



City of Fall River Massachusetts

Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

SPECIAL MEETING OF THE CITY COUNCIL

MEETING: Thursday, June 20, 2019 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 8:50 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. Appropriation Orders for the proposed Fiscal Year 2020 Municipal Budget
On a motion made by Councilor Joseph D. Camara and seconded by Councilor Bradford L. Kilby, it was voted 8 yeas, 1 nay to adopt the order for the Fiscal Year 2020 Municipal Budget, with Councilor Shawn E. Cadime voting in the negative.
Approved, June 24, 2019, Mayor Jasiel F. Correia II

On a further motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was voted 8 yeas, 1 nay to adopt the Emergency Medical Services Enterprise Fund, with Councilor Shawn E. Cadime voting in the negative.
Approved, June 24, 2019, Mayor Jasiel F. Correia II

On yet a further motion made by Councilor Stephen R. Long and seconded by Councilor Bradford L. Kilby, it was voted 7 yeas, 2 nays to adopt the Water Enterprise Fund, with Councilors Shawn E. Cadime and Steven A. Camara voting in the negative.
Approved, June 24, 2019, Mayor Jasiel F. Correia II

On yet a further motion made by Councilor Stephen R. Long and seconded by Councilor Bradford L. Kilby, it was voted 7 yeas, 2 nays to adopt the Sewer Enterprise Fund, with Councilors Shawn E. Cadime and Steven A. Camara voting in the negative.
Approved, June 24, 2019, Mayor Jasiel F. Correia II

2. Mayor and inter-municipal agreement between the City of Fall River and the Fall River Redevelopment Authority

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Steven A. Camara, it was voted 7 yeas, 2 nays to adopt the order, with Councilors Shawn E. Cadime and Cliff Ponte voting in the negative. At the completion of the roll call Councilor Shawn E. Cadime objected to the matter. President Cliff Ponte called for a recess at 9:01 p.m. to discuss the objection. At 9:04 p.m. the City Council reconvened and President Cliff Ponte stated that since the objection was made at the conclusion of the roll call vote, it could not be considered.

3. Mayor requesting confirmation of the appointment of Robert Tavares as a member of the Traffic Commission

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to confirm the appointment. Councilor Pam Laliberte-Lebeau asked if Mr. Tavares serves on any other board or commission. The City Clerk stated that he does not serve on any other board or commission.

4. Mayor requesting confirmation of the reappointment of David Underhill as a member of the Housing Authority

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to confirm the appointment. Councilor Pam Laliberte-Lebeau asked if Mr. Underhill serves on any other board or commission. The City Clerk stated that he does not serve on any other board or commission.

PRIORITY COMMUNICATIONS

5. Traffic Commission recommending amendments to the traffic ordinances

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

COMMITTEE REPORTS

Committee on Public Works and Transportation recommending:

Approval:

6. Communication – Street opening for pavement less than five years old – Harvard Street
*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to approve the street opening.
Approved, June 24, 2019, Mayor Jasiel F. Correia II*

7. Communication – Street opening for pavement less than five years old – 724 Plymouth Avenue

*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to approve the street opening.
Approved, June 24, 2019, Mayor Jasiel F. Correia II*

Adoption:

8. Order – One new pole location – President Avenue
*On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to approve the street opening.
Approved, June 24, 2019, Mayor Jasiel F. Correia II*

ORDINANCES

Second reading and enrollment:

9. Proposed Ordinance – Traffic, miscellaneous

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to pass the proposed ordinance through second reading and enrollment. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted that the proposed ordinance be passed to be ordained.

Approved, June 24, 2019, Mayor Jasiel F. Correia II

10. Proposed Ordinance – Sewer rate increases

On a motion made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau, it was voted 8 yeas, 1 nay to pass the proposed ordinance through second reading and enrollment, with Councilor Steven A. Camara voting in the negative. On a further 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, June 24, 2019, Mayor Jasiel F. Correia II

11. Proposed Ordinance – Water rate increases

On a motion made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau, it was voted 8 yeas, 1 nay to pass the proposed ordinance through second reading and enrollment, with Councilor Steven A. Camara voting in the negative. On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted that the proposed ordinance be passed to be ordained.

Approved, June 24, 2019, Mayor Jasiel F. Correia II

12. Proposed Ordinance – Personnel, Water Department modifications

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. On a further 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, June 24, 2019, Mayor Jasiel F. Correia II

13. Proposed Ordinance – Personnel, GIS – Specialist

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to pass the proposed ordinance through second reading and enrollment. On a further 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, June 24, 2019, Mayor Jasiel F. Correia II

14. Proposed Ordinance – Personnel, salary schedule adjustments – list of positions

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to pass the proposed ordinance through second reading and enrollment. On a further 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, June 24, 2019, Mayor Jasiel F. Correia II

15. Proposed Ordinance – Personnel, salary schedule adjustments – rate of increase
On a motion made by Councilor Stephen R. Long and seconded by Councilor Bradford L. Kilby, it was unanimously voted to pass the proposed ordinance through second reading and enrollment. On a further 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, June 24, 2019, Mayor Jasiel F. Correia II

16. Proposed Ordinance – Special City Charter Committee
On a motion made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to pass the proposed ordinance through second reading and enrollment. On a further 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, June 24, 2019, Mayor Jasiel F. Correia II

Second reading and enrollment, as amended:

17. Proposed Ordinance – Personnel, salary schedule for non-union positions – EMA Director
On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Stephen R. Long, it was unanimously voted to pass the proposed ordinance through second reading and enrollment, as amended. On a further motion made by Councilor Stephen R. Long and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the proposed ordinance be passed to be ordained, as amended.
Approved, June 24, 2019, Mayor Jasiel F. Correia II

18. Proposed Ordinance – Personnel, salary schedule for non-union positions – City Council Principal Clerk
On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to pass the proposed ordinance through second reading and enrollment, as amended. On a further motion made by Councilor Stephen R. Long and seconded by Councilor Steven A. Camara, it was unanimously voted that the proposed ordinance be passed to be ordained, as amended.
Approved, June 24, 2019, Mayor Jasiel F. Correia II

19. Proposed Ordinance – Zoning, wind energy facilities
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. On a further 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, June 24, 2019, Mayor Jasiel F. Correia II

RESOLUTIONS

20. Committee on Ordinances and Legislation convene with Corporation Counsel and Chief of Police to discuss proposed ordinance placing age restriction on purchase of knives
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to adopt the resolution.

21. Committee on Public Safety convene with Police Chief, City Planner, Administration and Academy Building management to discuss safety concerns on Old Second Street
A motion was made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara to adopt the resolution. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted to amend the resolution by adding the Director of Traffic and Parking and the Director of the Fall River Redevelopment Authority to the list of invitees. On yet a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the resolution, as amended.

CITATIONS – None

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

22. Police Chief's report on licenses:

Taxicab Drivers:

William Bradford Robert S. Custer

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

23. Auto Repair Shop License Renewals:

Michael Penacho, Penacho Associates, Ltd. d/b/a Complete Auto Tech Center at
535 Bay Street

Brian Moura d/b/a State Road Collision and Auto Repair at 480 South Main Street

John R. Glass, JG Auto, LLC at 84 Fourteenth 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, June 24, 2019, Mayor Jasiel F. Correia II

24. Auto Body Shop License Renewals:

Michael Penacho d/b/a Mike's Auto Body at 535 Bay Street

Brian Moura d/b/a State Road Collision and Auto Repair at 480 South Main Street

Luis Sousa and Rose Raposo d/b/a Color Tones Auto Body, LLC at 2238 South Main 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, June 24, 2019, Mayor Jasiel F. Correia II

COMMUNICATIONS – INVITATIONS – PETITIONS

25. Claims

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Steven A. Camara, it was unanimously voted to refer the claims to Corporation Counsel.

26. Drainlayer License:

T&K Asphalt Services, Inc.

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

Approved, June 24, 2019, Mayor Jasiel F. Correia II

27. Request from Recover Fall River to place banners on railings of Government Center

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

28. Structures over a public way – Recover Fall River promoting Overdose Awareness Day as follows:

- a. Banner over North Main Street
- b. Banner over South Main Street near courthouse
- c. Banner over Pleasant Street
- d. Banner over Bedford Street

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to approve the applications. Councilor Pam Laliberte-Lebeau asked how long the banners will be hanging over the streets. The City Clerk stated that the banners will be put up on August 1, 2019 and removed on September 1, 2019.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted to take items #29 through #32 together.

City Council Meeting Minutes:

- 29. Public Hearings – May 14, 2019
- 30. Public Hearings – June 4, 2019
- 31. Committee on Finance Meeting – May 14, 2019
- 32. Regular City Council Meeting – May 14, 2019

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to approve items #29 through #32.

BULLETINS – NEWSLETTERS – NOTICES

33. Notice of Casualty and Loss at 34 Division Street

On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the notice be accepted and placed on file.

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: JUNE 20, 2019

PRIORITY COMMUNICATIONS

- 5a. Traffic Commission recommending amendments to the traffic ordinances

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

- 5b. City Clerk regarding request to rescind the cost of living freeze for elected officials

A motion was made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, to refer the matter to the Committee on Ordinances and Legislation. Councilor Steven A. Camara then stated that he believed that this was initially done by an order years ago, but after conversations with the City Clerk I was informed that this was implemented by an ordinance. He then stated that he feels that this matter is important and if it is the will of the City Council, then the matter could be accompanied by an emergency preamble when referred from the Committee on Ordinances and Legislation. He then stated that Fall River is on the low end of paying our elected officials, including the members of the School Committee, City Council and also our Mayor. He also stated that elected officials are no longer eligible for benefits, since the new Charter has become effective. Councilor Pam Laliberte-Lebeau stated that this ordinance change would only remove the freeze on the salaries and not actually be a salary increase. Council President Cliff Ponte stated that in order for this change to take place, the Committee on Ordinances and Legislation would have to convene and then a Special Meeting of the City Council would need to be called and I will not call a Special Meeting of the City Council for this matter. Councilor Stephen R. Long then stated that he feels that this matter deserves discussion, but there is not an emergency to rush such discussion. On a further motion made by Councilor Joseph D. Camara and seconded by Councilor

Stephen R. Long, it was voted 8 yeas, 1 nay to grant the matter leave to withdraw, with Councilor Steven A. Camara voting in the negative.

ORDERS – MISCELLANEOUS

24a. Light order – 110 Stevens Street pole #6

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

COMMUNICATIONS – INVITATIONS – PETITIONS

26a. Drainlayer License:

Raposo Company Landscape & Construction, LLC

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

Approved, June 24, 2019, Mayor Jasiel F. Correia II

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted to take items #32a through #32e together.

City Council Meeting Minutes:

32a. Public Hearing – June 18, 2019

32b. Committee on Finance Meeting – May 28, 2019

32c. Committee on Finance Meeting – June 4, 2019

32d. Planning Board Minutes – April 23, 2019 Meeting

32e. Planning Board Minutes – May 28, 2019 Meeting

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to approve items #32a through #32e.

BULLETINS – NEWSLETTERS – NOTICES

34. Open Meeting Law complaint filed by Patrick Higgins regarding the June 18, 2019

City Council Committee on Finance Meeting

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the City Clerk for a response.

City Council President Cliff Ponte called for a recess at 9:36 p.m. to allow the ordinances to be signed. The City Council reconvened at 9:40 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 9:44 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, August 12, 2019

Approved



City of Fall River Massachusetts

Office of the City Clerk

ORIGINAL POSTING: JUNE 17, 2019 AT 2:17 P.M.

RECEIVED

2019 JUN 20 P 12:11

CITY CLERK
FALL RIVER, MA

SPECIAL MEETING OF THE CITY COUNCIL CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

ALISON M. BOUCHARD
CITY CLERK

THURSDAY, JUNE 20, 2019
REVISED AGENDA

INÊS LEITE
ASSISTANT CITY CLERK

7:00 P.M SPECIAL 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. *Appropriation Orders for the proposed Fiscal Year 2020 Municipal Budget
2. *Mayor and inter-municipal agreement between the City of Fall River and the Fall River Redevelopment Authority
3. *Mayor requesting confirmation of the appointment of Robert Tavares as a member of the Traffic Commission
4. *Mayor requesting confirmation of the reappointment of David Underhill as a member of the Housing Authority

PRIORITY COMMUNICATIONS

5. *Traffic Commission recommending amendments to the traffic ordinances

COMMITTEE REPORTS

Committee on Public Works and Transportation recommending:

Approval:

6. *Communication – Street opening for pavement less than five years old – Harvard Street
7. *Communication – Street opening for pavement less than five years old – 724 Plymouth Avenue

Adoption:

8. *Order – One new pole location – President Avenue

ORDINANCES

Second reading and enrollment:

9. *Proposed Ordinance – Traffic, miscellaneous
10. *Proposed Ordinance – Sewer rate increases
11. *Proposed Ordinance – Water rate increases
12. *Proposed Ordinance – Personnel, Water Department modifications
13. *Proposed Ordinance – Personnel, GIS – Specialist
14. *Proposed Ordinance – Personnel, salary schedule adjustments – list of positions
15. *Proposed Ordinance – Personnel, salary schedule adjustments – rate of increase
16. *Proposed Ordinance – Special City Charter Committee

Second reading and enrollment, as amended:

17. *Proposed Ordinance – Personnel, salary schedule for non-union positions – EMA Director
18. *Proposed Ordinance – Personnel, salary schedule for non-union positions – City Council Principal Clerk
19. *Proposed Ordinance – Zoning, wind energy facilities

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

RESOLUTIONS

20. *Committee on Ordinances and Legislation convene with Corporation Counsel and Chief of Police to discuss proposed ordinance placing age restriction on purchase of knives
21. *Committee on Public Safety convene with Police Chief, City Planner, Administration and Academy Building management to discuss safety concerns on Old Second Street

CITATIONS – None

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

22. Police Chief's report on licenses:
Taxicab Drivers:
William Bradford Robert S. Custer
23. Auto Repair Shop License Renewals:
Michael Penacho, Penacho Associates, Ltd. d/b/a Complete Auto Tech Center at 535 Bay Street
Brian Moura d/b/a State Road Collision and Auto Repair at 480 South Main Street
John R. Glass, JG Auto, LLC at 84 Fourteenth Street
24. Auto Body Shop License Renewals:
Michael Penacho d/b/a Mike's Auto Body at 535 Bay Street
Brian Moura d/b/a State Road Collision and Auto Repair at 480 South Main Street
Luis Sousa and Rose Raposo d/b/a Color Tones Auto Body, LLC at 2238 South Main Street

COMMUNICATIONS – INVITATIONS – PETITIONS

25. *Claims
26. Drainlayer License:
T&K Asphalt Services, Inc.
27. *Request from Recover Fall River to place banners on railings of Government Center
28. Structures over a public way – Recover Fall River promoting Overdose Awareness Day as follows:
 - a. Banner over North Main Street
 - b. Banner over South Main Street near courthouse
 - c. Banner over Pleasant Street
 - d. Banner over Bedford Street

City Council Meeting Minutes:

29. *Public Hearings – May 14, 2019
30. *Public Hearings – June 4, 2019
31. *Committee on Finance Meeting – May 14, 2019
32. *Regular City Council Meeting – May 14, 2019

BULLETINS – NEWSLETTERS – NOTICES

33. Notice of Casualty and Loss at 34 Division Street


City Clerk

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

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: JUNE 20, 2019

PRIORITY COMMUNICATIONS

- 5a. *Traffic Commission recommending amendments to the traffic ordinances
- 5b. *City Clerk regarding request to rescind the cost of living freeze for elected officials

ORDERS – MISCELLANEOUS

- 24a. *Light order – 110 Stevens Street pole #6

COMMUNICATIONS – INVITATIONS – PETITIONS

- 26a. Drainlayer License:
Raposo Company Landscape & Construction, LLC

City Council Meeting Minutes:

- 32a. *Public Hearing – June 18, 2019
- 32b. *Committee on Finance Meeting – May 28, 2019
- 32c. *Committee on Finance Meeting – June 4, 2019

- 32d. *Planning Board Minutes – April 23, 2019 Meeting
- 32e. *Planning Board Minutes – May 28, 2019 Meeting

BULLETINS – NEWSLETTERS – NOTICES

- 34. *Open Meeting Law complaint filed by Patrick Higgins regarding the June 18, 2019
City Council Committee on Finance Meeting

AMENDED APPROPRIATION ORDER



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2019 JUN 20 P 12:33

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II

Mayor

June 20, 2019

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

Dear Honorable Council Members:

As a result of the budget discussions and the Councilor's request, we have amended the Appropriation Order by decreasing the Facilities Maintenance Salaries by \$84,786 and increasing the Community Maintenance Salaries by \$1,600 and Community Maintenance Expenses by \$83,186. Specifically, the \$1,600 will be appropriated in the Streets & Highway Salaries account for uniform allowance and \$83,186 in Trees Expense accounts.

Your approval of the associated Appropriation Order is respectfully requested.

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

Best Regards,


Jasiel F. Correia II
Mayor

* AMENDED APPROPRIATION ORDER *

City of Fall River, In City Council

BE IT ORDERED, that the Annual Budget for the Fiscal Year 2020 from various funds, is \$296,691,415 of which the amount of \$289,596,091 be raised through taxation for appropriation as follows:

A. for the purpose of GENERAL GOVERNMENT

1.	from the General Fund, for MAYOR, Salaries	\$	289,182		
2.	from the General Fund, for MAYOR, Expenses	\$	26,350		
3.	from the General Fund, for CITY COUNCIL, Salaries	\$	253,676		
4.	from the General Fund, for CITY COUNCIL, Expenses	\$	161,100		
5.	from the General Fund, for CITY CLERK, Salaries	\$	334,376		
6.	from the General Fund, for CITY CLERK, Expenses	\$	49,623		
7.	from the General Fund, for ELECTIONS, Salaries	\$	212,618		
8.	from the General Fund, for ELECTIONS, Expenses	\$	72,365		
9.	from the General Fund, for VETERANS' BENEFITS, Salaries	\$	259,750		
10.	from the General Fund, for VETERANS' BENEFITS, Expenses	\$	2,326,865	\$	3,985,905

B. for the purpose of ADMINISTRATION

1.	from the General Fund, for ADMINISTRATIVE SERVICES, Salaries	\$	1,318,472		
2.	from the General Fund, for ADMINISTRATIVE SERVICES, Expenses	\$	2,279,074		
3.	from the General Fund, for CLAIMS AND DAMAGES	\$	250,000	\$	3,847,546

C. for the purpose of FINANCIAL SERVICES

1.	from the General Fund, for FINANCIAL SERVICES, Salaries	\$	1,409,133		
2.	from the General Fund, for FINANCIAL SERVICES, Expenses	\$	298,890	\$	1,708,023

D. for the purpose of FACILITIES MAINTENANCE

1.	from the General Fund, for FACILITIES, Salaries	\$	852,071		
2.	from the General Fund, for FACILITIES, Expenses	\$	1,574,475		
3.	from the General Fund, for FACILITIES, Transfer to Revolving	\$	15,000	\$	2,441,546

E. for the purpose of COMMUNITY MAINTENANCE

1.	from the General Fund, for COMMUNITY MAINTENANCE, Salaries	\$	4,318,686		
2.	from the General Fund, for COMMUNITY MAINTENANCE, Expenses	\$	10,039,675	\$	14,858,361

F. for the purpose of COMMUNITY SERVICE

1.	from the General Fund, for COMMUNITY SERVICES, Salaries	\$	2,514,890		
2.	from the General Fund, for COMMUNITY SERVICES, Expenses	\$	739,170		
3.	from the General Fund, for COMMUNITY SERVICES, Transfer to Demo Lien Revolving	\$	15,000		
4.	from the General Fund, for COMMUNITY SERVICES, Transfer to Vacant Lot Revolving	\$	15,000	\$	3,284,060

G. for the purpose of EDUCATION

1.	from the General Fund, for SCHOOL APPROPRIATION	\$	104,926,128		
2.	from the General Fund, for SCHOOL TRANSPORTATION	\$	9,590,000		
3.	from the General Fund, for EDUCATION-ALL OTHER	\$	3,902,706	\$	118,418,834

H. for the purpose of COMMUNITY PROTECTION

1.	from the General Fund, for POLICE, Salaries	\$	21,559,072		
2.	from the General Fund, for POLICE, Expenses	\$	1,305,789		
3.	from the General Fund, for POLICE, Capital	\$	197,464		
4.	from the General Fund, for HARBOR MASTER, Salaries	\$	2,500		
5.	from the General Fund, for HARBOR MASTER, Expenses	\$	29,050		
6.	from the General Fund, for FIRE & EMERGENCY SERVICES, Salaries	\$	14,956,929		
7.	from the General Fund, for FIRE & EMERGENCY SERVICES, Expenses	\$	832,046		
8.	from the General Fund, for FIRE & EMERGENCY SERVICES, Capital	\$	80,000	\$	38,962,850

I. for the purpose of OTHER GOVERNMENTAL EXPENSES

1.	from the General Fund, for DEBT - SERVICE	\$	11,617,076		
2.	from the General Fund, for INSURANCE	\$	38,767,000		
3.	from the General Fund, for PENSION CONTRIBUTIONS	\$	29,520,332		
4.	from the General Fund, for RESERVE FUND	\$	-	\$	79,904,408

TOTAL GENERAL FUND OPERATING BUDGET

\$	267,411,533	\$	267,411,533
----	-------------	----	-------------

CHERRY SHEET ASSESSMENT

\$	28,866,681	\$	28,866,681
----	------------	----	------------

OTHER AMOUNTS TO BE RAISED

\$	413,201	\$	413,201
----	---------	----	---------

GENERAL FUND OPERATING BUDGET

\$	296,691,415	\$	296,691,415
----	-------------	----	-------------

* AMENDED APPROPRIATION ORDER *

City of Fall River, In City Council

FUNDING SOURCES:

from the Grants for Admin	\$ 17,348	\$ 17,348
from Library for DEBT SERVICE	\$ 100,000	\$ 100,000
from Waterways for DEBT SERVICE	\$ 7,579	\$ 7,579
from the EMS Rate Revenues for INSURANCE	\$ 704,691	
from the EMS Rate Revenues for PENSION	\$ 356,010	
from the EMS Rate Revenues for SHARED PAYROLL	\$ 257,135	
from the EMS Rate Revenues for OTHER INDIRECT	\$ 1,237,560	
from the Water Rate Revenues for INSURANCE	\$ 725,238	
from the Water Rate Revenues for PENSION	\$ 731,603	
from the Water Rate Revenues for OTHER INDIRECT	\$ 1,288,158	
from the Sewer Rate Revenues for INSURANCE	\$ 93,214	
from the Sewer Rate Revenues for PENSION	\$ 89,380	
from the Sewer Rate Revenues for OTHER INDIRECT	\$ 1,487,406	\$ 6,970,397
 from Ordinary Revenue and Municipal Receipts	 \$ 289,596,091	 \$ 289,596,091
 GENERAL FUND OPERATING BUDGET	 \$ 296,691,415	 \$ 296,691,415



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

5a

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 19, 2019

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

RECEIVED
JUN 19 10 33 20
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Second Street	West	Starting at a point 351 feet north of Middle Street, for a distance of 20 feet northerly

Very truly yours,

Laura Ferreira
Parking Clerk



City of Fall River Massachusetts
Office of the City Clerk

5b

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

June 19, 2019

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

Dear Mr. Mayor,

At a meeting of the City Council Committee on Finance held on Tuesday, June 18, 2019, a motion was made and seconded to request an order rescinding the cost of living freeze for elected officials, effective with the next fiscal year (January 2020).

As a matter of information, I have included a copy of a resolution, referred to the City Council Committee on Ordinances and Legislation on February 9, 2010, requesting that each member of the City Council refund the automatic cost of living increase that had been paid.

As a result of that discussion, and based upon an ordinance which established cost of living adjustments for the Mayor and members of the City Council and School Committee, a proposed ordinance was then submitted to the full City Council for consideration.

On March 31, 2010, the City Council voted to enact the ordinance, thus eliminating said cost of living adjustments. That ordinance was approved by the Mayor on April 5, 2010, and resulted in the "cost of living freeze" for elected officials. A copy of that ordinance is also attached for reference.

Any amendment to reinstitute a cost of living increase should be submitted as a proposed ordinance.

I am available for any additional questions that you may have.

Sincerely,

Alison M. Bouchard
City Clerk

Encl(s)

Cc: Members of the City Council

City of Fall River, In City Council

5b

(Councilor Leo O. Pelletier)

WHEREAS, the City is experiencing a financial crisis due to state cutbacks, and

WHEREAS, the City Council receives an automatic cost of living increase annually, now therefore

BE IT RESOLVED, that each member of the City Council return the 2010 increase in the amount of \$315.48, and

BE IT FURTHER RESOLVED, that the City Council repeal the automatic annual cost of living increase until the City resolves its financial situation.

CITY OF FALL RIVER
IN CITY COUNCIL

FEB 09 2010

*Ref. to Contin. on Ords.
+ Legislation*

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

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

By striking out in Sec. 50-301, which section relates to Salary schedules generally, the following positions:

City Councilor
Mayor
School Committee

and, by inserting in place thereof, the following:

City Councilor	1-1-10	\$ 16,091.06
Mayor	1-1-10	\$118,688.24
School Committee	1-1-10	\$ 7,197.03

In City Council, March 31, 2010
Passed to be ordained

Approved, April 5, 2010
William A. Flanagan, Mayor

A true copy. Attest:

Alison M. Brett
City Clerk

City of Fall River, In City Council

24a

The City Council hereby recommends that the Director of Facilities Maintenance conduct a lighting survey at the following location:

110 Stevens Street

(Councilor Steven A. Camara)

Pole # 6

CITY COUNCIL PUBLIC HEARING

MEETING: Tuesday, June 18, 2019 at 5:15 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,
Stephen R. Long, Leo O. Pelletier

ABSENT: Councilors Pam Laliberte-Lebeau, Derek R. Viveiros

IN ATTENDANCE: None

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

FISCAL YEAR 2020 MUNICIPAL BUDGET

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted that the hearing be opened, with Councilors Pam Laliberte-Lebeau and Derek R. Viveiros absent and not voting. The President then directed the proponents to be heard and no one came forward. The President then directed the opponents to be heard and there were no opponents. On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to close the hearing, with Councilors Pam Laliberte-Lebeau and Derek R. Viveiros absent and not voting.

On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adjourn at 5:18 p.m., with Councilors Pam Laliberte-Lebeau and Derek R. Viveiros absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda (attached)
DVD of meeting

A true copy. Attest:

Alison M. Bouchard

City Clerk

COMMITTEE ON FINANCE

MEETING: Tuesday, May 28, 2019 at 6:00 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator
Mary Sahady, Director of Financial Services
Joseph I. Macy, Corporation Counsel
Terrance J. Sullivan, Administrator of Community Utilities
Paul Ferland, Deputy Administrator of Community Utilities
William Roth, City Planner

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

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

Citizens' Input Time – Before Discussion of Financial Matters:

Jason Burns, 622 Valentine Street – Military Buyback Home Rule Petition

Michael Almeida, 485 Robeson Street – Fall River Pride Flags, Banners on City Hall

2. Resolution to discuss the completed Purchase Street and East Main Street Streetscape Projects

Councilor Shawn E. Cadime stated that the total amount of the loan order for the Purchase Street streetscape loan order was for \$1,398,000.00. He then asked the Administrator of Community Utilities what was the total amount for the water and sewer upgrades that were done on East Main Street. The Administrator of Community Utilities stated that the initial amount was \$986,550.00. He then stated that there were two change orders which increased the total amount to \$1,254,090.10. Councilor Shawn E. Cadime then requested the total amounts spent on the Purchase Street project for water and sewer upgrades. The Administrator of Community Utilities stated that the original amount for water and sewer upgrades was \$1,132,803.10. He then stated that there were two change orders which increased the total amount to \$1,231,766.14. Councilor Shawn E. Cadime then asked if these were normal costs for such upgrades. The Administrator of Community Utilities stated that in a city such as Fall River, there are always unknown costs that occur. There is a great deal of ledge and also improper utility drawings from the 1800's which are not always correct and problems such as these can cause additional unforeseen costs. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was voted 9 yeas to table the matter.

32b

3. Mayor and loan order of \$4,950,000 for Phase 19 Water System Improvement
The Administrator of Community Utilities provided a brief overview of Phase 19 of the Water System Improvements. Councilor Leo O. Pelletier asked "when will these water main improvements be completed?" The Administrator of Community Utilities stated in the year 2035. He then stated that 65 miles of tuberculated water pipes have been replaced and there are approximately 50 more miles to replace. He also mentioned that this program has been very successful and it will continue in accordance with the Master Plan. Councilor Joseph D. Camara asked when the water pipes were installed that are being replaced in this Phase 19 Water System Improvement. The Administrator of Community Utilities stated that these water pipes were installed in 1913, 1875 and 1928. Councilor Shawn E. Cadime stated that he would like to see President Avenue, Rock Street and High Street be paved after these water upgrades are complete. The City Administrator stated that the City Engineer is also working with Liberty Utilities to coordinate and track these repairs. Councilor Stephen R. Long asked how patches are tracked to determine if they have a temporary patch or have a final patch. The City Administrator stated that the City Engineer works with the contractors and keeps records of the patches and inspections of these patches. The Administrator of Community Utilities stated that he can comment on two large drainage improvement projects that will be patched curb to curb. He stated that Middle Street from below Bay Street to Whipple Street and also South Main Street from Middle Street to Osborn Street will be patched curb to curb. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to table the matter.

Citizens' Input Time – After Discussion of Financial Matters:

None

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adjourn at 6:32 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
DVD of meeting


Clerk of Committees

COMMITTEE ON FINANCE

MEETING: Tuesday, June 4, 2019 at 6:00 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilor Stephen R. Long

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator
Mary Sahady, Director of Financial Services
Terrance J. Sullivan, Administrator of Community Utilities
William Roth, City Planner
JR Frey, City Engineer

The chair called the meeting to order at 6:02 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

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

Citizens' Input Time – Before Discussion of Financial Matters:

Melissa Braga, 236 Nashua Street – Transportation

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Steven A. Camara, it was unanimously voted to waive the 3 minute time limit to allow Ms. Braga to finish her statement, with Councilor Stephen R. Long absent and not voting.

Antonio Teixeira, 887 Cherry Street – Cannabis

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to waive the rules to allow the following non Fall River resident to speak, with Councilor Stephen R. Long absent and not voting.

Meg Jenness, 23 North Street, Middleboro, MA – proposed public safety

Amanda Lewis, 233 Sunset Hill – proposed public safety

Brandon Silva, 60 Norfolk Street – proposed public safety

Christopher Nerestant, 19 Aetna Street – proposed public safety

Kode Beland, 453 Fourth Street – proposed public safety

Thomas Cabral, 5500 North Main Street – proposed public safety

2. Resolution to discuss the completed Purchase Street and East Main Street Streetscape Projects

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Bradford L. Kilby, it was unanimously voted to lift the matter from the table, with Councilor Stephen R. Long absent and not voting. The Director of Financial Services gave a brief overview of the funding spent on these two streetscape projects and remaining fund balances. Councilor Leo O. Pelletier asked for the total amount spent to date on the East Main Street project and then asked if this project is over budget.

The Director of Financial Services stated that to date, the expenses are \$2,067,243.00 and the approved amount of the loan order was \$2,075,000.00, which leaves a balance of \$7,756.00. Councilor Leo O. Pelletier then asked why the roadway near Kosciuszko Square has already been cut. The City Engineer stated that there are problems with the seams on the top coat of asphalt that has been applied to East Main Street. He then mentioned that we are requiring the contractor to perform infrared repairs on all the seams that have been identified as unacceptable. Councilor Leo O. Pelletier then stated that he was hopeful that the final coat of asphalt has not been applied. The City Engineer stated that the final coat has been applied. Councilor Leo O. Pelletier then asked "why is the contractor digging up the new roadway on East Main Street?" The City Engineer stated that this is the warranty work that is being required of the contractor. Councilor Leo O. Pelletier then stated that he is not impressed by the work performed on East Main Street. Councilor Shawn E. Cadime then stated that he agrees with the Councilor in seat #7 that we should not have to repair pavement that was just installed. The City Engineer stated that the final coat of asphalt that was applied to East Main Street is the problem, as it did not bond well. Councilor Shawn E. Cadime then stated that he appreciates all the copies of contracts and related information that was provided, but he would appreciate a summary page to make the information easier to understand. Councilor Pam Laliberte-Lebeau stated that she did not receive the list of oversight committee members that she had requested. The City Administrator stated that no formal committees were ever formed. The City Planner stated that there was no committee formed for East Main Street when he took over the project. He then stated that he is working to form a committee for the Bedford Street streetscape project. Councilor Steven A. Camara stated that he is concerned with the building on the northeast corner of Columbia Square, which he recalls being the old "Music Mansion". He then stated that this building has a canopy over the sidewalk, which seems to be in disrepair. The Director of Financial Services stated that she believes this property is in tax title, but the owners are making payments to the City. Councilor Steven A. Camara then requested that the Building Inspector visit this building and inspect the canopy for safety. On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Leo O. Pelletier, it was unanimously voted to table the matter, with Councilor Stephen R. Long absent and not voting.

3. Mayor and loan order of \$4,950,000 for Phase 19 Water System Improvement
On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to lift the matter from the table, with Councilor Stephen R. Long absent and not voting. The Administrator of Community Utilities provided a brief overview of the project. He stated that at this time he cannot commit curb to curb repaving after the Water Department installs new water mains. He then stated that he is working with Liberty Utilities to coordinate upgrades of gas mains, along with the water main replacements with the hopes of trying to achieve curb to curb repaving after all upgrades have been completed. Councilor Shawn E. Cadime stated that he is hopeful that President Avenue will be repaved curb to curb, as it is in serious disrepair and with the severity of the hill the asphalt is continuously crumbling. Councilor Joseph D. Camara asked when William S. Canning Boulevard will be repaved. The City Engineer stated that work should begin in approximately three months. He also stated that bike lanes will be added to this area. Councilor Leo O. Pelletier stated that the left turn lane exiting from Route 24 needs to be reworked, as there is always a backup of vehicles in this area. The City Engineer stated that this area is being reviewed, as it is a significant safety issue. On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the loan order to the full council for action, with Councilor Stephen R. Long absent and not voting.

4. Transfer and appropriation \$149,602 from the CPA Undesignated Fund to the CPA Historic Resources Preservation Projects (North Burial Ground Gatehouse Restoration)
The Director of Financial Services stated that this is for work that needs to be performed at North Burial Ground. This work will be paid for with CPA funds and is for the Gatehouse Restoration at North Burial Ground. Councilor Leo O. Pelletier asked if this is the cemetery at the corner of North Main Street and Brightman Street. The Director of Financial Services stated that is the location of North Burial Ground.

32C

Citizens' Input Time – After Discussion of Financial Matters:

None

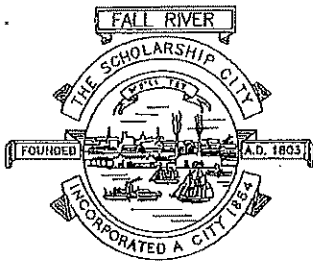
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adjourn at 8:04 p.m., with Councilor Stephen R. Long absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

Colleen A. Taylor
Clerk of Committees



City of Fall River
Massachusetts

32 d

Planning Division **RECEIVED**

2019 JUN 19 A 10 51
CITY CLERK WILLIAM D. ROTH JR., AICP
FALL RIVER, MA City Planner

JASIEL F. CORREIA II
Mayor

TO: Alison Bouchard
City Clerk

FROM: Fall River Planning Board

RE: **PLANNING BOARD MINUTES**
April 23, 2019

The Fall River Planning Board held a Public Meeting at 5:30 p.m. on Tuesday, April 23, 2019, in the First Floor Hearing Room, One Government Center, Fall River, MA for the purpose of considering the matters set forth in the agenda originally posted with your office on April 3, 2019, with a revision submitted to your office on April 4, 2019, and a second final revision submitted to your office on April 11, 2019.

Members present: Cynthia Sevigny, Charles Moniz, Elizabeth Andre, and Mario Lucciola

Members absent: None

Also present: Planning Director, William D. Roth, Jr., AICP, Brittany Faria and Patti Aguiar, Recording Clerks and Gary Leite, FRGTV.

"Minutes" of this meeting are as follows:

Mrs. Sevigny opened the meeting and read the Open Meeting Law statement.

01. Street Acceptance- Brookside St.

Mr. Roth explained his research findings, stating that there is no established right-of-way on the St. Vincent's property from Highland Ave. The physical gravel driveway also does not have a recorded easement. It cannot legally be accepted as a street. His recommendation is to Not Accept. Resident Mr. Matthew DeFaria was present to address the Board. Mr. Roth explained formal process of not accepting and suggested he try to work with St. Vincent's to establish a right of way, or to contact DCM to arrange for periodic maintenance.

In a motion made by Mr. Lucciola and seconded by Ms. Andre, the Board unanimously Voted 4-0 to not accept because there is no right of way.

1. Zoning Bylaw Amendment- Kennels

Mr. Roth read the Public Notice into the record. He explained that the Building Commissioner requested an amendment to be consistent with State regulations. The State allows for 4 dogs to become a kennel. He recommended to allow the change in definition from 3 dogs to 4 to be consistent with State Law.

In a motion made by Mr. Moniz and seconded by Ms. Andre, the Board unanimously VOTED 4-0 to approve the proposed Zoning Bylaw Amendment as proposed.

2. Zoning Bylaw Amendment- Wind Energy Industry

Mr. Roth explained that the proposed modifications does not include windmills. It is for research and development; processing, fabrication, manufacturing, assembly, packaging; and support services. He explained that this would be beneficial to the City. It would allow new businesses to be able to operate on the waterfront. He recommended to approve the proposal. Mr. Lucciola asked specifically where this would affect the waterfront. Mr. Roth stated that it would only be allowed in the WTOD District, and showed on a map where that is along the waterfront. Mr. Lucciola asked if this would affect windmill use and Mr. Roth stated that windmills are addressed in a different Bylaw, not for this consideration.

Upon motion made by Ms. Andre and seconded by Mr. Lucciola, it was unanimously VOTED 4-0: to approve the proposed Zoning Bylaw Amendment as proposed.

3. Notification by Algonquin Gas –Chapter 91 and 401 Water quality Certification.

Mr. Roth explained the notification and recommended to accept and place on file. No further action needed.

Upon a motion made by Mr. Lucciola and seconded by Mr. Moniz, it was unanimously VOTED 4-0 to acknowledge and place on file.

4. SRPEDD Appointment of William Roth as the Planning Board's representative to the SRPEDD Commission.

Upon a motion made by Mr. Lucciola and seconded by Ms. Andre, it was unanimously VOTED 4-0 to approve William Roth as the representative of SRPEDD.

**5. A. Application for Endorsement of Plan Believed Not to Require Approval –
File No. 19-1431**

Owner/Applicant- Ground Earth Inc.
Location- 232 Lapham St.
Assessor Lots: F-14-15 & 29

Mr. Roth, explained that they are consolidating numerous lots into 2 lots fronting Jackson St. and Lapham St. As it is not a subdivision, it meets the requirements of "Approval Not Required Under the Subdivision Control Law" so he is recommending endorsement.

Upon motion made by Mr. Moniz and seconded by Ms. Andre, it was unanimously VOTED 4-0: to direct the Chair to endorse the plan, "Approval Not Required Under the Subdivision Control Law".

**6. B. Application for Endorsement of Plan Believed Not to Require Approval –
File No. 19-1432**

Owner/Applicant- Squeegee Real Estate Trust
Location- 83 – 95 Flint St.
Assessor Lots: K-13-17

Mr. Roth explained that the 2 existing structures were built prior to subdivision control law, so it is compliant with MGL 41, Sec 81L and the Form A could be signed. However, variances would be needed in the future to make to lots conforming.

Upon motion made by Ms. Andre and seconded by Mr. Moniz, it was unanimously VOTED 4-0: to direct the Chair to endorse the plan, "Approval Not Required Under the Subdivision Control Law".

7. March 26, 2019 Minutes

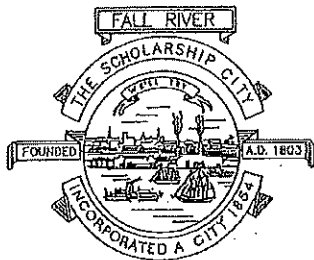
In a motion made by Mr. Lucciola and seconded by Ms. Andre, the Board VOTED 3-0 to waive the reading of the minutes and to approve the minutes of the March 26, 2019, meeting. Mr. Moniz abstained from the vote, being absent from the March meeting.

8. Public Input-

No one signed up for public input.

9. ADJOURNMENT

Upon motion duly made by Mr. Moniz and seconded by Mr. Lucciola, it was unanimously VOTED 4-0: to adjourn the meeting at 5:52pm.



City of Fall River
Massachusetts

Planning Division

RECEIVED

2019 JUN 19 A 10:56

JASIEL F. CORREIA II
Mayor

CITY CLERK WILLIAM D. ROTH JR., AICP
FALL RIVER, MA *City Planner*

TO: Alison Bouchard
City Clerk

FROM: Fall River Planning Board

RE: **PLANNING BOARD MINUTES**
May 28, 2019

The Fall River Planning Board held a Public Meeting at 5:30 p.m. on Tuesday, May 28, 2019, in the First Floor Hearing Room, One Government Center, Fall River, MA for the purpose of considering the matters set forth in the agenda posted with your office on May 17, 2019.

Members present: Cynthia Sevigny, Charles Moniz, Elizabeth Andre, and Mario Lucciola

Members absent: None

Also present: Planning Director, William D. Roth, Jr., AICP, Patti Aguiar, Recording Clerk and Evan Massoud, FRGTV.

"Minutes" of this meeting are as follows:

Mrs. Sevigny opened the meeting and read the Open Meeting Law statement.

1. Re-Endorsement request: FORM -A File NO. 18-1425

Mr. Roth explained that this application had previously been approved on Dec 17, 2018, but the signed Mylar was lost. He recommended to Approve the Re-Endorsement.

In a motion made by Mr. Lucciola and seconded by Ms. Andre, the Board unanimously Voted 4-0 to APPROVE the Re-Endorsement.

**2A. Application for Endorsement of Plan Believed Not to Require Approval –
File No. 19-1433**

Owner/Applicant-	Roman Catholic Bishop of Fall River
Location-	84 & 120 Beattie St.
Assessor Lots:	L-2-9

Mr. Roth, explained that there was a Variance Granted February 21, 2019. The road has adequate width and pavement. It also meets the frontage requirements because of the variance. Therefore, it meets the requirements of "Approval Not Required Under the Subdivision Control Law" so he is recommending endorsement.

Upon motion made by Ms. Andre and seconded by Mr. Moniz, and with Mr. Lucciola abstaining, it was VOTED 3-0: to direct the Chair to endorse the plan, "Approval Not Required Under the Subdivision Control Law".

**2B. Application for Endorsement of Plan Believed Not to Require Approval –
File No. 19-1434**

Owner/Applicant-	Roman Catholic Bishop of Fall River
Location-	420 Bradford Ave.
Assessor Lots:	G-4-27

Mr. Roth explained that there was a variance Granted February 21, 2019 and there is adequate frontage because of the variance. Therefore, it meets the requirements of "Approval Not Required Under the Subdivision Control Law" so he is recommending endorsement.

Upon motion made by Mr. Lucciola and seconded by Mr. Moniz, it was unanimously VOTED 4-0: to direct the Chair to endorse the plan, "Approval Not Required Under the Subdivision Control Law".

**2C. Application for Endorsement of Plan Believed Not to Require Approval –
File No. 19-1435**

Owner/Applicant- Hanover MOB LLC.
Location- 235 Hanover St.
Assessor Lots: M-16-31

Mr. Roth explained that The Fall River Jewish Home had an encroachment on the property, and that this is just a Lot Line adjustment. No frontage is being altered, therefore; meets the requirements of "Approval Not Required Under the Subdivision Control Law" so he is recommending endorsement.

Upon motion made by Mr. Lucciola and seconded by Ms. Andre, it was unanimously VOTED 4-0: to direct the Chair to endorse the plan, "Approval Not Required Under the Subdivision Control Law".

3 Legal Notice Deposit Discussion

Mr. Roth explained that the newspaper ads costs keep rising. The line item in his budget gets depleted every year. He would like to set up a system where the applicant pays the direct cost of the legal ad. In his previous town a deposit account was set up where the applicant covered the cost of the legal ads. Any funds left over will be returned to the applicant. He would like it to take effect on July 1, 2019. Mr. Lucciola asked if this can be legally done. Mr. Roth said it could, and many other cities and towns are already doing it. Mrs. Sevigny asked what other boards will have to do this. Mr. Roth stated that it would include the Licensing Board, Zoning Board and Planning Board.

4. April 23, 2019 Minutes

In a motion made by Ms. Andre and seconded by Mr. Lucciano, the Board VOTED 4-0 to waive the reading of the minutes and to approve the minutes of the April 23, 2019, meeting.

5. Public Input-

No one signed up for public input.

6. ADJOURNMENT

Upon motion duly made by Mr. Moniz and seconded by Ms. Andre, it was unanimously VOTED 4-0: to adjourn the meeting at 5:47pm.

34



OPEN MEETING LAW COMPLAINT FORM

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

RECEIVED

Please note that all fields are required unless otherwise noted.

2019 JUN 19 P 3:14

Your Contact Information:

CITY CLERK
FALL RIVER, MA

First Name: Patrick Last Name: Higgins

Address: P O Box 24

City: Swansea State: MA Zip Code: 02777

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

Email: patrick@patrickhiggins.co

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

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

(For statistical purposes only)

☐ Individual ☒ Organization ☐ Media

Public Body that is the subject of this complaint:

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

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

Specific person(s), if any, you allege
committed the violation: Cliff Ponte, Jr.

Date of alleged violation: Jun 18, 2019

Description of alleged violation:

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

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

The Fall River City Council Committee on Finance violated the open meeting law by attending and participating in a "joint meeting" with the Fall River City School Committee without posting a joint meeting with the City Council in violation of the Open Meeting Law.

The Fall River City Council Committee on Finance further violated the Open Meeting Law by not listing the departments of the City that the City Council Committee on Finance would be discussing and deliberating on. This has been determined to be a violation by the Division of Open Government in several determination letters issued finding other Budget discussions required that the agenda list the departments to be discussed.

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

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

The Budget presentation needs to be redone to allow the general public the required 48 hours notice that the School Committee will be meeting with the Council Committee on Finance to discuss the FY 2020 School Budget.

The Council Committee on Finance also needs to repost their meetings with the specifics as to what departments budgets they will be discussing and start the budget hearing process over.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

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

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

II. Consulting With a Private Attorney.

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

III. Submit Your Complaint to the Public Body.

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

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

Signed: *Robert Higgins*

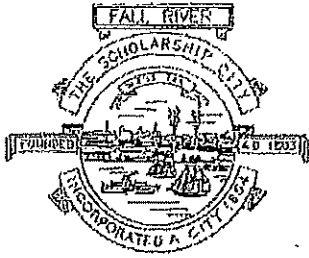
Date: 6/19/19

For Use By Public Body

Date Received by Public Body

For Use By AGO

Date Received by AGO



City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

RECEIVED

34

2019 JUN 13 P 4:28

CITY CLERK
FALL RIVER, MA

INÊS LEITE
ASSISTANT CITY CLERK

POSTING NOTICE

A meeting of the City Council Committee on Finance has been scheduled for:

Tuesday, June 18, 2019 at 6:00 PM
in the City Council Chamber, One Government Center

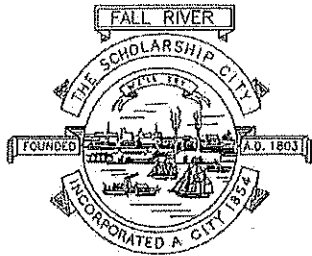
AGENDA:

1. Citizen Input
2. Discussion of the proposed Fiscal Year 2020 Municipal Budget.


City Clerk

ADA Coordinator:

Gary P. Howayeck, Esq. 508-324-2650



City of Fall River Massachusetts RECEIVED

Office of the City Clerk

2019 JUN 17 P 2:17

SPECIAL MEETING OF THE CITY COUNCIL
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

THURSDAY, JUNE 20, 2019
AGENDA

INÊS LEITE
ASSISTANT CITY CLERK

7:00 P.M SPECIAL 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. *Appropriation Orders for the proposed Fiscal Year 2020 Municipal Budget
2. *Mayor and inter-municipal agreement between the City of Fall River and the Fall River Redevelopment Authority
3. *Mayor requesting confirmation of the appointment of Robert Tavares as a member of the Traffic Commission
4. *Mayor requesting confirmation of the reappointment of David Underhill as a member of the Housing Authority

PRIORITY COMMUNICATIONS

5. *Traffic Commission recommending amendments to the traffic ordinances

COMMITTEE REPORTS

Committee on Public Works and Transportation recommending:

Approval:

6. *Communication – Street opening for pavement less than five years old – Harvard Street
7. *Communication – Street opening for pavement less than five years old – 724 Plymouth Avenue

Adoption:

8. *Order – One new pole location – President Avenue

ORDINANCES

Second reading and enrollment:

9. *Proposed Ordinance – Traffic, miscellaneous
10. *Proposed Ordinance – Sewer rate increases
11. *Proposed Ordinance – Water rate increases
12. *Proposed Ordinance – Personnel, Water Department modifications
13. *Proposed Ordinance – Personnel, GIS – Specialist
14. *Proposed Ordinance – Personnel, salary schedule adjustments – list of positions
15. *Proposed Ordinance – Personnel, salary schedule adjustments – rate of increase
16. *Proposed Ordinance – Special City Charter Committee

Second reading and enrollment, as amended:

17. *Proposed Ordinance – Personnel, salary schedule for non-union positions – EMA Director
18. *Proposed Ordinance – Personnel, salary schedule for non-union positions – City Council Principal Clerk
19. *Proposed Ordinance – Zoning, wind energy facilities

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

RESOLUTIONS

20. *Committee on Ordinances and Legislation convene with Corporation Counsel and Chief of Police to discuss proposed ordinance placing age restriction on purchase of knives
21. *Committee on Public Safety convene with Police Chief, City Planner, Administration and Academy Building management to discuss safety concerns on Old Second Street

CITATIONS – None

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

22. Police Chief's report on licenses:
Taxicab Drivers:
William Bradford Robert S. Custer
23. Auto Repair Shop License Renewals:
Michael Penacho, Penacho Associates, Ltd. d/b/a Complete Auto Tech Center at
535 Bay Street
Brian Moura d/b/a State Road Collision and Auto Repair at 480 South Main Street
John R. Glass, JG Auto, LLC at 84 Fourteenth Street
24. Auto Body Shop License Renewals:
Michael Penacho d/b/a Mike's Auto Body at 535 Bay Street
Brian Moura d/b/a State Road Collision and Auto Repair at 480 South Main Street
Luis Sousa and Rose Raposo d/b/a Color Tones Auto Body, LLC at 2238 South Main Street

COMMUNICATIONS – INVITATIONS – PETITIONS

25. *Claims
26. Drainlayer License:
T&K Asphalt Services, Inc.
27. *Request from Recover Fall River to place banners on railings of Government Center
28. Structures over a public way – Recover Fall River promoting Overdose Awareness Day as follows:
 - a. Banner over North Main Street
 - b. Banner over South Main Street near courthouse
 - c. Banner over Pleasant Street
 - d. Banner over Bedford Street

City Council Meeting Minutes:

29. *Public Hearings – May 14, 2019
30. *Public Hearings – June 4, 2019
31. *Committee on Finance Meeting – May 14, 2019
32. *Regular City Council Meeting – May 14, 2019

BULLETINS – NEWSLETTERS – NOTICES

33. Notice of Casualty and Loss at 34 Division Street


City Clerk

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

City of Fall River, In City Council

1

BE IT ORDERED, that the Annual Budget for the Fiscal Year 2020 from various funds, is \$296,691,416 of which the amount of \$289,596,091 be raised through taxation for appropriation as follows:

A. for the purpose of GENERAL GOVERNMENT

1 .	from the General Fund, for MAYOR, Salaries	\$	289,182	
2 .	from the General Fund, for MAYOR, Expenses	\$	26,350	
3 .	from the General Fund, for CITY COUNCIL, Salaries	\$	253,676	
4 .	from the General Fund, for CITY COUNCIL, Expenses	\$	161,100	
5 .	from the General Fund, for CITY CLERK, Salaries	\$	334,376	
6 .	from the General Fund, for CITY CLERK, Expenses	\$	49,623	
7 .	from the General Fund, for ELECTIONS, Salaries	\$	212,618	
8 .	from the General Fund, for ELECTIONS, Expenses	\$	72,365	
9 .	from the General Fund, for VETERANS' BENEFITS, Salaries	\$	259,750	
10 .	from the General Fund, for VETERANS' BENEFITS, Expenses	\$	2,326,865	\$ 3,985,905

B. for the purpose of ADMINISTRATION

1 .	from the General Fund, for ADMINISTRATIVE SERVICES, Salaries	\$	1,318,472	
2 .	from the General Fund, for ADMINISTRATIVE SERVICES, Expenses	\$	2,279,074	
3 .	from the General Fund, for CLAIMS AND DAMAGES	\$	250,000	\$ 3,847,546

C. for the purpose of FINANCIAL SERVICES

1 .	from the General Fund, for FINANCIAL SERVICES, Salaries	\$	1,409,133	
2 .	from the General Fund, for FINANCIAL SERVICES, Expenses	\$	298,890	\$ 1,708,023

D. for the purpose of FACILITIES MAINTENANCE

1 .	from the General Fund, for FACILITIES, Salaries	\$	936,857	
2 .	from the General Fund, for FACILITIES, Expenses	\$	1,574,475	
3 .	from the General Fund, for FACILITIES, Transfer to Revolving	\$	15,000	\$ 2,526,332

E. for the purpose of COMMUNITY MAINTENANCE

1 .	from the General Fund, for COMMUNITY MAINTENANCE, Salaries	\$	4,817,086	
2 .	from the General Fund, for COMMUNITY MAINTENANCE, Expenses	\$	9,956,489	\$ 14,773,575

F. for the purpose of COMMUNITY SERVICE

1 .	from the General Fund, for COMMUNITY SERVICES, Salaries	\$	2,514,890	
2 .	from the General Fund, for COMMUNITY SERVICES, Expenses	\$	739,170	
3 .	from the General Fund, for COMMUNITY SERVICES, Transfer to Demo Lien Revolving	\$	15,000	
4 .	from the General Fund, for COMMUNITY SERVICES, Transfer to Vacant Lot Revolving	\$	15,000	\$ 3,284,060

G. for the purpose of EDUCATION

1 .	from the General Fund, for SCHOOL APPROPRIATION	\$	104,926,128	
2 .	from the General Fund, for SCHOOL TRANSPORTATION	\$	9,590,000	
3 .	from the General Fund, for EDUCATION-ALL OTHER	\$	3,902,706	\$ 118,418,834

H. for the purpose of COMMUNITY PROTECTION

1 .	from the General Fund, for POLICE, Salaries	\$	21,559,072	
2 .	from the General Fund, for POLICE, Expenses	\$	1,305,789	
3 .	from the General Fund, for POLICE, Capital	\$	197,464	
4 .	from the General Fund, for HARBOR MASTER, Salaries	\$	2,500	
5 .	from the General Fund, for HARBOR MASTER, Expenses	\$	29,050	
6 .	from the General Fund, for FIRE & EMERGENCY SERVICES, Salaries	\$	14,956,929	
7 .	from the General Fund, for FIRE & EMERGENCY SERVICES, Expenses	\$	832,046	
8 .	from the General Fund, for FIRE & EMERGENCY SERVICES, Capital	\$	80,000	\$ 38,962,850

I. for the purpose of OTHER GOVERNMENTAL EXPENSES

1 .	from the General Fund, for DEBT - SERVICE	\$	11,617,076	
2 .	from the General Fund, for INSURANCE	\$	38,767,000	
3 .	from the General Fund, for PENSION CONTRIBUTIONS	\$	29,520,332	
4 .	from the General Fund, for RESERVE FUND	\$	-	\$ 79,904,408

TOTAL GENERAL FUND OPERATING BUDGET	\$	267,411,533	\$	267,411,533
-------------------------------------	----	-------------	----	-------------

CHERRY SHEET ASSESSMENT	\$	28,866,681	\$	28,866,681
-------------------------	----	------------	----	------------

OTHER AMOUNTS TO BE RAISED	\$ 413,201	\$ 413,201
GENERAL FUND OPERATING BUDGET	\$ 296,691,415	\$ 296,691,415
<u>FUNDING SOURCES:</u>		
from the Grants for Admin	\$ 17,348	\$ 17,348
from Library for DEBT SERVICE	\$ 100,000	\$ 100,000
from Waterways for DEBT SERVICE	\$ 7,579	\$ 7,579
from the EMS Rate Revenues for INSURANCE	\$ 704,691	
from the EMS Rate Revenues for PENSION	\$ 356,010	
from the EMS Rate Revenues for SHARED PAYROLL	\$ 257,135	
from the EMS Rate Revenues for OTHER INDIRECT	\$ 1,237,561	
from the Water Rate Revenues for INSURANCE	\$ 725,238	
from the Water Rate Revenues for PENSION	\$ 731,603	
from the Water Rate Revenues for OTHER INDIRECT	\$ 1,288,158	
from the Sewer Rate Revenues for INSURANCE	\$ 93,214	
from the Sewer Rate Revenues for PENSION	\$ 89,380	
from the Sewer Rate Revenues for OTHER INDIRECT	\$ 1,487,406	\$ 6,970,398
from Ordinary Revenue and Municipal Receipts	\$ 289,596,091	\$ 289,596,091
GENERAL FUND OPERATING BUDGET	\$ 296,691,416	\$ 296,691,416

City of Fall River, In City Council

BE IT ORDERED: That the following FY 20 appropriations be provided through the Emergency Medical Services (EMS) rates under Chapter 53F 1/2 in the aggregate, amounting to \$8,233,000 be appropriated as follows

A. Voted: That the following sums be appropriated for the EMS Enterprise.

from EMS Rate Revenues, for EMS, Salaries	\$ 4,589,128
from EMS Stabilization Fund, for EMS, Expenses	
from EMS Rate Revenues, for EMS, Expenses	\$ 914,370
from EMS Rate Revenues, for EMS, Capital	\$ 174,105
from EMS Rate Revenues, for EMS, Transfers (Indirect Costs)	\$ 2,555,397
from EMS Rate Revenues, for EMS, Debt	
TOTAL:	\$ 8,233,000

and that \$8,233,000 be raised as follows:

EMS Stabilization Fund	\$ -
Departmental Receipts	\$ 8,233,000
	<u>\$ 8,233,000</u>

Recommend that the following sums be appropriated to operate the EMS Enterprise:

	<u>Direct</u>	
Salaries	\$ 4,589,128	
Expenses	\$ 914,370	
Capital	\$ 174,105	
Debt		
Subtotal	<u>\$ 5,677,603</u>	
	<u>Indirect</u>	
Health Insurance	\$ 704,691	
Pensions	\$ 356,010	
Other	\$ 1,494,696	
Subtotal	<u>\$ 2,555,397</u>	
TOTAL:	\$ 8,233,000	

City of Fall River, In City Council

BE IT ORDERED: That the following FY 20 appropriations be provided through the Water rates under Chapter 53F 1/2 in the aggregate, amounting to \$13,367,975 be appropriated as follows

A. Voted: That the following sums be appropriated for the Water Enterprise.		
from Water Rate Revenues, for Water, Salaries	\$	2,620,182
from Water Rate Revenues, for Water, Expenses	\$	2,035,547
from Water Rate Revenues, for Water, Capital	\$	245,000
from Water Rate Revenues, for Water, Transfers (Indirect Costs)	\$	2,745,000
from Water Rate Revenues, for Water, Debt	\$	5,722,245
TOTAL:	\$	13,367,974

and that \$13,367,975 be raised as follows:

Water Retained Earnings	\$	-
Departmental Receipts	\$	13,367,975
	\$	13,367,975

Recommend that the following sums be appropriated to operate the Water Enterprise:

	<u>Direct</u>	
Salaries	\$	2,620,182
Expenses	\$	2,035,547
Capital	\$	245,000
Debt	\$	5,722,245
Subtotal	\$	10,622,974
	<u>Indirect</u>	
Health Insurance	\$	725,238
Pensions	\$	731,603
Other	\$	1,288,158
Subtotal	\$	2,745,000
TOTAL:	\$	13,367,974

City of Fall River, In City Council

BE IT ORDERED: That the following FY 20 appropriations be provided through the Sewer rates under Chapter 53F 1/2 in the aggregate, amounting to \$23,939,841 be appropriated as follows

A. Voted: That the following sums be appropriated for the Sewer Enterprise.

from Sewer Rate Revenues, for Sewer, Salaries	\$ 563,626
from Sewer Rate Revenues, for Sewer, Expenses	\$ 11,540,313
from Sewer Rate Revenues, for Sewer, Capital	\$ 80,000
from Sewer Rate Revenues, for Sewer, Transfers (Indirect Costs)	\$ 1,670,000
from Sewer Rate Revenues, for Sewer, Debt	\$ 10,085,902

TOTAL: \$ 23,939,841

and that \$23,939,841 be raised as follows:

Sewer Retained Earnings	\$ -
Departmental Receipts	\$ 23,939,841
	<u>\$ 23,939,841</u>

Recommend that the following sums be appropriated to operate the Sewer Enterprise:

Direct

Salaries	\$ 563,626
Expenses	\$ 11,540,313
Capital	\$ 80,000
Debt	\$ 10,085,902
Subtotal	<u>\$ 22,269,841</u>

Indirect

Health Insurance	\$ 93,214
Pensions	\$ 89,380
Other	\$ 1,487,406
Subtotal	<u>\$ 1,670,000</u>

TOTAL: \$ 23,939,841



City of Fall River
Massachusetts
Office of the Mayor

2

RECEIVED

JUN 14 P 4 50

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

June 14, 2019

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

Dear Honorable Council Members:

The City in so far as practicable shall make available the services of its agencies, officers and employees to the Fall River Redevelopment Authority. These administrative services are recognized under Chapter 121B, Section 23(g) of the Massachusetts General Laws.

Attached is an inter-municipal agreement pursuant to MGL c.40 §4A between the City of Fall River and the Fall River Redevelopment Authority for your review and approval.

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

Best Regards,

Jasiel F. Correia II
Mayor

2

INTER-MUNICIPAL AGREEMENT
Between the Fall River Redevelopment Authority and the City of Fall River

THIS AGREEMENT dated as of this 20th day of June, 2019 ("Agreement") by and between the City of Fall River, a Massachusetts municipal corporation having a usual place of business at One Government Center, Fall River, Massachusetts 02722 acting by and through its Mayor Jasiel F. Correia II, acting through the Fall River City Council (CITY) and the Fall River Redevelopment Authority, a Massachusetts municipal authority having a usual place of business at One Government Center, Suite 601, Fall River, Massachusetts 02722, acting by and through its Chairperson, Kara O'Connell with the approval of the full Redevelopment Authority Board (FRRA).

WITNESSETH THAT:

WHEREAS, pursuant to Massachusetts General Laws Chapter 121B, Section 23(g) a city may make available to a duly constituted Redevelopment Authority the services of the city's agencies, officers and employees, in lieu of the city providing funding to said Redevelopment Authority; and

WHEREAS, the CITY and the FRRA have respectively obtained authority to enter into this Agreement pursuant to Massachusetts General Laws Chapter 40, Section 4A;

NOW, THEREFORE, in consideration of the premises set forth above and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree under seal as follows:

1. FRRA Activities. The FRRA, acting through its Economic Development Director, shall provide economic development services to the CITY to support and enhance the economic development activities of various CITY departments, which economic activities of CITY department shall include, but not be limited to public infrastructure construction and improvements, zoning and subdivision control activities, public safety activities, transportation development activities, and port development activities.
2. CITY Activities. The CITY shall provide administrative support services to the FRRA to facilitate the FRRA's economic development activities, by providing payroll processing, participation in employee benefit programs, communication services, rented office space, planning and engineering services, and other necessary services.
3. Term. The term of this Agreement shall commence on the date of execution hereof, and shall expire on June 30, 2023, unless earlier terminated as set forth herein. This Agreement may be extended on a Fiscal Year basis provided the FRRA notifies the CITY of its desire to extend said Agreement on or before February 1st and the CITY agrees to said request to extend on or before March 1st. Any such extension shall commence on July 1st and terminate on June 30th, unless terminated earlier as set forth herein.
4. Indemnification. FRRA shall hold CITY harmless from any and all claims related to employment or employee benefits, collectively bargained or otherwise, made by the FRRA prior to the commencement of the term of this Agreement. FRRA shall indemnify and hold harmless CITY and each and all of its officials, officers, employees, agents, servants and representatives from and

2

against any claim arising from or in connection with the performance by FRRA including, without limitation, any claim of liability, loss, damages, costs and expenses for personal injury or damage to real or personal property by reason of any negligent act or omission or intentional misconduct personnel while in or performing services for CITY. Similarly, CITY shall indemnify and hold harmless FRRA and each and all of its officials, officers, employees, agents, servants and representatives from and against any claim arising from or in connection with the performance by personnel for FRRA, including without limitation, any claim of liability, loss, damages, costs and expenses for personal injury or damage to real or personal property by reason of any negligent act or omission or intentional misconduct by personnel while in or performing services for FRRA. Such indemnification shall include, without limitation, current payment of all costs of defense (including reasonable attorneys fees, expert witness fees, court costs and related expenses) as and when such costs become due and the amounts of any judgments, awards and/or settlements, provided that (a) CITY and FRRA shall each have the right to select counsel to defend against such claims, such counsel to be reasonably acceptable to the other party and its insurer, if any, and to approve or reject any settlement with respect to which indemnification is sought; (b) Each party shall cooperate with the other in all reasonable respects in connection with such defense; and (c) neither party shall be responsible to pay any judgment, award or settlement to the extent occasioned by the negligence or intentional misconduct of any employee, agent, official or representative of the other party. By entering into this Agreement, neither of the parties have waived any governmental immunity or limitation of damages which may be extended to them by operation of law.

5. Termination. This Agreement may be terminated by either party for any reason or no reason on thirty (30) days written notice to the other. No such termination shall affect any obligation of indemnification that may have arisen hereunder prior to such termination. The parties shall equitably adjust any payments made or due relating to the unexpired portion of the Term following such termination.
6. Assignment. Neither party shall assign or transfer any of its rights or interests in or to this Agreement, or delegate any of its obligations hereunder, without the prior written consent of the other.
7. Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, illegal or unenforceable, or if any such term is so held when applied to any particular circumstance, such invalidity, illegality or unenforceability shall not affect any other provision of this Agreement, or affect the application of such provision to any other circumstances, and this Agreement shall be construed and enforced as if such invalid, illegal or unenforceable provision were not contained herein.
8. Waiver. The obligations and conditions set forth in this Agreement may be waived only by a writing signed by the party waiving such obligation or condition. Forbearance or indulgence by a party shall not be construed as a waiver, nor limit the remedies that would otherwise be available to that party under this Agreement or applicable law. No waiver of any breach or default shall constitute or be deemed evidence of a waiver of any subsequent breach or default.
9. Amendment. This Agreement may be amended only by a writing signed by both parties duly authorized thereunto.
10. Governing Law. This Agreement shall be governed by and construed in accordance with the substantive laws of the Commonwealth of Massachusetts, without regard to the conflicts of laws

provisions thereof.

2

11. Headings. The paragraph headings herein are for convenience only, are no part of this Agreement and shall not affect the interpretation of this Agreement.

12. Notices. Any notice permitted or required hereunder to be given or served on either party by the other shall be in writing signed in the name of or on behalf of the party giving or serving the same. Notice shall be deemed to have been received at the time of actual receipt of any hand delivery or three (3) business days after the date of any properly addressed notice sent by mail as set forth below.

- a. To CITY. Any notice to CITY hereunder shall be delivered by hand or sent by registered or certified mail, return receipt requested, postage prepaid, to:

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

with a copy to:

Corporation Counsel
One Government Center
Fall River MA 02722

or to such other address(es) as CITY may designate in writing to FRRA.

- b. To FRRA. Any notice to FRRA hereunder shall be delivered by hand or sent by registered or certified mail, return receipt requested, postage prepaid, to:

Fall River Redevelopment Authority
Suite 601
One Government Center
Fall River, Massachusetts 02722

or to such other address(es) as FRRA may designate in writing to CITY.

13. Complete Agreement. This Agreement constitutes the entire agreement between the parties concerning the subject matter hereof, superseding all prior agreements and understandings. There are no other agreements or understandings between the parties concerning the subject matter hereof. Each party acknowledges that it has not relied on any representations by the other party or by anyone acting or purporting to act for the other party or for whose actions the other party is responsible, other than the express, written representations set forth herein.

14. Financial Safeguards. CITY shall maintain separate, accurate and comprehensive records of all services performed for each of the parties hereto. CITY shall maintain accurate and comprehensive records of all costs incurred by or on account of FRRA, and all reimbursements and contributions received from FRRA. Periodic financial statements must be issued to each party. On an annual basis, CITY's Financial Officers shall audit the accounts of the Economic Development Director of the FRRA for accounting consistency and reliability. CITY shall establish an Agency Fund to pay

2
the salary, employment benefits and other costs of Economic Development Director of FRRA and the FRRA shall fund said Agency Fund on a monthly basis as requested by CITY. CITY shall be under no obligation to pay payroll, employment benefits or other related costs of the Economic Development Director of the FRRA unless said Agency Fund has been fully funded as requested by CITY. FRRA shall cause an audit to be completed of its books and records by December 1st annually by an independent audit firm and shall provide a copy of said audit to the City.

The financial liability of the City and the FRRA shall be limited to verified and authorized FRRA Activities and City Activities as described in paragraphs 1 and 2, respectively. Reimbursements shall be made in accordance with City Treasurer guidelines.

WITNESS OUR HANDS AND SEALS as of the first date written above.

City of Fall River

Jasiel F. Correia, II Mayor

Approved as to Form and Manner

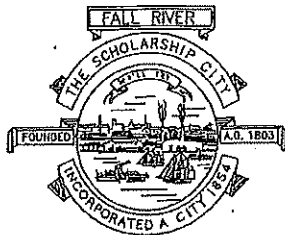
Joseph Macy, Esq.

Fall River Redevelopment Authority

Kara O'Connell
Chairperson

Approved as to Form and Manner

John Coughlin, Esq.



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2019 JUN 11 P 4 16

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

June 11, 2019

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

RE: Traffic Commission

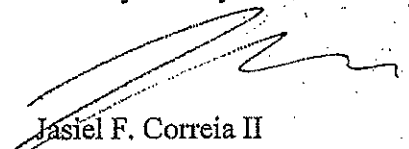
Mr. President and Members of the Honorable Council:

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

Robert Tavares
94 Mitchell Drive Apt A
Fall River, MA 02724

As a member of the Traffic Commission with a term commencing 06/11/2019.

Thank you for your favorable consideration in this regard.


Jasiel F. Correia II
Mayor

Robert Tavares
94 Mitchell Drive Apt A
Fall River, Ma 02724
617-366-9104

Objective: To obtain a position that provides opportunity for growth and advancement where I can maximize my multilayer of skills.

Experience: Greater Fall River Re-Creation Fall River, MA April 2016 to February 2017

Maintenance

- Responsible for monitoring guest's arrival and check-ins.
- Responsible for maintaining cleanliness of grounds.
- Responsible for general maintenance of facility and inventory.
- Assisted with student work program and supervision of youth workers.

City of Fall River, DCM Fall River, MA July 2014 to February 2016

Laborer

- Responsible for providing the best customer service to residents.
- Responsible for maintaining weight scale at DCM facility.
- Responsible for loading and unloading dumpsters.
- Responsible for maintaining cleanliness and organization of the grounds.

STARR, Fall River, MA May 1996 to May 2006

Substance Abuse Clinician

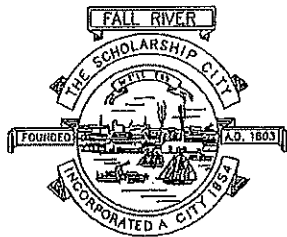
- Responsible for providing the best customer care to clients.
- Responsible for maintaining client's privacy rights.
- Responsible for creating client's individual treatment plans.
- Responsible for documenting client's progress and family intervention.
- Responsible for hosting and chairing NA and AA meetings for clients.

Education: General Education Development

Qualifications: Accustomed to working in a fast paced environment with ability to think quickly and handle difficult situations. Excellent interpersonal skills and ability to work well with others.

Special skills: Great Communication Skills: Written and Oral. Substance abuse clinician.

References available upon request



City of Fall River
Massachusetts
Office of the Mayor

JASIEL F. CORREIA II
Mayor

4
RECEIVED

JUN 12 P 4 02

CITY CLERK
FALL RIVER, MA

June 19, 2019

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

RE: Housing Authority

Mr. President and Members of the Honorable Council:

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

David Underhill
1197 Robeson Street, Apt #707
Fall River, MA 02720

As a member of the Housing Authority, with a term commencing 06/19/2019 and expiring 06/19/2024.

Thank you for your favorable consideration in this regard.


Jasiel F. Correia II
Mayor

DAVID UNDERHILL

EXPERIENCE

2018 – Present Chairman Fall River Housing Joint Tenant Council

Fall River, MA

Duties:

- Oversee day to day operation of the Fall River Housing Joint Tenant Council, a city wide organization that represents residents in all 23 public housing developments within the jurisdiction of the Fall river Housing Authority
- Chairman of Resident Advisory Board

2016 – Present Member Mass Union Board of Directors

Fall River, MA

Duties:

- Participate in monthly meetings of the Board
- Develop and comment on rules and regulations governing public housing tenants for DHCD
- Assist in the conduct of the bi-annual meetings of the MASS Union of Public Housing Tenants.

2015 – Present Member Fall River Housing Authority Board of Commissioners

Fall River, MA

Duties:

- Participate in monthly meetings of the Board
- The Board is responsible for securing the management of the PHA, and ensuring that PHA operations are undertaken in accordance with the laws and program requirements, and the board's priorities and policies
- Select a qualified Director or administrator. Have a clear understanding of the skills and qualifications needed, duties to be performed, compensation to be provided, and other terms and conditions of employment or contract.
- Monitor and evaluate performance. Remember that the Director/Administrator works for the board and not the other way around
- Authorize new contracts, budgets, payments, and Applications for Funding.

**1973 - 1999 Edgar's Department Stores
Inc.**

Fall River, MA

Duties:

- 1973 to 1974 Stock clerk
- 1975 - 1990 Department Manager
- 1991 - 1999 Store Manager

**1999 - 2009 Stuarts' Department Stores
Inc.**

Franklin, MA

Duties:

- Warehouse manager

EDUCATION

- 1972 - 1974 Durfee High School
- 1976 - 1979 Bristol Community College
AB in Business Administration

Fall River, MA

Fall River, MA

AWARDS

- Mel King Institute
Commissioners Training 2016
- National Alliance of Resident Services in Affordable and Assisted
Housing (NAR_SAAH)
Commissioners Training 2016



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 8, 2019

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request was heard and approved by the Traffic Commission:

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

Article: 70
Section: 387 Handicapped Parking

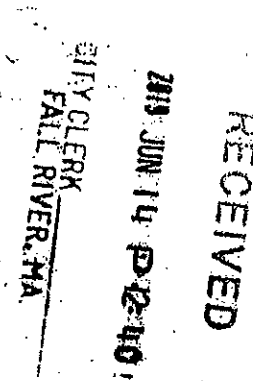
By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
North Main Street	West	Starting at a point 86 feet south of Wever Street, for a distance of 20 feet southerly.

Very truly yours,

Laura Ferreira
Parking Clerk



5



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

5

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 8, 2019

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request was heard and approved by the Traffic Commission.

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

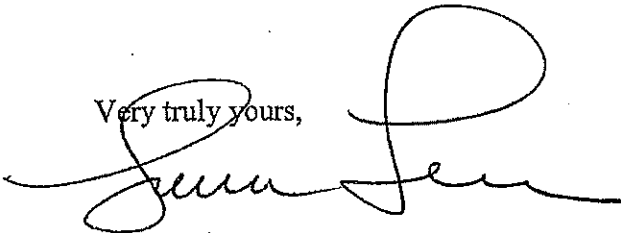
Article: 70
Section: 387 **Handicapped Parking**

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Palmer Street	North	Starting at a point 352 feet west of Stafford Street, for a distance of 20 feet westerly.

Very truly yours,


Laura Ferreira
Parking Clerk

RECEIVED
2019 JUN 14 P 12:34
CITY CLERK
FALL RIVER, MA



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 8, 2019

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request was heard and approved by the Traffic Commission.

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

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

By striking out in proper alphabetical order the following.

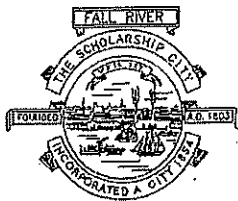
STRIKE OUT

Name of Street	Side	Location
Penn Street	North	Starting at a point 20 feet east of King Street, for a distance of 20 feet easterly.

Very truly yours,

Laura Ferreira
Parking Clerk

RECEIVED
2019 JUN 14 P 12:40
CITY CLERK
FALL RIVER, MA



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

5

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 8, 2019

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request was heard and approved by the Traffic Commission.

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

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

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Pitman Street	East	Starting at a point 221 feet north of Harriman Street, for a distance of 20 feet northerly.

Very truly yours,

Laura Ferreira
Parking Clerk

RECEIVED
JUN 14 P 2:40
CITY CLERK
FALL RIVER, MA



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 8, 2019

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request was heard and approved by the Traffic Commission.

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

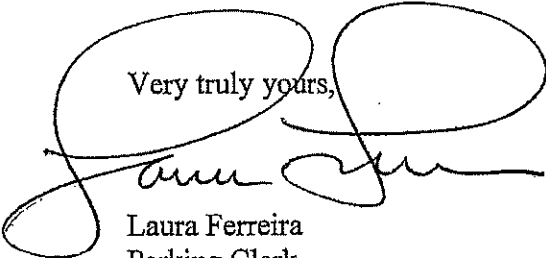
Article: 70
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Pleasant Street	North	Starting at a point 20 feet east of Roper Street, for a distance of 20 feet easterly.

Very truly yours,


Laura Ferreira
Parking Clerk

RECEIVED
2019 JUN 14 P 12:40
CITY CLERK
FALL RIVER, MA

5



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

5

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 8, 2019

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

RECEIVED
2019 JUN 14 P 12:39
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request was heard and approved by the Traffic Commission.

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

Article: 70
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Robeson Street	West	Starting at a point 205 feet north of Pine Street, for a distance of 20 feet northerly.

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 8, 2019

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request was heard and approved by the Traffic Commission.

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

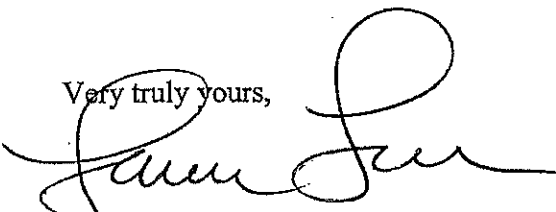
Article: 70
Section: 387 **Handicapped Parking**

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Rocliffes Street	East	Starting at a point 272 feet south of County Street, for a distance of 20 feet southerly.

Very truly yours,


Laura Ferreira
Parking Clerk

RECEIVED
2019 JUN 14 P 12:34
CITY CLERK
FALL RIVER, MA

5



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 8, 2019

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request was heard and approved by the Traffic Commission.

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

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

By striking out in proper alphabetical order the following.

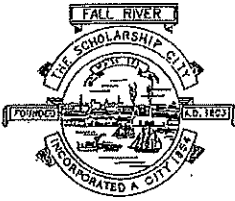
STRIKE OUT

Name of Street	Side	Location
Snell Street	North	Starting at a point 34 feet west of Rodman Street, for a distance of 20 feet westerly.

Very truly yours,

Laura Ferreira
Parking Clerk

RECEIVED
2019 JUN 14 P 12:40
CITY CLERK
FALL RIVER, MA



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 8, 2019

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request was heard and approved by the Traffic Commission.

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

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

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
South Main Street	West	Starting at a point 63 feet south of Center Street, for a distance of 20 feet southerly.

Very truly yours,

Laura Ferreira
Parking Clerk

RECEIVED

2019 JUN 14 P 12:39

CITY CLERK
FALL RIVER, MA

5



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 8, 2019

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request was heard and approved by the Traffic Commission.

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

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

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Tecumseh Street	North	Starting at a point 557 feet west of Rodman Street, for a distance of 20 feet westerly.

Very truly yours,

Laura Ferreira
Parking Clerk

RECEIVED
JUN 14 P 12:40
CITY CLERK
FALL RIVER, MA



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

5

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 8, 2019

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

RECEIVED
2019 JUN 14 P 12:39
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request was heard and approved by the Traffic Commission.

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

Article: 70
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Walnut Street	South	Starting at a point 43 feet north of Robeson Street, for a distance of 20 feet easterly.

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

5

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 11, 2019

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

RECEIVED
2019 JUN 14 P 12:36
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

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

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Buffinton Street	South	Starting at a point 188 feet west of Jackson Street, for a distance of 20 feet westerly

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

5

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 11, 2019

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

RECEIVED
2019 JUN 14 P 12:38
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

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

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Davis Street	West	Starting at a point 200 feet north of Bedford Street, for a distance of 20 feet northerly

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

5

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 11, 2019

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

RECEIVED
2019 JUN 14 P 12:30
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Healy Street	North	Starting at a point 79 feet east of Quarry Street, for a distance of 20 feet easterly

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 11, 2019

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

RECEIVED
2019 JUN 14 P 12:38
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

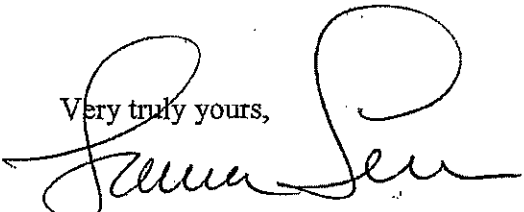
Article: 70
Section: 387 Handicapped Parking

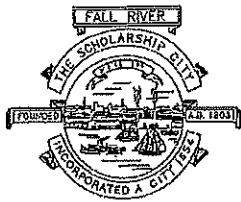
By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Hope Street	North	Starting at a point 168 feet east of Mulberry Street, for a distance of 20 feet easterly

Very truly yours,


Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

5

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 11, 2019

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

RECEIVED
2019 JUN 14 P 12:38
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

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

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Jefferson Street	East	Starting at a point 47 feet north of Russell Street, for a distance of 20 feet northerly

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

5

Jasiel F. Correia II
Mayor

LAURA FERREIRA
Parking Clerk

June 11, 2019

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

RECEIVED
2019 JUN 14 P 12:38
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, May 29, 2019 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Sprague Street	North	Starting at a point 20 feet west of Ash Street, for a distance of 20 feet westerly

Very truly yours,

Laura Ferreira
Parking Clerk

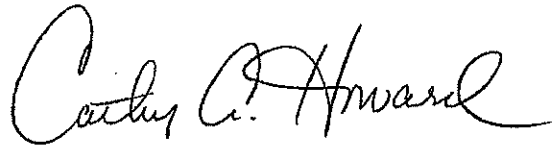
CITY OF FALL RIVER

6

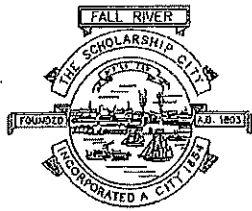
To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on June 12, 2019,
voted unanimously to recommend that the accompanying communication be approved, with
Councillor Joseph D. Camara absent and not voting.



Assistant Clerk of Committees



City of Fall River Massachusetts

Department of Community Maintenance

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

Engineering Division

JASIEL F. CORREIA II
Mayor

RECEIVED

2019 MAY 22 P 4: 52

CITY CLERK
JOHN A. PERRY JR.
Director

J R FREY, P.E.
City Engineer

To: Fall River City Council
From: J R Frey, P.E., City Engineer
Date: May 13, 2019
Subject: Street Opening Request for Pavement Less Than Five Years Old

The Engineering Division has received a request for a road opening to water and sewer services at Lot T-06-51, with frontage on Harvard St. Harvard St. between Crescent St. and Robeson St. was paved in 2017. The improvements are two years old.

The property owner is proposing to construct a duplex with individual sewer and water services. Recently, Liberty Utilities opened three emergency trenches at the intersection of Stowe St. and Harvard St., in proximity to the property in question. Engineering instructed Liberty Utilities to delay completion of their trench repair pending a decision on this application by the City Council.

The Engineering Division recommends approval of the request to install two sewer and two water services for the property at T-06-51 subject to the following conditions for pavement restoration in streets less than five years old:

- 1) All work shall meet or exceed the "Standards Employed by the Public Utility Operators When Restoring Municipal Streets" (the Standards) as published by the Commonwealth of Massachusetts Division of Telecommunications and Industry and with the requirements of the Fall River City Council;
- 2) All excavated material shall be removed from the site and appropriately disposed of;
- 3) Backfill shall consist of Controlled Density Fill (CDF) in conformance with City Ordinance;
- 4) Binder material meeting Superpave 12.5mm MassDOT specification shall be placed in two (2) lifts of two and one-half inches (2.5") compacted depth for a total depth of five-inches (5") compacted, with tack applied along the edges, the subgrade, and between lifts;
- 5) A settlement period of six (6) weeks shall occur, and within three (3) months of the conclusion of the settlement period, but in any case prior to November 1, 2019, a paving contractor shall return to complete the final repair;

One Government Center • Fall River, MA 02722

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

6

- 6) The limits of the final repair will be reviewed and marked in the field by the Engineering Division, with representatives from Liberty Utilities and the property owner, and will extend a minimum of four-feet (4') beyond the temporary patches installed by Liberty Utilities and the water and sewer services to the property;
- 7) The final repair shall be prepared by milling the pavement to a minimum depth of one and one-half inches (1 ½");
- 8) Tack shall be applied to the entire exposed surface and a surface course meeting the Superpave 9.5mm MassDOT specification shall be placed with a minimum compacted thickness of one and one-half inches (1 ½");
- 9) The surface shall be compacted using a steel drum roller, resulting in a smooth, tight, pavement surface which matches the grade of the existing pavement;
- 10) The repaired area shall be allowed to cool to 175 degrees F before opening to traffic.

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

CITY OF FALL RIVER
IN CITY COUNCIL

MAY 28 2019

*Referred to the Committee
on Public Works + Transportation*

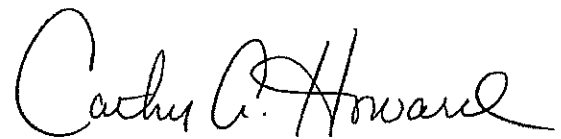
CITY OF FALL RIVER

7

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on June 12, 2019,
voted unanimously to recommend that the accompanying communication be approved, with
Councillor Joseph D. Camara absent and not voting.



Assistant Clerk of Committees



**City of Fall River
Massachusetts**

Department of Community Maintenance

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

Engineering Division

RECEIVED

2018 MAY 30 P 4 35

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

JOHN A. PERRY JR.
Director

J R FREY, P.E.
City Engineer

To: Fall River City Council
From: J R Frey, P.E., City Engineer *JRF*
Date: May 30, 2018
Subject: Street Opening Request for Pavement Less Than Five Years Old

The Engineering Division has received a request for a road opening to install utilities at 724 Plymouth Avenue. Plymouth Ave. between Pleasant St. and Slade St. was paved in 2015. The improvements are four years old.

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

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

7

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

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

CITY OF FALL RIVER
IN CITY COUNCIL

JUN - 4 2019
*Referred to the Committee
on Public Works & Transportation*

CITY OF FALL RIVER

8

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on June 12, 2019,
voted unanimously to recommend that the accompanying order be adopted, with Councilor
Joseph D. Camara absent and not voting.



Assistant Clerk of Committees

City of Fall River, *In City Council*

8

WHEREAS, the following order for a new pole location was as follows:

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

Massachusetts Electric Company for one new pole location as follows:

President Avenue

One (1) new pole location

National Grid requests to install a new 45 foot pole for the installation of a three phase transformer bank. The pole will be approximately 80 feet from pole 69 and will be numbered 69-50. This pole is needed for the new sewer pump for the City of Fall River, MA. In accordance with Plan No. 28305130 dated May 15, 2019.

and, on June 4, 2019 the order was referred to the Committee on Public Works and Transportation now therefore, be it

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

Massachusetts Electric Company for one new pole location as follows:

President Avenue

One (1) new pole location

National Grid requests to install a new 45 foot pole for the installation of a three phase transformer bank. The pole will be approximately 80 feet from pole 69 and will be numbered 69-50. This pole is needed for the new sewer pump for the City of Fall River, MA. In accordance with Plan No. 28305130 dated May 15, 2019.

City of Fall River, In City Council

8

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

Massachusetts Electric Company for one new pole location as follows:

President Avenue

One (1) new pole location

National Grid requests to install a new 45 foot pole for the installation of a three phase transformer bank. The pole will be approximately 80 feet from pole 69 and will be numbered 69-50. This pole is needed for the new sewer pump for the City of Fall River, MA. In accordance with Plan No. 28305130 dated May 15, 2019.

CITY OF FALL RIVER
IN CITY COUNCIL

JUN - 4 2019

Referred to the Committee
on Public Works & Transportation

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

Section 1.

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

Name of Street	Direction of Travel	At Intersection of
Locust Street	Eastbound and Westbound	Grove Street
Spruce Street	Eastbound and Westbound	Ray Street

Section 2.

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

Name of Street	Side	Location
Alsop Street	North	Starting at a point 106 feet east of Roper Street, for a distance of 20 feet easterly
Ballard Street	South	Starting at a point 41 feet east of North Court Street, for a distance of 20 feet easterly
Eagle Street	East	Starting at a point 160 feet north of William Street, for a distance of 20 feet northerly
Hood Street	East	Starting at a point 206 feet east of North Main Street, for a distance of 25 feet easterly
Mount Hope Avenue	North	Starting at a point 47 feet east of Hughes Street, for a distance of 20 feet easterly
Prospect Street	North	Starting at a point 157 feet west of Linden Street, for a distance of 25 feet westerly
Rodman Street	West	Starting at a point 99 feet south of Albert Street, for a distance of 20 feet southerly
Slade Street	North	Starting at a point 40 feet west of Bush Street, for a distance of 20 feet westerly
South Main Street	West	Starting at a point 118 feet south of Rockland Street, for a distance of 20 feet southerly
Stowe Street	West	Starting at a point 94 feet north of Danis Street, for a distance of 20 feet northerly
Warren Street	North	Starting at a point 275 feet east of Plymouth Avenue, for a distance of 20 feet easterly

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 04 2019

Passed through first reading

City of Fall River, In City Council

10

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

That Section 74-134 of Appendix A-Fee Schedule of the Code of the City of Fall River, Massachusetts, 2018, 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, "\$5.38", and inserting in place thereof, "\$5.48", and by striking out "July 1, 2018", and inserting in place thereof, "July 1, 2019".

Sub-Section 2.

By striking out in paragraph (a) of sub-section (2) of said section, "\$5.38 ", and inserting in place thereof, "\$5.48", and by striking out "July 1, 2018", and inserting in place thereof, "July 1, 2019".

Sub-Section 3.

By striking out in paragraph (b) of sub-section (2) of said section, "\$2.53", and inserting in place thereof, "\$2.58", and by striking out "July 1, 2018", and inserting in place thereof, "July 1, 2019".

Sub-Section 4.

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

\$ 180.00
\$ 350.00
\$ 525.00
\$ 699.00
\$ 874.00
\$ 1,045.00
\$ 1,219.00
\$ 1,389.00
\$ 1 563.00
\$ 1,738.00

and, by striking out in said sub-section (4) "July 1, 2018", and inserting in place thereof, "July 1, 2019".

CITY OF FALL RIVER
IN CITY COUNCIL
MAY 14 2019

*Referred to the Committee
on Ordinances and Regulation*

CITY OF FALL RIVER
IN CITY COUNCIL
JUN 04 2019

*Passed through first
Reading, 7th day, May*

The City of FALL RIVER - COMMUNITY UTILITIES FY 2020 Proposed Budget SEWER DIVISION: 4/1/19	FY2018 Actuals	FY2019 Budget	FY2020 Proposed Budget
---	-------------------	------------------	------------------------------

64400000 SEWER FUND REVENUE	FY18 Actuals	FY19 Budget	FY20 Proposed
64400000 414200 TAX LIENS REDEEMED	\$198,204.43	\$209,000	\$209,000
64400000 414500 TAX LIENS FORECLOSED	\$100.00	\$0	\$0
64400000 417150 SEPTAGE INTEREST REVENUE	\$1,390.31	\$700	\$600
64400000 417300 INTEREST & PENALTY TAX LIEN	\$70,650.07	\$85,000	\$70,000
64400000 417420 INT & PENALTY SEWER	\$107,922.64	\$110,000	\$120,000
64400000 417600 INT & PEN ON UTILITY LIENS	\$12,978.58	\$4,300	\$9,000
64400000 417760 SEWER DEMANDS	\$50,853.33	\$50,000	\$55,000
64400000 417765 SEWER FINAL DEMAND	\$30.00	\$10	\$30
64400000 421000 SEWER USAGE CHARGES	\$13,661,353.12	\$14,152,402	\$14,415,458
64400000 421500 STORMWATER FEE/CHARGE	\$5,883,757.42	\$5,923,059	\$5,923,059
64400000 422100 SEPTAGE REVENUE	\$243,917.00	\$237,000	\$250,000
64400000 428080 UTILITY LIENS REDEEMED	\$3,478.52	\$0	\$0
64400000 428016 UTILITY LIENS REDEEMED 2016	\$193.99	\$0	\$0
64400000 428017 UTILITY LIENS REDEEMED 2017	\$65,979.57	\$0	\$0
64400000 428018 UTILITY LIENS REDEEMED 2018	\$1,188,991.11	\$0	\$0
64400000 428019 UTILITY LIENS REDEEMED 2019	\$0	\$1,103,506	\$0
64400000 428020 UTILITY LIENS REDEEMED 2020	\$0		\$1,202,694
64400000 439900 OTHER REVENUE	\$487,228.20	\$371,000	\$371,000
64400000 442900 PERMIT FEE-SEWER	\$127,479.00	\$89,000	\$89,000
64400000 499300 OFS FREE CASH SURPLUS REVENUE	\$0.00	\$224,590	\$1,225,000
64400000 499900 OTHER FINANCING SOURCES	\$0.00	\$0	\$0
TOTAL SEWER FUND REVENUE	\$22,104,507.29	\$22,559,567	\$23,939,841

6000 SEWER FUND EXPENSES

64400005 SEWER TREATMENT PLANT OTHER	FY18 Actuals	FY19 Budget	FY20 Proposed
64400005 596100 TRANSFERS TO GENERAL FUND	\$1,422,620	\$1,427,014	\$1,485,000
64400005 596800 TRANSFER GF - HEALTH	\$96,471	\$92,398	\$95,000
64400005 596900 TRANSFER GF PENSIONS	\$105,772	\$124,076	\$90,000
TOTAL SEWER TREATMENT PLANT OTHER	\$1,624,863	\$1,643,488	\$1,670,000

64407191 SEWER PLANT & PROG SALARIES	FY18 Actuals	FY19 Budget	FY20 Proposed
64407191 511000 SALARIES & WAGES - PERMANENT	\$353,755.28	\$401,587	\$407,426
64407191 511115 LONGEVITY	\$4,100.00	\$4,900	\$5,000
64407191 511300 SUMMER HOURS	\$1,891.04	\$0	\$0
64407191 513000 OVERTIME	\$0.00	\$500	\$500
64407191 514500 HOLIDAY PAY	\$1,581.23	\$0	\$0
64407191 516900 RETIREMENT BUYOUTS	\$0.00	\$0	\$45,000
64407191 517900 MEDICARE MATCH	\$4,833.26	\$6,100	\$6,900
64407191 519300 UNIFORM ALLOWANCE	\$1,800.00	\$1,800	\$1,800
64407191 519400 OTHER STIPENDS	\$3,000.00	\$3,000	\$6,500
64407191 519700 AUTOMOBILE ALLOWANCE	\$0.00	\$0	\$0
64407191 519900 OTHER PERSONNEL COSTS	\$0.00	\$84,500	\$90,500
TOTAL SEWER PLANT & PROG SALARIES	\$370,960.81	\$502,387	\$563,626

64407192 SEWER TREATMENT PLANT EXPENSES			FY18 Actuals	FY19 Budget	FY20 Proposed
64407192	525000	OFF EQUIP/FURN MAINTENANCE	\$1,621.93	\$1,000	\$1,000
64407192	530100	MEDICAL AND DENTAL	\$0.00	\$130	\$130
64407192	530600	ADVERTISING	\$1,928.76	\$2,000	\$2,000
64407192	531000	ENGINEERING/ARCHITECTURE SERVI	\$19,839.70	\$40,000	\$40,000
64407192	534100	TELEPHONE	\$8,611.64	\$16,000	\$19,000
64407192	538400	COMPUTER SERVICES	\$398.67	\$500	\$500
64407192	551100	EDUCATIONAL SUPPLIES	\$2,570.21	\$5,000	\$3,000
64407192	553800	METER PARTS/P.W. & UTILITIES S	\$64,320.07	\$80,000	\$80,000
64407192	558600	OTHER SUPPLIES	\$244.39	\$400	\$400
64407192	570100	WATER/SEWER CSO CHARGE	\$82,097.43	\$90,000	\$92,000
64407192	571000	IN STATE TRAVEL	\$395.85	\$500	\$500
64407192	573100	DUES & MEMBERSHIPS	\$499.00	\$500	\$500
64407192	578100	CLAIMS & DAMAGES	\$8,073.25	\$5,000	\$500
TOTAL SEWER TREATMENT PLANT EXPENSES			\$190,600.90	\$241,030	\$239,530

64407202 SEWER TREATMENT PLANT EXPENSES			FY18 Actuals	FY19 Budget	FY20 Proposed
64407202	521100	ELECTRICITY	\$813,372.49	\$1,750,000	\$1,750,000
64407202	521101	ELECTRIC NMC UXBRIDGE SOLAR	\$884,904.02	\$0	\$0
64407202	521500	NATURAL GAS FOR HEAT	\$74,051.16	\$85,000	\$78,445
64407202	528100	OTHER RENTALS & LEASES	\$4,457.96	\$5,546	\$29,400
64407202	531200	OTHER PROFESSIONAL SERVICES	\$6,023,297.93	\$6,267,185	\$6,517,036
64407202	534300	POSTAGE	\$31,538.18	\$28,000	\$28,000
64407202	538500	OTHER PURCHASED SERVICES	\$2,209,087.84	\$2,324,243	\$2,400,000
64407202	554200	CHEMICALS	\$338,914.28	\$443,920	\$472,902
64407202	573400	CONFERENCES	\$750.00	\$1,000	\$1,000
64407202	574400	MOTOR VEHICLE INSURANCE	\$20,070.00	\$22,000	\$24,000
TOTAL SEWER TREATMENT PLANT EXPENSES			\$10,400,443.86	\$10,926,894	\$11,300,783

64407204 SEWER TREATMENT PLANT CAPITAL			FY18 Actuals	FY19 Budget	FY20 Proposed
64407204	584900	OTHER IMPROVEMENTS	\$33,904.72	\$80,000	\$80,000
TOTAL SEWER TREATMENT PLANT CAPITAL			\$33,904.72	\$80,000	\$80,000

64409905 STORM WATER DEBT SERVICE			FY18 Actuals	FY19 Budget	FY20 Proposed
64409905	591000	MAT PRIN ON LONG TERM DEBT	\$5,452,320.43	\$5,780,523	\$6,570,138
64409905	591500	INTEREST ON LONG TERM DEBT	\$2,798,337.54	\$2,737,839	\$2,798,526
64409905	592500	INTEREST ON NOTES	\$35,800.00	\$458,000	\$454,000
64409905	594000	DEBT ADMINISTRATIVE COSTS	\$179,010.61	\$165,731	\$178,274
64409905	594100	DEBT ORIGATION FEES	\$2,100.00	\$23,675	\$84,964
TOTAL STORM WATER DEBT SERVICE			\$8,467,568.58	\$9,165,768	\$10,085,902

	FY18 Actuals	FY19 Budget	FY20 Proposed
TOTAL REVENUES	\$22,104,507.29	\$22,559,567	\$23,939,841
TOTAL EXPENSES	\$21,088,341.87	\$22,559,567	\$23,939,841

City of Fall River, *In City Council*

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

That Chapter 74 of the Code of the City of Fall River, Massachusetts, 2018, 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, 2019, per 100 cu. ft. \$3.24

CITY OF FALL RIVER
IN CITY COUNCIL
MAY 14 2019

*Referred to the Committee
on Ordinances and Legislation*

CITY OF FALL RIVER
IN CITY COUNCIL
JUN 04 2019

*Passed through first
reading, 7 years, 1 may*

FY 2020 PROPOSED COMMUNITY UTILITIES BUDGET			FY18	FY19	FY20
WATER DIVISION			Actual	Budget	Proposed Budget
4/1/2019					
REVENUE					
64500000	414200	TAX LIENS REDEEMED	-113,586.26	\$119,703.00	\$119,703.00
64500000	417300	INTEREST & PENALTY TAX LIEN	-32,652.23	\$40,000.00	\$40,000.00
64500000	417310	INT & PEN ON UTILITY WATER	-65,066.39	\$63,000.00	\$65,000.00
64500000	4176000	INT & PEN ON UTILITY LIENS	-6,891.88	\$5,600.00	\$5,600.00
64500000	417761	WATER DEMANDS	-49,513.57	\$47,000.00	\$47,000.00
		WATER FINAL DEMAND	-20.00	\$80.00	\$20.00
64500000	418000	WATER OVER/SHORT	0.00	\$0.00	\$0.00
64500000	421000	WATER USAGE CHARGES	-9,061,077.46	\$9,900,002	\$10,217,664
64500000	422000	OTHER WATER CHARGES	-218,767.91	\$198,000.00	\$218,000.00
64500000	427000	BASE METER FEE	-1,241,131.31	\$1,257,146.00	\$1,257,146.00
64500000	427100	LUMBER REVENUE	-820.00	\$1,500.00	\$900.00
64500000	427200	TOWER RENTAL	-132,360.46	\$150,000.00	\$180,000.00
64500000	427300	BULK SALES	-46,398.90	\$47,000.00	\$47,000.00
64500000	427400	APPLICATIONS AND TESTING	-6,475.00	\$7,600.00	\$6,500.00
64500000	428000	UTILITY LIENS REDEEMED	-11,159.84	\$0.00	\$0.00
64500000	428016	UTILITY LIENS REDEEMED 2016	-840.02	\$0.00	\$0.00
64500000	428017	UTILITY LIENS REDEEMED 2017	-32,741.43	\$0.00	\$0.00
64500000	428018	UTILITY LIENS REDEEMED 2018	-557,468.00	\$0.00	\$0.00
64500000	428019	UTILITY LIENS REDEEMED 2019		\$612,909.00	\$0.00
64500000	428020	UTILITY LIENS REDEEMED 2020			\$612,909.00
64500000	439900	OTHER REVENUE	-57,615.06	\$110,534.00	\$110,534.00
64500000	499900	OTHER FINANCING SOU (retained earnings)		\$0.00	\$440,000.00
TOTAL WATER REVENUE			-\$11,634,586	\$12,560,074	\$13,367,976

64507241 WATER ADMINISTRATION SALARIES			FY18	FY19	FY20
			Actual	Budget	Proposed Budget
64507241	511000	SALARIES & WAGES - PERMANENT	410,432.29	\$450,073	\$441,114
64507241	511115	LONGEVITY	9,000.00	\$9,100	\$8,700
64507241	511300	SUMMER HOURS	5,079.93	\$5,484	\$5,758
64507241	513000	OVERTIME	1,964.35	\$3,000	\$500
64507241	514500	HOLIDAY PAY	1,692.67	\$0	\$0
64507241	516900	RETIREMENT BUYOUTS	\$0.00	\$15,000	\$15,000
64507241	517100	WORKMEN'S COMPENSATION	\$0.00	\$0	\$0
64507241	517900	MEDICARE MATCH	4,196.01	\$4,300	\$4,300
64507241	519300	UNIFORM ALLOWANCE	2,400.00	\$2,400	\$1,800
64507241	519400	OTHER STIPENDS	2,000.00	\$2,000	\$1,000
64507241	519700	AUTOMOBILE ALLOWANCE	4,680.00	\$4,680	\$3,120
64507241	519900	OTHER PERSONNEL COSTS	\$0.00	\$0	\$0
TOTAL WATER ADMINISTRATION SALARIES			\$441,445	\$496,037	\$481,292

64507242 WATER ADMINISTRATION EXPENSES			FY18	FY19	FY20
			Actual	Budget	Proposed Budget
64507242	525000	OFF EQUIP/FURN MAINTENANCE	134.39	\$500.00	\$500.00
64507242	525600	R & M METERS	5,206.83	\$10,000.00	\$10,000.00
64507242	528100	OTHER RENTALS & LEASES	1,612.53	\$1,720.00	\$25,560.00
64507242	530100	MEDICAL AND DENTAL	195.00	\$200.00	\$200.00
64507242	530600	ADVERTISING	8,901.59	\$7,000.00	\$7,000.00
64507242	531200	OTHER PROFESSIONAL SERVICES	3,043.32	\$2,500.00	\$2,500.00
64507242	534100	TELEPHONE	7,956.76	\$16,000.00	\$16,000.00
64507242	534300	POSTAGE	12,061.16	\$28,000.00	\$28,000.00
64507242	534400	OTHER COMMUNICATIONS	0.00	\$100.00	\$100.00
64507242	538400	COMPUTER SERVICES	969.98	\$1,000.00	\$1,000.00
64507242	538500	OTHER PURCHASED SERVICES	2,450.56	\$2,500.00	\$2,500.00
64507242	542500	OTHER OFFICE SUPPLIES	998.99	\$500.00	\$500.00
64507242	547300	OTHER GROUNDS KEEPING SUPPLIES	184.44	\$100.00	\$100.00
64507242	551100	EDUCATION SUPPLIES	695.00	\$1,500.00	\$1,000.00
64507242	553800	METER PARTS	19,644.95	\$10,000.00	\$10,000.00
64507242	565801	PYR Expenditures	172.30		
64507242	570100	WATER/SEWER CSO CHARGE	18,507.42	\$20,000.00	\$20,000.00
TOTAL WATER ADMINISTRATION EXPENSES			\$82,735.02	\$101,620.00	\$124,960.00

34507244 WATER ADMINISTRATION CAPITAL			FY18 Actual	FY19 Budget	FY20 Proposed Budget
64507244	584900	OTHER IMPROVEMENTS	50,862.26	\$245,000.00	\$245,000.00

34507245 WATER ADMINISTRATIVE AND INDIRECT COSTS			FY18 Actual	FY19 Budget	FY20 Proposed Budget
64507245	596100	TRANSFERS TO GENERAL FUND	\$1,431,787	\$1,230,838	\$1,250,000
64507245	596800	TRANSFER GF - HEALTH	\$851,052	\$800,171	\$805,000
64507245	596900	TRANSFER GF PENSIONS	\$713,423	\$688,156	\$690,000
TOTAL WATER ADMINISTRATIVE AND INDIRECT COSTS			\$2,996,262	\$2,719,165	\$2,745,000

34507251 WATER MAINT & DISTRIB SALARIES			FY18 Actual	FY19 Budget	FY20 Proposed Budget
64507251	511000	SALARIES & WAGES - PERMANENT	748,299.46	\$858,804	\$885,533
64507251	511115	LONGEVITY	4,329.87	\$4,700	\$3,500
64507251	513000	OVERTIME	93,443.37	\$65,000	\$85,000
64507251	514300	SHIFT PREMIUM	90.00	\$0	\$0
64507251	514500	HOLIDAY PAY	2,842.12	\$0	\$0
64507251	514600	SERVICE OUT OF RANK	1,261.34	\$0	\$4,644
64507251	516900	RETIREMENT BUYOUTS	11,471.45	\$0	\$0
64507251	517100	WORKMEN'S COMPENSATION	57,053.77	\$50,994	\$60,276
64507251	517300	UNEMPLOYMENT PAYMENTS		\$0	\$0
64507251	517900	MEDICARE MATCH	12,444.42	\$12,400	\$14,000
64507251	519300	UNIFORM ALLOWANCE	10,800.00	\$12,000	\$12,000
64507251	519400	OTHER STIPENDS	30,541.11	\$35,300	\$41,400
64507251	519700	AUTOMOBILE ALLOWANCE	650.00	\$0	\$0
64507251	519900	OTHER PERSONNEL COSTS		\$12,000	\$12,000
TOTAL WATER MAINT & DISTRIB SALARIES			\$973,226.91	\$1,051,198	\$1,118,353

34507252 WATER MAINT & DISTRIB EXPENSES			FY18 Actual	FY19 Budget	FY20 Proposed Budget
64507252	521100	ELECTRICITY	10,972.30	\$10,000.00	\$10,000.00
64507252	521500	HEATING FUEL	18,852.83	\$20,000.00	\$20,000.00
64507252	524100	BUILDINGS & GROUNDS MAINTENANC	4,633.67	\$4,000.00	\$4,000.00
64507252	524600	R & M VEHICLES	33,535.03	\$40,000.00	\$30,000.00
64507252	525000	R & M OFFICE EQUIPMENT	3,017.23	\$3,500.00	\$3,500.00
64507252	525800	OTHER REPAIRS & MAINTENANCE	1,713.69	\$2,000.00	\$2,000.00
64507252	525900	WATER PIPE REPLACE, REPAIR, RE	20,810.00	\$20,000.00	\$10,000.00
64507252	527400	CONSTRUCTION EQUIPMENT RENTAL	4,811.06	\$2,500.00	\$2,500.00
64507252	527800	COMMUNICATION LINES & EQUIP RE	0.00	\$100.00	\$100.00
64507252	529400	OTHER PROPERTY RELATED SERVICE	1,469.96	\$1,500.00	\$1,500.00
64507252	530100	WORKERS COMP. MEDICAL BILLS	30,461.24	\$30,000.00	\$40,000.00
64507252	536500	OTHER PURCHASED SERVICES	15,440.91	\$20,000.00	\$20,000.00
64507252	541100	GASOLINE	50,084.45	\$40,000.00	\$50,000.00
64507252	542100	PAPER	1,249.83	\$950.00	\$950.00
64507252	542800	R & M CONSTRUCTION EQUIPMENT	24,582.20	\$25,000.00	\$20,000.00
64507252	543900	BUILDING & MAINTENANCE SUPPLIE	2,028.07	\$2,000.00	\$2,000.00
64507252	545100	CLEANING SUPPLIES	2,102.43	\$2,000.00	\$2,000.00
64507252	546100	TOOLS	8,216.91	\$8,000.00	\$8,000.00
64507252	548100	MOTOR OIL AND LUBRICANTS	13,980.84	\$2,500.00	\$2,500.00
64507252	548500	PARTS AND ACCESSORIES	51,718.55	\$40,000.00	\$30,000.00
64507252	550100	MEDICAL SUPPLIES	172.52	\$200.00	\$200.00
64507252	551100	EDUCATIONAL SUPPLIES	7,780.96	\$7,000.00	\$5,000.00
64507252	553100	CONCRETE/CEMENT	52,189.50	\$60,000.00	\$55,000.00
64507252	553200	CORPS/STOPS/TUBING	9,975.72	\$10,000.00	\$10,000.00
64507252	553400	LUMBER	163.64	\$500.00	\$500.00
64507252	553600	SAND AND GRAVEL	0.00	\$1,500.00	\$1,500.00
64507252	553900	PIPE AND FITTINGS	52,875.01	\$45,000.00	\$35,000.00
64507252	554000	HYDRANTS/HYDRANT PARTS	45,600.14	\$42,000.00	\$35,000.00
64507252	554100	STOP BOXES	9,597.04	\$10,000.00	\$10,000.00
64507252	554400	ELECTRICAL SUPPLIES	500.00	\$500.00	\$500.00
64507252	558600	OTHER SUPPLIES	5,865.52	\$5,500.00	\$5,500.00
64507252	574400	MOTOR VEHICLE INSURANCE	30,383.00	\$32,000.00	\$29,000.00
64507252	578100	CLAIMS & DAMAGES		\$1,000.00	\$0.00
TOTAL WATER MAINT & DISTRIB EXPENSES			\$514,784.25	\$489,250.00	\$446,250.00

11

64507261 WATER TREATMENT PLANT SALARIES			FY18 Actual	FY19 Budget	FY20 Proposed Budget
64507261	511000	SALARIES & WAGES - PERMANENT	647,048.31	\$736,354	\$848,033
64507261	511115	LONGEVITY	4,392.33	\$4,600.00	\$3,600
64507261	511300	SUMMER HOURS	2,545.64	\$2,546.00	\$2,709
64507261	513000	OVERTIME	104,525.71	\$99,000.00	\$99,000.00
64507261	514500	HOLIDAY PAY	8,670.00	\$0.00	\$0
64507261	514300	SHIFT PREMIUM	1,110.28	\$11,336.00	\$8,736
64507261	516900	RETIREMENT BUYOUTS	17,845.44	\$0.00	\$0
64507261	517100	WORKMEN COMPENSATION	22,528.53	\$18,494.00	\$18,495
64507261	517300	UNEMPLOYMENT COMPENSATION	15,303.99	\$0.00	\$0
64507261	517900	MEDICARE MATCH	11,683.18	\$12,400.00	\$12,400
64507261	519300	UNIFORM ALLOWANCE	9,000.00	\$9,600.00	\$10,800
64507261	519400	OTHER STIPENDS	12,828.77	\$8,100.00	\$15,000
64507261	519700	AUTOMOBILE ALLOWANCE	1,690.00	\$1,560.00	\$1,560
64507261	519900	OTHER PERSONNEL COSTS	0.00	\$28,000.00	\$0
TOTAL WATER TREATMENT PLANT SALARIES			\$859,172.18	\$931,990	\$1,020,333

64507262 WATER TREATMENT PLANT EXPENSES			FY18 Actual	FY19 Budget	FY20 Proposed Budget
64507262	521100	ELECTRICITY	480,284.48	\$725,000.00	\$737,342.00
		ELECTRICITY	243,134.84		
64507262	521500	HEATING FUEL	51,910.90	\$35,000.00	\$35,000.00
64507262	524100	BUILDING & GROUNDS MAINT	16,849.02	\$25,000.00	\$20,000.00
64507262	524200	RESERVATION HQ O&M	19,776.03	\$30,000.00	\$25,000.00
64507262	524400	WATER PUMPING STATION MNT	4,619.68	\$10,000.00	\$5,000.00
64507262	524800	R & M CONSTRUCTION EQUIPMENT	0.00	\$100.00	\$100.00
64507262	525000	OFF EQUIP/FURN MAINTENANCE	0.00	\$100.00	\$100.00
64507262	525100	COMPUTER EQUIPMENT MAINTENANCE	7,735.58	\$13,000.00	\$13,000.00
64507262	527400	CONSTRUCTION EQUIPMENT RENTAL	0.00	\$100.00	\$100.00
64507262	529400	OTHER PROPERTY RELATED SERVICE	0.00	\$100.00	\$100.00
64507262	530100	WORKERS COMP. MEDICAL BILLS	0.00	\$500.00	\$500.00
64507262	531200	OTHER PROFESSIONAL SERVICES	10,518.31	\$40,000.00	\$30,000.00
64507262	531300	LAB TESTING SERVICES	19,913.85	\$28,000.00	\$26,000.00
64507262	538500	OTHER PURCHASED SERVICES	0.00	\$2,000.00	\$1,000.00
64507262	545100	CLEANING SUPPLIES	0.00	\$500.00	\$500.00
64507262	546100	TOOLS	0.00	\$500.00	\$500.00
64507262	551100	EDUCATIONAL SUPPLIES	10,559.75	\$8,000.00	\$5,000.00
64507262	553100	CONCRETE/CEMENT	0.00	\$100.00	\$100.00
64507262	553400	LUMBER	0.00	\$100.00	\$100.00
64507262	554200	CHEMICALS	413,222.41	\$420,000.00	\$500,000.00
64507262	558600	OTHER SUPPLIES	0.00	\$100.00	\$100.00
64507262	560000	INTERGOVERNMENTAL	66,509.70	\$65,000.00	\$65,000.00
TOTAL WATER TREATMENT PLANT EXPENSES			\$1,346,034.55	\$1,403,200.00	\$1,464,542.00

64509905 WATER DEBT SERVICE			FY18 Actual	FY19 Budget	FY20 Proposed Budget
64509905	591000	MAT PRIN ON LONG TERM DEBT	3,357,277.18	\$3,632,789	\$4,147,015
64509905	591500	INTEREST ON LONG TERM DEBT	1,260,172.00	\$1,299,942	\$1,294,641
64509905	592500	INTEREST ON NOTES	40,420.68	\$118,000	\$188,000
64509905	594000	DEBT ADMINISTRATIVE COSTS	69,384.78	\$51,858	\$58,120
64509905	594100	DEBT ORIGATION COSTS	1,200.00	\$20,025	\$34,469
TOTAL WATER DEBT SERVICE			\$4,728,454.64	\$5,122,614	\$5,722,245

	FY18 Actual	FY19 Budget	FY20 Proposed Budget
GRAND TOTAL -EXPENSES	\$11,991,977.06	\$12,560,074	\$13,367,976
GRAND TOTAL -REVENUE	-\$11,634,585.72	\$12,560,074	\$13,367,976

City of Fall River, In City Council

12

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

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

Section 1.

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

	Grade	Effective Date	
Water Quality Manager	WQM	7-1-2019	Not to exceed \$60,000.00

Section 2.

By striking out in Sec. 50-304 which section relates to Salary Schedules for Local 3177 AFSCME , the following:

	Grade	Effective Date	Step 1	Step 2	Step 3	Step 4	Step 5
Water Maintenance Worker I CDL/Backhoe	22B	7-1-2017	\$1,410.51	\$1,453.93	\$1,481.24	\$1,503.01	\$1,530.20

and inserting in place thereof in proper alphabetical order the following:

	Grade	Effective Date	Step 1	Step 2	Step 3	Step 4	Step 5
Water Maintenance Worker I CDL/Backhoe or Certified Welder	22B	7-1-2019	\$1,460.30	\$1,505.26	\$1,533.53	\$1,556.07	\$1,584.20

CITY OF FALL RIVER
IN CITY COUNCIL

MAY 14 2019

*Referred to the Committee
on Ordinances and Legislation*

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 04 2019

*Passed Through
first reading*

**MANAGER OF WATER QUALITY
DEPARTMENT OF COMMUNITY UTILITIES
WATER DISTRIBUTION AND TREATMENT DIVISIONS**

GENERAL STATEMENT OF DUTIES

Conducts work under the supervision of the Administrator of Community Utilities and reports to the Director of Water Treatment and Resources and assists the Distribution Maintenance Division. This is a responsible professional supervisory position in directing the scientific, technical/mechanical, and operations/management of the water treatment facility and water distribution system for water quality management; performs related work as required.

DISTINGUISHING FEATURES OF THIS CLASSIFICATION

Work involves professional responsibility for daily supervision of all employees in the Water Treatment and Resources Division in providing timely and efficient service to the people of the City, in assuring proper deployment of staffing, resources, interpretation of technical and scientific data; development of maintenance programs and schedules and their implementation for the treatment facility; and in particular, through review of work, policies and QC/QA data, assures that the makeup and quality of the finished water and the treatment process/facility comply with all federal, state, and local regulations concerning public water supplies and treatment; monitors water quality in the water distribution system throughout the City; cooperates in the performance of this work with other city employees and agencies; work is done with the cooperation and assistance of the watershed supervisor as required, and is subject to periodic review by the Director of Treatment and Resources; performs related work as assigned by the Administrator of Community Utilities.

EXAMPLE OF WORK (ILLUSTRATIVE ONLY – THE OMITTANCE OF ANY EXAMPLE OF WORK DOES NOT NECESSARILY EXCLUDE THAT WORK OR DUTY FROM BEING PERFORMED BY ANY EMPLOYEE IN THIS CLASSIFICATION)

Plans, lays out, assigns and supervises the work of all treatment plant employees and evaluates their work periodically:

Keeps and review records of employee activity, performance and scheduling as required:

Establishes a comprehensive periodic and preventive maintenance plan for the facility:

Compiles records and analyzes data from laboratory work, providing copies to regulatory agencies as required by law:

Establishes or obtains quality control materials for evaluation of employee job activities:

Computes labor/material needs and costs of work performed; schedules employees for work shifts, records absences, overtime and vacations:

Provides for the examination, evaluation, diagnosis and P/M activities for a large full chemical water purification facility including, electro-mechanical, HVAC, electronic, plumbing, chemical feed pump and waste water systems, including calibration and standardization of equipment:

Establishes and has responsibility for an inventory of commonly used parts and tools, and their inventory systems on a renewal or perpetual basis:

Performs or supervises repairs of a special or complex nature:

Obtains and oversees the services of required certified or authorized repairpersons for more complex activities as needed:

Arranges for the testing, transportation, delivery and reporting of all materials to be examined by regulation and best management practice of the water treatment facility and related watershed reviews and analyzes data for same:

Provides for and organizes an on-call system for major repairs, assigning staff as required to the on call list for emergencies:

Is responsible to the Board of Certification of Operators of Drinking Water Supply Facility Operators, the Dept. of Environmental Protection, the Dept. of Public Health of the Commonwealth, and the Federal Environmental Protection agency for the proper conduct and operation of the treatment process:

Assists the Department in programs of complaint investigation, pollution detection, water quality compliance and abatement:

Monitors water quality throughout the water distribution system; advises and assist the staff of the water distribution system to assure proper water quality at all times; reviews and drafts SOP's (standard operating procedures) for both the treatment and distribution divisions.

Assists with safety programs; OSHA compliance and related training.

Assists with proper staffing and emergency response as needed. Assures that all treatment plant shifts are properly covered.

Performs other duties as assigned.

REQUIRED KNOWLEDGE, ABILITIES, AND SKILLS

A diversified knowledge of applied sanitary biology and chemistry as well as knowledge of most building and crafts trades, with emphasis in electro-mechanical, electronic, HVAC, plumbing, chemical feed, and general physical plant maintenance, principles and practices. It is expected that all subject matter areas will be perceived as congruent, although education, training and experience may favor one major area (eg. science) over the other (eg. building trades/crafts).

Communication skills shall be sufficient to understand the operation manual and governmental regulations; write instructions reports and policy and be understood by staff and superiors.

Mathematics shall be minimally at the post secondary technical school level and include the ability to easily and quickly compute chemical dosages, conversions between systems of measurement, as well as support technical activities, prepare purchase order requests; and analyze laboratory data.

There must be an ability to establish and maintain effective working relationships with staff, peers, and supervisors; to work cooperatively with employees of other city and/or regulatory agencies; a positive attitude; willingness to work overtime hours as required; highly developed interpersonal skills.

ACCEPTABLE EXPERIENCE AND TRAINING

Standard high school or GED equivalent; graduation from a post secondary technical school or junior college in a relevant subject matter area: Bachelor's degree in an engineering, health, or pure science discipline highly preferred: completion of military service schools in relevant areas may be substituted for post secondary school training, as may extensive courses/experience in laboratory testing of water or waste water or employment in the construction trades in fields allied to the millwright's work, The applicant will be required to be certified or certifiable at the Grade T4 and D4 levels as a Drinking Water Facility Operator in the Commonwealth. If not certified at the grade T4 and D4 levels will be expected to achieve certification within twelve months from time of employment. Wastewater Operator Certification desirable, as is postgraduate training.

SALARY RANGE

Per Ordinance.

Updated: 5/6/19.

WATER MAINTENANCE WORKER I

12

Job Description:

Under the direction of the Director of Water Distribution and Maintenance as delegated to the Supervisor of Water Distribution and Maintenance, to perform and/or supervise work in the construction, maintenance and operation of water systems and/or sewer systems; to perform related tasks as required.

Essential Functions:

Work involves providing timely and efficient service to the people of the City for a variety of duties which include performing and/or supervising work in the construction, maintenance and operation of water systems and/or sewer systems; to be responsible for conformance to city, state standards and policies and directives promulgated by the Administrator of Community Utilities for all work for which s/he is responsible; this work is performed with some latitude in independent judgment and is subject to periodic review by the Director of Water Distribution and Maintenance in consultation with the immediate supervisor; to coordinate the work for which s/he is responsible with the work of coworkers; to engage in supervisory activities of workers of lesser grade when so assigned; and to perform other related tasks as assigned.

Performs skilled manual work in the construction, operation and maintenance of water systems including work on reservoirs, water gates, mains and connectors.

Performs manual tasks requiring some specialized skill or knowledge as assigned in assisting mechanics, and plumbers engaged in maintenance, repair and construction work, including minor adjustments and repairs of equipment.

Lays and connects service pipes with street mains and meters.

Locates and repairs water leaks; drives leak detection truck or other appropriate vehicles on public and private department roads for the purpose of detecting sites of potential water leaks.

Sounds hydrants, mains, sewers, exterior and interior plumbing, etc. for potential leaks.

Installs fire hydrants.

Operates water gates.

Turns on water for new service.

Inspects work of laborers and maintenance men (Water Maintenance Workers, II) to see that it conforms to specifications and blueprints.

Operates related motor equipment; cleans, washes, oils and greases trucks and performs manual tasks requiring some specialized skill or knowledge in connection with the maintenance of heavy equipment.

May operate winches, cement mixers, compressors, and other similar equipment as required.

12

Operates all motor equipment including those with a capacity of 9 tons or over, including a range of equipment such as large and small tractors, snow loaders, snow fighters, sidewalk plows, bulldozers and rollers, pick-up trucks, dump trucks and panel trucks, and passenger automobiles; semi-trailers, truck-trailer combinations, and special equipment such as road-rollers, rotary snow plows, mobile bituminous spreaders and tar distributors. Operation of equipment in this class usually requires a CDL Class A or Class B license from the Registry of Motor Vehicles.

May perform minor maintenance related to motor equipment.

Performs manual tasks requiring some specialized skill or knowledge in connection with maintenance, care, upkeep, and repair of equipment, loading and unloading of trucks and cars; spreading sand, gravel and asphalt, patching concrete and asphalt surfaces, sands roads and performs manual tasks requiring some specialized skill or knowledge in connection with snow removal.

Incidentally may supervise a small crew of workers at a lower skill level.

Reports leaks to Chief Water Service Worker or other designated administrator and/or supervisor.

Issues daily log reports of sites covered and results.

Performs related work as assigned.

May perform the following adjunct duties as assigned:

Performs semi-skilled manual work in the construction, operation and maintenance of water systems including work on reservoirs, water gates, mains, and connectors. Cleans washes, oils and greases trucks and performs other tasks requiring some specialized skill or knowledge in connection with the maintenance of heavy equipment.

Prepares ditches and excavations for laying pipes, and performs pick and shovel work in smoothing water installation trenches.

Receives pipe being lowered from above the trenches and makes the connection with the pipelines.

May replace broken or leaking pipes and performs pipe maintenance tasks.

Operates all motor equipment including those with a capacity of 9 tons or over, including a range of equipment such as small tractors, snow loaders, snow fighters, sidewalk plows, pick-up trucks, dump trucks and panel trucks, and passenger automobiles.

Performs manual tasks requiring some specialized skill or knowledge as assigned in assisting mechanics, plumbers and other skilled trades-people engaged in maintenance, repair and construction work, including minor adjustments and repairs of equipment in the water system.

Performs manual tasks requiring some specialized skill or knowledge in connection with maintenance, care, upkeep, repair of the water system and equipment, loading and unloading of trucks and cars, spreading sand, gravel, and asphalt, patching concrete and

12
asphalt surfaces, digging ditches and post holes, setting or pulling of posts, erecting, chipping, repairing and painting of rails and fences; shovels snow, sands roads and perform manual tasks requiring some specialized skill or knowledge in connection with snow removal.

After fires, inspects hydrants to insure that the water level is such so that freezing will not occur; when freezing occurs, thaws out hydrants.

Repairs and replaces gates and curb boxes and performs routine maintenance on them.

Performs routine manual labor tasks in connection with maintenance, care, upkeep, repair such as cutting grass, weeds, and brush; cleans culverts, loading and unloading trucks and cars; spreads sand, gravel and asphalt; patches concrete and asphalt surfaces; digs ditches and post holes; sets and pulls posts; repairs rails fences and chipping.

Erects and dismantles snow fences, sweeps sidewalks, rakes lawns, hauls debris, shovel snow, sands roads and performs other manual tasks in connection with snow removal.

Performs manual labor in a stockroom, storeroom or warehouse such as loading and unloading freight, materials and equipment, handling and storing of stock, and assisting in the taking of inventories.

Cuts, lays and caulks water pipes using machine or hand tools to force sealing compound into joints to make them watertight.

Pumps water from trenches.

Digs, braces and backfill excavations for the purpose of locating pipe leaks or preparing areas for laying pipes.

Replaces worn and broken parts in water systems.

May work with private contractors to help them avoid hitting water mains and boxes during construction and excavation.

Takes apart and reassembles hydrants and valve mechanisms for the purpose of repairing worn or broken parts that cause leaks or other malfunctions.

Lubricates valves and adjusts their settings.

Inspects hydrant rods, thrust plates, nozzles, packing and glands and other parts on a regular basis.

Caulks the joints and seals the connections.

Makes and taps water mains and sized $\frac{3}{4}$ " through 12" into line.

If properly certified performs welding operations as directed.

Performs related work as assigned.

Minimum Qualifications:

Ability to establish and maintain effective working relationships with peers subordinates and supervisors; ability to work cooperatively and harmoniously with other city employees and the general public; a positive "can-do" attitude; ability to observe necessary safety precautions; willingness to work overtime hours as required; a CDL Class A or B license is preferred; ability to perform basic mathematical calculations as required by duties described above; ability to express self clearly orally; ability to coordinate reporting activities into a computer input format; ability to use small hand tools as well as specialized tools; ability to perform duties with some latitude for independent judgment under indirect supervision. Graduation from an accredited standard high school; graduation from a vocational/technical high school preferred; GED equivalent acceptable; two years' experience in similar work required, with one years' work in a responsible position desirable; other combinations of experience/training will be considered. A Massachusetts Department of Safety Hoisting Engineer's license 2B or higher is desirable. A Massachusetts Board of Certification of Operator's of Drinking Water Facilities Grade 4-Distribution license is highly desired. Certification as approved by the Massachusetts Department of Transportation as a welder and welder operator is preferred.

Physical Environment:

Duties require frequent and extended periods of outside work, subject to all weather conditions and extremes; continuous walking, standing, climbing and frequent periods requiring sustained uncomfortable physical positions; regular and sustained periods of strenuous physical exertion, requiring the ability to lift, carry and position heavy objects utilizing proper body mechanics and techniques; operation of equipment which causes loud noise levels and high vibrations; may require the exercise of caution when operating heavy equipment or handling chemicals or other toxic materials; utilization of proper sanitary precautions when handling potential hazardous materials.

Pay Scale:

19B

20B (with CDL or Backhoe license)

22B (with CDL and Backhoe license or Certified Welder)

4/9/02

Updated: 7/30/08

Updated: 2/18/14

Updated: 6/30/17

Updated: 6/6/18

Updated: 5/6/19

City of Fall River, *In City Council*

13

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

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

By inserting in Section 50-304, which section relates to salary schedules for Local 3177 AFSCME, in proper alphabetical order, the following:

		Effective					
	Grade	Date	Step 1	Step 2	Step 3	Step 4	Step 5
GIS – Specialist	GIS	7-1-2019	\$1,575.95	\$1,625.91	\$1,653.56	\$1,685.51	\$1,703.59

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 04 2019

*Passed Through
first reading*

GIS SPECIALIST

Summary of Duties:

In the Engineering Division and under the direction of the City Engineer, to perform work requiring the application of a general knowledge of the physical sciences and mathematics underlying engineering and surveying, and of a specialized knowledge of AutoCAD and ArcGIS software, and database management; general knowledge of design, construction, and/or maintenance of highways and utilities; performs related tasks as required.

Essential Duties and Responsibilities

To support the Engineering Division in its obligation to maintain maps of the City, duties include maintenance and updating of existing CAD, GIS, and database files, physical files, conversion of physical files to electronic format and organization within a database; integration of new lots and subdivisions into City's AutoCAD and GIS files; assignment of addresses; involves the performance of responsible independent work in applying civil engineering principles to a variety of municipal operations and providing timely and efficient service to internal and external clients. This work is performed with wide latitude of action and is performed in conformance with policies and directives of the department head as delegated to the City Engineer; to coordinate the work for which he/she is responsible with the work of coworkers; and to perform miscellaneous engineering functions for the City but not limited to the Department of Community Maintenance.

As assigned by the City Engineer, or in support of other City Departments, prepares maps, diagrams, plans, or other visual aids for presentation to the public or to assist projects internally; assists with counter customer service for requests made of Engineering; calculating and plotting survey data; coordinating for the municipality with other municipalities and state and federal agencies where appropriate, and in support of the census; performs other related engineering tasks as assigned.

Education and Experience

Bachelor's degree (B.A. or B.S.) or equivalent in Civil or Environmental Engineering, Business Administration, Computer Science or related field and minimum of five years practical experience in the fields of GIS and/or asset management is preferred. Excellent written and verbal communication skills are required. The ability to coordinate multiple projects and agencies. Experience in appropriate software programs in GIS, database management, CAD. Proficient in Microsoft Word, Excel and PowerPoint. Valid Motor vehicle license required.

Physical and Environmental Standards

While performing the duties of this job, the employee is frequently required to stand; walk; use hands to finger, handle, or feel, reach with and arms, and talk or hear. The employee is occasionally required to sit, climb or balance and stoop, kneel, crouch, or crawl. The employee must frequently lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, and ability to adjust focus. This job requires the employee to spend a significant portion of their day operating a desktop computer or laptop.

Salary: \$45,000

City of Fall River, *In City Council*

14

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

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

By striking out in Section 50-315, which section relates to Salary Schedule Adjustments, Subsection A - Applicability, in its entirety and inserting in place thereof, the following:

Compensation for those positions covered by §§ 50-302, 50-306, 50-307, 50-308, 50-309, 50-310, and 50-311 and the following listed positions contained in § 50-301 shall be increased from the then-current compensation to the rate provided in Subsection B of this section:

- Account Manager-Police
- Accreditation Coordinator
- Administrative Assistant Board of Assessors/Administrator of Assessing
- Administrative Services Manager
- Administrator of Community Utilities
- Animal Control Officer
- Asset Manager/GIS Specialist-Community Utilities
- Assistant Assessor I
- Assistant Assessor II
- Assistant City Auditor
- Assistant City Clerk
- Assistant Collector
- Assistant Commissioner for Recreation Facilities/Director of Recreational Facilities
- Assistant Commissioner of Cemeteries & Trees/Director of Trees/Cemeteries
- Assistant Purchasing Agent
- Assistant Treasurer
- Audit/ Grants Manager
- Board of Election Commissioners/Director-Office of Elections, Chairperson
- City Auditor
- City Clerk
- City Collector
- City Council Principal Clerk
- City Council Secretary
- City Engineer
- City Planner
- City Treasurer

Commissioner of Recreational Facilities and
 Cemeteries/Administrator, Administrator Recreational Facilities,
 Cemeteries and Trees
 Deputy Administrator-Community Utilities
 Deputy Police Chief 20 years
 Deputy Police Chief 25 years
 Deputy Police Chief 28 years
 Director of Facilities Maintenance
 Director of Health & Human Services
 Director of Minimum Housing Standards Inspectional Services
 Director of Municipal Buildings and Code Enforcement/Inspector of
 Buildings
 Director of Production -FRGTV
 Director of Water Department
 Director of Water Distribution & Maintenance
 Director of Water Treatment & Resources
 Employee Benefits Administrator
 Forester-Community Utilities
 Human Resources Assistant
 Human Resources Generalist
 Manager of Operations Streets & Highways DCM
 Mayor's Administrative Assistant
 Network Administrator
 Parking Clerk/Director of Traffic and Parking
 Project Manager, Facilities
 Project Manager-Community Utilities
 Project Specialist I/Financial Services
 Project Specialist II/Treasurer's Office
 Project Specialist-Community Utilities
 Purchasing Agent
 Residential Data Lister
 Revaluation Specialist
 Sanitarian Supervisor
 Special Projects Media Mayors Office
 Staff Nurse
 Treasurer-Collector
 Veteran's Benefit Agent and Director of Veteran's Services
 /Director Of Veteran's Benefits

CITY OF FALL RIVER
 IN CITY COUNCIL

MAY 28 2019

*Referred to the Committee
 on Ordinances and Legislation*

CITY OF FALL RIVER
 IN CITY COUNCIL

JUN 04 2019

*Passed Through
 first reading*

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

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

By inserting in Section 50-315 (B), which section relates to Salary rate increases provided for in Subsection A, the following:

Effective Date	Rate of Increase	Positions
7/1/2018	2.0%	For all positions covered by sections indicated in Subsection A of this section
7/1/2019	1.5%	For positions covered by §§50-301, (excluding the Deputy Police Chiefs) 50-302, and 50-304
7/1/2020	1.5%	For positions covered by §§50-301, (excluding the Deputy Police Chiefs) 50-302 and 50-304

CITY OF FALL RIVER
IN CITY COUNCIL
MAY 28 2019

*Referred to the Committee
on Ordinances and Legislation*

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 04 2019

*Passed through
first reading*

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 1 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to General Provisions, be amended as follows:

Section 1.

By striking out in Section 1-12, which section relates to Additions and amendments deemed incorporated, the reference to "§ 55 of the Charter", and replacing it with "Section 2-9 of The Charter"

Section 2.

By striking out in Section 2-129, which section relates to Publication of ordinances, the reference to "§ 23 of the Charter", and replacing it with "Section 2-9(d) of The Charter"

Section 3.

By striking out in Section 2-311, in subsection C, which section relates to Established; composition; appointment and term of members, the reference to "§ 54 of the Charter", and replacing it with "Section 3-5 of The Charter"

Section 4.

By striking out in Section 2-56, which section relates to Quorum; majority vote required, the reference to "§ 18(1) of the Charter", and replacing it with "Section 2-6 of The Charter"

Section 5.

By inserting in Section 66-472, which section relates to Membership of Board of Trustees; appointment and terms of members, in subsection A after the word "Mayor", the reference to in accordance with "Section 3-3 of The Charter"; and

By striking out in Section 66-472, which section relates to Membership of Board of Trustees; appointment and terms of members, in subsection B, the reference to "§ 54 of the Charter", and replacing it with "Section 3-5 of The Charter"

Section 6.

By inserting in Section 86-481, which section relates to Membership of Board of Trustees; appointment and terms of members, in subsection A after the word "Mayor", the reference to in accordance with "Section 3-3 of The Charter"

CITY OF FALL RIVER
IN CITY COUNCIL

MAY 28 2019

*Referred to the Committee
on Ordinances and Legislation*

CITY OF FALL RIVER
IN CITY COUNCIL

JUN 04 2019

*Passed through
first reading*



City of Fall River Massachusetts
Special City Charter Committee

RECEIVED

2019 MAY 22 A 9:34

MICHAEL L. MIOZZA, CHAIR
COUNCILOR STEVEN A. CAMARA
COUNCILOR DEREK VIVEIROS

CITY CLERK _____
ERIC POULIN, VICE-CHAIR FALL RIVER, MA
PATRICIA A. CASEY
ALISON M. BOUCHARD, SECRETARY

May 20, 2019

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

Dear Honorable City Council Members:

In accordance with the provisions of Section 2-374 of the Code of Ordinances, and Section 10-5 (m) of the City Charter, a Special City Charter Committee was established to review city ordinances to determine the need for any revisions or amendments to bring the ordinances into conformity with the City Charter, and to fully implement the City Charter.

Attached is the Committee's Report, accompanied by the following attachments:

- Ordinance No. 2018-20: Creation of Special City Charter Committee
- Excel spreadsheet entitled, "Ordinance Spreadsheet"; and proposed ordinance
- Excel spreadsheet entitled, "Time of Taking Effect"
- Meeting Minutes
- Fall River City Charter

Of the twenty-one ordinances listed on the "Ordinance Spreadsheet" that reference the Charter, the Committee determined that ten did not require amendment and five will require further research by Corporation Counsel. A proposed ordinance has been prepared, and is submitted with the Committee's Report, to amend six of those ordinances that the Committee determined will require amendment.

During discussion relating to "Time of Taking Effect", the Committee noted that many of the Charter provisions had been executed in a timely manner. The Committee further recommended a complete review of Section 10-5 by the Mayor, City Council and Corporation Counsel to ensure complete compliance and implementation of The Charter.

Michael Miozza, Chairman of the Special City Charter Committee, is prepared to attend a future meeting of the City Council Committee on Ordinances and Legislation to further discuss the Committee's recommendations and report.

Sincerely,

Alison M. Bouchard
Secretary

cc: Mayor
Corporation Counsel

CITY OF FALL RIVER
IN CITY COUNCIL

MAY 28 2019
Referred to the Committee
on Ordinances and Legislation

16

201119

Special City Charter Committee Report

COMMITTEE ESTABLISHED BY ORDINANCE NO. 2018-20 PURSUANT
TO SECTION 10-5 (M) OF THE FALL RIVER HOME RULE CHARTER

MAY 20, 2019

16

Report Date: May 20, 2019

Committee Members:

- Patricia Casey
- Councilor Steven Camara
- Councilor Derek Viveiros
- City Clerk Alison Bouchard, Secretary
- Eric Poulin, Vice-Chair
- Michael L. Miozza, Chair

Committee Meeting Dates:

- Monday, January 14, 2019
- Tuesday, February 26, 2019
- Tuesday, April 2, 2019
- Monday, April 29, 2019
- Monday, May 20, 2019

Location of Committee Meetings:

All meetings were held in the City Council Hearing Room and started at 6:00 pm. Meetings were videotaped by Fall River Government Television.

Purpose of Report:

To Inform the Mayor and City Council of the committee's recommendations as required by the Fall River Home Rule Charter, Section 10-5 (m) and Ordinance No. 2018-20.

Committee Purpose:

Pursuant to Section 10-5 (m) of the Fall River Home Rule Charter, a special committee was to be formed by the mayor and city council by ordinance immediately following the adoption of the charter to accomplish the following:

16

Report of the Special Charter Committee

1. review 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
2. fully implement the City Charter

The Charter provision is as follows:

10-5 (m) Immediately following the adoption of this charter, the mayor and city council shall 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 charter, and to fully implement the charter. This review shall be made by a special committee to be established by ordinance, provided however, that (1) the committee shall be composed of voters in the city, (2) that the city clerk shall be a member of the committee, and (3) that the city attorney, or special counsel appointed for this express purpose, shall serve as an advisor to the committee. A report from the committee shall be filed with the city council within one year of its appointment. The committee may make interim reports with recommendations at any time, as the committee may deem necessary.

Ordinance 2018-20 was created and approved by the Mayor on May 30, 2018.

The committee was required to complete the work outlined above and file a written report with the City Council within one year of its appointment.

DISCUSSION

Ordinances

The committee utilized the city's website and entered the word "charter" in the search box. The word appeared in 21 city ordinances.

The committee secretary made copies of each affected ordinance and distributed them to committee members. Additionally, an excel spreadsheet was prepared and the committee discussed each ordinance and made recommendations. The committee recommendations were entered onto the spreadsheet entitled, *Ordinance Spreadsheet*.

The following table lists ordinances that were tabled by the committee and requires a review and further research by the city's Corporation Counsel.

16

Report of the Special Charter Committee

TABLE 1 ORDINANCES REQUIRING FURTHER RESEARCH

Item #	Ordinance #	COMMENT
5	§2-130	See Article 6-10: Public Access to Financial Documents, page 50 of Charter
6	§2-134	Consider striking Plan D or E and Insert Home Rule Charter
8	§2-271	Discuss need for Police Board
14	§58-31	Corporation Counsel to confirm applicability of the Acts of 1979, c. 438
15	§58-32	Section 4-5: School Committee Powers and Duties (a), page 42 of Charter

* For more information, please refer to highlighted items on the Ordinance Spreadsheet

RECOMMENDATION

The committee's report and supporting documentation will be forwarded to the City Council for their disposition.

Time of Taking Effect

Article 10 of the Fall River Home Rule Charter specifically outlines when certain provisions of the charter should take effect.

An excel spreadsheet entitled, "Time of Taking Effect" was prepared. The committee discussed the spreadsheet and voted to make it an attachment to this report.

OBSERVATIONS AND RECOMMENDATIONS

Overall, the committee notes that many of the charter provisions have been executed in a timely manner. However, some provisions may not have yet been implemented as noted below. It is the committee's recommendation that the Mayor and City Council review the following charter provisions and determine if they have been implemented.

Section 3-3, Posting of Vacancies on Multiple-Member Boards and Section 10-5 (a) on the city website and guidance on how to apply to serve and should have been completed by February 28, 2019

The Charter verbiage in Section 3-3 requiring the Mayor to post vacancies on the city website in February:

...The mayor shall annually post on the city's web site in February a list of all vacancies on multiple-member bodies. Such listing shall include guidance on applying to serve on a

multiple-member body. The mayor may also notify any civic, business, neighborhood, or service organizations in the city of multiple-member body vacancies....

Additionally, 10-5 (a) states:

Section 3-3 regarding the mayor posting vacancies on multiple-member bodies shall take effect on or before February 28, 2019.

On Tuesday, April 30, 2019 the Chair of the Special Committee received a voice mail message from committee member, Councilor Steven Camara, stating he had checked the city website and there were postings and instructions on how to access vacancies on various boards and commissions; however it was dated with a notation to apply by February 2018, therefore it was a year behind. Councilor Camara sent a message to Monica Souza from the administration who responded that the administration and IT would update the posting.

Section 9-5, Periodic Review of Ordinances in years ending in "3" and "8". The creation of a committee should have occurred in 2018, but it is the understanding of the special committee that it did not form.

The Charter provision is as follows:

Not later than August 1, at 5-year intervals, in each year ending in a 3 and 8, the mayor and city council shall provide for a review to be made of some or all of the ordinances of the city to prepare a proposed revision or recodification of them. The review of city ordinances shall be under the supervision of the city attorney.

This review shall be made by a special committee to consist of 7 members, all of whom shall be voters in the city. The committee's members shall be appointed as follows: 5 shall be appointed by the city council president and 2 shall be appointed by the mayor. At least 3 of the persons appointed by the city council president shall be members of the city council and 2 shall be residents but shall not be elected or appointed officers or employees of the city. The appointing authority shall fill any vacancies within 21 days.

The special committee shall file its report with the city clerk not later than October 1 in the year following the year in which the committee is appointed. The recommendations of the special committee shall appear on the city council's agenda for action before November 15 in such year, and if not so scheduled by the city clerk, the matter shall come before the city council for action at its meeting next held following November 15, and no other business shall be in order until such report has been acted upon by roll call vote.

16

In each year between these reenactments, an annual supplement shall be prepared which shall contain all ordinances and amendments to ordinances adopted in the preceding year. Copies of the supplement shall be made available to the public on the city website and shall be provided upon request at a cost not to exceed the actual cost of the reproduction.

Section 9-7, Uniform Procedures for Governing Multiple-Member Bodies – The committee does not know if this charter provision has been implemented by all multiple-member bodies.

The Charter provision is as follows:

(a) Officers – All appointed multiple-member bodies shall annually elect a chair, a vice-chair, a secretary and any other officer the body deems necessary from among the body's membership, but not including alternate members.

(b) Meetings – All appointed multiple-member bodies of the city shall meet regularly at the times and places that the multiple-member body, by the body's own rules, shall prescribe. Special meetings of any multiple-member body shall be held at the call of the chair or by a majority of the members of the body. Notice of the meeting shall be posted as required by law. Except as may otherwise be authorized by law, all meetings of all multiple-member bodies shall at all times be open to the public.

(c) Meeting Documents and Submissions – Each appointed multiple-member body shall determine its own rules and order of business. Each multiple-member body shall provide for the keeping of agendas, minutes and related submissions of its proceedings. All such documents shall be a public record and certified copies shall be placed on file in the office of the city clerk within a reasonable period from the date of approval.

(d) Voting – If requested by a member, a vote of an appointed multiple-member body shall be taken by a roll call vote and the vote of each member shall be recorded in the minutes, but if the vote is unanimous, only that fact need be recorded.

(e) Quorum – A majority of the members of an appointed multiple-member body shall constitute a quorum. Unless some other provision is made by the multiple-member body's own rules while a quorum is present, except on procedural matters, a majority of the full membership of the body shall be required to vote on any matter representing an exercise of the powers of the multiple-member body unless otherwise required by the General Laws. General Laws related to a vote to meet in "executive session" shall always require a majority of members of the body.

(f) Residency – All members of multiple-member bodies must be residents of the city at all times during their entire term. If a member of a multiple-member body removes from the

16

city during the term for which appointed, such seat shall immediately be deemed vacant and filled by the appointing authority.

Section 9-12, Limitation on Office Holding – This provision may not be consistently applied.

The Charter provision is as follows:

Unless otherwise allowed by law or this charter, no person shall simultaneously hold more than 1 city office or position of employment. This section may be waived by the mayor upon the appointment of a person to an additional office or position of employment by filing a notice of the waiver with an explanation and justification with the city clerk. Any hours worked in any part-time position shall not be the same or otherwise conflict with the hours worked in a full-time position.

The rules or policy shall consider the convenience of the public when scheduling such public comments periods. The city council, school committee, and every multiple-member body shall post its public comment rules or policy on the city website and shall, at least annually, review the rules or policy and make revisions as needed.

Section 9-18, Public Comment Rules or Policy – Public comment rules were to be posted on the city's website for each multiple-member body by June 15, 2018 and the rules were to go into effect July 1, 2018.

The Charter provision is as follows:

The city council, the school committee, and all multiple-member bodies shall develop and adopt rules or a policy addressing public comment. The rules or policy shall require that public comment periods appear on meeting agendas for all regular and special meetings. Public comment shall not be limited to items on the agenda for any regular meeting, provided the issues or concerns raised are within the jurisdiction of the city council, school committee, or any multiple-member body, respectively; public comment at any special meeting shall be limited to items on the meeting agenda.

The Mayor's responsibility to enforce the charter is outlined in Section 3-2: Executive Power, page 14 and in 9-14 Enforcement of Charter Provisions, page 50. The City Council's responsibility to enforce the charter can also be found in Section 9-14, on page 50.

Committee members are willing to attend future City Council ordinance meetings in order to assistance in interpretation and clarity of the written report and supporting documentation.

16

This report was approved by the committee on Monday, May 20, 2019.

ATTACHMENTS

- Ordinance No. 2018-20: Creation of Special City Charter Committee
- Excel spreadsheet entitled, "Ordinance Spreadsheet"
- Excel spreadsheet entitled, "Time of Taking Effect"
- Five Meeting Minutes
- Fall River Charter

CITY OF FALL RIVER
IN CITY COUNCIL

MAY 28 2019
*Referred to the Committee
on Ordinances and Legislation*

16

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 and the two city voters appointed by the Mayor 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.

In City Council, May 29, 2018
Passed to be ordained, as amended

Approved, May 30, 2018
Jasiel F. Correia II, Mayor

A true copy. Attest:

Alison M. Bouchard

City Clerk

ORDINANCE SPREADSHEET

COMMENT		NOTES/DISCUSSION	
1	§1-42 Section 1-42 Ordinance and Other Measures on page 29	A motion was made by Vice-Chairman Poilly, seconded by Member Camara to strike reference to Sec. 55 and replace with Sec. 2-8	
2	§1-43 This language does not appear to need to be changed.	No amendment required	
3	§2-103 Article 5 addresses Finance and Fiscal Procedures, on page 46	No amendment required	
4	§2-129 See Section 2-5: Ordinance and Other Measures (d) Posing on page 31	A motion was made by Member Vinales seconded by Vice-Chairman Poilly, to strike reference to Sec. 23 and replace with Sec. 2-8(d).	
5	§2-130 See Article 5-11: Public Access to Financial Documents on page 50	A motion was made by Member Camara, seconded by Member Vinales to table for further research	
6	§2-134 Consider adding Plan D or E and insert Home Rule Charter Also see Section 2-7: Access to Information (c) Mayor on page 25	After discussion regarding the city's form of government, a motion was made by Vice-Chairman Poilly, seconded by Member Camara to table for further research	
7	§2-204 Article 2: Executive Branch, page 32	No amendment required	
8	§2-271 While the Home Rule Charter does not specifically address the Board of Police, Section 3-5, page 34, does address appointments by the Mayor on multiple-member bodies	No amendment required; Chairman Vinales suggested the City Council Committee on Ordinances address need for said Board	
9	§2-311 See Section 3-3: Appointments by the Mayor, page 34, 2nd paragraph	A motion was made by Vice-Chairman Poilly, seconded by Member Vinales to strike reference to Sec. 54 and replace with Sec. 3-5	
10	§2-451 This may not need to change because there are numerous City Clerk responsibilities set forth in the Home Rule Charter	No amendment required	
11	§2-56 Section 2-6: Exercise of Powers; Quorum; Rules (b) Quorum on page 27	A motion was made by Vice-Chairman Poilly, seconded by Member Vinales to strike reference to Sec. 18(f) and replace with Sec. 2-6	
12	§3-4-51 Change language to mirror charter	No amendment required	
13	§4-5-14 The Home Rule Charter does not have a provision for appointing members to the Board of Health; however there is a provision for appointing members to multiple-member bodies on page 65	No amendment required	
14	§5-5-31 Article 2: Legislation Branch on page 25	No amendment required	
15	§5-5-32 Article 4: School Committee	A motion was made by Vice-Chairman Poilly, seconded by Member Vinales to strike reference to Sec. 31 and replace with Sec. 4-4	
16	§5-5-32 Section 4-2: Composition Term of Office; Eligibility on page 40	A motion was made by Vice-Chairman Poilly, seconded by Member Vinales to strike reference to Sec. 34 and replace with Sec. 3-5	
17	§5-5-472 See Section 3-3: Appointments by the Mayor, page 34	A motion was made by Vice-Chairman Poilly, seconded by Member Camara to include "in accordance with Sec. 3-3 of the Charter"	
18	§6-4-481 This probably should be changed since this is not in the Home Rule Charter	No amendment required	
19	§6-4-100-1 Historical document listing Special Acts requiring acceptance and does not need to be changed	No amendment required	
20	§6-4-100-2 Historical document listing Special Acts not requiring acceptance and does not need to be changed	No amendment required	
21	§6-4-100-3 This document notes when the Charter was adopted and does not need any changes	No amendment required	
22	§6-4-100-4 Section 4-1: Composition Term of Office; Eligibility on page 40	Duplication - no amendment required	
Requires a review by Corporation Counsel			

16

TIME OF TAKING EFFECT

Section Title	Page(s) #	Frequency	When	Committee Composition	City Council Notified	Duration
3-3 Posting of Vacancies - Boards	15 & 55	Annually	by February 28, 2013 - see Section 10-5 (a)	NA	NA	NA
3-11 Planning Review	20 & 55	Once every 5 years	by May 1, 2020 - see Section 10-5 (b)	NA	on or before December 1	NA
3-12 Strategic Plan	20	Every 10 years	in years ending in "0" (2020)	9 total members	NA	1 year
		Every 3 years	the Mayor shall update plan	Mayor - 5 appointments		
				3 city employees 2 city residents		
6-2 Annual Budget Meeting	27	Annual	75 days before beginning of fiscal year (by April 16, 2019)	NA	NA	NA
6-3 Submission of Budget	27	Annual	45 days before beginning of fiscal year (by May 17, 2019)	NA	Yes, receives budget	NA
6-4 (a) Public Hearing	28	Annual	not less than 14 days after publication of notice	NA	NA	NA
6-4 (b) Adoption of Budget	28	Annual	within 45 days that the budget is filed with city clerk	NA	NA	NA
6-5 (a) (1) Capital Improvement Plan	29	Annual	at least 180 days before the start of fiscal year	NA	NA	NA
6-5 (b) Public Hearing	29	Annual	not less than 14 days after publication of notice	NA	NA	NA
6-5 (c) Adoption	30	Annual	after public hearing but before March 1	NA	NA	NA
6-6 Independent Audit	30	Annual	award contract on or before September 1	NA	NA	NA
6-8 Quarterly Updates	31	Annual	January, April, July and October effective June 30, 2018	NA	NA	NA
6-9 5-year Long Term Forecast	31	Annual	180 days before the start of the fiscal year (July 1, 2019)	NA	NA	NA
7 All provisions	32 & 56	Annual	by September 17, 2019 - see Section 10-5 (f)	NA	NA	NA
7-5 Uniformity of Wards	35 & 56	Every 10 years	by June 15, 2021 - see Section 10-5 (k)	NA	City Council reviews	NA
9-5 Periodic Review Ordinances	45	at 5-year intervals	in years ending in "5" and "0"	7 total members	NA	1 year
			Report due 1 year from committee appointment but not later than October 1	5 appointed by City Council President 3 must be members of the City Council		
				2 must city residents		
				2 appointed by the mayor		
9-6 Periodic Review Charter	46	at 10-year intervals	not later than July 1, (2027)	7 total members	NA	1 year
			in each year ending in "7"	4 appointed by City Council President		
			Report due 1 year from committee appointment but not later than August 1	2 shall be councilors 2 shall be residents		
				2 shall be made by the mayor		
				1 by school committee vice chair		

16

TIME OF TAKING EFFECT

Section	Title	Page #	Frequency	When	Committee Composition	City Council Notified	Duration
9-7	Multiple-Member Bodies- PROCEDURES	47	NA	Adoption of Charter	NA	NA	NA
9-14	Enforcement of Charter Provisions	50	As required by mayor or City Council	Adoption of Charter	NA	YES	NA
9-15	Need for Multiple-Member Bodies	51	at 10-year intervals	not later than February 1 in each year that end in "4" Report due 1 year from committee appointment not later than April 1	5 total members 3 by City Council President 1 city councilor and 2 residents 2 by mayor	NA	1 year
9-18	Public Comment Rules	52	Initial	should be completed by June 15 & July 1, 2018 see Section 10-5 (f)	NA	NA	NA
10-5 (j)	Public Comment Rules	53	Update as needed	rules posted on city website June 15, 2018 and June 15, 2019 see Section 10-5 (f) and 10-5 (g)	NA	NA	NA
10-5 (m)	Charter Amendment	54	One-time	Charter Amendment	NA	NA	1 year
10-5 (n)	Rules of Charter	55	One-time	Charter Amendment	NA	NA	1 year
10-5 (o)	Review of Charter	56	Every 10 years	Charter Amendment	NA	NA	1 year

City of Fall River, In City Council

17

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

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

Section 1.

By striking in Section 50-303, which section relates to Salary Schedule for executive officers, department heads, and non-union personnel, the following:

Director of Fall River Emergency Management Agency

07/01/2017

Not to exceed \$20,000

And inserting in place thereof the following:

Director of Fall River Emergency Management Agency

07/01/2019

Not to exceed \$22,500

CITY OF FALL RIVER
IN CITY COUNCIL

JUN - 4 2019

*Passed through first
reading, as amended
(Cs. Cadime opposed)*

Section 50-301 Salary Schedules for Executive Officers, Dept. Heads & Non-Union Personnel							
Proposed Ordinance	Grade	Current Ordinance	Increase to	Reason			
City Council Principal Clerk	CCCT	Not to exceed \$35,000	Not to exceed \$40,000	Request per City Council President			
Commissioner of Recreational Facilities / Director of Recreational Facilities	ACRP	Not to exceed \$75,000	Not to exceed \$78,625	Add \$2,500 to attend meetings			
Parking Clerk/Director of Traffic and Parking	PKCK	Not to exceed \$70,000	Not to exceed \$73,550	Add \$2,500 to attend meetings			
Section 50-303 Salary Schedules for Political Appointments & Boards/Committees							
Proposed Ordinance	Grade	Current Ordinance	Increase to	Reason			
Director of Fall River Emergency Management Agency	FREM	\$20,000 per annum	\$22,250 per annum	Request per Chief			

City of Fall River, In City Council

18

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

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

Section 1.

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

City Council Principal Clerk	07/01/2018	Not to exceed \$35,000
------------------------------	------------	------------------------

And inserting in place thereof the following:

City Council Principal Clerk	07/01/2019	Not to exceed \$40,000
------------------------------	------------	------------------------

CITY OF FALL RIVER
IN CITY COUNCIL

JUN - 4 2019

*Passed through first
reading, As Amended*

<u>Section 50-301 Salary Schedules for Executive Officers, Dept Heads & Non-Union Personnel</u>							
<u>Proposed Ordinance</u>		<u>Grade</u>	<u>Current Ordinance</u>	<u>Increase to</u>	<u>Reason</u>		
City Council Principal Clerk		CCCT	Not to exceed \$35,000	Not to exceed \$40,000	Request per City Council President		
Commissioner of Recreational Facilities / Director of Recreational Facilities		ACRF	Not to exceed \$75,000	Not to exceed \$78,625	Add \$2,500 to attend meetings		
Parking Clerk/Director of Traffic and Parking		PKCK	Not to exceed \$70,000	Not to exceed \$73,550	Add \$2,500 to attend meetings		
<u>Section 50-303 Salary Schedules for Political Appointments & Boards/Committees</u>							
<u>Proposed Ordinance</u>		<u>Grade</u>	<u>Current Ordinance</u>	<u>Increase to</u>	<u>Reason</u>		
Director of Fall River Emergency Management Agency		FREM	\$20,000 per annum	\$22,250 per annum	Request per Chief		

City of Fall River, *In City Council*

19

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

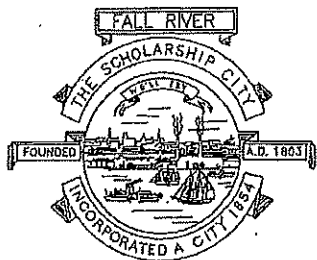
That Chapter 86 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to zoning be amended as follows:

By inserting in Section 86-36 TABLE of USES, INDUSTRIAL USES, the following:

DISTRICTS	WTOD
m. Wind energy industry research and development	Y
n. Wind energy industry processing, fabrication, manufacturing, assembly, packaging	Y
o. Wind energy industry support services	Y

CITY OF FALL RIVER
IN CITY COUNCIL
JUN 04 2019

*Passed through
first reading, as
amended*



City of Fall River
Massachusetts

Planning Division

RECEIVED

2019 APR 30 P 3:02

JASIEL F. CORREIA II
Mayor

William D. Roth, AICP
CITY CLERK
FALL RIVER, MA Planning Director

April 29, 2019

Honorable City Council
One Government Center
Fall River, MA 02722

RE: Planning Board – Zoning Bylaw Amendment – Wind Energy Facilities

It is hereby certified by the Planning Board of the City of Fall River, Massachusetts, that at a duly called and properly posted meeting of said Planning Board held on April 23, 2019, with a quorum present, it was moved, seconded and unanimously VOTED: to recommend to City Council to approve the Zoning Bylaw Amendment with regards to Wind Energy Facilities, which is proposed as follows:

Section 1.

By inserting in Section 86-36 TABLE of USES, INDUSTRIAL USES, the following:

DISTRICTS

- m. Wind energy industry research and development
- n. Wind energy industry processing, fabrication, manufacturing, assembly, packaging
- o. Wind energy industry support services

WTOD

Y

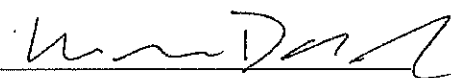
Y

Y

CITY OF FALL RIVER
IN CITY COUNCIL

MAY 14 2019

*Referred to the
Committee on
Ordinances and Legislation*

By: 
William D. Roth, Jr., Planning Director

(Vice President Pam Laliberte-Lebeau)

WHEREAS, anyone under 18 years of age can buy a knife that is less than three inches at any retail location throughout Fall River, and

WHEREAS, residents in Fall River want their community and schools to be safe, and

WHEREAS, students have brought knives into our schools, and

WHEREAS, students were able to purchase these knives at many local stores, now therefore

BE IT RESOLVED, that Corporation Counsel and the Chief of Police be invited to a future meeting of the Committee on Ordinances and Legislation to discuss a proposed ordinance prohibiting anyone under 18 years of age from purchasing any size or type of knife at any store in Fall River.

(Councilor Steven A. Camara)

WHEREAS, residents of Old Second Street have raised safety concerns regarding the area behind the Academy Building and

WHEREAS, the area behind the building is poorly lit, and

WHEREAS, many of the residents have reported fighting and suspicious activity taking place in this area and

WHEREAS, this type of activity and poor lighting have made many of the residents fearful of accessing the back of the building impacting their quality of life, now therefore

BE IT RESOLVED, that City Council Committee on Public Safety convene with the Police Chief, the City Planner, the management of the Academy Building and with representatives of the City Administration to address these safety concerns.



City of Fall River
Notice of Claim

RECEIVED

25

2019 JUN -5 A 9:28

CITY CLERK #19-63
FALL RIVER, MA

1. Claimant's name: Manuel Carvalho
2. Claimant's complete address: 35 Mitchell Dr. Apt. D Fall River MA 02724
3. Telephone number: Home: 508-496-9567 Work:
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Property damage
5. Date and time of accident: 5/30/19 @ 5:00pm Amount of damages claimed: \$ 190.69
6. Exact location of the incident: (include as much detail as possible):
Star Street - left at the Liberal Club parking lot
7. Circumstances of the incident: (attach additional pages if necessary):
pothole - blew 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: 6/5/19

Claimant's signature: [Signature]

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

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

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

For official use only:

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

DCM

Engineering

Date: 6/5/19



CMR Claims Department
P.O. Box 60770
Oklahoma City, OK 73146-0770
1.800.321.4158

*****NOTICE OF CLAIM*****

Date: 06-06-2019

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

To: CITY OF FALL RIVER
CITY CLERKS OFFICE
ONE GOVERNMENT CENTER
FALL RIVER, MA 02722

CERTIFIED MAIL# 92148901066154000138979564

RE: Damage to VERIZON Property

VERIZON Claim Num: MAPR181973
Damage/Discovery Date: 11-01-2018
Damage Location: ROCK ST AND BANK ST, FALL RIVER, MA
Damage County: UNKN
Damage Amount: \$ 45,168.30

25
RECEIVED
2019 JUN 13 AM 11:09
CITY CLERK
FALL RIVER, MA

Dear Sir/Madam:

Please be advised that VERIZON Facilities sustained damage as a result of the negligent acts or omissions by employees or agents of CITY OF FALL RIVER.

Investigation has revealed that on or about 11-01-2018 employees or agents of CITY OF FALL RIVER, KHOURY EXCAVATING INC WAS DOING WATER WORK FOR THE CITY OF FALL RIVER AND DAMAGED A VERIZON CABLE in the area of ROCK ST AND BANK ST, FALL RIVER, MA.

This letter is the written presentment of VERIZON's claim pursuant to G.L. c. 258, sec. 4.

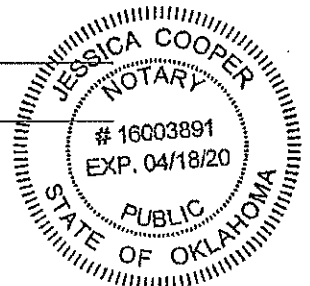
REQUEST FOR GOVERNMENTAL NOTICE FORM

If your Governmental Entity requires the completion of its own form to complete proper notice, please forward a copy to the address listed above. Every good faith effort has been made to identify the proper office and address to perfect our notice. Please forward to your attorney, if misdirected, to contact us. Matters herein stated are alleged on information and belief this pleader believes to be true. If there is insurance to cover this matter, kindly advise as to the name of the insurance company, its address and the claim number assigned. If you have any questions, or need additional information, please contact me at 1-800-321-4158 ext 8232.

Sincerely,
Chelsea Dongelewic

Chelsea Dongelewic
CMR Claims DEPT

NOTARY *[Signature]*
Commission Expires 4/18/20



original + 1 copy to law }
1 copy to Dept (water)
1 copy to city clerk
1 copy to city council } 6/13/19

25
JOHN R. MITCHELL

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

RECEIVED

2019 JUN 14 AM 11:14

CITY CLERK 19-65
FALL RIVER, MA

June 11, 2019

Certified Mail No. 7017 0660 0000 7656 6894

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

Certified Mail No. 7017 0660 0000 7656 6917

Joséph Macy, Corporation Counsel
City of Fall River
One Government Center, 6th Fl.
Fall River, MA 02720

Certified Mail No. 7017 0660 0000 7656 6924

Alison Bouchard, City Clerk
City of Fall River
One Government Center, 2nd Fl.
Fall River, MA 02720

Re: Notice of Massachusetts Tort Claim Pursuant to M.G.L.c. 258 §4 and its related provisions concerning Liberal Batista
D/O/L: November 14, 2018
LOCATION: Fall River Government Center, North Side stairway, facing Post Office, One Government Center, Fall River, Massachusetts

Dear Ms. Bouchard:

This letter is sent on behalf of Liberal Batista 190 Oman Street, Fall River, Massachusetts, and is sent pursuant to M.G.L. c. 258 §4 and its related provisions (the Massachusetts Tort Claim Act), and is sent as a presentment of a claim made on Mr. Batista's behalf for injuries he suffered on November 14, 2018 at the Fall River Government Center while leaving that building and going down its outside northerly staircase facing the Fall River Post Office.

As a result of the negligence of the City of Fall River and its employees, agents, servants and other representatives Mr. Batista that day was caused to fall down those stairs and suffered serious injuries, including a fracture of his nose, knee and lower extremity injuries and contusions which have taken many months to heal and for him to recover from. He still suffers from these injuries and has been disfigured because of this incident.

25

The injury occurred on November 14, 2018 when Mr. Batista was leaving the Government Center after having paid some municipal bills in person.

Mr. Batista was caused to fall because of the ice on the stairway which had not been removed, treated, melted, or otherwise maintained in a way that would have made the stairway safe for people lawfully on the premises such as Mr. Batista.

Mr. Batista fell with force and fell forward injuring his knees and lower legs bilaterally and also suffered injuries to his face including a fracture of his nose.

Mr. Batista was taken from the scene by ambulance and was treated at the emergency room at the St. Anne's (Steward Medical Group) Hospital on Middle Street, Fall River.

Mr. Batista's nose was stitched there and he was to return to have his nose further checked and the stitches removed, which he did.

In the meantime Mr. Batista treated with his primary care physician Dr. Jorge Andrade of Steward Medical Group, 851 Middle Street, Fall River, MA 02721.

To date Mr. Batista has incurred medical expenses as follows: Fall River Fire (Ambulance) \$ 998.20, Steward Hospital \$ 4,496.00, other bills are expected including invoices from Dr. Andrade.

Mr. Batista suffered these injuries because of the negligent maintenance, and supervision of the City of Fall River and its care and maintenance of the stairway leading to and from Government Center. The City failed to properly remove ice and snow, to treat ice and snow, and to otherwise make the stairway safe for the people who use and were using that stairway on November 14, 2018.

Mr. Batista has not yet reached a medical end result and will still need treatment for the various injuries he suffered.

As a consequence of this accident, and in light of the serious injuries suffered by Mr. Batista including his fractured nose and his considerable knee and lower extremity injuries, and the resulting treatment, the medical care these injuries require, his conscious pain and suffering, his medical bills, his loss of convenience, his expected future pain and suffering, and future medical expenses, his loss of enjoyment of life, his loss of earning capacity and his on-going residual injuries and disfigurement, prognosis, and his other damages, I am making a formal demand of \$100,000.00 in settlement of Mr. Batista's claim.

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

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

6-14-19

C: City Council ✓
Clerk, City
Law Dept.
Facilities Maintenance

JRM/mjr

Sincerely yours,

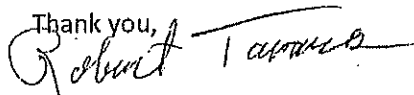

John R. Mitchell, Esquire

27

Honorable City Council,

The organization Recover Fall River is requesting permission from the council to place banners promoting Overdose Awareness Day (August 31st) on City Hall railings the day of the event.

If you have any questions or concerns, please feel free to contact Bob Tavares, organization volunteer, at 617-366-9104.

Thank you,


Robert Tavares

RECEIVED
2019 JUN 11 AM 11:15
CITY CLERK
FALL RIVER, MA

CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, May 14, 2019 at 5:55 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilor Joseph D. Camara

IN ATTENDANCE: William D. Roth, Jr., City Planner

The President called the meeting to order at 5:59 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:

Joint Pole Re-location

1. Massachusetts Electric Company and Verizon New England Inc. for one jointly owned pole re-location as follows:

Dundee Street

One (1) joint pole re-location

National Grid requests to relocate Pole 2 approximately 20 feet south of its current location on Dundee Street with anchor and guy wire. In accordance with Plan No. 28000453 dated August 15, 2018.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and no one came forward. The President then directed the opponents to be heard and no one came forward. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted that the hearing be closed.

Second Hand Article Store

2. Joseph McFadden d/b/a Our Place Shoppe, 87 Rockland Street, Fall River, MA 02724 for permission to operate and maintain a second hand article store located at 156 Tripp Street (used video games, toys and clothes to be sold.)

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and no one came forward. The President then directed the opponents to be heard and Paul Bassett of 156 Sunset Hill came forward. Mr. Bassett stated that he had previously submitted a letter to the Fall River City Council on April 1, 2019 regarding an incident that occurred at Our Place Shoppe on December 23, 2018. He then stated that the business was open this past weekend even though the license expired on April 30, 2019. Councilor Steven A. Camara asked the City Clerk if the property is zoned commercially. The City Clerk stated that this location is zoned commercially.

Councilor Leo O. Pelletier stated that if this business does not have a license, then it should not be open. Council President Cliff Ponte then called for any additional opponents and the following individuals came forward:

Robert W. Janelle, 281 London Street

Joseph McFadden, 87 Rockland Street

Ruben Ascensio Jr., 401 Buffinton Street

City Council President Cliff Ponte then stated that to correct the record, the above three individuals are proponents and not opponents. Mr. Janelle then stated that he was the operator of Our Place Shoppe, but now Mr. McFadden has applied for the license. Mr. Janelle then provided an overview of the statements made by Paul Bassett and stated that this communication was sent to the City Council as retaliation for previous incidents that occurred at Our Place Shoppe where Mr. Bassett was previously a vendor.

Councilor Pam Laliberte-Lebeau asked the City Clerk for clarification regarding the previous license and the new application that is on the agenda tonight. The City Clerk stated that Mr. Janelle held the license until it expired on April 30, 2019. She then stated that Mr. McFadden is the applicant for the new license. Councilor Pam Laliberte-Lebeau then asked if there is an apartment above Our Place Shoppe. Mr. Janelle stated that there is no running water, no kitchen; it is only two rooms above the flea market. Councilor Pam Laliberte-Lebeau then stated that she had spoken to the Director of Code Enforcement and he stated that no one should be living there. She then stated that the last time that the Director of Code Enforcement attempted to inspect the location, he was denied access to the building.

City Council President Cliff Ponte stated that this matter needs to be referred to the Committee on Regulations. Joseph McFadden stated that he no longer wants this license and left the City Council Chamber. Councilor Steven A. Camara stated that if the applicant wishes to withdraw his application then it is no longer necessary to discuss the matter. Mr. Ascensio stated that these individuals have worked diligently to improve the conditions at this location. Councilor Pam Laliberte-Lebeau stated that this matter should be referred to the Committee on Regulations for further discussion. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the hearing be closed.

On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adjourn at 6:31 p.m.

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

A true copy. Attest:

Alison M. Bouchard

City Clerk

CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, June 4, 2019 at 5:55 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,
Leo O. Pelletier and Derek R. Viveiros

ABSENT: Councilor Stephen R. Long

IN ATTENDANCE: None

The President called the meeting to order at 5:57 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 Joseph D. Camara arrived at 5:59 p.m.

New Pole Location

1. Massachusetts Electric Company for one new pole location as follows:

President Avenue

One (1) new pole location

National Grid requests to install a new 45 foot pole for the installation of a three phase transformer bank. The pole will be approximately 80 feet from pole 69 and will be numbered 69-50. This pole is needed for the new sewer pump for the City of Fall River, MA. In accordance with Plan No. 28305130 dated May 15, 2019.

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, with Councilors Joseph D. Camara and Stephen R. Long absent and not voting. The President then directed the proponents to be heard and no one came forward. The President then directed the opponents to be heard and there were no opponents. Councilor Steven A. Camara asked for the location of the proposed pole location on President Avenue. The City Clerk stated that the proposed pole is in the area of the rotary on President Avenue. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to close the hearing, with Councilor Stephen R. Long absent and not voting.

Storage License

2. Colbea Enterprises, LLC, 7 Starline Way, Cranston, RI for permission to store 24,000 gallons of unleaded/super gasoline and 4,000 gallons of diesel fuel, for a total of 28,000 gallons underground; a decrease of 2,000 gallons at 372 Plymouth Avenue on Lot I-19-10, Assessors Plan.

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

On a further motion made by Councilor Steven A. Camara and seconded by Councilor Joseph D. Camara, it was unanimously voted to adjourn at 6:01 p.m., with Councilor Stephen R. Long absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda (attached)
DVD of meeting

A true copy. Attest:



City Clerk

COMMITTEE ON FINANCE

MEETING: Tuesday, May 14, 2019 at 6:00 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilor Joseph D. Camara

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator
Mary Sahady, Director of Financial Services
Chief John D. Lynch, Fall River Fire Department
Terrance J. Sullivan, Administrator of Community Utilities
James Souza, Chair, Community Preservation Committee
Kenneth C. Pacheco, COO, Fall River School Department
Paul Ferland, Deputy Administrator of Community Utilities
William Glass, CFO, Hutchens Holding, LLC, 481 Currant Road
Zach Leone, Managing Partner
Alexandra's Boutique, Inc., 390 South Main Street
Charles Mellow, CEO, TIGIR, LLC, 502 Bedford Street

The chair called the meeting to order at 6:32 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

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

Citizens' Input Time – Before Discussion of Financial Matters:

Jason Burns, 622 Valentine Street – Home Rule Petition

Raymond Hague, Director of Veterans' Services – Home Rule Petition

On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Leo O. Pelletier, it was unanimously voted to waive the rules to allow the following non Fall River resident to speak.
Ray Schofield, Swansea, MA – Home Rule Petition

Roger Francis, 1 Shaw Street – Proposed waterways fee

Don Church, 1138 Davol Street – Proposed waterways fee

Asad Afzaal, 440 Stafford Road – Item #34, The Lets Roll Express

2. Transfer and appropriations

Order appropriating \$111,251.36 to the EMS Capital from the EMS Stabilization Fund
Councilor Shawn E. Cadime asked the reason for this transfer. Chief John Lynch stated that this was an OSHA mandate that was adopted by the Commonwealth of Massachusetts. He then stated that these funds are for the purchase of 49 sets of protective gear, almost the same gear used by firefighters at fire scenes. This is now a requirement because all paramedics respond to fire scenes and stand by at fires. Councilor Shawn E. Cadime then asked what type of protective gear was purchased. The Fire Chief stated boots, jackets, pants, gloves and a few helmets.

- 11a. Mayor and order appropriating \$185,000 from the CPA Funds Undesignated for the Copicut Reservoir Watershed Protection/Land acquisition Project

The Chair of the Community Preservation Committee stated that this matter was deemed an emergency because the grant funds that are available need to have the transaction complete by June 30, 2019 or the grant funds will be lost. He then stated that they could not wait for the Fiscal Year 2020 CPA funds to be available. The Administrator of Community Utilities stated that this is 16 acres of virgin land near the end of Copicut Road. He also stated that this land is approximately 500 feet from the secondary water supply for the City of Fall River. He also mentioned that in order to get the grant monies from the Commonwealth of Massachusetts, this matter needs to be complete by June 30, 2019. Councilor Shawn E. Cadime asked what is the appraised value of this land. The Administrator of Community Utilities stated that the appraised value is \$370,000.00 and the sale price agreed upon is \$355,000.00. Councilor Leo O. Pelletier stated that he agrees that this matter should be voted on tonight, as it seems that all questions have been answered and there is no need to refer the matter to the Committee on Real Estate for further discussion.

3. Mayor and loan order of \$7,426,775 for repairs to Samuel Watson Elementary School
The City Administrator stated that the ADA compliance issues will need to be corrected by November 2021. Kenneth Pacheco, Chief Operating Officer for the School Department stated that installing air conditioning in this building will be a challenge, but the plans are being worked on. He then stated that the \$7,426,775 will be used for fire suppression and various other urgent matters to be corrected. He then stated that all the ADA compliance issues will be addressed in the future, to be completed by November of 2021. Councilor Bradford L. Kilby asked how much of these funds will be reimbursed by the Massachusetts School Building Authority. Mr. Pacheco stated that \$4,180,690.00 will be reimbursed by MSBA. Councilor Leo O. Pelletier then asked what are the additional costs for ADA compliance issues and air conditioning. Mr. Pacheco stated approximately an additional \$4.5 million dollars. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to refer the matter to the full council for action.

4. Discussion re: TIE Agreement for Hanover Properties, LLC – 439 Pine Street
Councilor Shawn E. Cadime stated that he is ready to support this matter, as all of his questions have been answered.

5. Discussion re:

a. TIF Agreement for Hutchens Holding, LLC and Raw Sea Foods, LLC – 481 Currant Road
The City Administrator stated that these agreements will be before the State Economic Advisory Coordinating Council on May 22nd, which is next week. She then stated that Mr. Glass, the CFO of Hutchens Holding, LLC is here to answer any questions that you may have. Raw Sea Foods, LLC is an existing business within our Industrial Park and they will be investing approximately \$2 million dollars on expanding this facility. She then provided a brief overview of the TIF Agreement. Mr. Glass stated that this business moved to Fall River from New Bedford in 2006 and began with 50 employees and now the company currently employ 226 employees. We are now looking to increase our workforce by another 25 employees with this proposed expansion. Councilor Shawn E. Cadime stated that he has concerns because the percentages of tax exemption are different for each TIF Agreement. The City Administrator stated that all agreements tend to be different because there are various factors that are considered not just the number of jobs that are created. Councilor Leo O. Pelletier stated that he will support this TIF Agreement because he realizes that companies are investing millions of dollars in the City of Fall River and creating jobs, so he believes these agreements are helping to improve the City of Fall River.

b. TIF Agreement for Hutchens Holdings, II, LLC and Ice Cube, LLC – 421 Currant Road
The City Administrator stated that this agreement is also for Hutchens Holdings, LLC and Ice Cube, LLC which is a storage facility that was developed in 2016. Hutchens Holdings, LLC will be investing approximately \$5 million dollars to add an additional 40,000 square feet of storage to the facility located at 421 Currant Road. They will also be creating seven new jobs, while retaining 23 jobs. Councilor Shawn E. Cadime asked what the salaries will be for these seven new jobs. Mr. Glass stated that these will all be Cold Storage Warehouse jobs with an approximate salary of \$40,000.00 per year.

c. TIF Agreement for Group Teresa, LLC and Alexandra's Boutique, Inc. – 390 So. Main St. The City Administrator gave a brief overview of the TIF Agreement for Group Teresa, LLC and Alexandra's Boutique, Inc. She stated that they are investing approximately \$2 million dollars into the building that is adjacent to their current location and renovating 10,000 square feet and also creating 50 new jobs. Councilor Steven A. Camara stated that this business has done wonderful work to improve this location. Councilor Leo O. Pelletier stated that he will be in support of this TIF Agreement and then stated that this building looks great.

31

d. Special Tax Assessment (STA) for TIGIR, LLC – 502 Bedford Street
The City Administrator provided a brief overview of the Special Tax Assessment. Council President Cliff Ponte stated that he was lucky to tour this location and was very impressed with the work ethic of the employees. Mr. Merrow stated that this business moved to Fall River in 2008. He then stated that in 2016 they consolidated locations and it took 20 months to purchase the building at 502 Bedford Street. Councilor Steven A. Camara stated that he also had a tour of this facility and was very impressed.

Councilor Bradford L. Kilby left the meeting at 8:51 p.m.

Councilor Stephen R. Long asked Mr. Merrow how many employees he began with in Fall River in 2008. Mr. Merrow stated that they began with 20 employees and currently employee 150 employees and with this proposed expansion; he is looking to increase the workforce by an additional 100 to 150 employees. Councilor Stephen R. Long stated that this is an unbelievable accomplishment in this short amount of time. Council President Cliff Ponte stated that he will also be in support of this agreement and he wishes this business much success.

6. *Mayor and communication re: proposed FY20 budgets for Water & Sewer Enterprise Funds
The Administrator of Community Utilities provided a brief overview of the proposed Fiscal Year 2020 budgets for the Water and Sewer Enterprise Funds. He stated that the current water rate of \$3.14 per CCF will increase to \$3.24 per CCF, which is a ten cent increase per CCF. He also stated that the current sewer rate will increase from \$5.38 per CCF to \$5.48 per CCF, which is a ten cent increase per CCF. He then noted that there will be no increase to the stormwater fee or the base meter fee. He then stated that the average increase for a single family residence will be approximately \$10.60 per year. Mr. Sullivan then mentioned that they are continuing to add \$100,000.00 to the stabilization funds for water and sewer and both funds will now be at \$500,000.00 with the goal being \$1 million dollars in each account over a ten year period. Councilor Steven A. Camara stated that he will not be in support of these increases, as he feels that the homeowners and rent payers cannot afford any more increases.

7. *Resolution – Administration obtain bids and present plan to install a multiple level parking garage on lot adjacent to Third Street Garage

Council President Cliff Ponte asked the City Administrator for a brief update of the parking garages and stated that if there are more questions he will add this matter to the next Committee on Finance Agenda. The City Administrator stated that The Director of Facilities Maintenance had core samples taken of the concrete at the garages and the concrete is in good condition. She then stated that the plan is to install a rubber membrane on the top level of the garage, which will turn the top level into a roof. She also mentioned that the Pearl Street garage needs some repairs, but the condition of the garage is much better than the Third Street facility. Council President Cliff Ponte asked if there is any intention to construct an additional garage on the open lot on Third Street. The City Administrator stated that she has some estimates on the possible development of this site. On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to table the matter.

Citizens' Input Time – After Discussion of Financial Matters:

None

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adjourn at 9:42 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
DVD of meeting

Catherine A. Taylor
Clerk of Committees

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, May 14, 2019 at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilors Joseph D. Camara and Bradford L. Kilby

IN ATTENDANCE: Cathy Ann Viveiros

President Cliff Ponte called the meeting to order at 9:42 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

On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Derek R. Viveiros, it was unanimously voted to take items #27 and #28 out of order, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

Second Hand Article Store

27. Joseph McFadden, 87 Rockland Street, Fall River, MA d/b/a Our Place Shoppe located at 156 Tripp Street (used video games, toys and clothes to be sold)
On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Derek R. Viveiros, it was unanimously voted to refer the matter to the Committee on Regulations, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting. Councilor Shawn E. Cadime stated that he would like to know the reason for the denial of the Police Chief prior to the meeting of the Committee on Regulations.

28. Home Rule Petition – Authorizing members of the FRFD the ability to apply with the Fall River Retirement Bd. to purchase credible service for military service
A motion was made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier to adopt the order. Councilor Shawn E. Cadime stated that he would not support the Home Rule Petition as presented. He stated that he would like to have Corporation Counsel prepare a new order which will include all city departments. On a further motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Shawn E. Cadime, it was unanimously voted to refer the matter to Corporation Counsel and request a new order be submitted prior to the next scheduled City Council Meeting on May 28, 2019, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

1. Mayor and order appropriating \$111,251.36 to the EMS Capital from the EMS Stabilization Fund

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

2. Mayor and loan order - \$4,950,000 for Phase 19 Water System Improvement

On a motion made by Councilor Stephen R. Long and seconded by Councilor Steven A. Camara, it was unanimously voted that the loan order be authorized to be published and referred to the Committee on Finance, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

3. Mayor and proposed ordinance modifications for FY20 rate submission – Water and Sewer Divisions:

- a. Water usage rate

- b. Wastewater usage rate

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to refer both items a. and b. to the Committee on Ordinances and Legislation, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

4. Mayor and proposed personnel ordinance modifications for Water Maintenance Worker I CDL/Backhoe and Water Quality Manager

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

5. Mayor requesting title of GIS Specialist be created in ordinance

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

6. Mayor and orders of land acquisition:

- a. Copicut Road, Assessor Parcel No. W-36-0003

- b. Copicut Road, Assessor Parcel No. W-36-0080

- c. Copicut Road, Assessor Parcel No. W-36-0081

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt items 6a, 6b, and 6c, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

Approved, May 15, 2019, Mayor Jasiel F. Correia II

7. Mayor and resolution re: TIE Agreement for Hanover Properties, LLC – 439 Pine Street

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

Approved, May 15, 2019, Mayor Jasiel F. Correia II

32

8. Mayor and resolutions re:

a. TIF Agreement for Hutchens Holding, LLC and Raw Sea Foods, LLC – 481 Currant Road
On a motion made by Councilor Stephen R. Long and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the resolution, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.
Approved, May 15, 2019, Mayor Jasiel F. Correia II

b. TIF Agreement for Hutchens Holdings, II, LLC and Ice Cube, LLC – 421 Currant Road
On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the resolution, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.
Approved, May 15, 2019, Mayor Jasiel F. Correia II

c. TIF Agreement for Group Teresa, LLC and Alexandra's Boutique, Inc. – 390 So. Main St.
On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the resolution, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.
Approved, May 15, 2019, Mayor Jasiel F. Correia II

d. Special Tax Assessment (STA) for TIGIR, LLC – 502 Bedford Street
On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the resolution, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.
Approved, May 15, 2019, Mayor Jasiel F. Correia II

9. Mayor and order re: Release of Restrictions – 384 Third Street

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Derek R. Viveiros, it was unanimously voted to waive the rules to allow the City Administrator to answer questions, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting. The City Administrator stated that all departments were contacted to see if there was a need for this property. She then stated that this location was previously used by the Board of Elections for voting purposes and they no longer have a need for this location. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Derek R. Viveiros, it was unanimously voted to adopt the order, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.
Approved, May 15, 2019, Mayor Jasiel F. Correia II

10. Mayor requesting confirmation of the appointment of Ann Rockett-Sperling to Library Trustees
On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to confirm the appointment, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to reconsider the previous motion, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting. On yet a further motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to confirm the appointment, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

11. Mayor requesting confirmation of the re-appointment of James C. Calkins to the Board of Appeals

On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to confirm the appointment, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

PRIORITY COMMUNICATIONS

12. Traffic commission recommending amendments to traffic ordinances

On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

13. City Planner re: recommendation of Brookside Street

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Stephen R. Long, it was unanimously voted that the matter be granted leave to withdraw, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting. On a further motion made by Councilor Stephen R. Long and seconded by Councilor Shawn E. Cadime, it was unanimously voted to reconsider the previous motion, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting. On yet a further motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the matter to the Committee on Public Works and Transportation, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

14. City Planner re: Planning Board – Zoning Bylaw Amendment – Wind Energy Facilities

On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

15. City Planner re: Planning Board – Zoning Bylaw Amendment – Kennels

On a motion made by Councilor Steven A. Camara and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

COMMITTEE REPORTS

Committee on Finance recommending:

Referral to the Committee on Economic Development and tourism:

16. Resolution – Electrical needs at the Gates of the City

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the resolution to the Committee on Economic Development and Tourism, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

Committee on Public Works and Transportation recommending:

Adoption:

17. Order – Curb removal at 1030 High Street (Denial)

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

18. Order – Curb removal at 57 Oak 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, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

Approved, May 15, 2019, Mayor Jasiel F. Correia II

Committee on Ordinances and Legislation recommending:

All readings with Emergency Preamble:

19. Proposed Ordinance – Traffic, Handicapped Parking

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 7 yeas to adopt an Emergency Preamble, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting. 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, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

Approved, May 15, 2019, Mayor Jasiel F. Correia II

First Reading:

20. Proposed Ordinance – Traffic, miscellaneous

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted that the proposed ordinance be passed through first reading, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

21. Proposed Ordinance – Commercial Waterways Fee

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted that the proposed ordinance be passed through first reading and referred to the Committee on Ordinances and Legislation, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

22. Proposed Ordinance – Vacant Building Registration and Fee

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, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

ORDINANCES

Second reading and enrollment:

23. Proposed Ordinance – Traffic, Miscellaneous

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted that the proposed ordinance be passed through second reading, passed to be enrolled and passed to be ordained, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

Approved, May 15, 2019, Mayor Jasiel F. Correia II

24. Proposed Ordinance – Accreditation Coordinator

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 second reading, passed to be enrolled and passed to be ordained, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

Approved, May 15, 2019, Mayor Jasiel F. Correia II

RESOLUTIONS

25. Committee on Finance convene to discuss completed Purchase Street and East Main Street Streetscape Project

On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the resolution, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

CITATIONS – None

ORDERS – HEARINGS

Joint Pole Re-location

26. Massachusetts Electric Company and Verizon New England Inc. – One joint pole re-location on Dundee Street

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

Approved, May 15, 2019, Mayor Jasiel F. Correia II

ORDERS – MISCELLANEOUS

29. Police Chief's report on licenses:

Taxicab Drivers:

Derek Cabral Fernando Zonfrilli

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

30. Transfer auto repair shop license no. 141 from Michael Camara d/b/a John's Auto Service, Inc., to Bassam Younes, Best Gas Inc., d/b/a Best Gas Market at 1101 North Main Street

On a motion made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to adopt the order, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

Approved, May 15, 2019, Mayor Jasiel F. Correia II

COMMUNICATIONS – INVITATIONS – PETITIONS

31. Claims

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the claims to Corporation Counsel, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

32. Drainlayer Licenses:

- a. A. Difazio Construction, Inc.
- b. Biszko Construction Corporation
- c. Century Paving & Construction Corporation
- d. Eminar Trucking Incorporation
- e. G. Lopes Construction Incorporation
- f. Albert Moreira & Son
- g. Moreira & Son Excavation
- h. Narragansett Improvement Company
- i. S. Oliveira Construction Corporation
- j. Dixon, Incorporated
- k. J.H. Landscaping & Construction, Inc.
- l. J.A.M. Construction Co., Inc.
- m. Khoury Excavating, Inc.
- n. Liberty Construction & Excavation, Inc.
- o. LAL Construction Co., Inc.
- p. Sherry Construction Corporation
- q. Steen Realty & Development Corporation

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Stephen R. Long, it was unanimously voted to approve the drainlayer licenses, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

Approved, May 15, 2019, Mayor Jasiel F. Correia II

33. Communication from the Massachusetts School Building Authority re: B.M.C. Durfee High School Project

On a motion made by Councilor Stephen R. Long and seconded by Councilor Steven A. Camara, it was unanimously voted to refer the communication to the Committee on Ordinances and Legislation, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

34. Communication from a city business owner re: capping tobacco resale licenses

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the communication to the Committee on Ordinances and Legislation, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

35. Planning Board Minutes – March 26, 2019 Meeting

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the minutes be accepted and place on file, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

36. Zoning Board of Appeals Minutes – March 21, 2019 Meeting

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the minutes be accepted and place on file, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

City Council Meeting Minutes:

37. Committee on Finance – March 19, 2019

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the minutes be approved, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

38. Joint Meeting of the City Council and School Committee – March 19, 2019

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the minutes be approved, with Councilors Joseph D. Camara and Bradford L. Kilby absent and not voting.

Councilor Shawn E. Cadime left the meeting at 10:24 p.m.

39. Regular Meeting of the City Council – March 19, 2019

A motion was made by Councilor Stephen R. Long and seconded by Councilor Pam Laliberte-Lebeau to approve the minutes. Councilor Steven A. Camara stated that item #9 at the March 19, 2019 City Council meeting should have been adopted. He then stated that five votes are only necessary for ordinances and orders. Council President Cliff Ponte then stated that he agreed with Councilor Steven A. Camara. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to approve the minutes, as corrected with Councilors Shawn E. Cadime, Joseph D. Camara and Bradford L. Kilby absent and not voting.

Item #9 of the minutes of the March 19, 2019 City Council Meeting was corrected, as follows:

9. City Council direct Fall River Task Force to review Recall process and report findings and recommendations to City Council

Council President Cliff Ponte stated that he will not be supporting this resolution, as the Task Force was only established to explore the possibility of a City Manager. On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 4 yeas, 3 nays to adopt the resolution, with Councilors Shawn E. Cadime, Stephen R. Long and Cliff Ponte voting in the negative and with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting and the motion carried.

40. Regular Meeting of the City Council – April 11, 2019

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the minutes be approved, with Councilors Shawn E. Cadime, Joseph D. Camara and Bradford L. Kilby absent and not voting.

41. City Council Public Hearings – April 23, 2019

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the minutes be approved, with Councilors Shawn E. Cadime, Joseph D. Camara and Bradford L. Kilby absent and not voting.

BULLETINS – NEWSLETTERS – NOTICES

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to take items #42 and #43 together, with Councilors Shawn E. Cadime, Joseph D. Camara and Bradford L. Kilby absent and not voting.

42. National Grid re: the 2019 approved Yearly Operational Plan

43. Notice of Casualty and Loss at 55 Judge Street

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to approve items #42 and #43, with Councilors Shawn E. Cadime, Joseph D. Camara and Bradford L. Kilby absent and not voting.

32

OTHER POTENTIAL MATTERS

Committee on Real Estate (pending recommendation):

22a. Order – Right of First Refusal – 75 Yellow Hill Road

On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order, with Councilors Shawn E. Cadime, Joseph D. Camara and Bradford L. Kilby absent and not voting.

Approved, May 15, 2019, Mayor Jasiel F. Correia II

Committee on Finance (pending recommendation):

16a. Loan Order – \$7,426,775 for repairs to Samuel Watson Elementary School

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order, with Councilors Shawn E. Cadime, Joseph D. Camara and Bradford L. Kilby absent and not voting.

Approved, May 15, 2019, Mayor Jasiel F. Correia II

ITEMS FILED AFTER THE AGENDA WAS PREPARED:

CITY COUNCIL MEETING DATE: May 14, 2019

11a. Mayor and order appropriating \$185,000 from the CPA Funds Undesignated for the Copicut Reservoir Watershed Protection/Land acquisition Project

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

Approved, May 15, 2019, Mayor Jasiel F. Correia II

11b. Mayor and request for the creation of a Safety Officer position

On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation, with Councilors Shawn E. Cadime, Joseph D. Camara and Bradford L. Kilby absent and not voting.

12a. Traffic commission recommending amendments to traffic ordinances

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation, with Councilors Shawn E. Cadime, Joseph D. Camara and Bradford L. Kilby absent and not voting.

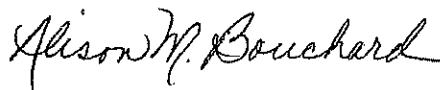
On a motion made by Councilor Stephen E. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adjourn at 10:31 p.m., with Councilors Shawn E. Cadime, Joseph D. Camara and Bradford L. Kilby absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

A true copy. Attest:



City Clerk