

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, September 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: Mary Sahady, Director of Financial Services

President Cliff Ponte called the meeting to order at 8:06 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 requesting confirmation of Sharon L. Quinn to the Board of Library Trustees
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to confirm the appointment.
2. Mayor requesting confirmation of Keith Ellis as the Director of Facilities Maintenance
A motion was made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira to confirm the appointment. Councilor Leo O. Pelletier stated that Tammy Moutinho has done an outstanding job of as Director of Facilities Maintenance on an interim basis and is disappointed that the Mayor is requesting confirmation of someone else for the position. He stated that Ms. Moutinho has proven herself while performing these duties over the last several months. Councilor Linda M. Pereira stated that she does not think it is appropriate to be discussing human resource matters. Councilor Michelle M. Dionne stated that she was under the impression that the City of Fall River likes to promote from within. Councilor Trott Lee stated that he believes that Ms. Moutinho is qualified for the position, but unfortunately she is not before this Council for confirmation. Councilor Pam Laliberte-Lebeau stated that she reviewed the resume for Keith Ellis and he seems well qualified for the position. Councilor Bradford L. Kilby stated that he will vote for Keith Ellis as he is the individual submitted by the Mayor for confirmation. Council President Cliff Ponte stated that it seems many Councilors have questions, so the matter could be tabled to allow Councilors to discuss the matter further with the Administration. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to table the matter.

3. Mayor and notification of the appointment of Holly Hill-Batista as Interim Executive Director of Bristol County Training Consortium
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the communication be accepted and place on file.
4. Mayor requesting Committee on Real Estate convene to discuss a parcel of city owned land located on Hicks Street (Assessors Map B-09, Lot 0048)
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Leo O. Pelletier, it was unanimously voted to refer the matter to the Committee on Real Estate.
5. Mayor and orders to accept and expend the following grants:

COVID-19 case and cluster investigation	\$563,130.00
Naloxone and related supplies for overdose calls	\$ 7,155.13
Disease control and prevention	\$200,000.00
Improvements to Kennedy Park tennis courts	\$400,000.00
Improve meeting space and virtual programming	\$ 50,000.00

Councilor Linda M. Pereira asked if any of these grants are time sensitive. Mary Sahady stated that she did not believe so. On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was voted 9 yeas to refer the matters to the Committee on Finance.
6. Mayor and order appropriating \$1,677,400 from the General Fund Stabilization Fund to:

Facilities Maintenance, Capital	\$150,000
Community Maintenance, Capital	\$937,100
Police, Capital	\$410,300
Fire & Emergency Services, Capital	\$180,000

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to waive the rules to allow the Director of Financial Services to answer questions. Councilor Michelle M. Dionne asked if the snow removal equipment was for the Police Department. Mary Sahady stated that the request is for a type of snow plow that can be used to plow the parking lot at the police station, as a full size snow plow is difficult to maneuver. Councilor Michelle M. Dionne then asked if any police cruisers were purchased this year. Mary Sahady stated that she was not aware that any were purchased. Councilor Pam Laliberte-Lebeau stated that she contacted the Chief of Police earlier in the day and he explained the need for the snow removal equipment. On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to approve the appropriations, with Councilor Shawn E. Cadime opposed.

PRIORITY COMMUNICATIONS

7. 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

CITATIONS – None

ORDERS – HEARINGS

Pole Location:

8. Martine Street – One (1) new pole location
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was unanimously voted that the order be granted leave to withdraw.

ORDERS – MISCELLANEOUS

9. Police Chief's Report on Licenses:

Taxicab Drivers:

Manuel Almeida

Edward A. Arruda

Johanys Laboy Avila

Devin Cost

Eliu Deleon

Carole Wagner

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

10. Auto Body Shop License Renewal:

Robert Fouquette, d/b/a Big Wheel Truck Sales Inc., located at 410 Second Street

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

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

11. Auto Repair Shop License Renewals:

Fouad C. Rechmani d/b/a Knight's Quality Service Station, Co., located at 260 Linden Street

Robert W. Saraiva, d/b/a Peckham St. Garage, located at 213 Peckham Street

Henry Gauthier, d/b/a Henry's Tire Service Inc., located at 714 Globe Street

Robert Fouquette, d/b/a Big Wheel Truck Sales Inc., located at 410 Second Street

Roy Oliveira, d/b/a Auto Boutique, located at 101 Price Place

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

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

COMMUNICATIONS – INVITATIONS – PETITIONS

12. Claims

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

13. Planning Board Minutes – September 10, 2021

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the minutes be accepted and placed on file.

14. Zoning Board Minutes – August 19, 2021

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was unanimously voted that the minutes be accepted and placed on file.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to take items #15 through #19 together.

City Council Meeting Minutes:

15. Committee on Finance – August 17, 2021

16. Committee on Finance – September 14, 2021

17. City Council Public Hearings – September 14, 2021

18. Regular City Council Meeting – August 17, 2021

19. Regular City Council Meeting – September 14, 2021

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Shawn E. Cadime, it was unanimously voted to approve items #15 through #19.

BULLETINS – NEWSLETTERS – NOTICES

20. Fall River Public Library's Annual Report for Fiscal Year 2021

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the report be accepted and place on file.

21. Notice of Casualty and Loss at 111 Eaton Street

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Trott Lee, it was unanimously voted that the notice be accepted and place on file.

22. Notice of Casualty and Loss at 377 Montgomery Street

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Trott Lee, it was unanimously voted that the notice be accepted and placed on file.

23. Final Report (amendment) – Estes Lane from Lark Street to (old) Lower Stafford Road

On a motion made by Councilor Trott Lee and seconded by Councilor Christopher M. Peckham, it was unanimously voted to accept the amended final report.

ITEMS FILED AFTER THE AGENDA DEADLINE:
CITY COUNCIL MEETING DATE: SEPTEMBER 28, 2021

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

COMMITTEE REPORTS

Committee on Finance recommendation (if received):

7a. Order to execute Administrative Order of Consent with the Environmental Protection Agency for the Combined Sewer Overflow (CSO) Court Order

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

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

7b. Order to execute Amendment to the Combined Sewer Overflow (CSO) Federal Court Order No. 1:87-CV-03067

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

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

7c. Committee on Finance meet with Administrator of Community Utilities to discuss stormwater accounts for properties located east of the North Watuppa Pond area

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

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 8:44 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

A true copy. Attest:



City Clerk

In City Council, October 12, 2021

Approved.



City of Fall River Massachusetts **RECEIVED**
Office of the City Clerk

2021 SEP 24 P 1:08

MEETINGS SCHEDULED

CITY CLERK _____
FALL RIVER, MA

CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

ALISON M. BOUCHARD
CITY CLERK

TUESDAY, SEPTEMBER 28, 2021

INÊS LEITE
ASSISTANT CITY CLERK

5:55 P.M. CITY COUNCIL PUBLIC HEARING

Pole Location

Martine Street – One (1) new pole location

6:00 P.M. CITY COUNCIL COMMITTEE ON FINANCE MEETING (OR IMMEDIATELY FOLLOWING THE CITY COUNCIL PUBLIC HEARING IF IT RUNS PAST 6:00 P.M.)

1. Citizen Input
2. *Discussion re: Amendment to the Combined Sewer Overflow (CSO) Federal Court Order No. 1:87-CV-03067 (tabled 9-14-21)
3. *Discussion re: Administrative Order of Consent with the Environmental Protection Agency for the Combined Sewer Overflow (CSO) Court Order (tabled 9-14-21)
4. *Committee on Finance meet with Administrator of Community Utilities to discuss stormwater accounts for properties located east of the North Watuppa Pond area (adopted 9-14-21)
5. Transfers and appropriations (see #6 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 requesting confirmation of Sharon L. Quinn to the Board of Library Trustees
2. *Mayor requesting confirmation of Keith Ellis as the Director of Facilities Maintenance
3. *Mayor and notification of the appointment of Holly Hill-Batista as Interim Executive Director of Bristol County Training Consortium
4. *Mayor requesting Committee on Real Estate convene to discuss a parcel of city owned land located on Hicks Street (Assessors Map B-09, Lot 0048)
5. *Mayor and orders to accept and expend the following grants:

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6. *Mayor and order appropriating \$1,677,400 from the General Fund Stabilization Fund to:

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Community Maintenance, Capital	\$937,100
Police, Capital	\$410,300
Fire & Emergency Services, Capital	\$180,000

PRIORITY COMMUNICATIONS

7. *Traffic Commission recommending amendments to traffic ordinances

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

COMMITTEE REPORTS - None

ORDINANCES - None

RESOLUTIONS - None

CITATIONS - None

ORDERS – HEARINGS

Pole Location:

8. Martine Street – One (1) new pole location

ORDERS – MISCELLANEOUS

9. Police Chief's Report on Licenses:

Taxicab Drivers:

Manuel Almeida
Devin Cost

Edward A. Arruda
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10. Auto Body Shop License Renewal:

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Henry Gauthier, d/b/a Henry's Tire Service Inc., located at 714 Globe Street
Robert Fouquette, d/b/a Big Wheel Truck Sales Inc., located at 410 Second Street
Roy Oliveira, d/b/a Auto Boutique, located at 101 Price Place

COMMUNICATIONS – INVITATIONS – PETITIONS

12. *Claims
13. *Planning Board Minutes – September 10, 2021
14. *Zoning Board Minutes – August 19, 2021

City Council Meeting Minutes:

15. *Committee on Finance – August 17, 2021
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Alison M Bouchard

City Clerk

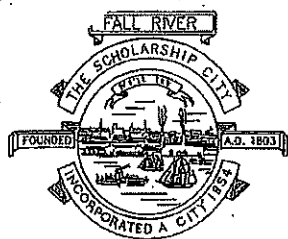
ITEMS FILED AFTER THE AGENDA DEADLINE:
CITY COUNCIL MEETING DATE: SEPTEMBER 28, 2021

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

COMMITTEE REPORTS

Committee on Finance recommendation (if received):

- 7a. *Order to execute Administrative Order of Consent with the Environmental Protection Agency for the Combined Sewer Overflow (CSO) Court Order
- 7b. *Order to execute Amendment to the Combined Sewer Overflow (CSO) Federal Court Order No. 1:87-CV-03067



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

FINANCE **2**

AUG 12 2021

CITY OF FALL RIVER
FALL RIVER, MA

August 12, 2021

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

RE: Amendment to Federal Court Order

Dear Honorable Councilors:

Please see attached the Amendment to Federal Court Order No: 1:87-CV-03067 (CSO-FCO). Approval of the Order to Execute is hereby requested.

Please contact Paul J. Ferland with any questions you may have at 508-324-2320.

Sincerely,

Paul E. Coogan
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL

AUG 17 2021

Referred to Committee
on Finance

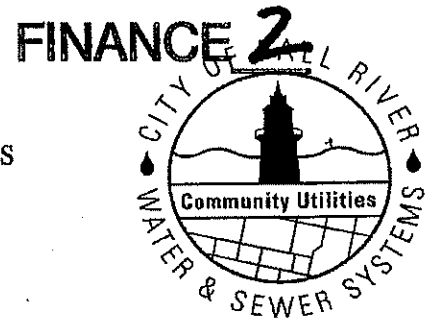
9-14-21

Tabled in Finance



PAUL E. COOGAN
Mayor

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



PAUL J. FERLAND
Administrator

August 12, 2021

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

RE: Amendment to Federal Court Order

Dear Mayor Coogan:

Please see attached the Amendment to Federal Court Order No: 1:87-CV-03067 (CSO-FCO). This is an amendment to the current order and is in line with the current \$123mil spending plan that was approved by referendum ballot in November of 2017.

Please contact my office at 508-324-2320 with any questions you may have.

Sincerely,

Paul J. Ferland, EIT
Administrator of Community Utilities

ORDERED, that the Mayor be and the same is hereby authorized to execute the attached Amendment to Federal Court Order No. 1:87-CV-03067 (CSO-FCO) for the City of Fall River, Massachusetts.

CITY OF FALL RIVER
IN CITY COUNCIL
AUG 17 2021

*Referred to the p.
Committee on Finance*

CITY OF FALL RIVER
IN CITY COUNCIL

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FINANCE 2

CONSERVATION LAW FOUNDATION, INC.

Plaintiff

v.

CITY OF FALL RIVER

Defendant

No. 1:87-CV-03067 (RWZ)

JOINT MOTION TO AMEND ORDER

Pursuant to subparagraph 7.i.3 of the Remedial Order as amended on October 21, 2013, on December 31, 2015, Defendant submitted to Plaintiff and the Court its integrated stormwater and wastewater plan ("ISWP"). The ISWP reviewed the Defendant's collective stormwater and wastewater needs and included both sewer separation and other combined sewer overflow ("CSO") control options for the Alton Street, City Pier, Ferry Street, Birch Street and other drainage basins throughout the City. The ISWP included projected costs and an implementation schedule for a recommended plan and estimated that implementation of the recommended plan would cause per household sewer and stormwater fees to exceed 1.99% of median household income.

In January 2019 Defendant prepared a CSO Control Plan and Program Update Report. In the development of this report, which advanced the ISWP, additional studies were performed resulting in a more in-depth analysis of the CSO-related aspects of the ISWP. Analyses included the Defendant's development of CSO control options for the Alton Street, City Pier, Ferry Street, Birch Street and other drainage basins throughout the City. Analyses also considered coordination of implementation of the CSO control option for the City Pier drainage basin with work proposed by the Massachusetts Department of Transportation associated with reconstruction of MA Route 79 in the City Pier area. Findings showed that storage and other controls were required in addition to full sewer separation with BMPs (as described in paragraph 7.h.3 of the Remedial Order) to reduce CSOs to an average of four per year for a specific drainage basin; thus, revisions to the Remedial Order were required. The report included updated costs and an implementation schedule for a recommended plan, which indicated that alternatives including sewer separation were considerably more costly than for screening and disinfection facilities, and estimated that implementation of the 2013 recommended plan would cause per household sewer and stormwater fees to exceed 1.99% of median household income by a greater amount.

Plaintiff and Defendant have conferred regarding Defendant's CSO Control Plan and Program Update Report and the proposals made therein regarding the CSO control plan for Phase IIB.2 and Phase IIIA, and have agreed on the terms of the following proposed amendment to the Remedial Order that will address the concerns of both parties and achieve the goals of the existing Order.

WHEREFOR, the parties jointly move this Court to enter an Order in the form attached hereto further amending the existing Remedial Order.

Respectively submitted

FINANCE 2

CONSERVATION LAW FOUNDATION, INC.

Heather Govern (BBO # 688482)
Conservation Law Foundation, Inc.
62 Summer Street
Boston, MA 02110
Telephone: (617) 350-1766
hgovern@clf.org

Respectfully submitted,

CITY OF FALL RIVER

[insert name and contact information]
Dated: XXXXX, XX, 2021

Local Rule 7.1 Statement

I hereby certify pursuant to Local Rule 7.1(a)(2) that I have conferred with opposing counsel _____ regarding the filing of this motion and that he has assented to the filing thereof.

[insert name]

Dated: XXXXX, XX, 2021

Certificate of Service

I hereby certify that this Joint Motion will be served on all parties registered through the Court's electronic filing system on today's date and that a copy will be mailed to all non-registered participants.

[insert name]

Dated: XXXXX, XX, 2021

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

FINANCE 2

CONSERVATION LAW FOUNDATION, INC.

Plaintiff

V.

CITY OF FALL RIVER

Defendant

No. 1:87-CV-03067 (RWZ)

ORDER

The remedial order of this Court dated March 11, 1992, as amended by Orders dated January 3, 1995, April 7, 1997, March 10, 2005, December 31, 2008 (Document 206), March 8, 2011, December 6, 2011 (Document 240), June 10, 2013, October 7, 2013, and October 21, 2013, is further amended as set forth hereinafter:

Paragraph 7.i of the Remedial Order, as last amended by the Order dated October 22, 2013 (Documents 266 and 269), is hereby deleted in its entirety is replaced with the following:

- "1.1. By December 31, 2021, Defendant shall install and/or maintain continuous flow monitors on the following CSO outfalls, Alton St., Birch St., Cove St., President Ave., City Pier (Daval 1 and Davol 2), Canal St., Ferry St., Middle St., Charles St. and Mount Hope Ave.. The monitors will be sufficient to identify start and stop times and total volume of each discharge and, where both treated (screened and disinfected) and untreated discharges may exist, will be sufficient to identify times and volumes of each individually (monitors shall not need to continuously report when there is no flow).
- "2. Defendant shall continue monitoring outflows from the screening and disinfection facilities at President Ave. and Cove Street in accordance with the current monitoring protocol for those facilities attached as Exhibit B to the Order dated October 22, 2013 (Document 266-2) and as Exhibit A to this Order. By September 1, 2021, Defendant shall submit to EPA for approval an updated plan for monitoring the screening/disinfection facilities at President Ave. and Cove St. Upon EPA approval, Defendant shall implement the updated monitoring plan in lieu of the current monitoring plan. The updated monitoring plan shall be designed to indicate the actual concentration of bacteria and residual chlorine discharged from the facilities' outfalls, or an upper bound on the actual concentration discharged (if sampling is not done at the outfalls). If sampling at the outfalls is not required by the updated monitoring plan, ambient sampling within the receiving waters near the outfall will be required. The updated monitoring plan shall include sampling for fecal coliform bacteria and total residual chlorine using EPA-approved test methods set forth in 40 C.F.R. Part 136, or an alternate test method approved in writing by EPA. If the City's NPDES Permit covering CSOs is re-issued and in effect with authorization to discharge residual chlorine from the two facilities, Defendant shall implement the monitoring requirements of the permit instead of the updated monitoring plan. Additional sampling taken at the Cove St. or President Ave. facilities (e.g. as part of a facility optimization study) shall be reported with the required sampling from the monitoring plan.
- "3. By December 31, 2022, Defendant shall substantially complete the Riverview Street CSO Basin Improvements as described in Exhibit B to this Order.
- "4. By December 31, 2022, Defendant shall substantially complete one of the Charles Street, Ferry Street or Columbia Street CSO Basin Improvements as described in Exhibit C to this Order.

- "5. By September 31, 2024, Defendant shall substantially complete the Birch Street CSO Basin Sewer Separation as described in Exhibit D to this Order.
- "6. Defendant shall identify land parcels required for Alton Street drainage basin and commence with acquisition of land common to all evaluated alternatives by December 31, 2023.
- "7. Defendant shall identify land parcels required for City Pier drainage basin and commence with acquisition of land common to all evaluated alternatives by December 31, 2023.
- "8. By January 31, 2024, Defendant shall optimize the operation of the President Ave. and Cove St. CSO screening and disinfection facilities, with the goal of meeting water quality standards for residual chlorine at the end of the outfall (point of discharge), and shall submit to Plaintiff and file with the Court a report on the optimization actions implemented and the results thereof. The report shall include all outfall and ambient monitoring data related to the President Ave. and Cove St. screening/disinfection facilities.
- "9. By January 31, 2024, Defendant shall complete a "CSO Treatment Impacts on River Investigation" project and submit to Plaintiff and file with the Court a report of the results of such investigation. This study shall evaluate the impacts and costs of the current CSO screening and disinfection facilities at Cove St. and President Ave. The study shall specifically evaluate the ability of discharges from these current CSO facility outfalls to meet water quality standards for residual chlorine. The study shall include options and costs for adding dechlorination to (or adding disinfection by means other than chlorination at) the Cove St. facility.
- "10. By January 31, 2024, for the Alton Street drainage basin, Defendant shall evaluate CSO alternatives, including chlorination, dechlorination, non-chlorine disinfection, advanced treatment, storage, sewer separation, and other potential alternatives that may be identified and include findings in the "CSO Treatment Impacts on River Investigation" project and submit to Plaintiff and file with the Court .
- "11. By January 31, 2024, for the City Pier drainage basin, Defendant shall evaluate CSO alternatives, in consideration of coordination with the reconfiguration of MA Route 79, including chlorination, dechlorination, non-chlorine disinfection, advanced treatment, storage, sewer separation, and other potential alternatives that may be identified and include findings in the "CSO Treatment Impacts on River Investigation" project and submit.
- "12. By January 31, 2024, Defendant shall submit to Plaintiff and file with the Court an Integrated Wastewater and Stormwater Master Plan Update, describing future projects.
- "13. By December 31, 2024, Defendant shall substantially complete the Main Interceptor North Cleaning/Inspection and Main Interceptor South Cleaning/Inspection as described in Exhibit E hereto.
- "14. Defendant shall provide to Plaintiff an annual CSO Report each year by February 28 (covering the previous calendar year). The CSO Report shall include all CSO discharges in the time period covered by the report, including the outfall, start and stop times and total volume released for each discharge. The Report will identify whether the discharge was treated (chlorinated); for events and locations with both treated and untreated discharges which will be reported separately.
- "15. Plaintiff and Defendant shall confer regarding the CSO Treatment Impacts on River Investigation report referred to in 9 above and the Integrated Wastewater and Stormwater Master Plan Update referred to in 12 above and use their best efforts to jointly submit to the Court, by December 31, 2025, an agreed upon motion to finalize the plans for optimization of the screening and disinfection facilities at Cove St. and President Ave. and the selected options for CSO controls in the City Pier and Alton Street drainage areas. Together with the schedule for their construction and implementation."
- "16. Defendant shall be subject to the per diem penalties set forth in Exhibit F to this Order for failure to meet the deadlines for items 1, 3, 4, 5, 8, 9, 10, 11, 12, and 13 above."
- "17. Plaintiff acknowledges that the Defendant is subject to an Administrative Order on Consent from the United States Environmental Protection Agency Region I Docket No. CWA-AO-R01-FY21-XX, as it may be amended, and agrees to negotiate in good faith with the Defendants and the U.S. Environmental Protection Agency to resolve any inconsistencies or conflicts in the Defendants' compliance with both Orders.
- "18. Plaintiff acknowledges that this order may need to be modified in the event of issuance of a permit that contains new or revised requirements, including renewal or re-issuance of the NPDES Permit.

Except as modified herein, all provisions of the Remedial Order dated March 11, 1992, as amended by Orders dated January 3, 1995, April 7, 1997, March 10, 2005, December 31, 2008, March 8, 2011, December 6, 2011, and October 22, 2013, shall remain in full force and effect.

SO ORDERED

Hon. Rya W. Zobel, USDJ

Date: _____, 2021

Exhibit A

Monitoring Protocol

Cove Street and President Avenue

The City of Fall River shall conduct the following monitoring and reporting, as follows:

Cove Street CSO Screening and Disinfection Facility

Monitoring at the Cove Street CSO Screening and Disinfection Facility shall continue, through December 31, 2015, as follows:

- The City will mobilize for monitoring of its Cove Street CSO Screening and Disinfection Facility effluent during storms where the predicted rainfall is more than 1/4 inch.
- As the characteristics of CSO events cannot be predicted, for CSO events of less than one hour, sampling may not occur due to the required staff response time and the necessary continuous CSO event duration for representative sampling results.
- The City will monitor grab samples at the Cove Street CSO Screening and Disinfection Facility's Mixed Effluent Sampling Station (C-ME), as shown on the attached Figure 1 "Cove Street CSO Facility Monitoring Locations," for:
 - Total Residual Chlorine (TRC)
 - Fecal Coliform bacteria (four times per year)
 - Total Nitrogen (four times per year)
- Samples will be taken three times per storm during which the Cove Street CSO Facility was activated for TRC, Fecal Coliform bacteria (if measured), and Total Nitrogen (if measured), if possible, depending upon the duration of the CSO event. Additional TRC monitoring will be done, if needed, to adjust the chlorine dosage. Similarly, additional TRC monitoring will be done, as needed; if dechlorination is added to this facility, to adjust the dechlorinating chemical dosage.
- On completion of the CSO Facility activation/storm event, the City will record:
 - Maximum observed TRC concentration
 - Average observed TRC concentration
 - Total Cove Street CSO Facility activation time
 - Total Cove Street Facility treated flow
- On receipt of the laboratory test results, The City will record Fecal Coliform bacteria (if measured) and Total Nitrogen (if measured).

- This sampling protocol provides a continuation of the monitoring program as provided in Item 1 of the February 2012 protocol.

President Avenue CSO Screening and Disinfection Facility

Monitoring at the President Avenue CSO Screening and Disinfection Facility shall commence upon the City's acceptance of the completed facility, as follows:

- The City will mobilize for monitoring of its President Avenue CSO Screening and Disinfection Facility effluent during storms where the predicted rainfall is more than 1/4 inch.
- As the characteristics of CSO events cannot be predicted, for CSO events of less than one hour, sampling may not occur due to the required staff response time and the necessary continuous CSO event duration for representative sampling results.
- For a period of 2 years from the City's acceptance of the completed facility, the City will monitor grab samples at the President Avenue CSO Screening and Disinfection Facility's Mixed Effluent Monitoring Location (P1), as shown on the attached Figure 2 "President Avenue CSO Facility Monitoring Locations," for:
 - Total Residual Chlorine (TRC)
 - Fecal Coliform bacteria (four times per year)
 - Total Nitrogen (four times per year)
- Samples will be taken three times per storm during which the President Avenue CSO Facility was activated for TRC, Fecal Coliform bacteria (if measured), and Total Nitrogen (if measured), if possible, depending upon the duration of the CSO event. Additional TRC monitoring will be done, if needed, to adjust the chlorine and/or dechlorinating chemical dosage.
- On completion of the CSO Facility activation/storm event, the City will record:
 - Maximum observed TRC concentration
 - Average observed TRC concentration
 - Total President Avenue CSO Facility activation time
 - Total President Avenue Facility treated flow
- On receipt of the laboratory test results, The City will record Fecal Coliform bacteria (if measured) and Total Nitrogen (if measured).

CSO Outfall Monitoring

Cove Street CSO Outfall (Boat) Monitoring

Monitoring of the Taunton River at the Cove Street CSO outfall shall continue, through December 31, 2015, as follows:

- The City shall perform four in-river sampling events per year during or shortly after a storm of 3/4 inch of rain or greater during which the Cove Street CSO Facility was activated.
- Each grab sample will be analyzed for:
 - TRC
 - Fecal Coliform bacteria
 - Total Nitrogen
 - Temperature
- Visual observation will also be made and recorded to reflect the presence or absence of any sheen, solids, scum, odor, or other excursion from the Massachusetts Water Quality Standards observable without sampling.
- Sampling results will reflect time taken, rainfall prior to sample (if available), and rainfall total.
- Sampling shall be conducted by boat.
- Sampling rounds during a storm event or at storm end where conditions present hazardous conditions (e.g., high winds, surf, nighttime, etc.) will be cancelled for the health and safety of the sampling personnel.
- For the Cove Street CSO Facility, sampling will occur at Stations C-2, C-3 and C-4, as shown on the attached Figure 1 "Cove Street CSO Facility Monitoring Locations." Station C-3 is located at the "boil" of the Facility's outfall. Stations C-2 is located approximately 300 feet upstream of the outfall, and Station C-4 is located approximately 300 feet downstream of the outfall. These stations remain as shown in the inset in the upper right-hand corner of the Camp Dresser & McKee, Inc. ("CDM") plan entitled "City of Fall River, Massachusetts, North System CSO Control Study", initialed copies of which are held in the files of Plaintiff and Defendant.
- This sampling protocol provides a continuation of the monitoring program as provided in Item 2 of the February 2012 protocol.

Cove Street CSO Shoreline Monitoring

Monitoring of the Taunton River in the vicinity of the Cove Street CSO outfall shall continue, through December 31, 2015, as follows:

- Shoreline testing for TRC, Total Nitrogen and Fecal Coliform bacteria shall occur 8-times per/year during or shortly after a storm of 3/4 inch of rain or greater during which the Facility was activated.
- Sampling will occur at the two shoreline sampling locations (C-S1 and C-S2) shown on the attached Figure 1 "Cove Street CSO Facility Monitoring Locations." These locations remain as shown for S1 and S2 on the CDM plan entitled "City of Fall River, Massachusetts, Figure 1, Cove Street Outfall Sampling Locations", initialed copies of which are held in the files of Plaintiff and Defendant.

- Visual observation will also be made and recorded to reflect the presence or absence of any sheen, solids, scum, odor, or other excursion of Massachusetts Water Quality Standards observable without sampling.
- This sampling protocol provides a continuation of the monitoring program as provided in Item 3 of the February 2012 protocol.

President Avenue CSO Outfall

For a period of 2 years from the City's acceptance of the completed President Avenue CSO outfall monitoring shall also occur. Sampling parameters and frequency shall be as described above for the Cove Street CSO outfall, except as follows:

- The City shall perform four in-river sampling events per year during or shortly after a storm of 3/4 inch of rain or greater during which the President Avenue CSO Facility was activated. In-river sampling will occur by boat at locations P-2, P-3 and P-4, as shown on the attached Figure 2 "President Avenue CSO Facility Monitoring Locations." Station P-3 being located at the "boil" of the Facility's outfall. Station P-2 is located approximately 300 feet upstream of the outfall, and Station P-4 is located approximately 300 feet downstream of the outfall.
- Shoreline sampling shall occur 8-times per/year during or shortly after a storm of 3/4 inch of rain or greater during which the Facility was activated. Shoreline sampling will occur at locations P-2S, P-3, and P-4S, as shown on the attached Figure 2 "President Avenue CSO Facility Monitoring Locations." Station P-3 being located at the "boil" of the Facility's outfall. Station P-2S is located at the state boat ramp approximately 350 feet upstream of the outfall, and Station P-4S is located approximately 400 feet downstream of the outfall.

General

Except to the extent specifically provided otherwise above, in performing the monitoring and sampling described herein, Defendants shall conform to 40 CFR Part 136.

Exhibit B

6.4.2 Riverview Street

It is anticipated that implementation of the system-wide improvements would fully control overflows at the Riverview Street CSO to four events per year (a 3-month storm), and no further improvements would be needed. However, to address future 5-year storm flooding concerns, regulator modifications are recommended. This improvement, consisting of removing and replacing the regulating weir, would mitigate flooding in the Riverview Street basin for a 5-year storm at an opinion of probable cost of \$0.14M.

Given the limited scope and associated cost of this project, implementation is flexible. The project could be completed independently or bundled together with other projects of a similar size. To save on mobilization costs, the bundled option is recommended and would be implemented in 2021.

Riverview Street

Recommended Alternative: 5-Year Flood Regulator Modifications

Scope:

- Flooding Improvements (Rebuild Regulator Weir)

Opinion of Probable Cost: \$0.14M

Anticipated Construction Schedule:

- 2021

6.4.3 Birch Street

In addition to CSO mitigation, additional improvements could be made to mitigate flooding in the Birch Street sewershed. These improvements include replacing a downstream section of the existing Birch Street sewer under the RRROW and removing a steel plate that controls flow in the Birch Street regulator. These improvements could be done in tandem or separately from the offline storage facility, or in combination with other projects involving work within the RRROW.

Implementation would include construction across the existing RRROW. MassDOT is considering restoration of the RRROW for freight service, thus coordination with MassDOT would be required. The implementation schedule for this work is flexible but should be accomplished with similar work within the RRROW.

Birch Street

Recommended Alternative: B3 – Offline Storage

Scope:

- Flooding Improvements Adjacent to Facility Site

Opinion of Probable Cost:

- \$0.15M (Flooding Mitigation)

Anticipated Construction Schedule:

- 2021

6.5 Summary of Recommended CSO Improvements

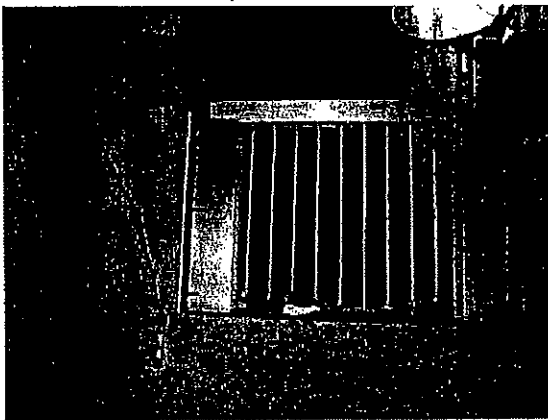
Table 6-3 summarizes each of the recommended alternatives described above. Items are highlighted by color to identify and differentiate between CSO mitigation projects, CSO infrastructure improvements, and additional 5-year flood mitigation projects.

Given the City's significant investment in CSO controls to date, and the considerable capital costs it faces over the next 20 years, it is recommended that the City request an extension of the CSO implementation schedule within the Federal Court Order to 2030. This would allow higher-cost alternatives – specifically Alton Street and City Pier – to be implemented over a more reasonable timeline, while freeing up resources to address critical non-CSO capital projects identified in the Integrated Plan.

Exhibit C

6.2.4 Central Street

Year-round flow monitoring of the Central Street outfall indicates that minor CSO events occur at the Central Street regulator. These events would indicate a relatively small volume of combined sewer overflows. In general, 2017 flow monitoring indicates that each event occurs over a relatively small-time frame (10 to 20 minutes) and results in a relatively small volume of combined flow (less than 30,000 gallons). To address these overflows, it is recommended that the instrumentation at this regulating weir within the Central Street regulator be monitored to confirm/disprove these short-term overflows. If overflows are occurring, the weir should be raised, as necessary.



Central Street Regulator Weir

Central Street	
<i>Recommended Alternative: Regulator Modifications (Raising Weir)</i>	
<i>Scope:</i>	
<ul style="list-style-type: none"> ▪ Raise Central Street Regulator Weir 	
<i>Opinion of Probable Cost:</i>	
<ul style="list-style-type: none"> ▪ TBD based on observation 	
<i>Anticipated Construction Schedule:</i>	
<ul style="list-style-type: none"> ▪ TBD 	

6.2.5 Ferry Street

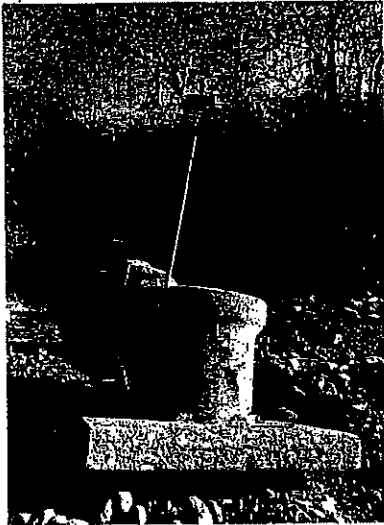
Alternative FC1 – Regulator Modifications (Increasing Regulator Connection) – in conjunction with the cleaning of the Columbia Street connection to the Ferry Street outfall noted in Section 6.2.1 above – is the recommended alternative for the Ferry Street basin. It is anticipated that increasing the regulator connection to the Main Interceptor to 24-inch diameter would mitigate overflows at the Ferry Street CSO to four events per year (a 3-month storm), effectively removing 5 MG of overflow annually. **Figure 6-3** illustrates the recommended work. The opinion of probable cost is \$0.23M.

Implementation this project would include construction at the intersection of Broadway (Route 79) and Columbia Street near the newly re-constructed Route 79/Interstate 195 interchange. While the work is contained within City streets, coordination with MassDOT would be required to provide appropriate traffic controls within MassDOT jurisdictional portions of Broadway Extension. This is a heavily trafficked intersection.

Ferry Street	
<i>Recommended Alternative: FC1 – Regulator Modifications (Increasing Regulator Connection)</i>	
<i>Scope:</i>	
<ul style="list-style-type: none"> ▪ Increase Columbia Street regulating line to 24-inch diameter 	
<i>Opinion of Probable Cost: \$0.23M</i>	
<i>Anticipated Construction Schedule:</i>	
<ul style="list-style-type: none"> ▪ 2021 	

6.3.1 Charles Street

It is anticipated that implementation of the system-wide projects would fully control overflows at the Charles



Charles Street CSO Outfall

Street CSO to four events per year (a 3-month storm), and no further improvements are needed. However, to address the poor condition of the CSO outfall pipe, it is recommended that the outfall pipe be replaced. The opinion of probable cost is \$0.14M.

Given the limited slope and associated cost of this alternative, implementation is flexible. The project could be completed independently or bundled together with other projects of a similar size. To save on mobilization costs, the bundled option is recommended with an implementation date of 2021.

Charles Street	
Recommended Alternative:	
Infrastructure Improvements:	(Outfall Replacement)
Scope:	
	Replace CSO outfall
Opinion of Probable Cost:	\$0.14M
Anticipated Construction Schedule:	
	2021

6.3.2 Mount Hope Avenue

In addition to increasing the regulator connection to the Main Interceptor (Section 6.2.8), the Mount Hope Avenue CSO outfall should be replaced and extended further into Mount Hope Bay. This project was formerly evaluated under the Integrated Plan. Additionally, the need for a high-level outlet from the Main Interceptor to this outfall should be explored for protection from flooding of the adjacent wastewater treatment facility during extreme storm events. The opinion of probable cost is \$0.9M.



Mount Hope Avenue CSO Outfall

Mount Hope Avenue	
Recommended Alternative:	
Infrastructure Improvements:	(Outfall Replacement)
Scope:	
	Replace and extend CSO outfall
Opinion of Probable Cost:	\$0.9M
Anticipated Construction Schedule:	
	2021

Implementation would include construction across the existing RRROW. Currently, the tracks have either been paved over or removed. However, MassDOT is considering restoration of the RRROW for freight service and coordination with MassDOT would be required.

Exhibit D

Section 4

Regulator modifications would include a combination of increasing the connection to the Main Interceptor from 24 inches to 30 inches and rebuilding the regulating weir. Currently, the overflow weir is set inside the outfall, restricting how much flow could be conveyed by that pipe. By rebuilding the weir outside of the outfall pipe and decreasing the elevation by approximately one foot, the full capacity of the outfall pipe could be utilized. This results in mitigation of 5-year flooding within the entire basin without an increase in combined sewer overflows during a 3-



Existing Riverview Street Overflow Weir

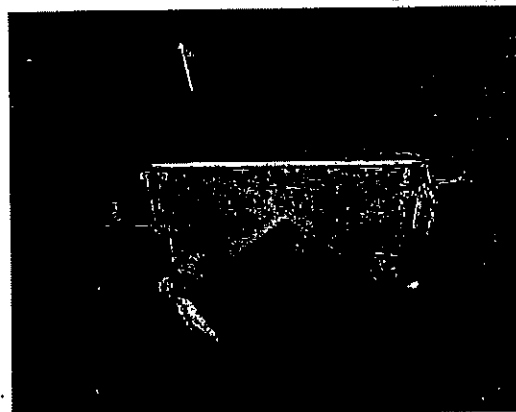
month storm. To achieve the same results, sewer separation would need to be implemented in approximately 10 percent (8 acres) of the Riverview basin downstream of the Globe Street drop shaft.



4.4.11 Birch Street

Under baseline conditions, the Birch Street outfall is estimated to have an overflow volume of 0.3 million gallons during a 3-month storm event. Overflows at the Birch Street CSO outfall are caused by a combination of high peak flows and restrictions within City pipes between Bay Street and the Main Interceptor. Mitigation alternatives for this CSO area focused on removing restrictions from City pipes to allow more flow to enter the Main Interceptor.

Within the Bay Street (upstream) regulator, a steel plate reduces the capacity of the 18-inch regulating pipe that connects the regulator to the Main Interceptor. Removal of this steel plate allows the full capacity of the regulating pipe to be utilized, sending more flow to the Main Interceptor and mitigating, instead of contributing, to CSOs. Removing this restricting plate results in benefits to CSO mitigation at an extremely low-cost relative to other potential improvements and was therefore considered to be part of all of the alternatives discussed below.



Steel Plate on Regulating Pipe at the Bay Street Regulator

Downstream of the Bay Street regulator, the regulating sewer pipe to the Main Interceptor has a negative pitch – where it crosses the RRROW – and likely contributes to wet weather overflows when the HGL within the Main Interceptor begins to rise. Therefore, all the alternatives below include an approach for mitigating flooding at this location.

The original Atlantic Avenue (downstream) CSO regulator is off the roadway and difficult to access, leading to construction of the much more accessible regulating chamber off Bay Street. Superseded by the Bay Street regulator, the Atlantic Avenue regulator has been removed from service.

Birch Street Alternative B1a – Sewer Separation (Birch Street)

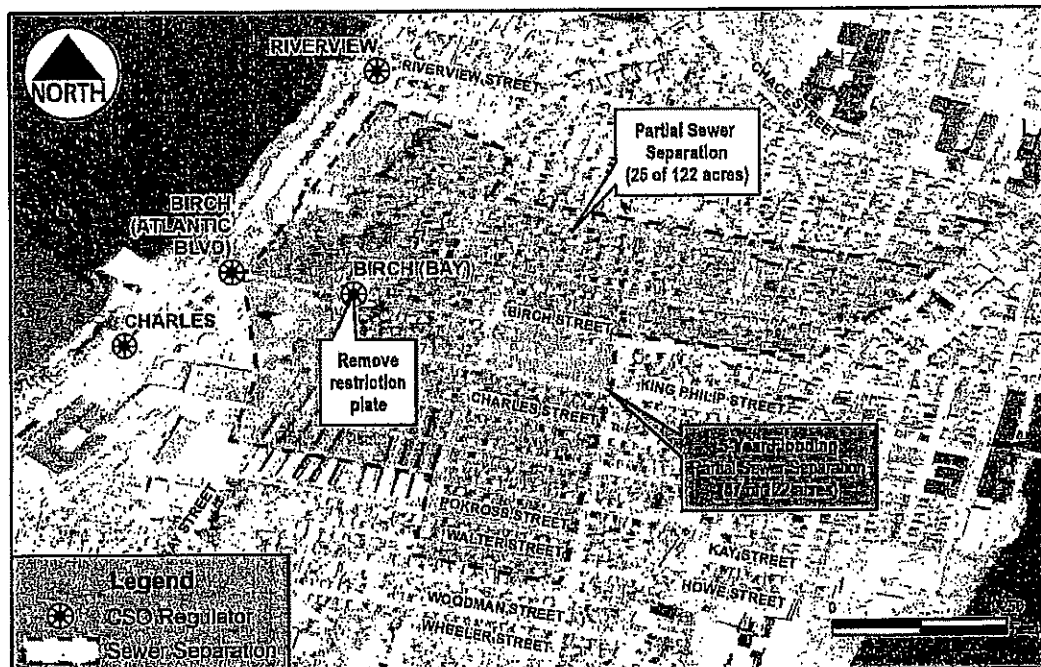
Combined Sewer Overflows: Achieves 100 Percent Mitigation for 3-month Storm (0.30 MG)

Sewer separation within the Birch Street CSO area may be used to mitigate overflows. To control CSO events to four times per year approximately 25 acres downstream of the Birch Street drop shaft (shown on Figure 4-25), must be separated from the combined sewer.

Additional Considerations – 5-Year Storm Flooding

To provide additional protection against wet weather flooding during a 5-year storm event, sewer separation could be increased to approximately 47 acres. Removing this amount of area from the basin mitigates existing wet weather flooding predicted in the basin for a 5-year storm.

Figure 4-25: Birch Street Alternative B1a (Sewer Separation)



Birch Street Alternative B1b – Sewer Separation (Middle Street)

Combined Sewer Overflows: Achieves 90 Percent Mitigation for 3-month Storm (0.027 MG)

Following construction of the sewer separation improvements in the Middle Street basin, which commenced in the summer 2018, additional sewer separation is planned in upstream reaches (see Figure 4-24). At this time, there are no set timeframe for these improvements, and implementation is considered to be lower priority than other capital improvements within the City. However, were the future sewer separation phases to be carried out, CSO overflows for a 3-

month storm in the Birch Street basin would be reduced by 0.027 MG, or by 90 percent. Although this does not fully mitigate CSOs within the Birch Street basin, it is an added benefit to implementing the additional phases of the Middle Street sewer separation.

Additional Considerations – 5-Year Storm Flooding

Sewer separation removes flow from the combined sewer system, and therefore does not result in any new wet weather flooding within the Birch Street basin during a 5-year storm.

Birch Street Alternative B2 – Sewer Improvements and Sewer Separation

Combined Sewer Overflows: Achieves 100 Percent Mitigation for 3-month Storm (0.3 MG)

Sewer improvements were also looked at in conjunction with sewer separation. Increasing the size of the 18-inch regulating line to 24-inches approximately 270 linear feet just upstream of the Main Interceptor, in conjunction 27 acres of sewer separation within the Birch Street basin, would mitigate CSO events to four times per year for a 3-month storm (see Figure 4-26).

Additional Considerations – 5-Year Storm Flooding

Increasing the downstream regulating line is also predicted to have a positive impact on mitigating wet weather throughout the Birch Street basin for a 5-year storm. However, to fully mitigate existing flooding for a 5-year storm, sewer separation would be needed for approximately 61 acres of the Birch Street basin downstream of the Birch Street drop shaft.

Figure 4-26: Birch Street Alternative B2 (Sewer Improvements and Sewer Separation)

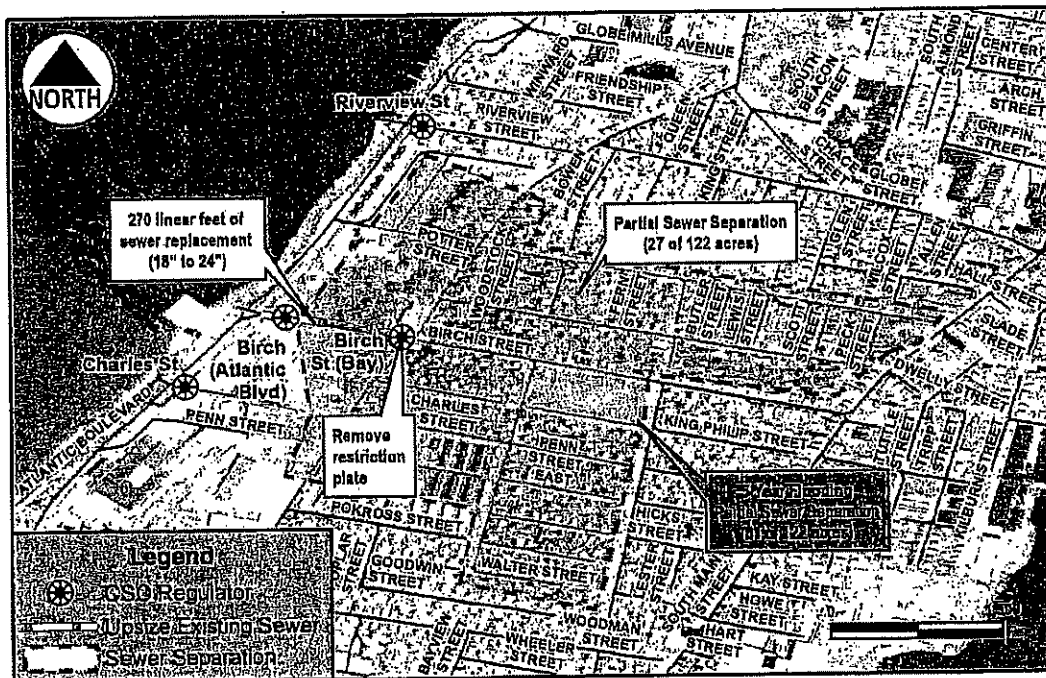
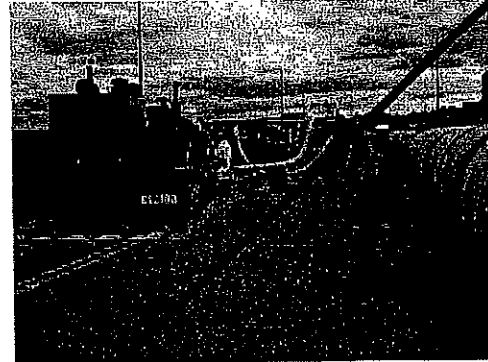


Exhibit E

Replacement of pipes and structures would require open-cut construction and would therefore cause temporary construction impacts in the immediate area. Any construction within or adjacent to a wetland area could result in federal, state, and/or local permitting requirements. Construction to connect existing sewer catch basins to separated drainage systems is relatively minor, but would still have some temporary impacts on the surrounding area. Short-term noise and road closures would be expected.



Typical grit removal setup

Below is a list of potential environmental reviews and permitting requirements for the Presidents Avenue rotary area resolution concept.

Below is a list of potential environmental reviews and permitting requirements for the Presidents Avenue rotary area resolution concept.

- Order of Conditions from the City of Fall River Conservation Commission;
- Massachusetts Environmental Policy Act consistency review;
- Massachusetts Historical Commission review; and
- Natural Heritage and Endangered Species Program review.

18.6.3 Impact Mitigation

Mitigation of the volume of wet weather flow tributary to the President Avenue pump station would increase the capacity of the system for sewer flow and decrease the energy and system capacity needed to convey flows. Implementation of an I/I reduction program decreases the need to implement costly upgrades to the pump station and allows the City to target available funds toward implementing the most cost-effective collection system repairs. Additionally, there would be a decrease in the amount of flow sent to the WWTF for unnecessary treatment.

18.7 Main Interceptor (SG6 and SG7)

18.7.1 Description

Increasing the capacity of the Main Interceptor, along with other improvements impacts systems throughout the City. The improvements focus on optimizing existing capacity by addressing grit accumulation and possibly providing additional pipe capacity. Given the extent of the Main Interceptor, improvements have been divided into two categories; Main Interceptor-North (SG6) from Alton Street to the Central Street Pump Station and Main Interceptor-South (SG7) from Ferry Street to the Wastewater Treatment Facility.

Cleaning and Inspection (SG6 and SG7)

Cleaning of the Main Interceptor is required in order to remove the existing accumulated grit. The scope of cleaning would include:

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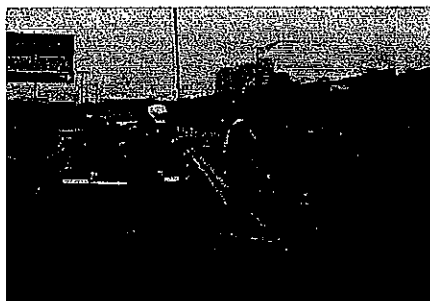
- 3,300 linear feet in the Main Interceptor-North (SG6) from Alton Street to the Central Street pump station (see Figure 18-7).
- 12,150 linear feet in the Main Interceptor-South (SG7) from Ferry Street to the WWTF (see Figure 18-8).

As the City does not have the resources or equipment necessary to perform cleaning of pipes of this diameter; contracting a private company appears to be the best solution. A series of activities need to be performed prior to the actual cleaning. The purpose of these activities is to identify potential pitfalls during and after the cleaning. Table 18-5 describes each activity and its purpose in the overall program.

Table 18-5: Main Interceptor Pre-Cleaning Activities

Activity	Purpose
Manhole Identification and Siting	An inventory of the location, condition, and ease of access of each point of admittance to the Interceptor. This inventory would then be used to map out cleaning activities and ensure access.
Soil Characterization Sampling	Characterizes composition of soils. The composition of the soils determines the appropriate method of disposal. For example, if hazardous materials are found, a different method of disposal would be used then for clean materials.
Closed-Circuit Television Inspection	A video inspection of sections of the pipe visible above the water and grit levels. Determines if additional maintenance is needed prior to cleaning, or can be performed in conjunction to cleaning. A commonly found issue is concrete deterioration from hydrogen sulfide, which impacts the structural integrity of pipe walls.
Sonar Inspection	Inspection that uses acoustic beams to profile the pipe walls and existing grit accumulation. Provides information that can be used to determine an estimated volume of grit to be removed.
Laser Video Inspection	Inspection that uses laser light projected onto the interior pipe surface. Determines pipe conditions that may not be identifiable with CCTV and sonar inspections, such as measurements of faults and features within the pipe.

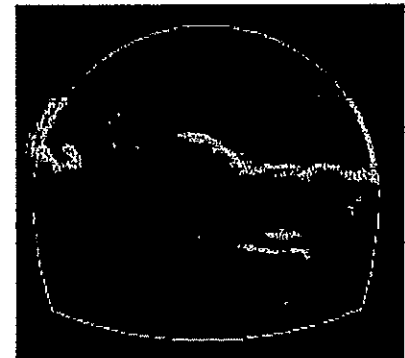
It is recommended that a maximum of less than 2 percent of the height of the Interceptor (e.g., approximately 1.3-inches of grit in a 66-inch diameter pipe) is permissible following pipe cleaning. This may require multiple runs with the collection system, and should be verified after cleanings by a CCTV and sonar inspection. This level of cleaning is to ensure the maximum capacity of the Interceptor is achieved, and provide less foundation for additional grit



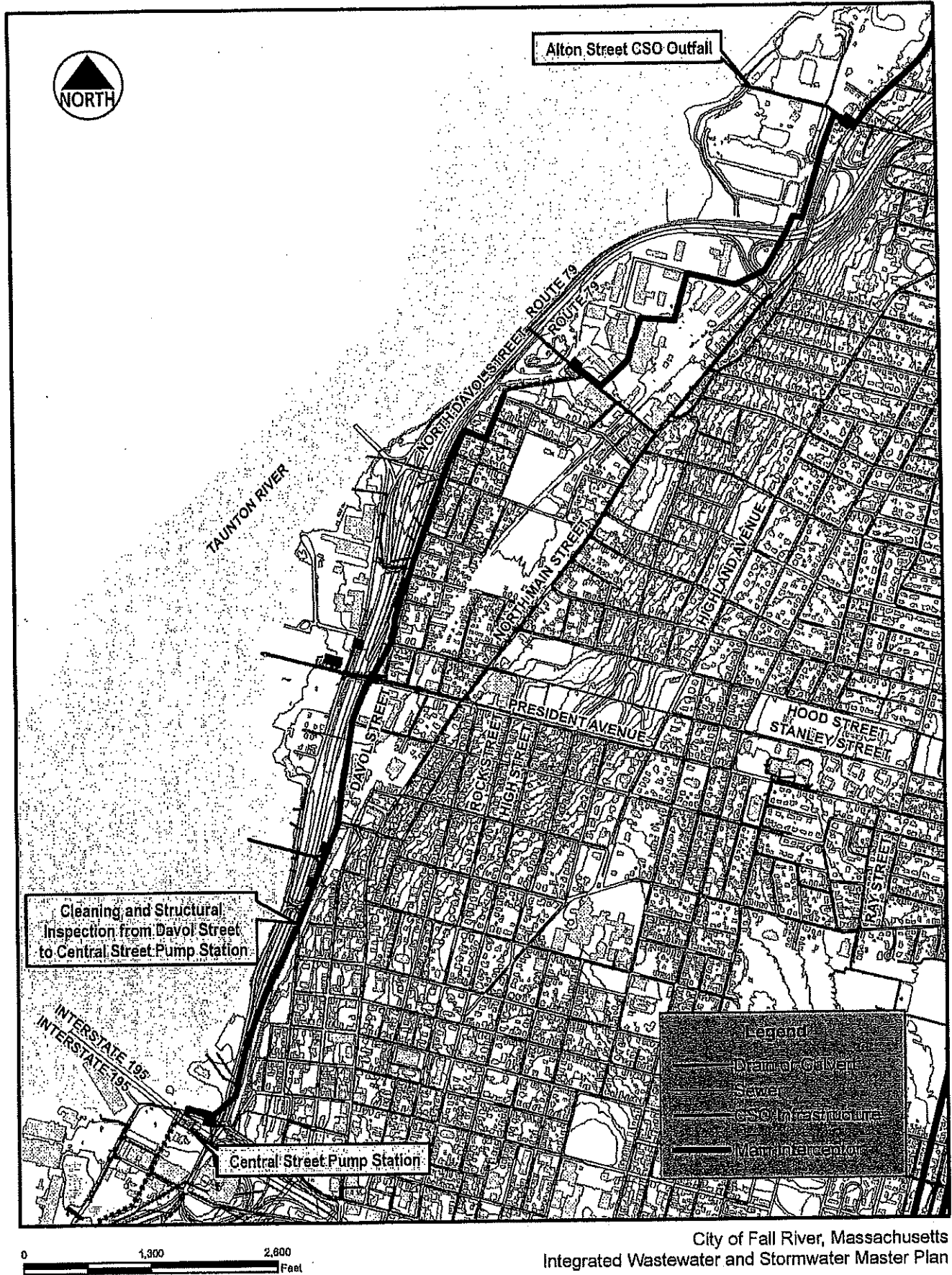
Typical grit sampling setup

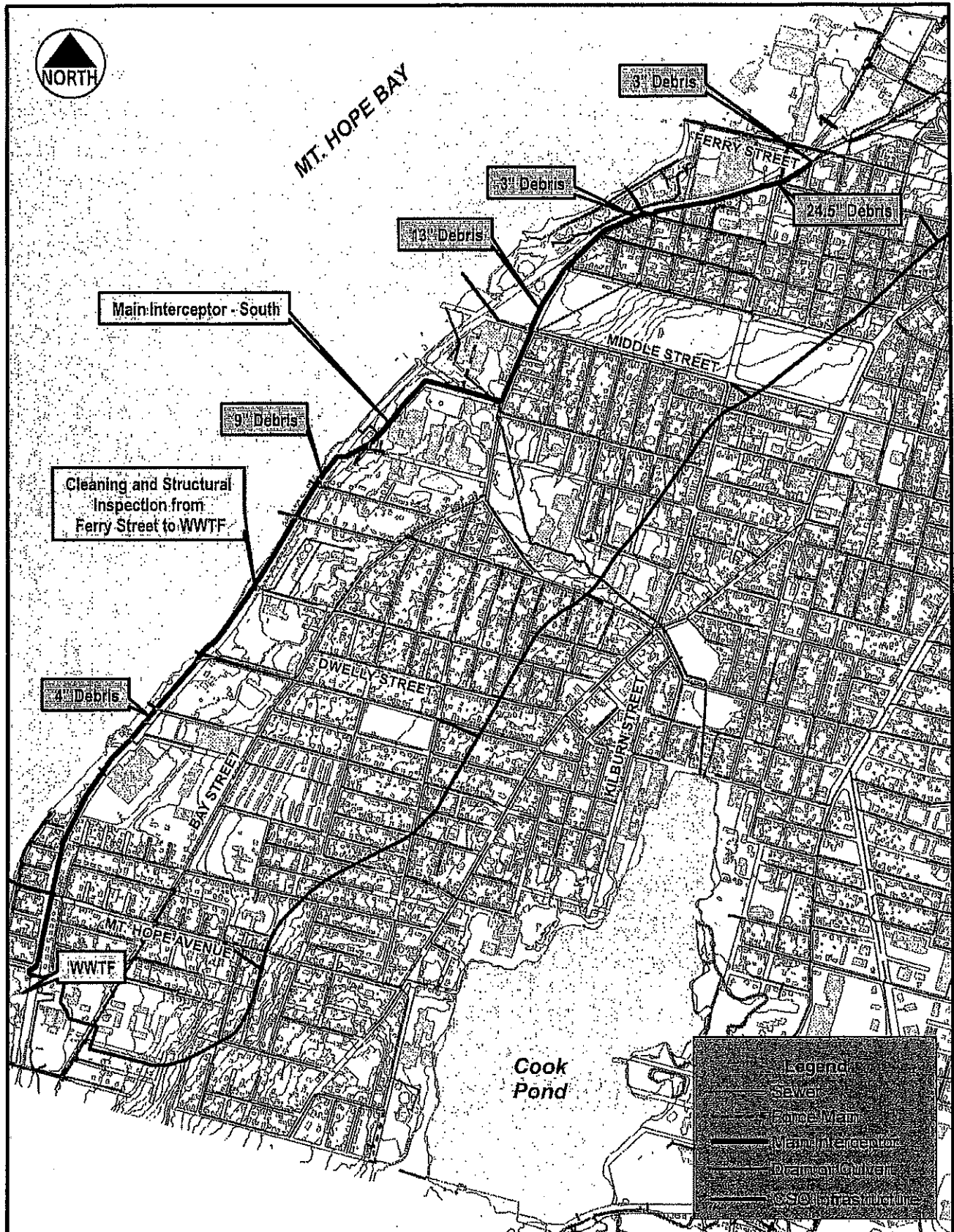


Typical CCTV image showing degraded pipe conditions



Sonar image showing accumulated grit in pipe





City of Fall River, Massachusetts
Integrated Wastewater and Stormwater Master Plan

accumulation to occur. An additional laser inspection following cleaning is also recommended to ensure the sections of pipe that had been under the grit accumulation are conditionally sound. Following the initial cleaning, the Main Interceptor should be inspected periodically for signs of grit accumulation.

Relief Interceptor (SG6 and SG7)

The addition of a relief interceptor may reduce surcharging and the extent of sewer separation required for CSO control. Its benefit should be evaluated as part of CSO planning for this area (see Section 16). Design of any interceptor relief measures in this area should consider the proposed grit chamber below.

Grit Chamber (SG6)

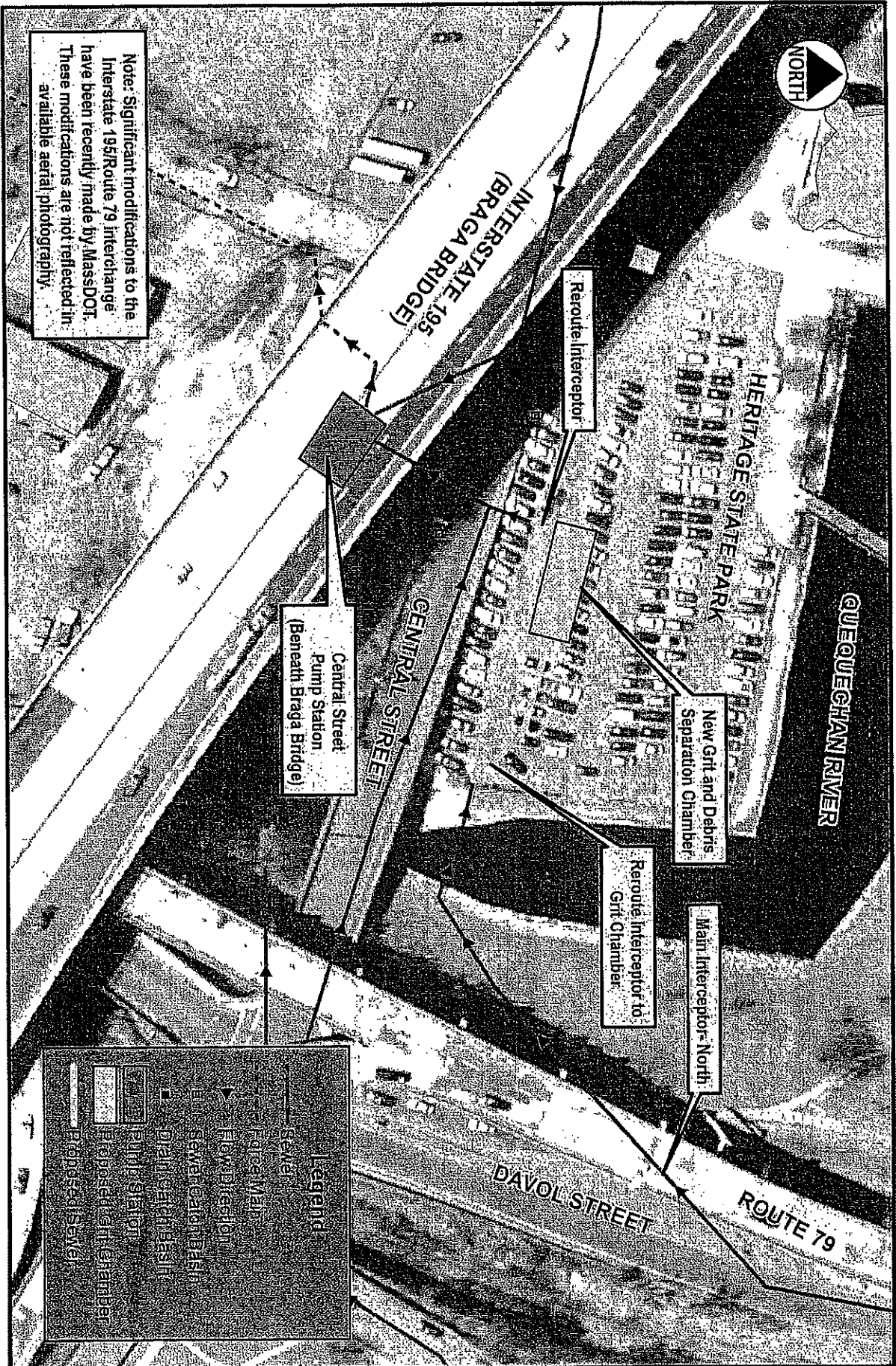
A grit chamber is recommended for the Main Interceptor-North upstream of the Central Street pump station (see Figure 18-9). The purpose of the grit chamber would be to capture suspended grit during low flow conditions and during the "first flush" of a storm event. By capturing the grit upstream of the pump station, the potential for this material to enter the pump station and damage the screening and pumping equipment would be significantly reduced.

The chamber could be placed in the Heritage State Park parking lot—or possibly on the MassDOT maintenance yard property—to intercept suspended grit before it can enter the pump station and threaten its operation. The accumulated grit would require periodic cleaning with a vacuum truck (i.e., Vactor). The frequency of cleaning would need to be determined after construction, once the rate of accumulation is identified. Integration of this work should be considered as part of design of any interceptor relief measures in this area.

Interceptor Rehabilitation (SG6)

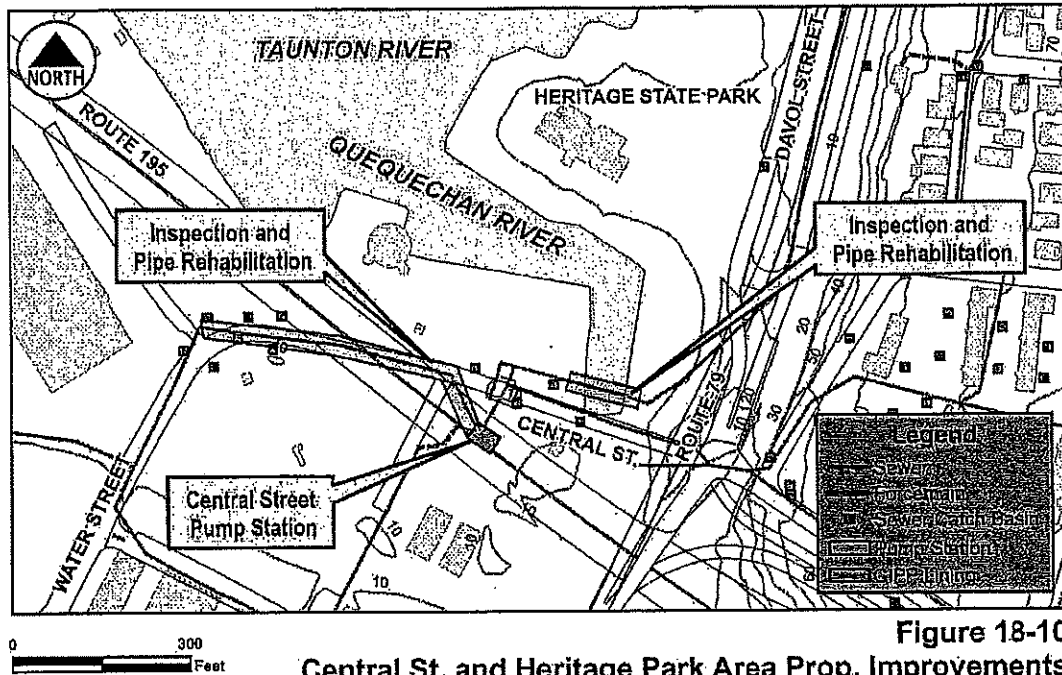
Cured-in-place lining of approximately 70 linear feet of the 36-inch Main Interceptor-North is proposed within Heritage State Park where it crosses the Quequechan River (see Figure 18-10). CIPP lining consists of lining the inside of an existing sewer pipe with a fibrous epoxy tube that hardens and acts as an inner pipe shell. The lining will be approximately 18 millimeters thick in the 36-inch sewer. All manholes and structures within the limit of this work would receive monolithic surfacing system rehabilitation.

The lining will address existing structural issues within the pipe and create an impermeable lining that prevents cross contamination between the sewer and the Quequechan River. The hardened liner essentially becomes a new, continuous pipe within the existing pipe to provide structural integrity and protect against infiltration, without a notable impact on the available capacity.



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Figure 18-9
Grit Chamber Proposed Improvements



Long term, it is suggested that sewer eventually be rebuilt underneath the river. To achieve this, the existing sewer would be removed and replaced with an inverted siphon. Further studies into the feasibility of this design concept would be required prior to proceeding to design.

18.7.2 Implementation Issues

Cleaning and Inspection (SG6 and SG7)

The cleaning of the Main Interceptor would need to take place during dry weather conditions, as the Interceptor is frequently overwhelmed during wet weather. Typical wastewater-only flows do not impact the grit removal operations, and bypass pumping would not be required during dry weather.

Water quality monitoring of downstream wastewater flows may need to be conducted concurrently and for a period following the cleaning, depending on whether hazardous materials are found in the grit prior to the cleaning. The downstream sampling is to ensure that the contaminated suspended materials do not impact the ability of the WWTF to discharge regulatory-compliant flows.

Many of the manholes to the Interceptor are located in hard to reach or overgrown areas. While a siting analysis at the beginning of the program would eliminate many obstacles to this problem, finding accessible points large enough to accommodate the equipment needed may still present an issue.

Below is a list of potential environmental reviews and permitting requirements for the Main Interceptor cleaning and inspection.

- Order of Conditions from the City of Fall River Conservation Commission;
- Massachusetts Environmental Policy Act consistency review;
- Massachusetts Historical Commission review; and
- Natural Heritage and Endangered Species Program review.

Relief Interceptor (SG6 and SG7)

A study must be performed to determine the feasibility of constructing a relief interceptor, both along the North and South sections. The study would need to take into account topography, utility crossings, construction access, easements, and vicinity to sensitive environmental resources, among other items. Sizing of the relief pipes would be determined based on a combination of construction feasibility and cost/benefit compared to sewer separation areas.

Grit Chamber (SG6)

Construction of the grit chamber would temporarily eliminate some of the parking at Heritage State Park. The constructability of the grit chamber first needs to be studied to determine if it can be built, and, if so, the final dimensions and layout. Construction activities would have to be coordinated with the Department of Conservation and Recreation (DCR) to ensure minimal disruptions. Work on the grit chamber could be combined with nearby recommended lining improvements to the Main Interceptor to minimize construction costs.

Below is a list of potential environmental reviews and permitting requirements for the Main Interceptor grit chamber.

- Order of Conditions with the City of Fall River Conservation Commission;
- Coastal Zone Management consistency review;
- Massachusetts Environmental Policy Act consistency review;
- Massachusetts Historical Commission review;
- Natural Heritage and Endangered Species Program review; and
- Mass Coastal/Commonwealth of Massachusetts Railroad coordination.

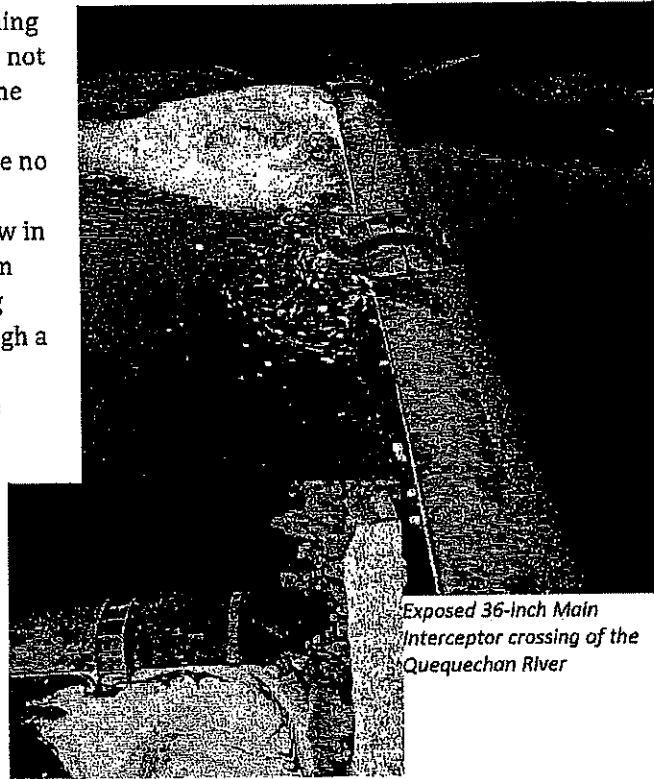
Coordination will also be required with the Commonwealth of Massachusetts to construct infrastructure on state land.

Interceptor Rehabilitation (SG6)

Access to the pipes for lining will be via existing manholes and structures. Similarly, monolithic surfacing system (MMSS) lining consists of applying a trowel-on, spray-on or spin-on epoxy lining to the inside of an existing sewer manhole or structure that hardens and acts as an inner shell. The process is used to rehabilitate manholes and structure that have cracking or leaking joints to prevent infiltration.

Bypass pumping will be required since lining has to be done in dry pipe conditions. It is not anticipated that the outside influence of the Quequechan River will impact lining activities on the Interceptor, and therefore no diversion or pumping of the River is required. To achieve bypass pumping, flow in the Interceptor would be intercepted at an upstream manhole on Davol Street (using mobile pumping technologies) and, through a series of piping connections, eventually discharge the captured flow to a manhole downstream of lining activities.

Work needs to be performed during dry weather to avoid wet weather discharges to the combined sewers. During wet weather, all available capacity in the Interceptor is needed to avoid CSO events. Avoiding wet weather flows also circumvents cost incurred with having to bypass larger flows.



Exposed 36-inch Main
Interceptor crossing of the
Quequechan River

Due to the "trenchless" nature of the remediation technique proposed, all work will be performed in the manholes on either side of the pipes to be lined. Lining activities are akin to inverting a sock-like sleeve through the pipeline and letting it harden in place. Bypass pumping will be typically installed along road shoulders and protected by concrete barriers. When crossing travelled ways, the bypass pumping will be buried below grade and the pavement will be restored at the completion of the work.

Below is a list of potential environmental reviews and permitting requirements for the interceptor rehabilitation resolution concept.

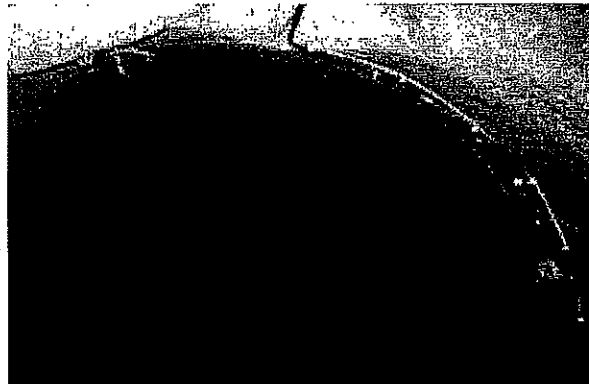
- Order of Conditions from the City of Fall River Conservation Commission
- Massachusetts Environmental Policy Act consistency review;
- Massachusetts Department of Transportation Access permit;
- Massachusetts Historical Commission review; and
- Natural Heritage and Endangered Species Program review.

The two manholes where lining will take place are within the 25-foot Riverfront Area. However, no impact to the river bank is anticipated and, as this work is considered maintenance of wastewater facilities, it is considered to be exempt from the requirements of the Wetlands Protection Act for Riverfront Areas.

18.7.3 Impact Mitigation

Cleaning and Inspection (SG6 and SG7)

Removal of grit accumulation from the Main Interceptor will increase its capacity to receive combined flows. As the Main Interceptor is the end point for many combined sewers and drainage systems, the increased capacity will help these systems discharge flows before CSOs, SSOs, or flooding can occur. The removed grit will also remove any potential hazardous materials from continually contaminating the combined flows.



60-inch diameter Main Interceptor-South with 24.5-inches of grit during dry-weather conditions. This grit reduces the effective capacity of this pipeline.

The inspections conducted in addition to the cleaning will also characterize the pipe conditions of the Main Interceptor, and identify any degraded conditions that need to be addressed. By identifying and prioritizing maintenance, the life of the pipes can be extended.

Relief Interceptor (SG6 and SG7)

The addition of a relief interceptor would provide additional storage and conveyance of combined flows. By diverting larger volumes of flow to the Wastewater Treatment Facility, the volume and frequency of combined sewer overflows is mitigated.

Grit Chamber (SG6)

By diverting the grit in the Main Interceptor, the Central Street pump station would be protected from debilitating loads of suspended solids. The removed grit is not allowed to enter the pump station, where it could potentially damage its screening and pumping equipment. Consolidation of the grit in one location also makes it easier to remove on a regular basis.

Interceptor Rehabilitation (SG6)

Lining of the sewers virtually eliminates infiltration of outside waters into the sewer and exfiltration of sanitary flow. Stopping the infiltration of outside waters into the sewer provides more capacity for sanitary and stormwater flows, and decreases the amount of flow needed to be treated at the WWTF. Further, lining of the Main Interceptor provides structural support to protect against pipe failure and possible sewage discharge to the Quequechan River, as well as extend its useful life.

18.8 Central Street and Heritage State Park (SG8)

18.8.1 Description

To correct open joints within the Central Street sewer, the pipe needs to be lined. Pipe lining is a trenchless technology that does not require excavation of the pipe. CIPP lining consists of lining the inside of an existing sewer pipe with a fibrous epoxy tube that hardens and acts as an inner pipe shell. The lining will be approximately 6 millimeters in the 10-inch sewer. The hardened

Exhibit F

Stipulated Per Diem Penalties

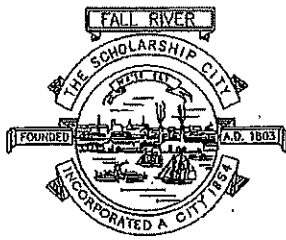
For every day that Defendant fails to timely meet the requirements of the items listed in item 16 of subparagraph 7.1 of the Remedial Order, as amended hereby, Defendant shall pay a stipulated penalty to the US Treasury as follows:

Penalty Per Day

\$750
\$1,500
\$2,500

Period of Non-Compliance

1st through 10th Day
11th through 20th Day
21st Day and after



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

FINANCE **3**

AUG 12 P 2:53

CITY OF FALL RIVER
MASSACHUSETTS

August 12, 2021

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

RE: Administrative Order of Consent from EPA

Dear Honorable Councilors:

Please see attached the Administrative Order of Consent issued by the Environmental Protection Agency. Approval of Order to Execute is hereby requested.

Please contact Paul J. Ferland with any questions you may have at 508-324-2320.

Sincerely,

Paul E. Coogan
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL

AUG 17 2021

Referred to Committee
on Finance

9-14-21

Tabled in Finance



PAUL E. COOGAN
Mayor

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



PAUL J. FERLAND
Administrator

August 12, 2021

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

RE: Administrative Order of Consent from EPA

Dear Mayor Coogan:

Please see attached the Administrative Order of Consent issued by the Environmental Protection Agency. This order parallels the Federal Court Order Amendment as well as the \$123mil spending plan approved by referendum ballot in November of 2017.

Please contact my office with any questions you may have at 508-324-2320.

Sincerely,

Paul J. Ferland, EIT
Administrator of Community Utilities

ORDERED, that the Mayor be and the same is hereby authorized to execute the attached Administrative Order of Consent between the City of Fall River and the Environmental Protection Agency.

CITY OF FALL RIVER
IN CITY COUNCIL

AUG 17 2021

Referred to the Committee
on Finance

CITY OF FALL RIVER
IN CITY COUNCIL

SEP 14 2021

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I**

IN THE MATTER OF:

**DOCKET NO.
CWA-AO-R01-FY21-18**

**Fall River, Massachusetts
NPDES Permit No. MA0100382**

**Proceedings under Sections 308 and
309(a)(3) of the Clean Water Act,
as amended, 33 U.S.C. §§ 1318 and
1319(a)(3)**

**ADMINISTRATIVE ORDER
ON CONSENT**

I. STATUTORY AUTHORITY

The following Findings are made and ORDER ON CONSENT issued pursuant to Sections 308(a) and 309(a)(3) of the Clean Water Act, as amended (the "Act"), 33 U.S.C. §§ 1318 and 1319(a)(3). Section 309(a)(3) of the Act grants to the Administrator of the U.S. Environmental Protection Agency ("EPA") the authority to issue orders requiring persons to comply with Sections 301, 302, 306, 307, 308, 318, and 405 of the Act and any permit condition or limitation implementing any of such sections in a National Pollutant Discharge Elimination System ("NPDES") permit issued under Section 402 of the Act, 33 U.S.C. § 1342. Section 308(a) of the Act, 33 U.S.C. § 1318(a), authorizes EPA to require the submission of any information required to carry out the objectives of the Act. These authorities have been delegated to the EPA, Region I Administrator, and in turn, to the Director of the EPA, Region I Enforcement and Compliance Assurance Division ("Director").

The Consent Order herein is based on EPA's findings of violation of Section 301 of the Act, 33 U.S.C. § 1311. Pursuant to Section 309(a)(5)(A) of the Act, 33 U.S.C. § 1319(a)(5)(A), the Order provides a schedule for compliance that the Director has determined to be reasonable

II. DEFINITIONS

Unless otherwise defined herein, terms used in this Consent Order shall have the meaning given to those terms in the Act, 33 U.S.C. § 1251 *et seq.*, the regulations promulgated thereunder, and any applicable NPDES permit. For the purposes of this Order, "NPDES Permit" means the City of Fall River's NPDES Permit, No. MA0100382, and all amendments or modifications thereto and renewals thereof as are applicable, and in effect at the time.

III. FINDINGS

The Director makes the following findings of fact:

1. The City of Fall River, Massachusetts ("Fall River" or "City") is a municipality, as defined in Section 502(4) of the Act, 33 U.S.C. § 1362(4), established under the laws of the Commonwealth of Massachusetts.
2. The City is a person under Section 502(5) of the Act, 33 U.S.C. § 1362(5). The City is the owner and operator of a Publicly Owned Treatment Works ("POTW"), which includes a wastewater collection system ("Collection System") consisting of approximately 200 miles of sewer pipeline, 15 pump stations, the Fall River Regional Wastewater Treatment Facility ("WWTF") and 19 combined sewer overflow ("CSO") outfalls, from which pollutants are discharged, as defined in Sections 502(6) and (12) of the Act, 33 U.S.C. §§ 1362(6) and (12), to Mount Hope Bay, the Taunton River, and the Quequechan River.
3. Mount Hope Bay and the Taunton River are waters of the United States and, as such, are navigable waters under Section 502(7) of the Act, 33 U.S.C. § 1362(7), and the regulations promulgated thereunder.
4. The WWTF is a secondary treatment facility with a monthly average permitted capacity of 30.9 million gallons per day ("MGD"). The WWTF peak hydraulic capacity for combined dry and wet-weather flow is 106 MGD. The WWTF serves a population of approximately 90,000 residents in Fall River and portions of Westport and Freetown, Massachusetts, and Tiverton, Rhode Island.
5. On December 7, 2000, the City was issued NPDES Permit No. MA0100382 ("NPDES Permit") by EPA under the authority of Section 402 of the Act, 33 U.S.C. § 1342. The NPDES Permit became effective February 6, 2001 and superseded a permit issued on February 8, 1995. The NPDES Permit expired on February 5, 2006 and, based upon the City's timely re-application, the conditions of the NPDES Permit remain in effect pursuant to 40 C.F.R. § 122.6.
6. The NPDES Permit authorizes Fall River to discharge pollutants from WWTF Outfall 001A to Mount Hope Bay. Part I.F of the NPDES Permit also authorizes wet-weather discharges of "stormwater/wastewater" from the 19 combined sewer outfalls listed in Attachment B of the NPDES Permit to Mount Hope Bay, the Taunton River, and the

Administrative Order on Consent, Fall River, MA.

Quequechan River. These discharges are subject to the effluent limitations (Nine Minimum Controls), monitoring requirements, and other conditions specified in Part I.F of the NPDES Permit.

7. The City's re-application for the NPDES permit was submitted prior to the installation of now operational screening and disinfection processes at the President Ave. and Cove St. CSOs
8. Some components of the Collection System, including CSO outfalls, from which the City has discharged during wet weather untreated sewage are point sources, as defined in Section 502(14) of the Act, 33 U.S.C. § 1362(14).
9. Untreated sewage contains bacteria, including enterococci bacteria and fecal coliform, which are pollutants within the meaning of Section 502(6) of the Act, 33 U.S.C. § 1362(6). Chlorine is also a pollutant within the meaning of Section 502(6) of the Act, 33 U.S.C. § 1362(6).
10. The City discharges combined stormwater and wastewater from its CSO outfalls, as authorized by the NPDES permit, during wet weather which, at times, may exceed water quality standards for fecal coliform bacteria.
11. The City has installed screening and disinfection facilities at two CSOs (at Cove Street and President Avenue) to improve water quality standards at these CSO outfalls beyond the Nine Minimum Controls included in the NPDES permit. During wet weather, these facilities provide screening to reduce solids and add chlorine for disinfection to the combined stormwater and wastewater prior to discharge to the Taunton River. The City adds dechlorination compounds before discharging from the Presidential Ave. CSO outfall. The City does not add dechlorination compounds before discharging from the Cove St. CSO outfall. The City has indicated that it is expected that contact time and degradation of the Chlorine occurs within the outfall pipe prior to discharge to the Taunton River.
12. The City is not authorized to discharge chlorine from either the Cove Street or the President Ave CSO outfalls. At times, data collected from these outfalls indicated release of residual chlorine discharges from these outfalls above water quality standards.
13. Section 301(a) of the Act, 33 U.S.C. § 1311(a), makes unlawful the discharge of pollutants to waters of the United States except, among other things, in compliance with

Administrative Order on Consent, Fall River, MA.

the terms and conditions of a NPDES permit issued pursuant to Section 402 of the Act, 33 U.S.C. § 1342.

14. Therefore, EPA finds that the discharges above water quality standards identified in paragraphs 10 and 12 above, to Mount Hope Bay and the Taunton River violate Section 301(a) of the Act, 33 U.S.C. § 1311(a).

IV. ORDER

Accordingly, pursuant to Sections 308 and 309(a)(3) of the Act, it is hereby ordered:

1. The City shall implement the projects in the list below, advancing them to substantial completion by the end of the listed year for each project and shall follow the schedule listed in Spending Plan dated Feb 5, 2021 (See Attachment 1). These projects are based on the Recommended Plan in the December 2015 *Draft Integrated Wastewater and Stormwater Master Plan* (the "Integrated Plan"), the January 2019 *CSO Control Plans and Program Update Report* and the *Wastewater Treatment Facilities Plan* of August 2018.

- a. Projects:

WWTF Contract #1-Incinerator Bldg. Demo/Site Electrical Upgrade, 2021
WWTF Contract #2-Facility Rehab. Phase 1, 2024
President Avenue Pump Station, 2021
South End Pump Station, 2021
Ferry Street Pump Station, 2024
Wilson Road Pump Station, 2022
CSO Facility Optimization, 2022
CSO Treatment Impacts on River Investigation, 2023
City Pier/central Street Facility Preparation Land Acquisition, 2023
Alton Street CSO Basin Facility Preparation Land Acquisition, 2023
Riverview Street CSO Basin Improvements, 2022
Birch Street CSO Basin Sewer Separation, 2024
Charles Street, Ferry or Columbia CSO Basin Improvements, 2022
CSO Instrumentation and Controls/Communications, 2022
Stafford Square Sewer Separation and Replacement-Study, 2021
President Avenue Sewers Infiltration/Inflow Removal, 2024
Wilson Road Sewer Rehabilitation, 2024

Central Street Lining, 2024

Main Interceptor North Cleaning/Inspection, 2024

Main Interceptor South Cleaning/Inspection, 2024

2. By December 31, 2021, the City shall install and/or maintain continuous flow monitors the following CSO outfalls: Alton St., Birch St., Cove St., President Ave., City Pier (Davol 1 and Davol 2), Canal St., Ferry St., Middle St., Birch St., Charles St. and Mount Hope Ave. The monitors will be sufficient to identify start and stop times and total volume of each discharge and, where both treated (screened and disinfected) and untreated discharges may exist, will be sufficient to identify times and volumes of each individually (monitors do not need to continuously report when there is no flow).
3. The City shall continue implementing the current "Monitoring Protocol" for the President Ave. and Cove St. screening/disinfection facilities (included as Attachment 2 to this Order).
4. By September 1, 2021, the City shall submit to EPA for approval an updated plan for monitoring the screening/disinfection facilities at President Ave. and Cove St. Upon EPA approval, the City shall implement the monitoring plan instead of the current "Monitoring Protocol". The plan shall be designed to indicate the actual concentration of bacteria and residual chlorine discharged from the facilities' outfalls, or an upper bound on the actual concentration discharged (if sampling is not done at the outfalls). If outfall monitoring for a facility is not included in the monitoring plan, ambient sampling within the river near the outfall must be included.
 - a. The monitoring plan shall include sampling for fecal coliform bacteria and total residual chlorine, using EPA-approved test methods set forth in 40 C.F.R. Part 136 (or an alternate method as approved in writing by EPA for the purposes of this Order).
 - b. If the City's NPDES Permit covering CSOs is re-issued and in effect with authorization to discharge residual chlorine from the two facilities, the City shall implement the monitoring requirements of the permit instead of the monitoring plan from this paragraph.
 - c. Additional sampling taken at the Cove St. or President Ave. facilities (e.g. as part of a facility optimization study) shall be reported with the required sampling from the monitoring plan.

5. The City shall optimize the operation of the President Ave. and Cove St. CSO screening and disinfection facilities, with the goal of meeting water quality standards for residual chlorine at the end of the outfall (point of discharge). The City shall submit a report to EPA by January 31, 2024 on the optimization actions and results. The report shall include all outfall and ambient monitoring data related to the screening/disinfection facilities.
6. The City shall complete the "CSO Treatment Impacts on River Investigation" project and submit a report to EPA by January 31, 2024. This study shall evaluate the impacts and costs of the current CSO screening and disinfection facilities at Cove St. and President Ave. The study shall specifically evaluate the ability of discharges from these current CSO facility outfalls to meet water quality standards for chlorine. The study shall include options and costs for adding dechlorination to (or eliminating chlorine disinfection at) the Cove St. facility. The study shall also evaluate CSO alternatives at City Pier and Alton St., including chlorination, dechlorination, non-chlorine disinfection, advanced treatment, storage, sewer separation and other potential alternatives that may be identified.
7. By January 31, 2024, the City shall submit to EPA for review an Integrated Wastewater and Stormwater Master Plan Update, describing projects beginning in 2025 and later.
8. The City shall submit annual progress reports to EPA describing the actions completed consistent with this Consent Order, the Revised Spending Plan and the Integrated Plan. The reports shall include the costs of each activity undertaken as part of the Consent Order, and the estimated volume of annual CSO discharge eliminated. The reports shall be submitted by February 28 each year (covering the activities conducted from the previous calendar year of January 1st through December 31st) each year. The reports may be submitted on paper or electronically.¹ Until a permit is in effect covering chlorine discharges from the Cove St. and President Ave. CSO disinfection facilities, the City shall include, in the progress reports, all outfall testing and sampling results related to those outfalls in the covered time period.
9. The City shall also provide an annual SSO Report to EPA and MassDEP each year by February 28th (covering the previous calendar year). The SSO Report shall include a summary listing of all overflows, spills, and releases that have occurred during the 12 months covered by the report (excluding wet-weather CSO discharges), including building/private property backups, that result from capacity limitations, blockages,

¹ EPA encourages submitting data as spreadsheets where appropriate.

Administrative Order on Consent, Fall River, MA.

vandalism, and mechanical, electrical, and structural failures in that portion of the Collection System owned by the City. The tabular listing shall be organized chronologically and shall include:

- a. the dates and times that each event began and was stopped, or if it is continuing, a schedule for its termination;
 - b. the location (nearest address) of each such event;
 - c. the source of the notification to the City;
 - d. the cause of the event including, but not limited to, whether it was caused by debris, fats, oils, and grease, or root blockages, collapsed pipes, mechanical, electrical and structural failures, hydraulic overloads and/or vandalism;
 - e. the estimated gallons of wastewater released and the method used to estimate the volume;
 - f. a clear statement of whether the release did or did not reach a stormwater catch basin (in a portion of the system with separate storm sanitary drainage) or any other portion of the City's storm sewer system. If the release occurred to the ground or street, regardless of whether the discharge reached any portion of the City's MS4, the City shall provide the distance to the nearest downgradient stormwater catch basin and the name of the receiving water to which the catch basin discharges;
 - g. a clear statement of whether the release did or did not reach any surface water. If the release reached a surface water, the City shall include the name of the surface water and a description of the location where the release reached the surface water;
 - h. the estimated gallons of wastewater discharged to the MS4 or surface water and the method used to estimate the volume;
 - i. the measures taken to stop the overflow, spill, or release and prevent future overflows, spills, and releases at the same location;
 - j. the date that the event was reported to EPA and MassDEP; and
 - k. the date of the last event that occurred at the same location.
10. The City shall also provide an annual CSO Report to EPA and MassDEP each year by February 28 (covering the previous calendar year). The CSO Report shall include all CSO discharges in the time period covered by the report, including the outfall, start and

stop times and total volume released for each discharge. The report will identify whether the discharge was treated (chlorinated); for events and locations with both treated and untreated discharges, they will be reported separately. The report shall also include discharges of partially-treated effluent from the City's Waste Water Treatment Facility due to high flow, identifying start and stop times, total volume released, and level of treatment given (e.g. 'primary clarification plus chlorination').

11. By September 30, 2021, the City shall submit an updated application for renewal of the City's NPDES permit # MA0100382 to EPA, which covers discharges from the City's wastewater treatment plant and CSOs. The update shall include information on the existing chlorination and disinfection facilities at President Ave. and Cove St. If the City plans to further modify discharges from the wastewater treatment plant or CSO, it must further modify its permit application at that time.²
12. This Consent Order shall supersede EPA Administrative Order on Consent, Docket No. 11-020 (issued Sept. 30, 2011) in its entirety. However, the City shall continue to implement its Capacity, Management, Operations and Maintenance ("CMOM") Program, consistent with its CMOM Corrective Action Plan, and its Third-Year CMOM Program Self-Assessment, under this Consent Order.
13. All work pursuant to this Consent Order shall be performed using sound, generally accepted engineering practices to ensure that construction, management, operation and maintenance of the City's POTW and MS4 complies with the Act, including practices to improve the resilience of the POTW and MS4 to the impacts of climate change.

V. NOTIFICATION PROCEDURES

1. Where this Consent Order requires a specific action to be performed within a certain time frame, the City shall submit to EPA and a copy to MassDEP a written notice of compliance or noncompliance with such action within seven (7) calendar days following the applicable deadline, or prior to the deadline however, written notice of compliance is not necessary if the action required by the Consent Order is submission of a document, report, or other written material, and the City has timely submitted such document, report, or written material to EPA and a copy to MassDEP.

² See 40 C.F.R. § 122.41(l)(8) ("Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.")

Administrative Order on Consent, Fall River, MA.

2. If noncompliance is reported, the written notice submitted to EPA and a copy to MADEP must include the following information:
 - a. A description of the noncompliance;
 - b. A description of any actions taken or proposed by the City to comply with the required action;
 - c. A description of any factors that tend to explain or mitigate the noncompliance; and
 - d. A date by which the City will perform the required action.
3. After a notification of noncompliance has been submitted to EPA and a copy to MassDEP, the City must achieve compliance as expeditiously as possible, but by no later than the date the City submitted to EPA and a copy to MassDEP pursuant to paragraph 2.d., and submit to EPA and a copy to MassDEP the required document, report, or written material, as applicable, or a written notice that compliance with the action has been achieved.

Submissions required by this Consent Order shall be sent via email or shall be mailed to the following addresses:

United States Environmental Protection Agency
Region I – New England
5 Post Office Square - Suite 100
Boston, MA 02109-3912
Attn: Andrew Spejewski (Mail Code: OES04-3)
email: Spejewski.andrew@epa.gov

Massachusetts Department of Environmental Protection
Southeast Region Main Office
20 Riverside Drive
Lakeville, MA 02347
Attn: David Burns
email: David.Burns@mass.gov

VI. GENERAL PROVISIONS

1. This Consent Order does not constitute a waiver or a modification of the terms and conditions of the NPDES Permit or the 2016 Small MS4 General Permit. The NPDES Permit and 2016 Small MS4 General Permit remain in full force and effect. EPA reserves

Administrative Order on Consent, Fall River, MA.

- the right to seek any and all remedies available under Section 309 of the Act, 33 U.S.C. § 1319, as amended, for any violation cited in this Consent Order.
2. This Consent Order shall become effective upon signature by both parties (the "Effective Date").
 3. The City agrees to accept service of this Order by electronic mail to the City.
 4. Any material modification to the terms of this Consent Order shall be by written agreement of the Parties. Any nonmaterial modifications to the terms of this Consent Order, such as approval of modifications to submissions to EPA or the due dates of such submissions, shall be effective upon written approval from EPA.
 5. The Parties anticipate, consistent with EPA's Integrated Planning policies, that this Order on Consent may need to be modified in the event of issuance of a permit that contains new or revised requirements, including renewal or re-issuance of the NPDES Permit. EPA intends to respond to requests to modify this Order on Consent in a timely manner. Further, EPA and the City intend to evaluate and respond to such requests in a manner i) consistent with EPA's Integrated Municipal Stormwater and Wastewater Planning Approach Framework, May 2012, including the expectation that enforcement mechanisms provide "sufficient flexibility ... to allow for adaptive management approaches" and ii) that adheres to the standard established for the Administrator to provide for a reasonable schedule consistent with Section 309(a)(5)(A) of the Act, 33 U.S.C. § 1319(a)(5)(A).
 6. For the purposes of this Order, the City neither admits nor denies the Findings stated herein by the EPA.
 7. EPA acknowledges that the City is subject to a Remedial Order in United States District Court, District of Massachusetts, No. 1:87-CV-03067 (RWZ), as it may be amended, and agrees to negotiate in good faith with the City and the Conservation Law Foundation, Inc., the Plaintiff in said case, to resolve any inconsistencies or conflicts in the City's compliance with both Orders.
 8. The City waives any and all claims for relief and otherwise available rights or remedies to judicial or administrative review which the City might have with respect to any issue of fact or law set forth in this Consent Order, including, but not limited to, any right of judicial review of this Consent Order under the Administrative Procedure Act, 5 U.S.C. §§ 701-708

Administrative Order on Consent, Fall River, MA.

FINANCE 3

Date

James Chow, Deputy Director, *for* Karen McGuire,
Director, Enforcement and Compliance Assurance
Division

Date

Paul E. Coogan, Mayor
City of Fall River, Massachusetts

FALL RIVER INTEGRATED WASTEWATER AND STORMWATER MASTER PLAN

REVISED SPENDING

1/18/2021 Schedule and Projected Annual Costs of Revised Recommended Plan (all values in \$ millions)	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	Totals
WWTF Facility Plan (draft completed)	\$2.0														\$2.0
WWTF Contract #2-Innkeeper Bldg. Demo/Size Electrical Upgrade (underway)			\$7.0	\$12.0	\$5.0										\$24.0
WWTF Contract #2-Facility Rehab, Phase 1 (in Design)				\$2.0	\$10.0	\$14.0	\$12.0	\$8.0							\$46.0
President Avenue Pump Station (underway)	\$0.3		\$1.0	\$1.5	\$0.3										\$4.3
South End Pump Station (underway)			\$0.3	\$2.0	\$2.0										\$4.3
Ferry Street Pump Station							\$0.5	\$1.0							\$1.5
Wilson Road Pump Station (underway)				\$0.5	\$3.5	\$3.0									\$6.3
CSO Control Plan and Program Update (draft completed)	\$1.0														\$1.0
CSO Facility Optimization				\$0.2	\$0.2	\$0.1									\$0.5
CSO Treatment Impacts on River Investigation					\$0.2	\$0.4	\$0.3								\$0.9
City Pier/Central Street Facility Preparation/Land Acquisition					\$0.3	\$0.1	\$1.7								\$2.1
Alton Street CSO Basin Facility Preparation/Land Acquisition							\$1.0								\$1.0
Riverview Street CSO Basin Improvements						\$0.3									\$0.3
Birch Street CSO Basin Sewer Separation						\$1.0	\$9.0								\$18.0
Charles Street Ferry or Columbia CSO Basin Improvements						\$0.3									\$0.3
CSO Instrumentation and Controls/Communications				\$0.1	\$0.1	\$0.1									\$0.3
Central Street Pump Station Rehabilitation	\$0.1		\$0.1	\$0.1	\$0.2										\$0.5
President Avenue Sewers Infrastructure/Flow Removal						\$0.3	\$0.4	\$0.1							\$0.6
Wilson Road Sewer Rehabilitation							\$0.5	\$0.1							\$0.6
Central Street Pump Station							\$0.3	\$0.1							\$0.3
Main Street Pump Station Rehabilitation							\$0.2	\$0.1							\$0.3
Main Street Pump Station Rehabilitation								\$0.2							\$0.2
Grass Brook Area Drainage Improvements (complete)	\$1.0		\$4.0	\$1.0											\$7.0
Hyacinth Street Area Drainage Improvements (complete)	\$0.3		\$0.5	\$1.0											\$1.8
Asset Management System/CMMS	\$0.1				\$0.1	\$0.1									\$0.4
Vehicles and Equipment			0.5	0.8		0.6		0.3							\$2.3
Totals	\$4.80	\$13.40	\$23.20	\$27.35	\$27.40	\$75.80	\$10.10	\$0.00							\$26.5

Monitoring Protocol

Cove Street and President Avenue

The City of Fall River shall conduct the following monitoring and reporting, as follows:

Cove Street CSO Screening and Disinfection Facility

Monitoring at the Cove Street CSO Screening and Disinfection Facility shall continue, through December 31, 2015, as follows:

- The City will mobilize for monitoring of its Cove Street CSO Screening and Disinfection Facility effluent during storms where the predicted rainfall is more than 1/4 inch.
- As the characteristics of CSO events cannot be predicted, for CSO events of less than one hour, sampling may not occur due to the required staff response time and the necessary continuous CSO event duration for representative sampling results.
- The City will monitor grab samples at the Cove Street CSO Screening and Disinfection Facility's Mixed Effluent Sampling Station (C-ME), as shown on the attached Figure 1 "Cove Street CSO Facility Monitoring Locations," for:
 - Total Residual Chlorine (TRC)
 - Fecal Coliform bacteria (four times per year)
 - Total Nitrogen (four times per year)
- Samples will be taken three times per storm during which the Cove Street CSO Facility was activated for TRC, Fecal Coliform bacteria (if measured), and Total Nitrogen (if measured), if possible, depending upon the duration of the CSO event. Additional TRC monitoring will be done, if needed, to adjust the chlorine dosage. Similarly, additional TRC monitoring will be done, as needed, if dechlorination is added to this facility, to adjust the dechlorinating chemical dosage.
- On completion of the CSO Facility activation/storm event, the City will record:
 - Maximum observed TRC concentration
 - Average observed TRC concentration
 - Total Cove Street CSO Facility activation time
 - Total Cove Street Facility treated flow
- On receipt of the laboratory test results, The City will record Fecal Coliform bacteria (if measured) and Total Nitrogen (if measured).

- This sampling protocol provides a continuation of the monitoring program as provided in Item 1 of the February 2012 protocol.

President Avenue CSO Screening and Disinfection Facility

Monitoring at the President Avenue CSO Screening and Disinfection Facility shall commence upon the City's acceptance of the completed facility, as follows:

- The City will mobilize for monitoring of its President Avenue CSO Screening and Disinfection Facility effluent during storms where the predicted rainfall is more than 1/4 inch.
- As the characteristics of CSO events cannot be predicted, for CSO events of less than one hour, sampling may not occur due to the required staff response time and the necessary continuous CSO event duration for representative sampling results.
- For a period of 2 years from the City's acceptance of the completed facility, the City will monitor grab samples at the President Avenue CSO Screening and Disinfection Facility's Mixed Effluent Monitoring Location (P1), as shown on the attached Figure 2 "President Avenue CSO Facility Monitoring Locations," for:
 - Total Residual Chlorine (TRC)
 - Fecal Coliform bacteria (four times per year)
 - Total Nitrogen (four times per year)
- Samples will be taken three times per storm during which the President Avenue CSO Facility was activated for TRC, Fecal Coliform bacteria (if measured), and Total Nitrogen (if measured), if possible, depending upon the duration of the CSO event. Additional TRC monitoring will be done, if needed, to adjust the chlorine and/or dechlorinating chemical dosage.
- On completion of the CSO Facility activation/storm event, the City will record:
 - Maximum observed TRC concentration
 - Average observed TRC concentration
 - Total President Avenue CSO Facility activation time
 - Total President Avenue Facility treated flow
- On receipt of the laboratory test results, The City will record Fecal Coliform bacteria (if measured) and Total Nitrogen (if measured).

CSO Outfall Monitoring

Cove Street CSO Outfall (Boat) Monitoring

Monitoring of the Taunton River at the Cove Street CSO outfall shall continue, through December 31, 2015, as follows:

- The City shall perform four in-river sampling events per year during or shortly after a storm of 3/4 inch of rain or greater during which the Cove Street CSO Facility was activated.
- Each grab sample will be analyzed for:
 - TRC
 - Fecal Coliform bacteria
 - Total Nitrogen
 - Temperature
- Visual observation will also be made and recorded to reflect the presence or absence of any sheen, solids, scum, odor, or other excursion from the Massachusetts Water Quality Standards observable without sampling.
- Sampling results will reflect time taken, rainfall prior to sample (if available), and rainfall total.
- Sampling shall be conducted by boat.
- Sampling rounds during a storm event or at storm end where conditions present hazardous conditions (e.g., high winds, surf, nighttime, etc.) will be cancelled for the health and safety of the sampling personnel.
- For the Cove Street CSO Facility, sampling will occur at Stations C-2, C-3 and C-4, as shown on the attached Figure 1 "Cove Street CSO Facility Monitoring Locations." Station C-3 is located at the "boil" of the Facility's outfall. Stations C-2 is located approximately 300 feet upstream of the outfall, and Station C-4 is located approximately 300 feet downstream of the outfall. These stations remain as shown in the inset in the upper right-hand corner of the Camp Dresser & McKee, Inc. ("CDM") plan entitled "City of Fall River, Massachusetts, North System CSO Control Study", Initialed copies of which are held in the files of Plaintiff and Defendant.
- This sampling protocol provides a continuation of the monitoring program as provided in Item 2 of the February 2012 protocol.

Cove Street CSO Shoreline Monitoring

Monitoring of the Taunton River in the vicinity of the Cove Street CSO outfall shall continue, through December 31, 2015, as follows:

- Shoreline testing for TRC, Total Nitrogen and Fecal Coliform bacteria shall occur 8-times per/year during or shortly after a storm of 3/4 inch of rain or greater during which the Facility was activated.
- Sampling will occur at the two shoreline sampling locations (C-S1 and C-S2) shown on the attached Figure 1 "Cove Street CSO Facility Monitoring Locations." These locations remain as shown for S1 and S2 on the CDM plan entitled "City of Fall River, Massachusetts, Figure 1, Cove Street Outfall Sampling Locations", Initialed copies of which are held in the files of Plaintiff and Defendant.

- Visual observation will also be made and recorded to reflect the presence or absence of any sheen, solids, scum, odor, or other excursion of Massachusetts Water Quality Standards observable without sampling.
- This sampling protocol provides a continuation of the monitoring program as provided in Item 3 of the February 2012 protocol.

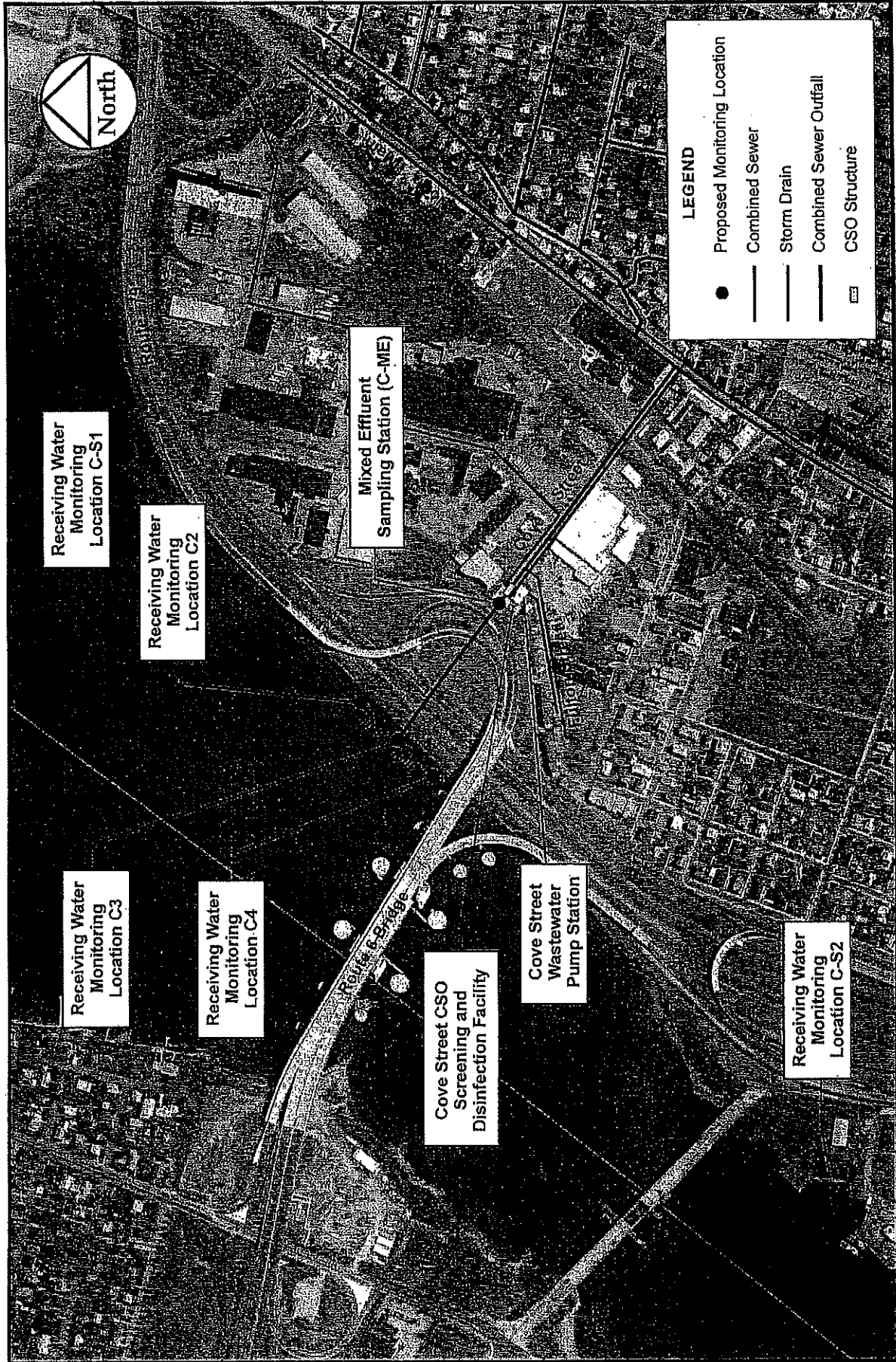
President Avenue CSO Outfall

For a period of 2 years from the City's acceptance of the completed President Avenue CSO outfall monitoring shall also occur. Sampling parameters and frequency shall be as described above for the Cove Street CSO outfall, except as follows:

- The City shall perform four in-river sampling events per year during or shortly after a storm of 3/4 inch of rain or greater during which the President Avenue CSO Facility was activated. In-river sampling will occur by boat at locations P-2, P-3 and P-4, as shown on the attached Figure 2 "President Avenue CSO Facility Monitoring Locations." Station P-3 being located at the "boil" of the Facility's outfall. Station P-2 is located approximately 300 feet upstream of the outfall, and Station P-4 is located approximately 300 feet downstream of the outfall.
- Shoreline sampling shall occur 8-times per/year during or shortly after a storm of 3/4 inch of rain or greater during which the Facility was activated. Shoreline sampling will occur at locations P-2S, P-3, and P-4S, as shown on the attached Figure 2 "President Avenue CSO Facility Monitoring Locations." Station P-3 being located at the "boil" of the Facility's outfall. Station P-2S is located at the state boat ramp approximately 350 feet upstream of the outfall, and Station P-4S is located approximately 400 feet downstream of the outfall.

General

Except to the extent specifically provided otherwise above, in performing the monitoring and sampling described herein, Defendants shall conform to 40 CFR Part 136.



City of Fall River, Massachusetts

Figure 1
Cove Street CSO Facility
Monitoring Locations

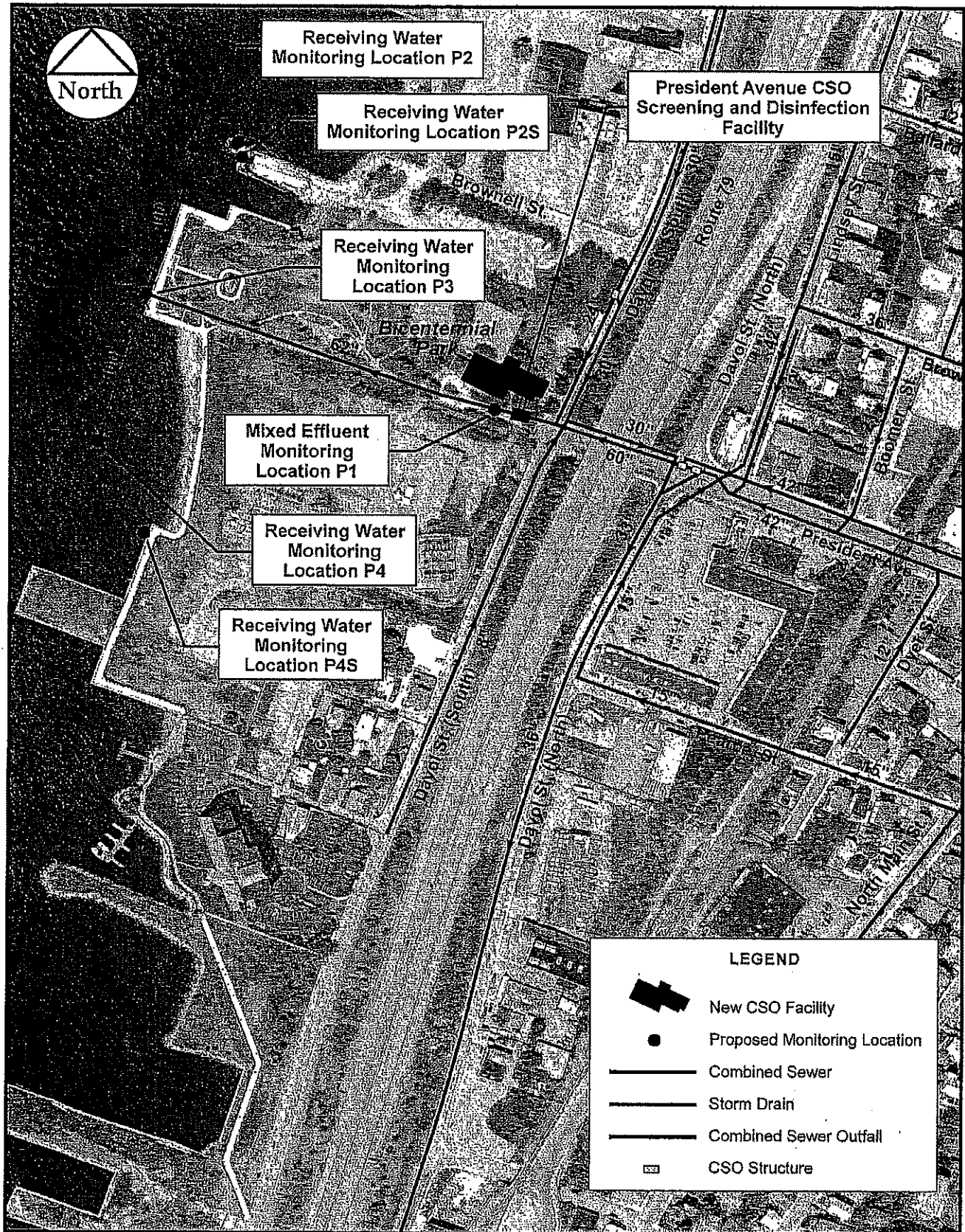


Figure 2
President Avenue CSO Facility
Monitoring Locations

City of Fall River, *In City Council*

FINANCE 4

(Councillor Leo O. Pelletier)

WHEREAS, there are 219 properties located east of the North Watuppa Pond area that have stormwater accounts with both impervious and pervious surfaces, and

WHEREAS, 128 of these accounts are being billed for the stormwater fee, and

WHEREAS, concerns have been raised regarding the process by which properties are selected to be charged, and

WHEREAS, according to Section 74-140 of the Code of the City of Fall River, this fee "funds services provided through the Sewer Commission for stormwater management and CSO abatement programs", and

WHEREAS, exemption applications are approved by the same Sewer Commission, now therefore

BE IT RESOLVED, that the Administrator of Community Utilities be invited to a future meeting of the Committee on Finance to explain the program and discuss these concerns.

In City Council, September 14, 2021
Adopted.

A true copy. Attest:



City Clerk



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

PAUL E. COOGAN
Mayor

RECEIVED

2021 SEP 21 A 11:43

CITY CLERK _____
FALL RIVER, MA

September 17, 2021

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

Council President and Members of the Honorable Council:

I hereby make the following appointment:

Name: Sharon L. Quinn

Address: 375 Eldridge Street
Fall River, MA 02720

Position: Library Trustees

Effective: September 17, 2021

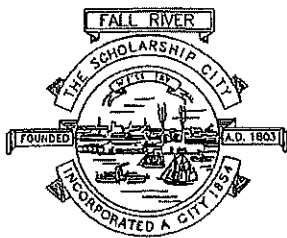
Term to expire: April 17, 2022

Replacing: Robert Kerr

Sincerely,

Paul E. Coogan
Paul Coogan
Mayor

PC/amos



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2021 SEP 21 A 11:43

CITY CLERK _____
FALL RIVER, MA

September 17, 2021

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

Dear Council President and Members of the Honorable Council:

Please see the attached appointment letter for the confirmation of Sharon L. Quinn to the Board of Library Trustees. Mrs. Quinn reached out to the Mayor's Office expressing her interest as a City resident in serving as a member of the Board of Library Trustees. She has been a lifelong City resident and has been very involved in her community and has served in many volunteer roles within the schools for 24 years. She is avid reader and will be a tremendous asset to the Library Board of Trustees.

I respectfully ask for your consideration with this appointment.

Best Regards,

Paul E. Coogan
Mayor



City of Fall River
Massachusetts
Office of the Mayor

2

RECEIVED

2021 SEP 23 P 3:55

CITY CLERK _____
FALL RIVER, MA

PAUL E. COOGAN
Mayor

September 23, 2021

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

Council President and Members of the Honorable Council:

I hereby make the following appointment:

Name: Keith Ellis
Address: 47 Flag Swamp Road
East Freetown, MA 02717
Position: Director of Facilities Maintenance
Salary: \$94,000.00
Effective: October 12, 2021

- Resume on file in Mayor's Office

Sincerely,

Paul Coogan
Paul Coogan
Mayor

PC/amos



City of Fall River
Massachusetts
Office of the Mayor

3

RECEIVED

2021 SEP 17 A 11:12

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

September 16, 2021

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

Council President and Members of the Honorable Council:

I have been informed that Beth Ann Viveiros, Executive Director, of Bristol County Training Consortium (BCTC) will be retiring effective September 30, 2021. In an effort to assure the continuity of operations, I am appointing Holly Hill-Batista to serve as Interim Executive Director.

Ms. Hill-Batista has served BCTC as the Deputy Director of Administration and Finance for 10 years. She has 23 years of experience in workforce development. Ms. Hill-Batista came from the Executive Office of Labor and Workforce Development, Department of Career Services, the State entity that oversees all Career Center activity in the Commonwealth.

After consultation with Beth Ann Viveiros, current Executive Director, I believe Ms. Hill-Batista is very capable of assuming this role until such time as a permanent appointment can be made.

While the City Council's approval is not required for this interim appointment, I wanted to keep the City Council informed as to this important change in staffing at BCTC.

Sincerely,

Paul E. Coogan
Mayor

PC/amos

BRISTOL COUNTY
TRAINING CONSORTIUM
a **MASSHIRE** partner

One Government Center, 5th Floor
Fall River, Massachusetts 02722
508.675.1161

RECEIVED

2021 SEP 17 A 9:36

CITY CLERK
FALL RIVER, MA

September 15, 2021

Mayor Paul Coogan
One Government Ctr, 6th Floor
Fall River, MA 02722

Dear Mayor Coogan,
As you are aware, I will be retiring as the Executive Director of Bristol County Training Consortium effective September 30, 2021.

We are requesting your permission to allow Holly Hill-Batista to act in the capacity of Executive Director until a permanent appointment is made.

Please see attached my recommendation and Ms. Hill-Batista's resume for your review. Please sign below your agreement regarding the designation of Ms. Hill-Batista. Once we have this designation from you, we will prepare the Commonwealth's documents which change the authorized signature with our major funders.

Thank you in advance for your assistance in this matter.

Best Regards,



Beth Ann Viveiros
Executive Director


Mayor Paul E. Coogan

9/16/21



A proud partner of the American Job Center network

Attleboro - 95 Pine Street • Attleboro, MA 02703 • 508.222.1950
Fall River - 446 N. Main Street • Fall River, MA 02720 • 508.730.5000
Taunton - 72 School Street • Taunton, MA 02780 • 508.977.1400
Youth Connection - 139 S. Main Street • Fall River, MA 02721 • 508.675.9245

RECEIVED

2021 SEP 17 A 9:36

CITY CLERK _____
FALL RIVER, MA

September 14, 2021

Honorable Paul E. Coogan
Mayor
City of Fall River, MA

Mayor,

Please accept this letter as a recommendation for Holly Hill-Batista to be considered for the position of Executive Director of Bristol County Training Consortium (BCTC).

Mrs. Hill-Batista has 23 years of experience within the workforce development system in Massachusetts and 10 years with BCTC as the Deputy Director of Administration and Finance. This combination of experience in workforce development and extensive first hand knowledge of operations is very valuable for the position.

Additionally, Mrs. Hill-Batista is a dedicated, dependable and productive professional who has shown the ability to communicate effectively with clients, staff as well as other workforce development agencies and professionals.

Please do not hesitate to contact me should you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Beth-Ann Viveiros', written over a horizontal line.

Beth-Ann Viveiros
Executive Director
Deputy Director of Operations/Career Center Director



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2021 SEP 23 P 3:55

CITY CLERK _____
FALL RIVER, MA

September 23, 2021

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

Council President and Members of the Honorable Council,

Please accept my correspondence as a request to stimulate discussion regarding the future use of a parcel of City Real Estate located on Hicks Street, identified within the City Assessor's Maps as Map B-09, Lot 0048, and unofficially recognized as the Hicks Street Tot Lot.

Whereas over the last six (6) months, the Mayor's office has received some inquiries as to the availability of the lot on Hicks Street.

Therefore, to respond appropriately, I am seeking feedback from the Council's Sub-Committee on Real Estate, or the Body of the Whole as to the intentions and desires of the Councilors.

Be reminded that any potential disposition of the property would require a publically advertised solicitation process governed by Massachusetts General Laws M.G.L. 30B

Sincerely,

Paul E. Coogan

Mayor



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2021 SEP 23 P 3:55

CITY CLERK _____
FALL RIVER, MA

TIMOTHY MCCOY
Acting City Administrator

September 23, 2021

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

Dear Honorable Council Members:

I respectfully request that the City Council vote to accept and expend the following grants;

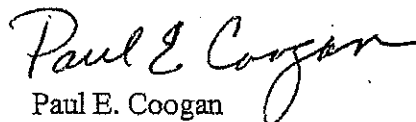
- Grant funding through Massachusetts Department of Public Health and the Centers for Disease Control and Prevention in the amount of \$563,130 with a duration from October 1, 2021 through June 30, 2023 to build capacity in local boards of health to be able to fully assume COVID-19 case & cluster investigation, contact tracing, isolation & quarantine support, & associated public health reporting responsibilities within the City of Fall River
- Grant funding from Massachusetts Department of Public Health in the amount of \$7,155.13 with a duration from July 1, 2021, through June 30, 2022 for the cost for naloxone & related supplies used on overdose-related calls within the City of Fall River
- Grant funding through Massachusetts Department of Public Health and the Centers for Disease Control and Prevention in the amount of \$200,000 with a duration through June 30, 2024. This grant supports cross-jurisdictional sharing of local & regional public health services to improve effectiveness & efficiency, within the Towns of Swansea & Seekonk and the City of Fall River
- Grant funding Massachusetts Executive Office of Energy and Environmental Affairs in the amount of \$400,000 with a duration from January 1, 2022 through June 30, 2023. This park renovation grant will make improvements to Kennedy Park's existing tennis courts

5

- Grant funding through Massachusetts Department of Library Commissioners/ARPA in the amount of \$50,000 with a duration from August 1, 2021 through September 30, 2022. This grant will be used to improve meeting space to increase virtual programming capabilities & to digitize materials to expand access within the City of Fall River

Please do not hesitate to let me know if there are any questions.

Best Regards,

A handwritten signature in cursive script that reads "Paul E. Coogan". The signature is written in black ink and is positioned above the printed name and title.

Paul E. Coogan

Mayor

GRANTS FOR CITY COUNCIL APPROVAL, SEPTEMBER 28, 2021

Grant Name	State &/or Federal Funding Source	Duration	Amount	Grant Director	Purpose
Local Health Support for COVID-19 Case Investigation & Contact Tracing	MA DPH/CDC	10/01/2021-06/30/2023	\$563,130	Tess Curran	This grant builds capacity in local boards of health to be able to fully assume COVID-19 case & cluster investigation, contact tracing, isolation & quarantine support, & associated public health reporting responsibilities.
First Responder Narcan	MA DPH	07/01/2021-6/30/2022	\$7,155.13 (initial FY22 allocation)	EMS/Beth Faunce	This grant will pay for naloxone & related supplies used on overdose-related calls.
Public Health Excellence Grant Program for Shared Services	MA DPH/CDC	06/30/2024	\$200,000	Tess Curran	This grant supports cross-jurisdictional sharing of local & regional public health services to improve effectiveness & efficiency, particularly in smaller towns, such as Swansea & Seekonk.
Parkland Acquisitions & Renovations for Communities	MA EOEEA	01/31/2022-06/30/2023	\$400,000	Nancy Smith	This park renovation grant will make improvements to Kennedy Park's existing tennis courts.
Library Services & Technology Act Direct Grant Program	MA Board of Library Commissioners/ARPA	08/01/2021-09/30/2022	\$50,000	Liane Verville	These funds will be used to improve meeting space to increase virtual programming capabilities & to digitize materials to expand access.

5

ORDER:

The City of Fall River was awarded a grant through Massachusetts Department of Public Health and the Centers for Disease Control and Prevention in the amount of \$563,130 with a duration from October 1, 2021 through June 30, 2023. This grant builds capacity in local boards of health to be able to fully assume COVID-19 case & cluster investigation, contact tracing, isolation & quarantine support, & associated public health reporting responsibilities within the City of Fall River; and The City of Fall River desires to accept and expend the Grant in the amount of \$563,130 through the Department of Community Services, Health Division;

NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL: That the Mayor be and is hereby authorized in the name of the City of Fall River to accept and expend a Grant through the Massachusetts Department of Public Health and the Centers for Disease Control and Prevention in the amount of \$563,130 to assist with COVID-19 case & cluster investigation, contact tracing, isolation & quarantine support, & associated public health reporting responsibilities within the City of Fall River;

BE IT FURTHER VOTED: That the Mayor, on behalf of the City of Fall River, be and hereby is, authorized to execute any and all documents necessary in connection with said grant from the Massachusetts Department of Public Health and the Centers for Disease Control and Prevention, including the expenditure thereof.

5

ORDER:

The City of Fall River was awarded a grant through Massachusetts Department of Public Health in the amount of \$7,155.13 with a duration from July 1, 2021, through June 30, 2022. This grant will cover the cost for naloxone & related supplies used on overdose-related calls within the City of Fall River; and The City of Fall River desires to accept and expend the Grant in the amount of \$7,155.13 through the Emergency Medical Services Department;

NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL: That the Mayor be and is hereby authorized in the name of the City of Fall River to accept and expend a Grant through the Massachusetts Department of Public Health in the amount of \$7,155.13 to assist with the cost for naloxone & related supplies used on overdose-related calls within the City of Fall River;

BE IT FURTHER VOTED: That the Mayor, on behalf of the City of Fall River, be and hereby is, authorized to execute any and all documents necessary in connection with said grant from the Massachusetts Department of Public Health, including the expenditure thereof.

5

ORDER:

The City of Fall River was awarded a grant through Massachusetts Department of Public Health and the Centers for Disease Control and Prevention in the amount of \$200,000 with a duration through June 30, 2024. This grant supports cross-jurisdictional sharing of local & regional public health services to improve effectiveness & efficiency, within the Towns of Swansea & Seekonk and the City of Fall River; and The City of Fall River desires to accept and expend the Grant in the amount of \$200,000 through the Department of Community Services, Health Division;

NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL: That the Mayor be and is hereby authorized in the name of the City of Fall River to accept and expend a Grant through the Massachusetts Department of Public Health and the Centers for Disease Control and Prevention in the amount of \$200,000 to assist with improve effectiveness & efficiency of health services, within the Towns of Swansea & Seekonk and the City of Fall River;

BE IT FURTHER VOTED: That the Mayor, on behalf of the City of Fall River, be and hereby is, authorized to execute any and all documents necessary in connection with said grant from the Massachusetts Department of Public Health and the Centers for Disease Control and Prevention, including the expenditure thereof.

ORDER:

The City of Fall River was awarded a grant through Massachusetts Executive Office of Energy and Environmental Affairs in the amount of \$400,000 with a duration from January 1, 2022 through June 30, 2023. This park renovation grant will make improvements to Kennedy Park's existing tennis courts within the City of Fall River; and The City of Fall River desires to accept and expend the Grant in the amount of \$400,000 through the Department of Community Maintenance, Park Division;

NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL: That the Mayor be and is hereby authorized in the name of the City of Fall River to accept and expend a Grant through the Massachusetts Executive Office of Energy and Environmental Affairs in the amount of \$400,000 to assist with renovation/improvements to the Kennedy park tennis courts within the City of Fall River;

BE IT FURTHER VOTED: That the Mayor, on behalf of the City of Fall River, be and hereby is, authorized to execute any and all documents necessary in connection with said grant from the Massachusetts Executive Office of Energy and Environmental Affairs, including the expenditure thereof.

5

ORDER:

The City of Fall River was awarded a grant through Massachusetts Department of Library Commissioners/ARPA in the amount of \$50,000 with a duration from August 1, 2021 through September 30, 2022. This grant will be used to improve meeting space to increase virtual programming capabilities & to digitize materials to expand access within the City of Fall River; and The City of Fall River desires to accept and expend the Grant in the amount of \$50,000 through the Department of Community Services, Library Division;

NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL: That the Mayor be and is hereby authorized in the name of the City of Fall River to accept and expend a Grant through the Massachusetts Department of Library Commissioners in the amount of \$50,000 to assist with improving meeting space to increase, virtual programming capabilities & to digitize materials to expand access within the City of Fall River;

BE IT FURTHER VOTED: That the Mayor, on behalf of the City of Fall River, be and hereby is, authorized to execute any and all documents necessary in connection with said grant from the Massachusetts Department of Library Commissioners, including the expenditure thereof.



City of Fall River
Massachusetts
Office of the Mayor

6

TIMOTHY MCCOY
Acting City Administrator

September 22, 2021

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

RECEIVED
2021 SEP 22 P 4:12
CITY CLERK
FALL RIVER, MA

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. \$150,000 That the sum of \$150,000 be, and the same is, hereby appropriated to the FACILITIES MAINTENANCE, CAPITAL from the GENERAL FUND STABILIZATION FUND.
2. \$937,100 That the sum of \$937,100 be, and the same is, hereby appropriated to the COMMUNITY MAINTENANCE, CAPITAL from the GENERAL FUND STABILIZATION FUND.
3. \$410,300 That the sum of \$410,300 be, and the same is, hereby appropriated to the POLICE, CAPITAL from the GENERAL FUND STABILIZATION FUND.
4. \$180,000 That the sum of \$180,000 be, and the same is, hereby appropriated to the FIRE & EMERGENCY SERVICES, CAPITAL from the GENERAL FUND STABILIZATION FUND.

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

Best Regards,

Paul E. Coogan
Mayor

One Government Center • Fall River, MA 02722
TEL (508) 324-2600 • FAX (508) 324-2626

City of Fall River, In City Council

6

September 28, 2021

1

ORDERED:

That the sum of \$1,677,400 be, and the same is, hereby appropriated from the GENERAL FUND STABILIZATION FUND to the following:

FACILITIES MAINTENANCE, CAPITAL	\$150,000
COMMUNITY MAINTENANCE, CAPITAL	\$937,100
POLICE, CAPITAL	\$410,300
FIRE & EMERGENCY SERVICES, CAPITAL	\$180,000

FY22 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
General Fund Stabilization Fund	\$ 8,839,945.02	\$ (1,677,400.00)	\$ 7,162,545.02
Facilities Maintenance, Capital	\$ -	\$ 150,000.00	\$ 150,000.00
Community Maintenance, Capital	\$ -	\$ 937,100.00	\$ 937,100.00
Police, Capital	\$ -	\$ 410,300.00	\$ 410,300.00
Fire & Emergency, Capital	\$ -	\$ 180,000.00	\$ 180,000.00

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



Jennifer Argo, City Auditor
September 28, 2021



CITY OF FALL RIVER RECEIVED
MASSACHUSETTS

2021 SEP 21 P 3:30
Traffic & Parking Division

CITY CLERK _____
FALL RIVER, MA

Paul E. Coogan
Mayor

LAURA FERREIRA
Parking Clerk

September 20, 2021

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, August 18, 2021 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 222 feet north of Pleasant Street, for a distance of 20 feet northerly.

Very truly yours,

Laura Ferreira
Parking Clerk



City of Fall River
Notice of Claim

RECEIVED

2021 SEP 15 A 10:43

CITY CLERK 21-54
FALL RIVER, MA

1. Claimant's name: Debra Duarte
2. Claimant's complete address: 43 Roosevelt St
3. Telephone number: Home: 508 542 1248 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Property damage + auto
5. Date and time of accident: 9-2-21 Amount of damages claimed: \$?
6. Exact location of the incident: (include as much detail as possible):
Flooded Cellar + Car washed away on my street
7. Circumstances of the incident: (attach additional pages if necessary):
Basement flooded because of gate not being opened till it was too late once neighbors came outside yelling about the flooding water was gone but not before damage was done
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: 9-11-21

Claimant's signature: Debra Duarte

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>Tewer</u>	Date: <u>9/15/21</u>



City of Fall River
Notice of Claim

RECEIVED

2021 SEP 16 A 11:43

CITY CLERK 21-33
FALL RIVER, MA

1. Claimant's name: Crystal Croteau
2. Claimant's complete address: 227 Sunset Hill, Fall River MA 02724
3. Telephone number: Home: 714-330-8496 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Auto
5. Date and time of accident: 8/23/2021 11:00PM Amount of damages claimed: \$ 1,344.95
6. Exact location of the incident: (include as much detail as possible):
Alden St and Merino St
7. Circumstances of the incident: (attach additional pages if necessary):
Manhole came up from the ground and damaged the bottom of my car, it took out my back tire.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☒ Yes ☐ No
Geico General Insurance Company, One Geico Boulevard
Fredericksburg, VA 22412-0003
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: 9/8/2021

Claimant's signature: Crystal Croteau

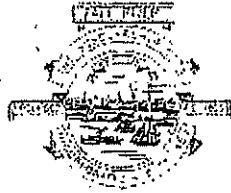
WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

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 ☒ Under sewer Date: 9/16/21



RECEIVED

12

City of Fall River
Notice of Claim

2021 SEP 17 A 10:42

CITY CLERK 21-56
FALL RIVER, MA

1. Claimant's name: Daniel Valle
2. Claimant's complete address: 238-1 Maple Ave, Apt 1 Newport RI
3. Telephone number: Home: 401-771-2460 Work: 401-771-2460 02840
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
property Damage - pot hole - tire Damage / Flat Tire
5. Date and time of accident: 9-9-21 / 9:15 - 9:20 PM Amount of damages claimed: \$ 68.48
6. Exact location of the incident: (include as much detail as possible):
Intersection of South Coast Marketplace / Amity St. Fall River
7. Circumstances of the incident: (attach additional pages if necessary):
See Attached Letter / pictures!
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: 9-14-21Claimant's signature: [Signature]

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

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

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator☒ OCMDate: 9/17/21



RECEIVED

City of Fall River
Notice of Claim

2021 SEP 17 P 1:50
21-57

CITY CLERK
FALL RIVER, MA

1. Claimant's name: Jason Justino
2. Claimant's complete address: 10 Tiffany Drive, Fall River, MA 02723
3. Telephone number: Home: (774)365-0337 Work: N/A
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
property damage - vinyl fence
5. Date and time of accident: 09/01/2021 Amount of damages claimed: \$ 650.00
6. Exact location of the incident: (include as much detail as possible):
10 Tiffany Dr. Fall River vinyl fencing surrounding home
7. Circumstances of the incident: (attach additional pages if necessary):
Due to sewage back from drain baskets caused approximately 3ft of flooding - water pressure against fence
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: 9-16-21

Claimant's signature: Jason Justino

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 & Sewer

Date:

9/17/2021

12
RECEIVED

LAW OFFICES OF

ANDREW J. TINE

ATTORNEY AT LAW

2021 SEP 20 P 2:29

CITY CLERK 21-58
FALL RIVER, MA

Via Hand Delivery

September 20, 2021

Mayor
One Government Center
Room 619
Fall River, MA 02722

City Clerk
One Government Center
Room 227,
Fall River, MA 02722

Re: Victor Medeiros, 68 Lockwood Street, West Warwick, RI 02893
Date of Accident: August 21, 2021, at about 5PM
Request for Compensation under G.L. c. 84, Section 15

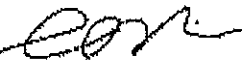
Dear Mayor and City Clerk:

Please accept this letter as notice of a personal injury suffered by Mr. Victor Medeiros on August 21, 2021, while walking on the corner of Almond and Ferry Street in Fall River. A picture of the area of the sidewalk that caused Mr. Medeiros' injury is included herewith. As you can see, the City was previously aware of this area of broken/dangerous walkway as deficient repairs were effectuated on at least two prior occasions -- note the black tar and the white concrete. Thus, the City was on prior notice of this area of concern.

Mr. Medeiros went to Urgent Care Walk-In the next morning. X-rays confirmed a fracture of the 5th metatarsal. He had three follow up appointments with specialists, wore a boot for 2 weeks, was out of work for 4 weeks and has about \$5,000 in medical expenses.

Given the severity of his injuries, Mr. Medeiros demands the payment of \$5,000, the statutory cap under G.L. c. 84, Section 15.

Very truly yours,



Andrew J. Tine

Enc.

18 MAPLE AVENUE- BARRINGTON, RHODE ISLAND 02806- 401.396.9002

484 MAIN STREET- WORCESTER, MASSACHUSETTS 01608

DIRECT CORRESPONDENCE TO RHODE ISLAND ADDRESS

LICENSED- MASSACHUSETTS AND RHODE ISLAND



RECEIVED

12

City of Fall River
Notice of Claim

2021 SEP 20 P 2:25

CITY CLERK

#21-59

FALL RIVER, MA

1. Claimant's name: MARK GOUVIN & Celeste GOUVIN
2. Claimant's complete address: 4 ACACIA ST. FALL RIVER MA 02720
3. Telephone number: Home: 508-672-8533 Cell: 508-837-7951 Work: 508-837-7951
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: 9-2-2021 Amount of damages claimed: \$ 11,759.55
6. Exact location of the incident: (include as much detail as possible):
4 ACACIA ST. FALL RIVER - BASEMENT
7. Circumstances of the incident: (attach additional pages if necessary):

See Attachment

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

CLAIM DENIED

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: 9-18-2021

Claimant's signature:

Mark Gouvin Celeste Gouvin

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 AdministratorMcM + Cem

Date:

9/20/21



12

RECEIVED

City of Fall River
Notice of Claim

2021 SEP 22 P 1:01

CITY CLERK #21-60
FALL RIVER, MA

1. Claimant's name: ALEX POTTER
2. Claimant's complete address: 44 VARLEY ST FALL RIVER, MA 02723
3. Telephone number: Home: 774 322 3204 Work: 774 301 2482
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
POT HOLE ON PUBLIC WAY
5. Date and time of accident: 9/22/21 9:45 AM Amount of damages claimed: \$: 1004.05
6. Exact location of the incident: (include as much detail as possible):
CORNER OF N. QUARRY ST & BEATTIE ST ON NORTHBOUND SIDE OF ROAD
7. Circumstances of the incident: (attach additional pages if necessary):
LARGE POT HOLE ON NORTHBOUND SIDE OF ROAD, CAR SUNNED INTO IT RESULTING IN 3 BLOWN TIRES, DAMAGE TO FENDS, AND A NEEDED ALIGNMENT TO FIX.
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: 9-22-21

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 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 checked="" type="checkbox"/> Law <input checked="" type="checkbox"/> City Council <input type="checkbox"/> City Administrator <input checked="" type="checkbox"/> DCM	Date: <u>9/22/2021</u>



RECEIVED

12

City of Fall River
Notice of Claim

2021 SEP 22 P 3:29

CITY CLERK 27-61
FALL RIVER, MA

1. Claimant's name: Jacob Munaro
2. Claimant's complete address: 750 Davol St. Fall River Ma 02720
3. Telephone number: Home: 401-480-6482 Work: unit 618
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
auto accident in flash flood
5. Date and time of accident: 8/23/21 Amount of damages claimed: \$ 5489.78
6. Exact location of the incident: (Include as much detail as possible):
In front of convenience store on lower Davol st.
7. Circumstances of the incident: (attach additional pages if necessary):
attached in document form.
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 Geico ... address not included.

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: 9/22/21Claimant's signature: Jacob P Munaro

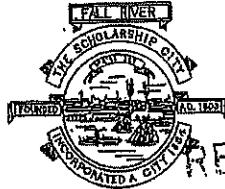
WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

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 AdministratorWater/PowerDate: 9/22/21



RECEIVED

City of Fall River
Notice of Claim

SEP 23 A 11:50

#21-62

1. Claimant's name: RUSSELL CAMARRO CITY CLERK FALL RIVER, MA
2. Claimant's complete address: 26 LUCILLE LN FALL RIVER MA 02720
3. Telephone number: Home: 508 646 6496 Work: 774-4889357
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
TIRE DAMAGE
5. Date and time of accident: 9/10/21 9:00 PM Amount of damages claimed: \$ 355.18
6. Exact location of the incident: (Include as much detail as possible):
COURTNEY ST
7. Circumstances of the incident: (attach additional pages if necessary):
WHILE DRIVING DOWN COURTNEY ST DROVE THROUGH A PUDDLE AND BLEW OUT LEFT FRONT TIRE TEARING THE SIDE WALL. ATTACHED PICTURE IS THE POT HOLE THIS POT HOLE WAS COVERED WITH WATER.
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: 9-21-2021

Claimant's signature: Russell Camarro

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

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

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

For official use only:

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

☒ DCM
☒ Engineering

Date: 9/23/2021



City of Fall River
Notice of Claim

12
RECEIVED

2021 SEP 23 A 11:50

CITY CLERK #21-63
FALL RIVER, MA

1. Claimant's name: Arthur Raposo
2. Claimant's complete address: 63 Garside St.
3. Telephone number: Home: 508-561-2381 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage): _____

5. Date and time of accident: 8:24 AM Amount of damages claimed: \$239.92

6. Exact location of the incident: (include as much detail as possible):
In front of 63 Garside St. Sidewalk & driveway & basement

7. Circumstances of the incident: (attach additional pages if necessary):
Sidewalk overflowing doing to sewer being overfilled went into my basement about 2" of water called Sewer Dept to report it and I was told to make a claim and asked to get estimates for damages but comp were asking to much just to come out. over 1,000.00

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

deduct House Ins denied said city was responsible

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: 8-28-21

Claimant's signature: Arthur A Raposo

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

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

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For official use only:

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

Date: 9/23/2021



13

**City of Fall River
Massachusetts
Planning Department**

PAUL E. COOGAN
Mayor

WILLIAM G. KENNEY AICP
City Planner

TO: Alison Bouchard
City Clerk

FROM: Fall River Planning Board

RE: **PLANNING BOARD MINUTES**
September 10, 2021

RECEIVED
2021 SEP 10 A 10:59
CITY CLERK
FALL RIVER, MA

The Fall River Planning Board held a Public Meeting at 5:30 p.m. on Wednesday, August 11, 2021, in the 1st Floor Hearing Room, One Government Center, Fall River, MA for the purpose of considering the matters set forth in the agenda originally posted with your office on September 1, 2021.

Members present: Cynthia Seigny, Chair; John Ferreira, Vice Chair; Mario Lucciola, Gloria Pacheco, Elizabeth Andre

Members absent: William Kenney

Also present: Nina Pavao, Recording Clerk; and Evan Massoud, FRGTV.

"Minutes" of this meeting are as follows:

Ms. Seigny opened the meeting at 5:30 pm with roll call attendance and read the Open Meeting Law statement.

OLD BUSINESS

Lexington Estates Subdivision – Tabled from August 11, 2021

Mr. Ferreira read status report emailed to the Board, sent by Mr. Kenney. Street lights have been ordered by the developer and will be installed this month.

Upon a motion duly made by Mr. Ferreira and Seconded by Ms. Andre, it was unanimously VOTED 4-0 to Table to the October 13, 2021 meeting for a progress report.

Ms. Pacheco arrived to the meeting at 5:33pm and was not able to vote on the item.

13

NEW BUSINESS

1. FORM-A Application for Endorsement of Plan Believed Not to Require Approval (ANR Plan of Land)

A. File No. 21-1511

Owner/Applicant: Alan J. & Maria P. Rumsey

Property Location: 492 Rock Street

Assessors Map O-2-23, 26, 17

Mr. Kenney emailed comments for new business: Application submitted by Alan and Maria Rumsey for endorsement of plan "approval not required". This just involves the creation of three small non-buildable lots to be conveyed to abutters. I recommend that the Board vote to authorize the Chair to endorse the plan, "Approval Under the Subdivision Control Law Not Required."

Upon a motion duly made by Mr. Lucciola and Seconded by Mr. Ferreira, it was unanimously VOTED 4-0 to direct the Chair to endorse the plan "approval under the subdivision control act not require."

Ms. Pacheco abstained from the vote.

4. Approval of August 11, 2021 Minutes

Upon a motion duly made by Mr. Ferreira and Seconded by Ms. Pacheco it was VOTED 4-0, to waive the reading of the minutes and to approve the minutes of the August 11, 2021 meeting. Ms. Andre abstained from the vote due to absence at the August meeting.

5. Citizens' Input- No citizens were present for input

6. Adjournment- Upon a motion duly made by Ms. Pacheco and Seconded by Mr. Ferreira it was unanimously voted 5-0 to adjourn at 5:37pm.

RECEIVED
2021 SEP 10 A 10:59
CITY CLERK
FALL RIVER, MA



**City of Fall River
Massachusetts**

Planning Division

RECEIVED

2021 SEP 17 P 1:43

CITY CLERK
FALL RIVER, MA

14

Paul E. Coogan
Mayor

WILLIAM G. KENNEY, AICP
City Planner

TO: Alison Bouchard
City Clerk

FROM: Christine Silvia
Planning, Head Admin. Clerk

RE: **Fall River Zoning Board of Appeals Meeting**
August 19, 2021

The Fall River Zoning Board of Appeals held a Public Hearing on Thursday, August 19, 2021, at 6:00 PM in the Atrium at One Government Center, Fall River, MA for the purpose of considering the petitions set forth in the attached minutes of said Public Hearing.

Members present: David Assad, Chair, Jim Calkins, Dan Dupere, and alternate member Rick Sahady.

Members absent: John Frank, Joseph Pereira.

Also present: Director of Planning, William Kenney; Recording Secretary Christine Silvia; Alex Mello of FRGTV.

Notice of the meeting was advertised in the Fall River Herald News on Wednesday, August 4, 2021, and Wednesday, August 11, 2021. The hearing was also posted in the Government Center and on the City of Fall River website, and notice was sent to the petitioners and abutters of the specified properties, as well as the members of the City of Fall River's Planning Board.

6:00pm Chair read the Open Meeting Law notice, and opening statement.

One Government Center • Fall River, MA 02722
TEL (508) 324-2561 • FAX (508) 324-2564 • planning@fallriverma.org

9-17-21
7:00 PM

ANGEL ESTRELLA MOLINA
417-421 East Main Street, Lot G-15-69

14

In the matter of Variance request to convert the existing commercial building with 2 existing apartments into an 8-unit apartment building with one off-street parking space per unit, in garage below, waiving requirements in the [A-2] district. Lot size +/- 8,320 sf. *Tabled from July 16, 2021 meeting.*

FAVOR

Dan Aguiar, Senior Project Manager at SITEC/CEC was present to address the Board. On behalf of the applicant, Mr. Aguiar requested to table the matter to the September 16, 2021 meeting in order for the matter to be heard before a full board.

OPPOSITION

No one was present in opposition to the matter.

DECISION

In a motion made by Mr. Calkins and seconded by Mr. Dupere, the Board unanimously voted 4-0 to Table the matter to the September 16, 2021 meeting.

Mr. Calkins, Mr. Dupere, Mr. Sahady and Mr. Assad voted in favor of the motion and the matter was Tabled to be heard at the September 16, 2021 meeting.

AROUND THE CLOCK SERVICES, INC. c/o Mark Levin Esq.
79-81 Thomas St., Lot K-14-96

In the matter of the Special Permit request to divide the property into two lots, one containing a six-family dwelling built in 1930; and one lot containing a two-family dwelling built in 1930.

FAVOR

Attorney Mark Levin was present to address the board on behalf of the applicant. The properties were built in the 1930s, and each has separate utilities. Pursuant to Section 86-423B, the separate buildings can exist on separate lots. Mr. Levin stated that a March 2001 deed was also accepted for Building 2 and a Form A would be sufficient to convey the property.

OPPOSITION

No one was present in opposition to the matter.

DECISION

In a motion made by Mr. Calkins and seconded by Mr. Dupere, the Board unanimously voted 4-0 to Grant the Special Permit with Conditions being:

1. Easement for crossover for parking & access, 2. No fencing on or between the lot lines.

Mr. Calkins, Mr. Dupere, Mr. Sahady and Mr. Assad voted in favor of the motion and the request was granted.

14

ANTONIO MARTINS c/o Arthur Frank, Esq.
117 & 125 Carl St., Lot E-9-7, 8

In the matter of Variance/Special Permit request pursuant to Section 86-423B to divide the premises, leaving one single-family dwelling on one lot, one single-family on a second lot, and creating a third lot on which to construct a single-family home waiving all area and setback requirements in an R-8 district.

FAVOR

Attorney Arthur Frank was present to address the board on behalf of the applicant. Mr. Frank explained that the preexisting, non-conforming buildings were built in the 1920s and 1930s, and the Special Permit applies under Section 86-423B to establish separate dwellings on separate lots. The Variance is needed to waive frontage on Carl Street for Lot 1, of the front yard setback on Ames Street, depending on the orientation of the new building.

OPPOSITION

Ron Falcon, 106 Carl Street, spoke as an abutter to the property. He expressed concerns regarding lot size and limited backyard space for the parcels. Additionally, he stated that the property at 117 Carl Street has drainage problems.

Diane Falcon, 111 Carl Street, spoke as an abutter to the property. Her house is 6' from the abutting property. She stated that the vacant lot has historically been used by the existing properties as outdoor gathering space, and expressed concern that the division would leave minimal outdoor space for each property. She also expressed concerns regarding drainage and neighborhood congestion.

Rachel McGardy, 126 and 111 Carl Street, spoke as an abutter to the property. She expressed concern that the Special permit subdivision would result in two nonconforming lots, and there is no hardship requiring a Variance.

Ron Falcon, 111 Carl Street, spoke as an abutter to the property. He also stated that the subdivision would result in three nonconforming lots instead of two, and defeats the purpose of the R-8 zoning requirement. He also stated concerns regarding parking, snow removal, and traffic.

Mr. Frank stated that the location of the buildings themselves is a hardship. With regard to the Special Permit, he stated that the foundations have existed continuously since the 1920s/1930s, and the properties have separate utilities, parking, access, yard area.

DECISION

In a motion made by Mr. Sahady and seconded by Mr. Dupere, the Board unanimously voted 4-0 that the petition did not meet the requirements under Section 86-423B for the Special Permit. Mr. Sahady, Mr. Dupere, Mr. Calkins, and Mr. Assad voted in favor of the motion and the Special Permit was denied.

With regard to the Variance request, in a motion made by Mr. Dupere and seconded by Mr. Sahady, the Board unanimously voted 4-0 to deny. The Board found that the petitioner had not produced sufficient evidence to meet each of the prerequisites for the granting of the variance. More particularly the Board found that the petitioner did not produce sufficient evidence of substantial hardship relating to the soil conditions, shape or topography of the land or structures and especially affecting the land or structures for which the variance was requested nor was there sufficient evidence that the relief requested could be granted without substantial detriment to the public good, and without substantially derogating from the intent of and purpose of the City's Zoning Ordinance. Mr. Sahady, Mr. Dupere, Mr. Calkins, and Mr. Assad voted in favor of the motion and the Variance was denied.

KAT MANAGEMENT LLC, c/o Jeffrey P. Medeiros Esq.
627 South Main St., Lots G-5-3, 4

In the matter of the Variance request pursuant to Section 86-482 to convert an existing non-conforming structure from a club/restaurant in to a multi-unit, mixed use property consisting of 11 one- and two-bedroom units, 2 office units, and a private executive club lounge in the basement, waiving all dimensional requirements, sidelines, and setbacks in a B-L district, and varying parking requirements if necessary.

FAVOR

On behalf of the applicant, Attornet Medeiros requested to table the matter to the September 16, 2021 meeting in order for the matter to be heard before a full board.

OPPOSITION

No one was present in opposition to the matter.

DECISION

In a motion made by Mr. Calkins and seconded by Mr. Dupere, the Board unanimously voted 4-0 to Table the matter to the September 16, 2021 meeting.

Mr. Calkins, Mr. Dupere, Mr. Sahady and Mr. Assad voted in favor of the motion and the matter was Tabled to be heard at the September 16, 2021 meeting.

14

**THE LOFTS AT LAFAYETTE c/o Mark Levin, Esq.
34 St. Joseph St., Lot K-15-7**

In the matter of the Variance request to convert the pre-existing building to house 48 residential units, waiving minimum lot area, front yard requirement on St. Joseph Street, and use restriction to permit an onsite management/maintenance office to be constructed in the building, in an A-2 district.

FAVOR

Attorney Mark Levin was present to address the board on behalf of the applicant. Mr. Levin provided a history of the property, explaining the unique and historic parcel that formerly housed a school. The building is 3.5 stories and contains a usable basement. With a footprint of 11,416 sq.ft., it is permitted 23 units as a matter of right, but it is economically infeasible to support the property with only the allowable number of units. The use requirement is waived via a Variance to accommodate an onsite property management facility. The neighborhood is mostly apartments.

Mr. Calkins inquired about access; Mr. Levin explained that the curb cut on Mason Street will allow for entrance to the parcel, and the exit will be through St. Joseph Street. Mr. Dupere inquired as to the makeup of the units; Mr. Levin stated there would be 34 studio or 1-bedroom units, and 14 2-3 bedroom units.

City Planner William Kenney stated that this project seeks to preserve the historic nature of the structure while increasing use, neighborhood walkability, reuse of materials. Neighborhood representatives Carlos Cesar, Frost Street, and Joseph Carvalho, 575 Eastern Avenue, expressed support for the project.

OPPOSITION

No one was present in opposition to the matter.

DECISION

In a motion made by Mr. Calkins and seconded by Mr. Dupere, the Board voted 4-0 to Grant the Special Permit with Condition being:

1. No building permit shall be issued until the site plan has been approved by the Site Plan Review Committee and no site preparation work shall be commenced prior to approval of the site plan by the Site Plan Review Committee.

Mr. Calkins, Mr. Dupere, Mr. Sahady and Mr. Assad voted in favor of the motion and the request was granted.

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ARMANDO & CELESTE NEVES
451 North Belmont St., Lot S-8-29

In the matter of the Variance request to waive requirements in the G district, to add a fourth residential dwelling unit to the existing three family dwelling.

FAVOR

Jeff Tallman of Northeast Engineers was present to address the Board on behalf of the applicant. The current owners made an extension into the basement from the first floor of the property and rented it as a separate apartment from 2012-2018. When it was discovered to be an illegal apartment in 2018 following an inspection, the owners installed the required egress window/ Mr. Tallman explained that their hardship exists due to the topography of the lot, as the first floor is not at street level. Access to the basement apartment is via the ground level.

OPPOSITION

No one was present in opposition to the matter.

DECISION

Mr. Sahady motioned to grant the Variance request, but the motion failed to receive a second and it did not carry. Mr. Calkins motioned to deny the Variance request, which was seconded by Mr. Dupere. In a vote of 3-1 the petitioner did not receive the required number of votes needed to grant the request. Mr. Calkins, Mr. Dupere, and Mr. Assad voted in favor and Mr. Sahady voted opposed.

The Board failed to find by the required number of votes that the petitioner had produced sufficient evidence to meet each of the prerequisites for the granting of the variance. More particularly the required number of the Board did not find that the petitioner had produced sufficient evidence of substantial hardship relating to the soil conditions, shape or topography of the land or structures and especially affecting the land or structures for which the variance was requested nor did the petitioner provide sufficient evidence that the relief requested could be granted without substantial detriment to the public good, and without substantially derogating from the intent of and purpose of the City's Zoning Ordinance

CITIZENS INPUT

Joseph Carvalho, 575 Eastern Avenue, spoke regarding projects in the Flint Neighborhood area, specifically the development of the property at 529 Eastern Avenue.

APPROVAL OF MINUTES

In a motion made by Mr. Calkins and seconded by Mr. Sahady, the Board unanimously voted 4-0 to waive the reading of the minutes and to approve the minutes from the July 15, 2021 meeting. Mr. Calkins, Mr. Sahady, Mr. Dupere, and Mr. Assad voted in favor of the motion.

ADJOURNMENT

In a motion made by Mr. Dupere and seconded by Mr. Calkins, the Board unanimously voted 4-0 to adjourn the meeting at 7:50pm.

Mr. Dupere, Mr. Calkins, Mr. Sahady, and Mr. Assad voted in favor of the motion and the meeting was adjourned.

COMMITTEE ON FINANCE

MEETING: Tuesday, August 17, 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,
Leo O. Pelletier and Linda M. Pereira

ABSENT: Councilor Christopher M. Peckham

IN ATTENDANCE: Mary Sahady, Director of Financial Services
Timothy P. McCoy, City Administrator
Paul Ferland, Administrator of Community Utilities
Jeffrey Cardoza, Chief of Police

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
None

2. Discussion of Fiscal Year 2021 – Quarter 4 Budget Report
The Director of Financial Services provided a brief overview of the Quarter 4 Budget Report and stated that this information is accurate as of August 8, 2021, when these reports were printed. She then stated that the budgeted revenue for Fiscal Year 2021 was \$312 million dollars and the actual revenue was \$309 million dollars. She then explained that the projected receipts were \$22,791,000 and the actual receipts were \$23,723,000. She also highlighted that \$1,595,000 in tax liens was collected. Councilor Trott Lee asked why the solid waste other charges was budgeted for \$70,000, but actually collected \$120,000. The Director of Financial Services stated that during the Covid-19 pandemic many residents were purchasing bulky item disposal stickers, as they were home and did additional cleaning. Councilor Michelle M. Dionne asked why the stormwater fee for the Park Department is higher than the School Department. The Administrator of Community Utilities stated that he did not have that information, but would research the matter. Councilor Leo O. Pelletier stated that some residents of the Copicut area do not have city water or sewer service, but are now being charged the stormwater fee. He then asked if these are new fees for this area. The Administrator of Community Utilities stated that there are approximately seven properties in that area that are now being charged the stormwater fee. He then stated that this fee is directly related to stormwater and not sewer usage. The Director of Financial Services provided a brief overview of expenses within the Quarter 4 Budget Report. She

stated that \$8.6 million dollars was budgeted for solid waste disposal, but the actual was \$8.9 million dollars due to many residents being home during the COVID-19 pandemic and cleaning causing an increase in solid waste disposal costs. She then mentioned that the payroll shortfalls in various departments were caused by the new Juneteenth Holiday. She also highlighted that Corporation Counsel did increase other legal services from \$150,000 to \$300,000 and this should alleviate any shortfall in the fiscal year 2022 budget. Councilor Leo O. Pelletier stated that it is unfair that more and more items are being sent to outside Counsel, which is increasing expenses. Councilor Michelle M. Dionne asked what caused the deficit in the Fire Department. The Director of Financial Services stated that there were unexpected retirements in that department, causing buyouts. She then mentioned that two of those retirement buyouts were in excess of \$100,000 each.

3. Transfers and appropriations - \$389,200 from the General Fund Stabilization Fund to:
- | | |
|---------------------------------|------------|
| Police, Salaries | \$ 313,400 |
| Community Maintenance, Salaries | \$ 75,800 |
| TOTAL: | \$ 389,200 |

The Director of Financial Services stated that it was not anticipated that the employment contracts would take so long to settle, when these budgets were created for fiscal year 2021. Councilor Michelle M. Dionne stated that she feels it is disingenuous to state that this shortfall was unknown. Councilor Shawn E. Cadime stated that the Administration refuses to have conversations regarding these important matters. He then asked if the City Council is prepared to lay off employees or go to the debt exclusion for the new high school, and stated that these things may occur if the City continues to operate with structural deficits.

Citizens' Input Time – After Discussion of Financial Matters:
None

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adjourn at 7:31 p.m., with Councilor Christopher M. Peckham absent and not voting.

List of documents and other exhibits used during the meeting:
Agenda packet (attached)
DVD of meeting

Cullen A. Taylor
Clerk of Committees

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COMMITTEE ON FINANCE

MEETING: Tuesday, September 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: Mary Sahady, Director of Financial Services
Timothy P. McCoy, City Administrator
Tess Curran, Director of Health and Human Services
Chief John D. Lynch, Fall River Fire Department
Paul Ferland, Administrator of Community Utilities

The chair called the meeting to order at 6:15 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

In accordance with a resolution adopted, as amended May 8, 2012, 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

Rene Brown, 105 Bank Street – KP Law

Carlos Cesar, 367 Frost Street – Davol School

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was unanimously voted to waive the rules to allow Mr. Cesar to complete his comments.

Patricia Casey, 26 Mt. Hope Avenue – Fall River

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Christopher M. Peckham, it was unanimously voted to waive the rules to allow Ms. Casey to complete her comments.

Rodney Williams, no address provided – Homelessness Reform, Veterans Support

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to waive the rules to allow Mr. Williams to complete his comments.

Arthur Allard, 57 North Main Street – Ferris Realty, President Avenue Plaza

A lengthy discussion was held with Mr. Allard in regards to the traffic concerns at the new B.M.C. Durfee High School. As a result, the City Council requested letters be sent to the Superintendent of Schools and Principal of B.M.C. Durfee High School outlining those concerns and suggestions on how to improve the situation. Copies of those letters are attached hereto and made a part of these minutes.

On a motion made by Councilor Pam Laliberte-Lebeau and seconded by Councilor Christopher M. Peckham, it was unanimously voted to waive the rules to allow Mr. Allard to complete his comments.

On a motion made by Councilor Trott Lee and seconded by Councilor Léo O. Pelletier, it was unanimously voted to take item #6 out of order.

6. Discussion re: \$1,984,809 Grant from the First Responders – Comprehensive Addiction Recovery Act

The Director of Health and Human Services provided a brief overview of the \$1,984,809 grant. Councilor Michelle M. Dionne asked if all firefighters are trained to administer Narcan. Chief John D. Lynch stated that all firefighters are trained to administer Narcan. Councilor Christopher M. Peckham asked if all police officers are trained to administer Narcan. The Director of Health and Human Services stated that she was unsure. Councilor Linda M. Pereira stated that this grant will be very helpful to Fall River. Councilor Christopher M. Peckham stated that all police officers have Narcan and are trained to administer when needed. He then stated that he would like to see more Narcan training in the City of Fall River. Councilor Linda M. Pereira asked if there are any locations in Somerset or Westport that dispense methadone. Tess Curran stated that all the methadone clinics are located in Fall River. Councilor Michelle M. Dionne asked if there is a shortage of Narcan. Chief John D. Lynch stated that he was not aware of any shortage.

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Linda M. Pereira, it was unanimously voted to take item #3 out of order.

3. Discussion re: orders to accept and expend the following grants:

MassCALL3	\$ 250,000
Mass in Motion	\$ 50,000
Mass Trails	\$ 42,950
Public Works & Economic Adjustment Assistance Program	\$1,056,000

Councilor Michelle M. Dionne stated that she was only concerned with the expenditure of the grant funds and not the acceptance of the funds. She then stated that grant funds should be distributed to all four facilities in the City and not just one. The City Administrator stated there are various reasons why grant funds are distributed to various programs. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the matter to the full council for action.

2. Discussion re: order appropriating \$2,500 from the CPA Undesignated Fund to the CPA Historic Preservation and Community Housing Categories for the filing of deed restrictions

A motion was made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby to refer the matter to the full council for action, but was not necessary as the item is listed on the agenda for the Regular City Council Meeting.

4. Discussion re: order to execute Administrative Order of Consent with the Environmental Protection Agency for the Combined Sewer Overflow (CSO) Court Order

Councilor Linda M. Pereira stated that she had numerous questions and would like to see this matter discussed on another night. Councilor Michelle M. Dionne asked if American Rescue Plan Act (ARPA) funds could be used for some of the CSO upgrades. The Director of Financial Services stated that the Mayor is considering committing \$10 million dollars for eligible water and sewer upgrades and the Administrator of Community Utilities would like to have \$13 million dollars for these upgrades. He also clarified that ARPA funds can only be used for projects that have not yet begun. Councilor Christopher M. Peckham stated that he would like to see if the state or federal government could assist with funding of the CSO projects. Councilor Linda M. Pereira stated that the City has tried to get financial assistance from the state and federal government for years, to assist with the CSO project. The City Administrator stated that he is hopeful that there may be some assistance from the federal government in the future for the CSO project. Councilor Leo O. Pelletier asked when the water main replacement project will be completed. Paul Ferland stated that currently the City is in Phase 21 of the water main

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replacement project and the project is estimated to be complete at the completion of Phase 35, approximately another 14 years. Councilor Shawn E. Cadime asked if there are any plans for the Stafford Square project. Paul Ferland stated that there was a study of the Stafford Square area. Councilor Shawn E. Cadime then asked if there are any short term repairs that can be done to help with the flooding in that area. Paul Ferland stated that his department has tried for years to make short term repairs and upgrades to reduce the flooding in this area, but this is a very large area and he is not aware of any quick fixes to solve this problem. He then stated that he is investigating grant funding from the Federal Emergency Management Agency (FEMA) and the National Emergency Management Association (NEMA) to assist with upgrading the Stafford Square area to alleviate flooding. Councilor Pam Laliberte-Lebeau asked how long the upgrades would take to alleviate flooding in this area. Paul Ferland stated that it will take approximately 1 ½ years to complete after funding is received. Councilor Pam Laliberte-Lebeau asked if ARPA funds could be used for this project. Paul Ferland stated that it will cost approximately \$45 million dollars to make the necessary upgrades at Stafford Square. He then stated that his list of projects that need to be addressed total approximately \$450 million dollars. The Director of Financial Services stated that some communities are using all ARPA funds for water and sewer infrastructure and some communities are creating a department just to oversee the distribution of ARPA funds. The Administrator of Community Utilities stated that the Integrated Master Plan identifies \$1 billion dollars in needed upgrades for water and sewer. Councilor Trott Lee asked if any of the ARPA funds would be used to address flooding issues in the City. The City Administrator stated that he is not aware of any. Councilor Linda M. Pereira asked the Administrator of Community Utilities how much did the Hyacinth Street flooding project cost. Paul Ferland stated that project cost \$1.4 million dollars. On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Linda M. Pereira, it was unanimously voted to table the matter.

5. Discussion re: order to execute Amendment to the Combined Sewer Overflow (CSO)
Federal Court Order No. 1:87-CV-03067

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

Citizens' Input Time – After Discussion of Financial Matters:

None

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Trott Lee, it was unanimously voted to adjourn at 9:05 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
DVD of meeting


Clerk of Committees

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City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

September 15, 2021

Maria Pontes, Interim Superintendent of Schools
Fall River Public Schools
417 Rock Street
Fall River, MA 02720

Dear Superintendent Pontes,

At a meeting of the City Council held on September 14, 2021, a discussion was held relative to the severe traffic congestion occurring on and around Elsbree Street in the area of the new B.M.C. Durfee High School.

Following that discussion, it was requested to send a letter requesting that immediate action be taken to alleviate the public safety hazards that are occurring due to these traffic concerns. A suggestion was made to possibly assign all school resource officers to B.M.C. Durfee High School on a temporary basis to assist with traffic control.

During last night's meeting, it was also brought to the attention of the City Council that the traffic from Elsbree Street is spilling over to the President Avenue Plaza making the area become extremely dangerous for plaza personnel as well as students, parents, and customers who are attempting to visit the businesses in the plaza.

As a result, any action that can be taken immediately to address this public safety concern will be greatly appreciated.

Thank you for your consideration. If you have any questions in this regard, feel free to contact the City Council Office.

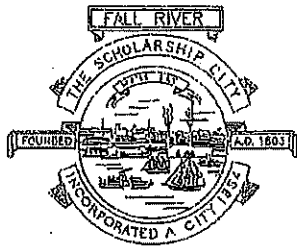
Very truly yours,

Inês Leite
Assistant City Clerk

cc: Paul E. Coogan, Mayor
Fall River School Committee
Matthew Desmarais, Principal, B.M.C. Durfee High School
Jeffrey Cardoza, Chief of Police

/ct

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City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

September 15, 2021

Matthew Desmarais, Principal
B.M.C. Durfee High School
460 Elsbree Street
Fall River, MA 02720

Dear Principal Desmarais:

At a meeting of the City Council held on September 14, 2021, a discussion was held relative to the traffic congestion occurring in the area of B.M.C. Durfee High School.

Following that discussion, it was requested to send a letter requesting that the following reminders be included in the weekly robocalls that are made to parents:

- Time that the school opens to students
- Student parking is not allowed in the President Avenue Plaza
- Students not be dropped off or picked up in the President Avenue Plaza

If you have any questions in this regard, feel free to contact the City Council Office. Thank you for your consideration.

Very truly yours,

Inês Leite
Assistant City Clerk

cc: Maria Pontes, Interim Superintendent of Schools
Paul E. Coogan, Mayor

/ct

CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, September 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: Ricardo Borges, 471 Center Street
Fidel Estrella, 53 California Street
Arthur Bouchard, 67 California Street
Richard R. Riccio III, P.E., Project Manager,
Field Engineering, 11D Industrial Drive, Mattapoisett, MA 02739
Jason Ventura, 401 Bedford Street
Woozlande Legrand, 665 Oak Grove Avenue

The President called the meeting to order at 6:00 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium 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 Trott Lee and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the hearing be opened, with Christopher M. Peckham absent and not voting.

1. Ricardo M. Borges, 471 Center Street, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
471 Center Street	18'	4'	0'	22'

The petitioner is requesting the removal of 4 feet of curbing to widen the existing 18 foot driveway opening in front of the home to allow for additional parking.

The President then directed the proponents to be heard and stated that Ricardo M. Borges was present. Mr. Borges stated that he has requested the removal of an additional four feet of curbing to improve access to the current driveway, as residents park very close to the current opening making it very difficult to access the driveway. The President then directed the opponents to be

heard and there were no opponents. The President asked the Assistant City Clerk if any proponents or opponents submitted written testimony and the Assistant City Clerk stated that a petition in opposition was received from Michael Goncalves and a petition from in favor was received from Ricardo Borges. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the hearing be closed, with Christopher M. Peckham absent and not voting.

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

2. Fidel Estrella, 53 California Street, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
53 California Street	21.9'	25'	21.9'	25'

The petitioner is requesting the removal of 25 feet of curbing to create a driveway opening on the east side of the property for an entrance for a new three stall garage. The existing 21.9 foot driveway opening on the west side of the property will be closed.

Councilor Christopher M. Peckham arrived at 6:07 p.m.

The President then directed the proponents to be heard and stated that Fidel Estrella was present. Mr. Estrella stated that the new driveway opening will be to access the garage and the old driveway opening will be closed. The President then directed the opponents to be heard and stated that Arthur Bouchard was present. Mr. Bouchard stated that he is concerned that the old driveway will be closed and all construction debris from the construction of the new garage will be secured during construction and then removed promptly when the construction is completed. The President asked the Assistant City Clerk if any proponents or opponents submitted written testimony and the Assistant City Clerk stated that none was received. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the hearing be closed.

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

3. Hutchens Holding III, LLC, 481 Currant Road, for the removal of curbing as follows:

	Existing Driveway	Proposed Driveway Access	Existing To Be Replaced	Total Driveway Access
615 Innovation Way	80'	165'	80'	165'

The petitioner is requesting the removal of 80 feet of curbing. Two new openings will be created 85 feet to the east and 80 feet to the west of the property. The existing 80 foot opening on the property will be closed.

The President then directed the proponents to be heard and stated that Richard Riccio, Project Manager from Field Engineering was present. Mr. Riccio stated that the proposed driveway openings will be necessary for the new cold storage facility to be constructed. The President then

directed the opponents to be heard and there were no opponents. The President asked the Assistant City Clerk if any proponents or opponents submitted written testimony and the Assistant City Clerk stated that none was received. On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the hearing be closed.

Pole Location

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

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

West Street

One (1) new pole location

The petitioner requests to install a new 45 foot pole to be numbered 1-30 between pole #1 located on West Street and pole #1 located on Propper Lane. The pole will be approximately 62 feet north of pole #1 located on Propper Lane and approximately 56 feet south of pole #1 located on West Street. The pole is being installed in order to be used for primary feed to the new service located at 1 West Street. In accordance with Plan No. 30365259 dated August 7, 2021.

The President then directed the proponents to be heard and there were no proponents. The President then directed the opponents to be heard and there were no opponents. The President asked the Assistant City Clerk if any proponents or opponents submitted written testimony and the Assistant City Clerk stated that none was received. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Trott Lee, it was unanimously voted that the hearing be closed.

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted that the hearing be opened.

Auto Repair Shop License

5. Jason Ventura, 401 Bedford Street, d/b/a AA Auto Repair & Sales LLC for a license to operate an auto repair shop at 401 Bedford Street, on Lot N-01-0026 Assessors Plan.

The President then directed the proponents to be heard and stated that Jason Ventura was present. Mr. Ventura stated that he is hopeful to open an auto repair shop located at 401 Bedford Street. The President then directed the opponents to be heard and there were no opponents. The President asked the Assistant City Clerk if any proponents or opponents submitted written testimony and the Assistant City Clerk stated that none was received. On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the hearing be closed.

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

Second Hand Article Store

6. Woozlande Legrand, d/b/a Evita's Thrift Store, 665 Oak Grove Avenue, Fall River, MA 02720 for permission to operate and maintain a second hand article store located at 1348 Pleasant Street (clothing, jewelry and household furniture to be sold).

The President then directed the proponents to be heard and stated that Woozlande Legrand was present. Ms. Legrand stated that she would like to open a second hand article store at 1348 Pleasant Street as she feels there is a need in this area. The President then directed the opponents to be heard and there were no opponents. The President asked the Assistant City Clerk if any proponents or opponents submitted written testimony and the Assistant City Clerk

stated that none was received. On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the hearing be closed.

On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 6:15 p.m.

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

A true copy. Attest:

Chris Leite

Assistant City Clerk

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, August 17, 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, Leo O. Pelletier and Linda M. Pereira

ABSENT: Councilor Christopher M. Peckham

IN ATTENDANCE: Mary Sahady, Director of Financial Services

President Cliff Ponte called the meeting to order at 7:41 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.

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Bradford L. Kilby, it was unanimously voted to take item #10 out of order, with Councilor Christopher M. Peckham absent and not voting.

PRIORITY MATTERS

10. Mayor requesting approvals as follows:

a. TIE Agreement for 529 Eastern Avenue LLC located at 529 Eastern Avenue
On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the resolution, with Councilor Christopher M. Peckham absent and not voting.

Approved, August 18, 2021, Paul E. Coogan, Mayor

b. TIE Agreement for 66 Troy Street LLC located at 66 Troy Street
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was voted 7 yeas to adopt the resolution, with Council President Cliff Ponte abstaining and Councilor Christopher M. Peckham absent and not voting.
Approved, August 18, 2021, Paul E. Coogan, Mayor

c. TIE Agreement for Downtown Development LLC located at 38 Third Street
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Leo O. Pelletier, it was voted 7 yeas to adopt the resolution, with Council President Cliff Ponte abstaining and Councilor Christopher M. Peckham absent and not voting.
Approved, August 18, 2021, Paul E. Coogan, Mayor

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Shawn E. Cadime, it was unanimously voted to take item #5 out of order, with Councilor Christopher M. Peckham absent and not voting.

5. Mayor requesting the appointment of Micaila R. Britto as Veterans' Agent
Councilor Michelle M. Dionne stated that she is happy to see such an extensive resume.
Councilor Linda M. Pereira stated that Micaila R. Britto has an impressive resume and seems well qualified. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to confirm the appointment, with Councilor Christopher M. Peckham absent and not voting. Micaila R. Britto addressed the City Council and provided a brief overview of her background.

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Shawn E. Cadime, it was unanimously voted to take item #55 out of order, with Councilor Christopher M. Peckham absent and not voting.

55. Deputy Director of EMS requesting permission to hang 3 banners from the railings of Government Center for "National Overdose Awareness Day"

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted yeas to approve the request, with Councilor Christopher M. Peckham absent and not voting.

1. Mayor and order appropriating \$1,677,400 from the General Fund Stabilization Fund to:

Facilities Maintenance, Capital	\$ 150,000
Community Maintenance, Capital	\$ 937,100
Police, Capital	\$ 410,300
Fire & Emergency Services, Capital	\$ 180,000
TOTAL:	\$1,677,400

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Trott Lee, it was unanimously voted to lift the matter from the table, with Councilor Christopher M. Peckham absent and not voting. On a further motion made by Councilor Michelle M. Dionne and seconded by Councilor Trott Lee, it was unanimously voted to waive the rules to allow discussion with the Director of Financial Services, with Councilor Christopher M. Peckham absent and not voting. Councilor Michelle M. Dionne asked the Director of Financial Services if some of the items from the Capital Improvement Plan overlap with this request. The Director of Financial Services stated that some may overlap, but these items were listed in the Fiscal Year 2022 Budget and require a two thirds vote of the City Council, since funding is from the Stabilization Account. Councilor Shawn E. Cadime stated that he will not support this request, as it falls in line with the use of one time funds. He further stated that the Administration needs to completely identify what the exposure is for the City of Fall River long term. Councilor Trott Lee stated that there seems to be a lot of uncertainty in the conversations, therefore he would not be supporting this request. The Director of Financial Services stated that new growth was underestimated in the Fiscal Year 2022 Budget, when it was presented to the City Council, which will increase during the re-cap process. She further stated that there are 27 positions that are in the Fiscal Year 2022 Budget, that were removed from the Fiscal Year 2021 Budget based upon uncertainties at the time. Councilor Trott Lee asked if the deficit was created as a result of the pandemic or budgeting mistakes. The Director of Financial Services stated that there were no budgeting mistakes - the \$4.8 million dollars is a calculation (excluding Chapter 70 Funds) in the reduction in the revenue that the City received over a two year period. Council President Cliff Ponte stated that he believes that the City Council is concerned that \$4.8 million dollars of one time funds were used for revenues that were considered lost, but if in the future it is determined that those funds cannot be used for lost revenue, this Administration or a future Administration will need to go to the debt exclusion when residents were promised that such would not happen. The Director of Financial Services stated that is certainly not the intention of the Mayor, herself or any Councilors at this point in time. She pointed out that tax title property was sold this past year for approximately \$500,000.00 and those proceeds were not listed in the

budget, but is another revenue source. Councilor Michelle M. Dionne asked whether there would have been 27 new positions in the Fiscal Year 2022 Budget if the City had not received the American Rescue Plan Act (ARPA) funds. The Director of Financial Services stated this would not occur without the debt exclusion. Councilor Shawn E. Cadime stated that there is too much uncertainty in this budget to support these requests, as the Mayor has not planned for the long term. He further indicated that expenses are exceeding revenue. He went on to mention that until there can be conversations to determine whether this is a sustainable budget, he cannot support this request. Councilor Shawn E. Cadime stated that discussions need to happen now and not after the election in November, because at that time the City may need to implement the debt exclusion, lay off employees and reduce expenses. He also stated that the City needs long term strategic planning. Councilor Linda M. Pereira stated that there have been many times through the years that funds from the Stabilization Account were infused into the budget and there had not been a pandemic. Councilor Pam Laliberte-Lebeau asked the Director of Financial Services how many of the 27 new positions had already been filled. The Director of Financial Services stated that she was unsure, but that some of those positions are within the Police Department and that there are candidates in the academy. Councilor Pam Laliberte-Lebeau also asked if there will be layoffs if all 27 positions are eliminated from the budget. Mary Sahady confirmed that would be the case. Council President Cliff Ponte stated that he cannot support this request, as the infusion of \$4.8 million dollars within the city's revenues is extremely concerning. He then stated that without planning, nothing will get accomplished in this community. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was voted 3 yeas, 5 nays to adopt the order, with Councilors Shawn E. Cadime, Michelle M. Dionne, Pam Laliberte-Lebeau, Trott Lee and Cliff Ponte voting in the negative and Councilor Christopher M. Peckham absent and not voting, and the motion failed to carry.

2. Mayor and order appropriating \$50,000 from Facilities Maintenance, Expenses to:
- | | |
|--------------------------------|-----------|
| Community Services, Demo Lien | \$ 25,000 |
| Community Services, Vacant Lot | \$ 25,000 |
| TOTAL: | \$ 50,000 |

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

3. Mayor and order appropriating \$360,000 from the American Rescue Plan Act of 2021 to Financial Services, Expenses (objected 7-13-2021)

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to lift the matter from the table, with Councilor Christopher M. Peckham absent and not voting. On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 4 yeas, 4 nays to adopt the order, with Councilors Shawn E. Cadime, Michelle M. Dionne, Pam Laliberte-Lebeau and Council President Cliff Ponte voting in the negative, and the motion failed to carry, with Councilor Christopher M. Peckham absent and not voting.

4. Mayor requesting the Quarter 4 Report be submitted for review in August
(Objected 7-13-2021)

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to lift the matter from the table, with Councilor Christopher M. Peckham absent and not voting. On a further motion made by Councilor Bradford L. Kilby and

seconded by Councilor Michelle M. Dionne, it was unanimously voted to accept the report and place it on file, with Councilor Christopher M. Peckham absent and not voting.

11. Mayor and Memorandum of Agreement between the Fall River Teamsters Local 251 and the City of Fall River

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to take item #11 out of order, with Councilor Christopher M. Peckham absent and not voting. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the order, with Councilor Christopher M. Peckham absent and not voting.
Approved, August 18, 2021, Paul E. Coogan, Mayor

12. Mayor and Memorandum of Agreement between the Fall River Environmental Police, MCOP Local 491 and the City of Fall River

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to take item #12 out of order, with Councilor Christopher M. Peckham absent and not voting. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order, with Councilor Christopher M. Peckham absent and not voting.
Approved, August 18, 2021, Paul E. Coogan, Mayor

13. Mayor and Memorandum of Agreement between the Fall River Police Superior Officers' Association, MA Coalition of Police, Local 1844 and the City of Fall River

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to take item #13 out of order, with Councilor Christopher M. Peckham absent and not voting. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the order, with Councilor Christopher M. Peckham absent and not voting.
Approved, August 18, 2021, Paul E. Coogan, Mayor

6. Mayor and order appropriating \$389,200 from the General Fund Stabilization Fund to:

Police, Salaries	\$ 313,400
Community Maintenance, Salaries	\$ 75,800
TOTAL:	\$ 389,200

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was voted 7 yeas, 1 nay to adopt the order, with Councilor Michelle M. Dionne voting in the negative and Councilor Christopher M. Peckham absent and not voting.

7. Mayor and orders to accept and expend the following grants:

MassCALL3	\$ 250,000
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On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order, with Councilor Christopher M. Peckham absent and not voting.

Approved, August 18, 2021, Paul E. Coogan, Mayor

Mass in Motion	\$ 50,000
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On a motion made by Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the order to the Committee on Finance, with Councilor Christopher M. Peckham absent and not voting.

Mass Trails

\$ 42,950

On a motion made by Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the order to the Committee on Finance, with Councilor Christopher M. Peckham absent and not voting.

Public Works & Economic Adjustment Assistance Program

\$1,056,000

On a motion made by Shawn E. Cadime and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to refer the order to the Committee on Finance, with Councilor Christopher M. Peckham absent and not voting.

Sex Offender Address Verification

\$ 30,000

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 5 yeas, 3 nays to adopt the order, with Councilors Shawn E. Cadime, Michelle M. Dionne, and Councilor President Cliff Ponte voting in the negative and with Councilor Christopher M. Peckham absent and not voting.

8. Mayor requesting termination of the appointment of Mackenzie Silvia as Constable
A motion was made by Councilor Trott Lee and seconded by Councilor Leo O. Pelletier to accept the communication and place it on file, with Councilor Christopher M. Peckham absent and not voting. A subsequent motion was made by Councilor Bradford L. Kilby to table the matter but received no second. The City Clerk read the Police Chief's letter outlining the reasons for the request into the record. On yet a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Trott Lee, it was unanimously voted to approve the request for termination of the appointment, with Councilor Christopher M. Peckham absent and not voting

9. Mayor and order accepting gift of the Vietnam Memorial Wall

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

Approved, August 18, 2021, Paul E. Coogan, Mayor

14. Mayor and order to execute Administrative Order of Consent with the Environmental Protection Agency for the Combined Sewer Overflow (CSO) Court Order

On a motion made by Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the order to the Committee on Finance, with Councilor Christopher M. Peckham absent and not voting.

15. Mayor and order to execute Amendment to the Combined Sewer Overflow (CSO) Federal Court Order No. 1:87-CV-03067

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

16. Mayor and proposed Fiscal Year 2022 water and sewer rates

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Linda M. Pereira, it was voted 5 yeas, 3 nays to refer the proposed ordinance to the Committee on Ordinances and Legislation, with Councilors Shawn E. Cadime, Michelle M. Dionne and Trott Lee voting in the negative and Councilor Christopher M. Peckham absent and not voting.

PRIORITY COMMUNICATIONS

17. Traffic Commission recommending amendments to traffic ordinances.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the proposed ordinances to the Committee on Ordinances and Legislation, with Councilor Christopher M. Peckham absent and not voting.

18. Planning Board recommending approval of request to post and maintain a plaque on city owned property (westerly end of Remington Avenue) in memory of the late Roy Rogers (subject to conditions)

On a motion made by Councilor Trott Lee and seconded by Councilor Linda M. Pereira, it was unanimously voted to approve the request with the following conditions: Final text, design, material, size and exact location of plaque shall be determined through consultation between the Planning Director and proponent and shall be submitted to the Planning Board for final approval. Cost of the project shall be the responsibility of the proponent, with Councilor Christopher M. Peckham absent and not voting.

19. Board of Election Commissioners and order designating polling places for the Preliminary Municipal Election on September 21, 2021 and Municipal Election on November 2, 2021

On a motion made by Councilor Trott Lee and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the order, with Councilor Christopher M. Peckham absent and not voting.

20. Planning Board recommending acceptance of Detroit Street from Stevens Street to Omaha Street

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

COMMITTEE REPORTS

Committee on Public Works and Transportation recommending:

Grant leave to withdraw:

21. Resolution – Discuss safety hazard created by limited lighting on public streets
On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Leo O. Pelletier, it was unanimously voted to grant the resolution leave to withdraw, with Councilor Christopher M. Peckham absent and not voting.

Adoption:

22. Order – Curb removal for Kristin Bagnell, 4621 North Main Street – Total of 36 feet at 4621 North Main Street

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was voted 8 yeas to adopt the order, with Councilor Christopher M. Peckham absent and not voting.

Approved, August 18, 2021, Paul E. Coogan, Mayor

23. Order – Curb removal for Jordan Camara, 91 Pelham Street – Total of 41 feet on Mott Street (corner lot)

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

Approved, August 18, 2021, Paul E. Coogan, Mayor

24. Order – Curb removal for Matthew Medeiros, 316 Gifford Road, Westport, MA – Total of 27.5 feet at 33-35 Ward 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 Christopher M. Peckham absent and not voting.

Approved, August 18, 2021, Paul E. Coogan, Mayor

25. Final Report – Acceptance of Chestnut Hill Drive from North Main Street to a dead end

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to accept the final report, with Councilor Christopher M. Peckham absent and not voting.

Approved, August 18, 2021, Paul E. Coogan, Mayor.

26. Final Report – Acceptance of Bell Street from Corbett Street to Canedy Street

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to accept the final report, with Councilor Christopher M. Peckham absent and not voting.

Approved, August 18, 2021, Paul E. Coogan, Mayor

Committee on Public Safety recommending:

Grant leave to withdraw:

27. Resolution – Discuss safety concerns at North Main and Weaver Streets

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to grant the resolution leave to withdraw, with Councilor Christopher M. Peckham absent and not voting.

28. Resolution – Discuss speed and other public safety hazards on North Main Street

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to grant the resolution leave to withdraw, with Councilor Christopher M. Peckham absent and not voting.

Committee on Ordinances and Legislation recommending:

All readings with Emergency Preamble:

29. Proposed Ordinance – Traffic, Handicapped Parking

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was voted 7 yeas to adopt the emergency preamble, with Councilor Leo O. Pelletier abstaining and Councilor Christopher M. Peckham absent and not voting. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to pass the proposed ordinance through first reading, second reading, passed to be enrolled and passed to be ordained, with Councilor Leo O. Pelletier abstaining and Councilor Christopher M. Peckham absent and not voting.

Approved, August 18, 2021, Paul E. Coogan, Mayor

First Reading:

30. Proposed Ordinance – Traffic, Miscellaneous

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to pass the ordinance through first reading, with Councilor Christopher M. Peckham absent and not voting.

ORDINANCES – None**RESOLUTIONS**

31. Community Preservation Committee be invited to a future meeting of the Committee on Finance to provide overview of approved projects
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Trott Lee, it was unanimously voted to adopt the resolution, with Councilor Christopher M. Peckham absent and not voting.

CITATIONS

32. Family of the late Paul R. L. Roy – Promoting quality care and patient safety
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the citation, with Councilor Christopher M. Peckham absent and not voting.
33. Richard S. Aguiar – 50 years of service to the Fall River Emergency Management Agency
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the citation, with Councilor Christopher M. Peckham absent and not voting.
34. Frank Andrade – Dedicated service to the citizens of Fall River
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the citation, with Councilor Christopher M. Peckham absent and not voting.

ORDERS – HEARINGS**Curb Removals:**

35. Lais Sajeda Begum, 248 Hancock Street – Total of 46 feet at 248 Hancock Street
On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the order to the Committee on Public Works and Transportation, with Councilor Christopher M. Peckham absent and not voting.
36. Luis and Sonia Sousa, 227 Walter Street – Total of 30 feet at 227 Walter Street
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the order, with Councilor Christopher M. Peckham absent and not voting.
 Approved, August 18, 2021, Paul E. Coogan, Mayor

Joint Pole Location:

37. Globe Mills Avenue – One (1) joint pole location
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Pam Laliberte-Lebeau, it was unanimously voted to adopt the order, with Councilor Christopher M. Peckham absent and not voting.
 Approved, August 18, 2021, Paul E. Coogan, Mayor

Joint Pole Relocation:

38. Downing Street – One (1) joint pole re-location
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the order, with Councilor Christopher M. Peckham absent and not voting.
 Approved, August 18, 2021, Paul E. Coogan, Mayor

ORDERS – HEARING TO BE SCHEDULED

Auto Repair Shop License:

39. Jason Ventura d/b/a AA Auto Repair & Sales LLC located at 401 Bedford Street
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the order, with Councilor Christopher M. Peckham absent and not voting.

ORDERS – MISCELLANEOUS

40. Police Chief's Report on Licenses:

Taxicab Drivers:

Michael Diniz	James Soares Gouveia Jr.	Michael Migliori
Judy B. Palani	Tamara Robinson	Dedra Stephens

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

41. Auto Repair Shop License Renewals:

Kenneth Rapoza, JR'S Superlube, Inc. located at 155 Milliken Boulevard
 Kenneth Rapoza, JR'S Superlube, Inc. located at 334 Rhode Island Avenue

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 Christopher M. Peckham absent and not voting.

Approved, August 18, 2021, Paul E. Coogan, Mayor

42. Auto Body Shop License Renewal:

Manuel Felix d/b/a Felix Auto Collision Center located at 1201 Slade Street

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

Approved, August 18, 2021, Paul E. Coogan, Mayor

43. Transfer of auto repair shop license no. 8 located at 260 Linden Street from
 John H. Knight d/b/a Knight's Quality Service Station, Inc. to Fouad C. Rechmani,
 Knight's Quality Service Station, Co.

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

Approved, August 18, 2021, Paul E. Coogan, Mayor

44. Transfer of auto repair shop license no. 301 located at 65 Tower Street from
 Ruben Oliveira d/b/a Auto Doc to Paulo Pereira, Pereira Enterprise Auto & Diesel
 Repair, LLC

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

Approved, August 18, 2021, Paul E. Coogan, Mayor

COMMUNICATIONS – INVITATIONS – PETITIONS

45. 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 Christopher M. Peckham absent and not voting.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to take the items #46 through #50 together, with Councilor Christopher M. Peckham absent and not voting.

City Council Meeting Minutes:

46. Public Hearings – July 13, 2021

47. Committee on Finance – June 22, 2021

48. Committee on Finance – June 29, 2021

49. Regular Meeting of the City Council – June 22, 2021

50. Regular Meeting of the City Council – July 13, 2021

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to approve the minutes, with Councilor Christopher M. Peckham absent and not voting.

51. KP Law, P.C. invoice for professional services from March 31 through June 30, 2021
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to approve the invoice, with Councilor Christopher M. Peckham absent and not voting.

52. Street opening request for pavement less than 5 years located at 522 Buffinton Street
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to approve the request, with Councilor Shawn E. Cadime voting in the negative and Councilor Christopher M. Peckham absent and not voting.
Approved, August 18, 2021, Paul E. Coogan, Mayor

53. Assistant Corporation Counsel Response to Open Meeting Law complaint filed by Jo C. Goode re: June 22, 2021 alleged violation by the Fall River City Council
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to accept the communication and place it on file, with Councilor Christopher M. Peckham absent and not voting.

54. Structure On or Over a Public Way Permit – Awning for Kam's Laundry, 415 Second Street
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Shawn E. Cadime, it was unanimously voted to approve the permit, with Councilor Christopher M. Peckham absent and not voting.

56. Drainlayer licenses as follows:
a. Geosearch, Inc.
b. A. DiFazio Construction, Inc.
c. W.C. Smith & Son, Inc.
d. Rosciti Construction Company, LLC

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to approve the licenses, with Councilor Christopher M. Peckham absent and not voting.
Approved, August 18, 2021, Paul E. Coogan, Mayor.*

BULLETINS – NEWSLETTERS – NOTICES

57. D.P.U. re: National Grid for approval of deferral of Major Storm Threshold Amounts for Calendar year 2020

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

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

COMMITTEE REPORTS

Committee on Real Estate recommendation (if received):

30a. Order – Easement to Reverse Mortgage Funding LLC of 81 Greenleaf Street
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was voted 7 yeas to adopt the order, with Council President Cliff Ponte abstaining and Councilor Christopher M. Peckham absent and not voting.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adjourn at 9:41 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

Police Chief's recommendation letter to terminate Constable of MacKenzie Silvia as Constable

A true copy. Attest:

Alison M Bouchard

City Clerk

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, September 14, 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: None

President Cliff Ponte called the meeting to order at 9:09 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 \$2,500 from the CPA Undesignated Fund to the CPA Historic Preservation and Community Housing Categories for the filing of deed Restrictions

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, September 15, 2021, Paul E. Coogan, Mayor

2. Mayor requesting the appointment of Richard Calderon to the Community Preservation Committee

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

PRIORITY COMMUNICATIONS

3. 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

Committee on Public Safety recommending:

Approval:

4. Communication – Funding for feasibility study for renovation of the Central Fire Station
 Councilor Linda M. Pereira stated that she has a copy of a study that was conducted in 2018 regarding renovations that were needed at the Central Fire Station. Councilor Christopher M. Peckham stated that the cost of materials has increased significantly since 2018 and a new study will need to be conducted. He then stated that he believed that the letter should also include a feasibility study for the Stanley Street Fire Station. Councilor Shawn E. Cadime stated that the letter to request the feasibility study was only for the Central Fire Station. He then explained that the study for the Stanley Street Fire Station will need more time, as more land is necessary to replace the Stanley Street Fire Station and there is the possibility that the Fall River Housing Authority may consider allowing the baseball field that is adjacent to the Stanley Street Fire Station to move to the open land in front of Cardinal Medeiros Towers. He then clarified that the letter from the Committee on Public Safety is only referencing the Central Fire Station at this time. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to approve the letter.

ORDINANCES

Second reading and enrollment:

5. Proposed Ordinance – Traffic, Miscellaneous
 On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment. On a further motion made by Councilor Christopher M. Peckham and seconded by Councilor Trott Lee, it was unanimously voted that the proposed ordinance be passed to be ordained.
 Approved, September 15, 2021, Paul E. Coogan, Mayor

RESOLUTIONS

6. Committee of Public Safety convene with the President of the Watuppa Water Board to discuss road damage in the reservation area.
 Councilor Trott Lee stated that he was contacted regarding this matter and after viewing the area he filed this resolution. Councilor Leo O. Pelletier stated that he visited this location and the condition of the road is deplorable. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the resolution.

7. Committee on Health and Environmental Affairs convene with the Administrator of Community Utilities and President of the Watuppa Water Board to resolve concerns with water quality.
 Councilor Trott Lee stated that he had a conversation with a member of the Watuppa Water Board and then decided to file this resolution so that a meeting can be held to discuss this matter further. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the resolution.

8. Corporation Counsel convene with the Police Chief to establish a plan for motorized street bike safety measures

A motion was made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne to adopt the resolution. Councilor Linda M. Pereira stated that she has received calls from residents regarding the operators of motorized street bikes, ATVs and dirt bikes driving erratically and with excessive speed. She then stated that she has spoken with the Chief of Police and Representative Carole Fiola about the matter. On a further motion made by Councilor Linda M. Pereira and seconded by Councilor Christopher M. Peckham, it was unanimously voted to amend the resolution by changing the last paragraph to read, "Be it further resolved, that the Committee on Public Safety meet in executive session with Corporation Counsel and the Chief of Police to discuss the matter and establish a plan." On a further motion made by Councilor Christopher M. Peckham and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the resolution, as amended.

9. Committee on Public Works and Transportation meet with Parking Director, Chief of Police and representative of the Traffic Enforcement Unit to address parking and quality of life issues on Atlantic Boulevard.

Councilor Michelle M. Dionne stated that the resolution is self-explanatory. Councilor Pam Laliberte-Lebeau stated that just because people have not received a call regarding a matter, it doesn't mean that the problem is not occurring. On a motion made by Councilor Shawn E. Cadmine and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the resolution.

10. Committee on Public Works and Transportation meet with Parking Director, Chief of Police and representative of the Traffic Enforcement Unit to discuss speeding on Bay Street.

Councilor Michelle M. Dionne stated that this resolution is self-explanatory. Councilor Shawn E. Cadime, Chair of the Committee on Public Works and Transportation stated that he will not allow any outbursts or arguing at the committee meeting. He then stated that anyone breaking the rules of decorum will be removed from the Council Chamber. Councilor Trott Lee stated that he has witnessed an increase in speeding throughout the city. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Trott Lee, it was unanimously voted to adopt the resolution.

11. Administrator of Community Utilities be invited to Committee on Public Works and Transportation meeting to discuss solutions to the flooding issues on Anderson Street

Councilor Trott Lee stated that he filed this resolution to discuss the flooding in the area. Councilor Christopher M. Peckham stated that he has visited the Anderson Street area and witnessed the severity of the flooding. He then stated that four days after the last severe rain storm there was still flood waters in the area. On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the resolution.

12. Committee on Finance meet with Administrator of Community Utilities to discuss storm water accounts for properties located east of the North Watuppa Pond area
- Councilor Leo O. Pelletier stated that he has received calls from residents regarding the billing process for stormwater fees, for properties located east of the North Watuppa Pond area that do not have city water and sewer service. On a motion made by Councilor Christopher M. Peckham and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the resolution.*

CITATIONS

13. Forever Paws – Celebration of 25th Anniversary
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Christopher M. Peckham, it was unanimously voted to adopt the citation.

ORDERS – HEARINGS

Curb Removals:

14. Ricardo M. Borges, 471 Center Street – Total of 22 Feet at 471 Center Street
Councilor Leo O. Pelletier stated that he visited this location and it appears that there is a disagreement in the neighborhood regarding parking. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the matter to the Committee on Public Works and Transportation.

15. Fidel Estrella, 53 California Street – Total of 25 Feet at 53 California Street
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham, it was unanimously voted to refer the matter to the Committee on Public Works and Transportation.

16. Hutchens Holding III, LLC, 481 Currant Road – Total of 165 Feet at 615 Innovation Way
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order.
Approved, September 15, 2021, Paul E. Coogan, Mayor

Pole Location:

17. West Street – One (1) new pole location
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, September 15, 2021, Paul E. Coogan, Mayor

Auto Repair Shop License:

18. Jason Ventura, 401 Bedford Street, d/b/a AA Auto Repair & Sales LLC, located at 401 Bedford Street
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, September 15, 2021, Paul E. Coogan, Mayor

Second Hand Article Store:

19. Woozlande Legrand, d/b/a Evita's Thrift Store, 665 Oak Grove Avenue, located at 1348 Pleasant Street
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, September 15, 2021, Paul E. Coogan, Mayor

ORDERS – MISCELLANEOUS

20. Police Chief's Report on Licenses:

Taxicab Drivers:

Akeem Barlow Tara Bartlett Solmaria Gomez Cruz Joseph F. Paiva

Private Livery Driver:

Ronn Keneshea

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

21. Auto Body Shop License Renewal:

Souhad Saliba d/b/a JZ Express, Inc. located at 969 South Main Street
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, September 15, 2021, Paul E. Coogan, Mayor

22. Auto Repair Shop License Renewals:

Daniel J. Mello, Mello's Diesel Service, Inc. located at 185 Williston Street
 Michael Camara, Performance Auto Center, Inc. located at 1148 Davol Street
 Joseph Medeiros, 4 J Auto (d/b/a Midas Auto Service) located at 1439 Plymouth Avenue
 Souhad Saliba d/b/a JZ Express, Inc. located at 969 South Main 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, September 15, 2021, Paul E. Coogan, Mayor

23. Light order – Corner of Rock Street and Walnut Street

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, September 15, 2021, Paul E. Coogan, Mayor

COMMUNICATIONS – INVITATIONS – PETITIONS

24. 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.

City Council Meeting Minutes:

25. Public Hearings – August 17, 2021

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

26. Committee on Finance – July 13, 2021

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

BULLETINS – NEWSLETTERS – NOTICES

27. Fall River Police Department 2021 Mid-Year Report

A motion was made by Councilor Shawn E. Cadime and seconded by Councilor Christopher M. Peckham that the report be accepted and placed on file. Council President Cliff Ponte stated that he would like to see the report referred to the Committee on Public Safety for discussion.
On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was unanimously voted to refer the matter to the Committee on Public Safety.

ITEMS FILED AFTER THE AGENDA DEADLINE:
CITY COUNCIL MEETING DATE: SEPTEMBER 14, 2021

PRIORITY MATTERS

2a. Mayor and order re: \$1,984,809 Grant from the First Responders – Comprehensive Addiction Recovery Act

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Trott Lee, it was unanimously voted to adopt the order.
Approved, September 15, 2021, Paul E. Coogan, Mayor

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

COMMITTEE REPORTS

Committee on Finance recommendation (if received):

4a. Orders to accept and expend the following grants:

MassCALL3	\$ 250,000
Mass in Motion	\$ 50,000
Mass Trails	\$ 42,950
Public Works & Economic Adjustment Assistance Program	\$1,056,000

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Trott Lee, it was unanimously voted to adopt the orders. On a further motion made by Councilor Michelle M. Dionne and seconded by Councilor Christopher M. Peckham, it was unanimously voted to send a letter to the Administration requesting that in the future the acceptance of grants and the acceptance of expenditures for said grants be presented to the City Council on two separate orders (copy of said letter is attached hereto and made a part of these minutes).

Approved, September 15, 2021, Paul E. Coogan, Mayor

RESOLUTIONS

- 12a. City Administrator, Director of Financial Services and Administrator of Community Utilities be invited to the Committee on Public Works and Transportation to discuss solutions to the flooding issues connected to the Stafford Square area

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

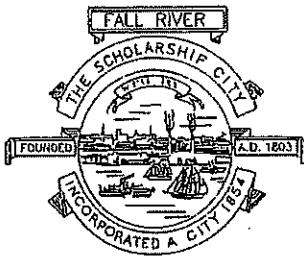
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 10:02 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
DVD of meeting
Letter to Administration regarding various grants

A true copy. Attest:

Anis Leite
Assistant City Clerk



City of Fall River Massachusetts
Office of the City Clerk

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ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

September 15, 2021

Paul E. Coogan, Mayor
City of Fall River
One Government Center
Fall River, MA 02720

Dear Mayor Coogan,

At a meeting of the City Council held on September 14, 2021, a discussion was held relative to orders to accept and expend various grants, including MassCALL3, Mass in Motion, Mass Trails and the Public Works & Economic Adjustment Assistance Program.

Following that discussion, and on a motion made and seconded, it was unanimously voted to send a letter to the Administration requesting that in the future the acceptance of grants and the acceptance of expenditures for said grants be presented to the City Council on two separate orders.

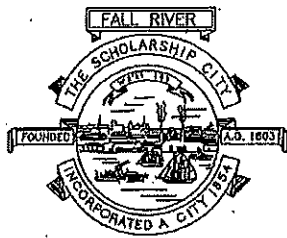
If you have any questions in this regard, feel free to contact the City Council Office. Thank you for your consideration.

Very truly yours,

Inês Leite
Assistant City Clerk

cc: Timothy P. McCoy, City Administrator
Mary Sahady, Director of Financial Services

/ct



**City of Fall River
Massachusetts**
Department of Community Services
PLANNING • HEALTH & HUMAN SERVICES • LIBRARY

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LIANE VERVILLE
Library Administrator
lverville@sailsinc.org

Fall River Public Library

PAUL E. COOGAN
Mayor

September 9, 2021

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

RECEIVED
2021 SEP 10 P 1:25
CITY CLERK
FALL RIVER, MA

Dear Councilors:

Enclosed for your perusal as required by City Ordinances (Article VI. Division 2. §66-477) is the Fall River Public Library's Annual Report for FY21.

We are pleased to present you with this report on a year that witnessed many noteworthy events, activities, and ongoing services that the Library offered.

As we prepared for the major turmoil due to the Coronavirus, we of course continued to provide the community with the many different kinds of services it wants and needs. We appreciate the support you have continued to give us, and we look forward to continuing to provide high-quality public library service to the people of Fall River at "The People's University", where a motto carved above the door states in Latin, "Give unto me, oh Lord, to know what there is to be known."

Sincerely,

Liane Verville
Library Administrator

Main Library, 104 North Main Street, Fall River, MA 02720 508-324-2700 FAX 508-324-2707
South Branch, 58 Arch Street-Rear Entrance, Fall River, MA 02724 508-324-2708

9/14/21 9 copies on Councilors' desks



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FALL RIVER PUBLIC LIBRARY
FALL RIVER, MASSACHUSETTS

ANNUAL REPORT
July 1, 2020 - June 30, 2021

prepared by
Liane Verville
Library Administrator

Approved by the Library Board of Trustees
September 8, 2021



**ANNUAL REPORT OF THE
FALL RIVER PUBLIC LIBRARY
FALL RIVER, MA**

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**REPORT FOR THE YEAR
BEGINNING
JULY 1, 2020 AND ENDING JUNE 30, 2021**

LIBRARY BOARD OF TRUSTEES

**Mr. Ronald Caplain, Chairperson
Mr. James Gibney, Vice-Chairperson
Ms. Kathryn Clarkin
Ms. Joyce Coelho
Ms. Aja Andrea Grice
Mr. Robert Kerr
Ms. Melissa Panchley
Ms. Fran Rachlin
Ms. Ann Rockett-Sperling
Mrs. Donna Williams**

THE YEAR IN REVIEW

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JULY 2020

This time continues to be unprecedented for the Library. The library remained closed to the public from March 16 to June 12; and closed to staff March 24th to June 8. Starting June 15th we started offering contactless pickup (Library Take-Out) for our patrons that had items on our hold shelf and a press release and e-newsletter were sent indicating such, as well as promoted on social media. Starting July 13 we were open to the public by appointment only. Patrons could make an appointment to come into the library to browse, use the computer, copy/fax, etc. for one half-hour appointment or for a maximum of one hour. Steps were taken to ensure social distancing: chairs removed; blocking off the study rooms; computers blocked; and marking out the floor for a waiting line.

The library continued to work at reduced hours; during the summer we are normally open 56 hours and during this time we were open 40 hours. We did not open during evening hours 5-9. I had a conversation with the mayor and he would like to see us open at least 7 p.m. a few evenings, a date for this wasn't planned.

Curbside Service: we continued to provide this very popular service at both locations, which is especially vital to older and immune-compromised patrons. People can pick up children's and adult crafts as well as books, movies, and audio materials. Two staff members are required to monitor the doors, check appointments and ensure compliance of mask wearing and health forms prior to entry, prepare materials for checkout, and deliver materials to patrons outside the door.

The FY21 budget was submitted to city administration on February 8, 2020. Due to the COVID-19 epidemic the city is in a financial crisis and has had a 1/12 budget for July. Library Assistant Dylan Arruda resigned effective July 24th, and Fellisha Desmarais was appointed to the Section Head of Adult Services effective July 27th.

Some of the tasks that staff have been doing during this time are: weeding the collection; collection development; shelf reading; reorganizing the reference area, AV room and the

Fell room. Relocating the 4th floor stack material to the 5th floor while weeding it; creating book bundles; planning virtual programs; and indexing the obituaries up to date.

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The new Young Adult room is complete with new furniture, shelving, books, and security camera. Taylor Silva, Young Adult supervisor is excited at how it all turned out and is eager to have young adults return to the library.

AUGUST 2020

The Library still had a 1/12 budget for the month of August.

On behalf of the Library Foundation, we applied to BayCoast Bank for funding a new outdoor book return \$6,650. I have been notified that they will award us \$1,000. towards the purchase. We also applied on behalf of the Friends of the Library to the Fall River Women's Union to fund four virtual video game programs in the amount of \$600.

The annual staff evaluations were completed and submitted to Human Resources per union contract.

With the promotion last month of Fellisha Desmairas, her former position of Library Assistant I became vacant and Gayle Orlando was promoted to it effective August 3. With these in-house promotions there still was one vacant position in Adult Services. The vacancy has not been filled and most likely will not be filled this fiscal year due to the financial crisis caused by COVID-19.

SEPTEMBER 2020

The Massachusetts Board of Library Commissioners Annual Report Information Survey (ARIS) report extended its submission date to October 2nd due to COVID and they had waived for all libraries in meeting the hours open to the public as well as material expenditure requirements. The ARIS report was submitted on September 14.

September 22 we expanded our hours to 7 p.m. on both Tuesdays and Wednesdays, open to the public by appointment only. During that time a security guard is at the Elm Street entrance on both of those evenings 4:00-7 p.m.. The South Branch is back to their normal Wednesday hours 11-7 p.m. Patrons can make an appointment to come into the library to

browse, use computer, copy/fax, etc. for a total of two half-hour appointments or a maximum of one hour. As mentioned last month, steps have been taken to ensure social distancing: chairs removed; blocking off the study rooms; computers blocked; and marking out the floor for a waiting line.

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The library continues to work at reduced hours; we are normally open 64 hours and during this time we are open 44 hours. We are still closed on Saturdays at this time.

The FY21 budget was approved by the City Council on September 15th and as mentioned at last month's meeting a recent vacancy is funded in the budget but authorization to fill it has been denied.

We are partnering with BMC Durfee High School via Public Library Connect which will extend our digital library collection to students. SORA is a student reading app that links to our online collections. Students will be able to access our ebooks, audio books, etc. with their student ID. This should be live within a few weeks. There is no additional work or cost on our behalf.

The Little Free Library (donated by Richard and Debby Danner) is up and filled with books. The feedback on this has been very positive. Reference Department Supervisor Jenny Bailey resigned effective September 18, 2020. Library Administrator Kate Kulpa and Young Adult Librarian Taylor Silva will cover the reference department as needed, and Kate will work on book selection and cataloging for this department. Library Assistant Gayle Orlando continues to be out on medical leave since August 24th. She has been in contact with us stating that she is doing better.

OCTOBER 2020

While we are open to the public for inhouse appointments we continue to promote the grab and go concept. The library continues to work at reduced hours.

There was talk that the South Branch landlord is selling the building we are in. I asked for a meeting with the Mayor to discuss the future of the South Branch Library. Gayle

Orlando returned to work October 26th after being out on an extended sick leave. The Municipal Appropriation Requirement waiver was filed October 2:

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NOVEMBER 2020

November had a number of staff members out on sick leave as well on vacation time but with the reduced hours we were able to continue to offer our services. I met with the Mayor to discuss our proposal for a bookmobile and possible funding resources. The Mayor asked that I provide statistics on the usage of the South Branch, which I provided; and he was not opposed to seeking resources for a bookmobile.

Reference Library Assistant Elizabeth Ulrich assisted *Fall River Herald* reporter Charles Winokoor with research on a "cold case" murder from 1989 that was used for a front page story in the paper in the November 29th issue. Young Adult Supervisor Taylor Silva and Reference Library Assistant Daniel Sheahan attended a Beginning Cataloging Training Webinar via SAILS; Mr. Sheahan also attended a Interlibrary Loan webinar, and Mr. Silva presented a talk at the SAILS Zoom Library Showcase on November 18th, "A Discourse on Discord: Using Discord for Formal & Informal Teen Programs." The children's room began the Christmas Stocking Contest on November 23.

DECEMBER 2020

The library continues to work at reduced hours and we are still closed on Saturdays. On December 10th I received a certified letter from the South Branch Library's landlord that he is terminating the lease for the South Branch effective January 11, 2021. I met with the Mayor to see if there was a city building that we could relocate the branch to or possibly a senior center. I was told that there was not a vacant city building that we could move into and the senior center buildings are rented, not owned by the city. I also suggested that some of the shelving and books from the South Branch could be used for a Free Library in the Government Center lobby, but I was told that they have limited space.

The branch closed to the public on December 18th and the two staff members from there are working at the Main Library, filling two vacancies that we had. A number of staff members from each of the Main Library's sections selected material from the South

Branch collection to add to the Main Library's collection. Once we took everything we wanted the School Department was contacted to pick what they wanted from the collection. The following schools took advantage of this opportunity: BMC Durfee High School, Frank M. Silvia Elementary School, Stone Therapeutic Day School, Henry Lord Community School, William S. Green Elementary School, Letourneau Elementary School, James Tansey Elementary School, Spencer Borden Elementary School; and the Fall River Public School Department. Taylor Silva, Young Adult Librarian, contacted a representative of the Fall River Public School Department and arranged on the last day for all of the children's books to be boxed and stored for future use by teachers. Some of the furniture was moved to the Main Library such as: bookshelves, booktrucks, computer chairs, video projector, book displayer, rocking chair, and rugs. The city removed the remaining furniture and books.

Part-time Library Assistant Mary Margaret Kelly resigned December 18th. Due to COVID she has been out since the March 2020 shut down and she doesn't feel comfortable with returning to work. She worked all of the evening hours in the children's room so when we return to normal hours, that position will need to be filled.

I also met with the city grant writer to talk about funding resources to purchase a bookmobile.

JANUARY 2021

The library continues to work at reduced hours and we are still closed on Saturdays. As mentioned last month the South Branch Library's landlord terminated the lease for the South Branch effective January 11, 2021. Everything was removed from the branch by January 8th. The two staff members from the branch are working at the Main Library filling two of the current vacancies.

I have not requested to fill the part-time Library Assistant position Mary Margaret Kelly resigned from on December 18th as of yet. At our current reduced hours we are able to meet the needs of that department.

I am preparing the Library's FY22 budget request which will be submitted February 5th. In order to receive state funding, Massachusetts libraries must meet the Municipal Appropriation Requirement (MAR) set by the Massachusetts Board of Library Commissioners. Similar to net school spending, a municipality and its library must be certified by the Massachusetts Board of Library Commissioners (MBLC) as meeting statutory and regulatory requirements to receive State Aid to Public Libraries. In past years, Fall River has not met the MAR and has been granted waivers. Starting in FY2021 the MBLC initiated a 5-year plan for municipalities to meet the MAR after being granted a waiver. Hours open requirements for FY21 & FY22 have been suspended due to COVID. I fear that with the closing of the South Branch our budget will not be sufficiently funded to meet the state standards. Therefore, the FY22 budget requests include funding for two currently vacant positions and adding a retirement line (funds are normally in Retirement's budget). The request will include funding for the vacant part-time (18 hours) Library Assistant position in the Children's section. This position is needed to keep the children's room open in the evenings. Funding is also requested for a vacant Library Assistant position in Circulation.

If by FY25 the library doesn't meet the state's mandate, then the library will be **decertified**. That would mean the end of State Aid for the library, but worse, it would mean that the library would be expelled from the SAILS Library Network, our regional library consortium, and would become a stand-alone collection. Residents would no longer have access to items beyond this library's walls. Currently residents have access to 72 SAILS member libraries plus access to ten other library networks throughout Massachusetts. This includes access to print books, eBooks, multimedia (DVDs, Blu-Rays, audiobooks, etc.) and shared online databases. Our statistics show that an average of **20% of all items borrowed per year** by Fall River patrons come from other libraries. This is a service our patrons value highly and have come to expect.

Mr. & Mrs. Richard Danner continue to make very generous donations of both books and take-home crafts to the children's section.

FEBRUARY 2021

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As mentioned last month I have not requested to fill the part-time Library Assistant position Mary Margaret Kelly resigned on December 18th as of yet. At our current reduced hours we are able to meet the needs of that department, with other staff covering the evening hours in Children's on Tuesdays and Wednesdays. The library's foot traffic after 5 p.m. on Tuesdays and Wednesdays is very minimal at this time.

The Library's FY22 budget request was submitted February 5th and I have not met with the City Administration about my budget submission as of yet. The budget request does include funding for the vacant part-time Library Assistant and one full-time Library Assistant. The library closed February 1st due to snow. The library participated in the city's Winterbridge event on February 19th with King Rex distributing Mardi Gras necklaces and crowns, and the Children's Room sponsored a Dr. Seuss art contest with the deadline at the end of the month.

MARCH 2021

I met with the City Administration on March 30th about our FY22 budget submission. The budget request does include funding for the vacant part-time Library Assistant II and one full-time Library Assistant II. Reference Library Assistant Elizabeth Ulrich resigned effective March 31. Her position has been advertised on the city's website.

The Friends of the Library raised \$661 in their very successful Spring Chance Raffle. Staff prepared a Black History Month reading guide as well as Women's History and Poetry reading lists. Children's services has been providing weekly virtual storytelling sessions to the Mary L. Fonseca Elementary School as well as the Maple Center Head Start.

APRIL 2021

Kate Kulpa, Taylor Silva and I conducted eight interviews the week of April 20th for the Reference Library Assistant I position recently vacated by Elizabeth Ulrich. It was our

recommendation that Kayla Lantos be appointed to the position, and she will be joining us starting May 20, 2021. We had several well-qualified candidates to choose from, and we hope to be able to fill another vacant position in circulation later this year.

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Children's services continues providing weekly virtual storytelling sessions to the Mary L. Fonseca Elementary School as well as a local Head Start program. School vacation week was very busy in the Children's room with a theme celebration of **Under the Sea**, which included a Pirate Day (patrons came dressed as pirates, walked the plank, picked a coral nugget which had a prize inside, and received booty bags). Also during that week there were three meet and greet photo opportunities in front of the library: Spongebob and Patrick - 83 attended; Winnie the Pooh and Tigger Too - 72 attended; and Scooby-Doo - 36 attended.

We received our second installment of State Aid to Libraries in the amount of \$100,098.40, bringing our total payment to \$199,925.25 this fiscal year.

We applied for and were awarded a grant from the Fall River Women's Union to do an all ages outdoor program in the summer featuring the High Flying Frisbee Dogs.

MAY 2021

Reference Library Assistant Kayla Lantos started May 20th; the part-time Library Assistant position in the children's section was posted and interviews will be the first week of June; Preservationist James Reid-Cummingham spent two days here doing a preservation assessment of primarily special collections materials, including a collection of butterflies and moths that many people are not even aware of. The Massachusetts Board of Library Commissioners awarded the library a \$4,200 grant to have a preservation assessment of our collection. It will be exciting to have some of these rare treasures digitized and available to the public.

The Children's room celebrated Children's Book Week and had a number of guest readers including Mayor Coogan. All of the guest readers can be viewed on our youtube channel.

Children's services continues providing weekly virtual storytelling sessions to the Mary L. Fonseca Elementary School as well as a local Head Start program. Also, there was a meet and greet photo opportunity in front of the library with Elmo. 20

Taylor Silva read a Bigfoot tale in the woods with an appearance from Bigfoot himself. This can also be viewed on our youtube channel as well as our Facebook page. We also offered the first of two pastel painting workshops for adults, held on Zoom.

The library continues to offer numerous online programs and take home crafts for children and adults. We were awarded a grant from the Fall River Women's Union to do an all ages outdoor program featuring the High Flying Frisbee Dogs on July 20th; and library patrons Mr. & Mrs. Richard Danner will sponsor our Elvis impersonator concert on August 26th. Both of these summer events need a large venue, so I reached out to the Heritage State Park to see if we could hold it there.

A large tent will be installed on the Elm Street side of the building on June 17 and this will be paid for with CARES Act money.

Circulation of the ukuleles and adult bikes will once again resume June 1st.

The summer reading program's theme is Tails and Tales! Most of the event will be held outside under the tent. Rockland Trust bank will once again be funding the summer reading program, and Mr. & Mrs. Danner will also be providing funding for additional crafts and themed events to complement the existing programs.

JUNE 2021

I notified the Board that due to Governor Baker's COVID restriction being lifted May 29th, the library resumed normal business hours June 1st (Monday - Thursday 9 a.m. to 9 p.m. and Friday 9 a.m. to 5 p.m.); we are normally closed on Saturdays during the summer. Due to the upcoming evening hours, I needed to request that we fill the vacant part-time position in the children's room as it is that position that works the evening hours in order to keep the children's room open.

Madelene Freitas-Pimentel started in the part-time Library Assistant position in the children's section the week of June 21st. Preservationist James Reid-Cummingham completed his grant-funded preservation assessment of primarily special collections materials, including a collection of butterflies and moths that many people are not even aware that we own. Starting June 11th the Library was given permission to close on Fridays at 3 p.m., which are the hours that Government Center has had since returning from COVID. We also began offering in-person programs, mostly outdoors. SuperHero Friday, held on June 25, was a huge success with approximately 215 people in attendance; we also had a free outdoor concert on June 9 and an online pastel painting workshop on June 1. We submitted a \$50,000 request for ARPA funds from the Massachusetts Board of Library Commissioners as well as an application for 15 hotspots that would circulate to our patrons. The Hotspots should be available by the end of July. On June 9th a Day of Portugal display was set up in the mezzanine area for one month, with images showing the influence of Portugal on world culture. The Friends of the Library agreed to purchase two display cases for the lower level hallway.

On June 17th a large 20x30' tent was installed on the library's Elm Street side and on Tuesday, June 22 the first storyhour was held under the tent and was very well received by those in attendance.

Children's services continues providing weekly virtual storytelling sessions. Two of our big events will be held at Heritage State Park: the High Flying Frisbee Dogs on July 20 and a concert with an Elvis impersonator on August 26.

Library Friends Purchases

Young Adult room furniture
Young Adult room bookshelves
Staff picnic table

Mr. & Mrs. Richard Danner Purchases

2 bicycles (for children's summer reading prizes)
Book Bag Give-away to Head Start Program
Little Free Library
Summer, Fall, Winter and Spring kids crafts giveaways
Thanksgiving book giveaways

Spring Book giveaway
Mitten Board Book giveaways
Mystery Magic Tricks! (6 weeks)
Mystery Puzzles! (12 weeks)
Summer Musical Kids Concert Series (2 concerts)

Nancy Fell

Easter Stuffed Toys

Library Foundation Purchases

Bookdrop

Programs

Book Club meetings
Christmas Stocking Contest
Dinosaur Days
Easter Egg Decorating Contest
End of Summer Party
Harry Potter Birthday Card Contest
Jungle Animal Art Contest
Meet and Greets: Spongebob and Patrick; Winnie the Pooh and Tigger Too; Elmo and Scooby-Doo
Middle school writing workshops
Outdoor Afternoon Tea
Paint your own sugar skull
Pirate Day
Preschool Storyhours, held outside in the new tent
Snowball Follies
Solstice Sackbuts concert
Superhero Friday
Teen Dungeon and Dragons
Teen Magic the Gathering
Under the Sea

Podcasts

The Borden Murders
Fall River History
History of Toy Robots
How to find Graphic Novels on Hoopla

Libby eBook Training Workshop
Pop-Culture
Wrestling
Wrestlemania

Zen Zone online meetup (Facebook Live) with guided meditation and book talk

Tarot Card Reading
Oracle Card Reading
Pet Reiki

Virtual programs:

Adult stories and Poems (FRGTV)
Air Plant Care with free air plant
Attracting Bees & Butterflies
Bigfoot Tales
Castle Craft
Cookbook Club
Dinosaur Stories
Dungeons & Dragons weekly tournaments
Dragons Storytime & Puppet Show
Dr. Seuss' Birthday
Edible Gardening and Landscaping with Naturalist and Landscaper John Root
Father Goose's Tales by Nappy Puppets
Fortnite Tournament
From Myths to Mars writing workshop
Gaming Stream
Ghostly Gathering at the Haunted Library via YouTube
Gravestone Girls Adult Genealogy Talk
Holiday Storytime
Haunted Places online class.
Immigration Law
Intro to Bird Watching
Jungle Adventure Storytime
Learn Magic
Meditate with Amy
Mrs. Claus Storytime
New Book Storytime
One City One Story
One-up Teen Gaming
Online Storytimes
Online Teen Art Group

Past the Cemetery Gate with the Gravestone Girls
Pastel Painting Workshop (2)
Patriots Hall of Fame Museum
Piece by Piece with Poetry
Pizza Storytime
Poetry Contest
Poetry Workshop
Pollinator Garden
Preschool Story TimeSilly Monster Storytime
St. Patrick's Day Storytime
Spindle City Book talk by Jotham Burrello
Splatoon Virtual Program PlayerSuper Smash Brothers Ultimate Tournament Online
Teddy Bear Picnic
Teen Art Group
Teen Fortnite Tournament
Teen Video Game Twitch Stream
Teen Overwatch Tournament
The Orchard House
Tin Toy Collecting
Universal Class
Unsinkable WWII Book Talk
Valentine's Day Storytime
Virtual Cookbook Club
Video Game Twitch Stream
Wine Tasting

Children's Take-out Crafts

Apple Tree Sign
3-D Robot
3-D Turkey Craft
Be Kind Sunflower Craft
Bookmark Flower
Bug Magnets
Build a Castle Craft
Christmas Elf
Christmas Necklace
Christmas Stocking Necklace
Clothespin Caterpillars
Cool Summer Treat Craft
Fall Apple Picking sign
Fire Prevention Kits
Floating Frog on a lily pad Crafts
Floating submarine

Foam Sailboat
Glow Stick Firefly
Halloween Banner Kit
Halloween Black Cat
Ice Cream Magnet Craft
Imagine your Story Flag
Jellyfish
Kindness Craft
Mardi Gras Masks Craft
Play Dough Give Away
Pool Noodle Monsters
Pumpkin Decorating Kit
Santa's Zoom Sleigh
Scratch Flag
Scratch Turkey
Shark Puppet
Story Flag
Super Hero Scratch Art
Teddy Bear Sun Visor
Tropical Fish Mobile
Turkey necklace craft
Turtle Craft
Under the Sea Necklace
Unicorn Craft
Unicorn Wand Craft
yellow submarine
Zooming Witch

Adult Take-out Crafts

Air Plant
Junk Journal
Pumpkin tea light jar
Wooden Sheep
Puzzle Picture Frame
Earth Day Flower & Seeds

YouTube Videos

April Vacation Promo
Bigfoot Tales

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Children's Book Week - Guest Reader Storytimes (3)

Mystery Puzzlers Promo Week

Peter Rabbit Storytime

Pop Culture - James Bond

Pop Culture - Godzilla

Pop Culture - Movies that Scared Us

Promo for Superhero Day

Tour of the Library

Tour of the Children's Room

Spook Night at the Library

Summer Time Crafts How to Do

Unicorn, I mean Dragon Stories

Mother's Day Storytime

Pirate Storytime

Dog Storytime

Pizza Storytime

