of Fall River, In City Council

ORDERED, that permission be and the same is hereby granted to:

New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, including fiber optic cable, remote nodes and pole top antennas, to be attached to an existing National Grid utility pole location as well as to install underground conduits or direct bury fiber cables as follows:

Baird Street

One (1) pole location

170 Baird Street, Pole #260/8. In accordance with Project No. cRAN_Frvr_24A.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
- The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.
- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
- The company shall obtain all required federal, state and local permits and licenses.
- The company may maintain or replace the equipment with other equipment that is the same size or smaller in size, weight and height.
- Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.
- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 12 2018

Order – New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, to be attached to existing National Grid utility poles and install underground conduits or direct bury fiber cables at 191 Aetna Street

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

Cellena A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

ORDERED, that permission be and the same is hereby granted to:

New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, including fiber optic cable, remote nodes and pole top antennas, to be attached to an existing National Grid utility pole location as well as to install underground conduits or direct bury fiber cables as follows:

Aetna Street

One (1) pole location

191 Aetna Street, Pole #17. In accordance with Project No. cRAN_Frvr_23A.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
- The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.
- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
- The company shall obtain all required federal, state and local permits and licenses.
- The company may maintain or replace the equipment with other equipment that is the same size or smaller in size, weight and height.
- Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.
- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

CITY OF FALL RIVER
IN CITY COUNCIL
JUL 12 2018

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

Colleen D. Taylor
Clerk of Committees

City of Fall River, In City Council

ORDERED, that permission be and the same is hereby granted to:

New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, including fiber optic cable, remote nodes and pole top antennas, to be attached to an existing National Grid utility pole location as well as to install underground conduits or direct bury fiber cables as follows:

Pelham Street

One (1) pole location

35 Pelham Street, Pole #246/1/490. In accordance with Project No. cRAN_Frvr_20A.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
- The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.
- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
- The company shall obtain all required federal, state and local permits and licenses.
- The company may maintain or replace the equipment with other equipment that is the same size or smaller in size, weight and height.
- Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.
- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 12 2018

Order – New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, to be attached to existing National Grid utility poles and install underground conduits or direct bury fiber cables at 1069 Plymouth Avenue

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

Calleen A. Taylor
Clerk of Committees

City of Fall River, In City Council

ORDERED, that permission be and the same is hereby granted to:

New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, including fiber optic cable, remote nodes and pole top antennas, to be attached to an existing National Grid utility pole location as well as to install underground conduits or direct bury fiber cables as follows:

Plymouth Avenue

One (1) pole location

1069 Plymouth Avenue, Pole #1240S. In accordance with Project No. cRAN_Frvr_17B.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
- The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.
- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
- The company shall obtain all required federal, state and local permits and licenses.
- The company may maintain or replace the equipment with other equipment that is the same size or smaller in size, weight and height.
- Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.
- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 12 2018

CITY OF FALL RIVER.

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

Callena A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

ORDERED, that permission be and the same is hereby granted to:

New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, including fiber optic cable, remote nodes and pole top antennas, to be attached to an existing National Grid utility pole location as well as to install underground conduits or direct bury fiber cables as follows:

Norfolk Street

One (1) pole location

23 Norfolk Street, Pole #597. In accordance with Project No. cRAN_Frvr_16A.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
- The company shall comply with the requirements of existing City ordinances, as may be applicable and such as may hereafter be adopted governing the construction and maintenance of said telecommunications wires and appurtenances, so far as the same are not inconsistent with the laws of the Commonwealth of Massachusetts or the United States.
- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
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- Upon abandonment of the equipment, the company shall notify the City within ninety (90) days. Following receipt of such notice, the City may direct the company to remove all or a portion of the facility within thirty (30) days if such removal is in the best interest of the public health, safety and welfare. Failure to do so shall result in a \$50.00 fine per day until removed.
- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 12 2018

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted.

Cherise A. Taylor
Clerk of Committees

City of Fall River, In City Council

ORDERED, that permission be and the same is hereby granted to:

New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, including fiber optic cable, remote nodes and pole top antennas, to be attached to an existing National Grid utility pole location as well as to install underground conduits or direct bury fiber cables as follows:

Bedford Street

One (1) pole location

565 Bedford Street, Pole #17/28 near Bank 5 sign. In accordance with Project No. cRAN_Frvr_09B.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
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- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
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- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 12 2018

Order – New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, to be attached to existing National Grid utility poles and install underground conduits or direct bury fiber cables at 738 Oak Grove Avenue

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

Callie A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

ORDERED, that permission be and the same is hereby granted to:

New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, including fiber optic cable, remote nodes and pole top antennas, to be attached to an existing National Grid utility pole location as well as to install underground conduits or direct bury fiber cables as follows:

Oak Grove Avenue

One (1) pole location

738 Oak Grove Avenue, Pole #38-84. In accordance with Project No. cRAN_Frvr_03A.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
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- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
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- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 12 2018

Order – New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, to be attached to existing National Grid utility poles and install underground conduits or direct bury fiber cables at 229 Coggeshall Street

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on July 10, 2018,
voted unanimously to recommend that the accompanying order be adopted, as amended.

Colleen A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

ORDERED, that permission be and the same is hereby granted to:

New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, including fiber optic cable, remote nodes and pole top antennas, to be attached to an existing National Grid utility pole location as well as to install underground conduits or direct bury fiber cables as follows:

Coggeshall Street

One (1) pole location

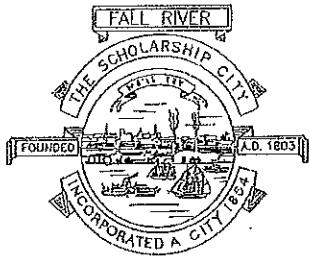
449 Coggeshall Street, Pole #282/5. In accordance with Project No. cRAN_Frvr_21A.

SUBJECT TO THE FOLLOWING CONDITIONS:

- The telecommunications wire and appurtenances (equipment) shall be of such material and construction and all work done in accordance with the submitted plans and in such manner as to be satisfactory to the City of Fall River or to such municipal officers as may be appointed for the supervision of the work.
- The company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
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- The company shall at all times comply with all applicable laws, regulations and standards issued by the FCC, including those related to emissions and the federal Telecommunications Act of 1996.
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- The company shall pay a one-time fee of \$1,000.00 to the City for each piece of equipment installed.

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 12 2018



City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2018 JUL 12 P 3:32

CITY CLERK _____
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

AMENDED
ORIGINAL POSTED: JULY 10, 2018 AT 2:39 PM
AMENDED POSTED: JULY 11, 2018 AT 3:16 PM

INÊS LEITE
ASSISTANT CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
THURSDAY, JULY 12, 2018
AGENDA

5:15 P.M. COMMITTEE ON REAL ESTATE

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

1. Citizen Input
2. *Transfers and appropriations (see item #1 below)
3. *Discussion re: assurance that no destruction will occur to Alfred J. Lima Quequechan River Rail Trail (resolution adopted 6-26-18)
4. *Discussion re: reversal and/or withdrawal of easement provided to the Cloverleaf Mills, LLC (resolution adopted 6-26-18)
5. *Request for \$1,500,000 for costs of Feasibility Study at Diman Regional Vocational Technical High School (referred 5-15-18)
6. *Appropriate \$450,000 for Transportation – Fall River Public Schools from the General Fund Stabilization Account

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. *Transfers and appropriations (see item #2 above)

FROM:

Claims & Damages	\$ 120,000
Veteran's – Expenses	\$ 413,172
Insurance	\$ 55,023
Fire – Salaries	\$ 185,222
Community Services – Salaries	\$ 107,988
Community Maintenance – Salaries	\$ 25,000
Financial Services – Salaries	\$ 94,504
Other Assessments	\$ 904,889
TOTAL:	\$1,905,798

TO:

Financial Services – Expenses	\$ 37,076
Administrative Services – Expenses	\$ 282,914
Community Maintenance – Expenses	\$ 25,000
City Clerk – Expenses	\$ 3,450
Debt Service	\$ 10,598
Elections – Salaries	\$ 34,386
Veterans' Benefits – Salaries	\$ 22,007
Vocational Assessments	\$ 37,959

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

Snow Removal \$1,452,408
TOTAL: \$1,905,798

2. *Mayor and order establishing spending limits of Revolving Funds for Fiscal Year 2019
3. *Mayor and agreement for the Greater Boston Police Council to construct a wireless telecommunications facility on city-owned property at Copicut Hill
4. *Mayor and request for donation of 250 cobblestones to the Fall River Historical Society
5. *Mayor and proposed ordinance for the creation of a Police Cruiser Revolving Fund
6. *Appointment of James E. Soule to the Community Preservation Committee

PRIORITY COMMUNICATIONS

7. Traffic Commission recommending amendments to traffic ordinances

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

8. *Committee on Ordinances and Legislation meet to discuss drafting an ordinance requiring City Council approval of any stipend exceeding \$2,000

CITATIONS

9. Elizabeth A. Camara – Retirement after 29 years of dedicated service

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

10. Police Chief's report on licenses:

Taxicab Drivers:

Jairim Calais

Carol Correia

Jacques Dumont

Devin Miranda

Victoria Quintal

Revocation of license for storage of inflammables at request of owner:

11. 52 Ferry LLC, to store 2,100,000 gallons of petroleum products at 52 Ferry Street

COMMUNICATIONS – INVITATIONS – PETITIONS

12. *Claims
13. *Open Meeting Law Complaint from Patrick Higgins re: June 25, 2018 City Council Committee on Public Works and Transportation Meeting
14. *Open Meeting Law Complaint from Patrick Higgins re: June 26, 2018 City Council Meetings
15. *Open Meeting Law Complaint from Patrick Higgins re: June 26, 2018 City Council Committee on Economic Development and Tourism Meeting
16. *Communication from resident regarding School Lunch Program

City Council Meeting Minutes:

17. *Committee on Finance – August 15, 2017
18. *Committee on Finance – September 14, 2017
19. *Public Hearings – September 14, 2017
20. *Public Hearings – June 26, 2018
21. *Regular Meeting of the City Council – September 14, 2017

BULLETINS – NEWSLETTERS – NOTICES – None


City Clerk

ITEMS FILED AFTER THE AGENDA WAS PREPARED:
CITY COUNCIL MEETING DATE: JULY 12, 2018

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

All Readings with Emergency Preamble:

- *Proposed Ordinance – Traffic, Handicapped Parking

First Reading:

- *Proposed Ordinance – Traffic, Miscellaneous
- *Proposed Ordinance – Traffic, President Avenue
- *Proposed Ordinance – Pay As You Throw – Enforcement
- *Proposed Ordinance – Crime and Data Analyst – Police Department

Grant leave to withdraw:

- *Proposed Ordinance – Fee Schedule, Parking Meter Fees

Committee on Public Works and Transportation recommending:

Adoption:

- *Order – Curb Removal – 325 South Beacon Street

Adoption, as amended:

- *Orders – Mobilitie, LLC to attach wireless backhaul transport equipment to existing poles owned by National Grid and Verizon as follows:

- a. Hanover Street and New Boston Road
- b. Franklin and High Streets
- c. Rodman and Lonsdale Streets
- d. Lyon and Third Streets
- e. Dover and Tecumseh Streets
- f. Plymouth Avenue and End Street
- g. Orange and Cherry Streets

- *Orders – New Cingular Wireless PCS, LLC (AT&T) to construct and maintain telecommunications wires and appurtenances, including fiber optic cable, remote nodes and pole top antennas, to be attached to existing National Grid utility poles and install underground conduits or direct bury fiber cables as follows:

- a. 887 Plymouth Avenue, Pole #4
- b. 188 Nashua Street, Pole #7
- c. 70 William Street, Pole #3/6874
- d. 372 Plymouth Avenue, Pole #22-3
- e. 170 Baird Street, Pole #260/8

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

- f. 191 Aetna Street, Pole #17
- g. 35 Pelham Street, Pole #246/1/490
- h. 1069 Plymouth Avenue, Pole #1240S
- i. 23 Norfolk Street, Pole #597
- j. 565 Bedford Street, Pole #17/28 near Bank 5 sign
- k. 738 Oak Grove Avenue, Pole #38-84
- l. 229 Coggeshall Street, Pole #282/5

COMMUNICATIONS – INVITATIONS – PETITIONS

- *Open Meeting Law Complaint from Patrick Higgins re: July 10, 2018 City Council Committee on Ordinances and Legislation Meeting
- *Open Meeting Law Complaint from Patrick Higgins re: July 12, 2018 City Council Meeting

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

Report of the Committee on Real Estate:

Orders for City's Safe Routes to School project for the Carlton Viveiros Elementary School located at 525 Slade Street

- a. Order of Taking
- b. Declaration and dedication of public land located at Slade, Lewis, Dwelly and Scott Streets for temporary construction purposes and perpetual public access and public way purposes

Report of the Committee on Finance:

Order - Appropriate \$450,000 for Transportation – Fall River Public Schools from the General Fund Stabilization Account

Finance
6



City of Fall River
Massachusetts
Office of the Mayor
RECEIVED

JASIEL F. CORREIA II
Mayor

2018 JUN 19 P 3:49

CATHY ANN VIVEIROS
City Administrator

CITY CLERK _____
FALL RIVER, MA _____

June 19, 2018

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

Dear Honorable Council Members:

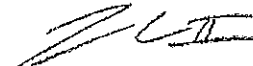
In accordance with the provisions of Chapter 44, Section 32 of the Massachusetts General Laws, I recommend the following appropriations to your Honorable Body.

This appropriation is necessitated due to both the regular periodic review of the operating budget and discussion with the school personnel. The shortfall in School Transportation is associated with Argosy High School Transportation and McKinney Vento Transportation due to the influx in students from Puerto and US Virgin Islands. The following appropriations will assist the City in meeting its Fiscal Year 2018 obligations:

1. \$450,000 That the sum of \$450,000 be, and the same is, hereby appropriated for TRANSPORTATION - FALL RIVER PUBLIC SCHOOLS from the GENERAL FUND STABILIZATION ACCOUNT.

If you have any questions or concerns regarding this, please feel free to contact me.

Best Regards,


Jasiel F. Correia II
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 26 2018

Referred to the
Committee on Finance,
3 yeas, 1 nay

City of Fall River, In City Council

1

ORDERED:

That the sum of \$450,000 be, and the same is, hereby appropriated for the
SCHOOL TRANSPORTATION from the GENERAL FUND
STABILIZATION FUND.

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 26 2018

*Referred to the
Committee on Finance,
8 years, 1 may*

FALL RIVER PUBLIC SCHOOLS

"The Scholarship City"

417 Rock Street, Fall River, MA 02720

Matthew H. Malone, Ph.D., Superintendent

May 25, 2018

The Honorable Jasiel F. Correia II

City of Fall River

1 Government Center

Fall River, MA 02722

Dear Mayor Correia:

I am attaching herewith, for your consideration and approval, a request through the Mayor; to the City Council to appropriate additional funding for School Transportation in the fiscal year 2018 budget totaling \$450,000.

At the May 14, 2018 School Committee meeting, the School Committee provided authorization for us to request through you, an appropriation to cover the School Transportation shortfall. The shortfall is attributed to Argosy High School Transportation totaling \$183,825 and McKinney Vento Transportation associated with the influx of students from Puerto Rico and the US Virgin Islands totaling \$266,175 for a total of \$450,000.

Thank you in advance for your consideration to this matter.

Sincerely,



Kevin Almeida,

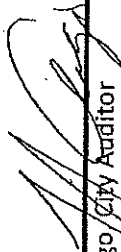
Chief Financial Officer

Phone: 508-675-8423 • Fax: 508-675-8462 • www.fallriverschools.org

FY18 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
General Stabilization Fund	\$ 7,482,692.79	\$ (450,000.00)	\$ 7,032,692.79
School Transportation	\$ 8,150,000.00	\$ 450,000.00	\$ 8,600,000.00

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


 Jennifer Argo / City Auditor
 June 26, 2018



OPEN MEETING LAW COMPLAINT FORM

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

Received by email
7-11-18 4:49 pm
after agenda

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: Patrick Last Name: Higgins

Address: P O Box 24

City: Swansea State: MA Zip Code: 02777

Phone Number: +1 (508) 674-3140 Ext.

Email: PATRICK@PATRICKHIGGINS.CO

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

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

(For statistical purposes only)

☒ Individual ☐ Organization ☐ Media

Public Body that is the subject of this complaint:

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

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

Specific person(s), if any, you allege committed the violation: All members

Date of alleged violation: Jul 10, 2018

after agenda

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.

The Fall River City Council Committee on Ordinances and Legislation violated the open meeting law by amending their agenda for their July 10, 2018 meeting at 4:36 pm, less than one hour prior to the meeting adding agenda item "7. Proposed Ordinance - Crime and Data Analyst- Police Department (referred 6-26-18).

Amendments to agendas are permissible when the Chairman needs to add an item to the agenda after it was posted, when he or she did not reasonably anticipate that the item would need to be discussed. The Chairman knew or should have known when the agenda was posted on July 5, 2018 at 11:11 am, that the proposed ordinance dealing with a Crime and Data Analyst for the Police Department had been referred to the Ordinance committee by the Full City Council at their meeting on June 26, 2018.

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.

The Committee on Ordinances and Legislation needs to call a meeting and vacate any actions taken regarding the Ordinance as it relates to the Crime and Data Analyst for the Police Department, post a properly noticed agenda with that topic on it 48 hours in advance of the meeting and then act on the request.

The Fall River City Councilors need to be required to attend a formal open meeting law training.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

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

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

II. Consulting With a Private Attorney.

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

III. Submit Your Complaint to the Public Body.

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

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

Signed: _____

Date: 7/16/18

For Use By Public Body

Date Received by Public Body

For Use By AGO

Date Received by AGO



OPEN MEETING LAW COMPLAINT FORM

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

*Received by email
7-11-2018 4:49 pm
after agenda*

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: Patrick Last Name: Higgins

Address: P O Box 24

City: Swansea State: MA Zip Code: 02777

Phone Number: +1 (508) 674-3140 Ext.

Email: PATRICK@PATRICKHIGGINS.CO

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

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

(For statistical purposes only)

☒ Individual ☐ Organization ☐ Media

Public Body that is the subject of this complaint:

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

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

Specific person(s), if any, you allege committed the violation: All members

Date of alleged violation: Jul 12, 2018

after agenda

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.

The Fall River City Council violated the open meeting law by not adopting or accepting the minutes of their meetings within 3 meetings or 30 days, which ever is longer as follows:

The meeting notice for the July 12, 2018 City Council meeting reflects that the following minutes are to be considered for adoption or acceptance:

August 15, 2017

September 14, 2017 (3 sets of minutes, one each for the Committee on Finance; Public Hearings and the full City Council meeting). It is my position that the City Council committee on Finance, and other subcommittees of the City Council should be adopting or accepting the minutes of their meetings at the subsequent committee meetings.

The City Council has been previously found in violation for not timely accepting or adopting minutes and warned that any further violations would be considered as an intent to violate the law. This is a willful violation and the Division of Open Government should impose the statutory civil fine of \$1000

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.

Adopt or accept all outstanding old minutes within 30 days.

The Fall River City Councilors need to be required to attend a formal open meeting law training.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

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

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

II. Consulting With a Private Attorney.

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

III. Submit Your Complaint to the Public Body.

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

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

Signed: _____

Date: _____

For Use By Public Body

Date Received by Public Body:

For Use By AGO

Date Received by AGO: