

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, July 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, Christopher M. Peckham, Trott Lee,
Leo O. Pelletier and Linda M. Pereira

ABSENT: None

IN ATTENDANCE: Mary Sahady, Director of Financial Services

President Cliff Ponte called the meeting to order at 9:55 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 orders as follows:
 - a. Appropriating \$986,150 from Community Preservation Act funds for FY 2021 Community Projects
 - b. Community Preservation Committee 2020 Final Report

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to table items 1a and 1b.
2. Mayor and order rescinding the July Continuing Appropriation Budget for FY 2021
On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the order be granted leave to withdraw.
3. Mayor and order for August Continuing Appropriation Budget for FY 2021
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 9 yeas to adopt the order.
Approved, July 15, 2020, Paul E. Coogan, Mayor
4. Mayor and request to submit Quarter 4 Budget Report in August
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted that the communication be accepted and placed on file.

5. Mayor and appropriation order for FY 2020 year-end obligations as follows:

FROM:

Administrative, Salaries	\$ 24,777
Administrative, Expenses	\$ 175,000
Police, Salaries	\$ 280,223
TOTAL:	\$ 480,000

TO:

Community Maintenance, Expenses	\$ 330,000
Insurance	\$ 150,000
TOTAL:	\$ 480,000

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was voted 8 yeas, 1 nay to adopt the order, with Councilor Christopher M. Peckham voting in the negative.

6. Mayor and proposed ordinances for FY 2021 water and sewer rates

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 Ordinances and Legislation. Councilor Linda M. Pereira questioned the vote taken on the water and sewer rates at the previous City Council meeting to reconsider the matter when the vote was tied 4 yeas, 4 nays, with Councilor Bradford L. Kilby absent and not voting. She stated that since there was no majority vote, how could the matter be reconsidered? Councilor Shawn E. Cadime stated that the Council President is the parliamentarian and it was his interpretation to allow the vote. Council President Cliff Ponte then stated that this matter needs to be discussed once again in the Committee on Ordinances and Legislation and will return to the full council for a vote.

7. Mayor and order requesting the approval of a five year contract for school bus transportation with Whaling City Transit, Inc. totaling \$2,609,982.00 for the first year of Special Education Transportation, Bus Monitors, and Summer Transportation

A motion was made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime to adopt the order. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to amend the clerical error on the agenda to read \$2,603,982. A further motion was made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira to adopt the order. Councilor Michelle M. Dionne stated that she had questions regarding bus monitor salaries. On yet a further motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was unanimously voted to waive the rules to allow the Director of Financial Services to answer questions. The Director of Financial Services stated that bus monitors must now be paid the federal prevailing rate, which is why you see a significant increase. Mary Sahady then stated that there is a Massachusetts Municipal Association meeting tomorrow and she will participate in that meeting to obtain any school related information, such as salaries for bus monitors. Councilor Linda M. Pereira stated that a better rate is usually obtained with a five year contract versus a one year contract. She then stated that she is ready to vote on this matter. Councilor Bradford L. Kilby stated that there are no specifics as to how learning will proceed in September, so how can we vote on a contract for transportation when there is no approved school schedule? He then asked if the City received any refunds from the transportation companies due school closings during the COVID-19 pandemic. The Director of Financial Services stated that transportation companies were not paid for those periods of time. She then stated that Kenneth C. Pacheco, Chief Operations Officer for the School Department, and Corporation Counsel should be invited to answer more questions, as they are familiar with this contract. On yet a further motion made Councilor Michelle M. Dionne and seconded by Councilor Bradford L. Kilby, it was unanimously voted to refer the matter to the Committee on Finance.

8. Mayor and order gifting 250 cobblestones for the Vietnam Veterans' Memorial Wall Councilor Bradford L. Kilby thanked Councilor Linda M. Pereira for her involvement on this very important project. He then stated that this is a very good use of cobblestones. Councilor Linda M. Pereira stated that some of the items for this project have been delayed due to the COVID-19 pandemic, but the committee is hopeful that this project will be completed by Veterans Day. Councilor Michelle M. Dionne stated that she was advised that these cobblestones were hazardous and asked if this was true. Councilor Linda M. Pereira stated that the cobblestones are not hazardous and some were just used for projects in Oak Grove Cemetery and the Bank Street Neighborhood Association's Community Garden. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order. Approved, July 15, 2020, Paul E. Coogan, Mayor

9. Mayor requesting confirmation of the following appointments:

- a. Amber Burns to the Board of Park Commissioners
- b. Joseph DaSilva to the Board of Park Commissioners

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Linda M. Pereira, it was unanimously voted to table items #9a and #9b. Councilor Michelle M. Dionne stated that it seems as though the Board of Park Commissioners has not been in compliance since 1986. She also stated that this matter is convoluted and that guidance is needed from Corporation Counsel regarding appointments to this board.

- c. Jo Ann Bentley to the Fall River Housing Authority

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Trott Lee, it was unanimously voted to confirm the appointment. Council President Cliff Ponte stated that he is in agreement with this appointment, as Ms. Bentley is an architect with many years of experience.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to take items #10a and #10b together.

10. Mayor requesting the confirmation of the following reappointments:

- a. Victor Farias to the Board of Park Commissioners
- b. Helen Rego to the Board of Park Commissioners

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to confirm both appointments.

PRIORITY COMMUNICATIONS

11. Communication from the City Council President to Corporation Counsel re: meeting attendance

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the communication be accepted and placed on file. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Trott Lee, it was unanimously voted to authorize the City Council President send a letter to K.P. Law requesting a quote to have a representative available at all City Council Meetings, either in person or virtually, to submit to the Administration to be included in the City Council Fiscal Year 2021 Budget, a copy of which is attached hereto and made a part of these minutes. Councilor Linda M. Pereira stated that there are many attorneys in the City of Fall River that are qualified and she would prefer a local attorney. Councilor Shawn E. Cadime stated that K.P. Law is very efficient and most questions from the City Council have already been researched for other communities, and as such an answer would be available quickly if they were hired.

12. Traffic Commission recommending amendments to traffic ordinances

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation.

13. Corporation Counsel opinion re: control of monuments and memorials in City parks

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was unanimously voted that the opinion be accepted and placed on file.

14. Request for street opening in pavement less than five years old on
Sykes and Currant Roads

On a motion made by Councilor Trott Lee and seconded by Councilor Leo O. Pelletier, it was unanimously voted to approve the street opening.

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

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

15. Committee on Ordinances and Legislation establish an Oversight Committee to
annually report on the finances, efficiencies, and needs of City departments

On a motion made by Councilor Trott Lee and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the resolution. Councilor Shawn E. Cadime stated that if there are two Councilors and two city residents, the committee will be comprised of four voting members and an odd number of members should be appointed for voting purposes. Council President Cliff Ponte stated that the Director of Financial Services will also be on this oversight committee and will have voting rights, therefore bringing the number of voting members to five.

16. Committee on Finance convene with Administration to discuss performance audits

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Trott Lee, it was unanimously voted to adopt the resolution. Council President Cliff Ponte stated that many cities and towns have begun performance audits, which have rendered cost savings for those municipalities.

17. Committee on Public Safety convene with the Director of Traffic to discuss safety
concerns on Wilson Road

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the resolution. Councilor Linda M. Pereira stated that she has received numerous telephone calls regarding this issue. She also stated that stone walls have required maintenance due to vibrations from large trucks causing stones to be loosened.

18. Hydrangea plant be named the official flower of the City of Fall River

A motion was made by Councilor Trott Lee and seconded by Councilor Christopher M. Peckham to adopt the resolution. On a further motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to amend the resolution by adding ornamental prior to the word flower. On yet a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was unanimously voted that the resolution be adopted, as amended.

CITATIONS

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to take items #19 through #21 together.

19. B.M.C Durfee High School Top Ten Students:

Samya Rahman Anni	Miriam Sardinha Cabral	Jillian Nicole Caron
Adriana Rose Fernandes	Julia Anne Kelly	Savanha Leah Laroche
Kristin Rose Lavoie	Thomas Henry Panchley	Hailee Jade Tavares
Kaylee Marie Tavares		

20. Bishop Connolly High School Top Ten Fall River Students:

Alexandria Rosalia DiGregorio	Christopher Dupuis	Tess Abigail Kfoury
Carley Marie Medeiros	Sonja Elisabeth Morin	

21. Diman Regional Vocational Technical High School Top Ten Fall River Students:

Dominic Bento	Erica Cunin Guasco	Alex Goncalo
Liona Marsland	Justin Martel	Gabriel Worsley

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt items #19 through #21 after being read by the City Clerk.

ORDERS – HEARINGS

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was unanimously voted to take items #22 and #23 together.

Curb Removals:

22. Thomas St. Realty, LLC, 1250 Meridian Street – Total of 20 feet at 349 County Street

23. John M. Viveiros, 990 Maple Street – Total of 20 feet at 990 Maple Street

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt items #22 and #23.

Approved items #22 and #23, July 15, 2020, Paul E. Coogan, Mayor

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was unanimously voted to take items #24 through #27 together.

Joint Pole Re-location:

24. Massachusetts Electric Company and Verizon New England, Inc. – Joint pole re-location on Second Street

Pole Location:

25. Massachusetts Electric Company – New pole location on County Street

Underground Conduits:

26. Massachusetts Electric Company – Installation of approximately 2,600 feet of underground conduit on Rigenbach Road and Innovation Way at Airport Road

27. Massachusetts Electric Company – Installation of approximately 850 feet of underground conduit on Sykes and Currant Roads

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt items #24 through #27.

Approved items #24 through #27, July 15, 2020, Paul E. Coogan, Mayor

ORDERS – MISCELLANEOUS

28. Police Chief's report on licenses:

Taxicab Drivers:

Robert MacDougall III

Luis Perez Miranda

Shawn Pinto

Second Hand License Renewal:

Natasha Vera d/b/a Finders Keepers located at 427 Second Street

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the order.

29. Auto Repair Shop License Renewals:

Fouad Rechmani, JC Gas, LLC, located at 537 Bedford Street

David Saber, Eleventh Street Assoc., Inc., located at 50 Sixth Street

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the order.

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

30. Transfer auto repair shop license no. 329 located at 193 Oak Grove Avenue from Edward A.

Cellemme d/b/a Cellemme and Son Auto Service, to Timothy Pinto d/b/a

SM Automotive

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the order.

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

COMMUNICATIONS – INVITATIONS – PETITIONS

31. Claims

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the claims to Corporation Counsel.

City Council Meeting Minutes:

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to take items #32 through #35 together.

32. Public Hearings – June 23, 2020

33. Committee on Finance – June 9, 2020

34. Committee on Finance – June 23, 2020

35. Regular Meeting of the City Council – June 23, 2020

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Bradford L. Kilby, it was unanimously voted to approve items #32 through #35.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was unanimously voted to take items #36a and #36b together.

36. Drainlayer Licenses:

a. Sandstone Construction, Inc.

b. Biszko Contracting Corp.

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was unanimously voted to approve items #36a and #36b.

Approved items #36a and 36b, July 15, 2020, Paul E. Coogan, Mayor

37. Open Meeting Law Complaint from Collin Dias re: June 23, 2020 alleged violation by Fall River City Council

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was unanimously voted to refer the matter to Corporation Counsel.

38. Communication from Collin Dias re: trash complaint hotline

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the communication be accepted and placed on file.

BULLETINS – NEWSLETTERS – NOTICES – None

TABLED MATTERS

39. Planning Board recommendation for the acceptance of Lynwood Street extending from Mariano Bishop Boulevard to a dead end along with Way Street, as amended

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to lift the matter from the table. Councilor Shawn E. Cadime stated that he does not understand why the Planning Board is recommending the acceptance of some streets that should have been completed by the developer. He then stated that he would like to have a joint meeting with the Planning Board to discuss these matters. He also stated that this meeting should take place in executive session to avoid any litigation strategy being made public. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to table the matter with the understanding that the matter be lifted from the table at the next scheduled meeting of the City Council and invite the City Planner and Corporation Counsel and go into executive session with the Planning Board. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to request the Council President establish an ad hoc committee to review rules and regulations for zoning and hold developers accountable for finishing all work that was agreed to. Council President Ponte asked how many members the committee should have. Councilor Shawn E. Cadime stated that the committee should be comprised of three city councilors and that the chair of the committee be the City Council President or City Council Vice President. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to have a joint meeting with the Planning Board to discuss all subdivisions with streets that have not been accepted and the reasons why they have not been completed. Council President Cliff Ponte requested that a letter be send to the Planning Board with this request, a copy of which is attached hereto and made a part of these minutes.

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

OTHER POTENTIAL MATTERS (to be acted upon if recommendations are received)

Committee on Finance:

14a. Resolution – Police Details at Northeast Alternatives

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the resolution be granted leave to withdraw.

RESOLUTIONS

18a. The Committee on Finance convene with the Chief of Police and the Mayor to discuss a plan to address the increase in violent crimes and the financial aspects of the Police Department

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the resolution. Councilor Linda M. Pereira stated that the Chief of Police will not discuss specific plans in public. Councilor Shawn E. Cadime stated that he would like to hear the Chief of Police's strategy, so the City Council can meet in Executive Session to discuss these matters with the Chief of Police.

COMMUNICATIONS – INVITATIONS – PETITIONS

36c. Drainlayer License – Khoury Excavating, Inc.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to approve the drainlayer license.

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adjourn at 11:31 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

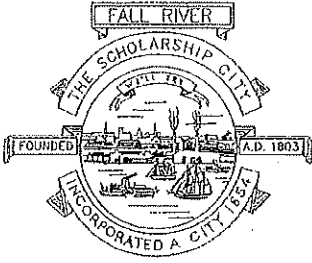
DVD of meeting

A true copy. Attest:



City Clerk

In City Council, August 11, 2020
Approved



City of Fall River
Massachusetts
City Council

CLIFF PONTE
President
City Council

July 15, 2020

Attorney Lauren F. Goldberg
KP Law, P.C.
101 Arch Street, 12th Floor
Boston, MA 02110

Dear Attorney Goldberg,

At a meeting of the City Council held on Tuesday, July 14, 2020, a discussion was held regarding legal counsel for the City Council.

Following that discussion, and on a motion made and seconded, it was unanimously voted to authorize the City Council President to obtain a quote from your law firm for services. I am hereby requesting a quote for services to be included in the Fiscal Year 2021 Budget.

The City Council meets twice per month, with the exception of July and August which have only one meeting. I have enclosed the list of meeting dates for 2020 for your review. Typically the City Council meets on the second and fourth Tuesday of every month.

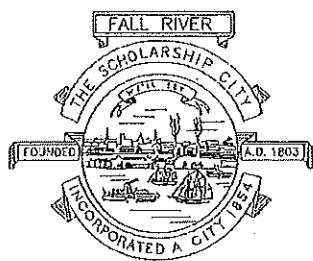
I respectfully request a quote for services to have a representative from KP Law, P.C. attend all regular City Council meetings either in person or virtually to provide counsel on various matters that may arise. From time to time City Councilors may have legal questions and it would be helpful to have legal counsel available for guidance. This quote should be for services for Fiscal Year 2021.

Should you have any questions, please feel free to contact me at 508-567-8604. Thank you for your assistance in this matter.

Sincerely,

Cliff Ponte
City Council President

encl.
/ct



City of Fall River Massachusetts

Office of the City Clerk

RECEIVED

2020 JAN 16 A 10:14

CITY CLERK
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

January 15, 2020

In accordance with the provisions of M.G.L. Chapter 30A, notice is hereby given that meetings of the following Committee and Council will be held at the time and place set forth below:

COMMITTEE ON FINANCE

6:00 P.M.

CITY COUNCIL

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

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

Meetings will be held in the Council Chamber, Government Center.

Alison M. Bouchard
City Clerk

ADA Coordinator

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



City of Fall River
Massachusetts
City Council

CLIFF PONTE
President
City Council

July 16, 2020

Cynthia M. Seigny, Chair
Planning Board
City of Fall River
One Government Center
Fall River, MA 02722

Dear Honorable Board Members,

At a meeting of the City Council held on Tuesday, July 14, 2020, a discussion was held regarding the acceptance of Lynwood Street and all outstanding subdivisions.

Following that discussion, and on a motion made and seconded, it was unanimously voted to send a letter to your honorable board requesting that a joint meeting of the Planning Board and the City Council be scheduled for Tuesday, August 11, 2020. It was noted that there are various streets in the City of Fall River that have not been completed or accepted and the developer has since dissolved their company. This leaves many unfinished streets that must be paid for by the City, which is unfair to our taxpayers.

Please respond as soon as possible with the availability of your honorable board to join the City Council in a joint meeting to discuss these very important matters.

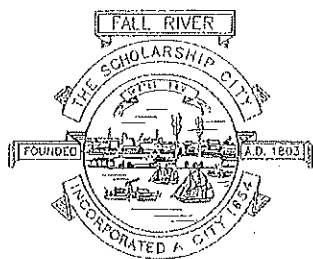
Should you have any questions, please feel free to contact me at 508-567-8604. Thank you for your assistance in this matter.

Sincerely,

Cliff Ponte
City Council President

cc: William Kenney, City Planner
Alan Rumsey, Esq., Corporation Council

/ct



City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2020 JUL 14 P 12:33

CITY CLERK
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

ORIGINAL POSTING: JULY 10, 2020 AT 12:44 P.M.

INÊS LEITE
ASSISTANT CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

Due to the COVID-19 Essential Services Advisory, these meetings are closed to the public. Meetings will be available for viewing at <https://frgtv.fredtv.us> and Channel 18.

TUESDAY, JULY 14, 2020
REVISED AGENDA

6:30 P.M. PUBLIC HEARINGS
Curb Removals

1. Thomas St. Realty Trust, LLC, 1250 Meridian Street, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
349 County Street	12'	8'	0'	20'

The petitioner is requesting the removal of 8 feet of curbing to the existing 12 foot driveway opening to allow for improved vehicle access to onsite parking and garages.

2. John M. Viveiros, 990 Maple Street, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
990 Maple Street	16'	4'	0'	20'

The petitioner is requesting the removal of 4 feet of curbing to the existing 16 foot driveway opening to allow for improved vehicle access to onsite parking and garages.

Joint Pole Re-location

3. Massachusetts Electric Company and Verizon New England, Inc. for one joint pole re-location as follows:

Second Street

One (1) joint pole re-location

National Grid requests to relocate Pole 26 at Second Street per customer request. The pole will be relocated approximately 20 feet north of its current location. In accordance with Plan No. 28156889 dated April 10, 2019.

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

Pole Location

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

County Street

One (1) new pole location

The petitioner requests to install a new 35 foot pole approximately 48 feet west of existing pole #20. This pole will be used for electrical service to a future house at #349 County Street. In accordance with Plan No. 29635069 dated May 29, 2020.

Underground Conduits

5. Massachusetts Electric Company for an underground conduit location, as follows:

Riggenbach Road and Innovation Way at Airport Road

National Grid requests to install approximately 250 feet of four 5" concrete encased conduits from the new three way manhole to pole 45 at Airport Road, and install approximately 2350 feet of six 5" concrete encased conduits from the new three way manhole at the intersection of Airport Road and Riggenbach Road to existing manhole 1 at Innovation Way.

In accordance with Plan No. 27542856 dated February 28, 2019.

6. Massachusetts Electric Company for an underground conduit location, as follows:

Sykes Road and Currant Road

National Grid requests to install approximately 550 feet of nine 5" concrete encased conduits on Sykes Road from existing manhole #4 to the new four way manhole at the intersection of Sykes Road and Currant Road, and install approximately 300 feet of four 5" concrete encased conduit from the new four way manhole to a new two way manhole to pole 15 at Currant Road.

In accordance with Plan No. 27542856 dated February 28, 2019.

6:40 P.M. COMMITTEE ON FINANCE (OR IMMEDIATELY FOLLOWING THE PUBLIC HEARINGS IF THEY RUN PAST 6:40 P.M.)

1. Citizen Input
Due to the COVID-19 Essential Services Advisory, citizen input must be submitted by email to city_clerks@fallriverma.org by July 14, 2020 at 5:00 p.m. to be read at the meeting.
2. *Resolution – Discuss the contracting process of the city pier projects re: sidewalks and lighting with the Executive Vice President of the Bristol County Economic Development Consultants and a rep. of the Redevelopment Authority (adopted, 8 years, 6-9-2020)
3. *Resolution – Police Details at Northeast Alternatives (tabled 2-25-2020)
4. Discussion re: order for Community Preservation Act funds for FY 2021
Community Projects and Community Preservation Committee 2020 Final Report (see item # 1 below)
5. Discussion re: order rescinding the July Continuing Appropriation Budget for FY 2021 (see item # 2 below)
6. Discussion re: order for the August Continuing Appropriation Budget for FY 2021 (see item # 3 below)
7. Transfers and appropriations (see item # 5 below)

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

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 orders as follows:
 - a. Appropriating \$986,150 from Community Preservation Act funds for FY 2021 Community Projects
 - b. Community Preservation Committee 2020 Final Report
2. *Mayor and order rescinding the July Continuing Appropriation Budget for FY 2021
3. *Mayor and order for August Continuing Appropriation Budget for FY 2021
4. *Mayor and request to submit Quarter 4 Budget Report in August
5. *Mayor and appropriation order for FY 2020 year-end obligations as follows:

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TOTAL:	\$ 480,000
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Community Maintenance, Expenses	\$ 330,000
Insurance	<u>\$ 150,000</u>
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6. *Mayor and proposed ordinances for FY 2021 water and sewer rates
7. *Mayor and order requesting the approval of a five year contract for school bus transportation with Whaling City Transit, Inc. totaling \$2,609,982.00 for the first year of Special Education Transportation, Bus Monitors, and Summer Transportation
8. *Mayor and order gifting 250 cobblestones for the Vietnam Veterans' Memorial Wall
9. *Mayor requesting confirmation of the following appointments:
 - a. Amber Burns to the Board of Park Commissioners
 - b. Joseph DaSilva to the Board of Park Commissioners
 - c. Jo Ann Bentley to the Fall River Housing Authority
10. *Mayor requesting the confirmation of the following reappointments:
 - a. Victor Farias to the Board of Park Commissioners
 - b. Helen Rego to the Board of Park Commissioners

PRIORITY COMMUNICATIONS

11. *Communication from the City Council President to Corporation Counsel re: meeting attendance
12. *Traffic Commission recommending amendments to traffic ordinances
13. *Corporation Counsel opinion re: control of monuments and memorials in City parks
14. *Request for street opening in pavement less than five years old on Sykes and Currant Roads

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

15. *Committee on Ordinances and Legislation establish an Oversight Committee to annually report on the finances, efficiencies, and needs of City departments
16. *Committee on Finance convene with Administration to discuss performance audits
17. *Committee on Public Safety convene with the Director of Traffic to discuss safety concerns on Wilson Road
18. *Hydrangea plant be named the official flower of the City of Fall River

CITATIONS

19. B.M.C Durfee High School Top Ten Students:
Samya Rahman Anni Miriam Sardinha Cabral Jillian Nicole Caron
Adriana Rose Fernandes Julia Anne Kelly Savanha Leah Laroche
Kristin Rose Lavoie Thomas Henry Panchley Hailee Jade Tavares
Kaylee Marie Tavares
20. Bishop Connolly High School Top Ten Fall River Students:
Alexandria Rosalia DiGregorio Christopher Dupuis Tess Abigail Kfoury
Carley Marie Medeiros Sonja Elisabeth Morin
21. Diman Regional Vocational Technical High School Top Ten Fall River Students:
Dominic Bento Erica Cunin Guasco Alex Goncalo
Liona Marsland Justin Martel Gabriel Worsley

ORDERS – HEARINGS

- Curb Removals:
22. Thomas St. Realty, LLC, 1250 Meridian Street – Total of 20 feet at 349 County Street
23. John M. Viveiros, 990 Maple Street – Total of 20 feet at 990 Maple Street
- Joint Pole Re-location:
24. Massachusetts Electric Company and Verizon New England, Inc. – Joint pole re-location on Second Street
- Pole Location:
25. Massachusetts Electric Company – New pole location on County Street
- Underground Conduits:
26. Massachusetts Electric Company – Installation of approximately 2,600 feet of underground conduit on Riggerbach Road and Innovation Way at Airport Road
27. Massachusetts Electric Company – Installation of approximately 850 feet of underground conduit on Sykes and Currant Roads

ORDERS – MISCELLANEOUS

28. Police Chief's report on licenses:
Taxicab Drivers:
Robert MacDougall III Luis Perez Miranda Shawn Pinto
- Second Hand License Renewal:
Natasha Vera d/b/a Finders Keepers located at 427 Second Street
29. Auto Repair Shop License Renewals:
Fouad Rechmani, JC Gas, LLC, located at 537 Bedford Street
David Saber, Eleventh Street Assoc., Inc., located at 50 Sixth Street
30. Transfer auto repair shop license no. 329 located at 193 Oak Grove Avenue from Edward A. Cellemme d/b/a Cellemme and Son Auto Service, to Timothy Pinto d/b/a SM Automotive

COMMUNICATIONS – INVITATIONS – PETITIONS

31. *Claims

City Council Meeting Minutes:

- 32. *Public Hearings – June 23, 2020
- 33. *Committee on Finance – June 9, 2020
- 34. *Committee on Finance – June 23, 2020
- 35. *Regular Meeting of the City Council – June 23, 2020

36. Drainlayer Licenses:

- a. Sandstone Construction, Inc.
- b. Biszko Contracting Corp.

37. *Open Meeting Law Complaint from Collin Dias re: June 23, 2020 alleged violation by Fall River City Council

38. *Communication from Collin Dias re: trash complaint hotline

BULLETINS – NEWSLETTERS – NOTICES – None

TABLED MATTERS

- 39. *Planning Board recommendation for the acceptance of Lynwood Street extending from Mariano Bishop Boulevard to a dead end along with Way Street, as amended (tabled 3-10-2020)


City Clerk

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

OTHER POTENTIAL MATTERS (to be acted upon if recommendations are received)

Committee on Finance:

Resolution – Discuss the contracting process of the city pier projects re: sidewalks and lighting with the Executive Vice President of the Bristol County Economic Development Consultants and a representative of the Redevelopment Authority (adopted, 8 years, 6-9-2020)

Resolution – Police Details at Northeast Alternatives (tabled 2-25-2020)

RESOLUTIONS

- 18a. *The Committee on Finance convene with the Chief of Police and the Mayor to discuss a plan to address the increase in violent crimes and the financial aspects of the Police Department

COMMUNICATIONS – INVITATIONS – PETITIONS

- 36c. Drainlayer License – Khoury Excavating, Inc.

City of Fall River, *In City Council*

18a

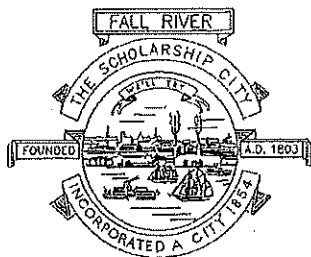
(President Cliff Ponte)

WHEREAS, there has been an increase in violent crime within the city, and

WHEREAS, the city is facing uncertain financial times due to the COVID-19 pandemic, now therefore

BE IT RESOLVED, that the Chief of Police and the Mayor or his designee, convene at a future meeting of the City Council Committee on Finance to discuss a plan to address the increase in violent crimes in the City of Fall River, and

BE IT FURTHER RESOLVED, that the Administration highlight a financial picture in preparation for this meeting to discuss the financial aspects of the Police Department.



City of Fall River Massachusetts

Office of the City Clerk

RECEIVED

2020 JUL 10 P 12:44

CITY CLERK
FALL RIVER, MA

INÉS LEITE
ASSISTANT CITY CLERK

ALISON M. BOUCHARD
CITY CLERK

MEETINGS SCHEDULED

CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

Due to the COVID-19 Essential Services Advisory, these meetings are closed to the public. Meetings will be available for viewing at <https://frgtv.fredtv.us> and Channel 18.

TUESDAY, JULY 14, 2020

AGENDA

6:30 P.M. PUBLIC HEARINGS

Curb Removals

1. Thomas St. Realty Trust, LLC, 1250 Meridian Street, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
349 County Street	12'	8'	0'	20'

The petitioner is requesting the removal of 8 feet of curbing to the existing 12 foot driveway opening to allow for improved vehicle access to onsite parking and garages.

2. John M. Viveiros, 990 Maple Street, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
990 Maple Street	16'	4'	0'	20'

The petitioner is requesting the removal of 4 feet of curbing to the existing 16 foot driveway opening to allow for improved vehicle access to onsite parking and garages.

Joint Pole Re-location

3. Massachusetts Electric Company and Verizon New England, Inc. for one joint pole re-location as follows:

Second Street

One (1) joint pole re-location

National Grid requests to relocate Pole 26 at Second Street per customer request. The pole will be relocated approximately 20 feet north of its current location. In accordance with Plan No. 28156889 dated April 10, 2019.

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

Pole Location

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

County Street

One (1) new pole location

The petitioner requests to install a new 35 foot pole approximately 48 feet west of existing pole #20. This pole will be used for electrical service to a future house at #349 County Street. In accordance with Plan No. 29635069 dated May 29, 2020.

Underground Conduits

5. Massachusetts Electric Company for an underground conduit location, as follows:

Riggenbach Road and Innovation Way at Airport Road

National Grid requests to install approximately 250 feet of four 5" concrete encased conduits from the new three way manhole to pole 45 at Airport Road, and install approximately 2350 feet of six 5" concrete encased conduits from the new three way manhole at the intersection of Airport Road and Riggenbach Road to existing manhole 1 at Innovation Way.

In accordance with Plan No. 27542856 dated February 28, 2019.

6. Massachusetts Electric Company for an underground conduit location, as follows:

Sykes Road and Currant Road

National Grid requests to install approximately 550 feet of nine 5" concrete encased conduits on Sykes Road from existing manhole #4 to the new four way manhole at the intersection of Sykes Road and Currant Road, and install approximately 300 feet of four 5" concrete encased conduit from the new four way manhole to a new two way manhole to pole 15 at Currant Road.

In accordance with Plan No. 27542856 dated February 28, 2019.

6:40 P.M. COMMITTEE ON FINANCE (OR IMMEDIATELY FOLLOWING THE PUBLIC HEARINGS IF THEY RUN PAST 6:40 P.M.)

1. Citizen Input
Due to the COVID-19 Essential Services Advisory, citizen input must be submitted by email to city_clerks@fallriverma.org by July 14, 2020 at 5:00 p.m. to be read at the meeting.
2. *Resolution – Discuss the contracting process of the city pier projects re: sidewalks and lighting with the Executive Vice President of the Bristol County Economic Development Consultants and a rep. of the Redevelopment Authority (adopted, 8 years, 6-9-2020)
3. *Resolution – Police Details at Northeast Alternatives (tabled 2-25-2020)
4. Discussion re: order for Community Preservation Act funds for FY 2021
Community Projects and Community Preservation Committee 2020 Final Report (see item # 1 below)
5. Discussion re: order rescinding the July Continuing Appropriation Budget for FY 2021 (see item # 2 below)
6. Discussion re: order for the August Continuing Appropriation Budget for FY 2021 (see item # 3 below)
7. Transfers and appropriations (see item # 5 below)

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 orders as follows:
 - a. Appropriating \$986,150 from Community Preservation Act funds for FY 2021 Community Projects
 - b. Community Preservation Committee 2020 Final Report
2. *Mayor and order rescinding the July Continuing Appropriation Budget for FY 2021
3. *Mayor and order for August Continuing Appropriation Budget for FY 2021
4. *Mayor and request to submit Quarter 4 Budget Report in August
5. *Mayor and appropriation order for FY 2020 year-end obligations as follows:

<u>FROM:</u>	
Administrative, Salaries	\$ 24,777
Administrative, Expenses	\$ 175,000
Police, Salaries	\$ 280,223
TOTAL:	\$ 480,000

<u>TO:</u>	
Community Maintenance, Expenses	\$ 330,000
Insurance	\$ 150,000
TOTAL:	\$ 480,000
6. *Mayor and proposed ordinances for FY 2021 water and sewer rates
7. *Mayor and order requesting the approval of a five year contract for school bus transportation with Whaling City Transit, Inc. totaling \$2,609,982.00 for the first year of Special Education Transportation, Bus Monitors, and Summer Transportation
8. *Mayor and order gifting 250 cobblestones for the Vietnam Veterans' Memorial Wall
9. *Mayor requesting confirmation of the following appointments:
 - a. Amber Burns to the Board of Park Commissioners
 - b. Joseph DaSilva to the Board of Park Commissioners
 - c. Jo Ann Bentley to the Fall River Housing Authority
10. *Mayor requesting the confirmation of the following reappointments:
 - a. Victor Farias to the Board of Park Commissioners
 - b. Helen Rego to the Board of Park Commissioners

PRIORITY COMMUNICATIONS

11. *Communication from the City Council President to Corporation Counsel re: meeting attendance
12. *Traffic Commission recommending amendments to traffic ordinances
13. *Corporation Counsel opinion re: control of monuments and memorials in City parks
14. *Request for street opening in pavement less than five years old on Sykes and Currant Roads

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

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Robert MacDougall III Luis Perez Miranda Shawn Pinto
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BULLETINS – NEWSLETTERS – NOTICES – None

TABLED MATTERS

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Assistant City Clerk

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

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Resolution – Police Details at Northeast Alternatives (tabled 2-25-2020)

City of Fall River, *In City Council*

FINANCE 2

(Councilor Trott Lee)

WHEREAS, during the May 20, 2020 Fall River Redevelopment Authority Meeting, a proposal was made by the Executive Vice President of the Bristol County Economic Development Consultants to the Redevelopment Authority to streamline the contracting process of the city pier projects regarding sidewalks and lighting with the City of Fall River, and

WHEREAS, the Redevelopment Authority voted on and approved the proposal, now therefore

BE IT RESOLVED, that the City Council Committee on Finance convene with the Executive Vice President of the Bristol County Economic Development Consultants and a representative of the Fall River Redevelopment Authority to discuss this process.

In City Council, June 9, 2020
Adopted, 8 yeas, 1 abstention

A true copy. Attest:

Alison M. Bouchard

City Clerk

(Councilor Christopher M. Peckham)

WHEREAS, there is overwhelming traffic congestion and concerns in the area near Northeast Alternatives that has created a public safety concern, and

WHEREAS, police details have been required on weekends and holidays, and

WHEREAS, the host community agreement between the City of Fall River and Northeast Alternatives does not state that the City of Fall River would incur the cost for these police details, rather it states "the City is under no obligation to use the payment in any particular manner", now therefore

BE IT RESOLVED, that the Committee on Finance convene to discuss this matter and determine who would be the responsible party for paying the police details at Northeast Alternatives.

In City Council, January 28, 2020
Adopted

A true copy. Attest:

Alison M. Bouchard
City Clerk

*Com on Finance
2-25-2020
To all*

1 a+b



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2020 JUL -8 A 10: 31

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

July 3, 2020

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

Dear Honorable Council Members:

The Community Preservation Committee (CPC) has identified community projects for the fiscal year 2021 and had made recommendations for funding in accordance with the Community Preservation Act (CPA) MGL Chapter 44B Sections 4 to 7.

The total CPA funding request for FY 21 is \$986,150 as outlined in the proposed Appropriation Order.

Your approval of the associated Appropriation Order and the CPC Final Report 2020 is respectfully requested.

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

Best Regards,

Paul E. Coogan
Mayor

City of Fall River, In City Council

1a

APPROPRIATION ORDER

ORDERED, that the following FY 21 appropriations be provided through the Community Preservation Act (CPA), revenues and reserves under the MGL Chapter 44B Sections 4 to 7 in the aggregate, amounting to \$986,150 to be appropriated as follows:

Voted: That \$986,150 be appropriated from the CPA Fund FY 21 Annual Revenues

For CPA Administrative Expenditures	\$45,000
For CPA Open Space/Outdoor Recreation PROJECTS	\$192,900
For CPA Historic Resources Preservation PROJECTS	\$617,000
For CPA Community Housing PROJECTS	\$131,250

<u>TOTAL</u>	<u>\$986,150</u>
---------------------	-------------------------

Note: This is the eighth year of CPA implementation. Anticipated CPA Surcharge revenue is \$1,168,089. Supplemental state trust fund distributions are estimated at \$134,330 (11.5%). Total \$1,302,419. Minimum 10% (\$130,242) has to be spent or reserved under each of the three categories and the Administrative expenditure cannot exceed 5% (\$65,121).

1a



**City of Fall River
Massachusetts
Community Preservation Committee**

JAMES SOUZA
Chairman

JOHN BRANDT
Vice-Chairman

July 2, 2020

Mayor Paul E. Coogan
One Government Center
Fall River, MA 02722

Dar Mayor Coogan:

The Community Preservation Committee is recommending the following appropriation for the FY21 year.

ALLOCATION	AMOUNT FY21	RESERVES	CATEGORY
OPEN SPACE/RECREATION			
Bioreserve Conservation Land Acquisition - Public	54,900		Open Space/Recreation
Bonds			
Year 3 Mt. Hope Bike Path - Public	60,000		Open Space/Recreation
Year 2 Bio Reserve Project # land acquisition - Public	78,000		Open Space/Recreation
SUB TOTAL	192,900		
HISTORIC PRESERVATION			
Maritime Museum - Private/Non-Profit	150,000		Historic Preservation
Lafayette Durfee House - Private/Non-Profit	130,000		Historic Preservation
Fall River School Dept. - Public	220,000		Historic Preservation
Preserving Water Dept. Documents - Public	30,000		Historic Preservation
Water Street - Private	22,000		Historic Preservation
Adams House - Private	15,000		Historic Preservation
Bank Street Armory - Public	50,000		Historic Preservation
SUB TOTAL	\$617,000.00		Historic Preservation

1a

			Historic Preservation
COMMUNITY HOUSING			
77 Freedom Street - Private	31,250		
Adams House - Private	100,000		
SUB TOTAL	\$131,250.00		
Administrative	\$45,000.00		Administrative
SUB TOTAL	\$45,000.00		
CPC OPEN SPACE/RECREATION	192,900		
CPC HISTORIC PRESERVATION	\$617,000.00		
CPC COMMUNITY HOUSING	\$131,250.00		
CPC ADMINISTRATIVE	\$45,000.00		
CPC RESERVES/COMMUNITY HOUSING	\$0.00		
TOTAL FY20 APPROPRIATION	\$986,150.00		

The Community Preservation Committee is requesting that your office send this down to the Auditor to prepare an Appropriation Order for this FY21 budget.

We, then, need this request to be sent to the City Council so it can get on the agenda for their July 14, 2020 meeting.

Respectfully,

James Souza

James Souza, Chair
Community Preservation Committee

City of Fall River, *In City Council*

16

ORDERED, that the attached 2020 final report, submitted by the Community Preservation Committee, be and the same is hereby approved.

1b

**COMMUNITY PRESERVATION COMMITTEE
FINAL REPORT 2020
FY21 Project & Funding Recommendations**

Adoption and Preparation

The Citizens of Fall River approved the adoption of the community Preservation Act in the November 2012 election. 57.9% of the voters in the election cast ballots in support of its local adoption. The Community Preservation Committee was formed in October 2013 and held its first meeting on October 28, 2013. The membership of the Community Preservation Committee includes two members appointed by the Mayor, two members appointed by the City Council, a representative from the Housing Authority, a representative from the Historic Commission, a representative from the Planning Board, a representative from the Conservation Commission and a representative from the Park Board.

Mayor Appointee

- James Souza
- Paul Machado

City Council Appointee

- James Soule
- Alfred Lima

Housing Authority

- Vacant

Historic Commission

- Kristen Cantara Oliveira

Planning Board

- John Ferrier

Conservation Commission

- John Brandt

Park Board

- Victor Farias

The Community Preservation Committee has developed a local CPA Plan, established the application and hearing process and has become familiar with the statute, GL Ch. 44B and applicable rules. The Community Preservation Committee continues to work closely with the Executive Director of the Community Preservation Coalition as a resource for technical guidance on the implementation of this Act. The Committee frequently utilizes the resources of the Community Preservation Coalition on matters that require clarification.

A website and Facebook have been developed and remains updated for public access. Materials are available through the website as well as at the Community Preservation Committee office at Government Center, 3rd Floor, room 321. As required by statute, the CPC held its annual meeting in August 2019. This public meeting was preceded by legal notices published in the Fall River Herald News. The annual meeting was an opportunity for the public to obtain information on projects and the financial condition of the committee.

In addition, to the annual public hearings, members of the public have been recognized at each of the CPC's meetings. The identity of the speakers and their comments are documented in the Committee's minutes and the Fall River Government TV video's. No member of the public wishing to address the Community Preservation Committee has ever been denied the opportunity to express his/her views.

The effectiveness of the efforts by the Community Preservation Committee to advertise the availability of these funds is evidenced by the fact that for 2020 28 applications were received, 9 applications were withdrawn, 20

16
applications made it to eligibility and 17 made it to funding hearings, 11 projects were voted on to recommend funding:

One more application was withdrawn making a total of 10 withdrawn applications.

OPEN SPACE/RECREATION			
Bioreserve Conservation Land Acquisition - Public	54,900		Open Space/Recreation
HISTORIC PRESERVATION			
Maritime Museum - Private/Non-Profit	150,000		Historic Preservation
Little Theatre - Private/Non-Profit	40,155		Historic Preservation
Lafayette Durfee House - Private/Non-Profit	130,000		Historic Preservation
Fall River School Dept. - Public	220,000		Historic Preservation
Preserving Water Dept. Documents - Public	30,000		Historic Preservation
Water Street - Private	22,000		Historic Preservation
Adams House - Private	15,000		Historic Preservation
Bank Street Armory - Public	50,000		Historic Preservation
			Historic Preservation
COMMUNITY HOUSING			
77 Freedom Street - Private	31,250		Community Housing
Adams House - Private	100,000		Community Housing

Two projects received emergency funding:

- Bio-Reserve/Land Acquisition
- Fall River Public Library Roof

Two projects were approved for additional funds due to delays and unexpected costs.

- North Burial Ground – Supplemental appropriation
- Little Theatre of Fall River – Supplemental appropriation

Since the inception of the Community Preservation Committee tools have been implemented. Award agreements have been drafted and financial protocols have been developed. Work on private projects have been completed. Some projects have been delayed due to weather, overruns and change in staffing. It is expected that projects will be completed by fall.

Colorful signs have been re-designed, purchased and placed at construction sites throughout the city. The signs indicate that the work is being conducted because of the Community Preservation Act funding.

New processes have been put in place for dispersing funds for reimbursement and payments to vendors.

The Application Process

Hearings on Eligibility, Deliberation and Funding

The Community Preservation Committee adopted a three-step application process. This process was followed during the 2020 funding cycle.

Eligibility

The first part of the process involves an application for eligibility due on September 1st by 12:00pm/noon. Upon receipt of each application for eligibility the Committee scheduled an eligibility hearing and sends notification to each applicant.

16

The first purpose of these eligibility hearings was for the Committee to determine if the application met the criteria for funding. The Community Preservation Act allows funding for projects involving Open Space, Outdoor Recreation, Historic Preservation and Community Housing. Within each category there are rules involving permissible funding.

During the 2020 funding cycle eligibility hearings were held:
October 1, 2019

Eligibility Hearings
October 1, 2019

PUBLIC PROJECTS
Bank St. Armory
Kennedy Park Men's Warming House
Kennedy Park Tennis Courts
Oak Grove Cemetery Gatehouse
Boat Ramp @ Bicentennial Park
FR School Administration Bldg.
Feasibility Study/Niagar Quequechan Greenway
PUBLIC PROJECTS
Barnabas Blossom Workshop Restoration
Oriskany Rodman Street Annex
Preserve Conservation Land Acquisition Readiness Project 2021

1b

The Community Preservation Committee considered the eligibility of each project even when the applicant was not present.

Ultimately 20 projects qualified, four (4) projects did not meet eligibility or withdrew.

Did not meet eligibility or withdrew.

Kennedy Park Men's Warming House
Kennedy Park Tennis Courts
Oak Grove Cemetery Gatehouse
Boat Ramp @ Bicentennial Park

The second part of the process involves an application for funding due on January 15th before 12:00pm/noon. Upon receipt of each application for funding the Committee scheduled funding hearings and sends notification to each applicant. The purpose of these hearings was for the Committee to become familiar with the projects through applicant presentations. The committee members had frequent questions for these presenters. Once the funding hearings were completed the Community Preservation Committee held a meeting to deliberate on each project. Once deliberations were concluded another meeting was held to vote and recommend projects to the City Council

Funding Hearings

Deliberation

The third part of the process involves the scheduling of meetings, sends notification to each applicant. The purpose of these hearings was for the applicants to present their project and for the Committee to ask questions and make further recommendation, if necessary, before the funding hearings. Once deliberations were concluded another meeting was scheduled to vote and recommend projects to the City Council. Deliberation Hearings were held remotely via ZOOM due to the COVID-19 crisis.

March 30, 2020

Feb. 4th	Little Theatre	Cheryl
Feb. 4th	77 Freedom St	Cheryl
Feb. 4th	26-56 Water Street	Cheryl
Feb. 4th	Eagle Event Center	Cheryl
Feb. 4th	Maritime Museum	Cheryl
Feb. 4th	Lafayette Durfee House	Cheryl

1b

Feb. 10th	Trolley Building	Full re-development 2nd, 3rd, 4th floor. Exterior and façade cleaned and rehabilitated
Feb. 10th	Corky Row Club	Repair exterior façade, reinforce floor under bar area
Feb. 10th	Adams House	
Feb. 10th	Cherry & Webb Building	Roof?
Feb. 10th	Fall River Fire Museum	
Feb. 10th	Fall River School Department	Chimney restoration, window restoration, existing conditions survey
	PUBLIC	
Feb. 25	Bank Street Armory	Upper Roof
Feb. 25	Niagara/Quequechan River Greenway	Feasibility Study
Feb. 25	Thomas Borden Farm	Acquisition
Feb. 25	Bloreserve Conservation	Land Acquisition
Feb. 25	Securing Article 97 Protection for Conservation Lands	Attorney and Title Examiners' Fees
Feb. 25	Preserving Water Dept. Documents	Preservation of documents

Each of the applicants received notification of the hearing date. The applicants had the opportunity to supplement their earlier presentations and to submit additional materials. The Committee members also used this opportunity to ask many questions of each applicant. All proposals were considered even when the applicant was not present for the hearing.

The Voting Process/Funding Recommendations

April 13, 2020

Voting and recommendation Hearings were held remotely via ZOOM due to the COVID-19 crisis April 13, 2020

CPC Administrator, Sandy Dennis worked on the tier-voting ballot. This ballot allowed each committee member to rate each project a 1 (high interest), 2 (moderate interest) or a 3 (low interest). Each committee member completed this ballot after the hearings for funding had been concluded and was allowed to assign 6 #1, 5 #2 and 5 #3 to the 16 projects. Sandy Dennis compiled the votes. The votes on these ballots were non-binding but were useful in informing the discussion on each project for the Funding round on April 13, 2020

The final report and appropriation order with recommendation to City Council was sent to the Mayor requesting the order be sent to City Council for vote.

ALLOCATION	AMOUNT FY21	RESERVES	CATEGORY
OPEN SPACE/RECREATION			
Bloreserve Conservation Land Acquisition - Public	54,900		Open Space/Recreation
Bonds			
Year 3 Mt. Hope Bike Path - Public	60,000		Open Space/Recreation

1b

Year 2 Bio Reserve Project # land acquisition - Public	78,000		Open Space/Recreation
SUB TOTAL	192,900		
HISTORIC PRESERVATION			
Maritime Museum - Private/Non-Profit	150,000		Historic Preservation
Lafayette Durfee House - Private/Non-Profit	130,000		Historic Preservation
Fall River School Dept. - Public	220,000		Historic Preservation
Preserving Water Dept. Documents - Public	30,000		Historic Preservation
Water Street - Private	22,000		Historic Preservation
Adams House - Private	15,000		Historic Preservation
Bank Street Armory - Public	50,000		Historic Preservation
SUB TOTAL	\$617,000.00		Historic Preservation
			Historic Preservation
COMMUNITY HOUSING			
77 Freedom Street - Private	31,250		
Adams House - Private	100,000		
SUB TOTAL	\$131,250.00		
Administrative	\$45,000.00		Administrative
SUB TOTAL	\$45,000.00		
CPC OPEN SPACE/RECREATION	192,900		
CPC HISTORIC PRESERVATION	\$617,000.00		
CPC COMMUNITY HOUSING	\$131,250.00		
CPC ADMINISTRATIVE	\$45,000.00		
CPC RESERVES/COMMUNITY HOUSING	\$0.00		
TOTAL FY20 APPROPRIATION	\$986,150.00		

Each item to be considered a separate appropriation.

Conclusion

The Community Preservation Committee encouraged applications and followed an open and extended review process. Public input was and will continue to be encouraged. The Committee considered many factors in making these final recommendations. Among the factors that the Committee considered was geographic diversity so that the funded projects benefit all areas of the city. A number of other factors influence these final recommendations. In the Historic Preservation category, the urgency of repairs, the importance of preserving, protecting in addition was the benefits to the public.

2



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2020 JUL -9 A 11:12

CITY CLERK _____
FALL RIVER, MA

PAUL E. COOGAN
Mayor

July 9, 2020

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

RE: Rescinding July's Continuing Appropriation Budget

Dear Honorable Council Members:

I respectfully request to rescind effective 7/31/2020 the One Twelfth Budget for Fiscal Year 2021 of \$24,750,167 that was approved on June 23, 2020. We will be submitting a One Twelfth Budget for August's Continuing Appropriation.

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

Best Regards,

Paul E. Coogan
Mayor

City of Fall River, In City Council

2

ORDERED, that the City rescinds July's continuing appropriation budget for Fiscal Year 2021 of \$24,750,167 effective July 31, 2020.

3



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2020 JUL -9 A 11:13

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

July 9, 2020

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

RE: Continuing Appropriation Budget

Council President Ponte:

Notwithstanding section 32 of Chapter 44 of the General Laws or any other general or special law, charter provision or ordinance to the contrary, I am unable, as a result of the outbreak of COVID-19, and the effects of the Governor's March 10, 2020 declaration of a state of emergency, to submit an annual budget for fiscal year 2021 to the city council. At this time the Governor's budget has not been deliberated by the House and Senate and therefore the amount of state aid is uncertain. In addition, the City has been allocated \$7.9 million from the CARES Act and Congress is still debating the use of that money by local municipalities.

Based on the Senate Bill 2680 and the House Bill 4752 the time periods and deadlines set forth in section 32 of said chapter 44 for the mayor and city council to act on the annual budget are extended until 60 days after the termination of the Governor's March 10, 2020 declaration of the state of emergency; provided, however, that within 30 days after the termination of the declaration of emergency or on July 31, 2020, whichever is earlier, I will submit a revised budget to the city council for fiscal year 2021. In the meantime, as we await further guidance from the state on both the state aid and federal government on the potential use the CARES money, I am submitting to the city council a continuing appropriation budget for the city for the month of August 2020. If these sources of revenue continue to be uncertain it is my intention to submit a month-by-month basis for a period not to exceed 3 months as a result of the outbreak of COVID-19 and the Governor's March 10, 2020 declaration of a state of emergency.

Please let me know if you have questions or concerns.

Best Regards,

Paul E. Coogan
Mayor Paul E. Coogan

City of Fall River, In City Council

3

BE IT ORDERED, that the One Twelfth Budget for the month of August 2021 from various funds, is \$17,589,240 as follows:

A. for the purpose of GENERAL GOVERNMENT

1.	from the General Fund, for MAYOR, Salaries	\$	24,501		
2.	from the General Fund, for MAYOR, Expenses	\$	625		
3.	from the General Fund, for CITY COUNCIL, Salaries	\$	21,283		
4.	from the General Fund, for CITY COUNCIL, Expenses	\$	267		
5.	from the General Fund, for CITY CLERK, Salaries	\$	28,462		
6.	from the General Fund, for CITY CLERK, Expenses	\$	4,650		
	from the General Fund, for CITY CLERK, Capital	\$	-		
7.	from the General Fund, for ELECTIONS, Salaries	\$	11,435		
8.	from the General Fund, for ELECTIONS, Expenses	\$	5,637		
9.	from the General Fund, for VETERANS' BENEFITS, Salaries	\$	22,692		
10.	from the General Fund, for VETERANS' BENEFITS, Expenses	\$	193,905	\$	313,457

B. for the purpose of ADMINISTRATION

1.	from the General Fund, for ADMINISTRATIVE SERVICES, Salaries	\$	90,192		
2.	from the General Fund, for ADMINISTRATIVE SERVICES, Expenses	\$	(101,177)		
	from the General Fund, for ADMINISTRATIVE SERVICES, Capital	\$	176,600		
3.	from the General Fund, for CLAIMS AND DAMAGES	\$	250,000	\$	415,615

C. for the purpose of FINANCIAL SERVICES

1.	from the General Fund, for FINANCIAL SERVICES, Salaries	\$	102,034		
2.	from the General Fund, for FINANCIAL SERVICES, Expense	\$	36,713	\$	138,747

D. for the purpose of FACILITIES MAINTENANCE

1.	from the General Fund, for FACILITIES, Salaries	\$	71,065		
2.	from the General Fund, for FACILITIES, Expense	\$	119,195		
3.	from the General Fund, for FACILITIES, Transfer to Revolving	\$	-	\$	190,260

E. for the purpose of COMMUNITY MAINTENANCE

1.	from the General Fund, for COMMUNITY MAINTENANCE, Salaries	\$	373,840		
2.	from the General Fund, for COMMUNITY MAINTENANCE, Expense	\$	875,645		
	from the General Fund, for COMMUNITY MAINTENANCE, Capital	\$	-	\$	1,249,485

F. for the purpose of COMMUNITY SERVICE

1.	from the General Fund, for COMMUNITY SERVICES, Salaries	\$	210,316		
2.	from the General Fund, for COMMUNITY SERVICES, Expense	\$	62,754		
3.	from the General Fund, for COMMUNITY SERVICES, Transfer to Demo Lien Revolving	\$	-		
4.	from the General Fund, for COMMUNITY SERVICES, Transfer to Vacant Lot Revolving	\$	-	\$	273,070

G. for the purpose of EDUCATION

1.	from the General Fund, for SCHOOL APPROPRIATION	\$	3,330,000		
2.	from the General Fund, for SCHOOL TRANSPORTATION	\$	300,000		
3.	from the General Fund, for EDUCATION-ALL OTHER	\$	-	\$	3,630,000

H. for the purpose of COMMUNITY PROTECTION

1.	from the General Fund, for POLICE, Salaries	\$	1,649,059		
2.	from the General Fund, for POLICE, Expenses	\$	95,784		
3.	from the General Fund, for POLICE, Capital	\$	-		
4.	from the General Fund, for HARBOR MASTER, Salaries	\$	2,500		
5.	from the General Fund, for HARBOR MASTER, Expenses	\$	25,800		
6.	from the General Fund, for FIRE & EMERGENCY SERVICES, Salaries	\$	1,221,792		
7.	from the General Fund, for FIRE & EMERGENCY SERVICES, Expenses	\$	55,359		
8.	from the General Fund, for FIRE & EMERGENCY SERVICES, Capital	\$	-	\$	3,050,294

I. for the purpose of OTHER GOVERNMENTAL EXPENSES

1.	from the General Fund, for DEBT - SERVICE	\$	2,282,887		
2.	from the General Fund, for INSURANCE	\$	3,516,667		
3.	from the General Fund, for PENSION CONTRIBUTIONS	\$	-		
4.	from the General Fund, for RESERVE FUND	\$	-	\$	5,799,553

TOTAL GENERAL FUND OPERATING BUDGET \$ 15,060,481 \$ 15,060,481

CHERRY SHEET ASSESSMENT \$ 2,524,584 \$ 2,524,584

OTHER AMOUNTS TO BE RAISED \$ 4,176 \$ 4,176

GENERAL FUND OPERATING BUDGET \$ 17,589,240 \$ 17,589,240

3

RECEIVED

2020 JUL -9 A 11:13

CITY CLERK
FALL RIVER, MA

	Original FY 20 Budget	Revised FY 20 Budget	FY 21		FY 21 vs. FY 20 Increase (Decrease)	Comments
			1/12th Budget	1/12th FY20 Budget		
EXPENDITURES						
General Government						
Mayor's Office	\$ 3,985,905	\$ 3,985,905	\$ 313,456	\$ 332,159	\$ (18,702)	
City Council	\$ 315,532	\$ 315,532	\$ 25,126	\$ 26,294	\$ (1,169)	
City Clerk	\$ 414,776	\$ 414,776	\$ 21,550	\$ 34,565	\$ (13,015)	Audit Fee not paid in July
Elections	\$ 383,999	\$ 383,999	\$ 33,112	\$ 32,000	\$ 1,112	
Veterans	\$ 284,983	\$ 284,983	\$ 17,072	\$ 23,749	\$ (6,677)	Timing of Elections
	\$ 2,586,615	\$ 2,586,615	\$ 216,597	\$ 215,551	\$ 1,046	
Administrative Services						
City Administration	\$ 3,847,546	\$ 3,847,546	\$ 415,614	\$ 320,629	\$ 94,986	City Admin position vacant
Tourism & Cultural Affairs	\$ 180,755	\$ 180,755	\$ -	\$ 15,063	\$ (15,063)	
Human Resources	\$ 275,344	\$ 275,344	\$ 23,378	\$ 22,945	\$ 432	
Information Systems	\$ 2,471,285	\$ 2,471,285	\$ 317,368	\$ 205,940	\$ 111,428	MUNIS & other software annual fee FY20
Law Department	\$ 769,208	\$ 769,208	\$ 69,818	\$ 64,101	\$ 5,717	
Purchasing	\$ 150,954	\$ 150,954	\$ 5,051	\$ 12,580	\$ (7,529)	Removed
	\$ 13,325,100	\$ 13,325,100	\$ 2,421,634	\$ 1,110,425	\$ 1,311,209	
Assessor	\$ 407,712	\$ 407,712	\$ 44,903	\$ 33,976	\$ 10,927	
Auditor	\$ 343,720	\$ 343,720	\$ 22,894	\$ 28,643	\$ (5,750)	
Director of Financial Services	\$ 129,626	\$ 129,626	\$ 11,191	\$ 10,802	\$ 389	
Collector	\$ 392,968	\$ 392,968	\$ 31,318	\$ 32,747	\$ (1,429)	Cost of Advertising doubled in FY20
Treasurer	\$ 433,997	\$ 433,997	\$ 28,441	\$ 36,166	\$ (7,725)	Change in personnel
Debt Service	\$ 11,617,077	\$ 11,617,077	\$ 2,282,887	\$ 968,090	\$ 1,314,797	1/2 Interest due in July
	\$ 2,441,546	\$ 2,441,546	\$ 190,260	\$ 203,462	\$ (13,202)	Ameresco Contract due in July \$51
	\$ 2,441,546	\$ 2,441,546	\$ 190,260	\$ 203,462	\$ (13,202)	
Public Works						
Cemeteries	\$ 14,858,361	\$ 14,858,361	\$ 1,249,485	\$ 1,238,197	\$ 11,288	1 additional employee from FY20
Parks; Civic Celebrations	\$ 419,940	\$ 419,940	\$ 35,443	\$ 34,995	\$ 448	
Trees	\$ 1,191,115	\$ 1,191,115	\$ 98,328	\$ 99,260	\$ (931)	
Engineering	\$ 256,121	\$ 256,121	\$ 21,809	\$ 21,343	\$ 465	
Solid Waste	\$ 251,283	\$ 251,283	\$ 19,061	\$ 20,940	\$ (1,879)	Dues paid in July
Streets & Highways	\$ 7,938,827	\$ 7,938,827	\$ 740,407	\$ 661,569	\$ 78,838	Rate increases Disposal & Recycling
Snow Removal	\$ 3,359,977	\$ 3,359,977	\$ 270,460	\$ 279,998	\$ (9,538)	Remove capital items from 1/12th
Traffic and Parking	\$ 526,243	\$ 526,243	\$ -	\$ 43,854	\$ (43,854)	Remove \$30k of meter upgrades fr
	\$ 914,855	\$ 914,855	\$ 63,975	\$ 76,238	\$ (12,263)	
	\$ 3,284,060	\$ 3,284,060	\$ 273,069	\$ 273,672	\$ (603)	
City Planning	\$ 276,933	\$ 276,933	\$ 22,149	\$ 23,078	\$ (929)	Dues paid in July
Inspectional Services	\$ 1,148,775	\$ 1,148,775	\$ 90,961	\$ 95,731	\$ (4,770)	Change in composition of employee
Health & Human Services	\$ 454,514	\$ 454,514	\$ 37,293	\$ 37,876	\$ (583)	Dues paid in July
Library	\$ 1,403,838	\$ 1,403,838	\$ 122,666	\$ 116,987	\$ 5,680	Educational; Supplies, Books & Sa
	\$ 118,418,834	\$ 122,116,687	\$ 3,630,000	\$ 10,176,391	\$ (6,546,391)	To be approved by the School Com
School Department	\$ 104,926,128	\$ 108,623,981	\$ 3,330,000	\$ 9,051,998	\$ (5,721,998)	To be approved by the School Com
School Transportation	\$ 9,590,000	\$ 9,590,000	\$ 300,000	\$ 799,167	\$ (499,167)	To be approved by the School Com
Vocational Assessments	\$ 3,902,706	\$ 3,902,706	\$ -	\$ 325,225	\$ (325,225)	
	\$ 38,962,850	\$ 38,962,850	\$ 3,050,294	\$ 3,246,904	\$ (196,610)	\$90k in gear won't be purchased in FY21
Fire/FEHMA	\$ 15,868,975	\$ 15,868,975	\$ 1,277,151	\$ 1,322,415	\$ (45,264)	Removed buyouts & Quin Bill paid
Police	\$ 23,093,875	\$ 23,093,875	\$ 1,773,143	\$ 1,924,490	\$ (151,346)	
	\$ 38,767,000	\$ 38,767,000	\$ 3,516,667	\$ 3,230,583	\$ 286,083	Property insurance due on Novembe
Insurance	\$ 38,767,000	\$ 38,767,000	\$ 3,516,667	\$ 3,230,583	\$ 286,083	
	\$ 29,520,332	\$ 29,520,332	\$ 0	\$ 2,460,028	\$ (2,460,028)	Due with first 6 months
Retirement	\$ 29,520,332	\$ 29,520,332	\$ 0	\$ 2,460,028	\$ (2,460,028)	
	\$ 267,411,534	\$ 271,109,387	\$ 15,060,479	\$ 22,592,449	\$ (7,531,970)	
Total Expenditures						

1 additional employee from FY20 budget
Dues paid in July
Rate increases Disposal & Recycling
Remove capital items from 1/12th
Remove \$30k of meter upgrades from 1/12
Dues paid in July
Change in composition of employees
Dues paid in July
Educational, Supplies, Books & Subscriptions increasing
To be approved by the School Committee on 6/8/20
To be approved by the School Committee on 6/8/20
\$90k in gear won't be purchased in July
Removed buyouts & Qain Bill paid semi-annually
Property insurance due on November
Due with first 6 months



PAUL E. COOGAN
Mayor

July 1, 2020

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2020 JUL -9 A 11: 12

CITY CLERK _____
FALL RIVER, MA

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

Dear Honorable Council Members:

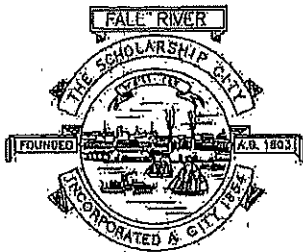
I respectfully request to submit the Quarter 4 budget report to the Honorable City Council in August instead of City Council's regular meeting in July per the City of Fall River's Charter.

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

Best Regards,

Paul E. Coogan
Mayor

4



**City of Fall River
Massachusetts**
Department of Financial Services
TREASURER • COLLECTOR • AUDITOR • ASSESSOR

RECEIVED

Auditor Division

2020 JUL -9 A 11:12

PAUL E. COOGAN
Mayor

CITY CLERK — **JENNIFER ARGO**
FALL RIVER, MA City Auditor

July 1, 2020

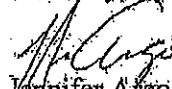
Mayor Paul E. Coogan
City of Fall River
One Government Center
Fall River, MA 02722

Dear Mayor Coogan:

Under Article 6 (Finance and Fiscal Procedures), Section 6-8. (Quarterly Budget Updates) in the City of Fall River's Charter, it states "Quarterly budget updates shall be made by the mayor or a designee during the second regular monthly meeting of the city council in the months of January, April, July, and October." However, there is only one meeting in July and the last FY20 warrant will be processed on July 15th. The year-end actuals will not be complete by July's city council meeting. Therefore we are requesting to submit the Quarter 4 budget report to City Council in August to ensure a complete and accurate report.

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

Sincerely,


Jennifer Argo
City Auditor

5



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

RECEIVED

2020 JUL -9 P 4:40

CITY CLERK _____
FALL RIVER, MA

PAUL E. COOGAN
Mayor

July 9, 2020

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

Dear Honorable Council Members:

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

These appropriations are necessitated due to the year-end review of the operating budget. The following appropriations will assist the City in meeting its Fiscal Year 2020 obligations:

FROM:

Administrative, Salaries	\$24,777
Administrative, Expenses	\$175,000
Police, Salaries	\$280,223
Total	\$480,000

TO:

Community Maintenance, Expenses	\$330,000
Insurance	\$150,000
Total	\$480,000

These departments had unforeseen costs that were not budgeted in the FY20 budget. Community Maintenance, in particular Solid Waste, had an increase in cost related to recycling tonnage rates. Under the Insurance, particularly in Workman Compensation, settlements were paid out that were not budgeted.

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

Best Regards,

Paul E. Coogan

Paul E. Coogan
Mayor

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

City of Fall River, *In City Council*

5

July 14, 2020

ORDERED: (FY 20 Orders)

Transfer and appropriate \$480,000 from:

Administrative, Salaries	\$24,777
Administrative, Expenses	\$175,000
Police, Salaries	<u>\$280,223</u>
Total	<u>\$480,000</u>

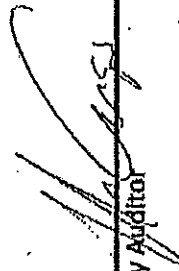
And Transfer and appropriate \$520,000 to:

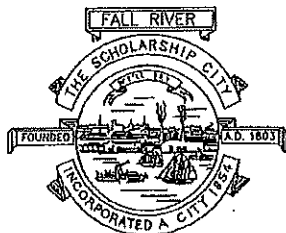
Facilities Maintenance, Expenses	\$40,000
Community Maintenance, Expenses	\$330,000
Insurance	<u>\$150,000</u>
Total	<u>\$480,000</u>

FY20 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
Administrative, Salaries	\$ 1,243,791.00 \$	(24,777.00) \$	1,219,014.00
Administrative, Expenses	\$ 2,353,755.00 \$	(175,000.00) \$	2,178,755.00
Police, Salaries	\$ 21,559,072.00 \$	(280,223.00) \$	21,278,849.00
Community Maintenance, Expenses	\$ 10,505,506.00 \$	330,000.00 \$	10,835,506.00
Insurance	\$ 38,864,644.00 \$	150,000.00 \$	39,014,644.00

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


 Jennifer Argo, City Auditor
 July 14, 2020



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2020 JUL -8 P 1:43

CITY CLERK _____
FALL RIVER, MA

July 8, 2020

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

RE: FY21 Rate Submission
Water and Sewer Division

Dear Members of the City Council:

Please see that attached Ordinances for the approval of the Water Rate and Sewer Rate to support the approved FY 21 Water and Sewer Budget.

Sincerely,

Paul E. Coogan
Mayor



PAUL E. COOGAN
Mayor

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



PAUL J. FERLAND
Administrator

July 8, 2020

Mayor Paul E Coogan
One Government Center
Fall River, MA 02722

RE: FY21 Rate Submission
Water and Sewer Division

Dear Mayor Coogan:

Attached please see the Water and sewer rates that support the Budget that was Approved by you and passed by the City Council. These rates support the Revised Budget for the Water and Sewer divisions.

I would request that these rates be approved as soon as possible so that they can be effective as we have already started the FY 21 budget and any delays would have an impact to the revenues of the FY 21 budget.

Sincerely,



Paul J. Ferland EIT
Administrator of Community Utilities

City of Fall River, *In City Council*

6

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

That Chapter 74 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to utilities, be amended as follows:

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

For water billed on or after July 1, 2020, per 100 cu. ft.

\$3.43

City of Fall River, *In City Council*

6

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

Section 1.

That Section 74-134 of Appendix A-Fee Schedule of the Code of the City of Fall River, Massachusetts, 2018, which Section relates to User Charges for Wastewater collection, be amended, as follows:

Sub-Section 1.

By striking out in sub-section (1) of said section, "\$5.48", and inserting in place thereof, "\$5.59", and by striking out "July 1, 2019", and inserting in place thereof, "July 1, 2020".

Sub-Section 2.

By striking out in paragraph (a) of sub-section (2) of said section, "\$5.48", and inserting in place thereof, "\$5.59", and by striking out "July 1, 2019", and inserting in place thereof, "July 1, 2020".

Sub-Section 2.

By striking out in paragraph (b) of sub-section (2) of said section, "\$2.58", and inserting in place thereof, "\$2.63", and by striking out "July 1, 2019", and inserting in place thereof, "July 1, 2020".

Sub-Section 4.

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

\$ 184.00
\$ 357.00
\$ 536.00
\$ 713.00
\$ 891.00
\$ 1,066.00
\$ 1,243.00
\$ 1,417.00
\$ 1,594.00
\$ 1,773.00

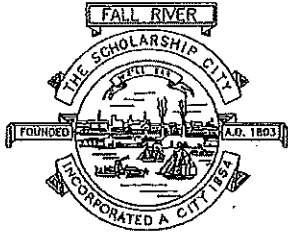
and, by striking out in said sub-section (4) "July 1, 2019", and inserting in place thereof, "July 1, 2020".

Section 2.

That Section 74-140 of Appendix A-Fee Schedule of the Code of the City of Fall River, Massachusetts, 2018, which Section relates to Stormwater fee, be amended, as follows:

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

Effective July 1, 2020, the equivalent residential unit (ERU) shall be defined as 2,800 square feet of impervious area. Residential parcels (ERU) will be assessed: \$184.00 per year or \$46.00 per quarter. All other developed parcels will be assessed for each 2,800 square feet impervious area rounded to the nearest 100 square feet: \$184.00 per year or \$46.00 per quarter.



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

PAUL E. COOGAN
Mayor

July 7, 2020

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

RE: School Transportation

Mr. President and Members of the Honorable Council:

For your information and review, attached please find a request from the Fall River Public Schools to approve a 5 year contract associated with IFB 20-35 for the Special Education Transportation, Bus Monitors, and Summer Transportation.

Thank you for your favorable consideration in this regard.

Sincerely,

Paul E. Coogan
Mayor

CITY CLERK
FALL RIVER, MA

2020 JUL -7 P 3:46

RECEIVED

City of Fall River, In City Council

7

ORDERED, that the Mayor, through the Fall River School Department, be and the same is hereby authorized to enter into a five-year contract associated with IFB 20-35, with Whaling City Transit, Inc., with a total of \$2,603,982.00, for the first year for Special Education Transportation, Bus Monitors, and Summer Transportation.



FALL RIVER PUBLIC SCHOOLS

Facilities & Operations

RECEIVED

2020 JUL -7 P 2:56

Matthew H. Malone, Ph.D.
Superintendent of Schools

Kenneth C. Pacheco
Chief Operations Officer
CITY CLERK
FALL RIVER, MA

July 14, 2020

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

Dear Honorable City Council

I am attaching herewith, for your information a request to approve a 5 year contract associated with IFB 20-35 for the Special Education Transportation, Bus Monitors and Summer Transportation as listed in the bid specifications with a total amount for the first year of \$2,603,982.

Sincerely,

Kenneth C. Pacheco,
Chief Operations Officer



June 23, 2020

Mr. Ken Pacheco, Chief Operations Officer
Fall River Public Schools
417 Rock Street
Fall River, MA 02720

Sent via Email: kenpacheco@fallriverschools.org

Dear Mr. Pacheco:

The following is our recommendation relative to the award of the bid for School Transportation, IFB: 20-35 dated May 27, 2020. Due to the Coronavirus, the bidders meeting was held virtually via Zoom on June 4, 2020. The following companies participated:

Amaral Bus Company, Inc.
Whaling City Transit, Inc.
Braga Transportation, Inc.
Fall River City Purchasing

All prospective bidders were notified and invited to submit any/all questions in writing by June 11, 2020. In addition, the following Addenda were issued in response to all questions asked:

Addendum 1: June 5, 2020

Bids were due at the City Purchasing Department on/before by 11:00 a.m. on June 18, 2020. The bids were opened and recorded at that time. Due to the closure of the building, the bid opening was videotaped and transmitted on the city web site. Bids were received by the following companies:

Whaling City Transit, Inc.
(Current Contractor)

FUTURES EDUCATION
FUTURES HEALTHCOPE

136 William Street
Springfield, MA 01105
T 800 218 9280
F 866 656 6111
DiscoverFutures.com

The following are the amounts bid (Basis for Award) by each bidder:

FALL RIVER RE BID 20-35	CURRENT PRICES 2019-20	RE BID 20-35 2020-21	
	WHALING CITY TRANSIT (1 Year Contract)	WHALING CITY TRANSIT (5 Year Contract)	DIFFERENCE
<u>In District Special Education Bus Transportation:</u>			
47 PASSENGER BUSES			
Cost per Bus per Day			
(47 Pax) 2 TIER:	\$ 350.00	\$ 238.00	-32.0%
(47 PAX) 1 TIER:	\$ 300.00	\$ 220.00	-26.7%
PRE-K			
29 PASSENGER BUSES			
Cost per Bus per Day			
1 TIER:	\$ 300.00	\$ 198.00	-34.0%
2 TIER		\$ 244.00	
PRE-K MID DAY TRANSPORTATION	\$ 153.00	N.A.	
BUS MONITORS PER HOUR	\$ 20.00	\$ 31.00	55.0%
<u>In District Summer Bus Transportation:</u>			
(Summer 2021-22)			
47/29 PASSENGER BUSES:			
Cost per Bus per Day	\$ 267.00	\$ 170.00	-36.3%
BUS MONITORS PER HOUR	\$ 20.00	\$ 31.00	55.0%
PERFORMANCE BOND	\$ 39,335.80	\$ 25,782.00	
TOTAL CONTRACT COST	\$ 2,866,880.00	\$ 2,603,982.00	\$ (262,898.00) -9.17%

As can be seen from the previous cost comparison, the current bid (5 Year Contract) represents and overall cost reduction of approximately \$ 262,898 (9.17 %) from the current one-year contract.

7

Our subsequent review and due diligence relative to the bid received indicated the following:

Our review of the bid submission by Whaling City Transit indicated the following:

1. Bid Bond was provided
2. Certificate of Non-Collusion was included
3. Acknowledgement of Addenda was included
4. Certificate of Good Standing and/or Tax Compliance from the Dept. of Revenue was provided
5. Certificate of Standing from the Massachusetts Secretary of State was provided
6. Required letters of reference were provided (2020)
7. Appropriate references were provided
8. Statement of bonding commitment was included with performance bond cost (1% of contract)
9. Terminal Location/Fueling Plan was included.
10. Description of Equipment was included.
11. Safety and Training Program was included.
12. CDL Drug/Alcohol Testing Program was included.
13. Current (3 Years) accident record was included.
14. We reviewed the financial statements provided with their bid submission for the years 2018 and 2019 as of March 28, 2020. Based upon our analysis and the independent accountant's review report, we have determined that Whaling City has the financial ability to continue to provide the services specified.
15. References were very good to excellent

In addition, Whaling City provided additional data as to their willingness to work with their school districts to find solutions to Covid related transportation issues that will arise. They stated that they have already ordered face shields for all employees, have installed hand sanitizer stations throughout their buildings and take temperature of every employee every day. Every vehicle will have tissues, hand sanitizer and sanitizing wipes. Seats will be wiped down after each run and vehicles will be sanitized with disinfectant cold foggers daily.

Based the preceding we determined that the Whaling City Transit is both a responsive and responsible bidder.

Therefore, based upon the previous we recommend the following:

That the bid for School Transportation, IFB: 20-35, dated May 27, 2020, for the Special Education School Bus Transportation, Bus Monitors and Summer Transportation (2021-2025) be awarded to Whaling City Transit, Inc. of Westport, MA at a total cost not to exceed \$ 2,603,982, in accordance with the Bid Specifications, Addendum 1 and their Bid dated June 15, 2020 and on the basis of their being the lowest responsive and responsible bidder and it being in the best public interest.

7

In order to ensure continued high quality performance, we further recommend that the District require a 100% performance bond for at least the first year of the contract at a cost of \$ 25,782.00; the cost of which is included in the total bid cost.

If I can answer any questions regarding these recommendations or the bid process, please do not hesitate to contact me.

Respectfully,

Richard G. Labrie

Richard G. Labrie

Senior Associate



City of Fall River
Massachusetts
Office of the Mayor

8

PAUL E. COOGAN
Mayor

CITY CLERK
FALL RIVER, MA

2020 JUL - 7 P 3:46

RECEIVED

July 7, 2020

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

Honorable Members of the City Council:

The Department of Community Maintenance is requesting your approval for the donation of 250 cobblestones to the Vietnam Veteran's Memorial Wall located in Bicentennial Park.

Your acceptance of this donation is respectfully requested.

Very truly yours,

Paul E. Coogan
Mayor

8



City of Fall River Massachusetts

Department of Community Maintenance

CEMETERIES • TREES • PARKS • SANITATION • ENGINEERING
STREETS & HIGHWAYS • TRAFFIC & PARKING • VEHICLES

Administrative Services Division

PAUL E. COOGAN
Mayor

JOHN A. PERRY JR.
Director

Date: July 7, 2020

Dear Council Members,

The Department of Community Maintenance is requesting council approval for the donation of 250 cobblestones the department currently has stored to be donated to the Vietnam Veteran's Wall Committee, to be used to enhance the Vietnam Memorial Wall project located within Bicentennial Park. Thank you in advance for your help and support for this project.

Sincerely,

John Perry
Director of Community Maintenance

City of Fall River, In City Council

8

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

9a



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

PAUL E. COOGAN
Mayor

June 18, 2020

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

Council President and Members of the Council:

I hereby make the following appointment:

Name: Amber Burns

**Address: 424 Oak Grove Avenue
Fall River, MA 02720**

Position: Board of Park Commissioners

Effective Date: June 18, 2020

Term to expire: May 05, 2025

Replacing: Marcy Ytkin

Sincerely,

**Paul Coogan
Mayor**

**Cc: Auditor's Office
Human Resources
City Council**

2020 JUN 29 P 2:06

RECEIVED

9a

Amber Burns
Amber.L.Burns@gmail.com
781-535-7170

EDUCATION:

Southern New Hampshire University | Hooksett, New Hampshire 01/2017
Masters of Science, Accounting

Eastern Nazarene College | Quincy, MA 05/2011
Bachelor's Degree, Communications & Business Management

WORK EXPERIENCE:

AR Global Newport, RI 09/2018- Present

Assistant Financial Controller

- o Trial Balance
- o Month End and Year-end closing
- o General Ledger
- o Budgeting and Forecasting
- o Monitor and analyze accounting data and produce financial reports or statements
- o Quarterly / Year End Audit
- o CAM Reconciliations

Navitas USA Holdings LLC Boston, MA 09/2014 – 09/2018

Corporate Finance Officer

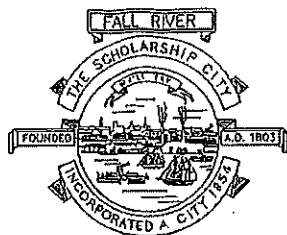
- o Oversee Finance officers at perspective Business units. (UMASS Boston, UMASS Dartmouth, Florida Atlantic University, University of New Hampshire)
- o Process all student refunds
- o Reconcile corporate bank accounts
- o Maintain Corporate Fixed Assets
- o Process all agent commission payments
- o Established spreadsheets using Microsoft Excel and Adobe Reader to organize and keep records
- o Invoicing students and processing student payments (credit card, wire transfers and bank checks)
- o Respond to and resolve student invoice inquiries
- o Review and reconcile University billings to Navitas and reconcile end of month balances
- o Creating commissions billing, responding and resolving commission inquiries
- o Oracle Journal Inquiries

Cityscapes Plantcare Inc. Boston, Ma 01/2012- 09/2014

Assistant Financial Controller (April 2012 – September 2014)

- o Records daily payments received from customers, and bills received from vendors
- o Reconcile Bank Accounts
- o Standard Office Tasks: Filing, note taking, answering phones, scanning, faxing
- o Interview prospective employees
- o Process W9 requests and Certificates of Insurance
- o A/P and A/R
- o Record and enter credit card statements
- o Credit Card Processing

96



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

PAUL E. COOGAN
Mayor

June 18, 2020

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

Council President and Members of the Council:

I hereby make the following appointment:

Name: Joseph DaSilva

**Address: 537 Birch Street
Fall River, MA 02721**

Position: Board of Park Commissioners

Effective Date: June 18, 2020

Term to expire: May 06, 2024

Replacing: Joseph Schulenburg

Sincerely,

**Paul Coogan
Mayor**

**Cc: Auditor's Office
Human Resources
City Council**

2020 JUN 29 P 2:06

RECEIVED

9b

JOSEPH DASILVA

537 Birch Street, Fall River, MA 02724

Cell Phone 1 (774) 526-3490

Email: bardydasilva2011@gmail.com

OBJECTIVE

Interested in being appointed as Park & Cemeteries Commissioner to serve on the Park & Cemeteries Board for the City of Fall River, MA

WORK EXPERIENCE

August 2018 – Present Fall River Housing Authority Fall River, MA
Program & Services Coordinator – Resident Services Department Organizing Activities, social programs and opportunities for residents in the Elderly, Disable and family development.

2008 – August 2018 Fall River Housing Authority Fall River, MA
Family & Youth Services Coordinator - Resident Services Department
Coordinating activities, programs and opportunities for residents.

March 2006 – 2008 Fall River Housing Authority Fall River, MA
Youth Services Coordinator - Resident Services Department
Creating opportunities, Sporting events, educational programs for Youths.

August 2004 - March 2006 Fall River Housing Authority Fall River, MA
Tenant Coordinator – Modernization Department
Coordinating the schedules of home improvements between contractors and tenants. Provide tenants with necessary information pertaining to their responsibility in preparation for improvements to their units.

Oct. 2003 – August 2004 Family Services Association of Greater Fall River
Van Driver for Adult Daycare Country Side Site

2002-2003 Stop & Shop Loss Prevention Fall River, MA
Store Detective
Worked as store detective protecting company assets, operated closed-circuit television

96

2001 – 2003 City of Fall River, Oak Grove Cemetery Fall River, MA
Grounds keeper
Worked generally in keeping grounds including raking, cutting grass, burials and miscellaneous duties as needed

1990 – 1999 Fall River Housing Authority Fall River, MA
Participant
Worked with the Housing Authority on several sporting events and worked with troubled adolescents residing in public Housing.

Education

1989 – 1993 BMC Durfee High School Fall River, MA

Volunteer Experience

2014 – present
Greater Fall River Child Protection Council
President of Board

Past member of the Fall River Chapter of "A wish come True" by raising funds to Grant wishes to terminally ill children

Community Development Recreation
Assisted adolescents and pre-adolescents in sporting and arts and crafts activities

TOPPS (Teen Opportunities and Prevention Program) Peer Leader – worked with residents of Crawford Nursing Home.

1993- 1997 Auxiliary Police Officer held the rank of Sargent for Fall River Police Department – Help with crowd control and traffic for the many different events in the city of Fall River, MA



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2020 JUL -7 A 10:30

CITY CLERK _____
FALL RIVER, MA

July 7, 2020

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

Mr. President and Members of the Honorable Council:

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

Name: Jo Ann Bentley

Address: 229 Highest Road
Fall River, MA 02720

Position: **Fall River Housing Authority Board of Commissioners**

Effective Date: July 15, 2020

Term to Expire: July 15, 2025

Replacing: Leonard Aguiar

Thank you for your favorable consideration in this regard.


Paul E. Coogan
Mayor

Cc: Auditor's Office
Human Resources

9c

Jo Ann Bentley, RA
 229 Highcrest Road ~ Fall River, Massachusetts 02720
 508-491-6904
 JoAnn.Bentley@bristolcc.edu

RECEIVED

Education	Rhode Island School of Design, Providence, RI	2020 JUL -7 A 10:30
	<ul style="list-style-type: none"> • Bachelor of Architecture • Bachelor of Fine Arts 	1986
	Bristol Community College, Fall River, MA	CITY CLERK
	<ul style="list-style-type: none"> • Associate of Science, Civil Engineering Technology • Associate of Science, Land Surveying 	FALL RIVER, MA
		1980

Work Experience

February 2020 – Present, Interim Associate VP of Administration & Facilities
 August 2017 – February 2020, Director Design and Construction

Bristol Community College

777 Elsbree Street, Fall River, MA 02720, 774-357-2448

Oversight of Facilities Department and Business Services as well as oversight for all construction and renovation projects for all four Bristol campuses.

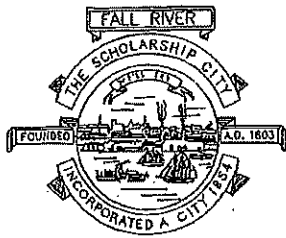
- October 1, 2005 – August 2017
 - Jo Ann Bentley Architect, Inc., Fall River, MA – President of an architectural design company providing design through construction administration of commercial architecture projects. The company was SDO Certified as a WBE company.
- 1993 – September 2005
 - Starck Architects, Fall River, MA – Project Architect for commercial architectural company.
- 1984 – 1992
 - Yoder Corporation, Providence, RI – junior designer, draftsman for a structural engineering company.
- 1981 – 1984
 - Flynn Engineers, Middleboro, MA – draftsman for a civil engineering company.

Community Organizations

- Past President – Fall River Rotary Club
- St. Anne's Credit Union Board Member
- Salvation Army Advisory Board Member
- Narrows Center for the Arts Board Member
- McNamara Scholarship Fund Board Member

Professional Registrations

- Commonwealth of Massachusetts Architectural Registration # 9495
- State of Rhode Island Architectural Registration # 3229
- National Council of Architectural Registration Board # 56641
- APPA: Leadership in Educational Facilities
- Massachusetts Certified Public Purchasing Official Program



City of Fall River
Massachusetts
Office of the Mayor

10a

PAUL E. COOGAN
Mayor

July 2, 2020

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

Mr. President and Members of the Honorable Council:

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

Name: Victor Farias

Address: 568 Weetamoe Street
Fall River, MA 02720

Position: **Board of Park Commissioners**

Effective Date: July 2, 2020

Term to Expire: May 2, 2022

Thank you for your favorable consideration in this regard.

Paul E. Coogan
Mayor

Cc: Auditor's Office
Human Resources

CITY OF FALL RIVER
2020 JUL - 2 A 11:39
FALL RIVER, MA

VICTOR M. FARIAS

568 Weetamoe St. • cell 774-451-1190

Email • thepats@aol.com

10a
RECEIVED

2020 JUL -7 A 10:30

CITY CLERK
FALL RIVER, MA

EXPERIENCE

08/2007 – PRESENT

MANAGER, BRAGA TRANSPORTATION INC. D/B/A COZY BUS CO.

98 MANCHESTER ST. FALL RIVER, MA. 02721

School Bus Instructor training drivers to ensure proper operation of vehicles and safety procedures.

Monitors the overall maintenance work and fixing certain mechanical problems of school buses.

Over seeing day to day operations to make sure routes are started and completed on time.

1/07 – 6/07

SCHOOL BUS DRIVER, AMARAL BUS CO.

1090 STATE RD. WESTPORT, MA 02790

Driving school aged children to and from school
Charter Driver

1982 – 2003

CONSTRUCTION WORKER,

MCLAUGHLIN BROTHERS 120 CLINTON ST. BROCKTON, MA. 1999-2003

LV MAWN CONSTRUCTION, 65 HOWARD ST. BRAINTREE, MA. 1997-1999

EASTCOAST CONSTRUCTION

1995-1997

SANTARELLI CONSTRUCTION, 50 DOROTHY ST. WOBURN, MA. 1982-1995

Labor, Truck Driver, Pipe Layer

1979 – 1982

MOS 11 BROVO,

Communication

10a

EDUCATION

DECEMBER 2006
CLASS A, NETTS
3.3 GPA

JUNE 1979

AUTO BODY, DIMAN REGIONAL TECHNICAL HIGH SCHOOL FALL RIVER, MA.
Auto body

RECEIVED
2020 JUL -7 A 10:30

CITY CLERK, MA.
FALL RIVER, MA

US ARMY 1980 TO 86 BTRY A 13MA211FA HOR DISCHARD

ACTIVITIES

School bus instructor

Fall River Fire Department Special Service Unit
Fall River Emergency Management Services

Fall River Flags and Graves Officer

Constable of the City of Fall River

Rotary Public Commonwealth of Massachusetts

Member of Fall River:
Memorial and Veterans parade community
Park Board
CPC Board

Member of
Bristol County Veterans Association 755 Pine St. Fall River, Ma.
American Legion Post #464 283 Linden St. Fall River, MA.
Amvets Post #60 175 Danforth St. Fall River, Ma.
VVA chapter #207 PO Box 1214 Westport, Ma. 02790
Firefighters Wives Association Inc.

Official Driver for the Fall River Young Marines

Portuguese Heritage Award and medal on June 6, 2017
Firefighters Wives Association Citation on June 12, 2012



City of Fall River
Massachusetts
Office of the Mayor

106

PAUL E. COOGAN
Mayor

CITY OF FALL RIVER
2020 JUL -2 A 11:39

July 2, 2020

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

Mr. President and Members of the Honorable Council:

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

Name: Helen Rego

Address: 41 Foster Street
Fall River, MA 02721

Position: **Board of Park Commissioners**

Effective Date: July 2, 2020

Term to Expire: May 1, 2023

Thank you for your favorable consideration in this regard.

Paul E. Coogan
Mayor

Cc: Auditor's Office
Human Resources

106

HELEN REGO

SKILLS

Strong leadership abilities, self-motivator, exceptional organizational skills.

VOLUNTEER EXPERIENCE OR LEADERSHIP

Niagara Neighborhood Committee Chapter President

Creative Arts Network Committee

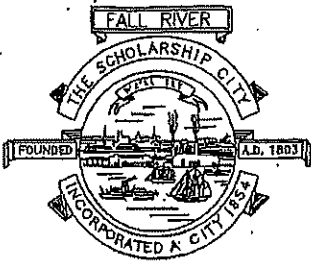
Fall River Food Pantry Board Member

City of Fall River Volunteer

OBJECTIVE

Looking for an opportunity to help keep the city of Fall River Massachusetts safe and clean by gaining the position of Fall River Park Commissioner.

41 Foster St. Fall River Ma, 02721
(508)837-7406



City of Fall River
Massachusetts
City Council

CLIFF PONTE
President
City Council

July 7, 2020

Alan J. Rumsey, Esq.
Corporation Counsel
One Government Center
Fall River, MA 02722

Dear Attorney Rumsey:

As you are aware, I have invited you to attend City Council Meetings on March 10, June 23, and July 14, 2020, which you have not been available to attend for a variety of reasons such as having additional commitments, not being available that evening, etc.

The Corporation Counsel's Mission Statement states, in part, that the office shall provide "timely advice and representation... to the City Council". It also provides that the office will "Provide unfettered, impartial, and accurate advice to any and all City entities".

Chapter 2-523 of the City's Code requires Corporation Counsel to provide "opinions" on matters submitted to him in writing. While the ordinances appear to neither require nor prohibit Corporation Counsel from appearing before the City Council, the Charter is more explicit. Section 2-7 of the Charter relates to the City Council's access to information from the Mayor, department heads and employees. The City Council "may make investigations" 2-7(a). The City Council "may require... a city officer, or city employee to appear before the City Council to give information that the City Council may require... which are within the scope of responsibility of that person..." 2-7(b). The City Council may also request specific information from the Mayor, who may personally appear or send a designee 2-7(c).

All other arguments aside, the City's Corporation Counsel is the lawyer for all boards including the City Council. The efficient functioning of government is not best aided by government memo or strictly written opinions. At times, the City Council could have questions about a specific agenda item and may request that you come down and help by means of guidance or suggestions from the legal standpoint.

Therefore, I am suggesting that you review the dates of our scheduled meetings throughout the year and pencil them into your calendar. Typically, there are only two meetings per month and they are scheduled for Tuesday evenings for the remainder of the year. With prior Corporation Counsel, I would usually receive a call leading up to the meeting and we would briefly review the agenda and if there was/was not a need for his attendance. We would be on the same page.

CITY CLERK
FALL RIVER, MA

2020 JUL -7 P 3:37

RECEIVED

11

I am respectfully requesting your attendance at our meetings, especially if invited. I would prefer not to change the ordinance but rather continue to use past practice.

I remain,

Very Truly Yours,

Cliff Ponte

Cliff Ponte

City Council President

CC: City Council
Paul E. Coogan, Mayor
Mary Sahady, Director of Financial Services
City Clerk
City Council Office



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

July 1, 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, June 24, 2020 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
Eastern Avenue	West	Starting at a point 79 feet south of Bedard Street, for a distance of 20 feet southerly.

David Fernandes
589 Eastern Avenue
Fall River, MA 02723

Very truly yours,

Laura Ferreira
Parking Clerk

Handwritten initials



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

July 1, 2020

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

2020 JUL -2 P 12:27

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, June 24, 2020 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
Mulberry Street	West	Starting at a point 138 feet north of Columbia Street, for a distance of 20 feet northerly.

Jacob J. Fay
109 Mulberry Street
Fall River, MA 02721

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

July 1, 2020

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

CITY OF FALL RIVER
2020 JUL - 2 P 12:27

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, June 24, 2020 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
Thompson Street	East	Starting at a point 214 feet south of Brownell Street, for a distance of 20 feet southerly.

Sherry Hawrylyshyn
31 Thompson Street
Fall River, MA 02720

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

July 1, 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, June 24, 2020 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
William Street	South	Starting at a point 107 feet west of Washington Street, for a distance of 20 feet westerly.

Aldina Camara
575 William Street
Fall River, MA 02721

Very truly yours,

Laura Ferreira
Parking Clerk

Ch...



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

June 29, 2020

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, June 24, 2020 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
Third Street	East	Starting at a point 82 feet north of Spring Street, for a distance of 20 feet northerly.

Very truly yours,

Laura Ferreira
Parking Clerk

RECEIVED
2020 JUN 30 P 3:40
CITY OF FALL RIVER MA

Clt



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

June 29, 2020

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, June 24, 2020 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.

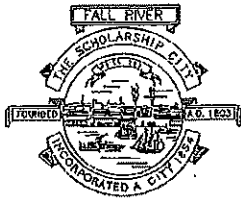
STRIKE OUT

Name of Street	Side	Location
Amity Street	North	Starting at a point 310 feet east of Laurel Street, for a distance of 20 feet easterly.

Very truly yours,

Laura Ferreira
Parking Clerk

CH



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

June 29, 2020

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, June 24, 2020 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
Charles Street	South	Starting at a point 66 feet west of Crawford Street, for a distance of 20 feet westerly.

Very truly yours,

Laura Ferreira
Parking Clerk

RECEIVED
2020 JUN 30 P 3:41
CITY OF FALL RIVER



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

June 29, 2020

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, June 24, 2020 the following request was heard and approved by the Traffic Commission.

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

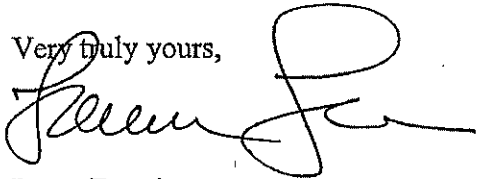
Article: 70
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Chester Street	West	Starting at a point 44 feet north of Lafayette Street, for a distance of 20 feet northerly.

Very truly yours,


Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

June 29, 2020

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

RECEIVED
2020 JUN 30 P 3:41
CITY OF FALL RIVER

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, June 24, 2020 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
Chester Street	West	Starting at a point 22 feet north of Reney Street, for a distance of 20 feet northerly.

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

June 29, 2020

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, June 24, 2020 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
Cook Street	West	Starting at a point 80 feet south of Hamlet Street, for a distance of 20 feet southerly.

Very truly yours,

Laura Ferreira
Parking Clerk

RECEIVED
2020 JUN 30 P 3:41
CITY OF FALL RIVER



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

June 29, 2020

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

CITY CLERK
FALL RIVER, MA

2020 JUN 30 P 3:40

RECEIVED

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, June 24, 2020 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
Covel Street	East	Starting at a point 130 feet south of Bedford Street, for a distance of 20 feet southerly.

Very truly yours,

Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

June 29, 2020

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

RECEIVED
2020 JUN 30 P 3:41
CITY OF FALL RIVER

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, June 24, 2020 the following request was heard and approved by the Traffic Commission.

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

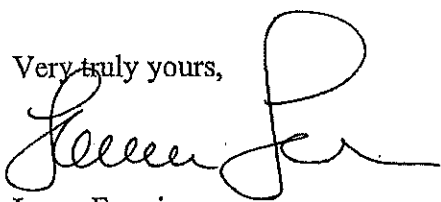
Article: 70
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following:

STRIKE OUT

Name of Street	Side	Location
Durfee Street	East	Starting at a point 311 feet north of Cedar Street, for a distance of 20 feet northerly.

Very truly yours,


Laura Ferreira
Parking Clerk



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

June 29, 2020

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

RECEIVED
2020 JUN 30 P 3:41
STREET

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, June 24, 2020 the following request was heard and approved by the Traffic Commission.

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

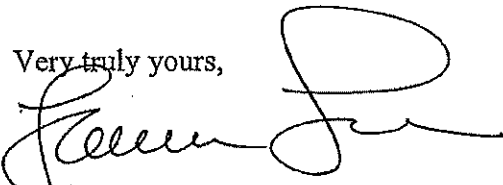
Article: 70
Section: 387 **Handicapped Parking**

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Durfee Street	West	Starting at a point 41 feet north of Cedar Street, for a distance of 20 feet northerly.

Very truly yours,


Laura Ferreira
Parking Clerk



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

June 29, 2020

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, June 24, 2020 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
Durfee Street	West	Starting at a point 103 feet north of Walnut Street, for a distance of 20 feet northerly.

Very truly yours,

Laura Ferreira
Parking Clerk

RECEIVED
2020 JUN 30 P 3:40
CITY OF FALL RIVER
TRAFFIC & PARKING DIVISION



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

June 29, 2020

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, June 24, 2020 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
Jencks Street	West	Starting at a point 202 feet north of Pleasant Street, for a distance of 20 feet northerly.

Very truly yours,

Laura Ferreira
Parking Clerk

RECEIVED
2020 JUN 30 P 3:42
CITY OF FALL RIVER



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

June 29, 2020

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, June 24, 2020 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
Osborn Street	North	Starting at a point 79 feet west of Whipple Street, for a distance of 20 feet westerly.

Very truly yours,

Laura Ferreira
Parking Clerk

RECEIVED
2020 JUN 30 P 3:42
CITY OF FALL RIVER



CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division

12

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

June 29, 2020

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

RECEIVED
2020 JUN 30 P 3:40
CITY CLERK
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, June 24, 2020 the following request was heard and approved by the Traffic Commission.

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

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

By striking out in proper alphabetical order the following.

STRIKE OUT

Name of Street	Side	Location
Robeson Street	West	Starting at a point 224 feet north of Pine Street, for a distance of 20 feet northerly.

Very truly yours,

Laura Ferreira
Parking Clerk

13

City of Fall River
Office of the Corporation Counsel

PAUL E. COOGAN
Mayor

RECEIVED

2020 JUN 23 A 11:38

CITY CLERK
FALL RIVER, MA



ALAN J. RUMSEY
Corporation Counsel

GARY P. HOWAYECK
Assistant Corporation Counsel

23 June 2020

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

Re: Control of Monuments and Memorials in City Parks

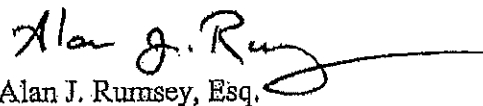
Mt. President and Members of the Honorable Council;

Issue: I have been asked to provide an opinion on whether monuments and memorials located within city parks would be in the control of the Board of Park Commissioners or the Veterans Service Officer.

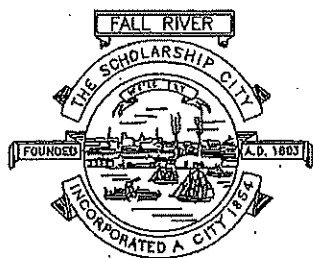
Opinion: Absent the existence of an agreement to the contrary, the Board of Park Commissioners would be in control of monuments and memorials located within city parks. This authority is conferred upon the Board of Park Commissioners in M.G.L.A. c. 45, § 5 and § 54-53 of the Code of the City of Fall River. The Board of Park Commissioners should, however, work cooperatively with the Office of Veterans' Services to ensure compliance with applicable laws and policies regarding proper interment, care, and maintenance of veteran's graves and memorials. *See*, M.G.L.A. c. 115, § 9.

Please contact me with any questions or concerns.

Very truly yours,


Alan J. Rumsey, Esq.

13



City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

May 22, 2020

Alan J. Rumsey, Esquire
Corporation Counsel
One Government Center
Fall River, MA 02722

Dear Attorney Rumsey,

At a meeting of the City Council held on May 19, 2020, a discussion was held relative to the attached resolution, which was amended by the Committee on Ordinances and Legislation, requesting the designation of the Veterans' Services Agent as the contact and consultant for veteran's facilities, graves, monuments and memorials.

On a motion made and seconded, it was voted 9 yeas, to request that you draft an ordinance to encompass the duties specified.

I have enclosed a copy of the resolution for reference. Please forward the proposed ordinance to the City Council Office, to be discussed at a future meeting of the City Council. Thank you for your assistance in this matter.

Very truly yours,

Alison M. Bouchard
City Clerk

cc: Raymond Hague, Director of Veterans Services

/cah

City of Fall River, In City Council

13

(Councilor Linda M. Pereira)
(Committee on Ordinances and Legislation)

WHEREAS, the Veterans' Service Officer has many duties and responsibilities regarding veterans' needs, and

WHEREAS, the Veterans' Service Officer is designated with the authority and responsibility to establish and maintain all veterans' facilities, memorials and designated veterans' sites within the City of Fall River, now therefore

BE IT RESOLVED, that the Veterans' Service Officer be designated as the contact and consultant with the Department of Community Maintenance, Cemetery Department and Parks and Recreational Department and all duly authorized Veterans' Service and non-profit organizations within the City of Fall River, to ensure that all Fall River Veterans' facilities, graves, monuments and memorials are formed and provided in compliance with the Code of the City of Fall River, state laws and in the best interest of the residents of Fall River and protocols pertaining to veterans, and

*BE IT FURTHER RESOLVED, that Corporation Counsel review the Code of the City of Fall River and state laws to determine if monuments and memorials are located within city parks then would the Board of Park Commissioners or the Veterans' Service Officer ultimately be in control of said monuments and memorials.

*Amended at a meeting of the Committee on Ordinances and Legislation held on May 12, 2020.

CITY OF FALL RIVER
IN CITY COUNCIL

MAY 19 2020

*Referred to
Corporation Counsel,
9 years.*

Byron R. Holmes, P.E.
Engineering Consultant
City of Fall River, Massachusetts

14

622 Berkley Street
Berkley, MA 02779

2020 JUL -2 P 1-55

Phone: 508-880-6535

Email: Holmes@holmes.net

MEMO

To: Fall River City Council
From: Byron Holmes, P.E.
City Engineer
Date: June 29, 2020
Subject: Street Opening Request for Pavement less than 5 years old.

Comments:

National Grid has requested approval to open streets less than five years old within the Fall River Industrial Park. In particular, these lines will be at the following locations:

Sykes Road, from Currant Road running south for approximately 600 feet
This section is mostly outside the pavement limits of the street layout.
Currant Road from Sykes Road running east for approximately 500 feet
This section is within the paved area of the street layout.

Sykes Road and Currant Road were paved within the past 5 years.

Under Section Sec. 66-392 of City Ordinances, permission to open such streets can only be granted by a majority vote of the city council.

If the Council grants this request, the following street repair criteria for the project is recommended:

1. Flowable fill shall be used to backfill the trench in the roadway.
2. Pavement repair shall consist of a mill and overlay from crown to curb along the entire length of all trenches.
3. All work is to be inspected by the Engineering Department.
4. Invoice for Flowable Fill is to be provided to the Engineering Department.

City of Fall River, *In City Council*

15

(President Cliff Ponte)

WHEREAS, the City of Fall River is facing an uncertain financial future due to the COVID-19 pandemic, and

WHEREAS, each city department should submit a report detailing its finances, cost savings, needs and suggested changes to improve the department finances and efficiencies, now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation establish an Oversight Committee composed of two City Council members with one being appointed as Chair selected by the City Council President, two residents appointed by the Mayor, and the Director of Financial Services, to provide an annual report to the City Council and the Mayor, and

BE IT FURTHER RESOLVED, that such report be submitted to the City Council annually within two months prior to the end of the fiscal year.

City of Fall River, In City Council

16

(President Cliff Ponte)

WHEREAS, the City of Fall River is facing an uncertain future due to the COVID-19 pandemic, and

WHEREAS, the Administration should consider performance audits for departments they deem necessary, now therefore

BE IT RESOLVED, that the Administration present the costs for such audits and expected results to the Committee on Finance for discussion at their next scheduled meeting on August 11, 2020.

City of Fall River, *In City Council*

17

(Councilor Linda M. Pereira)

WHEREAS, many residents of Wilson Road have concerns regarding a significant increase in large commercial trucks using this road to access the Industrial Park area, and

WHEREAS, these large commercial trucks should be accessing this area using exit 10 (formerly exit 8B) Innovation Way, Fall River – Freetown from Route 24 and not traveling city streets, now therefore

BE IT RESOLVED, that the Committee on Public Safety convene with the Director of Traffic to discuss this public safety concern, and

BE IT FURTHER RESOLVED, that area businesses communicate to trucking companies the proper routes to travel to access their location.

City of Fall River, In City Council

18

(Councilor Linda M. Pereira)

WHEREAS, the City of Fall River shares significant historic, cultural, and artistic commonalities and ties with its sister city of Ponta Delgada in the country of Portugal, and

WHEREAS, the hydrangea plant in Portugal is ubiquitously displayed throughout the country's landscape, and

WHEREAS, the City of Fall River in collaboration with Creative Arts Network, Inc. has embarked on a program to plant hydrangeas throughout the city as a means of beautification and connectivity, and

WHEREAS, the City of Fall River in endeavoring to enhance the city's landscape, promote economic development, tourism, and its artistic and cultural image has chosen the hydrangea plant as a unifying symbol, now therefore

BE IT RESOLVED, that the hydrangea plant be named the official flower of the City of Fall River, and

BE IT FURTHER RESOLVED, that the City of Fall River and all related departments be directed and encouraged to support the public and private use of the hydrangea plants in all landscape projects as a common theme throughout the city.

**Stillman
&
Associates, P.C.**
ATTORNEYS AT LAW

51 Mill Street, Suite 11
Hanover, MA 02339
T (781) 829-1077
F (781) 829-2077

Rhode Island Office
(401) 787-4241

31

June 16, 2020

SENT PURSUANT TO MGL ch. 258

Alison M. Bouchard, City Clerk
One Government Center, Room 227
Fall River, MA 02722

RE: Insured: Jose Rosa
Date of Loss: 10/29/2019

RECEIVED
2020 JUN 19 A 11:42
CITY CLERK
FALL RIVER MA
20-30

Dear Ms. Bouchard:

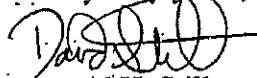
We have been retained by Plymouth Rock Assurance Company to recover for property damage resulting from an accident that took place on October 29, 2019 on Whipple Street in Fall River. On that date, a Fall River Fire Truck operated by David Duarte and owned by the City of Fall River (Registration No. MFC664) struck a parked vehicle owned by Jose Rosa.

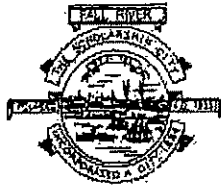
Due to your employee's negligence, Mr. Rosa's vehicle was damaged. Plymouth paid its insured for those damages and is now seeking to pursue its subrogation rights against the City of Fall River to recover \$1,562.13 for this loss.

As the city's liability for this loss is apparent, we hope that this matter can be resolved quickly, without the additional efforts and expenses of litigation. Please feel free to contact my office if you would like to discuss settlement of this claim. Otherwise, we will file suit according to the terms of Mass. Gen. Laws ch. 258.

Thank you in advance for your prompt attention to this matter.

Very truly yours,


David H. Stillman



31

RECEIVED

City of Fall River
Notice of Claim

2020 JUN 22 A 11:30

CITY CLERK 20-31
FALL RIVER, MA

1. Claimant's name: Heather Pacheco
2. Claimant's complete address: 14 Gadoury Street, Westport, MA 02790
3. Telephone number: Home: 508-264-7755 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Auto Damage 2012 Ford Focus
5. Date and time of accident: 6/16/2020 5:00pm Amount of damages claimed: \$ 265.00
6. Exact location of the incident: (include as much detail as possible):
Plymouth Blvd, Fall River in front of CVS/Denny's
7. Circumstances of the incident: (attach additional pages if necessary):
I was driving in between two office locations. I am an essential worker for Southcoast.
I along with several others received two flat tires and rim damage along with front end
damage to my vehicle due to raised structure and pothole. I additionally missed two hours of work and had to be towed as
well as incurring the additional expenses of the auto repair.
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
Per agent - unable to submit - insurance does not cover.

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

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

Date: 6/17/2020

Claimant's signature: Heather Pacheco

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

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

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

For official use only:

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

Date: 6/22/2020



RECEIVED

31

2020 JUN 24 P 1:27

City of Fall River
Notice of ClaimCITY CLERK # 20-32
FALL RIVER, MA

1. Claimant's name: Linda L Gray
2. Claimant's complete address: 211 Columbia St Fall River MA 02721
3. Telephone number: Home: 508/6763272 Work: _____
4. Nature of claim (e.g., auto accident, slip and fall on public way or property damage):
Stepped off curb into pothole
5. Date and time of accident: 6/6/2020 3:00 PM Amount of damages claimed: \$ _____
6. Exact location of the incident: (include as much detail as possible):
outside of 211 Columbia St Fall River MA, 02721
7. Circumstances of the Incident: (attach additional pages if necessary):
Stepped off curb into a pothole my foot went one way and body went other. Received a fracture of distal tibia, fracture of 5th Metatarsal, Elbow sprain right arm, and bruises on both knees
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 6/16/2020Claimant's signature: Linda L Gray

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: 6/24/2020



RECEIVED

31

City of Fall River
Notice of Claim

2020 JUN 24 P 3:37

1. Claimant's name: Ricardo J Pimentel CITY CLERK #20-33
FALL RIVER, MA
2. Claimant's complete address: 23 Garside St Apt 3 Fall River, Ma.
3. Telephone number: Cell 508-493-1449 Home: 508-493-1449 Work: 02720
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
damage to vehicle due to pot hole on Pearce St.
5. Date and time of accident: 6/5/2020 10:30 PM Amount of damages claimed: \$ 912.14
6. Exact location of the incident: (include as much detail as possible):
Pearce St just before the back entrance to Boardwalk Commons Plaza at President Ave.
7. Circumstances of the incident: (attach additional pages if necessary):
It was raining, I was going to turn into the plaza and it looked like a puddle, as I went through it turned out to be a deep pothole and it caused my tire and axle to completely fall off my vehicle, I have attached
(continued on back)
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 6/22/2020

Claimant's signature: Ricardo Pimentel

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

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

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

For official use only:

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

Date: 6/24/2020



RECEIVED

31

City of Fall River
Notice of Claim

2020 JUN 25 P 2:06

CITY CLERK [#]20-34
FALL RIVER, MA

1. Claimant's name: John R. Albert
2. Claimant's complete address: 44 Kenny Drive, Tiverton, RI 02878
3. Telephone number: Home: 508-353-7658 Work: Same
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Auto accident caused by raised casting (manhole)
5. Date and time of accident: 6/13/20 1240PM Amount of damages claimed: \$ 669.31
6. Exact location of the incident: (include as much detail as possible):
Marino Bishop Blvd (South) in vicinity of CVS
7. Circumstances of the Incident: (attach additional pages if necessary):
While traveling south on Marino Bishop Blvd in left travel lane, a vehicle in right travel lane swerved to avoid a raised casting in their lane. I was forced to swerve to avoid being hit and consequently hitting a raised casting (manhole) in the left lane damaging 2 tires & rims & requiring AAA.
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
Road Hazard covered \$644.33 of \$1,316.64 in total damage

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: 24 JUN 20Claimant's signature: John R. Albert

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: 6/25/2020

Claim #20-35

31

From: Patrick Higgins <patrick@patrickhiggins.co>
Sent: Saturday, June 27, 2020 5:31 PM
To: Mike Sousa; info@ribisecurity.com; City Clerk; Leite, Ines; Alan J. Rumsey
Cc: timothy.barrow@fallriverha.org; board@fallriverha.org; Curran, Tess; Luanne Calvo
Subject: [EXTERNAL] Claim pursuant to Massachusetts General Laws Chapter 258, section 4

Importance: High

This email will serve as a claim against the Fall River Housing Authority, the City of Fall River, Tess Curran, and RIBI Security in the amount of \$3000.00. The basis for this claim is that RIBI security, as an agent of the Fall River Housing Authority, does not permit FedEx deliveries to the residents apartment doors relying on the communication for Tess Curran prohibiting visitors to the residents of the Fall River Housing Authority. On Friday, June 26, 2020 at 10:30 am, an officer of the RIBI Security refused to allow FedEx access to deliver my package to me which was time and temperature sensitive containing Trulicity and I was not notified that the Security office had that package in their possession until 3 pm on Saturday, June 27th. When I received the package I immediately opened the package and the contents of the package was 82 Degrees, rendering the prescription for Trulicity worthless. This prescription costs \$2,350.18 which the conduct of the officer of RIBI Security, acting as an agent of the Fall River Housing Authority relying on the order of Tess Curran caused this damage. The agent "John Doe" for the day shift and "John Doe 2" for the night shift did not attempt to notify me that the package was intercepted by RIBI security, without my consent.

I will look forward to receiving your check in the amount of \$3000 without delay or I will be filed to litigate this in the Courts, naming each of you, jointly and severally liable for this claim.

To RIBI Security, I will also be filing formal complaints with the licensing authorities of the State of Rhode Island and the Commonwealth of Massachusetts regarding this issue.

Thanks

Patrick Higgins
508-617-4114

RECEIVED
2020 JUN 29 A 10:22
#20-35
FIVE



RECEIVED

31

City of Fall River
Notice of Claim

2020 JUN 29 A 8:59

CITY CLERK #20-36
FALL RIVER, MA

1. Claimant's name: Robert Treglia
2. Claimant's complete address: 919 Bay Street Fall River MA unit 52
3. Telephone number: Home: 860-331-9285 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Pot Hole - Raised Man Hole damage
5. Date and time of accident: 6/21/2020 Amount of damages claimed: \$ 219.82
6. Exact location of the incident: (include as much detail as possible):
William Canning Blvd in front of CVS
7. Circumstances of the incident: (attach additional pages if necessary):
Man Hole was raised and a pot hole was next to the manhole cover. The car tire and rim struck the manhole.
The rim and tire were damaged tire needed to be replaced.
Car is new 24,000 m.les
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: _____ Claimant's signature: _____

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

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

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☒ City Administrator ☒ DPW Date: 6/29/20



31

City of Fall River
Notice of Claim

2020 JUL -1 A 11:52

CITY CLERK #00-37
FALL RIVER, MA

1. Claimant's name: Stacey Alves
2. Claimant's complete address: 6 Cliff Place Fall River MA 02724
3. Telephone number: Home: 774-930-6526 Work: 508-675-8225
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
property damage (fence)
5. Date and time of accident: Feb March 2020 Amount of damages claimed: \$
6. Exact location of the incident: (include as much detail as possible):
front yard of my house at 6 Cliff Place
7. Circumstances of the incident: (attach additional pages if necessary):
When the water Dept was digging up my street with their heavy equipment to replace the water line on my street they hit the corner of my fence which resulted in it coming out of the ground and over back
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 6-22-20

Claimant's signature: Stacey Alves

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

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

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☒ City Administrator ☒ Water Dept Date: 7/1/2020

31



City of Fall River
Notice of Claim

2020 JUL -2 P 12:36

#20-28

1. Claimant's name: Susana Pacheco
2. Claimant's complete address: 218 Mount Pleasant St Fall River MA 02720
3. Telephone number: Home: 508 840-2338 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage)
city tree from Gibbs St fell on my car while my car was in driveway
5. Date and time of accident: June 27 2020 6:30 PM Amount of damages claimed: \$ _____
6. Exact location of the incident: (include as much detail as possible)
My home address is 218 Mount Pleasant St Fall River MA
tree on city property Gibbs St
7. Circumstances of the incident: (attach additional pages if necessary)
My car was parked in my driveway tree fell on it. I called
Fall River Police 6:36 pm to assist officer McDonald came and I
placed call out to tree department to have them remove tree
from top of my car
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☒ Yes ☐ No
Rental car will be required insurance will except reimbursement

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

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

Date: 6-29-20Claimant's signature: Susana Pacheco

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 AdministratorX DPWDate: 7/2/2020

BRIAN R. CUNHA, Esq.**
NELIA CAMARA DE STEFANO, Esq.**

HONEY POLNER, Esq., R.N.
KAREN A. ALEGRIA, Esq.**
SHARON D. SYBEL, Esq.**

**MEMBER MA & RI BAR

LAW OFFICES

BRIAN CUNHA
& ASSOCIATES

311 PINE STREET
FALL RIVER, MASSACHUSETTS 02720
(508) 675-9600

FAX: (508) 679-6360

WEBSITE: www.briancunha.com

July 1, 2020

Certified Mail Return Receipt No:
7019 0700 0001 6901 3378

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

RE: Client : William Cuevas-Colon
Date of Loss : August 27, 2019

**NOTICE PURSUANT TO M.G.L., CHAPTER 258, §4
THE TORT CLAIMS ACT**

Dear Sir/Madam Clerk:

Notice is hereby given to the City of Fall River, pursuant to Massachusetts General Laws Annotated Chapter 258, that on August 27, 2019, Mr. William Cuevas-Colon was operating his vehicle at or near the intersection of Plymouth Avenue and Warren Street, Fall River, MA, when a collision occurred with a City of Fall River EMS Ambulance. That as a direct result and proximate cause of the City of Fall River, by and through its agents, servants and/or employee's, carelessness, negligence and recklessness, my client was caused to suffer great physical pain and mental anguish, medical expenses, care and attendance, and will in the future incur further medical expenses.

Our client, Mr. Cuevas-Colon claims that said accident was directly and proximately caused by the City of Fall River, its agents, servants and/or employee's negligence.

As such, would you kindly contact our office with regard to an amicable settlement of this matter. Your anticipated courtesy and cooperation is greatly appreciated.

Very truly yours,
BRIAN CUNHA & ASSOCIATES, P.C.

Karen A. Alegria
Karen A. Alegria, Esquire

KAA/dP

2020 JUL -2 P 2:30
CITY OF FALL RIVER
490-39



31

RECEIVED

2020 JUL -3 A 11:20

CITY CLERK #26-40
FALL RIVER, MA

City of Fall River
Notice of Claim

1. Claimant's name: Kyle McMahon
2. Claimant's complete address: 547 Stafford Rd Fall River Ma 02721
3. Telephone number: Home: 781 506 6140 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
property damage, broken window
5. Date and time of accident: 6-23-20 8AM-10AM Amount of damages claimed: \$ ~~20418~~ 904.18
6. Exact location of the incident: (include as much detail as possible):
547 STAFFORD RD, Window Above front door
7. Circumstances of the Incident: (attach additional pages if necessary):
Dept of Works was cutting grass and performing routine maintenance on the maplewood baseball park on tue June 23 between 8am and 10am when a rock was ejected from the bottom of the lawnmower hitting the window above my front door.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 7-3-20

Claimant's signature: Kyle McMahon

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 ☐ _____ Date: _____

CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, June 23, 2020 at 6:15 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, Leo O. Pelletier and Linda M. Pereira

ABSENT: None

IN ATTENDANCE: None

Due to the COVID-19 Essential Services Advisory, Government Center was closed to the public and citizens were advised to submit their remarks by email to the City Clerk by June 23, 2020 at 5:00 p.m. to be read at the meeting.

The President called the meeting to order at 6:18 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:

Pole Locations

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted that the hearing be opened. The President asked the City Clerk if any proponents or opponents submitted testimony and the City Clerk stated that none was received.

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

Harrison Street

One (1) new pole location

National Grid requests to install a new solely owned pole on Harrison Street. The pole will be approximately 47 feet from pole 3 and 63 feet from pole 4, and will be numbered 4-30. This pole is to be installed for the purpose of new electrical service to 295 Harrison Street. In accordance with Plan No. 28174781 dated June 12, 2019.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the hearing be closed.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted that the hearing be opened. The President asked the City Clerk if any proponents or opponents submitted testimony and the City Clerk stated that none was received.

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

Quarry Street

One (1) new pole location

National Grid requests to install a new pole 21-30 at Quarry Street. In accordance with Plan No. 28560396 dated March 17, 2020.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the hearing be closed.

On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to adjourn at 6:21 p.m.

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

A true copy. Attest:



City Clerk

COMMITTEE ON FINANCE

MEETING: Tuesday, June 9, 2020 at 6:40 p.m.
Zoom (Virtual Meeting Application) pursuant to the Governor's Declaration of State of Emergency due to the Coronavirus (COVID-19) Pandemic

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

ABSENT: None

IN ATTENDANCE: The Honorable Paul E. Coogan, Mayor
Mary Sahady, Director of Financial Services
Paul Ferland, Administrator of Community Utilities
Jeffrey Cardoza, Acting Chief of Police
John Lynch, Fire Chief
Timothy Oliveira, Director of Emergency Medical Services

The chair called the meeting to order at 6:56 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, persons are allowed 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. Due to the COVID-19 Essential Services Advisory, Government Center was closed to the public and citizens were advised to submit their remarks by email to the City Clerk by June 9, 2020 at 5:00 p.m. to be read at the meeting.

The Council President read communications received from city residents, copies of which are attached hereto and made a part of these minutes.

Citizens' Input Time – Before Discussion of Financial Matters:

CJ Ferry, 300 Buffinton Street – School bus transportation contracts and Adams House, 1168 Highland Avenue
Collin Dias, 560 Ray Street – City Council resolutions

2. Update from Mayor Paul E. Coogan regarding COVID-19

Mayor Paul E. Coogan provided an update of the number of COVID-19 cases at the city's hospitals in terms of testing and positive cases. He then stated that Fall River is trending in the right direction. He also mentioned that there were two protests in the City last week and both were safe and peaceful. Mayor Paul E. Coogan then stated that there have been tables set up on the Boardwalk for the 2020 Census, which is nice to see as this is very helpful for the residents. He then mentioned that BayCoast Bank is still taking payments for the City of Fall River at their five branch locations and this is working well. Councilor Michelle M. Dionne stated that some restaurants are waiting for approval to be allowed to serve alcohol outside.

Councilor Leo O. Pelletier stated that he has received many telephone calls regarding the use of illegal fireworks. Mayor Paul E. Coogan stated that he just sent out a press release regarding this matter. He then stated that fireworks are illegal in Fall River, but this is also in violation of the noise ordinance when set off late in the evening. Councilor Linda M. Pereira stated that there was a woman on Pleasant Street holding a sign that advertised fireworks for sale in Tiverton, Rhode Island. She then stated that she contacted the Chief of Police regarding this matter, as fireworks are illegal in Massachusetts.

3. Mayor and proposed Fiscal Year 2021 budget for Emergency Management Division
The Director of Financial Services provided a brief overview of the Emergency Medical Services Enterprise Fund. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to refer the Fiscal Year 2021 EMS Enterprise Fund Budget to the full council for action.

4. Loan Order - \$4,858,085.00 for the Phase 20 Water System Improvements
The Administrator of Community Utilities provided a brief overview of the loan order for Phase 20 Water System Improvements. He stated that there are 240 miles of water mains in the city and most were laid in the late 1800s and the early 1900s. He also mentioned that in the 1970s there were many water mains replaced when the City had a large staff in the Water Maintenance Division. He then stated that there is approximately 11,500 linear feet of water mains to be replaced this year that are from the late 1800s and the early 1900s and they are as follows:

- Bowler Street from Quarry Street to Carlisa Drive
- Carr Street from County Street to Keene Street
- Coolidge Street from Hemlock Street to Weetamoe Street
- Dear Street from Alden Street to the dead end
- Notre Dame Street from St. Joseph Street to Pleasant Street
- Pitman Street from East Warren Street to Webster Street
- Prevost Street from Pleasant Street to McGowan Street
- Quarry Street from Pleasant Street to Hargraves Street
- Renaud Street from Kennedy Street to Powell Street
- Ruben Street from Quarry Street to Quequechan Street
- Roper Street from Hirst Street to Smithies Street
- Ryan Street from Brayton Avenue to Oman Street
- Webster Street from Alden Street to Pleasant Street
- Weybosset Street from Pleasant Street to Wamsutta Street
- Williamson Street from Coolidge Street to Warren Street
- Atlantic Boulevard from Pembroke Street to Tindal Street

Paul Ferland then stated that many of the old water mains that are removed only have a two inch hole in the center of a six inch water main, due to the tuberculation of the pipe. This causes a severe reduction in water pressure for residents. Councilor Shawn E. Cadime stated that the installation of utilities in streets should be coordinated and have all updates completed in a street and then repave the entire street. He then stated that Liberty Utilities installed new gas mains in President Avenue and there is a three foot wide patch on the entire length of President Avenue, which in his opinion looks terrible. He also stated that it is a waste of money to have these extensive patches made in the city streets and then have all this new material removed because the entire street will be repaved.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 9 yeas to refer the loan order to the full council for action.

Citizens' Input Time – After Discussion of Financial Matters:

None

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to adjourn at 7:54 p.m.

List of documents and other exhibits used during the meeting:

Citizens' Input Communications
Agenda packet (attached)
DVD of meeting

Callan A. Taylor
Clerk of Committees

June 9, 2020

Communications
submitted for
Citizens' Input Time

33

CJ FERRY, R.N., PHN

RECEIVED

June 8, 2020

2020 JUN -9 A 9:44

Fall River City Council
One Government Center
Fall River, MA 02721

CITY CLERK
FALL RIVER, MA

Re: Citizen Input

Council President and Honorable Council:

I wish to address you regarding two items on this evening's agenda.

The first item is the School Department Transportation Contract. I firmly believe that the City Council needs to reject this transportation contract based upon the fact that the proposed contracts have not consider the costs associated with the COVID-19 restrictions that have been implemented by the DESE.

Under the new guidelines, only one student may sit in a seat and there must be a one seat space between students. This will ultimately cut the transportation capability down to $\frac{1}{4}$ to $\frac{1}{3}$ of the vehicle capacity. This will mean that a bus that seats 55 students will be cut down to between 12 and 15 students which will require three to four buses to transport the same number of children. A van will only carry two students instead of six to eight students requiring three to four vans to carry the same number of students. These additional trips or vehicles will result in a cost that will be three to four times as much and as such a contract of \$5 million may end up costing the School Department another \$10 to \$15 million. This will force the School Department to come back to the City Council mid-year and ask for supplemental funding which we may not have. It is easier to plan for the worst and hope for the best.

Based upon this information, the City Council should reject the transportation contracts and send them back to the School Committee for re-calculation based upon DESE guidance and the Mass Department of Public Health and CDC recommendations. This is the prudent and responsible thing to do.

The second item I would like to address is the Adams House zoning that is before you this evening. While I know several of the councilors support the

June 8, 2020

33

project, we need to look at the effects of this "spot zoning" on the abutting properties. The reason for this "spot zoning" is to have the property qualify for state tax incentives, loans and grants. I want to remind you of a "spot zoning" that was done a bit ago for David Hebert and members of this council opposed it very vocally and brought up the fact that "spot zoning" was illegal and while assured by the then City Administrator that the city council could do this, it created many ill feelings for neighbors of this property while the project was accepted by the neighborhood group, nothing has happened to this property to date.

I want to call to your attention that other properties in this neighborhood would not be eligible for the same tax credits, loans and grants as the "spot zoning" would not apply to their properties. This is ultimately unfair to the taxpayers in this neighborhood and creates a separate status of taxation for a politically connected group or individuals and requires the other property owners to pay the fair share of tax assessment of Adams House which they will not pay.

Further, one of the supporters/principals in this project has a familial relationship to the Mayor which may create ethical issues and the possibility that the Mayor should have recused himself for recommending this project for such zoning. It just doesn't look right or fair and while we are just coming out of an administration, which was allegedly corrupt, do we need to revisit this potential once again.

I thank you for your time in this matter and will await your actions.

Respectfully,



CJ Ferry

33

FW: [EXTERNAL] Citizens Input

City Clerk

Tue 6/9/2020 11:51 AM

To: City Council <City_Council@fallriverma.org>;

Citizen's Input below.

Alison

RECEIVED

2020 JUN -9 P 12:06

CITY CLERK
FALL RIVER MA

From: collind00@aol.com [mailto:collind00@aol.com]

Sent: Tuesday, June 09, 2020 11:31 AM

To: City Clerk <city_clerks@fallriverma.org>

Subject: [EXTERNAL] Citizens Input

City Council Citizens Input 6/9/2020

Collin Dias

560 Ray Street, Fall River, Massachusetts, 02720

Topic: City Council Resolutions

Good afternoon City Council President and members of the City Council,

I wanted to speak on two issues that were on the agenda. I see there is a resolution for the City Council Committee on public safety to convene with the chief of police and the police board to discuss racial inequalities. This is a great resolution. I believe there are further parties that should be invited. I believe the council should invite members of Black Lives Matter and those who have experienced injustices to the table as well.

There is another resolution I wish to speak on regarding the City Pier. The resolution, which was filed by City Councilor Trott Lee, calls for FROED to come to a future council meeting along with a member of the RDA to discuss developments with the City Pier. I am slightly puzzled to why this resolution was filed now, which comes after FROED resumed some responsibilities with the Pier. There has been issues with the city pier for many years, however now it is to be discussed for debate. I hope this resolution leads to the solving of some environmental issues with the pier, and it wasn't filed to cause obstruction of the administration, under the guise of government accountability. Thank you very much for your time.

Respectfully submitted,

• Collin Dias

COMMITTEE ON FINANCE

MEETING: Tuesday, June 23, 2020 at 6:20 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, Christopher M. Peckham, Trott Lee,
Leo O. Pelletier and Linda M. Pereira

ABSENT: None

IN ATTENDANCE: The Honorable Paul E. Coogan, Mayor
Mary Sahady, Director of Financial Services
Paul Ferland, Administrator of Community Utilities

The chair called the meeting to order at 6:21 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, persons are allowed 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. Due to the COVID-19 Essential Services Advisory, Government Center was closed to the public and citizens were advised to submit their remarks by email to the City Clerk by June 23, 2020 at 5:00 p.m. to be read at the meeting.

The Council President read communications received from city residents, copies of which are attached hereto and made a part of these minutes.

Citizens' Input Time – Before Discussion of Financial Matters:

Terrance J. Sullivan, 1010 High Street – FY 2021 Water and Sewer Division Budget

Nadilio Almeida, 152 Garden Street – Sewer Commission President

2. Update from Mayor Paul E. Coogan regarding COVID-19
Mayor Paul E. Coogan provided an update of the number of COVID-19 cases. He stated that there were only two positive COVID-19 cases today and no deaths. He then stated that the city is headed in the right direction and the field hospital at UMASS Dartmouth has closed and never had a patient. He also stated that all applications for outdoor dining have been approved, with the exception of one. Councilor Trott Lee asked if the nursing homes in the City were hit the hardest with COVID-19 cases. Mayor Paul E. Coogan stated that 65% of deaths in the City of Fall River were from nursing homes. Councilor Trott Lee then asked if there have been any problems with COVID-19 cases in senior high rise residences. Mayor Paul E. Coogan stated not that he is aware of. Councilor Linda M. Pereira asked when the basketball hoops will be replaced in the parks. Mayor Paul E. Coogan stated that he spoke with the Lt. Governor and was advised that possibly that can occur in Phase 3 of the reopening process. Councilor Bradford L. Kilby stated that he has noticed that the parks are being used more by families and they seem to be well maintained. Council President Cliff Ponte asked when the Little Leagues will be allowed to return to the parks. The Mayor stated this may also be part of the Phase 3 reopening process.

3. Mayor and continuing appropriation (One Twelfth Budget)

A PowerPoint presentation was made by the Director of Financial Services regarding the One Twelfth Budget. She also provided an overview of parking meter receipts, meals taxes, recreational marijuana excise taxes and marijuana impact fees, which are down due to the pandemic. She then stated that the City of Fall River was awarded \$7.9 million dollars from the Coronavirus Aid, Relief and Economic Security (CARES) Act, which can be used for COVID-19 related expenses. The Director of Financial Services also stated that departments are tallying any expenses that can be attributed to COVID-19 and are reimbursable from the \$7.9 million dollar grant from the CARES Act. She then stated that even postage that was used to mail employees pay stubs can be considered COVID-19 related, due to the Government Center being closed. Councilor Michelle M. Dionne asked if there is any more clarification on the usage of CARES Act funds. The Director of Financial Services stated that everyone is waiting on the Federal Government to release guidelines. On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Bradford L. Kilby, it was unanimously voted to send a letter to the State Delegation requesting guidance on the use of the \$7.9 million dollars that was awarded to the City of Fall River from the CARES Act (copy of said letter is attached hereto and made a part of these minutes). Councilor Michelle M. Dionne asked for the status of the School Resource Officers (SROs). The Director of Financial Services stated that she was unsure. Councilor Pam Laliberte-Lebeau stated that she will forward some information that she received from the Police Chief regarding the SROs. Councilor Michelle M. Dionne asked if the Director of Financial Services could provide updated information on the unfunded compensatory time for the Police Department. The Director of Financial Services stated that she will forward that information to the City Council. Councilor Michelle M. Dionne then asked if there were extra funds remaining in the snow and ice account due to the mild winter. The Director of Financial Services stated even though the winter was mild, the City still overspent the snow and ice account. Councilor Trott Lee stated that the City of Taunton passed a level funded budget and sent out 160 pink slips to employees. Councilor Bradford L. Kilby stated that the City of Fall River lost many good teachers due to receiving pink slips numerous times years ago. Councilor Linda M. Pereira asked for the balance of the perpetual care account for the cemeteries. The Director of Financial Services stated that she will forward that information to the City Councilors. Councilor Linda M. Pereira stated that all municipal buildings should have solar panels on the roofs. She also stated that more municipal services should be available online to assist our city residents. She also mentioned that the City needs to look for innovative and creative ways to save money. Councilor Christopher M. Peckham asked if anyone will be laid off in this One Twelfth Budget. The Director of Financial Services stated that there are not any layoffs in this One Twelfth Budget. Councilor Christopher M. Peckham stated that he will oppose any budget that includes cuts to public safety. Councilor Shawn E. Cadime stated that Fall River is always looking for more funds from the Commonwealth of Massachusetts. He then stated that this city needs to start moving forward and not be so dependent on state funding. Councilor Leo O. Pelletier asked if there will be solar panels on the roof of the new B.M.C. Durfee High School. The Director of Financial Services stated that she believes there will be solar panels on the roof. Councilor Pam Laliberte-Lebeau asked if the parking control officers are back to work. The Director of Financial Services stated that they returned to work last Monday. Councilor Trott Lee stated that during a meeting that he attended earlier in the day, it was stated that 70% of Fall River residents are living in poverty. The Director of Financial Services stated that Fall River is not a wealthy city. Council President Cliff Ponte asked the Director of Financial Services to check where the city stands regarding the installation of any electronic billboards, as those will generate revenue.

Councilor Linda M. Pereira stated that it takes too long for a resident to be approved for a handicapped parking space, as someone applied for a space in March and that person is still waiting. She also stated that a transition team for the incoming Mayor reviewed and made recommendations for various departments. She then stated that she would like to receive a copy of their report.

4. Mayor and proposed Fiscal Year 2021 budget for Emergency Medical Services Division
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the matter to the full council for action.

5. Mayor and revised Fiscal Year 2021 budget for Water and Sewer Divisions
Councilor Michelle M. Dionne asked if some of the CARES Act funds could be used to offset increases to the water and sewer fees. The Director of Financial Services stated that those funds cannot be used for everyday expenses or increases, they must be COVID-19 related. The Administrator of Community Utilities stated that he has tracked and submitted all expenses that may be COVID-19 related and has already been reimbursed. A motion was made by Councilor Michelle M. Dionne and seconded by Councilor Trott Lee, to send a letter to the Mayor requesting \$1.2 million dollars be put aside from the CARES Act funds for the next two years for the Water and Sewer Divisions to give relief to the taxpayers to offset expenses in the Water and Sewer Divisions. The Director of Financial Services stated that these funds need to be spent prior to December 31, 2020. Councilor Michelle M. Dionne then stated that she will amend her motion requesting \$600,000.00 be given to the Water and Sewer Division to offset expenses for the upcoming year. Councilor Shawn E. Cadime then stated that the City Council should request a minimum of \$600,000.00, that way if more funds are available, then possibly more could be allocated if possible. The motion to send a letter to the Mayor, as amended was then unanimously voted (copy of said letter is attached hereto and made a part of these minutes). Councilor Leo O. Pelletier stated that the City has been working for 20 years replacing and updating water mains and these improvements should continue. He also stated that there are \$10 million dollars in loan payments due this year for the Combined Sewer Overflow (CSO) project.

Councilor Bradford L. Kilby left the meeting at 9:45 p.m.

The Administrator of Community Utilities stated that the original rate increases were \$.07 per CCF on the sewer rate, \$.16 per CCF on the water rate and \$2.00 on the stormwater fee. He then stated that there will need to be 14 employees laid off in the Water Division and 22 employees laid off in the Sewer Division if the rates are not increased. He also stated that in January 2020 when there was a water main break, a crew was on the scene within 15 minutes to turn off the flow of water and the water was restored to the area within four hours. Councilor Shawn E. Cadime stated that the City Council needs to support this budget. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was unanimously voted to refer the matter to full council for action, with Councilor Bradford L. Kilby absent and not voting.

Councilor Linda M. Pereira asked for a listing of all land owned by the Water and Sewer Divisions.

6. Transfers and appropriations

The Director of Financial Services provided a brief overview of all the year-end transfers. Councilor Shawn E. Cadime asked if the shortfall in Community Maintenance Expenses was for solid waste. The Director of Financial Services stated that there was a midyear increase that caused the shortfall. She also stated that the contract for solid waste removal is presently being negotiated.

Councilor Linda M. Pereira stated that there should be three times the amount of money in the employer trust fund as the amount that is in the employee trust fund for health care. She then stated that there has been many conversations about this matter and realizes that in actuality it does not make sense to have that much money just sitting in an account.

Citizens' Input Time – After Discussion of Financial Matters:

None

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adjourn at 10:37 p.m.

List of documents and other exhibits used during the meeting:

Citizens' Input Communications

Agenda packet (attached)

DVD of meeting

Fiscal Year 2021 Budget PowerPoint Presentation

Colleen A. Taylor
Clerk of Committees

34



City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

June 30, 2020

The Honorable Michael J. Rodrigues
State Senator
One Government Center, Room 235
Fall River, MA 02722

The Honorable Carole Fiola
State Representative
307 Archer Street
Fall River, MA 02720

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

The Honorable Paul A. Schmid
State Representative
One Government Center, Room 321
Fall River, MA 02722

Dear Honorable Members:

At a meeting of the Fall River City Council held on Tuesday, June 23, 2020, a discussion was held relative to the City adopting a continuing appropriation budget. As a result of the COVID-19 outbreak, and the effects of the Governor's declaration of a state emergency on March 10, 2020, the Mayor was unable to submit a level funded fiscal year 2021 budget to the City Council.

Following the discussion and on a motion made and seconded, it was voted, 8 yeas, to adopt a One Twelfth Budget for Fiscal Year 2021. As a result of the discussion, the City Council was informed that the City of Fall River has been allocated \$7.9 million from the CARES Act, and that Congress continues to debate use of the allocation by local municipalities.

The City Council respectfully requests your direction as to when the City of Fall River would be allowed to use said funding from the CARES Act, and guidance as to how those funds can be appropriately utilized in order to provide relief to our City which has been so negatively impacted by the COVID-19 pandemic.

The City Council kindly requests a response prior to August 1, 2020, and sends its sincerest gratitude for all your continued hard work in moving Fall River forward.

Very truly yours,

Alison M. Bouchard
City Clerk

/cah

34



City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

June 30, 2020

Paul E. Coogan, Mayor
City of Fall River
One Government Center
Fall River, MA 02722

Dear Mayor Coogan,

At a Meeting of the City Council Committee on Finance held on June 23, 2020, a discussion was held relative to the proposed FY21 budgets for the Water and Sewer Divisions.

As a result of the discussion, it was requested that the Administration reserve a minimum of \$600,000.00, the amount of the rate increase, from the CARES funding and place it in the FY2021 budget in order to provide some relief to the taxpayers and offset expenses in the water and sewer budgets.

On behalf of the City Council, it is respectfully requested that the Administration consider this proposal and forward any comments or recommendations. Thank you for your consideration.

Very truly yours,

Alison M. Bouchard
City Clerk

cc: Mary L. Sahady, Director of Financial Services
Paul Ferland, Director of Utilities

/cah

CITIZENS' INPUT COMMUNICATIONS

JUNE 23, 2020

34

Terrance J. Sullivan
1010 High Street
Fall River, MA 02720

RECEIVED

2020 JUN 23 A 11:06

CITY CLERK _____
FALL RIVER, MA

June 23, 2020

Honorable City Council
One Government Center
Fall River, MA 02722

Dear Honorable Council Members,

I would like to express to you how important it is to have the FY2021 Water and Sewer Department budgets approved.

As the former Administrator of Community Utilities, resident and homeowner of the City of Fall River, I can testify to our lower staffing levels than in previous years. In the past, it has proven very difficult to hire qualified licensed staff for our Water Treatment Plant and Water Maintenance Division. Additional cuts to staffing would be devastating to the day to day operations.

I am certain that the FY2021 budgets for both Water and Sewer were put together with the utmost consideration for the least financial burden to the residents and customers. It is important that we maintain level services to the residents and remain compliant to the State and Federal regulations and permits both in drinking water and wastewater operations.

I ask as a resident and homeowner that you approve the Water and Sewer Department budgets for FY2021 to ensure proper services and continued compliance with regulations.

Respectfully,

Terrance J. Sullivan

34

Nadilio Almeida
152 Garden Street
Fall River, MA 02720

RECEIVED

2020 JUN 23 A 11:27

CITY CLERK
FALL RIVER, MA

June 22, 2020

Honorable City Council
One Government Center
Fall River, MA 02722

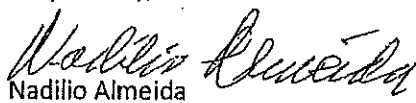
Dear Honorable Council Members,

As President of the Sewer Commission, resident and homeowner of the City, I wish to express to you how important it is to have the FY2021 Sewer Department budget approved.

This budget has been scrutinized by the Administration, Financial Team and our own staff to be put together with the least financial impact to our customers without cutting any services. As it is, our staffing levels are lower than we feel reasonable for meeting our NPDES permit requirements, our MS4 (Municipal Separate Storm Sewer System), Federal CSO court order, our CMOM (Capacity Management Operation Maintenance) and SSO (Sanitary Sewer Overflow) consent orders as well as other Federal and State regulations which continue to change and be implemented. It is important we remain compliant with our mandatory regulation requirements while still providing services to our City, this can only be done with proper staffing levels and funding. Please consider the detrimental impacts lower staffing levels will have to our city and infrastructure.

I ask you to consider this thoroughly and make an informed positive decision for the future of our city and our department and approve the FY2021 budget.

Respectfully,


Nadilio Almeida
President of Sewer Commission

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, June 23, 2020 at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilor Bradford L. Kilby

IN ATTENDANCE: Mary Sahady, Director of Financial Services
Paul Ferland, Administrator of Community Utilities

President Cliff Ponte called the meeting to order at 10:43 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 continuing appropriation (One Twelfth Budget)
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was voted 8 yeas to adopt the order, with Councilor Bradford L. Kilby absent and not voting.
Approved, June 25, 2020, Paul E. Coogan, Mayor

2. Mayor and resolution re: boundaries of Waterfront/Downtown HD Zone to include the Adams House, 1168 Highland Avenue
On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Michelle M. Dionne, it was unanimously voted to lift the matter from the table, with Councilor Bradford L. Kilby absent and not voting. On a further motion made by Councilor Linda M. Pereira and seconded by Councilor Leo O. Pelletier, it was voted 7 yeas, 1 abstention to adopt the resolution, with Councilor Cliff Ponte abstaining and Councilor Bradford L. Kilby absent and not voting.
Approved, June 24, 2020, Paul E. Coogan, Mayor

3. Mayor requesting confirmation of appointments:
 - a. Ann Elizabeth Keane to Redevelopment Authority
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was unanimously voted to confirm the appointment, with Councilor Bradford L. Kilby absent and not voting.

 - b. Ricky P. Sahady to Board of Appeals
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was unanimously voted to confirm the appointment, with Councilor Bradford L. Kilby absent and not voting.

The City Clerk stated that the Mayor requested that items #3c and #3d be withdrawn.

c. Amber Burns to Board of Park Commissioners

d. Joseph DaSilva to Board of Park Commissioners

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the appointments be granted leave to withdraw, with Councilor Bradford L. Kilby absent and not voting.

e. Nelia Raposo as Administrative Assistant to Board of Assessors/Administrator of Assessing

Councilor Shawn E. Cadime asked if this appointment is for the City Assessor. The City Clerk stated that this is the position of City Assessor, but this is the proper title listed in the Code of the City Fall River. On a motion made by Councilor Trott Lee and seconded by Councilor Christopher M. Peckham, it was unanimously voted to confirm the appointment, with Councilor Bradford L. Kilby absent and not voting.

4. Mayor and order to accept gift of appliances and furniture from American Freight to the Fall River Fire Department

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the order, with Councilor Bradford L. Kilby absent and not voting.

Approved, June 24, 2020, Paul E. Coogan, Mayor

5. Mayor and orders:

a. Accepting gift of 250 cobblestones from Bank Street Neighborhood Association

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

Approved, June 24, 2020, Paul E. Coogan, Mayor

b. Request authorization to enact a Compost Recycling Program

Councilor Linda M. Pereira stated that maybe this should be referred to the Committee on Health and Environmental Affairs for discussion. Councilor Trott Lee, Chair of the Committee on Health and Environmental Affairs, stated that he is fine with referring the matter to the Committee on Ordinances and Legislation, as it will need to be referred to that committee to prepare a proposed ordinance for the Compost Recycling Program. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation, with Councilor Bradford L. Kilby absent and not voting.

6. Mayor and appropriation order for FY20 year-end obligations as follows:

FROM:

Administrative Service, Salaries	\$ 74,681
Community Maintenance, Salaries	\$ 264,103
Mayor, Salaries	\$ 14,340
Snow Removal, Salaries	\$ 21,169
Fire & Emergency Services, Salaries	\$ 250,000
Cherry Sheet Assessment	\$ 267,282
Veterans' Benefits, Expenses	\$ 200,780
School Transportation	\$ 1,653,492

TOTAL: \$ 2,745,847

TO:

Administrative Service – Expenses	\$ 74,681
Community Maintenance – Expenses	\$ 264,103
City Council, Salaries	\$ 18
Elections, Salaries	\$ 14,322
Snow Removal, Expenses	\$ 201,728
Debt Service	\$ 419,098
Vocational Assessments	\$ 20,761
Insurance	\$ 97,644
School Appropriation	\$ 1,653,492

TOTAL: \$ 2,745,847

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

PRIORITY COMMUNICATIONS

7. Board of Election Commissioners and warrants for the State Preliminary Election on September 1, 2020 and the State Election/Presidential Election on November 3, 2020

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 Bradford L. Kilby absent and not voting. Approved, June 24, 2020, Paul E. Coogan, Mayor

8. Planning Board recommendation for the acceptance of Granite Street extending from Purchase Street to Rock Street

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to lift the matter from the table, with Councilor Bradford L. Kilby absent and not voting. On a further motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the order, with Councilor Bradford L. Kilby absent and not voting. Councilor Linda M. Pereira requested that a letter be sent to the Director of Traffic requesting that the no parking signs be removed, once the street is accepted.

COMMITTEE REPORTS – NoneORDINANCESOrdination:

9. Proposed Ordinance – Traffic, miscellaneous

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the proposed ordinance be passed to be ordained, with Councilor Bradford L. Kilby absent and not voting. Approved, June 24, 2020, Paul E. Coogan, Mayor

RESOLUTIONS – NoneCITATIONS – NoneORDERS – HEARINGSPole Locations

10. Massachusetts Electric Company – one new pole on Harrison Street

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the order, with Councilor Bradford L. Kilby absent and not voting. Approved, June 24, 2020, Paul E. Coogan, Mayor

11. Massachusetts Electric Company – one new pole on Quarry Street
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the order, with Councilor Bradford L. Kilby absent and not voting.
Approved, June 24, 2020, Paul E. Coogan, Mayor

ORDERS – MISCELLANEOUS

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted to take items #12 through #14 together, with Councilor Bradford L. Kilby absent and not voting.

12. Police Chief's report on licenses:

Taxicab Driver:

Alex Cabral

13. Auto Repair Shop License Renewals:

Monro Muffler Brake, Inc. at 129 Rhode Island Avenue

Fausto Ortiz d/b/a Auto Rally, Inc. at 1033 Pleasant Street

14. Auto Body Shop License Renewal:

Fausto Ortiz d/b/a Auto Rally, Inc. at 1033 Pleasant Street

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt items #12 through #14, with Councilor Bradford L. Kilby absent and not voting.

Approved items #13 and #14, June 24, 2020, Paul E. Coogan, Mayor

COMMUNICATIONS – INVITATIONS – PETITIONS

15. Claims

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

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to take items #16 through #19 together, with Councilor Bradford L. Kilby absent and not voting.

16. Planning Board Minutes – March 9, 2020

17. Planning Board Minutes – May 27, 2020

City Council Meeting Minutes:

18. Public Hearings – June 9, 2020

19. Regular Meeting of the City Council – June 9, 2020

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to accept and place on file items #16 through #17 and approve items #18 and #19, with Councilor Bradford L. Kilby absent and not voting.

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS FILED AFTER THE AGENDA DEADLINE:
CITY COUNCIL MEETING DATE: JUNE 23, 2020

OTHER POTENTIAL MATTERS (to be acted upon if recommendations are received)

COMMITTEE REPORTS

Committee on Finance:

8a. Emergency Medical Services Fiscal Year 2021 Budget

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order, with Councilor Bradford L. Kilby absent and not voting. Approved, June 25, 2020, Paul E. Coogan, Mayor

8b. Revised FY21 Budget for Water and Sewer Divisions

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was voted 4 yeas, 4 nays to adopt the order, with Councilors Michelle M. Dionne, Trott Lee, Christopher M. Peckham and Linda M. Pereira voting in the negative and Councilor Bradford L. Kilby absent and not voting and the motion failed to carry. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to waive the rules to allow the Director of Financial Services and the Administrator of Community Utilities to answer questions, with Councilor Bradford L. Kilby absent and not voting. Council President Cliff Ponte asked the Director of Financial Services and the Administrator of Community Utilities to re-emphasize the impact to the Water and Sewer Divisions that will occur if a Special City Council Meeting cannot be scheduled prior to July 1, 2020. Councilor Shawn E. Cadime asked what the rate increase is on the water rate. The Director of Financial Services stated that the proposed water rate increase is sixteen cents per one hundred cubic feet (CCF). Councilor Shawn E. Cadime then asked how much revenue is generated with a one cent per CCF increase. The Administrator of Community Utilities stated that one cent generates \$31,000.00 per year. The Director of Financial Services stated that the revised budget is before the City Council presently, which includes a nineteen cent per CCF increase that includes the \$100,000.00 for the Water and Sewer Stabilization Funds. The Administrator of Community Utilities stated that the original proposal was a sixteen cent increase on the water rate, a seven cent increase on the sewer rate and a two dollar increase on the stormwater fee. A further motion was made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier to transfer \$336,160.00 from the Stabilization Account to the Fiscal Year 2021 Budget for the Water and Sewer Divisions to balance the budget without increasing the water and sewer user fees. Councilor Shawn E. Cadime then stated that this will create a structural deficit, as this will use one time funds to balance the budget. Councilor Leo O. Pelletier stated that the City of Fall River does not want the Environmental Protection Agency (EPA) and the Department of Environmental Protection (DEP) to come in and mandate what needs to be done to maintain standards and what the water and sewer user fees will be. The Director of Financial Services stated that this transfer of funds from the Stabilization Account will create a structural deficit, which is never a good idea and then the rate increases will need to be even greater next year to balance the Fiscal Year 2022 Budget for the Water and Sewer Divisions. Council President Cliff Ponte asked how much the yearly increase would be for a single family home using the current proposed increase. The Director of Financial Services stated that it will be approximately \$20.00 per year. Councilor Shawn E. Cadime withdrew his previous motion. On yet a further motion made by Councilor Christopher M. Peckham and seconded by Councilor Linda M. Pereira, it was voted 6 yeas, 2 nays to reconsider the previous motion, with Councilors Michelle M. Dionne and Trott Lee voting in the negative and Councilor Bradford L. Kilby absent and not voting. On yet a further motion made by Councilor Shawn E. Cadime and seconded by

*Councilor Pam Laliberte-Lebeau, it was voted 5 yeas, 3 nays to adopt the Revised Fiscal Year 2021 Budget for the Water and Sewer Divisions, with Councilors Michelle M. Dionne, Trott Lee and Linda M. Pereira voting in the negative and Councilor Bradford L. Kilby absent and not voting.
Approved, June 25, 2020, Paul E. Coogan, Mayor*

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 11:24 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



OPEN MEETING LAW COMPLAINT FORM

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

37

Please note that all fields are required unless otherwise noted.

RECEIVED

Your Contact Information:

First Name: Collin Last Name: Dias
Address: 560 Ray Street
City: Fall River State: MA Zip Code: 02720
Phone Number: 7747076790 Ext. _____
Email: Collind00@aol.com
Organization or Media Affiliation (if any): _____

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

(For statistical purposes only)

☒ Individual ☐ Organization ☐ Media

Public Body that is the subject of this complaint:

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

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

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

Date of alleged violation: 6/23/2020

Description of alleged violation:

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

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

On 6/23/2020 The Fall River City Council held a public meeting at Fall River Government Center. The Fall River City Council violated the Open Meeting Law by:

1. Violating Open Meeting Law section 20(a) by denying public access to its proceedings. Governor Bakers March 12th executive order relieved a public body from meeting in a public place open to the public. However the Fall River City Council met in a public place (Fall River Government Center), which was opened to the Public on a limited basis. To deny access to proceedings to the 6/23 meeting, which was held in a public place, means the governors executive order doesn't apply here. Therefore the Fall River City Council violated the Open Meeting Law by denying access.

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

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

Allow limited attendance to future meetings

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

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

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

II. Consulting With a Private Attorney.

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

III. Submit Your Complaint to the Public Body.

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

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

Signed: 

Date: 6/25/2020

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[EXTERNAL] Re: CORRESPONDENCE

Collin Dias <collind00@aol.com>

Thu 7/2/2020 11:12 AM

To: City Council <City_Council@fallriverma.org>; City Clerk <city_clerks@fallriverma.org>;

2020 JUL -2 A 11:57
CITY -
FALL RIVER MA

In case the correspondence did not send before.

- Collin Dias

WHEREAS, in 2016 the former administration privatized
Trash collection in the City of Fall River

WHEREAS, complaints regarding trash collection and pickup by
City residents has been abundant

NOW BE IT RESOLVED, that the Fall River City Council meet with
The director of Community Maintenance at a future meeting of the
City Council to discuss the establishment of a hot – line via email
And telephone so city residents can voice trash complaints.

Sent from my iPhone

On Jul 2, 2020, at 10:36 AM, collind00@aol.com wrote:

Good afternoon,

I hereby ask that the following correspondence be placed on the next city council agenda.

Thank you very much,

- Collin Dias

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com
<adjustments.plist>

City of Fall River, In City Council

The City Council hereby recommends that the City Engineer prepare plans for the acceptance of Lynwood Street extending from Mariano S. Bishop Boulevard to a dead end.

CITY OF FALL RIVER
IN CITY COUNCIL
MAR 15 2018

*Referred to the
Planning Board*

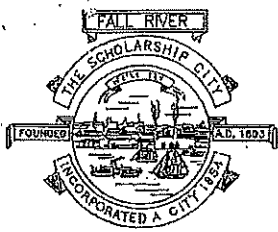
CITY OF FALL RIVER
IN CITY COUNCIL
SEP 25 2018

Adopted

CITY OF FALL RIVER
IN CITY COUNCIL

MAR 10 2020

Tabled



City of Fall River
Massachusetts
Planning Department

RECEIVED 39

2020 FEB 25 P 3:31

CITY CLERK
FALL RIVER, MA

PAUL E. COOGAN
Mayor

WILLIAM D. ROTH JR., AICP
City Planner

February 25, 2020

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

Re: Recommendation for Acceptance of Lynwood Street extending from Mariano Bishop Blvd. to dead end, along with Way Street as amended.

Honorable Councilors:

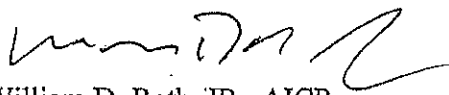
On March 15, 2018, the City Council referred the above to the Planning Board for its recommendations. Planning Board, on August 23, 2018, reviewed the request and recommended approval and was forwarded to City Council, which approved the request on September 25, 2018.

The City Engineer after receiving the draft acceptance plan discovered that a portion of Way Street would need to be accepted to provide for emergency vehicle turn around. The City Engineer requested a revision to the approved request. At a duly posted and advertised Public Hearing conducted on January 13, 2020, after hearing testimony from all members of the public present who wished to be heard, it was duly Moved, Seconded and Unanimously VOTED:

To recommend to the City Council that the City accept Lynwood Street extending from Mariano Bishop Blvd. to the dead end, along with Way Street as amended.

Respectfully Submitted,

CITY OF FALL RIVER
IN CITY COUNCIL


William D. Roth, JR., AICP
City Planner

MAR 10 2020

Tabled

(Request legal opinion regarding developer's responsibility to accept and pave street)

cc. File

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Lynwood Street

RECEIVED

Alan J. Rumsey

2020 MAY -7 P 4: 54

Thu 5/7/2020 4:43 PM

CITY CLERK
FALL RIVER, MA

To: Bouchard, Alison <abouchard@fallriverma.org>; City Council <City_Council@fallriverma.org>;

Cc: Paul Coogan <Mayor.Coogan@fallriverma.org>;

1 attachments (563 KB)

20200507160027892.pdf;

Attached, please find a letter from Attorney Arthur Frank regarding financial responsibility for the paving of Lynwood Street. As you can see, Mr. Frank concluded that efforts to require the developer, JMD Land Company, to pave Lynwood Street would likely be futile because:

1. The maintenance and performance provisions mandated by G.L. c 41; section 81U and City Rules and Regulations 4.100 and 4.200 do not apply to ANR (Approval Not Required) lots;
2. The Boards and Departments involved in this approval process did not make these provisions requirements of a Site Plan Review; and
3. The developer was dissolved on 6/30/15.

I trust that the opinions contained within Attorney Frank's letter are sufficient to allow the City Council to make informed decisions regarding the future of Lynwood Street. Please contact me if any additional information is needed.

Alan J. Rumsey, Esq.
Corporation Counsel
One Government Center
Fall River, MA 02722
Tel (508) 324-2650
Fax (508) 324-2655

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LAW OFFICES OF
ARTHUR D. FRANK, JR.

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

RECEIVED

2020 MAY -7 P 4: 54

CITY CLERK
FALL RIVER, MA

MEMBER OF THE
MASSACHUSETTS AND RHODE ISLAND BARS

E-MAIL
afrank@adflaw.com

May 5, 2020

Alan Rumsey
Corporation Counsel
City of Fall River
One Government Center
Fall River, MA 02722

RE: Lynwood Street

Dear Attorney Rumsey:

You have requested my review of the Planning Board file pertaining to the above referenced street. In connection therewith I have reviewed the following documents:

Exhibit No.:

1. Zoning, Board of Appeals Decision dated August 20, 2009
2. Redevelopment and Drainage Improvement Site Plan Whitefield Street & Lynwood Street Fall River, MA Petitioner: JMD Land Company, LLC Date: 7/9/2010 Scale: 1" = 40'
3. Fall River Sewer Commissioner Permit Modification letter dated 9/15/2010 as modifying FRSC Permit Conditions Letter dated 6/1/2010 (both unsigned)
4. Storm Water Report dated 8/3/2010 prepared by Gorodetsky Engineering LLC
5. Memo dated 7/10/2018 from the Department of Community Utilities
6. Memo dated 8/21/2018 from J R. Frey, P.E., City Engineer
7. Letter dated 9/13/2018 from William Roth, City Planner
8. Street Acceptance Petition & Layout Plan dated 2/27/2018
9. Letter dated 3/12/2020 from Alison M. Bouchard, City Clerk
10. Ordinances of the City of Fall River
11. City of Fall River Subdivision Rules and Regulations (Revised, 7/2/2008, 4/7/2009)

In accordance with this review, I have relied upon the instruments, documents, and plans referred to above with respect to the information shown or contained therein or thereon, and have assumed the genuineness of all such instruments, documents, and plan. In full disclosure, my office opened the Limited Liability Company that developed the site,

however I was not involved in any aspect of obtaining the permits, licenses or approvals for this project.

THE SITE:

A paved 40 foot wide private way known as Lynhwood Street running easterly from Mariano Bishop Boulevard.

THE PROJECT:

Construction of 9 Single Family Homes on lots created by variance granted by the FR ZBA (Exhibit "1") and relocation/redevelopment of sewer and drainage utilities. (Exhibit "3").

THE PLAN:

A "Redevelopment and Drainage Improvement Site Plan" (Exhibit "2") which notes that: "Site Plan Approval Required, Subject of Fall river ZBA Decision Dated July 3, 2009, Book 7345, Page 237".

The Project was designed as nine "Approval Not Required" (ANR) lots which would be governed by G.L. c.41 § 81P and Sections 1.100 through 1.312 Inclusive of the City of Fall River, Subdivision Rules and Regulations. Neither the Subdivision Control Law (G.L. c. 41 § 81U) nor the City's Rules and Regulations would apply with respect to either performance guaranties or street maintenance. The Stormwater Report (Exhibit "4") makes reference to the "reconstruction of Lynwood Street". However, there is nothing in any of the other documents that makes reference to a "reconstruction" of the private way nor is there any condition in any document in the Planning Board file that it be reconstructed.

It should also be remembered that the Project began in 2009 and a street acceptance petition (Exhibit "8") was filed in 2018 by legal voters of the City of Fall River. The condition of the street is unknown during this time frame with the exception of the reasons listed in the petition:

1. Constant pot holes
2. Street was never paved properly

The Petition was reviewed by the Department of Community Utilities, Engineering, and Planning Departments (Exhibits "5,6,7") who submitted comments, including cost estimates. On August 23, 2018 the Planning Board voted unanimously to recommend that the City accept Lynwood Street.

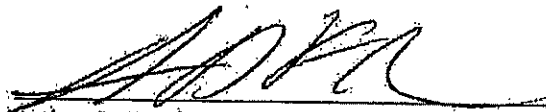
The Fall River City Counsel has queried whether the developer can be held responsible to pave Lynwood Street as suggested in the comments of the Engineering Department memorandum (Exhibit "6"). This would be problematic for the following reasons:

1. The maintenance and performance provisions mandated by G.L. c 41 § 81U and City Rules and Regulations 4.100 and 4.200 do not apply to ANR lots

2. The Boards and Departments involved in this review/approval process did not make these provisions requirements of a Site Plan Review.
3. The Developer, JMD Land Company LLC, was dissolved on June 30, 2015 by the Secretary of the Commonwealth. No Annual Reports have been filed since 2012.

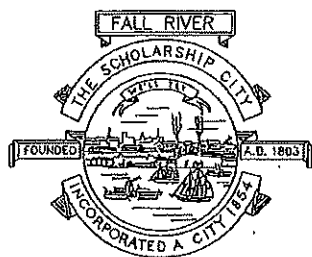
Based upon the forgoing, any attempt to require the developer to pave Lynwood Street would prove fruitless. I trust this answers your questions.

Very truly yours,


Arthur D. Frank, Jr.

ADEJr/dmr

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City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

March 12, 2020

Alan J. Rumsey, Corporation Counsel
City of Fall River
One Government Center
Fall River, MA 02722

Dear Attorney Rumsey,

At a meeting of the City Council held on Tuesday, March 10, 2020, a discussion was held regarding the acceptance of Lynwood Street.

On a motion made and seconded, it was unanimously voted to table the matter and request a legal opinion regarding the responsibility of the developer for the paving of Lynwood Street. Additionally, it was requested that Corporation Counsel and the City Engineer attend the next scheduled meeting of the City Council to be held on Tuesday, March 24, 2020 to answer questions in this regard.

I have enclosed copies of the recommendations from the Planning Board and also communications from the City Engineer and the Department of Community Utilities. Should you have any questions or concerns, please feel free to contact the office.

Sincerely,

Alison M. Bouchard
City Clerk

Enc.