

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, January 14, 2020 at 7:00 p.m.
Council Chamber, One Government Center

PRESENT: President Cliff Ponte, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne, Bradford L. Kilby,
Pam Laliberte-Lebeau, Trott Lee, Christopher M. Peckham
and Linda M. Pereira

ABSENT: Councilor Leo O. Pelletier

IN ATTENDANCE: None

President Cliff Ponte called the meeting to order at 8:24 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

PRIORITY MATTERS

1. Mayor and communication regarding the Capital Improvement Plan
On a motion made by Councilor Trott Lee and seconded by Councilor Linda M. Pereira, it was unanimously voted that the communication be accepted and placed on file, with Councilor Leo O. Pelletier absent and not voting.

2. Mayor and order for deeds in lieu of foreclosure for the following parcels:

- D12-0014 Newhall Street
- D20-0029 Spencer Street
- D20-0030 Dickinson Street

A motion was made by Councilor Bradford L. Kilby to refer the matter to the Committee on Real Estate, but received no second. A further motion was made by Councilor Shawn E. Cadime to adopt the order and forward a copy to the Committee on Real Estate, but received no second. Councilor Shawn E. Cadime stated that he would like to see this matter referred to the Committee on Real Estate, as he has questions regarding the zoning of the parcels. He also stated that he would like the Administration to provide a list of all tax title properties to the City Council. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to adopt the order, with Councilor Leo O. Pelletier absent and not voting. Approved, January 15, 2020, Mayor Paul E. Coogan

3. Mayor and order correcting parcel ID on previously adopted order for land acquisition on Currant Road

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order, with Councilor Leo O. Pelletier absent and not voting. Approved, January 15, 2020, Mayor Paul E. Coogan

4. Mayor requesting confirmation of the appointment of Gloria M. Pacheco to the Planning Board

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted to confirm the appointment, with Councilor Leo O. Pelletier absent and not voting.

5. Mayor requesting confirmation of the appointment of John M. Ferreira to the Planning Board

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted to confirm the appointment, with Councilor Leo O. Pelletier absent and not voting.

6. Mayor requesting confirmation of the appointment of Stephen Gagliardi, MD to the Board of Health

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted to confirm the appointment, with Councilor Leo O. Pelletier absent and not voting.

7. Mayor requesting confirmation of the appointment of Alan J. Rumsey to Corporation Counsel

Councilor Linda M. Pereira stated that she has worked with Attorney Alan J. Rumsey in the past and he is a very honorable and knowledgeable attorney. Councilor Bradford L. Kilby stated that he is in agreement with Councilor Linda M. Pereira, that Attorney Alan J. Rumsey is very competent and capable. Councilor Shawn E. Cadime stated that he is not questioning the integrity of Attorney Alan J. Rumsey, but rather the fact that he does not have experience in Municipal Law. He then stated that in the briefing with Mayor Paul E. Coogan, he mentioned that if they are closing on a real estate transaction they would look for an attorney that specializes in real estate, not a defense attorney. He also stated that a cardiologist and an eye surgeon are both doctors, but they may want a cardiologist if they were to need open heart surgery. He then went on to list many of the areas of expertise that is necessary for the position of Corporation Counsel, such as cable television licensing, contracts and procurements, municipal finance laws, environmental law, collective bargaining, waterways, affordable housing, data privacy and security, government information access, public and private partnerships, education and schools and real estate and tax titles matters. Councilor Pam Laliberte-Lebeau stated that she believes that Attorney Alan J. Rumsey is qualified for the position of Corporation Counsel and that he is fair and impartial. Councilor Trott Lee stated that the City needs qualified individuals and he would like to see Attorney Alan J. Rumsey begin as Assistant Corporation Counsel. Councilor Michelle M. Dionne stated that she would like to see a six month probationary period in the contract. President Cliff Ponte stated that he will not support the appointment. He then stated that he would also like to see the use of less outside legal counsel. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Pam Laliberte-Lebeau, it was voted 5 yeas, 3 nays to confirm the appointment, with Councilors Shawn E. Cadime, Trott Lee and Cliff Ponte voting in the negative and Councilor Leo O. Pelletier absent and not voting.

PRIORITY COMMUNICATIONS

8. Board of Elections Commissioners and order for the Presidential Primary on March 3, 2020 and order designating polling places
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the orders, with Councilor Leo O. Pelletier absent and not voting. Approved, January 15, 2020, Mayor Paul E. Coogan
9. Traffic Commission recommending amendments to traffic ordinances
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Shawn E. Cadime, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation, with Councilor Leo O. Pelletier absent and not voting.

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

10. Committee on Ordinances and Legislation review the duties and compensation of all Boards and Commissions
Councilor Linda M. Pereira stated that many of the Boards and Commissions have not met in years and a review is needed of all Boards and Commissions. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the resolution, with Councilor Leo O. Pelletier absent and not voting.
11. Committee on Public Works and Transportation discuss the safety hazard created by limited lighting on public streets
Councilor Linda M. Pereira stated that she has received numerous complaints regarding the limited lighting of the street lights. On a motion made by Councilor Trott Lee and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the resolution, with Councilor Leo O. Pelletier absent and not voting.
12. The Administration work with Oak Grove Cemetery to return historic and sacred items to their cemetery sites
Councilor Linda M. Pereira stated that in September of 2016 items were removed from graves at Oak Grove Cemetery and were never returned to their proper graves. She then stated that there needs to be accountability and this matter needs to be corrected. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to amend the resolution by adding "Be it further resolved that this matter be referred to the Committee on Public Works and Transportation", with Councilor Leo O. Pelletier absent and not voting. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to adopt the resolution, as amended, with Councilor Leo O. Pelletier absent and not voting.
13. Committee on Ordinances and Legislation review city ordinances relative to the confirmation of appointments
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the resolution, with Councilor Leo O. Pelletier absent and not voting.

CITATIONS

14. Joseph Bucko – In recognition of his 100th birthday
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the citation, with Councilor Leo O. Pelletier absent and not voting.

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

15. Police Chief's report on licenses:

2020 Taxicab Drivers:

Robert Benson	Tanya E. Colon	Susan Griego	William Marshall
Joseph F. Paiva	Eric Pires	Jonathan Riopelle	Frank Santos
Muhammad Shabzir	Randy Wilding		

2020 Private Livery Vehicle:

Fall River Taxi – Toyota Prius

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order, with Councilor Leo O. Pelletier absent and not voting.

16. Auto Repair Shop License Renewals:

Carlos C. Sousa d/b/a Carlos auto Body at 389 Second Street

Henry J. Pleiss Jr. d/b/a Hank's Garage at 55 Murray Street

Kevin Doyle, Car Wars, Inc. at 2065 North Main Street

Steven R. Nasiff, Rodman Repair, Inc. at 771 Rodman Street

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order, with Councilor Leo O. Pelletier absent and not voting.
Approved, January 15, 2020, Mayor Paul E. Coogan

17. Auto Body Shop License Renewal:

Carlos C. Sousa d/b/a Carlos auto Body at 389 Second Street

David Saber, Eleventh Street Assoc., Inc. d/b/a Saber Auto Body at 231 Bedford Street

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to adopt the order, with Councilor Leo O. Pelletier absent and not voting.

Approved, January 15, 2020, Mayor Paul E. Coogan

18. City Council meeting schedule from January through December 2020

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Trott Lee, it was unanimously voted to adopt the order, with Councilor Leo O. Pelletier absent and not voting.

COMMUNICATIONS – INVITATIONS – PETITIONS

19. Claims

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to refer the claims to Corporation Counsel, with Councilor Leo O. Pelletier absent and not voting.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted to take items #20 through #24 together, with Councilor Leo O. Pelletier absent and not voting.

City Council Meeting Minutes:

- 20. City Council Public Hearings – December 16, 2019
- 21. City Council Committee on Finance Meeting – December 3, 2019
- 22. City Council Committee on Finance Meeting – December 16, 2019
- 23. Regular Meeting of the City Council – December 3, 2019
- 24. Regular Meeting of the City Council – December 16, 2019

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to approve items #20 through #24, with Councilor Leo O. Pelletier absent and not voting.

BULLETINS – NEWSLETTERS – NOTICES

- 25. Notice of waterways application to the Department of Environmental Protection
Waterways Regulation Program for D&S Marine, Inc., 1338 Davol Street

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the notice be accepted and placed on file, with Councilor Leo O. Pelletier absent and not voting.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Trott Lee, it was unanimously voted to take items #26 and #27 together, with Councilor Leo O. Pelletier absent and not voting.

- 26. Notice of Casualty and Loss at 239 Glasgow Street
- 27. Notice of Casualty and Loss at 1666 Robeson Street

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Shawn E. Cadime, it was unanimously voted that items #26 and #27 be accepted and placed on file, with Councilor Leo O. Pelletier absent and not voting.

ITEMS FILED AFTER THE AGENDA DEADLINE:
CITY COUNCIL MEETING DATE: JANUARY 14, 2020

COMMITTEE REPORTS

- 9a. Committee on Finance recommending:

Referral to the Committee on Public Safety and forwarding to the Administration for action and recommendations:

Resolution – Concerns regarding traffic, noise and air pollution in the area of
Northeast Alternatives, 999 William S. Canning Boulevard

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 Committee on Public Safety and forward to the Administration for action and recommendations, with Councilor Leo O. Pelletier absent and not voting.

RESOLUTIONS

13a. City Council meet with involved parties to discuss the ongoing remediation projects for the King Philip Mill, Healy School, and Weaver Street Mill

Councilor Pam Laliberte-Lebeau stated that she was made aware of these issues recently and thought it would be productive for all parties to meet together in one forum. Councilor Michelle M. Dionne stated that the safety of our residents is paramount and she agrees that all concerned parties meeting together would be productive. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the resolution, with Councilor Leo O. Pelletier absent and not voting.

ORDERS – MISCELLANEOUS

Taxicab Vehicle:

18a. Fall River Taxi Service, Inc. – new application (License No. 15)

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was voted 8 yeas to adopt an Emergency Preamble for late filing, with Councilor Leo O. Pelletier absent and not voting. On a further motion made by Councilor Linda M. Pereira and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the order, with Councilor Leo O. Pelletier absent and not voting.

Approved, January 15, 2020, Mayor Paul E. Coogan

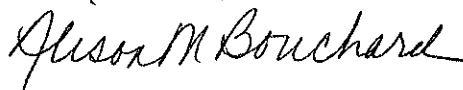
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 9:37 p.m., with Councilor Leo O. Pelletier absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

A true copy. Attest:



City Clerk

In City Council, January 28, 2020

Approved

RECEIVED

City of Fall River Massachusetts

Office of the City Clerk

2020 JAN 14 A 9:59

CITY CLERK
FALL RIVER, MA

ORIGINAL POSTING: JANUARY 10, 2020 AT 2:07 P.M.

MEETINGS SCHEDULED

CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

TUESDAY, JANUARY 14, 2020

REVISED AGENDA

6:00 P.M. COMMITTEE ON FINANCE

1. Citizen Input
2. *Resolution – Discuss concerns regarding traffic, noise and air pollution in area of Northeast Alternatives, 999 Wm. S. Canning Blvd. (adopted, as amended 11-12-19)

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 communication regarding the Capital Improvement Plan
2. *Mayor and order for deeds in lieu of foreclosure for the following parcels:
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 - D20-0029 Spencer Street
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3. *Mayor and order correcting parcel ID on previously adopted order for land acquisition on Currant Road
4. *Mayor requesting confirmation of the appointment of Gloria M. Pacheco to the Planning Board
5. *Mayor requesting confirmation of the appointment of John M. Ferreira to the Planning Board
6. *Mayor requesting confirmation of the appointment of Stephen Gagliardi, MD to the Board of Health
7. *Mayor requesting confirmation of the appointment of Alan J. Rumsey to Corporation Counsel

PRIORITY COMMUNICATIONS

8. *Board of Elections Commissioners and order for the Presidential Primary on March 3, 2020 and order designating polling places
9. *Traffic Commission recommending amendments to traffic ordinances

COMMITTEE REPORTS – None

ORDINANCES – None

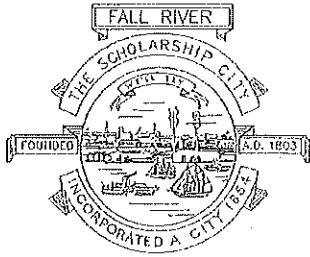
RESOLUTIONS

10. *Committee on Ordinances and Legislation review the duties and compensation of all Boards and Commissions.
11. *Committee on Public Works and Transportation discuss the safety hazard created by limited lighting on public streets

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



ALISON M. BOUCHARD
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12. *The Administration work with Oak Grove Cemetery to return historic and sacred items to their cemetery sites
13. *Committee on Ordinances and Legislation review city ordinances relative to the confirmation of appointments

CITATIONS

14. Joseph Bucko – In recognition of his 100th birthday

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

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16. Auto Repair Shop License Renewals:
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18. *City Council meeting schedule from January through December 2020

COMMUNICATIONS – INVITATIONS – PETITIONS

19. *Claims
City Council Meeting Minutes:
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BULLETINS – NEWSLETTERS – NOTICES

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City Clerk

ITEMS FILED AFTER THE AGENDA DEADLINE:
CITY COUNCIL MEETING DATE: JANUARY 14, 2020

RESOLUTIONS

- 13a. *City Council meet with involved parties to discuss the ongoing remediation projects for the King Philip Mill, Healy School, and Weaver Street Mill

ORDERS – MISCELLANEOUS

Taxicab Vehicle:

- 18a. Fall River Taxi Service, Inc. – new application (License No. 15)

City of Fall River, In City Council

13a

(Vice-President Pam Laliberte-Lebeau)
(Councilor Michelle M. Dionne)

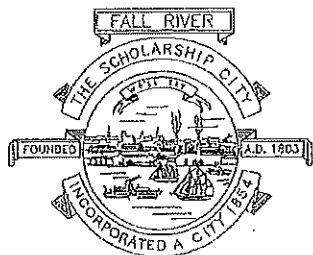
WHEREAS, there are many residents concerned about the current status of the King Philip Mill site, as well as Cook Pond, and

WHEREAS, there are many residents concerned about the current status of the former Healy School site, and

WHEREAS, the Massachusetts Department of Environmental Protection has a total of three privately owned properties in Fall River which have current non-traditional work plans approved for abatement, with the third site being the Weaver Street Mill which burned down in a fire, and

WHEREAS, the residents and businesses around these locations have a right to be kept up to date on the current condition of the sites, current approved abatement plans issued by DEP, and steps being taken by the property owners to ensure the health and safety of the surrounding areas, now therefore

BE IT RESOLVED, that the South East Regional Director of the Department of Environmental Protection, the Regional Deputy Director of the Bureau of Air and Waste, the Building Inspector for the City of Fall River, the property owners of all three locations, the property abutters of all three locations, as well as the Friends of Cook Pond, be invited to a special meeting of the City Council to provide updates on all three sites, and answer any questions the public may have regarding ongoing remediation, and the timelines of the projects moving forward to completion.



City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2020 JAN 10 P 2:07

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER CITY CLERK
FALL RIVER, MA

TUESDAY, JANUARY 14, 2020

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

AGENDA

6:00 P.M. COMMITTEE ON FINANCE

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PRIORITY COMMUNICATIONS

8. *Board of Elections Commissioners and order for the Presidential Primary on March 3, 2020 and order designating polling places
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COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

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

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TEL 508-324-2220 • FAX 508-324-2211 • EMAIL city_clerks@fallriverma.org

13. *Committee on Ordinances and Legislation review city ordinances relative to the confirmation of appointments

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ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

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City Clerk

ITEMS FILED AFTER THE AGENDA DEADLINE:
CITY COUNCIL MEETING DATE: JANUARY 14, 2020

ORDERS – MISCELLANEOUS

Taxicab Vehicle:

- 18a. Fall River Taxi Service, Inc. – new application (License No. 15)

City of Fall River, In City Council

(Vice President Pam Laliberte-Lebeau)

WHEREAS, the residents around the area of Northeast Alternatives have expressed many concerns in regards to traffic, noise, and air pollution over the past several months, and

WHEREAS, the residents are seeking a solution to their concerns, now therefore

BE IT RESOLVED, that the Committee on Finance along with the City Administrator, Director of Traffic, Director of Code Enforcement, and a representative from Northeast Alternatives convene to discuss possible solutions.

In City Council, November 12, 2019
Adopted, as amended

A true copy. Attest:

Alison M. Bouchard

City Clerk



City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

November 13, 2019

Glenn Hathaway
Director of Code Enforcement
One Government Center
Fall River, MA 02722

Dear Mr. Hathaway,

At a meeting of the City Council Committee on Finance held on November 12, 2019, during Citizen Input, residents of Commonwealth Avenue addressed City Council members and spoke of several concerns facing residents of that neighborhood relating to the business of Northeast Alternatives, located at 999 William S. Canning Boulevard. During discussion, and in addition to numerous complaints, residents questioned the recent addition to the existing commercial structure, which is said to be utilized for manufacturing purposes.

In addition to testimony provided by the homeowners, the enclosed resolution was introduced and adopted, as amended, at the City Council's Regular Meeting.

During these discussions, members of the City Council questioned zoning, and whether a marijuana manufacturing facility would meet requirements set forth for retail establishments.

The City Council respectfully requests that your office inspect this property and advise of your findings at the earliest opportunity. Should the new addition not meet zoning specifications, the issuance of a cease and desist order may be required.

Please contact the City Council office at 508-324-2233 should you have any questions in this regard. Thank you for your assistance in this matter.

Sincerely,

Alison M. Bouchard
City Clerk

/ch



**City of Fall River
Massachusetts**

Department of Community Services
PLANNING * HEALTH & HUMAN SERVICES
LIBRARY * INSPECTIONAL SERVICES * ELECTIONS

FINANCE 2

CLIFFORD A. PONTE
Acting Mayor

Inspectional Services
Building Division

GLENN HATHAWAY
Inspector of Buildings
Director of Inspectional Services

November 25, 2019

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

CITY CLERK
FALL RIVER, MA

2019 NOV 25 P 3:09

RECEIVED

Dear Ms. Bouchard:

I received the request for information regarding the recent City Council's meeting in respect to the zoning regulations for Northeast Alternatives. The question as I understand it is regarding the new addition which is currently under construction. According to the building plans the new addition will be used as a commercial kitchen. The designed use as a commercial kitchen is in compliance with the zoning regulations for that district.

Sincerely,

Glenn Hathaway
Inspector of Buildings
City of Fall River



City of Fall River Massachusetts
Office of the City Clerk

FINANCE 2

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

December 26, 2019

Glenn Hathaway
Director of Code Enforcement
City of Fall River
One Government Center
Fall River, MA 02722

Joseph I. Macy
Corporation Counsel
City of Fall River
One Government Center
Fall River, MA 02722

Dear Mr. Hathaway and Attorney Macy:

At a meeting of the City Council Committee on Finance held on December 16, 2019, during Citizen Input, State Representative Alan Silvia and residents of Commonwealth Avenue, copied on this letter, addressed the City Council and spoke of several concerns facing residents of that neighborhood relating to the business of Northeast Alternatives, located at 999 William S. Canning Boulevard, mainly relating to traffic and zoning matters.

During that discussion, the residents stated that the November 25, 2019 response received from the Director of Code Enforcement to the City Clerk's November 13, 2019 letter on behalf of the City Council, copies of which are attached, referred to the building's new addition only.

The residents informed the City Council that the manufacturing facility is located in the center of the building and not in the new addition. Therefore, please advise whether the building in its entirety, including the manufacturing section, is zoned properly and whether this marijuana manufacturing facility is meeting the zoning requirements set forth for retail establishments.

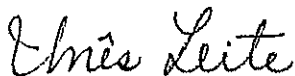
Additionally, there are several temporary trailers located in the rear of 999 William S. Canning Boulevard that are connected to the electrical service, which provides heat and air conditioning to the trailers. The City Council would like to ascertain whether the temporary trailers are connected to utilities and if there is an anticipated removal date for these trailers.

The City Council requests that the entire property and building be inspected and that they be advised of those findings and if zoning violations are present, a cease and desist order be issued.

Members of the City Council are looking to give the residents living in this neighborhood relief from their concerns and would like to receive your recommendations and findings prior to their next regularly scheduled meeting in January.

Please feel free to contact me with any questions or concerns.

Sincerely,



Inês Leite
Assistant City Clerk

cc:

The Honorable Alan Silvia
State Representative
1664 South Main Street
Fall River, MA 02724

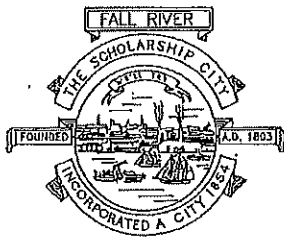
Grace McDonald-Nay
73 Commonwealth Avenue
P.O. Box 9222
Fall River, MA 02720

Denis Duquette
33 Commonwealth Avenue
Fall River, MA 02721

Gina Hutchins
84 Commonwealth Avenue
Fall River, MA 02721

Enc.

/ct



City of Fall River
Massachusetts
Office of the Mayor

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2020 JAN -8 P 3:51

CITY CLERK
FALL RIVER, MA

PAUL E. COOGAN
Mayor

January 8, 2020

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

Dear Honorable Council Members:

Section 6-5 of the November 2017 City Charter requires the mayor to submit a capital improvement program to the City Council at least 180 days before the start of each fiscal year. My administration is currently working with each department head to prioritize their current and future needs. We are reviewing the prior submitted plan and updating it for projects that are still pending, those that have been completed and finally new initiatives that are a priority of this administration. We anticipate completing the plan for submission to you at the February 11, 2020 City Council meeting. At which time a public hearing can be scheduled, and Council can consider by resolution adopting the capital improvement plan by March 1, 2020.

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

Best Regards,

Paul E. Coogan
Mayor

2



City of Fall River
Massachusetts
Office of the Mayor

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CITY CLERK
FALL RIVER, MA

PAUL E. COOGAN
Mayor

January 8, 2020

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

Dear Honorable Council Members:

Attached please find copies of three (3) Deeds In Lieu of Foreclosure to the following respective parcels of vacant land:

- D12-0014 Newhall Street
- D20-0029 Spencer Street
- D20-0030 Dickinson Street

Pursuant to the requirements of General Laws Chapter 60, Section 77C the City Council must accept the conveyance of the foregoing parcels before the Deeds in Lieu of Foreclosure can be recorded with the Bristol County (Fall River District) Registry of Deeds.

There are no other liens or mortgages on these properties other than the Tax Taking of the City of Fall River.

Respectfully yours,

Paul E. Coogan, Mayor

City of Fall River, In City Council

2

ORDERED, that pursuant to the requirements of General Laws Chapter 60, Section 77C the City Council accepts Deeds in Lieu of Foreclosure from Bruce Bannister, Trustee of Two K One Trust to the following parcels of vacant land:

D12-0014 Newhall Street

D20-0029 Spencer Street

D20-0030 Dickinson Street

which pursuant to said Section 77C shall become Tax Possessions of the City of Fall River, and authorizes the Treasurer of the City of Fall River to cause said Deeds in Lieu of Foreclosure and that attached Trustee's Certificate to be recorded with the Bristol County (Fall River District) Registry of Deeds.

2

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TRUSTEE'S CERTIFICATE

CITY CLERK

FALL RIVER, MA

BRUCE BANNISTER, TRUSTEE OF TWO K ONE TRUST, u/d/t dated December 29, 2000 and recorded with the Bristol County (Fall River District) Registry of Deeds in Book 3925, Page 324, 593 Montaup Street, Fall River, Massachusetts 02724 hereby certify that:

1. Said Trust is in full force and effect, and has not been amended or modified and has not been revoked as of the date hereof;
2. All of the beneficiaries of said Trust are of full age;
3. All of the beneficiaries of said Trust are competent; and
4. The undersigned has full power and authority and has been directed by all of the beneficiaries of said Trust who have consented to the execution of Deeds In Lieu of Foreclosure to the City of Fall River of the following properties:

Vacant Land - Dickinson Street

Parcel ID# D20-0030

Vacant Land - Spencer Street

Parcel ID# D20-0029

Vacant Land - Newhall Street

Parcel ID# D12-0014

as more fully described in a deed recorded with the Bristol County (Fall River District) Registry of Deeds in Book 3925, Page 230. Also described in a Confirmatory Deed recorded with said Registry in Book 5666, Page 174 and in connection therewith to execute and deliver, on behalf of the Trust, any and all documents with respect to said transaction.

5. For my Acceptance as Appointment as Trustee dated November 20, 2004, and recorded with said Registry in Book 5666, Page 178.

Signed under the penalties of perjury this 12th day of December, 2019.

TWO K ONE TRUST
By its Trustee

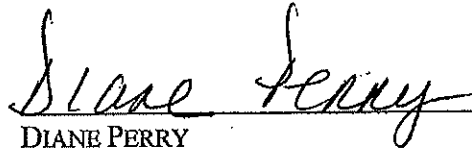
BRUCE BANNISTER

Slade Perry 12-12-2019
Witness

Commonwealth of Massachusetts

BRISTOL, SS

On this 12th day of December, 2019, before me, the undersigned notary public, personally appeared BRUCE BANNISTER, whose identity was proved to me through personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that the signatory signed it voluntarily as Trustee of Two K One Trust.

A handwritten signature in cursive script, reading "Diane Perry", is written over a horizontal line.

DIANE PERRY

NOTARY PUBLIC

MY COMMISSION EXPIRES: 10/10/2025

RECEIVED

2

2020 JAN -8 P 3:52

CITY CLERK
FALL RIVER, MA

DEED IN LIEU OF FORECLOSURE

VACANT LAND - NEWHALL STREET
FALL RIVER, MA

Bruce Bannister, Trustee of Two K One Trust, u/d/t dated December 29, 2000 and recorded with the Bristol County (Fall River District) Registry of Deeds in Book 3925, Page 324, 593 Montaup Street, Fall River, Massachusetts, 02724 for consideration given and in full consideration of the forgiveness of the present outstanding real estate tax liability on the herein conveyed property

grant to the CITY OF FALL RIVER, One Government Center, Fall River, Massachusetts

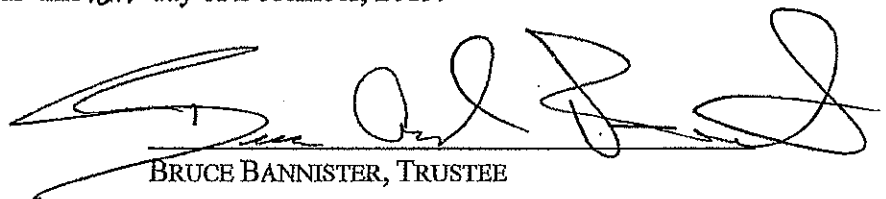
with *Quitclaim Covenants*

the land in Fall River, Bristol County, Massachusetts, with the buildings thereon, bounded and described as follows:

FALL RIVER ASSESSORS PARCEL ID# D12-0014
VACANT LAND - NEWHALL STREET

FOR GRANTOR'S TITLE see deed of Louis Andrade dated December 29, 2000 and recorded with the Bristol County (Fall River) Registry of Deeds in Book 3925, Page 230. See also Confirmatory Quitclaim Deed recorded with said Registry in Book 5666, Page 174. See also Acceptance as Appointment as Trustee dated November 30, 2004 and recorded with said Registry in Book 5666, Page 178.

WITNESS my hand and seal this 12th day of December, 2019.

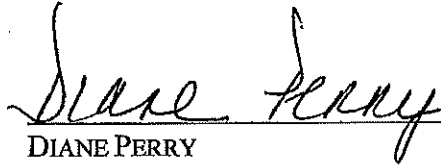

BRUCE BANNISTER, TRUSTEE

State Henry 12-12-2019.
WITNESS

Commonwealth of Massachusetts

BRISTOL, SS

On this ~~12th~~ day of December, 2019, before me, the undersigned notary public, personally appeared BRUCE BANNISTER, whose identity was proved to me personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that the signatory signed it voluntarily



DIANE PERRY

NOTARY PUBLIC

MY COMMISSION EXPIRES: 10/10/2025

Acceptance By Fall River City Council

The foregoing parcel is conveyed to the City of Fall River pursuant to Chapter 60 Section 77C of the General Laws of the Commonwealth of Massachusetts and said conveyance has been accepted by City of Fall River acting through its City Council on _____. Please see Agenda Item # _____ of said Meeting of the Fall River City Council.

2

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2020 JAN -8 P 3:52

CITY CLERK
FALL RIVER, MA

DEED IN LIEU OF FORECLOSURE

VACANT LAND - SPENCER STREET
FALL RIVER, MA

Bruce Bannister, Trustee of Two K One Trust, u/d/t dated December 29, 2000 and recorded with the Bristol County (Fall River District) Registry of Deeds in Book 3925, Page 324, 593 Montaup Street, Fall River, Massachusetts, 02724, for consideration given and in full consideration of the forgiveness of the present outstanding real estate tax liability on the herein conveyed property

grant to the CITY OF FALL RIVER, One Government Center, Fall River, Massachusetts

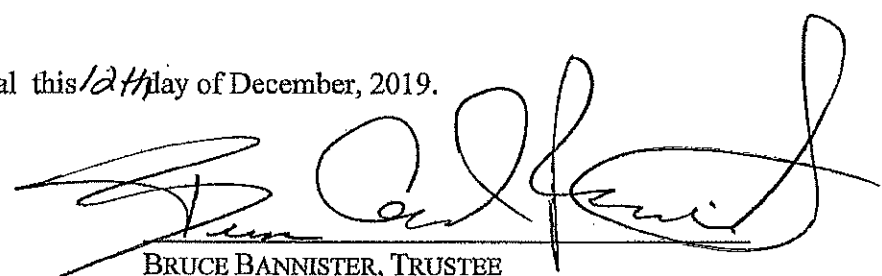
with *Quitclaim Covenants*

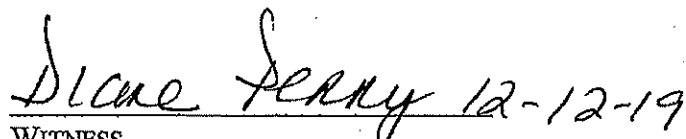
the land in Fall River, Bristol County, Massachusetts, with the buildings thereon, bounded and described as follows:

FALL RIVER ASSESSORS PARCEL ID# D20-0029
VACANT LAND - SPENCER STREET

FOR GRANTOR'S TITLE see deed of Louis Andrade dated December 29, 2000 and recorded with the Bristol County (Fall River) Registry of Deeds in Book 3925, Page 230. See also Confirmatory Quitclaim Deed recorded with said Registry in Book 5666, Page 174. See also Acceptance as Appointment as Trustee dated November 30, 2004 and recorded with said Registry in Book 5666, Page 178.

WITNESS my hand and seal this 12th day of December, 2019.


BRUCE BANNISTER, TRUSTEE


WITNESS

2

Commonwealth of Massachusetts

BRISTOL, SS

On this 1st day of December, 2019, before me, the undersigned notary public, personally appeared BRUCE BANNISTER, whose identity was proved to me through personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that the signatory signed it voluntarily

Diane Perry

DIANE PERRY

NOTARY PUBLIC

MY COMMISSION EXPIRES: 10/10/2025

Acceptance By Fall River City Council

The foregoing parcel is conveyed to the City of Fall River pursuant to Chapter 60 Section 77C of the General Laws of the Commonwealth of Massachusetts and said conveyance has been accepted by City of Fall River acting through its City Council on _____. Please see Agenda Item # _____ of said Meeting of the Fall River City Council.

RECEIVED

2

2020 JAN -8 P 3:52

CITY CLERK
FALL RIVER, MA

DEED IN LIEU OF FORECLOSURE

Bruce Bannister, Trustee of Two K One Trust, u/d/t dated December 29, 2000 and recorded with the Bristol County (Fall River District) Registry of Deeds in Book 3925, Page 324, 593 Montaup Street, Fall River, Massachusetts, 02724, for consideration given and in full consideration of the forgiveness of the present outstanding real estate tax liability on the herein conveyed property

grant to the CITY OF FALL RIVER, One Government Center, Fall River, Massachusetts

with *Quitclaim Covenants*

the land in Fall River, Bristol County, Massachusetts, with the buildings thereon, bounded and described as follows:

FALL RIVER ASSESSORS PARCEL ID# D20-0030
VACANT LAND - DICKINSON STREET

FOR GRANTOR'S TITLE see deed of Louis Andrade dated December 29, 2000 and recorded with the Bristol County (Fall River) Registry of Deeds in Book 3925, Page 230. See also Confirmatory Quitclaim Deed recorded with said Registry in Book 5666, Page 174. See also Acceptance as Appointment as Trustee dated November 30, 2004 and recorded with said Registry in Book 5666, Page 178.

WITNESS my hand and seal this 12th day of December, 2019.


BRUCE BANNISTER, TRUSTEE

Slape Perry 12-12-2019
WITNESS

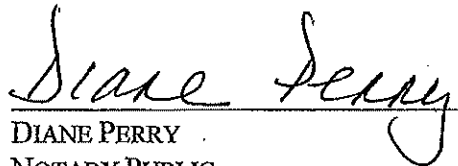
VACANT LAND - DICKINSON STREET
FALL RIVER, MA

2

Commonwealth of Massachusetts

BRISTOL, SS

On this 12th day of December, 2019, before me, the undersigned notary public, personally appeared BRUCE BANNISTER, whose identity was proved to me through personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that the signatory signed it voluntarily

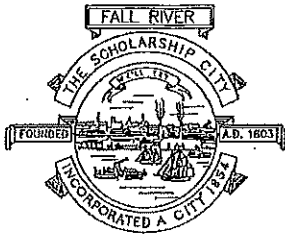


DIANE PERRY
NOTARY PUBLIC
MY COMMISSION EXPIRES: 10/10/2025

Acceptance By Fall River City Council

The foregoing parcel is conveyed to the City of Fall River pursuant to Chapter 60 Section 77C of the General Laws of the Commonwealth of Massachusetts and said conveyance has been accepted by City of Fall River acting through its City Council on _____. Please see Agenda Item # _____ of said Meeting of the Fall River City Council.

3



City of Fall River
Massachusetts
Office of the Mayor

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2020 JAN -9 P 12: 20

CITY CLERK _____
FALL RIVER, MA

PAUL E. COOGAN
Mayor
January 8, 2020

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

Dear Honorable Council Members:

On March 5, 2019 the City Council adopted the attached Order authorizing the Mayor to acquire certain vacant land on Currant Road, which was described in a proposed deed that was attached to the Order, to provide a location from future drainage improvements. Pursuant to the Council Order, the City acquired said property by a deed dated April 23, 2019 and recorded with the Bristol County (Fall River District) Registry of Deeds in Book 9807, Page 159.

Although the description of the property in the proposed deed was correct, the Council Order inadvertently included a scrivener's error identifying the Parcel ID for the property as Z-3-132 rather than Z03-0050.

The attached proposed Order corrects this scrivener's error and confirms and ratifies the City Council's action relative to the property on March 5, 2019.

Respectfully yours,

Paul E. Coogan, Mayor

City of Fall River, In City Council

ORDERED, that the City Council hereby confirms and ratifies its actions as set forth in the Attached Order of March 5, 2019 authorizing the Mayor to acquire the vacant land on Currant Road described in the attached deed dated April 23, 2019 and recorded with the Bristol County (Fall River District) Registry of Deeds in Book 9807, Page 159. Said Order inadvertently included a scrivener's error identifying the Parcel ID for the property as Z-3-132 rather than Z03-0050 although the Parcel ID was correctly set forth in the proposed deed that was presented to the City Council on March 5, 2019. The acquisition and ownership of said property will provide a location for future drainage improvements.



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

4
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2020 JAN -8 P 3:51

CITY CLERK
FALL RIVER, MA

January 8, 2020

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

RE: **Planning Board**

Mr. President and Members of the Honorable Council:

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

Gloria M. Pacheco

as a member of the Planning Board commencing on 01/08/2020 and expiring on 01/08/2025.

Thank you for your favorable consideration in this regard.

Paul E. Coogan
Mayor

GLORIA M. PACHECO

ATTORNEY AT LAW

4

BAR MASSACHUSETTS, DECEMBER 2008
ADMISSIONS RHODE ISLAND, MAY 2009

EDUCATION SUFFOLK UNIVERSITY LAW SCHOOL, BOSTON, MA
Juris Doctor, *cum laude*, May 2008

PROVIDENCE COLLEGE, PROVIDENCE, RI
Bachelor of Arts, *cum laude*, Psychology, May 1996

B.M.C. DURFEE HIGH SCHOOL, FALL RIVER, MA
Honors Program, *high honors*, June 1992

LEGAL GLORIA M. PACHECO, ATTORNEY AT LAW, FALL RIVER, MA
EXPERIENCE (*January 2010 – Present*)

- Real Estate Law
- Conveyancing and Mortgage Law
- Land Use and Development
- Estate Planning
- Probate Administration
- Corporations
- Civil Litigation

LAW OFFICES OF MICHELLE MACHADO MOREIRA, P.C., MEDFORD, MA
Attorney (October 2008 – January 2010)

SUFFOLK UNIVERSITY LAW SCHOOL CLINIC, BOSTON, MA
Student Attorney, Rule 3:03, Housing & Consumer Law Clinic (August 2007 – May 2008)

MORRISSEY, HAWKINS & LYNCH, P.C., BOSTON, MA
Law Clerk (May 2007 – April 2008)

JOYCE & ASSOCIATES, P.C., BOSTON, MA
Immigration Paralegal (April 2006 – May 2007)

CORPORATE REDCATS USA (CHADWICK'S OF BOSTON & LERNER), WEST BRIDGEWATER, MA
EXPERIENCE *Control Buyer (December 2000 - September 2005)*
Senior Rebuyer (July 2000 - December 2000)
Rebuyer (August 1998 - July 2000)

J. BAKER, INC., CANTON, MA
Distribution Analyst (August 1996 - August 1998)

GLORIA M. PACHECO

ATTORNEY AT LAW

4

December 15, 2019

Mr. William Roth
City Planner/Planning Director
Planning Department
One Government Center
Fall River, MA 02722

RE: Planning Board

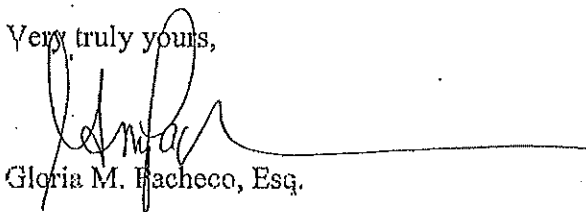
Dear Mr. Roth:

As we discussed last week, I would like to be considered for a position on the Planning Board. As requested, enclosed please find my resume for review and consideration.

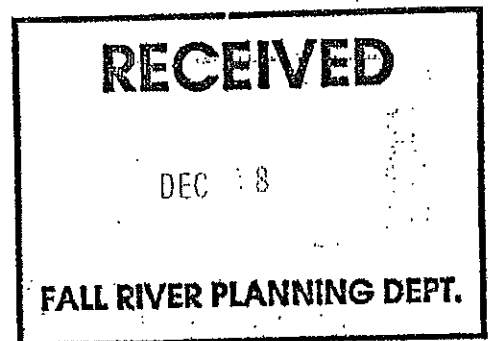
I am a proud resident of Fall River and established my law practice here ten years ago. Since I am deeply rooted in this community, the planning and development of the City is significant to me, both personally and professionally. If you, or any other member of the Board, would like to discuss how I can contribute to the Board, please let me know.

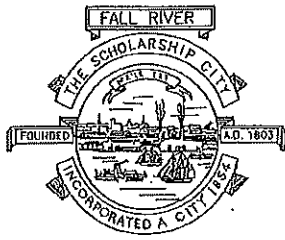
If you need any additional information, please feel free to call me at 508-673-3646 or email me at GloriaPacheco@PachecoLaw.com. Thank you.

Very truly yours,



Gloria M. Pacheco, Esq.





PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

5
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2020 JAN -8 P 3:51

CITY CLERK
FALL RIVER, MA

January 8, 2020

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

RE: **Planning Board**

Mr. President and Members of the Honorable Council:

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

John M. Ferreira

as a member of the Planning Board commencing on 01/08/2020 and expiring on 01/08/2025.

Thank you for your favorable consideration in this regard.

Paul E. Coogan
Mayor

5

CONTRACTOR QUALIFICATION

JOHN M. FERREIRA/ GLOBAL CONSTR. MGMT. INC.

QUALIFICATIONS

- Extensive project management and estimation experience with a proven track record of success
- Wide-ranging experience working in commercial, educational, and healthcare construction industries
- Established relationships with vendors and contractors throughout the continental United States, Puerto Rico and Dominican Republic
- Able to confidently and tactfully interact and communicate with individuals of varied ethnic backgrounds and experience levels
- Experience working with Unions and their membership
- Experience working on government projects with prevailing wage requirements
- Able to independently handle a large and demanding workload.
- Working knowledge of common building codes.

*State approved for building inspector certification.

*Mandated building inspector course completed.

EDUCATION

Massachusetts Construction Supervisor's License #57301 (Unrestricted)

Home Improvement Contractor #174196

Lead Paint Removal Certified

CPR and AED Certified

OSHA Certified (30-hr)

Building Inspector approval from the state of Mass.

Languages Spoken

English, Portuguese and Spanish

RELATED WORK EXPERIENCE

Commercial/ Retail/ Residential

Jan 1990- Current

- Primary client contact throughout the construction phase of projects, responsible for providing quality construction services and delivering the project in a timely, cost-effective manner
- Responsible for executing each project phase including pre-construction, construction, closeout and post-construction services to meet the client's expectations
- Responsible for ensuring a schedule is in place during project set up and sub-bidding that reflects the project strategy and is sufficient for estimating and subcontractor selection
- Responsible for developing a purchasing schedule and strategy to anticipate, address, and resolve purchasing challenges during the early stages of pre-construction

5

- Completed all financial data while identifying potential/existing issues that could lead to under par financial performance. Maintain the project budget to ensure optimum profitability
- Promoted positive subcontractor relations by dealing professionally and fairly with all subcontractors and vendors (including Union members) and continually instilling this philosophy in the project team
- Directly supervised Field Project Managers (Superintendent) during projects
- Attended management meetings with clients, property managers, building departments or others as required
- Prepared cost estimates and bids for commercial ground-up building and renovation projects
- Worked with clients to develop long-term strategic plans for large-scale building and renovation initiatives
- Responsibilities included: on-call consultative services including regular travel for client meetings; value engineering estimating; market research on new products, services and vendors; construction and project management
- Responsible for executing each project phase including pre-construction, construction, closeout and post-construction services
- Responsible for ensuring a schedule is in place during project set up and sub-bidding that reflects the project strategy and is sufficient for estimating and subcontractor selection
- Responsible for developing a purchasing schedule and strategy to anticipate, address, and resolve purchasing challenges during the early stages of pre-construction
- Completed all financial data while identifying potential/existing issues that could lead to sub-par financial performance. Subsequently, on an as-needed basis, administered the requisitioning and collections process to ensure timely payments for services rendered
- Established annual performance goals for assigned staff and conducting timely and meaningful verbal and written performance evaluations
- Promoted positive subcontractor relations by dealing professionally and fairly with all subcontractors and vendors, and continually instilling this philosophy in the project team
- Monitored compliance with corporate and OSHA safety policies to include onsite field verification of existing conditions
- Coordinated, consulted and provided guidance and assistance with the closing of new business
- Coordinated and scheduled the installation of restaurant equipment to include, reviewing project orders and delivery schedules to maintain project schedule and budget
- Regularly visited job sites to verify and inspect field dimensions, and to assess projects for successful on-time, on budget completion

Somerset, Ma. Housing Authority Member 1995 – 2000

Somerset, Ma. Planning Board Member 2000 - 2008

5

PAST RETAIL PROFESSIONAL PROJECTS:

AIRPORTS-

Pittsburg International, Pennsylvania- six retail stores – Supervisor, 1997
Birmingham International, Alabama- two retail stores –Supervisor, 1995
Eppley Airfield- Omaha, Nebraska- two retail stores – Supervisor, 1994
Logan Airport Boston Ma. - two retail stores – Supervisor, 1998
Hartsfield-Atlanta Airport, Georgia- ten retail stores- Supervisor, 2006

HOTELS-

Waldorf Astoria- New York, NY - Supervisor, 2009
New York Hilton- New York, NY - Supervisor, 2009
Sheraton Towers- New York, NY - Supervisor, 2009
Park Plaza- Boston, MA - Supervisor 2008
Omni Parker House- Boston, MA - Supervisor, 2008
Hilton- Greenwich, Cn - Supervisor, 2007
Roosevelt Hotel- New York, NY - Supervisor, 2007
Intercontinental Hotel- New York, NY – Supervisor, 2006
Casa De Campo Resort- Dominican Republic – Supervisor, 2004
LTI Resort- Punta Cana, Dominican Republic – Supervisor, 2004
Sands Hotel- Puerto Rico- Supervisor, 2002
El Conquistador Resort- Puerto Rico – Supervisor, 1990
Hyatt Dorado Beach Resort- Puerto Rico - Supervisor, 2003
Hyatt Condado Beach Resort- Puerto Rico - Supervisor, 2003
Weston Rio Mar Resort- Puerto Rico - Supervisor, 2007
Sol Melia Resort- Punta Cana, Dominican Republic - Supervisor, 2004
Marriott Hotel-Miami, FL - Supervisor, 1999
Marriott Hotel- Corpus Christi, TX - Supervisor, 1999
Palmas Del Mar Resort- Puerto Rico – Supervisor, 2002
El San Juan Hotel & Casino- Puerto Rico - Supervisor, 2002
Hilton- Newport Beach, CA - Supervisor , 2005
Marriott Hotel & Casino, Puerto Rico Supervisor, 2000
Hilton-Kona, Hawaii - Supervisor, 2000
Crowne Plaza Hotel- Redondo Beach, CA Supervisor, 2001
Hilton- Newport Beach, CA Supervisor, 2001
Hilton- Huntington Beach, CA Supervisor, 2001

BANKS-

Citibank,-Tyson's Corner, VA - Supervisor, 2010
Citibank- Research Park, MD - Supervisor, 2010
Citibank- Fairfield, CT - Supervisor, 2010
Citibank- Georgetown, Washington D.C. - Supervisor, 2010
TD Bank- Buzzards Bay, MA - Supervisor, 2012
TD Bank- Dennis, MA - Supervisor, 2012
TD Bank- Falmouth, MA - Supervisor, 2012

5

TD Bank- Mansfield, MA - Supervisor , 2012
Sovereign Bank- Boston, MA- Supervisor, 2013
2-Sovereign Banks, Fall River, MA - Supervisor, 2013
Sovereign Bank- Westport, MA - Supervisor, 2013
Sovereign Bank- Barrington, RI - Supervisor, 2014
Sovereign Bank- West Warwick, RI - Supervisor, 2014
5- Sovereign Banks- New Bedford, MA - Supervisor, 2014
Sovereign Bank- Little Compton, RI - Supervisor, 2014
Sovereign Bank- Worcester, MA - Supervisor, 2014

RESTAURANTS-

Minerva's Pizza- Somerset, MA - Supervisor, 2013
Uno's Pizza- Boston, MA - Supervisor, 2012
Taco Bell- Fall River, MA - Supervisor, 1990
TCBY- Salisbury, MD - Supervisor, 1991
Basken Robbins- Freehold, NJ - Supervisor, 1991
Hickory Farms- Taunton, MA- Supervisor, 1992
Subway- Taunton, MA- Supervisor, 2013
Figs & Pigs- DCU Center Worcester, MA- Supervisor, 2015
Wendy's Medford, MA - Supervisor, 2015
Domino's - Plymouth, MA - Supervisor, 2015
Domino's - Deedham, MA - Supervisor, 2015
Domino's- Framingham, Ma. Supervisor, 2016
Domino's- Wellsely, Ma. Supervisor, 2016

Miscellaneous Projects-

Ritz Camera- Syracuse, NY - Supervisor, 1996
Ritz Camera- Taunton, MA - Supervisor, 1999
Ritz Camera- Brooklyn, NY - Supervisor, 1999
Rockport Shoes- Boston, MA - Supervisor, 2011
Rockport Shoes- Burlington, MA - Supervisor, 2011
Guess- Providence, RI - Supervisor, 2011
Michaels- Saugus, MA - Supervisor, 2012
Green Hill Park Zoo- Worcester, MA - Supervisor, 2016
Silver City Galleria, MA - Supervisor, 2015
Brookdale Assisted Living, CT - Supervisor, 2015
Jacob Hyatt Magnet School - Worcester, MA - Supervisor, 2016

Residential Projects-

Properties That I Own-

21-23 Coral St. Fall River, Ma.- Complete Interior and Exterior Renovation
470-474 2nd St. Fall River, Ma. - Interior and Exterior Remodel
460-462 2nd St. Fall River, Ma. - Interior and Exterior Remodel
207 Rodman St. Fall River, Ma.- Interior and Exterior Remodel

5

Recent Residential Properties Worked On this Past Year –
Renovated 9 Units for Hanover Properties
Renovated 3 Units 86 Hanover St. FR
Renovated 20 units at Ships Watch Apartments FR

5

REFERENCES

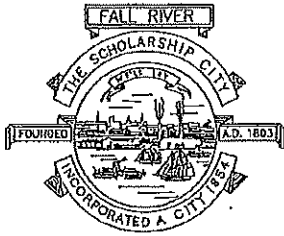
Kevin Ledo, Owner Subway Taunton, Massachusetts
Berkley Massachusetts
774.263.8110

Edward Lawrence, President- Overlook Construction Management
Marietta, Georgia
678-613-5622

Karen Medeiros, Vice President- Gilbane Construction
Providence, Rhode Island
617-488-3169

Frank Bavarso, Sr. Project Manager- Tishman Construction
New York, New York
732-833-2145

Additional references available upon request.



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

CITY CLERK
FALL RIVER, MA

2020 JAN -9 P 4:50

RECEIVED

January 9, 2020

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

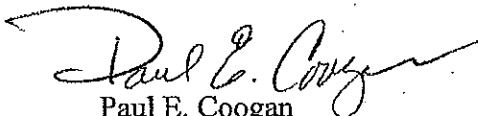
RE: Board of Health

Mr. President and Members of the Honorable Council:

I hereby request the confirmation of the City Council for the following appointment to the Board of Health replacing the resignation of Dr. Daniel Franco Sousa.

Stephen Gagliardi, MD

Thank you for your favorable consideration in this regard.


Paul E. Coogan
Mayor

Stephen Gagliardi, MD

Obstetrical Associates
1151 Robeson Street
Suite 201
Fall River, MA 02720
508.730.1666

Clinical Practice

Obstetrical Associates
Fall River, Massachusetts
August 1, 1995 – Present

Ageless Body Sculpting
Fall River, Massachusetts
March 1, 2008 – Present

Education

Post Graduate

Mount Sinai Hospital
Department of Obstetrics and Gynecology
Hartford, Connecticut
July 1, 1991 - June 30, 1995

International Society of Cosmetogynecology
Comprehensive Liposuction Course (Marco Pelosi II, MD)
Bayonne, New Jersey
March, 2008

International Society of Cosmetogynecology
Lipo-Abdominoplasty Proctorship (Carlos Avellanet, MD)
Bayonne, New Jersey
September, 2008

Medical School

MD, Hahnemann University School of Medicine
Philadelphia, Pennsylvania
September, 1987 - June, 1991

Undergraduate

BS, Boston College
Chestnut Hill, Massachusetts
September, 1983 - June, 1987

Honors/Awards

Hahnemann University

- Medical Student Institute (student government)
Executive Board Secretary (June 1988 - June 1989)
- Clinical Honors: Ob/Gyn sub internship

Boston College

- Cum Laude Graduate (June, 1987)
- School of Arts and Science Honors Program (1983 -1987)
- Scholar of the College (May, 1987)
- Golden Key Honor Society (May, 1986)
- Alpha Epsilon Delta Honor Society (May, 1986)
- National Honor Society (1982 -1983)
- Top 1% of Graduates (June, 1983)
BMC Durfee High School
Fall River, MA

6

Board Certification

- National Boards Parts I, II, and III - Passed
- Board Certified OB/GYN - November, 1997
Recertification - December, 2018

Professional Organizations

- American College of Obstetrics and Gynecology
(1992 - present)
- Massachusetts Medical Society
(1995 to present)
- Fall River Medical Society
(1995 to present)
- International Society of Cosmêtogynecology
(March 2008 to present)

Research

- “Evaluation of a New Instrument Designed for Directed Cervical
Excision: Linear Wire Electrocautery Excision Tool”
 - Resident Research Project
Winner of “Carabas Award”
Mount Sinai Hospital: 1994-95
 - Poster Presentation at 1996 ASCCP Annual Meeting
Orlando, FL (March 1996)
- “The Effect Of Ethanol On The Phospholipid Distribution In The
Plasma Membrane of *Tetrahymena pyriformis*”
 - Scholar of the College Thesis
Arts and Sciences Honors Program
Boston College: 1987
 - Presented at the Northeast New England Biological
Conference: (April 2, 1987)

Licensure

- Massachusetts
(August, 1993 to present)
- Rhode Island
(July 1995 to June, 2006)
(June 2013 to present)

Hospital Privileges

- Charlton Memorial Hospital - *Active*
Fall River, MA (June, 1995 to present)
- Saint Anne's Hospital - *Active*
Fall River, MA (April, 2017 to present)

Administrative

- Charlton Memorial Hospital
Chairman of Department: Obstetrics and Gynecology
(2009 to 2013)

Proctorships

- Intuitive Surgical

6

Davinci Robotic Proctor: single-site and multiport
(June 2014 to present)

Professional Interests

- Obstetrics and Gynecology
- Advanced Laparoscopic Surgery
- Urogynecology and Pelvic Floor Disorders
- Cosmetic Surgery
- Clinical Research



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

CITY CLERK
FALL RIVER, MA

2020 JAN -9 P 4:15

RECEIVED

January 9, 2020

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

Dear Honorable Council and City Clerk Bouchard:

I hereby make the following appointment and hereby request City Council Confirmation

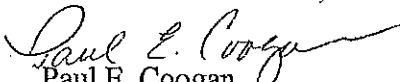
Name: Alan J. Rumsey

Position: Corporation Counsel

Effective date: January 6, 2020

Salary: \$120,000.00 (per contract)

Sincerely,


Paul E. Coogan
Mayor

7

EMPLOYMENT AGREEMENT

This contract is made by and between the City of Fall River, a municipal corporation, One Government Center, Fall River, Massachusetts 02722 (hereinafter referred to as "City"), and Alan J. Rumsey (hereinafter called "Corporation Counsel").

In consideration of the mutual promises and agreements herein contained, the City hires and employs the Corporation Counsel and the Corporation Counsel agrees to work for and enter into the service of the City in accordance with the following terms hereby agreed upon.

RECITALS

The Corporation Counsel shall be in charge of the operations of the Law Department and shall perform the duties required of him in the city Ordinances Section 2- 521 through 1-523 and as required by the Mayor. Corporation Counsel must remain a member in good standing of Mass Bar.

PERFORMANCE

The Corporation Counsel shall devote sufficient time, skills and attention to his employment as Corporation Counsel and shall perform his duties in an efficient, trustworthy, and professional manner, adhering strictly to the Law Department's policy of confidentiality, and shall at all times act in the best interest of the City.

STATEMENT OF DUTIES

Corporation Counsel shall be in charge of the law Department and shall perform the duties required of him as set forth in City Ordinances 2-521 through 2-532. Corporation Counsel shall devote sufficient time, skill and attention to his employment as Corporation Counsel and shall perform his duties in an efficient, trustworthy and professional manner adhering strictly to the Law Department's policy of confidentiality and the best interest of the City.

EVALUATION

Corporation Counsel shall be evaluated annually by the Mayor or his designee.

COMPENSATION

The City agrees to pay the Corporation Counsel an annual base salary of \$120,000.00 (One hundred and twenty thousand dollars) payable at the same time and manner as other employees of the City of Fall River. Said salary shall become effective commencing on January 6, 2020. The Corporation Counsel's salary shall be paid with the funds from the Law Department's salary budget as the same is administered by the Law Department. The base pay salary shall be adjusted each year (January 6) of the duration of this contract according to the CPI-U index.

The Corporation Counsel shall be entitled to the following benefits:

7

- A. Health and Dental Insurance;
- B. Retirement benefits;
- C. Life Insurance; and Voluntary Life Insurance;
- D. Voluntary Deferred Compensation;
- E. Sick leave shall be used and paid in accordance with City Ordinance §§ 50-121 to 50-170;
- F. Personal days in accordance with City Ordinance § 50-192;
- G. Paid Holidays and bereavement in accordance with the AFSCME agreement;
- H. Four (4) weeks' vacation per calendar year during the life of the contract

TERM

This employment agreement shall be for the period of January 6, 2020 to January 6, 2022 and may be renewed by mutual agreement of the parties. Employer may terminate this agreement during its term for any reason by providing employee with written notice of said contract no less than (60) days prior to the effective date of such termination. Employee may terminate this employment agreement during its term for any reason by providing employer with written notice of said intent no less than (30) days prior to the effective date of resignation. Upon termination of this Agreement for any reason, the Corporation Counsel shall receive payment for any unused vacation and sick time.

NON ASSIGNMENT

The Corporation Counsel shall not be allowed to assign this contract, or any of the rights and duties herein, without the prior written consent of City.

WAIVER/MODIFICATION

No waiver, alteration, or modification of any of the provisions of this Contract shall be binding unless in writing and signed by a duly authorized representative of both parties.

ENTIRE AGREEMENT/AMENDMENT

This instrument contains the entire agreement among the parties hereto with respect to the subject matter hereof and may be changed or modified only by written instruments duly executed by both parties. Upon commencement of this employment agreement, all prior agreements shall terminate, and said employment agreement shall control, bind and insure the parties hereto.

MASSACHUSETTS LAW

This agreement shall be construed and interpreted in accordance with the laws of the Commonwealth of Massachusetts. A determination by a court of competent jurisdiction that any portion of this agreement is invalid shall not thereby render any other part thereof invalid.

7

IN WITNESS WHEREOF, the parties have executed this contract at Fall River this _____ day of January 2020.

Paul Coogan, Mayor, Dated: Alan J. Rumsey Dated:

Approved as to form, manner and execution:

Assistant Corporation Counsel Dated: _____

7

CORPORATION COUNSEL

The mission of the Office of the Corporation Counsel is to meet the diverse legal needs of the City of Fall River by effectively representing the City in all legal proceedings while maintaining the highest standards of professionalism and ethics.

GENERAL DUTIES AND RESPONSIBILITIES:

- Responsible for the overall management, supervision of staff as chief administrative officer in municipal law department in accordance with City Ordinances, City Charter and all state and federal laws;
- Responsible for the preparation and management of the annual budget for the Office of Corporation Counsel;
- Performs legal research and prepares legal opinions for the City;
- Prepares cases for trial; appears in court as the legal representative for the City in all cases in which the City may have an interest;
- Gives legal counsel and advice to the Mayor, legislative, administrative, supervisory personnel and individual employees;
- Negotiates, prepares, drafts, revises and approves contracts, deeds, leases, ordinances and other legal documents;
- Reviews documents and renders opinions as to their legal validity and/or acceptability;
- Reviews claims and complaints against the City and recommends action to be taken.
- Prepares for and tries state and federal cases for damages, declaratory and injunctive or other relief and other suits, administrative proceedings and hearings which include taking depositions, preparing pleadings, motions, memoranda, written discovery, briefs and trial and appellate materials;
- Attends City Council meetings and provided legal advise to the Council during meetings;
- Works with attorneys retained by the City for specific purposes; and
- Performs other duties as assigned.

MINIMUM QUALIFICATIONS/REQUIREMENTS:

Training and/or Experience: Knowledge: Juris Doctorate and membership to the Bar of the Commonwealth of Massachusetts, supplemented by five years of directly related work experience, preferable in municipal law. Must possess knowledge of applicable legal principles, procedures, methods, terminology, and theory to be able to perform the essential job functions listed above. Must also be skilled in all applicable legal research, analysis, negotiations, and writing of legal briefs, opinions, and documents in order to perform the essential job functions listed above.

7

ALAN J. RUMSEY

27 December 2019

Hon. Paul Coogan
Mayor of Fall River
One Government Center
Fall River, Massachusetts 02722

Dear Mr. Coogan:

Congratulations on your well-deserved victory. I am excited that you have been elected Mayor of Fall River, and I would like your consideration for employment as Corporation Counsel. I have the requisite experience and motivation to lead the legal team that will help you bring integrity and transparency back to City Hall.

My extensive litigation experience in both civil and criminal matters, combined with my management of a national general liability insurance account, uniquely enables me to proactively reduce risk, assess legal liabilities, and minimize the cost of litigation.

My criminal experience consists of 2+ years as an Assistant District Attorney in Bristol County, Massachusetts, where I was responsible for approximately 1,000 cases annually. My civil litigation experience includes ten years of practice in the Washington, DC metropolitan area. I independently defended hundreds of civil cases, handling every aspect of litigation, from receipt of the Complaint to final disposition. I am experienced in a wide variety of cases, from premises liability and motor torts, to more complex litigation such as professional liability, construction defects, and toxic torts. I also managed a national general liability account that generated over \$1.2M in attorney's fees over the span of two years. This management required my personal supervision of cases and attorneys in various states across the country. Representative clients include Travelers Insurance, Hartford, AIG, McDonald's Corp, and Lowe's Home Improvement.

Wilson Elser, LLP, my former employer, is one of the largest, most prestigious civil defense firms in the nation. In fact, the DC office was recently ranked "Tier 1" by the US News for its defense work. I encourage you to contact all of my former employers for references.

My wife and I are active members of the Fall River community, and we take great pride in working to improve our city. I am a volunteer baseball, soccer, and basketball coach in Fall River leagues, and I have served on the Community Preservation Committee, Historic Commission, and the Local Historic District Study Commission. My wife, Maria Rumsey, is a Cardiologist and Shareholder at Prima Care, P.C., one of the city's largest private employers.

Thank you for your consideration.

Very truly yours,

Alan J. Rumsey

ALAN J. RUMSEY

7

EDUCATION

Pennsylvania State University – Dickinson School of Law, Carlisle, PA
Juris Doctor, May 1998
Trial Moot Court Board; 1996-1998

Brown University, Providence, RI
Bachelor of Arts – Modern American History, May 1994
Selected for semester abroad at University of New South Wales, Sydney, Australia

WORK EXPERIENCE

Law Office of Alan Rumsey, Esq., Fall River, MA
Owner and principal attorney, October 2008 – present
Part-time solo practice specializing in small business matters.

Bristol County District Attorney's Office, Fall River, MA
Assistant District Attorney, November 2012 - January 2015

Wilson Elser Moskowitz Edelman & Dicker, L.L.P., Washington, DC
Litigation Associate, March 2005 – June 2008
Insurance defense litigation, specializing in medical malpractice, professional liability, and general liability.
Independently managed a national general liability account that generated over \$1.2M in attorney's fees.

Jordan Coyne & Savits, L.L.P., Washington, DC
Litigation Associate, August 2002 – March 2005
Insurance defense litigation, specializing in construction defects, toxic torts, and general liability.

Bacon, Thornton & Palmer, L.L.P., Greenbelt, MD
Litigation Associate, August 1999 – July 2002
Insurance defense litigation, specializing in premises liability and toxic torts.

Circuit Court for Prince George's County, Maryland, Upper Marlboro, MD
Law Clerk to the Honorable William B. Spellbring, Jr., August 1998 – July 1999
Conducted legal research and drafted memoranda and opinions for civil and criminal matters.

Pennsylvania Attorney General, Harrisburg, PA
Legal Intern for the Civil Rights Enforcement Section, January 1997 – May 1997
Conducted legal research and drafted memoranda for alleged civil rights violations.

COMMUNITY SERVICE

Fall River Community Preservation Committee: Board Member from 2014 - August 2016
Fall River Historical Commission: Board Member from October 2011 - August 2016
Fall River Local Historic District Study Committee: Board Member from October 2011 - August 2016
Youth Coach for baseball, soccer, and basketball in Fall River leagues
Brown University: Volunteer for the Alumni Interviewing Program

ADMISSIONS

State Courts: Massachusetts, Maryland (inactive), and the District of Columbia (inactive)
Federal Courts: USDC for the District of Maryland, USDC for the District of Columbia, US Court of Appeals - District of Columbia Circuit, and the US Court of Appeals - Fourth Circuit.



CITY OF FALL RIVER, MASSACHUSETTS

BOARD OF ELECTION COMMISSIONERS
ONE GOVERNMENT CENTER
TEL. 508-324-2630

RECEIVED

2020 JAN -3 P 12:08

CITY CLERK
FALL RIVER, MA

COMMISSIONERS

KELLY A. SOUZA-YOUNG, CHAIRPERSON
DAVID J. DENNIS, ESQ.
DARYL GONYON
MANUEL LEITE, CLERK

January 3, 2020

Honorable City Council
One Government Center
Fall River MA

Dear City Councillors:

The Board of Election Commissioners is requesting the attached list of locations be designated as polling precincts for the upcoming Presidential Primary on March 3, 2020. The Presidential Primary is for Presidential Preference, State Committee Man, State Committee Woman, and Ward Committee.

The polls will open at 7:00 AM and close at 8:00 PM.

Sincerely,

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

City of Fall River, *In City Council*

8

ORDERED, that in accordance with provisions of law, notice is hereby given that meetings of the citizens of Fall River qualified to vote at a Presidential Primary, that will be held on Tuesday, March 3, 2020, in the several polling places designated by this Council, to cast their votes for the election of candidates of political parties for the following offices:

*Presidential Preference

*District Members of State Committee (one man and one woman)

*Ward Committee members for each political party

BE IT FURTHER ORDERED, that the Election Commission be and they are hereby authorized and empowered to cause all necessary rooms, fixtures, apparatus and supplies for the holding of the Presidential Election to be prepared and furnished for the same, the use of the same to be charged to the appropriation for elections.

The polls to be opened from seven o'clock A.M. to eight o'clock P.M. and all voting precincts to be used.

City of Fall River, *In City Council*

8

ORDERED, that the following places be and the same are hereby designated as polling places for the Presidential Primary Election to be held on Tuesday, March 3, 2020. The polls to be opened from 7:00 AM to 8:00 PM, and all polling places shall be used.

CITY of FALL RIVER

8

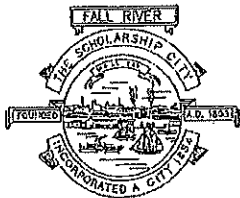
List of Wards, Precincts and Polling Places

Ward	Prnct	Polling Place Name	Polling Place Address
1	A	ALFRED LETOURNEAU SCHOOL	323 ANTHONY ST
	B	EDWARD F. DOOLAN APTS	CORNER OF LAUREL & MITCHELL DR
	C	ALFRED LETOURNEAU SCHOOL	323 ANTHONY ST
2	A	BLESSED TRINITY CHURCH	1340 PLYMOUTH AVE (ENTRANCE ON WINTHROP ST)
	B	BLESSED TRINITY CHURCH	1340 PLYMOUTH AVE (ENTRANCE ON WINTHROP ST)
	C	CANDEIAS-NIAGARA FIRE STA	CORNER PLYMOUTH AVE & WARREN ST
3	A	MITCHELL APARTMENTS	2100 SOUTH MAIN ST
	B	CARLTON M VIVEIROS SCHOOL	200 LEWIS ST
	C	MATTHEW J KUSS MIDDLE SCH	ENTRANCE ON SHAW ST
4	A	FRANK B. OLIVEIRA APTS	170 WILLIAM ST
	B	JAMES A. O'BRIEN APTS	MORGAN & SECOND STS
	C	THE ATRIUM AT GOV'T CTR	ENTRANCE ON SULLIVAN DR
5	A	CANDEIAS-NIAGARA FIRE STA	CORNER PLYMOUTH AVE & WARREN ST
	B	CHOR BISHOP EID APTS	33 QUEQUECHAN ST
	B1	CHOR BISHOP EID APTS	33 QUEQUECHAN ST
	C	MARY L. FONSECA SCHOOL	160 WALL ST
6	A	FRANCIS J. BARRESI HTS	1863 PLEASANT ST
	B	GEORGE H. COTTELL HTS	1685 PLEASANT ST
	C	RENEY/EASTWOOD FIRE STA	400 EASTERN AVE
	C1	RENEY/EASTWOOD FIRE STA	400 EASTERN AVE
7	A	UNION UNITED METH CHURCH	600 HIGHLAND AVE
	B	THE ATRIUM AT GOV'T CTR	ENTRANCE ON SULLIVAN DR
	C	RAYMOND D. HOLMES APTS	ENTRANCE ON FULTON ST
8	A	MARY L. FONSECA SCHOOL	160 WALL ST
	B	CARDINAL MEDEIROS TOWERS	1197 ROBESON ST (ENTRANCE ON STANLEY ST)
	C	SPENCER BORDEN SCHOOL	ENTRANCE ON CHESTNUT ST
9	A	JAMES TANSEY SCHOOL	711 RAY ST
	B	CALVARY TEMPLE ASSEM OF G	4321 NORTH MAIN ST
	C	CALVARY TEMPLE ASSEM OF G	4321 NORTH MAIN ST

Total Number of Polling Places: 29

No. Pages of Printed: 1

*** End of Report ***



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2020 JAN -7 P 4:24
LAURA FERREIRA
Parking Clerk

CITY CLERK
FALL RIVER, MA

January 6, 2020

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, December 18, 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
Aetna Street	North	Starting at a point 578 feet west of Garfield Street, for a distance of 20 feet westerly

Very truly yours,

Laura Ferreira
Parking Clerk

CAH ✓



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

LAURA FERREIRA
2020 JAN -7 P 4:47 PM Parking Clerk

CITY CLERK
FALL RIVER, MA

January 6, 2020

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, December 18, 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
Birch Street	North	Starting at a point 396 feet west of King Street, for a distance of 20 feet westerly

Very truly yours,

Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2020 JAN -7 ~~PAUL E. COOGAN~~ LAURA FERREIRA
Parking Clerk

CITY CLERK _____
FALL RIVER, MA

January 6, 2020

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, December 18, 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
Irving Street	West	Starting at a point 73 feet north of Pleasant Street, for a distance of 20 feet northerly

Very truly yours,

Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2020 JAN -7 PLAUER FERREIRA
Parking Clerk

CITY CLERK
FALL RIVER, MA

January 6, 2020

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, December 18, 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
South Main Street	West	Starting at a point 125 feet south of Center Street, for a distance of 20 feet southerly

Very truly yours,

Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

Paul E. Coogan
Mayor

2020 JAN -7 P 4:12
LAURA FERREIRA
Parking Clerk

CITY CLERK
FALL RIVER, MA

January 6, 2020

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, December 18, 2019 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Sprague Street	North	Starting at a point 280 feet east of Bay Street, for a distance of 20 feet easterly

Very truly yours,

Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2020 JAN -7- LAURA FERREIRA

Parking Clerk

CITY CLERK
FALL RIVER, MA

January 6, 2020

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, December 18, 2019 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Sprague Street	South	Starting at a point 266 feet east of South Beach Street, for a distance of 20 feet easterly

Very truly yours,

Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

9

Cliff A. Ponte
Mayor

LAURA FERREIRA
Parking Clerk

December 20, 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, December 18, 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

June Street

West

Starting at a point 65 feet north of Cherry Street,
for a distance of 20 feet northerly.

Very truly yours,

Laura Ferreira
Parking Clerk

City of Fall River, In City Council

10

(Councilor Linda M. Pereira)

WHEREAS, the City of Fall River has numerous Boards and Commissions, and

WHEREAS, members of Boards and Commissions are compensated for their services and members of other Boards and Commissions are not equally compensated or not compensated at all, now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation review the duties and compensation of all Boards and Commissions.

Filed 1-9-20

City of Fall River, In City Council

(Councilor Linda M. Pereira)

WHEREAS, numerous complaints from city residents have been received expressing that limited lighting on public streets create a safety hazard, and

WHEREAS, a similar resolution was filed on April 11, 2019, and now therefore

BE IT RESOLVED, this matter be referred to the Committee on Public Works and Transportation, and

BE IT FURTHER RESOLVED, that this matter be given immediate attention and correction.

Filed 1-9-20

City of Fall River, In City Council

(Councilor Linda M. Pereira)

WHEREAS, on or about, October 2016, it was learned that numerous flower boxes, vases and other items of historic value were removed from our deceased citizens at the Oak Grove Cemetery, and

WHEREAS, at that time the City Council requested that those items be returned to the cemetery sites where possible, and

WHEREAS, the past Administration did not follow through on their pledge to return those sacred items to their places, now therefore

BE IT RESOLVED, that the Administration follow up with this issue and return the historic and sacred items to their places.

City of Fall River, *In City Council*

13

(Councilor Linda M. Pereira)

WHEREAS, Section 2-10 of the City Charter: City Council confirmation of certain appointments, states, "The mayor shall refer to the city council and simultaneously file with the city clerk, the name of each person the mayor desires to appoint as a city officer, department head or as a member of a multiple-member body. Appointments made by the mayor shall become effective on the forty-fifth day after the date on which notice of the proposed appointment was filed with the city clerk unless approved or rejected by the city council within the 45 days. All individuals appointed to a multiple-member body shall be residents of the city. If an appointed individual removes from the city, the position shall be immediately deemed vacant.", now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation review city ordinances relative to the confirmation of certain appointments.

Filed 1-9-20

City of Fall River, *In City Council*

18

ORDERED, that regular meetings of the City Council during 2020 shall be held as follows, and

BE IT FURTHER ORDERED that at said meetings the Committee on Finance shall begin at 6:00 PM, and the Regular Meeting of the City Council shall begin at 7:00 PM unless otherwise ordered:

January 14
January 28
February 11
February 25
March 10
March 24
April 7
April 21
May 12
May 26
June 9
June 23
July 14
August 11
September 8
September 22
October 13
October 27
November 10
November 24
December 8
December 22

All meetings shall be held in the Council Chamber, Government Center.

MetLife Auto & Home®
Subrogation - Warwick
Mail Processing Center
PO Box 2204
Charlotte, NC 28241-2204
800-634-9740

RECEIVED

2020 JAN -6 A 11: 36

CITY CLERK #19-76C
FALL RIVER, MA

19
MetLife®

01/01/2020

City Of Fall River
Attn: City Clerk
One Government Center, 2nd Fl Room 227
Fall River, MA 02723

Our Customer:	Sandra Coe
Our Claim Number:	SLM23751
Date of Accident:	05/23/2019
Your Customer:	City Of Fall River
Your Claim Number	Sandra I Coe-insured

Dear City Of Fall River,

FINAL NOTICE PRIOR TO LITIGATION

- () Enclosed is the documentation you requested.
- () Please call the undersigned upon receipt of this letter.
- (X) Please provide a status on our subrogation claim.
- () Please fill out the enclosed statement form as completely as possible.

Sincerely,

John Demelim
METROPOLITAN PROPERTY AND CASUALTY INSURANCE COMPANY
SUBROGATION ADJUSTER, Ext: 6161
Fax: 855-273-2740

MetLife Auto & Home is a brand of Metropolitan Property and Casualty Insurance Company and its Affiliates, Warwick, RI

Copy & orig Law Dept
" City Clerk
" Police
" City Council



Allstate
You're in good hands.

National Subro Processing
PO BOX 660636
DALLAS TX 75266

RECEIVED

19

CITY OF FALL RIVER
CITY CLERK 2ND FL ONE GOVERNMENT CTR
FALL RIVER MA 02722

2019 DEC 16 A 11:43

CITY CLERK 19-102A
FALL RIVER, MA

December 09, 2019

INSURED: JOYCE COTE
DATE OF LOSS: October 07, 2019
CLAIM NUMBER: 0563536556 ART
LOCATION OF LOSS: Almond St, Fall River, MA
AMOUNT OF DAMAGES: \$589.02

PHONE NUMBER: 800-374-4246
FAX NUMBER: 866-447-4293
OFFICE HOURS: Mon - Fri 7:00 am - 6:00 pm

Re: Results of Our Loss Investigation

Dear CITY OF FALL RIVER,

We are writing to let you know that after investigating our insured's loss (which is listed above), we concluded that you are legally responsible for the damages. We have settled the claim with our insured, and we will now seek reimbursement from you for this claim and for our insured's deductible, if applicable.

We are pleased to honor your request to directly pay for this loss instead of reporting it to your insurance company.

If I do not hear from you within 28 days, I will assume that you do not wish to voluntarily settle this matter. Please know that I will then need to forward this claim to your insurance company.

Please make all checks payable to Allstate Insurance Company and send your payment to:

*Allstate Payment Processing Center
P.O. Box 650271
Dallas, TX 75265-0271*

Please feel free to call me if you want to discuss any aspect of this case including this letter. Be sure to refer to the claim number listed below when you call.

0563536556 ART





City of Fall River
Notice of Claim

RECEIVED

2019 DEC 16 A 11:32

CITY CLERK 19-109
FALL RIVER, MA

19

1. Claimant's name: AL M MONIZ
2. Claimant's complete address: 420 PEARCE STREET FALL RIVER MA 02720
3. Telephone number: Home: 774-365-7334 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Auto Accident
5. Date and time of accident: 12-3-19 10:01 am Amount of damages claimed: \$ _____
6. Exact location of the incident: (include as much detail as possible):
420 Pearce Street Fall river Ma 02720
7. Circumstances of the incident: (attach additional pages if necessary):
A apparatus was traveling WB on Pearce St. Back end of app swung to the right striking auto 3. Auto 3's auto was parked in driveway. See attached police report.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 12-12-19

Claimant's signature: [Signature]

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

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

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

For official use only:

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

☒ Fire Dep. Date: 12/16/19



RECEIVED

19

City of Fall River
Notice of Claim

2019 DEC 16 P 2:24

CITY CLERK 19-110
FALL RIVER, MA

1. Claimant's name: Jessica Almeida
2. Claimant's complete address: 1277 S main st.
3. Telephone number: cell 774-365-9687 Home: _____ Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
auto accident (Hit a pothole)
5. Date and time of accident: 12/8/19 10pm Amount of damages claimed: \$ 236.71
6. Exact location of the incident: (include as much detail as possible):
Wel High Street (Right after the stop sign)
7. Circumstances of the incident: (attach additional pages if necessary):
Had to get some auto Repairs.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 12/16/19

Claimant's signature: Jessica Almeida

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: <input checked="" type="checkbox"/> City Clerk <input checked="" type="checkbox"/> Law <input checked="" type="checkbox"/> City Council <input checked="" type="checkbox"/> City Administrator <input checked="" type="checkbox"/> DPW	Date: <u>12/16/19</u>

19
RECEIVEDCity of Fall River
Notice of Claim

2019 DEC 20 A 11:50

CITY CLERK #19-111
FALL RIVER, MA

1. Claimant's name: Ryan J. Czajka
2. Claimant's complete address: 155 Glasgow St. Apt #3 Fall River MA 02721
3. Telephone number: Home: 774-319-1429 Work:
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage): 2014
Two tires damaged due to pothole / Mercedes Benz E350
5. Date and time of accident: 12/15/19 Amount of damages claimed: \$ 549.65
6. Exact location of the incident: (include as much detail as possible):
Stafford Rd / Brayton Ave
7. Circumstances of the incident: (attach additional pages if necessary):
Traveling Eastbound on Stafford Rd past Brayton
Ave subsequently striking a pothole causing damage
to both passenger's side tires.
(2) Continental Pro Contact tires w/ Labor \$1 549.65
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 12/20/19Claimant's signature: [Signature]

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

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

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator ☒ DPWDate: 12/20/19

19
RECEIVEDCity of Fall River
Notice of Claim

2019 DEC 27 A 9:56

CITY CLERK 19-12
FALL RIVER, MA

1. Claimant's name: MARK McLaughlin
2. Claimant's complete address: 222 Elsbree ST FALL RIVER MA 02720
3. Telephone number: Home: 508-243-9483 Work: SAME
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
PUBLIC WAY - WATER SERVICE LINE
5. Date and time of accident: 12-24-19 Amount of damages claimed: \$ 2,500.00
6. Exact location of the incident: (Include as much detail as possible):
222 ELSBREE WATER SERVICE LINE
7. Circumstances of the incident: (attach additional pages if necessary):
ATTACHED
PHOTOS, BILL FOR REPAIR TO BE PROVIDED SEPARATELY
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 ^{AND ATTACHED} are true to the best of my knowledge.

Date: 12/27/19Claimant's signature: Mark McLaughlin

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 ☒ waterDate: 12/27/19



RECEIVED

2019 DEC 30 P 2:25

City of Fall River
Notice of ClaimCITY CLERK 19-113
FALL RIVER, MA

1. Claimant's name: MICHELE L. PELTON
2. Claimant's complete address: 14 THIRO ST. SWANSEA, MA 02777
3. Telephone number: Home: 774-888-7021 Work: SAME
4. Nature of claim; (e.g., auto accident, slip and fall on public way or property damage):
FELL INTO HOLE ON SIDEWALK
5. Date and time of accident: 12-7-19 2:25 Amount of damages claimed: \$ UNKNOWN AT THIS TIME
6. Exact location of the incident: (include as much detail as possible):
THE SIDEWALK AT THE TOP OF KENNEDY PARK BETWEEN BRADFORD & MIDDLE ST
7. Circumstances of the incident: (attach additional pages if necessary):
WALKING SOUTH ON THE SIDEWALK TO RETURN TO OUR VEHICLE WHEN I FELL INTO A HOLE OF BROKEN CEMENT. WENT TO CHARLTON THEREAFTER AND TO DR DUBLER ON 12-10-19 I HAVE A BROKEN ANKLE AND A SPRAINED FOOT
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
BCEP Midco MA HULTA

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

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

Date: 12-30-19Claimant's signature: Michele L. Pelton

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 AdministratorDCMDate: 12/30/19

RECEIVED



19

2020 JAN -2 P 2:25

City of Fall River
Notice of Claim

CITY CLERK #20-01
FALL RIVER, MA

1. Claimant's name: Jeannie Ortiz
2. Claimant's complete address: 276 Hamlet St #2 Fall River, MA 02724
3. Telephone number: Home: 508-558-16023 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Auto accident
5. Date and time of accident: 12/19/19 1524 Amount of damages claimed: \$ 365.67
6. Exact location of the incident: (include as much detail as possible):
276 Hamlet St #2 Fall River, MA 02724
7. Circumstances of the incident: (attach additional pages if necessary):
Car was parked on street. Fire truck hit driver side view mirror.
(see Police Report)

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
Gesco Buffalo/New Jersey Claims, PO Box 9515 Fredericksham, VA 22403

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: 1/2/2020

Claimant's signature

Jeannie Ortiz

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

☒ Fire

Date:

1/2/20



19
RECEIVED

City of Fall River
Notice of Claim

2020 JAN -2 P 3:09

CITY CLERK #20-02
FALL RIVER, MA

1. Claimant's name: Debra Seddon
2. Claimant's complete address: 211 Fairview Lane Portsmouth RI
3. Telephone number: Home: 401-862-8542 Work: 02871
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Slip and fall at side entrance to Durfee High School
5. Date and time of accident: 12/8/19 2:38 PM Amount of damages claimed: \$
6. Exact location of the incident: (include as much detail as possible):
Side entrance to Durfee. I was attending Craft fair and
7. Circumstances of the incident: (attach additional pages if necessary): tripped on large crack in cement landing and fell partially on stairs and partially on landing
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: There wasn't a safety cone to warn visitors. I had abrasions to my hand and knees and pain + neck pain. Security guard helped me immediately and insisted that I fill out (cover)
☐ Yes ☒ No

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

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

Date: 12/28/19

Claimant's signature: Debra Seddon

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 ☒ School Dept Date: 1/2/2020



19

RECEIVED

City of Fall River
Notice of Claim

2020 JAN -3 P 2:02

1. Claimant's name: Joseph Rapoza
2. Claimant's complete address: 154 PURCHASE ST FALL RIVER, MA 02769
3. Telephone number: Home: 508.558.5129 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
POLICE KICKED IN FRONT DOOR
5. Date and time of accident: 12/29/19 Amount of damages claimed: \$ 505.18
6. Exact location of the incident: (include as much detail as possible):
229 BRIGHAM ST FALL RIVER, MA
7. Circumstances of the Incident: (attach additional pages if necessary):
THE POLICE KICKED IN FRONT DOOR (W/ICE BREAKING WINDOW) CAUSING COMPLETE LOSS. DOOR LOWES DEL-OWN 362.00, 21.72 TAX NEW DOOR KNOB 15.53, 93% TAX LABOR 3 HOURS 35.00 PER HOUR
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 OVER 505.18 TOTAL

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

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

Date: 12/29/19

Claimant's signature: Joseph C. Rapoza

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 ☒ Police Date: 1/3/2020



RECEIVED

19

City of Fall River
Notice of Claim

2020 JAN -6 P 1:21

CITY CLERK #30-04
FALL RIVER, MA

1. Claimant's name: Ron David Dumais
2. Claimant's complete address: 695 Mohawk Drive
3. Telephone number: Home: 7742019004 Work: 7742019004
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
New tire blowout due to large pothole at normal road speed
5. Date and time of accident: 1/3/2020 ~7:00AM Amount of damages claimed: \$ \$134.33
6. Exact location of the incident: (include as much detail as possible):
Indian Town Road, after the Blossom Rd fork, where the houses begin, approx 636 Indian Tw
7. Circumstances of the incident: (attach additional pages if necessary):
I was on my way to work, a little earlier than usual actually, and though I was driving within the speed limit and actively scanning for potholes (since there are always several large ones that are never permanently fixed), I still managed to hit one of the largest ones at a terrible angle, and moments later was driving on a flat tire not caused by an object.
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: 1/5/2020Claimant's signature: Ron Dumais

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☒ DPWDate: 1/6/2020



19

RECEIVED

City of Fall River
Notice of Claim

2020 JAN -9 P 4:19

1. Claimant's name: Goretti Medeiros CITY CLERK #26-05
2. Claimant's complete address: 600 Dickinson St, Fall River, MA 02721
3. Telephone number: Home: 508-561-1082 Work: 781-774-4006
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Trip and fall on public side walk
5. Date and time of accident: November 14, 2019 Amount of damages claimed: \$ To be determined
6. Exact location of the incident: (include as much detail as possible):
I tripped and fell going from Street to Sidewalk in front of 7 Fruit St. due to it being higher because only one layer of pavement and street wasn't completed.
7. Circumstances of the incident: (attach additional pages if necessary):
I broke my left pinky as a result of the fall and had surgery on November 25, 2019 (see attached photos). I do not have a cast estimate at this time as I am still under the doctor's care and will be evaluated for rehab on January 13, 2020. I didn't file a claim sooner as I was recovering from gastro surgery done on November 21, 2019 and the pinky surgery 11/25/19.
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: 1/3/20

Claimant's signature: Goretti Medeiros

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

Return this form 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

DPW

Date: 1/9/2020

CITY COUNCIL PUBLIC HEARINGS

MEETING: Monday, December 16, 2019 at 6:30 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilor Bradford L. Kilby

IN ATTENDANCE: None

The Vice-President called the meeting to order at 6:32 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearings was to hear all persons interested and wishing to be heard on the following:

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the hearings be opened, with Councilor Bradford L. Kilby absent and not voting.

Curb Removals

1. Carver Street, LLC, P.O. Box 4075, Fall River, MA, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
6 Carver Street	16' 6"	16'	0'	32' 6"

The petitioner owns an apartment complex with an existing 16 foot 6 inch opening on Carver Street to provide off-street parking to tenants and would like to increase available off-street parking by opening a second 16 foot driveway. The proposed work improves access to the property for off-street parking for tenants.

The Vice-President then directed the proponents to be heard and no one came forward. The Vice-President then directed the opponents to be heard and there were no opponents.

2. Jose Barbosa, 119 Slade Street, Fall River, MA, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
119 Slade Street	19'	12'	0'	31'

The petitioner has an existing 19 foot driveway and would like to increase available off-street parking. The proposed work improves access to the property and does not cause a significant adverse effect to on-street parking in the area.

The Vice-President then directed the proponents to be heard and no one came forward. The Vice-President then directed the opponents to be heard and there were no opponents.

3. Philomen Sousa, 1068 Slade Street, Fall River, MA, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
1068 Slade Street (removal on Montaup Street)	130'	16'	0'	146'

The petitioner has an existing 130 foot opening to a commercial storefront property on Slade Street, which is primarily used for pull-in parking, and would like to increase available off-street parking and provide loading zone access to the rear of the building by opening a 16 foot driveway on the Montaup Street side. The proposed work improves access to the property for off-street parking and off-loading of deliveries.

The Vice-President then directed the proponents to be heard and no one came forward. The Vice-President then directed the opponents to be heard and there were no opponents. Councilor Leo O. Pelletier stated that this curb has already been removed. He then asked the City Clerk if this was proper. The City Clerk stated that this is not proper and the City Council may refer the matter to the Committee on Public Works and Transportation for further discussion, when the item is before them during the Regular Meeting of the City Council.

4. Kevin Marques, 2174 South Main Street, Fall River, MA, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
2174 South Main Street (removal on Otis Street)	10'	60'	0'	70'

The petitioner has an existing 10 foot opening and is requesting a 60 foot opening on Otis Street to provide pull-in off-street parking to serve a restaurant. The proposed work improves access to the property, and may relieve anticipated parking congestion when the business opens. *(Per Engineering: If approved by Traffic Commission and City Council, applicant shall be required to submit a Site Plan Review Application to the Planning Department. Stormwater mitigation for any increase in impervious surface on the property shall be required. Otis Street will be reconstructed in the spring as part of the City's Chapter 90 Street Improvement Project, and the owner is advised not to remove curbing or construct a driveway or parking lot prior to the City's contractor initiating work on Otis Street. Owner is advised to coordinate with Engineering upon approval for a schedule of work.)*

The Vice-President then directed the proponents to be heard and no one came forward. The Vice-President then directed the opponents to be heard and there were no opponents.

Second Hand Article Store

5. ecoATM, LLC, 10121 Barnes Canyon Road, San Diego, CA 92121, for permission to operate and maintain a second hand article store located at 4171 North Main Street, inside Shaws 1411 (purchasing used electronics – no sales)

The Vice-President then directed the proponents to be heard and no one came forward. The Vice-President then directed the opponents to be heard and there were no opponents.

On a motion made by Councilor Stephen R. Long and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the public hearings be closed, with Councilor 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 adjourn at 6:39 p.m., with Councilor Bradford L. Kilby absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

A true copy. Attest:

Alison M. Bouchard

City Clerk

COMMITTEE ON FINANCE

MEETING: Tuesday, December 3, 2019 at 6:15 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Mary Sahady, Temporary City Administrator/Director of Financial
Services
Maria Marasco, Director of Economic Development

The chair called the meeting to order at 6:15 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:

On a motion made by Councilor Steven A. Camara and seconded by Councilor Leo O. Pelletier, it was unanimously voted to waive the rules to allow a non-Fall River resident to speak.

Citizens' Input Time – Before Discussion of Financial Matters:

Jason Hobart, 253 Cross Street, Norwell, MA – SecZetta, Inc. TIF

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to waive the 3 minute rule to allow Mr. Hobart to finish his statement.

2. Discussion regarding TIF Agreement for SecZetta, Inc. at 1082 Davol Street
The Temporary City Administrator/Director of Financial Services stated that SecZetta, Inc. is a Cyber security company based out of Newport, Rhode Island. The TIF is for personal property that will be assessed annually. They are looking to relocate their business to 1082 Davol Street, creating 70 new positions in addition to their 23 employees. Ms. Sahady stated that many of the current employees will be relocating to the Fall River area.

Councilor Bradford L. Kilby asked if there are other personal property TIFs in the City. Ms. Sahady stated that to her knowledge there were not, and that most TIFs were for real estate. The Director of Economic Development said there are TIFs that are a combination of both real estate and personal property, stating Amazon as an example. She further stated that in this particular case with SecZetta, Inc., since there is not a significant investment in real estate, she requests the Council consider granting a TIF for personal property, which will allow the company to proceed to qualify for state economic development incentive program credits. The Director of Economic Development stated that there are many other municipalities in the Commonwealth that grant TIFs on personal property only. Councilor Stephen R. Long stated that it is a five year TIF and the percentage decreases by ten percent each year, and will depreciate significantly, and feels it will be difficult to keep track of the inventory. The Temporary City Administrator/Director of Financial Services stated they will be using RRC, an outside firm that will keep track and assess the value of the personal property each year. Councilor Shawn E. Cadime asked if there was language in the agreement regarding local hiring preference. The Director of Economic Development stated that typically there is a section in the agreement stating that they will work with the Bristol County Workforce Investment Board and the Fall River Career Center to recruit and hire qualified Fall River residents, however that section may have been omitted in error, and can be amended to include the local hiring preference.

Vice-President Pam Laliberte-Lebeau stated that the Acting Mayor was not in support of the TIF agreement and asked the Temporary City Administrator/Director of Financial Services what was the final vote of the TIF Board. Ms. Sahady stated it was voted 3 years, 1 nay with one member absent and not voting. Councilor Shawn E. Cadime asked why the Acting Mayor was not in favor of supporting the TIF. Ms. Sahady stated that the Acting Mayor prefers TIFs to be granted for real estate and not for personal property.

Citizens' Input Time – After Discussion of Financial Matters:

None


On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adjourn at 6:38 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

SecZetta, Inc. Power Point information from Jason Hobart



Assistant Clerk of Committees

COMMITTEE ON FINANCE

MEETING: Monday, December 16, 2019 at 6:40 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilor Bradford L. Kilby

IN ATTENDANCE: Mary Sahady, Temporary City Administrator/Director of Financial Services

The chair called the meeting to order at 6:40 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:

Gina Hutchins, 84 Commonwealth Avenue – Northeast Alternatives
Grace McDonald-Nay, 73 Commonwealth Avenue – Northeast Alternatives
Representative Alan Silvia, 1664 South Main Street – Northeast Alternatives
Denis Duquette, 33 Commonwealth Avenue – Northeast Alternatives

City Council Vice-President Pam Laliberte-Lebeau stated that this matter has been referred to the Committee on Finance. She also stated that some City Councilors have had tours of the area and the Northeast Alternatives facility and has requested that this matter be placed on the agenda for the first regular meeting of the City Council in January of 2020. Councilor Joseph D. Camara then stated that the letter that was received from the Director of Code Enforcement regarding Northeast Alternatives was referencing just the new addition to the building located at 999 William S. Canning Boulevard. The residents that were in attendance at this meeting requested that the entire building be inspected and checked for compliance with zoning ordinances.

City Council Vice-President requested that the City Clerk send an additional letter to the Director of Code Enforcement and Corporation Counsel regarding this matter (copy of said letter is attached hereto and made a part of these minutes). Councilor Stephen R. Long then stated that there should be some definition of manufacturing, so that if marijuana is grown in the facility would that be considered manufacturing. He then stated that he has toured the area and noticed that there are temporary trailers in the rear of the building that are connected to electricity, heat and air conditioning which do not seem temporary.

Councilor Leo O. Pelletier asked the residents of Commonwealth Avenue if they were notified before the addition to the building was constructed. Grace McDonald-Nay stated that she was never notified and stated that she called the Planning Director and inquired why the neighbors were not notified. She stated that she was told by the Planning Director that neighbors are not notified when a building that is zoned retail remains as retail. Councilor Joseph D. Camara stated that the City Council needs to get clarification from Corporation Counsel if the business is in compliance or not.

2. Discussion regarding communication from Acting Mayor re: financial highlights of FY2019 free cash certification

The Temporary City Administrator/Director of Financial Services gave a brief overview of the financial highlights of the Fiscal Year 2019 free cash certification. Councilor Shawn E. Cadime asked if there will be any shortfalls within the School Department. The Temporary City Administrator/Director of Financial Services stated that there may be a shortfall within the healthcare and transportation accounts and will be addressed when submitted by the School Department. She then stated that the City was able to earn additional funds from interest due to the excellent tracking and investing of funds by the City Treasurer.

3. Transfers and appropriations:

Order appropriating \$432,165.00 to the OPEB Trust Fund from the following:

General Fund Free Cash	\$301,614.00
Water Fund Free Cash	\$6,105.00
Sewer Fund Free Cash	\$82,580.00
EMS Fund Free Cash	\$41,866.00

The Temporary City Administrator/Director of Financial Services gave a brief overview of the appropriation order above. She stated that approximately one year ago the Administration received a request to establish an OPEB (Other Post-Employee Benefits) Trust Fund. She then stated that although it is only a small amount, it is a good beginning by appropriating 10% of free cash into this newly established OPEB Trust Fund.

Appropriation orders as follows:

- a. \$2,714,523.00 from the General Fund FY19 Surplus Revenue to the General Fund Stabilization Fund
- b. \$100,000.00 from the Sewer Enterprise Fund FY19 Surplus Revenue to the Sewer Stabilization Fund
- c. \$376,791.00 from the EMS Enterprise Fund FY19 Surplus Revenue to EMS Stabilization Fund

The Temporary City Administrator/Director of Financial Services provided a brief background information on the above three transfers.

4. Discussion re: proposed amendment to the Expense and Travel Policy

The Temporary City Administrator/Director of Financial Services stated that she worked with Acting Mayor Cliff Ponte and reviewed the ordinance regarding travel and realized that it is very old and needed to be updated. She then stated that the current ordinance addresses department heads and City Councilors, but not the Mayor and it is important that the ordinance also include the Mayor for travel and expense reimbursements. She also stated that the City Council may want to forward this matter to the Committee on Ordinances and Legislation for further discussion.

Citizens' Input Time – After Discussion of Financial Matters:

None

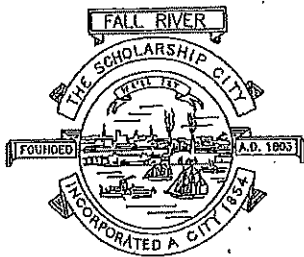
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted to adjourn at 7:41 p.m., with Councilor Bradford L. Kilby absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

Colleen A. Taylor
Clerk of Committees



22

City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

December 26, 2019

Glenn Hathaway
Director of Code Enforcement
City of Fall River
One Government Center
Fall River, MA 02722

Joseph I. Macy
Corporation Counsel
City of Fall River
One Government Center
Fall River, MA 02722

Dear Mr. Hathaway and Attorney Macy:

At a meeting of the City Council Committee on Finance held on December 16, 2019, during Citizen Input, State Representative Alan Silva and residents of Commonwealth Avenue, copied on this letter, addressed the City Council and spoke of several concerns facing residents of that neighborhood relating to the business of Northeast Alternatives, located at 999 William S. Canning Boulevard, mainly relating to traffic and zoning matters.

During that discussion, the residents stated that the November 25, 2019 response received from the Director of Code Enforcement to the City Clerk's November 13, 2019 letter on behalf of the City Council, copies of which are attached, referred to the building's new addition only.

The residents informed the City Council that the manufacturing facility is located in the center of the building and not in the new addition. Therefore, please advise whether the building in its entirety, including the manufacturing section, is zoned properly and whether this marijuana manufacturing facility is meeting the zoning requirements set forth for retail establishments.

Additionally, there are several temporary trailers located in the rear of 999 William S. Canning Boulevard that are connected to the electrical service, which provides heat and air conditioning to the trailers. The City Council would like to ascertain whether the temporary trailers are connected to utilities and if there is an anticipated removal date for these trailers.

22

The City Council requests that the entire property and building be inspected and that they be advised of those findings and if zoning violations are present, a cease and desist order be issued.

Members of the City Council are looking to give the residents living in this neighborhood relief from their concerns and would like to receive your recommendations and findings prior to their next regularly scheduled meeting in January.

Please feel free to contact me with any questions or concerns.

Sincerely,



Inês Leite
Assistant City Clerk

cc:

The Honorable Alan Silvia
State Representative
1664 South Main Street
Fall River, MA 02724

Grace McDonald-Nay
73 Commonwealth Avenue
P.O. Box 9222
Fall River, MA 02720

Denis Duquette
33 Commonwealth Avenue
Fall River, MA 02721

Gina Hutchins
84 Commonwealth Avenue
Fall River, MA 02721

Enc.

/ct

22

City of Fall River, *In City Council*

(Vice President Pam Laliberte-Lebeau)

WHEREAS, the residents around the area of Northeast Alternatives have expressed many concerns in regards to traffic, noise, and air pollution over the past several months, and

WHEREAS, the residents are seeking a solution to their concerns, now therefore

BE IT RESOLVED, that the Committee on Finance along with the City Administrator, Director of Traffic, Director of Code Enforcement, and a representative from Northeast Alternatives convene to discuss possible solutions.

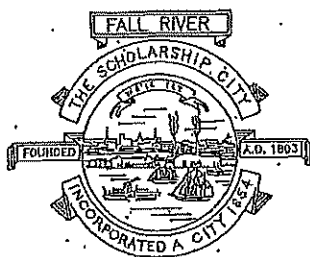
In City Council, November 12, 2019
Adopted, as amended

A true copy. Attest:

Alison M. Bouchard

City Clerk

22



City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

November 13, 2019

Glenn Hathaway
Director of Code Enforcement
One Government Center
Fall River, MA 02722

Dear Mr. Hathaway,

At a meeting of the City Council Committee on Finance held on November 12, 2019, during Citizen Input, residents of Commonwealth Avenue addressed City Council members and spoke of several concerns facing residents of that neighborhood relating to the business of Northeast Alternatives, located at 999 William S. Canning Boulevard. During discussion, and in addition to numerous complaints, residents questioned the recent addition to the existing commercial structure, which is said to be utilized for manufacturing purposes.

In addition to testimony provided by the homeowners, the enclosed resolution was introduced and adopted, as amended, at the City Council's Regular Meeting.

During these discussions, members of the City Council questioned zoning, and whether a marijuana manufacturing facility would meet requirements set forth for retail establishments.

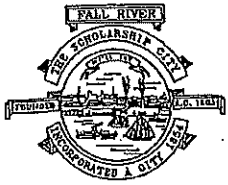
The City Council respectfully requests that your office inspect this property and advise of your findings at the earliest opportunity. Should the new addition not meet zoning specifications, the issuance of a cease and desist order may be required.

Please contact the City Council office at 508-324-2233 should you have any questions in this regard. Thank you for your assistance in this matter.

Sincerely,

Alison M. Bouchard
City Clerk

/ch



**City of Fall River
Massachusetts**

Department of Community Services
PLANNING * HEALTH & HUMAN SERVICES
LIBRARY * INSPECTIONAL SERVICES * ELECTIONS

*Inspectional Services
Building Division*

CLIFFORD A. PONTE
Acting Mayor

GLENN HATHAWAY
*Inspector of Buildings
Director of Inspectional Services*

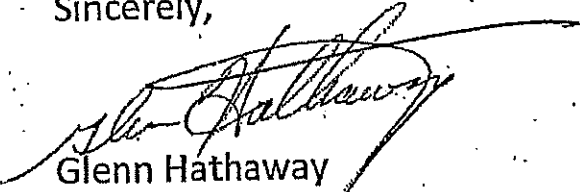
November 25, 2019

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

Dear Ms. Bouchard:

I received the request for information regarding the recent City Council's meeting in respect to the zoning regulations for Northeast Alternatives. The question as I understand it is regarding the new addition which is currently under construction. According to the building plans the new addition will be used as a commercial kitchen. The designed use as a commercial kitchen is in compliance with the zoning regulations for that district.

Sincerely,


Glenn Hathaway
Inspector of Buildings
City of Fall River

RECEIVED

2019 NOV 25 P 3:09

CITY CLERK
FALL RIVER, MA

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, December 3, 2019 at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: None

Vice-President Pam Laliberte-Lebeau called the meeting to order at 7:01 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. Acting Mayor and resolution regarding TIF Agreement for SecZetta, Inc. at
1082 Davol Street

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Joseph D. Camara, it was unanimously voted to amend the resolution to include a local hiring preference to the agreement. On a further motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the resolution, as amended.

PRIORITY COMMUNICATIONS

2. Board of Election Commissioners regarding Official Results of the City Election held
on November 5, 2019

On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the results be accepted and placed on file.

3. 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.

COMMITTEE REPORTS – None

ORDINANCESSecond reading and enrollment:4. Proposed Ordinance – Traffic, Miscellaneous

On a motion made by Councilor Steven A. Camara and seconded by Councilor Bradford L. Kilby, it was unanimously voted to pass the ordinance through second reading and enrollment.

On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted that the proposed ordinance be passed to be ordained.

Approved, December 5, 2019, Acting Mayor Cliff Ponte

RESOLUTIONS – None**CITATIONS** – None

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Steven A. Camara, it was unanimously voted to take items #5 through #9 together.

ORDERS – HEARINGSCurb Removals:

5. Bruno Cordeiro, 175 Guild Street, requests the removal of 21 feet at 175 Guild Street for a total of 37 feet
6. William J. Kitchen, 92 Hanover Street, requests the removal of 16 feet at 92 Hanover Street for a total of 33 feet 6 inches
7. Ray Fonseca, 29 Lucille Lane, requests the removal of 24 feet at 29 Lucille Lane for a total of 24 feet
8. Cecilia Botelho, 1440 Slade Street, requests the removal of 16 feet at 1440 Slade Street for a total of 35 feet 4 inches
9. Celia Mara Ramos, 749 Wood Street, requests the removal of 19 feet at 749 Wood Street for a total of 38 feet

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt items #5 through #9.

ORDERS – MISCELLANEOUS10. Police Chief's report on licenses:2019 Taxicab Drivers:

Omar Awer	Pedro M. Duarte	Brian Healey
William Marshall	Michael H. Souza	

2020 Taxicab Drivers:

Sharon Acevedo	Thomas Andrade	Ashraf Kamal Antar
Michael L. Botelho	Darrell Carlsen	Melissa Carvalho
Aaron L. Cook	Pedro M. Duarte	Richard Hannah
Brian Healey	Paul Laberge	Kathleen Lamothe
Travis Long	Christopher Mackenzie	Richard Mello
Jeff C. Middleton	George Oliveira	Edise Parson
Gerald Pinault	Edward Rego	Jonathan Riopelle
George Robidoux	Laura Rodriguez	Carl Shepard
Delores Socall	Richard J. Souza	Antonio Sparshaft
Stephen Stets	Walter F. Woods	

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

11. Auto Repair Shop License Renewals:

Ernest J. Rapoza d/b/a Ernie's Auto Repair at 228 Barlow Street

Louis Massa d/b/a Lou's Automotive at 255 Plain Street

Roger E. Khoury, Andrade's Automotive Service, LLC at 46 McGowan 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, December 5, 2019, Acting Mayor Cliff Ponte

COMMUNICATIONS – INVITATIONS – PETITIONS

12. Claims

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

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

13. Planning Board Minutes – October 15, 2019

14. City Council Meeting Minutes:

Public Hearing – November 12, 2019

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to approve items #13 and #14.

15. Communication from city resident regarding the feeding of stray cats

On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was voted to refer the communication to the Committee on Ordinances and Legislation, with Councilor Stephen R. Long opposed.

BULLETINS – NEWSLETTERS – NOTICES

16. Notice of Casualty and Loss at 77 Kelly Drive

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

ITEMS FILED AFTER THE AGENDA DEADLINE:
CITY COUNCIL MEETING DATE: DECEMBER 3, 2019

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

Committee on Ordinances and Legislation

3a. Proposed Ordinance – Personnel, Water Department modifications

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

A recess was taken at 7:08 p.m. to have the ordinance signed and the City Council reconvened at 7:11 p.m.

ORDERS – MISCELLANEOUS

11a. Reschedule Committee on Finance Meeting and Regular Meeting of the City Council from Tuesday, December 17, 2019 to Monday, December 16, 2019

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

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Stephen R. Long, it was unanimously voted to adjourn the meeting at 7:12 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

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Monday, December 16, 2019 at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilor Bradford L. Kilby

IN ATTENDANCE: None

Vice-President Pam Laliberte-Lebeau called the meeting to order at 7:50 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

PRIORITY MATTERS

1. Communication from Acting Mayor re: financial highlights of FY2019 free cash certification
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Joseph D. Camara, it was unanimously voted that the communication be accepted and placed on file, with Councilor Bradford L. Kilby absent and not voting.
2. Acting Mayor and order appropriating \$432,165.00 to the OPEB Trust Fund from the following:

General Fund Free Cash	\$301,614.00
Water Fund Free Cash	\$6,105.00
Sewer Fund Free Cash	\$82,580.00
EMS Fund Free Cash	\$41,866.00

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order, with Councilor Bradford L. Kilby absent and not voting.
3. Acting Mayor and appropriation orders as follows:
 - a. \$2,714,523.00 from the General Fund FY19 Surplus Revenue to the General Fund Stabilization Fund
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order, with Councilor Bradford L. Kilby absent and not voting.

- b. \$100,000.00 from the Sewer Enterprise Fund FY19 Surplus Revenue to the Sewer Stabilization Fund

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

- c. \$376,791.00 from the EMS Enterprise Fund FY19 Surplus Revenue to EMS Stabilization Fund

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

4. Acting Mayor and proposed amendment to the Expense and Travel Policy

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 Councilor Bradford L. Kilby absent and not voting.

PRIORITY COMMUNICATIONS

5. Communication from Fall River Task Force Chair requesting consideration of previously submitted ballot question, summary and Home Rule Amended Charter

A motion was made by Councilor Steven A. Camara to approve the ballot question and summary and forward the matter to the Acting Mayor for approval, but did not receive a second.

6. Communication from Assistant Purchasing Agent regarding surplus property

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

7. Traffic Commission recommending amendments to traffic ordinances

On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation, with Councilor Bradford L. Kilby absent and not voting.

COMMITTEE REPORTS – None

ORDINANCES

Second reading and enrollment:

8. Proposed Ordinance – Personnel, Salary (Water Department positions)

On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to pass the proposed ordinance through second reading and enrollment, with Councilor Bradford L. Kilby absent and not voting. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Stephen R. Long, it was unanimously voted that the proposed ordinance be passed to be ordained, with Councilor Bradford L. Kilby absent and not voting.

Approved, December 17, 2019, Acting Mayor Cliff Ponte

RESOLUTIONS – None

CITATIONS

9. Dr. Daniel Sousa – Dedicated service as the physician member to the Board of Health

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

ORDERS – HEARINGS

Curb Removals:

10. Carver Street, LLC, P.O. Box 4075 Fall River, MA, requests the removal of 16 feet at 6 Carver Street for a total of 32 feet 6 inches

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 Councilor Bradford L. Kilby absent and not voting. Approved, December 17, 2019, Acting Mayor Cliff Ponte

11. Jose Barbosa, 119 Slade Street, requests the removal of 12 feet at 119 Slade Street for a total of 31 feet

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted to adopt the order, with Councilor Bradford L. Kilby absent and not voting. Approved, December 17, 2019, Acting Mayor Cliff Ponte

12. Philomen Sousa, 1068 Slade Street, requests the removal of 16 feet at 1068 Slade Street (removal on Montaup Street) for a total of 146 feet

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Stephen R. Long, it was unanimously voted to refer the matter to the Committee on Public Works and Transportation, with Councilor Bradford L. Kilby absent and not voting.

13. Kevin Marques, 2174 South Main Street, requests the removal of 60 feet at 2174 South Main Street (removal on Otis Street) for a total of 70 feet

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 Councilor Bradford L. Kilby absent and not voting. Approved, December 17, 2019, Acting Mayor Cliff Ponte

Second Hand Article Store:

14. ecoATM, LLC, 10121 Barnes Canyon Road, San Diego, CA, located at 4171 North Main Street, inside Shaws 1411 (purchasing used electronics – no sales)

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 Councilor Bradford L. Kilby absent and not voting. Approved, December 17, 2019, Acting Mayor Cliff Ponte

ORDERS – MISCELLANEOUS

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

2020 Taxicab Drivers:

Edward A. Arruda	Nagah Beshir	Edward Borges
Patrick Bourassa	Derek Cabral	Richard Coderre
Gerald Costa	Michael Diniz	Tiffany Evans
Dennis A. Ferreira Jr.	Peter G. Hadad	Louis Levesque
Keith Mackenzie	Brittany Magivney	John D. Purcell
Todd J. Quintal	Mikael Raposa	Laura Rodriguez
Jose Vasconcelos	Rebecca Walkden	Dorothy Ward

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 Councilor Bradford L. Kilby absent and not voting.

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16. Auto Repair Shop License Renewals:

Michael R. Bernier d/b/a Bernier's Quality Body Works at 800 Eastern Avenue
Ronald W. Picard d/b/a Theo's Service Center at 35 Oak Grove Avenue
George Codega d/b/a Hunter Automotive Center at 69 Hunter Street
John J. Mattie Jr. d/b/a Mattie Imports, Inc. at 80 William S. Canning Boulevard
Sullivan tire Co., Inc. at 456 Rodman Street

*On a motion made by Councilor Joseph D. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to adopt the order, with Councilor Bradford L. Kilby absent and not voting.
Approved, December 17, 2019, Acting Mayor Cliff Ponte*

17. Auto Body Shop License Renewal:

Michael R. Bernier d/b/a Bernier's Quality Body Works at 800 Eastern Avenue

*On a motion made by Councilor Stephen R. Long and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the order, with Councilor Bradford L. Kilby absent and not voting.
Approved, December 17, 2019, Acting Mayor Cliff Ponte*

COMMUNICATIONS – INVITATIONS – PETITIONS

18. Claims

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

19. Planning Board Minutes – November 19, 2019

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

On a motion made by Councilor Steven A. Camara and seconded by Councilor Shawn E. Cadime, it was unanimously voted to take items #20 through #24 together, with Councilor Bradford L. Kilby absent and not voting.

City Council Meeting Minutes:

20. Public Hearings – November 19, 2019

21. Public Hearings – December 3, 2019

22. City Council Committee on Finance – November 12, 2019

23. Regular Meeting of the City Council – November 12, 2019

24. Special Meeting of the City Council – November 19, 2019

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Steven A. Camara, it was unanimously voted to approve items #20 through #24, with Councilor Bradford L. Kilby absent and not voting.

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS FILED AFTER THE AGENDA DEADLINE:
CITY COUNCIL MEETING DATE: DECEMBER 16, 2019

RESOLUTION

8a. Establish Memorandum of Understanding for the use of 755 Pine Street
Council Vice-President Pam Laliberte-Lebeau stated that she filed this resolution after receiving many calls regarding this matter. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Joseph D. Camara, it was unanimously voted to adopt the resolution, with Councilor Bradford L. Kilby absent and not voting.

CITATIONS

9a. Selma Brown – Celebration of 107th Birthday

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

A recess was taken at 8:02 p.m. to have the ordinance signed and the City Council reconvened at 8:03 p.m.

Councilors Stephen R. Long, Steven A. Camara, Joseph D. Camara and Derek R. Viveiros made brief statements regarding their time served on the City Council. They thanked the residents of Fall River for allowing them to serve as City Councilors.

On a motion made by Councilor Steven A. Camara and seconded by Councilor Stephen R. Long, it was unanimously voted to adjourn at 8:14 p.m., with Councilor Bradford L. Kilby absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

A true copy. Attest:



City Clerk

W19-5657
D & S Marine Inc.

Page 3

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RECEIVED

2019 DEC 19 A 11:36

DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM

CITY CLERK
FALL RIVER, MA

Notice of License Application Pursuant to M. G. L. Chapter 91
Waterways License Application Number W19-5657
D & S Marine Inc.

NOTIFICATION DATE: December 18, 2019

Public notice is hereby given of the waterways application by D & S Marine Inc. to maintain piles, a solid fill wharf, concrete block wall and a sheet pile bulkhead at 1338 Davol Street, in the municipality of Fall River, in and over flowed and filled tidelands of the Taunton River. The proposed project has been determined to be water-dependent.

The Department will consider all written comments on this Waterways application received within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more, with at least five of the 10 residents residing in the municipality(s) in which the license or permitted activity is located, to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (508) 946-2873. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

Written comments must be addressed to: Carlos T. B. Fragata, Environmental Analyst, DEP Waterways Regulation Program, 20 Riverside Drive, Lakeville, MA 02347.

12-19-19 P. 200 P. 11 R. 11 P. 11 P. 11



Enter your transmittal number

X284571

Transmittal Number

Your unique Transmittal Number can be accessed online:

<http://www.mass.gov/eea/agencies/massdep/service/approvals/transmittal-form-for-payment.html>

Massachusetts Department of Environmental Protection

Transmittal Form for Permit Application and Payment

1. Please type or print. A separate Transmittal Form must be completed for each permit application.

2. Make your check payable to the Commonwealth of Massachusetts and mail it with a copy of this form to: MassDEP, P.O. Box 4062, Boston, MA 02211.

3. Three copies of this form will be needed.

Copy 1 - the original must accompany your permit application. Copy 2 must accompany your fee payment. Copy 3 should be retained for your records

4. Both fee-paying and exempt applicants must mail a copy of this transmittal form to:

MassDEP
P.O. Box 4062
Boston, MA
02211

* Note:
For BWSC Permits,
enter the LSP.

A. Permit Information

BRPWW01

1. Permit Code: 4 to 7 character code from permit instructions

Water Dependant - General

2. Name of Permit Category

3. Type of Project or Activity

B. Applicant Information - Firm or Individual

D & S Marine Inc

1. Name of Firm - Or, if party needing this approval is an individual enter name below:

2. Last Name of Individual

1338 Davol St

5. Street Address

Fall River

6. City/Town

MA

7. State

02720

8. Zip Code

9. Telephone #

4. MI

10. Ext. #

11. Contact Person

12. e-mail address

C. Facility, Site or Individual Requiring Approval

SAME

1. Name of Facility, Site Or Individual

2. Street Address

3. City/Town

4. State

5. Zip Code

6. Telephone #

7. Ext. #

8. DEP Facility Number (if Known)

9. Federal I.D. Number (if Known)

10. BWSC Tracking # (if Known)

D. Application Prepared by (if different from Section B)*

Mount Hope Engineering, Inc

1. Name of Firm Or Individual

1788 G.A.R. Highway

2. Address

Swansea

3. City/Town

MA

4. State

02777

5. Zip Code

6. Telephone #

7. Ext. #

8. Contact Person

9. LSP Number (BWSC Permits only)

E. Permit - Project Coordination

1. Is this project subject to MEPA review? ☐ yes ☐ no
If yes, enter the project's EOE file number - assigned when an Environmental Notification Form is submitted to the MEPA unit:

EOEA File Number

F. Amount Due

DEP Use Only

Permit No:

Rec'd Date:

Reviewer:

Special Provisions:

1. ☐ Fee Exempt (city, town or municipal housing authority)(state agency if fee is \$100 or less).
There are no fee exemptions for BWSC permits, regardless of applicant status.
2. ☐ Hardship Request - payment extensions according to 310 CMR 4.04(3)(c).
3. ☐ Alternative Schedule Project (according to 310 CMR 4.05 and 4.10).
4. ☐ Homeowner (according to 310 CMR 4.02).

8932

Check Number

\$330.00

Dollar Amount

10/23/19

Date

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Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



For assistance in completing this application, please see the "Instructions".

A. Application Information (Check one)

NOTE: For Chapter 91 Simplified License application form and information see the Self Licensing Package for BRP WW06.

Name (Complete Application Sections)	Check One	Fee	Application #
WATER-DEPENDENT -			
General (A-H)	<input type="checkbox"/> Residential with ≤ 4 units	\$215.00	BRP WW01a
	<input checked="" type="checkbox"/> Other	\$330.00	BRP WW01b
	<input type="checkbox"/> Extended Term	\$3,350.00	BRP WW01c
Amendment (A-H)	<input type="checkbox"/> Residential with ≤ 4 units	\$100.00	BRP WW03a
	<input type="checkbox"/> Other	\$125.00	BRP WW03b
NONWATER-DEPENDENT -			
Full (A-H)	<input type="checkbox"/> Residential with ≤ 4 units	\$665.00	BRP WW15a
	<input type="checkbox"/> Other	\$2,005.00	BRP WW15b
	<input type="checkbox"/> Extended Term	\$3,350.00	BRP WW15c
Partial (A-H)	<input type="checkbox"/> Residential with ≤ 4 units	\$665.00	BRP WW14a
	<input type="checkbox"/> Other	\$2,005.00	BRP WW14b
	<input type="checkbox"/> Extended Term	\$3,350.00	BRP WW14c
Municipal Harbor Plan (A-H)	<input type="checkbox"/> Residential with ≤ 4 units	\$665.00	BRP WW16a
	<input type="checkbox"/> Other	\$2,005.00	BRP WW16b
	<input type="checkbox"/> Extended Term	\$3,350.00	BRP WW16c
Joint MEPA/EIR (A-H)	<input type="checkbox"/> Residential with ≤ 4 units	\$665.00	BRP WW17a
	<input type="checkbox"/> Other	\$2,005.00	BRP WW17b
	<input type="checkbox"/> Extended Term	\$3,350.00	BRP WW17c
Amendment (A-H)	<input type="checkbox"/> Residential with ≤ 4 units	\$530.00	BRP WW03c
	<input type="checkbox"/> Other	\$1,000.00	BRP WW03d
	<input type="checkbox"/> Extended Term	\$1,335.00	BRP WW03e

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B. Applicant Information Proposed Project/Use Information

1. Applicant:

D & S Marine Inc

Name

E-mail Address

1338 Davol Street

Mailing Address

Fall River

City/Town

MA

State

02720

Zip Code

Telephone Number

Fax Number

Note: Please refer
to the "Instructions"

2. Authorized Agent (if any):

Mount Hope Engineering, Inc

Name

missy@mounthopeengineering.com

E-mail Address

1788 G.A.R. Highway

Mailing Address

Swansea

City/Town

MA

State

02777

Zip Code

5083791234

Telephone Number

5083790727

Fax Number

C. Proposed Project/Use Information

1. Property Information (all information must be provided):

Owner Name (if different from applicant)

M: S-21 L:9

Tax Assessor's Map and Parcel Numbers

1338 Davol St Fall River

Street Address and City/Town

41° 43'20"N

Latitude

71°09'17"W

Longitude

MA

State

02720

Zip Code

2. Registered Land

☐ Yes

☐ No

3. Name of the water body where the project site is located:

Taunton River

4. Description of the water body in which the project site is located (check all that apply):

Type

Nature

Designation

☐ Nontidal river/stream

☒ Natural

☐ Area of Critical Environmental Concern

☒ Flowed tidelands

☐ Enlarged/dammed

☐ Designated Port Area

☐ Filled tidelands

☐ Uncertain

☐ Ocean Sanctuary

☐ Great Pond

☐ Uncertain

☐ Uncertain

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C. Proposed Project/Use Information (cont.)

Select use(s) from
Project Type Table
on pg. 2 of the
"Instructions"

5. Proposed Use/Activity description

(4) 12" steel piles (6) 2' x 4' x 4' Concrete Blocks for barge loading, to maintain approx. 230' of existing sheet piling

6. What is the estimated total cost of proposed work (including materials & labor)?

\$

7. List the name & complete mailing address of each abutter (attach additional sheets, if necessary). An abutter is defined as the owner of land that shares a common boundary with the project site, as well as the owner of land that lies within 50' across a waterbody from the project.

Commonwealth of MA

Name

1244 Davol Realty Assoc
LLC

Verizon New England Inc
c/o Duff & Phelps

100 Cambridge St Boston, MA 02202

Address

144 Davol St Fall River, MA 02720

Address

P.O. Box 2749 Addison, TX 75001

Address

D. Project Plans

1. I have attached plans for my project in accordance with the instructions contained in (check one):

☒ Appendix A (License plan)

☐ Appendix B (Permit plan)

2. Other State and Local Approvals/Certifications

☐ 401 Water Quality Certificate

☐ Wetlands

☐ Jurisdictional Determination

☐ MEPA

☐ EOE Secretory Certificate

☐ 21E Waste Site Cleanup

Date of Issuance

File Number

JD-

File Number

File Number

Date

RTN Number

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E. Certification

All applicants, property owners and authorized agents must sign this page. All future application correspondence may be signed by the authorized agent alone.

"I hereby make application for a permit or license to authorize the activities I have described herein. Upon my signature, I agree to allow the duly authorized representatives of the Massachusetts Department of Environmental Protection and the Massachusetts Coastal Zone Management Program to enter upon the premises of the project site at reasonable times for the purpose of inspection."

"I hereby certify that the information submitted in this application is true and accurate to the best of my knowledge."

Applicant's signature

Date

Property Owner's signature (if different than applicant)

Date

Agent's signature (if applicable)

Date

10-22-19

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F. Waterways Dredging Addendum

1. Provide a description of the dredging project

☐ Maintenance Dredging (include last dredge date & permit no.) ☐ Improvement Dredging

Purpose of Dredging

2. What is the volume (cubic yards) of material to be dredged?

3. What method will be used to dredge?

☐ Hydraulic ☐ Mechanical ☐ Other

4. Describe disposal method and provide disposal location (include separate disposal site location map)

5. Provide copy of grain size analysis. If grain size is compatible for beach nourishment purposes, the Department recommends that the dredged material be used as beach nourishment for public beaches. **Note:** In the event beach nourishment is proposed for private property, pursuant to 310 CMR 9.40(4)(a)1, public access easements below the existing high water mark shall be secured by applicant and submitted to the Department.

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G. Municipal Zoning Certificate

Name of Applicant

Project street address

Waterway

City/Town

Description of use or change in use:

To be completed by municipal clerk or appropriate municipal official:

"I hereby certify that the project described above and more fully detailed in the applicant's waterways license application and plans is not in violation of local zoning ordinances and bylaws."

Printed Name of Municipal Official

Date

Signature of Municipal Official

Title

City/Town

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H. Municipal Planning Board Notification

Notice to
Applicant:

Section H should
be completed and
submitted along
with the original
application material.

Name of Applicant

Project street address

Waterway

City/Town

Description of use or change in use:

To be completed by municipal clerk or appropriate municipal official:

"I hereby certify that the project described above and more fully detailed in the applicant's waterways license application and plans have been submitted by the applicant to the municipal planning board."

Printed Name of Municipal Official

Date

Signature of Municipal Official

Title

City/Town

Note: Any comments, including but not limited to written comments, by the general public, applicant, municipality, and/or an interested party submitted after the close of the public comment period pertaining to this Application shall not be considered, and shall not constitute a basis for standing in any further appeal pursuant to 310 CMR 9.13(4) and/or 310 CMR 9.17.

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Appendix A: License Plan Checklist

General View

- ☐ PE or RLS, as deemed appropriate by the Department, stamped and signed, in ink, each sheet within 8 1/2 inch by 11 inch border
- ☐ Format and dimensions conform to "Sample Plan" (attached)
- ☐ Minimum letter size is 1/8 of an inch if freehand lettering, 1/10 of an inch if letter guides are used
- ☐ Sheet number with total number in set on each sheet
- ☐ Title sheet contains the following in lower left: Plans accompanying Petition of [Applicant's name, structures and/or fill or change in use, waterway and municipality]
- ☐ North arrow
- ☐ Scale is suitable to clearly show proposed structures and enough of shoreline, existing structures and roadways to define its exact location
- ☐ Scale is stated & shown by graphic bar scale on each sheet
- ☐ Initial plans may be printed on bond; final plans due before License issuance must be on 3mil Mylar.

Structures and Fill

- ☐ All Structures and Fill shown in full BLACK lines, clearly labeling which portions are existing, which are Proposed and Indicating Existing Waterways Licenses
- ☐ *Cross Section Views* show MHW* and MLW* and structure finish elevations
- ☐ *Dredge or Fill*, actual cubic yardage must be stated and typical cross sections shown
- ☐ All Structures and Fill shown in full BLACK lines, clearly labeling which portions are existing, which are Proposed and Indicating Existing Waterways Licenses
- ☐ *Cross Section Views* show MHW* and MLW* and structure finish elevations
- ☐ *Dredge or Fill*, actual cubic yardage must be stated and typical cross sections shown
- ☐ Actual dimensions of structures(s) and or fill and the distance which they extend beyond MHW* or OHW*
- ☐ Change in Use of any structures on site must be stated

* See 310 CMR 9.02, Waterways Regulations definitions of High Water Mark, Historic High Water Mark, Historic Low Water Mark, and Low Water Mark. *Note:* DEP may, at its discretion, accept appropriately scaled preliminary plans in lieu of the plans described above. In general, DEP will accept preliminary plans only for non-water dependent projects and projects covered by MEPA to address site design components such as visual access, landscaping & site coverage. *Anyone wishing to submit preliminary plans must obtain prior approval of the DEP Waterways Program before submitting them with their application.*

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Appendix A: License Plan Checklist (cont.)

Boundaries

- ☐ Property lines, full black lines, _____, along with abutters' names and addresses
- ☐ Mean High Water (MHW)* or Ordinary High Water (OHW)*, full black line _____
- ☐ Mean Low Water (MLW)*, black dotted line, (.....)
- ☐ Historic MHW* or OHW* (— — — —)
- ☐ Historic MLW* (... ..)
- ☐ State Harbor Lines, black dot-dash line (— . — . — . —) with indication of Chapter & Act establishing them (Ch. , Acts of)
- ☐ Reference datum is National Geodetic Vertical Datum (NGVD) or (NAVD).
- ☐ Floodplain Boundaries according to most recent FEMA maps
- ☐ Proposed & Existing Easements described in metes & bounds

Water-Dependent Structures

- ☐ Distance from adjacent piers, ramps or floats (minimum distance of 25' from property line, where feasible)
- ☐ Distance from nearest opposite shoreline
- ☐ Distance from outside edge of any Navigable Channel
- ☐ Access stairs at MHW for lateral public passage, or 5 feet of clearance under structure at MHW.

Non Water-Dependent Structures

- ☐ Depict extent of "Water-dependent Use Zone".

See Waterways Regulations at 310 CMR 9.51-9.53 for additional standards for non water-dependent use projects.

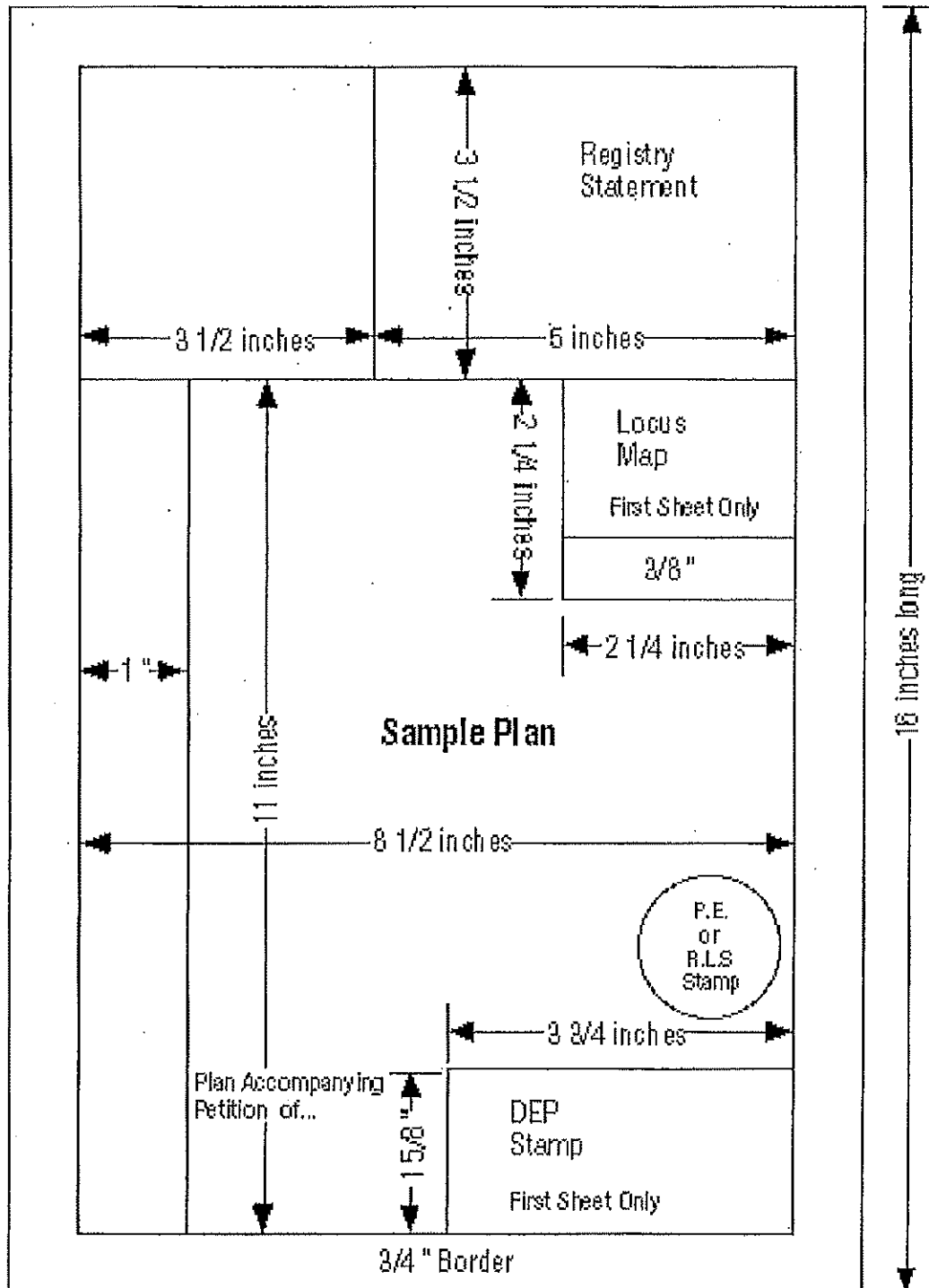
Note: Final Mylar project site plans will be required upon notice from the Department, prior to issuance of the Chapter 91 Waterways License.

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Appendix A: License Plan Checklist Cont.



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Appendix B: Dredging Permit Plan Checklist

For projects applying for dredging permits only, enclose drawings with the General Waterways Application that include the following information:

General View

- ☐ Submit one original of all drawings. Submit the fewest number of sheets necessary to adequately illustrate the project on 8-1/2 inch X 11 inch paper.
- ☐ A 1-inch margin should be left at the top edge of each drawing for purposes of reproduction and binding. A 1/2 inch margin is required in the three other edges.
- ☐ A complete title block on each drawing submitted should identify the project and contain: the name of the waterway; name of the applicant; number of the sheet and total number of sheets in the set; and the date the drawing was prepared.
- ☐ Use only dot shading, hatching, and dashed or dotted line to show or indicate particular features of the site on the drawings.
- ☐ If deemed appropriate by the Department, certification by the Registered Professional Engineer or Land Surveyor is included.

Plan View

- ☐ North Arrow
- ☐ Locus Map
- ☐ Standard engineering scale.
- ☐ Distances from channel lines and structures if appropriate.
- ☐ Mean high water and mean low water shorelines (see definitions of "High Water Mark" and "Low Water Mark" at 310 CMR 9.02, C. 91 Regulations).
- ☐ Dimensions of area proposed to be dredged or excavated.
- ☐ Notation or indication of disposal site.
- ☐ Volume of proposed dredging or excavation.
- ☐ Ordinary high water, proposed drawdown level, and natural (historic) high water (for projects lowering waters of Great Ponds).

Section Views

- ☐ Existing bottom and bank profiles.
- ☐ Vertical and/or horizontal scales.
- ☐ Proposed and existing depths relative to an indicated datum.
- ☐ Elevation and details of control structure (for projects lowering waters of Great Ponds).

Appendix C: Application Completeness Checklist

Please answer all questions in the General Waterways Application form. If a question does not apply to your project write "not applicable" (n/a) in that block. Please print or type all information provided on the form. Use black ink (blue ink or pencil are not easily reproducible, therefore, neither will be accepted). If additional space is needed, attach extra 8-1/2" x 11" sheets of paper.

- ☐ **Proper Public Purpose:** For nonwater-dependent projects, a statement must be included that explains how the project serves a proper public purpose that provides greater benefit than detriment to public rights in tidelands or great ponds and the manner in which the project meets the applicable standards. If the project is a nonwater-dependent project located in the coastal zone, the statement should explain how the project complies with the standard governing consistency of the policies of the Massachusetts Coastal Zone Management Program, according to 310 CMR 9.54. If the project is located in an area covered by a Municipal Harbor Plan, the statement should describe how the project conforms to any applicable provisions of such plan pursuant to 310 CMR 9.34(2).
- ☐ **Plans:** Prepared in accordance with the applicable instructions contained in Appendix A-B of this application. For initial filing, meet the requirements of 310 CMR 9.11(3)(b)(3).
- ☐ **Applicant Certification:** All applications must be signed by "the landowner if other than the applicant. In lieu of the landowner's signature, the applicant may provide other evidence of legal authority to submit an application for the project site." If the project is entirely on land owned by the Commonwealth (e.g. most areas below the current low water mark in tidelands and below the historic high water mark of Great Ponds), you may simply state this in lieu of the "landowner's signature".
- ☐ **Municipal Zoning Certification:** If required, applicants must submit a completed and signed Section E of this application by the municipal clerk or appropriate municipal official or, for the initial filing, an explanation of why the form is not included with the initial application. If the project is a public service project subject to zoning but will not require any municipal approvals, submit a certification to that effect pursuant to 310 CMR 9.34(1).
- ☐ **Municipal Planning Board Notification:** Applicants must submit a copy of this application to the municipal planning board for the municipality where the project is located. Submittal of the complete application to DEP must include Section H signed by the municipal clerk, or appropriate municipal official for the town where the work is to be performed, except in the case of a proposed bridge, dam, or similar structure across a river, cove, or inlet, in which case it must be certified by every municipality into which the tidewater of said river, cove, or inlet extends.
- ☐ **Final Order of Conditions:** A copy of one of the following three documents is required with the filing of a General Waterways Application: (1) the Final Order of Conditions (with accompanying plan) under the Wetlands Protection Act; (2) a final Determination of Applicability under that Act stating that an Order of Conditions is not required for the project; or (3) the Notice of Intent for the initial filing (if the project does not trigger review under MEPA).
- ☐ **Massachusetts Environmental Protection Act (MEPA):** MGL 30, subsections 61-61A and 301 CMR 11.00, submit as appropriate: a copy of the Environmental Notification Form (ENF) and a Certificate of the Secretary of Environmental Affairs thereon, or a copy of the final Environmental Impact Report (EIR) and Certificate of the Secretary stating that it adequately and properly complies with MEPA; and any subsequent Notice of Project change and any determination issued thereon in accordance with MEPA. For the initial filing, only a copy of the ENF and the Certificate of the Secretary thereon must be submitted.

Note: If the project is subject to MEPA, the Chapter 91 Public Notice must also be submitted to MEPA for publication in the "Environmental Monitor". MEPA filing deadlines are the 15th and 30th of each month.

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Appendix C: Application Completeness Checklist (cont.)

- ☐ **Water Quality Certificate:** if applicable, pursuant to 310 CMR 9.33, is included.
- ☐ **Other Approvals:** as applicable pursuant to 310 CMR 9.33 or, for the initial filing, a list of such approvals which must be obtained.

Projects involving dredging:

- ☐ The term "dredging" means the removal of materials including, but not limited to, rocks, bottom sediments, debris, sand, refuse, plant or animal matter, in any excavating, clearing, deepening, widening or lengthening, either permanently or temporarily, of any flowed tidelands, rivers, streams, ponds or other waters of the Commonwealth. Dredging includes improvement dredging, maintenance dredging, excavating and backfilling or other dredging and subsequent refilling. Included is a completed and signed copy of Part F of the application.

Filing your Completed General Waterways Application:

- ☐ **For all Water-Dependent applications** – submit a completed General Waterways Application and all required documentation with a *photocopy* of both payment check and DEP's *Transmittal Form for Permit Application & Payment* to the appropriate DEP Boston or regional office (please refer to Pg. 10 of the "Instructions" for the addresses of DEP Regional Offices).
- ☐ **For all Non Water-Dependent applications** – submit a completed General Waterways Application and all required documentation with a *photocopy* of both payment check and DEP's *Transmittal Form for Permit Application & Payment* to DEP's Boston office.

Department of Environmental Protection
Waterways Regulation Program
One Winter Street
Boston, MA 02108

- ☐ **Application Fee Payment for ALL Waterways Applications:** Send the appropriate Application fee* (please refer to Page 1 of the "Application"), in the form of a check or money order, along with DEP's *Transmittal Form for Permit Application & Payment*.

Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

* Under extreme circumstances, DEP grants extended time periods for payment of license and permit application fees. If you qualify, check the box entitled "Hardship Request" on the *Transmittal Form for Permit Application & Payment*. See 310 CMR 4.04(3)(c) to identify procedures for making a hardship request. Send hardship request and supporting documentation to the above address.

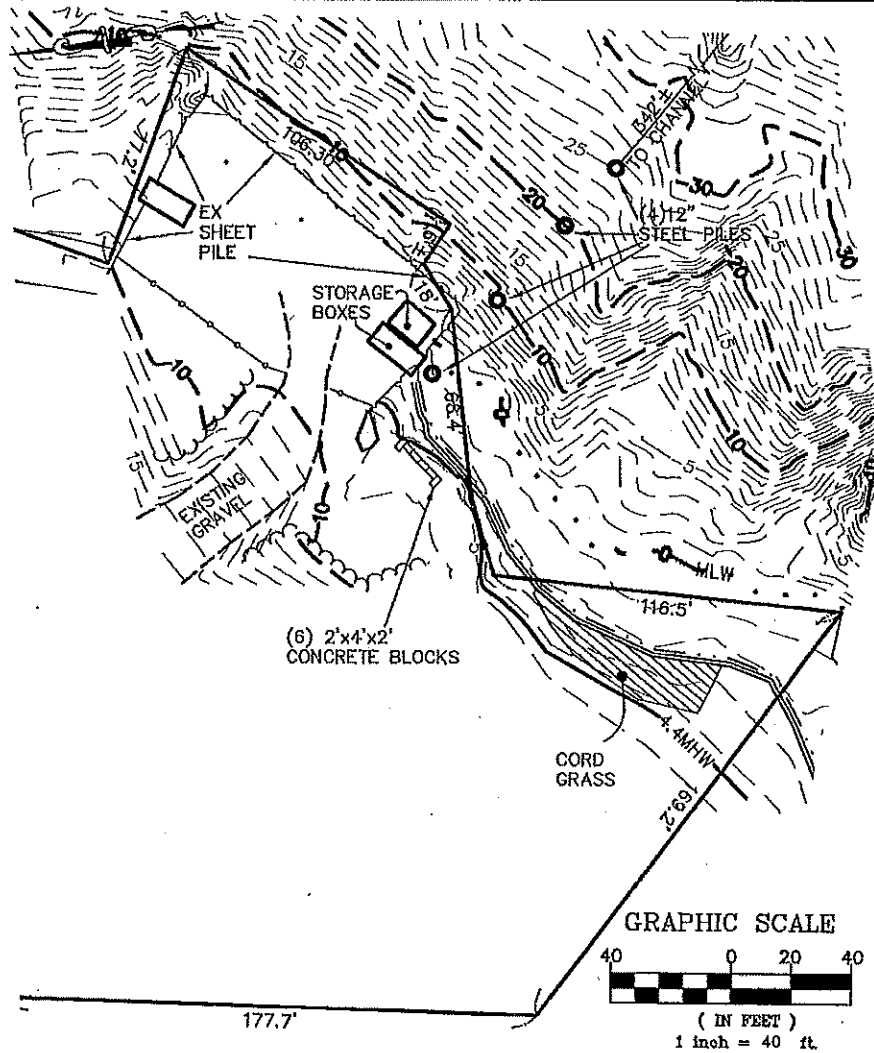
NOTE: You may be subject to a **double application fee** if your application for Chapter 91 authorization results from an enforcement action by the Department or another agency of the Commonwealth or its subdivisions, or if your application seeks authorization for an existing unauthorized structure or use.

25

I HEREBY CERTIFY THAT THIS PLAN
CONFORMS TO THE RULES AND REGULATIONS
OF THE REGISTER OF DEEDS OF THE
COMMONWEALTH OF MASSACHUSETTS.

Yard Chaplin
PROFESSIONAL REGISTERED ENGINEER

10/29/19
DATE



PLAN ACCOMPANYING PETITION OF
D & S MARINE INC
1338 DAVOL ST FALL RIVER, MA
TO MAINTAIN PILES, CONCRETE BLOCKS
AND EXISTING SHEET PILE
TAUNTON RIVER,
CITY OF FALL RIVER MA

SHEET 2 OF 2 DATE: OCT 23 2019

MOUNT HOPE ENGINEERING, INC
1788 G.A.R. HIGHWAY
SWANSEA, MA 02777

25

I HEREBY CERTIFY THAT THIS PLAN
CONFORMS TO THE RULES AND REGULATIONS
OF THE RECORDERS OF DEEDS OF THE
COMMONWEALTH OF MASSACHUSETTS.

Todd Chaplin
PROFESSIONAL ENGINEER
MASSACHUSETTS

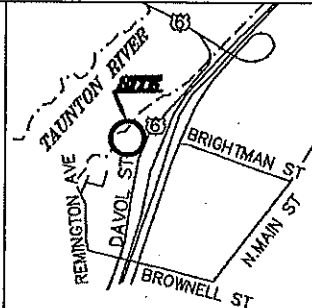
10/24/19
DATE

SITE:

MAP: S-21 LOT: 9
1338 DAVOL STREET
FALL RIVER, MA
LAT: 41.722393
LONG: 71.154793

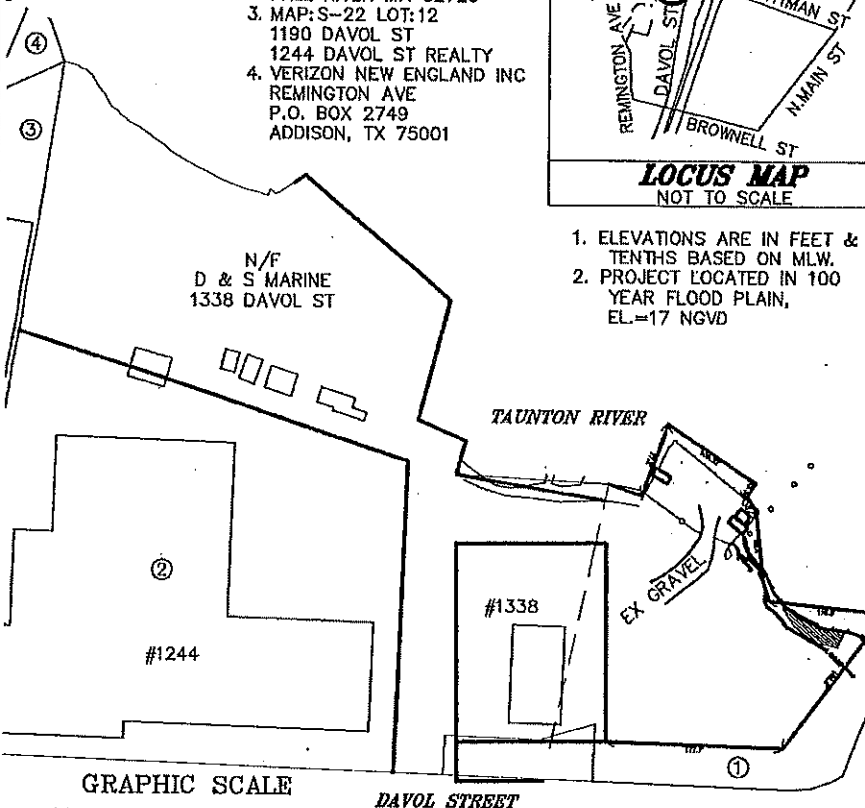
ABUTTERS

1. MAP: S-21 LOT: 13
COMMONWEALTH OF MASS
DAVOL STREET
2. MAP: S-21 LOT: 6
1244 DAVOL ST REALTY
FALL RIVER MA 02720
3. MAP: S-22 LOT: 12
1190 DAVOL ST
1244 DAVOL ST REALTY
4. VERIZON NEW ENGLAND INC
REMINGTON AVE
P.O. BOX 2749
ADDISON, TX 75001



LOCUS MAP
NOT TO SCALE

1. ELEVATIONS ARE IN FEET &
TENTHS BASED ON MLW.
2. PROJECT LOCATED IN 100
YEAR FLOOD PLAIN,
EL.=17 NGVD



GRAPHIC SCALE



(IN FEET)
1 inch = 120 ft.

PLAN ACCOMPANYING PETITION OF
D & S MARINE INC
1338 DAVOL ST FALL RIVER, MA
TO MAINTAIN PILES, CONCRETE BLOCKS
AND EXISTING SHEET PILE
TAUNTON RIVER,
CITY OF FALL RIVER MA

FLOODPLAIN ZONE VE (EL 17)
EL. 0 M.L.W.
EL. 4.4 M.H.W.
EL. 5.6 M.H.H.W.

MOUNT HOPE ENGINEERING, INC
1788 G.A.R. HIGHWAY
SWANSEA, MA 02777

SHEET 1 OF 2

DATE: OCT 23 2019

