



# City of Fall River Massachusetts

## Office of the City Clerk

**ALISON M. BOUCHARD**  
CITY CLERK

### REGULAR MEETING OF THE CITY COUNCIL

**INÊS LEITE**  
ASSISTANT CITY CLERK

**MEETING:** Tuesday, December 13, 2022 at 7:00 p.m.  
Council Chamber, One Government Center

**PRESENT:** President Joseph D. Camara, presiding;  
Councilors Shawn E. Cadime, Michelle M. Dionne, Bradford L. Kilby,  
Pamela S. Laliberte, Leo O. Pelletier, Linda M. Pereira,  
Andrew J. Raposo, and Laura-Jean Washington

**ABSENT:** None

**IN ATTENDANCE:** Seth Thomas Aitken, City Administrator  
Kara Humm, ARPA Director  
Tyler Antaya, Information Technology Director

President Joseph D. Camara called the meeting to order at 7:16 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 for reappointment of Jason Burns to the Housing Authority  
*On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Andrew J. Raposo, it was unanimously voted to confirm the appointment.*
2. Mayor requesting confirmation for appointment of Ricky P. Sahady to the Zoning Board of Appeals  
*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to confirm the appointment.*
3. Mayor and Confirmatory Order of Taking for Bicentennial Park  
*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Shawn E. Cadime, it was unanimously voted that the communication be accepted and placed on file and the order be adopted.*  
*Approved, December 14, 2022, Paul E. Coogan, Mayor*
4. Mayor and proposal for Bristol County ARPA funding in the amount of \$1,034,604 for Capital Improvements, Department of Information Technology  
*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Michelle M. Dionne, it was unanimously voted to waive the rules to allow the ARPA Director and the Information Technology Director to answer questions. Councilor Andrew J. Raposo asked how long the necessary upgrades will take. Tyler Antaya, Information Technology Director, stated that some of the needed upgrades may take a few months. Councilor Andrew J. Raposo then asked if these upgrades were critical. Mr. Antaya stated that these upgrades are most*

important because some of the new upgrades will not be compatible with the 2014 systems that are being used by the City. Councilor Shawn E. Cadime asked what the cost of upgrades will be over the next five years. Mr. Antaya stated that a baseline server costs approximately \$50,000.00 and the City has 12 physical servers that will need upgrading. Councilor Andrew J. Raposo then asked if the City was still contracting with a Managed Service Provider (MSP). Mr. Antaya stated that the City is currently using a MSP and he would not recommend ending that contract. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Laura-Jean Washington, it was unanimously voted that communication be accepted and placed on file and the proposal be approved.

5. Mayor and City Councilor Michelle M. Dionne's proposal for Bristol County ARPA funding in the amount of \$56,592.99 for the purchase of Speed Alert Radar Message signs and trailer equipment

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted that the communication be accepted and placed on file and the proposal be approved.*

6. Mayor and allocation of Bristol County ARPA funding in the amount of \$3,000,000 to the Department of Community Utilities, Water Division, for lead service removal  
*On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Pamela S. Laliberte, it was unanimously voted that the communication be accepted and placed on file.*

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

- a. \$2,000,000 – MA EOHED – Fund portion of Route 79-Davol St. Corridor Improvements Project
- b. \$10,000,000 – U.S. EPA – Replace public and private lead pipes

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted that the communication be accepted and placed on file and both orders be adopted.*

*Approved, December 14, 2022, Paul E. Coogan, Mayor*

8. Mayor and letter to Robert Beatty, Executive Director, Atlantis Charter School re: public safety concerns in the area of Jefferson and Dickinson Streets and the limited use of the Dickinson Street entrance

*Councilor Shawn E. Cadime stated that he has received many calls regarding this matter and would like the matter referred to the Committee on Public Safety for discussion. Councilor Leo O. Pelletier stated that the area is very congested and chaotic in the morning and afternoon when parents are dropping off and picking up students. Councilor Pamela S. Laliberte asked who wrote the letter that was sent to Robert L. Beatty, Executive Director because it was signed City of Fall River without an actual signature. On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Michelle M. Dionne, it was unanimously voted to waive the rules to allow the City Administrator to answer questions. Seth Thomas Aitken, City Administrator, stated that he was the author of the letter. He stated that there was much discussion over what department should actually send the communication, therefore he believed that it should come from the City of Fall River and not just one department. He then mentioned that he has been in communication with Mr. Beatty frequently. He also highlighted that Mr. Beatty informed him that only parents of kindergarten students were allowed to use the Dickinson Street access to the school. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the matter to the Committee on Public Safety.*

### **PRIORITY COMMUNICATIONS**

9. ARPA Director re: overview of City of Fall River and Bristol County ARPA funding  
*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Andrew J. Raposo, it was unanimously voted that the communication be accepted and placed on file.*

10. Traffic Commission recommending amendments to traffic ordinances  
*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Andrew J. Raposo, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation.*

### **COMMITTEE REPORTS** – None

### **ORDINANCES** – None

### **RESOLUTIONS**

11. Committee on Finance convene to discuss the hiring and retaining of police officers  
*Councilor Linda M. Pereira stated that she filed the resolution because many police officers are leaving the department or retiring. She then stated that exit interviews should be conducted to determine the reasons. For instance, if it is due to the low salaries that the City is offering, then that is something that needs to be addressed with the Administration. On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to adopt the resolution.*

12. Corporation Counsel forward a letter to Fall River Coin Operated Car Wash, located at 1225 Dwelly Street, re: excessive noise and loitering  
*Councilor Leo O. Pelletier stated that this business is still generating an excessive amount of noise, which is disturbing the neighbors. He then mentioned that he filed this resolution so that Corporation Counsel forward a letter to this business requesting the owner secure the lot in such a manner that there is no access to the property after 10:00 p.m. daily. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the resolution.*

13. Committee on Health and Environmental Affairs convene to discuss public health concerns at 222 Peckham Street  
*Councilor Leo O. Pelletier stated that he is contacted by the neighbors frequently with complaints of a severe fish and seafood odor. He also stated that he would like to have an inspector complete a thorough inspection of the property. On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the resolution.*

### **CITATIONS** – None

### **ORDERS – HEARINGS** – None

### **ORDERS – MISCELLANEOUS**

14. Police Chief's report on licenses:  
2022 Taxicab Driver:  
Timothy A. Gardiner

2023 Taxicab Drivers:

Manuel Almeida	Thomas Andrade	Ashraf Kamal Antar
Edward A. Arruda	Darrell Carlsen	Douglas J. Carvalho
Melissa Carvalho	Robert M. Collins Jr.	Gilbert W. Correia
Gerald Costa	Luis Costa	Simone Desnoyers
Robert R. Digioseppi	David Dube	Timothy A. Gardiner
James S. Gouveia Jr.	Louis Levesque	William Marshall
Michael J. Migliori	George Oliveira	Judy Palani
John D. Purcell	Todd J. Quintal	Mikael Raposa
Edward Rego	James E. Smith	Delores Socall
Stephen J. Stets	Gary Teixeira	Dorothy Ward
Walter Woods		

2023 Livery Driver:

Garry Boursiquot

2023 Livery Vehicle:

Lledoga Limo Service, LLC

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adopt the order.*

15. Revocation of permit for the storage of inflammables (removal of tanks):

City of Fall River, 1117 North Main Street

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adopt the order.*

*Approved, December 14, 2022, Paul E. Coogan, Mayor*

16. Light Order – 79 Baird Street

*On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adopt the order.*

**COMMUNICATIONS – INVITATIONS – PETITIONS**

17. Claims

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the claims to Corporation Counsel.*

18. Zoning Board of Appeals Minutes – October 20, 2022

*On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Laura-Jean Washington, it was unanimously voted that the minutes be accepted and placed on file.*

19. Attorney General Response to Open Meeting Law complaints filed by Patrick Higgins re: alleged violations in minutes of the City Council for meetings held on December 28, 2021 and January 3, 2022 and minutes of the Committee on Finance and City Council for meetings held on January 18, 2022

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Andrew J. Raposo, it was unanimously voted that the communication be accepted and placed on file.*

20. Public Employee Retirement Administration Commission (PERAC) re: Appropriation for Fiscal Year 2024

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Laura-Jean Washington, it was unanimously voted that the communication be accepted and placed on file.*

City Council Minutes:

21. Public Hearing – November 22, 2022

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted that the minutes be approved.*

22. Committee on Finance – November 22, 2022

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the minutes be approved.*

23. Regular Meeting of the City Council – November 22, 2022

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted that the minutes be approved.*

**BULLETINS – NEWSLETTERS – NOTICES** – None

**OTHER POTENTIAL MATTERS TO BE ACTED UPON:**

**COMMITTEE REPORTS**

Committee on Finance recommendation:

Action:

- 10a. Loan order for the Phase 22 Lead Service Removal Water Systems  
Improvements in the amount of \$4,675,000

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was voted 8 yeas, 1 nay to adopt the loan order, with Councilor Shawn E. Cadime voting in the negative.*

*Approved, December 14, 2022, Paul E. Coogan, Mayor*

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 8:01 p.m.*

List of documents and other exhibits used during the meeting:

Agenda packet (attached)  
DVD of meeting

A true copy. Attest:

*Alison M. Bouchard*

City Clerk

In City Council, December 27, 2022  
Approved.





# City of Fall River Massachusetts

Office of the City Clerk

RECEIVED

2022 DEC -9 P 12:21

CITY CLERK  
FALL RIVER, MA

INÈS LEITE  
ASSISTANT CITY CLERK

ALISON M. BOUCHARD  
CITY CLERK

**MEETINGS SCHEDULED**  
**CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER**  
**TUESDAY, DECEMBER 13, 2022**  
**AGENDA**

**6:00 P.M. CITY COUNCIL COMMITTEE ON FINANCE MEETING**

1. Citizen Input
2. \*Discussion of loan order for the Phase 22 Lead Service Removal Water Systems Improvements in the amount of \$4,675,000 (referred 11-22-2022)
3. Discussion re: overview of City of Fall River and Bristol County American Rescue Plan Act (ARPA) funding (see #9 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 for reappointment of Jason Burns to the Housing Authority
2. \*Mayor requesting confirmation for appointment of Ricky P. Sahady to the Zoning Board of Appeals
3. \*Mayor and Confirmatory Order of Taking for Bicentennial Park
4. \*Mayor and proposal for Bristol County ARPA funding in the amount of \$1,034,604 for Capital Improvements, Department of Information Technology
5. \*Mayor and City Councilor Michelle M. Dionne's proposal for Bristol County ARPA funding in the amount of \$56,592.99 for the purchase of Speed Alert Radar Message signs and trailer equipment
6. \*Mayor and allocation of Bristol County ARPA funding in the amount of \$3,000,000 to the Department of Community Utilities, Water Division, for lead service removal
7. \*Mayor and orders to accept and expend the following grants:
  - a. \$2,000,000 – MA EOHED – Fund portion of Route 79-Davol St. Corridor Improvements Project
  - b. \$10,000,000 – U.S. EPA – Replace public and private lead pipes
8. \*Mayor and letter to Robert Beatty, Executive Director, Atlantis Charter School re: public safety concerns in the area of Jefferson and Dickinson Streets and the limited use of the Dickinson Street entrance

**PRIORITY COMMUNICATIONS**

9. \*ARPA Director re: overview of City of Fall River and Bristol County ARPA funding (see #3 Finance)
10. \*Traffic Commission recommending amendments to traffic ordinances

**COMMITTEE REPORTS** – None

**ORDINANCES** – None

**RESOLUTIONS**

11. \*Committee on Finance convene to discuss the hiring and retaining of police officers
12. \*Corporation Counsel forward a letter to Fall River Coin Operated Car Wash, located at 1225 Dwelly Street, re: excessive noise and loitering
13. \*Committee on Health and Environmental Affairs convene to discuss public health concerns at 222 Peckham Street

**CITATIONS** – None

**ORDERS – HEARINGS** – None

**ORDERS – MISCELLANEOUS**

14. Police Chief's report on licenses:  
2022 Taxicab Driver:  
Timothy A. Gardiner

2023 Taxicab Drivers:

Manuel Almeida  
Edward A. Arruda  
Melissa Carvalho  
Gerald Costa  
Robert R. Diguseppe  
James S. Gouveia Jr.  
Michael J. Migliori  
John D. Purcell  
Edward Rego  
Stephen J. Stets  
Walter Woods

Thomas Andrade  
Darrell Carlsen  
Robert M. Collins Jr.  
Luis Costa  
David Dube  
Louis Levesque  
George Oliveira  
Todd J. Quintal  
James E. Smith  
Gary Teixeira

Ashraf Kamal Antar  
Douglas J. Carvalho  
Gilbert W. Correia  
Simone Desnoyers  
Timothy A. Gardiner  
William Marshall  
Judy Palani  
Mikael Raposa  
Delores Socall  
Dorothy Ward

2023 Livery Driver:  
Garry Boursiquot

2023 Livery Vehicle:  
Lledoga Limo Service, LLC

15. Revocation of permit for the storage of inflammables (removal of tanks):  
\*City of Fall River, 1117 North Main Street
16. \*Light Order – 79 Baird Street

**COMMUNICATIONS – INVITATIONS – PETITIONS**

17. \*Claims
18. \*Zoning Board of Appeals Minutes – October 20, 2022
19. \*Attorney General Response to Open Meeting Law complaints filed by Patrick Higgins re: alleged violations in minutes of the City Council for meetings held on December 28, 2021 and January 3, 2022 and minutes of the Committee on Finance and City Council for meetings held on January 18, 2022



20. \*Public Employee Retirement Administration Commission (PERAC) re: Appropriation for Fiscal Year 2024

City Council Minutes:

21. \*Public Hearing – November 22, 2022  
22. \*Committee on Finance – November 22, 2022  
23. \*Regular Meeting of the City Council – November 22, 2022

**BULLETINS – NEWSLETTERS – NOTICES** – None

  
Assistant City Clerk

**OTHER POTENTIAL MATTERS TO BE ACTED UPON: (if received)**

**COMMITTEE REPORTS**

Committee on Finance recommendation:

Action:

- 10a. Loan order for the Phase 22 Lead Service Removal Water Systems Improvements in the amount of \$4,675,000



PAUL E. COOGAN  
Mayor

City of Fall River  
Massachusetts  
Office of the Mayor

FINANCE 2

RECEIVED

2022 NOV 17 P 12:18

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

November 17, 2022

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

RE: Phase 22  
Lead service Removal Water Systems Improvement Loan Order

Dear Council Members:

It is respectfully requested that the attached loan order for the Phase 22 Lead service removal Water Systems Improvements be approved. Approval is needed to comply with the State Funding Program (SRF) In order to be eligible for Bipartisan Infrastructure Law Funding (BIL).

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

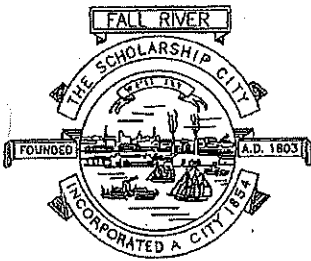
Sincerely,

Paul E Coogan  
Mayor

CITY OF FALL RIVER  
IN CITY COUNCIL  
NOV 22 2022

*Authorized to be published  
and referred to the Committee  
on Finance*

**FINANCE 2**



**PAUL E. COOGAN**  
*Mayor*

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



**PAUL J. FERLAND**  
*Administrator*

November 17, 2022

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

RE: Phase 22  
Lead Service Removal Water Systems Improvement Loan Order

Dear Mayor Coogan:

It is respectfully requested that the attached loan order for the Phase 21 Lead Service Removal Water System Improvements be submitted to the City Council for review and approval. Approval is needed to comply with the state funding (SRF) to access bipartisan Infrastructure Law Funding (BIL).

Please contact me if you need any further information.

Sincerely

Paul J. Ferland, EIT  
Adm. Community Utilities

PJF/omc  
Attachment

**LOAN ORDER**  
**(Lead Service Removals, Water System Improvements)**

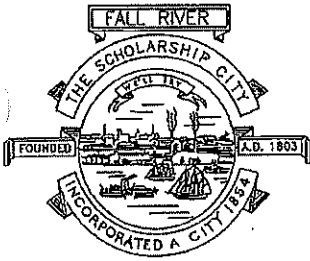
ORDERED, that \$4,675,000 is appropriated for the purpose of financing construction and design of Phase 22 Lead Service Replacement of the City's Water Project including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; and to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow \$4,675,000 and to issue bonds or notes, therefore, under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws or any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer, with the approval of the Mayor, determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer, with the approval of the Mayor, is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust ("Trust") established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection ("Department") with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Mayor is authorized to enter into a project regulatory agreement with the Department, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project.

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

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

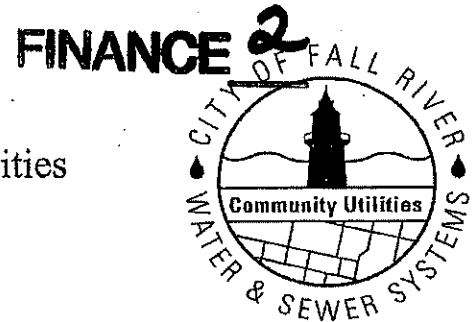
CITY OF FALL RIVER  
IN CITY COUNCIL  
NOV 22 2022

*Authorized to be  
published and referred  
to the Committee on  
Finance*



**PAUL E. COOGAN**  
*Mayor*

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



**PAUL J. FERLAND**  
Administrator

TO: Watuppa Water Board

FROM: Paul J. Ferland, EIT  
Administrator/Community Utilities

DATE: November 16, 2022

RE: Phase 22 Loan Order

---

Attached please see the Phase 22 Loan Order and Financial Summary. Over the past 21 Phases the city has made great advances in the water quality that it provides to its customers.

As we embark on the Phase 22 project we are committing to improving the system by removing full lead services. The city has been committed to removing these as the water mains have been replaced. With changing regulations, this work is in compliance with our current ACOP and the upcoming "Revised Lead and Copper Rule" that will be in effect on October 16, 2024.

The changing regulations require that this work be carried out and that only Full Lead services will count towards a removed lead service. This will be a health and safety benefit to the city residents that still have a full or Partial Lead service that feeds their homes.

The State Revolving Fund (SRF) funding that this Loan Order will be borrowing eligible cost from is directly related to the Bipartisan Infrastructure Law Funding (BIL). The procedure to access this funding is to borrow funds through the SRF program and a Principal reduction will be provided on the Loan. A loan application was submitted in August of 2022.

## WATER SYSTEMS IMPROVEMENTS PROJECTS LEAD SERVICE REMOVAL FINANCIAL SUMMARY

PHASE 22 LSR

FUND

Component	Vendor	Date	Function	Funding	Total Cost
CM/RI Services		2023/2024	Construction Management		\$400,000.00
Lead Service Replacement Contract		2023/2024	water main improvements/LSR		\$3,200,000.00
Police		2023/2024	construction details		\$150,000.00
Contingency					\$400,000.00
				SRF	\$4,150,000.00
Project Design		2022/2023	Design		\$300,000.00
Paving			Paving		\$100,000.00
Staffing					\$25,000.00
Contingency					\$100,000.00
				Open Market	\$525,000.00
Total					\$4,675,000.00

notes:

EJC principal reduction:

BIL principal reduction:

FUNDING Authorization	DATE	AMOUNT
PHASE 22		
Loan Order		\$4,675,000.00
Total		\$4,675,000.00

FUNDING-Loans	DATE	AMOUNT
PHASE 22		
Open Market		\$525,000.00
MCWT/SRF		\$4,150,000.00
Total		\$4,675,000.00

Estimates of Phase 22 Project Debt:

water projects

FINANCE 2

Loan Order= \$4,675,000

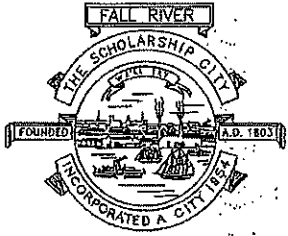
SRF Project Cost	\$4,150,000
Estimated Less 30% EJC/BIL reduction	\$2,905,000

Open Market Project Cost	\$525,000
--------------------------	-----------

Phase 22-SRF-water projects			
year	Principal	Interest	Annual P&I
1	\$145,250	\$58,100	\$203,350
2	\$145,250	\$55,195	\$200,445
3	\$145,250	\$52,290	\$197,540
4	\$145,250	\$49,385	\$194,635
5	\$145,250	\$46,480	\$191,730
6	\$145,250	\$43,575	\$188,825
7	\$145,250	\$40,670	\$185,920
8	\$145,250	\$37,765	\$183,015
9	\$145,250	\$34,860	\$180,110
10	\$145,250	\$31,955	\$177,205
11	\$145,250	\$29,050	\$174,300
12	\$145,250	\$26,145	\$171,395
13	\$145,250	\$23,240	\$168,490
14	\$145,250	\$20,335	\$165,585
15	\$145,250	\$17,430	\$162,680
16	\$145,250	\$14,525	\$159,775
17	\$145,250	\$11,620	\$156,870
18	\$145,250	\$8,715	\$153,965
19	\$145,250	\$5,810	\$151,060
20	\$145,250	\$2,905	\$148,155
TOTALS	\$2,905,000	\$610,050	\$3,515,050

Phase 22-Open Market		
Principal	Interest	Annual P&I
\$525,000		
\$26,250	\$15,750	\$42,000
\$26,250	\$14,963	\$41,213
\$26,250	\$14,175	\$40,425
\$26,250	\$13,388	\$39,638
\$26,250	\$12,600	\$38,850
\$26,250	\$11,813	\$38,063
\$26,250	\$11,025	\$37,275
\$26,250	\$10,238	\$36,488
\$26,250	\$9,450	\$35,700
\$26,250	\$8,663	\$34,913
\$26,250	\$7,875	\$34,125
\$26,250	\$7,088	\$33,338
\$26,250	\$6,300	\$32,550
\$26,250	\$5,513	\$31,763
\$26,250	\$4,725	\$30,975
\$26,250	\$3,938	\$30,188
\$26,250	\$3,150	\$29,400
\$26,250	\$2,363	\$28,613
\$26,250	\$1,575	\$27,825
\$26,250	\$788	\$27,038
\$525,000	\$165,375	\$690,375

Effect on the Water Rate	Estimate Start of Long Term Debt
\$0.08	2025
\$0.08	2026
\$0.08	2027
\$0.08	2028
\$0.07	2029
\$0.07	2030
\$0.07	2031
\$0.07	2032
\$0.07	2033
\$0.07	2034
\$0.07	2035
\$0.07	2036
\$0.06	2037
\$0.06	2038
\$0.06	2039
\$0.06	2040
\$0.06	2041
\$0.06	2042
\$0.06	2043
\$0.06	2044



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

**PAUL E. COOGAN**  
Mayor

RECEIVED

2022 NOV 28 A 11: 23

November 22, 2022

CITY CLERK  
FALL RIVER, MA

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

Council President and Members of the Honorable Council:

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

Name: Jason Burns

Address: 622 Valentine Street  
Fall River, MA 02720

Position: Housing Authority

Effective: November 22, 2022

Expiration: November 22, 2027

Sincerely,

*Paul E. Coogan*  
Paul E. Coogan  
Mayor

PC/amos



2



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

RECEIVED

2022 DEC -2 A 11:25

**PAUL E. COOGAN**  
*Mayor*

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

December 1, 2022

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

Council President and Members of the Honorable Council:

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

Name: Ricky P. Sahady

Address: 4700 North Main Street, Apt #4G  
Fall River, MA 02720

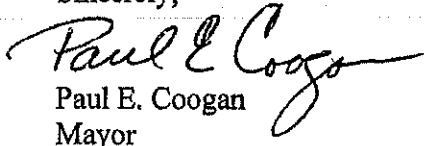
Position: Board of Appeals

Effective: January 1, 2023

Expiration: January 15, 2026

**\*\* Currently serving as Alternate Member\*\***

Sincerely,

  
Paul E. Coogan  
Mayor

PC/amos



City of Fall River  
Massachusetts  
Office of the Mayor

3

PAUL E. COOGAN  
Mayor

December 5, 2022

RECEIVED

2022 DEC -5 P 12:17

CITY CLERK  
FALL RIVER, MA

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:

Re: Confirmatory Taking – Bicentennial Park

Dear Council President and Members of the Honorable Council:

As you know a portion of the Vietnam Memorial Wall at Bicentennial Park is located below the National Grid Energy Transmission Lines. During the process of obtaining National Grid's Assent for the construction and maintenance of the portion of the Vietnam Wall below the Transmission Lines it was determined that the Taking by which the City acquired Bicentennial Park in June of 1976 inadvertently did not exclude the Transmissions Lines from the Taking.

Attached please find a Confirmatory Taking which corrects this inadvertent error and expressly excludes the Transmission Lines from the Taking. Please accept this correspondence as a request that City Council issue an Order approving the execution and recording of the Confirmatory Taking and the execution and recording of a Release Deed of any interests the City inadvertently acquired. I have also attached a draft of the Release Deed.

Thank you for your attention to this matter.

Sincerely,

Paul E. Coogan  
Mayor

PC/amos

**CONFIRMATORY ORDER OF TAKING  
CITY OF FALL RIVER ASSESSORS' PARCEL ID No. 019-0002**

*Whereas*, the City of Fall River (hereinafter called the "City") is a duly organized municipal corporation under the General Laws of Massachusetts, with offices at One Government Center, Fall River, Massachusetts; and

*Whereas*, the City has previously determined that it is in the public purpose to acquire a certain parcel of land, described below for the purpose of the proposed "Bicentennial Park Project" as set out in a Resolution adopted by the City Council on January 28, 1975, and by this Order of Taking, affirms and restates said determination; and

*Whereas*, pursuant to said prior determination of public purpose, the City caused an Order of Taking to be recorded with the Bristol County (Fall River District) Registry of Deeds in Book 1134, Page 87 (hereinafter the "1976 Order of Taking"); and

*Whereas*, the 1976 Order of Taking affected the parcel of land shown on the City of Fall River Assessors Maps as Parcel ID No. 019-0002; and

*Whereas*, the 1976 Order of Taking took the fee simple interest in said Parcel ID No. 019-0002, and inadvertently failed to expressly exclude from said taking that certain easement recorded with said Registry of Deeds in Book 236, Page 354, and that certain easement created by a taking by the Montaup Electric Company dated July 28, 1926 and recorded with said Registry of Deeds in Book 349, Page 338 in which said taking by Montaup Electric Company Parcel ID No. 019-0002 is described as "First Parcel" (hereinafter collectively "the Electric Transmission Easement"); and

*Whereas*, the City is making this taking, which is confirmatory in nature, to cure and hence remove any cloud on title to the Electric Transmission Easement, to the extent that one exists or may arise, and to clarify the intention of the City of Fall River to take a fee simple interest in Parcel ID No. 019-0002, subject to the Electric Transmission Easement;

*Now, Therefore*, it is Ordered by the City Council of the City of Fall River, as follows:

1. That the City of Fall River, Massachusetts, under the authority of Massachusetts General Laws, Chapter 79, does hereby take by eminent domain, in fee simple, the following described parcel of land located in the City of Fall River, with all buildings, improvements, including but not limited to, all streets, public or private, easements, except the Electric Transmission Easement, rights of way, water sources, water courses, water rights, riparian rights, buildings, improvements and other structures and trees thereupon:

Assessors Parcel ID. No. 019-0002

Beginning at the southeast corner of the land parcel to be described at the intersection of the west line of Davol Street; south and the north line of President Avenue, thence

running westerly in the north line of President Avenue 310.91 feet for a corner; thence

running southerly 83.12 feet for a corner; thence

running westerly 471 feet to the shore line of the Taunton River for a point; thence further

running westerly in the same line 116.5 feet and 12 feet for a corner; thence

running northerly by the Taunton River 244.5 feet for a corner; thence

running easterly 12 feet for a point; thence

running further easterly 100 feet for a corner; thence

running northerly 30 feet for a corner; thence

running easterly 136.5 feet to the shore line; thence

running further easterly 662.55 feet to the westerly line of Davol Street south for a corner; thence

southerly in the westerly line of Davol Street south 80 feet for a point; thence

running further southerly 123 feet to the point of beginning.

Containing 222,440 square feet of land or 5.11 acres, more or less.

2. It is further Ordered, that in accordance with the provisions of the General Laws of Massachusetts, awards are made by the City of Fall River for damages, if any, sustained by the owner or owners and all other persons including mortgagees of record having any and all interest in each parcel. No damages associated with this Confirmatory Order of Taking have been deemed warranted.
3. It is further Ordered, that the City of Fall River hereby releases any interest it may have inadvertently acquired in the Electric Transmission Easement, as a result of the Order of Taking recorded with the Bristol County (Fall River District) Registry of Deeds in Book 1134, Page 87, and authorizes the Mayor to execute, and cause to be recorded, a Release

Deed to New England Power Company, which entity currently holds the Electric Transmission Easement, releasing any such rights of the City.

4. It is further Ordered, that a copy of this Confirmatory Order of Taking and related plans, if any, be recorded at the Bristol County (Fall River District) Registry of Deeds, and the Land Registration Section thereof, if applicable, in compliance with M.G.L. Chapter 79.

3

## RELEASE DEED

The CITY OF FALL RIVER, a municipal corporation duly existing under the laws of the Commonwealth of Massachusetts, One Government Center, Fall River, Massachusetts, 02720

for consideration given, and in full consideration of One Dollar (\$1.00), the receipt and sufficiency of which are hereby acknowledged

releases, without covenants, expressed or implied, to NEW ENGLAND POWER COMPANY, 40 Sylvan Road, Waltham, MA 02451

all right, title and interest, if any, that the City of Fall River may have inadvertently acquired through that certain Order of Taking recorded with the Bristol County (Fall River District) Registry of Deeds in Book 1134, Page 87 in that certain easement from the Bowenville Coal Company to the Fall River Electric Light Company dated August 10, 1917 and recorded with said Registry of Deeds in Book 236, Page 354, and that certain Taking by Montaup Electric Company dated June 28, 1926 and recorded with said registry of Deeds in Book 349, Page 338.

Executed as a sealed instrument this      day of December, 2022

CITY OF FALL RIVER  
BY

\_\_\_\_\_  
Witness

\_\_\_\_\_  
PAUL E. COOGAN  
MAYOR

AS TO FORM AND MANNER OF EXECUTION

\_\_\_\_\_  
ALAN RUMSEY, ESQ.  
CORPORATION COUNSEL

VACANT LAND -- PRESIDENT AVENUE -- PARCEL ID 019-0002  
FALL RIVER, MASSACHUSETTS

3

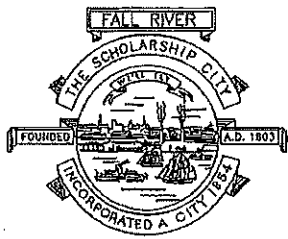
COMMONWEALTH OF MASSACHUSETTS

Bristol, ss

On this       day of December, 2022, before me the undersigned notary public, personally appeared Paul E. Coogan, whose identity was proved to me by personal knowledge to be the person whose name is signed on the preceding or attached document and acknowledged to me that he signed it voluntarily as the Mayor of the City of Fall River.

---

Notary Public  
My commission expires:



PAUL E. COOGAN  
*Mayor*

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

RECEIVED

2022 DEC -7 P 3:12

CITY CLERK  
FALL RIVER, MA

December 7, 2022

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:

I am submitting for your consideration the attached Capital Improvements IT proposal that the City is requesting your approval in funding with the Bristol County Treasury ARPA Funding.

Thank you for your attention to this matter.

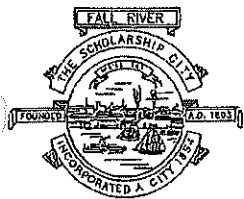
Sincerely,

Paul E. Coogan  
Mayor

PC/amos



4



PAUL E. COOGAN  
Mayor

City of Fall River  
*American Rescue Plan Act*

RECEIVED

KARA HUMM  
ARPA Director

2022 DEC -7 P 3:12

CITY CLERK  
FALL RIVER, MA

December 5, 2022

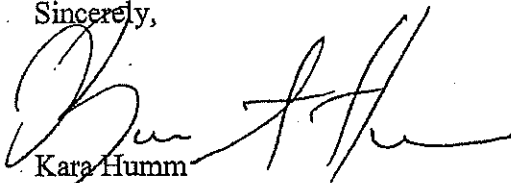
The Honorable Paul Coogan  
Mayor of the City of Fall River  
One Government Center  
Fall River, MA 02722

Dear Mr. Mayor:

Attached please find the Capital Improvements IT proposal seeking ARPA funding from the Bristol County Treasury.

If you could please include this proposal on the agenda for the December 13<sup>th</sup> City Council Meeting it would be greatly appreciated.

Sincerely,



Kara Humm  
ARPA Director

ARPA Fund Use:     **CAPITAL IMPROVEMENTS IT**  
                                  Department of Information Technology

Description of Proposal: To upgrade network systems, ensure work from home capabilities can be met, and implement security systems to prevent cyber-attacks.

Requested ARPA Funds: \$1,034,604.00

Item	Cost
365 Migration	\$123,252.00
Multi Factor Authentication	\$42,480.00
Network Upgrades	\$768,072.00
Door Card Access System	\$100,800.00
<b>TOTAL</b>	<b>\$1,034,604.00</b>

Category: 3: Public Health-Negative Economic Impact: Public Sector Capacity

3.4: Public Sector Capacity: Effective Service Delivery

3.5: Public Sector Capacity: Administrative Needs

Rationale for ARPA Funding:

The American Rescue Plan Acts allows for municipalities to administrative needs caused or exacerbated by the pandemic. Eligible uses include: "technology infrastructure to improve access to and the user experience of government IT systems" and "technology infrastructure to adapt government operations to the pandemic." In the City of Fall River, the pandemic forced city employees to work from home and remotely log in to server, thus, security systems to prevent cyber-attacks need to be implemented.

The following are descriptions of the capital improvement the Department of Information Technology is requesting funding.

(1) Office 365 Migration System:

- Move the current email hosting to Microsoft-hosted Government Community Cloud.
- Increased security features and compliance adherence due to the Government Community Cloud (GCC) having to meet mandated Federal and State cybersecurity regulations improves the security posture of our email system.
- Streamlines work from home with additional features to increase employee collaboration and efficiency.

(2) Multi-Factor Authentication (MFA):

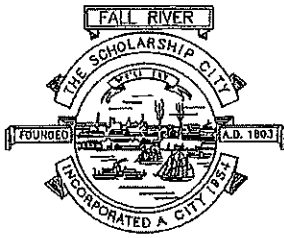
- The single best cybersecurity measure to eliminate unauthorized access to networked systems.
- Implementing work from home capabilities introduces new vectors for threat actors.
- Improving MFA is mandatory to ensure only authorized personnel are able to access city resources, whether onsite or from home.
- Quoted from both Google and Microsoft cybersecurity research teams, MFA has proven to reduce unauthorized account takeover by 99.9%.

(3) Network Upgrades:

- With the increased demand of work from home, current network infrastructure and equipment is being strained. Upgrading on premise servers and data storage will reduce downtime and delays currently experienced by city employees and allow employees to work remotely without impacting performance
- With the ever increasing threat of cyber-attacks, additional security measures (use of AI, monitoring, logging, controls, backups, etc) need to be implemented. However, these tools cannot be implemented without impacting network performance. Upgrades to network infrastructure would not only improve user experience, but also allow for security systems to be deployed, significantly mitigating our risks from cyber-attacks
- An internal staff survey showed 96% of city employees using virtualized computers for onsite or remote work experience either long log in times (typically 10-15 minutes but has been seen to extend upwards of 30 minutes), or slow performance when working within work applications.

(4) Door Card Access System:

- Moving to fob-based access will increase security by defining access to areas based on the employee's needs.
- Access to city hall can be controlled per employee via allowed times/doors. Pin pad systems make it difficult to track which employees have access to specific areas. This is especially important for employee onboarding/off-boarding.
- Logging can be implemented to track when doors were opened at specific times.
- Doors can be programmed to lock on timed schedules in public areas.
- For those working from home, employees will have better access to return to city hall should the need arise.



**PAUL E. COOGAN**  
*Mayor*

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

5

RECEIVED

2022 DEC -8 A 10:08

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

December 8, 2022

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:

I am submitting for your consideration the attached proposal from City Councilor Michelle Dionne seeking ARPA Funding from the Bristol County Treasury for Speed Alert Radar Message Signs and Trailers.

Thank you for your attention to this matter.

Sincerely,

Paul E. Coogan  
Mayor

PC/amos

5



**City of Fall River**  
*American Rescue Plan Act*

**PAUL E. COOGAN**  
Mayor

RECEIVED

2022 DEC -8 A 10:09

**KARA HUMM**  
APRA Director

CITY CLERK  
FALL RIVER, MA

December 8, 2022

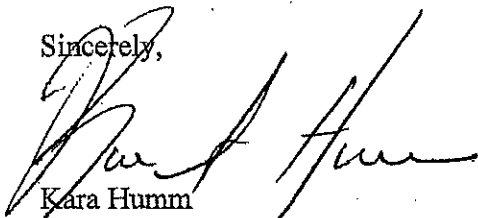
The Honorable Paul Coogan  
Mayor of the City of Fall River  
One Government Center  
Fall River, MA 02722

Dear Mr. Mayor:

Attached please find Councilor Michelle Dionne's proposal seeking ARPA funding from the Bristol County Treasury.

If you could please include this proposal on the agenda for the December 13<sup>th</sup> City Council Meeting it would be greatly appreciated.

Sincerely,



Kara Humm  
ARPA Director

ARPA Fund Use:      **SPEED ALERT RADAR MESSAGE SIGNS AND TRAILERS**  
Proposal by Councilor Michelle Dionne

Description of Proposal:      Ensuring the safety of pedestrians accessing the most heavily travelled intersections, schools, elderly housing, and parks in the City and increase the visibility and awareness of drivers on the roadways.

Requested ARPA Funds: \$56,592.99

Quantity	Description	Total
3	Speed Alert 24 Radar Message Signs, Trailer, Traffic Suite App, Trailer Battery Kit, Violator Strobe, USB Cable, External Antenna for Trailers, Power Cords, Solar Panels, Solar Controllers, Shipping/Handling	\$56,592.99
<b>TOTAL</b>		<b>\$56,592.99</b>

Category: 2: Negative Economic Impacts:

Assistance to Households:

2.22 Strong Healthy Communities: Neighborhood Features that Promote Health and Safety.

Rationale for ARPA Funding:

COVID-19 had a significant and detrimental impact on public transportation. Across the nation ridership on public transportation declined, when people who normally frequented such transportation, feared overcrowding and infection, and many just simply no longer commuted to work. Additionally, there was a shortage of bus drivers which caused routes to be eliminated. In urban cities many people simply opted to walk. According to the American Public Transportation Association (APTA) ridership on public transportation dropped by 79%. There was a significant increase in utilitarian and recreational walking. Recreational walking surpassed pre-pandemic levels as people opted to escape the confines of their homes to get fresh air and exercise. As a result, there is more pedestrian traffic, as well as more, single vehicle traffic, as people opt out of public transportation.

In an effort to ensure the pedestrians accessing the heavily travelled intersections, schools, elderly housing and parks in the City and to increase visibility and awareness of drivers on the roadway will be extremely beneficial to pedestrians but also drivers in the City of Fall River. The solar powered Speed Alert 24 Radar Message Signs are additionally environmentally friendly and have the ability to be relocated to different locations throughout the City depending on the need for safety.

# SPEEDALERT 24 RADAR MESSAGE SIGN

## SpeedAlert 24 Radar Message Sign

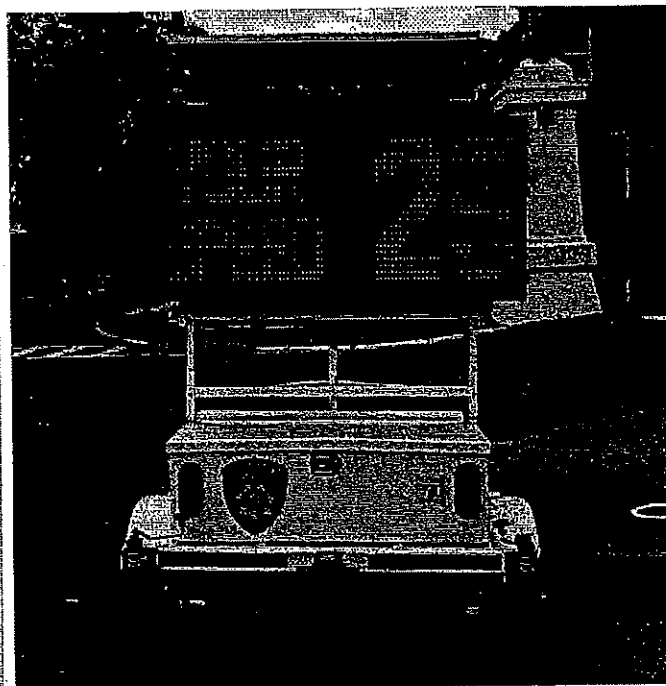
- SpeedAlert 24 (SA24): 24" x 60" full matrix
- SpeedAlert 18 (SA18): 18" x 28" full matrix (see separate SpeedAlert 18 spec sheet)
  - Weight without battery: 43 lbs
  - Open: 28" x 60" x 1 5/8"
  - Folded Dimensions: 28" x 30" x 3.25"
  - Folds to fit in police cruiser trunk
- Full matrix display
- Universal mounting system: attach to pole, trailer or vehicle hitch mount
- Integral camera for awareness and alert triggered images: 640 x 480 daylight images
- Internal K band radar with adjustable sensitivity
- Power saving circuitry and automatic dimming for ambient light conditions with adjustable dimming range and manual display brightness override
- Meets MUTCD specifications

## SpeedAlert Operation Modes

- **Message Mode:** Display one message, up to six screens
- **All Messages:** Sequence all messages in sign memory
- **Speed Display:** Display approaching vehicle's speed with 'YOUR SPEED' LED message
- **Dependent Message:** Display targeted messages based upon approaching vehicle's speed
- Changeable speed limit sign
- **Stealth or Display Off:** Collect traffic speed and volume data with no display
- **Schedule:** Change message and/or mode up to 13 times/day
- Collect vehicle volume by speed and time data in all modes
- Sign returns to last configuration when power applied

## SpeedAlert Messages

- SA24: 1-3 line messages
  - **1 line:** 24" H x 12.5" W characters, four per line
  - **2 lines:** 10 1/4" H x 5.75" W characters, eight per line
  - **3 lines:** 7" H x 4" W characters, 12 per line
  - **2 lines:** (1) 7" char, 12/line, (1) 10 1/4" char, 8/line
- Up to six screens per message
- Full graphics capability, each LED individually controllable
- Variable display time, flash and reverse rates for each screen
- Scroll through 25 user defined onboard messages using selector buttons built into sign, no training necessary
- Ability to sequence messages for up to 144 screen animation
- Message power efficiency calculator in software
- Messages on sign retained when power removed



- Actual sign preview and unlimited message storage using TrafficCloud® Web-based Remote Management Service, ATS PC Sign Manager™ or ATS Android app™
- Sign returns to last message when power applied
- Conditional Messaging – Accept local or remote data and dynamically display messages driven off data, and/or incorporate into messages

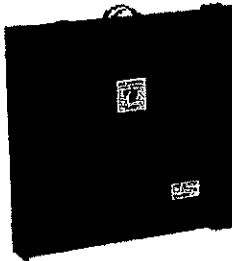
## SpeedAlert Programming Methods

### On-Board Programming (standard on all units)

- Select message from sign's memory
- Select operation mode and speed limit
- Buttons time out to prevent tampering
- TrafficCloud Web-based Remote Management Services using integral cell modem for remote management (see TrafficCloud specification for more information):
- Turnkey system. Remote connectivity functional upon ship. Unit connects to TrafficCloud Service when sign powered
- Fully hosted web-based management system
  - Internet connected computer with browser provides anywhere access on all connected devices with browser
  - No IT involvement or support necessary. System bypasses customer network eliminating access issues
  - Cellular provided by ATS, no separate cellular charges
  - Hosted database requires no setup or maintenance by customer

## SpeedAlert 24: portable and versatile

Engineered and manufactured in the United States of America



### Apps

All apps included in Traffic Suite™:

- **Equipment Management:** Online sign management
  - Change messages and settings remotely
- **Reporting:** Online data retrieval, management and analysis, Enhanced report generation
- **Image Management:** Online Image retrieval and management of Images from sign's internal camera
- **Alerts:** Notifications for low battery and tampering, high speed and congestion; Alerts can include Images
- **Mapping:** Visually manage equipment and data

### ATS PC Sign Manager

Local Management using PC with USB connection standard with all signs, Bluetooth optional

- PC based client software
- Connect to sign via USB or Bluetooth (optional)

**ATS Android App:** Local Management (optional):

- Android OS wireless Bluetooth control local to unit
- Android device can be phone or WIFI device with Bluetooth

**Local Management Features:** (PC and Android)

- Create and change messages, modes and settings
- Local data retrieval and management
- Local Image retrieval and management from sign's internal camera
- Manage all unit settings, automatic sync with TrafficCloud Web-based Remote Management Service if subscribed
- All traffic data and messages saved for online management and backup with optional Traffic Suite
  - Retrieve data and save to TrafficCloud at no cost, generate limited reports online from hosted data. Extended reports available with TrafficCloud subscription
  - Create message and save to TrafficCloud library, messages available on all ATS Android App or PC Sign Manager devices with TrafficCloud subscription

### SpeedAlert Programming

Configure the following parameters via TrafficCloud Web-based Management System, ATS Android App or PC Sign Manager

#### • Messages

- Create and load message using 'Display Now' feature
- Load 24 messages into sign's memory
- Scroll messages in sign's memory
- Display signs stored in TrafficCloud Web, ATS Android App or PC Sign Manager

#### • Speeds

- Speed limit
- Maximum speed displayed
- Display on/off/specific mph activation
- Radar sensitivity (range)
- **Speed limit sign operation:** Change speed limit up to 13 times per day schedule
- Metric capable display with hundreds digit

- Set time via PC, Android or sync with cell signal (TrafficCloud)
- Sign firmware field and remotely upgradeable

### Speed Dependent Message System

- Different messages for each of five speed ranges
  - No cars
  - Cars <= speed limit
  - Cars > Speed Limit, < x
  - Cars > x < upper speed
  - Cars > upper speed
- Ranges dependent on speed limit setting only, so simple speed limit change adjusts all dependent message ranges
- Independent Maximum Speed Displayed setting
- Speed Dependent Messages can be any SA24 messages, including
  - 'YOUR SPEED' screen with 24" speed display digits
  - 'SPEED LIMIT' screen with 24" speed limit display digits

### Scheduling

- All days, Multiple Messages: Schedule up to 50 different messages or modes for up to 13 different time periods in a 24 hour day, repeats in each 24 hour cycle
- Seven day, Multiple Messages: Schedule different messages or modes for up to 13 different time periods in each 24 hour day for each of seven days, repeats in each seven day cycle; up to



- 50 different messages can be used over the seven day period
- All messages and scheduling reside on the sign - no external hardware necessary
- Program schedule via TrafficCloud Web, ATS Android app or ATS PC Sign Manager, Save to load onto multiple signs
- Camera activation controlled in schedule windows
- Internal real time clock, time and schedule maintained with power disconnected

### SpeedAlert Data Logging Option

- Traffic reports generated using TrafficCloud Web-based Reporting App
- Collect data automatically with TrafficCloud Remote Management or locally with ATS Android App or PC Sign Manager
- Reports include tables and charts to address all constituents with the most applicable data presentation
- All reports exportable to PDF
- Automatic Data Collection - TrafficCloud Web
  - Data retrieval every 15 minutes - near real time reporting, memory never full
  - All data in one database for analysis filtered by location, date and time
  - Access reports from interactive map view by location
- Local Data Collection:** ATS Android app or PC Sign Manager
  - All data hosted in online database for anywhere access
  - Download traffic data from sign with USB or Bluetooth connection
  - 30 days of high volume data minimum storage on sign, data collection rolls over when memory reaches capacity
- Reports, Local Data Collection:**
  - Summary page with average and 85th percentile speed, average daily volume, 10 mph pace speed, high and low speed, display mode
- Traffic counts by speed range, full day and time of day over selected date range with 5 mph resolution
- Vehicle counts by time range per day by hour
- Vehicle counts by speed range and time of day
- Reports, Automatic Data Collection** (TrafficCloud Web-based Management Services)
  - Enhanced Summary with detail charts and graphs
  - Compliance by speed range with three ranges
  - Enforcement report showing highest speed and volume violators over selected locations
  - Effectiveness report showing program performance

### Construction

- LED Pixels:** Amber 595nm, 30 degree viewing angle, 100,000 hours, black background, (MUTCD compliant)
- LED Density:** 0.6"x 1" pitch, 26 x 96 pixel matrix
- Radar:** K Band (24.15 GHz), FCC Certified, no license required, +/-1mph accuracy, 9°Vx18°H pickup area pickup area, range: 2000+ ft., 5-150 mph (8-150 kph)
- Conformal coating on all circuit boards
- Integral handles, two heights
- Weatherproof, NEMA 4, IP65 sealed
- 1/8" Tinted, non-glare, UV stabilized polycarbonate face

- Aluminium chassis, 12 ga, black powder coat finish
- Tamper resistant mounting hardware system, hardware secured behind enclosure lock
- 40 to 160 F operating temperature range, 95% humidity non-condensing (-20F for Bluetooth communication, 5F for internal camera)

### SpeedAlert Power

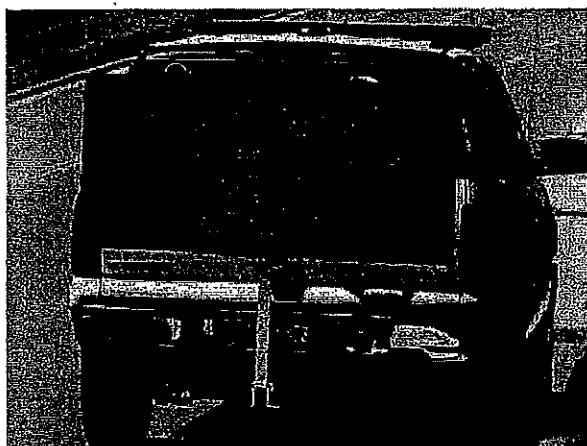
- Power Input, Max:**
  - 12VDC, 8A max, 96 W max; 4A, 48W typical
- Power saving circuitry and automatic dimming for ambient light conditions with adjustable dimming range and manual display brightness override
- SpeedAlert 24 Power:**
  - 12VDC locking plug, 30A capacity
  - Compatible power supplies include:
    - Vehicles' power port, with optional adapter
    - Trailer wiring adapter for hitch mount
    - POWERcase portable power supply, PC26 or PC36
    - 120 or 220 VAC Power supply in NEMA 4 enclosure
    - ATS 5 Trailer (batteries with optional solar assist: 235 or 470 Ah, 60W solar option)
    - Pole Battery Box: 156Ah battery with solar assist
- Battery level Indicator on sign, ATS Android app, ATS PC Sign Manager or TrafficCloud Remote Management
- Auto recovery for battery with solar
- Power cable customer replaceable, gold plated connector contacts, high visibility yellow cable

### Standard SpeedAlert System Components

- SpeedAlert Radar Message Sign
- ATS PC Sign Manager software with USB cable
- On-Board Controls
- Optional SpeedAlert Components and Features
- TrafficCloud Web-based Remote Management Service
- ATS Android App, Bluetooth connectivity
- Padded carrying case with accessory pockets, shoulder strap
- Mounting Bracket:**
  - Mounts to pole or any surface using any hardware, no tools required
  - Tamper resistant hardware compartment
  - Rotate bracket for additional 12" of mounting height
  - Aluminium with black powder coat
  - Sign can be locked into bracket
  - Bolt sign to mounting bracket for additional security
  - Mounting hardware supplied
- Speed Activated Relay Closure**
  - 7A, 30VDC or 7A 120VAC max, 100mA 5VDC min, no power supplied, simply a contact closure
  - Trigger relay at specified speed with configurable duration from 1 to 10 seconds per radar event
- Tamper alarm - ATS 5

### SpeedAlert Mounting Options

- ATS 5 Trailer (refer to ATS 5 specifications or more information)
- Vehicle hitch mount



### Flexible mounting options:

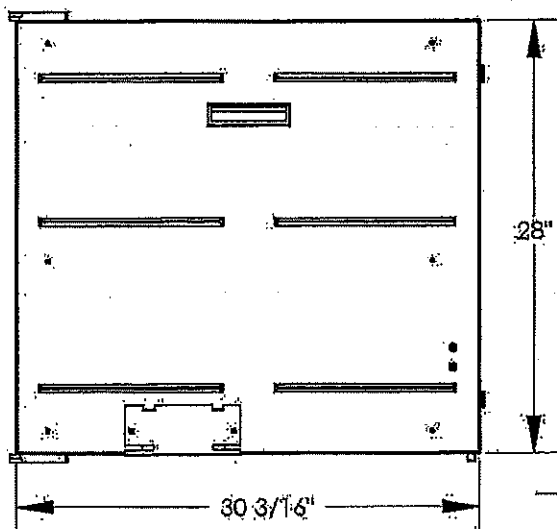
1. SpeedAlert 24 on Hitch Mount
2. SpeedAlert 24 on ultra-portable ATS 5 Trailer

- Mounts sign 30" to bottom of sign from receiver tube (final height dependent on receiver height)
- Fits 1.25" or 2" receiver, adapter included, 1/2" hitch pin
- Locking rotation adjustment on 15 degree increments over 180 degrees, +/- 5 degrees tilt
- White powder coat finish with rear reflector
- **Standard Folding Portable Post**
  - Folds for easy storage and portability
  - 47" to 60" to bottom, 73" to 86" to top depending on leg positions; rotate bracket for additional 12" height
- Mounting provisions for permanent applications with 1/4-20 threaded holes

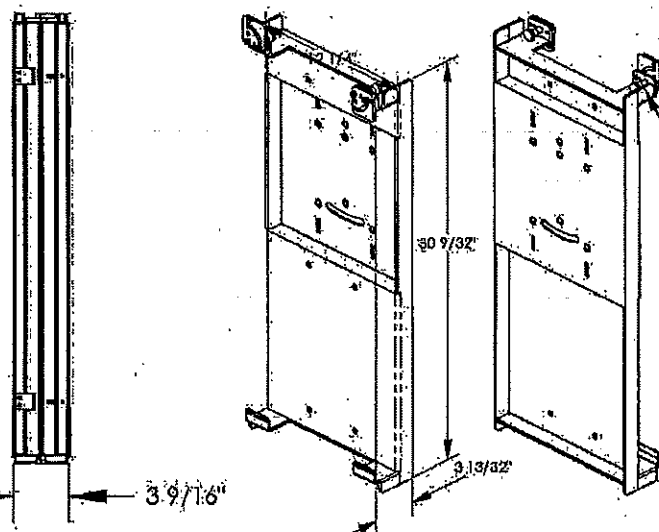
### Warranty

- PremierCare Support Plan available with current TrafficCloud subscription. Ask your ATS sales representative for details.
- ATS 3-year Manufacturer's Warranty comes standard on all SpeedAlert radar speed displays purchased after January 1, 2019.

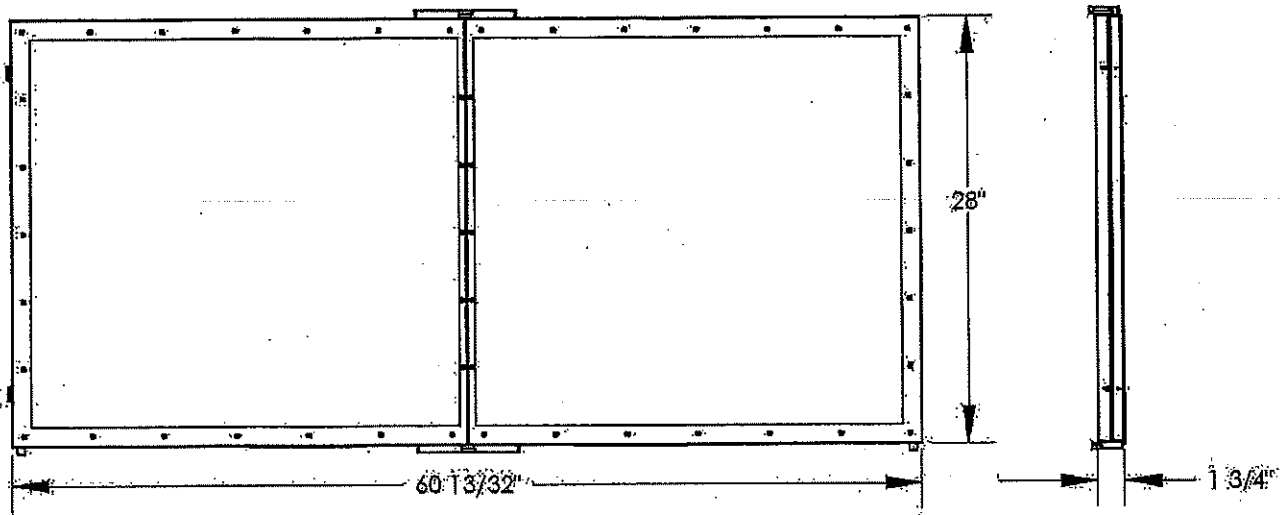
### SpeedAlert Dimensions: Open



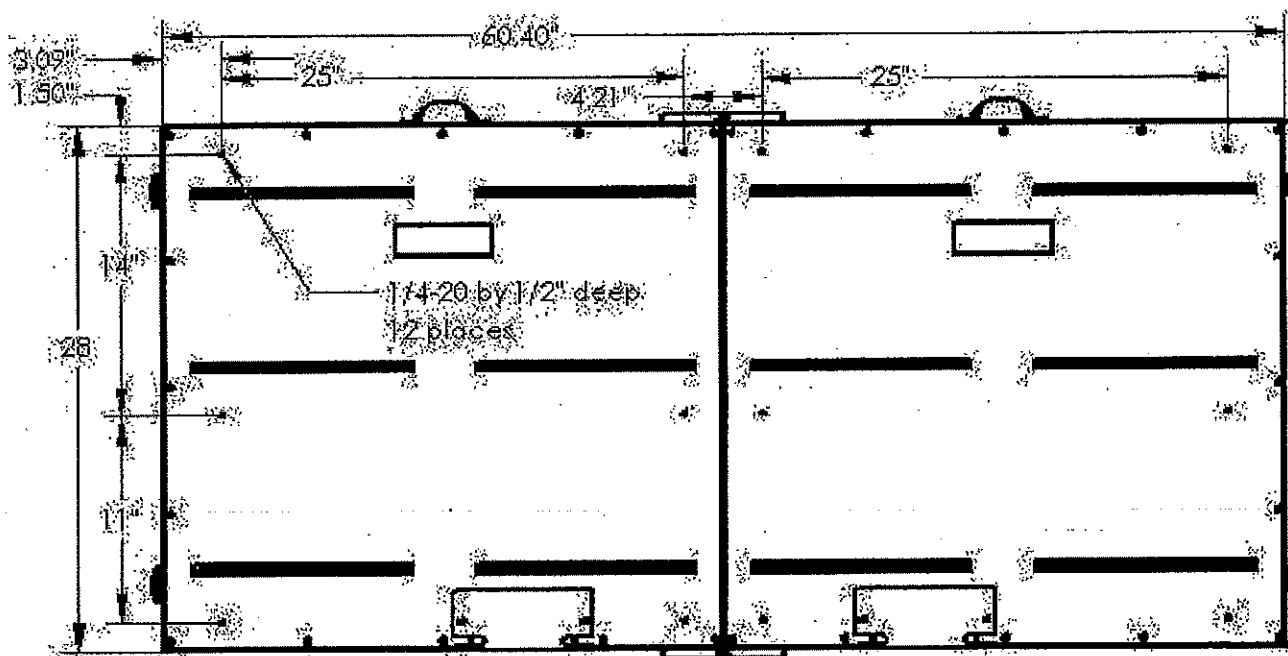
### Mounting Plate



## SpeedAlert Dimensions: Folded



## Mounting Hole Positions



For more information visit us online

[sales@alltrafficsolutions.com](mailto:sales@alltrafficsolutions.com) Call ATS on 866.366.6602

All Traffic Solutions, 12950 Worldgate Drive, Suite 310, Herndon, VA 20170

©All Traffic Solutions TrafficCloud leverages our patented technology (US Patents 8417442; 8755990; 9070287; 9411893) to deliver unique cloud-based management, features and functionality. TrafficCloud is a registered trademark of All Traffic Solutions.

**ALL TRAFFIC**  
SOLUTIONS



# ATS 5 ULTRA-PORTABLE TRAILER

**ALL TRAFFIC**  
SOLUTIONS

ATS 5 Trailer is compatible, interchangeably, with the following products:

- Shield 15 (Sh15) radar speed display
- SpeedAlert 18 or 24 (SA18 or SA24) radar message sign
- InstAlert 18 or 24 (IA18 or IA24) variable message sign
- 5' minimum to bottom of sign

## Weight

- 620 lbs with 235Ah battery capacity and SA18
- 760 lbs with 470Ah battery capacity IA24
- Add 130 lbs for additional battery pair
- Add 60 lbs for 120W solar panel
- Add 40 lbs for 65W solar panel
- Tongue weight: 20 lbs
- Dimensions: 61.5" long x 62.5" wide x 64" high (stowed)
- Simple manual lever lift system for 1-person setup
- Removable tongue for 2" ball, lockable
- Storage for tongue and lift bar in locked battery compartment
- 16 ga. steel locking battery compartment with vented battery chamber, charger/accessories chamber and 1/8" aluminum diamond plate lid
- Continuous weld steel frame, white marine grade powder coat finish
- Wheels: 12", 5 bolt steel rims with 4.5" bolt circle
- Ground clearance: 9.75 under axle, 19 under chassis
- Replaceable steel fenders, weight supporting
- Locking wheel lug bolts, 1 per wheel, with removal tool
- Axle: 2000 lbs leaf spring
- Jacks: (4), retractable crank type, fully adjustable at each corner, 1500-lb capacity each

Recessed tail lights and DOT-approved lighting

- Safety chains, 30" with hooks

- DOT-approved red/white reflective tape
- License plate holder with light

## ATS 5 Trailer Power

- 12 VDC system, Std 4 pin wiring plug
- 235Ah or 470Ah batteries, (2) 6VDC batteries in series, deep cycle marine (130 lbs per pair, 2 pair max)
- 20A time delay fuse on battery supply
- 65W solar assist with 10A solar controller to prevent overcharging, other solar wattages available
- Solar panels charge while sign stowed or deployed
- 10 Amp 120VAC automatic charger with externally accessible AC connection
- Switch to control power to sign

## ATS 5 Trailer Options

- 30" x 36" speed limit sign and interchangeable digits for 5-65 mph display and locking hitch pin for display and stowing; digit storage in battery compartment
- Red and Blue Violator Strobe Light Bar, set to flash above user set speed
- Low Voltage Disconnect solar controller to turn off sign if power falls below 11.5VDC (decreases run time)
- (2) 5/16 ball or pintle hook, adjustable height, on removable tongue
- Orange powder coat finish (minimum order qty)
- AGM sealed batteries for lower temperature use, -40F (185Ah per pair, 370Ah max)
- Tamper alarm with adjustable sensitivity
- Wheel lock bar
- 7" digit for speed limit sign
- 14" tires and fenders
- Speed Dependent Messaging option
- ALPR Camera System option

## Warranty

- 1-year warranty (three months on batteries)

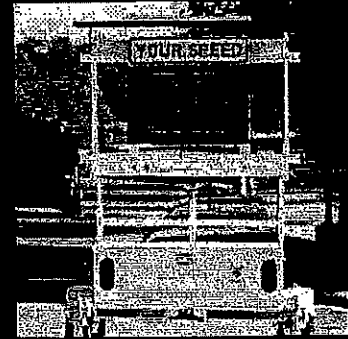
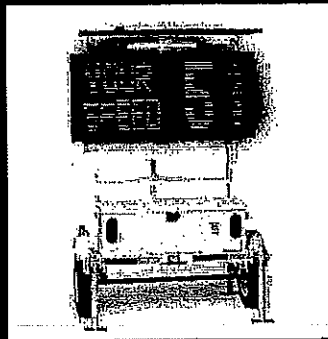
## ATS 5 TRAILER

2

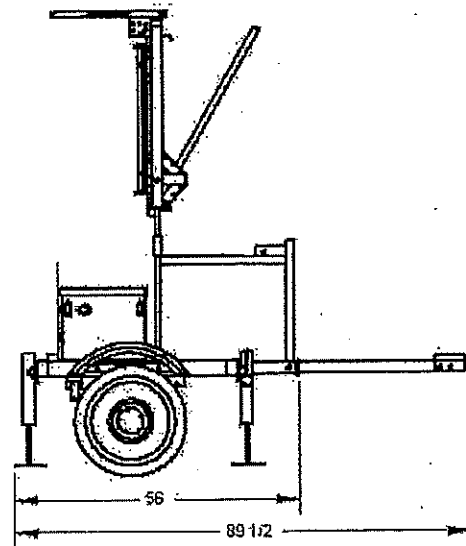
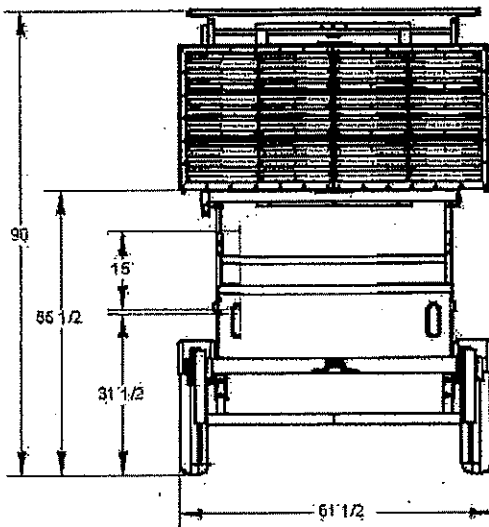
## Compatible with these ATS Products

Engineered and manufactured in the United States of America

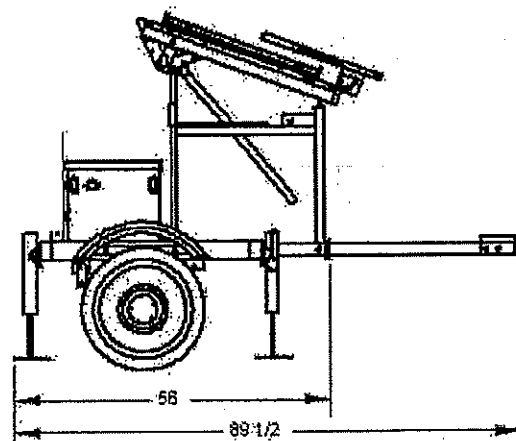
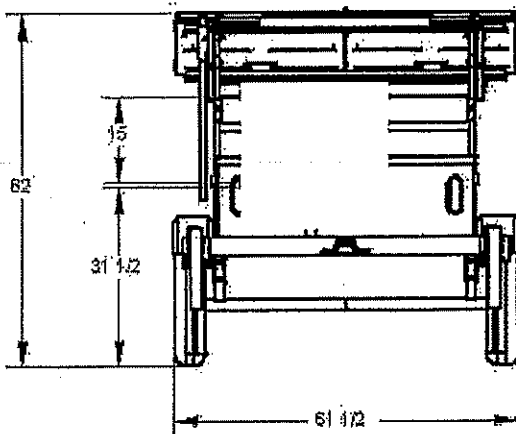
1. ATS 5 Trailer with SpeedAlert 24 and optional light bar
2. ATS 5 Trailer with SpeedAlert 18



## ATS 5 Trailer: Deployed with SpeedAlert 24

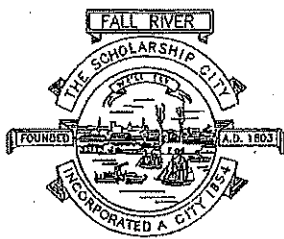


## ATS 5 Trailer: Stowed with SpeedAlert 24



All Traffic Solutions 12950 Worldgate Drive, Suite 310, Herndon, VA 20170  
P. 866.366.6602 E. [sales@alltrafficsolutions.com](mailto:sales@alltrafficsolutions.com) [AllTrafficSolutions.com](http://AllTrafficSolutions.com)

©All Traffic Solutions  
TrafficCloud leverages our patented technology (US Patents 8417442; 8755990; 9070287; 9411893) to deliver unique cloud-based management, features and functionality.



PAUL E. COOGAN  
Mayor

City of Fall River  
Massachusetts  
Office of the Mayor

RECEIVED

2022 DEC -8 P 3:53

CITY CLERK  
FALL RIVER, MA

December 8, 2022

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

Re: Allocation of ARPA Funds

Dear Councilors:

Please see the attached letter in relation to approval of the use of \$3,000,000 of the \$6,000,000 allocated to water and sewer projects.

If you have any questions, please contact Paul J. Ferland, Administrator of Community Utilities at 508-324-2320.

Sincerely,

*Paul E. Coogan*  
Paul E. Coogan  
Mayor

Attachment



**PAUL E. COOGAN**  
*Mayor*

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



**PAUL J. FERLAND**  
Administrator

December 8, 2022

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

RE: Lead Service Removal  
Bristol County ARPA Funding

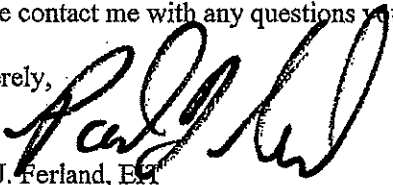
Dear Honorable Members of the City Council:

The Water Division of the Department of Community Utilities is seeking to use a portion of the allocated Bristol County ARPA funds in the amount of \$3,000,000 for lead service removal. This funding will be spent along with other grants and funding sources to advance the removal of all lead services from our distribution system.

The removal of lead services with the use of Bristol County ARPA Funds would be in line with the foundation that this legislation was built on. In addition to benefiting the residents who have full or partial lead services, there would be no cost to our resident rate payers for this service replacement.

Please contact me with any questions you may have in relation to the project.

Sincerely,

  
Paul J. Ferland, EIT  
Adm. Community Utilities

PJF/omc

7a+b



PAUL E. COOGAN  
*Mayor*

City of Fall River  
Massachusetts  
Office of the Mayor

RECEIVED

2022 DEC -8 P 3:39

CITY CLERK \_\_\_\_\_  
FALL RIVER, MA

December 8, 2022

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

Dear Mr. President and Members of the Honorable Council:

I respectfully request that the City council vote to accept and expend the grants listed in the attached table.

Thank you for your attention to this request.

Sincerely,

Paul E. Coogan  
Mayor

PC/amos



7a+b

## GRANTS FOR CITY COUNCIL APPROVAL, DECEMBER 14, 2022

Grant Name	State/Federal/Other Funding Source	Duration	Amount of Award	Grant Director	Minimum Match/Local Share Amount Required & Source	Purpose
MassWorks Infrastructure Program	MA EOHED	Upon execution-06/30/2026	\$2,000,000	Paul Ferland	N/A	This grant will fund a portion of the city's contribution to MassDOT's Route 79-Davol St. Corridor Improvements project for infrastructure improvements not typically included in highway transportation projects (i.e., stormwater conveyance system, underground storage chambers, landscaping, ornamental lighting).
Reduction in Lead Exposure Via Drinking Water	U.S. EPA	Upon execution-12/31/2024	\$10,000,000	Paul Ferland	N/A	The city will replace public & private lead pipes, which connect to homes, & remove lead service lines throughout the city.

7a

# City of Fall River, *In City Council*

## ORDER:

The City of Fall River was awarded a MassWorks Infrastructure Program grant through MA Executive Office of Housing & Economic Development (EOHED) in the amount of \$2,000,000 with a duration from the date of contract execution through June 30, 2026. This grant will help fund a portion of the city's contribution to MassDOT's Route 79-Davol Street Corridor Improvements project for infrastructure improvements not typically included in highway transportation projects.

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 MA EOHED in the amount of \$2,000,000 for the following improvements: stormwater conveyance system, underground storage chambers, landscaping, and ornamental highway lighting;

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 MA EOHED, including the expenditure thereof.

# City of Fall River, *In City Council*

## ORDER:

The City of Fall River was awarded a Reduction in Lead Exposure Via Drinking Water grant through the U.S. Environmental Protection Agency, Water Infrastructure Improvements for the Nation Act (WIIN Act) in the amount of \$10,000,000 with a duration from the date of acceptance through December 31, 2024. This grant will be used to improve water infrastructure with the goal of providing clean and safe water to residents.

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 U.S. Environmental Protection Agency in the amount of \$10,000,000 for the water infrastructure improvement project;

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 U.S. Environmental Protection Agency, including the expenditure thereof.



PAUL E. COOGAN  
Mayor

City of Fall River  
Massachusetts  
Office of the Mayor

RECEIVED

2022 NOV 21 A 10:07

CITY CLERK  
FALL RIVER, MA

November 21, 2022

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:

Attached please find a letter to Robert Beatty, Executive Director, Atlantis Charter School regarding public safety concerns that have been raised regarding the area of Jefferson and Dickinson Streets. I have attached the above mentioned letters of concern for the Council's information.

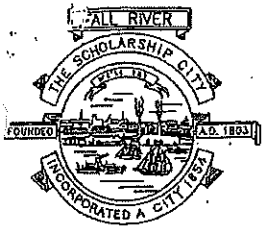
Based on the attached correspondences and several onsite visits of City personnel to this location during the start and dismissal times at the Atlantis Charter School, limited use of the Dickinson Street entrance will commence on November 28, 2022 to assist in alleviating a public safety concern in this area.

Thank you for your attention to this matter.

Sincerely,

Paul E. Coogan  
Mayor

PC/amos



## CITY OF FALL RIVER, MASSACHUSETTS

November 18, 2022

Mr. Robert L. Beatty, Executive Director  
 Atlantis Charter School  
 991 Jefferson St  
 Fall River, MA 02721

Dear Director Beatty:

This letter is in response to concerns raised by you and other community members regarding the apparent public safety issues arising in the area of Jefferson Street and near the Dickinson Street access to Atlantis Charter School.

As you know, when Atlantis Charter School opened its new campus, the school was constructed with northerly access from Jefferson Street and southerly access from Dickinson Street. At that time, the City of Fall River and Atlantis entered into an agreement, at the request of the Maplewood Neighborhood Association, to restrict access from Dickinson Street and to establish Jefferson Street as the sole means of access and egress from campus.

Over time, and with further development of the areas adjacent to the school, the burden on Jefferson Street has increased to near-gridlock on weekday mornings and afternoons. The City understands that from the perspective of Atlantis Charter School, this condition represents much more than an inconvenience; it is a significant threat to public safety for the school community and our Jefferson Street area neighbors. Fire, police or emergency medical vehicles would not be able to navigate through the congestion to respond in the event of an emergency. Similarly, over the past several weeks, the City of Fall River has received calls and letters from frustrated Jefferson Street residents, the Maplewood Neighborhood Association, and Spectrum Lighting, all expressing similar concerns to yours and requesting a revision to current school traffic patterns. Police and city officials have also reported Dickinson Street concerns regarding the "bottlenecking" of cars near the chained entrance to the school.

The Fall River Police have observed the conditions and agree that the current level of use does present a real safety concern and that action should be taken. Furthermore, it is believed that by allowing limited, scheduled access to Atlantis from Dickinson Street, the Jefferson Street traffic problem could be significantly alleviated without overly burdening either access road or the surrounding neighborhoods.

Accordingly, beginning on November 28, 2022, the City will raise no objection to Atlantis making limited use of the Dickinson Street entrance. We understand that access will be permitted from

8

6:30am to 8:30am and then again from 2:30pm until 4:30pm. Certain students, faculty and staff accessing the school will be assigned to use only the Jefferson Street entrance awhile others will be assigned to the Dickinson Street entrance so that the traffic volume will be predictable and tightly controlled. This change will begin with a small group of staff and parents entering via Dickinson, and those assignments will be adjusted as necessary to optimize flow and reduce local traffic burden. The School, along with the Fall River Police will continue to monitor the impact of this change on traffic patterns to fully understand its effect over time.

Thank you for seeking a safe and equitable solution to this challenging problem. We hope that in the coming days, this opening begins to alleviate the clear threat to public safety and increases quality of life for the Atlantis Charter School and its neighbors.

Sincerely,

City of Fall River

cc

Maplewood Neighborhood Association

Spectrum Lighting

Fall River Police Chief

Fall River City Council



October 24, 2022

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

Dear Mayor Coogan,

Since our return to school following the disruption of the pandemic, Atlantis has received an increasing number of requests and concerns from across our immediate community regarding traffic in and around our school campus. The following notes reflect the key updates over the last year:

1. After initially requesting (around 2016-2017) that Atlantis restrict school arrival and dismissal traffic to Jefferson Street only, the Maplewood Association invited me to a meeting in the spring of 2022 to ask that we work on a revised traffic plan that includes more use of the school's Dickinson Street entrance to alleviate traffic buildup along Jefferson Street.
2. The businesses adjacent to the school's campus, and particularly Spectrum Lighting, report continued difficulty accessing their facilities during school arrival and dismissal times due to traffic backup along the entirety of Jefferson Street Extension. According to the owners of Spectrum Lighting, this is impacting the shipping and receiving of goods, as well as employee and customer access, among other critical business functions.
3. Dickinson Street residents are increasingly reporting concerns regarding the "bottlenecking" of cars parking near the closed and gated Dickinson Street entrance to the school during dismissal while waiting for their children to walk the length of the school's south drive to reach waiting cars.
4. Parents of Atlantis students are increasingly reporting concerns about the length of the traffic backup along Jefferson Street Extension, over the Route 24 overpass, and onto Jefferson Street.
5. Residents of Jefferson Street and its perpendicular cross-streets are increasingly reporting concerns about the queueing of cars during the hours leading up to dismissal times. In some cases, residents are reporting blockage of their driveways and difficulty accessing their homes.

There are two other developments that have an impact on recent traffic patterns: The first is the growth of the Watuppa Rowing Center and the second is the development of the Fall River Family Picnic Grove. Both developments are wonderful for Fall River in a number of ways, and the rowing club has become a partner organization that provides tremendous opportunity to our students as well as other youth

throughout the city. Both developments also reflect the growing use of this section of the city—something that was not considered when the school initially opened 6 years ago.

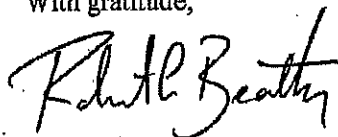
Atlantis has been both collaborative and responsive in trying to alleviate these concerns over the last six years. The school has (1) amended and staggered its arrival and dismissal times to try to reduce car volume; (2) entered into its own bussing contract with pickups throughout the city to encourage bus transportation over car transportation for elementary students; (3) partnered with SRTA to establish an Atlantis stop and multiple morning and afternoon runs to encourage bus transportation among our older students; and (4) repeatedly communicated with families regarding parking, standing, and related traffic laws and expectations to alleviate impact on local neighbors; among other interventions.

The most significant and impactful of these developments is the request from the Maplewood Association to amend our traffic pattern and increase the use of our Dickinson Street entrance to alleviate these concerns. Six years ago, we devised the current traffic pattern as a result of the Maplewood Association's recommendations and requests, with input from and collaboration with the Mayor's office and City Council.

After operating under those recommendations and requests for six years, the Maplewood Association's representatives, supported by local business and other stakeholders, are asking Atlantis to revise our plan and include use of our Dickinson Street entrance. With the city's partnership and the appropriate approvals, Atlantis is prepared to study and construct a revised traffic plan that would aim to alleviate both backup along Jefferson Street Extension and bottlenecking along Dickinson Street. I'm asking for the city's approval and partnership to begin that process.

Thank you, as always, for your support.

With gratitude,



Robert L. Beatty  
Executive Director



To: The City of Fall River

I am writing this letter to inform you of the issues at Jefferson Street extension since the opening of the Atlantic Charter School. Since its opening, Spectrum Lighting, and all the other businesses at the extension, have been burdened with issues related to the excessive traffic that is caused by the school. At its inception, the traffic backed up all around the bend and on some days as far as Brayton Avenue. The designation of one way in and one way out prevents employees, safety vehicles, delivery vehicles, students, parents, trucks and all other vehicles from getting to their prospective places. Because of the morning back ups, it causes our employees to be tardy which effects our production and processes. Other times, employees run out for a quick errand only to get stuck in traffic with the inability to get back on time.

Spectrum Lighting manufactures lighting fixtures for companies all over the country and Canada. We employ in excess of 250 people, most from Fall River and the surrounding areas. Many of our customers are National account retailers that work on very tight construction deadlines. On many occasions, our common carrier (trucks) have been turned around due to the afternoon backup of traffic before reaching our facility. This causes us to miss our shipping deadline, which causes our customers to lose confidence in our ability to ship, which correlates to our losing orders.

We are concerned about the safety of our employees and property. If there was ever an issue during prime time, there is no way for emergency vehicles to get to the emergency on time. I have heard that the police and fire departments see no issue with the traffic, but I guarantee you that they have never been down when the traffic is at its most congested time. When someone from the city does make the journey to our facility, they are always surprised that this traffic arrangement was ever approved.

Due to the excessive traffic, many of the student's parent/chaperones find it easier to cut thru our facility at 994 Jefferson Street. I understand why, since I would not want to wait in this traffic either. Unfortunately, they speed thru our facility with no respect for safety. They drop the kids off at random locations on our premise. Not only are there cars flying around the tight turns, but their our children walking around the facility. Mix that with 250 employees, large trucks, forklifts, etc and you have a recipe for disaster. We have been lucky so far, but the potential for someone to get injured is serious. It would be a shame for something tragic to happen when it could be easily prevented. In addition, the two bridges at the facility are blind one way bridges that have been a concern for some time.

The school has hired a policeman, but unfortunately it does not help reduce the traffic or these other concerns. If anything, we find that our customers and employees that are arriving during prime time get asked to prove that they are going to the school, which they are not, and ultimately feel offended.

It is unfortunate that when the school was built that we were not consulted. In addition, it is troubling that the last mayor made a private deal with the Dickerson Street residents without including the businesses and residents of the Jefferson Street side. I am not even sure of the legalities of this deal, and

prefer not to go that route. What we are asking for is that Dickerson Street be opened indefinitely. It would then be up to the school, who I believe would be conscious of its neighbors to come up with a plan to accommodate all in a safe and organized manner. I hope that after reviewing this document and reviewing the historical decision of the last mayor, you come to the same conclusion and open Dickerson Street up as soon as possible. This is the only way to alleviate the traffic and safety concerns that we encounter every day.

Respectfully yours,

Jeff Fein and Chris Roemlein

8

# FALL RIVER POLICE DEPARTMENT OFFICER'S REPORT

NATURE OF INCIDENT Traffic Concerns DIVISION SOD  
LOCATION Atlantis Charter School (991 Jefferson St.) DATE 11-5-22  
COMPLAINANT Ofc. Scott D. Cabral A390  
TO: Chief Paul Gauvin

SIR:

During morning drop off and afternoon pickup times at Atlantis Charter School traffic gets backed up on Jefferson Street causing a public safety issue. At this time Jefferson Street is the only entrance and exit for vehicles picking up students. During these periods while traffic is backed up it would be a major issue in the event of an emergency for emergency vehicles trying to get to the school. I believe if Dickinson Street entrance is allowed to open this would clear up traffic on Jefferson Street and allow emergency vehicles quick access to the Charter School.

I believe that if Dickinson Street entrance is allowed to open for vehicles with students in grades k to 6 . they can access school property from Dickinson Street and vehicles with students in grades 7 to 12 can access the school from Jefferson Street during morning drop offs. Then have the same traffic flow for afternoon pickups at the school.

I am requesting that Dickinson Street entrance be allowed to stay open during school hours so that vehicles dropping off and picking up students in grades k to 6 can utilize this entrance for a period of two months as a pilot program.

*Received  
LT 11-07-22*

RESPECTFULLY SUBMITTED,  
*[Signature]*  
Ofc. Scott D. Cabral A390



# City of Fall River, Massachusetts Police Department

Office of the Chief of Police

Paul F. Gauvin  
Chief of Police

685 Pleasant St.  
Fall River, MA 02721  
Tel. 508-324-2787  
Fax: 508-324-2809  
TDD: 508-324-2790

To: Seth Aitken

From Chief Paul Gauvin

Re: Dickinson St. /Atlantis Charter

Date 11/07/22

Sir,

I have received several complaints surrounding safety issues in regard to cars backing up along Jefferson St., stemming from traffic at Atlantis Charter School. The S.R.O (Officer Scott Cabral) has informed me that he believes Public Safety may be hindered due to the inability of safety vehicles reaching points south of the Jefferson St overpass. He recommended, and I concur, that we open up Dickinson St to help alleviate the backup. I request that we pilot a 90 day trial period to help guide public policy decision making.

Regards,

Chief Paul Gauvin



## Maplewood Neighborhood Association



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

Re: Atlantis Charter School Traffic

Our Board of Directors in a unanimous vote hereby rejects the current traffic pattern both in the morning and afternoon with regards to the traffic congestion in the area from Brayton Avenue through Jefferson Street in the area of the Atlantis Charter School. The traffic is a safety concern for the residents and businesses in this area.

There a total of seventeen (17) streets that merge onto Jefferson Street from Brayton Avenue to the Industrial Park.

The following traffic is in the Jefferson Street area traveling to and from weekly/daily:

1. SRTA Bus Route- Estimate 3-4 trips a day.
2. Electrical Wholesaler estimates 75 trucks per week, contractors picking up supplies daily, and trailers delivering supplies weekly.
3. The Industrial Park on Jefferson Street houses an international company, Spectrum Lighting, who own four (4) buildings in the park. They employ 275-300 workers and have a tremendous amount of truck traffic for both delivery and shipping of their lighting products.

The tenants of the Industrial Park have become increasingly concerned with the number of vehicles and pedestrians using this area to access the Atlantis Charter School property and last but not least, the Atlantis Charter School during the past four (4) years has increased in size from 200 students and staff to a tremendous amount of 1200-1300 students plus a staff of 150. Adding to the traffic on JEFFERSON STREET "ALL IN ONE ENTRANCE" to the School. This is a **PROBLEM AND SHOULD BE CORRECTED.**

We recommend the solution is, to open the DRIVEWAY on DICKINSON STREET DURING SCHOOL HOURS.

Ph. 508-878-5331  
E-Mail Dickselec@aol.com

Letourneau School  
323 Anthony Street  
Fall River, Ma. 02721

Meeting 3rd Wednesday  
@ 6:30 pm each Month



**City of Fall River**  
*American Rescue Plan Act*

**PAUL E. COOGAN**  
Mayor

RECEIVED

2022 DEC -8 A 10:08

**KARA HUMM**  
APRA Director

December 8, 2022

CITY CLERK  
FALL RIVER, MA

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

Dear Mister President and Members of the Honorable Council:

Enclosed please find a detailed summary of the current status of ARPA use for both the City of Fall River and Bristol County Treasury.

The "City ARPA Funds Overview" shows all the projects that were voted and approved by the Advisory Committee. The projects appear under the category in which they qualify under the American Rescue Plan Act. The amount committed is listed and the status of the project.

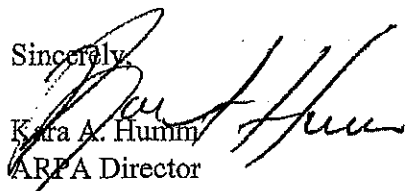
The status options include: *No Contract Signed (advisory committee voted and approved but no contract has been signed)*, *In Progress (contract signed, invoices not yet provided, or some invoices paid but not all)*, *Complete (contract signed, invoices all paid, funds distributed)*.

In the Revenue Replacement category, \$10 Million was committed to be used, however to date only \$1,866,949.74 has been committed to projects. Leaving a remaining balance in this category of \$8,133,051.00.

The "Bristol County Treasury Overview" similarly, shows all the projects that the City Council has voted and approved, which total \$12,718,902.00, leaving \$3,316,942.00 available.

I would appreciate an opportunity to present at the Committee on Finance meeting scheduled on December 13<sup>th</sup>, an update to the City Council on the current status of ARPA use for both the City of Fall River and Bristol County Treasury, as well as discuss the "For Youth Initiative" proposal previously approved.

Sincerely,

  
Kara A. Humm  
APRA Director

# CITY ARPA FUNDS OVERVIEW

## Committed

*Voted and Approved by Advisory Committee*

### Public Health Category

Sub-Recipient	Project	Amount Committed	Status
River to Recovery	COVID Response Program	\$140,000.00	No Contract Signed
City of Fall River	COVID Health Insurance	\$602,000.00	No Contract Signed
City-FRPD	Tasers	\$145,669.14	In Progress
City-FRPD	Operation Compass	\$579,686.00	In Progress
City-FR IT Dept.	Computers/Printers for Police Cruisers	\$220,000.00	In Progress
City-FRPD	Crime Prevention Training/Equipment	\$287,000.00	In Progress
City-FR EMS	Med Cat Ambulance	\$298,900.00	Complete
City-EMS	Medical Rescue Vehicle	\$360,660.00	Complete

**Total: \$2,633,915.10**

### Negative Economic Impact: Assistance to Households

Sub-Recipient	Project	Amount Committed	Status
City-DCU-Water	Watuppa Rowing Center	\$200,000.00	No Contract Signed
CANS	Hydrangea Planting	\$25,000.00	No Contract Signed
City-FRPD	Capital Improvements	\$70,000.00	In Progress
CD Recreation, Inc.	Fall River Holiday Parade (2022)	\$50,000.00	In Progress
Boys & Girls Club	Social/Emotional Supports Program	\$65,000.00	In Progress
BCCF	SouthCoast Creative Arts Lab	\$199,360.00	In Progress
Veterans Assoc. Bristol County	New Food Pantry Delivery Truck	\$70,000.00	In Progress
United Neighbors	Listen to your Art	\$12,000.00	In Progress
City-Planning Dept.	Quequechan Rail Trail-Phase 4 Project	\$4,000,000.00	In Progress
City-Planning Dept.	Jerry Lawton Plaza Rehab. Project	\$300,000.00	In Progress
City-DCM	Tree/Stump Removal Program	\$1,200,000.00	In Progress
City-Park Dept.	Abbott/North/Lafayette Skate Park	\$44,135.00	In Progress

# CITY ARPA FUNDS OVERVIEW

City-Park Dept.	Kennedy Park Design	\$65,000.00	In Progress
CD Recreation, Inc.	Community Sailing Program-Equip.	\$75, 155.00	Complete
On Stage Productions	Tuition Assistance	\$30,000.00	Complete
CD Recreation, Inc.	Fall River Holiday Parade (2021)	\$75,000.00	Complete

**Total: \$6,480,650.00**

## Negative Economic Impact: Assistance to Small Businesses

Sub-Recipient	Project	Amount Committed	Status
Jobs for Fall River, Inc.	Small Business Grant Assist. Program	\$1,166,560.00	In Progress
CDA	Storefront Improv. Reimb. Program	\$300,000.00	In Progress

**Total: \$1,466,560.00**

## Negative Economic Impact: Assistance to Non-Profits

Sub-Recipient	Project	Amount Committed	Status
City of Fall River	Non-Profit Assistance Program	\$1,000,000.00	No Contract Signed

**Total: \$1,000,000.00**

## Negative Economic Impact: Aid to Impacted Industries

Sub-Recipient	Project	Amount Committed	Status
One South Coast Foundation	Strategic Tourism Plan	\$670,000.00	In Progress

**Total: \$670,000.00**

## Public Health-Negative Economic Impact: Public Sector Capacity

Sub-Recipient	Project	Amount Committed	Status
City of Fall River	Municipal Website Project	\$50,349.00	In Progress
City-Treasury	GovInvest Software	\$112,500.00	In Progress
City of Fall River	Rehire	\$2,100,000.00	In Progress

**Total: \$2,262,849.00**

9



# CITY ARPA FUNDS OVERVIEW

## Premium Pay

Sub-Recipient	Project	Amount Committed	Status
City of Fall River	Premium Pay	\$2,036,500.00	In Progress
Total:		\$2,036,500.00	

## Infrastructure: Water and Sewer

Sub-Recipient	Project	Amount Committed	Status
City of Fall River	Route 79 Project	\$7,000,000.00	No Contract Signed
City-DCU-Water	Water Main Replacement	\$13,000,000.00	In Progress
Total:		\$20,000,000.00	

## Revenue Replacement

\$10 Million was committed to be used on projects falling under Revenue Replacement. The projects listed below have been voted and approved by the ARPA Advisory Committee.

Sub-Recipient	Project	Amount Committed	Status
City-FRPD	Capital Improvements/Police Cars	\$326,000.00	In Progress
City of Fall River	Retro Pay	\$800,000.00	In Progress
City-FRPD	Crime Prevention/Police Cars	\$275,000.00	In Progress
FR Assessor Dept.	RCC/Patriot Property Software	\$360,000.00	In Progress
FR Health Dept.	Influenza Vaccines	\$8,265.39	Complete
FR Engineering Dept.	Nearmap Software Purchase	\$50,203.50	Complete
City-Fire	Electric Vehicles	\$47,480.85	Complete
Total:		\$1,866,949.74	

# CITY ARPA FUNDS OVERVIEW

## Summary of City ARPA Funds:

Funds Received	Funds Committed Including Revenue Replacement	Funds Available Not Including Revenue Replacement	Funds Available Including Revenue Replacement
\$69,599,142.00	\$46,550,474.00	\$23,048,668.00	\$31,181,719.00

## Proposed

*Administration discussed but requires approval by Advisory Committee*

Sub-Recipient	Project	Amount Committed	Status
City of Fall River	Capital Improvements IT	\$1,034,604.00	Need to Present Committee
City-FRPD	Digital Evidence Storage	\$134,921.60	Need to Present Committee
		Total: \$1,169,525.00	

**BRISTOL COUNTY ARPA FUNDS OVERVIEW**

**Committed**

*Voted and Approved by City Council*

Sub-Recipient	Project	Amount Committed	Status
City of Fall River	For Youth Initiative	\$2,000,000.00	No Contract Signed
City-DCU Water	Water Infrastructure	\$6,000,000.00	No Contract Signed
City-Traffic	Solar Flashing Signs	\$145,000.00	No Contract Signed
City-DCU Water	Blue Water Project	\$241,275.00	No Contract Signed
City-FRPD	911 Dispatch Com. System	\$305,000.00	In Progress
City-DCM/DCU	Street Sweepers	\$950,000.00	In Progress
City-DCU Water	Biorésolve Discovery Center	\$1,365,000.00	In Progress
City-DCM	Graffiti Removal Machines	\$75,400.00	In Progress
City-FRPD	Cameras/Tasers	\$1,522,877.00	In Progress
City-DCM	Fitness Court	\$164,350.00	In Progress

**Total: \$12,768,902.00**

**Summary of Bristol County ARPA Funds:**

Funds Received	Funds Committed	Funds Available
\$16,035,844.70	\$12,768,902.00	\$3,266,942.70



**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*

**Paul E. Coogan**  
*Mayor*

**LAURA FERREIRA**  
*Director of Traffic & Parking*

November 22, 2022

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

RECEIVED  
2022 DEC - 8 A 11:18  
CITY CLERK  
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 16, 2022 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.

Name of Street	Side	Location
Albion Street	West	Starting at a point 415 feet south of Bedford Street For distance of 20 Feet south

Joseph Heneine  
77 Albion Street  
Fall River MA 02723

Very truly yours,

Laura Ferreira  
Director of Traffic & Parking



**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*

**Paul E. Coogan**  
*Mayor*

**LAURA FERREIRA**  
*Director of Traffic & Parking*

November 22, 2022

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, November 16, 2022 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.

Name of Street	Side	Location
Barnaby Street	West	Starting at a point 245 feet south of Lincoln Ave For distance of 20 Feet south.

Barry Hathaway  
282 Barnaby Street  
Fall River MA 02720

Very truly yours,

Laura Ferreira  
Director of Traffic & Parking

RECEIVED  
2022 DEC -8 A 11:11  
CITY CLERK  
FALL RIVER, MA

W



**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*

**Paul E. Coogan**  
*Mayor*

**LAURA FERREIRA**  
*Director of Traffic & Parking*

November 22, 2022

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, November 16, 2022 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.

Name of Street	Side	Location
Dover Street	North	Starting at a point 84 feet west of Lonsdale Street For distance of 20 Feet west.

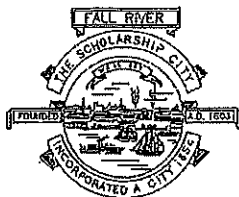
Lee Snitzer  
82 Dover Street  
Fall River MA 02721

Very truly yours,

Laura Ferreira  
Director of Traffic & Parking

RECEIVED  
2022 DEC - 8 A 11:18  
CITY CLERK  
FALL RIVER, MA

10



**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*

**Paul E. Coogan**  
*Mayor*

**LAURA FERREIRA**  
*Director of Traffic & Parking*

November 22, 2022

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

RECEIVED  
2022 DEC - 8 A 11: 18  
CITY CLERK  
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 16, 2022 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.

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Forest Street	West	Starting at a point 171 feet north of Park Street For distance of 25 Feet north.

Andre Bernier  
73 Forest Street  
Fall River MA 02721

Very truly yours,

Laura Ferreira  
Director of Traffic & Parking

16



**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*

**Paul E. Coogan**  
*Mayor*

**LAURA FERREIRA**  
*Director of Traffic & Parking*

November 22, 2022

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

CITY CLERK  
FALL RIVER, MA

2022 DEC -8 A 11:18

RECEIVED

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 16, 2022 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.

Name of Street	Side	Location
Jencks Street	West	Starting at a point 20 feet north of Alden Street For distance of 20 Feet north

Maria Borges  
349 Jencks Street  
Fall River MA 02723

Very truly yours,

Laura Ferreira  
Director of Traffic & Parking

W





**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*

**Paul E. Coogan**  
*Mayor*

**LAURA FERREIRA**  
*Director of Traffic & Parking*

November 22, 2022

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

RECEIVED  
2022 DEC - 8 A 11:18  
CITY CLERK  
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 16, 2022 the following request was heard and approved by the Traffic Commission.

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

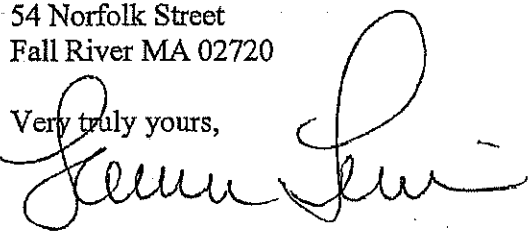
**Article: 70**  
**Section: 387**                      **Handicapped Parking**

By striking out in proper alphabetical order the following.

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Norfolk Street	North	Starting at a point 21 feet east of Fulton Street For distance of 20 Feet east

Josses Robinson  
54 Norfolk Street  
Fall River MA 02720

Very truly yours,

  
Laura Ferreira  
Director of Traffic & Parking

10



**CITY OF FALL RIVER  
MASSACHUSETTS**

*Traffic & Parking Division*

**Paul E. Coogan**  
*Mayor*

**LAURA FERREIRA**  
*Director of Traffic & Parking*

November 22, 2022

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

RECEIVED  
2022 DEC - 8 A 11:18  
CITY CLERK  
FALL RIVER, MA

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, November 16, 2022 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.

Name of Street	Side	Location
Sunset Hill Bowen Street	West	Starting at a point 188 feet south of Charles Street For distance of 20 Feet south

Eli Morales  
336 Sunset Hill  
Fall River MA 02724

Very truly yours,

Laura Ferreira  
Director of Traffic & Parking

W

11

# City of Fall River, *In City Council*

(Councilor Linda M. Pereira)

WHEREAS, hiring and retaining police officers currently is a challenge due to the vilifying of the job, and

WHEREAS, police departments throughout Massachusetts are facing a shortage of new recruits to fill vacancies, and

WHEREAS, an increasing number of Fall River Police Officers are retiring or resigning, and

WHEREAS, this is causing officers to work overtime many days in a row to fill those vacant positions, now therefore

BE IT RESOLVED, that the Committee on Finance convene to discuss this matter which poses a broad public safety concern.

Filed 12-2-22

City of Fall River, *In City Council*

(Councilor Leo O. Pelletier)

WHEREAS, a meeting of the City Council Committee on Public Safety was held on June 28, 2022 to discuss complaints from residents regarding noise generated at the Fall River Coin Operated Car Wash located at 1225 Dwelly Street, and

WHEREAS, the manager of the car wash agreed to turn off the change machine at 8:00 p.m. to decrease activities at the car wash in the evening hours and to disconnect the vacuum closest to the residence located at 1227 Dwelly Street at 10:00 p.m., and

WHEREAS, excessive noise is still being generated in the evening hours by customers and individuals loitering in the parking lot and playing loud music, and

WHEREAS, Chapter 46, Section 7 of the Code of Fall River prohibits all noises that menace the health or interrupt or disturb sleep of residents between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and 8:00 a.m. on Sundays, now therefore

BE IT RESOLVED, that Corporation Counsel forward a letter to the owner of the car wash instructing the parking lot be secured in such a manner that no one can access the car wash or parking lot after 10:00 p.m. daily.

*City of Fall River, In City Council*

(Councilor Leo O. Pelletier)

WHEREAS, numerous complaints have been received regarding the property located at 222 Peckham Street, and

WHEREAS, several junk and inoperable vehicles are stored on this property allowing rodents to breed and multiply, and

WHEREAS, trucks that are used to transport seafood are frequently cleaned leaving seafood debris on the ground that is not removed, and

WHEREAS, residents adjacent to this property are continuously working to control the rodent population and living with the foul odors from rotting seafood, and

WHEREAS, many citations have been issued by various departments regarding violations of the Code of the City of Fall River, now therefore

BE IT RESOLVED, that the City Council Committee on Health and Environmental Affairs convene to discuss these important public health concerns.

Filed: 12/5/22

*City of Fall River, In City Council*

ORDERED, that the following license for the storage of flammables be revoked due to the removal of the storage drums as follows:

License No. 254

Granted: November 17, 1949,  
November 12, 1968

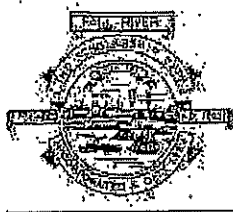
City of Fall River, 1117 North Main Street, Fall River, MA to maintain a gasoline station and two car lubritorium and to store three motor vehicles and gasoline in the tanks thereof and to store 18,000 gallons of gasoline underground on Lot O-07-0018, Assessors Plan.

16  
City of Fall River, *In City Council*

The City Council hereby recommends that the Director of Facilities Maintenance conduct a lighting survey at the following location:

In front of 79 Baird Street

(Councilor Linda M. Pereira)



City of Fall River  
Notice of Claim

RECEIVED

2022 NOV 18 P 1:44

# 22-89

1. Claimant's name: John Alves
2. Claimant's complete address: 76 Coral St Fall River, MA 02721
3. Telephone number: Home: 774 322 7306 Work: 774 322 7306
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
tire damage due to hole in the road
5. Date and time of accident: 11-16-22 1:30 PM Amount of damages claimed: \$ 302.94 (pothole)
6. Exact location of the incident: (include as much detail as possible):  
Bedford and Eastern ave intersection
7. Circumstances of the incident: (attach additional pages if necessary):  
I was at the bedford st and eastern ave traffic light. I proceeded through the intersection when the light turned green and hit my tire on a pothole directly near the manhole in the middle intersection.
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: 11-18-22

Claimant's signature: John Alves

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

**Return this from to : City Clerk, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722**

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

For official use only:

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

DCM

Date: 11/18/22





City of Fall River  
Notice of Claim

RECEIVED

2022 NOV 23 P 12:58

CITY CLERK #2290  
FALL RIVER, MA

1. Claimant's name: Rayla Medeiros
2. Claimant's complete address: 123 June St.
3. Telephone number: Home: 508-567-7094 Work: \_\_\_\_\_
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):  
Property Damage
5. Date and time of accident: Nov. 17th 2022 Amount of damages claimed: \$ \_\_\_\_\_
6. Exact location of the incident: (include as much detail as possible):  
123 June St.
7. Circumstances of the incident: (attach additional pages if necessary):  
Work is being done on my road. A machine or truck must of punctured a hole in the back tail end of my vehicle.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 11/23/22 Claimant's signature: Rayla Medeiros

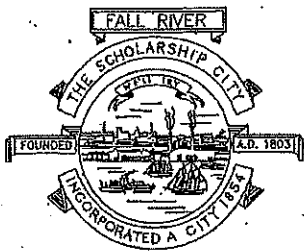
WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

**Return this from to : City Clerk, 2<sup>nd</sup> Fl., One Government Center, Fall River, MA 02722**

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☐ City Council ☐ City Administrator ☒ DCM Date: 11/23/22



**PAUL E. COOGAN**  
Mayor

**City of Fall River  
Massachusetts**

*Planning Division*

RECEIVED

2022 NOV 21 P 2:47

CITY CLERK  
FALL RIVER, MA

**DANIEL N. AGUIAR**  
City Engineer/Acting Planner

**TO:** Alison Bouchard  
City Clerk

**FROM:** Nina Krueger  
Head Administrative Clerk, Planning Dept.

**RE:** Fall River Zoning Board of Appeals Meeting  
October 20, 2022

The Fall River Zoning Board of Appeals held a Public Hearing on Thursday, October 20, 2022, at 6:00PM in the First Floor Hearing Room 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; Joseph Pereira, Vice Chair; John Frank III, Clerk; Jim Calkins; Dan Dupere; Alternate John Sylvia

**Members absent:** Alternate Ricky Sahady

**Also present:** Daniel Aguiar, Director of Engineering & Planning; Recording Clerk, Nina Krueger; Craig Salvador of FRGTV.

Notice of the meeting was advertised in the Fall River Herald News on Thursday, October 6, 2022, and Wednesday, October 12, 2022. The hearing was also posted in the Government Center, 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](mailto:planning@fallriverma.org)

**ABBOTT & FARNHAM LLC c/o Atty Thomas P. Killoran**  
**100 Weaver St., Lot T-03-0015**

---

In the matter of Abbott & Farnham LLC, the applicant seeks a Variance/Special Permit to demolish the existing structure and construct a 160ft. tall 346 unit multifamily dwelling in a CMD (Commercial Mill) District waiving front, side & rear yard setbacks, and building height along with parking requirements:

#### **FAVOR**

Atty. Thomas P. Killoran submitted a written letter to the Board on behalf of the applicant, requesting the Board to table this petition until the December 15, 2022 Zoning Board of Appeals meeting. In the letter, he explained that the applicant would like the chance to gather some additional information before presenting the petition in front of the Board. Atty. Killoran also appeared in person to request additional time for his client. Atty. Killoran explained that the applicant is currently working with a state agency and that additional time is needed to solidify this connection and reconfigure their presentation to the Board around this new support. Additionally, Atty. Killoran explained that another aspect of the project that is delaying the presentation is that Weaver St. has been closed for construction. Atty. Killoran explained that the applicant would like to have the opportunity to present a traffic study to the Board, which has not been possible due to the closure of Weaver St. Atty. Killoran explained that the applicant has been working on collecting previous data on traffic in the area to address the potential issue of traffic on Weaver St. due to the proposed apartment complex.

Mr. Assad asked Atty. Killoran if tabling the matter to the December 15, 2022 meeting is sufficient time or if it should be postponed further. Atty. Killoran explained that the applicant should have the material necessary to continue with the presentation in December.

#### **OPPOSITION**

STARR, c/o Atty. Mark L. Levin, submitted a letter of opposition for this petition, which was added to the file and will be reviewed at the December 15, 2022 meeting.

Joseph Carvalho, 400 Columbia St. – Mr. Carvalho was present in opposition to the petition, as well as the applicant's request to Table the matter to the December 15, 2022 meeting. Mr. Carvalho explained that postponing the petition to the December meeting will not guarantee that Weaver St. will be reopened, so that should not be a reason to postpone. He stated that it would be detrimental to the neighborhood and against the public good to keep postponing this presentation. Mr. Assad explained the procedural aspect of what would happen administratively if the Board were to deny the applicant's request to table the matter. Mr. Aguiar expressed the concern of an appeal if the Board were to deny the petition without giving the applicant the requested time to create a complete and informed presentation. Mr. Assad explained to Mr. Carvalho that there would be no legal basis for denying the petition without first listening to the presentation.

Carlos Sousa, 267 Frost St. – Mr. Sousa was present in opposition to the petition, as well as the applicant's request to Table the matter to the December 15, 2022 meeting. He explained that he thinks it would be fair for both sides if the applicant were to withdraw their petition until they are

100% ready to present. Mr. Sousa explained that if this happened, it would give the applicant the time they need without having the public continue to show up to meetings.

Alexander Silva, representing the Board of Directors from the Preservation Society of Fall River was present in opposition to the petition, as well as the applicant's request to Table the matter to the December 15, 2022 meeting. Mr. Silva questioned why the applicant had submitted the application to the Zoning Board of Appeals in the first place if they did not have the information necessary to present, especially if they have only just gotten into contact with a pivotal, yet undisclosed state agency now.

### **DECISION**

In a motion made by Mr. Calkins and seconded by Mr. Frank, the Board unanimously voted 5-0 to Table the Variance/Special Permit request to the October 20, 2022 meeting to allow the applicant time to gather additional information regarding the petition. Mr. Assad, Mr. Calkins, Mr. Dupere, Mr. Frank, and Mr. Pereira voted in favor of the motion and the request was TABLED.

### **DOCUMENTS:**

Appeal Application

Letter of Denial

Letter of Appeal

Certified Abutters' List

Tax Certification

Zoning Board of Appeals Site Plan

Letter of Support with Conditions from the North End Neighborhood Association

Letter of Opposition from the Preservation Society of Fall River

Letter Documenting Vote Counts from the Preservation Society of Fall River

Letter of Opposition from the Fall River Historical Commission

Letter of Opposition from STARR c/o Atty. Mark L. Levin

**TETRAULT REAL ESTATE, LLC c/o Atty. Peter A. Saulino**  
**761 Highland Ave., Map M-19 Lot 30**

---

In the matter of Tetrault Real Estate, LLC, the applicant seeks a Variance to convert the existing nursing home structure into nine (9) residential units in an S (Single Family) Zoning District, waiving the use and lot coverage requirements. Currently, no external changes will be done to the existing footprint:

### **FAVOR**

Atty. Peter A. Saulino and Aaron Tetrault, Manager of Tetrault Real Estate, LLC, were present to address the Board on behalf of the applicant. Atty. Saulino explained that this petition was tabled due to input from the neighborhood, as the applicant needed time to revise their plans to better suit the area. Atty. Saulino explained the revisions for the petition, which included adding a gate on the Hanover St. side of the property, so all traffic will enter and exit using Highland Ave., getting rid of a portion of the horseshoe shaped driveway in the front to make more room for green space, and a wall of 6 ft. tall Arborvitaes to screen the view of the parking lot located in

the rear of the property. Atty. Saulino explained that the hardship being faced by the applicant is the location of the structure and the structure itself, as the building is decaying.

Mr. Assad asked if the existing garage were to be razed, Atty. Saulino explained that it must be due to the proposed parking lot. Mr. Frank and Mr. Dupere asked what the purpose of having the gate in the back is, rather than closing the curb cut. Mr. Frank also pointed out that there is an existing dumpster pad and asked if this were to continue to stay in use or not. Atty. Saulino explained that the gate will only be used for administrative and emergency personnel and that the dumpster pad will not stay in use; however, there may be a small roll-out dumpster that can be placed in the back at time of trash pick-up. Mr. Assad explained that site plan review will handle light infiltration. Jeff Tallman, the engineer on this project, explained that there are also 10 on-street parking spaces available on Stanley St. if additional parking was needed.

## OPPOSITION

Athanasios & Amy Parousis, 781 Hanover St. – Mr. Parousis explained his concern that adding nine (9) apartment units into the building would change the dynamic and tempo of the neighborhood. He explained that his family lives there because of the quiet type of neighborhood it is. Mrs. Parousis explained that she appreciates the efforts made by the applicant to appease the neighbors, especially adding the gate to the Hanover St. side of the property. However, she does not believe the gate would not be in use and would prefer a more permanent solution, such as reinstalling the curb. She also expressed her concern with the high volume of people that will be entering the neighborhood, especially the noise and traffic.

Lawrence Percet, Hanover St. – Mr. Percet was present in opposition to the petition. Mr. Percet expressed concerns regarding snow removal and parking in the winter.

Mary Palumbo, 765 Hanover St. – Ms. Palumbo was present in opposition to the petition. Ms. Palumbo explained that she feels that having a nine (9) unit apartment building will ruin the character of the neighborhood and depreciate the value of her home and others in the area.

Khmer Buddhist Temple, 745 Highland Ave. – The board director of the Khmer Buddhist Temple was present in opposition to the petition. The director explained that the concern of those belonging to the Temple is that the proposed apartments would disturb their peace.

Renee Medeiros, 57 Stanley St. – Ms. Medeiros was present in opposition to the petition. Ms. Medeiros expressed her concern of snow removal procedures in the small parking lot. She explained that she believes the gate on the Hanover St. of the property will still be used and would prefer a more permanent solution, such as closing the existing curb cut to help reinsure the neighbors and add an extra on-street parking space. She also expressed her concerns that the retaining wall off of Stanley St. is dilapidated. Mr. Assad explained that the retaining wall is a matter of infrastructure and not under the purview of the Zoning Board of Appeals, and assured Ms. Medeiros that her concerns have been heard by the Board. Atty. Saulino responded that snow removal and the repairing of the wall will be addressed during the site plan review process and he

does not believe those aspects of the project are relevant to the use issue being presented in front of the Board.

Therese Ferland, 70 Stanley St. – Ms. Ferland was present in opposition to the petition. She stated that she agrees with her neighbors and also voiced concerns over snow removal. She also stated that she believes the unit count should be lowered as she voiced at the last meeting.

Nancy Ward, 20 Stanley St. – Ms. Ward was present in opposition to the petition. Ms. Ward expressed her concerns over losing green space for the parking lot, as emission problems are already an issue. She also expressed her worries over densifying a historic neighborhood solely for economic gain. Mr. Assad explained that through the site plan review process, the issue of green space will be addressed.

### DECISION

In a motion made by Mr. Frank and seconded by Mr. Calkins, the Board voted 4-1 to Grant the Variance request with the following conditions:

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.
2. Arborvitaes must be planted as shown on the site plan; additionally, the Arborvitaes shall extend to the existing concrete walkway on the northern side of the property.
3. The Horseshoe shaped driveway shall be removed, with the curb in front of the northern entrance reinstalled; green space to replace the northern side of the asphalt driveway.
4. The existing garage must be razed.
5. The gate facing Hanover St. must remain locked, only to be used by administrative or emergency personnel.

Mr. Assad, Mr. Calkins, Mr. Frank, and Mr. Pereira voted in favor of the motion, while Mr. Dupere opposed the motion. The Variance request was ultimately GRANTED WITH CONDITIONS.

### DOCUMENTS:

Appeal Application  
 Letter of Denial  
 Letter of Appeal  
 Certified Abutters' List  
 Tax Certification  
 Zoning Board of Appeals Site Plan

**CLEAR CHANNEL OUTDOOR, LLC c/o Atty. Dennis Lydon**  
**186 Plymouth Ave., Map M-11 Lot 14**

In the matter of Clear Channel Outdoor, LLC, the applicant seeks a Special Permit pursuant to Massachusetts General Law c.40A § 9 and § 86-425 of the City of Fall River Zoning Ordinance, to construct a 70' tall, double sided, 14' x 48' digital LED message board. The existing 14' x 48' message board, located 25 ft. from the proposed board's location, is to be removed:

**FAVOR**

Atty. Dennis Lydon, Yano Omara, and Chris Ockman were present to address the Board on behalf of Clear Channel Outdoor, LLC. Atty. Lydon explained that the applicant was looking to receive a Special Permit for a billboard located at 186 Plymouth Ave. Atty. Lydon explained that the proposed tandem-style, LED message board would face both east and west, measuring 14' x 48'. Atty. Lydon explained that proposed the sign would be visible when traveling in either direction on Interstate 195. Atty. Lydon explained that the applicant would like to move the monopole holding the existing sign 25' to the northeast from the current location. Atty. Lydon explained that the sign would follow the same footprint as the original sign; however, the height would increase from 50' to 70' and the message board would be changed to a digital LED board.

Mr. Assad asked Atty. Lydon if the applicant had already been seen in front of the Outdoor Advertising Board. Atty. Lydon responded saying that the applicant had not gone in front of the Outdoor Advertising Board yet, and they would be doing that after meeting with the Zoning Board of Appeals. Mr. Assad explained that in the Fall River City Ordinance, it is written that the Board cannot grant permission until after the applicant is seen by the Outdoor Advertising Board. Mr. Assad also asked why the applicant is filing the petition as a Special Permit under § 86-425 of the City's Zoning Ordinance, and not a Variance. Mr. Assad explained that he felt that since the sign will be in a completely new location, it does not meet the requirements of § 86-425, which is the reconstruction, extension, alteration, or change in a pre-existing, nonconforming structure. Mr. Assad explained that since the applicant was not only changing the location of the sign, but also the monopole and the digitalization aspect of the sign, it would constitute as a new structure. Mr. Assad also voiced his concerns over the Board's authority to override § 86-451(e-3), which grants the Board the ability to allow electronic signs in an MD (Medical District) via a Special Permit, only if the sign's maximum surface area does not exceed 24 sq. ft. Atty. Lydon explained that this was the reasoning behind his implication of § 86-425. Atty. Lydon explained that the proposed sign's use would be harmonious with the parcel it is on as well as the neighborhood in which it is located. Atty. Lydon stated that there was no ordinance strictly prohibiting the sign from being there as it currently exists. Mr. Assad explained that the current sign that is on the parcel is a pre-existing, nonconforming structure; however, since the applicant wishes to demolish the existing static sign and construct a new digital LED sign, in a new location, with an increased height – it does not fall under § 86-425. Mr. Assad cited § 86-425(b), which states that if an applicant wishes to increase an existing nonconformity, or create a new nonconformity, they are required to get a variance. The applicant is currently applying for a Special Permit. Atty. Lydon explained that since the proposed sign will not have a new use, it is like the applicant is replicating the existing sign. Mr. Assad explained that the issue is not the use, it is the structure. Atty. Lydon stated that a Variance is usually only for something which is currently prohibited and not in use. Mr. Assad explains that a Variance deals with shape, topography, and soil conditions; whereas a Special Permit granted under § 86-425 only applies to the reconstruction, extension, alteration, or change of a pre-existing, nonconforming structure. Mr. Calkins asked Mr. Assad if § 86-425(a-2) would be able to cover this petition, as it states that a Special Permit may be granted for alterations to a structure to provide for a substantially different purpose, or for the same purpose in a substantially different manner or to a substantially greater extent. Mr. Assad explained that the petition is for a completely new structure in a different location, not alterations to the current structure. Mr. Sylvia

interjected, stating that if the proposed digital LED sign were to be lit, the light would emanate over the newly built Quequechan River Rail Trail, which would have a negative impact on the neighborhood in which it is located. Mr. Aguiar asked if the applicant had seen if they could reconstruct in the same location. Mr. Omara explained that the owner of the property had requested they move the location of the sign more toward the middle of the property if they were to reconstruct. Mr. Pereira asked if the extension of the existing monopole was ever considered. Mr. Omara explained that Clear Channel Outdoor, LLC had discussed the idea; however, they decided to move forward with the Special Permit application. Mr. Assad cited back to § 86-451(e-3) which states that electronic signs in an MD (Medical District) granted via a Special Permit, are only allowed if the sign's maximum surface area does not exceed 24 sq. ft. The proposed sign measures a surface area of 672 sq. ft. Atty. Lydon reiterated his implication of § 86-425 in this petition. Mr. Pereira explained that he does not believe the Board has the jurisdiction to grant the Special Permit due to the size restriction and verbiage found in § 86-451(e-3). Atty. Lydon explained that the current sign has been in use at that location for many years. Mr. Pereira reiterated the idea that this is a completely new sign in a new location, whereas the existing sign is a pre-existing nonconforming structure. Mr. Pereira went on to state that the digitalization of the sign gives stricter limits as it needs to meet the size requirements in an MD (Medical District) to be granted a Special Permit. Atty. Lydon stated that he feels if a Special Permit were granted under § 86-425, it would cover the requirements found in § 86-451(e-3). Mr. Calkins asked if technically speaking, the Board had the authority to waive the requirements found in the ordinance. Mr. Assad stated that when there are expressed prohibitions in the ordinance, the question becomes: is the Board exceeding its authority. Atty. Lydon questioned why Mr. Assad feels the Board would be exceeding its authority by granting this petition a Special Permit. Mr. Assad explained that in his opinion, the sections of the ordinance in which the applicant is referencing do not apply to this petition. Atty. Lydon asked the Board if the petition could be withdrawn to better prepare the presentation. Atty. Lydon, Mr. Omara, and Mr. Ockman all agreed that withdrawing the petition would be the best course of action.

## **OPPOSITION**

There was no one present in opposition to this matter.

## **DECISION**

The petitioner motioned to withdraw their Special Permit request. A motion was made by Mr. Calkins and seconded by Mr. Dupere to grant the petitioner's request to withdraw its petition. Mr. Assad, Mr. Calkins, Mr. Dupere, Mr. Frank, and Mr. Pereira voted in favor of the motion and the request was **WITHDRAWN WITHOUT PREJUDICE**.

## **DOCUMENTS:**

- Appeal Application
- Letter of Denial
- Letter of Appeal
- Certified Abutters' List
- Tax Certification
- Zoning Board of Appeals Site Plan
- Photos of the Site



**CATAHOULA DEVELOPMENT LLC c/o Atty. Mark L. Levin**  
**Danforth St., Map O-14 Lot 43**

---

In the matter of Catahoula Development LLC, the applicant puts forth a motion to extend Time for Relief for a previously granted decision dated November 18, 2021. The applicant wishes to extend this Variance relief for a period of six (6) months, commencing on November 18, 2022:

**FAVOR**

Frank Marchione, Partner at Catahoula Development LLC, was present to address the Board on behalf of the applicant. Mr. Marchione explained that Catahoula Development LLC was looking for a six (6) month time extension on the Variance granted November 18, 2021. Mr. Marchione explained that the property was recently granted an approval letter from the Site Plan Review Committee, which contains conditions that still need to be met.

**OPPOSITION**

There was no one present in opposition to this matter.

**DECISION**

In a motion made by Mr. Calkins and seconded by Mr. Frank, the Board unanimously voted to Grant a six (6) month extension of the Time for Relief. Mr. Assad, Mr. Calkins, Mr. Dupere, Mr. Frank, and Mr. Pereira voted in favor of the motion and the request was GRANTED.

**DOCUMENTS:**

Previous Zoning Decision  
 Request for Extension Letter

**TETRAULT REAL ESTATE, LLC c/o Atty. Peter A. Saulino**  
**246 Beattie St., Map L-10 Lot 9**

---

In the matter of Tetrault Real Estate, LLC, the applicant seeks a Variance to divide the current lot into two (2) lots, leaving the existing three-family dwelling on one lot and constructing a two-family dwelling on the new lot. The applicant wishes to waive lot area, lot coverage, and side setbacks in an M (Multi-family) Zoning District as shown on the submitted site plan. The applicant also requests a Variance and/or a Special Permit for relief from parking requirements for the existing three-family dwelling:

**FAVOR**

Atty. Peter A. Saulino and Aaron Tetrault, Manager of Tetrault Real Estate, LLC, were present to address the Board on behalf of the applicant. Atty. Saulino explained that the lot in which the current three-family dwelling resides is much larger than abutting lots, and that the applicant would like to subdivide this lot into two (2) lots. Atty. Saulino explained that the existing three-family dwelling would be on one (1) lot, while the applicant proposes to construct a new two-family

dwelling on the other lot. The applicant also proposed to add four (4) off-street parking spaces to the lot containing the two-family. The relief required for the lot with the existing three-family includes: lot area, lot coverage, side yard setback, and parking requirements. The relief requested for the lot containing the proposed two-family dwelling includes: lot area, lot coverage, and side yard setback. Atty. Saulino explained that the hardships being faced are the location of the existing structure, and the shape of the lot. Atty. Saulino explained that the newly proposed use will be more suitable for the area. Mr. Assad pointed out that this proposed plan turns one (1) mostly-conforming lot to two (2) non-conforming lots.

### **OPPOSITION**

There was no one present in opposition to this matter.

### **DECISION**

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.

In a motion made by Mr. Pereira and seconded by Mr. Dupere, the Board voted 3-2 to Deny the Variance/Special Permit request. Mr. Assad, Mr. Dupere, and Mr. Pereira voted in favor of the motion, while Mr. Calkins and Mr. Frank opposed the motion. The Variance/Special Permit request was ultimately DENIED.

### **DOCUMENTS:**

Appeal Application

Letter of Denial

Letter of Appeal

Certified Abutters' List

Tax Certification

Zoning Board of Appeals Site Plan

### CITIZENS' INPUT

No one was present for Citizens' Input.

### APPROVAL OF MINUTES

In a motion made by Mr. Calkins and seconded by Mr. Pereira, the Board voted 5-0 to waive the reading of the minutes and to approve the minutes from the September 15, 2022 meeting. Mr. Assad, Mr. Calkins, Mr. Dupere, Mr. Frank, and Mr. Pereira voted in favor of the motion.

### ADJOURNMENT

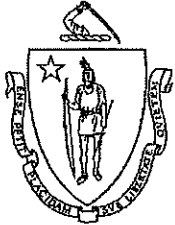
In a motion made by Mr. Dupere and seconded by Mr. Pereira, the Board unanimously voted 5-0 to adjourn the meeting at 7:35pm. Mr. Assad, Mr. Calkins, Mr. Dupere, Mr. Frank, and Mr. Pereira voted in favor of the motion and the meeting was adjourned.

Anyone having a question concerning any of the petitions or materials referenced herein may contact the Planning Dept. at [508] 324-2561, [planning@fallriverma.org](mailto:planning@fallriverma.org) or by writing to the Planning Dept., One Government Center, Fall River, MA 02722.

*Recording Clerk*

In Zoning Board of Appeals, November 17, 2022

Approved



19

THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL  
ONE ASHBURTON PLACE  
BOSTON, MASSACHUSETTS 02108

MAURA HEALEY  
ATTORNEY GENERAL

TEL: (617) 727-2200  
www.mass.gov/ago

December 7, 2022

OML 2022 - 221

Gary P. Howayeck, Esq.  
Assistant Corporation Counsel  
City of Fall River  
One Government Center  
Fall River, MA 02722

By email only: ghowayeck@fallriverma.org

RE: Open Meeting Law Complaints

Dear Attorney Howayeck:

This office received from Patrick Higgins one complaint on January 21, 2022, and two complaints on March 7, 2022, alleging that the Fall River City Council (the "Council") and Fall River City Council Committee on Finance (the "Committee") violated the Open Meeting Law, G.L. c. 30A, §§ 18-25. The first complaint was originally filed with the Council on or about January 18, 2022, and Nick Macolini of the Human Resources Department responded, on behalf of the Council, by letter dated January 21, 2022. The next two complaints were originally filed with the Council and Committee on or about February 14, 2022, and you responded, on behalf of the Council and Committee, by separate letters dated March 7, 2022. The complaints allege that the minutes of the Council meetings held on December 28, 2021, January 3, 2022, and January 18, 2022, and the minutes of the Committee meeting held on January 18, 2022, are insufficiently detailed because they do not include a list of documents used during the meetings.

We appreciate the patience of the parties while we reviewed these matters. Following our review, we find that the Council and Committee did not violate the Open Meeting Law in the ways alleged. In reaching this determination, we reviewed the original complaints, the Council's responses to the complaints, the complaints filed with our office requesting further review, the notices and minutes of the Council meetings held on December 28, 2021, January 3, 2022, and

RECEIVED  
2022 DEC - 7 P 1:32  
CITY CLERK  
FALL RIVER, MA

January 18, 2022, and the notice and minutes of the Committee meeting held on January 18, 2022, as well as video recordings of these meetings.<sup>1</sup>

### FACTS

The Council is a nine-member public body. The Committee is a subcommittee of the Council and all nine Council members are also members of the Committee.

On December 23, 2021, the Council posted notice of a meeting to be held on December 28, 2021, at 7:00 P.M. Posted along with the notice were several documents and requests that the Council would consider during the meeting, and which corresponded with specific topics listed on the notice. Specifically, the documents attached to the notice included: i) a request from the Mayor to appropriate \$20,000 for financial services; ii) recommendations from the Traffic Commission regarding residents' requests for handicap parking spaces; iii) claims filed against the City for property and vehicle damage; iv) a request to re-dedicate bells at the High School; v) an invoice from town legal counsel for services rendered in July and August 2021; vi) and the minutes of a Council and Committee meeting held on December 14, 2021. Each topic on the notice that had an attached corresponding document was noted with an asterisk.

On January 13, 2022, the Council and Committee posted a notice of a meeting to be held on January 18, 2022. The Committee meeting was posted for 6:00 P.M. with the Council meeting to follow at 7:00 P.M. Posted along with the notice were several documents and requests that the Council and Committee would consider during the meeting, and which corresponded with specific topics listed on the notice. Specifically, the documents attached to the notice included: i) requests from the Mayor to appoint Seth Aitken as City Administrator, to appropriate \$105,000 for school transportation, and to review and approve the Quarterly Budget and a Capital Improvement Plan; ii) recommendations that the Committee on Health and Environmental Affairs convene quarterly to discuss the City's water supply, that the Police Department consider implementing the use of body cameras, and that the Director of Facilities Maintenance conduct a light survey; iii) claims filed against the City for property and vehicle damage; iv) two communications from residents; v) two Open Meeting Law complaints; and vi) the minutes of a Council meeting held on December 14, 2021, the minutes of a Council and Committee meeting held on December 28, 2021, and the minutes of a Council meeting held on January 3, 2022. Each topic on the notice that had an attached corresponding document was noted with an asterisk.

The December 28, 2021, meeting of the Council and the January 18, 2022, meetings of the Council and Committee were held as planned. During each meeting, the topics listed on the notice were typically read by the Clerk and then the Council or Committee either made a motion and voted to approve the various requests, placed received documents on file, or referred matters to a subcommittee. Generally, the Council and Committee only briefly discussed the noticed topics.

<sup>1</sup> A video recording of the December 28, 2021, meeting is available at <https://www.youtube.com/watch?v=QQ4IA6Y153w>; a video recording of the January 3, 2022, meeting is available at <https://www.youtube.com/watch?v=o2IR09mZYcs>; and a video recording of the January 18, 2022, meeting is available at [https://www.youtube.com/watch?v=GtDIl--A\\_zk](https://www.youtube.com/watch?v=GtDIl--A_zk).

On January 3, 2022, the Council met in the high school auditorium at 4:00 P.M. for an inauguration ceremony. During the approximately one-hour ceremony, City Clerk Alison Bouchard administered the oaths of office to the newly elected Mayor as well as the newly elected members of the Council and School Committee. After hearing from several distinguished guests, the Council nominated candidates for Council President and Vice President, and unanimously voted for Pam Laliberte-Lebeau as Council President and Michelle Dionne as Council Vice President.

The minutes of each of the above referenced meetings contain the date, time and place of the meeting, the members who were present and absent, a summary of the discussions, and the decisions made and actions taken, including a record of all votes. At the end of each set of minutes is the following caption: "List of documents and other exhibits used during the meeting." For the minutes of the Council meeting held on December 28, 2021, the following documents are listed under the caption: Agenda packet (attached), DVD of meeting, Letter to National Grid. For the minutes of the Council meeting held on January 3, 2021, the following documents are listed under this caption: Agenda and DVD of meeting. For the minutes of the Council meeting held on January 18, 2022, the following documents are listed under the caption: Agenda packet (attached), DVD of meeting, Communication from Paul Gauvin, Interim Chief of Police re: body cameras. For the minutes of the Committee meeting held on January 18, 2022, the following documents are listed under the caption: Agenda packet (attached) and DVD of meeting.

### DISCUSSION

The Open Meeting Law requires that a public body "create and maintain accurate minutes of all meetings, including executive sessions, setting forth the date, time and place, the members present or absent, a summary of the discussions on each subject, a list of documents and other exhibits used at the meeting, the decisions made and the actions taken at each meeting, including the record of all votes." G.L. c. 30A, § 22(a). The Open Meeting Law further specifies that documents and exhibits used during an open session meeting "shall be public records in their entirety," although the documents and exhibits do not need to be attached to or physically stored with the minutes. G.L. c. 30A, § 22(e); see also OML 2022-172; OML 2017-43; OML 2012-59.

The complaints allege that minutes of meetings held on December 28, 2021, January 3, 2021, and January 18, 2022, fail to specifically list the documents used during each meeting. The Open Meeting Law does not define what it means for a document to be used at a meeting but, at a minimum, it is clear that where a document is physically present, verbally identified, and the contents are discussed by the members of a public body during an open meeting, it has been "used" for purposes of the Open Meeting Law. See OML 2014-12; OML 2012-42.

We find that the minutes of the Council meeting held on January 3, 2022, are sufficiently detailed. The January 3, 2022, meeting was an inauguration ceremony for newly elected members and, although the Council conducted some business by electing a President and Vice President, the Council did not use any documents during the meeting. Therefore, even though the minutes reference two documents used during the meeting - the agenda and DVD of the

meeting, we find that the Council was not required to include a list of documents used during this meeting.

We find that the Council and Committee did use documents during the December 28, 2021, and January 18, 2022, meetings. We acknowledge that certain documents may not have been specifically identified during the meeting. However, even though a document may not be specifically identified does not necessarily mean it was not "used" at the meeting. See OML 2012-42. Here, it is clear from the video recordings of each meeting that the Clerk for the Council and Committee read each topic of discussion directly from the notice. It is also clear that Council and Committee members were provided with and referenced the documents that were attached to the notices and which specifically corresponded with the topics listed on the notice and read by the Clerk during each meeting. Thus, although certain documents might not have been expressly identified aloud, they were clearly referenced, and were physically present at the meetings. Further, the contents of those documents were discussed and voted on by members, even if those discussions were brief. Therefore, we find that such documents were used at the meetings. See OML 2019-46; OML 2017-43.

Because we find that documents were used during the December 28, 2021, and January 18, 2022, meetings, we must determine whether simply listing in the minutes "Agenda packet (attached)" under the caption "List of documents and other exhibits used during the meeting" without specifically identifying each document used is sufficient. Although the Open Meeting Law specifies that documents used during an open session meeting shall be public records in their entirety, the Law does not require that the documents be attached to the minutes; rather, the minutes must include only a list of documents used. From this, we infer that the purpose of the list of documents is to identify the documents in such a way that enables the documents used during a meeting to be identified so they can be produced in response to a public records request. Therefore, we consider whether the list of documents in the Council's December 18, 2021, and January 18, 2022, meeting minutes "Agenda packet (attached)" satisfied the purpose. We find in this case that listing "Agenda packet (attached)" was sufficient for the following reasons.

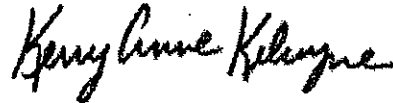
First, the documents that were posted with the notice were, in fact, attached to the minutes. Second, the notice for each meeting was also attached to the minutes as part of the "Agenda packet" and each topic on the notice that had an attached corresponding document was noted with an asterisk. Third, each topic was listed on the notice with detailed specificity thus the document that corresponded with each topic was consequently identifiable. Finally, each attached document had a number written in the upper right hand corner that corresponded with the topic as it was enumerated on the notice. Therefore, for all these reasons, we find that the minutes of the December 28, 2021, Council meeting and the minutes of the January 18, 2022, meetings of the Council and Committee are sufficiently detailed. Even though the Council and Committee did not separately list in the minutes each document used during the meetings, the documents here are kept and labeled in such a way as to make them transparent and easily accessible.

19

CONCLUSION

For the reasons stated above, we find that the Council and Committee did not violate the Open Meeting Law. We now consider the complaints addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with our office or the Council or Committee. Please feel free to contact our office at (617) 963-2540 if you have any questions regarding this letter.

Sincerely,



KerryAnne Kilcoyne  
Assistant Attorney General  
Division of Open Government

cc: Patrick Higgins – By email only: [patrick@patrickhiggins.co](mailto:patrick@patrickhiggins.co)  
Fall River City Council – By email only: [city\\_council@fallriverma.org](mailto:city_council@fallriverma.org)

**This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by a final order of the Attorney General may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty-one days of receipt of a final order.**



# PERAC

COMMONWEALTH OF MASSACHUSETTS | PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

PHILIP Y. BROWN, ESQ., Chair

JOHN W. PARSONS, ESQ., Executive Director

Auditor SUZANNE M. BUMP | KATHLEEN M. FALLON | KATE FITZPATRICK | JAMES J. GUIDO | RICHARD MACKINNON, JR. | JENNIFER F. SULLIVAN, ESQ.

## MEMORANDUM

TO: Fall River Retirement Board  
FROM: John W. Parsons, Esq., Executive Director  
RE: Appropriation for Fiscal Year 2024  
DATE: December 2, 2022

CITY CLERK  
FALL RIVER, MA

2022 DEC - 8 AM 11:25

RECEIVED

Required Fiscal Year 2024 Appropriation: **\$43,568,218**

This Commission is hereby furnishing you with the amount to be appropriated for your retirement system for Fiscal Year 2024 which commences July 1, 2023.

As we indicated in PERAC Memo #26/2022, we are no longer including the Projected Appropriations page as an attachment. Attached please find the portion of the Fiscal Year 2024 appropriation to be paid by each of the governmental units within your system.

If your System has a valuation currently in progress, you may submit a revised funding schedule to PERAC upon its completion. The current schedule is due to be updated by Fiscal Year 2024.

If you have any questions, please contact PERAC's Actuary, John Boorack, at (617) 666-4446 Extension 935.

JWP/jfb  
Attachment

cc: Office of the Mayor  
City Council  
Town Manager

p:\actuarial\approp\approp24\fy24 for web\fall river approp 24.docx



**Fall River Retirement Board**  
Appropriation by Governmental Unit

Fiscal Year 2024 - July 1, 2023 to June 30, 2024

Aggregate amount of appropriation: **\$43,568,218**

UNIT	Percent of Aggregate Amount	Funding Schedule (excluding ERI)	ERI	Total Appropriation
City of Fall River	90.92%	\$39,612,224	\$0	\$39,612,224
Fall River Redevelopment	0.07%	\$30,497	\$0	\$30,497
Fall River Housing Authority	7.29%	\$3,176,124	\$0	\$3,176,124
Diman Voc.	1.72%	\$749,373	\$0	\$749,373
<b>UNIT TOTAL</b>	<b>100%</b>	<b>\$43,568,218</b>	<b>\$ 0</b>	<b>\$43,568,218</b>

The Total Appropriation column shown above is in accordance with your current funding schedule and the scheduled payment date(s) in that schedule. Whenever payments are made after the scheduled date(s), the total appropriation should be revised to reflect interest at the rate assumed in the most recent actuarial valuation. Payments should be made before the end of the fiscal year.

### CITY COUNCIL PUBLIC HEARING

MEETING: Tuesday, November 22, 2022 at 5:55 p.m.  
Council Chamber, One Government Center

PRESENT: President Joseph D. Camara, presiding;  
Councilors Michelle M. Dionne, Bradford L. Kilby,  
Leo O. Pelletier, Linda M. Pereira, Andrew J. Raposo and  
Laura-Jean Washington

ABSENT: Councilors Shawn E. Cadime and Pamela S. Laliberte

IN ATTENDANCE: Don Voner, Right of Way Specialist, Cyient, Inc.

The President called the meeting to order at 6:09 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearing was to hear all persons interested and wishing to be heard on the following:

#### UNDERGROUND CONDUIT

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to open the hearing, with Councilors Shawn E. Cadime and Pamela S. Laliberte absent and not voting.*

Verizon New England, Inc, for an underground conduit location as follows:

#### Davol Street

Install approximately 680' of new 4" PVC conduit along Davol Street. The installation will begin at existing manhole, MH499A, at the junction of Turner Street and Davol Street, to run in a southerly direction to 431 Davol Street. This is necessary to continue the existing service and to provide services to the business located at 431 Davol Street.

In accordance with Plan No. MA2022-36

Dated: September 30, 2022

#### \*Condition

Roadway restoration shall be from the easterly curb line to 2' beyond the trench.

*The President asked if there were any proponents to be heard and Don Voner of Cyient, Inc., on behalf of Verizon New England, Inc., came forward. Mr. Voner stated that while Verizon had filed the petition for permission on this project, a subcontractor had proceeded with the installation of the underground conduit prior to this hearing. Councilor Linda M. Pereira asked if the condition added by the City Engineer had been met and Mr. Voner stated that it had been met. Councilor Leo O. Pelletier stated that Verizon should have ensured that the sub-contractor had all required permits prior to doing the work. City Councilors requested that the City Engineer be contacted to*

determine which company proceeded with the work prior to the hearing and how this can be avoided in the future. (An email correspondence was sent to the City Engineer by the Assistant City Clerk, a copy of which is attached hereto and made a part of these minutes.) The President then directed the opponents to be heard and no one came forward.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Laura-Jean Washington, it was unanimously voted to close the hearing at 6:18 p.m., with Councilors Shawn E. Cadime and Pamela S. Laliberte absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

A true copy. Attest:



Assistant City Clerk

### COMMITTEE ON FINANCE

**MEETING:** Tuesday, November 22, 2022 at 6:00 p.m.  
Council Chamber, One Government Center

**PRESENT:** President Joseph D. Camara, presiding;  
Councilors Michelle M. Dionne, Bradford L. Kilby, Pamela S. Laliberte,  
Leo O. Pelletier, Linda M. Pereira, Andrew J. Raposo,  
and Laura-Jean Washington

**ABSENT:** Councilors Shawn E. Cadime

**IN ATTENDANCE:** Michael Dion, Community Development Agency, Executive Director  
Chief Roger St. Martin, Chief of Fall River Fire Department  
John Brandt, Chairperson, Community Preservation Committee  
Sandy Dennis, Administrative Assistant,  
Community Preservation Committee  
Seth Thomas Aitken, City Administrator

The chair called the meeting to order at 6:19 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 Time – Before Discussion of Financial Matters: - None
2. Discussion re: Section 108 Loan Application with the U.S. Department of Housing and Urban Development for the replacement of fire apparatus and equipment  
*Michael Dion, Executive Director of the Community Development Agency, gave a brief explanation of the Section 108 Loan Application. He stated that it would be used to replace two emergency vehicles and that public hearings on this process have been held in accordance with application requirements. Councilor Michelle M. Dionne asked for an explanation of how the City qualifies for a Section 108 Loan as there was wording within the document that made it appear that only low-income residents would benefit from this type of loan. Mr. Dion clarified that the City as a whole is eligible for this type of loan due to the average income of city residents. Fire Chief Roger St. Martin stated that all residents will have equal access to emergency services and used the recent Burns' Power Tools' building fire as an example, as it had all City fire*

apparatus present. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Andrew J. Raposo, it was unanimously voted to recommend that the application be referred to the full Council for action, with Councilors Shawn E. Cadime and Pamela S. Laliberte absent and not voting.

3. Discussion of loan order for the CPA/Central Fire Station and Fall River Fire Museum in the amount of \$1,025,539

Councilor Linda M. Pereira asked what the Community Preservation Committee would do with this loan regarding restoration and if they'd be able to use all the funding at once. Sandy Dennis, Administrative Assistant of the Community Preservation Committee (CPC), stated that they would be able to access the full amount to allow proper restoration. John Brandt, Chairperson of the Community Preservation Committee, stated that the goal is to renovate the Fall River Fire Museum quickly to allow it to be opened in the summer of 2023. Mr. Brandt also stated that the Central Fire Station is in the center of the city, so renovation on that historical building is important for the image of the city as well as providing renovated work space for first responders. Mrs. Dennis stated that by bonding these projects together with the loan order, the CPC is able to use funds more efficiently and obtain funding for other projects this year. Mr. Brandt gave a brief explanation of how the CPC uses bonds to achieve goals to improve the city. Councilor Laura-Jean Washington asked what the residents can anticipate from the Fall River Fire Museum. Mr. Brandt gave a brief explanation of the exhibits within the museum. Councilor Washington asked if the Animal Control office would be relocated as it is currently within that structure. Mr. Brandt and Mrs. Dennis stated they were unsure, but hopeful that the museum would have access to the entire building. Councilor Michelle M. Dionne inquired about the details of the renovation utilized by this loan order. Mr. Brandt gave some details of masonry work, HVAC and glass restoration within the museum. Councilor Dionne asked about roofing and mold repair within the Central Fire Station. Fire Chief Roger St. Martin stated that the roof was replaced three years ago and that the Central Fire Station does not have a mold issue. Seth Thomas Aitken, City Administrator, stated that there will be some upgrades to the fire station including restroom updates and there will be significant investment within that building. Mr. Aitken stated that Central Fire Station will be utilized, not only for emergency apparatus, but also for administrative offices. Councilor Pamela S. Laliberte arrived at 6:39 p.m. On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted to recommend that the loan order be referred to the full Council for action, with Councilor Shawn E. Cadime absent and not voting.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adjourn at 6:42 p.m., with Councilor Shawn E. Cadime 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

### REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, November 22, 2022 at 7:00 p.m.  
Council Chamber, One Government Center

PRESENT: President Joseph D. Camara, presiding;  
Councilors Michelle M. Dionne, Bradford L. Kilby,  
Pamela S. Laliberte, Leo O. Pelletier, Linda M. Pereira,  
Andrew J. Raposo, and Laura-Jean Washington

ABSENT: Councilor Shawn E. Cadime

IN ATTENDANCE: Paul Ferland, Administrator of Community Utilities

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

#### PRIORITY MATTERS

1. Mayor requesting confirmation of Kristen Cantara Oliveira to the Community Preservation Committee

*On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Andrew J. Raposo, it was voted 8 yeas to confirm the appointment, with Councilor Shawn E. Cadime absent and not voting.*

2. Mayor requesting confirmation of Al Oliveira as Director of City Operations  
*Councilor Michelle M. Dionne stated that she would vote against this confirmation due to the salary amount being offered. Councilor Leo O. Pelletier stated that in order for the City to hire a qualified employee this salary amount was necessary. Councilors Linda M. Pereira and Laura-Jean Washington agreed with Councilor Pelletier. Councilor Andrew J. Raposo asked President Joseph D. Camara how long the contract term would be for Mr. Oliveira. President Camara stated this term would be three years. Councilor Raposo stated that if Mr. Oliveira is confirmed, he would like to meet with both Mr. Oliveira and the Administration in a few months to discuss ongoing issues within the City and their plan to address them. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted 7 yeas, 1 nay to confirm the appointment, with Councilor Michelle M. Dionne voting in the negative and Councilor Shawn E. Cadime absent and not voting.*

3. Mayor and resolution regarding Section 108 loan application to secure funding for aging fire apparatus and equipment

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the resolution, with Councilor Shawn E. Cadime*

absent and not voting.

Approved, November 23, 2022, Paul E. Coogan, Mayor

4. Mayor and loan order for the Phase 22 Lead Service Removal Water Systems Improvements in the amount of \$4,675,000

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Leo O. Pelletier, it was unanimously voted to waive the rules to allow Paul Ferland, Administrator of Community Utilities, to explain the project and answer questions, with Councilor Shawn E. Cadime absent and not voting. Mr. Ferland gave a brief explanation regarding the replacement of lead pipes in the City. Councilor Michelle M. Dionne inquired about the resident tax cost increase that would occur with this loan. Mr. Ferland gave a brief explanation of the loan and stated that this project would cost the average resident about \$1.10 per quarter. Councilor Andrew J. Raposo asked if this project was related to the letter that residents had recently received regarding lead pipes and if this would help to remedy this issue. Mr. Ferland answered yes. Councilor Pamela S. Laliberte asked if this service would be just on sidewalks or if it would include homes as well. Mr. Ferland stated this replacement project would take place from the street to the meter on the property. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted that the loan order be authorized to be published and referred to the Committee on Finance, with Councilor Shawn E. Cadime absent and not voting.

5. Mayor and purchase of land located on Blossom Road on Lot W-15-0021
  - a. Order – Acceptance of a parcel of land known as the Adirondack Farm
  - b. Resolution – LAND Grant Program Conservation Acquisition Project

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Linda M. Pereira, it was unanimously voted to waive the rules to allow Paul Ferland, Administrator of Community Utilities, to give information on this land purchase, with Councilor Shawn E. Cadime absent and not voting. Mr. Ferland gave a brief explanation of this real estate purchase and stated that it was a time-sensitive grant application. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Laura-Jean Washington, it was unanimously voted to adopt both the order and the resolution, with Councilor Shawn E. Cadime absent and not voting.

Approved, November 23, 2022, Paul E. Coogan, Mayor

#### **PRIORITY COMMUNICATIONS**

6. Traffic Commission recommending amendments to traffic ordinances  
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Andrew J. Raposo, it was unanimously voted to refer the item to the Committee on Ordinances and Legislation, with Councilor Shawn E. Cadime absent and not voting.

7. Planning Board recommending the acceptance of Courtney Street, extending from Highland Avenue to Fieldstone Lane  
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Laura-Jean Washington, it was unanimously voted to accept the recommendation and place it on file and adopt the order for plans, with Councilor Shawn E. Cadime absent and not voting.

#### **COMMITTEE REPORTS**

##### **Committee on Finance recommending:**

##### **Grant Leave to Withdraw**

8. Resolution – Administrator of Community Utilities investigate the possibility of harvesting energy from specially designed in-pipe turbines



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 Shawn E. Cadime absent and not voting.

## **ORDINANCES**

### Second reading and enrollment:

9. Proposed Ordinance – Salary schedule for Director of Fall River Emergency Management Agency

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment, with Councilor Shawn E. Cadime absent and not voting. On a further motion made by Councilor Michelle M. Dionne and seconded by Councilor Linda M. Pereira, it was unanimously voted that the proposed ordinance be passed to be ordained, with Councilor Shawn E. Cadime absent and not voting.

Approved, November 23, 2022, Paul E. Coogan, Mayor

10. Proposed Ordinance – Amendments to graffiti ordinance

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Michelle M. Dionne, it was voted 7 yeas, 1 nay that the proposed ordinance be passed through second reading and enrollment, with Councilor Linda M. Pereira voting in the negative and Councilor Shawn E. Cadime absent and not voting. On a further motion made by Councilor Andrew J. Raposo and seconded by Councilor Michelle M. Dionne, it was unanimously voted that the proposed ordinance be passed to be ordained, with Councilor Shawn E. Cadime absent and not voting.

Approved, November 23, 2022, Paul E. Coogan, Mayor

### Second reading and enrollment, as amended:

11. Proposed Ordinance – Traffic, miscellaneous

#### Section 1.

Left turn prohibited or restricted at certain intersections:

Lamphor Street          Newark Street

#### Section 2.

Left turn only intersections:

Anthony Street (Westerly) – Northbound drivers exiting Letourneau School

#### Section 3.

Stop intersections designated (Striking Out):

Anthony Street (Eastbound) at the intersection of Stafford Road

North Varley Street (Northbound) at intersection of Locust Street

#### Section 4.

Stop intersections designated:

Newark Street (Southbound) at the intersection of Anthony Street

North Varley Street (Southbound) at the intersection of Pine Street

#### Section 5.

One way streets designated (Striking Out):

North Varley Street (Northerly) from Pine Street to Locust Street

#### Section 6.

One way streets designated:

Anthony Street (Westerly) from Stafford Road to Lamphor Street

North Varley Street (Southerly) from Locust Street to Pine Street

#### Section 7.

Parking prohibited at all times:

Lamphor Street (east side) from the corner of Anthony Street for a distance of 40 feet  
 Northerly  
 Lamphor Street (west side) from the corner of Anthony Street for a distance of 40 feet  
 northerly  
 Newark Street (east side) from the corner of Anthony Street for a distance of 40 feet  
 Northerly

Newark Street (west side) from the corner of Anthony Street for a distance of 40 feet  
 northerly

**Section 8.**

Handicapped Parking removals:

Third Street                      Grove Street                      North Main Street

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Andrew J. Raposo, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment, as amended, with Councilor Shawn E. Cadime absent and not voting. On a further motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted that the proposed ordinance be passed to be ordained, as amended, with Councilor Shawn E. Cadime absent and not voting.*  
*Approved, November 23, 2022, Paul E. Coogan, Mayor*

**RESOLUTIONS** – None

**CITATIONS** – None

**ORDERS – HEARINGS**

**Underground Conduit:**

12. Verizon New England, Inc – Installation of approximately 680 feet of underground conduit on Davol Street

*Councilor Linda M. Pereira requested information on the subcontracting company that performed this installation prior to approval by the City Council and asked that once this information is obtained that it be forwarded to all City Councilors (a copy of the communication is attached hereto and made a part of these minutes). President Joseph D. Camara stated that in the future the City Council could consider passing an ordinance that would impose a large fine on companies that do this. 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 Shawn E. Cadime absent and not voting.*

*Approved, November 23, 2022, Paul E. Coogan, Mayor*

**ORDERS – MISCELLANEOUS**

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

**Taxicab Driver:**

Jeremiah Donovan-Soares

*On a motion made by Councilor Michelle M. Dionne and seconded by Linda M. Pereira, it was unanimously voted to adopt the order, with Councilor Shawn E. Cadime absent and not voting.*

**COMMUNICATIONS – INVITATIONS – PETITIONS**

14. Claims

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the claims to Corporation Counsel, with Councilor Shawn E. Cadime absent and not voting.*

15. Planning Board Minutes – October 17, 2022

*On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Andrew J. Raposo, it was unanimously voted to accept and place the minutes on file, with Councilor Shawn E. Cadime absent and not voting.*

16. Structure on or over a public way application for the Annual Children's Holiday Parade (Banners on Bedford Street at Central Fire Station and on South Main Street at Center Place)

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to approve the application, with Councilor Shawn E. Cadime absent and not voting. The Assistant City Clerk stated the parade will be held on Saturday, December 3, 2022, at 1:00 p.m., per President Joseph D. Camara's request.*

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to take items #17-22 together, with Councilor Shawn E. Cadime absent and not voting.*

City Council Minutes:

- 17. Public Hearing – October 25, 2022
- 18. Committee on Finance – October 25, 2022
- 19. Regular Meeting of the City Council – October 25, 2022
- 20. Public Hearings – November 8, 2022
- 21. Committee on Finance – November 8, 2022
- 22. Regular Meeting of the City Council – November 8, 2022

*On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Linda M. Pereira, it was unanimously voted to approve items #17-22, with Councilor Shawn E. Cadime absent and not voting.*

**BULLETINS – NEWSLETTERS – NOTICES**

23. Department of Public Utilities re: Municipal Aggregation Programs

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Andrew J. Raposo, it was unanimously voted to accept the notice and place it on file, with Councilor Shawn E. Cadime absent and not voting.*

24. Good Energy response re: Municipal Aggregation Programs compliance

*On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted to accept the response to the notice and place it on file, with Councilor Shawn E. Cadime absent and not voting.*

**OTHER POTENTIAL MATTERS TO BE ACTED UPON:**

**COMMITTEE REPORTS**

Committee on Finance recommendations:

Action:

- 8a. Section 108 Loan Application with the U.S. Department of Housing and Urban Development for the replacement of fire apparatus and equipment

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Andrew J. Raposo, it was unanimously voted to approve the loan application, with Councilor Shawn E. Cadime absent and not voting.*

8b. Loan order for CPA/Central Fire Station and Fall River Fire Museum in the amount of \$1,025,539.00

*On a motion made by Councilor Linda M. Pereira and seconded by Councilor Andrew J. Raposo, it was voted 8 yeas to adopt the loan order, with Councilor Shawn E. Cadime absent and not voting.*

*Approved, November 23, 2022, Paul E. Coogan, Mayor*

*On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adjourn at 7:33 p.m, with Councilor Shawn E. Cadime absent and not voting.*

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

A true copy. Attest:

A handwritten signature in cursive script, appearing to read "Mês Leite".

Assistant City Clerk

23

**Leite, Ines**

---

**From:** Leite, Ines  
**Sent:** Wednesday, November 23, 2022 11:40 AM  
**To:** Daniel N. Aguiar  
**Cc:** City Clerk; City Council  
**Subject:** 431 Davol Street - Underground Conduit Petition  
**Attachments:** Verizon Underground Conduit Petition - 431 Davol Street.pdf

Dan:

At last night's City Council Public Hearing, a representative from Verizon was present for the attached underground conduit petition at the following parcel:

Parcel ID O-23-0004  
431 Davol Street

SM Fall River Properties, LLC  
c/o Syed Mashihuddin  
431 Davol Street  
Fall River, MA 02721

He mentioned that the work was done by a Verizon sub-contractor without Verizon's approval or the City's ahead of this public hearing.

I did advise the Council that you approved the attached petition with the listed condition, once it was sent over by Verizon, but that there was no mention of the sub-contractor's name or when the work was done on the petition.

At the Council's request, I am sending this email to check if you have any information on this project that you could send to be forwarded to the Council.

Thank you,  
Inês

---

*Inês da Silva Paulino Leite*  
Assistant City Clerk  
Office of the City Clerk  
One Government Center  
Fall River, MA 02722  
T: 508-324-2220  
F: 508-324-2211  
E: ileite@fallriverma.org

23



RECEIVED

Outside Plant Network Engineering

2022 OCT 31 P 12:34

October 26, 2022

CITY CLERK  
FALL RIVER, MA

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

Dear City Council Members,

Enclosed you will find petition# MA2022-36 from Verizon New England Inc. proposing to place conduit on Davol Street. Please present at your next City Council meeting for usual course of action relative to granting.

This petition does require a hearing and notice to the abutters.

If you have any questions about this petition, please contact me.

Sincerely,

Verizon New England Inc.  
Attn: Daryl Crossman - ROW  
44 Old Townhouse Road  
South Yarmouth, MA 02664

(508) 398-5754 - Office  
daryl.crossman@verizon.com - Email

**PETITION FOR CONDUIT LOCATION-CITIES AND TOWNS**

To the City Council

of FALL RIVER, Massachusetts

VERIZON NEW ENGLAND INC. requests permission to lay and maintain underground conduits, with the wires and cables to be placed therein, under the surface of the following public way or ways:

**The petition proposes to place approximately 680' of new 4" PVC conduit along Davol Street. The installation will begin at existing manhole, MH499A, at the junction of Turner Street and Davol Street. From here, the conduit will run in a southerly direction to where it will end at #431 Davol Street.**

**This petition is necessary to continue the existing service and to provide services to the business at #431 Davol Street.**

Also for permission to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

Plan marked-VZ N.E. Inc. No. MA2022-36 dated SEPTEMBER 30, 2022 showing location of conduit to be constructed is filed herewith.

VERIZON NEW ENGLAND INC.

By

  
Manager Rights of Way

Dated this 26 day of OCT, 2022.

23

CITY COPY

### ORDER FOR CONDUIT LOCATION

In City Council of the City of FALL RIVER, Massachusetts  
ORDERED:

That permission be and hereby is granted the VERIZON NEW ENGLAND INC. to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways as requested in petition of said Company dated the 26th day of OCTOBER, 2022.

The petition proposes to place approximately 680' of new 4" PVC conduit along Davol Street. The installation will begin at existing manhole, MH499A, at the junction of Turner Street and Davol Street. From here, the conduit will run in a southerly direction to where it will end at #431 Davol Street.

This petition is necessary to continue the existing service and to provide services to the business at #431 Davol Street.

Substantially as shown on plan marked-VZ N.E. Inc., No. MA2022-36 dated September 30, 2022 filed with said petition.

Also that permission be and hereby is granted said VERIZON NEW ENGLAND INC. to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

The foregoing permission is subject to the following conditions:

1. The conduits and manholes shall be of such material and construction and all work done in such manner as to be satisfactory to the City Council or to such officers as it may appoint to the supervision of the work, and a plan showing the location of conduits constructed shall be filed with the City when the work is completed.
2. In every underground main line conduit constructed by said Company hereunder one duct not less than three inches in diameter shall be reserved and maintained for the limited purpose of attaching one-way low voltage fire and police signaling wires owned by the municipality or governmental entity for public safety purposes only.
3. Said Company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
4. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of Five Thousand Dollars (\$5,000) (reference being had to the bond already on file with said City) conditioned for the faithful performance of its duties under this permit.
5. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of FALL RIVER, Massachusetts, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
City Clerk



ORDER FOR CONDUIT LOCATION

We hereby certify that on \_\_\_\_\_ 2022, at \_\_\_\_\_ o'clock \_\_\_\_\_ M. at \_\_\_\_\_ a public hearing was held on the petition of the VERIZON NEW ENGLAND INC. for permission to lay and maintain underground conduits, manholes and connection, with the wires and cables to be placed therein, described in the order herewith recorded, and that we mail at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to construct the lines of said Company under said order. And that thereupon said order was duly adopted.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
City Council of the City of FALL RIVER, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of location order, and certificate of hearing with notice adopted by the City Council of the City of FALL RIVER, Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_ 2022, and recorded with the records of location orders of said City, Book \_\_\_\_\_ Page \_\_\_\_\_. This certified copy is made under the provisions of Chapter 166 General Laws and any additions thereto or amendments thereof.

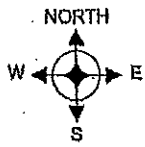
Attest:

\_\_\_\_\_  
City Clerk

VZ N.E. INC. No. MA2022-36 MUNICIPALITY FALL RIVER  
 DATED 9/30/2022 NOT TO SCALE

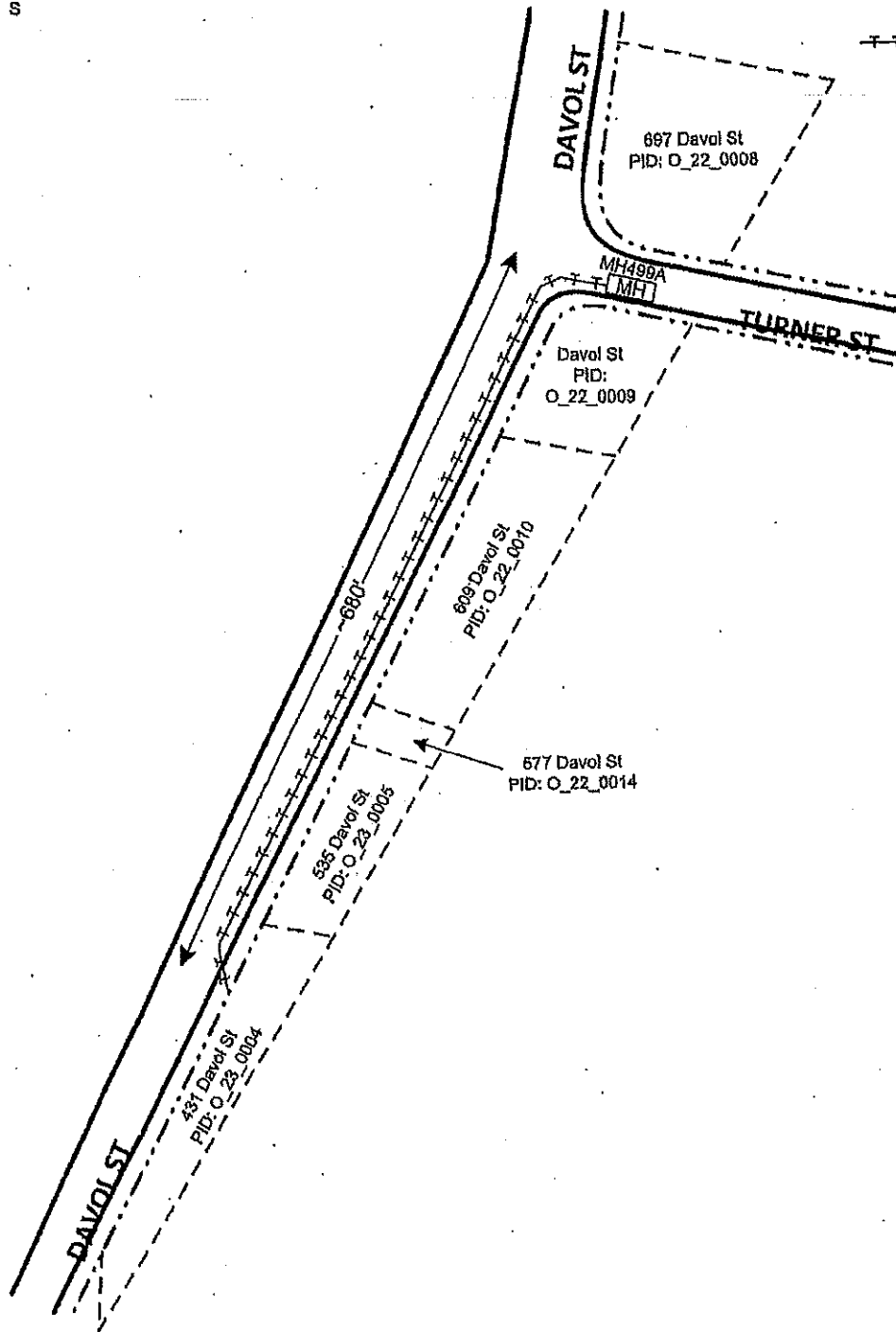
**LEGEND:**

- PROPERTY LINE
- EDGE OF PAVEMENT
- EDGE OF ROADWAY
- CL --- CENTERLINE OF ROADWAY
- ⊗ EXISTING POLE
- [MH] EXISTING MANHOLE
- ⌵ POLE ANCHOR
- ++++ UNDERGROUND CONDUIT



**PLAN FOR PLACEMENT OF NEW UNDERGROUND CONDUIT ON DAVOL ST**

TO ACCOMPANY PETITION OF  
 VERIZON NEW ENGLAND INC.



ABUTTERS LIST

PARCEL ID: O\_22\_0009  
Daval St

Liberty Utilities Corp  
(New England Natural Gas Co)  
15 Butterick Rd  
Londonderry, NH 03053

---

PARCEL ID: O\_23\_0004  
431 Davol St

SM Fall River Properties LLC  
c/o Syed Masihuddin  
431 Davol St  
Fall River, MA 02721

---

PARCEL ID: O\_23\_0006  
636 Davol St

Cove Holdings LLC  
700 Shore Drive, Unit 612  
Fall River, MA 02721

---

PARCEL ID: O\_22\_0014  
677 Davol St

Liana Realty  
10 Riverside Ave  
Somerset, MA 02726

---

PARCEL ID: O\_22\_0010  
609 Davol St

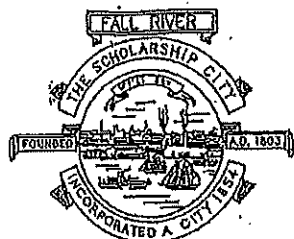
Liana Realty  
10 Riverside Ave  
Somerset, MA 02726

---

PARCEL ID: O\_22\_0008  
609 Davol St

BCBBK LLC  
330 Swansea Mall Dr  
Fall River, MA 02777

---



**PAUL E. COOGAN**  
Mayor

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

*Board of Assessors*

**RICHARD A. GONSALVES, MAA, CHAIRMAN**  
**NANCY L. HINOTE, MAA**  
**RICHARD B. WOLFSON**

## ABUTTER LIST

PETITION TO CITY COUNCIL BY VERIZON NE TO LAY & MAINTAIN 680' OF CONDUIT ALONG DAVOL ST.  
NECESSARY TO CONTINUE EXISTING SERVICE AND TO PROVIDE TO THE BUSINESS AT 431 DAVOL ST.  
CONTACT: Lauren Valcourt-City Council Office

O-22-9  
LIBERTY UTILITIES  
15 BUTTERICK RD  
LONDONDERRY, NH 03053

O-22-10/14 O-23-5  
577-609 DAVOL ST LLC  
23 HAMLET ST  
NEWTON, MA 02459

O-22-8  
BCBBK LLC  
456 ROCK ST  
FALL RIVER, MA 02720

THERE ARE ( 5 ) INVOLVED PARCELS.

THERE ARE ( 3 ) INVOLVED OWNERS.

Compiled and certified on  
Monday, October 31, 2022 by:

Doug Rebello-Assistant City Assessor



City of Fall River Massachusetts  
Office of the City Clerk

ALISON M. BOUCHARD  
CITY CLERK

October 31, 2022

INÈS LETTE  
ASSISTANT CITY CLERK

TO: Director of Engineering, City of Fall River

Attached is a copy of a petition for the installation of underground conduit / ~~or gas pipe~~ in public ways in the City. Will you please furnish the information requested below to the City Council prior to November 7, 2022

Very truly yours,

*Alison M. Bouchard*

Alison M. Bouchard  
City Clerk

10/31/22

Date

CITY CLERK  
FALL RIVER, MA

2022 NOV -1 P 1:21

RECEIVED

TO: City Council, Fall River, MA

Approval is hereby given to VERIZOL NEW ENGLAND to lay and maintain underground conduit / ~~to install gas pipe~~ at the location stated on the attached order.

Exceptions, if any, as follows:

ROADWAY RESTORATION SHALL BE FROM EASTERLY CURB LINE TO 2' BEYOND TRENCH

Very truly yours,

*Daniel Aguilar*

City Engineer

DANIEL AGUILAR

