

# City of Fall River Massachusetts

## Office of the City Clerk

**ALISON M. BOUCHARD**  
CITY CLERK

**INÊS LEITE**  
ASSISTANT CITY CLERK

### REGULAR MEETING OF THE CITY COUNCIL

**MEETING:** Tuesday, May 15, 2018 at 7:00 p.m.  
Council Chamber, One Government Center

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

**ABSENT:** None

**IN ATTENDANCE:** None

President Cliff Ponte called the meeting to order at 7:32 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

### PRIORITY MATTERS

1. Mayor recommending financial orders/transfers:
  - a. \$20,000 from Claims and Damages to Administrative Services/Law Department  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Bradford L. Kilby, it was voted 6 yeas, 3 nays to adopt the order with Councilors Shawn E. Cadime, Leo O. Pelletier and Cliff Ponte voting in the negative.*
  - b. \$60,000 from Inactive Capital Projects to Capital Park Project for Highland Park Netting  
*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to table the matter.*
2. Mayor and order transferring \$165,000 from General Fund/Stabilization Fund to Police, Salaries to provide funding for recently negotiated Memorandum of Understanding for Fall River Police Superior Officers' Association MassCOP Local 1844  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the order.*
3. Mayor requesting appointment of Edward Arruda to the Council on Aging  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to confirm the appointment.*

4. Mayor requesting appointment of Carolyn A. Burton to the Council on Aging  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Derek R. Viveiros, it was unanimously voted to confirm the appointment.*
5. Mayor and loan order for Phase 18 of the Water Improvement Projects  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to authorize the loan order to be published and referred to the Committee on Finance.*
6. Mayor and proposed ordinance establishing Vehicle Trade-In Revolving Fund.  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
7. Mayor and proposed ordinance abolishing Pay As You Throw program  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
8. Mayor and resolution in support of Philips Lighting Manufacturing workers  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Joseph D. Camara, it was unanimously voted to adopt the resolution.*
9. Mayor and proposed ordinance establishing position and salary of Assistant Human Resources Director  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
10. Mayor and proposed ordinance establishing position and salary of Architect  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
11. Mayor and proposed ordinance establishing position and salary of Seasonal Employee  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
12. Mayor and proposed ordinance regarding compensation schedule of Network Administrator (MIS)  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
13. Mayor and proposed ordinance regarding compensation schedule of Parking Clerk/Director of Traffic and Parking  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*

14. Mayor and proposed ordinance regarding compensation schedule of Assistant City Clerk  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
15. Mayor and proposed ordinance regarding compensation schedule of Manager of Operations – Streets and Highways  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
16. Mayor and proposed ordinance regarding compensation schedule of City Treasurer  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*
17. Mayor and proposed ordinance regarding title and compensation schedule of Assistant Commissioner for Recreation Facilities/Director of Recreational Facilities  
*On a motion made by Councilor Stephen R. Long seconded by Councilor Steven A. Camara, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.*

#### **PRIORITY COMMUNICATIONS**

18. Corporation Counsel re: Conduct of Meetings  
*On a motion made by Councilor Shawn E. Cadime seconded by Councilor Stephen R. Long, it was unanimously voted that the communication be accepted and placed on file.*
19. Traffic Commission recommending amendments to traffic ordinances  
*On a motion made by Councilor Shawn E. Cadime seconded by Councilor Stephen R. Long, it was unanimously voted to refer the recommendations to the Committee on Ordinances and Legislation.*

#### **COMMITTEE REPORTS**

##### Committee on Health and Environmental Affairs recommending:

##### Action:

20. Resolution – City Council condemns Benn Water and Heavy Transport contract with the Watuppa Water Board  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was voted 9 yeas to adopt the resolution.*
21. Resolution – City Council support non-renewal of contract between Benn Water and Heavy Transport and the Watuppa Water Board  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was voted 9 yeas to adopt the resolution.*
- Grant leave to withdraw:
22. Resolution – Discuss with various parties the agreement to sell water to a Burrillville, RI energy company  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the resolution be granted leave to withdraw.*

Committee on Ordinances and Legislation recommending:

All Readings with Emergency Preamble:

23. Proposed Ordinance – Traffic, Handicapped Parking

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was voted 9 yeas to adopt an emergency preamble. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to pass the proposed ordinance through first reading, second reading, passed to be enrolled and passed to be ordained.*

*Approved, May 16, 2018, Acting Mayor Cliff Ponte*

First Reading:

24. Proposed Ordinance – Traffic, Miscellaneous

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

25. Proposed Ordinance – Water rates

*Councilor Steven A. Camara stated that he cannot support these rate increases as the homeowners and renters cannot afford any more increases. On a motion made by Councilor Stephen R. Long and seconded by Councilor Shawn E. Cadime, it was voted 8 yeas, 1 nay that the proposed ordinance be passed through first reading, with Councilor Steven A. Camara voting in the negative.*

26. Proposed Ordinance – Sewer rates

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was voted 8 yeas, 1 nay that the proposed ordinance be passed through first reading, with Councilor Steven A. Camara voting in the negative.*

First Reading, as amended:

27. Proposed Ordinance – Code adoption

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted that the proposed ordinance be passed through first reading, as amended.*

28. Proposed Ordinance – Special City Charter Committee

*On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Shawn E. Cadime, it was unanimously voted to amend the proposed ordinance, as follows:  
The two voters appointed by the Mayor and the two voters appointed by the City Council President, shall not be City Employees. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted that the proposed ordinance be passed through first reading, as amended.*

**ORDINANCES** – None

**RESOLUTIONS**

29. Committee on Economic Development and Tourism discuss the position of Director of Tourism and Cultural Affairs

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted that the resolution be adopted.*

**CITATIONS – None**

**ORDERS – HEARINGS**

**Pole Location**

30. Petition of Massachusetts Electric Company for one new pole location in vicinity of 409 Bailey Street

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

*Approved, May 16, 2018, Acting Mayor Cliff Ponte*

**ORDERS – MISCELLANEOUS**

31. **Police Chief's report on licenses:**

**Taxicab Drivers:**

Richard Coderre

Jeffrey K. Cormier

Andrew Hamlen

Veronica Marden

Taj Overton

Todd J. Pina

Shawn Pinto

Leroy D. Robinson

**Second Hand License Renewals:**

St. Vincent de Paul – 1799 Pleasant Street

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

32. **Auto Repair Shop License Renewal:**

Sameh Saleb; Keyrlos, Inc. d/b/a South End Sunoco at 2322 South Main Street

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

*Approved, May 16, 2018, Acting Mayor Cliff Ponte*

33. **Auto Body Shop License Renewals:**

Antonio F. Pinto; Pinto's Auto Repair and Sales, Inc. at 2447 South Main Street

Daniel Aguiar d/b/a Advanced Collision Center and Sales at 39 Eleventh Street

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the order. Councilor Leo O. Pelletier requested that the restrictions be read by the City Clerk. The City Clerk stated that the restrictions for Antonio F. Pinto; Pinto's Auto Repair and Sales, Inc. are the doors of the establishment shall remain closed at all times, year round, while sanding motor vehicles.*

*Approved, May 16, 2018, Acting Mayor Cliff Ponte*

34. Transfer auto body shop license no. 147 from Antonio Almeida; State Road Auto Sales, Inc. to Luis Sousa and Rose Raposo; Color Tones Auto Body, LLC at 2238 South Main Street

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

*Approved, May 16, 2018, Acting Mayor Cliff Ponte*

**COMMUNICATIONS – INVITATIONS – PETITIONS**

35. **Claims**

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

36. Structure over a public way – Banner over South Main Street near Government Center for Day of Portugal Fall River event

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

37. Attorney Arthur D. Frank, Jr. requesting to relinquish right, title and interest in a portion of Center Street from Bay Street easterly  
*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted to refer the communication to the Committee on Real Estate.*

38. Open Meeting Law complaint filed by Patrick Higgins regarding April 24, 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 refer the matter to Corporation Counsel and authorize the City Clerk to provide a response.*

City Council Meeting Minutes:

39. Regular Meeting of the City Council – April 10, 2018  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Derek R. Viveiros, it was unanimously voted to approve the minutes.*

40. Regular Meeting of the City Council – April 24, 2018  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Steven A. Camara, it was unanimously voted to approve the minutes.*

*On a motion made by Councilor Steven A. Camara seconded by Councilor Leo O. Pelletier, it was unanimously voted to take item numbers 41 and 42 together. The City Clerk then read the dates of the minutes.*

41. Public Hearings – April 10, 2018

42. Public Hearings – April 24, 2018

*On a further motion made by Councilor Steven A. Camara seconded by Councilor Stephen R. Long, it was unanimously voted to approve the minutes.*

**BULLETINS – NEWSLETTERS – NOTICES**

43. Copy of request of Charles & Joan Swift re: Ch. 61A classification by Board of Assessors  
*On a motion made by Councilor Steven A. Camara and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the communication be accepted and placed on file.*

44. National Grid – 2018 Yearly Operational Plan and 21 day herbicide application notification  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Derek R. Viveiros, it was unanimously voted that the communication be accepted and placed on file.*

**TABLED MATTERS**

City Council meeting dates for June through December 2018  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to lift the item from the table. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to amend the order by changing the August 14, 2018 date to August 21, 2018. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Joseph D. Camara, it was unanimously voted to amend the order by changing the August 21, 2018 date to August 7, 2018. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Joseph D. Camara, it was unanimously voted to adopt the order, as amended.*

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

**Report of the Committee on Regulations:**

Order – William Sanchez, ABG Holdings LLC d/b/a Lambert Auto Body and Auto Sales for renewal of an auto body shop license located at 103 Chavenson Street

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order.*

*Approved, May 16, 2018, Acting Mayor Cliff Ponte*

Order – William Sanchez, ABG Holdings LLC d/b/a Lambert Auto Body and Auto Sales for renewal of an auto repair shop license located at 103 Chavenson Street

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

*Approved, May 16, 2018, Acting Mayor Cliff Ponte*

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

**COMMUNICATIONS – INVITATIONS – PETITIONS**

- Greater Fall River Vocational School District re: \$1,500,000 for the purpose of paying costs of a Feasibility Study

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the communication to the Committee on Finance.*

**Drainlayer licenses:**

Fairhaven Excavating, Inc.  
LAL Construction Co., Inc.  
MJD Excavating, Inc.  
Alexandres Excavating, Inc.  
Bartlett Consolidated, LLC  
Sherry Construction Corporation  
Thermo-Mechanical Systems Corporation  
Bristol Pacific Homes, Inc.  
Oliveira Construction, Inc.

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the licenses be approved.*

*Approved, May 16, 2018, Acting Mayor Cliff Ponte*

A recess was taken at 8:22 p.m. to allow the resolution to be signed and the Council reconvened at 8:24 p.m.

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adjourn at 8:24 p.m.*

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

Agenda packet (attached)  
DVD of meeting

A true copy. Attest:

  
City Clerk

In City Council, June 12, 2018  
Approved.





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

**RECEIVED**

2018 MAY 15 A 11:23

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

**AMENDED**

ORIGINAL POSTING: MAY 11, 2018 12:34 PM

**ALISON M. BOUCHARD**  
CITY CLERK

**INÊS LEITE**  
ASSISTANT CITY CLERK

**MEETINGS SCHEDULED**  
**CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER**  
**TUESDAY, MAY 15, 2018**  
**AGENDA**

**4:30 P.M. COMMITTEE ON REGULATIONS**

**5:45 P.M. PUBLIC HEARING**

**Pole Location**

1. Petition of Massachusetts Electric Company for one new pole location as follows:  
To install a pole approximately 118 feet away from pole 2 on Bailey Street. The pole will be a 35 foot pole, be numbered 2-50 and will also have an anchor and a guy wire attached to it. The purpose for this pole will be to provide electrical service to a new house located at 386 Bailey Street to be built next to a house located at 402 Bailey Street.

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

1. Citizen Input
2. Transfers and appropriations (see items 1 and 2 below)
3. Discussion of Fiscal Year 2018 – Quarter 3 Budget Report

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

**PRIORITY MATTERS**

1. \*Mayor recommending financial orders/transfers:
  - a. \$20,000 from Claims and Damages to Administrative Services/Law Department
  - b. \$60,000 from Inactive Capital Projects to Capital Park Project for Highland Park Netting
2. \*Mayor and order transferring \$165,000 from General Fund/Stabilization Fund to Police, Salaries to provide funding for recently negotiated Memorandum of Understanding for Fall River Police Superior Officers' Association MassCOP Local 1844
3. \*Mayor requesting appointment of Edward Arruda to the Council on Aging
4. \*Mayor requesting appointment of Carolyn A. Burton to the Council on Aging
5. \*Mayor and loan order for Phase 18 of the Water Improvement Projects
6. \*Mayor and proposed ordinance establishing Vehicle Trade-In Revolving Fund.
7. \*Mayor and proposed ordinance abolishing Pay As You Throw program
8. \*Mayor and resolution in support of Philips Lighting Manufacturing workers
9. \*Mayor and proposed ordinance establishing position and salary of Assistant Human Resources Director
10. \*Mayor and proposed ordinance establishing position and salary of Architect
11. \*Mayor and proposed ordinance establishing position and salary of Seasonal Employee
12. \*Mayor and proposed ordinance regarding compensation schedule of Network Administrator (MIS)
13. \*Mayor and proposed ordinance regarding compensation schedule of Parking Clerk/Director of Traffic and Parking
14. \*Mayor and proposed ordinance regarding compensation schedule of Assistant City Clerk

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

One Government Center • Fall River, MA 02722

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

15. \*Mayor and proposed ordinance regarding compensation schedule of Manager of Operations – Streets and Highways
16. \*Mayor and proposed ordinance regarding compensation schedule of City Treasurer
17. \*Mayor and proposed ordinance regarding title and compensation schedule of Assistant Commissioner for Recreation Facilities/Director of Recreational Facilities

#### **PRIORITY COMMUNICATIONS**

18. \*Corporation Counsel re: Conduct of Meetings
19. Traffic Commission recommending amendments to traffic ordinances

#### **COMMITTEE REPORTS**

##### Committee on Health and Environmental Affairs recommending:

##### Action:

20. \*Resolution – City Council condemns Benn Water and Heavy Transport contract with the Watuppa Water Board
21. \*Resolution – City Council support non-renewal of contract between Benn Water and Heavy Transport and the Watuppa Water Board

##### Grant leave to withdraw:

22. \*Resolution – Discuss with various parties the agreement to sell water to a Burrillville, RI energy company

##### Committee on Ordinances and Legislation recommending:

##### All Readings with Emergency Preamble:

23. \*Proposed Ordinance – Traffic, Handicapped Parking

##### First Reading:

24. \*Proposed Ordinance – Traffic, Miscellaneous
25. \*Proposed Ordinance – Water rates
26. \*Proposed Ordinance – Sewer rates

##### First Reading, as amended:

27. \*Proposed Ordinance – Code adoption
28. \*Proposed Ordinance – Special City Charter Committee

#### **ORDINANCES – None**

#### **RESOLUTIONS**

29. Committee on Economic Development and Tourism discuss the position of Director of Tourism and Cultural Affairs

#### **CITATIONS – None**

#### **ORDERS – HEARINGS**

##### Pole Location

30. Petition of Massachusetts Electric Company for one new pole location in vicinity of 409 Bailey Street

#### **ORDERS – MISCELLANEOUS**

31. Police Chief's report on licenses:

##### Taxicab Drivers:

Richard Coderre

Jeffrey K. Cormier

Andrew Hamlen

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

Veronica Marden  
Shawn Pinto

Taj Overton  
Leroy D. Robinson

Todd J. Pina

Second Hand License Renewals:

St. Vincent de Paul – 1799 Pleasant Street

32. Auto Repair Shop License Renewal:  
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33. Auto Body Shop License Renewals:  
Antonio F. Pinto; Pinto's Auto Repair and Sales, Inc. at 2447 South Main Street  
Daniel Aguiar d/b/a Advanced Collision Center and Sales at 39 Eleventh Street
34. Transfer auto body shop license no. 147 from Antonio Almeida; State Road Auto Sales, Inc. to Luis Sousa and Rose Raposo; Color Tones Auto Body, LLC at 2238 South Main Street

**COMMUNICATIONS – INVITATIONS – PETITIONS**

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36. Structure over a public way – Banner over South Main Street near Government Center for Day of Portugal Fall River event
37. \*Attorney Arthur D. Frank, Jr. requesting to relinquish right, title and interest in a portion of Center Street from Bay Street easterly
38. \*Open-Meeting Law complaint filed by Patrick Higgins regarding April 24, 2018 City Council Meeting

City Council Meeting Minutes:

39. \*Regular Meeting of the City Council – April 10, 2018
40. \*Regular Meeting of the City Council – April 24, 2018
41. \*Public Hearings – April 10, 2018
42. \*Public Hearings – April 24, 2018

**BULLETINS – NEWSLETTERS – NOTICES**

43. \*Copy of request of Charles & Joan Swift re: Ch. 61A classification by Board of Assessors
44. \*National Grid – 2018 Yearly Operational Plan and 21 day herbicide application notification

**TABLED MATTERS**

\*City Council meeting dates for June through December 2018 (tabled 4-24-18)

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

Report of the Committee on Regulations:

Order – William Sanchez, ABG Holdings LLC d/b/a Lambert Auto Body and Auto Sales for renewal of an auto body shop license located at 103 Chavenson Street

Order – William Sanchez, ABG Holdings LLC d/b/a Lambert Auto Body and Auto Sales for renewal of an auto repair shop license located at 103 Chavenson Street

  
City Clerk

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

**ITEMS FILED AFTER THE AGENDA WAS PREPARED:**  
**CITY COUNCIL MEETING DATE: MAY 15, 2018**

**COMMUNICATIONS – INVITATIONS – PETITIONS**

\*Greater Fall River Vocational School District re: \$1,500,000 for the purpose of paying costs of a Feasibility Study

**Drainlayer licenses:**

Fairhaven Excavating, Inc.  
LAL Construction Co., Inc.  
MJD Excavating, Inc.  
Alexandres Excavating, Inc.  
Bartlett Consolidated, LLC  
Sherry Construction Corporation  
Thermo-Mechanical Systems Corporation  
Bristol Pacific Homes, Inc.  
Oliveira Construction, Inc.

# Greater Fall River Vocational School District

FALL RIVER • SOMERSET



SWANSEA • WESTPORT

Thomas F. Aubin, *Superintendent-Director*  
[taubin@dimanregional.org](mailto:taubin@dimanregional.org)

Elvio Ferreira, *Assistant Superintendent/Principal*  
[eferreira@dimanregional.org](mailto:eferreira@dimanregional.org)

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

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

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 11<sup>th</sup> day of May, 2018.

  
Lucy Thompson, District Secretary



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

2018 MAY 11 P 12:34

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

**ALISON M. BOUCHARD**  
CITY CLERK

**MEETINGS SCHEDULED**  
**CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER**  
**TUESDAY, MAY 15, 2018**

**INÊS LEITE**  
ASSISTANT CITY CLERK

**AGENDA**

**4:30 P.M. COMMITTEE ON REGULATIONS**

**5:45 P.M. PUBLIC HEARING**

**Pole Location**

1. Petition of Massachusetts Electric Company for one new pole location as follows:  
To install a pole approximately 118 feet away from pole 2 on Bailey Street. The pole will be a 35 foot pole, be numbered 2-50 and will also have an anchor and a guy wire attached to it. The purpose for this pole will be to provide electrical service to a new house located at 386 Bailey Street to be built next to a house located at 402 Bailey Street.

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

1. Citizen Input
2. Transfers and appropriations (see items 1 and 2 below)
3. Discussion of Fiscal Year 2018 – Quarter 3 Budget Report

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

**PRIORITY MATTERS**

1. \*Mayor recommending financial orders/transfers:
  - a. \$20,000 from Claims and Damages to Administrative Services/Law Department
  - b. \$60,000 from Inactive Capital Projects to Capital Park Project for Highland Park Netting
2. \*Mayor and order transferring \$165,000 from General Fund/Stabilization Fund to Police, Salaries to provide funding for recently negotiated Memorandum of Understanding for Fall River Police Superior Officers' Association MassCOP Local 1844
3. \*Mayor requesting appointment of Edward Arruda to the Council on Aging
4. \*Mayor requesting appointment of Carolyn A. Burton to the Council on Aging
5. \*Mayor and loan order for Phase 18 of the Water Improvement Projects
6. \*Mayor and proposed ordinance establishing Vehicle Trade-In Revolving Fund.
7. \*Mayor and proposed ordinance abolishing Pay As You Throw program
8. \*Mayor and resolution in support of Philips Lighting Manufacturing workers
9. \*Mayor and proposed ordinance establishing position and salary of Assistant Human Resources Director
10. \*Mayor and proposed ordinance establishing position and salary of Architect
11. \*Mayor and proposed ordinance establishing position and salary of Seasonal Employee
12. \*Mayor and proposed ordinance regarding compensation schedule of Network Administrator (MIS)
13. \*Mayor and proposed ordinance regarding compensation schedule of Parking Clerk/Director of Traffic and Parking
14. \*Mayor and proposed ordinance regarding compensation schedule of Assistant City Clerk
15. \*Mayor and proposed ordinance regarding compensation schedule of Manager of Operations – Streets and Highways

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

One Government Center • Fall River, MA 02722

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

16. \*Mayor and proposed ordinance regarding compensation schedule of City Treasurer
17. \*Mayor and proposed ordinance regarding title and compensation schedule of Assistant Commissioner for Recreation Facilities/Director of Recreational Facilities

#### **PRIORITY COMMUNICATIONS**

18. \*Corporation Counsel re: Conduct of Meetings
19. Traffic Commission recommending amendments to traffic ordinances

#### **COMMITTEE REPORTS**

##### Committee on Health and Environmental Affairs recommending:

##### Action:

20. \*Resolution – City Council condemns Benn Water and Heavy Transport contract with the Watuppa Water Board
21. \*Resolution – City Council support non-renewal of contract between Benn Water and Heavy Transport and the Watuppa Water Board

##### Grant leave to withdraw:

22. \*Resolution – Discuss with various parties the agreement to sell water to a Burrillville, RI energy company

##### Committee on Ordinances and Legislation recommending:

##### All Readings with Emergency Preamble:

23. \*Proposed Ordinance – Traffic, Handicapped Parking

##### First Reading:

24. \*Proposed Ordinance – Traffic, Miscellaneous
25. \*Proposed Ordinance – Water rates
26. \*Proposed Ordinance – Sewer rates

##### First Reading, as amended:

27. \*Proposed Ordinance – Code adoption
28. \*Proposed Ordinance – Special City Charter Committee

#### **ORDINANCES – None**

#### **RESOLUTIONS**

29. Committee on Economic Development and Tourism discuss the position of Director of Tourism and Cultural Affairs

#### **CITATIONS – None**

#### **ORDERS – HEARINGS**

##### Pole Location

30. Petition of Massachusetts Electric Company for one new pole location in vicinity of 409 Bailey Street

#### **ORDERS – MISCELLANEOUS**

31. Police Chief's report on licenses:

##### Taxicab Drivers:

Richard Coderre  
Veronica Marden  
Shawn Pinto

Jeffrey K. Cormier  
Taj Overton  
Leroy D. Robinson

Andrew Hamlen  
Todd J. Pina

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

Second Hand License Renewals:  
St. Vincent de Paul – 1799 Pleasant Street

32. Auto Repair Shop License Renewal:  
Sameh Saleb; Keyrios, Inc. d/b/a South End Sunoco at 2322 South Main Street
33. Auto Body Shop License Renewals:  
Antonio F. Pinto; Pinto's Auto Repair and Sales, Inc. at 2447 South Main Street  
Daniel Aguiar d/b/a Advanced Collision Center and Sales at 39 Eleventh Street
34. Transfer auto body shop license no. 147 from Antonio Almeida; State Road Auto Sales, Inc. to Luis Sousa and Rose Raposo; Color Tones Auto Body, LLC at 2238 South Main Street

**COMMUNICATIONS – INVITATIONS – PETITIONS**

35. \*Claims
36. Structure over a public way – Banner over South Main Street near Government Center for Day of Portugal Fall River event
37. \*Attorney Arthur D. Frank, Jr. requesting to relinquish right, title and interest in a portion of Center Street from Bay Street easterly
38. \*Open Meeting Law complaint filed by Patrick Higgins regarding April 24, 2018 City Council Meeting

City Council Meeting Minutes:

39. \*Regular Meeting of the City Council – April 10, 2018
40. \*Regular Meeting of the City Council – April 24, 2018
41. \*Public Hearings – April 10, 2018
42. \*Public Hearings – April 24, 2018

**BULLETINS – NEWSLETTERS –NOTICES**

43. \*Copy of request of Charles & Joan Swift re: Ch. 61A classification by Board of Assessors
44. \*National Grid – 2018 Yearly Operational Plan and 21 day herbicide application notification

**TABLED MATTERS**

\*City Council meeting dates for June through December 2018 (tabled 4-24-18)

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

Report of the Committee on Regulations:

Order – William Sanchez, ABG Holdings LLC d/b/a Lambert Auto Body and Auto Sales for renewal of an auto body shop license located at 103 Chavenson Street

Order – William Sanchez, ABG Holdings LLC d/b/a Lambert Auto Body and Auto Sales for renewal of an auto repair shop license located at 103 Chavenson Street

  
City Clerk

1a.



City of Fall River  
Massachusetts  
Office of the Mayor

RECEIVED

2018 MAY 10 P 4:09

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

JASIEL F. CORREIA II  
Mayor

May 10, 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 appropriation transfer.

This appropriation is necessary to fully fund the cost of outside legal counsel.

From: Claims and Damages \$20,000

To: Administrative Services/Law Department \$20,000

My staff and the Director of Financial Services are available to answer any questions or concerns that you may have.

Respectfully,

  
Jasiel F. Correia II  
Mayor

Enclosure

*City of Fall River, In City Council*

1a.

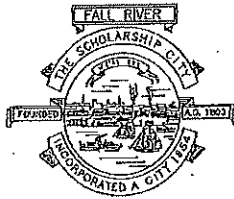
**ORDERED:**

**That the sum of \$20,000 be, and the same is, hereby appropriated for the ADMINISTRATIVE SERVICES, EXPENSES from the CLAIMS AND DAMAGES.**

1a.

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

**JASIEL F. CORREIA, II**  
Mayor



**JOSEPH I. MACY**  
Corporation Counsel

**GARY P. HOWAYECK**  
Assistant Corporation Counsel

**JESSICA A. ADLER**  
Assistant Corporation Counsel

May 10, 2018

Mayor Jasiel F. Correia, II  
City of Fall River  
One Government Center  
Fall River, MA 02720

Mayor Correia,

The following transfer is needed to cover the cost of outside legal counsel within my budget. I currently have monies included in the claims and damages account that I will not be needing during the fiscal year ending 2018 which I'm requesting be transferred.

From: Claims and Damages \$20,000

To: Administrative Services/Law Department \$20,000

Respectfully,

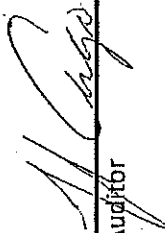


Joseph I. Macy, Corporation Counsel

# FY18 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
Claims & Damages	\$ 250,000.00	\$ (20,000.00)	230,000.00
Admin Services, Expenses	\$ 1,523,053.00	\$ 20,000.00	1,543,053.00

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



Jennifer Argo, City Auditor  
May 15, 2018

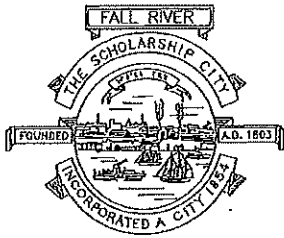
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2018 MAY 10 P 4 18

CITY CLERK  
FALL RIVER, MA

1a.

16.



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

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2018 MAY 10 P 4:36

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

**JASIEL F. CORREIA II**  
Mayor

May 10, 2018

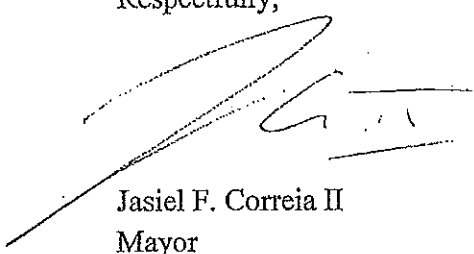
The Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02722

Dear Honorable Council Members:

As part of the agreement for the land/building sale of the Highland School the City agreed to provide netting to protect the building and cars against the baseballs from the adjacent ball park. The cost of the netting is estimated to be \$60,000. I am recommending a transfer from various inactive capital projects to fund this cost.

My staff and the Director of Financial Services are available to answer any questions or concerns that you may have.

Respectfully,



Jasiel F. Correia II  
Mayor

Enclosure

# City of Fall River, *In City Council*

1b.

## ORDERED:

Transfer and appropriate \$60,000 from the following Inactive Capital Projects:

Park Improv – Lafayette/Maplewood	\$6,271.44
Highland & Kennedy Parks	\$397.00
City Park Repairs	<u>\$53,331.56</u>
Total	<u><u>\$60,000.00</u></u>


And Transfer and appropriate \$60,000 to the following Capital Projects:

Highland Park Netting	<u>\$60,000</u>
Total	<u><u>\$60,000</u></u>

# FY18 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
Park Improvements - Lafayette/Maplewood	\$ 6,271.44 \$	(6,271.44) \$	-
Highland & Kennedy Parks	\$ 397.00 \$	(397.00) \$	-
City Park Repairs	\$ 57,496.99 \$	(53,331.56) \$	4,165.43
Highland Park Netting	\$ - \$	60,000.00 \$	60,000.00

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

  
 Jennifer Argo, City Auditor  
 May 15, 2018

RECEIVED

2018 MAY 10 P 4:18

CITY CLERK  
FALL RIVER, MA

16.



City of Fall River  
Massachusetts  
Office of the Mayor

2

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2018 MAY 10 A 9:31

CITY CLERK  
FALL RIVER, MA

JASIEL F. CORREIA II  
Mayor

May 9, 2018

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

Dear Honorable Council Members:

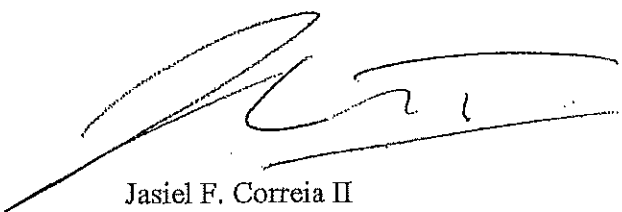
Consistent with the requirements of MGL Chapter 150E, Section 7, I am forwarding the recently negotiated Memorandum of Understanding (MOU) between Fall River Police Superior Officers' Association MassCOP Local 1844 and the City of Fall River for your approval. It has been ratified by the membership. Enclosed please find the copy for your review.

This MOU will become a part of the prior contract document and, in combination, they establish the contractual obligations affecting The Police Department's Superior Officers through June 30, 2019. The Agreement provides for 0% base wage increase for FY2016 and FY2017, and 2% base wage increases for FY2018 and FY2019. The MOU also fixes a rank differential calculation that was part of the contract that commenced in 2012.

In order to fund these contractual obligations, a transfer from Free Cash in the amount of \$165,000 is also being requested.

Your approval of this MOU and the corresponding transfer from Free Cash is respectfully requested. Should you have any questions or concerns, please feel free to contact me.

Best Regards,

  
Jasiel F. Correia II  
Mayor

City of Fall River, *In City Council*

2

**ORDERED:**


That the sum of \$165,000 be, and the same is, hereby appropriated for the  
POLICE, SALARIES from the GENERAL FUND STABILIZATION FUND.

2

# FY18 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
General Fund Stabilization Fund	\$ 7,644,647.69	\$ (165,000.00)	\$ 7,479,647.69
Police Salaries	\$ 18,375,980.00	\$ 165,000.00	\$ 18,540,980.00

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



Jennifer Argo, City Auditor  
May 15, 2018

RECEIVED

2018 MAY 10 P 4:18

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

2

MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
CITY OF FALL RIVER  
AND  
FALL RIVER POLICE SUPERIOR OFFICERS' ASSOCIATION  
MassCOP LOCAL 1844

RECEIVED

MAY 10 A 9:32

CITY CLERK  
FALL RIVER, MA

WHEREAS, The City of Fall River (the "City") and the Fall River Police Superior Officers' Association (the "Union") are parties to a collective bargaining agreement that expired on June 30<sup>th</sup>, 2015;

WHEREAS, a dispute over negotiations for a successor collective bargaining agreement is currently under the jurisdiction of the Joint Labor Management Committee (the "JLMC") pursuant to a petition filed by the Union;

WHEREAS, there is a dispute regarding the proper calculation of the percentage rank differential between the ranks of sergeant and lieutenant and between the ranks of lieutenant and captain as shown in the collective bargaining agreement that expired on June 30, 2015;

WHEREAS, the Union has filed a charge of prohibited practice (MUP-17-6263) regarding bargaining between the parties; and

WHEREAS, both parties seek to avoid the cost of additional litigation regarding the foregoing issues;

NOW, THEREFORE, the Parties agree to the following terms:

1. The Parties agree to modify the collective bargaining agreement expiring June 30<sup>th</sup>, 2015 by extending said agreement for a one (1) year extension, effective July 1<sup>st</sup>, 2015 through June 30<sup>th</sup>, 2016. There shall be no changes to the prior collective bargaining agreement other than the foregoing change in duration/term.
2. The Parties agree to extend the collective bargaining agreement from July 1<sup>st</sup>, 2016 through June 30<sup>th</sup>, 2019, with the following modifications:
  - a. In lieu of weekend differential or any other new benefit, there shall be a retroactive 1% increase in the base wage of sergeants, at all steps, effective July 1<sup>st</sup>, 2017.
  - b. Article XIX, modify as follows:
    - i. insert the following:

Wage Differential by Rank:

Lieutenant – 15% above Sergeant's Rate at all corresponding steps.

Captain – 15% above Lieutenant's rate at all corresponding steps.

ii. Effective July 1, 2016 – 0% General Increase\*

iii. Effective July 1, 2017 – 2% General Increase- Retroactive from July 1<sup>st</sup>, 2017\*

iv. Effective July 1, 2018 – 2% General Increase\*

\*Refer to attached wage table

c. Article XV – Add to Step 1. – Grievances shall be presented within fifteen (15) days of the occurrence(s), or first knowledge of the occurrence giving rise to the grievance, or unless the parties otherwise agree. An agreement to extend the grievance filing deadline shall be reduced to writing and signed by representatives of the parties having the authority to do so.

d. Article XI, modified as follows:

1. Article XI-Hours of Work and Overtime Section 1.(a) Uniform Division:

- Strike "Day Shift 7:30 a.m. to 4:00 p.m. 8:00 a.m. to 4:30 p.m."
- Strike "First Watch 4:00 p.m. to 12:00 a.m. 4:30 p.m. to 12:30 Midnight"
- Strike "Last Watch 12:00 Midnight to 7:30 a.m. 12:30 a.m. to 8:00 a.m."
- Strike "Walking Beats 7:30 a.m. to 4:00 p.m. 4:00 p.m. to 12:00 Midnight 12:00 Midnight to 7:30 a.m."
- Add "Day Shift 06:00 a.m. to 02:00 p.m."
- Add "First Watch 02:00 p.m. to 10:00 p.m."
- Last "Watch 10:00 p.m. to 06:00 a.m."

2. Article XI Hours of Work and Overtime Section 1.(c) Identification Section:

- Strike "Day Shift 7:30 a.m. to 4:00 p.m."
- Strike "First Watch 5:00 p.m. to 1:00 a.m."
- Strike "Last Watch 1:00 a.m. to 8:00 a.m."
- Add "Day Shift 08:00 a.m. to 04:00 p.m."
- Add "First Watch 04:00 p.m. to 12:00 a.m."
- Add "Last Watch 12:00 a.m. to 08:00 a.m."

3. Article XI Hours of Work and Overtime Section 1.(d) Staff Services Division:

- Add "Day Watch 08:00 a.m. to 04:00 p.m."

4. Article XI Hours of Work and Overtime Section 1.(d) Staff Services Division:

- Strike (i)

5. Article XI Hours of Work and Overtime Section 1.(d) Staff Services Division (ii) Communications & Jail Property:

- Strike "Day Shift 7:30 a.m. to 4:00 p.m."
- Strike "First Watch 4:00 p.m. to 12:00 Midnight"

- Strike "Last Watch 12:00 Midnight to 7:30 a.m."
- Add "Day Shift 06:00 a.m. to 02:00 p.m."
- Add "First Watch 02:00 p.m. to 10:00 p.m."
- Add "Last Watch 10:00 p.m. to 06:00 a.m."

6. Article XI Hours of Work and Overtime Section 1.(e) Prosecutor:

- Strike "Special Services: 8:30 a.m. to 4:00 p.m."
- Strike "Safety Officer: 7:30 a.m. to 4:00 p.m.(Monday through Friday)"
- Strike "Planning and Inspection :8:00 a.m. to 4:30 p.m.(Sundays:8:00 a.m. to 12:00 Noon)"
- Strike "Administration: 7:30 a.m. to 4:00p.m."
- Add "Special Operations: 08:00 a.m. to 04:00 p.m."
- Add "Planning and Training: 08:00 a.m. to 04:00 p.m."
- Add "Administration: 08:00 to 04:00 p.m."

7. Article XI Hours of Work and Overtime Section 1.(f):

- Strike "Start times for uniform division sergeants and lieutenants, shall be (1) hour before first roll call."

e. Article XIX, modified as follows:

1. Article XIX-Employee Wages-Night Differential:

- Strike "Employees who are regularly scheduled to work night shifts (First Watch, Last Watch), or who work any shift or tour of duty commencing after 3:59 p.m. and ending at or 8:00 a.m.,"
- Add "Employees who are regularly scheduled to work night shifts (First Watch, Last Watch), or who work any shift or tour of duty commencing after 1:59 p.m. and ending at or before 6:00 a.m.,"
- Add "For the purposes of defining a shift under this article along with Article XI-Hours of Work and Overtime and Article XIV-Furloughs (Vacations), a shift is defined as a work period no less than four hours."

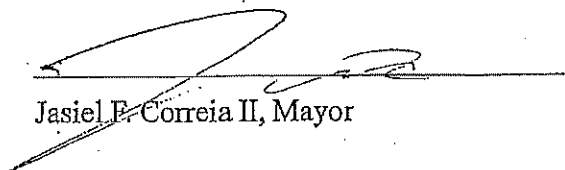
f. The Union agrees to withdraw a complaint of prohibited practice, MUP-17-6363, with prejudice, upon execution of this Agreement.

g. The Union, in exchange for the consideration contained in this Agreement, hereby waives any claim or cause of action for back wages or other damages arising out of the alleged improper calculation of rank differential for lieutenants and captains in the prior collective bargaining agreement.

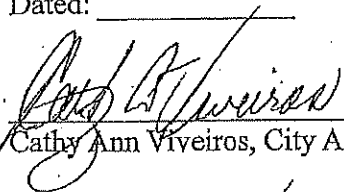
3. Except as modified by the terms of this Memorandum of Understanding, all terms and conditions of the predecessor agreement expiring on June 30<sup>th</sup>, 2016 shall remain in full force and effect throughout the duration of this agreement, July 1<sup>st</sup>, 2016 to June 30<sup>th</sup>, 2019.

2

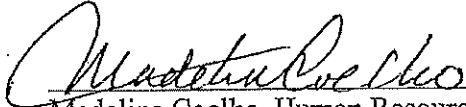
This agreement is subject to ratification by the Union and funding at the next City Council Meeting.

  
Jasiel E. Correia II, Mayor

Dated: \_\_\_\_\_

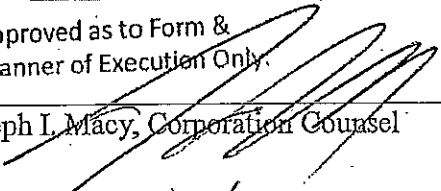
  
Cathy Ann Viveiros, City Administrator.

Dated: 5-4-18

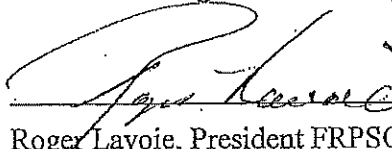
  
Madeline Coelho, Human Resources Director

Dated: 5-4-18

Approved as to Form &  
Manner of Execution Only.

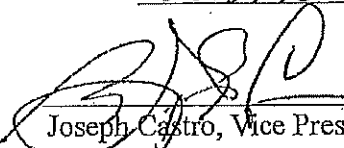
  
Joseph I. Macy, Corporation Counsel

Dated: 5/4/18

  
Roger Lavoie, President FRPSOA

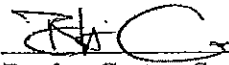
MassCOP Local 1844

Dated: 05.07.18

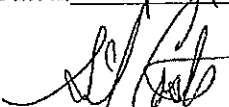
  
Joseph Castro, Vice President FRPSOA

MassCOP Local 1844

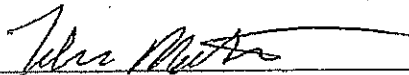
Dated: 5/7/18

  
Barden Castro, Secretary FRPSOA  
MassCOP Local 1844

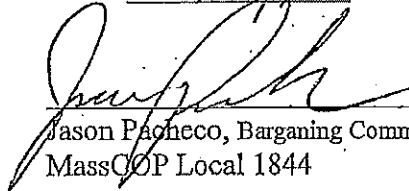
Dated: May 4, 2018

  
Gil Costa, Treasurer FRPSOA  
MassCOP Local 1844

Dated: 5/7/18

  
John Martins, Bargaining Committee FRPSOA  
MassCOP Local 1844

Dated: 5/4/18

  
Jason Pacheco, Bargaining Committee FRPSOA  
MassCOP Local 1844

Dated: 05-04-18

## MOU 2016-2019 Wage Table

2

### S10 - Sergeant 10 years service

7/1/2016	2541.24
7/1/2017	2617.99
7/1/2018	2670.35

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### S15 - Sergeant 15 years service

7/1/2016	2563.12
7/1/2017	2640.53
7/1/2018	2693.34

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### S20 - Sergeant 20 years service

7/1/2016	2690.68
7/1/2017	2771.94
7/1/2018	2827.38

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### S25 - Sergeant 25 years service

7/1/2016	2718.00
7/1/2017	2800.08
7/1/2018	2856.09

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### S28 - Sergeant 28 years service

7/1/2016	2763.53
7/1/2017	2846.99
7/1/2018	2903.93

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### L10 - Lieutenant 10 years service

7/1/2016	2894.85
7/1/2017	3010.68
7/1/2018	3070.90

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### L15 - Lieutenant 15 years service

7/1/2016	2916.75
7/1/2017	3036.61
7/1/2018	3097.34

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### L20 - Lieutenant 20 years service

7/1/2016	3058.44
7/1/2017	3187.73
7/1/2018	3251.48

## MOU 2016-2019 Wage Table

2

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### L25 - Lieutenant 25 years service

7/1/2016	3085.77
7/1/2017	3220.10
7/1/2018	3284.50

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### L28 - Lieutenant 28 years service

7/1/2016	3131.28
7/1/2017	3274.04
7/1/2018	3339.52

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### CP10 - Captain 10 years service

7/1/2016	3301.54
7/1/2017	3462.29
7/1/2018	3531.53

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### CP15 - Captain 15 years service

7/1/2016	3323.43
7/1/2017	3492.10
7/1/2018	3561.94

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### CP20 - Captain 20 years service

7/1/2016	3481.40
7/1/2017	3665.89
7/1/2018	3739.21

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### CP25 - Captain 25 years service

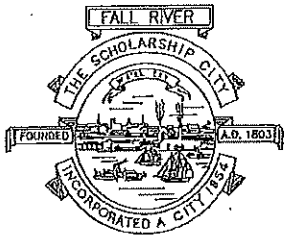
7/1/2016	3508.72
7/1/2017	3703.11
7/1/2018	3777.17

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### CP28 - Captain 28 years service

7/1/2016	3554.24
7/1/2017	3765.14
7/1/2018	3840.45

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**JASIEL F. CORREIA II**  
Mayor

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

RECEIVED

2018 MAY -8 P 12:53

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

May 08, 2018

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

**RE: Council on Aging**

Mr. President and Members of the Honorable Council:

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

Edward Arruda  
711 New Boston Road  
Fall River, MA 02720

As Council on Aging commission, with a term commencing 05/08/2018 and expiring 04/30/2020.

Thank you for your favorable consideration in this regard.

Jasiel F. Correia II  
Mayor

# **Presentation of Qualifications**

**EDWARD ARRUDA**

711 New Boston Rd.

Fall River, Massachusetts 02720

508-578-5576

## EDWARD ARRUDA

Fall River, Massachusetts 02721  
(508) 678-5576

### OBJECTIVE

To acquire a challenging Supervisory/Managerial position in Industry, where my past achievements, experience, education and my strong capabilities will most fully contribute to corporate growth and profits

### SUMMARY OF QUALIFICATIONS

- 15 Years involvement in Manufacturing/Services
- Extensive Supervisor/Managerial responsibility with up to 40 subordinates
- Background in Finance.
- Advanced Problem-Solving/Troubleshooting abilities
- Strong negotiation skills
- Record of achieving significant reductions in costs and increases in profit
- An experienced Trainer of personnel
- Associate of Science in Electrical Engineering plus extensive Technical training
- Entrepreneurial background with own business
- An honest, energetic, diligent and highly productive professional

### CAREER HIGHLIGHTS

- ◇ Elevated Service Department to level "Second to None" in the industry
- ◇ Increased profit margin 40% in repair work
- ◇ Achieved *best-in-industry* turnaround time
- ◇ Enabled employer to safely provide *three-year guarantee* on all products

### EXPERIENCE

July 1984  
to present

FRED V. FOWLER COMPANY, Newton, Massachusetts:  
*Service Manager; Return Goods Manager (reporting directly to Executive Vice President)-precision tool sales & distribution*

- Oversee an inventory of \$.5 million in parts (over 3,000 discreet items-- 90,000 component-part items)
- Supervise staff of five
- Plan, schedule and conduct continuous training of repair team (including on-site training; US & abroad); conducted employee training seminars all
- Negotiate price discounts & warranty/replacement parts with all suppliers
- Lowered operating costs during poor economic period, via:
  - negotiating advantageous prices • 60% energy-savings program
  - reducing HVAC costs 35% • staff reductions/incr. efficiency
- Introduced attractive 3-year warranty program on certain measuring tools
- Elevated efficiency of Dept., developing numerical parts system & manual
- Saved Company from losing a major sale by discovering and correcting a manufacturing defect
- Increased business volume in repairs 360%; increased profit margin 40%

## EXPERIENCE, CONTINUED

1979 to 1984

WESTREX O.E.M., Fall River, Massachusetts:

*Sub-Assembly Manager-manufacturer of printers*

- Promoted rapidly from entry-level position (final test technician)
- Offered *Production Manager* position before leaving Co.
- Instrumental in several design improvements; discovered a number of manufacturing defects
- Increased efficiency 15%, by reorganizing subassembly line
- Eliminated significant waste and duplication of parts by developing new Components Tracking System for final assembly
- Helped eliminate costly production errors and wasted time with "idea Coop Exchange" establishing structured, departmental group meetings with all line employees

1972 to 1978

A & D ENTERPRISES, Fall River, Massachusetts:

*Owner/Operator-retail liquors*

- Invented inventory-control "tag system" and control sheet (red-flagging hot items/eliminating slow movers)
- Increased business volume almost 200% in first year (from \$85,000 to \$.25 million; to \$.38 million, 2nd yr.; to \$.41, 3rd yr.; \$.56 4th)
- Sold business profitably due to maintaining high sales levels for balance of 6 years

1966 to 1972

G.A.C. FINANCE CORP., Brockton, Massachusetts:

*Branch Manager; Assistant Collection Manager-loans*

- Promoted steadily through management positions
- Reduced loan deficiencies 18%
- Reduced staff requirements significantly
- Reduced advertising expenses finding more economic sources
- Increased customer base in "new loans" area

## EDUCATION

BRISTOL COMMUNITY COLLEGE, Fall River, Massachusetts:

Associate of Science in Electrical Engineering; GPA-3.75

November, 1979

## TRAINING, SEMINARS & WORKSHOPS

MATSUZAWA:

- \* Bench Hardness Testers ('94)

C.D.I. :

- \* Dial Indicators ('90)

C.V.:

- \* Hardness Tester ('86)

BOWERS:

- \* Measurement System ('86)

SYLVAC:

- \* Measurement Systems ('86)

ARO MFG.:

- \* Optic Comparators ('91)

TRIMOS:

- \* Elec. Vertical Height Gages ('86)

BRITISH INDICATORS:

- \* B.I. Measuring System ('86)

VERDICT:

- \* Measurement Gages ('86)

## COMPUTER LITERACY

HARDWARE: IBM PC

SOFTWARE: DOS, Windows, Proprietary Programs

## LANGUAGE

Fluent in Portuguese

REFERENCES AVAILABLE UPON REQUEST

4



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

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2018 MAY -9 A 10:23

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

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

May 08, 2018

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

**RE: Council on Aging**

Mr. President and Members of the Honorable Council:

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

Carolyn A. Burton  
487 Florence Street  
Fall River, MA 02720

As Council on Aging commission, with a term commencing 05/08/2018 and expiring 04/30/2020.

Thank you for your favorable consideration in this regard.

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

## Resume

**Carolyn A. Burton**  
487 Florence St.  
Fall River, MA 02720  
508-965-4352

### Employment:

Presently own and operate a real estate business for 39 years in Fall River. Previously owned and operated an insurance agency in Fall River for 32 years. Prior to becoming a real estate broker, worked for the Fall River Public Schools as Secretary to the School Committee and also worked in the psychology department.

### Achievements, Awards and Volunteer Activities:

- Served on the Greater Fall River Association of Realtors board as Director, Secretary, Vice President and President .
- Voted Realtor of the Year.
- Top Agent in the Country award for most sales with ERA
- Served as President of the Parent Teacher Association for Jerome Dwelly School
- Girl Scout Leader for junior girl scouts, ages 9 - 11, at King Philip Settlement House for many years.
- Volunteered for homeless shelter overflow for two years in Fall River
- Served on the Board for the Miss Senior Sweetheart Pageant with Len Kaplan for years.

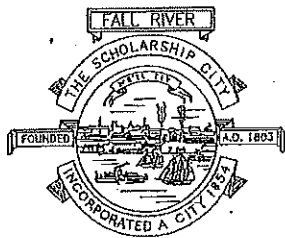
Personal: I lived and worked in Fall River most of my life, graduated from B.M.C. Durfee High School in 1964, have two adult children, four grandchildren and one great grandchild.

Respectfully submitted:

Carolyn A. Burton

Date: May 18, 2018

5



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

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2018 APR 30 A 9:34

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

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

April 30, 2018

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

Dear Councilors:

Attached please find the proposed Loan Order for Phase 18 of the Water Improvement Projects. If you have any questions or require further information, please contact Terrance Sullivan, Administrator of Community Utilities.

I respectfully request your approval for this loan order.

Respectfully,

  
Jasiel F. Correia II  
Mayor

Attachment

# City of Fall River, *In City Council*

5

## CITY OF FALL RIVER LOAN ORDER (Water System Improvements)

ORDERED, that \$4,950,000 is appropriated for the purpose of financing construction and design of Phase 18 of the City's Water Project including without limitation all costs thereof; and to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow \$4,950,000 and to issue bonds or notes therefore, under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws or any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer, with the approval of the Mayor, determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer, with the approval of the Mayor, is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust ("Trust") established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection ("Department") with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Mayor is authorized to enter into a project regulatory agreement with the Department, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project, and

BE IT FURTHER ORDERED, 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 payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, and

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

WATER DIVISION  
WATER SYSTEMS IMPROVEMENTS PROJECTS  
FINANCIAL SUMMARY

PHASE 1B

Component	Vendor	Date	Function	Funding	Total Cost
CM Mains		2019	Construction Management		\$300,000.00
Main Replacement		2019	water main improvements/LSR		\$1,200,000.00
Police		2019	construction details		\$180,000.00
Contingency					\$150,000.00
PENDING SRF/MCWT					\$1,800,000.00
Design Mains		2018	Design		\$175,000.00
Water Maint Complex		2019	CM/RI		\$150,000.00
Water Maint Complex		2019	Building Construction		\$2,500,000.00
WTF Filter Bed Rehab		2019	Filter Bed Rehab		\$200,000.00
Contingency					\$125,000.00
SUB TOTAL OPEN MARKET					\$3,150,000.00
Total					\$4,950,000.00

notes:

EJC principal reduction:

FUNDING Authorization	DATE	AMOUNT
PHASE 1B		
Loan Order		\$ 4,950,000.00
Total		\$ 4,950,000.00

FUNDING-Loans	DATE	AMOUNT
PHASE 1B		
BAN		\$ 3,150,000.00
MWPAT		\$ 1,800,000.00
Total		\$ 4,950,000.00

Street	From	To	Year Installed	Lead Services	Existing Size	Length (ft)
Atlantic Blvd	Pembroke	Tindal	1915		7	1880
Grinnell St	Rodman	Reeves			4	650
Barnes St	Eastern	County	1902		9	1150
Niagara St	Plymouth	Foster	1897		8	750
Wilbur St	Globe	Palmer	1905		3	700
Wilcox St	Globe	Slade	1915		3	600

<b>Totals</b>					<b>26</b>	<b>5730</b>
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Estimates of Phase 18 Project Debt: water projects  
Loan Order= \$4,950,000

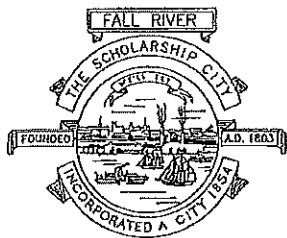
SRF Project Cost	\$1,800,000
Repayment Less 15% EJC reduction	\$1,530,000

Open Market Project Cost	\$3,150,000
--------------------------	-------------

Phase 18-SRF-water projects			
	\$1,530,000		
year	Principal	Interest	Annual P&I
1	\$76,500	\$30,600	\$107,100
2	\$76,500	\$29,070	\$105,570
3	\$76,500	\$27,540	\$104,040
4	\$76,500	\$26,010	\$102,510
5	\$76,500	\$24,480	\$100,980
6	\$76,500	\$22,950	\$99,450
7	\$76,500	\$21,420	\$97,920
8	\$76,500	\$19,890	\$96,390
9	\$76,500	\$18,360	\$94,860
10	\$76,500	\$16,830	\$93,330
11	\$76,500	\$15,300	\$91,800
12	\$76,500	\$13,770	\$90,270
13	\$76,500	\$12,240	\$88,740
14	\$76,500	\$10,710	\$87,210
15	\$76,500	\$9,180	\$85,680
16	\$76,500	\$7,650	\$84,150
17	\$76,500	\$6,120	\$82,620
18	\$76,500	\$4,590	\$81,090
19	\$76,500	\$3,060	\$79,560
20	\$76,500	\$1,530	\$78,030
TOTALS	\$1,530,000	\$321,300	\$1,851,300

Phase 18-Open Market		
	\$3,150,000	
Principal	Interest	Annual P&I
\$157,500	\$94,500	\$252,000
\$157,500	\$89,775	\$247,275
\$157,500	\$85,050	\$242,550
\$157,500	\$80,325	\$237,825
\$157,500	\$75,600	\$233,100
\$157,500	\$70,875	\$228,375
\$157,500	\$66,150	\$223,650
\$157,500	\$61,425	\$218,925
\$157,500	\$56,700	\$214,200
\$157,500	\$51,975	\$209,475
\$157,500	\$47,250	\$204,750
\$157,500	\$42,525	\$200,025
\$157,500	\$37,800	\$195,300
\$157,500	\$33,075	\$190,575
\$157,500	\$28,350	\$185,850
\$157,500	\$23,625	\$181,125
\$157,500	\$18,900	\$176,400
\$157,500	\$14,175	\$171,675
\$157,500	\$9,450	\$166,950
\$157,500	\$4,725	\$162,225
\$3,150,000	\$992,250	\$4,142,250

Effect on the Water Rate	Estimate Start of Long Term Debt
\$0.12	2019
\$0.11	2020
\$0.11	2021
\$0.11	2022
\$0.11	2023
\$0.11	2024
\$0.10	2025
\$0.10	2026
\$0.10	2027
\$0.10	2028
\$0.10	2029
\$0.09	2030
\$0.09	2031
\$0.09	2032
\$0.09	2033
\$0.09	2034
\$0.08	2035
\$0.08	2036
\$0.08	2037
\$0.08	2038



City of Fall River  
Massachusetts  
Office of the Mayor

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2018 MAY -9 P 1:11

CITY CLERK  
FALL RIVER, MA

JASIEL F. CORREIA II  
Mayor

May 8, 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.

My staff and the Director of Financial Services are available to answer any questions or concerns that you may have.

Best Regards,

Jasiel F. Correia II  
Mayor

# City of Fall River, *In City Council*

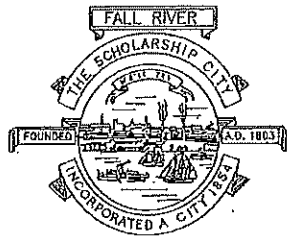
BE IT ORDAINED by the City Council of the City of Fall River, as follows:

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

By inserting in ARTICLE XI, which article relates to Revolving Funds, a new section to read as follows:

## 2-1055 Vehicle Trade-In Revolving Fund

The purpose of this revolving fund is to meet, in whole or in part, expenses relating to the replacement of aging vehicle fleet in the Facilities Maintenance division. The account shall be funded by the Facilities Maintenance's operating budget and sale of Facilities Maintenance vehicles. The fund will be utilized by the Director of Facilities Maintenance. The fund shall be held in and appropriated from in manner provided in Massachusetts General Laws, Chapter 53, Section E ½.



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

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

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CITY CLERK  
FALL RIVER, MA

May 8, 2018

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

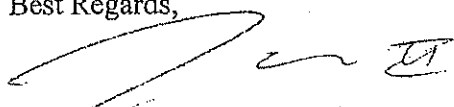
Dear Honorable Council Members:

City Ordinances, Chapter 62, §1, includes a requirement that City residents purchase official City PAYT purple bags for the purpose of disposing of their non-recyclable items. The city needs to "end the trash debate", the program is simply not working. My Administration has spent endless hours with both compliance and enforcement policies. The cost of the bags to our residents is a burden and this burden isn't shared equally among the community. Ideally, the intention of PAYT was to prompt residents to recycle more in an effort to conserve the PAYT bags they purchase; in doing so the City would see a reduction in the cost of disposing local waste. However, this did not happen and instead we experienced more contaminated recycling. In the end this program, which mandated that residents purchase and only use specific purple bags, was tantamount to a tax on a community already facing financial challenges.

Your approval of the repeal of this Ordinance is respectfully requested.

My staff and the Director of Financial Services are available to answer any questions or concerns that you may have.

Best Regards,



Jasiel F. Correia II  
Mayor

# City of Fall River, *In City Council*

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

That Chapter 62 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to solid waste be amended as follows:

## Section 1.

By striking out in Section 62-1, which section relates to Definitions, "Official City Bag" and its definition.

## Section 2.

By striking out Section 62-2(c), in its entirety and inserting in place thereof the following:

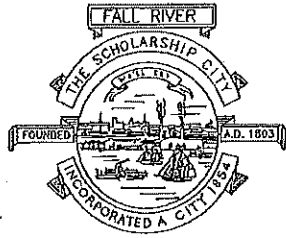
(c) The city shall collect solid waste and recyclables from single family dwellings and multiple family residential buildings containing up to six dwelling units. Solid waste shall be collected only if placed in a green cart. Recyclables shall not be placed in green carts and solid waste shall not be placed in blue or pink carts.

## Section 3.

By striking out in Appendix A-Fee Schedule for the Revised Ordinances of the City of Fall River, Massachusetts, 1999, the following:

### §62-1 Official City Bag

(1) 30 gallon	\$ 2.00
(2) 15 gallon	\$ 1.25
(3) 8 gallon	\$ .75



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

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2018 MAY 10 P 2:39

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

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

May 9, 2018

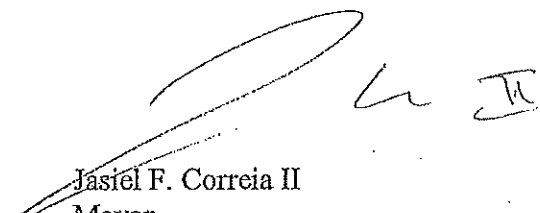
The Honorable City Council  
City of Fall River  
One Government Center  
Fall River, MA 02722

Dear Honorable Council Members:

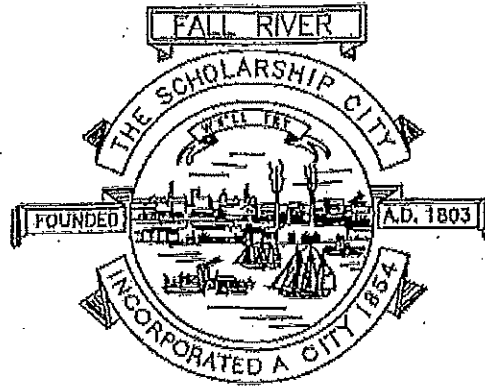
Union members from IBEW Local 1499, on behalf of the employees of Philips Lighting in Fall River, have asked that you join me in supporting the attached Resolution regarding the Lightolier Manufacturing Plant. The decision to close this facility is one that originated at corporate offices far removed from the employees and families that are being harmed by this decision.

The Union is attempting to gain the full support of elected officials at the local, state and federal levels. Your support of this Resolution is much needed and will be greatly appreciated by all those who are being impacted. We look forward to your unanimous vote.

Best Regards,



Jasiel F. Correia II  
Mayor



## RESOLUTION OF THE CITY OF FALL RIVER

### Resolution Relating to Support of Philips Lighting Manufacturing Workers

**WHEREAS**, solutions to competitive demands on businesses in Massachusetts and throughout the United States and abroad often involve downsizing and outsourcing instead of protecting workers and their families, and

**WHEREAS**, Massachusetts Workers are without jobs, and some communities are particularly hard hit with long term unemployment; and

**WHEREAS**, it is recognized that maintaining good jobs with good pay & benefits in the Commonwealth of Massachusetts is encouraged of all businesses, ensuring working families employed in Massachusetts have job stability, and

**WHEREAS**, Manufacturing has become a source of family-supporting jobs for working-class people, immigrants and communities of color.

**WHEREAS**, Philips Lighting in Massachusetts has been and continues to downsize their Massachusetts Workforce and has not added any new technology driven jobs in the Commonwealth of Massachusetts, and

**WHEREAS**, it is recognized that the Philips Lighting manufacturing facility has been located in Fall River, Massachusetts for over thirty-five years and their decision to move the jobs to Mexico will have a devastating economic impact on the local economy with the loss of these good paying jobs;

**WHEREAS**, it is recognized that Philips Lighting workers and their families will suffer extreme hardships, creating stressful family relationships and the communities in which they live will be devastatingly impacted as Philip's terminates their Fall River employees and moves their jobs to Monterey, Mexico.

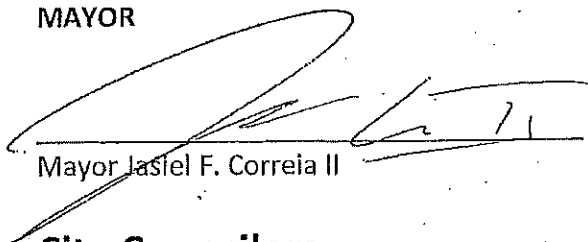
**BE IT THEREFORE RESOLVED:** The City of Fall River Massachusetts promotes collaborative efforts of governments, business and labor in the dynamic field of Manufacturing to employ workers in Massachusetts and partner with the communities in the Commonwealth of Massachusetts in sustaining and growing a high-performance economy, benefitting consumers, working families, and our communities.

**BE IT THEREFORE RESOLVED:** That the City of Fall River strongly urges Eric Rondolat, CEO Philips Lighting to reconsider moving Philips manufacturing jobs out of Massachusetts to Mexico and will provide a copy of this resolution to Philips, strongly encouraging Philips to consider the devastating impact of Philip's decision, on their dedicated and loyal workers, their families and our communities;

**FINALLY, BE IT THEREFORE RESOLVED:** That the City Council of Fall River goes on the record in opposition to Philips Lightings decision to terminate their Fall River, Massachusetts employees and move their jobs to Mexico and calls upon our Massachusetts State and Federal elected delegations to also support the workers and keeping these manufacturing jobs in Fall River, Massachusetts.

**Filed in City Council:**

**MAYOR**



Mayor Jasiel F. Correia II

**City Councilors**

Cliff Ponte Council President

Pam Laliberte-Lebeau Councilor

Steven A. Camara Councilor

Shawn E. Cadime Councilor

Attorney Bradford L. Kilby Councilor

Joseph D. Camara Councilor

Stephen R. Long Councilor

Leo O. Pelletier Councilor

Derek R. Viveiros Councilor



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

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

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2018 MAY -9 P 1:11

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

May 9, 2018

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

Dear Honorable Council Members:

As my Administration works to achieve increased efficiencies and productivity within our local government, we continue to evaluate our management structure to assure long term stability. Each Division is being reviewed for its ability to provide consistency and continuity in the delivery of the services our residents and businesses receive from their local government. These proposed Ordinances establishes new positions in various departments.

Proposed Ordinance:

**Assistant Human Resource Director:** The Assistant Human Resource Director will work with the Director to serve the public and City employees by providing information about city employment opportunities, implementing policies and procedures, managing health insurance and other optional benefits, ensuring that labor practices are followed, and fostering positive relations to create an environment where employees can work productively and develop their skills.

We look forward to further discussion at the Ordinance Committee regarding this position.

Best Regards,



Jasiel F. Correia II

Mayor

# City of Fall River, *In City Council*

9

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

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

## Section 1.

By inserting a new section in Division 3, Division of Human Resources, as follows:

### **Sec. 50-78 Assistant Human Resources Director**

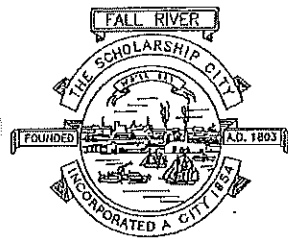
Duties and Responsibilities: The Assistant Human Resources Director will work with the Director to serve the public and City employees by providing information about city employment opportunities, managing health insurance and other optional benefits, implementing policies and procedures, ensuring that labor practices are followed, and fostering positive relations to create an environment where employees can work productively and develop their skills.

## 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:

Assistant Human Resources Director

Not to exceed \$65,000



City of Fall River  
Massachusetts  
Office of the Mayor

JASIEL F. CORREIA II  
Mayor

RECEIVED

2018 MAY -9 P 1:10

CITY CLERK  
FALL RIVER, MA

May 9, 2018

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

Dear Honorable Council Members:

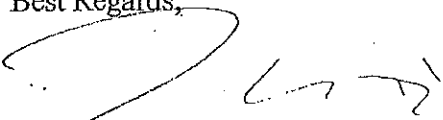
As my Administration works to achieve increased efficiencies and productivity within our local government, we continue to evaluate our management structure to assure long term stability. Each Division is being reviewed for its ability to provide consistency and continuity in the delivery of the services our residents and businesses receive from their local government. These proposed Ordinances establishes new positions in various departments.

Proposed Ordinance:

**Architect:** The primary function of the Architect will be to use their specialist construction knowledge and high-level drawing skills to design buildings improvements that are functional, safe, sustainable and aesthetically pleasing. The Architect will certify the project via control construction requirements and will work under the Director of Facilities Maintenance (Buildings & Grounds).

We look forward to further discussion at the Ordinance Committee regarding this position.

Best Regards,



Jasiel F. Correia II

Mayor

# City of Fall River, *In City Council*

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

## Section 1.

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

By inserting a new division and section, in Article VI, which article relates to Departments, as follows:

## **DIVISION 8**

### **Department of Facilities Maintenance**

#### **Sec. 2-809 Architect**

Duties and Responsibilities: The primary function of the Architect will be to use their specialist construction knowledge and high-level drawing skills to design buildings improvements that are functional, safe, sustainable and aesthetically pleasing. The Architect will certify the project via control construction requirements and will work under the Director of Facilities Maintenance (Buildings and Grounds).

## Section 2.

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

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

Architect	July 1, 2018	Not to exceed \$100,000
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City of Fall River  
Massachusetts  
Office of the Mayor

JASIEL F. CORREIA II  
Mayor

RECEIVED

2018 MAY 10 P 2:39

CITY CLERK  
FALL RIVER, MA

May 10, 2018

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

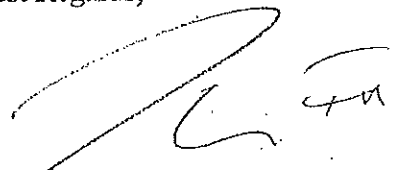
Dear Honorable Council Members:

After consultation with the Law Department, Chief Al Dupere and Harbormaster Bob Smith have requested that Assistant Harbormasters be classified as Seasonal Employees. As these Assistants receive compensation for duties they perform on behalf of the City, they should receive wages as employees rather than be compensated as 1099 vendors. This issue became particularly important in that any injuries sustained while in the City's employment would warrant eligibility for Worker's Compensation. As these employees are only paid during the boating season and only when providing part time services, the classification of seasonal employee appears to be appropriate for these positions.

As the position of seasonal employee does not exist in local ordinance, I am respectfully requesting approval of the attached Ordinance Amendment. As we may have a need for seasonal employees in other departments, we would prefer the position be created for general use.

Your favorable adoption of this Ordinance modification is respectfully requested.

Best Regards,

  
Jasiel F. Correia II  
Mayor

# City of Fall River, *In City Council*

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

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

By inserting in Section 50-310.1, which section relates to miscellaneous salary schedule, in proper alphabetical order the following:

Seasonal employee

Not to exceed \$16.00



# City of Fall River, Massachusetts

## Police Department

Office of the Chief of Police

Albert F. Dupere  
Chief of Police

685 Pleasant St.  
Fall River, MA 02721  
Tel. 508-324-2787  
Fax: 508-324-2809  
TDD: 508-324-2790

April 25, 2018

To: Cathy Ann Viveiros  
City Administrator

From: Albert F. Dupere  
Chief of Police

RE: Harbor Master Seasonal Employees

Dear Ms. Viveiros,

As we discussed, there has been some concern expressed by the Law Department over the work performed by the Assistant Harbor Masters, since they are not employees of the City, but rather volunteers. Attached is a letter from Harbor Master Robert Smith requesting that his assistants be made seasonal employees. I support Mr. Smith's request, which would require the addition of the title in City Ordinance. We believe that this would alleviate any concern and allow for better tracking and control. In addition, the job description would clearly explain what is expected from people who hold the position. Thank you for any consideration of this request.

# Fall River Harbormaster Office

Fall River Police Department, P.O. Box 509, Fall River, MA 02722 -0509

Date: 4/16/2018

Chief Al Dupere  
Fall River Police Department  
685 Pleasant St.  
Fall River, MA 02721  
(508) 676-8511 ext 299

Dear Chief Dupere,

I would like to request that the Asst. Harbormasters be classified as "Seasonal Employees". As you are aware the time required from the members of the Harbormaster Dept. has grown significantly due to the expansion of the marinas, the fresh water boating facilities, staffing the boat ramps, and the many recent programs and events that have developed over the past few years. The Asst. Harbormasters, acting as volunteers are often on the water for 8+ hours at a time during events. Their position has grown from a few hours per week to 30 - 40 hours per week during the busy season.

I am requesting that they be classified as "seasonal employees" paid at the rate of \$15 hr. for assignments at the discretion of the Harbormaster during the months of April - November. A substantial amount of their time will remain voluntary.

## Asst. Harbormaster Job Description:

- Respond to water emergencies as dispatched by FRPD, USCG, FRFD, and marine radio calls.
- Remove all navigational hazards (wood, etc.) from waterways as reported by mariners.
- Install and maintain floating docks at all city boat ramps and dinghy docks.
- Operate the Clean Vessel Act waste pump out boats. (\$16 per hour per program guidelines)
- Assign and maintain transient moorings.
- Manage all seasonal moorings in Fall River Waterways.
- Plan and provide safety for all on water events. (races, construction, etc.)
- Maintain a presence at (3) Fall River boat launch ramps and parking areas.
- Maintain Harbormaster vessels, trailers, and equipment.
- Inspect all vessels at Fall River marinas for Waterway Permits (excise tax)

Sincerely,



Bob Smith  
Harbormaster / Shellfish Constable  
T: 508-207-7730  
harbormaster@frpd.org

12



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

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

**RECEIVED**

2018 MAY 10 P 2:38

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

May 10, 2018

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

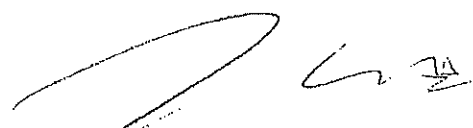
Dear Honorable Council Members:

Please find attached a salary rate change for the position of Network Administrator (MIS) which I will be proposing in the fiscal 2019 budget. This change includes combining the current stipend of \$13,000 into the base salary.

Your approval of this ordinance modification is respectfully requested.

My staff and the Director of Financial Services are available to answer any questions or concerns that you may have.

Best Regards,

  
Jasiel F. Correia II  
Mayor

Enclosure

# City of Fall River, *In City Council*

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

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

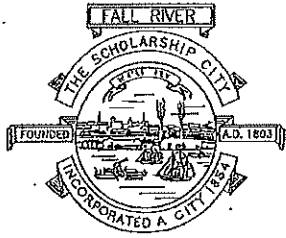
By striking in Section 50-301, which section relates to Salary schedules for executive officers, department heads, and non-union personnel, the following:

Network Administrator	7-1-2017	\$54,155.08
-----------------------	----------	-------------

and inserting in place thereof the following:

Network Administrator	7-1-2018	Not to exceed \$75,000
-----------------------	----------	------------------------

13



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

RECEIVED

2018 MAY 10 P 2:38

CITY CLERK  
FALL RIVER, MA

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

May 10, 2018

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

Dear Honorable Council Members:

Please find attached a salary rate change for the position of Parking Clerk – Traffic Division - DCM which I will be proposing in the fiscal 2019 budget. This change includes combining the current snow stipend of \$2,500 into the base salary.

Your approval of this ordinance modification is respectfully requested.

My staff and the Director of Financial Services are available to answer any questions or concerns that you may have.

Best Regards,

Jasiel F. Correia II  
Mayor

Enclosure

# City of Fall River, *In City Council*

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

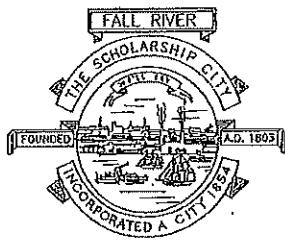
That Chapter 50 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Personnel be amended as follows:

By striking in Section 50-301, which section relates to Salary schedules for executive officers, department heads, and non-union personnel, the following:

Parking Clerk/Director of Traffic	7-1-2017	\$61,812.11
-----------------------------------	----------	-------------

and inserting in place thereof the following:

Parking Clerk/Director of Traffic	7-1-2018	Not to exceed \$70,000
-----------------------------------	----------	------------------------



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

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

14  
**RECEIVED**

2018 MAY 10 P 2:38

CITY CLERK  
FALL RIVER, MA

May 10, 2018

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

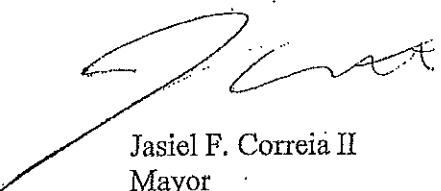
Dear Honorable Council Members:

Please find attached a salary rate change for the position of Assistant City Clerk which I will be proposing in the fiscal 2019 budget.

Your approval of this ordinance modification is respectfully requested.

My staff and the Director of Financial Services are available to answer any questions or concerns that you may have.

Best Regards,

  
Jasiel F. Correia II  
Mayor

Enclosure

City of Fall River, *In City Council*

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

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

By striking in Section 50-301, which section relates to Salary schedules for executive officers, department heads, and non-union personnel, the following:

Assistant City Clerk	7-1-2017	\$69,824.55
----------------------	----------	-------------

and inserting in place thereof the following:

Assistant City Clerk	7-1-2018	Not to exceed \$75,000
----------------------	----------	------------------------



15

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

RECEIVED

2018 MAY 10 P 2:38

CITY CLERK  
FALL RIVER, MA

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

May 10, 2018

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

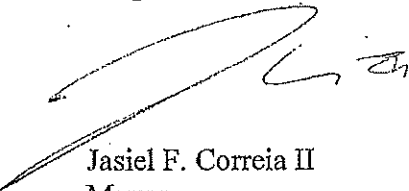
Dear Honorable Council Members:

Please find attached a salary rate change for the position of Manager of Operations – Streets & Highways - DCM which I will be proposing in the fiscal 2019 budget. This change includes combining the current snow stipend of \$8,489 into the base salary.

Your approval of this ordinance modification is respectfully requested.

My staff and the Director of Financial Services are available to answer any questions or concerns that you may have.

Respectfully,



Jasiel F. Correia II  
Mayor

Enclosure

City of Fall River, *In City Council*

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

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

By striking in Section 50-301, which section relates to Salary schedules for executive officers, department heads, and non-union personnel, the following:

Manager of Operations Streets and Highways	7-1-2017	\$66,510.86
--	----------	-------------

and inserting in place thereof the following:

Manager of Operations Streets and Highways	7-1-2018	Not to exceed \$75,000
--	----------	------------------------



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

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

16  
**RECEIVED**

2018 MAY 10 P 2:38

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

May 10, 2018

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

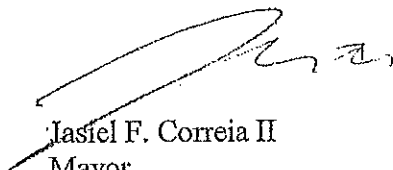
Dear Honorable Council Members:

Please find attached a salary rate change for the position of Treasurer which I will be proposing in the fiscal 2019 budget. This change includes combining the current professional certification stipend of \$5,000 into the base salary.

Your approval of this ordinance modification is respectfully requested.

My staff and the Director of Financial Services are available to answer any questions or concerns that you may have.

Best Regards,



Jasiel F. Correia II  
Mayor

Enclosure

# City of Fall River, *In City Council*

16

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

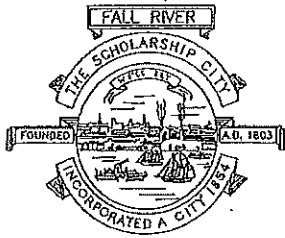
That Chapter 50 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Personnel be amended as follows:

By striking in Section 50-301, which section relates to Salary schedules for executive officers, department heads, and non-union personnel, the following:

City Treasurer	7-1-2017	\$81,600.00
----------------	----------	-------------

and inserting in place thereof the following:

City Treasurer	7-1-2018	Not to exceed \$85,000
----------------	----------	------------------------



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

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

17

RECEIVED

2018 MAY 10 P 4:09

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

May 10, 2018

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

Dear Honorable Council Members:

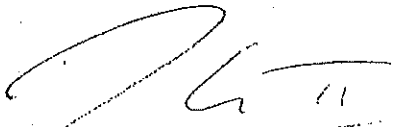
Please find attached a salary rate change for the position of Assistant Commissioner for Recreational Facilities/Director of Recreational Facilities – Parks Division - DCM which I will be proposing in the fiscal 2019 budget.

Currently an individual has been paid an amount of \$10,483 for service out of rank as Commission of Recreational Facilities, Cemeteries and Trees while she was performing the duties of Commissioner. This position has been eliminated in the budget and replaced with the of Assistant Commissioner for Recreation Facilities/Director of Recreational.

Your approval of this ordinance modification is respectfully requested.

My staff and the Director of Financial Services are available to answer any questions or concerns that you may have.

Respectfully,

  
Jasiel F. Correia II  
Mayor

Enclosure

# City of Fall River, *In City Council*

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

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

By striking in Section 50-301, which section relates to Salary schedules for executive officers, department heads, and non-union personnel, the following:

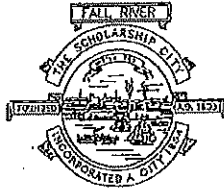
Assistant Commissioner for Recreation Facilities/ Director of Recreational Facilities	7-1-2017	\$55,916.38
--	----------	-------------

and inserting in place thereof the following:

Assistant Commissioner for Recreational Facilities/ Director of Recreational Facilities	7-1-2018	Not to exceed \$75,000
--	----------	---------------------------

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

**JASIEL F. CORREIA II**  
Mayor



RECEIVED  
2018 MAY -7 P 3:19

**JOSEPH I. MACY**  
Corporation Counsel

**GARY P. HOWAYECK**  
Assistant Corporation Counsel

**JESSICA A. ADLER**  
Assistant Corporation Counsel

May 7, 2018

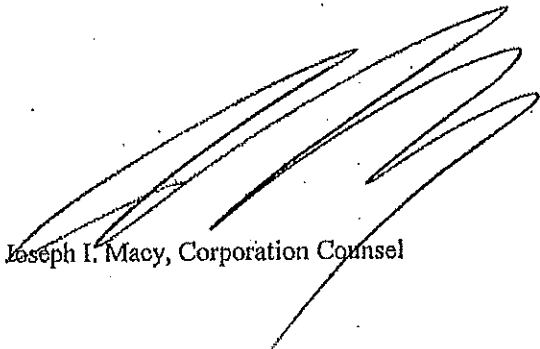
Fall River City Council  
One Government Center  
Fall River, MA 02722

RE: Conduct of Meetings

Dear Councilors:

Attached is a suggested protocol for committee meetings. While I believe that, if followed, we will be in compliance with both Judge Hopkins decision and the Attorney General's guidance I also view this as a work in progress. (I have also attached my letter of April 20 for your reference.)

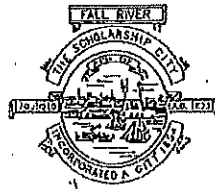
If this protocol becomes unworkable or problematic we can always discuss amending it. However, I did want you to have something in advance of the Ordinance Committee meeting of May 8.

  
Joseph I. Macy, Corporation Counsel

18

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

**JASIEL F. CORREIA II**  
Mayor



**JOSEPH I. MACY**  
Corporation Counsel

**GARY P. HOWAYECK**  
Assistant Corporation Counsel

**JESSICA A. ADLER**  
Assistant Corporation Counsel

April 20, 2018

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

Re: Open Meeting Law Decision

Dear President Ponte:

Judge Hopkins issued a Memorandum of Decision and Order on Parties' Cross-Motions for Judgment on the Pleadings on March 16, 2018 in the case of Fall River City Council vs. Maura Healey, Attorney General of the Commonwealth of Massachusetts.

Judge Hopkins concluded "the Attorney Generals conclusion that the non-subcommittee councilors "deliberated" is not arbitrary or capricious. During the meeting the non-subcommittee councilors' communication went beyond the "open participation" contemplated by G.L. c. 30A, § 18 and "deliberated"." The Court then listed evidence of the non-Subcommittee members which led to the deliberation; "the amount of time that is devoted to non-Subcommittee councilors' questions; the non-Subcommittee councilors active participation in the questioning of the presenters; and that the non-Subcommittee councilors consistently referred to themselves as having the floor or yielding the floor; referred to their jobs as councilors when examining the presenters; and expressed their support or lack thereof regarding the issues before the Subcommittee and opinions, including those regarding what should ultimately be voted on." (See Judge Hopkins Memorandum of Decision and Order on Parties' Cross-Motions for Judgment on the Pleadings.)

In conclusion the Court states, "The court agrees that the Council's failure to properly notice a joint meeting of the Subcommittee and the full Council violated the Open Meeting Law." (See Judge Hopkins Memorandum of Decision and Order on Parties' Cross-Motions for Judgment on the Pleadings.)

Fall River City Ordinance 2-151. Standing Committees in section B. states, "Committee on Ordinance and Legislation, consisting of five members." (See Fall River City Ordinance 2-151). Therefore by Ordinance the Committee on Ordinance and Legislation is to have 5 members making it a quorum of the parent body.

The Division of Open Government has concluded that a quorum of a public body may sit on its subcommittee without having to post a separate meeting notice, provided that the discussion is limited to matters within the jurisdiction of the subcommittee. (See OML 2016-117, OML 2013-155). Members of a parent body may attend the meeting of a subcommittee provided there is no deliberation. (See OML 2016-117, OML 2013-38.) The Division of Open Government has stated; "In considering whether members of the parent public body have deliberated during a subcommittee meeting, we look for indicia such as whether the parent public body members were seated with the general public and whether they participated by open participation to conclude that no improper deliberation occurred." (See OML 2016-117, OML 2013-38.)

Moving forward, the City Council has two options: should the City Council wish to keep their current practice then 1) Announce every committee meeting as a full, or joint, council meeting with no agenda other than that of the then sitting committee or 2) Allow councilors to attend in the same form and manner as any spectator/ non-committee member present being careful not to cross the inexact line between participation and deliberation.

In order to establish a working written protocol on which we all can agree and follow I suggest a meeting among you, Allison and my office as soon as possible upon my return on April 30. Please work with Carla to arrange a suitable time and date.

Very Truly Yours,



\_\_\_\_\_  
Joseph E. Macy, Corporation Counsel

#### SUGGESTED PROTOCOL FOR CITY COUNCIL COMMITTEE MEETINGS

##### ALL COMMITTEE MEETINGS SHALL BE POSTED AS SUCH AND CONDUCTED AS FOLLOWS:

Pursuant to the Rules of the Council, the Charter and the Open Meeting Law all meetings may follow the usual format. (There is no legal requirement to change the number of members on any committee, specifically including the Ordinance Committee)

If councilors attend the meeting who are not members of the committee they must abide by the following restrictions:

- 1) They must sit in the public seats and not at their regular council seats
- 2) While they may be addressed as councilor, if recognized by the chair, they may sit at the committee table and participate by stating their views and returning to the public seats when their remarks are finished.
- 3) They may not be allowed to speak longer than members of the general public but there should be no time limit on them so long as there is no time limit set for the general public.
- 4) They should take pains to confine their remarks to questions or statements but not suggest how they might vote when, and if, the matter comes before the full council.
- 5) The committee must strictly adhere to its agenda.

##### ALTERNATIVELY:

Every committee meeting may be posted as a joint meeting of that committee and the city council. In such an event councilors could fully participate but the committee agenda would still have to be strictly followed.

I believe that if either of the above are followed the Council will not have violated the prohibition against improper deliberation. Note also that either of the above may be utilized for a particular meeting and the Council need not adopt one as the only alternative.

## CITY OF FALL RIVER

---

To the City Council

Councillors:

The Committee on Health and Environmental Affairs at a meeting held on April 23, 2018 voted unanimously to recommend that the accompanying resolution be forwarded to the full council for action.

*Gillian A. Taylor*  
Clerk of Committees

City of Fall River, *In City Council*

20

(Committee on Health and Environmental Affairs)

BE IT RESOLVED, that the Fall River City Council condemns the deal made by  
Benn Water and Heavy Transport and the Watuppa Water Board and it opposes the  
siting of Invenenergy's plan to build a power plant in Burrillville, Rhode Island.

Filed: 4-23-18

## CITY OF FALL RIVER

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To the City Council

Councillors:

The Committee on Health and Environmental Affairs at a meeting held on April 23, 2018 voted unanimously to recommend that the accompanying resolution be forwarded to the full council for action.

*William A. Taylor*  
Clerk of Committees

*City of Fall River, In City Council*

(Committee on Health and Environmental Affairs)

BE IT RESOLVED, that the Fall River City Council opposes the renewal of the contract between Benn Water and Heavy Transport and the Watuppa Water Board, when the contract requires renewal.

## CITY OF FALL RIVER

---

To the City Council

Councillors:

The Committee on Health and Environmental Affairs at a meeting held on April 23, 2018 voted unanimously to recommend that the accompanying resolution be granted leave to withdraw.

*Colleen A. Taylor*  
Clerk of Committees

# City of Fall River, *In City Council*

(Councilor Steven A. Camarà)

WHEREAS, it is a regular practice for all Public Utilities Contracts for the sale of Municipal Utilities to come before the Fall River City Council for its review and consideration, and

WHEREAS, now, it is realized by this City Council and the general public that the City of Fall River has contracted to sell water to a Burrillville, RI energy company without prior knowledge of the City Council, and

WHEREAS, the Watuppa Water Board passed this contract of sale on a 2-1 vote on August 17, 2017, and

WHEREAS, this contractual agreement constitutes a potential for litigation by third parties, now therefore

BE IT RESOLVED, that the City Council Committee on Health and Environmental Affairs convene a meeting and invite members of the Watuppa Water Board, the Corporation Counsel, representatives of the Burrillville Board of Selectmen, representatives of Invenenergy Corporation and Benn Water and Heavy Transport to discuss this contract and service to ensure that the City of Fall River will not be a co-defendant in any litigation and to assure this Council that through this contract the City of Fall River will not be environmentally and/or economically responsible in any way for providing water for what may be an environmentally damaging activity in the nearby State of Rhode Island.

In City Council, October 24, 2017  
Adopted.

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

## CITY OF FALL RIVER

---

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 8, 2018,  
voted 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 Councilor Bradford L.  
Kilby absent and not voting.



Assistant Clerk of Committees

**EMERGENCY PREAMBLE**

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

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

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

Chester Street, west side, starting at a point 22 feet north of Reney Street, for a distance of 20 feet northerly  
Dwelly Street, south side, starting at a point 20 feet west of Tuttle Street, for a distance of 20 feet southerly  
Fielden Street, east side, starting at a point 57 feet south of McGowan Street, for a distance of 20 feet southerly  
Montaup Street, east side, starting at a point 20 feet south of Dwelly Street, for a distance of 20 feet southerly

## CITY OF FALL RIVER

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To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 8, 2018, voted to recommend that the accompanying proposed ordinance be passed through first reading, with Councilor Bradford L. Kilby absent and not voting.

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

Birch Street, south side, starting at a point 197 feet west of South Main Street, for a distance of 20 feet easterly

Downing Street, north side, starting at a point 82 feet east of Haffards Street, for a distance of 20 feet easterly

Slade Street, south side, starting at a point 27 feet west of Vale Street, for a distance of 20 feet westerly

Winter Street, west side, starting at a point 170 feet north of Franklin Street, for a distance of 25 feet northerly

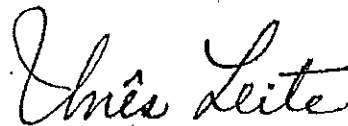
## CITY OF FALL RIVER

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To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 8, 2018, voted to recommend that the accompanying proposed ordinance be passed through first reading, with Councilor Bradford L. Kilby absent and not voting.



Assistant Clerk of Committees

City of Fall River, In City Council

25

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

Section 1.

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

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

For water billed on or after July 1, 2018, per 100 cu. ft. \$3.14

CITY OF FALL RIVER  
IN CITY COUNCIL

APR 10 2018

referred to the  
Committee on Ordinances  
and Legislation

**CITY OF FALL RIVER**

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26

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 8, 2018, voted to recommend that the accompanying proposed ordinance be passed through first reading, with Councilor Bradford L. Kilby absent and not voting.

  
Assistant Clerk of Committees

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

Section 1.

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

Sub-Section 1.

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

Sub-Section 2.

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

Sub-Section 3.

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

Sub-Section 4.

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

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

CITY OF FALL RIVER  
IN CITY COUNCIL

APR 10 2018

*Referred to the  
Committee on Ordinances  
and Legislation*

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

Section 2.

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

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

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

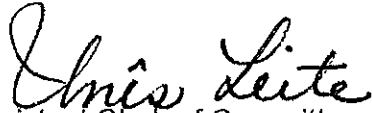
## CITY OF FALL RIVER

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To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 8, 2018, voted to recommend that the accompanying proposed ordinance be passed through first reading, as amended, with Councilor Bradford L. Kilby absent and not voting.

  
Assistant Clerk of Committees

# City of Fall River, In City Council

27

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

## Section 1

That Chapter 1 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to General Provisions, be amended by inserting the following as follows:

## ARTICLE II

### **Adoption of Code**

#### **§ 1-21. Code adopted,**

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

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

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

## Section 2

That Chapter 1 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to General Provisions, be amended by striking in § 1-1 "Revised Ordinances of the City of Fall River, Massachusetts, 1999, and inserting in place thereof "Code of the City of Fall River," and by striking in § 1-8N "state department of public works" and inserting in place thereof "State Department of Transportation"

## Section 3

That the Revised Ordinances of the City of Fall River, Massachusetts, 1999, be amended by striking "this Revision" and inserting "this Code" in place thereof when referring to the Code of the City of Fall River.

## Section 4

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

1. § 2-208B is amended by striking "Parks and Cemeteries Division and inserting in place thereof "Parks Division, Cemeteries Division"
2. § 2-210 is amended by striking "management information systems division" and inserting in place thereof "Information Systems Division."
3. § 2-214 is amended by striking "veterans' benefits agent" and inserting in place thereof "Veterans' Agent."
4. § 2-222 is amended by striking in the definition of "employee" the word "or,"

5. § 2-356C is amended by striking "751 CMR § 11.05(4)" and inserting in place thereof "760 CMR 22."
6. § 2-503 is amended by striking this section in its entirety and inserting in place thereof the following: "The Director of Financial Services, through the City Collector, shall make out and distribute tax bills to each taxpayer as set forth in § 2-508 of this division."
7. § 2-504 is amended by striking this section in its entirety and inserting in place thereof the following: "The Director of Financial Services, through the City Collector, shall serve on all persons whose taxes for that year are then unpaid a statement of the amount and a demand for the payment of the taxes as set forth in § 2-509 of this division."
8. § 2-591 is amended by striking "veterans' services department" and inserting in place thereof "Office of Veterans' Services."
9. § 2-641 is amended by striking this section in its entirety and inserting in place thereof the following: There shall be a division in the City known as the "Planning Division" under the direction and control of the City Planner.
10. § 2-642 is amended by striking this section in its entirety and inserting in place thereof the following: "The Planning Division shall also include the Conservation Division and the Licensing Division."
11. § 2-655 is amended by striking "planning director" and inserting in place thereof "Director of Community Maintenance."
12. Division 7, formerly "Department of Health and Human Services," is amended by striking in its entirety and inserting in place thereof the following:

**DIVISION 7**

**Department of Community Services**

§ 2-808. Established. Director; divisions.

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

13. Former Article IX, Miscellaneous Fees is amended by striking it in its entirety and relocating its provisions within this chapter as follows:
  - a. Former § 2-1001, Fees charged by City Clerk, is moved to become § 2-453.
  - b. Former § 2-1002, Fees charged by Sealer of Weights and Measures, is moved to become § 2-574.
  - c. Former § 2-1003, Fees charged to Parks and Cemeteries Division, is moved to become § 2-208D.

14. § 2-1022 is amended by striking "this chapter" and inserting in place thereof "MGL c. 40U" throughout; and to strike any references to "Town Meeting" or "bylaws."

#### Section 5

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

1. § 6-1 is amended by striking "Article" in its entirety and inserting in place thereof the following:

*CHAPTER – Chapter 6 of the Code of the City of Fall River, Massachusetts, unless otherwise stated.*

2. § 6-1, is amended by striking subsection F in its entirety and inserting in place thereof the following: "Any dog which bites or attacks any persons."
3. § 6-1 is amended by striking the definition of "dangerous or vicious animal" in its entirety and inserting in place thereof the following:

**DANGEROUS OR VICIOUS ANIMAL** – Any animal that may be at large and/or with the same or similar dangerous or vicious propensities as a dangerous or vicious dog. Any provisions of this chapter applicable to dangerous or vicious dogs shall be applicable to a dangerous or vicious animal.

4. § 6-2B is amended by striking it in its entirety and inserting in place thereof the following: "The provision of MGL c. 140, § 138 as amended, shall be expressly incorporated herewith and shall henceforth apply under this chapter."

5. § 6-3D is amended by inserting "license" as follows:

D. . . . Within seven days after such public hearing said City Council shall make an order either revoking or suspending such kennel license; or dismissing said petition. . . .

6. § 6-8 is amended by striking "director of municipal services" and inserting in place thereof "City Administrator."
7. § 6-12 is amended by striking "Pursuant to the authority permitted under Massachusetts General Laws chapter 140, § 147A (MGL c. 140 § 147A),"
8. § 6-17D is amended by striking it in its entirety and inserting in place thereof the following:

When any domestic animal dies, its owner shall cause the animal to be removed to an animal rendering company, or buried within 72 hours of the death of the animal. The administrative and disposal fee shall be as set forth in Chapter A110, Fee Schedule, of the City Code, payable within 30 days to the City of Fall River.

#### Section 6

That Chapter 10 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Buildings and Building Regulations, be amended as follows:

1. § 10-96 is amended by striking the first sentence in its entirety and inserting in place thereof the following: "Within 45 days of a building becoming vacant, each owner of such vacant building shall register said building with Inspectional Services by providing such division, on a form to be created by such division, with the name, address and telephone number of each owner of the building, the street address of the building and the map, block and parcel number of such building."

2. § 10-97A is amended by striking the first sentence in its entirety and inserting in place thereof the following: "On or before November 15 of each calendar year, the owner of any vacant building on a lot of less than 1/2 acre shall pay to Inspectional Services a registration fee to cover the administrative cost of the monitoring of such vacant buildings. The annual registration fee shall be based on the duration of the vacancy as of November 15 of such year according to the schedule set forth in Chapter A110, Fee Schedule, of the City Code."
3. §§ 10-98 and 10-99 are amended by striking "code enforcement" and inserting in place thereof "Inspectional Services."
4. § 10-101 is amended by striking "code enforcement officer" and inserting in place thereof "Inspector of Buildings."
5. § 10-176B is amended by striking "the director of code enforcement"

#### Section 7

That Chapter 14 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Businesses, be amended as follows:

1. § 14-315 is amended by inserting in the definition of "push cart" the following: "This definition specifically excludes push carts from which food is offered for sale to the public."
2. § 14-376 is amended by striking it in its entirety and inserting in place thereof the following: "The records required to be kept by § 14-375 shall at all times be available for inspection by the City Council, or any person authorized by the City Council to make inspection, or any member of the police force."
3. § 14-621 is amended by striking the section in its entirety and inserting in place thereof the following:

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

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

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

4. Chapter 14 is amended by inserting a new section as follows:

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

The City Clerk shall, in accordance with authority granted through MGL c. 101, § 12A, under such conditions as he deems proper, grant to any organization engaged in

charitable work or to a post of any incorporated organization of veterans who served in the military or naval service of the United States in time of war or insurrection, a special license authorizing it, for a particular time period not to exceed a total of four days, to be stated in such a license, to conduct under their control a temporary or transient business in which transient vendors participating in such sales shall not be subject to the provisions of MGL c. 101, §§ 3 to 12, inclusive. The exercise of all licenses provided for in this section shall be subject to the provisions of all statutes, ordinances, rules and regulations not inconsistent with this section.

5. § 14-671A is amended by striking "not to exceed \$300" and inserting in place thereof "in accordance with § 1-15 of the City Code."
6. § 14-710 is amended by striking "Further, a food vending permit holder shall not be subject to the time limitation described in Article VIII, § 14-309."

#### Section 8

That Chapter 22 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Emergency Services, be amended as follows:

1. § 22-37B is amended by striking "or those persons designated by him under sub section (a) of this section," and "or those persons designated by the alarm user under subsection (a) of this section"
2. § 22-77A is amended by inserting after persons the following: ", or which regularly hosts eight or more patrons at any time, or an aggregate of both employees and patrons,"
3. § 22-77B is amended by striking "to such minimum requirements and regulations as he may establish."

#### Section 9

That Chapter 26 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Litter, be amended as follows:

§ 26-42A is amended by inserting after "Copicut Reservoir) ", the following activities are prohibited:"

#### Section 10

That Chapter 30 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Fire Protection and Prevention, be amended as follows:

1. § 30-81 is amended by striking this section in its entirety and inserting in place thereof the following: "The State Fire Code, 527 CMR is hereby adopted by the City, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion. Such code is hereby adopted and incorporated as fully as if set out at length in this section, and the provisions thereof shall be controlling within the limits of the City."
2. Former § 30-83 is amended by striking this section in its entirety.
3. Former § 30-97, is amended by striking this section in its entirety.

#### Section 11

That Chapter 38 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Historical Preservation, be amended as follows:

§ 38-113 is amended by striking "historic commission" and inserting in place thereof "Historical Commission."

#### Section 12

That Chapter 46 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which Chapter relates to Offenses, be amended as follows:

§ 46-2.1B is amended by striking "MGL c. 53, § 65" and inserting in place thereof "MGL c. 53, §§ 70A through 70H."

#### Section 13

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

1. § 50-248 is amended by striking "Director of Resources" and inserting in place thereof "Director of Human Resources."
2. §§ 50-252, 50-253A, 50-254A, 50-256A, 50-257A, 50-258A, 50-263A are amended by striking "follows: [The current schedule is on file in the City offices.]" and inserting in place thereof the following: "set forth in the current agreement."
3. § 50-310B is amended by inserting as follows: "B. The President of the Sewer Commission shall receive as compensation the sum of \$2,000 per annum. Each of the other members shall receive \$1,400 per annum."

#### Section 14

That Chapter 54 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Public Facilities, be amended as follows:

§ 54-150 is amended by striking subsections D, E and F, regarding abatement of public hazards or nuisances.

#### Section 15

That Chapter 62 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Solid Waste, be amended as follows:

§ 62-7 is amended by striking "in the case of refuse receptacles, or the Director of Community Maintenance in the case of garbage receptacles"

#### Section 16

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

1. Chapter 70 is amended by striking "Department of Public Works" and inserting in place thereof "Department of Transportation."
2. § 70-162 is amended by striking "suitable and audible" and inserting in place thereof "visible"
3. § 70-174B is amended by inserting ", except when necessary to ensure safe operation in accordance with subsection A or as a warning to pedestrians in accordance with § 70-418."

4. § 70-241 is amended by striking in Kay Street Northbound the following: "North Rockliffe Street at"
5. § 70-281 is amended by striking the following:

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

6. § 70-311 is amended by striking this section in its entirety and inserting in place thereof the following:

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

- A. Any person who violates any of the following provisions shall be subject to the following fines if such fine is paid within 21 days:
- (1) For a violation of § 70-312A(7): \$60.
  - (2) For a violation of § 70-312A(9): \$20.
  - (3) For a violation of § 70-312C: \$50.
  - (4) For a violation of § 70-314: \$40.
  - (5) For a violation of §§ 70-344, 70-348 and 70-377: \$20.
  - (6) For a violation of §§ 70-318 and 70-320: \$20.
  - (7) For a violation of Chapter 30, Article IV, Fire Lanes, of the City Code: \$20.
  - (8) For any other parking violations of this article: \$20.
  - (9) For any other violation of this article: as provided by § 1-15 of the City Code.
  - (10) Violation of § 70-319: \$35.
- B. All fines paid after 21 days but before the Parking Clerk reports to the Registrar of Motor Vehicles as provided in MGL c. 90 § 20A 1/2 shall be \$25.
- C. All fines paid thereafter shall be subject to a penalty of \$45.
7. § 70-312C is amended by striking "the fee schedule located in Appendix A" and inserting in place thereof "§ 70-311 above."
8. § 70-324 is amended by inserting "Violations shall be subject to a fine of \$20."
9. §§ 70-342, 70-344A and B, 70-347A and 70-348 are amended by striking "proper coin of the United States" and inserting in place thereof "coin" and by striking "required coin of the United States" and inserting in place thereof "proper payment."
10. § 70-371 is amended as follows:
- a. The "Seventh Street, East" entry is amended to add "Entire length" in the "Location" column.
  - b. The "Copicut Road" entry from the intersection of Copicut/Indian Town Road south to the intersection of Copicut Road/Copicut Pump Station is amended to add "Both" in the "Side" column.

c. Strike "Grinnell Street", starting at a point 75 feet west of Jefferson Street, westerly for a distance of 112 feet

d. Strike "Rodman Street", from Salem Street easterly and westerly for a distance of 30 feet

11. § 70-372 is amended by striking separate Subsections (1) through (36) and to insert all entries in a single table, alphabetized by street name and by inserting the following generic lead-in paragraph:

No person shall park a vehicle during the hours and in the locations indicated on the following streets or parts of streets: . . .

12. § 70-373 is amended by striking separate Subsections (1) through (44) and to insert all entries in a single table, alphabetized by street name and by inserting the following generic lead-in paragraph:

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

13. § 70-374 is amended by striking separate Subsections (1) through (51) and to insert all entries in a single table, alphabetized by street name and by inserting the following generic lead-in paragraph:

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

14. § 70-375 is amended by striking separate Subsections (1) through (23) and to insert all entries in a single table, alphabetized by street name and by inserting the following generic lead-in paragraph:

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

15. § 70-376 is amended by striking separate Subsections (a) through (m) and to insert all entries in a single table, alphabetized by street name and by inserting the following generic lead-in paragraph:

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

16. § 70-385 is amended by striking this section in its entirety and inserting in place thereof the following:

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

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

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

Name of Street	Side	Location	Hours/Days
Third Street	East	Starting at a point 20 feet north of Rodman Street, for a distance of 28 feet northerly	9:00 a.m. to 5:00 p.m./Monday through Friday

Sixth Street	East	Starting at a point 52 feet north of Pleasant Street, for a distance of 20 feet northerly	10:00 a.m. to 5:00 p.m./Monday through Saturday
Sixth Street	East	Starting at a point 125 feet north of Pleasant Street, northerly for a distance of 30 feet	6:00 a.m. to 5:00 p.m./Monday through Friday
10th Street	East	Starting at a point 20 feet south of Bedford Street, for a distance of 28 feet southerly	10:00 a.m. to 5:00 p.m./Monday through Saturday
10th Street	West	Starting at a point 221 feet north of Pleasant Street, for a distance of 40 feet northerly	7:00 a.m. and 6:00 p.m./Monday through Saturday
Anthony Street	South	Starting at a point 10 feet west of Stafford Road, westerly for a distance of 56 feet	8:00 a.m. to 1:00 p.m./Monday through Saturday
Bank Street	South	Starting at a point 20 feet east of North Main Street, easterly for a distance of 96 feet	8:00 a.m. to 6:00 p.m./Monday through Friday
Barlow Street	West	Starting at a point 96 feet north of Pleasant Street, northerly for a distance of 75 feet	8:00 a.m. to 6:00 p.m./Monday through Friday
Bay Street	West	Starting at a point 269 feet south of Middle Street, for a distance of 30 feet southerly	6:00 a.m. to 5:00 p.m./Monday through Friday
Bedford Street	North	Starting at a point 146 feet east of High Street, easterly for a distance of 46 feet	9:00 a.m. to 5:00 p.m./Monday through Friday
Bogle Street	West	Starting at a point 48 feet south of Pleasant Street, for a distance of 50 feet southerly	9:00 a.m. to 5:00 p.m./Monday through Friday
Boomer Street	West	From a point 50 feet north of President Avenue for a distance of 27 feet	All/All
Bowen Street	East	Starting at a point 20 feet north of Walter Street, northerly for a distance of 46 feet	8:00 a.m. to 5:00 p.m./Monday through Saturday
Bradford Avenue	North	Starting at a point 30 feet east of Diman Street, for a distance of 43 feet easterly	8:00 a.m. to 6:00 p.m./Monday through Friday
Broadway	West	Starting at a point 20 feet south of Griffin Street, for a distance of 81 feet southerly	6:00 a.m. to 5:00 p.m./Monday through Friday
Broadway	West	Starting at a point 213 feet north of William Street, for a distance of 20 feet northerly	9:00 a.m. to 5:00 p.m./Monday through Friday
Brownell Street	North	Starting at a point 20 feet west of North Court Street, for a distance of 39 feet westerly	8:00 a.m. to 5:00 p.m./Monday through Friday
Cherry Street	North	Starting at a point 41 feet west of Plain Street, for a distance of 45 feet westerly	7:00 a.m. and 6:00 p.m./Monday through Saturday

Chestnut Street	East	From President Avenue to Stanley Street	All/All
Chestnut Street	East	Starting at a point 59 feet north of President Avenue, for a distance of 119 feet southerly	All/All
Chicago Street	North	Starting at a point 26 feet east of Jefferson Street, for a distance of 40 feet easterly	8:00 a.m. to 5:00 p.m./Monday through Saturday
Columbia Street	South	Starting at a point 75 feet west of Fountain Street, westerly for a distance of 30 feet	9:00 a.m. to 5:00 p.m./Monday through Friday
Dover Street	West	Starting at a point 12 feet north of Snell Street, northerly for a distance of 54 feet	6:00 a.m. to 10:00 a.m./All
Durfee Street	East	Starting at a point 63 feet north of Pine Street, northerly for a distance of 76 feet	8:00 a.m. to 5:00 p.m./Monday through Saturday
Eagle Street	East	Starting at a point 53 feet south of Columbia Street, southerly for a distance of 56 feet	All/All
Eagle Street	East	Starting at a point 27 feet north of Hope Street, northerly for a distance of 46 feet	All/All
Eagle Street	West	From William Street southerly for a distance of 35 feet	8:00 a.m. to 6:00 p.m./Monday through Friday
Eastern Avenue	West	Starting at a point 339 feet south of County Street, southerly for a distance of 120 feet	June 1 through September 1
East Main Street	West	Starting at a point 275 feet south of Palmer Street, southerly for a distance of 50 feet	All/All
Elm Street	North	Starting at a point 185 feet east of Durfee Street, easterly for a distance of 60 feet	7:00 a.m. to 12:00 noon Monday through Friday
Foster Street	East	Starting at a point 84 feet south of Buffinton Street, for a distance of 48 feet southerly	7:00 p.m. and 10:00 p.m./Monday, Tuesday, Thursday and Saturday
Fulton Street	West	Starting at a point 20 feet south of Wellington Street, for a distance of 58 feet southerly	8:00 a.m. to 5:00 p.m./Monday through Saturday
Globe Street	North	Starting at a point 20 feet west of East Main Street, for a distance of 20 feet westerly	8:00 a.m. to 5:00 p.m./Monday through Saturday
Grinnell Street	North	From Lapham Street to Jackson Street	7:30 a.m. to 3:00 p.m./Monday through Friday
Hambly Street	East	From Globe Street southerly for a distance of 52 feet	All/All

Hanover Street	West	Starting at a point 24 feet north of Maple Street for a distance of 34 feet northerly	All/All
Hope Street	South	Starting at a point 20 feet west of Fountain Street, for a distance of 37 feet westerly	8:00 a.m. to 6:00 p.m./Monday through Friday
Howard Street	East	Starting at a point 98 feet south of Division Street for a distance of 62 feet southerly	8:00 a.m. to 6:00 p.m./Monday through Friday
Jefferson Street	East	Starting at a point 84 feet north of Brayton Avenue for a distance of 40 feet north	8:00 a.m. to 6:00 p.m./Monday through Friday
Linden Street	West	Starting at a point 20 feet south of Locust Street, southerly for a distance of 25 feet	6:30 a.m. to 7:00 p.m./Monday through Friday
Locust Street	North	Starting at a point 109 feet east of High Street, for a distance of 33 feet easterly	6:00 a.m. to 5:00 p.m./Monday through Friday
Montaup Street	East	From Globe Street southerly for a distance of 40 feet	8:00 a.m. to 6:00 p.m./Monday through Friday
Mott Street	East	From Cambridge Street southerly for a distance of 128 feet	7:00 a.m. to 8:00 p.m./Monday through Saturday
North Court Street	West	Starting at a point 107 feet south of Ballard Street, for a distance of 44 feet southerly	7:00 a.m. to 8:00 p.m./Monday through Saturday
North Main Street	East	Starting at a point 53 feet north of Granite Street, northerly for a distance of 41 feet	9:00 a.m. to 12:00 noon/Monday through Friday
North Main Street	East	Starting at a point 159 feet north of Granite Street, northerly for a distance of 30 feet	9:00 a.m. to 12:00 noon/Monday through Friday
North Main Street	East	Starting at a point 232 feet north of Pearce Street, northerly for a distance of 46 feet	All/All
North Main Street	East	Starting at a point 152 1/2 feet south of Prospect Street, southerly for a distance of 34 feet	All/All
North Main Street	West	Starting at a point 113 feet south of Malvey Street, southerly for a distance of 30 feet	All/All
O'Grady Street	West	Beginning at a point 200 feet north of Bank Street, for a distance of 89 feet	9:00 a.m. to 5:00 p.m./Monday through Friday
Oliver Street	South	Starting at a point 364 feet west of South Main Street, for a distance of 60 feet westerly	All/All
Pearce Street	South	Starting at a point 176 feet west of Dyer Street, westerly for a distance of 103 feet	All/All
Pearl Street	East	Starting at a point 50 feet south of Spring Street, southerly for a distance of 148 feet	7:00 a.m. to 8:00 p.m./Monday through Saturday

Pelham Street	North	Starting at a point 62 feet east of Stafford Road, for a distance of 41 feet easterly	9:00 a.m. to 4:30 p.m./Monday to Friday; 9:00 a.m. to 12:00 noon/Saturday
Pine Street	South	Starting at a point 20 feet east of North Main Street, easterly for a distance of 25 feet	All/All
Pleasant Street	North	Starting at a point 72 feet west of Fifteenth Street for a distance of 32 feet westerly	7:00 a.m. and 6:00 p.m./Monday through Saturday
Pleasant Street	North	Starting at a point 40 feet east of Choate Street, for a distance of 26 feet easterly	8:00 a.m. to 5:00 p.m./Monday through Saturday
Pleasant Street	North	Starting at a point 116 feet west of Irving Street, westerly for a distance of 89 feet	All/All
Pleasant Street	South	Starting at a point 227 west of Ninth Street, for a distance of 20 feet westerly	All/All
Pleasant Street	South	Starting at a point 6 feet west of Prevost Street, westerly for a distance of 51 1/2 feet	All/All
Plymouth Avenue	East	Starting at a point 20 feet south of Stafford Road, for a distance of 46 feet southerly	8:00 a.m. to 5:00 p.m./Monday through Friday
Plymouth Avenue	West	Starting at a point 57 feet north of the northeast corner of Wordell Street, northerly for a distance of 57 feet	All/All
Pocasset Street	South	Starting at a point 295 feet west of South Main Street, westerly for a distance of 72 feet	All/All
President Avenue	North	Starting at a point 12 feet west of Boomer Street, for a distance of 64 feet westerly	8:00 a.m. to 5:00 p.m./Monday through Saturday
Purchase Street	East	Starting at a point 81 feet north of Bank Street, for a distance of 20 feet northerly	6:00 a.m. to 5:00 p.m./Monday through Friday
Quequechan Street	West	From Hargraves Street southerly for a distance of 30 feet.	All/All
Ray Street	East	Starting at a point 269 feet south of Langley Street, for a distance of 100 feet southerly	7:30 a.m. to 8:30 a.m. and 2:00 p.m. to 3:00 p.m./Monday through Friday
Ridge Street	West	From a point 161 feet south of the southwest corner of Cottage Street and Ridge Street, southerly for a distance of 51 feet	All/All
Robeson Street	East	Starting at a point 87 feet south of New Boston Road, for a distance of 47 feet	7:00 a.m. to 8:00 p.m./Monday through Saturday
Robeson Street	West	Starting at a point 57 feet north of Stanley Street, northerly for a distance of 33 feet	All/All

St. Joseph Street	North	At a point 28 feet west of Notre Dame Street, for a distance of 155 feet westerly	7:30 a.m. to 8:30 a.m. and 2:00 p.m. to 3:00 p.m./Monday through Friday
Seabury Street	West	Starting at a point 101 feet south of Pine Street, for a distance of 40 feet southerly	All/All
South Main Street	East	Starting at a point 154 feet north of Spring Street, for a distance of 52 feet	8:00 a.m. to 9:00 p.m./Monday through Saturday
South Main Street	East	From a point 192 feet south of Sullivan Drive southerly for a distance of 27 feet	8:00 a.m. to 9:00 p.m./Monday through Saturday
South Main Street	West	Starting at a point 122 feet south of Anawan Street, for a distance of 28 feet southerly	8:00 a.m. to 6:00 p.m./Monday through Friday
South Main Street	West	Starting at a point 86 feet south of Pocasset Street, for a distance of 30 feet	All/All
South Main Street	West	Starting at a point 86 feet south of Pocasset Street, for a distance of 30 feet	8:00 a.m. to 9:00 p.m./Monday through Saturday
South Main Street	West	Starting at a point 187 feet south of Slade Street, for a distance of 25 feet southerly	9:00 a.m. to 5:00 p.m./Monday through Friday
South Main Street	West	Starting at a point 131 feet north of Spring Street, for a distance of 40 feet northerly	8:00 a.m. to 5:00 p.m./Monday through Saturday
Spring Street	North	Starting at a point 54 feet east of South Main Street, easterly for a distance of 27 feet	8:00 a.m. to 5:00 p.m./Monday through Saturday
Stafford Road	West	Starting at a point 65 feet south of Winthrop Street, southerly for a distance of 25 feet	All/All
Stetson Street	West	Starting at a point 162 feet south of President Avenue, for a distance of 60 feet southerly	7:30 a.m. to 8:30 a.m. and 2:00 p.m. to 3:00 p.m./Monday through Friday
Troy Street	East	Starting at a point 264 feet north of Pleasant Street, for a distance of 59 feet	All/All
Union Street	East	Starting at a point 52 feet southeast of Hope Street, northwesterly for a distance of 88 feet	9:00 a.m. to 5:00 p.m./Monday through Friday
Union Street	West	Starting at a point 25 feet north of South Main Street, for a distance of 25 feet northerly	8:00 a.m. to 6:00 p.m./Monday through Friday
Walnut Street	North	Starting at a point 87 feet west of Grove Street, westerly for a distance of 63 feet	7:00 a.m. to 8:00 p.m./Monday through Saturday
West Street	West	Starting at a point 86 feet north of Propper Lane, northerly for a distance of 124 feet	All/All

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

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

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

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

Name of Street	Side	Location	Hours/Days
Bedford Street	North	Starting at a point 18 feet west of High Street, for a distance of 30 feet westerly	All/All
Durfee Street	West	Starting at a point 71 feet north of Bank Street, for a distance of 39 feet northerly	All/All
High Street	East	Starting at a point 94 feet north of Locust Street, for a distance of 30 feet northerly	7:00 a.m. to 10:00 p.m./All
Middle Street	South	Starting at a point 92 feet east of South Beach Street, for a distance of 25 feet easterly	All/All
Palmer Street	North	Starting at a point 62 feet east of Plymouth Avenue, for a distance of 25 feet easterly	All/All

Pleasant Street	South	Starting at a point 162 feet east of Campbell Street, for a distance of 25 feet easterly	All/All
President Avenue	North	Starting at a point 64 feet east of Thompson Street, for a distance of 69 feet easterly	7:45 a.m. to 8:45 a.m. and 2:45 p.m. to 3:45 p.m./Monday through Friday
South Main Street	West	Starting at a point 20 feet north of Summit Street, for a distance of 136 feet northerly	7:45 a.m. to 8:45 a.m. and 2:45 p.m. to 3:45 p.m./Monday through Friday
Stetson Street	West	Starting at a point 162 feet south of President Avenue, for a distance of 60 feet southerly	7:30 a.m. to 8:30 a.m. and 2:00 p.m. to 3:00 p.m./Monday through Friday
Summit Street	North	Starting at a point 20 feet west of South Main Street, for a distance of 136 feet westerly	7:45 a.m. to 8:45 a.m. and 2:45 p.m. to 3:45 p.m./Monday through Friday

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

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

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

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

17. § 70-387D is amended by striking "as provided in the Fee Schedule in Appendix A to this revision" and inserting in place thereof "\$200"

18. § 70-387E is amended as follows:

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

19. § 70-388A is amended by striking "MGL c. 40, § 24, cl. 24" and inserting in place thereof "MGL c. 40, § 21, cl. 24."

20. § 70-389 is amended by striking this section in its entirety and inserting in place thereof the following:

**§ 70-389. Valet parking.**

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

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

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

**Section 17**

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

1. § 74-52 is amended by striking former Subsection B, establishing the compensation of the President and other members of the Sewer Commission. See now Chapter 50, § 50-310B.
2. § 74-113A is amended by striking "The required fee for said license will be as set forth in the fee schedule in Appendix A of this Code."
3. § 74-141B is amended by inserting in Process Wastewater ", comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product."
4. § 74-227B(1)(c), (2), (3), C(4) and § 74-257D(1)(b) and (c) are amended by striking "248 CMR 2.06 and 2.09" and inserting in place thereof "248 CMR 10.09"
5. § 74-257 is amended as follows:

By striking in subsection A 22.22(5) and inserting in place thereof 22.22(4)

By striking in subsection A 22.22(8)(b) and inserting in place thereof 22.22(7)(b)

By striking in subsection C(5) 22.22(914)(f) and inserting in place thereof 22.22(13)(e)

By striking in subsection C(8) 22.22(14) and inserting in place thereof 22.22(13)

By striking in subsection D(2)(a) 22.22(4) and inserting in place thereof 22.22(3)

By striking in subsection G(1) 22.22(5) and inserting in place thereof 22.22(4)

By striking in subsection H(1)(k) 22.22(12)(f) and inserting in place thereof 22.22(11)(f)

By striking in subsection H(2)(h) 22.22(912)(f) and inserting in place thereof 22.22(11)(f)

6. § 74-257K(4) is amended by striking "MGL c. 114.160a" and inserting in place thereof "MGL c. 111, § 160A."
7. § 74-258, Table 22.1 is amended by inserting the following:

<b>Key:</b>		
AG	=	<i>Air Gap Separation</i>
AVB	=	<i>Atmospheric Vacuum Breaker</i>
BFPA V	=	<i>Backflow Preventer with Intermediate Atmospheric Vent</i>
DCVA	=	<i>Double Check Valve Assembly</i>
RPBP	=	<i>Reduced Pressure Backflow Preventer</i>

#### Section 18

That Chapter 82 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Waterways, be amended as follows:

1. § 82-68C is amended by striking in the Vessel Length column "51 to 50" and inserting in place thereof "51+."
2. § 82-73A is amended by striking "as set forth in the fee schedule located in Appendix A to this Revision" and inserting in place thereof ", and/or fine of \$50."
3. § 82-76 is amended by striking "as provided in the fee schedule in Appendix A" and inserting in place thereof "of \$50 per day."

#### Section 19

That Chapter 86 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Zoning, be amended as follows:

1. § 86-9 in the definition of "building height" is amended by striking "The vertical distance of" and inserting in place thereof "The vertical distance to"
2. § 86-9 in the definition of "sign" is amended by striking "§ 86-461" and inserting in place thereof "Article VI, Division 2, § 86-450 et seq., of this chapter"
3. § 86-347A is amended by striking "Soil Conservation Service" and inserting in place thereof "Natural Resources Conservation Service."
4. Article IV, Division 5, is amended by striking § 86-373, Subsections (a) through (d) and inserting in place thereof §§ 86-373 through 86-376.

5. § 86-390 in the definition of "adult use" is amended by inserting "as defined herein: adult bookstore, adult club, adult entertainment establishment, adult motion-picture theater, adult paraphernalia store or adult video store."
6. Organizationally, Chapter 86 is amended by striking former §§ 86-446, 86-447, and 86-448 and inserting in a new division, Division 5, Other Uses, as §§ 86-466, 86-467 and 86-468, respectively.
7. Organizationally, the numbering of Article VI, Division 2, Signs, is amended by striking § 86-461, Subsections (a) through (h) and inserting in place thereof §§ 86-450 through 86-457.
8. § 86-451N(2) is amended by striking "exceed" and inserting in place thereof "extend" and by striking "it is" and inserting in place thereof "they are"
9. Article VI, Division 3, Noxious Use, is amended by inserting a new section, § 86-461.
10. The Table of Dimensional Requirements is amended by inserting the following "Note" to the WOTD entry: "See also § 86-175."

#### Section 20

That Chapter A110 of the Revised Ordinances of the City of Fall River, Massachusetts, 1999, which chapter relates to Fee Schedule, be amended as follows:

1. Chapter 6, which chapter relates to animals fees, is amended by inserting the following:  
 Kennel licenses:  
 Domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse for the relief of suffering among animals: no charge
2. Chapter 74 water fees is amended by inserting the following:  
 Rates for metered water customers outside City. All out-of-City customers receiving water supplied by the City of Fall River will pay a rate not less than 70% higher than the rate charged to City of Fall River customers as established by § 74-353. This rate shall be \$2.27 per 100 cubic feet for water billed on or after January 1, 2008.
3. The penalties for violations of Chapter 82, Article IV are amended by striking §§ 82-73 and 82-76 from this chapter and inserting them in § 82-73A and § 82-76, respectively.

#### Section 21

This ordinance shall become effective upon passage to be ordained.

Proposed Ordinance – Special City Charter Committee  
**CITY OF FALL RIVER**

---

28

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 8, 2018, voted to recommend that the accompanying proposed ordinance be passed through first reading, as amended, with Councilor Bradford L. Kilby absent and not voting.

  
Assistant 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 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 division in Article 4, which article relates to Boards, Committees and Commissions as follows:

### **Division 12 Special City Charter Committee**

#### Section 2-374 Special City Charter Committee

Pursuant to Section 10-5 (m) of the City Charter, a special committee is established to undertake a review of the city ordinances to determine the need for any revisions and amendments as may be needed to bring the ordinances into conformity with the City Charter and to fully implement the City Charter.

#### Section 2-375 Membership

The members of the committee shall be as follows:

City Clerk	By Charter
City Voter	Appointed by the Mayor
City Voter	Appointed by the Mayor
City Voter	Appointed by the City Council President
City Voter	Appointed by the City Council President
Three Members of the Fall River City Council	Appointed by the City Council President

The two city voters appointed by the City Council President shall not be elected or appointed officers or employees of the City. The Corporation Counsel of the City of Fall River, or special counsel appointed for this express purpose, shall serve as an advisor to, but not as a member of, the committee. The chairman of the committee shall be determined by the members of the committee.

#### Section 2-376 Report

The committee shall file a report with the City Council within one year of the date of the committee's appointment, and may make such interim reports as it deems necessary at any time.

#### Section 2-377 Repeal

The committee shall expire six months after the submission of its report and a proposed ordinance shall be submitted to repeal this ordinance.

## Section 2

This ordinance shall become effective upon passage to be ordained.

*City of Fall River, In City Council*

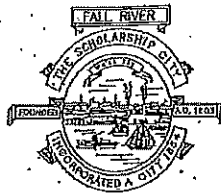
(Councilor Pam Laliberte-Lebeau)

WHEREAS, the position of the Director of Tourism and Cultural Affairs has recently been discussed in the Committee on Ordinances and Legislation, and

WHEREAS, there are still many questions regarding this position, now therefore

BE IT RESOLVED, that the Committee on Economic Development and Tourism convene to discuss the hiring requirements, duties, ways to monitor progress and how this position will fit in with economic development.

RECEIVED



35

2018 APR 20 P 3:17

CITY CLERK 18-92  
FALL RIVER, MA

City of Fall River  
Notice of Claim

1. Claimant's name: Elizabeth Cabral - Carreiro
2. Claimant's complete address: 120 Millard St. Fall River,
3. Telephone number: Home: (508) 6776795 Work: (508) 6743019  
Cell: (508) 558-8574
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
property damage to my driveway and private way
5. Date and time of accident: 3-9-18 Amount of damages claimed: \$ 1875.00
6. Exact location of the incident: (include as much detail as possible):  
my driveway and private way road on the corner
7. Circumstances of the incident: (attach additional pages if necessary):  
My next door neighbor call the city to cut city trees and the contractors use my driveway and private way to enter the area and ruined my existing driveway and corner of my private way.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 4-19-18

Claimant's signature: Elizabeth Cabral Carreiro

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

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

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

For official use only:

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

ARKS  
Dept

Date: 4/20/18

#18-9335

**Alison Bouchard**

---

**From:** Patrick Higgins <patrick@patrickhiggins.co>  
**Sent:** Thursday, April 19, 2018 11:43 AM  
**To:** Joseph Macy; Alison Bouchard; Henry R. Vaillancourt; Mike Sousa; Mayor; tom@fallriverha.org  
**Subject:** Chapter 258, section 4 claim  
**Attachments:** IMG\_1850.JPG; ATT00001.txt; IMG\_1851.JPG; ATT00002.txt; IMG\_1852.JPG; ATT00003.txt

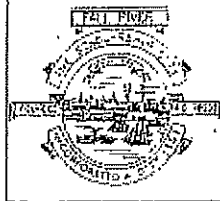
This email will serve as a claim against the city of Fall River for sores received as a direct result of taking showers using city water provided through the pipes at cardinal Medeiros apartments.

Patrick Higgins

4-20-18  
C: Health  
FRHA  
Water  
City Council  
Law

RECEIVED 35

2018 APR 25 A 10:39

#18-94  
CITY CLERK  
FALL RIVER, MA

# City of Fall River Notice of Claim

1. Claimant's name: Donna + Charnelle Rogers
2. Claimant's complete address: P.O. Box 9233 Fall River Ma 02740
3. Telephone number: Home: 444 488 4303 or 774 225 3333 Work: 3333
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Auto repair due to pot holes.
5. Date and time of accident: 4-16-2018 Amount of damages claimed: \$ 6004.00
6. Exact location of the incident: (include as much detail as possible):  
Veteran's memorial bridge Tire blew out due to spring / street broken  
from pot holes
7. Circumstances of the incident: (attach additional pages if necessary):  
on above date, a tire blew out from a broken street  
in front of B tire, after hitting large holes on road at 138 S Fall  
both Jewel Street and Kingley Street in Fall River.  
Both police and tow company were notified.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 4/23/18.

Claimant's signature: Donna Rogers Charnelle Rogers

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

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

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

For official use only:

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

Date: 4-25-18



#18-95 35

RECEIVED

City of Fall River  
Notice of Claim

2018 APR 25 P 2:00

1. Claimant's name: CARLOS MEDEIROS CITY CLERK  
FALL RIVER, MA
2. Claimant's complete address: 380 MOHAWK D.R.
3. Telephone number: Home: 508-678-0717 Work: DISABLED
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Pot hole damage to car
5. Date and time of accident: 3/30/18 Amount of damages claimed: \$
6. Exact location of the incident: (include as much detail as possible):  
Mohawk Drive
7. Circumstances of the incident: (attach additional pages if necessary): I Live there for 18 years  
EVERY DAY I GO BY BLOSSOM RD AND INDIAN ROAD AND  
MOHAWK DR THERE IS HUGE POTS HOLES IN EVERY WHERE ON THE  
ROAD SO MY CAR WAS ALL DAMAGE ON THE FRONT BOTTOM OF THE CAR  
I BROUGHT TO MY MACHONE HE SAID EVERYTHING NEED TO BE ALL NEW PARTS  
SO HE DID IT
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 4-25-18Claimant's signature: carlos medeiros

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

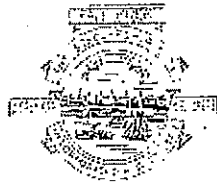
Return this from to : City Clerk, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator ☒ D.P.W. Date: 4/25/18

35



RECEIVED

2018 APR 26 A 9:15

CITY CLERK 18-96  
FALL RIVER, MA

**City of Fall River  
Notice of Claim**

1. Claimant's name: Claudette Dupuis
2. Claimant's complete address: 221 Wellington St Apt 21
3. Telephone number: Home: 7749555900 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
pot hole damage to vehicle
5. Date and time of accident: 4/19/18 3:30pm Amount of damages claimed: \$ 96.14
6. Exact location of the incident: (include as much detail as possible):  
Cove Street (under the overpass)
7. Circumstances of the incident: (attach additional pages if necessary):  
I was driving slowly on Cove st. It was raining. I went under the overpass. It was low light and I  
hit a pot hole with the right front tire.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 4/25/18

Claimant's signature: Claudette Dupuis

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

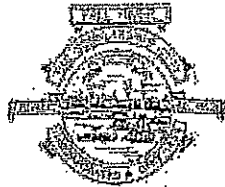
**Return this form to : City Clerk, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722**

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

For official use only:

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

Date: 4/26/18



RECEIVED

35

2018 APR 27 A 11:52

CITY CLERK 18-97  
FALL RIVER, MACity of Fall River  
Notice of Claim

1. Claimant's name: MARGARET BORGES
2. Claimant's complete address: PO BOX 577 12 Rebecca Rd Assonet
3. Telephone number: Home: 508-644-8037 Cell: 508-558-7042 Work: 508-558-7042
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Pot holes damaged tire causing blowout
5. Date and time of accident: \_\_\_\_\_ Amount of damages claimed: \$ \_\_\_\_\_
6. Exact location of the incident: (include as much detail as possible):  
OLK BROUSE AVE Fall River, MA due to Pot holes
7. Circumstances of the Incident: (attach additional pages if necessary):  
After hitting Pot hole on Highway 1A, tire  
leakage started in Fall River Town Office  
ordered Tire & Replace the Tire  
Tire tire allowed me to drive a distance before it blew out
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: \_\_\_\_\_

Claimant's signature: Margaret Borges

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

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

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For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☐ City Council ☐ City Administrator ☒ DEMDate: 4/27/18



**City of Fall River  
Notice of Claim**

RECEIVED

2018 APR 27 A 10:57

CITY CLERK #18-98  
FALL RIVER, MA

1. Claimant's name: Progressive Direct Insurance Company a/s/o HARKINS, NICOLE
2. Claimant's complete address: PO BOX 512929 LOS ANGELES, CA 90051
3. Telephone number: Home: \_\_\_\_\_ Work: 440-910-5505
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: 03-13-18 AT 9:16 AM Amount of damages claimed: \$ 2,940.45
6. Exact location of the incident: (include as much detail as possible):  
WILLIAM STREET NEAR GRANT ST IN FALL RIVER
7. Circumstances of the incident: (attach additional pages if necessary):

Our named insured's 2008 Chrysler Sebring was parked on William St., when a City of Fall River 2001 Salt Truck, plate number M87386, was traveling on William St. and struck and damaged our insured's parked vehicle. The driver, William Sutton, is the proximate cause of this accident due to failure to maintain control of vehicle.

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

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

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

Date: 4/18/18

Claimant's signature: Christa Spoorfolk

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

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

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For official use only:

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

Date: 4/27/18



35

RECEIVED

City of Fall River  
Notice of Claim

2018 MAY -2 A 9:12

CITY CLERK 18.99  
FALL RIVER, MA

1. Claimant's name: Eliza Royds
2. Claimant's complete address: 76 Bark St. Swansea, MA 02777
3. Telephone number: Home: 508-619 0793 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
auto damage due to road conditions
5. Date and time of accident: 4/29/18 @ 11:00A Amount of damages claimed: \$ 358.42
6. Exact location of the incident: (Include as much detail as possible):  
William Canning Blvd, Plymouth Ave, across from 'Four Seasons'
7. Circumstances of the incident: (attach additional pages if necessary):  
Shell Station

raining, pot hole filled w water, no possible way to avoid.

8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 4/30/18

Claimant's signature: Eliza Royds

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

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

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

For official use only:

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

Date: 5/2/18



RECEIVED

2018 MAY -3 A 9:06

City of Fall River  
Notice of ClaimCITY CLERK 18-100  
FALL RIVER, MA

1. Claimant's name: Debra Souza
2. Claimant's complete address: 51 Apple Creek Lane Fall River, MA 02720
3. Telephone number: Home: (508) 672-9141 Work: 774-644-4151  
cell #
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Home repair due to water emergency
5. Date and time of accident: April 14, 2018 Amount of damages claimed: \$ 241.30
6. Exact location of the incident: (include as much detail as possible):  
Home address mold
7. Circumstances of the incident: (attach additional pages if necessary):  
Home kitchen faucet & lines  
needed repair due to leak of Fall River  
water emergency. Norman/Superior  
Came to home to evaluate & check.
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: 5/3/18Claimant's signature: Debra Souza

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

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

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☐ City Council ☐ City Administrator ☒ waterDate: 5/3/18



City of Fall River  
Notice of Claim

RECEIVED

2018 MAY -3 A 10:52

CITY CLERK 18-101  
FALL RIVER, MA

1. Claimant's name: Larissa Souza
2. Claimant's complete address: 73 Kent Street Fall River, MA 02724
3. Telephone number: Home: 508-916-8252 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Property damage from pot hole
5. Date and time of accident: 4/27/18 Amount of damages claimed: \$488.74
6. Exact location of the incident: (include as much detail as possible):  
1279 North Main Street - near man hole cover
7. Circumstances of the incident: (attach additional pages if necessary):  
I popped my tire on a pot hole on North Main Street that resulted in rim damage also (Pictures of pot hole and damage will be attached)
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 5/3/18

Claimant's signature: Larissa Souza

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

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

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For official use only:

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

Date: MAY - 3 2018

City of Fall River  
Notice of Claim

RECEIVED

2018 MAY -3 A 11: 20

CITY CLERK 18-102  
FALL RIVER, MA

1. Claimant's name: Jason Oliveira
2. Claimant's complete address: 483 Metacom Ave Bristol Rt 02809
3. Telephone number: Home: 401-413-4587 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
POT hole Damage
5. Date and time of accident: 4-28-18 5:30 PM Amount of damages claimed: \$ 1007.60
6. Exact location of the incident: (include as much detail as possible):  
80 William S Canning Blvd Martine VW / Shell gas station
7. Circumstances of the incident: (attach additional pages if necessary):  
Hit POT hole Damage 2 wheels Blew out  
Rear tire, Damage to front tire.
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: May-2-18

Claimant's signature: [Signature]

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

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

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For official use only:

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

☒ DPW

Date: 5/3/18



35

RECEIVED

City of Fall River  
Notice of Claim

2018 MAY -3 P 3:58

CITY CLERK #18-103  
FALL RIVER, MA

1. Claimant's name: NORMAN MILAN
2. Claimant's complete address: 107 HARRISON STREET, APARTMENT #1,  
FALL RIVER, MASS 02723.
3. Telephone number: Home: 774 526 5195 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage): Damage to my car, because of a pot hole's on the street.
5. Date and time of accident: 4-30-18 - 7:00 PM Amount of damages claimed: \$379.08
6. Exact location of the incident: (include as much detail as possible): old colony street. an Durfee Street.
7. Circumstances of the incident: (attach additional pages if necessary): on 4-30-18 as I was driving down old colony street. an Durfee Street. I had driving over deep cut spaces on the streets. an I pot holes on old colony street. an Durfee Street. they had caused front end damage to 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

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: 5-3-18.

Claimant's signature: Norman Milan.

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

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

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

For official use only:

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

☒ DPW

Date: 5/3/18



City of Fall River  
Notice of Claim

RECEIVED via email

2018 MAY -4 P 3: 58

#18-104  
CITY CLERK  
FALL RIVER, MA

1. Claimant's name: Zachary Marcelino
2. Claimant's complete address: Salisbury St Fall River Ma
3. Telephone number: Home: 58-679-5935 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Vehicle Damage
5. Date and time of accident: 3/13/18 Amount of damages claimed: \$ \_\_\_\_\_
6. Exact location of the incident: (include as much detail as possible):  
18 Salisbury St Fall River MA
7. Circumstances of the incident: (attach additional pages if necessary):  
My vehicle was parked on Salisbury St and side swiped by a plow truck.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 4/13/18

Claimant's signature: Zachary Marcelino

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

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

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

For official use only:

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

DCM

Date: 5-4-18

Council



35

RECEIVED

2018 MAY -7 P 2:37

CITY CLERK 18-105  
FALL RIVER, MA

City of Fall River  
Notice of Claim

1. Claimant's name: NORMAN MILAN.
2. Claimant's complete address: 107 HARRISON STREET, 1ST, FLOOR, FALL RIVER, MASS. 02723.
3. Telephone number: Home: 774 526 5195.
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
5. Date and time of accident: 3-23-18. Amount of damages claimed: \$ \$1,118.04
6. Exact location of the incident: (include as much detail as possible): 107 HARRISON STREET, 1ST, FLOOR, FALL RIVER, MASS. 02723.
7. Circumstances of the incident: (attach additional pages if necessary): I, HAD, PARKED, MY CAR, ON, HARRISON STREET. I WAS PARKED AT, LEAST, 2 1/2 FEET, FROM, AN, SNOW, BANK, ON THE, RIGHT, SIDE, OF THE STREET. NEAR, MY, HOUSE. I, HAD, TAKEN, SOME, PICTURES, OF, THE, SNOW, BANK. MY, CAR, HAD, ON, MY, GETTING, HIT, FROM, AN, HIT, AN, RUN, UNKNOWN, VEHICLE, ON, MY, DRIVER, SIDE, OF, 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

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: 5-7-18.

Claimant's signature: Norman Milan

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

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

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For official use only:

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

Date: MAY - 7 2018



#18-106 35

RECEIVED

City of Fall River  
Notice of Claim

2018 MAY -9 P 3:00

1. Claimant's name: Kelly Oliveira CITY CLERK \_\_\_\_\_  
FALL RIVER, MA \_\_\_\_\_
2. Claimant's complete address: 250 Davis Road, Westport, MA 02790
3. Telephone number: Home: (508) 678-3600 Work: (508) 675-9500
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
property damage to vehicle caused by broken and displaced manhole cover
5. Date and time of accident: 4/25/18 @ approx. 4:30pm Amount of damages claimed: \$ 2,593.44
6. Exact location of the incident: (include as much detail as possible):  
Alden Street @ Merino Street, Fall River, MA
7. Circumstances of the incident: (attach additional pages if necessary):  
I was traveling straight on Alden Street toward E. Warren Street. It was raining hard and there was a puddle of water on Alden Street so I didn't see that the manhole cover was not properly in place and that there was a broken piece at the base of manhole. I felt the back of my vehicle dip and heard a loud bang. I pulled over to find a large gash in my rear passenger tire. The tire wouldn't come off to put spare tire on so vehicle was towed. Called FRPD & dispatcher advised that Sewer Dept. was coming out to scene.
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  
Tire & Wheel Protection Plan (purchased through First Ford @ time of vehicle purchase)

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: 5/9/18Claimant's signature: Kelly Oliveira

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

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

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For official use only:

Copies forwarded to: ☒ City Clerk ☐ Law ☒ City Council ☐ City Administrator☒ DPWDate: 5/9/18

37

LAW OFFICES OF  
ARTHUR D. FRANK, JR.

209 BEDFORD STREET, SUITE 402  
FALL RIVER, MASSACHUSETTS 02720  
TELEPHONE 508-678-4556  
FAX 508-674-3610

RECEIVED

2018 APR 23 A 11:56

CITY CLERK  
FALL RIVER, MA

MEMBER OF THE  
MASSACHUSETTS AND RHODE ISLAND BARS

E-MAIL  
afrank@adflaw.com

April 18, 2018

City Clerk  
City of Fall River  
One Government Center  
Fall River, MA 02722

Attn: Ines Leite

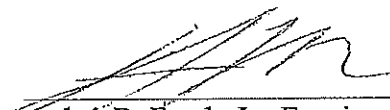
Dear Ms. Leite:

Please be advised that I represent South Beacon LLC, the abutting owner on either side of that portion of Center Street depicted upon the plan submitted with the Petition For Discontinuance.

Center Street is a paper street and has never been laid out or accepted by the City of Fall River.

The abutting owner desires to develop this portion of Center Street and requests the City abandon and release any and all equitable rights it may have in and to the street.

Very truly yours,

  
\_\_\_\_\_  
Arthur D. Frank, Jr., Esquire

ADFJr/clis



I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS

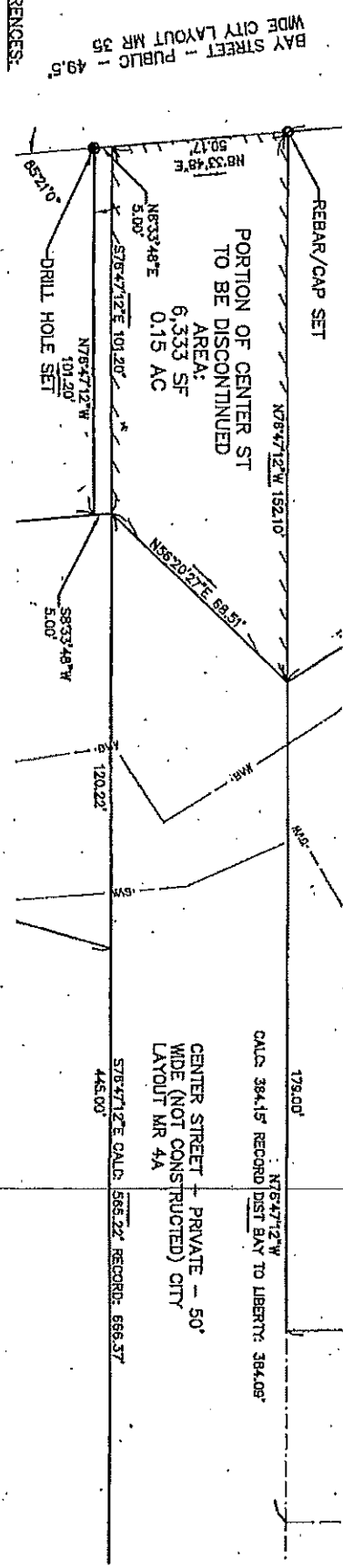
Prepared 12-14-17 Date

THIS FIELD SURVEY AND PLAN WAS PREPARED UNDER MY DIRECT CHARGE AND SUPERVISION AS PER 250 CMR 5.04

I CERTIFY THAT THIS SURVEY AND PLAN CONFORMS TO THE ETHICAL, PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS

REGISTERED PROFESSIONAL SURVEYOR 12/14/17 DATE

RECEIVED  
2018 APR -3 P 12:52  
CITY CLERK  
FALL RIVER, MA



AN REFERENCE:

OR TIES TO EXISTING MONUMENTS SEE PG \_\_\_\_ PG \_\_\_\_

TY STREET LAYOUTS ON FILE WITH FALL RIVER PLANNING DEPARTMENT AS FOLLOWS:  
AY ST 1896 LAYOUT PLAN M-R-35  
ENTER ST LAYOUT MR4A  
ENTER ST LAYOUT HR.15  
3 91 PG 7.B

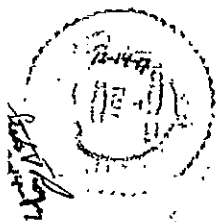
# DISCONTINUANCE OF A PORTION OF CENTER ST

FALL RIVER, MASSACHUSETTS

PREPARED FOR  
S. BEACON COMMUNITY DEVELOPMENT TRUST

GORDONSKY ENGINEERING  
422 NORTH MAIN STREET  
FALL RIVER MASS. 02720  
(508) 324-1163

SCALE: 1" = 80'  
DATE: DECEMBER 4, 2017



38



# 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.xyz

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: President Cliff Ponte

Date of alleged violation: Apr 24, 2018 \*

\* Sent by email after 5 pm on Tues. 4/24/18

126/18 emailed to Councilors; hard copy to Co. Pelletier

**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 providing specifics on the items listed on the 2nd amended meeting notice as follows:

Under the Committee on Finance No. 2 it reads: "Transfers and appropriations (See #3 below).  
When you go to No. 3 it reads: "Transfers and appropriations (See #2 finance). There are no specifics listed at either location as required by the Open Meeting Law.

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

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

Learn and comply with the Open Meeting law.  
The Division of Open Government should find a willful and intentional violation and impose the \$1000 civil penalty that is provided for by the Open Meeting Law.

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

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

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

**II. Consulting With a Private Attorney.**

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

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

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

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

Signed: *Keith Aguirre*

Date: 4/24/18

**REGULAR MEETING OF THE CITY COUNCIL**

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

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

ABSENT: None

IN ATTENDANCE: None

President Cliff Ponte called the meeting to order at 8:32 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

**PRIORITY MATTERS**

1. Mayor and Fiscal Year 2019 Sewer Division Enterprise Fund Budget and proposed ordinance for rate modifications

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

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

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

3. Mayor and Fiscal Year 2019 EMS Enterprise Fund Budget

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

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

4a. Mayor and resolution regarding Year Four Annual Action Plan  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Bradford L. Kilby, it was voted 7 yeas to adopt the resolution.*  
*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

#### **PRIORITY COMMUNICATIONS**

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

#### **COMMITTEE REPORTS**

##### **Committee on Real Estate recommending:**

##### **Grant leave to withdraw:**

6. Order – Disposition of 15 school buildings  
*Councilor Bradford L. Kilby stated that all fifteen schools have finally been sold. On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the order be granted leave to withdraw.*

7. Resolution – Administration provide update on King Philip Mill  
*On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the resolution be granted leave to withdraw.*

##### **Committee on Economic Development and Tourism recommending:**

##### **Grant leave to withdraw:**

8. Resolution – Administration outline plans for the "Make It Here" campaign  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted that the resolution be granted leave to withdraw.*

9. Resolution – Discuss City's plan for Economic Development and determine if HUD funding needs to be returned  
*On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted that the resolution be granted leave to withdraw.*

#### **ORDINANCES**

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

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

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

12. Proposed Ordinance – Street Sweeping

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

13. Proposed Ordinance – Student Intern Apprentice

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

14. Proposed Ordinance – Administrative Assistant/Code Enforcement

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

Second reading and enrollment, as amended:

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

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

**RESOLUTIONS**

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

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

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

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

**CITATIONS**

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

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

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

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

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

#### **ORDERS – HEARINGS**

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

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

#### **ORDERS – MISCELLANEOUS**

23. Police Chief's report on licenses:

##### **Taxicab Drivers:**

Nathan Brousseau

Kyle Costa

Paul Ferreira

Renan P. Pereira

Vincent Pitts

Richard P. Surgens

Michael Wasilowski Sr.

Radha Shyam Yadav

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

Dennis G. Amaral

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25. Auto Body Shop License Renewals:

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

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

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

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

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

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

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

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

**COMMUNICATIONS – INVITATIONS – PETITIONS**

26. Claims

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

**BULLETINS – NEWSLETTERS – NOTICES**

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

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

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

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

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

**Proposed Ordinance – Administrative Assistant/Code Enforcement**

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the proposed ordinance be passed to be ordained.*  
*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

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

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the proposed ordinance be passed to be ordained, as amended.*  
*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

**Proposed Ordinance – Student Intern Apprentice**

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the proposed ordinance be passed to be ordained.*  
*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

**Proposed Ordinance – Street Sweeping**

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the proposed ordinance be passed to be ordained.*  
*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

**Proposed Ordinance – Traffic, Miscellaneous**

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the proposed ordinance be passed to be ordained.*  
*Approved, April 11, 2018, Mayor Jasiel F. Correia II*

**RESOLUTIONS (filed at the meeting)**

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

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

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

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

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

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

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

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

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

List of documents and other exhibits used during the meeting:

Agenda packet (attached)  
CD and DVD of meeting

A true copy. Attest:

*Alison M Bouchard*

City Clerk

**REGULAR MEETING OF THE CITY COUNCIL**

MEETING: Tuesday, April 24, 2018 at 7:00 p.m.  
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: None

President Cliff Ponte called the meeting to order at 7:25 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.

**PRIORITY MATTERS**

1. Mayor req. appointment of Victor Farias to the Community Preservation Committee  
*Councilor Steven A. Camara questioned if Victor Farias is able to serve on more than one board. Councilor Shawn E. Cadime stated that state law requires a member of the Board of Park Commissioners be appointed as a member of the Community Preservation Committee. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to confirm the appointment of Victor Farias.*

2. Mayor and order for employment agreement of Director of Community Maintenance  
*Councilor Leo O. Pelletier stated that Jeffrey Little does not seem to be the right individual for this position. He stated that he is supposed to be in charge of Oak Grove Cemetery, but he is never seen at the cemetery. The new gates for Oak Grove Cemetery were installed incorrectly and Jeffrey Little was not there to supervise the installation. He also stated that he doesn't feel that he should be given another six month contract. If he cannot do the job, we need to find someone who can. Why did we remove John Perry from the position, when he knew what was going on? Councilor Joseph D. Camara stated that he is willing to give him six more months to see how he performs. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was voted 7 yeas, 2 nays to adopt the order for the employment agreement with Councilors Leo O. Pelletier and Cliff Ponte voting in the negative.*

3. Transfers and appropriations

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to take items a through d together and that all four orders be adopted.*

- a. \$3,656,153 from General Fund FY17 Surplus Revenue to General Stabilization Fund
- b. \$100,000 from Water Enterprise Fund FY17 Surplus Revenue to Water Stabilization Fund
- c. \$200,000 from Sewer Enterprise Fund FY17 Surplus Revenue to Sewer Stabilization Fund
- d. \$1,100,000 from EMS Enterprise Fund FY17 Surplus Revenue to EMS Stabilization Fund

4. Mayor and order accepting the provisions of MGL Chapter 64N, Section 3 regarding Local Option Excise on Retail Marijuana Sales

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

*Approved, April 27, 2018, Mayor Jasiel F. Correia II*

5. Mayor and order for the acceptance of land on the east side of Bay Street for the flow of the Cook Pond output

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

*Approved, April 27, 2018, Mayor Jasiel F. Correia II*

6. Mayor and TIF agreements for OSJ of Fall River, LLC and TIE for 64 Durfee, LLC

a. TIF agreement for OSJ of Fall River, LLC

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

*Approved, April 27, 2018, Mayor Jasiel F. Correia II*

b. TIE agreement for 64 Durfee, LLC

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

*Approved, April 27, 2018, Mayor Jasiel F. Correia II*

c. EOA Resolution for 465 Wm. S. Canning Blvd

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

*Approved, April 27, 2018, Mayor Jasiel F. Correia II*

**PRIORITY COMMUNICATIONS** – None

**COMMITTEE REPORTS**

Committee on Finance recommending:

Adoption:

7. Year Four Annual Action Plan

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was voted 7 yeas to adopt the order with Councilors Bradford L. Kilby and Cliff Ponte abstaining.*

Accept and place on file:

8. Communication – PERAC – Fiscal Year 2019 Appropriation  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Derek R. Viveiros, it was unanimously voted that the communication be accepted and placed on file.*

Grant leave to withdraw:

9. Resolution – Purple Bag Pay-As-You-Throw Program  
*On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 7 yeas, 2 nays that the resolution be granted leave to withdraw with Councilors Bradford L. Kilby and Cliff Ponte voting in the negative.*

**ORDINANCES** – None

**RESOLUTIONS**

10. Committee on Finance meet to review cable TV contract and options for residents  
*On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted to amend the resolution by adding FRCMedia to the list of invitees. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the resolution, as amended.*
11. Committee on Ordinances and Legislation meet to discuss possible ordinance relating to public safety concerns regarding panhandling  
*Councilor Shawn E. Cadime stated that panhandlers are causing traffic jams and littering. He stated that as he was driving, he observed one of the panhandlers eating a pineapple and discarded the core into traffic causing a vehicle to swerve and almost hit another vehicle. That's when I decided that we needed to discuss this matter, due to the public safety concerns. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was voted 8 yeas, 1 nay to adopt the resolution with Councilor Steven A. Camara voting in the negative.*
12. Committee on Health and Environmental Affairs consider an ordinance banning the use of plastic "t-shirt" bags in Fall River.  
*Councilor Steven A. Camara stated that some neighboring towns, such as Tiverton and Barrington have passed such ordinances and Cambridge has a "Bring your own bag" program. These types of bags kill wildlife and need to be banned. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the resolution.*

**CITATIONS**

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to take item numbers 13 through 20 together.*

13. Leonard "Low Price" Kaplan – dedication of Heritage State Park footbridge in his honor
  14. Guyanne Veillard – your heroic actions in saving the lives of your siblings
  15. Alicia Vitorino – Hearts of Hope – caring & compassion to our homeless community
  16. Luci Vitorino – Hearts of Hope – caring & compassion to our homeless community
  17. Michelle Moniz – volunteerism and commitment to our community
  18. Jim Heinz – volunteerism and commitment to our community
  19. RE/MAX Right Choice – volunteerism and commitment to our community
  20. Umi Japanese Steakhouse – volunteerism and commitment to our community
- On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the citations.*

**ORDERS – HEARINGS**

**Curb Removals**

21. Curt M. Litaway, 102 Crawford Street – total of 30 feet at 102 Crawford Street  
*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order.*

*Approved, April 27, 2018, Mayor Jasiel F. Correia II*

22. Tamayra Rivera, 354 Chicago Street – total of 30 feet at 354 Chicago Street  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the order.*

*Approved, April 27, 2018, Mayor Jasiel F. Correia II*

**Second Hand Article Store**

23. Joey Pacheco d/b/a Pacheco's Furniture, 661 High Street at 253 South Main Street  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order.*

*Approved, April 27, 2018, Mayor Jasiel F. Correia II*

**ORDERS – MISCELLANEOUS**

24. Police Chief's report on licenses:

**Taxicab Drivers:**

Chelsea Brathas	Shenai Cain-Blake	Gerald Costa
James S. Gouveia Jr.	Andrew Hamlen	David Justice
Brian Partello	Shawn Pinto	Eric Torres
Israel Washington Jr.		

**Second Hand License Renewals:**

Beverly Post d/b/a Anything at 1791 South Main Street

Melissa Resendes d/b/a Melissa's New To You

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

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

Phillip DeDucca d/b/a 851 Motor Sales at 851 Globe Street

Haissam Elazar, Inc. d/b/a Joe's Gas Auto Sales at 2608 South Main Street

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

*Approved, April 27, 2018, Mayor Jasiel F. Correia II*

26. **Auto Body Shop License Renewals:**

Karen Isabel d/b/a Karen's Collision Specialist at 70 Jepson 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, April 27, 2018, Mayor Jasiel F. Correia II*

**COMMUNICATIONS – INVITATIONS – PETITIONS**

27. **Claims**

*On a motion made by Councilor Bradford L. Kilby seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the claims to Corporation Counsel.*

On a motion made by Councilor Steven A. Camara seconded by Councilor Shawn E. Cadime, it was unanimously voted to take item numbers 28a through 28l together. The City Clerk then read the list of drainlayer licenses.

28. Drainlayer licenses:

- a. ELJ, Inc.
- b. Biszko Contracting Corporation
- c. Emarin Trucking, Inc.
- d. East Coast Landscaping & Construction, Inc.
- e. Geosearch, Inc.
- f. Green Acres Landscape & Construction Co., Inc.
- g. Albert Moreira & Son
- h. Century Paving Construction Corporation
- i. Farland Corporation, Inc.
- j. J.B. Lanagan & Company, Inc.
- k. Khoury Excavating, Inc.
- l. Steen Realty & Development Corporation

On a further motion made by Councilor Steven A. Camara seconded by Councilor Shawn E. Cadime, it was unanimously voted to approve the drainlayer licenses.

Approved, April 27, 2018, Mayor Jasiel F. Correia II

City Council Committee/Meeting Minutes:

29. Regular Meeting of the City Council – November 28, 2017

On a motion made by Councilor Bradford L. Kilby seconded by Councilor Leo O. Pelletier, it was unanimously voted to approve the minutes.

**BULLETINS – NEWSLETTERS – NOTICES**

30. Notice of Casualty and Loss at 596 Pokross Street

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the notice be accepted and placed on file.

31. Notice of Casualty and Loss at 10 No. Court Street

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the notice be accepted and placed on file.

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

**RESOLUTION**

Committee on Finance convene with various parties to discuss the closure of Philips Lighting and economic development regarding new businesses and the retention of current businesses

Vice-President Pam Laliberte-Lebeau took the podium at 8:07 p.m. to allow President Cliff Ponte to speak. President Cliff Ponte stated that he received information on Friday that Philips Lighting would be closing their facility in Fall River and moving to Mexico. He stated that he had a conversation with the Mayor regarding the situation and the Mayor took exception to his comments stating that they were politically driven. He then stated "I have no desire to gain any political points on the backs of the people that are getting laid off because of this. I personally believe that it's a political pivot. A comment, in my opinion to try to detract from the real issues here". On a motion made by Councilor Bradford L. Kilby and seconded by President Cliff Ponte, it was unanimously voted to adopt the resolution. President Cliff Ponte returned to the podium at 8:20 p.m.

**ORDER**

City Council meeting dates for June through December 2018  
*A motion was made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau to adopt the order. On a further motion made by Councilor Stephen R. Long and seconded by Councilor Shawn E. Cadime, it was unanimously voted to table the matter.*

**COMMUNICATIONS**

Open Meeting Law complaint filed by Collin Dias regarding March 20, 2018  
 Joint City Council and School Committee Meeting  
*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted that the communication be referred to Corporation Counsel.*

Open Meeting Law complaint filed by Patrick Higgins regarding April 24, 2018  
 City Council Meeting  
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the communication be referred to Corporation Counsel.*

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adjourn at 8:25 p.m.*

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

Agenda packet (attached)  
 CD and DVD of meeting

A true copy. Attest:

*Alison M. Bruchard*

City Clerk

**CITY COUNCIL PUBLIC HEARING**

MEETING: Tuesday, April 10, 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: None

The President called the meeting to order at 5:47 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearing was to hear all persons interested and wishing to be heard on the following:

**Second Hand Article Store**

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

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and 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 Pam Laliberte-Lebeau, it was unanimously voted to close the hearing.*

*On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to adjourn at 5:49 p.m.*

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

Agenda packet (attached)  
CD and DVD of meeting

A true copy. Attest:

*Alison M. Bouchard*  
City Clerk

## CITY COUNCIL PUBLIC HEARING

MEETING: Tuesday, April 24, 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: None

The President called the meeting to order at 5:45 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 Pam Laliberte-Lebeau arrived at 5:54 p.m.*

**Curb Removals**

1. Curt M. Litaway, 102 Crawford Street, requests the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
102 Crawford Street	16'	14'	0'	30'

The petitioner is requesting to open an additional 14' to expand the existing driveway for additional off-street parking at 102 Crawford Street, a single-family residence. An existing 16' driveway opening provides access on the north side of the lot. There are no evident impacts to signage or utility infrastructure. The work would eliminate one parking spot on the street, but would provide at least two (and possibly up to five) off-street parking spaces.

*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 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.*

2. Tamayra Rivera, 354 Chicago Street, requests the removal of curbing as follows:

42

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
354 Chicago Street	13'	17'	0'	30'

The petitioner is requesting to extend the entrance west to provide access to the full width of the existing paved 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 Derek R. Viveiros, it was unanimously voted to close the hearing.*

### **Second Hand Article Store**

3. Joey Pacheco d/b/a Pacheco's Furniture, 661 High Street, Fall River, MA 02720 for permission to operate and maintain a second hand article store located at 253 South Main Street (used furniture, antiques, jewelry, electronics and tools to be sold.)

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and Joey Pacheco of 661 High Street came forward. Mr. Pacheco stated that he is looking to move his business from his current location at 663 Bedford Street to a larger store located at 253 South Main Street. Councilor Leo O. Pelletier stated that he has been to Pacheco's Furniture and the business is run very well. Everything is clean and neat. He reminded Mr. Pacheco that there is a restriction on second hand article store licenses that states, no items are to be placed on the sidewalk. Councilor Steven A. Camara stated that he thought that some items may be allowed to be placed on the sidewalk. The City Clerk stated that all second hand licenses state that no items may be placed on the sidewalk. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted to close the hearing.*

*On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted to adjourn at 5:55 p.m.*

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

Agenda packet (attached)  
CD and DVD of meeting

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

43

8 Flagg Swamp Road  
East Freetown, MA 02717  
April 27, 2018

RECEIVED

2018 MAY -4 A 11:1

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

CITY CLERK  
FALL RIVER, MA

Dear Sir:

We are selling our home and property with 70,000 sq. ft. lot entirely in Freetown at 8 Flagg Swamp Rd., E. Freetown, MA and includes 3 lots in Fall River, MA. Lot W50-0006 contains 2 buildings and 26.98 acres, lot W50-0004 containing 1.84a, and W50-0005 containing 1.90a. We have a buyer for \$575,000.00. These lots are classified as 61A. We want to remove these lots from 61A classification. All outstanding taxes, including rollback taxes, will be paid at closing.

In response to your letter dated April 3, 2018, enclosed is the information you requested.

Respectfully,

*Charles P. Swift*  
*Joan E. Swift*

Charles P. Swift Joan E. Swift

8 Flagg Swamp Road, East Freetown, MA 02717  
508-763-8524

Encl: 6

cc: Assessor

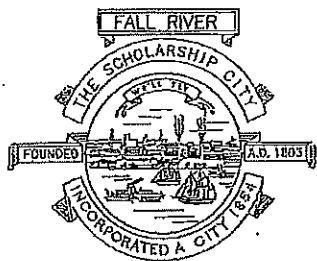
Mayor

City Council

Planning Board

Conservation Commission

State Forrester



**City of Fall River**  
**Massachusetts**  
**Department of Financial Services**  
 TREASURER • COLLECTOR • AUDITOR • ASSESSOR

*Board of Assessors*

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

**RICHARD A. GONSALVES, MAA, CHAIRMAN**  
**ROGER P. TACHE**  
**RICHARD B. WOLFSON**

Charles & Joan Swift  
 8 Flagg Swamp Road  
 East Freetown, MA. 02717  
 April 3, 2018

Dear Mr. & Mrs. Swift

The Board of Assessors have received your CH. 61A conversion letter and after reviewing the letter there is more information that is needed to proceed.

In particular, the following information is needed.

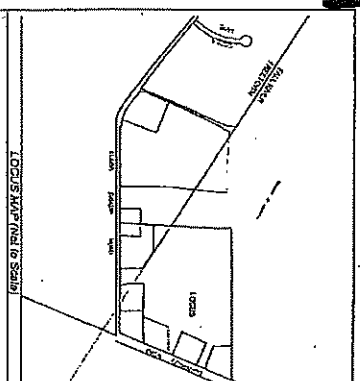
- A statement of the proposed use of land
- The location and acreage of land as shown on a map drawn at the scale of the Assessors map.
- Name, address, and telephone number of landowner
- Certified copy of an executed purchase and sale agreement specifying the purchase price and all terms and conditions of the sale
- Any additional agreements or a statement of any additional consideration for any contiguous land under the same ownership. (This most likely is land in Freetown.)
- A notarized affidavit that the landowner has mailed or hand delivered the notice to the required parties (Assessor, Mayor, City Council, Planning Board, Conservation Commission, and State Forester). Based on the letter received it appears the City Council and State Forester were not listed.

Please complete the above process, if you have any questions, please contact the Assessor's office 508-324-2300.

Respectfully yours,

*Benjamin Mello*

Benjamin Mello  
 Administrator of Assessing  
 City of Fall River



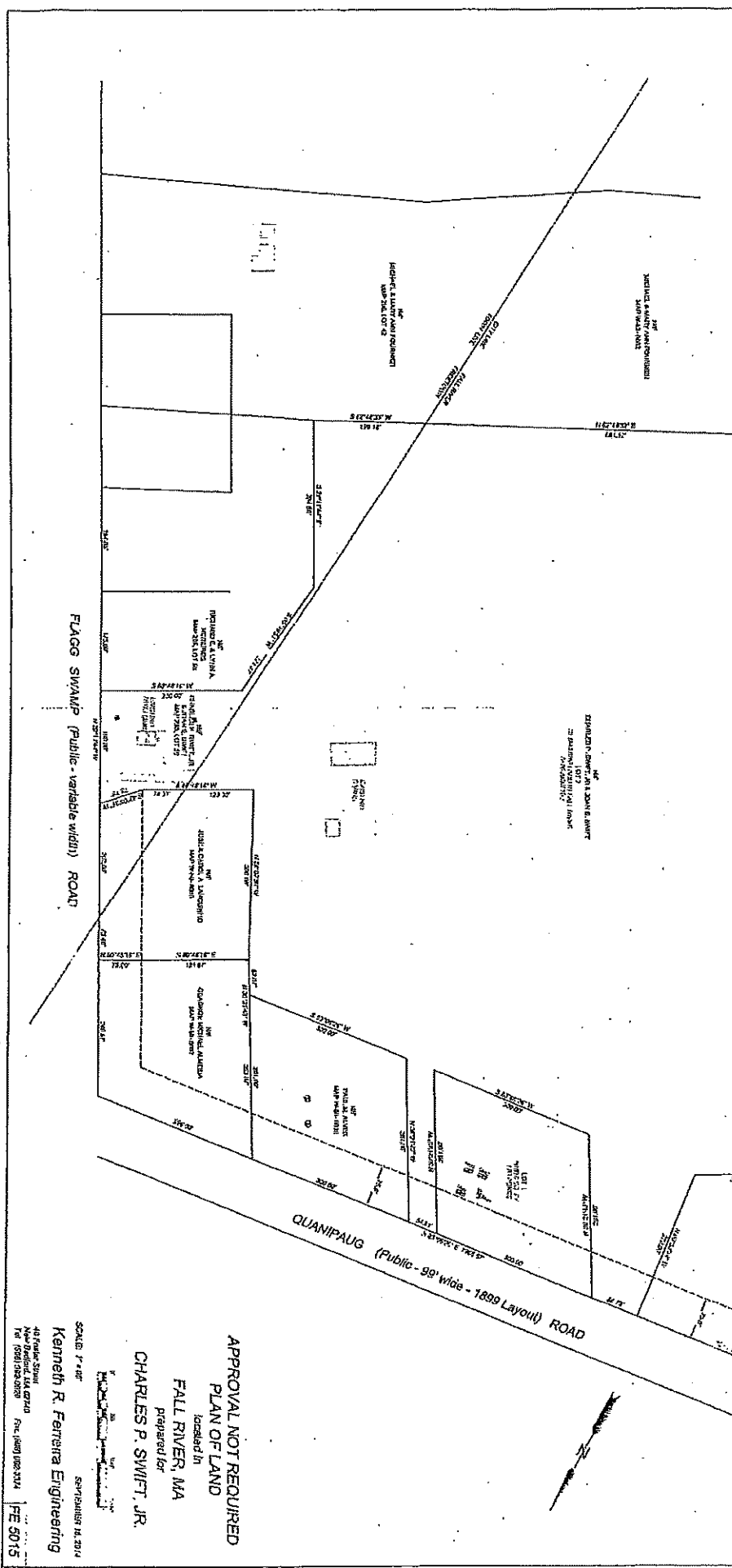
GENERAL NOTES:  
1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
3. ALL DIMENSIONS ARE TO BE VERIFIED BY THE FIELD ENGINEER.  
4. ALL DIMENSIONS ARE TO BE VERIFIED BY THE FIELD ENGINEER.  
5. ALL DIMENSIONS ARE TO BE VERIFIED BY THE FIELD ENGINEER.

ZONING REQUIREMENTS	
MINIMUM LOT AREA	10,000 SQ. FT.
MINIMUM LOT WIDTH	30 FT.
MINIMUM LOT DEPTH	100 FT.
MINIMUM LOT AREA	10,000 SQ. FT.
MINIMUM LOT WIDTH	30 FT.
MINIMUM LOT DEPTH	100 FT.

APPROVAL NOT REQUIRED  
PLAN OF LAND  
located in  
FALL RIVER, MA  
prepared for  
CHARLES P. SWIFT, JR.

APPROVAL NOT REQUIRED  
PLAN OF LAND  
located in  
FALL RIVER, MA  
prepared for  
CHARLES P. SWIFT, JR.

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CHARLES P. SWIFT, JR.



Mariclaire Rigby  
Lead Vegetation Strategy Specialist  
Vegetation Strategy  
939 Southbridge Street Worcester, MA 01610  
508-860-6282  
mariclaire.rigby@nationalgrid.com

April 20, 2018

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

RECEIVED  
2018 APR 24 P 3:31  
CITY CLERK  
FALL RIVER, MA

Dear City Council President:

In a letter sent in December 5, 2017, you received notification that National Grid would carry out late winter-spring mechanical control, cut surface (CST) or basal treatment; a summer selective foliage treatment; and, as necessary, summer and fall CST and basal treatments on rights-of-way, which pass through your municipality. Information on National Grid's approved Yearly Operational Plan (YOP) and maps showing the rights-of-way to be treated were included with that letter.

The current Vegetation Management Plan (VMP) and approved 2018 YOP are posted at the following websites (hard copies available upon request):

[http://www.nationalgridus.com/non\\_html/National%20Grid%20VMP%202014%20-%202018.pdf](http://www.nationalgridus.com/non_html/National%20Grid%20VMP%202014%20-%202018.pdf)

[https://www9.nationalgridus.com/non\\_html/2018%20YOP.pdf](https://www9.nationalgridus.com/non_html/2018%20YOP.pdf)

Although you already received and reviewed copies of the YOP map(s) with the original notification please let us know if there are any additional *sensitive areas* located on or near the rights-of-way. Please advise us as soon as possible so we can establish permanent records and implement appropriate field protective actions. We particularly rely on this process to collect corrections to the public wells and to record the location of private wells.

Commonwealth of Massachusetts recommended herbicides for use in *sensitive areas* listed in Section 7 (pages 13-15) of the YOP will be selectively applied to target vegetation by experienced, Massachusetts' licensed/certified applicators that walk along the rights-of-way using backpack equipment. Copies of the manufacturers' herbicide labels and fact sheets are also included in the YOP, Appendices 8 and 9.

**Treatment Periods\***

January 29, 2018 – May 31, 2018	May 31, 2018 - October 15, 2018	October 15, 2018 – December 31, 2018
CST	Foliar	CST
Basal	CST	Basal
	Basal	

\* The exact treatment dates are dependent upon weather conditions and field crew progress.

In compliance with 333 CMR 11.06-11.07, no herbicide applications will occur before the conclusion of the 45 day YOP review period, the 21 day treatment notice and the 48 hour newspaper notice. At the end of these review periods, which can run concurrently, no application shall commence more than ten days before nor conclude more than ten days after the treatment periods listed above.

The work will be performed by one of the following companies:

Vegetation Control Service, Inc.  
2342 Main Street  
Athol, MA 01331  
(978) 249-5348

Lewis Tree Service, Inc.  
300 Lucius Gordon Drive  
West Henrietta, NY 14586  
(585) 436-3208

Lucas Tree Experts  
12 Northbrook Drive  
Falmouth, ME 04105  
(800) 339-8873

Stanley Tree  
662 Great Road  
North Smithfield, RI  
(401) 765-4677

This informational 21-day notification is in compliance with Chapter 132B, section 6B of the Massachusetts General Laws, 333 CMR 11.05-11.07 Rights of Way Management and Chapter 85, Section 10 of the Acts of 2000. National Grid's vegetation management program is subject to federal and state regulations only. By statute, local permits or rulings are not applicable.

For inquiries concerning safety of the herbicides, please contact:

Director of Rights-of-Way Programs  
Massachusetts State Pesticide Bureau  
Department of Agricultural Resources  
251 Causeway Street, Suite 500  
Boston, MA 02114-2151  
Telephone: (617) 626-1781

Please contact me if you have any questions about the application and monitoring of the vegetation control program.

Sincerely,



Mariclaire Rigby  
Lead Vegetation Strategy Specialist

cc: Board of Health  
Conservation Commission  
Lewis Tree Service or Vegetation Control Service or Lucas Tree Service or Stanley Tree  
Massachusetts Pesticide Bureau  
Municipal Water Supplier(s)

Municipality: Fall River  
ROW#(S): 2024 2025

# City of Fall River, *In City Council*

ORDERED, that regular meetings of the City Council during 2018 shall be held as follows, and

BE IT FURTHER ORDERED that at said meetings the Committee on Finance shall begin at 6:00 PM, and the Regular Meeting of the City Council shall begin at 7:00 PM unless otherwise ordered:

June 12  
June 26  
July 17  
August 14  
September 11  
September 25  
October 9  
October 23  
November 6  
November 20  
December 4  
December 18

All meetings shall be held in the Council Chamber, Government Center.

CITY OF FALL RIVER  
IN CITY COUNCIL

APR 24 2018

Tabled