

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, December 28, 2021 at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE:

President Cliff Ponte called the meeting to order at 7:01 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

PRIORITY MATTERS

1. Mayor and order appropriating \$20,000 from Financial Services, Salaries to Financial Services, Expenses

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

PRIORITY COMMUNICATIONS

2. Traffic Commission recommending amendments to traffic ordinances

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 the Committee on Ordinances and Legislation.

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS – None

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Shawn E. Cadime, it was unanimously voted to take items #3 through #9 together.

CITATIONS

3. Tony Abreu – Patriots Difference Maker of the Week Award
4. Deputy Police Chief Charles J. Cullen – Retirement after 42 years of service to FRPD
5. James Borden – Heroic act as Fall River Firefighter during Four Winds Apartment fire

6. Kevin Machado – Heroic act as Fall River Firefighter during shooting at City Park
 7. Joseph “Joe” Torres – Posthumous award for 29+ years of service to FRPD
 8. Rick Barlow – Supplying custom made PPE masks to FRFD
 9. Marcy Ytkin – Supplying custom made PPE masks to FRFD
- On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to adopt the citations.*

ORDERS – HEARINGS

Auto Repair Shop:

10. Tannya Castro and Marco Rojas d/b/a R & C Auto Sales, located at 2291 South Main 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.

Approved, December 29, 2021, Paul E. Coogan, Mayor

Underground Conduits:

11. Massachusetts Electric Company – Installation of approximately 562 feet of underground conduit on South Main Street and Bradford Avenue

Councilor Leo O. Pelletier asked how wide the trench will be and Councilor Linda M. Pereira asked if the street will be paved curb to curb after the excavation. The City Clerk stated that no one from National Grid was able to attend the today's meeting. Council President Cliff Ponte requested that a letter be send to National Grid regarding these questions (copy of said letter is attached hereto and made a part of these minutes). On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Trott Lee, it was unanimously voted to refer the order to the Committee on Public Works and Transportation.

12. Massachusetts Electric Company – Installation of approximately 79 feet of underground conduit on Morgan Street

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the order to the Committee on Public Works and Transportation.

13. Massachusetts Electric Company – Installation of a new pole and underground conduit on Plymouth Avenue

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the order to the Committee on Public Works and Transportation.

ORDERS – MISCELLANEOUS

14. Police Chief's report on licenses

2022 Taxicab Drivers:

Russell Draine
Jose Vasconcellos

2022 Livery Drivers

Ronn Keneshea

2022 Livery Vehicles

Fall River Taxi Service, Inc. – Toyota Prius

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

15. Town Transportation LLC d/b/a Town Taxi – New Taxicab Vehicle Application for License No. 42

On a motion made by Councilor Shawn E. Cadime, and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order, pending the Police Chief's approval. Approved, December 29, 2021, Paul E. Coogan, Mayor

16. Auto Body Shop License Renewals:

Nicholas R. Faggioli d/b/a Faggioli Auto Body located at 633 Lawton Street
Carlos C. Sousa d/b/a Carlos Auto Body located at 400 Second Street
Dylan Jarabek d/b/a Top Tier Auto Body located on 232 Lapham Street

On a motion made by Councilor Bradford L. Kilby, and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the order. Approved, December 29, 2021, Paul E. Coogan, Mayor

17. Auto Repair Shop License Renewals:

Nicholas R. Faggioli d/b/a Faggioli Auto Body located at 633 Lawton Street
Carlos C. Sousa d/b/a Carlos Auto Body located at 389 Second Street
Dylan Jarabek d/b/a Top Tier Auto Body located on 232 Lapham 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. Approved, December 29, 2021, Paul E. Coogan, Mayor

18. Transfer of auto body shop license no. 122 located at 155 Williston Street from Humberto Pereira d/b/a Fall River Auto Body and Sales, Inc. to Wayne Pereira d/b/a Fall River Auto Body and Sales, Inc.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the order. Approved, December 29, 2021, Paul E. Coogan, Mayor

COMMUNICATIONS – INVITATIONS – PETITIONS

19. Claims

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the claims to Corporation Counsel.

20. Communication from City Resident re: B.M.C. Durfee High School Bells

On a motion made by Councilor Trott Lee and seconded by Councilor Christopher M. Peckham, it was unanimously voted to accept and place on file and refer the communication to the School Committee.

21. KP Law, P.C invoice for professional services from July 1, 2021 to August 31, 2021

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was voted to 8 yeas, and 1 nay to approve the matter, with Councilor Linda M. Pereira voting in the negative.

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

City Council Minutes:

22. Public Hearing Minutes – December 14, 2021

23. Committee on Finance – December 14, 2021

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

BULLETINS – NEWSLETTERS – NOTICES – None

TABLED MATTERS

13a. Order – Second Hand Article Store License for Robert Bagley d/b/a One Stop Thrift
Shop located at 1649 South Main Street (tabled 12-14-2021)

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to lift the matter from the table. Councilor Bradford L. Kilby stated that at the Committee on Regulations meeting this individual had two items that needed to be taken care of prior to approval and these items were not addressed by the applicant. On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was granted leave to withdraw.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 7:18 p.m.

List of documents and other exhibits used during the meeting:

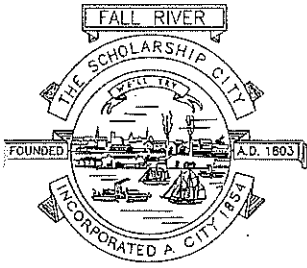
Agenda packet (attached)
DVD of meeting
Letter to National Grid

A true copy. Attest:



City Clerk

In City Council, January 18, 2022
Approved.



City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

January 11, 2022

National Grid
100 East Ashland Street
Brockton, MA 02302

Attn: Gabriela Ayala

Dear Ms. Ayala,

At a meeting of the City Council held on December 28, 2021, a discussion was held regarding petitions from National Grid to install underground conduits as follows:

Bradford Avenue

National Grid requests to install approximately 246' 2-4 PVC conduits from P24 to new HDHH 44-1, and install appropriately 316' 2-4' PVC conduits from new HDHH 44-1 to existing MH 44 on South Main Street. In accordance with Plan No. 29746176 dated November 8, 2021.

Morgan Street

National Grid requests to install approximately 79' 2-4 PVC conduits from P33 to existing MH4 at Morgan Street. In accordance with Plan No. 29575229 dated November 8, 2021.

Plymouth Avenue

National Grid requests to install a new pole P14-2 and 2-4" conduit from p14-2 to manhole MH5 at Plymouth Avenue. In accordance with Plan No. 29574803 dated March 8, 2020.

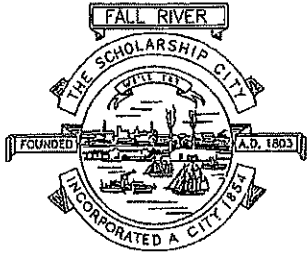
I do acknowledge your request made that afternoon to cancel the public hearing, as representatives were not available to attend. However, and as explained, timing did not allow for such cancellation. On a motion made and seconded by members of the City Council, it was unanimously voted to refer these petitions to the Committee on Public Works and Transportation, as there were various questions regarding the width of the trench and whether repairs to the street would be paved curb to curb. This meeting of the subcommittee will allow for further discussion and explanation of the project.

Should you have any questions, please feel free to contact the City Council Office at city_council@fallriverma.org.

Very truly yours,

Alison M. Bouchard
City Clerk

/ct



City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2021 DEC 23 P 1:56

CITY CLERK
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

MEETINGS SCHEDULED

INÊS LEITE
ASSISTANT CITY CLERK

CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

TUESDAY, DECEMBER 28, 2021

AGENDA

5:55 P.M. CITY COUNCIL PUBLIC HEARINGS

Auto Repair Shop

1. Tannya Castro and Marco Rojas, 355 Columbia Street, d/b/a R & C Auto Sales, for a license to operate an auto repair shop at 2291 South Main Street, on Lot B-05-0014 Assessors Plan.

Restriction:

Hours of operation to be limited to Monday-Saturday 8:00 a.m. to 7:00.p.m. Auto Repair only.

Underground Conduits

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

Bradford Avenue

National Grid requests to install approximately 246' 2-4 PVC conduits from P24 to new HDHH 44-1, and install appropriately 316' 2-4' PVC conduits from new HDHH 44-1 to existing MH 44 on South Main Street. In accordance with Plan No. 29746176 dated November 8, 2021.

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

Morgan Street

National Grid requests to install approximately 79' 2-4 PVC conduits from P33 to existing MH4 at Morgan Street. In accordance with Plan No. 29575229 dated November 8, 2021.

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

Plymouth Avenue

National Grid requests to install a new pole P14-2 and 2-4" conduit from p14-2 to manhole MH5 at Plymouth Avenue. In accordance with Plan No. 29574803 dated March 8, 2020.

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

1. Citizen Input
2. Transfer and appropriation (see #1 below)

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

PRIORITY MATTERS

1. *Mayor and order appropriating \$20,000 from Financial Services, Salaries to Financial Services, Expenses

PRIORITY COMMUNICATIONS

2. *Traffic Commission recommending amendments to traffic ordinances

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS – None

CITATIONS

3. Tony Abreu – Patriots Difference Maker of the Week Award
4. Deputy Police Chief Charles J. Cullen – Retirement after 42 years of service to FRPD
5. James Borden – Heroic act as Fall River Firefighter during Four Winds Apartment fire
6. Kevin Machado – Heroic act as Fall River Firefighter during shooting at city park
7. Joseph "Joe" Torres – Posthumous award for 29+ years of service to FRPD
8. Rick Barlow – Supplying custom made PPE masks to FRFD
9. Marcy Ytkin – Supplying custom made PPE masks to FRFD

ORDERS – HEARINGS

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10. Tannya Castro and Marco Rojas d/b/a R & C Auto Sales, located at 2291 South Main Street

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13. Massachusetts Electric Company – Installation of a new pole and underground conduit on Plymouth Avenue

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2022 Taxicab Drivers:

Russell Draine
Jose Vasconcellos

2022 Livery Drivers

Ronn Keneshea

2022 Livery Vehicles

Fall River Taxi Service, Inc. – Toyota Prius

15. Town Transportation LLC d/b/a Town Taxi – New Taxicab Vehicle Application for License No. 42

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COMMUNICATIONS – INVITATIONS – PETITIONS

19. *Claims
20. *Communication from City Resident re: B.M.C. Durfee High School Bells
21. *KP Law, P.C invoice for professional services from July 1, 2021 to August 31, 2021

City Council Minutes:

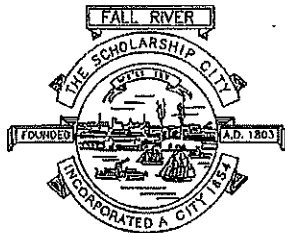
22. *Public Hearing Minutes – December 14, 2021
23. *Committee on Finance – December 14, 2021

BULLETINS – NEWSLETTERS – NOTICES – None

TABLED MATTERS

- 13a. Order – Second Hand Article Store License for Robert Bagley d/b/a One Stop Thrift Shop located at 1649 South Main Street (tabled 12-14-2021)


Assistant City Clerk



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

RECEIVED

2021 DEC 21 P 12:07

FALL RIVER, MA

PAUL E. COOGAN
Mayor

December 21, 2021

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

Dear Honorable Council Members:

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

- 1. \$20,000 That the sum of \$20,000 be, and the same is, hereby appropriated to the FINANCIAL SERVICES, Expenses from the FINANCIAL SERVICES, Salaries.

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

Best Regards,

Paul Coogan
Mayor

City of Fall River, In City Council

December 28, 2021

1

ORDERED:

That the sum of \$20,000 be, and the same is, hereby appropriated as follows from the FINANCIAL SERVICES, Salaries to FINANCIAL SERVICES, Expenses

FY22 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
Financial Services, Salaries	\$ 1,411,728.00	\$ (20,000.00)	\$ 1,391,728.00
Financial Services, Expenses	\$ 334,270.00	\$ 20,000.00	\$ 354,270.00

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



Jennifer Argo, City Auditor
December 28, 2021



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul E. Coogan
Mayor

REC 22
LAURA FERREIRA
Director of Traffic & Parking

December 22, 2021

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, December 15, 2021 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:

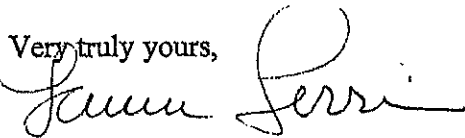
Article: 70
Section: 387 **Handicapped Parking**

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Belmont Street	West	Starting at a point 153 feet south of Pearce Street, for a distance of 20 feet south.

Timothy Swistak
319 Belmont Street
Fall River MA 02720

Very truly yours,

Laura Ferreira
Director of Traffic & Parking



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul E. Coogan
Mayor

2021 DEC 22 12:55
LAURA FERREIRA
Director of Traffic & Parking

December 22, 2021

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, December 15, 2021 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:

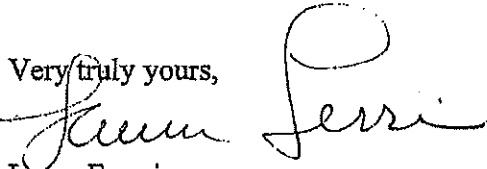
Article: 70
Section: 387 **Handicapped Parking**

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Cash Street	West	Starting at a point 111 feet north of Alden Street, for a distance of 20 feet north.

Luis Marrero Sepulveda
85 Cash Street Apt 1
Fall River MA 02723

Very truly yours,

Laura Ferreira
Director of Traffic & Parking



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul E. Coogan
Mayor

2021 DEC 22 10:50 AM
DEC LAURA FERREIRA
Director of Traffic & Parking

December 22, 2021

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, December 15, 2021 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:

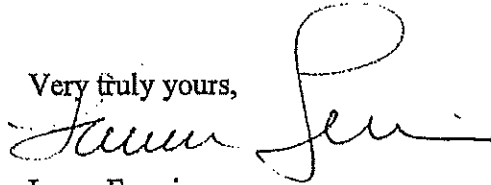
Article: 70
Section: 387 **Handicapped Parking**

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Montaup Street	East	Starting at a point 133 feet south of Slade Street, for a distance of 20 feet south.

Mark Arruda
442 Montaup Street
Fall River MA. 02724

Very truly yours,

Laura Ferreira
Director of Traffic & Parking



Claims Processing - Amica Scan Center
PO Box 9690
Providence, RI 02940-9690

Toll Free: 1-800-59-AMICA
(1-800-592-6422)
Fax: 1-866-759-3140

19

#21-87

December 9, 2021

Town of Fall River Clerk
1 Government Ctr
Fall River, MA 02720

File Number: 60004234642
Date of Loss: October 15, 2021
Owner/Insured: Cheryl C. Furze
Street: 77 Kelly Dr
Town: Fall River
Type of Loss: Water

RECEIVED
2021 DEC 13 A 11:51
CITY CLERK
FALL RIVER, MA

To Whom It May Concern:

Please be advised that we insure the above named individual(s). A claim has been made for Damage to Real Property and as the insurer, we are presently in the process of adjusting the loss.

We are mandated to comply with Massachusetts General Laws, Chapter 139 and as such, if there are any present liens on the above property, please notify us within 10 days of receipt of this letter. If we do not hear from you, we will be under no obligation to pay you any portion of this claim.

Sincerely,

Stephen R. Norsek

Stephen R. Norsek AIC
Claims Department
800-592-6422 x21798
SNORSEK@AMICA.COM





City of Fall River
Notice of Claim

RECEIVED

2021 DEC 14 A 11:11

CITY CLERK 21-88
FALL RIVER, MA

1. Claimant's name: Pedro Henrique Capelletti
 2. Claimant's complete address: 308 Fourth St. 3N, Fall River MA 02721
 3. Telephone number: Home: 301-613-5634 Work: _____
 4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Property damage
 5. Date and time of accident: 11-24-21/07:12 AM Amount of damages claimed: \$ _____
 6. Exact location of the incident: (Include as much detail as possible):
At intersection: Fourth St at Wade St
 7. Circumstances of the incident: (attach additional pages if necessary):
Fall River Fire truck hit rear of my vehicle.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: Yes No

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

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

Date: 12-09-2021 Claimant's signature: Pedro Capelletti

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: <input type="checkbox"/> City Clerk <input checked="" type="checkbox"/> Law <input type="checkbox"/> City Council <input type="checkbox"/> City Administrator <input checked="" type="checkbox"/> Fire	Date: <u>12/14/2021</u>



#21-89
RECEIVED

City of Fall River
Notice of Claim

2021 DEC 15 P 2:35

1. Claimant's name: Douglas Armburg owner of Industrial Wood Finishing
2. Claimant's complete address: 594 Airport Road Fall River Ma. 02720
3. Telephone number: Home: Cell 508-641-3305 Work: 508-673-3334
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
property Damage
5. Date and time of accident: 12-8-21 Amount of damages claimed: \$ 7,500⁰⁰
6. Exact location of the incident: (include as much detail as possible):
594 Airport Road Fall River Ma.
7. Circumstances of the incident: (attach additional pages if necessary):
The City's main Water Line let go in front of my Building at 594 Airport Road in order to fix the line I was disconnected and never put back online I had to hire Coastal to Re-Connect my Fire Line
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: Yes No

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

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

Date: 12-15-21

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

Water

Date: 12/15/21



City of Fall River
Notice of Claim

RECEIVED

2021 DEC 17 A 10:17

CITY CLERK #21-90
FALL RIVER, MA

1. Claimant's name: MARIE ESTACIO
2. Claimant's complete address: 120 Willow St; FALL RIVER, MA 02720
3. Telephone number: Home: 774.521.1627 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
CITY TREE FELL ON MY PROPERTY DAMAGING SHED
5. Date and time of accident: Nov 2021 Amount of damages claimed: \$ 2,250.00
6. Exact location of the incident: (include as much detail as possible):
120 willow st, West rear side of property
7. Circumstances of the incident: (attach additional pages if necessary):
FOR MANY YEARS I have expressed my concern regarding the City's trees surrounding my property. These trees have been falling at an alarming rate. John Perry has assured me that when the city has time they will come and cut down the trees. (over) →
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: Yes No

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

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

Date: 12-01-2021

Claimant's signature: Marie Estacio

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:		Trees + DPW		Date: 12/17/21
Copies forwarded to:	<input checked="" type="checkbox"/> City Clerk	<input checked="" type="checkbox"/> Law	<input checked="" type="checkbox"/> City Council	<input type="checkbox"/> City Administrator



RECEIVED

2021 DEC 17 P 2:47

City of Fall River
Notice of Claim

CITY CLERK #2-91
FALL RIVER, MA

1. Claimant's name: Joe Maniz
2. Claimant's complete address: P.O. Box 3433
3. Telephone number: Home: 774-607-2916 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Pathole
5. Date and time of accident: 4/17/2021 Amount of damages claimed: \$ _____
6. Exact location of the incident: (include as much detail as possible):
Hamlet Street
7. Circumstances of the incident: (attach additional pages if necessary):

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

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

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

Date: 12-17-2021 Claimant's signature: [Signature]

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

Return this 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: <input checked="" type="checkbox"/> City Clerk <input type="checkbox"/> Law <input checked="" type="checkbox"/> City Council <input type="checkbox"/> City Administrator <input checked="" type="checkbox"/> <u>DOM</u>	Date: <u>12/17/21</u>



**City of Fall River
Notice of Claim**

RECEIVED

2021 DEC 20 P 12:15

CITY CLERK #21-72A
FALL RIVER, MA

- 1. Claimant's name: Progressive Direct Insurance Company A/S/O STROUD, MELISSA
- 2. Claimant's complete address: PO BOX 94639 CLEVELAND, OH 44101
- 3. Telephone number: Home: _____ Work: 877-818-0139
- 4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
AUTO ACCIDENT
- 5. Date and time of accident: 09-30-2021 Amount of damages claimed: \$ 48.28 OPEN
- 6. Exact location of the incident: (include as much detail as possible):
QUEQUECHAN ST IN FALL RIVER
- 7. Circumstances of the Incident: (attach additional pages if necessary):
OUR INSURED WAS TRAVELING ON QUEQUECHAN ST IN FALL RIVER MA WHEN A CITY FIRE VEHICLE C246 STRUCK OUR INSURED'S VEHICLE. WE ARE SEEKING REIMBURSEMNT FOR OUR PAYMENTS MADE UNDER OUR INSURED'S POLICY.

- 8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: Yes No
Progressive Direct Insurance Company PO BOX 94639 CLEVELAND, OH 44101

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

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

Date: 12-13-21 Claimant's signature: Brittany Wallotte

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: <input checked="" type="checkbox"/> City Clerk <input checked="" type="checkbox"/> Law <input checked="" type="checkbox"/> City Council <input type="checkbox"/> City Administrator <input checked="" type="checkbox"/> <u>File</u>	Date: <u>12/20/21</u>

Durfee H.S. Bells – a Resolution for their Re-dedication

Whereas the bells of Durfee HS have a nearly 150-year old history, beginning with the 10-bell chime being cast in the 1880s, and

Whereas during the 1960s – 1970s, a local resident, Winifred “Winnie” Durfee, rang those bells daily for over 15 years at the original Durfee HS on Rock Street, and she played those bells for all special occasions. “Winnie” is still with us and would love to be able to attend the Re-dedication of the bells, and

Whereas bells have been added over the years, and now number 23, it is now officially known as a carillon, a rare instrument in North America, and Durfee HS is the only public school in the U.S. to have an official carillon, and

Whereas the Durfee HS Alumni Association is so proud of these bells / chimes, that it named the Alumni Newsletter “The Durfee Chimes,”

Therefore, be it Resolved that the new Durfee HS opened in 2021 have an Official Re-dedication of the Durfee Bells,

And be it further Resolved that this Official Re-dedication include Winifred “Winnie” Durfee, now known as Winifred “Winnie” Durfee Dimock, and also officials of the Durfee Alumni Association, Fall River School Committee, and any others that are known to have played a part in the bringing of the historic and now famous Durfee Bells to their true home... The Bell Tower of Durfee HS.

Copies to:

Mayor Coogan

School Committee: Present member Paul Hart; former member Melissa Panchley

Interim Superintendent of Schools Maria Pontes; former Superintendent Jim Gibney

Durfee HS Principal Matthew Desmarais

City Council President Cliff Ponte Jr

Durfee Alumni Association

FRED TV

Herald News

KP LAW, P.C.
101 ARCH STREET
FLOOR 12
BOSTON, MA 02110
(617) 556-0007
FEDERAL TAX ID: 04-2746356
INVOICE NO: 134380

PAID
2021 09 15 A 9:13
FALL RIVER, MA

MR. CLIFF PONTE
COUNCIL PRESIDENT
FALL RIVER CITY COUNCIL
ONE GOVERNMENT CENTER
FALL RIVER, MA 02722

September 30, 2021
IN REFERENCE TO: PROFESSIONAL SERVICES THROUGH August 31, 2021

GENERAL LEGAL SERVICES

07/13/2021	LFG	PREPARE FOR AND ATTEND CITY COUNCIL MEETING.	2.40	660.00
07/26/2021	LFG	PREPARE AND E-MAIL TO CITY COUNCIL PRESIDENT AND VICE PRESIDENT FOR REVIEW DRAFT COMPOSTING ORDINANCE; PREPARE FOR AND ATTEND ORDINANCE COMMITTEE MEETING.	1.50	412.50
07/26/2021	LFG	LEGAL RESEARCH RE: COUNCIL ROLES WITH ARPA AND EMAIL EXAMPLES TO CITY COUNCIL PRESIDENT AND VICE PRESIDENT.	1.10	302.50
08/11/2021	LFG	LEGAL RESEARCH RE: EXPENDITURE OF ARPA FUNDS AND ROLES OF LEGISLATIVE AND EXECUTIVE BRANCH WITH REGARD THERETO.	1.70	467.50
		SUBTOTAL:	6.70	\$1,842.50

TOTAL FEES: 6.70 1,842.50

ACCUMULATED DISBURSEMENTS AT COST; REPRODUCTION OF DOCUMENTS, EXPRESS MAIL, SPECIAL POSTAGE, TOLL CALLS AND ON-LINE RESEARCH

TOTAL COSTS: \$19.05

TOTAL DUE: \$1,861.55

CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, December 14, 2021 at 5:55 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: William Perkins, People, Incorporated, 1040 Eastern Avenue
 Gerry Ayers, 457 Locust Street

The Vice-President called the meeting to order at 5:57 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearings was to hear all persons interested and wishing to be heard on the following:

Curb removals:

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the hearing be opened, with Council President Cliff Ponte absent and not voting.

1. Briniz Corporation, 188 Tremont Street, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
1311 County Street	22.5'	18'	0'	40.5'

The petitioner has an existing 22.5 foot driveway and is requesting the removal of another 18 feet of curbing to the north side of the existing opening for a total of 40.5 feet. This curb removal will allow for more parking for residents of the duplex.

The Vice-President then directed the proponents to be heard and there were no proponents. The Vice-President then directed the opponents to be heard and there were no opponents. The Vice-President then asked the City Clerk if any proponents or opponents submitted testimony and the City Clerk stated that none was received. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted that the hearing be closed, with Council President Cliff Ponte absent and not voting.

On a motion made by Councilor Trott Lee and seconded by Councilor Christopher M. Peckham, it was unanimously voted that the hearing be opened, with Council President Cliff Ponte absent and not voting. Council President Cliff Ponte arrived at 6:02 p.m. and took the podium.

2. People Incorporated, 1040 Eastern Avenue, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
1040 Eastern Avenue (McGowan Street side)	26'	16'	0'	42'

The petitioner has an existing 26 foot driveway on Eastern Avenue and is requesting the removal of another 16 foot curb on the McGowan Street side for a total of 42 feet. This curb cut would allow for vans to enter from Eastern Avenue and exit on the McGowan Street side.

The President then directed the proponents to be heard and William Perkins from People, Incorporated stated that this request is to allow vans to enter the parking lot from Eastern Avenue and exit on McGowan Street thereby alleviating the need to turn around in the parking lot which will improve safety. The President then directed the opponents to be heard and there were no opponents. The President then asked the City Clerk if any proponents or opponents submitted testimony and the City Clerk stated that an objection was received. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted that the hearing be closed.

On a motion made by Councilor Trott Lee and seconded by Councilor Christopher M. Peckham, it was unanimously voted that the hearing be opened.

3. Gerry Ayers, 457 Locust Street, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
457 Locust Street	11.9'	8.7'	0'	20.6'

The petitioner has an existing 11.9 foot driveway and is requesting the removal of an additional 8.7 feet to the east side of the existing driveway for a total of 20.6 foot opening. This curb removal will allow for three cars to be taken off of the street. Larger opening will allow cars to back onto Locust Street.

The President then directed the proponents to be heard and Gerry Ayers stated that this request will allow safe access to the driveway. He stated that currently neighbors park right at the driveway making backing out onto Locust Street hazardous, due to the inability to see oncoming traffic. The President then directed the opponents to be heard and there were no opponents. The President then asked the City Clerk if any proponents or opponents submitted testimony and the City Clerk stated that none was received. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was unanimously voted that the hearing be closed.

On a motion made by Councilor Trott Lee and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 6:05 p.m.

List of documents and other exhibits used during the meeting:

- Agenda (attached)
- DVD of meeting
- Letter of opposition to 1040 Eastern Avenue

A true copy. Attest:

Alison M. Bouchard
City Clerk

COMMITTEE ON FINANCE

- MEETING:** Tuesday, December 14, 2021 at 6:00 p.m.
Council Chamber, One Government Center
- PRESENT:** President Cliff Ponte, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne,
Bradford L. Kilby, Pam Laliberte-Lebeau, Trott Lee,
Christopher M. Peckham, Leo O. Pelletier and Linda M. Pereira
- ABSENT:** None
- IN ATTENDANCE:** Attorney Kenneth Fiola, Jr., Executive Vice President – Bristol County Economic
Development Consultants (BCEDC), 139 South Main Street, Suite 400

The chair called the meeting to order at 6:05 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.

1. Citizens' Input
Alexander Silva, 263 Pine Street – Tax Increment Financing (TIF) Agreements

Council President Cliff Ponte stated that Attorney Kenneth Fiola, Jr. may take both items 2a. and 2b. together.

2. Discussion re: TIF Agreements for
 - a. The Residences at North River, LLC – 140 Ace Street
Attorney Kenneth Fiola, Jr. stated that this project will consist of the development of four new buildings totaling an estimated 297,000 square feet of developable space and representing a private investment of \$19 million dollars on land located at 140 Ace Street in Fall River. He then stated that it's anticipated that the tenants of the buildings will represent industrial, commercial and professional uses and will result in the creation of more than 25 new jobs. The TIF agreement will be for a period of five years and the developer will be afforded a 50 percent tax savings during this time frame. The project and associated \$19 million dollar of private sector investment is taking place within the City of Fall River Waterfront Urban Renewal Plan and census tract 6421, which has a poverty level of 24 percent. He then stated that this project received unanimous approval of the TIF Board last week. He also mentioned that there is tremendous demand for commercial and industrial space currently, which is all on-one level, has loading docks, cement floors and ample parking. He highlighted that the current lack of space in the City of Fall River, is hindering economic development and growth. Attorney Kenneth Fiola, Jr. then stated that the estimated 25 new jobs that will be created is very low, but no one wants to be over estimating such items. He then mentioned that during the 5 year period of the agreement the developer will save approximately \$346,000.00 in taxes and the City will receive approximately \$346,000.00 in new taxes. Councilor Bradford L. Kilby asked if the 25 jobs will be permanent positions. Attorney Kenneth Fiola, Jr. stated that these are permanent full time positions. He also stated that if

the 25 jobs are not created the City of Fall River has the right to revoke the TIF agreement. Councilor Linda M. Pereira asked how much commercial or industrial space is currently available. Attorney Kenneth Fiola, Jr. stated that the Industrial Park is currently almost at 100% capacity, with the exception of the former Lightolier Facility which is a very large building of approximately 300,000 square feet. He then stated that he has recently had conversations with a party interested in the former Lightolier Facility and if all goes well that facility will no longer be vacant. Councilor Michelle M. Dionne stated that with only 25 new jobs being created, that only equals a little over 6 jobs per building, which seems rather low. Attorney Kenneth Fiola stated that there are some businesses, such as storage facilities that only employ one individual per building.

b. Millstone Medical Outsourcing, LLC – 633 Commerce Drive

Councilor Linda M. Pereira asked for a brief overview of this TIF agreement. Attorney Kenneth Fiola, Jr. stated that Millstone Medical Outsourcing, LLC is a company that was recruited to the City probably back in the early 1990s. He mentioned that they started off with 25 employees on North Main Street in the Narragansett Mill and subsequently now have hundreds of employees, with their primary location in the Commerce Park which consists of two buildings. He then highlighted that the company is in the process of being sold to Arlington Capital Partners (ACP) and they are hopeful to take over the TIF agreement including all terms and conditions of the original TIF agreement. Councilor Michelle M. Dionne asked if the TIF agreement will be transferred with the remaining years from the original agreement. Attorney Kenneth Fiola, Jr. stated that is correct, the transfer will only be for the years remaining from the original TIF agreement.

Citizens' Input Time – After Discussion of Financial Matters:

None

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to adjourn at 6:34 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
DVD of meeting

Colleen A. Taylor
Clerk of Committees

