

City of Fall River Massachusetts

Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, May 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

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.

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)

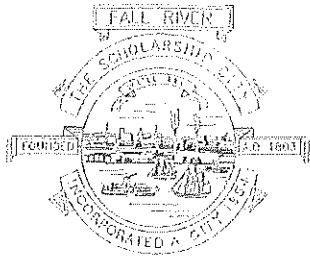
DVD of meeting

A true copy. Attest:

Alison M. Bouchard
City Clerk

In City Council, June 20, 2019

Approved



RECEIVED
City of Fall River Massachusetts 2019 MAY 13 P 12:55
Office of the City Clerk

ORIGINAL POSTING: MAY 10, 2019 AT 3:10 P.M.

ALISON M. BOUCHARD
CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER INÊS LEITE

ASSISTANT CITY CLERK

TUESDAY, MAY 14, 2019

AGENDA
REVISED AGENDA

5:30 P.M. COMMITTEE ON REAL ESTATE MEETING

5:55 P.M. PUBLIC HEARINGS (OR IMMEDIATELY FOLLOWING THE COMMITTEE ON REAL ESTATE MEETING IF THAT MEETING RUNS PAST 5:55 P.M.)

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.

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.)

6:00 P.M. COMMITTEE ON FINANCE (OR IMMEDIATELY FOLLOWING THE PUBLIC HEARINGS IF THAT RUNS PAST 6:00 P.M.)

1. Citizen Input
2. *Transfer and appropriations (see #1 and #11a below)
3. *Mayor and loan order of \$7,426,775 for repairs to Samuel Watson Elementary School (referred 4-23-19)
4. Discussion re: TIF Agreement for Hanover Properties, LLC – 439 Pine Street (see #7 below)
5. Discussion re:
 - a. TIF Agreement for Hutchens Holding, LLC and Raw Sea Foods, LLC – 481 Currant Road
 - b. TIF Agreement for Hutchens Holdings, II, LLC and Ice Cube, LLC – 421 Currant Road
 - c. TIF Agreement for Group Teresa, LLC and Alexandra's Boutique, Inc. – 390 So. Main St.
 - d. Special Tax Assessment (STA) for TIGIR, LLC – 502 Bedford Street (see #8a-d below)
6. *Mayor and communication re: proposed FY20 budgets for Water & Sewer Enterprise Funds (referred 4-11-19)
7. *Resolution – Administration obtain bids and present plan to install a multiple level parking garage on lot adjacent to Third Street Garage (referred 2-19-19)

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

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

PRIORITY MATTERS

1. *Mayor and order appropriating \$111,251.36 to the EMS Capital from the EMS Stabilization Fund
2. *Mayor and loan order - \$4,950,000 for Phase 19 Water System Improvement
3. *Mayor and proposed ordinance modifications for FY20 rate submission – Water and Sewer Divisions:
 - a. Water usage rate
 - b. Wastewater usage rate
4. *Mayor and proposed personnel ordinance modifications for Water Maintenance Worker I CDL/Backhoe and Water Quality Manager
5. *Mayor requesting title of GIS Specialist be created in ordinance
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
7. *Mayor and resolution re: TIE Agreement for Hanover Properties, LLC – 439 Pine Street
8. *Mayor and resolutions re:
 - a. TIF Agreement for Hutchens Holding, LLC and Raw Sea Foods, LLC – 481 Currant Road
 - b. TIF Agreement for Hutchens Holdings, II, LLC and Ice Cube, LLC – 421 Currant Road
 - c. TIF Agreement for Group Teresa, LLC and Alexandra's Boutique, Inc. – 390 So. Main St.
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9. *Mayor and order re: Release of Restrictions – 384 Third Street
10. *Mayor requesting confirmation of the appointment of Ann Rockett-Sperling to Library Trustees
11. *Mayor requesting confirmation of the re-appointment of James C. Calkins to the Board of Appeals

PRIORITY COMMUNICATIONS

12. *Traffic commission recommending amendments to traffic ordinances
13. *City Planner re: recommendation of Brookside Street
14. *City Planner re: Planning Board – Zoning Bylaw Amendment – Wind Energy Facilities
15. *City Planner re: Planning Board – Zoning Bylaw Amendment – Kennels

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

Committee on Public Works and Transportation recommending:

Adoption:

17. *Order – Curb removal at 1030 High Street (Denial)
18. *Order – Curb removal at 57 Oak Street

Committee on Ordinances and Legislation recommending:

All readings with Emergency Preamble:

19. *Proposed Ordinance – Traffic, Handicapped Parking

First Reading:

20. *Proposed Ordinance – Traffic, miscellaneous
21. *Proposed Ordinance – Commercial Waterways Fee
22. *Proposed Ordinance – Vacant Building Registration and Fee

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

ORDINANCES

Second reading and enrollment:

- 23. *Proposed Ordinance – Traffic, Miscellaneous
- 24. *Proposed Ordinance – Accreditation Coordinator

RESOLUTIONS

- 25. *Committee on Finance convene to discuss completed Purchase Street and East Main Street Streetscape Project

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

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)
- 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

ORDERS – MISCELLANEOUS

- 29. Police Chief's report on licenses:

Taxicab Drivers:

Derek Cabral Fernando Zonfrilli

- 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

COMMUNICATIONS – INVITATIONS – PETITIONS

- 31. *Claims

- 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

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

q. Steen Realty & Development Corporation

- 33. *Communication from the Massachusetts School Building Authority re: B.M.C. Durfee High School Project
- 34. *Communication from a city business owner re: capping tobacco resale licenses
- 35. Planning Board Minutes – March 26, 2019 Meeting
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- 37. *Committee on Finance – March 19, 2019
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- 42. *National Grid re: the 2019 approved Yearly Operational Plan
- 43. Notice of Casualty and Loss at 55 Judge Street

OTHER POTENTIAL MATTERS

Committee on Real Estate (pending recommendation):

Order – Right of First Refusal – 75 Yellow Hill Road

Committee on Finance (pending recommendation):

Loan Order – \$7,426,775 for repairs to Samuel Watson Elementary School

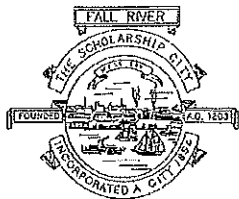

City Clerk

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
- 11b. *Mayor and request for the creation of a Safety Officer position
- 12a. * Traffic commission recommending amendments to traffic ordinances

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



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

RECEIVED

2019 MAY 10 P 3:54

CITY CLERK
FALL RIVER, MA

Jasiel F. Correia II
Mayor

12a
LAURA FERREIRA
Parking Clerk

May 8, 2019

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, April 24, 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
Hutton Street	West	Starting at a point 20 feet south of New Boston Road, for a distance of 20 feet southerly

Very truly yours,

Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

RECEIVED

Jasiel F. Correia II
Mayor

2019 MAY 10 P 3:54

12a
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CITY CLERK
FALL RIVER, MA

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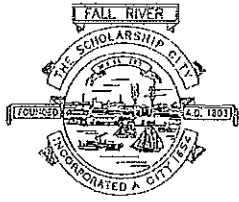
By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Dwelly Street	North	Starting at a point 120 feet west of Kilburn Street, for a distance of 20 feet westerly

Very truly yours,

Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

12a

RECEIVED

2019 MAY 10 P 3:54

Jasiel F. Correia II
Mayor

CITY CLERK
LAURA FERREIRA
FALL RIVER, MA
Parking Clerk

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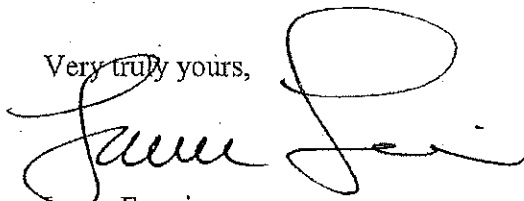
Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Pitman Street	West	Starting at a point 234 feet south of Harriman Street, for a distance of 20 feet southerly

Very truly yours,


Laura Ferreira
Parking Clerk



City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2019 MAY 10 P 3:10

CITY CLERK
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

INÊS LEITE
ASSISTANT CITY CLERK

TUESDAY, MAY 14, 2019
AGENDA

5:30 P.M. COMMITTEE ON REAL ESTATE MEETING

5:55 P.M. PUBLIC HEARINGS (OR IMMEDIATELY FOLLOWING THE COMMITTEE ON REAL ESTATE MEETING IF THAT MEETING RUNS PAST 5:55 P.M.)

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.

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.)

6:00 P.M. COMMITTEE ON FINANCE (OR IMMEDIATELY FOLLOWING THE PUBLIC HEARINGS IF THAT RUNS PAST 6:00 P.M.)

1. Citizen Input
2. *Transfer and appropriations (see #1 below)
3. *Mayor and loan order of \$7,426,775 for repairs to Samuel Watson Elementary School (referred 4-23-19)
4. Discussion re: TIF Agreement for Hanover Properties, LLC – 439 Pine Street (see #7 below)
5. Discussion re:
 - a. TIF Agreement for Hutchens Holding, LLC and Raw Sea Foods, LLC – 481 Currant Road
 - b. TIF Agreement for Hutchens Holdings, II, LLC and Ice Cube, LLC – 421 Currant Road
 - c. TIF Agreement for Group Teresa, LLC and Alexandra's Boutique, Inc. – 390 So. Main St.
 - d. Special Tax Assessment (STA) for TIGIR, LLC – 502 Bedford Street (see #8a-d below)
6. *Mayor and communication re: proposed FY20 budgets for Water & Sewer Enterprise Funds (referred 4-11-19)
7. *Resolution – Administration obtain bids and present plan to install a multiple level parking garage on lot adjacent to Third Street Garage (referred 2-19-19)

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

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

PRIORITY MATTERS

1. *Mayor and order appropriating \$111,251.36 to the EMS Capital from the EMS Stabilization Fund
2. *Mayor and loan order - \$4,950,000 for Phase 19 Water System Improvement
3. *Mayor and proposed ordinance modifications for FY20 rate submission – Water and Sewer Divisions:
 - a. Water usage rate
 - b. Wastewater usage rate
4. *Mayor and proposed personnel ordinance modifications for Water Maintenance Worker I CDL/Backhoe and Water Quality Manager
5. *Mayor requesting title of GIS Specialist be created in ordinance
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
7. *Mayor and resolution re: TIE Agreement for Hanover Properties, LLC – 439 Pine Street
8. *Mayor and resolutions re:
 - a. TIF Agreement for Hutchens Holding, LLC and Raw Sea Foods, LLC – 481 Currant Road
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 - c. TIF Agreement for Group Teresa, LLC and Alexandra's Boutique, Inc. – 390 So. Main St.
 - d. Special Tax Assessment (STA) for TIGIR, LLC – 502 Bedford Street
9. *Mayor and order re: Release of Restrictions – 384 Third Street
10. *Mayor requesting confirmation of the appointment of Ann Rockett-Sperling to Library Trustees
11. *Mayor requesting confirmation of the re-appointment of James C. Calkins to the Board of Appeals

PRIORITY COMMUNICATIONS

12. *Traffic commission recommending amendments to traffic ordinances
13. *City Planner re: recommendation of Brookside Street
14. *City Planner re: Planning Board – Zoning Bylaw Amendment – Wind Energy Facilities
15. *City Planner re: Planning Board – Zoning Bylaw Amendment – Kennels

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

Committee on Public Works and Transportation recommending:

Adoption:

17. *Order – Curb removal at 1030 High Street (Denial)
18. *Order – Curb removal at 57 Oak Street

Committee on Ordinances and Legislation recommending:

All readings with Emergency Preamble:

19. *Proposed Ordinance – Traffic, Handicapped Parking

First Reading:

20. *Proposed Ordinance – Traffic, miscellaneous
21. *Proposed Ordinance – Commercial Waterways Fee
22. *Proposed Ordinance – Vacant Building Registration and Fee

ORDINANCES

Second reading and enrollment:

- 23. *Proposed Ordinance – Traffic, Miscellaneous
- 24. *Proposed Ordinance – Accreditation Coordinator

RESOLUTIONS

- 25. *Committee on Finance convene to discuss completed Purchase Street and East Main Street Streetscape Project

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

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)
- 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

ORDERS – MISCELLANEOUS

- 29. Police Chief's report on licenses:

Taxicab Drivers:

Derek Cabral Fernando Zonfrilli

- 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

COMMUNICATIONS – INVITATIONS – PETITIONS

- 31. *Claims

- 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.
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City of Fall River
Massachusetts
Office of the Mayor

FINANCE 6

RECEIVED

2019 APR -1 A 9:10

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

April 1, 2019

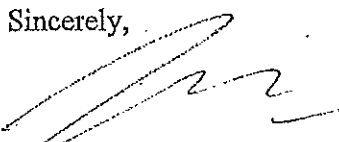
The Honorable City Council
One Government Center
Fall River, MA 02722

RE: FY20 Budget Submission
Water and Sewer Divisions

Dear Council Members:

Please find enclosed the proposed FY20 budgets for the Water and Sewer Divisions. This submittal meets the requirements of Ordinance Section 2-183 that requires that Enterprise Fund proposed budgets be submitted to the City Council by April 1.

Sincerely,


Jasiel F. Correia II
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL

APR 11 2019
*Referred to the
Committee on Finance*

FINANCE

6

FY 2020 PROPOSED COMMUNITY UTILITIES BUDGET WATER DIVISION			FY18 Actual	FY19 Budget	FY20 Proposed Budget
4/1/2019					
EVENUE					
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

1507241 WATER ADMINISTRATION SALARIES			FY18 Actual	FY19 Budget	FY20 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

1507242 WATER ADMINISTRATION EXPENSES			FY18 Actual	FY19 Budget	FY20 Proposed Budget
64507242	525000	OFF EQUIP/FURN MAINTENACE	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	172.10		
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

1507244 WATER ADMINISTRATION CAPITAL			FY18 Actual	FY19 Budget	FY20 Proposed Budget
64507244	584900	OTHER IMPROVEMENTS	50,862.26	\$245,000.00	\$245,000.00

1507245 WATER ADMINISTRATIVE AND INDIRECT COSTS			FY18	FY19	FY20
			Actual	Budget	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	\$888,156	\$690,000
TOTAL WATER ADMINISTRATIVE AND INDIRECT COSTS			\$2,996,262	\$2,719,165	\$2,745,000

1507251 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

1507252 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	538500	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

1507261 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

1507262 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			\$1,345,034.55	\$1,403,200.00	\$1,464,542.00

1509905 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
RAND TOTAL -EXPENSES	\$11,991,977.06	\$12,560,074	\$13,367,976
RAND TOTAL -REVENUE	-\$11,634,585.72	\$12,560,074	\$13,367,976

FINANCE 6

The City of FALL RIVER - COMMUNITY UTILITIES FY 2020 Proposed Budget SEWER DIVISION: 4/1/19	FY2018 Actuals	FY2019 Budget	FY2020 Proposed Budget
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4400000 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

000 SEWER FUND EXPENSES					
4400005 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

4407191 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

FINANCE 6

4407192 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
OTAL SEWER TREATMENT PLANT EXPENSES			\$190,600.90	\$241,030	\$239,530

4407202 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
OTAL SEWER TREATMENT PLANT EXPENSES			\$10,400,443.86	\$10,926,894	\$11,300,783

4407204 SEWER TREATMENT PLANT CAPITAL			FY18 Actuals	FY19 Budget	FY20 Proposed
64407204	584900	OTHER IMPROVEMENTS	\$33,904.72	\$80,000	\$80,000
OTAL SEWER TREATMENT PLANT CAPITAL			\$33,904.72	\$80,000	\$80,000

409905 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
OTAL STORM WATER DEBT SERVICE			\$8,467,568.58	\$9,165,768	\$10,085,902

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

(President Cliff Ponte)

WHEREAS, the City of Fall River has struggled with parking in the downtown area for years, and

WHEREAS, the Fall River City Council unanimously voted on January 8, 2019 to accept the transfer of the parking garages located at Third Street and Pearl Street, and

WHEREAS, the City also accepted the adjacent parking lot located on Third Street, now therefore

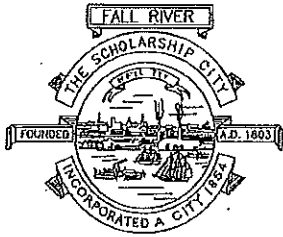
BE IT RESOLVED, that the Administration immediately obtain bids and present to the City Council a plan to install a multiple level parking garage, and that a discussion take place with the City Council Committee on Finance within 60 days.

In City Council, February 19, 2019
Adopted

A true copy: Attest:

Alison M. Bouchard

City Clerk



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

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2019 MAY -7 P 12:11

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

May 3, 2019

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

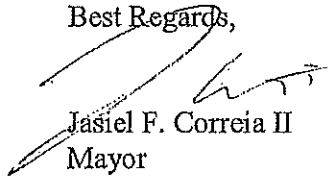
Dear Honorable Council Members:

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

1. \$111,251.36 That the sum of \$111,251.36 be, and the same is, hereby appropriated to the EMS CAPITAL from the EMS STABILIZATION FUND.

These funds are needed to purchase protective gear to meet the new OSHA requirements. If you have any questions or concerns regarding this, please feel free to contact me.

Best Regards,


Jasiel F. Correia II
Mayor

City of Fall River, In City Council

May 14, 2019

1


ORDERED:

That the sum of \$111,251.36 be, and the same is, hereby appropriated from the EMS STABILIZATION FUND to EMS CAPITAL.

FY19 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
EMS Stabilization Fund	\$ 1,921,057.44	\$ (111,251.36)	\$ 1,809,806.08
EMS Capital	\$ 294,254.75	\$ 111,251.36	\$ 405,506.11

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


 Jennifer Argo, City Auditor
 May 14, 2019

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2019 MAY -7 P 12: 11

CITY CLERK
FALL RIVER, MA



**City of Fall River
Massachusetts**
Fire Department Headquarters
Office of the Fire Chief

RECEIVED

2019 MAY -7 P 12:11

JASIEL F. CORREIA II
Mayor

CITY CLERK
FALL RIVER, MA
JOHN D. LYNCH
Fire Chief

April 16, 2019

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

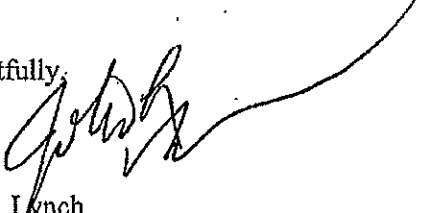
Dear Mayor Correia:

Transfer from EMS Reserve fund to EMS Capital for f/y 19.

The amount of 111,251.36 for protective gear to meet new OSHA standards set by the state of Massachusetts.

Please transfer to 62310006 – 586100 EMS Capital

Respectfully,


John D. Lynch
Fire Chief

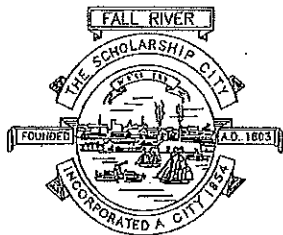
Cc: Tim Oliveira, Director of EMS Division
Jen Argo, Director of Auditing

APPROVED:



Mayor

Date



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2019 APR 30 P 2:09

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II

Mayor

April 30, 2019

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

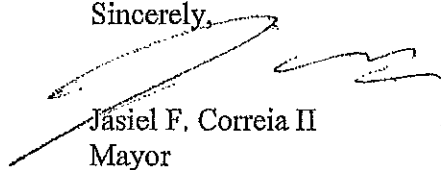
RE: Phase 19
Water Systems Improvement Loan Order

Dear Council Members:

It is respectfully requested that the attached loan order for the Phase 19 Water Systems Improvements be approved. Approval is needed to comply with the State Funding Program (SRF).

Please contact Terrance Sullivan or Paul Ferland at the Department of Community Utilities if you have any questions.

Sincerely,


Jasiel F. Correia II
Mayor

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

CITY OF FALL RIVER, In City Council

ORDERED, that \$4,950,000 is appropriated for the purpose of financing construction and design of Phase 19 of the City's Water Project including without limitation all costs thereof; and to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow \$4,950,000 and to issue bonds or notes therefore, under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws or any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer, with the approval of the Mayor, determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer, with the approval of the Mayor, is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust ("Trust") established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection ("Department") with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Mayor is authorized to enter into a project regulatory agreement with the Department, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project, and

BE IT FURTHER ORDERED, any premium received upon the sale of any bonds or notes approved by this vote less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, and

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

**WATER SYSTEMS IMPROVEMENTS PROJECTS
FINANCIAL SUMMARY**

PHASE 19

Component	Vendor	Date	Function	Funding	Total Cost
OM Mains		2020	Construction Management		\$350,000.00
Main Replacement		2020	water main improvements/LSR		\$2,000,000.00
Police		2020	construction details		\$150,000.00
Contingency					\$150,000.00
PENDING SRF/MCWT					\$2,650,000.00
Design Mains		2019	Design		\$225,000.00
Water Maint Complex		2019	Building Construction		\$1,500,000.00
Paving		2020	Street Paving		\$100,000.00
Conservation Land Acquisition		2019	Watershed Protection		\$100,000.00
Redundant Line from Plant		2019	Placement Study		\$100,000.00
GIS Asset management		2020	System Advancement		\$50,000.00
Contingency					\$225,000.00
SUB TOTAL OPEN MARKET					\$2,300,000.00
Total					\$4,950,000.00

notes:
EJC principal reduction:

FUNDING Authorization	DATE	AMOUNT
PHASE 19		
Loan Order		\$4,950,000.00
Total		\$4,950,000.00

FUNDING-Loans	DATE	AMOUNT
PHASE 19		
BAN		\$2,300,000.00
MWIPAT		\$2,650,000.00
Total		\$4,950,000.00

2

Estimates of Phase 19 Project Debt:

water projects

Loan Order= \$4,950,000

2

SRF Project Cost	\$2,650,000
Repayment Less 10% EJC reduction	\$2,385,000

Open Market Project Cost	\$2,300,000
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Phase 19-SRF-water projects			
\$2,385,000			
year	Principal	Interest	Annual P&I
1	\$119,250	\$47,700	\$166,950
2	\$119,250	\$45,315	\$164,565
3	\$119,250	\$42,930	\$162,180
4	\$119,250	\$40,545	\$159,795
5	\$119,250	\$38,160	\$157,410
6	\$119,250	\$35,775	\$155,025
7	\$119,250	\$33,390	\$152,640
8	\$119,250	\$31,005	\$150,255
9	\$119,250	\$28,620	\$147,870
10	\$119,250	\$26,235	\$145,485
11	\$119,250	\$23,850	\$143,100
12	\$119,250	\$21,465	\$140,715
13	\$119,250	\$19,080	\$138,330
14	\$119,250	\$16,695	\$135,945
15	\$119,250	\$14,310	\$133,560
16	\$119,250	\$11,925	\$131,175
17	\$119,250	\$9,540	\$128,790
18	\$119,250	\$7,155	\$126,405
19	\$119,250	\$4,770	\$124,020
20	\$119,250	\$2,385	\$121,635
TOTALS	\$2,385,000	\$500,850	\$2,885,850

Phase 19-Open Market		
\$2,300,000		
Principal	Interest	Annual P&I
\$115,000	\$69,000	\$184,000
\$115,000	\$65,550	\$180,550
\$115,000	\$62,100	\$177,100
\$115,000	\$58,650	\$173,650
\$115,000	\$55,200	\$170,200
\$115,000	\$51,750	\$166,750
\$115,000	\$48,300	\$163,300
\$115,000	\$44,850	\$159,850
\$115,000	\$41,400	\$156,400
\$115,000	\$37,950	\$152,950
\$115,000	\$34,500	\$149,500
\$115,000	\$31,050	\$146,050
\$115,000	\$27,600	\$142,600
\$115,000	\$24,150	\$139,150
\$115,000	\$20,700	\$135,700
\$115,000	\$17,250	\$132,250
\$115,000	\$13,800	\$128,800
\$115,000	\$10,350	\$125,350
\$115,000	\$6,900	\$121,900
\$115,000	\$3,450	\$118,450
\$2,300,000	\$724,500	\$3,024,500

Effect on the Water Rate	Estimate Start of Long Term Debt
\$0.11	2020
\$0.11	2021
\$0.11	2022
\$0.11	2023
\$0.11	2024
\$0.10	2025
\$0.10	2026
\$0.10	2027
\$0.10	2028
\$0.10	2029
\$0.09	2030
\$0.09	2031
\$0.09	2032
\$0.09	2033
\$0.09	2034
\$0.08	2035
\$0.08	2036
\$0.08	2037
\$0.08	2038
\$0.08	2039



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

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2019 APR 30 P 2:09

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

April 30, 2019

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

RE: FY20 Rate Submission
Water and Sewer Divisions

Dear Council Members:

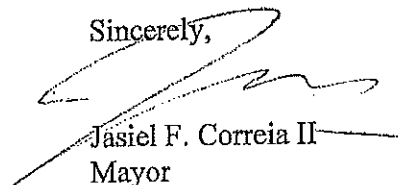
Please find enclosed the proposed ordinance modifications for the FY20 rates for the Water and Sewer Divisions. The proposed budgets were submitted to you on April 1, 2019. I have included the previously submitted budgets for reference. This submittal meets the requirements of Ordinance Section 2-184 that requires that proposed fee increases be submitted to the City Council by May 1.

The proposed rate increases are ten cents each for water and sewer usage. The water use rate is proposed to increase from \$3.14/ccf to \$3.24/ccf. The sewer use rate is proposed to increase from \$5.38/ccf to \$5.48/ccf. One ccf equals 748 gallons. There are no proposed increases to the stormwater fee or the base meter fee.

The combined impact of the rate increases to the average family using 109 gallons per day (53 ccf/year) is \$10.60/year or 88 cents per month.

Your approval is respectfully requested.

Sincerely,



Jasiel F. Correia II
Mayor

City of Fall River, In City Council

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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

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

Section 1.

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

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The City of FALL RIVER - COMMUNITY UTILITIES FY 2020 Proposed Budget SEWER DIVISION: 4/1/19	FY2018 Actuals	FY2019 Budget	FY2020 Proposed Budget
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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	FY18 Actuals	FY19 Budget	FY20 Proposed
64400005 SEWER TREATMENT PLANT OTHER			
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

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	\$600
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 MAINTENACE	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	172.10		
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

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

64507245 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

64507251 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

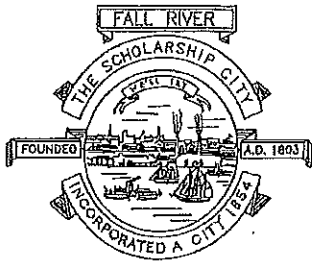
64507252 WATER MAINT & DISTRIB EXPENSES			FY18 Actual	FY19 Budget	FY20 Proposed Budget
64507252	521100	ELECTRICITY	10,972.30	\$10,000.00	\$10,000.00
64507252	521500	HEATING FUEL	18,852.83	\$20,000.00	\$20,000.00
64507252	524100	BUILDINGS & GROUNDS MAINTENANC	4,633.67	\$4,000.00	\$4,000.00
64507252	524600	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	538500	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	548600	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

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			\$1,345,034.55	\$1,403,200.00	\$1,464,542.00

4509905 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 ORIGINATION 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
IRAND TOTAL -EXPENSES	\$11,991,977.06	\$12,560,074	\$13,367,976
IRAND TOTAL -REVENUE	-\$11,634,585.72	\$12,560,074	\$13,367,976



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

RECEIVED

CITY CLERK
FALL RIVER, MA

4

JASIEL F. CORREIA II
Mayor

TERRANCE SULLIVAN
Administrator

May 7, 2019

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

RE: Personnel Ordinance Modifications

Dear Council Members:


It is respectfully requested that the attached ordinance modifications be approved. Please note that these modifications do not add any additional employees but effects two existing employees and improves the capabilities of the Water Department. These ordinance modifications will do the following:

1. Modify the title of "Water Maintenance Worker I CDL/Backhoe" to "Water Maintenance Worker I CDL/Backhoe or Certified Welder". This effects only one existing employee. The direct cost impact is \$3,221.40 per year. However, the savings from performing our welding work by in house personnel versus outside contractors far exceeds that cost.
2. Create a new job classification of "Water Quality Manager". This effects only one existing employee. The direct cost impact is \$6,345.26. However, as the position will be a salaried, management position overtime costs shall be reduced and will offset the majority of this cost. Further, this modification will expand our licensing capacity to continue our efforts to comply with State recommendations.

The job descriptions for both positions are attached.

Please contact Terrance Sullivan or Paul Ferland at the Department of Community Utilities if you have any questions.

Sincerely,


Jasiel F. Correia II
Mayor

City of Fall River, *In City Council*

4

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:

- (a) By striking out in Sec. 50-304 which section relates to Salary Schedules, Local 3177 AFSCME the title of "Water Maintenance Worker I CDL/Backhoe" and inserting in place thereof, the title of "Water Maintenance Worker I CDL/Backhoe or Certified Welder".
- (b) By adding in Sec. 50-301 which section relates to Salary Schedules for Executive Officers, Department Heads & Non-Union Personnel the new title of "Water Quality Manager" with a salary of "Not to exceed \$60,000".

WATER MAINTENANCE WORKER I

4

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.

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.

4

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

4
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 3/4" through 12" into line.

If properly certified performs welding operations as directed.

Performs related work as assigned.

4

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

4

**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:

4

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.

4

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.



City of Fall River
Massachusetts
Office of the Mayor

5

RECEIVED

2019 MAY -9 P 4: 53

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

May 9, 2019

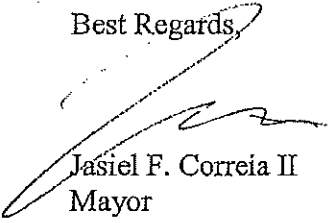
The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02722

Dear Honorable Council Members:

In reviewing the job descriptions associated with municipal personnel, I am requesting that the title of GIS Specialist be created in ordinance. These GIS duties are currently being performed under the title of Jr. Civil Engineer which is not consistent with the duties being performed.

Your approval of this new position title is respectfully requested.

Best Regards,


Jasiel F. Correia II
Mayor

5

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.

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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
Massachusetts**

Department of Community Maintenance
CEMETERIES • MUNICIPAL BUILDINGS • ENGINEERING • SANITATION •
PARKS • STREETS & HIGHWAYS • TRAFFIC & PARKING • VEHICLES

Engineering Division

RECEIVED

5

2019 MAY 10 P 1:21

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

J R FREY, P.E.
City Engineer


May 7, 2019

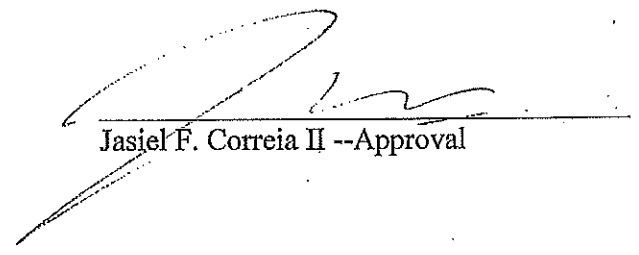
Jasiel F. Correia II
Mayor
One Government Center
Fall River, MA 02722

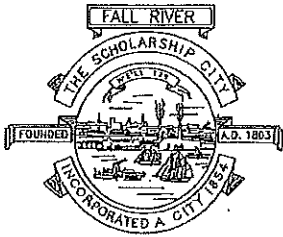
Dear Mr. Mayor:

I hereby request your approval to reclassify Terrance J. Sullivan, Junior Civil Engineer, as GIS Specialist in the Engineering Division, per the attached position description, utilizing the salary structure for his current classification.

Sincerely,


JR Frey
City Engineer


Jasiel F. Correia II --Approval



City of Fall River
Massachusetts
Office of the Mayor

6

RECEIVED

2019 APR 30 P 2:08

CITY CLERK _____
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

April 30, 2019

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

RE: Copicut Road Land Acquisition Orders

Dear Council Members:

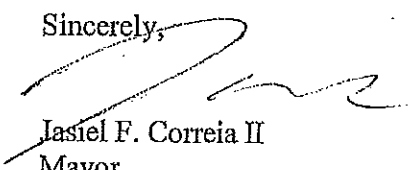
Please find attached three land acquisition orders for the purchase of three adjacent lots on Copicut Road near Quanipoag Road. The lots will become conservation land for the protection of the Copicut Reservoir. I have attached a map for reference. This will continue our efforts in land conservation and watershed protection. The land totals over 16 acres and was formerly referred to as the Macomber Parcel. The land consists of pine and oak upland forests. Acquisition will prevent development on the land and additional pollution sources near our secondary drinking water supply.

The expected purchase price is \$355,000. The realtor for the three owners is in agreement with the offer. All of the funding is planned to come from two sources: The State Drinking Water Supply Protection matching grant and the Community Preservation Committee grant. If there are any additional costs for legal, administrative and/or conservation restrictions that are not covered by the noted sources said costs would be covered by previous authorizations by the Water Division for land conservation.

The Drinking Water Supply Protection Grant requires that we close on the property by June 30, 2019. This is an extremely tight time table. Thus, your expeditious approval of these orders is respectfully requested.

Please contact Terrance Sullivan, Paul Ferland or Mike Labossiere if you have any questions.

Sincerely,


Jasiel F. Correia II
Mayor

City of Fall River, *In City Council*

6

ORDERED, that the Mayor is hereby authorized to acquire the property identified as Copicut Road, Assessor Parcel Numbers W-36-0003 in Fall River, Massachusetts subject to any changes and final approval by the Corporation Counsel. The acquisition and ownership of said lot will provide a location for future conservation protection for the Community Utilities Department.

City of Fall River, *In City Council*

6

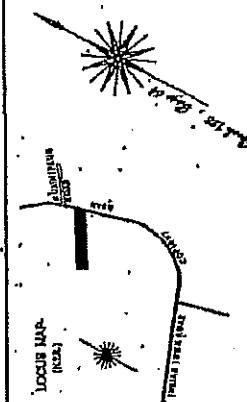
ORDERED, that the Mayor is hereby authorized to acquire the property identified as Copicut Road, Assessor Parcel Numbers W-36-0080 in Fall River, Massachusetts subject to any changes and final approval by the Corporation Counsel. The acquisition and ownership of said lot will provide a location for future conservation protection for the Community Utilities Department.

City of Fall River, *In City Council*

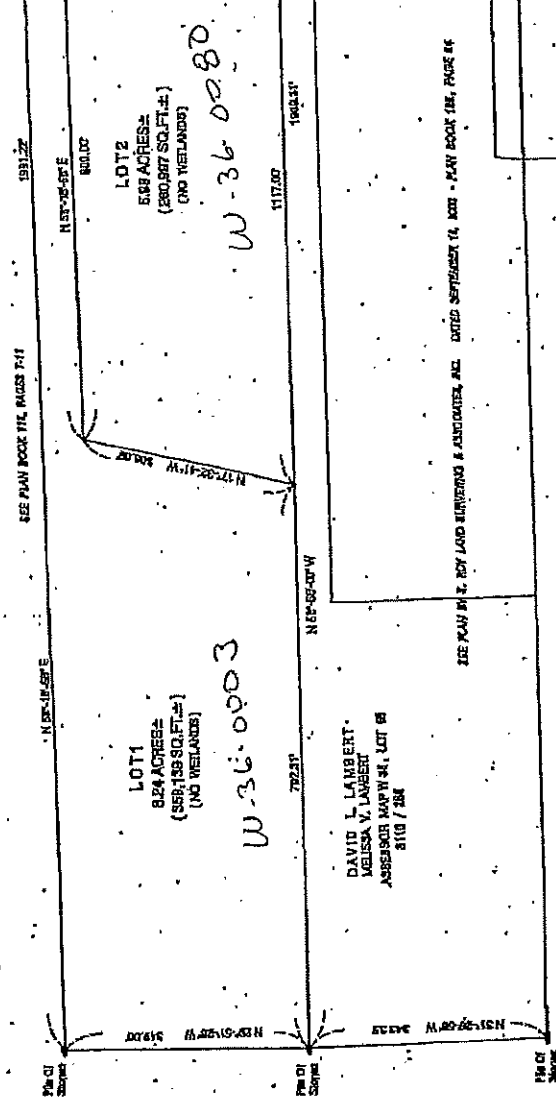
6

ORDERED, that the Mayor is hereby authorized to acquire the property identified as Copicut Road, Assessor Parcel Numbers W-36-0081 in Fall River, Massachusetts subject to any changes and final approval by the Corporation Counsel. The acquisition and ownership of said lot will provide a location for future conservation protection for the Community Utilities Department.





COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
ASSESSOR MAPW44, LOT 3



APPROVAL NOT REQUIRED
ESTATES OF PHILIP
MACCOMBER IN FAL
ASSESSORS MAP
CC
1" = 80'
E OTIS DYER, R.P.L.S.
P.O. BOX 5
388 FAIRVIEW AVENUE,
REHOBOTH, MA 02769

DATE 12-15-17
PLANNING BOARD APPROVAL UNDER THE
SUBDIVISION CONTROL ACT NOT REQUIRED
WILL BE REVIEWED BY THE BOARD
BY [Signature] TITLE: [Title]



THIS MAP AND ASSOCIATED INSTRUMENTS DO NOT
CONSTITUTE A CERTIFICATION OF TITLE TO THE PROPERTY
THEY ARE FOR INFORMATION ONLY AND ARE NOT
TO BE USED AS EVIDENCE OF TITLE OR INTEREST
IN THE PROPERTY
THEY ARE FOR INFORMATION ONLY AND ARE NOT
TO BE USED AS EVIDENCE OF TITLE OR INTEREST
IN THE PROPERTY

ALL INFORMATION CONTAINED HEREIN IS
FOR INFORMATION ONLY AND IS NOT
TO BE USED AS EVIDENCE OF TITLE OR
INTEREST IN THE PROPERTY

6

PROPERTY LOCATION

No.	SALE No.	Direction/Street/City
	WS	COPICUT RD, FALL RIVER

OWNERSHIP

Owner 1:	SMITH TRUSTEE DONALD S
Owner 2:	RESERVOIR REAL ESTATE TRUST
Owner 3:	
Street 1:	151 BORDER ST
Street 2:	
Town/City:	SCITUATE
St/Prov:	MA
County:	
Postal:	02066
Phone:	

PREVIOUS OWNER

Owner1	HEIRS OF ESTATE OF MACOMBER - CHARLES
Owner2	MACOMBER - PHILIP T
Street	25 RECREATION PARK DRIVE ST 204
Twn/City	HINGHAM
St/Prov	MA
Postal	02043

NARRATIVE DESCRIPTION

This Parcel contains 359,139 SQ. FT. of land mainly classified as LAND.

OTHER ASSESSMENTS

[illegible]

PROPERTY FACTORS

Item	Code	Descip	%	Item	Code	Description
Z	R-80	Single Fam b	100	E		ELECTRIC
G	WR	Water Rsrce	100			
H				T		
	Census:			Exempt		
Flood	Haz					
D				Type	4	ROLLING
S				Street	1	PAVED
F				Traffic	2	LIGHT

LAND SECTION (First 7 lines only)

[illegible]

Total AG/HA:	8.24470	Total SF/SM:	359139.13
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IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value
130			339,132.125	181,500	181,500
Total Yard			8,245	181,500	181,500
Total Parcel			8,245	181,500	181,500
Source	Market Adj Cost	Total Value per Sq. Ft.	Cost	N/A	Parcel N/A

PREVIOUS ASSESSMENT

Year	Model	Use	CoA	Blog	Value	Ytd	Items	Len	Size	Lat	Val	Join	Val	Asses	Val	
2019	130	FV					0358	934	375		181	400			181	400
2018	130	FV					0365	198	813		239	300			239	300
2017	130	FV					0365	198	813		239	300			239	300
2016	130	FV					0365	198	813		245	700			245	700
2015	130	FV					0365	198	813		245	700			245	700
2014	130	FV					0365	198	813		245	700			245	700
2013	130	EX					0365	198	813		251	100			251	100
2013	130	FV					0365	198	813		251	100			251	100

SALES INFORMATION

[illegible]

BUILDING PERMITS

[illegible]

ACTIVITY INFORMATION

Date	Result	By	Name
1/17/2018	INFO FM PLAN	BM	Ben Mello
1/17/1999	MEAS+INSPCTD	000	

Sign VERIFICATION OF VISIT NOT VALID FOR HOLDING AREA

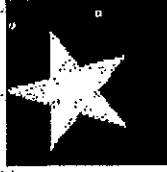
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31,450	Sp. Credit	181,500
	\$ Total:	

Disclaimer: This Information is believed to be correct but is subject to change and is not warranted. Database: AssessPro

naposn

2020

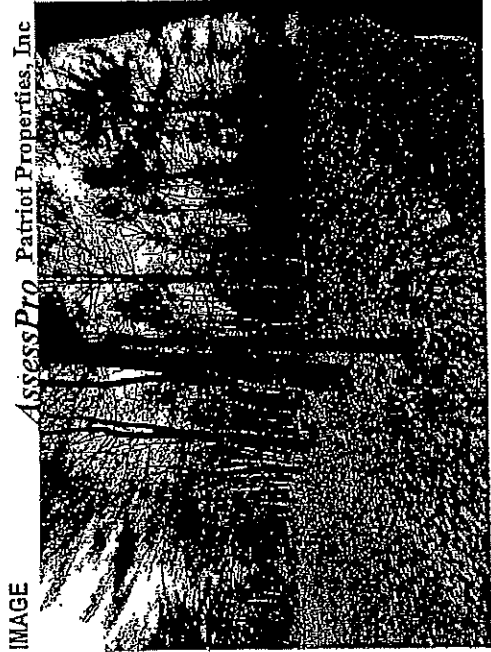


Patriot
Properties Inc.

ПРИНЦИП

THIS PARCEL WAS ASSESSED TO OWNERS UNKNOWN PURSUANT TO AUTHORITY FROM THE DEPT OF REVENUE FOR SINCE 2009, BASED ON THE DEED BOOK 141 PAGES 293-294. THE PROPERTY SHOULD BE ASSESSED TO THE HEIRS OF CHARLES G. AN

RESIDENTIAL GRID					
THRESHOLD (lbs)		# OF TRIPS			
Level 1	0-10	0-10	0-10	0-10	0-10
Other:					
Upper:					
M729					
M118					
Lower:					
TOTAL	RMS	BALTS	PRG	BALTS	PRG

[illegible][illegible][illegible][illegible][illegible]

W-36 0080

Map Lot

1 of 1
CARD

TOTAL ASSESSED: 163,400
1225741

Fall River



PROPERTY LOCATION

Address: 260924.391
City: FALL RIVER
State: MA 02043

OWNERSHIP

Owner 1: DARMAN TRUSTEE GARY
Owner 2: COPICUT ROAD 2017 REALTY TRUST
Owner 3: [blank]
Street 1: 1500 ATLANTIC AVE 15F
Street 2: [blank]

PREVIOUS OWNER

Owner 1: HEIRS OF ESTATE OF MACOMBER - CHARLES
Owner 2: MACOMBER - PHILIP T
Street 1: 25 RECREATION PARK DRIVE ST 204
City: HINGHAM
State: MA 02043

NARRATIVE DESCRIPTION

This Parcel contains 260,924 SQ FT of land mainly classified as LAND

OTHER ASSESSMENTS

Assessment 1: [blank]
Assessment 2: [blank]
Assessment 3: [blank]

PROPERTY FACTORS

Item: R-80 Single-Fam 8 100 E ELECTRIC
Water Rscz: 100
Rolling: 4
Paved: 2
Light: [blank]

LAND SECTION (First 7 lines only)

Use: 130 LAND
Area: 4.99 ACRES
Site: EXCESS

IN PROCESS APPRAISAL SUMMARY

Use Code: 130
Legal Description: 260924.391
Total Value: 163,400

PREVIOUS ASSESSMENT

Parcel ID: W-36-0080
Assessed Value: 163,400
Assessed Date: 12/20/2018

SALES INFORMATION

Legal Rate: 9355-49
Date: 10/10/2017
Divorce/COUR

BUILDING PERMITS

Permit Number: [blank]
Description: [blank]
Amount: [blank]

ACTIVITY INFORMATION

Permit Number: [blank]
Description: [blank]
Amount: [blank]

VERIFICATION OF VISIT NOT DATA

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Date: [blank]
Time: [blank]

USER DEFINED

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Field Value: [blank]
Field Type: [blank]

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W-36 0081
Map Lot

1 of 1
CARD

TOTAL ASSESSED: 130,400
1225751

Fall River

6

2020

W-36 0081
Map Lot

1 of 1
CARD

TOTAL ASSESSED: 130,400
1225751

Fall River

6

2020

W-36 0081
Map Lot

1 of 1
CARD

TOTAL ASSESSED: 130,400
1225751

Fall River

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2020

W-36 0081
Map Lot

1 of 1
CARD

TOTAL ASSESSED: 130,400
1225751

Fall River

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2020

W-36 0081
Map Lot

1 of 1
CARD

TOTAL ASSESSED: 130,400
1225751

Fall River

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W-36 0081
Map Lot

1 of 1
CARD

TOTAL ASSESSED: 130,400
1225751

Fall River

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W-36 0081
Map Lot

1 of 1
CARD

TOTAL ASSESSED: 130,400
1225751

Fall River

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W-36 0081
Map Lot

1 of 1
CARD

TOTAL ASSESSED: 130,400
1225751

Fall River

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2020

W-36 0081
Map Lot

1 of 1
CARD

TOTAL ASSESSED: 130,400
1225751

Fall River

6

2020

MCIS

THIS PARCEL WAS ASSESSED TO OWNERS UNKNOWN PURSUANT TO AUTHORITY FROM THE DEPT OF REVENUE FOR SINCE 2009. BASED ON THE DEED BOOK 141 PAGES 293-294. THE PROPERTY SHOULD BE ASSESSED TO THE HEIRS OF CHARLES G. AN

	SERIES	GRID	DESC.	# UNITS
Level	EY	R	D R D K R R B R F H S C O	H
Other				F
Upper				F
EV2				
EV4				
Lower				
Total			Basis	Basis
				HB

Kis	Rang	
A Kis	Rang	
Ero	Rang	

Location	
Total Units	
Floor	
% Owned	
Name	

Functional	%
Economic	%
Special	%
Overide	%
Total	0%

Ratio	Ratio (\$/SQ)	Ratio (\$/SQ)
	Size Adj	1.00000000
	Const Adj	1.00000000
	Size Adj (\$/SQ)	
	Other Features	0
	Grade Factor	
	Neighborhood	1.00000000
	LUC Factor	1.00
	Size Adj total	0
	Depreciation	0
	Depreciated Ratio	0

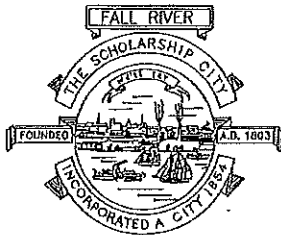
[illegible][illegible]

IMAGE

SILVER AREA

[illegible]

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JASIEL F. CORREIA II
Mayor

City of Fall River
Massachusetts
Office of the Mayor

7
RECEIVED

2019 APR 30 A 11:46

CITY CLERK
FALL RIVER, MA

April 29, 2019

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

President Ponte:

In an effort to add additional market rate housing to the center of our City, I am requesting that the Tax Increment Exemption (TIE) for 439 Pine Street be reviewed and approved by the City Council for submission to the Massachusetts Department of Housing and Community Development. The Administration and the applicant, Hanover Properties LLC, respectfully request opportunity to make a formal presentation before the City Council's Finance Committee.

The TIE for 439 Pine Street is part of the Central Housing Development Incentive Program (HDIP) Zone and provides for the creation of 22 market rate apartments. An incremental tax assessment of \$3,016,400 will result in a real estate tax exemption, over 10 years, totaling approximately \$175,916. The Tax Increment Financing (TIF) Board met on Thursday, April 4, 2019 and voted to approve this project.

Your scheduling of this presentation and subsequent approval of this TIE Agreement is respectfully requested.

Best Regards,

Jasiel F. Correia II
Mayor

City of Fall River, *In City Council*

RESOLUTION

APPROVING HOUSING DEVELOPMENT INCENTIVE LOCAL TAX INCENTIVE CERTIFIED PROJECT OF

Hanover Properties LLC

WHEREAS, Hanover Properties LLC has submitted a Housing Development Incentive Program (HDIP) Application to the City of Fall River and is seeking Certified Project Status under the Massachusetts Housing Development Incentive Program created by Chapter 40V of the Massachusetts General Laws and promulgated thereunder at 760 CMR 66.00 (HD TIE), and

WHEREAS, the City of Fall River has been designated a gateway municipality by the Commonwealth of Massachusetts and Hanover Properties LLC plans to invest an estimated \$6,000,000 to create 22 market rate residential units at 439 Pine Street, Fall River, Massachusetts, and

WHEREAS, Hanover Properties LLC is seeking a Local Tax Incentive as part of the Certified Project approval an HDIP-Investment Tax Credit and meets the minimum requirements of 760 CMR 66.00 and the project described in the Housing Development Incentive Program Application, and

WHEREAS, the proposed Local Tax Incentive Certified Project is located at 439 Pine Street, Fall River, Massachusetts, which is within the boundaries of the gateway municipality of Fall River, and

WHEREAS, approval of the Hanover Properties LLC Housing Development Incentive Program Application in accordance with the above referenced laws, rules and regulations of the Commonwealth of Massachusetts is hereby accepted by the City Council, now therefore

BE IT RESOLVED that the City Council of Fall River approves the Hanover Properties LLC Housing Development Incentive Program Application and forwards said application for final project certification to the Massachusetts Department of Housing and Community Development for its approval and endorsement.

March 21, 2019

Mayor Jasiel Correia
Office of the Mayor
City of Fall River
One Government Center, Room 619
Fall River, Massachusetts 02722

RE: Letter of intent to apply for Massachusetts Housing Development Incentive Program (HDIP) Incentives

Dear Mr. Mayor,

As you know, Hanover Properties LLC ("Hanover") has been exploring the redevelopment of the former Lincoln School Building located at 439 Pine Street in the City of Fall River, the ("Project") into 22 market rate residential apartments. We have been working diligently with the City's Building department to advance the Project forward and as a result, we received Zoning Board approval for the projected \$6+ million development budget. Critical to the Project's financing and long-term success is Hanover's ability to secure State Historic Tax Credits, the 10% HDIP Investment Tax Credit and a property Tax Increment Exemption ("TIE").

The City of Fall River's commitment to increasing residential growth, expanding housing alternatives, stabilizing neighborhoods and promoting economic development is underscored in the Massachusetts Department of Housing and Community Development's ("DHCD") approval of the City of Fall River's HD Zone, HD Plan application and the creation of the City's Housing Development HD Zone 3 Central. The HDIP is a critical tool to make market-rate residential redevelopment projects more economically feasible for property owners and developers in Gateway Cities like Fall River. The need to increase residential growth, expand diversity of housing stock, promote economic development, promote neighborhood stabilization and rehabilitation of historic buildings are all highlighted as measurable objectives highlighted in the City's approved HDIP application. We further believe our proposed Project epitomizes the objectives of the City's application to participate in the HDIP.

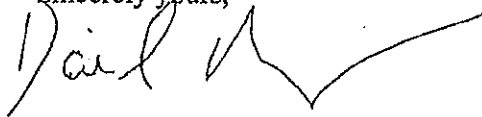
As required, pursuant to the HDIP guidelines, we respectfully request that you accept this letter of intent to apply for an HDIP tax credit award from the DHCD and a TIE agreement with the City of Fall River. We wish to work with the City and the DHCD to seek the necessary municipal and state approvals timely as we begin to prepare to acquire the property and begin construction in the Fall of 2019.

7

We are in the process of preparing the HDIP Preliminary Application for the City and DHCD to review and ultimately approve in order for Hanover to secure the necessary financing for the Project. We appreciate the cooperation and support the City has afforded our development team to date and look forward to working closely with you and your team as we undertake the HDIP application process.

Please do not hesitate to contact me should you have any questions and we once again thank you for all of your assistance.

Sincerely yours,



David Hebert
President

cc: Rebecca Frawley-Wachtel -- MA DHCD

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HOUSING DEVELOPMENT INCENTIVE PROGRAM

TAX INCREMENT EXEMPTION (TIE) AGREEMENT

between

City of Fall River

and

Hanover Properties LLC

This AGREEMENT is made this ____ day of April, 2019 by and between the City of Fall River, ("Municipality") and Hanover Properties LLC, a MA Limited Liability Company with an address at 188 Tremont Street, Fall River, MA 02720.

Section 1 – Agreement

The Municipality and the Sponsor, for good and valuable consideration and in consideration of the covenants and agreements herein contained, hereby make this agreement regarding a tax increment exemption pursuant to the Housing Development (HD) Incentive Program, M.G.L. c. 40V and the regulations promulgated thereunder at 760 CMR 66.00 (HD TIE), with respect to the Property as herein defined.

Section 2 – Definitions

Each reference in this Agreement to the following terms shall be deemed to have the following meanings:

Act:	M.G.L. c. 40V as may be amended from time to time.
Completion:	Certificates of occupancy have been issued for the entire Project.
DHCD:	Department of Housing and Community Development
Event of Default:	An "Event of Default" as defined in Section 5 below.
Final Certification:	Determination by DHCD that the Sponsor has completed the new construction or substantial rehabilitation of the Property, consistent with the New Construction or Rehabilitation Plans, including the creation of MRRUs, as set forth in the Act and the Regulations.
Fiscal Year:	An annual period of July 1 through June 30.
HD Project:	A Certified Housing Development Project as defined in the Act and the Regulations.
HD Zone:	The Housing Development Zone adopted by <u>City of Fall River</u> on <u>September 11, 2018</u> and approved by DHCD as evidenced by a Certificate of Approval dated

Nov 28, 2018 and recorded with _____.

Lead Municipality: Fall River

MRRU: Market Rate Residential Unit(s) as defined at Section 3.B.1.

Property: Lincoln School as shown in Exhibit 1, "Map of Property" and further described in Exhibit 2, "Legal Description of Property".

Regulations: 760 CMR 66.00.

New Construction or
Rehabilitation Plans: The material submitted for Conditional Certification pursuant to 760 CMR 66.05(3) (a) and approved by DHCD.

Sponsor: Hanover Properties LLC, a MA Limited Liability Company, with an address at 188 Tremont Street, Fall River, MA 02720, its successors and assigns.

Section 3 – Sponsor's Covenants

A. New Construction or Substantial Rehabilitation of the Property. Sponsor will undertake the new construction or substantial rehabilitation of the Property in accordance with the work and schedule set forth in the New Construction or Rehabilitation Plans.

B. Market Rate Residential Units.

1) There shall be a total of 22 residential rental units created in the Project of which 22 shall be MRRUs comprised of 12 one-bedroom units, 9 two-bedroom units and 1 three-bedroom unit. The monthly rent for such units shall be priced consistently with prevailing rents or sale prices in the Municipality as determined based on criteria established by the department, as set forth in Exhibit 3, "Market Rate Residential Units – Pricing Plan".

2) Sponsor shall use good faith efforts to maintain the units as MRRUs for a minimum of 10 years.

C. Marketing. Sponsor shall cause the MRRU to be marketed in a manner that is consistent with the strategies, implementation plan and affirmative fair housing efforts set out in the New Construction or Rehabilitation Plans.

D. HD Project Certification. Sponsor shall take all actions reasonably necessary to obtain Final Certification of the Property as an HD Project including but not limited to submitting applications to DHCD for Conditional Certification and Final Certification consistent with the requirements of the Act and the Regulations.

Section 4 – Tax Increment Exemption

Municipality agrees to grant Sponsor an exemption to the real property taxes due on the Property pursuant to G.L. c.59 according to the following terms.

A. Base Value. 236,000

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B. MRRU Percentage. 100 per cent. The MRRU Percentage shall be confirmed as required in paragraph F, below.

C. Exemption Percentage. Commencing on the Effective Date which shall be Fiscal Year 1: See Exhibit 1

D. The Increment. As defined at 760 CMR 66.06(1)(b)(1).

E. Calculation. For each Fiscal Year during the term of this Agreement, the HD TIE shall be determined by applying the Exemption Percentage to the property tax on the Increment.

F. Confirmation or Amendment of Calculation. Upon Completion, and prior to applying for Final Certification of the Project, the Sponsor and Municipality shall file a "Tax Increment Exemption – Confirmation of Calculation" in the form attached as Exhibit 4 ("TIE Confirmation"). To the extent that the dates or figures in the TIE Confirmation differ from those set forth in this Agreement, the contents of the TIE Confirmation shall control and shall be deemed to have amended this Agreement.

Section 5 – Default

A. Event of Default. An "Event of Default" shall arise under this Agreement upon the occurrence of any one or more of the following events:

1) Breach of Covenant Prior to Final Certification. Subject to the limitations set forth in the Regulations at section 66.05(4)(b), Sponsor defaults in the observance or performance of any material covenant, condition or agreement to be observed or performed by Sponsor pursuant to the terms of this Agreement, and the continuance of such default for thirty (30) days after written notice thereof from the Municipality; provided, however, that if the curing of such default cannot be accomplished with due diligence within said period of thirty (30) days, then Sponsor shall have such additional reasonable period of time, not to exceed thirty (30) days, to cure such default provided the Sponsor shall have commenced to cure such default within the initial thirty (30) day period, such cure shall have been diligently prosecuted by the Sponsor thereafter to completion.

2) Breach of Covenant Subsequent to Final Certification. Sponsor's conduct is materially at variance with the representations made in its New Construction or Rehabilitation Plans; such variance is found to frustrate the public purposes that Final Certification was intended to advance, and the continuance of such default for thirty (30) days after written notice thereof from the Municipality; provided, however, that if the curing of such default cannot be accomplished with due diligence within said period of thirty (30) days, then Sponsor shall have such additional reasonable period of time, not to exceed thirty (30) days, to cure such default provided the Sponsor shall have commenced to cure such default within the initial thirty (30) day period, such cure shall have been diligently prosecuted by the Sponsor thereafter to completion.

3) Misrepresentation. Any representation made herein or in any report, certificate, financial statement or other instrument furnished in connection with this Agreement shall prove to be false in any material respect.

B. Rights on Default.

1) Prior to Final Certification. Upon the occurrence of an Event of Default prior to Final

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Certification, then this Agreement shall become null and void.

2) Subsequent to Final Certification. Upon the occurrence of an Event of Default subsequent to Final Certification, then:

a. Revocation of Certification. Pursuant to the terms of the Act, the Municipality, may, at its sole discretion, request that DHCD revoke the Final Certification of the Project, such revocation to take effect on the first day of the fiscal year in which DHCD determines that a material variance commenced.

b. Termination of Agreement. Upon revocation of certification, this Agreement shall become null and void as of the effective date of such revocation.

c. Recoupment of Economic Benefit. Upon revocation of certification, the Municipality may bring a cause of action against Sponsor for the value of any economic benefit received by Sponsor prior to or subsequent to such revocation.

3) Other Remedies. The Municipality's rights upon the occurrence of an Event of Default are in addition to those granted to DHCD and the Massachusetts Commissioner of Revenue under the terms of the Act.

Section 6 – Miscellaneous

A. Effective Date. The effective date of the HD TIE shall be July 1st of the first Fiscal Year following DHCD's Final Certification of the HD Project pursuant to the requirements of the Act and the Regulations, which date is anticipated to be FY2021. The Effective Date shall be confirmed as required in paragraph F, below.

B. Term of Agreement. This Agreement shall expire upon the Municipality's acceptance of the annual report, as required below, for the final Fiscal Year for which the Municipality is granting the TIE.

C. Reporting. Sponsor shall submit reports to the Municipality not later than thirty (30) days after June 30 of each Fiscal Year for the term of this Agreement. Each report shall contain the following information:

- 1) Until Completion, the status of construction in relation to the schedule contained in the New Construction or Rehabilitation Plan;
- 2) Until Completion, the status of marketing in relation to the New Construction or Rehabilitation Plans; and
- 3) For each MRRU, the number of bedrooms in the unit, whether it was leased as of the end of the most recent fiscal year and the monthly rent charged.

D. Assignment. The Sponsor shall not assign any interest in this Agreement, and shall not transfer any interest in the same, without the prior written consent of the Municipality, which approval shall not be unreasonably withheld. The foregoing notwithstanding, the rights and obligations of this Agreement shall inure to the benefit of any entity succeeding to the interests of the Sponsor by merger.

E. Notices. Any notice, request, instruction or other document to be given hereunder to either party by the other shall be in writing and delivered personally or sent by recognized overnight courier, receipt confirmed or sent by certified or registered mail, postage prepaid, as follows, and shall be conclusively deemed to have been received and be effective on the day on which personally delivered or, if sent by certified or registered mail, three (3) days after the day on which mailed or, if sent by overnight courier, on the day after delivered to such courier.

- 1) Municipality: City of Fall River
- 2) Sponsor: Hanover Properties, LLC
- 3) Copy to DHCD: All such notices shall be copied to DHCD at:

HDIP Program Coordinator
Department of Housing & Community Development
100 Cambridge Street, Suite 300
Boston, MA 02124

- 4) Change of Address. Either party may change the address to which notices are to be sent to it by giving written notice of such change of address to the other party in the manner herein provided for giving notice.

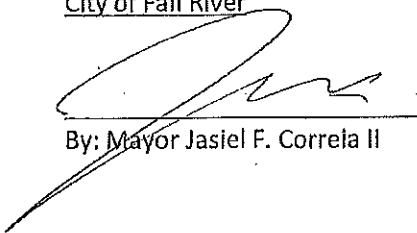
F. Modifications. No modification or waiver of any provision of this Agreement, nor consent to any departure by the Sponsor therefrom shall in any event be effective unless the same shall be in writing, and then such waiver or consent shall be effective only in the specific instance and for the purpose for which given. No failure or delay on the part of Municipality in exercising any right, power or privilege hereunder shall operate as a waiver thereof, nor shall a single or partial exercise thereof preclude any other or further exercise thereof or the exercise of any other right, power or privilege.

IN WITNESS WHEREOF, the Sponsor has caused this Agreement to be duly executed in its name and behalf and its seal affixed by its duly authorized representative, and the Municipality has caused this Agreement to be executed in its name and behalf and its seal duly affixed by its TITLE OF CHIEF EXECUTIVE OFFICER AND LEGISLATIVE BODY as of the day and year first above written.

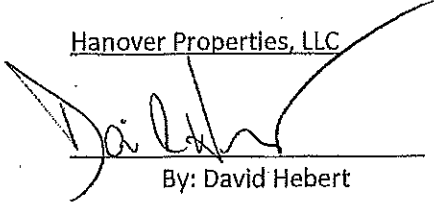
[SIGNATURES ON NEXT PAGE]

HDIP – Form of Tax Increment Exemption Agreement – RENTAL
[Name of Municipality & Property Reference]


City of Fall River


By: Mayor Jasiel F. Correia II

Hanover Properties, LLC


By: David Hebert

Fall River City Council


By: Cliff Ponte, City Council President

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EXHIBIT 1

MAP OF PROPERTY

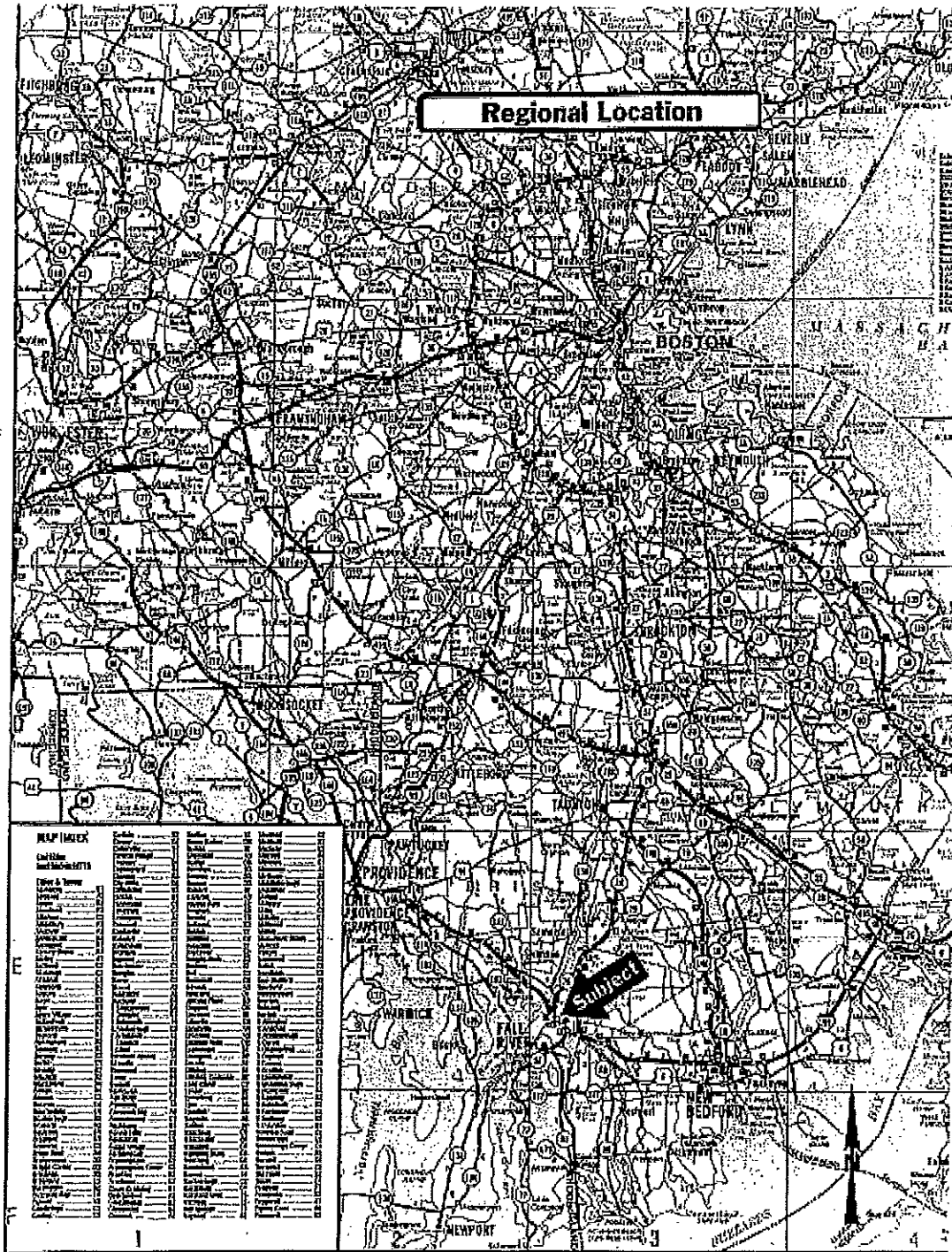






EXHIBIT 2

DESCRIPTION OF PROPERTY

The City of Fall River is advantageously located on the northeastern seaboard in the Boston-New York corridor. It is well served by high speed surface transportation, and it is a port city. The subject property is located just north of the civic, office, banking and government center along North Main Street, South Main Street, Pleasant Street and Bedford Street. Industrial, commercial and residential construction and growth in the past 10 years has occurred primarily in the outlying areas. Nearby downtown Fall River is the site of the major banking quarters in the city, the major office buildings, and the public utility offices which are accessible via Rock, Pine and Franklin Streets.

The project site is a 3-story building built around 1906, having primarily brick and stone exterior and tar and gravel roof. It is situated on a parcel of land containing 29,832 s.f. of land at 439 Pine Street, in Fall River, MA. Hanover Properties LLC is the developer of the project. Currently the property is a vacant school site that will be redeveloped into 22 market rate residential apartments. The project anticipated to cost approximately \$6 M in development budget. Critical to the Project's financing and long-term success is Hanover's ability to secure State Historic Tax Credits and the 10% HDIP Investment Tax Credit. In addition, the developer is working with the City of Fall River to provide a Tax Increment Exception ("TIE") under the HDIP. These State and Local incentives are necessary for completion of the project's capital stack.

The City of Fall River's commitment to increasing residential growth, expanding housing alternatives, stabilizing neighborhoods and promoting economic development is underscored in the Massachusetts Department of Housing and Community Development's ("DHCD") approval of the City of Fall River's HD Zone, HD Plan application and the creation of the City's Housing Development HD Zone 3 Central. The HDIP is a critical tool to make market-rate residential redevelopment projects more economically feasible for property owners and developers in Gateway Cities like Fall River. The need to increase residential growth, expand diversity of housing stock, promote economic development, promote neighborhood stabilization and rehabilitation of historic buildings are all highlighted as measurable objectives highlighted in the City's approved HDIP application. The former Lincoln School Building located at 439 Pine Street is located just beyond the City of Fall River's Housing Development HD Zone 3 Central boundary, the City of Fall River has amended HD Zone 3 to include the subject property. We further believe the proposed Project epitomizes the objectives of the City's application to participate in the HDIP.

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EXHIBIT 3

MARKET RATE RESIDENTIAL UNITS – PRICING PLAN

Pricing Area: 12 units of one-bedroom at \$900, 9 units of two-bedroom at \$1,200 and 1 unit of three-bedroom at \$1,500

Proposed Initial
Monthly Rent: one-bedroom at \$900
two-bedroom at \$1200
three-bedroom at \$1500

EXHIBIT 4

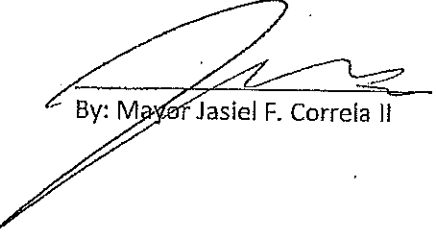
TAX INCREMENT EXEMPTION – CONFIRMATION OF CALCULATION

In connection with the Tax Increment Exemption Agreement dated _____, 20____ by and between the City of Fall River, and Hanover Properties, LLC, a MA Limited Liability Company with an address at 188 Tremont Street, MA 02720, with respect to the property at 439 Pine Street, Fall River, MA (the "Agreement"), the parties hereby confirm the following elements of the Agreement. Unless otherwise stated, capitalized terms have the meaning set forth in the Agreement.

1. The effective date of the Agreement is: FY 2021
2. The MRRU is: 22
3. The assessed value of the of the residential portion of the Property upon Completion is: _____

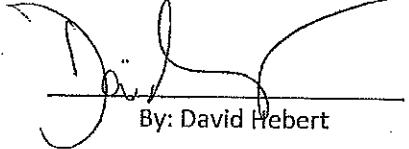
To the extent that the dates or figures in this "Tax Increment Exemption – Confirmation of Calculation" differ from those set forth in the Agreement, the contents of this document shall control and shall be deemed to have amended the Agreement.

City of Fall River


By: Mayor Jasiel F. Correia II

Fall River City Council

Hanover Properties, LLC


By: David Hebert

By: Cliff Ponte, City Council President

Dated: _____

1. *Chlorophyll a* (Chl *a*) is the primary photosynthetic pigment in most plants and algae. It is responsible for capturing light energy and converting it into chemical energy through the process of photosynthesis. Chl *a* is a green pigment and is found in the chloroplasts of plant cells.

1. *Introduction*

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HDIP Local Incentive Only Application Exhibit 1: Local Incentive Valuation

FY	Municipal Tax Rate Per	Incremental Assessed Value	Projected Annual RE Property Tax Bill for	TIF/STA Yearly Exemption %	Exempted Annual RE Property Taxes	Exempted Annual	Total Yearly Value of Local Tax Incentives
2021	\$14.58	\$3,016,400.00	\$43,979.11	80%	\$35,183.29	\$0.00	\$35,183.29
2022	\$14.58	\$3,016,400.00	\$43,979.11	80%	\$35,183.29	\$0.00	\$35,183.29
2023	\$14.58	\$3,016,400.00	\$43,979.11	80%	\$35,183.29	\$0.00	\$35,183.29
2024	\$14.58	\$3,016,400.00	\$43,979.11	80%	\$35,183.29	\$0.00	\$35,183.29
2025	\$14.58	\$3,016,400.00	\$43,979.11	80%	\$35,183.29	\$0.00	\$35,183.29
2026	\$14.58	\$3,016,400.00	\$43,979.11	20%	\$8,795.82	\$0.00	\$8,795.82
2027	\$14.58	\$3,016,400.00	\$43,979.11	20%	\$8,795.82	\$0.00	\$8,795.82
2028	\$14.58	\$3,016,400.00	\$43,979.11	20%	\$8,795.82	\$0.00	\$8,795.82
2029	\$14.58	\$3,016,400.00	\$43,979.11	20%	\$8,795.82	\$0.00	\$8,795.82
2030	\$14.58	\$3,016,400.00	\$43,979.11	20%	\$8,795.82	\$0.00	\$8,795.82
				TOTALS	\$175,916.45	\$0.00	\$175,916.45

Note: In Massachusetts, Proposition 2½ operates at the level of a municipality's total tax levy. Due to Proposition 2½, it is impossible to make reliable projections for individual parcels, whose taxes

* The base value for this project is \$236,000.

Property location: 439 Pine St

May 2, 2019

City of Fall River City Council
1 Government Center
Fall River, Ma. 02720

Re: Lincoln School

RECEIVED

2019 MAY -6 P 3:43

CITY CLERK _____
FALL RIVER, MA

Dear Honorable Council,

In addition to the package provided you by the TIF Board as part of our TIE request for the Lincoln School project I would like to provide you the attached documentation to support our application and give you further insight into how the project is progressing as well as several letters of support.

Attached you will find a schematic design that has been developed by our Architect David Andrade of the William Stark Architectural firm that shows the layout of the (22) units which are made up of (9) 1 bedrooms, (12) 2 bedrooms and (1) 3 bedroom apartments.

I would like to point out that we have obtained a variance for (24) units but feel that in order to develop a higher end market rate property and preserve the historical elements in the building it would be best to reduce the number of units to provide a better balance of 1 and 2 bedroom apartments.

I have also provided you with a historical narrative researched and produced by the consultants I have retained, MacRostie.Historic Advisors. This narrative is essential to the Historical preservation process we are involved with and has been submitted to the Massachusetts Historical Commission. I encourage you to read the history of this property and its significance in the cities educational history as well as its architect, Louis G. Destremps, who designed many buildings in our city including the Bank Street Armory.

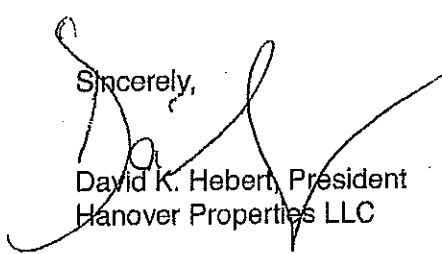
Finally, you will find letters of support from:

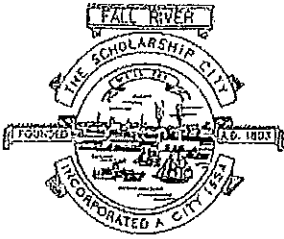
Joseph T. Baptista Jr., President and CEO Mechanics Co-op Bank
Kristen Cantara Oliveira, Chair of the Fall River Historical Commission
James W. Igor of Preservation Massachusetts
Brona Simon, Executive Director & SHPO of the Mass. Historical Commission

I respectfully request your consideration and approval for the TIE (Tax Increment Exemption) as it is a required element of the HDIP zoning of which you previously approved last year.

I am confident that with your support for the TIE and in conjunction with the HDIP and Historical Tax Credits we can restore a once beautiful building and provide the city with a unique Market Rate housing option in a boutique style setting.

Sincerely,


David K. Hebert, President
Hanover Properties LLC



City of Fall River
Massachusetts
HISTORICAL COMMISSION

7

JASIEL F. CORREIA II
Mayor

KRISTEN CANTARA OLIVEIRA
Chair

August 29, 2018

Brona Simon, Executive Director & SHPO
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, MA 02125

Re: MHRTC Application, Leontine Lincoln School, 439 Pine Street, Fall River, MA

Dear Ms. Simon:

Please accept this letter of support for the Leontine Lincoln School located at 439 Pine Street in Fall River, for consideration of a Massachusetts Historical Rehabilitation Tax Credit allocation.

The Leontine Lincoln Elementary School is listed on the Fall River Register of Significant Structures. It was built in 1906 by prominent local architect Louis G. Destremps, and is a great asset to the neighborhood surrounding it due to both its architectural beauty and its historical significance to the city.

The proposed project will provide an adaptive reuse of an existing historic school building, to be converted to new residential units. The project will include the rehabilitation of the exterior masonry, retainment or replacement in-kind of the historic ornamentation, repair of some of the interior stairs, roof replacement, extensive interior renovations, and site work.

The project will rehabilitate the complex in a manner consistent with the Secretary of the Interior Standards for Rehabilitation. The Fall River Historical Commission gives our full support to this project.

Thank you for your support and consideration of this application.

Sincerely,

Kristen Cantara Oliveira, Chair
Fall River Historical Commission



The Landmark Building
34 Main Street Ext, Suite 401
Plymouth, MA 02360
617-723-3383

7

October 4, 2018

Ms. Brona Simon
State Historic Preservation Officer
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, MA 02125

Re: Application for Massachusetts State Historic Rehabilitation Tax Credit
Leontine Lincoln School, Fall River

Dear Ms. Simon:

I am writing to you on behalf of Preservation Massachusetts in support of Hanover Properties' application for the Leontine Lincoln School, located at 439 Pine Street in Fall River, for the Massachusetts Historic Rehabilitation Tax Credit. Preservation Massachusetts is the statewide historic preservation non-profit organization and by Massachusetts Regulations 830 CMR 63.38R.1, our organization reviews each project seeking state tax credits.

The Leontine Lincoln School was constructed circa 1906 and opened in 1907 as one of the finest "grade schoolhouses in New England". Built out of brick and stone, it was designed in a Romanesque Revival style, popular during the late 19th and early 20th centuries. The school originally had ten classrooms and one assembly hall but was later enlarged in the 1960's and 70's. It is currently vacant and has been determined eligible for listing on the National Register.

The proposed scope of work on the Lincoln School includes repair to damaged or deteriorating masonry, removal of non historic partitions, historic doors, chalkboards and transoms retained and systems updated. The result will be the creation of 22 units of housing for the community.

The project proponent also intends to apply for the federal rehabilitation tax credit, so all work will comply with the *Secretary of the Interior's Standards for Rehabilitation*. Accordingly, this project appears to meet the criteria for eligibility for the MHRTC. Please note, however, that we are not able to certify the project's compliance with the applicable tax regulations. The rehabilitation of the Lincoln School will return an important neighborhood landmark and historic resource for the city to active use. It will also create jobs, increase tax revenues and hopefully inspire future investment for this neighborhood. I urge your favorable consideration of tax credits for this project.

Thank you for your attention to this letter.

Sincerely,

James W. Igoe,
Preservation Massachusetts

Historic Preservation Certification Application
State Historic Preservation Office Review & Recommendation Sheet
Significance - Part 1

Project Number: _____

Number 1	<u>Lincoln School, 439 Pine Street</u> (Property) <u>Fall River, MA 02720</u>
-------------	--

_____ Preliminary done

(Historic District)

_____ NR District _____ Certified State or Local district

Date application received by State 5/9/18
Date(s) additional information requested by State _____
Date complete information received by State 5/9/18
Date of transmittal to NPS 5/24/18
Property visited by State staff? _____

SHPO REVIEW SUMMARY

- ☒ Fully reviewed by SHPO
- ☒ No outstanding concerns
- ☒ Owner informed of SHPO recommendation
- _____ In-depth NPS review requested
- _____ Recommendation different from applicant's request

Number
2
STATE RECOMMENDATION

Erin Doherty

who meets the Secretary of the Interior's Professional Qualification Standards, have reviewed this application.

- _____ The property is included within the boundaries of a registered historic district, contributes to the significance of the district, and is a "certified historic structure" for the purpose of rehabilitation.
- _____ The property is included within the boundaries of a registered historic district, contributes to the significance of the district, and is a "certified historic structure" for a charitable contribution for conservation purposes in accordance with the Internal Revenue Code
- _____ The property does not contribute to the significance of the above-named district.
- _____ Insufficient documentation has been provided to evaluate the structure.
- _____ This application is being forwarded without recommendation.

Preliminary determinations:

- ☒ The property appears to meet National Register Criteria for Evaluation and will be nominated individually
- _____ The property does not appear to meet National Register Criteria for Evaluation and will not be nominated.
- _____ The property appears to contribute to the significance of a:
 - _____ potential historic district that appears to meet the National Register Criteria for Evaluation and will likely be nominated.
 - _____ registered historic district but is outside the period(s) or areas of significance as documented in the National Register nomination or district documentation on file with the NPS and nomination will be amended.
- _____ The property is located in a proposed historic district and:
 - _____ the property does not appear to contribute to the significance of the proposed historic district.
 - _____ The proposed historic district does not appear to meet the NR Criteria for Evaluation and will not be nominated.

Date

5/24/18

State Official Signature

Prima Suran SHPO

7

Leontine Lincoln School
439 Pine Street
Fall River, MA
Part 1
SHPO Evaluation

Constructed to the designs of prominent local architect Louis G. Destremps, the Renaissance Revival-style Leontine Lincoln Grammar School opened in 1906 as a replacement building for the former Lincoln School on this site, which had burned the prior year. The school was named for notable 19th century Fall River industrialist Leontine Lincoln, who was actively involved in local educational institutions throughout his life. Lincoln served a record eight three-year terms on the Fall River School Committee, was on the board of the B.M.C. Durfee High School and Fall River Public Library, and helped organize the Bradford Durfee Textile School. Architect Louis Destremps designed extensively for the Roman Catholic Church and for public and private institutions regionally. The Lincoln School was designed in accordance with period principles of education reform, and notably was among very few schools in the early 20th century offering specialized classes for students with partial vision.

Executed in the Renaissance Revival style, the Lincoln School is constructed of buff brick with granite and terra cotta trim. The main entrance is located on the north elevation, with secondary entrances on the east and west providing access to stairwells. The main block's regularly spaced window openings hold replacement window sash. The school's interior remains highly intact, with classrooms retaining wood flooring, built-in cabinetry, extensive woodwork and trim, and blackboards.

It is the opinion of the MHC that the Leontine Lincoln Grammar School meets the criteria for eligibility for listing on the National Register for its associations with Fall River's educational history and as a highly intact example of period school construction, executed by prominent local architect Louis Destremps.



Mechanics

COOPERATIVE BANK

Your life. Your neighborhood. Your bank.

7

August 15, 2016

Mr. David K. Hebert
IMG, Inc.
188 Tremont Street
Fall River, MA 02780

Re: Letter of Reference for David K. Hebert and IMG, Inc.
Lincoln School

To Whom It May Concern,

Please accept this letter of reference on behalf of David K. Hebert, President of IMG, Inc. I have known Mr. Hebert professionally since 2006, when he first established a relationship with Mechanics Cooperative Bank. Mr. Hebert has always performed on his obligations with the Bank in an exceptionally proficient manner.

Mr. Hebert is a residential real estate investor with over 20 years of experience in buying, rehabbing, managing, and selling investment properties. He is the principal of three real estate holding companies, specifically: Hanover Properties, LLC; Briniz Corp., and IMG, Inc.

Mr. Hebert holds an unrestricted construction supervisor's license and an electrician's license in the Commonwealth of Massachusetts. He is also a licensed Real Estate Broker. His extensive experience as a construction supervisor and as the manager of a diverse real estate portfolio in the Southeastern Massachusetts area attest to his ability to complete all phases of a successful renovation project for the City of Fall River. I therefore give Mr. Hebert my highest recommendation for this plan.

Sincerely,

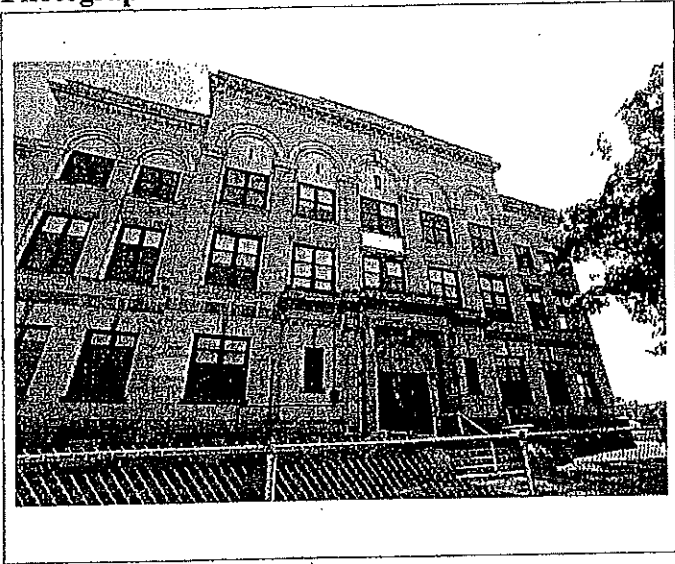
Joseph T. Baptista Jr.
President and CEO

308 Bay Street • P.O. Box 552 • Taunton, MA 02780 • p: 508-823-7744 • f: 508-880-3928 • www.Mechanics-Coop.com • 1-888-MECHANICS (632-4264)

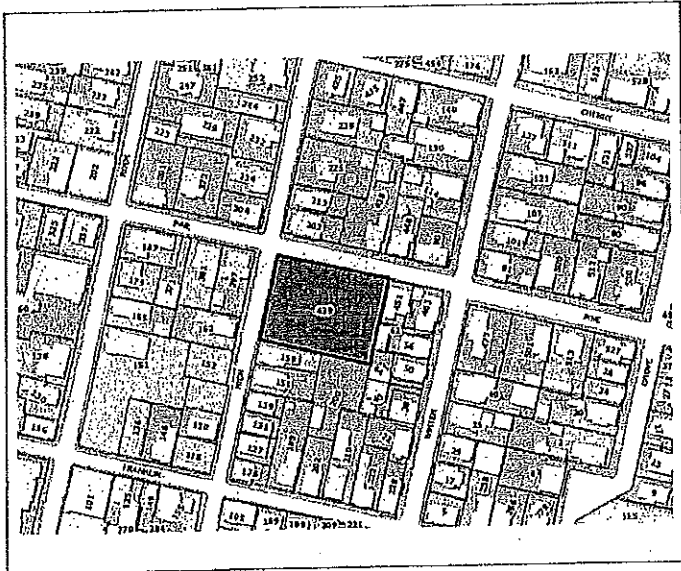
FORM B – BUILDING

MASSACHUSETTS HISTORICAL COMMISSION
MASSACHUSETTS ARCHIVES BUILDING
220 MORRISSEY BOULEVARD
BOSTON, MASSACHUSETTS 02125

Photograph



Locus Map



Recorded by: Ryan Cameron

Organization: MacRostie Historic Advisors

Date (month / year): April/2018

INVENTORY FORM B CONTINUATION SHEET

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MASSACHUSETTS HISTORICAL COMMISSION

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\$150,000 to be devoted to the erection of new schoolhouses,²² to satisfy the urgent need for more school buildings and alleviate congestion for those already in operation. The situation of overcrowding in the Fall River public school system was further complicated by the burning of the Lincoln School. The city's Superintendent of Public Buildings advised against repairing and rehabilitating the building, arguing that "not only would the expense be large, but the structure is antiquated and inadequate to meet the requirements of present conditions."²³ The loss of the original Lincoln School building highlighted the issue of Fall River's inadequate educational facilities, prompting a demand from localities across the city for modern school buildings.

The walls of the burnt building were subsequently torn down to make way for a new school building, for which plans had already been decided upon by the Mayor and Superintendent of Public Buildings and approved by the School Committee. The specifications were for a brick and stone building containing ten rooms and a hall. A 1905 issue of *The American School Board Journal* advertised that Fall River had accepted the plans of architects Louis G. Destremps & Son for the erection of a 3-story, 10-room school to replace the one destroyed by fire, at a cost of \$65,000 (Figure 6).²⁴ The contractors for the building were Robert Nicholson and Son. Mr. Nicholson, who served as Vice President of the Fall River Builders Association for a period of time, and his son had their offices on Morgan Street. When the new Lincoln School building (Figure 7) was completed in June 1907, it was considered "one of the finest grade school-houses in New England."²⁵ Destremps designed the new modern school building in accordance with the new graded school system implemented by Horace Mann throughout the Commonwealth, with individual classrooms for different age groups spread across several floors. At the time, the school had a student body of 504, ranging from pre-primary through sixth grade.²⁶ Twenty-four students graduated from the new Lincoln School in 1908.

A retaining wall was built on the south side of the school in 1909. The school contained twelve rooms and an assembly hall in 1910.²⁷ The annual Fall River School Committee report from 1911 outlined the following introductions to the Lincoln School building: fire gongs were installed on the third floor, suitable furniture for the pupils in five rooms, repairs of injuries to walls due to leaks.²⁸ The report also stated that storm porches were needed for the doors on the on the school's east and west elevations. To help alleviate congestion, the upper-story of the Lincoln School was used to accommodate the pupils of Durfee High School's General and Commercial entering class in 1911. The building was also used by the Lincoln Advanced Evening School, the Free Hand Evening Drawing School, and numerous other community functions. By 1940, the school had 13 rooms and 318 students, overseen by Principal Hattie R. Lawton, with the help of 11 assistants by 1940.²⁹ Four additional rooms were created in 1961 by partitioning the third-floor assembly hall space, with a new central corridor layout to match the first and second floors. The added classrooms were used by the overflow classes from nearby B.M.C. High School.

²² "Fall River Inadequate School Accommodations." *The Boston Daily Globe*, 31 Dec. 1905, p. 10, [www.newspapers.com/image/58905593/?terms=fall river school](http://www.newspapers.com/image/58905593/?terms=fall+river+school).

²³ "Fall River Inadequate School Accommodations."

²⁴ *The American School Board Journal*, vol. 30-33, 1905, p. 26.

²⁵ Phillips, 66.

²⁶ "Leontine Lincoln School Bears Name of Former Industrialist."

²⁷ Fall River School Committee. *1910 Annual School Report of the Public Schools*. Fall River, MA: Warburton & Dover Co., 1910.

²⁸ Fall River School Committee. *1911 Annual School Report of the Public Schools*. Fall River, MA: Warburton & Dover Co., 1911.

²⁹ Phillips, 179.

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saying: "the rooms are large and airy, and the lighting is more than adequate."³³ The Lincoln School demonstrates a number of features characteristic of grammar school buildings at the turn of the century that have remained and expanded well into the 21st century.

Louis G. Destremps

Louis G. Destremps (Figure 8) was a Canadian-born American architect who is best known for his extensive ecclesiastical work for the Roman Catholic Church, though he designed a variety of notable buildings in Fall River and Bristol County. Born on May 9, 1851 in Montreal, Canada, Louis moved to Pittsfield, Massachusetts with his parents in 1870, then to Fall River in 1872, where he was a carpenter for three years. In 1874, Destremps married Celina Mary Millet of Fall River. Together they had six children, including Louis E. Destremps who would later follow his father's profession and establish his own practice in the New Bedford area. Louis began studying architecture in 1881 at the Sixth Avenue High School in New York, from which he graduated after completing a four-year course. In 1885, Destremps returned to Fall River and set up his architectural firm, Louis G. Destremp & Son. Between 1888 and 1889, he relocated temporarily to Newport, Rhode Island, where he was the architect for the State Agricultural College at Kingston, also building a private residence for Mr. Hodgson, the noted florist. Destremps was also frequently employed as supervising architect for the work of other architects, including Napoléon Bourassa and Joseph Venne.

Destremps established himself as one of the city's premier architects and designed numerous public and private buildings throughout Fall River and Bristol County. He worked in a variety of architectural styles, including: Romanesque Revival, Italianate, Classical Revival, Second Empire, Victorian Eclectic, and Colonial Revival. The Notre Dame De Lourdes Church in Fall River, designed in 1890 with elements of the Renaissance Revival and Gothic Revival styles, is another significant local example of Destremps' work utilizing the popular revival styles of the time. Other notable works include: Pine Street School, c. 1876, Italianate style (FLR.1531); Jesus of Marie Convent, c. 1887, Second Empire style (FLR.1528); Saint Joseph's Orphanage, c. 1892, Second Empire style (FLR.1536); Bank Street Armory, c. 1895, Romanesque Revival style (FLR.3); Gormley Building, c. 1897, Victorian Eclectic style (FLR.178); Notre Dame School, c.1899, Colonial Revival style (FLsR.1529); Bark Street School, c.1905, Colonial Revival style (SWN.93); Bristol County Second District Courthouse, 1908, Classical Revival style (FLR.350); Jireh Swift Elementary Schoolhouse, c. 1909, Classical Revival style (NBE.560); Sacred Heart Roman Catholic Church, c.1910 (NAL.32); New Bedford Gas and Edison Light Company Building, 1913, Classical Revival style (NBE.1075); Coughlin Building, c. 1929 (FLR.1200). Louis G. Destremps died on February 27, 1930 in Fall River.

Leontine Lincoln

The Lincoln School was named after a longtime educator and school board member, Leontine Lincoln (Figures 1 & 2), who was praised for being "one of the best known and highly regarded men of his day."³⁴ The Lincoln family was preeminent in the establishment of Fall River's industrial base. Leontine's father, Jonathan Thayer Lincoln, was recognized as one of the city's leading business men, largely due to his successful building up of the firm of Kilburn, Lincoln & Co., which manufactured

³ Ibid.

⁴ Phillips, 42.

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turbines, shattung, and various kinds of machinery for print works and iron mills.³⁵ Leontine was born in Fall River, December 26, 1846, and grew up attending Fall River's public schools. Mr. Lincoln began his career at the age of nineteen, when he entered the counting room of Kilburn, Lincoln & Co., where his father was then president. In 1872 Leontine succeeded E. C. Kilburn as treasurer of the Kilburn, Lincoln & Company Corporation. From that point he rapidly in several of Fall River's leading industries. By 1923, Mr. Lincoln was president of seven corporations.³⁶ He was also a leading member of the Old Colony Historical Society in Taunton and one of the pioneering forces behind the Fall River Historical Society in 1921.

Throughout his life, Leontine maintained an active interest in the educational institutions of Fall River, always supporting local educational and library reform. As an active member of the Fall River School Committee, Mr. Lincoln's record of eight consecutive three-year terms, totaling 24 years of service, 16 of which he sat as chairman, was the longest in Fall River's history.³⁷ It was written that "Mr. Lincoln is likely to have no successor who will conduct the important duties of the office with greater discretion or aid the members by a large fund of knowledge of school affairs."³⁸ Lincoln was a member and secretary of the board of trustees of the B.M.C. Durfee High School and the Fall River Public Library for twenty years. The honorary degree of Master of Arts was conferred upon him by Brown University in 1889. Mr. Lincoln also helped organize the Bradford-Durfee Textile School, and was elected president in 1903, an office he held until his death in 1923. In his book *The Phillips History of Fall River*, Arthur Sherman Phillips explains that: "When we consider the educational annals of Fall River during the last half century, the services rendered by Leontine Lincoln as a layman, to maintain and advance standards are pre-eminent."³⁹

Conclusion

The Lincoln School is locally significant under Criterion A for its role in the social development of Fall River as well as the development of the Fall River educational system. The building is also significant for its association with Leontine Lincoln, longtime educator and school board member and one of Fall River's prominent civic and industrial leaders. The building is significant under Criterion C as a distinctive example of an early-twentieth century brick schoolhouse designed by the prominent local architect Louis G. Destremps in the Romanesque Revival style. Erected to serve Fall River's need for modern primary school facilities, the Lincoln School functioned as an important educational and community institution in Fall River for almost 150 years. Having educated generations of Fall River's civic leaders, the building provides valuable historical context for the Lincoln school's contribution to the social history of Fall River at the turn-of-the-century, as well as the expanding role of public education in Fall River and Massachusetts, a city and state that made early commitments to improving public access to education.

MAPS:

³⁵ "Biography of Jonathan T. Lincoln." *Onlinebiographies*, www.onlinebiographies.info/ma/bristol/lincoln-jt.htm.

³⁶ "Leontine Lincoln School Bears Name of Former Industrialist,"

³⁷ Ibid.

³⁸ Toomey, Daniel P. *Massachusetts of Today: A Memorial of the State, Historical and Biographical, Issued for the... Worlds Columbian Exposition at Chicago*. Columbia Publishing Company, 1892.

³⁹ Phillips, 41.

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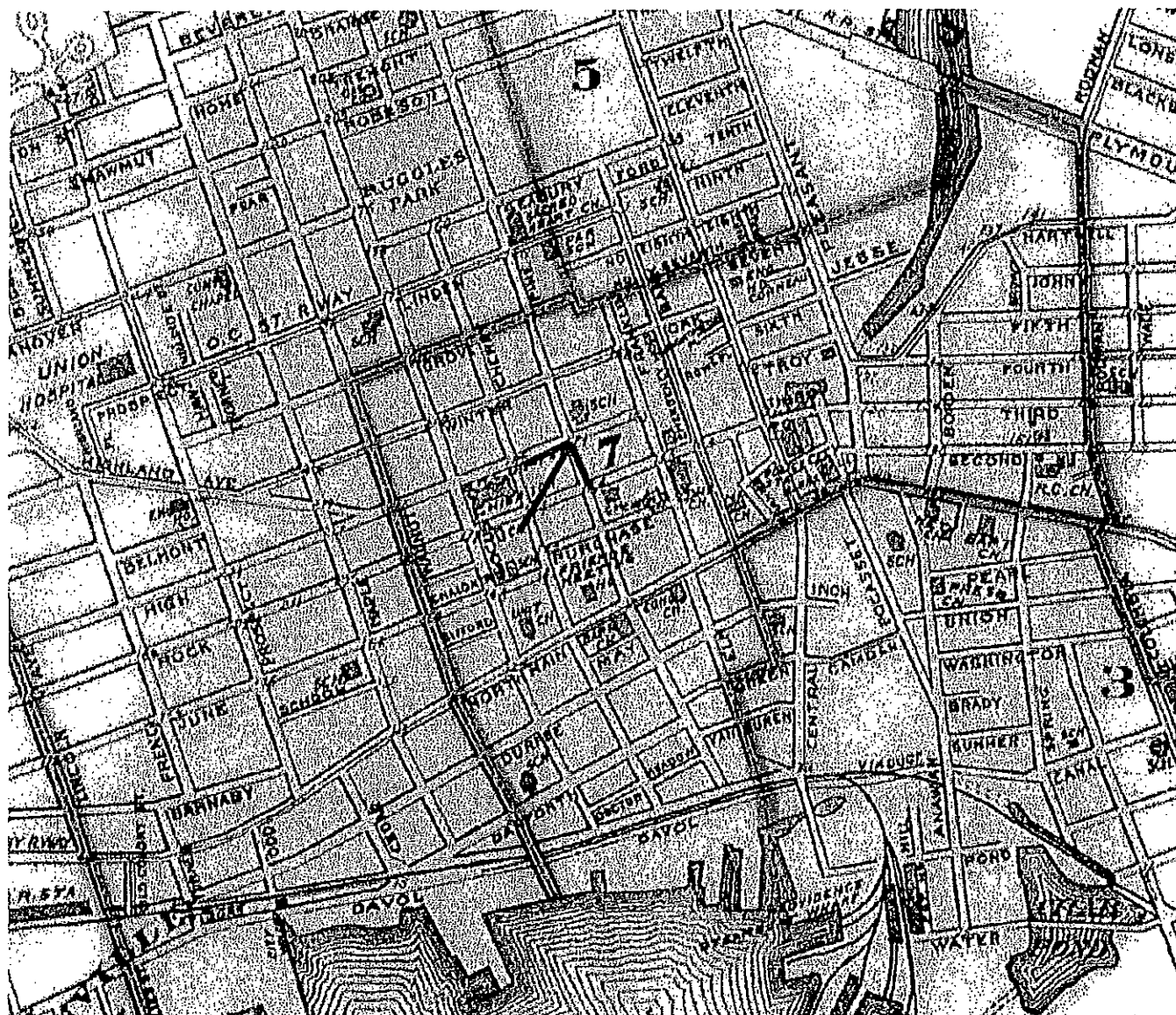
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The Lincoln School, corner of Pine and High streets, from the 1909 Massachusetts State Atlas

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FIGURES:

Figure 1 of 8: *Representative Men and Old Families of Southeastern Massachusetts*: containing historical sketches of prominent and representative citizens and genealogical records of many of the old families. 3 Volumes. Beers & Chicago. 1912.

Figure 2 of 8: Fall River Historical Society

Figure 3 of 8: "City of Fall River, Mass. 1877." *The Library of Congress*, www.loc.gov/item/75694571/.

Figure 4 of 8: "Fall River City 3." *Historic Map Works*, [www.historicmapworks.com/Map/US/8012/Fall River City 3/Bristol County 1895/Massachusetts/](http://www.historicmapworks.com/Map/US/8012/Fall_River_City_3/Bristol_County_1895/Massachusetts/).

Figure 5 of 8: Fenner, Henry Milne. *History of Fall River, Massachusetts*. Fall River Merchants Association, 1911, pp. 56.

Figure 6 of 8: Fall River School Committee. *1906 Annual School Report of the Public Schools*. Fall River, MA: Warburton & Dover Co., 1906.

Figure 7 of 8: "Digital Commonwealth." *New Lincoln School, Fall River, Mass.*, www.digitalcommonwealth.org/search/commonwealth:sq87g051x.

Figure 8 of 8: "Louis G. Destremps." *Wikiwand*, www.wikiwand.com/en/Louis_G._Destremps.

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Leontine Lincoln

Figure 1: Portrait of the Leontine Lincoln (1796-1820)

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Figure 2: Leontine Lincoln accompanying President William Howard Taft during his visit to Fall River, June 23, 1911



Figure 3: Bird's-eye-view of the City of Fall River, depicting the original Lincoln School, 1877

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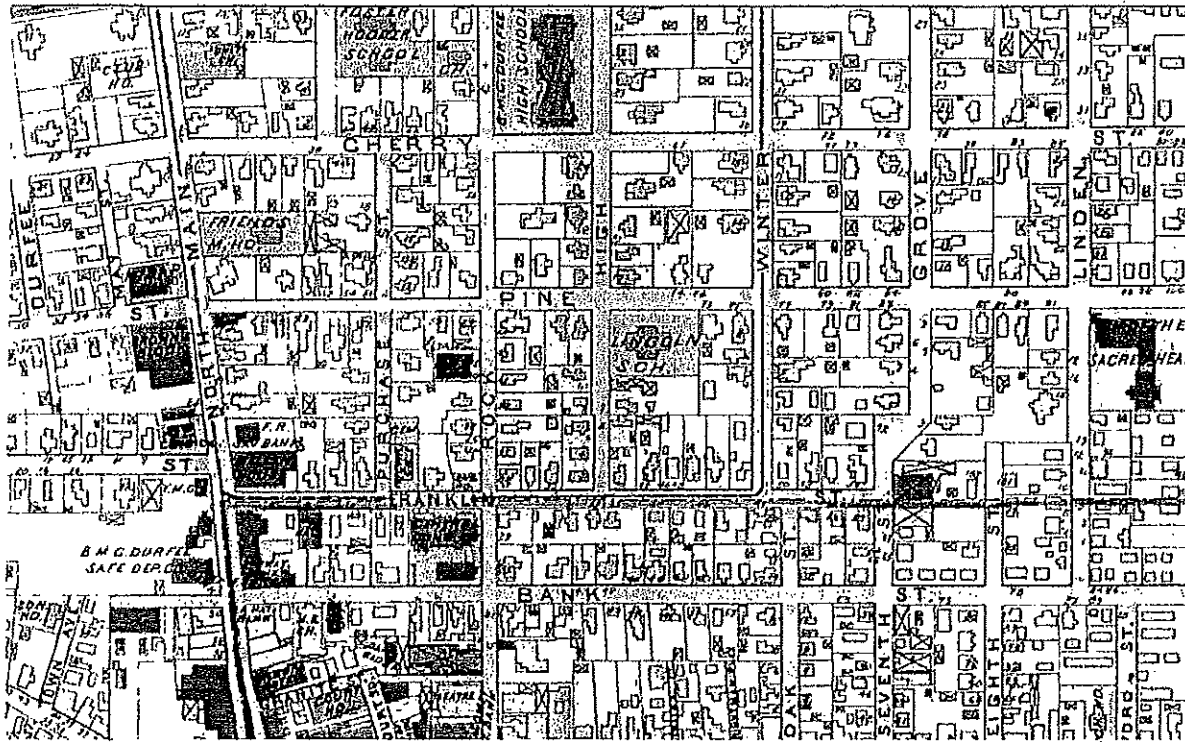


Figure 4: 1895 map of Bristol County depicting the original Lincoln School building

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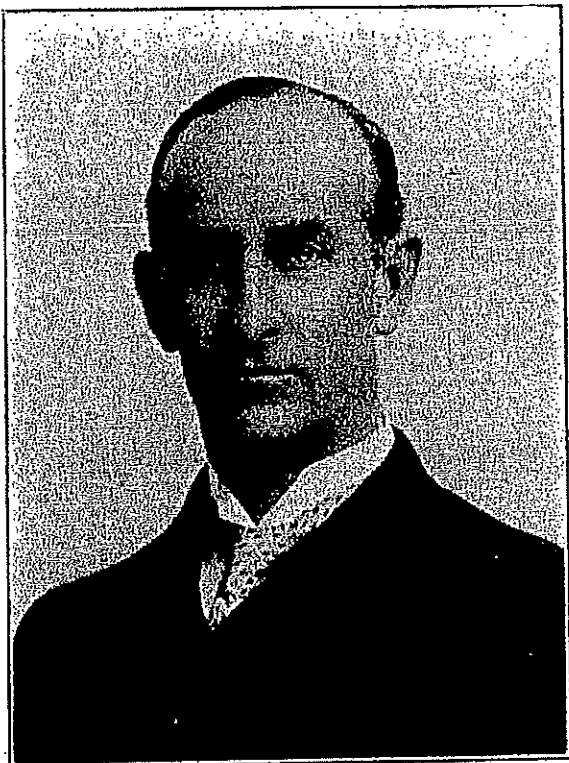


Figure 5: Everett B. Durfee, Superintendent of Schools for Fall River, 1906

NEW SCHOOL HOUSES FOR 1906.

	General Contract.	Architect's Commission.	Advertising.	Surveying.	Plumbing.	Heating and Ventilating.	Fuel.	Furniture.	Janitor's Pay Roll.	Supplies.	Total.
Watson School, Eastern Ave.....	\$12,048 00	\$382 00	\$7 34		\$1,699 00	\$657 00	\$299 10	\$2,594 10	\$123 60	\$8 05	\$18,718 78
Lincoln School, Cor. High and Pine.	38,920 00	2,965 42	62 71	\$22 50	2,212 75	2,340 20					46,533 24
Total.....	51,877 00	\$3,348 02	\$70 05	\$22 50	\$3,911 75	\$2,907 20	\$299 10	\$2,594 10	\$123 60	\$8 05	\$65,352 03

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TOWN

ADDRESS

MASSACHUSETTS HISTORICAL COMMISSION

Area(s)

Form No.

220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Figure 6: Chart showing itemized costs for the new Lincoln School building in 1906

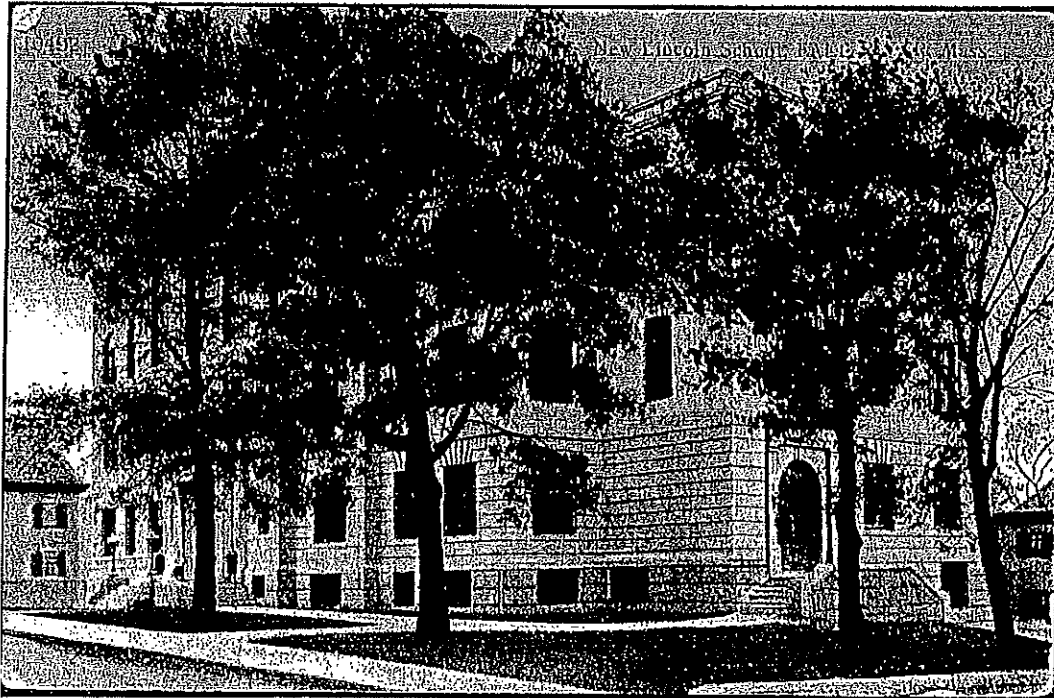


Figure 7: Postcard depicting the Lincoln School after it was rebuilt in 1907

INVENTORY FORM B CONTINUATION SHEET

TOWN

ADDRESS

MASSACHUSETTS HISTORICAL COMMISSION

Area(s)

Form No.

220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125



Figure 8: Architect Louis G. Destremps (1851-1930)

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INVENTORY FORM B CONTINUATION SHEET

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MASSACHUSETTS HISTORICAL COMMISSION

Form No.

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220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

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National Park Service, Quincy Grammar School, Boston, Suffolk County, Massachusetts.

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[Delete this page if no Criteria Statement is prepared]

National Register of Historic Places Criteria Statement Form

Check all that apply:

Individually eligible

Eligible only in a historic district

Contributing to a potential historic district

Potential historic district

INVENTORY FORM B CONTINUATION SHEET

TOWN

ADDRESS

MASSACHUSETTS HISTORICAL COMMISSION

Area(s)

Form No.

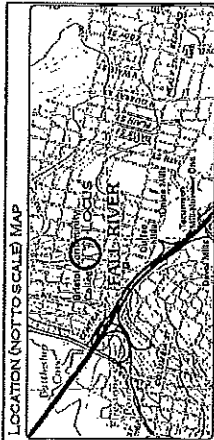
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Criteria: A B C D

Criteria Considerations: A B C D E F G

Statement of Significance by Ryan Cameron, MacRostie Historic Advisors
The criteria that are checked in the above sections must be justified here.

The Lincoln School at 439 Pine Street in Fall River, Massachusetts is locally significant under Criterion A for its role in [the social development of Fall River/ development of the Fall River educational system]. The building is additionally significant for its association with Leontine Lincoln, [longtime educator and school board member/prominent civic and industrial leaders.] The building is also significant under Criterion C as a distinctive example of an early-twentieth century brick schoolhouse designed by the prominent local architect Louis G. Destremps in the Romanesque Revival style.



NOTES

- OWNER OF RECORD: HANCOCK PROPERTY, LLC
FALL RIVER, MA 02722
RECORD MAP: 1989 MAP 449
- SITE IS DESIGNATED AS LOT 27 ON FALL RIVER ASSESSING MAP NO. 1989.
- EXISTING BUILDING LOCATIONS AND SIZE BASED ON THE CITY OF FALL RIVER GIS STREET MAPPING.
- SITE IS LOCATED IN TOWN OF FAIR RIVER, MA.

ZONING REQUIREMENTS

DISTRICT: MAP 449, 1989 MAP 449
 ZONING: R-1 (RESIDENTIAL)
 MINIMUM LOT AREA: 10,000 S.F.
 MINIMUM LOT DEPTH: 100 FT.
 MINIMUM LOT WIDTH: 20 FT.
 MINIMUM LOT AREA: 10,000 S.F.
 MINIMUM LOT DEPTH: 100 FT.
 MINIMUM LOT WIDTH: 20 FT.

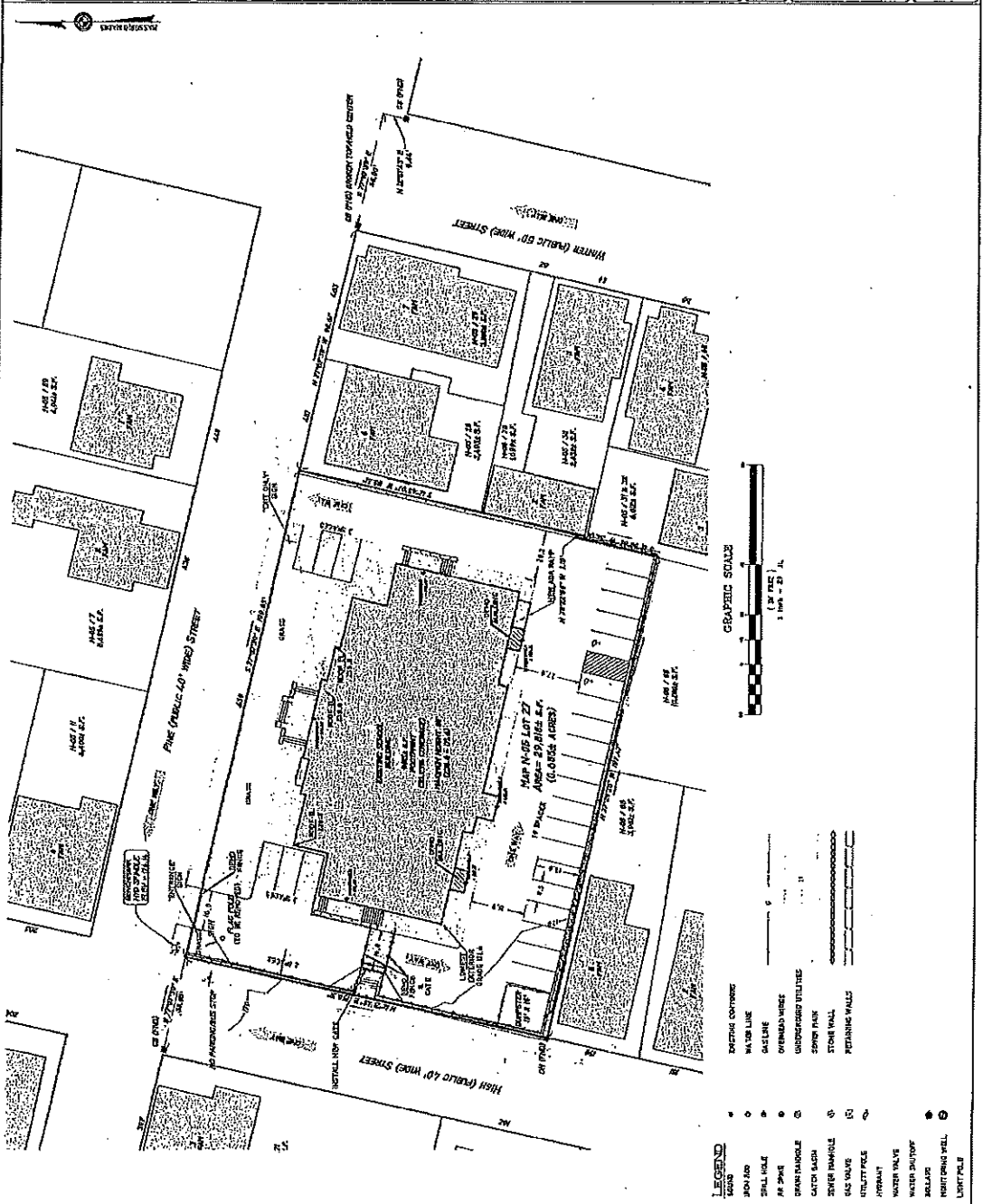
PARKING REQUIREMENTS

REQUIRED PARKING: 1 SPACE PER EACH RESIDENTIAL UNIT
 PROPOSED PARKING: 11 SPACES
 OFFICE SPACE AND EQUIPMENT IN PHASE 1: 1 PER EMPLOYEE + 2 SPACES
 TOTAL SPACES REQUIRED: 11 TOTAL SPACES PROVIDED: 11

MASSACHUSETTS HISTORICAL COMMISSION PROPOSED CONDITIONS PLAN

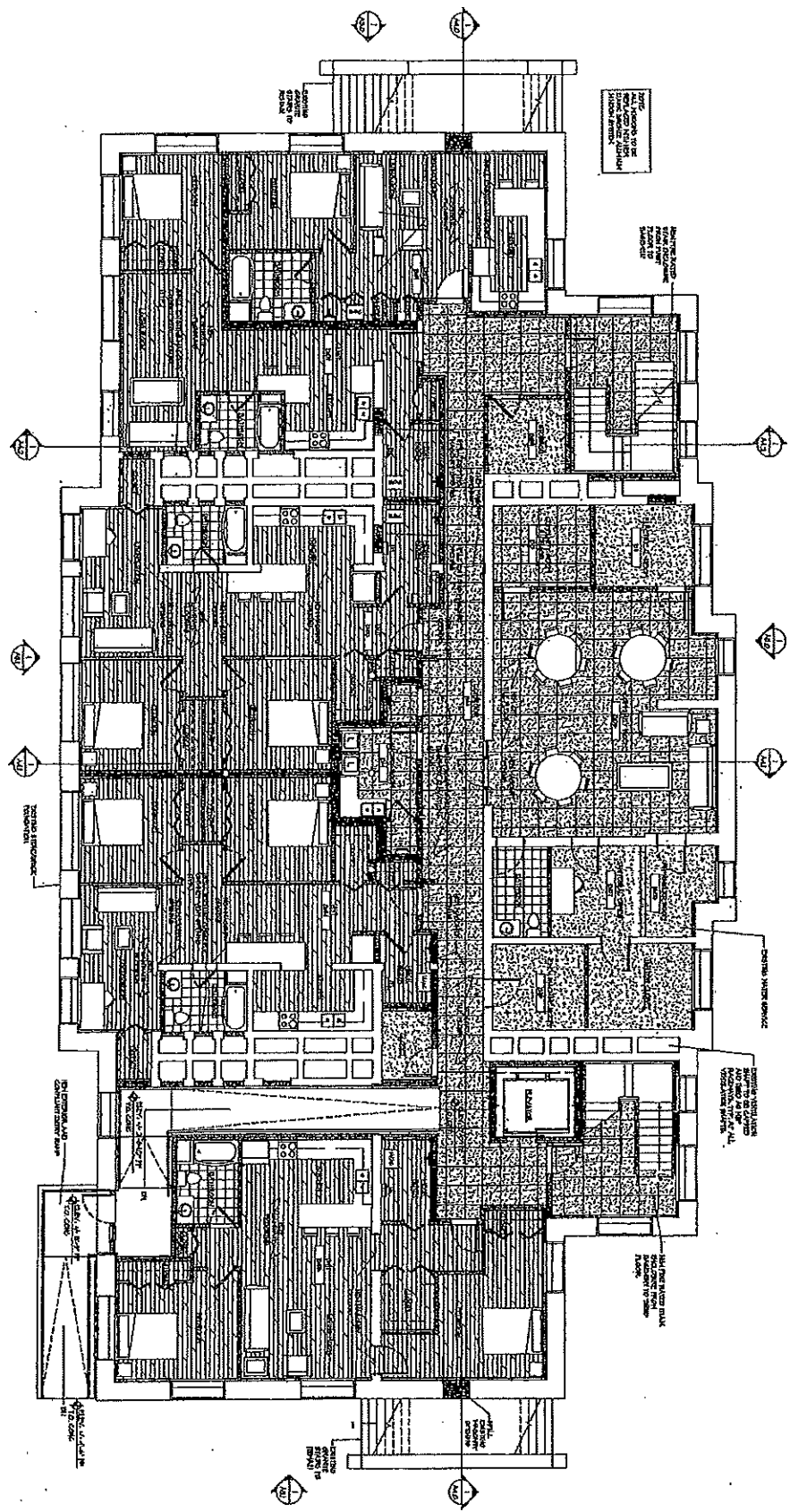
"LINCOLN SCHOOL"
 439 FINE STREET, FALL RIVER, MA 02722
 ASSESSING MAP NO. 1989 LOT 27
 MAP 449 / OWNER: HANCOCK PROPERTY, LLC
 1989 TRIBUTARY STREET, FALL RIVER, MA 02722
 SCALE: 1" = 20' (GRAPHIC SCALE)
 DATE: 09/15/2019
 PREPARED BY: AN SITE

SHEET 1 OF 1
 PREPARED BY: AN SITE
 120 FINE STREET, FALL RIVER, MA 02722
 508-848-1111
 www.ansite.com



7

PROPOSED BASEMENT FLOOR PLAN



COMMENTS

A1.0

MASSACHUSETTS HISTORICAL COMMISSION SUBMISSION

LINCOLN SCHOOL APARTMENTS

AT

439 PINE STREET

FALL RIVER, MA 02720

HANOVER PROPERTIES, LLC.

WILLIAM STARK

ARCHITECTS INC.

100 STATE STREET, SUITE 200

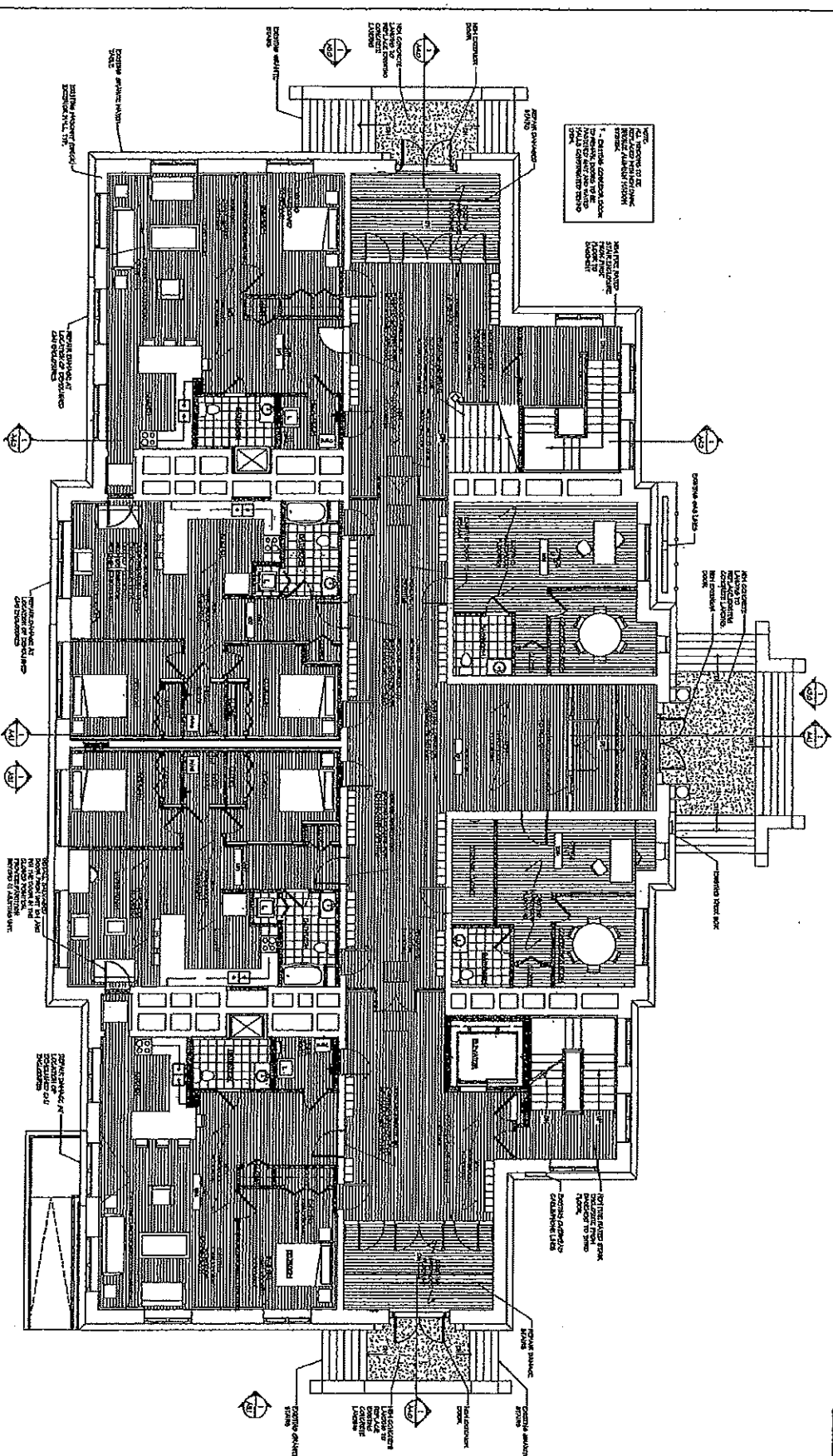
FALL RIVER, MA 02720

TEL: 508/671-1111

FAX: 508/671-1112

WWW.WILLIAMSTARK.COM

7



PROPOSED FIRST FLOOR PLAN



LINCOLN SCHOOL APARTMENTS
 AT
 439 PINE STREET
 FALL RIVER, MA 02720
 HANOVER PROPERTIES, LLC.



WILLIAM STACK
 ARCHITECTS INC.
 100 STATE STREET
 FALL RIVER, MA 02720
 TEL: 508/671-1111
 FAX: 508/671-1112
 WWW.WILLIAMSTACK.COM

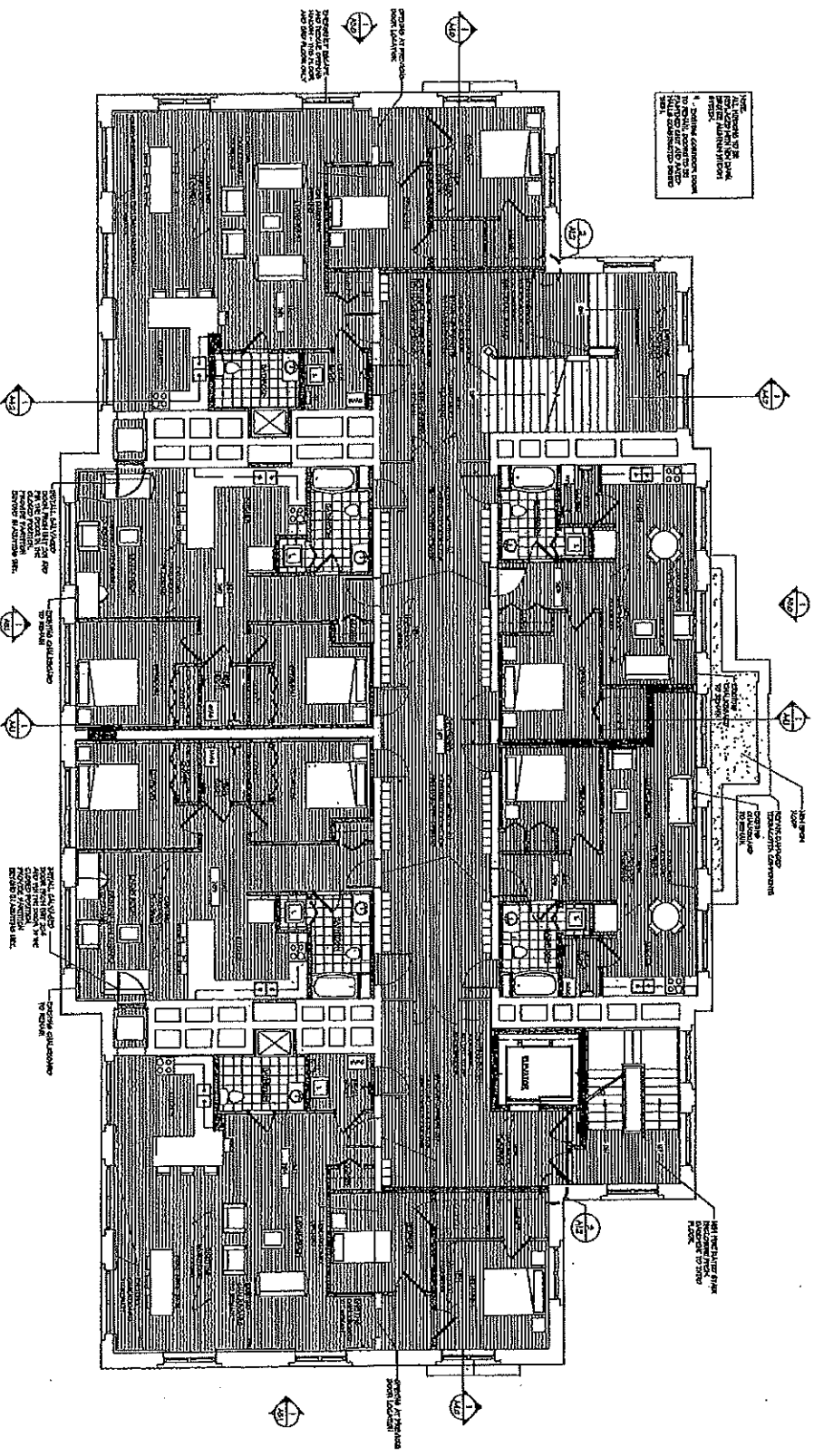
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 1. 8/28/2018
 2. 10/1/2018
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MASSACHUSETTS HISTORICAL COMMISSION SUBMISSION

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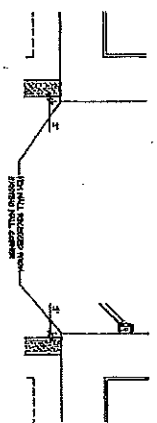
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PROPOSED SECOND FLOOR PLAN



ALL ROOMS TO BE FINISHED WITH CARPET
EXCEPT BATHS AND KITCHENS
TO BE FINISHED WITH CERAMIC TILE
ALL WALLS TO BE FINISHED WITH
PAPER OR PAINT

RECESSED WALL DETAIL



REVISIONS:
A. 8/28/2013
PART 1 LINE SUBMISSION
B. 1/11/2018
PART 2 LINE SUBMISSION

SCALE: 3/8" = 1'-0"

DATE: 8/28/2013
DRAWN BY: [Name]
DESIGNED BY: [Name]
CHECKED BY: [Name]

PROPOSED
SECOND FLOOR PLAN

DRAWING NUMBER:
A1.2

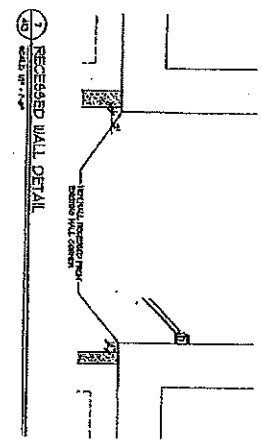
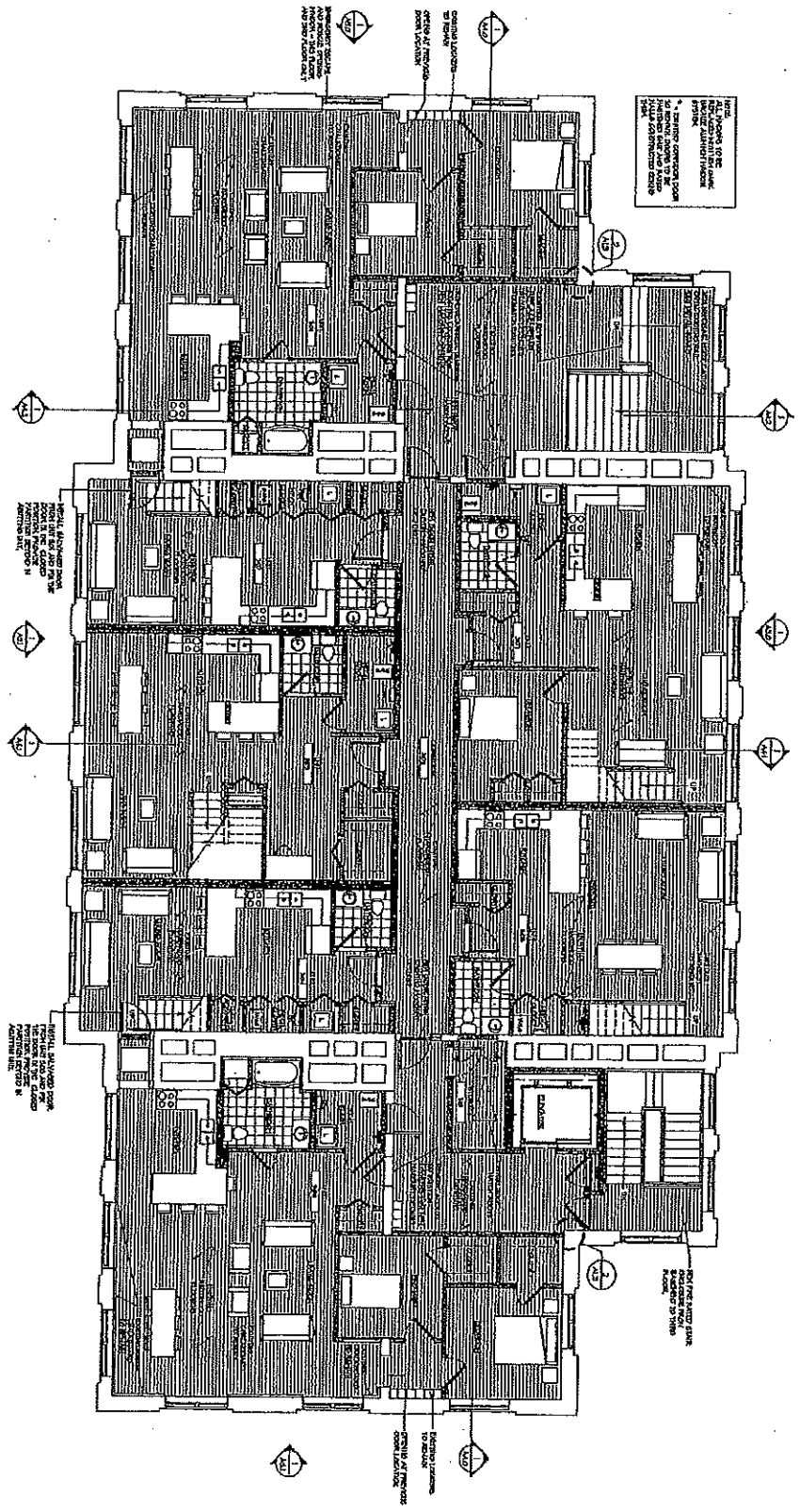
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CONSTRUCTION SUBMISSION

LINCOLN SCHOOL APARTMENTS
AT
439 PINE STREET
FALL RIVER, MA 02720
HANOVER PROPERTIES, LLC.

WILLIAM STACE
ARCHITECTS, INC.
100 STATE STREET
FALL RIVER, MA 02720
TEL: 508/671-1111
WWW.WILLIAMSTACE.COM

7

PROPOSED THIRD FLOOR - TOWNHOUSE LOWER PLAN



REVISIONS

NO.	DATE	DESCRIPTION
1	1/11/2018	REVISION
2	1/11/2018	REVISION

DATE: 1/11/2018
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: 1/8" = 1'-0"

LINCOLN SCHOOL APARTMENTS

AT

439 PINE STREET

FALL RIVER, MA 02720

HANOVER PROPERTIES, LLC

WILLIAM STARK

ARCHITECTS, INC.

100 STATE STREET, SUITE 200
FALL RIVER, MA 02720
TEL: 508/671-1234
WWW.WILLIAMSTARK.COM

COMMENTS:

A1.3

MASSACHUSETTS HISTORIC COMMISSION SUBMISSION

NOTES:
1. ALL ROOMS ARE TO BE FURNISHED WITH THE FOLLOWING:
a. DESK
b. CHAIR
c. BOOKS
d. PAPER
e. PENCILS
f. RULER
g. COMPASS
h. PROTRACTOR
i. SET SQUARE
j. T-SQUARE
k. SCALE
l. GLOBE
m. MAP
n. COMPASS
o. PENCIL
p. PAPER
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r. COMPASS
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t. SET SQUARE
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y. COMPASS
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ui. SCALE
uj. GLOBE
uk. MAP
ul. COMPASS
um. PENCIL
un. PAPER
uo. RULER
up. COMPASS
uq. PROTRACTOR
ur. SET SQUARE
us. T-SQUARE
ut. SCALE
uu. GLOBE
uv. MAP
uw. COMPASS
ux. PENCIL
uy. PAPER
uz. RULER
va. COMPASS
vb. PENCIL
vc. PAPER
vd. RULER
ve. COMPASS
vf. PROTRACTOR
vg. SET SQUARE
vh. T-SQUARE
vi. SCALE
vj. GLOBE
vk. MAP
vl. COMPASS
vm. PENCIL
vn. PAPER
vo. RULER
vp. COMPASS
vq. PROTRACTOR
vr. SET SQUARE
vs. T-SQUARE
vt. SCALE
vu. GLOBE
vv. MAP
vw. COMPASS
vx. PENCIL
vy. PAPER
vz. RULER
wa. COMPASS
wb. PENCIL
wc. PAPER
wd. RULER
we. COMPASS
wf. PROTRACTOR
wg. SET SQUARE
wh. T-SQUARE
wi. SCALE
wj. GLOBE
wk. MAP
wl. COMPASS
wm. PENCIL
wn. PAPER
wo. RULER
wp. COMPASS
wq. PROTRACTOR
wr. SET SQUARE
ws. T-SQUARE
wt. SCALE
wu. GLOBE
wv. MAP
ww. COMPASS
wx. PENCIL
wy. PAPER
wz. RULER
xa. COMPASS
xb. PENCIL
xc. PAPER
xd. RULER
xe. COMPASS
xf. PROTRACTOR
xg. SET SQUARE
xh. T-SQUARE
xi. SCALE
xj. GLOBE
xk. MAP
xl. COMPASS
xm. PENCIL
xn. PAPER
xo. RULER
xp. COMPASS
xq. PROTRACTOR
xr. SET SQUARE
xs. T-SQUARE
xt. SCALE
xu

1
PROPOSED THIRD FLOOR TOWNHOUSE LOWER PLAN
SHEET 300 - 1-3
A/C



HANOVER PROPERTIES, LLC.

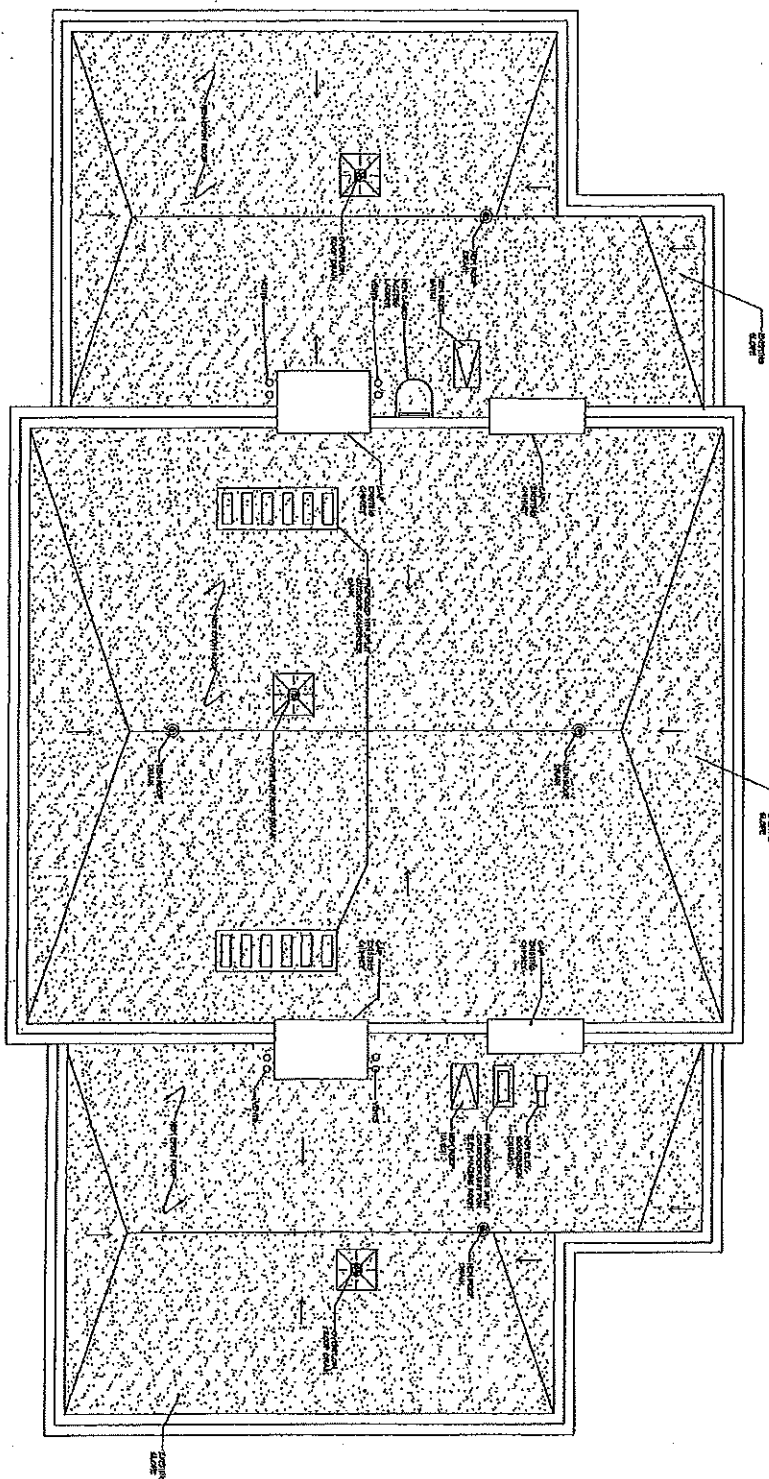
**WILLIAM STARCK
ARCHITECTS, INC.**
3340 15th Street, N.W.
Atlanta, Georgia 30309
(404) 525-1234
Fax: (404) 525-1235
www.starck.com

MASSACHUSETTS
COMMISSION ON THE
JUDICIAL BRANCH

A-4

7

PROPOSED ROOF PLAN



LINCOLN SCHOOL APARTMENTS
AT
439 PINE STREET
FALL RIVER, MA 02720
HANOVER PROPERTIES, LLC.



WILLIAM STARCK
ARCHITECTS, INC.
100 STATE STREET, SUITE 200
FALL RIVER, MA 02720
TEL: 508/671-1111
WWW.WILLIAMSTARCK.COM

A1.5

COMMENTS
MASSACHUSETTS REGISTRATION
CONSULTING ARCHITECT

DRAWING NUMBER

PROPOSED ROOF PLAN

DATE: 10/11/2018

BY: [Signature]

FOR: [Signature]

PROJECT: LINCOLN SCHOOL APARTMENTS

LOCATION: 439 PINE STREET, FALL RIVER, MA

SCALE: 1/8" = 1'-0"

DATE: 10/11/2018

BY: [Signature]

FOR: [Signature]

PROJECT: LINCOLN SCHOOL APARTMENTS

LOCATION: 439 PINE STREET, FALL RIVER, MA

SCALE: 1/8" = 1'-0"

DATE: 10/11/2018

BY: [Signature]

FOR: [Signature]

PROJECT: LINCOLN SCHOOL APARTMENTS

LOCATION: 439 PINE STREET, FALL RIVER, MA

SCALE: 1/8" = 1'-0"

DATE: 10/11/2018

BY: [Signature]

FOR: [Signature]

PROJECT: LINCOLN SCHOOL APARTMENTS

LOCATION: 439 PINE STREET, FALL RIVER, MA

SCALE: 1/8" = 1'-0"

DATE: 10/11/2018

BY: [Signature]

FOR: [Signature]

PROJECT: LINCOLN SCHOOL APARTMENTS

LOCATION: 439 PINE STREET, FALL RIVER, MA

SCALE: 1/8" = 1'-0"

DATE: 10/11/2018

BY: [Signature]

FOR: [Signature]

PROJECT: LINCOLN SCHOOL APARTMENTS

LOCATION: 439 PINE STREET, FALL RIVER, MA

SCALE: 1/8" = 1'-0"

DATE: 10/11/2018

BY: [Signature]

FOR: [Signature]

PROJECT: LINCOLN SCHOOL APARTMENTS

LOCATION: 439 PINE STREET, FALL RIVER, MA

SCALE: 1/8" = 1'-0"

DATE: 10/11/2018

BY: [Signature]

FOR: [Signature]

PROJECT: LINCOLN SCHOOL APARTMENTS

LOCATION: 439 PINE STREET, FALL RIVER, MA

SCALE: 1/8" = 1'-0"

DATE: 10/11/2018

BY: [Signature]

FOR: [Signature]

PROJECT: LINCOLN SCHOOL APARTMENTS

LOCATION: 439 PINE STREET, FALL RIVER, MA

SCALE: 1/8" = 1'-0"

DATE: 10/11/2018

BY: [Signature]

FOR: [Signature]

PROJECT: LINCOLN SCHOOL APARTMENTS

LOCATION: 439 PINE STREET, FALL RIVER, MA

SCALE: 1/8" = 1'-0"

DATE: 10/11/2018

BY: [Signature]

FOR: [Signature]

PROJECT: LINCOLN SCHOOL APARTMENTS

LOCATION: 439 PINE STREET, FALL RIVER, MA

SCALE: 1/8" = 1'-0"

DATE: 10/11/2018

BY: [Signature]

FOR: [Signature]

PROJECT: LINCOLN SCHOOL APARTMENTS

LOCATION: 439 PINE STREET, FALL RIVER, MA

SCALE: 1/8" = 1'-0"

DATE: 10/11/2018

BY: [Signature]

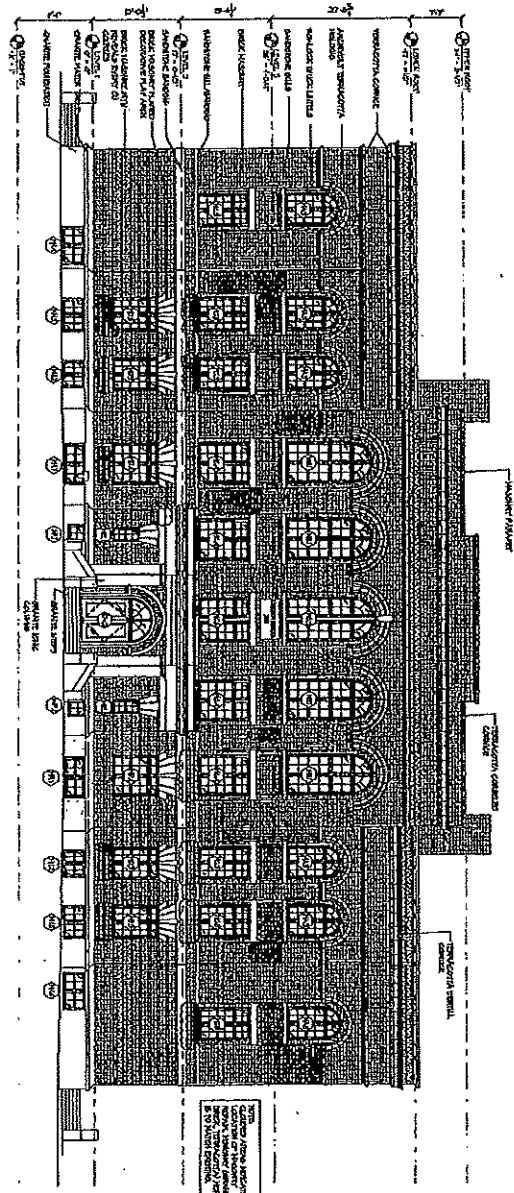
FOR: [Signature]

PROJECT: LINCOLN SCHOOL APARTMENTS

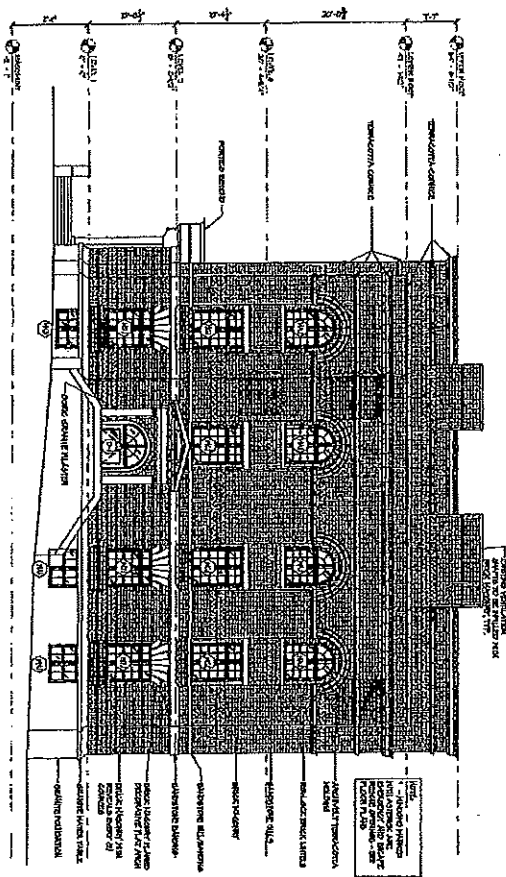
LOCATION: 439 PINE STREET, FALL RIVER, MA

SCALE: 1/8" = 1'-0"

DATE: 10/11/2018

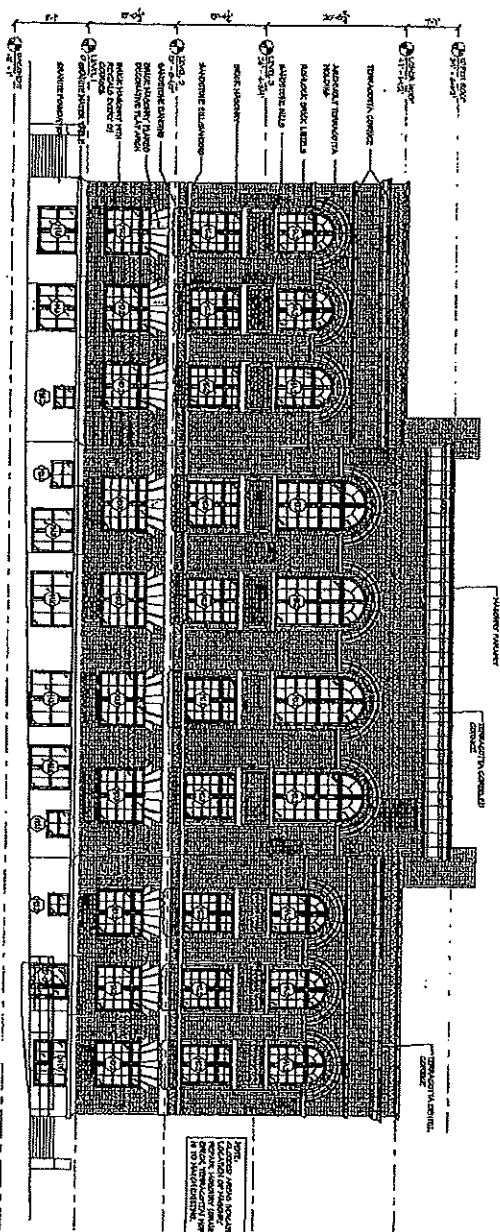


1 NORTH - PROPOSED EXTERIOR ELEVATION
ASD
SCALE: 1/4" = 1'-0"

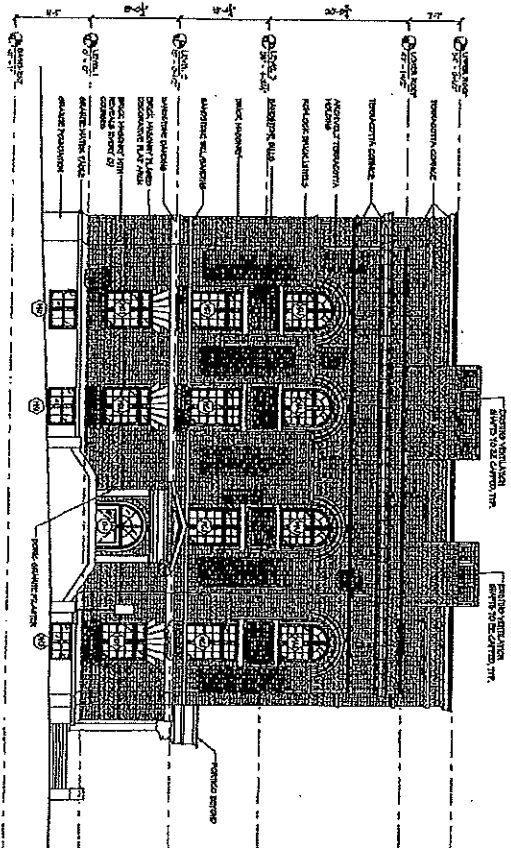


2 WEST - PROPOSED EXTERIOR ELEVATION
1/4" = 1'-0"

 <p>WILLIAM STACKS ARCHITECTS INC. 1000 Main Street, Suite 200 Fall River, MA 02720 Phone: 508/671-1111 Fax: 508/671-1112 www.williamstacks.com</p>	<p>LINCOLN SCHOOL APARTMENTS AT 439 PINE STREET FALL RIVER, MA 02720 HANOVER PROPERTIES, L.L.C.</p>	<p>REVISIONS: 2. 6/29/2018 3. 6/29/2018 4. 7/17/2018 SUBMISSION 5. 7/17/2018 6. 7/24/2018 7. 7/24/2018 8. 7/24/2018 9. 7/24/2018 10. 7/24/2018 11. 7/24/2018 12. 7/24/2018 13. 7/24/2018 14. 7/24/2018 15. 7/24/2018 16. 7/24/2018 17. 7/24/2018 18. 7/24/2018 19. 7/24/2018 20. 7/24/2018 21. 7/24/2018 22. 7/24/2018 23. 7/24/2018 24. 7/24/2018 25. 7/24/2018 26. 7/24/2018 27. 7/24/2018 28. 7/24/2018 29. 7/24/2018 30. 7/24/2018 31. 7/24/2018 32. 7/24/2018 33. 7/24/2018 34. 7/24/2018 35. 7/24/2018 36. 7/24/2018 37. 7/24/2018 38. 7/24/2018 39. 7/24/2018 40. 7/24/2018 41. 7/24/2018 42. 7/24/2018 43. 7/24/2018 44. 7/24/2018 45. 7/24/2018 46. 7/24/2018 47. 7/24/2018 48. 7/24/2018 49. 7/24/2018 50. 7/24/2018 51. 7/24/2018 52. 7/24/2018 53. 7/24/2018 54. 7/24/2018 55. 7/24/2018 56. 7/24/2018 57. 7/24/2018 58. 7/24/2018 59. 7/24/2018 60. 7/24/2018 61. 7/24/2018 62. 7/24/2018 63. 7/24/2018 64. 7/24/2018 65. 7/24/2018 66. 7/24/2018 67. 7/24/2018 68. 7/24/2018 69. 7/24/2018 70. 7/24/2018 71. 7/24/2018 72. 7/24/2018 73. 7/24/2018 74. 7/24/2018 75. 7/24/2018 76. 7/24/2018 77. 7/24/2018 78. 7/24/2018 79. 7/24/2018 80. 7/24/2018 81. 7/24/2018 82. 7/24/2018 83. 7/24/2018 84. 7/24/2018 85. 7/24/2018 86. 7/24/2018 87. 7/24/2018 88. 7/24/2018 89. 7/24/2018 90. 7/24/2018 91. 7/24/2018 92. 7/24/2018 93. 7/24/2018 94. 7/24/2018 95. 7/24/2018 96. 7/24/2018 97. 7/24/2018 98. 7/24/2018 99. 7/24/2018 100. 7/24/2018 101. 7/24/2018 102. 7/24/2018 103. 7/24/2018 104. 7/24/2018 105. 7/24/2018 106. 7/24/2018 107. 7/24/2018 108. 7/24/2018 109. 7/24/2018 110. 7/24/2018 111. 7/24/2018 112. 7/24/2018 113. 7/24/2018 114. 7/24/2018 115. 7/24/2018 116. 7/24/2018 117. 7/24/2018 118. 7/24/2018 119. 7/24/2018 120. 7/24/2018 121. 7/24/2018 122. 7/24/2018 123. 7/24/2018 124. 7/24/2018 125. 7/24/2018 126. 7/24/2018 127. 7/24/2018 128. 7/24/2018 129. 7/24/2018 130. 7/24/2018 131. 7/24/2018 132. 7/24/2018 133. 7/24/2018 134. 7/24/2018 135. 7/24/2018 136. 7/24/2018 137. 7/24/2018 138. 7/24/2018 139. 7/24/2018 140. 7/24/2018 141. 7/24/2018 142. 7/24/2018 143. 7/24/2018 144. 7/24/2018 145. 7/24/2018 146. 7/24/2018 147. 7/24/2018 148. 7/24/2018 149. 7/24/2018 150. 7/24/2018 151. 7/24/2018 152. 7/24/2018 153. 7/24/2018 154. 7/24/2018 155. 7/24/2018 156. 7/24/2018 157. 7/24/2018 158. 7/24/2018 159. 7/24/2018 160. 7/24/2018 161. 7/24/2018 162. 7/24/2018 163. 7/24/2018 164. 7/24/2018 165. 7/24/2018 166. 7/24/2018 167. 7/24/2018 168. 7/24/2018 169. 7/24/2018 170. 7/24/2018 171. 7/24/2018 172. 7/24/2018 173. 7/24/2018 174. 7/24/2018 175. 7/24/2018 176. 7/24/2018 177. 7/24/2018 178. 7/24/2018 179. 7/24/2018 180. 7/24/2018 181. 7/24/2018 182. 7/24/2018 183. 7/24/2018 184. 7/24/2018 185. 7/24/2018 186. 7/24/2018 187. 7/24/2018 188. 7/24/2018 189. 7/24/2018 190. 7/24/2018 191. 7/24/2018 192. 7/24/2018 193. 7/24/2018 194. 7/24/2018 195. 7/24/2018 196. 7/24/2018 197. 7/24/2018 198. 7/24/2018 199. 7/24/2018 200. 7/24/2018 201. 7/24/2018 202. 7/24/2018 203. 7/24/2018 204. 7/24/2018 205. 7/24/2018 206. 7/24/2018 207. 7/24/2018 208. 7/24/2018 209. 7/24/2018 210. 7/24/2018 211. 7/24/2018 212. 7/24/2018 213. 7/24/2018 214. 7/24/2018 215. 7/24/2018 216. 7/24/2018 217. 7/24/2018 218. 7/24/2018 219. 7/24/2018 220. 7/24/2018 221. 7/24/2018 222. 7/24/2018 223. 7/24/2018 224. 7/24/2018 225. 7/24/2018 226. 7/24/2018 227. 7/24/2018 228. 7/24/2018 229. 7/24/2018 230. 7/24/2018 231. 7/24/2018 232. 7/24/2018 233. 7/24/2018 234. 7/24/2018 235. 7/24/2018 236. 7/24/2018 237. 7/24/2018 238. 7/24/2018 239. 7/24/2018 240. 7/24/2018 241. 7/24/2018 242. 7/24/2018 243. 7/24/2018 244. 7/24/2018 245. 7/24/2</p>
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1 SOUTH - PROPOSED EXTERIOR ELEVATION
AS1
ARCH 101 - 1-5



1 EAST - PROPOSED EXTERIOR ELEVATION
ALL EXHIBITS - TOP



**WILLIAM STARCK
ARCHITECTS, INC.**
6600 PRINCETON
CIRCLE, 10TH FLOOR, CHICAGO, IL 60637
TEL: 312/335-1100 FAX: 312/335-1101
WWW.STARCKARCHITECTS.COM

LINCOLN SCHOOL APARTMENTS

AT
439 PINE STREET
FALL RIVER, MA 02720

HANOVER PROPERTIES, LLC.

05/19/2014

A. H. 128

PART 1204

PART

1

6. 99 0 0

1

SCALE:

DEPARTMENT OF

DRAWING P

PROP
EAST A

EXTERI

DRAWING

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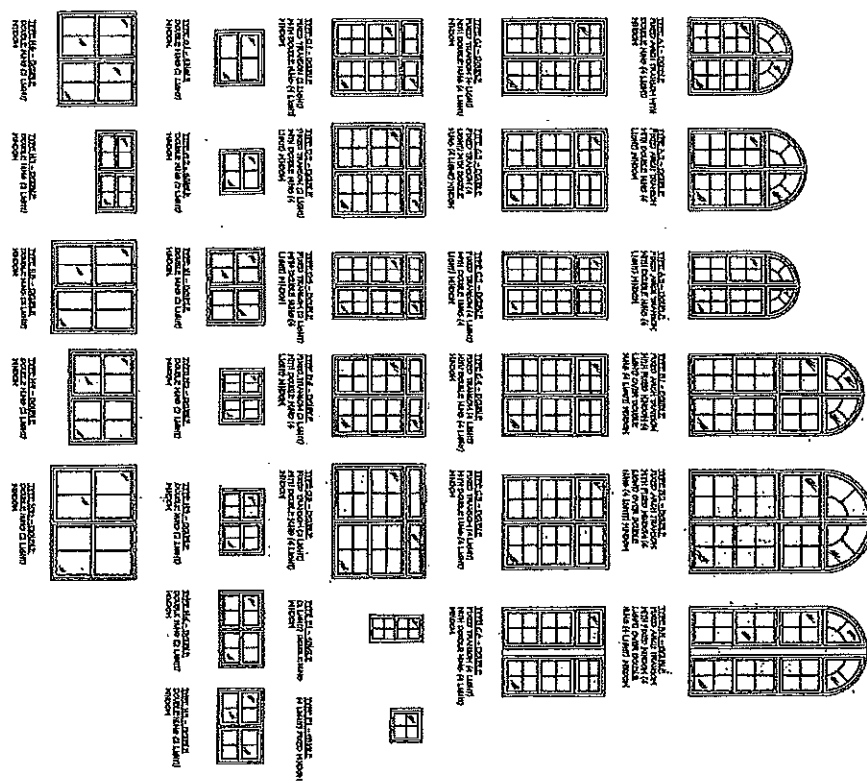
2

COMMENT:

MASSACHUSETTS

continued

• • • • •



WINDOW TYPES

ASD
WILLIAMS & SONS



**WILLIAM STARCK
ARCHITECTS, INC.**

600 WEST 11TH STREET
SUITE 200
MINNEAPOLIS, MN 55404
TEL: 612-338-3300
FAX: 612-338-3301
WWW.WILLIAMSTARCK.COM

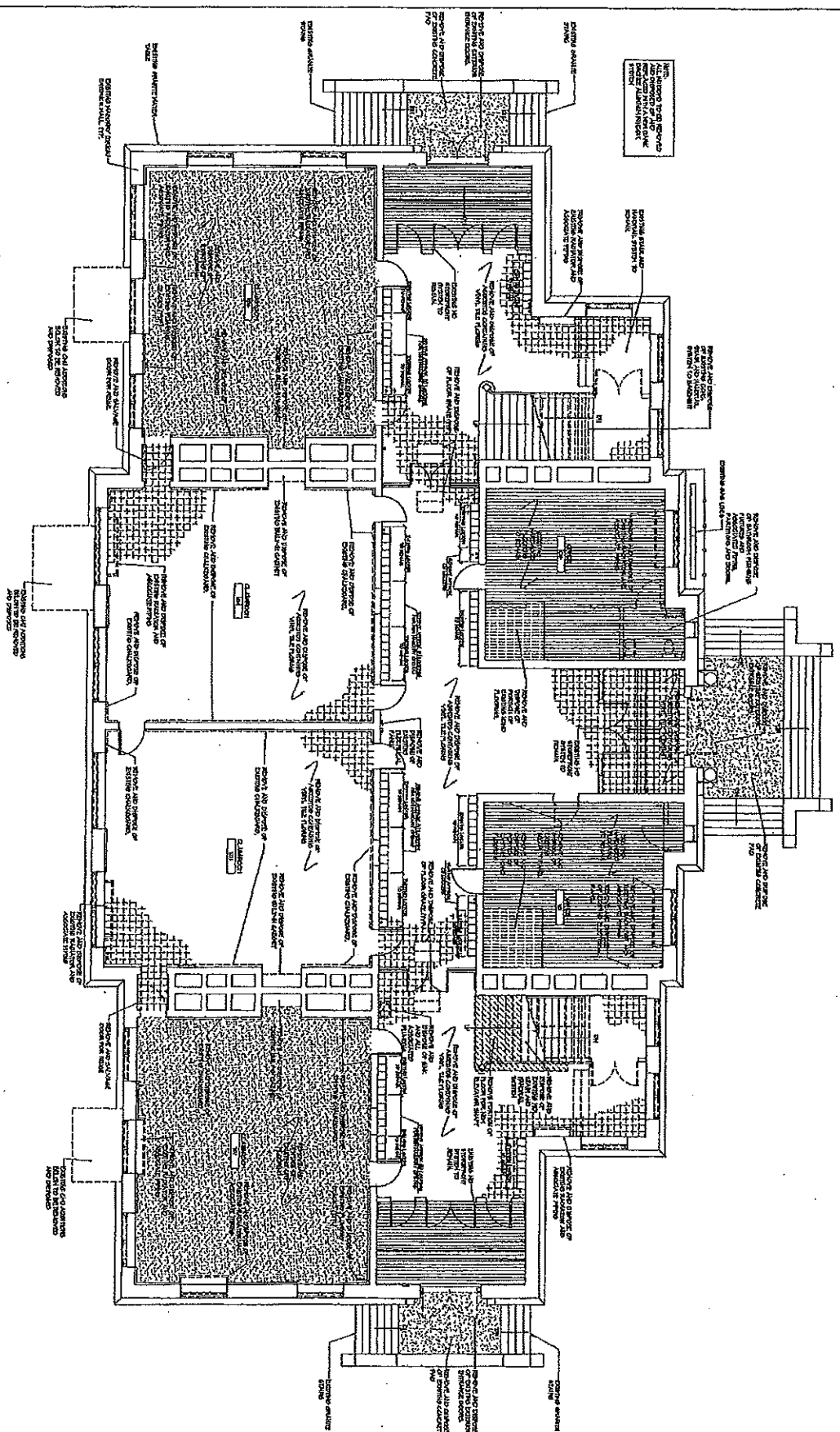
LINCOLN SCHOOL APARTMENTS
AT
439 PINE STREET
FALL RIVER, MA 02720
HANOVER PROPERTIES, I.L.C.

[illegible]

A3.2
COMMENTS
MASSACHUSETTS HISTORICAL
COMMISSION SUBMISSION

7

EXISTING CONDITIONS AND DEMOLITION
FIRST FLOOR PLAN

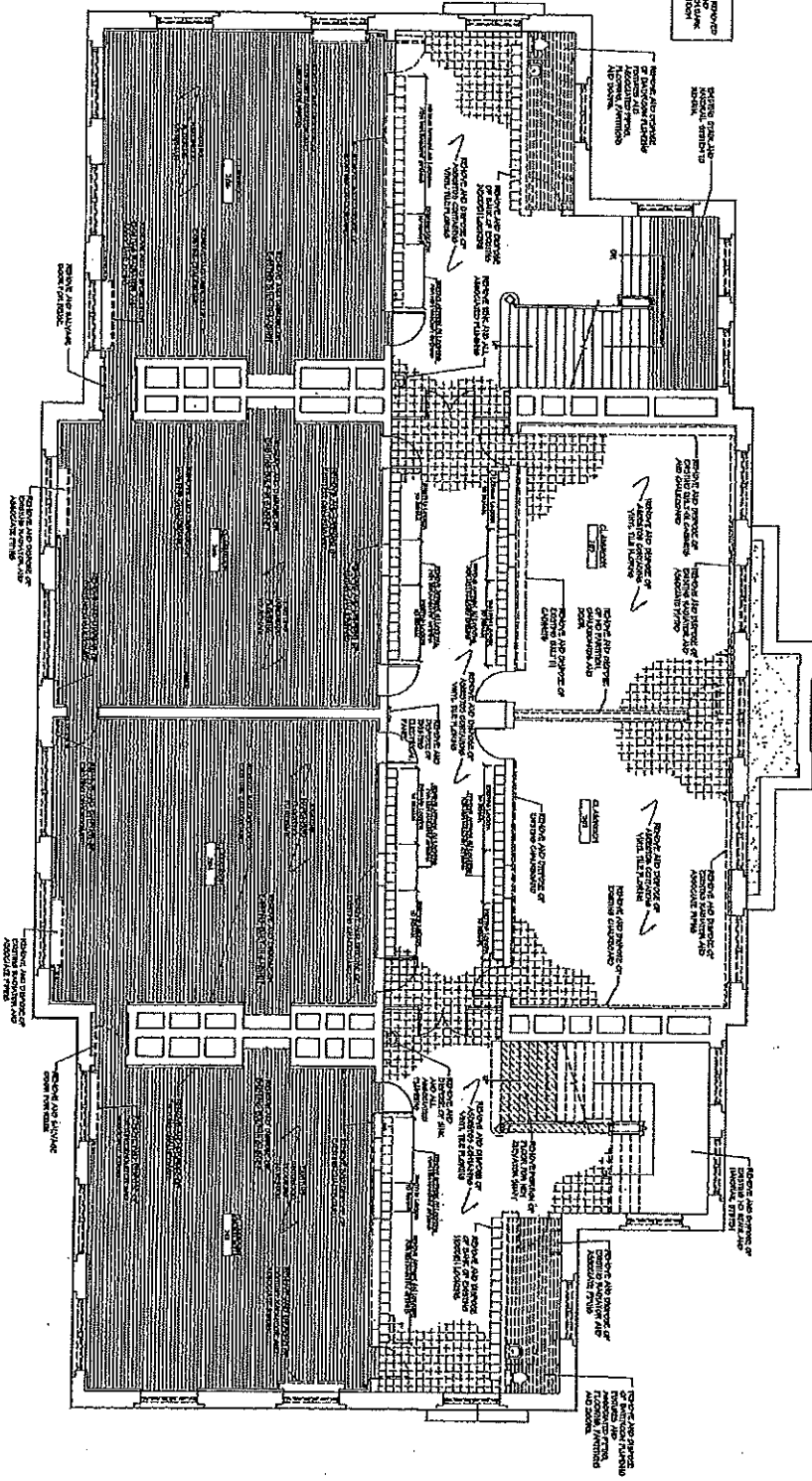


WILLIAM STARCK
ARCHITECTS, INC.

LINCOLN SCHOOL APARTMENTS
AT
439 PINE STREET
FALL RIVER, MA 02720
HANOVER PROPERTIES, LLC.

DATE: 1/11/2018
DRAWN BY: J. L. JAMES
CHECKED BY: J. L. JAMES
SCALE: 1/8" = 1'-0"
SHEET: 1 OF 1
PROJECT: LINCOLN SCHOOL APARTMENTS
DRAWING NAME: EXISTING CONDITIONS AND DEMOLITION FIRST FLOOR PLAN
DRAWING NUMBER: 15-015
COMMENTS: AD1.1

10112
ALL MATTERS TO BE REPORTED
AND DISCUSSED AT AND
NOT MIXED WITH A NEW DARK
PRACTICE ALTHOUGH IN THE
PAST



EXISTING CONDITIONS AND DETENTION
SECOND FLOOR PLAN

**WILLIAM STARCK
ARCHITECTS, INC.**
145 WEST 57TH STREET
FLOOR 20TH, NEW YORK, NEW YORK 10019
TEL: 212-755-1200 FAX: 212-755-1201
WWW.WILLIAMSTARCK.COM

LINCOLN SCHOOL APARTMENTS
AT
439 PINE STREET
FALL RIVER, MA 02720
HANOVER PROPERTIES, LLC.

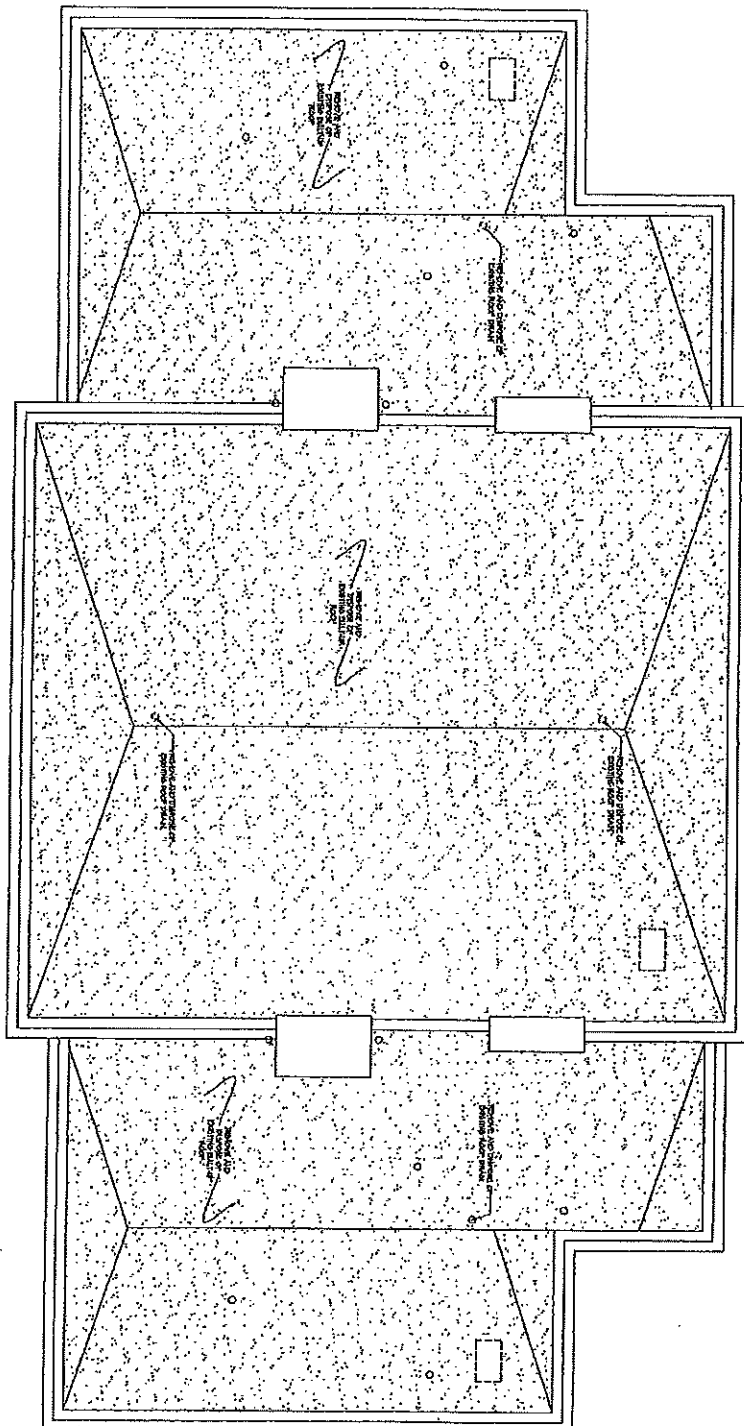
REVISIONS:
A. B/39/2019
PART 1 MGC. SUBMISSION
B. 1/11/2019
PART 3 MGC. SUBMISSION

304 E. 2nd St. - 2nd floor
 Date: 06/20/08
 Down by: Chris
 Job Number: 18255
 Drawing Name: Existing Conditions and Demolition Second Floor Plan

AD 1.2

COMMENTS
MASSACHUSETTS HISTORICAL
COMMISSION SILVERMANS

7



EXISTING CONDITIONS AND DEMOLITION
ROOF PLAN
DATE: 1/17/2013



WILLIAM STANCE
ARCHITECTS INC.
1000 WEST 10TH AVENUE
DENVER, CO 80202
TEL: 303.733.1111
WWW.WILLIAMSTANCE.COM

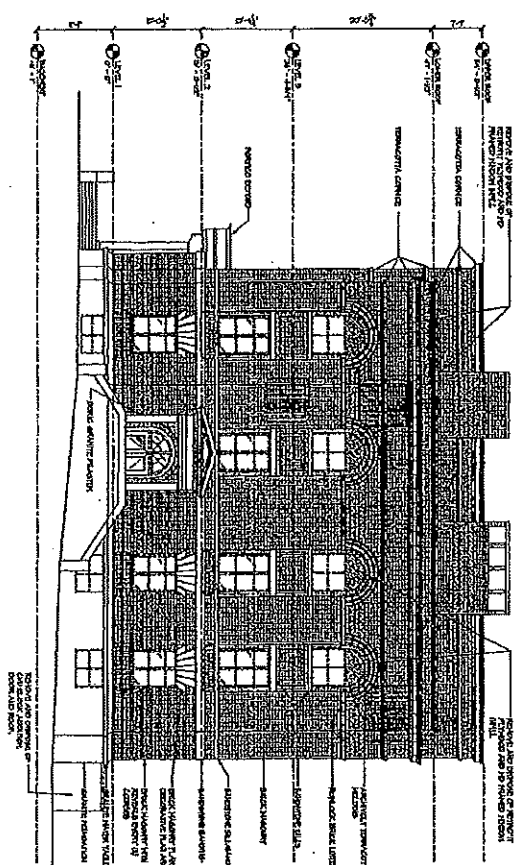
LINCOLN SCHOOL APARTMENTS
AT
430 PINE STREET
FALL RIVER, MA 02720
HANOVER PROPERTIES, LLC.

REVISIONS:
A. 8/24/2015
B. 1/17/2013
C. 1/17/2013
D. 1/17/2013
E. 1/17/2013
F. 1/17/2013
G. 1/17/2013
H. 1/17/2013
I. 1/17/2013
J. 1/17/2013
K. 1/17/2013
L. 1/17/2013
M. 1/17/2013
N. 1/17/2013
O. 1/17/2013
P. 1/17/2013
Q. 1/17/2013
R. 1/17/2013
S. 1/17/2013
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W. 1/17/2013
X. 1/17/2013
Y. 1/17/2013
Z. 1/17/2013

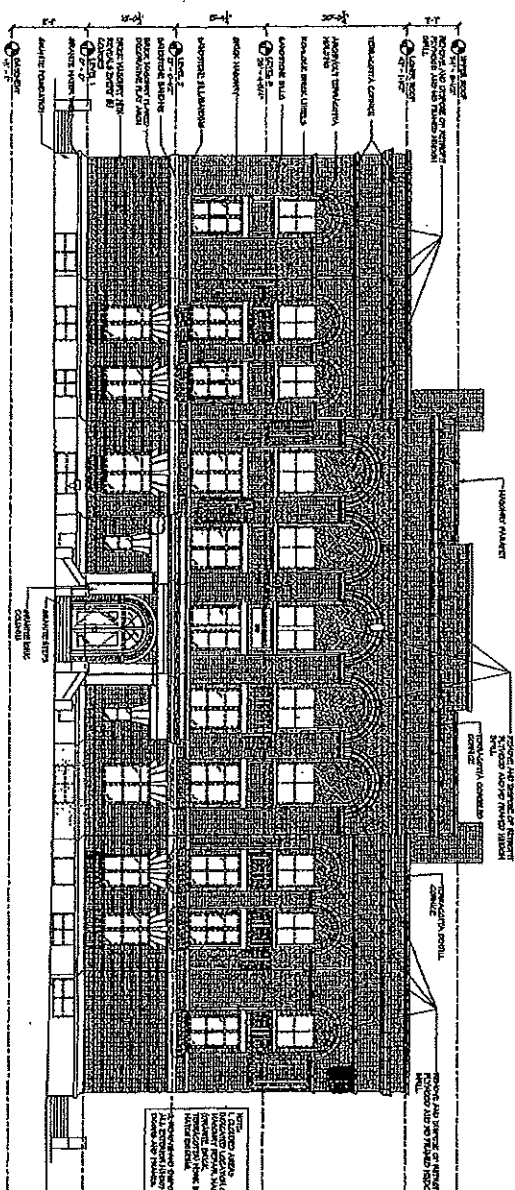
SCALE: 1/8" = 1'-0"
DATE: 1/17/2013
DRAWN BY: [Name]
CHECKED BY: [Name]
DESIGNED BY: [Name]
EXISTING CONDITIONS
AND DEMOLITION
ROOF PLAN

AD1.4

COMMENTS:
MASSACHUSETTS HISTORICAL
COMMISSION (MAHSC)



TEST - EXTERIOR DEMOLITION ELEVATION



1 NORTH - EXTERIOR DEMOLITION ELEVATION

**WILLIAM STARCK
ARCHITECTS, INC.**

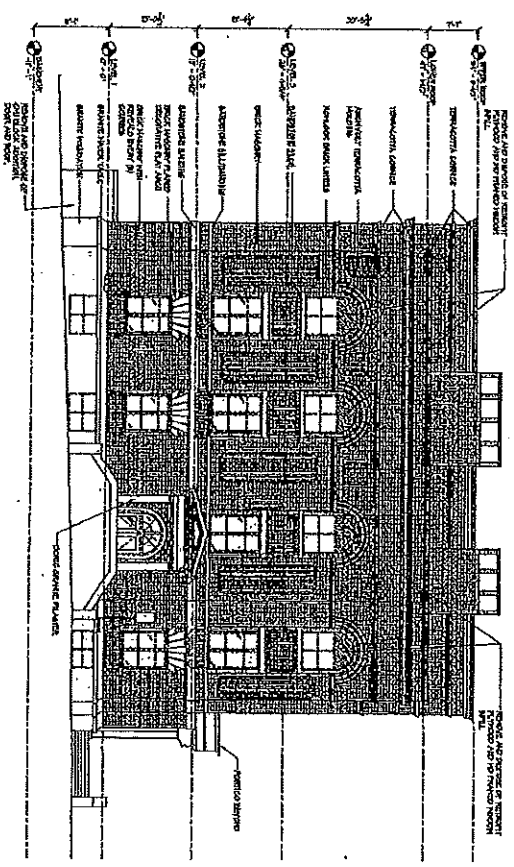
240 CHURCH STREET
NEW YORK, N.Y. 10013
Tel. (212) 691-1000
Fax (212) 691-1001
Telex 236 500
E-mail: wstarck@aol.com
Internet: www.wstarck.com



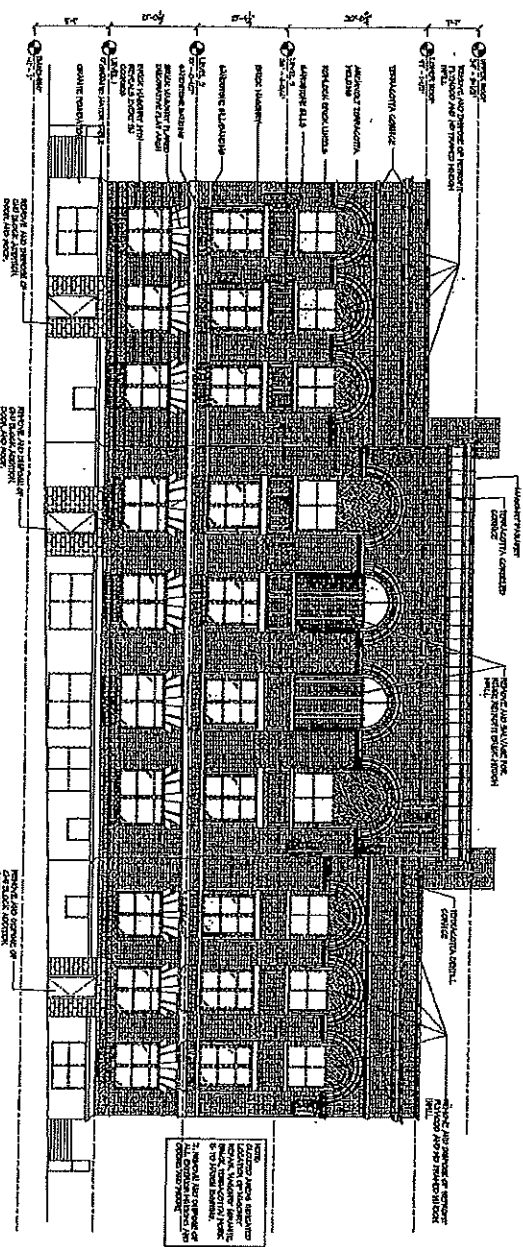
LINCOLN SCHOOL APARTMENTS
AT
439 PINE STREET
FALL RIVER, MA 02720
HANOVER PROPERTIES, LLC.

SECTION:	8. 8/28/2018	DATE:	10/11/2018
BY:	PAUL W. SCHUBERT	DATE:	10/11/2018
PROJECT:	FLAT 2 WPC SPRINGDALE	DATE:	10/11/2018
DESCRIPTION:	EXISTING CONDITIONS AND DEMOLITION WEST AND NORTH EXTERIOR ELEVATION	DATE:	10/11/2018
DRAWING NUMBER:	18.000	DATE:	10/11/2018

AD3.0



2 EAST - EXTERIOR DEMOLITION ELEVATION



1 SOUTH - EXTERIOR DEMOLITION ELEVATION
SECTION 1-1



**WILLIAM STARCE
ARCHITECTS, INC.**

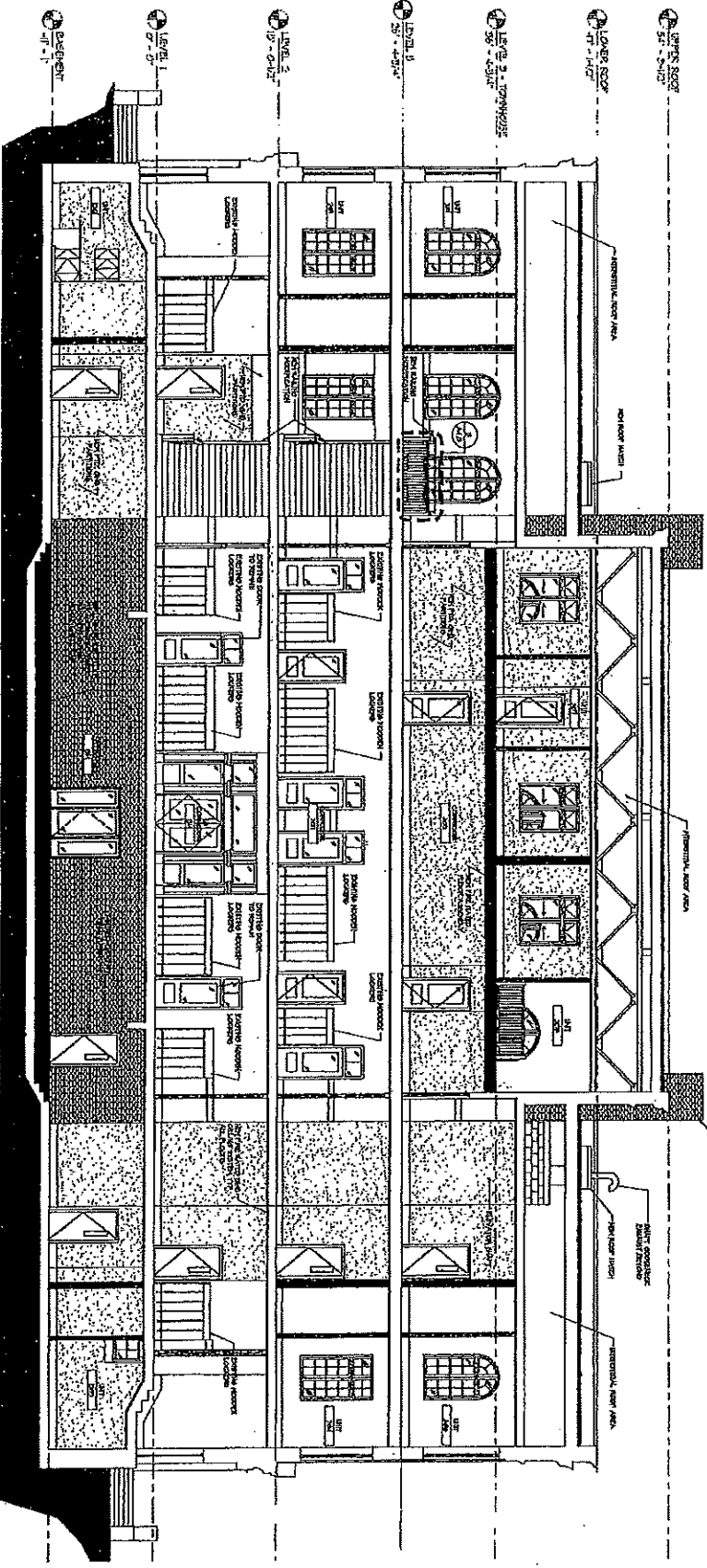
one central project
100000 sq. ft. - 1000000 sq. ft.
10-200000 sq. ft. - 1000000 sq. ft.
1000000 sq. ft. - 10000000 sq. ft.
10000000 sq. ft. - 100000000 sq. ft.
100000000 sq. ft. - 1000000000 sq. ft.

LINCOLN SCHOOL APARTMENTS
AT
439 PINE STREET
FALL RIVER, MA 02720
HANOVER PROPERTIES, I.L.C.

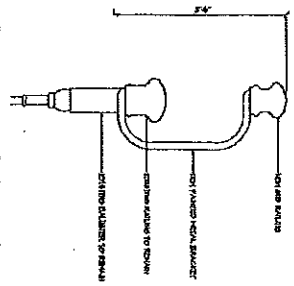
ROW NUMBER	EXISTING CONDITIONS AND DIRECTION EAST AND SOUTH EXTENSION ELEVATIONS	DRINKING WATER	EXISTING ELEVATIONS	PROPOSED ELEVATIONS	REMARKS
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AD3.1

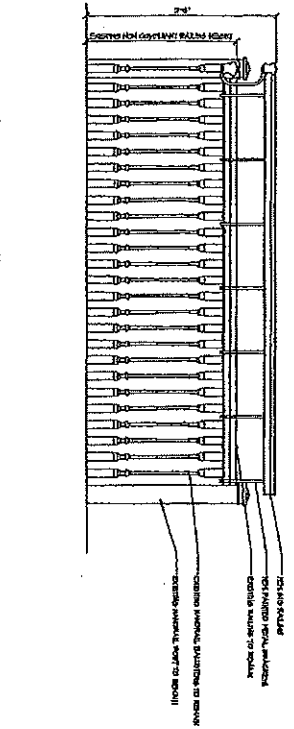
7



PROPOSED TYPICAL BALCONY DETAIL



PROPOSED TYPICAL BALCONY DETAIL



LINCOLN SCHOOL APARTMENTS
AT
439 PINE STREET
FALL RIVER, MA 02720
HANGOVER PROPERTIES, LLC.

WILLIAM STARK
ARCHITECTS, INC.

100 STATE STREET
FALL RIVER, MA 02720
TEL: 508/671-1111
WWW.WILLIAMSTARK.COM

REVISIONS:
A. 8/29/2018
PART 1 AND SUBMISSION
B. 1/11/2019
PART 2 AND SUBMISSION

SCALE: 3/8" = 1'-0"

DATE: 8/29/2018

DESIGNED BY: W.S.

CHECKED BY: W.S.

IN CHARGE: W.S.

PROPOSED BUILDING SECTION

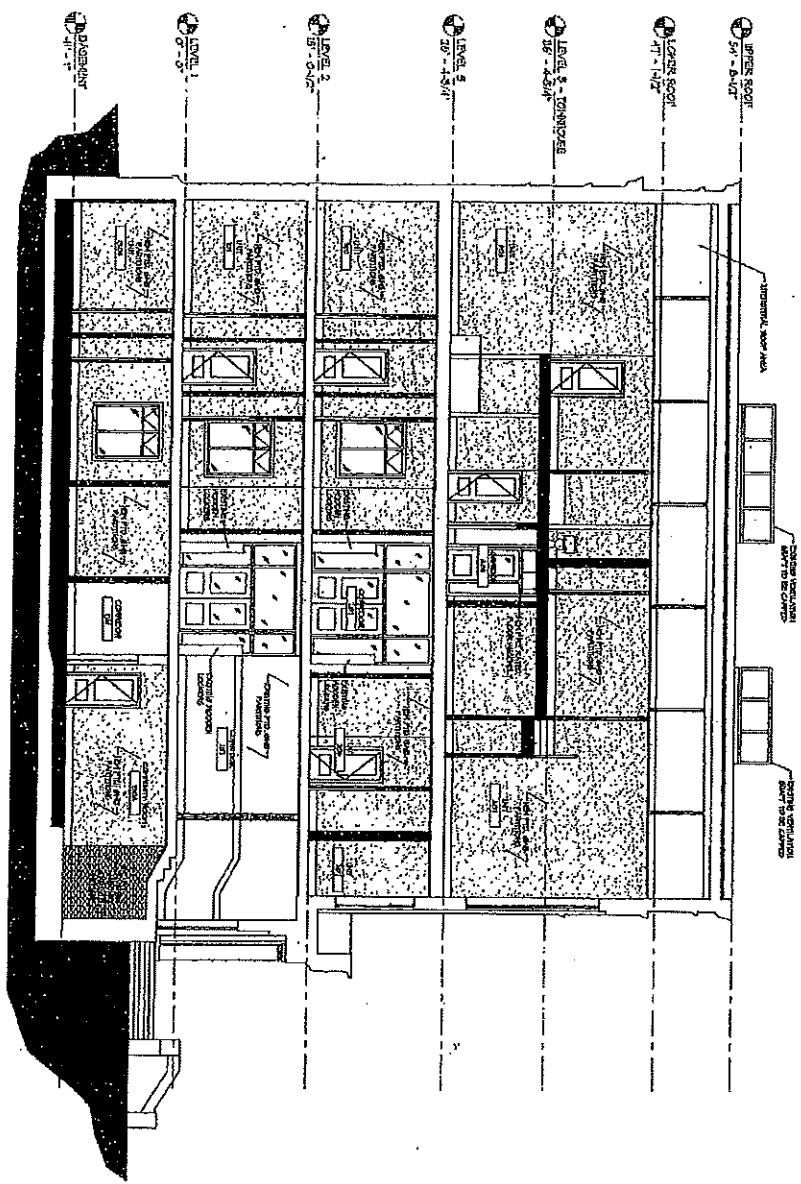
CREATING NUMBER:

COMMENTS:

A4.0

MASSACHUSETTS HISTORICAL COMMISSION SUBMISSION

7



1. PROPOSED BUILDING SECTION
SCALE: 1/8" = 1'-0"



WILLIAM STACK
ARCHITECTS, INC.
1000 BROAD STREET
FALL RIVER, MA 02720
TEL: 508/671-1111
WWW.WILLIAMSTACKARCHITECTS.COM

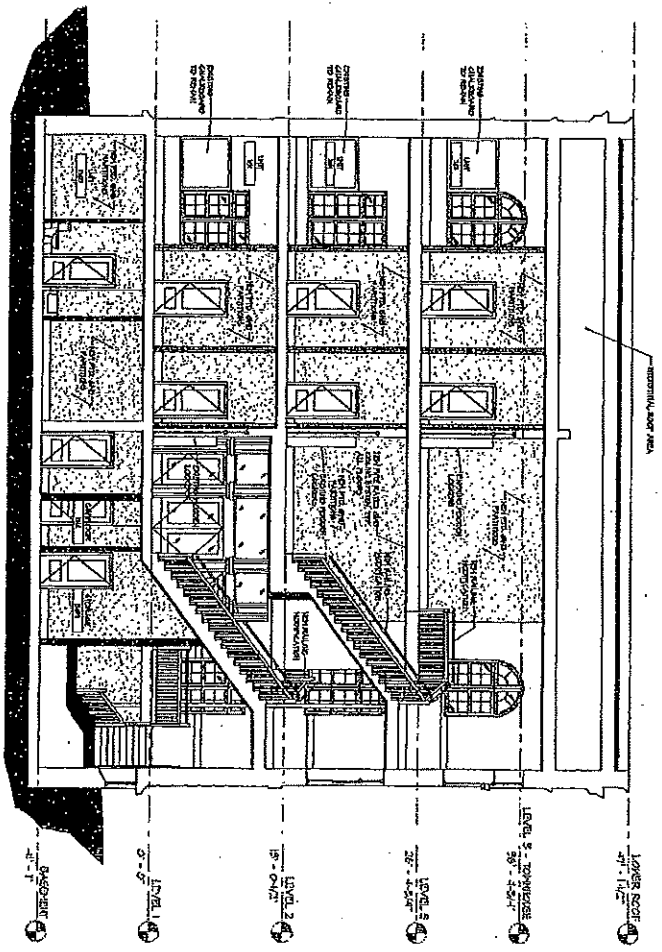
LINCOLN SCHOOL APARTMENTS
AT
439 PINE STREET
FALL RIVER, MA 02720
HANOVER PROPERTIES, LLC.

REVISIONS	A	3/23/2015
	1	PART 1, JPC SUBMISSION
	2	1/11/2015
	3	PART 1, JPC SUBMISSION
	4	1/11/2015
	5	PART 1, JPC SUBMISSION
	6	1/11/2015
	7	PART 1, JPC SUBMISSION
	8	1/11/2015
	9	PART 1, JPC SUBMISSION
	10	1/11/2015
	11	PART 1, JPC SUBMISSION
	12	1/11/2015
	13	PART 1, JPC SUBMISSION
	14	1/11/2015
	15	PART 1, JPC SUBMISSION
	16	1/11/2015
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	97	PART 1, JPC SUBMISSION
	98	1/11/2015
	99	PART 1, JPC SUBMISSION
	100	1/11/2015

MASSACHUSETTS HISTORICAL COMMISSION DIVISION

COMMENTS:
A4.1

7



1. PROPOSED BUILDING SECTION
SCALE: 1/4" = 1'-0"

WILLIAM STACE
ARCHITECTS INC.
1000 WEST 10TH AVENUE
DENVER, CO 80202
TEL: 303.733.1111
WWW.WILLIAMSTACE.COM



LINCOLN SCHOOL APARTMENTS
AT
439 PINE STREET
FALL RIVER, MA 02720
HANOVER PROPERTIES, LLC.

REVISIONS
1. 6/26/2018
2. 7/11/2018
3. 7/11/2018
4. 7/11/2018
5. 7/11/2018
6. 7/11/2018
7. 7/11/2018
8. 7/11/2018
9. 7/11/2018
10. 7/11/2018

SCALE
1/4" = 1'-0"

DATE
7/11/2018

DRAWN BY
JLW

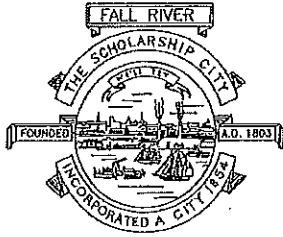
CHECKED BY
JLW

DATE
7/11/2018

DRAWING NAME
PROPOSED BUILDING SECTION

COMMENTS
A4.2

THIS DRAWING IS THE PROPERTY OF WILLIAM STACE ARCHITECTS INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF WILLIAM STACE ARCHITECTS INC.



City of Fall River
Massachusetts
Office of the Mayor

8a-d

JASIEL F. CORREIA II
Mayor

May 9, 2019

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

DEPT. CLERK
FALL RIVER, MA

2019 MAY -9 P 4:56

RECEIVED

Dear Honorable Council Members:

At a Tax Increment Financing Board Meeting held on May 9, 2019, the Board approved the following:

- Tax Increment Financing Agreement for Hutchens Holding, LLC and Raw Sea Foods, LLC
- Tax Increment Financing Agreement for Hutchens Holdings, II, LLC and Ice Cube, LLC
- Tax Increment Financing Agreement for Group Teresa, LLC and Alexandra's Boutique, Inc.
- Special Tax Assessment for TIGIR, LLC

Your approval of these economic development incentives is respectfully requested.

Best Regards,

Jasiel F. Correia II
Mayor

RESOLUTION APPROVING
THE ECONOMIC DEVELOPMENT
LOCAL ONLY TAX INCENTIVE CERTIFIED PROJECT OF
HUTCHENS HOLDING, LLC and RAW SEA FOODS, INC.

WHEREAS, Hutchens Holding, LLC and Raw Sea Foods, Inc. have submitted an Economic Development Incentive Program (EDIP) Local Only Tax Incentive Application to the City of Fall River and is seeking Certified Project Status under the Massachusetts Economic Development Incentive Program created by Chapter 23A of the Massachusetts General Laws; Chapter 166 of the Acts of 2009 and 402 CMR 2.00, and

WHEREAS, the City of Fall River has been designated a gateway municipality by the Commonwealth of Massachusetts and Hutchens Holding, LLC and Raw Sea Foods, Inc. plan to invest an estimated \$2,450,000 in the construction of a 10,000 SF addition to be located at Z03-0054, 481 Currant Road, Fall River, Massachusetts. Said investment will result in the creation of 25 new full-time jobs, and

WHEREAS, Hutchens Holding, LLC and Raw Sea Foods, Inc. are seeking a Tax Increment Financing Agreement of the Certified Project approval and meets the minimum requirements of and the project described in the Economic Assistance Coordinating Council Tax Incentive Project Application M.G.L. c. 40, Section 59, M.G.L. c. 59, Section 5, and M.G.L. c. 23A, Sections 3E and 3F, and the applicable regulations thereunder and will have a reasonable chance of creating employment opportunities for residents of the Economic Target Area, and

WHEREAS, the proposed Tax Incentive Certified Project is located at Z03-0054, 481 Currant Road, Fall River, Massachusetts, which is within the boundaries of the gateway municipality of Fall River, and

WHEREAS, approval of the Hutchens Holding, LLC and Raw Sea Foods, Inc. Economic Assistance Coordinating Council Local Only Tax Incentive Project Application in accordance with the above referenced laws, rules and regulations of the Commonwealth of Massachusetts is hereby accepted by the City Council, now therefore

BE IT RESOLVED that the City Council of Fall River hereby approves the proposed Tax Increment Financing (TIF) Agreement, which includes a real estate tax exemption pursuant to M.G.L. c. 40, Section 59, M.G.L. c. 59, Section 5, and M.G.L. c. 23A, Sections 3E and 3F, and the applicable regulations thereunder, between Hutchens Holding, LLC and Raw Sea Foods, Inc. and the City of Fall River for the property located at 481 Currant Road, Fall River, MA;

And that the City Council hereby endorses the proposed project as described in said TIF and the filing of an EDIP Local Incentive Only Application with the Economic Assistance Coordinating Council for said project since said project is consistent with the City's economic development objectives, will retain and create jobs as described in said application, will not overburden the City's infrastructure and other supporting resources, and since Raw Sea Foods, Inc. has indicated that it has the means to undertake and complete the proposed project.

ga

**TAX INCREMENT FINANCING AGREEMENT
BETWEEN
CITY OF FALL RIVER
AND
RAW SEA FOODS, INC. AND HUTCHENS HOLDING, LLC**

This **AGREEMENT** is made as of the [REDACTED] of May, 2019 by and between the CITY OF FALL RIVER, a Municipal Corporation acting through its Mayor and City Council, One Government Center, Fall River, MA 02721 (hereinafter "the CITY"), RAW SEA FOODS, INC., a Massachusetts Corporation, having a place of business at 481 Currant Road, Fall River, MA 02720 (hereinafter "the COMPANY"), and HUTCHINS HOLDING, LLC, a Massachusetts Limited Liability Company, having a place of business at 481 Currant Road, Fall River, MA 02720 (hereinafter "the LANDLORD"). This Agreement shall take effect immediately upon final approval by the Massachusetts Economic Assistance Council on _____, 2019.

WHEREAS the LANDLORD is the owner of 4.51 Acres of land with buildings thereon located at 481 Currant Road, Fall River, MA as more fully shown on Fall River Assessors Map Z03, as Lot 0054 (hereinafter the "PROPERTY") and as shown on Exhibit "A" attached hereto; and

WHEREAS the COMPANY currently operates an approximately 80,000 square foot greenfield manufacturing facility in which it employs 225 full time employees and maintains the highest possible quality standards available in the seafood manufacturing (hereinafter the "FACILITY"); and

WHEREAS the project is planned to buildout an additional 10,000 square feet of space and result in an estimated capital investment of \$ 2,450,000, including \$2,100,000 in hard and soft construction costs and \$350,000 in machinery, equipment and IT Software and Hardware (hereinafter the "PROJECT"); and

WHEREAS the COMPANY plans to retain 226 full-time jobs and create 25 new, permanent full-time jobs at the PROPERTY; and

WHEREAS the COMPANY intends to apply for status as a Local Incentive-Only Project under the Massachusetts Economic Development Incentive Program (EDIP); and

WHEREAS the CITY strongly supports increased economic development to provide additional jobs, expand business within the CITY, and to develop a healthy economy and stronger tax base; and

WHEREAS, on May _____, 2019, the Fall River City Council voted to approve this Agreement.

Now, **THEREFORE**, in consideration of the mutual promises of the parties contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

A. THE CITY'S OBLIGATIONS

1. A Tax Increment Financing ("TIF") exemption (the "EXEMPTION") is hereby granted to the COMPANY by the CITY in accordance with Chapter 23A, Section 3A to 3F; Chapter 40, Section 59, and Chapter 59, Section 5, Clause 51 of the Massachusetts General Laws and the

8a

applicable regulations thereto. The EXEMPTION for real estate taxes shall be for a period of five (5) years (the "Exemption Term"), commencing in the fiscal year for which the CITY has increased the assessed value at the PROPERTY to the full assessed value of the PROJECT at the PROPERTY (the first day of such fiscal year in which said full assessed valuation occurs is hereinafter referred to as the "Start Date") and shall provide an exemption from taxation of the new incremental value of the PROPERTY resulting from the PROJECT as determined by the CITY's Assessor, as follows:

Year	Exemption Percentage
1	100%
2	75%
3	50%
4	25%
5	10%

2. The Base Valuation shall be the assessed value of the PROPERTY for Fiscal Year 2019.
3. The Base Valuation shall be adjusted annually by an adjustment factor, which reflects increased commercial and industrial property values within the community, as provided in Chapter 59, Section 21C(f) of the Massachusetts General Laws.
4. The COMPANY is a manufacturer and so its personal property is 100% exempt from taxation pursuant to Massachusetts General Laws Chapter 59, §5, Clause 16th.

B. THE COMPANY'S OBLIGATIONS

The CITY grants the EXEMPTION to the COMPANY in consideration of and commitment by the COMPANY to the following:

1. The COMPANY shall construct an estimated additional 10,000 square foot expansion to the FACILITY intended support new business opportunities in seafood processing and manufacturing.

The COMPANY shall invest at least \$2,450,000, including \$2,100,000 in hard and soft construction costs and \$350,000 in machinery, equipment and IT Software and Hardware. The COMPANY shall retain 226 permanent full-time jobs during the term of this Agreement, and create 25 permanent, new full-time jobs at the FACILITY during the first two years of the Exemption Term and retain said newly created permanent full time jobs for the term of this Agreement. The COMPANY job retention and creation plans are more fully outlined in the Employment & Job Creation section of the EDIP Local Incentive-Only Application to be submitted to the State in connection with the COMPANY's request for a TIF exemption and said EDIP Local Incentive-Only Application is incorporated herein by reference.

2. The COMPANY shall submit an annual report pursuant to General Laws Chapter 23A, Section 3F to the Massachusetts Economic Assistance Coordinating Council ("EACC") through the Commonwealth's on-line portal for each year of the Application designation. The annual report shall include the number of jobs retained and created, and value of the PROPERTY capital investments and other related items with respect to the PROPERTY annually and on a cumulative

basis. The COMPANY shall submit a report as required by General Laws Chapter 40, Section 59(viii) to the Fall River City Clerk and EACC.

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3. If the COMPANY fails to meet the obligations specified in this Section, the CITY, acting by its Mayor, may take action to notify the EACC and/or request decertification of the PROJECT by the EACC. Upon decertification, the CITY shall discontinue the Tax Increment Financing (TIF) benefits provided to the COMPANY, commencing with the first fiscal year in which the PROJECT is decertified, or if such benefits have already been received by the COMPANY for the fiscal year in which the PROJECT has been decertified, commencing as of the fiscal year immediately following that fiscal year.
4. Prior to taking any action to request decertification of the PROJECT by the EACC, the CITY shall give written notice of the alleged material default to the COMPANY and provide them an opportunity to meet with the CITY officials to discuss a remedy for the alleged default. The COMPANY shall have sixty (60) days from the receipt of such written notice to respond to the CITY regarding any alleged default and one hundred twenty (120) days from the receipt of such written notice to remedy such alleged default, or, with respect to alleged defaults which cannot be remedied within such one-hundred-twenty (120) day period, within such additional period of time as is required to reasonably remedy such alleged default, provided the COMPANY exercises due diligence in the remedying of such alleged default.
5. If the COMPANY plans to move from the PROPERTY, the CITY shall be given thirty (30) days advance written notice.
6. If the COMPANY fails to cure any default within the time period set forth in Paragraph B.4 hereof or if the COMPANY decides to sell its business, or to discontinue the operation thereof, as set forth in Paragraph B.5 hereof, then the CITY may recapture the value of the tax not paid due to the EXEMPTIONS by this Agreement. Said recapture shall be made through a special assessment on the COMPANY and LANDLORD in the municipal fiscal year that follows the EACC's decision to revoke project certification. The assessment, payment, and collection of the special assessment shall be governed by procedures provided for the taxation of omitted property pursuant to Massachusetts General Laws Chapter 59, Section 75 notwithstanding the time period set forth in said Chapter 59 for which omitted property assessments may be imposed for each of the fiscal years included in the special assessment.
7. The matters described above as obligations of the COMPANY are only conditions to the eligibility for tax exemptions under this Agreement, and do not create any enforceable obligations or covenants of the COMPANY. The CITY's sole remedy for failure by the COMPANY to satisfy any of its respective obligations and conditions are set forth in Paragraph B.5, B.5 and B.6 of this Agreement.

C. OTHER CONSIDERATIONS

1. Pursuant to the provisions of Chapter 40, Section 59 of the Massachusetts General Laws and applicable regulations, this Agreement shall be binding upon the COMPANY, its successors, assigns, and the LANDLORD and subsequent owners of the PROPERTY, so long as the PROJECT has not been decertified by the EACC.

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2. The CITY, the COMPANY and the LANDLORD acknowledge and agree that there is no public construction contemplated by this Agreement and, therefore, no betterment schedule referred to in Massachusetts General Laws Chapter 40, Section 59 is required. This Agreement and the Tax Increment Financing Exemption provided for hereunder shall apply only to the PROPERTY.
 3. This Agreement is governed by the laws of the Commonwealth of Massachusetts. If any provision of this Agreement shall be found invalid for any reason, such invalidity shall be construed as narrowly as possible and the balance of this Agreement shall be deemed to be amended to the minimum extent necessary to provide to the CITY, the COMPANY and the LANDLORD substantially the benefits set forth in this Agreement.
 4. This agreement is subject to Massachusetts General Laws Chapter 23A, Sections 3A to 3F, Chapter 40, Section 59, and Chapter 59, Section 5, Clause Fifty-first and the applicable regulations thereto.
 5. The time within which the COMPANY and/or the LANDLORD shall be required to perform any of its obligations under this agreement shall be extended in the event the performance of such obligation is delayed by a force majeure event such as an act of God, earthquake, fire, act of terrorism, war, labor dispute, delay or restriction by a government body, or any other cause beyond the reasonable control of the COMPANY and/or the LANDLORD.
 6. All notices permitted or required under the provisions of the Agreement shall be in writing, and, if from the COMPANY and/or the LANDLORD, signed by an authorized officer, and shall be sent by registered or certified mail, postage prepaid, or shall be delivered by private express carrier to the addresses listed below or at such other address as may be specified by a party in writing and served upon the other in accordance with this section. Such notices shall be deemed given when delivered or when delivery is refused.

If intended for the CITY addressed to:

Mayor Jasiel Correia, II
City of Fall River
One Government Center
Fall River, MA 02721

with copies concurrently delivered to:

Corporation Counsel
City of Fall River
One Government Center
Fall River, MA 02721

If intended for the COMPANY addressed to:

Raw Sea Foods, Inc
481 Curren Road
Fall River, MA 02720

If intended for the LANDLORD addressed to:

Hutchens Holding, LLC
481 Currant Road
Fall River, MA 02720

8a

7. The COMPANY and/or the LANDLORD agree to allow the CITY, and its agents, to monitor compliance with this Agreement. The COMPANY and/or the LANDLORD shall provide to the CITY, upon reasonable request, access to such information as the CITY, or its agents, may deem necessary to monitor the COMPANY's and/or the LANDLORD's compliance.
8. This Agreement shall not be binding, and shall not go into effect until fully executed by the parties thereto, and until such time as this Agreement has been approved by the Massachusetts Economic Assistance Coordinating Council.

Executed as a sealed instrument on the day and year first above written.

CITY OF FALL RIVER
BY ITS MAYOR

RAW SEA FOODS, INC
BY ITS PRESIDENT & TREASURER

JASIEL F. CORREIA, II

JASON K. HUTCHENS

Witness

Witness

AS TO FORM AND MANNER OF EXECUTION

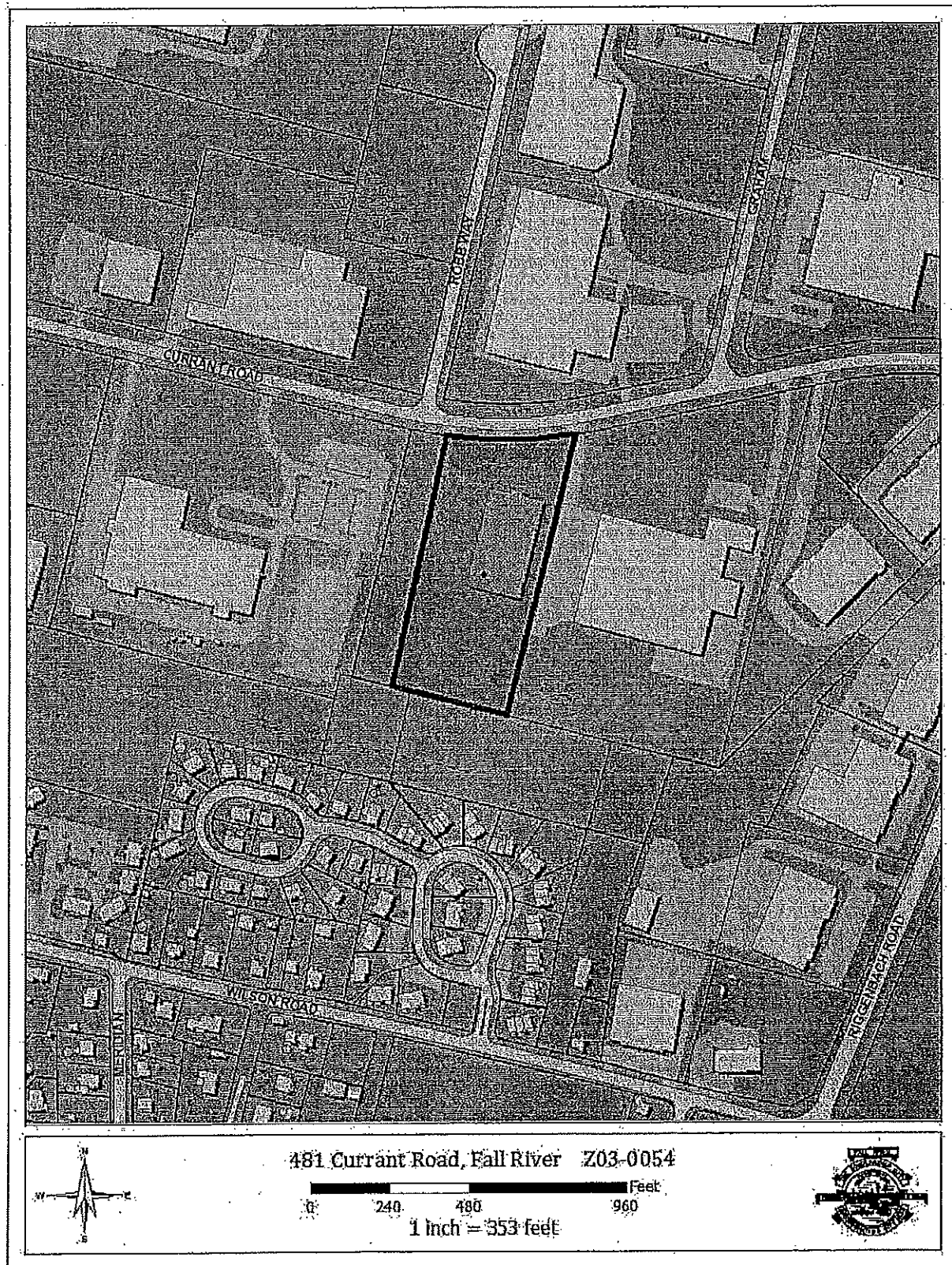
HUTCHENS HOLDING, LLC

JOSEPH I. MACY, ESQ.
CORPORATION COUNSEL

JASON K. HUTCHENS

EXHIBIT "A"
PROPERTY MAP

8a



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Hutchens Holding LLC/Raw Sea Foods, Inc.
481 Currant Road

EDIP Local Incentive Only Application Exhibit 1: Local Incentive Valuation

FY	Municipal Tax Rate Per Thousand	Incremental Assessed Value	Projected Annual RE Property Tax Bill for Incremental	TIF/STA Yearly Exemption %	Exempted Annual RE Property Taxes	Exempted Annual Personal Property Taxes	Total Yearly Value of Local Tax Incentives
2021	\$31.36	\$882,300.00	\$27,668.93	100%	\$27,668.93	\$0.00	\$27,668.93
2022	\$31.36	\$882,300.00	\$27,668.93	75%	\$20,751.70	\$0.00	\$20,751.70
2023	\$31.36	\$882,300.00	\$27,668.93	50%	\$13,834.46	\$0.00	\$13,834.46
2024	\$31.36	\$882,300.00	\$27,668.93	25%	\$6,917.23	\$0.00	\$6,917.23
2025	\$31.36	\$882,300.00	\$27,668.93	10%	\$2,766.89	\$0.00	\$2,766.89
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
TOTALS					\$71,939.21	\$0.00	\$71,939.21

Note: In Massachusetts, Proposition 2 1/2 operates at the level of a municipality's total tax levy. Due to Proposition 2 1/2, it is impossible to make projections for individual parcels, whose taxes may increase much more or much less than the municipality's total taxes. As a result this spreadsheet does not include an assumed increase in either the tax rate or assessed value. This spreadsheet is intended to provide an estimate of the total value of property tax exemption as a result of the early TIF or STA exemption percentage negotiated between a company and a municipality.

Total Yearly Value of Local Tax Incentives minus PILOT + \$ _____

RESOLUTION APPROVING
THE ECONOMIC DEVELOPMENT
TAX INCENTIVE CERTIFIED PROJECT OF
HUTCHENS HOLDINGS, II, LLC &
ICE CUBE, LLC

WHEREAS, Hutchens Holdings, II, LLC and Ice Cube, LLC have submitted an Economic Development Incentive Program (EDIP) Tax Incentive Application to the City of Fall River and is seeking Certified Project Status under the Massachusetts Economic Development Incentive Program created by Chapter 23A of the Massachusetts General Laws; Chapter 166 of the Acts of 2009 and 402 CMR 2.00, and

WHEREAS, the City of Fall River has been designated a gateway municipality by the Commonwealth of Massachusetts and Hutchens Holdings, II, LLC and Ice Cube, LLC plan to invest an estimated \$5,000,000 in the construction of a 40,000 SF addition to be located at Z03-0052, 421 Currant Road, Fall River, Massachusetts. Said investment will result in the creation of 7 new full-time jobs, and

WHEREAS, Hutchens Holdings, II, LLC and Ice Cube, LLC are seeking a Tax Increment Financing Agreement of the Certified Project approval and meets the minimum requirements of and the project described in the Economic Assistance Coordinating Council Tax Incentive Project Application M.G.L. c. 40, Section 59, M.G.L. c. 59, Section 5, and M.G.L. c. 23A, Sections 3E and 3F, and the applicable regulations thereunder and will have a reasonable chance of creating employment opportunities for residents of the Economic Target Area, and

WHEREAS, the proposed Tax Incentive Certified Project is located at Z03-0052, 421 Currant Road, Fall River, Massachusetts, which is within the boundaries of the gateway municipality of Fall River, and

WHEREAS, approval of the Hutchens Holdings, II, LLC and Ice Cube, LLC Economic Assistance Coordinating Council Local Only Tax Incentive Project Application in accordance with the above referenced laws, rules and regulations of the Commonwealth of Massachusetts is hereby accepted by the City Council, now therefore

BE IT RESOLVED that the City Council of Fall River hereby approves the proposed Tax Increment Financing (TIF) Agreement, which includes a real estate tax exemption pursuant to M.G.L. c. 40, Section 59, M.G.L. c. 59, Section 5, and M.G.L. c. 23A, Sections 3E and 3F, and the applicable regulations thereunder, between Hutchens Holdings, II, LLC and Ice Cube, LLC and the City of Fall River for the property located at 421 Currant Road, Fall River, MA;

And that the City Council hereby endorses the proposed project as described in said TIF and the filing of an EDIP Local Incentive Only Application with the Economic Assistance Coordinating Council for said project since said project is consistent with the City's economic development objectives, will retain and create jobs as described in said application, will not overburden the City's infrastructure and other supporting resources, and since Hutchens Holdings, II, LLC and Ice Cube, LLC have indicated that it has the means to undertake and complete the proposed project.

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TAX INCREMENT FINANCING AGREEMENT AMENDMENT
BY AND BETWEEN
THE CITY OF FALL RIVER
AND
HUTCHENS HOLDINGS, II, LLC & ICE CUBE, LLC

This Agreement made this day of May, 2019, by and between: **City of Fall River** (hereinafter called the "CITY"), a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts, having a principal place of business at One Government Center, Fall River, Massachusetts, 02722, (hereinafter called the "CITY"); and **Hutchens Holding II, LLC**, a Massachusetts Limited Liability Company with a principal place of business at 421 Currant Road, Fall River, Massachusetts, 02720 (hereinafter called the "LANDLORD") and **Ice Cube, LLC**, a Massachusetts Limited Liability Company with a principal place of business at 421 Currant Road, Fall River, Massachusetts, 02720 (hereinafter called the "COMPANY") amends the Tax Incentive Increment Financing Agreement by and between the CITY and the LANDLORD dated October 11, 2016 (hereinafter the "2016 TIF"). This Agreement shall take effect immediately upon final approval by the Massachusetts Economic Assistance Coordinating Council on May 2019.

WHEREAS, the Ice Cube, LLC was founded to build a best in class cold storage facility to service cold storage needs not currently available in Massachusetts, has grown rapidly since opening in August 2017 and currently operates a state of the art cold storage facility (hereinafter the "Facility") at 421 Currant Road, Fall River; and

WHEREAS, the 40,000 square foot expansion of the Facility will result in \$5,000,000.00 of new construction and related costs during calendar year 2019 and will retain 23 full time jobs and create 7 new permanent full-time jobs for the qualified residents of the City of Fall River (hereinafter the "Ice Cube Expansion Project"); and

WHEREAS, as a result of its intention to complete the Ice Cube Expansion Project, the COMPANY and the LANDLORD are seeking to amend the 2016 TIF in accordance with the Massachusetts Economic Development Incentive Program and Massachusetts General Laws Chapter 23A, and

WHEREAS, the City strongly supports increased economic development and to provide additional jobs for qualified residents of the City of Fall River, to expand commercial and industrial activity in the CITY, and to develop a healthy economy and stronger tax base; and

WHEREAS, the proposed project is also located at 421 Currant Road, Fall River, Massachusetts as shown on the City of Fall River Assessors Maps as Parcel ID Z-03-0052 (hereinafter the "Property"); and

WHEREAS, the COMPANY is seeking real property tax exemptions from the CITY

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for said Ice Cube Expansion Project in return for a guarantee of capital investment at the Ice Cube Expansion Project and employment opportunities for local worker.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties do mutually agree as follows:

A. THE COMPANY'S OBLIGATIONS

1. The CITY, as authorized by the vote of the Fall River City Council on May __, 2019, enters into this Amendment of the 2016 TIF for the Ice Cube Expansion Project located at 421 Curren Road, as shown on the Fall River Assessors Map as Parcel ID# Z-03-0052. A map of the project area and property subject to the 2016 TIF as a result of this Amendment is hereby attached as Exhibit "A".
2. The COMPANY shall invest approximately \$5,000,000.00 in the Ice Cube Expansion Project to be constructed at 421 Curren Road, Fall River, Massachusetts. The COMPANY further agrees to retain the existing 23 full time permanent jobs at the Ice Cube and to create and retain 7 new permanent full-time jobs within two (2) years of the CITY issuing the COMPANY a Certificate of Occupancy. The COMPANY's job retention and creation plans shall be outlined in the Employment & Job Creation section of the EDIP Local Incentive-Only Application to be submitted to the Commonwealth in connection with the COMPANY's request for a TIF exemption, which when submitted and approved, shall be deemed to be incorporated by reference in this Agreement.
3. The COMPANY agrees to continue to operate its business at the FACILITY, as expanded by the Ice Cube Expansion Project, so long as this Agreement is in force. The COMPANY further agrees to continuously maintain the level(s) of jobs required under 2016 TIF, as amended by this Agreement from the date(s) such level(s) is/are first required to be maintained and/or achieved until the expiration or termination of 2016 TIF as amended by this Agreement. In the event the COMPANY does not create the required number of jobs in the time frame outlined above, this Agreement shall be revocable by a vote of the TIF Board, as provided herein.
4. The COMPANY shall cooperate with the Bristol County Training Consortium and other local and state agencies, as appropriate, in seeking to fill vacancies at the COMPANY from the local community.
5. If the COMPANY plans to change its business plan as provided in the previous paragraphs, it may request to amend this agreement to amend its commitment. Said request for amendment shall be reviewed by the TIF Board and City Council. If the said amendment to the business plan results in a reduced commitment, the amended exemption shall be calculated in such a fashion that the total exemption provided under this Agreement for the project shall be reduced by the corresponding percentage.

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6. If the COMPANY decide(s) to sell the FACILITY and/or the business or to otherwise transfer control of the FACILITY and/or business and the operations therein, the COMPANY shall make all good faith efforts to give the CITY at least six (6) months, notice of said sale or transfer but no less than sixty (60) days shall be required. This Agreement is non-transferable without the consent of the TIF Board and City Council. Said notice shall be given by certified mail, return receipt requested, to the Mayor of the City of Fall River, One Government Center, Fall River, Massachusetts, 02722.
7. The COMPANY shall submit an annual report pursuant to General Laws Chapter 23A, Section 3F to the Massachusetts Economic Assistance Coordinating Council ("EACC") through the Commonwealth's on-line portal for each year of the Application designation. The annual report shall include the number of jobs that the Company has created and retained, and value of the Property capital investments and other related items with respect to the Property annually and on a cumulative basis. The Company shall submit a report as required by General Laws Chapter 40, Section 59(viii) to the Fall River City Clerk and EACC. The COMPANY shall also provide the CITY with a Quarterly Report, to be supplied by the City, within thirty (30) days from the end of the quarter immediately following Project Certification and for each subsequent quarter thereafter until the expiration or termination of this Agreement. Said report shall contain, at a minimum, the following information: (1) employment levels at the COMPANY at the beginning and end of the reporting period; (2) number of Fall River residents employed at the COMPANY at the beginning and end of the reporting period; (3) utilization of local contractors during the reporting period; (4) supplies/materials purchased locally during the reporting period; and (5) the COMPANY's financial contribution to the city (i.e., property taxes, motor vehicle excise taxes, water and sewer fees) for the reporting period.

Said quarterly report shall be forwarded to the Mayor of the City of Fall River, President of the Fall River City Council, Fall River City Clerk, Fall River Assessor, and Jobs for Fall River, Inc. (d/b/a Fall River Office of Economic Development), One Government Center, Fall River, MA, 02722. Jobs for Fall River, Inc. shall be responsible for monitoring job creation activities and compliance with the terms and conditions set forth in this Agreement. The COMPANY also shall notify Jobs for Fall River, Inc. of its receipt of a Certificate of Occupancy for its FACILITY within ten (10) days of such receipt.

B. THE CITY'S OBLIGATIONS

1. A Tax Increment Financing ("TIF") exemption (the "Exemption") is hereby granted to the COMPANY and the LANDLORD by the CITY in accordance with Chapter 23A, Sections 3A to 3F; Chapter 40, Section 59, and Chapter 59,

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Section 5, Clause Fifty-first of the Massachusetts General Laws and the applicable regulations thereto. Specifically, this Agreement amends Section B.1 of the 2016 TIF by providing an amended exemption from real estate tax for Year 3 through and including Year 5 of the 2016 TIF in addition to the exemption for those years set forth in the 2016 TIF, and also extends the 2016 TIF for an additional two (2) years and provides an exemption from real estate tax for said additional two (2) years (hereinafter "the Amended Exemption"). The Amended Exemption shall apply to the incremental difference in assessed valuation of the Property resulting from the Ice Cube Expansion Project commencing in the fiscal year following which the fiscal year in which the CITY has issued the COMPANY a Certificate of Occupancy.

The Amended Exemption schedule is as follows for new value created:

<i>Year</i>	<i>Original 2016 TIF Exemption</i>	<i>Ice Cube Expansion Project Exemption</i>
1	100%	
2	75%	
3	50%	100%
4	25%	75%
5	10%	50%
6	0%	25%
7	0%	10%

2. If the CITY determines, after a hearing before, and determination from, the CITY'S Tax Increment Financing Board, that the COMPANY has failed to meet or maintain employment goals, including its obligations to retain the existing 23 full time permanent jobs at the Ice Cube and to create and retain 7 new permanent full-time jobs within two (2) years of the CITY issuing the COMPANY a Certificate of Occupancy for the Ice Cube Expansion Project, the Tax Increment Financing exemption pertaining to real property tax exemptions shall be revoked.
3. If, after the procedures set forth in Section B.2 above, the CITY does proceed with a petition to the EACC, then upon decertification by the EACC, the CITY shall be able to discontinue the TIF described above, commencing with the fiscal year immediately following the year for which COMPANY failed to meet its obligations, and then pursuant to Massachusetts General Laws Chapter 23A, Section 3F(e) the CITY may recapture the value of the tax not paid due to the

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Exemptions provided in the 2016 TIF and as amended by this Agreement. Said recapture shall be made through a special assessment on the COMPANY and LANDLORD in the municipal fiscal year that follows the EACC's decision to revoke project certification. The assessment, payment, and collection of the special assessment shall be governed by procedures provided for the taxation of omitted property pursuant to Massachusetts General Laws Chapter 59, Section 75 notwithstanding the time period set forth in said Chapter 59 for which omitted property assessments may be imposed for each of the fiscal years included in the special assessment.

C. OTHER CONSIDERATIONS

1. Pursuant to the provisions of Chapter 40, Section 59 of the Massachusetts General Laws and applicable regulations, this Agreement shall be binding upon the LANDLORD and the COMPANY, their successors, assigns, and subsequent owners of the Property, so long as the Project has not been decertified by the EACC.
2. The CITY and the COMPANY acknowledge and agree that there is no public construction contemplated by this Agreement and, therefore, no betterment schedule referred to in Massachusetts General Laws Chapter 40, Section 59 is required. This Agreement and the Tax Increment Financing Exemption provided for hereunder shall apply only to the Property.
3. This Agreement is governed by the laws of the Commonwealth of Massachusetts. If any provision of this Agreement shall be found invalid for any reason, such invalidity shall be construed as narrowly as possible and the balance of this Agreement shall be deemed to be amended to the minimum extent necessary to provide to the CITY and the COMPANY and LANDLORD substantially the benefits set forth in this Agreement.
4. This agreement is subject to Massachusetts General Laws Chapter 23A, Sections 3A to 3F, Chapter 40, Section 59, and Chapter 59, Section 5, Clause Fifty-first and the applicable regulations thereto.
5. The time within which the COMPANY shall be required to perform any of its obligations under this agreement shall be extended in the event the performance of such obligation is delayed by a force majeure event such as an act of God, earthquake, fire, act of terrorism, war, labor dispute, delay or restriction by a government body, or any other cause beyond the reasonable control of the COMPANY.
6. All notices permitted or required under the provisions of the Agreement shall be in writing, and, if from the COMPANY, signed by an authorized officer, and shall be sent by registered or certified mail, postage prepaid, or shall be delivered by private express carrier to the addresses listed below or at such other address as may be specified by a party in writing and served upon the other in accordance with this section. Such notices

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shall be deemed given when delivered or when delivery is refused.

If intended for the CITY addressed to:

Mayor Jasiel Correia, II
City of Fall River
One Government Center
Fall River, MA 02721

with copies concurrently delivered to:

Corporation Counsel
City of Fall River
One Government Center
Fall River, MA 02721

If intended for the COMPANY, addressed to:

Ice Cube, LLC
481 Currant Road
Fall River, MA 02720

If intended for the LANDLORD, addressed to:

Hutchens Holding II, LLC
481 Currant Road
Fall River, MA 02720

7. The COMPANY agrees to allow the CITY to monitor compliance with this Agreement. The COMPANY shall provide to the CITY, upon reasonable request, access to such information as the CITY may deem necessary to monitor the COMPANY's compliance.
8. This Agreement shall not be binding, and shall not go into effect until fully executed by the parties thereto, and until such time as this Agreement has been approved by the Massachusetts Economic Assistance Coordinating Council.

Signatures Follow On Next Page

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Executed as a sealed instrument.

CITY OF FALL RIVER

HUTCHENS HOLDING, II, LLC

Jasiel F. Correia, II
Mayor

Name:

Date

Date

Approved as to Form & Manner
of Execution

ICE CUBE, LLC

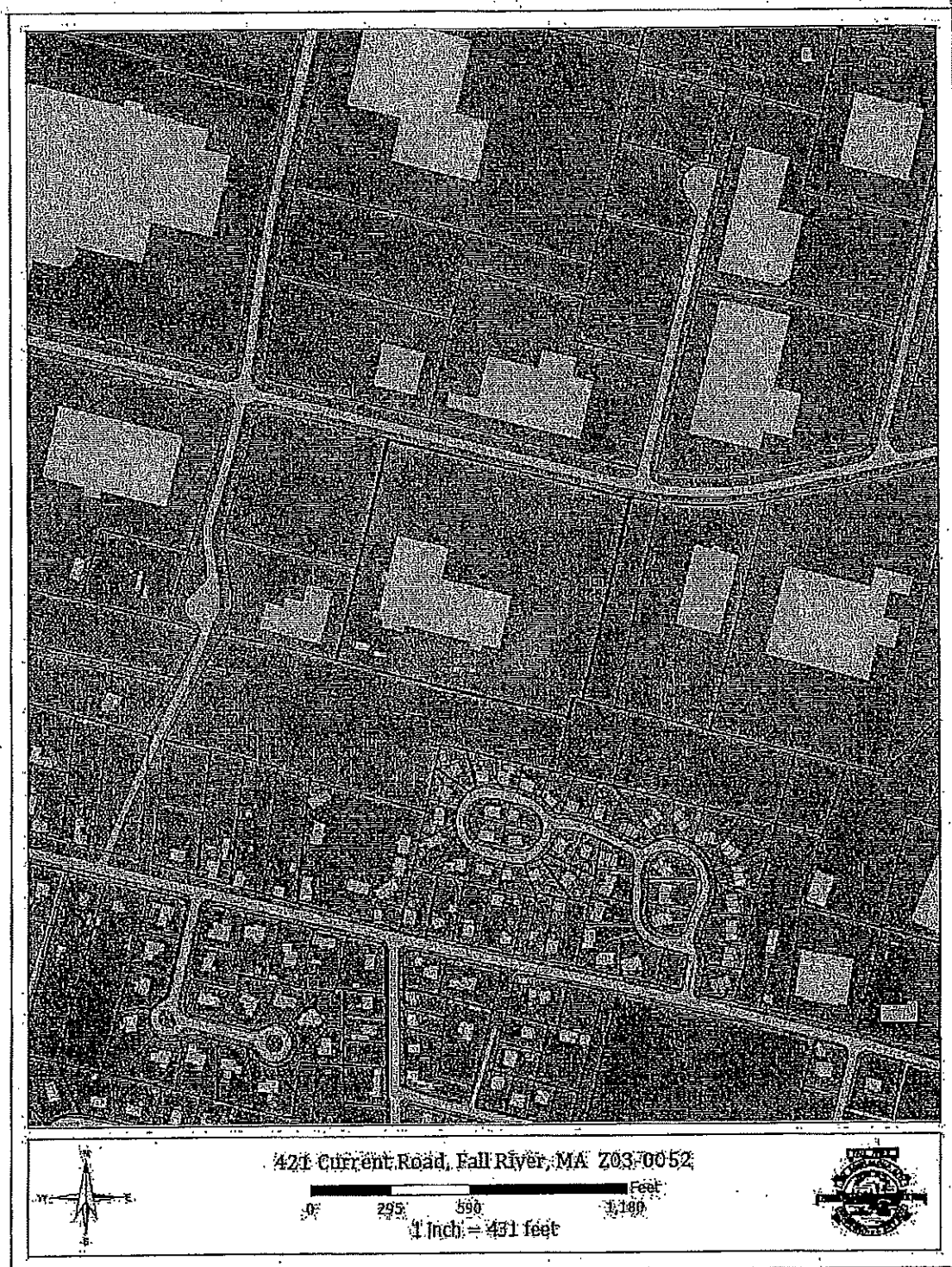
Joseph Macy, Esq.
Corporation Counsel

Name:

Date

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EXHIBIT "A"
PROPERTY MAP



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Hutchens Holding II LLC/Ice Cube, LLC
421 Currant Road

EDIP Local Incentive Only Application Exhibit 1: Local Incentive Valuation

FY	Municipal Tax Rate Per Thousand	Incremental Assessed Value	Projected Annual RE Property Tax Bill for Incremental	TIF/STA Yearly Exemption %	Exempted Annual RE Property Taxes	Exempted Annual Personal Property Taxes	Total Yearly Value of Local Tax Incentives
2021	\$31.36	\$3,104,000.00	\$97,341.44	100%	\$97,341.44	\$0.00	\$97,341.44
2022	\$31.36	\$3,104,000.00	\$97,341.44	75%	\$73,006.08	\$0.00	\$73,006.08
2023	\$31.36	\$3,104,000.00	\$97,341.44	50%	\$48,670.72	\$0.00	\$48,670.72
2024	\$31.36	\$3,104,000.00	\$97,341.44	25%	\$24,335.36	\$0.00	\$24,335.36
2025	\$31.36	\$3,104,000.00	\$97,341.44	10%	\$9,734.14	\$0.00	\$9,734.14
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
				TOTALS	\$253,087.74	\$0.00	\$253,087.74

Note: In Massachusetts, Proposition 2 1/2 operates at the level of a municipality's total tax levy. Due to Proposition 2 1/2, it is impossible to make projections for individual parcels, whose taxes may increase much more or much less than the municipality's total taxes. As a result this spreadsheet does not include an assumed increase in either the tax rate or assessed value. This spreadsheet is intended to provide an estimate of the total value of property tax exemption as a result of the early TIF or STA exemption percentage negotiated between a company and a municipality.

RESOLUTION APPROVING
THE ECONOMIC DEVELOPMENT
LOCAL ONLY TAX INCENTIVE CERTIFIED PROJECT OF
GROUP TERESA, LLC & ALEXANDRA'S BOUTIQUE, INC.

WHEREAS, Group Teresa, LLC & Alexandra's Boutique, Inc. have submitted an Economic Development Incentive Program (EDIP) Local Only Tax Incentive Application to the City of Fall River and is seeking Certified Project Status under the Massachusetts Economic Development Incentive Program created by Chapter 23A of the Massachusetts General Laws; Chapter 166 of the Acts of 2009 and 402 CMR 2.00, and

WHEREAS, the City of Fall River has been designated a gateway municipality by the Commonwealth of Massachusetts and Group Teresa, LLC & Alexandra's Boutique, Inc. plan to invest an estimated \$2,000,000 in the renovation of a 10,000 SF addition to be located at I-09-0024, 390 South Main Street, Fall River, Massachusetts. Said investment will result in the creation of 15 new full-time jobs, and

WHEREAS, Group Teresa, LLC & Alexandra's Boutique, Inc. are seeking a Tax Increment Financing Agreement of the Certified Project approval and meets the minimum requirements of and the project described in the Economic Assistance Coordinating Council Tax Incentive Project Application M.G.L. c. 40, Section 59, M.G.L. c. 59, Section 5, and M.G.L. c. 23A, Sections 3E and 3F, and the applicable regulations thereunder and will have a reasonable chance of creating employment opportunities for residents of the Economic Target Area, and

WHEREAS, the proposed Tax Incentive Certified Project is located at I-09-0024, 390 South Main Street Fall River, Massachusetts, which is within the boundaries of the gateway municipality of Fall River, and

WHEREAS, approval of the Group Teresa, LLC & Alexandra's Boutique, Inc. Economic Assistance Coordinating Council Local Only Tax Incentive Project Application in accordance with the above referenced laws, rules and regulations of the Commonwealth of Massachusetts is hereby accepted by the City Council, now therefore

BE IT RESOLVED that the City Council of Fall River hereby approves the proposed Tax Increment Financing (TIF) Agreement, which includes a real estate tax exemption pursuant to M.G.L. c. 40, Section 59, M.G.L. c. 59, Section 5, and M.G.L. c. 23A, Sections 3E and 3F, and the applicable regulations thereunder, between Group Teresa, LLC & Alexandra's Boutique, Inc. and the City of Fall River for the property located at 390 South Main Street, Fall River, MA;

And that the City Council hereby endorses the proposed project as described in said TIF and the filing of an EDIP Local Incentive Only Application with the Economic Assistance Coordinating Council for said project since said project is consistent with the City's economic development objectives, will retain and create jobs as described in said application, will not overburden the City's infrastructure and other supporting resources, and since Group Teresa, LLC & Alexandra's Boutique, Inc. has indicated that it has the means to undertake and complete the proposed project.

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**TAX INCREMENT FINANCING AGREEMENT
BETWEEN
CITY OF FALL RIVER
AND
GROUP TERESA, LLC /ALEXANDRA'S BOUTIQUE, INC.**

This **AGREEMENT** is made as of the _____ of May, 2019 by and between the CITY OF FALL RIVER, a Municipal Corporation acting through its Mayor and City Council, One Government Center, Fall River, MA 02721 (hereinafter "the CITY"), and Alexandra's Boutique, INC. a Massachusetts Corporation, having a place of business at 390 South Main St., Fall River, MA 02721 (hereinafter "the Company"), and Group Teresa, LLC, a Massachusetts Limited Liability Company, having a place of business at 390 South Main St, Fall River, MA 02721 (hereinafter "the LANDLORD"). This Agreement shall take effect immediately upon final approval by the Massachusetts Economic Assistance Council on _____, 2019.

WHEREAS the LANDLORD is the owner of 39,512 square feet of land with buildings thereon located at 390 South Main St, Fall River, MA as more fully shown on Fall River Assessors Map I-09, as Lot 0024 (hereinafter the "PROPERTY") and as shown on Exhibit "A" attached hereto; and

WHEREAS the COMPANY currently operates an approximately 5,975 square foot retail facility in which it employs 20 full time employees and maintains the highest possible quality standards available in the formal wear industry (hereinafter the "FACILITY"); and

WHEREAS the project is planned to expand into the adjacent building an additional 10,000 square feet of space and result in an estimated capital investment of \$2,000,000.00 in construction costs and (hereinafter the "PROJECT"); and

WHEREAS the COMPANY plans to retain 20 full-time jobs and create 15 new, permanent full-time jobs at the PROPERTY; and

WHEREAS the COMPANY intends to apply for status as a Local Incentive-Only Project under the Massachusetts Economic Development Incentive Program (EDIP); and

WHEREAS the CITY strongly supports increased economic development to provide additional jobs, expand business within the CITY, and to develop a healthy economy and stronger tax base; and

WHEREAS, on May _____, 2019, the Fall River City Council voted to approve this Agreement.

Now, **THEREFORE**, in consideration of the mutual promises of the parties contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

A. THE CITY'S OBLIGATIONS

1. A Tax Increment Financing ("TIF") exemption (the "EXEMPTION") is hereby granted to the COMPANY by the CITY in accordance with Chapter 23A, Section 3A to 3F; Chapter 40, Section 59, and Chapter 59, Section 5, Clause 51 of the Massachusetts General Laws and the applicable regulations thereto. The EXEMPTION for real estate taxes shall be for a period of five (5) years (the "Exemption Term"), commencing in the fiscal year for which the CITY has increased the assessed value at the PROPERTY to the full assessed value of the PROJECT at the PROPERTY (the first day of such fiscal year in which said full assessed valuation occurs is hereinafter referred to as the "Start Date") and shall provide an exemption from taxation of the new incremental value of the PROPERTY resulting from the PROJECT as determined by the CITY's Assessor, as follows:

Year	Exemption Percentage
1	100%
2	75%
3	50%
4	25%
5	25%

2. The Base Valuation shall be the assessed value of the PROPERTY for Fiscal Year 2019.
3. The Base Valuation shall be adjusted annually by an adjustment factor, which reflects increased commercial and industrial property values within the community, as provided in Chapter 59, Section 21C(f) of the Massachusetts General Laws.
4. The COMPANY is a retail store and so its personal property is 100% taxable pursuant to Massachusetts General Laws Chapter 59, §5, Clause 16th.

B. THE COMPANY'S OBLIGATIONS

The CITY grants the EXEMPTION to the COMPANY in consideration of and commitment by the COMPANY to the following:

1. The COMPANY shall construct an estimated additional 10,000 square foot expansion to the FACILITY intended support new business opportunities in retail sales. The COMPANY shall invest at least \$2,000,000.00, including construction costs and equipment and IT Software and Hardware. The COMPANY shall retain 20 permanent full-time jobs during the term of this Agreement, and create 15 permanent, new

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full-time jobs at the FACILITY during the first two years of the Exemption Term and retain said newly created permanent full time jobs for the term of this Agreement. The COMPANY job retention and creation plans are more fully outlined in the Employment & Job Creation section of the EDIP Local Incentive-Only Application to be submitted to the State in connection with the COMPANY'S request for a TIF exemption and said EDIP Local Incentive-Only Application is incorporated herein by reference.

2. The COMPANY shall submit an annual report pursuant to General Laws Chapter 23A, Section 3F to the Massachusetts Economic Assistance Coordinating Council ("EACC") through the Commonwealth's on-line portal for each year of the Application designation. The annual report shall include the number of jobs retained and created, and value of the PROPERTY capital investments and other related items with respect to the PROPERTY annually and on a cumulative basis. The COMPANY shall submit a report as required by General Laws Chapter 40, Section 59(viii) to the Fall River City Clerk and EACC.
3. If the COMPANY fails to meet the obligations specified in this Section, the CITY, acting by it Mayor, may take action to notify the EACC and/or request decertification of the PROJECT by the EACC. Upon decertification, the CITY shall discontinue the Tax Increment Financing (TIF) benefits provided to the COMPANY, commencing with the first fiscal year in which the PROJECT is decertified, or if such benefits have already been received by the COMPANY for the fiscal year in which the PROJECT has been decertified, commencing as of the fiscal year immediately following that fiscal year.
4. Prior to taking any action to request decertification of the PROJECT by the EACC, the CITY shall give written notice of the alleged material default to the COMPANY and provide them an opportunity to meet with the CITY officials to discuss a remedy for the alleged default. The COMPANY shall have sixty (60) days from the receipt of such written notice to respond to the CITY regarding any alleged default and one hundred twenty (120) days from the receipt of such written notice to remedy such alleged default, or, with respect to alleged defaults which cannot be remedied within such one-hundred-twenty (120) day period, within such additional period of time as is required to reasonably remedy such alleged default, provided the COMPANY exercises due diligence in the remedying of such alleged default.
5. If the COMPANY plans to move from the PROPERTY, the CITY shall be given thirty (30) days advance written notice.
6. If the COMPANY fails to cure any default within the time period set forth in Paragraph B.4 hereof or if the COMPANY decides to sell its business, or to discontinue the operation thereof, as set forth in Paragraph B.5 hereof, then the CITY may recapture the value of the tax not paid due to the EXEMPTIONS by this Agreement. Said recapture shall be made through a special assessment on the COMPANY and LANDLORD in the municipal fiscal year that follows the EACC's

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decision to revoke project certification. The assessment, payment, and collection of the special assessment shall be governed by procedures provided for the taxation of omitted property pursuant to Massachusetts General Laws Chapter 59, Section 75 notwithstanding the time period set forth in said Chapter 59 for which omitted property assessments may be imposed for each of the fiscal years included in the special assessment.

7. The matters described above as obligations of the COMPANY are only conditions to the eligibility for tax exemptions under this Agreement, and do not create any enforceable obligations or covenants of the COMPANY. The CITY's sole remedy for failure by the COMPANY to satisfy any of its respective obligations and conditions are set forth in Paragraph B.5, B.5 and B.6 of this Agreement.

C. OTHER CONSIDERATIONS

1. Pursuant to the provisions of Chapter 40, Section 59 of the Massachusetts General Laws and applicable regulations, this Agreement shall be binding upon the COMPANY, its successors, assigns, and the LANDLORD and subsequent owners of the PROPERTY, so long as the PROJECT has not been decertified by the EACC.
2. The CITY, the COMPANY and the LANDLORD acknowledge and agree that there is no public construction contemplated by this Agreement and, therefore, no betterment schedule referred to in Massachusetts General Laws Chapter 40, Section 59 is required. This Agreement and the Tax Increment Financing Exemption provided for hereunder shall apply only to the PROPERTY.
3. This Agreement is governed by the laws of the Commonwealth of Massachusetts. If any provision of this Agreement shall be found invalid for any reason, such invalidity shall be construed as narrowly as possible and the balance of this Agreement shall be deemed to be amended to the minimum extent necessary to provide to the CITY, the COMPANY and the LANDLORD substantially the benefits set forth in this Agreement.
4. This agreement is subject to Massachusetts General Laws Chapter 23A, Sections 3A to 3F, Chapter 40, Section 59, and Chapter 59, Section 5, Clause Fifty-first and the applicable regulations thereto.
5. The time within which the COMPANY and/or the LANDLORD shall be required to perform any of its obligations under this agreement shall be extended in the event the performance of such obligation is delayed by a force majeure event such as an act of God, earthquake, fire, act of terrorism, war, labor dispute, delay or restriction by a government body, or any other cause beyond the reasonable control of the COMPANY and/or the LANDLORD.
6. All notices permitted or required under the provisions of the Agreement shall

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be in writing, and, if from the COMPANY and/or the LANDLORD, signed by an authorized officer, and shall be sent by registered or certified mail, postage prepaid, or shall be delivered by private express carrier to the addresses listed below or at such other address as may be specified by a party in writing and served upon the other in accordance with this section. Such notices shall be deemed given when delivered or when delivery is refused.

If intended for the CITY addressed to:

Mayor Jasiel Correia, II
City of Fall River
One Government Center
Fall River, MA 02721

with copies concurrently delivered to:

Corporation Counsel
City of Fall River
One Government Center
Fall River, MA 02721

If intended for the COMPANY addressed to:

Alexandra' Boutique, Inc
372 South Main Street
Fall River, MA 02721

If intended for the LANDLORD addressed to:

Group Teresa, LLC
372 South Main St
Fall River, MA 02721

7. The COMPANY and/or the LANDLORD agree to allow the CITY, and its agents, to monitor compliance with this Agreement. The COMPANY and/or the LANDLORD shall provide to the CITY, upon reasonable request, access to such information as the CITY, or its agents, may deem necessary to monitor the COMPANY'S and/or the LANDLORD'S compliance.
8. This Agreement shall not be binding, and shall not go into effect until fully executed by the parties thereto, and until such time as this Agreement has been approved by the Massachusetts Economic Assistance Coordinating Council.

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Executed as a sealed instrument on the day and year first above written.

CITY OF FALL RIVER
BY ITS MAYOR

ALEXANDRA'S BOUTIQUE, INC
BY ITS FOUNDER & CEO

JASIEL F. CORREIA, II

M. FATIMA LEONE

Witness

Witness

AS TO FORM AND MANNER OF EXECUTION

GROUP TERESA, LLC

JOSEPH I. MACY, ESQ.
CORPORATION COUNSEL

MARIA FATIMA LEONE

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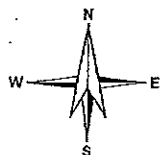
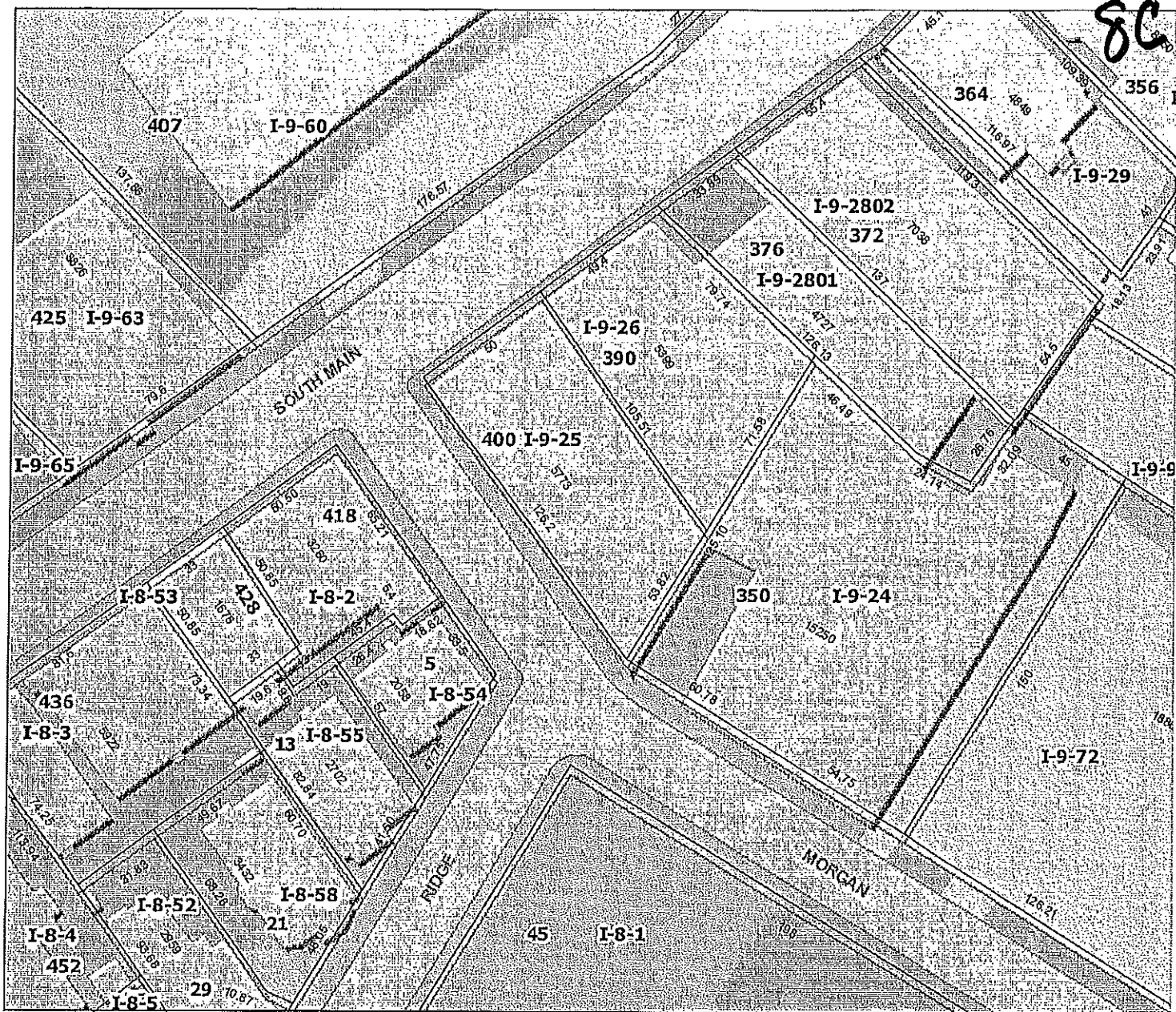
Group Teresa, LLC
372 South Main St.

EDIP Local Incentive Only Application Exhibit I: Local Incentive Valuation

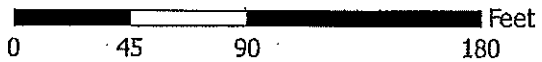
FY	Municipal Tax Rate Per Thousand	Incremental Assessed Value	Projected Annual RE Property Tax Bill for Incremental	TIF/STA Yearly Exemption %	Exempted Annual RE Property Taxes	Exempted Annual Personal Property Taxes	Total Yearly Value of Local Tax Incentives
2020	\$31.36	\$781,300.00	\$24,501.57	100%	\$24,501.57	\$0.00	\$24,501.57
2021	\$31.36	\$781,300.00	\$24,501.57	75%	\$18,376.18	\$0.00	\$18,376.18
2022	\$31.36	\$781,300.00	\$24,501.57	50%	\$12,250.78	\$0.00	\$12,250.78
2023	\$31.36	\$781,300.00	\$24,501.57	25%	\$6,125.39	\$0.00	\$6,125.39
2024	\$31.36	\$781,300.00	\$24,501.57	25%	\$6,125.39	\$0.00	\$6,125.39
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
TOTALS					\$67,379.31	\$0.00	\$67,379.31

Note: In Massachusetts, Proposition 2 1/2 operates at the level of a municipality's total tax levy. Due to Proposition 2 1/2, it is impossible to make projections for individual parcels, whose taxes may increase much more or much less than the municipality's total taxes. As a result this spreadsheet does not include an assumed increase in either the tax rate or assessed value. This spreadsheet is intended to provide an estimate of the total value of property tax exemption as a result of the early TIF or STA exemption percentage negotiated between a company and a municipality.

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Fall River, MA



1 inch = 70 feet

City of Fall River, In City Council

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RESOLUTION APPROVING THE ECONOMIC DEVELOPMENT TAX INCENTIVE CERTIFIED PROJECT OF TIGIR, LLC

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

WHEREAS, the City of Fall River has been designated a gateway municipality by the Commonwealth of Massachusetts and TIGIR, LLC plans to invest an estimated \$3,600,000 in the purchase of building and equipment to be located at M14-0003, 502 Bedford Street, Fall River, Massachusetts. Said investment will result in the creation of 100 new full-time jobs, and

WHEREAS, TIGIR, LLC is seeking a Special Tax Assessment of the Certified Project approval and meets the minimum requirements of and the project described in the Economic Assistance Coordinating Council Tax Incentive Project Application M.G.L. c. 40, Section 59, M.G.L. c. 59, Section 5, and M.G.L. c. 23A, Sections 3E and 3F, and the applicable regulations thereunder and will have a reasonable chance of creating employment opportunities for residents of the Economic Target Area, and

WHEREAS, the proposed Tax Incentive Certified Project is located at M14-0003, 502 Bedford Street, Fall River, Massachusetts, which is within the boundaries of the gateway municipality of Fall River, and

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

BE IT RESOLVED that the City Council of Fall River hereby approves the proposed Special Tax Assessment (STA) Agreement, which includes a real estate tax exemption pursuant to M.G.L. c. 40, Section 59, M.G.L. c. 59, Section 5, and M.G.L. c. 23A, Sections 3E and 3F, and the applicable regulations thereunder, between TIGIR, LLC and the City of Fall River for the property located at 502 Bedford Street, Fall River, MA;

And that the City Council hereby endorses the proposed project as described in said STA and the filing of an EDIP Local Incentive Only Application with the Economic Assistance Coordinating Council for said project since said project is consistent with the City's economic development objectives, will retain and create jobs as described in said application, will not overburden the City's infrastructure and other supporting resources, and since TIGIR, LLC has indicated that it has the means to undertake and complete the proposed project.

**SPECIAL TAX ASSESSMENT AGREEMENT
CITY OF FALL RIVER
AND
TIGIR, LLC**

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This Agreement is made this ____ day of _____ 2019, by and between the CITY OF FALL RIVER, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts, having a principal place of business at One Government Center, Fall River, Massachusetts, 02721, acting through its Mayor and City Council, (hereinafter called "the CITY") and, TIGIR LLC, a Massachusetts Limited Liability Company, 502 Bedford Street, Fall River, MA 02721, (hereinafter called "TIGIR").

WHEREAS, TIGIR owns certain real estate located at 502 Bedford Street, Fall River, MA shown on Fall River Assessors' Map M14 as Parcel 0003 (hereinafter referred to as "the PROPERTY"), and will improve the PROPERTY, as shown on Exhibit "A", and wishes to obtain certain exemptions from property taxation from the CITY on the investment in textile innovation and workforce training in order to benefit economic development and job creation; and

WHEREAS, TIGIR intends to expand and maintain its operations at the PROPERTY which currently include Merrow Manufacturing, the Merrow Sewing Machine Company and the Merrow Incubator; and

WHEREAS, the CITY is willing to grant said exemption from property taxes in return for a guarantee of capital investment in the PROPERTY by TIGIR and providing employment opportunities for workers within the City of Fall River by TIGIR;

NOW, THEREFORE, in consideration of mutual promises contained herein, the parties do mutually agree as follows:

A. TIGIR'S OBLIGATIONS:

1. TIGIR will make an investment in fiber and fabric technology in partnership with the Massachusetts Technology Collaborative (hereinafter "MassTech"), to include a proposed \$15 million center for product development and manufacture This shall include, in cumulative totals, creation of 100-300 new jobs over the next 10 years (hereinafter "the PROJECT").
2. TIGIR shall maintain its operation of Merrow Manufacturing, the Merrow Sewing Machine Company and the Merrow Incubator at the PROPERTY for at least the entire term of this Agreement.

8d

3. TIGIR, its successors, and assigns agree that any benefits received from the CITY as tax exemptions under this agreement shall benefit textile technology innovation and job creation, who will use all of said benefit to improve, establish and maintain the manufacturing lines.
4. Through the PROJECT, TIGIR will create a minimum of 100 new full time equivalent (FTE) jobs at this PROPERTY over the life of this Agreement. The agreed upon job creation schedule is as follows: 20 new permanent full time jobs in 2020, 20 new permanent full time jobs in 2021, 20 new permanent full time jobs in 2022, 20 new permanent full time jobs in 2023 and 20 new permanent full time jobs in 2024. TIGIR will also retain the [REDACTED] jobs currently existing at the PROPERTY.
5. TIGIR shall make reasonable efforts to hire qualified residents of the City of Fall River for any employment opportunities which become available during the period of this Agreement.
6. TIGIR shall further adopt as its policy to cooperate with the Bristol Workforce Board, the Executive Office of Labor and Workforce Development of the Commonwealth of Massachusetts, Bristol Community College and other available resources within the CITY, whenever feasible.
7. TIGIR shall make all good faith efforts to use contractors from the City of Fall River for any renovations or construction on the PROPERTY, and to use local contractors which have registered apprenticeship programs with the State to encourage the training of a skilled workforce.
8. TIGIR shall cooperate with monitoring requirements by supplying information on job creation and investment on an annual basis as requested by the CITY, Community Development Agency or the Economic Assistance Coordinating Council (EACC).
9. If TIGIR fails to meet the obligations specified in paragraphs 1 through 8 above, the CITY, acting through its Mayor, may take action to request decertification of the PROJECT by the EACC. Prior to taking any action to request such decertification, the CITY shall give written notice of the alleged default to TIGIR and an opportunity to meet with CITY Officials to discuss a cure for the alleged default. TIGIR shall have 30 days to respond to the CITY regarding any alleged default, and 60 days to remedy such default. If the PROJECT is decertified, the CITY shall discontinue the Special Tax Assessment benefits, commencing with the first fiscal year in which the PROJECT is decertified, or if such benefits have already been received by TIGIR for the fiscal year in which the PROJECT has been decertified, then commencing the following fiscal year.
10. If TIGIR decides to sell its business, or to discontinue the operation thereof, TIGIR, shall give the CITY at least three months' notice of said termination, change, sale, transfer, or

8d

discontinuation. Said notice shall be given by certified mail, return receipt requested, to Office of the Mayor, City of Fall River, One Government Center, Fall River, MA 02722.

11. If TIGIR fails to cure any default within the time period set forth in Paragraph A.9 hereof or if TIGIR decides to sell its business, or to discontinue the operation thereof, as set forth in Paragraph A.10 hereof, then the CITY may recapture the value of the tax not paid due to the Exemptions by this Agreement. Said recapture shall be made through a special assessment on the TIGIR in the municipal fiscal year that follows the EACC's decision to revoke project certification. The assessment, payment, and collection of the special assessment shall be governed by procedures provided for the taxation of omitted property pursuant to Massachusetts General Laws Chapter 59, Section 75 notwithstanding the time period set forth in said Chapter 59 for which omitted property assessments may be imposed for each of the fiscal years included in the special assessment.

B. CITY'S OBLIGATIONS:

1. The CITY shall grant a Special Tax Assessment to TIGIR in accordance with Massachusetts General Laws, Chapter 23A, Section, 3E, Chapter 40, Section 59, and Chapter 59, Section 5. Said exemption shall be granted on the full assessed value of the PROPERTY and all improvements made to same, and shall be based on the assessed value of the real property for each year in which the exemption applies.
2. Said exemption shall commence beginning in the fiscal year 2020 and shall be valid for a period of five (5) years. The amount of the exemption shall be as follows:

<i>Year</i>	<i>Exemption</i>
1	100% of full assessed value of the PROPERTY
2	75% of full assessed value of the PROPERTY
3	50% of full assessed value of the PROPERTY
4	25% of full assessed value of the PROPERTY
5	25% of full assessed value of the PROPERTY

C. ADDITIONAL PROVISIONS:

1. Pursuant to the provisions of Chapter 40, Section 59 of the Massachusetts General Laws and applicable regulations, this Agreement shall be binding upon the TIGIR, their successors, assigns, and subsequent owners of the PROPERTY, so long as the PROJECT has not been decertified by the EACC.

8d

2. The CITY and TIGIR acknowledge and agree that there is no public construction contemplated by this Agreement and, therefore, no betterment schedule referred to in Massachusetts General Laws Chapter 40, Section 59 is required. This Agreement and the Special Tax Assessment Exemption provided for hereunder shall apply only to the PROPERTY.
3. The matters described herein as obligations of TIGIR are only conditions to the eligibility for tax exemptions under this Agreement and do not create any enforceable obligations or covenants of TIGIR. The CITY's sole remedy for failure by TIGIR to satisfy any of its respective obligations and conditions set forth herein are set forth in Paragraphs A.9, A.10, and A.11 in this Agreement.
4. This Agreement is governed by the laws of the Commonwealth of Massachusetts. If any provision of this Agreement shall be found invalid for any reason, such invalidity shall be construed as narrowly as possible and the balance of this Agreement shall be deemed to be amended to the minimum extent necessary to provide to the CITY and TIGIR substantially the benefits set forth in this Agreement.
5. This agreement is subject to Massachusetts General Laws Chapter 23A, Sections 3A to 3F, Chapter 40, Section 59, and Chapter 59, Section 5, Clause Fifty-first and the applicable regulations thereto.
6. The time within which TIGIR shall be required to perform any of its obligations under this agreement shall be extended in the event the performance of such obligation is delayed by a force majeure event such as an act of God, earthquake, fire, act of terrorism, war, labor dispute, delay or restriction by a government body, or any other cause beyond the reasonable control of TIGIR.
7. All notices permitted or required under the provisions of the Agreement shall be in writing, and, if from TIGIR, signed by an authorized officer, and shall be sent by registered or certified mail, postage prepaid, or shall be delivered by private express carrier to the addresses listed below or at such other address as may be specified by a party in writing and served upon the other in accordance with this section. Such notices shall be deemed given when delivered or when delivery is refused.

If intended for the CITY addressed to:

Mayor Jasiel Correia, II
City of Fall River
One Government Center
Fall River, MA 02721

with copies concurrently delivered to:

Corporation Counsel
City of Fall River

8d

One Government Center
Fall River, MA 02721

If intended for TIGIR, addressed to:

TIGIR, LLC
502 Bedford Street
Fall River, MA 02721

8. TIGIR agrees to allow the CITY, and its agents, to monitor compliance with this Agreement. The TIGIR shall provide to the CITY, upon reasonable request, access to such information as the CITY, or its agents, may deem necessary to monitor the TIGIR's compliance.
9. This Agreement shall not be binding, and shall not go into effect until fully executed by the parties thereto, and until such time as this Agreement has been approved by the Massachusetts Economic Assistance Coordinating Council.

Executed as a sealed instrument on the day and year first above written.

CITY OF FALL RIVER
BY ITS MAYOR

TIGIR, LLC

JASIEL F. CORREIA, II

CHARLES MERROW
TITLE:

OWEN MERROW
TITLE:

Witness

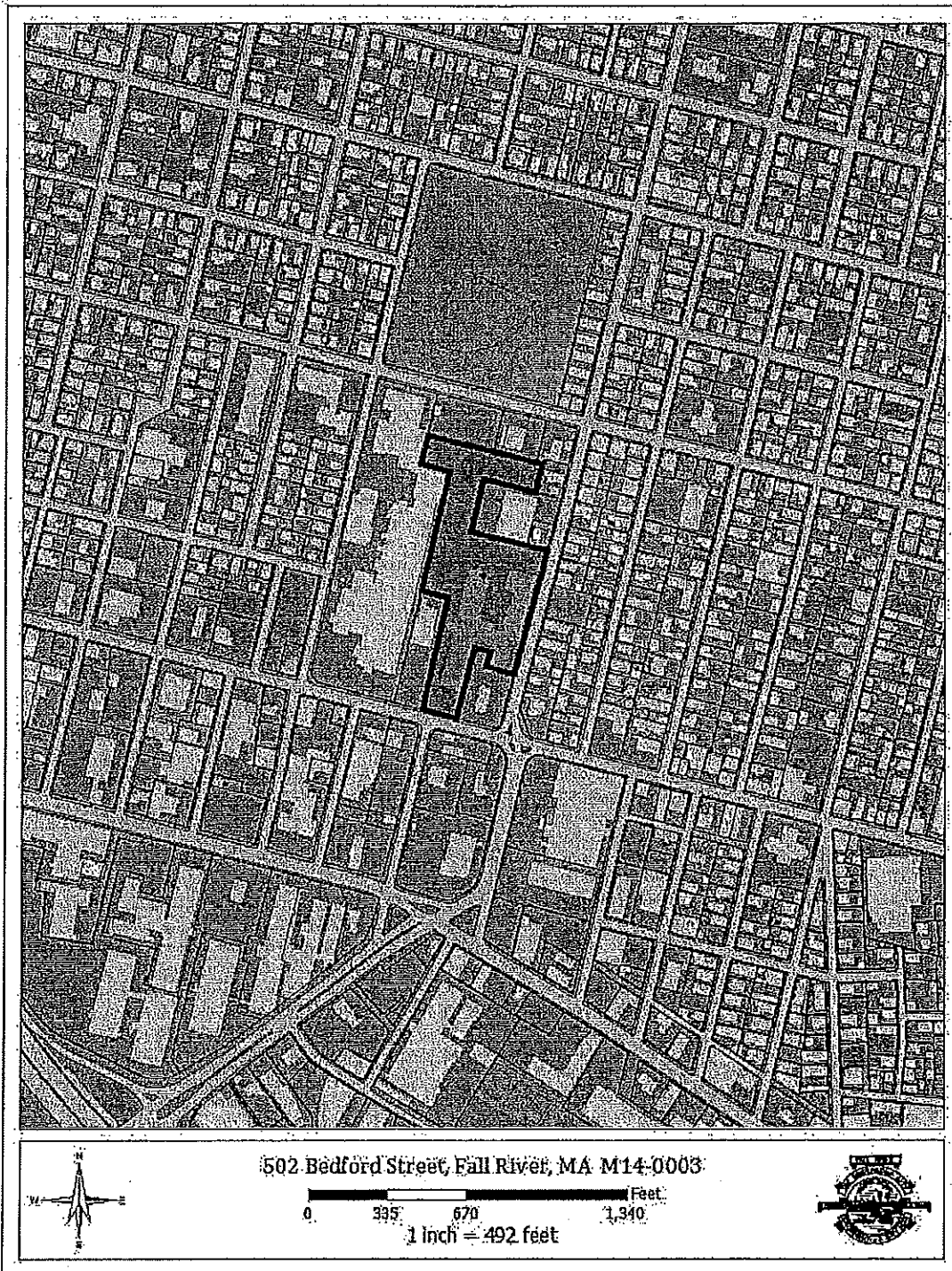
Witness

AS TO FORM AND MANNER OF EXECUTION

JOSEPH I. MACY, ESQ.
CORPORATION COUNSEL

8d

EXHIBIT "A"
PROPERTY MAP



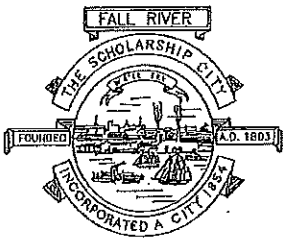
8d

**TIGIR, LLC
502 Bedford St**

EDIP Local Incentive Only Application Exhibit 1: Local Incentive Valuation

FY	Municipal Tax Rate Per Thousand	Incremental Assessed Value	Projected Annual RE Property Tax Bill for Incremental	TIF/STA Yearly Exemption %	Exempted Annual RE Property Taxes	Exempted Annual Personal Property Taxes	Total Yearly Value of Local Tax Incentives
2020	\$31.36	\$1,700,800.00	\$53,337.09	100%	\$53,337.09	\$0.00	\$53,337.09
2021	\$31.36	\$1,700,800.00	\$53,337.09	75%	\$40,002.82	\$0.00	\$40,002.82
2022	\$31.36	\$1,700,800.00	\$53,337.09	50%	\$26,668.54	\$0.00	\$26,668.54
2023	\$31.36	\$1,700,800.00	\$53,337.09	25%	\$13,334.27	\$0.00	\$13,334.27
2024	\$31.36	\$1,700,800.00	\$53,337.09	25%	\$13,334.27	\$0.00	\$13,334.27
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
Enter Year	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
TOTALS					\$146,676.99	\$0.00	\$146,676.99

Note, in Massachusetts, Proposition 2 1/2 operates at the level of a municipality's total tax levy. Due to Proposition 2 1/2, it is impossible to make projections for individual parcels, whose taxes may increase much more or much less than the municipality's total taxes. As a result this spreadsheet does not include an assumed increase in either the tax rate or assessed value. This spreadsheet is intended to provide an estimate of the total value of property tax exemption as a result of the early TIF or STA exemption percentage negotiated between a company and a municipality.



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

RECEIVED

2019 MAY -9 P 4:53

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

May 9, 2019

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

RE: 384 Third Street

Mr. President and Members of the Honorable Council:

Please find an attached letter regarding the above property which is being sold by the current owner to a private party.

The seller is requesting that the City release its rights under the accompanying deed.

Also for your review, please find the signed Release of Restrictions.

Thank you for your favorable consideration in this regard.

Jasiel F. Correia II
Mayor

City of Fall River, *In City Council*

9

ORDERED, that the Mayor is authorized to execute and deliver a Release of Restriction in the form attached hereto for the property located at 384 Third Street, subject to Corporation Counsel's review and approval.

9

RELEASE OF RESTRICTION

The City of Fall River, a municipal corporation, by and through its Mayor and City Council hereby releases and discharges any rights retained to it pursuant to that certain Quit Claim deed from the said City of Fall River to Frank Allen Wilcox Post No. 126, American Legion recorded in Book 704 at page 223 and as restated in Book 3903 at page 9, as recorded in the Bristol County Registry of Deeds. Said restriction encumbering the premises located at 384 Third Street, Fall River, Massachusetts.

In witness whereof, the City of Fall River has caused these presents to be signed and its corporate seal to be affixed hereto.

City of Fall River

By: _____

Jasiel F. Correia, Mayor

City of Fall River

By: _____

_____ of the City Council

STATE OF Massachusetts
COUNTY OF Bristol

In Fall River on this 9th day of March, 2019 before me, the undersigned notary public, personally appeared Jasiel F. Correia, Mayor of the City of Fall River and _____, the _____ of the Fall River City Council, proved to me through satisfactory evidence of identification, which were personally known, to be the persons whose names are signed on the preceding or attached document, and to me that he/she signed it voluntarily for its stated purpose and in his/her capacity as aforesaid.

Nancy R. Pavao
Notary Public Nancy R. Pavao
My commission expires Feb. 10, 2023

9

City of Fall River
Office of the Corporation Counsel

JASIEL F. CORREIA II
Mayor



JOSEPH I. MACY
Corporation Counsel

GARY P. HOWAYECK
Assistant Corporation Counsel

JESSICA A. ADLER
Assistant Corporation Counsel

May 2, 2019

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

Re: 384 Third Street

Dear Mayor;

The above property is being sold by the current owner to a private party.

According to the deed (2) the City of Fall River shall "be allowed the use of said building, without cost, when necessary for the holding of elections and similar public purposes." Further, (3) "said land and building shall not be leased, alienated, granted or transferred, in any manner, without prior approval of the Mayor and City Council of the said City of Fall River." Attached is a copy of said deed.

The seller has requested that the City release its rights under said deed in the form attached hereto. I have contacted the Election Division and they have no need to utilize this building for elections or other similar purposes. I am not aware of any other need for this property by the City.

Absent some City need for this property I suggest it is appropriate for you to approve the "Release of Restriction" in the form attached and forward it to the City Council for their approval.

If you have any questions feel free to contact me.


Joseph I. Macy, Corporation Counsel

QUITCLAIM DEED

FRANK ALLEN WILCOX POST NO. 126 AMERICAN LEGION, a duly unincorporated Veterans Association, with its office and usual place of business at 384 Third Street, Fall River, Bristol County, Massachusetts, for consideration paid, and in full consideration of ONE and no/100 (\$1.00) DOLLAR

grants to STAFFORD POST 314 AMERICAN LEGION

of 205 Bedford Street, Fall River, Bristol County, Massachusetts

with quitclaim covenants, all its right, title and interest in and to the land and buildings situated in Fall River on the northeast corner of Third and Wade Streets, being Lot No. 32, Plat I-10, according to Assessors' Plans. Said parcel of land according to said plans is further bounded and described as follows:

BEGINNING at a point at the northeasterly corner of Third and Wade Streets and at the southwesterly corner of the parcel to be described; thence running northerly fifty-five (55) feet for a corner; thence running easterly sixty-four and 4/100 (64.4) feet for a corner; thence running southerly fifty-five (55) feet for a corner; thence running westerly along the northerly side of said Wade Street sixty-four and 4/100 (64.4) feet for a corner and to the point of beginning. Containing 3,542 square feet of land, more or less.

This conveyance is made subject to the following terms and conditions:

1. That the John J. Doran Camp No. 47, United Spanish War Veterans, be allowed the use of said building.
2. That the City of Fall River be allowed the use of said building, without cost, when necessary for the holding of elections and similar public purposes.
3. That said land and building shall not be leased, alienated, granted or transferred, in any manner, without prior approval of the Mayor and City Council of the said City of Fall River.

BEING the same premises conveyed to this grantor by deed of The City of Fall River dated December 30, 1958 and recorded in Bristol County Fall River District Registry of Deeds in Book 704, Pages 223-224.

WITNESS our hands and seals this 30th day of August, 2000.

FRANK ALLEN WILCOX
POST 126
AMERICAN LEGION

By: Harold C. Nagle
Harold C. Nagle
Commander

Lucien Robidoux
Lucien Robidoux
Finance Officer

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

August 30, 2000.

Then personally appeared the above named Harold C. Nagle and Lucien Robidoux and acknowledged the foregoing instrument to be their free act and deed and the free act and deed of Frank Allen Wilcox Post 126 American Legion, before me

John R. Mitchell
John R. Mitchell
Notary Public
My Commission Expires: 04/08/2005

ATTEST: BR. COUNTY, F.R. DIST., Bernard J. McDonald III Register



City of Fall River
Massachusetts
Office of the Mayor

16

RECEIVED

2019 APR 17 A 11:15

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

April 17, 2019

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

RE: Library Trustees

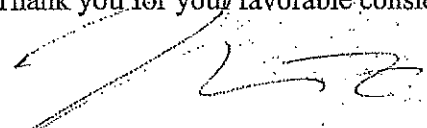
Mr. President and Members of the Honorable Council:

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

Ann Rockett-Sperling
147 Read Street
Fall River, MA 02720

as a member of the Library Trustees, with a term commencing 04/17/2019 and expiring 04/17/2021.

Thank you for your favorable consideration in this regard.


Jasiel F. Correia II
Mayor

147 Read Street
Fall River, MA 02720

Phone 508 678-8444
E-mail
arocksper147@yahoo.com

Ann Rockett-Sperling

Work experience

1994 - 2005	Reading Recovery Teacher/ Reading Specialist James Tansey Elementary School
1984 - present	Reading Specialist Fall River Public Schools
1972 - 1984	Grade 4 Teacher Fall River Public Schools

Education

1968 - 1972	Cardinal Cushing College	Brookline, MA
Bachelor of Arts in Education		
1985 - 1988	Lesley University	Cambridge, MA
Master of Education in Moderate Special Needs		
1994 - 1995	Lesley University	Cambridge, MA
Reading Recovery Training		
1994	Massachusetts Education Assessment Program	
Open Ended Questions - Trained Scorer		
1998	Massachusetts Education Assessment Program	
Long Composition - Trained Scorer		

10

Ann Rockett-Sperling

Volunteer Experience

Fall River Public Library Foundation--President

Fall River Historical Society

Little Theatre of Fall River

Fall River Garden Club

The Junior League of Rhode Island

Fall River Lodge of Elks

The Preservation Society of Newport, RI



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

RECEIVED

2019 APR 24 P 12:13

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

April 17, 2019

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

RE: Board of Appeals


Mr. President and Members of the Honorable Council:

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

James C. Calkins
5455 North Main Street #6E
Fall River, MA 02720

as a member of the Board of Appeals, with a term commencing 04/17/2019 and expiring 04/17/2024.

Thank you for your favorable consideration in this regard.


Jasiel F. Correia II
Mayor

James C. Calkins
5455 North Main St
Unit 6E
Fall River, MA 02720
508 672 5450

11
RECEIVED

2019 APR 24 P 12:13

CITY CLERK
FALL RIVER, MA

Resident of Fall River since 1976

Prior Address Falmouth MA

Member of Fall River Zoning Board of Appeals 2014-Current. Attended, actively studied and participated in all meetings and applications since appointment.

Employment:

Current: Retired

1976-2012 Director of Bristol County Training

Developed and administered federal employment and training programs under the Comprehensive Employment and Training Act, The Job Training Partnership Act, and the Workforce Investment Act. Responsibilities included interpretation of Federal and State Laws and Regulations, development and implantation of annual plans with budgets ranging from four to over ten million dollars per year.

In 1982 expanded the service delivery area to include the Taunton and Attleboro Areas

Assisted in design and implementation of first state wide Integrated Management Information System

Responsible for oversight and operation of three full-service career centers and a youth center.

Integrated services between State Department of Employment Security and Bristol County Training to form a one stop career system.

Established worker assistance centers for workers that were dislocated due to major plant closings

Served as chairman of workforce operators' group and as Chairman of State Youth Policy committee.

Education:

BA in Business Management from Northeastern University in 1966



12

**CITY OF FALL RIVER
MASSACHUSETTS**

RECEIVED

Traffic & Parking Division 2019 MAY -2 P 12:39

Jasiel F. Correia II
Mayor

LAURA FERREIRA
CITY CLERK, Manager of Traffic
FALL RIVER, MA

April 30, 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, April 27, 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:

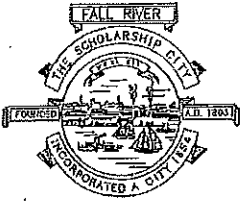
Article: 70
Section: 241 Stop Sign

By inserting in proper alphabetical order the following.

<u>Name of Street</u>	<u>Direction of Travel</u>	<u>At Intersection of</u>
Locust Street	Eastbound and Westbound	Grove Street

Very truly yours,

Laura Ferreira
Manager of Traffic



**CITY OF FALL RIVER RECEIVED
MASSACHUSETTS**

2019 MAY -2 P 12:39
Traffic & Parking Division

Jasiel F. Correia II
Mayor

CITY CLERK _____
FALL RIVER, MA **LAURA FERREIRA**
Manager of Traffic

April 30, 2019

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

Honorable Council Members:

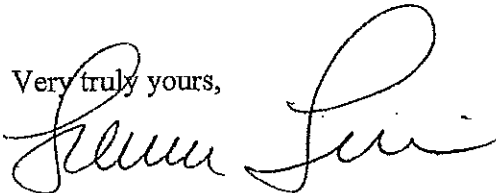
At a meeting of the Traffic Board Commission held on Wednesday, April 27, 2019 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

Article: 70.
Section: 241 Stop Sign

By inserting in proper alphabetical order the following.

<u>Name of Street</u>	<u>Direction of Travel</u>	<u>At Intersection of</u>
Spruce Street	Eastbound and Westbound	Ray Street

Very truly yours,


Laura Ferreira
Manager of Traffic



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division
RECEIVED

12

Jasiel F. Correia II
Mayor

2019 MAY -2 P 12:39

LAURA FERREIRA
Parking Clerk

CITY CLERK
FALL RIVER, MA

April 30, 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, April 27, 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

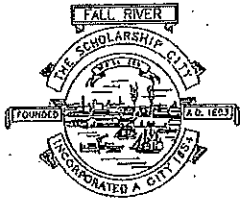
By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Alsop Street	North	Starting at a point 106 feet east of Roper Street, for a distance of 20 feet easterly.

Very truly yours,

Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division
RECEIVED

12

Jasiel F. Correia II
Mayor

2019 MAY -2 P 12:39

LAURA FERREIRA
Parking Clerk

CITY CLERK
FALL RIVER, MA

April 30, 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, April 27, 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
Ballard Street	South	Starting at a point 41 feet east of North Court Street, for a distance of 20 feet easterly.

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Jasiel F. Correia II
Mayor

2019 MAY -2 P 12:37
LAURA FERREIRA

Parking Clerk
CITY CLERK
FALL RIVER, MA

April 30, 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, April 27, 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

Eagle Street

East

Starting at a point 160 feet north of William Street, for a distance of 20 feet northerly.

Very truly yours,

Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division
RECEIVED

12

Jasiel F. Correia II
Mayor

2019 MAY -2 P 12:38

LAURA FERREIRA
Parking Clerk

CITY CLERK
FALL RIVER, MA

April 30, 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, April 27, 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

Hood Street

East

Starting at a point 206 feet east of North Main Street,
for a distance of 25 feet easterly.

Very truly yours,

Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

RECEIVED

12

Jasiel F. Correia II
Mayor

2019 MAY -2 P 12:38

LAURA FERREIRA

Parking Clerk

CITY CLERK
FALL RIVER, MA

April 30, 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, April 27, 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
Mount Hope Avenue	North	Starting at a point 47 feet east of Hughes Street, for a distance of 20 feet easterly.

Very truly yours,

Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

2019 MAY -2 P 12:38

CITY CLERK
FALL RIVER, MA

Jasiel F. Correia II
Mayor

12
LAURA FERREIRA
Parking Clerk

April 30, 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, April 27, 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

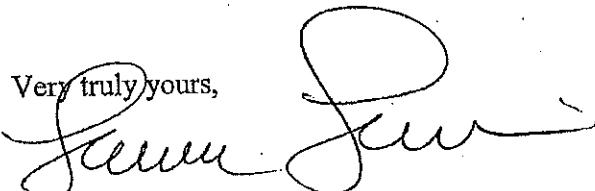
Location

Prospect Street

North

Starting at a point 157 feet west of Linden Street,
for a distance of 25 feet westerly.

Very truly yours,


Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

12

Jasiel F. Correia II
Mayor

2019 MAY -2 P 12:38
LAURA FERREIRA
Parking Clerk

CITY CLERK
FALL RIVER, MA

April 30, 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, April 27, 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**

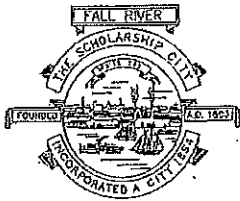
By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Rodman Street	West	Starting at a point 99 feet south of Albert Street, for a distance of 20 feet southerly.

Very truly yours,

Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

2019 MAY -2 P 12:38

LAURA FERREIRA
Parking Clerk

Jasiel F. Correia II
Mayor

CITY CLERK
FALL RIVER, MA

April 30, 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, April 27, 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

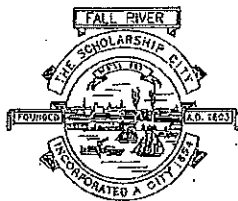
By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
South Main Street	West	Starting at a point 118 feet south of Rockland Street, for a distance of 20 feet southerly.

Very truly yours,

Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

RECEIVED

Jasiel F. Correia II
Mayor

2019 MAY -2 P 12:39

LAURA FERREIRA
Parking Clerk

CITY CLERK
FALL RIVER, MA

May 1, 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, April 27, 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

Stowe Street

West

Starting at a point 94 feet north of Danis Street,
for a distance of 20 feet northerly.

Very truly yours,

Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

12

Jasiel F. Correia II
Mayor

2019 MAY -2 P 12:38

CITY CLERK
FALL RIVER, MA

LAURA FERREIRA
Parking Clerk

April 30, 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, April 27, 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

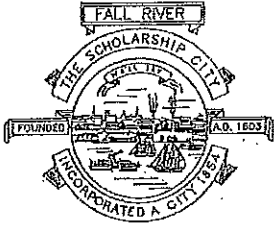
By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Warren Street	North	Starting at a point 275 feet east of Plymouth Avenue, for a distance of 20 feet easterly.

Very truly yours,

Laura Ferreira
Parking Clerk



13

**City of Fall River
Massachusetts**

Planning Department

JASIEL F. CORREIA II
Mayor

WILLIAM D. ROTH JR., AICP
City Planner

April 24, 2019

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

Re: Recommendation of Brookside Street extending from Highland Ave. to dead end.

Honorable Councilors:

On December 18, 2018, the City Council referred the above to the Planning Board for its recommendations. At a duly posted and advertised Public Hearing conducted on March 26, 2019, after hearing testimony from all members of the public present who wished to be heard, it was duly Moved, Seconded and unanimously VOTED to continue the matter to April 23, 2019 to allow for due diligence to research right-of-way access.

At a duly posted and advertised Public Hearing conducted on April 23, 2019, after hearing testimony from all members of the public present who wished to be heard, it was duly Moved, Seconded and Unanimously VOTED:

To recommend to the City Council that the City Not Accept Brookside Street extending from Highland Ave. to the dead end.

Based on a research of the deeds, old assessor's maps and old field cards, there is no evidence that a right-of-way exists from Highland Ave. through the Saint Vincent's property (U-4-1) to the existing houses. The physical access is a gravel driveway. There was also no evidence of an easement across the Saint Vincent's property where the gravel driveway exists. Since there is no established right-of-way, there is nothing that can be accepted.

Respectfully Submitted,

William D. Roth, JR., AICP
City Planner

cc. File

RECEIVED
2019 APR 25 A 11:58
CITY CLERK
FALL RIVER, MA

City of Fall River, *In City Council*

13

The City Council hereby recommends that the City Engineer prepare plans for the acceptance of Brookside Street extending from Highland Avenue to a dead end.

CITY OF FALL RIVER
IN CITY COUNCIL

DEC 18 2018

*Referred to the
Planning Board*

C: Planning 12/20/18



City of Fall River Massachusetts

Planning Division

2019 APR 30 P 3:02

William D. Roth, AICP

City Clerk
FALL RIVER, MA Planning Director

JASIEL F. CORREIA II
Mayor

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	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

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



City of Fall River
Massachusetts

RECEIVED
Planning Division

2019 APR 30 P 3:02

JASIEL F. CORREIA II
Mayor

CITY CLERK _____
FALL RIVER, MA

15
William D. Roth, AICP
Planning Director

April 29, 2019

Honorable City Council
One Government Center
Fall River, MA 02722

RE: Planning Board – Zoning Bylaw Amendment – Kennels

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 Kennels, which is proposed as follows:

Section 2.

By striking out in Section 86-9 Terms defined, Kennels, in its entirety, and inserting in place thereof, the following:

KENNEL

One pack or collection of dogs on a single premises, whether maintained for breeding, boarding, sale, training, hunting or other purposes and including any shop where dogs are on sale, and also including every pack or collection of more than four (4) dogs, three months old or over owned or kept by a person on a single premises irrespective of the purpose for which they are maintained.

Section 3.

By striking out in Section 86-36 TABLE of USES, RETAIL, RESTAURANT AND CONSUMER SERVICE USES, g. Kennel, in its entirety, and inserting in place thereof, the following:

g. Kennel (containing more than four (4) canines 3 months of age or older).

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

CITY OF FALL RIVER

16

To the City Council

Councillors:

The Committee on Finance, at a meeting held on April 23, 2019, unanimously voted to recommend that the accompanying resolution be referred to the Committee on Economic Development and Tourism.

Alison M Bouchard

City Clerk

City of Fall River, In City Council

16

(Councilor Shawn E. Cadime)

WHEREAS, the City of Fall River is working on a Waterfront Redevelopment Plan to promote economic development and the arts, and

WHEREAS, the Gates of the City should continue to showcase the City's Portuguese Heritage and serve as a resource to continue to promote both the waterfront and the arts, and

WHEREAS, the Gates of the City should be outfitted to provide the necessary electrical cabinets capable of handling electrical needs for any event that is held at this location, now therefore

BE IT RESOLVED, that the Administration along with the Director of Community Maintenance be invited to a future meeting of the Committee on Finance to determine an estimated cost of installing a 400 amp (120/240 disconnect) single phase service, with costs to include underground boxes and restoration of all areas within the scope of the project, and

BE IT FURTHER RESOLVED, that the Administration provide a potential funding source for this project.

In City Council, March 5, 2019
Adopted

A true copy. Attest:



City Clerk

CITY OF FALL RIVER

17

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on May 6, 2019,
voted unanimously to recommend that the accompanying order be adopted.



Assistant Clerk of Committees

City of Fall River, In City Council

17

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

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

Robert Plourde and Carrie Jarabek, 1030 High Street, request the removal of an additional 16 feet of curbing to the existing 23 foot driveway opening on the north side of the property facing President Avenue as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
1030 High Street	23'	16'	0'	39'
	(President Avenue)	(High Street)		

The petitioners would like to add a new driveway opening on High Street, on the south side of their house, beginning at the existing driveway opening serving 1018 High Street and running 16 feet north, to improve off-street parking access.

The proposed work improves access to the property. The location of the garage facing President Avenue prevents parking cars at the driveway unless the vehicles are in the garage. One on-street parking space would be eliminated in an area with high on-street parking utilization.

and, on April 11, 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 denied:

Robert Plourde and Carrie Jarabek, 1030 High Street, request the removal of an additional 16 feet of curbing to the existing 23 foot driveway opening on the north side of the property facing President Avenue as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
1030 High Street.	23'	16'	0'	39'
	(President Avenue)	(High Street)		

The petitioners would like to add a new driveway opening on High Street, on the south side of their house, beginning at the existing driveway opening serving 1018 High Street and running 16 feet north, to improve off-street parking access.

The proposed work improves access to the property. The location of the garage facing President Avenue prevents parking cars at the driveway unless the vehicles are in the garage. One on-street parking space would be eliminated in an area with high on-street parking utilization.

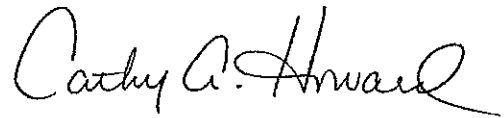
CITY OF FALL RIVER

18

To the City Council

Councillors:

The Committee on Public Works and Transportation, at a meeting held on May 6, 2019,
voted unanimously to recommend that the accompanying order be adopted.



Assistant Clerk of Committees

City of Fall River, In City Council

18

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

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

Carl R. Machado, Trustee, 205 High Street, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
57 Oak Street	12'	12'	0'	24'

The petitioner has an existing 12 foot driveway opening on the north side of the property facing Bank Street and would like to extend the driveway an additional 12 feet to the west, to improve off-street parking access and provide two additional off-street parking spaces.

The proposed work improves access to the property and does not cause a significant adverse effect on on-street parking in the area.

and, on April 11, 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:

Carl R. Machado, Trustee, 205 High Street, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
57 Oak Street	12'	12'	0'	24'

The petitioner has an existing 12 foot driveway opening on the north side of the property facing Bank Street and would like to extend the driveway an additional 12 feet to the west, to improve off-street parking access and provide two additional off-street parking spaces.

The proposed work improves access to the property and does not cause a significant adverse effect on on-street parking in the area.

CITY OF FALL RIVER

19

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 7, 2019, voted unanimously to recommend the accompanying proposed ordinance, accompanied by an emergency preamble, be passed through first reading, second reading, passed to be enrolled and passed to be ordained, with Councilor Bradford L. Kilby absent and not voting.

Cameron A. Taylor
Clerk of Committees

EMERGENCY PREAMBLE

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

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

City of Fall River, In City Council

19

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

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

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

Name of Street	Side	Location
Second Street	West	Starting at a point 589 feet south of Cottage Street, for a distance of 20 feet southerly
Third Street	East	Starting at a point 497 feet north of Morgan Street, for a distance of 20 feet northerly
Fourth Street	West	Starting at a point 90 feet south of Spring Street, for a distance of 20 feet southerly
Bradford Avenue	North	Starting at a point 95 feet east of Bay Street, for a distance of 20 feet easterly
Canal Street	West	Starting at a point 114 feet south of Ferry Street, for a distance of 20 feet southerly
Choate Street	West	Starting at a point 142 feet north of Alden Street, for a distance of 20 feet northerly
Durfee Street	East	Starting at a point 311 feet north of Cedar Street, for a distance of 20 feet northerly
East Main Street	East	Starting at a point 20 feet north of Mystic Street, for a distance of 20 feet northerly
East Main Street	West	Starting at a point 90 feet north of Peckham Street, for a distance of 20 feet northerly
Flint Street	West	Starting at a point 102 feet south of Canonicus Street, for a distance of 20 feet southerly
Globe Street	North	Starting at a point 266 feet west of Chase Street, for a distance of 20 feet westerly
Jencks Street	West	Starting at a point 202 feet north of Pleasant Street, for a distance of 20 feet northerly
Morton Street	West	Starting at a point 20 feet south of Brightman Street, for a distance of 20 feet southerly
Nelson Street	East	Starting at a point 93 feet south of Brayton Avenue, for a distance of 20 feet southerly
Plymouth Avenue	East	Starting at a point 134 feet north of Dover Street, for a distance of 20 feet northerly
Robeson Street	West	Starting at a point 96 feet north of Walnut Street, for a distance of 20 feet northerly
Slade Street	South	Starting at a point 20 feet east of Wilbur Street, for a distance of 20 feet easterly
South Main Street	West	Starting at a point 373 feet north of Mt. Hope Avenue, for a distance of 20 feet northerly

CITY OF FALL RIVER

20

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 7, 2019, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading, with Councilor Bradford L. Kilby absent and not voting.

Colleen A. Taylor
Clerk of Committees

City of Fall River, *In City Council*

20

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

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

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

Name of Street	Side	Location
Ballard Street	North	Starting at a point 175 feet west of Oregon Street, for a distance of 25 feet westerly
Bowen Street	West	Starting at a point 126 feet north of Morse Place, for a distance of 20 feet northerly
Oliver Street	North	Starting at a point 402 feet west of Broadway, for a distance of 20 feet westerly

CITY OF FALL RIVER

21

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 7, 2019, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading, with Councilor Bradford L. Kilby absent and not voting.

Colleen A. Taylor
Clerk of Committees

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

That Chapter 82 of the Code of Fall River, Massachusetts, 2018, which chapter relates to Waterways be amended as follows:

Section 1.

By inserting in Section 82-64, which section relates to definitions in proper alphabetical order, the following:

CARGO VESSEL

A Cargo Ship is any kind of a ship or any other vessel that transports heavy, capital equipment and materials from one port to another.

COMMERCIAL VESSEL

Any vessel (i.e. boat, ship, barge) engaged in commercial trade or that carries goods or passengers for hire, or is not normally used primarily for pleasure and recreational activities.

STATIONARY BARGE

A Stationary Barge is one that is normally beached, diked (used as a breakwater), or permanently attached to a fixed structure when performing normal duties. Such barges may be capable of being moved periodically for repairs, inspection or reassignment while not carrying cargo.

Section 2.

By inserting a new section to read as follows:

Section 82-77 Commercial Waterways Fee:

A. Commercial boat owners using the waters of Fall River, MA will be subject to a waterways user fee. The waterways user fee is a fee used to help offset the cost of operating services provided by the City of Fall River MA. Services include, but are not limited to, dredging, maintenance projects, fire, emergency, police security, boater education, environmental protection, enforcement and harbor management services. Additional services may be provided as the need arises.

B. All commercial vessels, commercial fishing boats, including non-stationary barges, using the waters of Fall River, MA for more than 14 days per year cumulatively (calendar year) are subject to the waterways user fee in Fall River, MA. Exceptions to the waterways user fee are vessels used for law enforcement by government agencies. This waterways user fee is a yearly fee and is due by June 30 of each calendar year, or immediately after the fourteen-day benchmark is met if after June 30 of the current calendar year.

C. All cargo ships will be required to pay a Waterways Fee each time they dock. Cargo Vessels create a constant discharge of graywater into the river.

D. Facilities providing services such as mooring space, docking, slips or summer in-and-out services shall notify all of their customers of this required fee to the City of Fall River, MA when signing a contract or agreements that allows them to utilize the Fall River waterway as described herein.

E. The Office of the Harbormaster will, upon payment, provide a sticker which is to be affixed to the Starboard side stern area of the vessel. Violators will be subject to a fine as described in § 82-73 Violations and penalties. Fines may be recovered by indictment, or on complaint before the District Court, or by noncriminal disposition in accordance with § 21D of Chapter 40 of the General Laws.

F. Exclusions- . Exceptions to the waterways user fee are boats that are on trailers put in and taken out for each occasion of use.

Section 3.

That Appendix A – Fee Schedule be amended by inserting a new section which relates to the Commercial Waterways Fee.

Section 82-77, Commercial Waterways Fee

Commercial Vessel under 30', annually	\$500.00
Commercial Vessel 30' and up, annually	\$1,000.00
Cargo Vessel of any size, per docking	\$500.00

CITY OF FALL RIVER

28

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 7, 2019, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading, with Councilor Bradford L. Kilby absent and not voting.

Colleen A. Taylor
Clerk of Committees

City of Fall River, In City Council

22

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

Section 1.

That Chapter 10 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Building Standards be amended as follows:

By striking out in Sections 10-97 and 10-98, which sections relate to registration fees; lien for failure to pay and billing statement, respectively, "November 15" and inserting in place thereof "July 1"; by striking out "calendar year" and inserting in place thereof "fiscal year"; and by striking out "October 15" and inserting in place thereof "June 1".

Section 2.

That Chapter 42 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Housing be amended as follows:

By striking out in Section 42-1, subsection C (2) "calendar year" and inserting in place thereof "fiscal year".

CITY OF FALL RIVER
IN CITY COUNCIL

FEB - 5 2019

*Referred to the
Committee on Ordinances
and Legislation*

City of Fall River, *In City Council*

23

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

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

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

Name of Street	Side	Location
Bradford Avenue	North	Starting at a point 214 feet east of Bay Street, for a distance of 20 feet easterly
Crawford Street	West	Starting at a point 62 feet east of Charles Street, for a distance of 20 feet southerly
Merino Street	North	Starting at a point 49 feet west of Pitman Street, for a distance of 20 feet westerly
Morgan Street	North	Starting at a point 62 feet east of John Street, for a distance of 20 feet easterly
South Beach Street	West	Starting at a point 121 feet south of Sprague Street, for a distance of 20 feet southerly
Winter Street	West	Starting at a point 72 feet north of Walnut Street, for a distance of 20 feet northerly

CITY OF FALL RIVER
IN CITY COUNCIL

APR 11 2019

*Passed through
first reading*

City of Fall River, In City Council

24

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

Accreditation Coordinator	7-1-2017	Not to exceed \$39,715.85
---------------------------	----------	---------------------------

and inserting in place thereof the following:

Accreditation Coordinator	7-1-2019	Not to exceed \$60,000.00
---------------------------	----------	---------------------------

CITY OF FALL RIVER
IN CITY COUNCIL

APR 11 2019

*Passed through
first reading*

City of Fall River, *In City Council*

25

(Councilor Pam Laliberte-Lebeau)
(Councilor Shawn E. Cadime)

WHEREAS, the streetscape projects are now complete for Purchase Street and East Main Street, and

WHEREAS, there were significant delays and possible cost overruns with both of these projects, now therefore

BE IT RESOLVED, that the Committee on Finance convene with the Administration, Director of Financial Services, City Engineer, Administrator of Community Utilities and the City Planner to review all contracts, change orders, oversight committee recommendations, lists of oversight committee members and dates of oversight committee meetings, and

BE IT FURTHER RESOLVED, that copies of all documents be provided to the City Council as soon as possible for review prior to the meeting of the Committee on Finance.

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

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.

City of Fall River, In City Council

27

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

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.)

**AN ACT AUTHORIZING MEMBERS OF THE FALL RIVER FIRE DEPARTMENT THE ABILITY
TO APPLY WITH THE FALL RIVER RETIREMENT BOARD TO PURCHASE CREDIBLE
SERVICE FOR MILITARY SERVICE**

SECTION 1. Notwithstanding any general or special law to the contrary, an employee of the City of Fall River who is a member of the Fall River Retirement System and is a firefighter actively employed within the Fire Department of the City of Fall River, and is a veteran who served in the armed forces of the United States and who was previously eligible to apply for creditable service pursuant to paragraph (h) of subdivision (1) of section 4 of chapter 32 of the General Laws but failed to do so shall be eligible to apply with the Fall River Retirement Board to: (i) purchase creditable service for military service time not more than 180 days after the effective date of this act; or (ii) enter into an installment agreement to purchase creditable service for military service time not more than 180 days after the effective date of this act.

SECTION 2. This act shall take effect upon its passage.



VERMONT MUTUAL INSURANCE GROUP®

89 STATE STREET - PO BOX 188
MONTPELIER, VERMONT 05601-0188

Claims 800-435-0397

Property/Liability Claims Fax 802-229-7647

Auto Claims Fax 802-229-8941

E-Mail claims@vermontmutual.com

31

RECEIVED

2019 APR 29 P 12:44

CITY CLERK 19-05B
FALL RIVER, MA

April 25, 2019

SUBROGATION DEMAND SECOND REQUEST

Fall River
City Clerk
One Government Center, #227
Fall River, MA 02722-7700

RE: Insured: Adelbert E Howard
Claim No.: MPA83123
Policy No.: MA17091133
Date of Loss: 12/28/18

Dear Fall River:

By letter dated, March 26 2019 we notified you of our subrogation rights and claim. We have not heard from you regarding our request for payment.

We assume your lack of payment is simply an oversight. Please note that we take subrogation claims very seriously. We are willing to review our claim with you and, if possible, reach an amicable resolution. Ignoring our requests that you contact us will not dissuade us from pursuing the claim.

We believe we have been as fair as possible in our efforts to resolve this claim with you. We will diary our file for 14 days. If we do not hear from you within this period we will forward the file to our local subrogation counsel.

We again request that you contact the undersigned or immediately forward your check in the amount of \$2327.87 made payable to Vermont Mutual Insurance Group®.

We look forward to hearing from you.

Sincerely,

Alycia Rogers

Alycia Rogers *ALF*
Claim Representative - Subro
Extension: 7188
arogers@vermontmutual.com

CC: 4-29-19

City Clerk
City Council ✓
Law Dept.
DCM
Cemetery + Trees



City of Fall River
Notice of Claim

RECEIVED

2019 APR 18 P 3:40

CITY CLERK 19-51
FALL RIVER, MA

1. Claimant's name: Laura Chase
2. Claimant's complete address: 591 Sanford Road Westport, MA 02790
3. Telephone number: Home: 774-526-3271 Work: 508-313-3461
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Hit Pothole on Brayton Ave - damaged tire and alignment
5. Date and time of accident: 04/13/19 9:45 PM Amount of damages claimed: \$ 215.03
6. Exact location of the incident: (include as much detail as possible):
In front of 354 Brayton Ave right lane
7. Circumstances of the Incident: (attach additional pages if necessary):
I was traveling in the right lane on Brayton Ave towards Stafford Road when I hit a very good size pot hole in front of 354 Brayton Ave.
My front passenger tire went flat instantly and I pulled over right away and had it changed to my spare.
The tire needed to be replaced and the car needed an alignment due to this incident.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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: 04/18/2019

Claimant's signature: Laura Chase

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

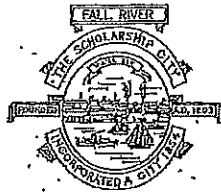
You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

For official use only:

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

Engineering
DCM

Date: 4/18/19



31

RECEIVED

City of Fall River

Notice of Claim

2019 APR 16 P 1:48

1. Claimant's name: Donald P. Henderson 19-52
2. Claimant's complete address: 177 ANTHONY ST. FALL RIVER, MA
3. Telephone number: Home: 508 6722206 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
HIT POT HOLE
5. Date and time of accident: 9:00 PM Amount of damages claimed: \$ \$150.00
6. Exact location of the incident: (include as much detail as possible):
WILLIAM CANNING BLVD.
7. Circumstances of the incident: (attach additional pages if necessary):
HIT POT HOLE BLEW TWO TIRES
ON PASSENGER SIDE
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 4-11-19

Claimant's signature: Donald P. Henderson

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

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

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

For official use only:

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

Date: 4/22/19



City of Fall River
Notice of Claim

RECEIVED

2019 APR 25 P 3:59

CITY CLERK
FALL RIVER, MA

- 31
1. Claimant's name: Lucia Dias
 2. Claimant's complete address: 1017 Plymouth Ave. Fall River, Ma. 02723
 3. Telephone number: Home: 774.225.5230 Work: ~~508.995.6400~~ Elsie 774-302.0332
 4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
pot hole damage
 5. Date and time of accident: Jan. 2019. Amount of damages claimed: \$ 1889.18
 6. Exact location of the incident: (Include as much detail as possible):
Stafford Road close to Afonso's Bakery.
 7. Circumstances of the incident: (attach additional pages if necessary):
While driving vehicle I hit a pothole on my driver's front tire. Pothole could not be avoided due to on coming traffic on opposite side of the street.
 8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 4-20-19

Claimant's signature: Lucia Dias

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

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

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

For official use only:

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

Date: 4/25/19



31

RECEIVED

City of Fall River
Notice of Claim

2019 APR 26 P 12: 27

19-54
CITY CLERK
FALL RIVER, MA

1. Claimant's name: Toby Bradford
2. Claimant's complete address: 24 ROBERT ST N. DARTMOUTH MA 02747
3. Telephone number: Cell: 508 441 1172 Home: Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
PROPERTY DAMAGE TO CAR DUE TO GIANT POT HOLE
5. Date and time of accident: 4/6/19 @ 2:30pm Amount of damages claimed: \$ 361.68
6. Exact location of the incident: (include as much detail as possible):
245 William S Canning Blvd. Pot hole in front of CVS parking lot
7. Circumstances of the incident: (attach additional pages if necessary):
Exiting the CVS parking lot and turning south on William S Canning Blvd, my car entered a gigantic pot hole snapping the front passenger side suspension coil spring. See attached sheets for evidence.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 4/20/19

Claimant's signature: Toby Bradford

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

ICM

Date: 4/26/19



City of Fall River
Notice of Claim

RECEIVED

31

2019 MAY -2 A 11:01

19-55

1. Claimant's name: Albert Wilding / Attorney Benjamin Henthorne
2. Claimant's complete address: 702 King Phillip St Apt 3 Fall River, MA 02724
3. Telephone number: Home: 508-617-8869 Work: Attorney 774-255-8775
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Slip + Fall
5. Date and time of accident: 7/14/18 Amount of damages claimed: \$ 87,000
6. Exact location of the incident: (include as much detail as possible):
1853 S Main St Fall River MA 02724 on public sidewalk in front of McDonald's
7. Circumstances of the incident: (attach additional pages if necessary):
Walking North on S Main St across driveway entrance when tripped + fell due to irregular shape of the curb causing injuries to shoulder
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
York Risk Services Claim: 92299 Ph: 281-504-0302

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

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

Date: 4/29/19

Claimant's signature: York Adjuster Russell

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 ☒ DPW

Date:

5/2/19

31



RECEIVED

2019 MAY -8 P 1:44

City of Fall River
Notice of Claim

- CITY CLERK 1936
1. Claimant's name: Marvel & Amanda Marvel
 2. Claimant's complete address: 27 Ethan Way Tiverton, RI 02878
 3. Telephone number: Home: 508-933-1074 & 735-2940 Work: 2940
 4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Paint damage to car when City Workers were spraying street
 5. Date and time of accident: Scrum between Sept 3 Oct 15 2018 Amount of damages claimed: \$
 6. Exact location of the incident: (include as much detail as possible):
Airport Rd heading toward N Main st Rotary
 7. Circumstances of the incident: (attach additional pages if necessary):
I got off exit 8 going towards Rotary on N Main at the time they were doing road construction. It was mid day so there was a lot of traffick. It was windy & we were forced to stop I saw the spray paint &
 8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 4/26/19

Claimant's signature: Amanda Marvel

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

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

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

For official use only:

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

Date: 5/8/19

31

RECEIVED

City of Fall River
Notice of Claim

2019 MAY -9 P 3:04

#19-57

CITY CLERK
FALL RIVER, MA

1. Claimant's name: Jose Vargas
2. Claimant's complete address: 226 Almond St. Fall River MA 02721
3. Telephone number: Home: 774 526 9092 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):

5. Date and time of accident: 4/19/19 11:30PM Amount of damages claimed: \$ _____
6. Exact location of the incident: (include as much detail as possible):
Near 52 Ferry St. Fall River
7. Circumstances of the incident: (attach additional pages if necessary):
It was a rainy Friday night, there was a metal plate covering some utility done that day. I was traveling and when I went over the metal plate there was a pothole filled with rain water in which it couldn't be noticed. As I went over it I heard a loud noise →
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 5/9/19 Claimant's signature: Jose Vargas

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

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

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For official use only:

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

Date: 5/9/19



Massachusetts School Building Authority

Deborah B. Goldberg
Chairman, State Treasurer

James A. MacDonald
Chief Executive Officer

John K. McCarthy
Executive Director / Deputy CEO

33

May 2, 2019

Colleen A. Taylor
Clerk of Committees, City of Fall River
One Government Center, Second Floor
Fall River, MA 02722

RECEIVED
2019 MAY - 6 A 10:11
CITY CLERK
FALL RIVER, MA

Re: City of Fall River, B.M.C. Durfee High School

Dear Ms. Taylor:

The Massachusetts School Building Authority (the "MSBA") is in receipt of the letter dated April 22, 2019 regarding the B.M.C. Durfee High School Project, indicating that a meeting held April 3, 2019 resulted in a City Council Committee on Ordinances and Legislation request that the MSBA provide guidance on appointing and removing individuals from the School Building Oversight Committee.

The MSBA Regulations, 963 CMR: *Massachusetts School Building Authority, Section 2.10, Application and Approval Procedures, (3) School Building Committee*, provides recommended guidance to cities, towns and regional school districts on the formation of a School Building Committee whose role it is to monitor the Application process and to advise the Eligible Applicant during the construction of an Approved Project. The Regulations state that the committee shall be formed in accordance with provisions of the local charter and/or by-law and issued to the MSBA for its approval, with an MSBA requirement that the formation be submitted using an established template document, which refers to certain individuals encouraged to be included in the composition of the committee. Section 2.10 of the Regulations closes with a reminder to the Eligible Applicant of its fiduciary responsibility.

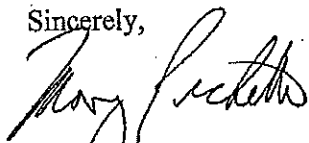
The MSBA Regulations do not provide guidance on committee protocols related to procedures that would consider the appointment or removal of individual members, rather it is advised that cities, towns and regional school districts consult their local charter and/or by-law for direction on the matter. The MSBA appreciates the work of local committees and understands that membership changes will occur during the life of a project. To secure the MSBA's approval when a change occurs, notice is required within 21 days of the change using the standard School Building Committee template document.

33

Page 2
May 2, 2019
Fall River Letter

We are pleased to be working with the City of Fall River on its high school building project and feel free to contact me or my staff at (617) 720-4466 should you have any questions.

Sincerely,



Mary Pichetti
Director of Capital Planning

Cc: Legislative Delegation
Jasiel F. Correia, II, Mayor, City of Fall River
Cliff Ponte, President, Fall River City Council
Mark Costa, Vice-Chair, Fall River School Committee
Dr. Matthew H. Malone, Superintendent, Fall River Public Schools
Kenneth Pacheco, Chief Operating Officer, Fall River Public Schools
Adam Keane, Owner's Project Manager, Leftfield, LLC
Lynn Stapleton, Owner's Project Manager, Leftfield, LLC
Scott Dunlap, Designer, Ai3 Architects
File: 10.2 Letters (Region 6)

Asad Afzaal
440 Stafford Rd
Fall River, Ma 02721
774-473-4114

34
RECEIVED

2019 MAY -3 A 9:37

CITY CLERK
FALL RIVER, MA

To whom it may concern,

My name is Asad Afzaal and I am the owner The Let's Roll Express located at 440 Stafford Rd. I am writing to you today with concerns of too many stores/smoke shops similar to my shop opening up on Stafford Road but more importantly too close to my shop.

While I am supportive of businesses opening up in the area, I do believe that there should be proper distance between similar shops. I was informed that there are presently 191 tobacco resale licenses in Fall River. I am hoping this can be revisited with the possibility of having a cap on how many are allowed to open and operate.

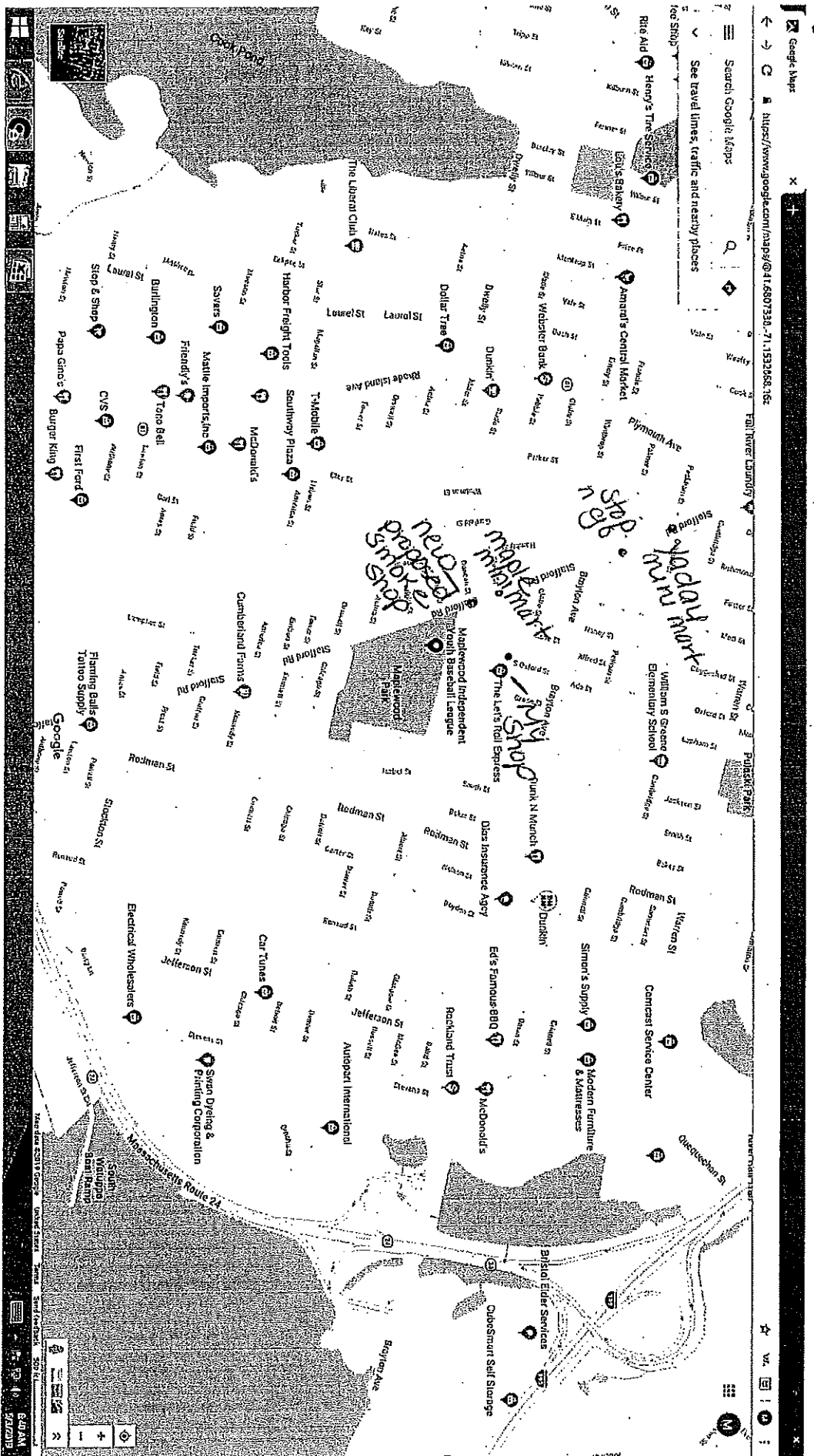
Any meetings that take place in regards to Splash Vapes or any other smoke shop or tobacco resellers opening up in the Maplewood area, I would like to be notified. Thank you for your time and consideration.

Best,

ASAD AFZAAL

Asad Afzaal

34



COMMITTEE ON FINANCE

MEETING: Tuesday, March 19, 2019 at 6:30 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilors Joseph D. Camara and Pam Laliberte-Lebeau

IN ATTENDANCE: Cathy Ann Viveiros, City Administrator
Joseph I. Macy, Corporation Counsel
Chief Albert F. Dupere, Fall River Police Department

The chair called the meeting to order at 6:31 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:

Joel Normandin, 949 High Street – Special Meeting request by Councilor in seat #1

2. Transfer and appropriation – \$608,440 from the General Fund Stabilization Fund to the School Appropriation

Councilor Leo O. Pelletier stated that the School Committee was discussing how to spend \$3.4 million dollars at their meeting last evening and then asked why we are transferring another \$608,440 to the School Department. The City Administrator stated that we are required to meet Net School Spending. Councilor Stephen R. Long stated that we are required to make these transfers to the School Department to uphold Net School Spending requirements. Councilor Shawn E. Cadime stated that we just recently transferred \$1 million dollars to the School Department from the health insurance line item. He then stated that he is concerned with the manner that the School Department is being funded, as the figures that are used to show that we are funding at 101% of Net School Spending are not true amounts. Those numbers are based on the Governor's numbers and those figures are always basically dead on arrival, which he feels just misleading the residents of Fall River. Councilor Shawn E. Cadime then stated that he is also concerned with the bids that were just received by the School Department for transportation, which have come in more than \$2 million dollars higher than anticipated and those funds are not part of Net School Spending.

3. Discussion with Corporation Counsel, Chief of Police, and Administration re: possibility of limiting the number of licenses for medical and recreational marijuana dispensaries

Councilor Leo O. Pelletier stated that the minimum number of licenses for medical and recreational marijuana dispensaries is based on the number of liquor licenses for carry out stores, not to include restaurants and bars. He then stated that according to his calculations, the minimum number of marijuana licenses would be eight unless the question was put on the ballot for the voters if a lower number is desired. Councilor Leo O. Pelletier asked Corporation Counsel if anyone with an ID, who is over the age of 21 can purchase medical marijuana or do you still need a medical ID to purchase medical marijuana. Corporation Counsel stated that you can only purchase medical marijuana with a medical ID. He then stated that anyone that is over the age of 21 and has a current ID can purchase recreational marijuana.

Councilor Leo O. Pelletier asked the Chief of Police, Albert F. Dupere what his opinion is on the number of marijuana licenses. The Chief of Police stated that he is not that concerned with the number of locations, but is more concerned with the location of the shops and the security. He then stated that the anticipated traffic concerns have not occurred and the shops are doing a good job with security, so there haven't been any major problems with the current shops.

Councilor Leo O. Pelletier then asked the City Administrator what the plans were for allowing more locations. The City Administrator stated that even though the Mayor has issued 11 letters of non-opposition that doesn't mean that 11 locations will open in the City. She went on to state that as Corporation Counsel has just stated, this is a very long process and we are unsure how many of these locations will be approved to open.

Councilor Bradford L. Kilby asked Corporation Counsel if there are 209 licenses pending in Fall River. Corporation Counsel stated that is not correct, that is the number of pending licenses statewide.

Corporation Counsel then stated that his office receives numerous telephone calls with questions regarding marijuana licenses and most of these inquiries are never followed through.

Councilor Shawn E. Cadime stated that his understanding of the limitation of marijuana licenses is that if a city or town wants to limit the number of licenses to fewer than 20% of the liquor licenses, then a question must be placed on a ballot. He then stated that if a city or town wants to limit the number to 20% or more then an ordinance can limit the number of licenses. Corporation Counsel then stated that he would read a summary as follows: "The idea behind Section 3A2 is that if the voters in a city voted in favor of legalization in 2016, its elected officials should not be able to thwart the will of the voters by unilaterally prohibiting retail sales, limiting the number of retail outlets to less than 20% of local liquor stores or limiting the number of retailers to less than the number of medical marijuana dispensaries unless the city held another city wide vote by which the voters approved such a restriction. Since our voters voted in favor of the legislation, we fall within the provision whereby we can't prohibit retail outlets to less than 20% of liquor stores or limit the number of retail outlets to less than the number of medical dispensaries as it stands now, however there is nothing in the law now that purports to stop the city from allowing more than 20% of the number of liquor stores".

Councilor Derek R. Viveiros asked, what does an applicant need to have in place to receive a letter of non-opposition? Corporation Counsel stated, at a minimum they need to have a location that they have selected that is zoned properly and they need to have a vested interest in that location. You have to own the property or have an extant lease. The applicant cannot apply and state that if they are approved they will lease said property. They also need to have substantial finances. Councilor Derek R. Viveiros then asked if all cities and towns must allow the 20% of liquor store licenses for marijuana licenses. Corporation Counsel stated that if the city or town did not vote in favor of legalization in 2016, then the 20% rule would not apply to that city or town.

Councilor Steven A. Camara stated that a free market should prevail and he does not believe that we should try to control this. He then asked the City Administrator, how much has the City received in fees and taxes. The City Administrator stated that the City has received the \$50,000 fee from the three facilities, but we have not yet collected any excise taxes.

Citizens' Input Time – After Discussion of Financial Matters:

None

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven R. Long, it was unanimously voted to adjourn at 8:00 p.m., with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

Summary of 3A2 regarding marijuana

Callum A. Taylor
Clerk of Committees

38

JOINT MEETING OF THE CITY COUNCIL AND SCHOOL COMMITTEE

MEETING: Tuesday, March 19, 2019 at 5:30 p.m.
Council Chamber, One Government Center

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

ABSENT: Joseph D. Camara and Pam Laliberte-Lebeau

IN ATTENDANCE: Mayor Jasiel F. Correia II

President Cliff Ponte called the meeting to order at 5:30 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. There was a presentation of the colors by the Fall River Police Department and Fall River Fire Department Honor Guards.

All members of the Fall River School Committee were present for this meeting.

President Cliff Ponte introduced Mayor Jasiel F. Correia II and stated that the purpose of the meeting was for the Mayor's State of the City address, a copy of which is attached hereto and made a part of these minutes.

Councilor Shawn E. Cadime left the Council Chamber at 5:34 p.m.

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to adjourn at 6:03 p.m., with Councilors Shawn E. Cadime, Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
DVD of meeting
Mayor's State of the City Address

A true copy. Attest:

Alison M. Bouchard

City Clerk

State of the City Address – March 19, 2019

Good evening, good evening everyone, what another important night. It's my pleasure to be here tonight pursuant to those provisions of the Charter which authorize and require me to deliver an annual State of the City Address no later than the third Wednesday in March. Let me start out by thanking all of our elected officials who are here tonight. I also want to thank every city employee, from clerks to department heads, police officers and fire fighters, school teachers and DCM workers, every single one of these people allow our city to function and shine. Thank you for your commitment to Fall River and please join me in applauding the efforts of every single municipal employee.

I also want to extend a warm welcome to our invited guests here tonight, including my friends, my family, my parents and my grandmother. Thank you and I love you.

It has been just a little over three years since taking office as your Mayor, the Mayor of the great City of Fall River. As we enter the Fiscal Year 2020 budget cycle, I want every citizen and business to know that the Correia Administration remains completely focused on providing you, the citizen, the renter, the veteran, the family, the child and the business owner with the city services you have asked for and deserve.

You elected me to serve as your Mayor in hopes that the programs that are important to you would be expanded and the fees and expenses that burden you would be eliminated. You asked me to eliminate the \$120 trash fee and we did it! You asked me to eliminate the purple bag program and we did it! You asked for better city services and a commitment to fiscal stability and responsibility and that's what my Administration has delivered and continues to do, every single day, with laser focus on providing the services you want and deserve. And so tonight, once again, I am thrilled to report to the citizens and business community of Fall River that the state of our city is strong and getting stronger!

Three short years ago, this was not the case; our city had been plagued by poor fiscal management. Former leaders even stated that the city was on the brink of receivership. My Administration was left with a mere \$500,000 in stabilization funds and a negative outlook by the credit agency, Moody's. Under the leadership of CFO Mary Sahady, City Administrator Cathy Ann Viveiros and I, our strategy was to cut costs in areas that did not reduce city services. Our goal was to eliminate fees and increase services. With the cooperation of every department head, we were able to implement a zero based budgeting practice for the first time and eliminate our snow and ice deficit.

By bringing competition to health insurance contracts and in cooperation with our city's unions, we have been able to stop a \$50 million dollar budget buster from spiraling out of control. Fall River has defied industry trends in curbing health insurance costs allowing us to spend those funds on other services.

The privatization of trash collection not only led to the fulfillment of a campaign promise to eliminate the \$120 household fee, it also improved collection services. We were one of the few, if not the only community in the Commonwealth, to eliminate not one but two fees and deliver savings to taxpayers without using any one time funds.

These new fiscal policies have allowed the city to begin to refund its stabilization account. Three years ago the City had \$500,000 in stabilization funds and today I am proud to tell you

that we have over \$7 million dollars in surplus. Just last year the credit and bond rating agency Moody's dropped their negative outlook on the City of Fall River, citing better fiscal policies, leadership and redevelopment opportunity.

In fiscal year 2020, we will focus our efforts on raising new revenues that will not burden our residents and businesses. Solar development, marijuana sales, billboard fees and electronic advertising will all be new revenues that do not come from taxpayers' pockets. A new transfer station will provide trash host fees that will bring in \$750,000 annually. These fiscal policies have allowed us to increase the municipal services that are important to you.

We have always been a community of neighborhoods. Your neighborhood is a priority; everyone deserves a clean and safe neighborhood with exciting improvements. My Administration has worked with Mike Dion and the Community Development Agency to bring new park and playground improvements to neighborhoods across the City; Pulaski Park, Chew Park, Griffin Park, Patriot's Playground and many others have all been upgraded.

Over \$1 million dollars has been spent on sidewalks. Many more streets and sidewalks will be upgraded through Chapter 90 funds, creating a more ADA compliant, accessible and beautiful city for all of us to enjoy.

This Administration has prioritized the restoration of housing stock in our neighborhoods by investing \$3.4 million dollars in Home Rehab Funds and assisted 50 first-time homebuyers with grants totaling \$439,000. These grants leveraged over \$8.7 million dollars of private mortgage funds. We continue to work with a new award from the Attorney General that revitalizes abandoned property throughout our neighborhoods and in a few months we will cut the ribbon on a brand new senior center on Alden Street.

A newly reorganized Department of Community Maintenance is no longer focused on trash collection, but rather on fixing streets, fixing potholes and sidewalks. This past year we launched a citywide street sweeping program bringing street sweepers into neighborhoods they had never been before and in Fiscal Year 2020 we will expand this program with regularly scheduled routes to clean throughout all of our city.

Our infrastructure is strong and getting stronger!

Over the short span of my first and second term in office, Fall River has certainly moved forward with economic development, job creation and job skill training. My Administration took the success of Amazon and Southcoast Marketplace and leveraged their success to grow many new small businesses. Canned Heat, Red Hen, Troy City Brewery, Mission Cold Brew and so many others are opening up every single week!

A storefront façade program, a loan program and grant funds for new and expanding businesses combined with unprecedented cooperation from state agencies has led to an economic boom in Fall River. Blount Seafood, Millstone Medical, Raw Seafoods and Korber Hats have chosen to expand in Fall River. These big and small expansions have put thousands of people to work in our region.

Despite the negativity promoted by the few, these businesses are living proof that our local economy is strong and existing businesses have faith in my Administration's ability to help them succeed. Our strong partnership with the Massachusetts Office of Business Development and

our workforce training services are providing these businesses what they need to make it here in our city.

Our workforce training group is helping Charlie and Owen Merrow resurrect a proud tradition of apparel and textile manufacturing to create a new, tech and textile industry that will allow Fall River to once again compete on the world stage. A permanent skills training center at Merrow will train the necessary skills to fill the 40 plus positions available right now.

Route 79 South has been completed and Route 79 North will become a boulevard connecting our City to the waterfront. In just a few weeks the cooling towers and chimneys at Brayton Point will be demolished making way for sweeping views and 300 acres of industrial waterfront development creating many more thousands of jobs.

My Administration is ensuring that we will be part of the new Wind Energy Economy. We possess the greatest waterfront of any gateway city in the Commonwealth of Massachusetts, however for decades it has been underutilized. My Administration is proposing that we create a working waterfront, as well as a hospitality and entertainment destination. Some of the greatest waterfronts in the country follow this model. We have identified several parcels and several wind energy companies that are prepared to transform our region into a wind energy leader creating thousands of high paying jobs for our citizens and for generations to come.

A new, stronger, revitalized Redevelopment Authority is poised to reshape our waterfront, downtown and Bio-Park. We have entered a new era of economic development in the City of Fall River. The era of economic development for the many, not the few. The Redevelopment Authority will redevelop Weaver's Cove and working with our federal delegation, we will take down the old Brightman Street Bridge allowing use of Weaver's Cove for wind energy development and never for LNG.

Workforce training led by BCTC, the Workforce Investment Board, Bristol Community College and UMass will allow for the creation of thousands high paying new jobs. Jobs like underwater welders, electricians, project managers and laborers.

In addition to becoming a working waterfront by leading the wind energy sector, we will take advantage of the hospitality and entertainment opportunities that exist on the waterfront, capitalizing on the boating community under the direction of Bob Smith, completing and developing the city pier, adding more restaurants and venues like the Narrows Center for the Arts, Boneheads Live and Battleship Cove.

Economic development in 2019 and beyond means continuing to upgrade our streets and sidewalks. Thanks to City Council support, we are able to commit almost \$10 million dollars to our streetscape program. Today we see the results of streetscapes on Bank, Purchase and East Main Streets. We will begin to totally upgrade Bedford Street creating a new downtown corridor from Portugalia Marketplace to Battleship Cove. My vision is to totally reinvigorate this area with trolley service between our main streets and our waterfront. In addition to Bedford Street, we are upgrading Columbia Street, North and South Main Streets, New Boston Road and fully reconstructing William S. Canning Boulevard.

Blighted property and city tax possessions must also be redeveloped, just look at what is happening at the King Philip Mill, as that mills comes down a new neighborhood will rise, eliminating the public safety hazard as well as opening up the neighborhood to Cook Pond.

Like King Philip Mill, we will turn over the old police station and the Nu-Chrome site to the private sector for development in the next month.

We will move forward on plans to revitalize the Armory on Bank Street, which will complement the hundreds of new market rate housing units that are filling up all over our city. 44 units on Bank Street, 200 units on Alden Street and more market rate units coming to downtown. In addition to expanding market rate housing, this Administration has ensured project based housing does not expand while still protecting those residents who need housing assistance most.

This past December, the Housing Authority amended their plan to give preference to many of the residents of Riverview Towers. Through negotiations and compromises reached with, the building owner Ed Jouki, Tim Barrows from the Housing Authority and my office, we have protected the residents that are here in our community.

Businesses are opening up and people are moving in. As we get closer to the 2023 completion of the train connection to and from Boston, our city will transform even more.

This is just the beginning of our economic comeback! Our economy is strong and getting stronger!

The safety of every member of our community is a top priority of this Administration. I believe our Administration and this City Council have taken more action to improve the staffing and equipment in all of our public safety departments than any other administration in the last decade.

In the last three years we have:

- Increased the staffing level of our police department
- Added new police and animal control vehicles
- Added new positions including a crime analyst
- Added new dispatchers
- Added new radios and Tasers
- Added mobile cameras and a mobile command unit
- Increased community policing

And now we will add even more police positions and increase overtime to completely saturate and overpower crime in our city. We will give our police officers a much deserved raise and ensure that each officer and their family knows that we have their back and we want them to return home safely at the end of every single shift. We are so fortunate to have the best police chief in the entire state, Chief Al Dupere and under his leadership our department will continue to thrive.

As a city we encounter challenges all urban communities face, including intolerance, bigotry and hate crimes. We will vigorously protect the rights of all our citizens against these evils. However there is no question that we have one of the best police forces in the state, one of the few that is both state and nationally accredited. In 2018 we saw decreases in property crimes, robbery, motor vehicle theft, arson and violent crime. In 2019 and beyond we are committed to continuing to provide our officers with new tools to better do their job and increased manpower and overtime to better fight crime. Our Police Department is strong and getting stronger!

The Fire Department has seen an unprecedented amount of support. First and foremost, Chief Lynch has led the department to be the envy of the state. Chief your commitment to this department is not only honorable but something that gives me strength and security every day, it's an honor to work with you. I want to thank Union President Jason Burns constant support and an advocate for a fully upgraded Fire Department. In the last three years and into the 2020 budget we were able to purchase through grants and bonds the following:

- 68 sets of new breathing apparatus
- 104 sets of new fire protective gear
- Gear washers and dryers
- Our first ever rescue boat
- 4 new engines, 1 heavy rescue, 1 platform ladder truck and 1 command unit
- 2 new ambulances
- A 5th medical rescue
- New state of the art radio fire alarm system for all city properties.
- A new ladder truck is being built

And we will purchase a second set of gear to continue the fight against firefighter related cancers. In addition to this new much needed equipment we sustainably absorbed all SAFER Grant firefighters and pending contract negotiations we will have the opportunity for the first time in many years to bring man power up from 175 to 195 firefighters. Our Fire Department is strong and getting stronger!

An ever improving education system combined with a new Durfee High School is the top priority of this Administration. Education for all means more school funding and access to workforce training programs that focus on educating youth and adults in the traditional ways as well as job training. We took a fiscally challenged system and met and exceeded net school spending. We erased net school spending shortfalls and will provide over \$7 million dollars more in school funding in the FY2020 Budget.

We successfully guided a compromise for the Atlantis Charter High School. In addition to building a new Durfee High School we will build a new Diman High School. We funded and facilitated a relationship with the Resiliency Preparatory Academy and People, Inc., a partnership that yielded a community training center to train students that may have otherwise failed and instead now have an opportunity at a successful job. Whether it's a new Durfee High School or job training programs, or vocational programs offered by Diman High School; every citizen will have an opportunity and a chance to make it here. Our school system is strong and getting stronger!

Fall River has always been mindful of the sacrifices that our veterans have made. They are very much a part of the very fabric of our community. A replica of the Vietnam Memorial wall will be erected at Bicentennial Park. Using private donations and the City's commitment of \$300,000, we can augment our wonderful tribute to all veterans and make a spectacular addition to the monuments already present there. In addition, we have remodeled and upgraded the Veteran's Center on Pine Street. I want to thank Ray Hague, his staff and the so many volunteers who do their part in giving back to our veterans. Some of my proudest moments as Mayor have been honoring these outstanding individuals and their families. I want everyone to know that we have accomplished so much together and we will continue this great progress. We have many priorities ranging from economic development to public safety to

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fiscal management. As you have heard tonight we improved these areas and strengthened all government to serve our citizens.

As we continue to make progress in all of these areas there are a few that continue to be challenges. Drug abuse, is a very important issue to me, a national disease that has crippled and ruined the lives of so many, I want everyone's help to tackle the issue of drug abuse. Together we have made a positive impact on many lives through the efforts of the Mayor's Opioid Task Force. My Administration has launched initiatives like project Re-Connect which has allowed police officers and providers to connect and help people who are experiencing substance abuse disorder. We organized monthly events like the Help Center at City Hall to help de-stigmatize and provide treatment to those in need.

On behalf of the City, under the auspices of Judge Macy, a national lawsuit has been filed against big pharmaceutical companies which will give our city an opportunity to receive significant funds to combat the opioid crisis.

Joining us here tonight is proof that there is hope in the fight against the opioid crisis. Josh Goncalo is here tonight in the audience. Josh is a 31 year old lifelong resident of Fall River; he has had a drug addiction since he was 19. He overdosed twice last year and through project re-connect I am proud to share with all of you that he is in recovery and wanted to be here tonight to share his success and give hope to many others out there. Our programs have helped Josh and will continue to help many others.

We will work together with non-profits like Justice Resource Institute and Steppingstone to continue to address issues of homelessness and mental health issues in the coming months. The fight against these issues continues and we stand ready and willing to take on any enemy or challenge.

In order to continue all this progress, we need a network of relationships, both public and private, through which we can make our voices heard and our needs felt. As I look around this room tonight, I see many elected officials. I know we have not always gotten along and I know some of you are not happy with recent developments, but for the good of our city and adhering to your oath, please put differences aside to get even more things done for the citizens of our great city! To this end, I reaffirm my sincere desire to cooperate with all elected officials and most of all the City Council and School Committee. My door is always open to you. Please participate with me in a constructive manner to advance the interests of the city and its people. For my part, I will make a genuine effort to build trust and be more inclusive. There is no doubt the city has progressed over the last three years and I am excited about the future of our beautiful city. This is just the beginning and there is so much more to come. I pledge to continue to devote all my energy to making Fall River great. But I have not done it alone and cannot do it alone. I need your support, your help and your cooperation. Whatever we do, we must do together.

The goals are set, the tools are in place and the destination is known – now we must follow the path, the path that this Administration has laid out. So once again I attest to you, the citizen, the taxpayer, the student, the family, the veteran, the senior; that the state of our city is strong and getting stronger!

God bless you all and God bless Fall River. Thank you and have a good night.

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, March 19, 2019 at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilors Joseph D. Camara and Pam Laliberte-Lebeau

IN ATTENDANCE: None

President Cliff Ponte called the meeting to order at 8:01 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. Transfer and appropriation – \$608,440 from the General Fund Stabilization Fund to the School Appropriation

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

PRIORITY COMMUNICATIONS

2. Trustees of the Fall River Public Library Board re: emergency funds for roof repair
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted that the communication be accepted and placed on file with a copy to the Committee on Public Works and Transportation, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.
3. Traffic Comm. recommending amendments to traffic ordinances
On a motion made by Councilor Bradford L. Kilby 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 Pam Laliberte-Lebeau absent and not voting.
4. Purchasing Agent re: Fire Department surplus property – 1987 Ford Pumper Truck
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to approve the communication, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.

5. City Planner re: zoning amendment – Wind Energy Corridor
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 Planning Board and schedule a public hearing, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.

6. City Planner re: zoning amendment – Kennels
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the Planning Board and schedule a public hearing, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.

COMMITTEE REPORTS – None.

ORDINANCES

Second reading and enrollment, as amended:
7. Proposed Ordinance – Traffic, miscellaneous
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted that the proposed ordinance, be passed through second reading and enrollment, as amended, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau 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 that the proposed ordinance be passed to be ordained, as amended, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.
Approved, March 20, 2019, Mayor Jasiel F. Correia II

RESOLUTIONS

8. Committee on Ordinances and Legislation convene to discuss requirement of City Council ratification vote for Board and/or Committee appointments and removals
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the resolution, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.

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 failed to carry.

CITATIONS – None

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

10. Auto Repair Shop License Renewals:
Jose Beirao, Beirao's Auto Repair, Inc. at 830 Globe Street
Joseph Ruggiero Sr., First Ford, Inc. at 292 Wm. S. Canning Boulevard
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the order, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.

11. Transfer auto repair shop license no. 94 from Phillip DeDucca, d/b/a 851 Motor Sales to Christopher Pineault, d/b/a MP's Auto Repair at 851 Globe Street
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Bradford L. Kilby, it was unanimously voted to reconsider item #11, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting. On a further motion made by Councilor Leo O. Pelletier and seconded by Councilor Shawn E. Cadime, it was unanimously voted to refer the matter to the Committee on Regulations, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.

12. Police Chief's report on licenses:

Taxicab Drivers:

Rasheen Baldwin

David T. Rioux

Antonio Sparshott

Second Hand License Renewals:

Curt Barreira d/b/a Jimmy's Jr's Tire Service at 729 Davol Street

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

Howard Sperberg & Andrew Jaynes d/b/a Pawtucket Pawnbrokers Too at 302 South Main Street

Pawtucket Pawnbrokers Too, Inc. d/b/a New England Pawn, Inc. at 407 South Main Street

Joseph Bilan, BP Auto Service Repair, Inc. at 1091 South Main Street

Pawnbroker License Renewals:

Howard Sperberg & Andrew Jaynes d/b/a Pawtucket Pawnbrokers Too at 302 South Main Street

Pawtucket Pawnbrokers Too, Inc. d/b/a New England Pawn, Inc. at 407 South Main Street

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the order, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.

COMMUNICATIONS – INVITATIONS – PETITIONS

13. Claims

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to refer the claims to Corporation Counsel, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.

14. City resident requesting to purchase a parcel of city owned land

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the request to the Committee on Real Estate, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.

City Council Meeting Minutes:

15. Regular Meeting – February 5, 2019

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to approve the minutes, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.

President Cliff Ponte called for a 2 minute recess at 8:17 p.m. to allow the ordinances to be signed and to discuss the need for 5 votes for a motion to carry. The Council reconvened at 8:22 p.m. Council President Cliff Ponte stated that 5 votes in the affirmative are necessary for a motion to carry and therefore item #9 failed to carry.

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS FILED AFTER THE AGENDA WAS PREPARED:
CITY COUNCIL MEETING DATE: March 19, 2019

CITATIONS

9a. Southeastern Massachusetts SER-Jobs for Progress, Inc. — 40th Anniversary celebration
 On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted to approve the citation, with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.

On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adjourn at 8:25 p.m., with Councilors Joseph D. Camara and Pam Laliberte-Lebeau absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
 DVD of meeting

A true copy. Attest:

Alison M. Bouchard

City Clerk

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Thursday, April 11, 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 9:30 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.

Councilors Steven A. Camara and Stephen R. Long arrived at 9:31 p.m.

PRIORITY MATTERS

1. Mayor and resolution regarding Five Year Annual Action Plan
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was voted 2 yeas, 4 nays to amend the resolution, by adding a restriction to not include a stipend for the Special Assistant to the Mayor, with Councilors Joseph D. Camara, Bradford L. Kilby, Stephen R. Long and Derek R. Viveiros voting in the negative and Councilors Steven A. Camara, Pam Laliberte-Lebeau and Cliff Ponte abstaining and the amendment failed to carry. On a further motion made by Councilor Stephen R. Long and seconded by Councilor Bradford L. Kilby, it was voted 5 yeas, 1 nay to adopt the resolution, with Councilor Shawn E. Cadime voting in the negative and Councilors Steven A. Camara, Pam Laliberte-Lebeau and Cliff Ponte abstaining.

2. Mayor and resolutions re: TIE Agreement for Downtown Development Companies, LLC
a. 30 Third Street
b. 162-166 Pleasant Street

A motion was made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long to refer the matter to the Committee on Finance. Councilor Steven A. Camara stated that this project is ready to begin and we are trying to revitalize our downtown and this is the beginning. He also stated that we are all familiar with Anthony Cordeiro and we shouldn't hold up this project. Councilor Stephen R. Long then withdrew his second to the motion. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 9 yeas to adopt both items #2a. and #2b.

3. Mayor and resolution re: TIE Agreement for Hanover Properties, LLC – 439 Pine Street
On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 3 yeas, 5 nays to adopt the resolution, with Councilors Shawn E. Cadime, Bradford L. Kilby, Pam Laliberte-Lebeau, Leo O. Pelletier and Cliff Ponte voting in the negative and the motion failed to carry.
4. Mayor and proposed ordinance re: Organizational Chart
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation.
5. Mayor and proposed ordinance re: commercial waterway fee
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation.
6. Mayor and order re: donation of conservation land from the Greater Fall River Land Conservancy, Lot W-28-0001 east of Bell Rock Road
On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order.
Approved, April 12, 2019, Mayor Jasiel F. Correia II
7. Mayor and communication re: proposed FY20 budgets for Water & Sewer Enterprise Funds
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the matter to the Committee on Finance.
8. Mayor requesting confirmation of appointment of Manuel Leite to the Election Commission
Councilor Pam Laliberte-Lebeau asked the City Clerk if Manuel Leite was serving on any other board or commission. The City Clerk stated that he had resigned from the other board that he was serving on. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was voted 7 yeas, 2 nays to confirm the appointment.
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to take items #9a. through #9e. together.
9. Mayor requesting confirmation of the following re-appointments:
 - a. Kathryn Clarkin – Library Trustees
 - b. James M. Gibney – Library Trustees
 - c. Barbara Jean – Council on Aging
 - d. Joy Reis – Council on Aging
 - e. Kelly Souza-Young – Election Commission
 On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted to confirm the appointments.

PRIORITY COMMUNICATIONS

10. Traffic Commission recommending amendments to traffic ordinances
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation.
11. Purchasing Agent re: disposition of surplus voting booths
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to approve the surplus property.

12. Board of Election Commissioner re: Official Results of City Recall Election held on March 12, 2019

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the results be accepted and placed on file.

13. Board of Election Commissioners and orders authorizing Preliminary Municipal Election on September 17, 2019 and Municipal Election on November 5, 2019 and polling places

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the orders authorizing the dates for the 2019 Municipal Elections and the polling places.

Approved, April 12, 2019, Mayor Jasiel F. Correia II

COMMITTEE REPORTS

Committee on Public Works and Transportation recommending:

Approval:

14. Order – appropriating \$375,050 from CPA funds for Historic Resource Preservation Projects – Library Roof

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 8 yeas, 1 nay to adopt the order, with Councilor Shawn E. Cadime voting in the negative.
Approved, April 12, 2019, Mayor Jasiel F. Correia II

Committee on Ordinances and Legislation recommending:

All readings with Emergency Preamble:

15. Proposed Ordinance – Traffic, Handicapped Parking

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was voted 9 yeas to adopt an Emergency Preamble. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted to pass the proposed ordinance through first reading, second reading, passed to be enrolled and passed to be ordained.

Approved, April 12, 2019, Mayor Jasiel F. Correia II

First Reading:

16. Proposed Ordinance – Traffic, miscellaneous

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

17. Proposed Ordinance – Salary, Accreditation Coordinator

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

Approval:

18. Communication – Street opening request for pavement less than 5 years old – 471 Center Street

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to approval the request.

Approved, April 12, 2019, Mayor Jasiel F. Correia II

Committee on Regulations recommending:Grant leave to withdraw:

19. Resolution – Discuss auto repair license granted to Phillip DeDucca d/b/a 851 Motor Sales located at 851 Globe Street

On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the resolution be granted leave to withdraw.

Adoption:

20. Order – Transfer of Auto Repair Shop License from Phillip DeDucca to Christopher Pineault located at 851 Globe Street

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order.

Approved, April 12, 2019, Mayor Jasiel F. Correia II

Committee on Health and Environmental Affairs recommending:Action:

21. Resolution – City Council support of House Bill No. 771 an Act reducing plastic bag pollution
On a 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 following:

Be it further resolved, that a letter be sent to the Fall River House of Representatives Delegation and the Massachusetts General Court expressing support of this bill and that the Doran School 21st Century After School Program letter of support be submitted with such letter. On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the resolution, as amended.

Committee on Economic Development and Tourism recommending:Adoption:

22. Order – Downtown Urban Renewal Plan

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

Approved, April 12, 2019, Mayor Jasiel F. Correia II

23. Order – Waterfront Urban Renewal Plan

The Committee on Economic Development and Tourism recommended amending the order for the Waterfront Urban Renewal Plan by deleting the following three parcels:

56 Water Street Assessors Parcel ID# N-16-0011

115 Anawan Street Assessors Parcel ID# N-16-0004

104 Anawan Street Assessors Parcel ID# N-12-0003

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

Approved, April 12, 2019, Mayor Jasiel F. Correia II

ORDINANCES – None

RESOLUTIONS

24. Committee on Public Works and Transportation convene to discuss dim street lights ratification vote for Board and/or Committee appointments and removals
Councilor Leo O. Pelletier stated that he has received calls from residents stating that the street lights are dim. Councilor Shawn E. Cadime stated that when the new LED street lights were installed, residents complained that they were too bright, so AMERESCO dimmed the street lights. Councilor Joseph D. Camara stated that he has noticed that the street lights seem dim. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the resolution.
25. Committee on Ordinances and Legislation convene to establish an ordinance to limit the number of licenses available for medical and recreational marijuana dispensaries to eight
On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Stephen R. Long, it was voted 8 yeas, 1 nay to adopt the resolution, with Councilor Steven A. Camara voting in the negative.

CITATIONS – None

ORDERS – HEARINGS

Curb Removals:

26. Robert Plourde and Carrie Jarabek, 1030 High Street – total of 39' at 1030 High Street
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 Public Works and Transportation.
27. John Vincent c/o Michael McHenry, 763 Oak Grove Avenue – total of 31' 6" at 763 Oak Grove Avenue
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order.
 Approved, April 12, 2019, Mayor Jasiel F. Correia II*
28. Carl R. Machado, Trustee, 205 High Street – total of 24' at 57 Oak Street
On a motion made by Councilor Stephen R. Long and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the order. Councilor Steven A. Camara asked questions pertaining to the location. On a further motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted to reconsider the previous vote. On yet a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the Committee on Public Works and Transportation.

Second Hand Article Store:

29. Wayne Confoey, 745 Broadway, Fall River, MA, d/b/a Cash for Gold located at 1503 Pleasant Street (precious metals to be sold)
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the order.
 Approved, April 12, 2019, Mayor Jasiel F. Correia II*

Storage Licenses:

30. Colbea Enterprises, LLC, 2050 Plainfield Pike, Cranston, RI – to store 30,000 gallons underground at 372 Plymouth Avenue on Lot I-19-10, Assessors Plan
*On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order.
 Approved, April 12, 2019, Mayor Jasiel F. Correia II*

31. Christy's Realty Limited Partnership c/o Olde Northeast Realty, LLC, 22 Christy's Drive, Suite 4, Brockton, MA – to store 30,000 gallons underground at 340 Milliken Boulevard on Lot N-25-3, Assessors Plan

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order.
Approved, April 12, 2019, Mayor Jasiel F. Correia II

ORDERS – MISCELLANEOUS

32. Auto Repair Shop License Renewals:

David Fernandes d/b/a Distinctive Auto located at 26 Burns Street

Brian D. Vieira d/b/a Aime's Auto Repair, Inc. located at 88 Earle Street

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order.

Approved, April 12, 2019, Mayor Jasiel F. Correia II

33. Auto Body Shop License Renewals:

David Fernandes d/b/a Distinctive Auto located at 26 Burns Street

Carl Garcia, Carl's Collision Center, Inc. located at 1591 Bay Street

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

Approved, April 12, 2019, Mayor Jasiel F. Correia II

34. Police Chief's report on licenses:

Taxicab Drivers:

Pedro R. Cardoso

Robert Carreiro

Ernest J. Medeiros

Ricardo Raposa

Pool/Billiards License Renewals:

W&L Enterprises d/b/a Rack-Em-Up Billiards located at 129 Griffin Street

Robert & John Albin d/b/a Straight Shooters located at 288 Plymouth Avenue

Second Hand License Renewals:

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

TVI, Inc. d/b/a Savers Thrift Store located at 109 Mariano Bishop Blvd.

Game Stop, Inc. d/b/a Game Stop 6735 located at 153 Mariano Bishop Blvd.

St. Vincent de Paul located at 1799 Pleasant Street

eco ATM, Inc. located at 638 Quequechan Street

Patenaude Jewelers, Inc. located at 1473 South Main Street

Beverly Post d/b/a Anything located at 1791 South Main Street

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

COMMUNICATIONS – INVITATIONS – PETITIONS

35. Claims

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

36. Drainlayer Licenses:

- a. Bartlett Consolidated, LLC
- b. ELJ, Inc.
- c. East Coast Landscaping & Construction, Inc.
- d. Green Acres Landscape & Construction Co., Inc.

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

Approved, April 12, 2019, Mayor Jasiel F. Correia II

37. Structure On or Over a Public Way – 30' long banner for the City of Fall River advertising of "Taste Fall River" on South Main Street and Bedford Street

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to approve the structure over a public way.

38. Communication from Fall River Educator's Association re: removal of members of the Durfee Building Committee

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the communication be accepted and placed on file.

39. Communication from city resident re: Our Place, 156 Tripp Street

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

40. Communication from city resident re: Recall Election

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the communication be accepted and placed on file.

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted to take items #41 through #50 together.

41. Resignation of Antone Dias as member of Fall River Historic District Commission and Community Preservation Committee

42. Zoning Board of Appeals Minutes – December 13, 2018

43. Zoning Board of Appeals Minutes – January 17, 2019

44. Zoning Board of Appeals Minutes – February 21, 2019

45. Planning Board Minutes – February 12, 2019

City Council Meeting Minutes:

46. Regular Meeting of the City Council – February 19, 2019

47. Committee on Finance – February 19, 2019

BULLETINS – NEWSLETTERS – NOTICES

48. Department of Environmental Protection Wetlands and Waterways Regulation Program re: Chapter 91 & 401 Water Quality Certification Combined Application by Algonquin Gas Transmission, LLC – Application No. W19-5441

49. Notice of Casualty and Loss at 71 Covell Street

50. Notice of Casualty and Loss at 352 Vale Street, Unit 1

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted that items #41 through #45 and #48 through #50 be accepted and placed on file and items #46 and #47 be approved.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to adjourn at 10:14 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
DVD of meeting

A true copy. Attest:

Alison M. Bouchard

City Clerk

CITY COUNCIL PUBLIC HEARINGS

MEETING: Thursday, April 23, 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, Stephen R. Long,
Leo O. Pelletier and Derek R. Viveiros

ABSENT: None

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

The President called the meeting to order at 5:56 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 5:57 p.m.

ZONING CHANGES**1. Kennels**

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and the following proponent came forth:

William D. Roth, Jr., City Planner, came forth to provide an overview of the proposed zoning changes regarding dog kennels. He stated that after discussions with Glenn Hathaway, Director of Code Enforcement, it came to their attention that Chapter 86 Zoning of the Code of Fall River that references dog kennels is not consistent with M.G.L., Chapter 140, Section 136A. The City Planner then stated that in order to be consistent with state law his office has submitted this recommendation to change a dog kennel from 3 dogs or more to 4 dogs or more. On a motion made by Councilor Steven A. Camara and seconded by Councilor Joseph D. Camara, it was unanimously voted that the hearing be closed.

2. Wind Energy Corridor

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the hearing be opened. The President then directed the proponents to be heard and the following proponent came forth:

William D. Roth, Jr., City Planner, came forth to provide an overview of the proposed zoning changes regarding the wind energy corridor. He stated that he wants to clarify that this proposed zoning change has nothing to do with placing windmills along the waterfront and that there is a separate windmill bylaw that dictates when and where you can place those. He then stated that in order to position the City for the future uses and the economic development that will be coming with the Wind Energy Industry locating in our region, these zoning bylaw changes

41

are recommended. The proposed changes are to add three use categories to the Table of Uses and to allow those uses in the WTOD Zoning District. The WTOD District was selected because it is in the zoning district for properties adjacent to the City's shoreline. President Cliff Ponte asked the City Planner if he was familiar with the work of Congressman Kennedy regarding wind energy. The City Planner stated that he was not familiar with this work. Councilor Shawn E. Cadime asked the City Planner, if he could forward a copy of the Wind Turbine Zoning Bylaw. The City Planner stated that he would forward a copy to all Councilors.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, 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 6:05 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

42

nationalgrid

RECEIVED

Marielaire Rigby
Lead Vegetation Strategy Specialist
939 Southbridge Street Worcester, MA 01610
508-860-6282
mariclaire.rigby@nationalgrid.com

2019 APR 24 A 10:46

April 22, 2019

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

CITY CLERK
FALL RIVER, MA

Dear City Council President:

In a letter sent in December 20, 2018, you received notification that National Grid would carry out late winter-spring mechanical control, cut surface (CST) or basal treatment; a summer selective foliage treatment; and, as necessary, summer and fall CST and basal treatments on rights-of-way, which pass through your municipality. Information on National Grid's approved Yearly Operational Plan (YOP) and maps showing the rights-of-way to be treated were included with that letter.

The current Vegetation Management Plan (VMP) and approved 2019 YOP are posted at the following websites (hard copies available upon request):

https://www9.nationalgridus.com/non_html/National%20Grid%20VMP%202019-2023.pdf
https://www9.nationalgridus.com/non_html/2019%20YOP.pdf

Although you already received and reviewed copies of the YOP map(s) with the original notification please let us know if there are any additional *sensitive areas* located on or near the rights-of-way. Please advise us as soon as possible so we can establish permanent records and implement appropriate field protective actions. We particularly rely on this process to collect corrections to the public wells and to record the location of private wells.

National Grid's YOP details specific information pertaining to the intended 2019 program. Please note that the YOP also lists the rights-of-way from the 2018 treatment program in case National Grid needs to request a "touch-up" retreatment of scattered locations from our contractor(s). If upon review of the previous year's treatments, National Grid finds a site(s) within your municipality that need follow-up treatments, this letter serves as notification of that follow-up treatment. The individual landowner(s) will be also be notified about this work.

Commonwealth of Massachusetts recommended herbicides for use in *sensitive areas* listed in Section 7 (pages 13-15) of the YOP will be selectively applied to target vegetation by experienced, Massachusetts' licensed/certified applicators that walk along the rights-of-way using backpack equipment. Copies of the manufacturers' herbicide labels and fact sheets are also included in the YOP, Appendices 8 and 9.

Potential Treatment Periods*

February 11, 2019 – May 31, 2019	May 31, 2019 - Oct 15, 2019	Oct 15, 2019 – Dec 31, 2019
CST	Foliar	CST
Basal	CST	Basal
Dormant stem	Basal	Dormant Stem
	Cut stubble	

* The exact treatment dates are dependent upon weather conditions and field crew progress.

Find. Councilors 4/24/19
C1 Led

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In compliance with 333 CMR 11.06-11.07, no herbicide applications will occur before the conclusion of the 45-day YOP review period, the 21 day treatment notice and the 48 hour newspaper notice. At the end of these review periods, which can run concurrently, no application shall commence more than ten days before nor conclude more than ten days after the treatment periods listed above.

The work will be performed by one of the following companies:

Lewis Tree Service, Inc.	Stanley Tree	Vegetation Control Service, Inc.
300 Lucius Gordon Drive	662 Great Road	2342 Main Street
West Henrietta, NY 14586	North Smithfield, RI	Athol, MA 01331
(585) 436-3208	(401) 765-4677	(978) 249-5348

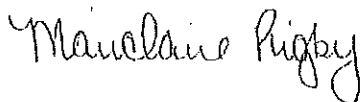
This informational 21-day notification is in compliance with Chapter 132B, section 6B of the Massachusetts General Laws, 333 CMR 11.05-11.07 Rights of Way Management and Chapter 85, Section 10 of the Acts of 2000. National Grid's vegetation management program is subject to federal and state regulations only. By statute, local permits or rulings are not applicable.

For inquiries concerning safety of the herbicides, please contact:

Director of Rights-of-Way Programs
Massachusetts State Pesticide Bureau
Department of Agricultural Resources
251 Causeway Street, Suite 500
Boston, MA 02114-2151
Telephone: (617) 626-1781

Please contact me if you have any questions about the application and monitoring of the vegetation control program.

Sincerely,



Mariclaire Rigby
Lead Vegetation Strategy Specialist

cc: Board of Health
Conservation Commission
Lewis Tree Service or Vegetation Control Service or Stanley Tree
Massachusetts Pesticide Bureau
Municipal Water Supplier(s)

Municipality: Fall River
ROW#(S): 2028



JASIEL F. CORREIA II
Mayor

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

After Agenda
11a

RECEIVED

2019 MAY 10 A 9:47

CITY CLERK
FALL RIVER, MA

May 9, 2019

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

Dear Honorable Council Members:

The Community Preservation Committee (CPC) has identified an emergency community project for the fiscal year 2019 and has made recommendation for funding in accordance with the Community Preservation Act (CPA) MGL Chapter 44B Sections 4 to 7.

The CPA funding request for this emergency project is \$185,000 as outlined in the proposed Appropriation Order.

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

City of Fall River, In City Council

After Agenda
11a

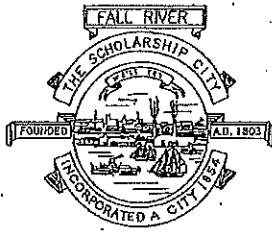
APPROPRIATION ORDER

ORDERED, that the following FY 19 supplemental appropriations be provided through the Community Preservation Act (CPA), reserves under the MGL Chapter 44B Sections 4 to 7 in the aggregate, amounting to \$185,000 to be appropriated as follows:

Voted: That \$185,000 be appropriated from the CPA Fund's Undesignated fund balance

For CPA Administrative Expenditures	\$0
For CPA Open Space/Outdoor Recreation PROJECTS	\$185,000
For CPA Historic Resources Preservation PROJECTS	\$0
For CPA Community Housing	<u>\$0</u>
<u>TOTAL</u>	<u>\$185,000</u>

Note: Please note this is the third supplemental CPA appropriation for FY19. The City Council had earlier appropriated \$1,255,867 for various CPA projects on August 15, 2018. The City Council also appropriated \$78,480 for emergency funding on September 25, 2018. The City Council also appropriated \$375,050 for emergency funding on April 12, 2019. The CPA fund balance is reported at \$1,364,087 on June 30, 2018 and is more than sufficient to cover this supplemental appropriations.



City of Fall River
Massachusetts
Community Preservation Committee

After Agenda
11a

JASIEL F. CORREIA II
Mayor

JAMES SOUZA
Chairman

ANTONE DIAS
Vice-Chairman

May 2, 2019
City of Fall River
Mayor Jasiel Correia
One Government Center
Fall River, MA 02722

Dear Mayor Correia:

The Community Preservation Committee voted for emergency funding for the Copicut Reservoir Watershed Protection Projection/Land Acquisition project at their last meeting, Tuesday, April 30, 2019.

- Copicut Reservoir Watershed Protection Projection - \$185,000.00 for and Acquisition

A letter needs to come from the Mayor approving this funding and for the Auditor to prepare an Appropriation Order for this project.

We need this as soon as possible so it can get on the City Council agenda for their next meeting, Tuesday, May 14, 2019

Respectfully,


James Souza, Chair

Fall River Community Preservation Committee

CC: Jen Argo, City Auditor
Mike Labossiere, Water Dept.
Mary Sahady, Director of Financial Services

After Agenda 11a

APPROPRIATION ORDER

ORDERED, that the following FY 19 supplemental appropriations be provided through the Community Preservation Act (CPA), reserves under the MGL Chapter 44B Sections 4 to 7 in the aggregate, amounting to \$185,000 to be appropriated as follows:

Voted: That \$185,000 be appropriated from the CPA Fund's Undesignated fund balance

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For CPA Open Space/Outdoor Recreation PROJECTS	\$185,000
For CPA Historic Resources Preservation PROJECTS	\$0
For CPA Community Housing	<u>\$0</u>
<u>TOTAL</u>	<u>\$185,000</u>

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City of Fall River
Massachusetts
Office of the Mayor

After Agenda
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RECEIVED

2019 MAY 10 A 9:47

CITY CLERK
FALL RIVER, MA

JASIEL F. CORREIA II
Mayor

May 10, 2019

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

Dear Honorable Council Members:

Due to a recent enactment by the Baker-Polito Administration, municipal departments are now required to fully comply with Occupational Safety & Health Administration (OSHA) regulations. While safety of our personnel has always been a priority, the new regulations require a heightened level of training, reporting and compliance. In order to meet these new requirements, we are requesting the creation of a Safety Officer position. This position will be funded with General Fund and Enterprise Fund resources at a proposed salary level of \$60,000.

Your approval of this Safety Officer position is respectfully requested.

Best Regards,

Jasiel F. Correia II
Mayor

SAFETY OFFICER
FACILITIES MAINTENANCE

JOB DESCRIPTION:

Under the direction of the Director of Facilities Maintenance, as delegated by the Mayor to the City Administrator to perform and/or supervise work as a Safety Officer for the City of Fall River, Water and Sewer Department, Department of Community Maintenance, Facilities, Traffic, Parks, Cemeteries, Trees, Harbor Master, and the Police Marine Division, but not limited to any of the above. Will also perform other related tasks as required.

ESSENTIAL FUNCTIONS:

Responsible for providing a safe workplace free from serious hazards, and comply with standards, rules and regulations issued under the OSH act.

Responsible for policy development, safety inspections, providing safety training to all new hires and existing employees, and recording work related injuries and illnesses. Maintain records pertaining to training on all equipment, lifts, harnesses, ladders and trenching to ensure compliance of OSHA regulations. Maintain all violations found and corrected with equipment and staff and notify the respective Directors or Supervisors of said violations.

Assist directors to implement policy and training schedules for Staff in all departments. Retain all updated policies on OSHA regulations relating to training and safety. Assist directors on all hazmat and safety manifests corresponding to related work in the City of Fall River.

Conduct accident investigations and make recommendations to management on corrective measures for future accident prevention.

Assist Directors to implement monthly safety meetings and policies to reduce accident-related costs.

Responsible for accident investigations as well as a liaison with cook and company (workers comp) and OSHA inspections.

Ensures that employees who are required to use personal protective equipment (PPE) are complying with OSHA regulations.

Perform other responsibilities associated with this position or as required by a supervisor for facilities maintenance.

MINIMUM QUALIFICATIONS:

Must be a Certified OSHA Trainer and have extensive experience in the construction and roadway industry with 3 to 5 years as a safety officer. Other certifications requested by the City need to be obtained within one year of employment with the City of Fall River.

After Aguda
11 b

Extensive knowledge of OSHA Federal, State Health and Safety Regulations and reporting procedures.

OSHA 30-hour Construction Training Course Certification.

Compliance with regulatory agencies including U.S. Coast Guard, USEPA, OSHA, and others.

Ability to establish and maintain effective working relationships with peers and supervisors; ability to work cooperatively and harmoniously with other city employees; a positive "can-do" attitude; ability to observe necessary safety precautions; willingness to work overtime hours as required; a motor vehicle license; ability to perform basic reading and writing functions as required by tasks described above; ability to perform described duties with some latitude for independent judgment under indirect supervision.

PHYSICAL ENVIRONMENT:

The person in this position may require extraordinary physical effort. Able to climb ladders, staging, or scaffolding. May experience large periods of standing and reaching. Must have excellent sense of balance. Duties require frequent and extended periods of outside work, subject to all weather conditions and extremes. Continuous walking, standing, and climbing. May require the exercise of caution when handling chemicals or dealing with fumes.