



City of Fall River Massachusetts

Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, 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

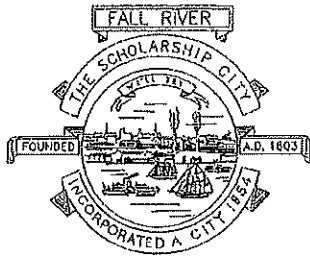
A true copy. Attest:

A handwritten signature in cursive script that reads "Chris Leite".

Assistant City Clerk

In City Council, December 13, 2022

Approved.



City of Fall River Massachusetts
Office of the City Clerk

RECEIVED
2022 NOV 18 P 1:33

CITY CLERK
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
TUESDAY, NOVEMBER 22, 2022
AGENDA

5:00 P.M. COMMITTEE ON PUBLIC SAFETY

5:55 P.M. PUBLIC HEARING (OR IMMEDIATELY FOLLOWING THE COMMITTEE ON PUBLIC SAFETY MEETING IF IT RUNS PAST 5:55 P.M.)

UNDERGROUND CONDUIT

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.

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

1. Citizen Input
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 (referred 11-8-2022)
3. *Discussion of loan order for the CPA/Central Fire Station and Fall River Fire Museum in the amount of \$1,025,539.00 (referred 11-8-2022)

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

PRIORITY MATTERS

1. *Mayor requesting confirmation of Kristen Cantara Oliveira to the Community Preservation Committee
2. *Mayor requesting confirmation of Al Oliveira as Director of City Operations
3. *Mayor and resolution regarding Section 108 loan application to secure funding for aging fire apparatus and equipment

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

PRIORITY COMMUNICATIONS

6. *Traffic Commission recommending amendments to traffic ordinances
7. *Planning Board recommending the acceptance of Courtney Street, extending from Highland Avenue to Fieldstone Lane

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

ORDINANCES

Second reading and enrollment:

9. *Proposed Ordinance – Salary schedule for Director of Fall River Emergency Management Agency
10. *Proposed Ordinance – Amendments to graffiti ordinance

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RESOLUTIONS – None

CITATIONS – None

ORDERS – HEARINGS

Underground Conduit:

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conduit on Davol Street

ORDERS – MISCELLANEOUS

13. Police Chief's report on licenses:

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COMMUNICATIONS – INVITATIONS – PETITIONS

14. *Claims
15. *Planning Board Minutes – October 17, 2022
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City Council Minutes:

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

BULLETINS – NEWSLETTERS – NOTICES

23. *Department of Public Utilities re: Municipal Aggregation Programs
24. *Good Energy response re: Municipal Aggregation Programs compliance

Alison M. Bouchard
City Clerk

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

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

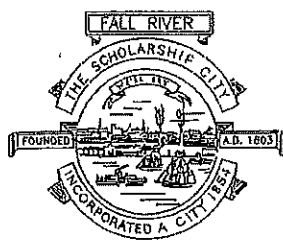
ORDINATION

Ordination:

- 9. Proposed Ordinance – Salary schedule for Director of Fall River Emergency Management Agency
- 10. Proposed Ordinance – Amendments to graffiti ordinance

Ordination, as amended:

- 11. Proposed Ordinance – Traffic, miscellaneous



City of Fall River
Massachusetts
Office of the Mayor

FINANCE 2

RECEIVED

2022 OCT 26 A 8:27

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

October 26, 2022

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

Dear Honorable Council President and Council Members:

I am pleased to forward to you the Section 108 Loan Application which I propose to file with the U.S. Department of Housing and Urban Development (HUD) for the replacement of fire apparatus in the City of Fall River. The Section 108 Loan Application details equipment to be purchased and the repayment schedule. This equipment will serve all City residents, the majority of which are low-moderate income.

Under a separate cover on November 16, 2022, I shall submit a proposed resolution for your consideration at your November 22nd meeting. The resolution would authorize submission of the Section 108 Loan Application with HUD. The Section 108 Loan Application is being submitted to you now in order to provide adequate review time prior to City Council consideration of the resolution at the November 22nd meeting.

The proposed Section 108 Loan Application, which was advertised on July 29th for public comment, was developed on the basis of testimony received at public hearings held August 17th and September 7th.

The timetable provides for submission of the Section 108 Loan Application no later than November 30, 2022.

Should you or any other Councilor have questions or comments prior to November 22nd, I urge you to immediately contact Michael P. Dion, Executive Director/CFO of the Fall River Community Development Agency. Mr. Dion will also be present at the City Council meeting to respond to any questions.

Sincerely,

Paul E. Coogan
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL

Enclosure

NOV 08 2022

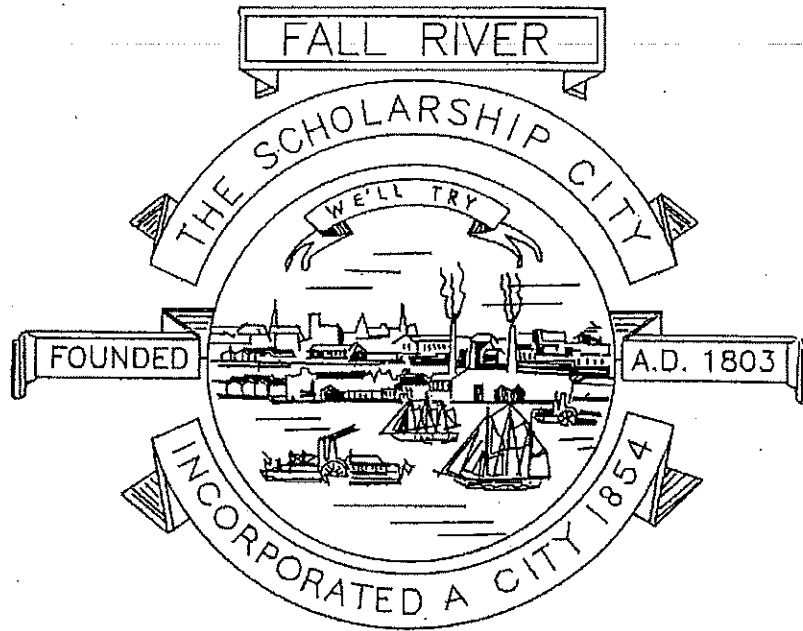
*Referred to the
Committee on Finance*

FINANCE 2

City of Fall River, Massachusetts

Paul E. Coogan, Mayor

Fall River Community Development Agency



2022 Section 108 Loan Application

Replacement of Firefighting Apparatus

For Submission To: U.S. Department of
Housing & Urban Development



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2022 OCT 26 A 8:29

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Attachments

Census Tract Map with Fire Stations

Census Tract Income Breakdown

SF-424 Application for Federal Assistance *(to be added)*

City Council Resolution *(to be added)*

**CITY OF FALL RIVER
LOAN ORDER: Community Preservation Act
(Central Fire Station and Fall River Fire Museum)**

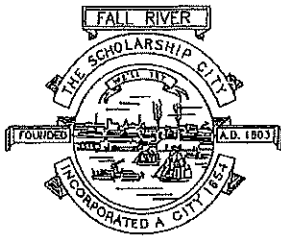
CITY OF FALL RIVER, In City Council

ORDERED: That the City hereby appropriates One Million Twenty Five Thousand Five Hundred and Thirty Nine dollars (\$1,025,539.00) to pay costs for the Central Fire Station and Fall River Fire Museum and all other costs incidental and related thereto. To meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said sum under and pursuant to M.G.L. Chapter 44B or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. The Mayor is authorized to apply for, accept and expend any and all grants or gifts from any sources whatsoever that may be available to the City on account of this project; provided, however, that the amount authorized to be borrowed by this order shall be reduced to the extent of any such grants or gifts received by the City. Any premium received by the City 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.

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 08 2022
*Authorized to be published
and referred to the
Committee on Finance*



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

FINANCE 3

RECEIVED

2022 NOV -3 A 8:17

CITY CLERK
FALL RIVER, MA

November 8, 2022

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

Dear Honorable Council Members:

The Community Preservation Committee (CPC) has identified a community project and has made recommendations for borrowing for it in accordance with the Community Preservation Act (CPA) MGL Chapter 44B Sections 4 to 7. The following project is being recommended for approval and related borrowing.

Community Preservation Act - Central Fire Station and Fall River Fire Museum.
Totaling: \$1,025,539.00

Your approval of the associated Loan Order is respectfully requested.

The debt service, including the principal, interest, and debt issuance costs will be funded from CPA funds.

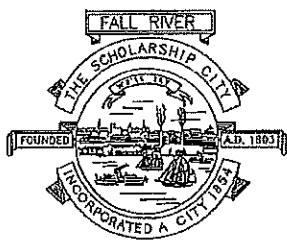
Should you have any questions or concerns in this regard, please do not hesitate to contact me.

Best Regards,

Paul E. Coogan
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL

NOV 08 2022
*Authorized to be published and
referred to the
Committee on Finance*



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

RECEIVED

2022 NOV 15 A 11:17

CITY CLERK
FALL RIVER, MA

November 15, 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: Kristen Cantara Oliveira

Address: 898 Robeson Street
Fall River, MA 02720

Position: Community Preservation Committee

Effective: November 15, 2022

Expiration: November 15, 2025

Sincerely,

Paul E. Coogan
Mayor

PC/amos

2



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

RECEIVED

2022 NOV 15 P 1:57

CITY CLERK
FALL RIVER, MA

November 15, 2022


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

Honorable Members of the City Council:

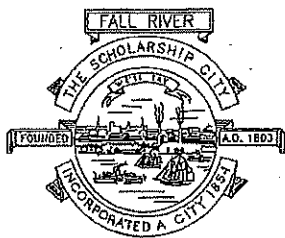
I hereby request the confirmation by the City Council for the following appointment:

Name: Al Oliveira
Address: 37 Skyline Drive Dartmouth, MA 02747
To: Director of City Operations
Effective Date: January 3, 2023
Annual salary: \$140,000.00

Sincerely,


Paul E. Coogan
Mayor

3



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

PAUL E. COOGAN
Mayor

RECEIVED

2022 NOV 16 A 9:15

CITY CLERK _____
FALL RIVER, MA

November 16, 2022

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

Dear Honorable Council President and Council Members:

I am pleased to forward to you the proposed resolution authorizing submission of the Section 108 Loan Application with the U.S. Department of Housing and Urban Development (HUD) for the replacement of fire apparatus in the City of Fall River, which is predominately low-moderate income. The Section 108 Loan Application details equipment to be purchased and the repayment schedule.

The resolution and the Section 108 Loan Application are being submitted to you in order to provide review time prior to City Council consideration of the resolution at the November 22nd Council meeting. The Application was submitted for your review under separate cover on October 26, 2022.

The proposed Section 108 Loan Application, which was advertised on July 29th for public comment, was developed on the basis of testimony received at public hearings held August 17th and September 7th.

The timetable provides for submission of the Section 108 Loan Application to HUD no later than November 30, 2022.

Should you or any other Councilor have any questions or comments prior to November 22nd, I urge you to immediately contact Michael P. Dion, Executive Director/CFO of the Fall River Community Development Agency. Mr. Dion will be present at the City Council meeting to respond to any questions.

Sincerely,

Paul E. Coogan

Paul E. Coogan
Mayor

Enclosure

City of Fall River, In City Council

(Mayor Paul E. Coogan)

**RESOLUTION OF LOCAL GOVERNING BODY AUTHORIZING SUBMISSION
OF THE CITY OF FALL RIVER SECTION 108 LOAN GUARANTEE APPLICATION
WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

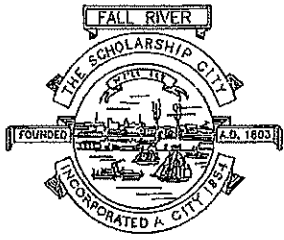
WHEREAS, the goal of the Section 108 Loan Guarantee Application is to secure funding for the replacement of aging fire apparatus and equipment, and

WHEREAS, the City is applying for \$2,500,000 dollars through the Section 108 Loan Guarantee Application, and

WHEREAS, in absence of Community Development Block Grant funding, the City will pledge its annual tax revenue as collateral for repayment of principal and interest on the Section 108 Loan Guarantee, and

WHEREAS, Mayor Paul E. Coogan must be authorized to submit the Section 108 Loan Guarantee Application to the Secretary of the U.S. Department of Housing and Urban Development and to accept and/or execute the Loan Agreements, now therefore

BE IT RESOLVED BY THE FALL RIVER CITY COUNCIL that Mayor Paul E. Coogan is authorized to submit the Section 108 Loan Guarantee Application and to accept and/or execute the contract(s) with the United States of America and to do all things necessary to carry out the Program, including the execution of contracts and the submission of such reports, certificates, and other materials as the U.S. Department of Housing and Urban Development shall require.



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

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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,

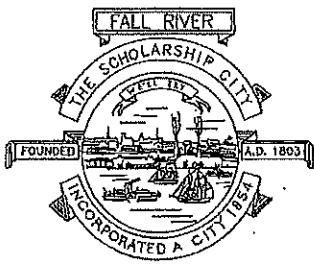
Paul E Coogan
Paul E Coogan
Mayor

City of Fall River, In City Council

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.



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



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
 Final

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
Polices		2023/2024	construction details		\$150,000.00
Contingency				SRF	\$400,000.00
					\$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	\$625,000.00
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

Loan Order= \$4,675,000

4

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

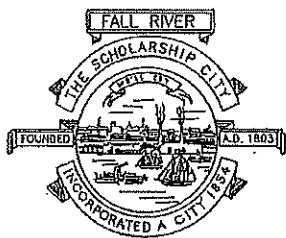
Open Market Project Cost	\$525,000
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year	Phase 22-SRF-water projects		
	\$2,905,000		
	Principal	Interest	Annual P&I
1	\$145,250	\$58,100	\$203,350
2	\$145,250	\$55,195	\$200,445
3	\$145,250	\$52,290	\$197,540
4	\$145,250	\$49,385	\$194,635
5	\$145,250	\$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		
\$525,000		
Principal	Interest	Annual P&I
\$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

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

RECEIVED

2022 NOV 17 P 12:18

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

November 16, 2022

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

Dear Councilors:

Your approval of the attached order for acceptance of a parcel of land with an area of 9.1 +/- acres, Assessors Map W-15 Lot 21, located on Blossom Road, is respectfully requested. The Watuppa Water Board voted to accept the land at its meeting of November 3, 2022.

Sincerely,

Paul E. Coogan
Mayor

Attachment

City of Fall River, In City Council

ORDERED, that the Mayor is hereby authorized to acquire the property as described on the attached deed subject to any changes and final approval by the Corporation Counsel. Said land is approximately 9.1 +/- acres including any buildings thereon, located on Blossom Road in Fall River, Massachusetts delineated as a portion of Parcel W-15-0021 known as the Adirondack Farm. The acquisition and ownership of said lot is for permanent conservation and public passive recreation purposes by the City of Fall River.

City of Fall River, *In City Council*

LAND Grant Program Conservation Acquisition Project – City Council Resolution

A RESOLUTION TO ACCEPT AND EXPEND A GRANT FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS, DIVISION OF CONSERVATION SERVICES' LOCAL ACQUISITIONS FOR NATURAL DIVERSITY (LAND) GRANT PROGRAM FOR PURCHASE OF A PARCEL OF LAND AT 1046 BLOSSOM ROAD (PART OF ASSESSOR'S PARCEL W-15-0021).

Whereas: The Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs (EEA) Division of Conservation Services (DCS) is making funding available through the Local Acquisitions for Natural Diversity (LAND) Program;

Whereas: The LAND Grant Program (formerly the Self Help Grant Program) was established in 1961 to assist municipal conservation commissions in acquiring land for natural resources protection and passive outdoor recreation purposes;

Whereas: The permanent preservation of open space is a priority of the City of Fall River; and

Whereas: The City of Fall River has identified a portion, comprising 7.10 acres, of assessor's parcel W-15-0021 known as Adirondack Farm that would be acquired and preserved for natural resources protection and passive outdoor recreation purposes.

Whereas: The City of Fall River will vote to appropriate and/or borrow the total cost of the project (a sum of \$382,633.00), according to M.G.L. Chapter 44 [particularly Section 8C], for the purpose of purchasing, for conservation and passive recreation purposes, by negotiated purchase.

Whereas: The Parcel acquisition, guided in principle by the Master Plan, will protect public water supplies, and

Whereas: The Conservation Commission is designated to hold and manage the property for passive recreation purposes in accordance with M.G.L. Chapter 40, Section 8C, and

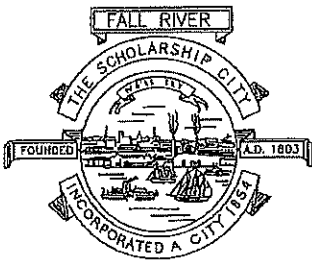
Whereas: The main focus of the Plan's Open Space element is to preserve, protect, and expand Fall River's open space assets. The overall cost and fiscal budget constraints prevented the City from proceeding with implementing the project, and

Whereas: The project was to be implemented over time, by priority as fiscal resources were available, with the intention of securing grant funding, when and if available, to assist in this effort, and

Whereas: The City of Fall River has allocated \$382,633.00 (Three hundred eighty two thousand, six hundred thirty three dollars) for the Purchase in Fee of the Fall River Land Acquisition Project for the property known as Adirondack Farm, now therefore

BE IT RESOLVED:

1. That the Mayor be and is hereby authorized to accept grant funds and execute contracts, and any amendment thereto, in order to carry out the terms, purposes, and conditions of the EEA DCS LAND Grant Program;
2. That the Mayor be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of the EEA DCS LAND Grant Program;
3. That this resolution shall take effect upon passage.



PAUL E. COOGAN
Mayor

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



PAUL J. FERLAND
Administrator

November 16, 2022

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

Dear Mayor Coogan:

Attached is an order for the purchase of property with an area of 9.1 +/- acres located on Blossom Road, Lot W-15-0021. This property is located within our Watershed and the purchase of this property will add to more protection our drinking water supply as well as a future development for an Educational Discovery Center.

This order was presented to the Watuppa Water Board at its meeting of November 3, 2022 and the Board voted unanimously to proceed forward with the order to purchase.

I have also attached a letter for your review and approval to the City Council so that this order can be bought before them at their next meeting.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Paul J. Ferland
Adm. of Community Utilities

PJF/omc
Attachments



2013 00001671
Bk: 8137 Pg: 170 Doc: DEED
Page: 1 of 2 01/29/2013 11:18 AM

QUITCLAIM DEED

We, Eugene R. Pineault and Lucetta Pineault, of 1046 Blossom Road, Fall River, Massachusetts, 02790, for consideration paid, and in full consideration of one dollar grant to, Eugene R. Pineault and Lucetta Pineault, Trustees of the Eugene R. Pineault and Lucetta Pineault Irrevocable Income Family Trust, of 1046 Blossom Road, Fall River, Massachusetts, 02790, u/d/t dated January 16, 2013, recorded herewith, with quitclaim covenants, all of our right, title and interest in the land in the town of Fall River, county of Bristol, Commonwealth of Massachusetts, together with all buildings and improvements thereon, situated in the town of Fall River, county of Bristol, Commonwealth of Massachusetts, and bound and described as follows:

1046 Blossom Road, Fall River, Massachusetts, 02790

Beginning at a point in the Westerly line of Blossom Road, by land now or formerly of Charles W. Young, thence running Westerly by said Young's land to the North Watuppa Pond, thence running southerly by the easterly shore of said Watuppa Pond to land now or formerly of David F. Petty; thence running Easterly by said Petty land and land of the City of Fall River to land now or formerly of Emma St. Ives to a drill hole in the wall for a corner, thence running Northerly at a right angle one hundred forty-eight and 5/10 (148.5) feet for a corner, thence running Easterly two hundred forty (240) feet more or less, to a drill hole in a stone in the westerly line of said Blossom Road, for a corner, thence running Northerly by the westerly line of said Blossom Road, to the point of beginning. Containing Fifteen acres be the same more or less.

Excepting therefrom that parcel of land conveyed to Harold S. Freelove, Jr. and Rita C. Freelove, to Robert J. Viveiros and Rose Marie Viveiros by deed dated October 08, 1976 and recorded in the Fall River District Registry of Deeds, Book 1146, Page 294-295.

And excepting therefrom also the land conveyed to Montaup Electric Co. by Harold S. Freelove by deed dated September 23, 1964 and recorded in said Deeds in Book 835, Page 293.

Subject to easement given the said Montaup Electric Co. by deeds of easement dated September 23, 1964 and October 27, 1964 recorded in said Deeds in Book 835, Page 115 and Book 838, Page 1, respectively.

Being the same premises conveyed to Eugene R. Pineault and Lucetta Pineault by Warranty Deed of Rita C. Freelove, dated December 28, 1979, and recorded with the Fall River Registry of Deeds in Book 1301, Page 233.

NO TITLE SEARCH CONDUCTED. NO TAX STAMPS REQUIRED.

WITNESS our hands and seals this 16 day of January, 2013.

Eugene R. Pineault

Lucetta Pineault


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COMMONWEALTH OF MASSACHUSETTS

BRISTOL, SS.

On this 16TH day of January, 2013, before me the undersigned notary public, personally appeared Eugene R. Pineault and Lucetta Pineault, proved to me through satisfactory evidence of identification, which was MA Driver's License, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Julie D. Custodio
Notary Public Julie D. Custodio
My Commission Expires: 7/21/17

2012-1076 Docket # 12-000000-00
 JULIE D. CUSTODIO
Notary Public
Commonwealth of Massachusetts
My Commission Expires
July 21, 2017

PURCHASE AND SALE AGREEMENT

1. PARTIES

This 31st day of October, 2022, Lucetta Pineault, Trustee of the Eugene R. Pineault and Lucetta Pineault Irrevocable Income Family Trust (hereinafter called the SELLER), agrees to SELL and the City of Fall River, acting by and through its Water & Sewer Division (hereinafter called the BUYER or PURCHASER), agrees to BUY, upon the terms hereinafter set forth, the following described premises:

2. DESCRIPTION

Land with buildings thereon situated at 1046 Blossom Road, Fall River, MA, Assessors Map W-15, Lot 21, Being the same premises described in a deed dated January 28, 2013, recorded with the Bristol County Fall River District Registry of Deeds in Book 8137, Page 170.

3. BUILDINGS, STRUCTURES, IMPROVEMENTS, FIXTURES

Included in the sale as a part of said premises are the buildings, structures, and improvements now thereon and the fixtures belonging to the SELLER and used in connection therewith including, if any, all venetian blinds, window shades, screens, screen doors, storm windows and doors, awnings, shutters, furnaces, heaters, heating equipment, stoves, ranges, oil and gas burners and fixtures appurtenant thereto, hot water heaters, plumbing and bathroom fixtures, electric and other lighting fixtures, mantels, outside television antennas, fences, gates, trees, shrubs, plants, and, if built in, air conditioning equipment, ventilators, garbage disposals, dishwashers, washing machines and dryers; Seller's personalty is expressly excluded from this sale.

4. TITLE DEED

Said premises are to be conveyed by a good and sufficient Quit-Claim Deed running to the BUYER, or to the nominee designated by the BUYER by written notice to the SELLER at least seven (7) days before the deed is to be delivered as herein provided, and said deed shall convey a good and clear record and marketable title thereto, free from encumbrances, except

- a) Provisions of existing building and zoning laws;
- b) Existing rights and obligations in party walls which are not the subject of written Agreement;
- c) Such taxes for then current year as are not due and payable on the date of the delivery of such deed;
- d) Any liens for municipal betterments assessed after the date of this Agreement;
- e) _____

5. PLANS

If said deed refers to a plan necessary to be recorded therewith the SELLER shall deliver such plan with the deed in form adequate for recording or registration.

6. REGISTERED TITLE

In addition to the foregoing, if the title to said premises is registered, said deed shall be in form sufficient to entitle the BUYER to a Certificate of Title of said premises, and the SELLER shall deliver with said deed all instruments, if any, necessary to enable the BUYER to obtain such Certificate of Title.

7. PURCHASE PRICE

The agreed PURCHASE PRICE for said premises is Eight Hundred Twenty Thousand and 00/100 (\$820,000.00) Dollars of which One Thousand and 00/100 (\$1,000.00) Dollars have been paid as a deposit this day and Eight Hundred Nineteen Thousand and 00/100 (\$819,000.00) Dollars are to be paid at the time of delivery of the deed in cash, or by certified, cashier's, treasurer's or bank check.

8. TIME FOR PERFORMANCE; DELIVERY OF DEED

Such deed is to be delivered no later than 1:00 o'clock P.M. on the 30th day of June, 2023 at the office of Buyer's counsel, unless otherwise agreed upon in writing. It is agreed that time is of the essence of this Agreement.

9. POSSESSION AND CONDITION OF PREMISES

Full possession of said premises free of all tenants and occupants, is to be delivered at the time of the delivery of the deed, said premises to be then (a) in the same condition as they now are, reasonable use and wear thereof excepted, and (b) not in violation of said building and zoning laws, and (c) in compliance with the provisions of any instrument referred to in Clause 4 hereof. The BUYER shall be entitled to an inspection of said premises prior to the delivery of the deed in order to determine whether the condition hereof complies with the terms of this Clause.

10. EXTENSION TO PERFECT TITLE OR MAKE PREMISES CONFORM

If the SELLER shall be unable to give title or to make conveyance, or to deliver possession of the premises, all as herein stipulated, or if at the time of the delivery of the deed the premises do not conform with the provisions hereof, then SELLER shall use reasonable efforts to remove any defects in title, deliver possession as provided herein and make the said premises conform to the provisions hereof. Thereupon the time for performance hereof shall be extended for a period of thirty (30) days.

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11. FAILURE TO PERFECT TITLE OR MAKE PREMISES CONFORM, ETC.

If at the expiration of the extended time the SELLER shall have failed so to remove any defects in title, deliver possession, or make the premises conform, as the case may be, all as herein agreed, or if at any time during the period of this Agreement or any extension thereof, the holder of a mortgage of said premises shall refuse to permit the insurance proceeds, if any, to be used for such purposes, then at the BUYER'S option, any payments made under this Agreement shall be forthwith refunded and all other obligations of all parties hereto shall cease and this Agreement shall be void without recourse to the parties hereto.

12. BUYER'S ELECTION TO ACCEPT TITLE

The BUYER shall have the election, at either the original or any extended time for performance, to accept such title as the SELLER can deliver to the said premises in their then condition and to pay therefor the PURCHASE PRICE without deduction, in which case the SELLER shall convey such title, except that in the event of such conveyance in accord with the provisions of this Clause, if the said premises shall have been damaged by the fire or casualty insured against, then the SELLER shall, unless the SELLER has previously restored the premises to their former condition, either:

- a) pay over or assign to the BUYER, on delivery of the deed, all amounts recovered or recoverable on account of such insurance, less any amounts reasonably expended by the SELLER for any partial restoration, or
- b) if a holder of a mortgage on said premises shall not permit the insurance proceeds or a part thereof to be used to restore the said premises to their former condition to be so paid over or assigned, give to the BUYER a credit against the purchase price, on delivery of the deed, equal to said amounts so recovered, or recoverable and retained by the holder of the said mortgage less any amounts reasonably expended by the SELLER for any partial restoration.

13. ACCEPTANCE OF DEED

The acceptance of a deed by the BUYER or his nominee as the case may be, shall be deemed to be a full performance and discharge of every Agreement and obligation herein contained or expressed, except such as are, by the terms hereof, to be performed after the delivery of said deed.

14. USE OF PURCHASE MONEY TO CLEAR TITLE

To enable the SELLER to make conveyance as herein provided, the SELLER may, at the time of delivery of the deed, use the PURCHASE money or any portion thereof to clear the title of any or all encumbrances or interests, provided that all instruments so procured are recorded simultaneously with the delivery of said deed.

15. INSURANCE

Until the delivery of the deed, the SELLER shall maintain insurance on said premises as presently insured.

16. ADJUSTMENTS

Water and sewer use charges, and taxes for the then current year, shall be apportioned, as of the day of performance of this Agreement and the net amount thereof shall be added to or deducted from, as the case may be, the PURCHASE PRICE payable by the BUYER at the time of delivery of the deed.

17. ADJUSTMENT OF UNASSESSED AND ABATED TAXES

If the amount of said taxes is not known at the time of the delivery of the deed, they shall be apportioned on the basis of the taxes assessed for the preceding year, with a reapportionment as soon as the new tax rate and valuation can be ascertained; and, if the taxes which are to be apportioned shall thereafter be reduced by abatement, the amount of such abatement, less the reasonable cost of obtaining the same, shall be apportioned between the parties, provided that neither party shall be obligated to institute or prosecute proceedings for an abatement unless herein otherwise agreed.

18. BROKER'S FEE

Each party represents and warrants to the other that there are no Brokers involved in this transaction. Each party agrees and warrants to the other that it shall indemnify and hold harmless the other party from any claims of Brokers claiming through said party.

19. DEPOSIT

All deposits made hereunder shall be held by SELLER's counsel subject to the terms of this Agreement and shall be duly accounted for at the time for performance of this Agreement.

20. BUYER'S DEFAULT; DAMAGES

If the BUYER shall fail to fulfill the BUYER'S Agreements herein, all deposits made hereunder by the BUYER shall be retained by the SELLER as liquidated damages. This shall be Seller's sole and exclusive remedy at law.

21. LIABILITY OF TRUSTEE, SHAREHOLDER, BENEFICIARY, ETC.

If the SELLER or BUYER executes this Agreement in a representative or fiduciary capacity, only the principal or the estate represented shall be bound, and neither the SELLER or

BUYER so executing, nor any shareholder or beneficiary of any trust, shall be personally liable for any obligation, express or implied, hereunder.

22. NOTICES

All notices required to be given hereunder shall be in writing, and shall be deemed duly given when delivered in hand, by registered or certified mail, or expedited delivery service, return receipt requested, postage and registration or certification prepaid and if intended for SELLER shall be served upon Seller with a copy to Mark Levin, Esq., 138 Rock St., Fall River, MA 02720. If said notices are intended for BUYER, same shall be served upon Paul J. Ferland, City of Fall River, Sewer Division, One Government Center, Fall River, MA 02722 with a copy to Arthur D. Frank, Jr., Esq., 209 Bedford St., Ste 402, Fall River, MA 02720. Any such notice shall be sufficient if given by any trustee, authorized agent or attorney on behalf of either party and shall be sufficient if delivered either to the party named above or to the attorney named as the recipient of any such notice. Notice hereby shall be deemed effective when received.

23. WARRANTIES AND REPRESENTATIONS

The BUYER acknowledges that the BUYER has not been influenced to enter into this transaction nor has he relied upon any warranties or representations not set forth or incorporated in this Agreement or previously made in writing, except for the following additional warranties and representations, if any, made by the SELLER.

24. CONSTRUCTION OF AGREEMENT

This instrument, executed in triplicate, is to be construed as a Massachusetts contract, is to take effect as a sealed instrument, sets forth the entire contract between the parties, is binding upon and inures to the benefit of the parties hereto and their respective heirs, devisees, executors, administrators, successors and assigns, and may be canceled, modified or amended only by a written instrument executed by both the SELLER and the BUYER. If two or more persons are named herein as BUYER their obligations hereunder shall be joint and several. The captions and marginal notes are used only as a matter of convenience and are not to be considered a part of this Agreement or to be used in determining the intent of the parties to it.

25. INSPECTION

This Agreement is subject to the right of the BUYER to obtain, at its own expense, an inspection of the premises by consultant(s) of its own choosing within one hundred twenty (120) days after the parties' execution of this Purchase and Sale Agreement and which one hundred twenty (120) day period it is agreed expires on the date hereinafter set forth. The BUYER and its consultant(s) shall have the right of access to the premises at reasonable times and in the presence of the SELLER upon twenty-four (24) hours advance notice, for purposes of inspecting the condition of said premises. If the BUYER is not satisfied with the results of such inspection, this Agreement may be terminated without legal or equitable recourse to either party by the BUYER at its election, the parties thereby releasing each other from all liability under this Agreement, and the deposit shall be returned to the BUYER, provided, however, that the BUYER shall have notified

5

the SELLER in writing, on or before the expiration date hereinafter specified of his intention to so terminate; failure to so notify will not excuse the BUYER from performance hereunder. It is agreed that the one hundred twenty (120) day period granted to the BUYER for these inspections shall expire ten days from the date set forth above.

26. ADDITIONAL PROVISIONS

The initialed riders, if any, attached hereto, are incorporated herein by reference.

The Parties' performance is contingent upon receipt of the following:

- a. Property to be conveyed in "as is" condition without Title V compliance.
- b. Receipt of all grants and other funding approvals.
- c. Approval by the Watappa Water Board
- d. Approval by the Fall River City Counsel.

SELLER:

BUYER:

City of Fall River

Lucetta Pineault, Trustee of the
Eugene R. Pineault and Lucetta Pineault
Irrevocable Income Family Trust

By:  _____

5

the SELLER in writing, on or before the expiration date hereinafter specified of his intention to so terminate; failure to so notify will not excuse the BUYER from performance hereunder. It is agreed that the one hundred twenty (120) day period granted to the BUYER for these inspections shall expire ten days from the date set forth above.

26. ADDITIONAL PROVISIONS

The initialed riders, if any, attached hereto, are incorporated herein by reference.

The Parties' performance is contingent upon receipt of the following:

- a. Property to be conveyed in "as is" condition without Title V compliance.
- b. Receipt of all grants and other funding approvals.
- c. Approval by the Watuppa Water Board
- d. Approval by the Fall River City Counsel.

SELLER:

BUYER:

City of Fall River

Lucetta Pineault, Trustee
Lucetta Pineault, Trustee of the
Eugene R. Pineault and Lucetta Pineault
Irrevocable Income Family Trust

By: _____

6

**City of Fall River
Massachusetts**

Traffic Board Commission

RECEIVED

2022 NOV 15 P 3:09

**Paul E. Coogan
Mayor**

**Laura Ferreira
Director of Traffic & Parking
CITY CLERK
FALL RIVER, MA**

November 15, 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, July 20, 2022, the following request was made and approved by the Traffic Board Commission.

That Chapter 70, Section 241, of the Revised Ordinances be amended in the following section:

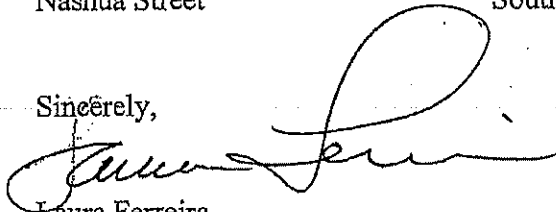
Article:	70	LOADING ZONE
Section:	385	ONLY

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Nashua Street	South	Starting at a point 56 Feet of Lawrence Street for a distance of 35 feet westerly.

Sincerely,


Laura Ferreira
Director of Traffic & Parking



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2022 NOV -9 P 3:15

LAURA FERREIRA
Director of Traffic & Parking

CITY CLERK _____
FALL RIVER, MA

November 8, 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, October 19, 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
Second Street	West	Starting at a point 351 feet north of Middle Street For distance of 20 Feet north.

Ryan Mercer
676 Second Street
Fall River MA 02721

Very truly yours,

Laura Ferreira
Director of Traffic & Parking

6

6



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division
RECEIVED

Paul E. Coogan
Mayor

2022 NOV -9 P 3:15

LAURA FERREIRA
Director of Traffic & Parking

CITY CLERK _____
FALL RIVER, MA

November 8, 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, October 19, 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
Third Street	West	Starting at a point 76 feet south of Branch Street For distance of 20 Feet south.

Dawn Halpern
621 3rd Street
Fall River MA 02721

Very truly yours,

Laura Ferreira
Director of Traffic & Parking

CA

6



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2022 NOV -9 P 3:15

LAURA FERREIRA

Director of Traffic & Parking

CITY CLERK _____
FALL RIVER, MA

November 8, 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, October 19, 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
Eastern Ave	West	Starting at a point 357 feet north of County Street For distance of 20 Feet north.

Karl Pease
195 Eastern Ave
Fall River MA 02723

Very truly yours,

Laura Ferreira
Director of Traffic & Parking

CT



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2022 NOV -9 P 3:16

LAURA FERREIRA

Director of Traffic & Parking

CITY CLERK _____
FALL RIVER, MA

November 8, 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, October 19, 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
Flint Street	West	Starting at a point 208 feet north of Pleasant Street For distance of 20 Feet north.

John Souza
123 Flint Street
Fall River MA 02723

Very truly yours,

Laura Ferreira
Director of Traffic & Parking

6



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2022 NOV -9 P 3:15

LAURA FERREIRA
Director of Traffic & Parking

CITY CLERK _____
FALL RIVER, MA

November 8, 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, October 19, 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
French Street	South	Starting at a point 102 feet east of Rock Street For distance of 20 Feet east.

Michael Nutbrown
685 Rock Street
Fall River MA 02720

Very truly yours,

Laura Ferreira
Director of Traffic & Parking

CA

6



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2022 NOV -9 P **LAURA FERREIRA**
Director of Traffic & Parking

CITY CLERK _____
FALL RIVER, MA

November 8, 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, October 19, 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
Grove Street	East	Starting at a point 61 feet south of Woodbine Place For distance of 20 Feet south.

Adelino Farias
377 Grove Street
Fall Rive MA 02720

Very truly yours,

Laura Ferreira
Director of Traffic & Parking

6



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2022 NOV -9 P 3:16

LAURA FERREIRA
Director of Traffic & Parking

CITY CLERK
FALL RIVER, MA

November 8, 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, October 19, 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
Hall Street	North	Starting at a point 282 feet east of Church Street For distance of 20 Feet east.

Faith Johnson
50 Hall Street
Fall River MA 02724

Very truly yours,

Laura Ferreira
Director of Traffic & Parking

1/4

6



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division
RECEIVED

Paul E. Coogan
Mayor

2022 NOV -9 P 3:15
LAURA FERREIRA
Director of Traffic & Parking

CITY CLERK _____
FALL RIVER, MA

November 8, 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, October 19, 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
Locust Street	South	Starting at a point 60 feet west of Seabury Street For distance of 20 Feet west.

Stephen Franco
669 Locust Street
Fall River MA 02720

Very truly yours,

Laura Ferreira
Director of Traffic & Parking

CA

6



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2022 NOV 9 10 12 AM
LAURA FERREIRA
Director of Traffic & Parking

CITY CLERK _____
FALL RIVER, MA

November 8, 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, October 19, 2022 the following request was heard and approved by the Traffic Commission.

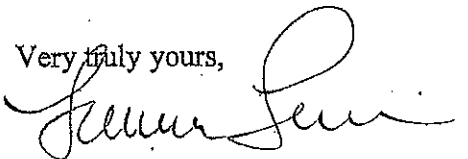
That Chapter 70 of Revised Ordinances be amended in the following Section:

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

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Plymouth Ave	West	Starting at a point 56 feet south of Lyon Street For distance of 20 Feet south.

Synica Peterson
763 Plymouth Ave
Fall River MA 02721

Very truly yours,


Laura Ferreira
Director of Traffic & Parking

CR



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2022 NOV -9 P 3:16

LAURA FERREIRA
Director of Traffic & Parking

CITY CLERK _____
FALL RIVER, MA

November 8, 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, October 19, 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
Pokross Street	North	Starting at a point 652 feet west of Bowen Street For distance of 20 Feet west.

Linda Taylor
187 Sunset Hill
Fall River MA 02724

Very truly yours,

Laura Ferreira
Director of Traffic & Parking



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

Paul E. Coogan
Mayor

2022 NOV -9 P 3:15

LAURA FERREIRA
Director of Traffic & Parking

CITY CLERK _____
FALL RIVER, MA

November 8, 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, October 19, 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
Ridge Street	West	Starting at a point 124 feet south of Cottage Street For distance of 20 Feet south.

Anibal Almeida
189 Ridge Street
Fall River MA 02721

Very truly yours,

Laura Ferreira.
Director of Traffic & Parking

6



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul E. Coogan
Mayor

RECEIVED

2022 NOV 14
LAURA FERREIRA
Director of Traffic & Parking

CITY CLERK _____
FALL RIVER, MA

November 8, 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, October 19, 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.

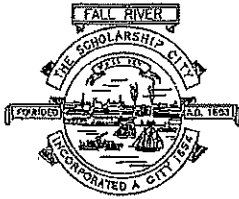
Name of Street	Side	Location
Shove Street	West	Starting at a point 20 feet north of Broad Street For distance of 25 Feet north.

Normand St Rock
128 Broad Street
Fall River MA 02724

Very truly yours,

Laura Ferreira
Director of Traffic & Parking

CA



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

RECEIVED

2022 NOV -9 P 3:15

CITY CLERK
FALL RIVER, MA

Paul E. Coogan
Mayor

LAURA FERREIRA
Director of Traffic & Parking

November 8, 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, October 19, 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
Sprague Street	South	Starting at a point 212 feet east of S Beach Street For distance of 20 Feet east.

Gene Silva
365 Sprague Street
Fall Rive MA 02724

Very truly yours,

Laura Ferreira
Director of Traffic & Parking

24



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division
RECEIVED

Paul E. Coogan
Mayor

2022 NOV -9 P 3:15

LAURA FERREIRA
Director of Traffic & Parking

CITY CLERK
FALL RIVER, MA

November 8, 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, October 19, 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
Tecumseh Street	north	Starting at a point 176 feet west of Blackstone Street For distance of 20 Feet west.

Willaim Souza
50 Tecumseh Street
Fall River MA 02721

Very truly yours,

Laura Ferreira
Director of Traffic & Parking

OK

6



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul E. Coogan
Mayor

RECEIVED

LAURA FERREIRA
2022 NOV - 9 Director of Traffic & Parking

November 8, 2022

CITY CLERK
FALL RIVER, MA

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, October 19, 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
Tower Street	North	Starting at a point 212 feet east of Bates Street For distance of 20 Feet east.

Laurette Gagnon
46 Tower Street
Fall River MA 02724

Very truly yours,

Laura Ferreira
Director of Traffic & Parking

CF

6



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul E. Coogan
Mayor

RECEIVED

LAURA FERREIRA

Director of Traffic & Parking

2022 NOV -9 P 3:15

November 8, 2022

CITY CLERK
FALL RIVER, MA

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, October 19, 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
Washington Street	west	Starting at a point 161 feet north of Hope Street. For distance of 20 Feet north.

Eduarda Leite
225 Washington Street
Fall River MA 02721

Very truly yours,

Laura Ferreira
Director of Traffic & Parking

6



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul E. Coogan
Mayor

RECEIVED

LAURA FERREIRA

2022 NOV 10 Director of Traffic & Parking

November 8, 2022

CITY CLERK _____
FALL RIVER, MA _____

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, October 19, 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
Webster Street	West	Starting at a point 94 feet north of Alden Street For distance of 20 Feet north.

Isaura Bonanca
93 Webster Street
Fall River MA 02723

Very truly yours,

Laura Ferreira
Director of Traffic & Parking

cy



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul E. Coogan
Mayor

RECEIVED

2022 NOV 14
LAURA FERREIRA
Director of Traffic & Parking

CITY CLERK
FALL RIVER, MA

November 8, 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, October 19, 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
Wooley Street	East	Starting at a point 194 feet south of Hamlet Street For distance of 20 Feet south.

Edward Mederios
42 Wooley Street
Fall River MA 02724

Very truly yours,

Laura Ferreira
Director of Traffic & Parking

6

OK

7



**City of Fall River
Massachusetts**

Engineering and Planning Department

RECEIVED

2022 NOV 14 A 10:40

CITY CLERK
FALL RIVER, MA

DANIEL N. AGUIAR
City Engineer

PAUL E. COOGAN
Mayor

November 14, 2022

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

RE: Petition for Acceptance of Courtney Street

Hon. Councilors,

On October 4, 2022, a petition was filed with the City Council requesting that Courtney Street, extending from Highland Avenue to Fieldstone Lane; be laid out and accepted. On October 11, 2022, the City Council referred the matter to the Planning Board for review and comment. On November 9, 2022, the Planning Board conducted a duly noticed public hearing to solicit comments on the petition.

Please be advised that, subsequent to the public hearing and research and review by the Planning and Engineering Departments, at a duly noticed public meeting of the Planning Board held on November 9, 2022, a quorum being present and voting, it was VOTED: To recommend that the City lay out and accept Courtney Street, extending from Highland Avenue to Fieldstone lane as requested.

Respectfully submitted,

Daniel Aguiar, City Engineer
On behalf of the Fall River Planning Board

Cc: Fall River City Clerk

City of Fall River, *In City Council*

The City Council hereby recommends that the City Engineer prepare plans for the acceptance of Courtney Street extending from Highland Avenue to Fieldstone Lane.

CITY OF FALL RIVER
IN CITY COUNCIL

OCT 11 2022

Referred to
Planning Board

CITY OF FALL RIVER

8

To the City Council

Councillors:

The Committee on Finance, at a meeting held on November 8, 2022 voted unanimously to recommend that the accompanying resolution be granted leave to withdraw, with Councilor Pamela S. Laliberte absent and not voting.

Alison M. Bouchard
City Clerk

City of Fall River, In City Council

(Councilor Linda M. Pereira)
(Councilor Michelle M. Dionne)
(Councilor Trott Lee)

WHEREAS, water has been a source of energy for hundreds of years, and

WHEREAS, there are miles of water mains running through the City of Fall River, and

WHEREAS, hydropower is now a large source of renewable energy, now therefore

BE IT RESOLVED, that the Administrator of Community Utilities investigate the possibility of harvesting energy from specially designed in-pipe turbines to be installed in water mains to generate electricity, and

BE IT FURTHER RESOLVED, that a presentation be delivered to the Committee on Finance within 90 days, with all information acquired by the Administrator of Community Utilities on this technology.

In City Council, December 14, 2021
Adopted.

A true copy. Attest:

Alison M. Bruchard

City Clerk

City of Fall River, *In City Council*

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

That Chapter 50 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Personnel be amended as follows:

By striking in Section 50-303, which section relates to Salary schedules for political appointments and boards/committees, the following:

Director of Fall River Emergency Management Agency	FREM	7-1-2019	\$22,500 per annum
--	------	----------	--------------------

and inserting in place thereof the following:

Director of Fall River Emergency Management Agency	FREM	7-1-2022	\$25,000 per annum
--	------	----------	--------------------

CITY OF FALL RIVER
IN CITY COUNCIL
SEP 27 2022

*Referred to the Committee
on Ordinances & Legislation*

CITY OF FALL RIVER
IN CITY COUNCIL

NOV 08 2022

*Passed through
first reading*

City of Fall River, In City Council

(Committee on Ordinances and Legislation)

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

That Chapter 46 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Offenses, be amended as follows:

Section 1.

By striking out in Section D (1), which section pertains to removal of graffiti, the following:

"48 hours" and inserting in place thereof, "two weeks"

Section 2.

By striking out Section D (3)(a), which section pertains to Removal by City, in its entirety and inserting in place thereof the following:

"The Department of Inspectional Services shall send the property owner a prior written notice by first class mail, which notice shall include the following: notifying the property owner that said graffiti constitutes a public nuisance; ordering the property owner to remove said graffiti within two weeks of receipt of said notice; notifying the property owner that if he fails to comply with such order the City shall cause said graffiti to be removed at his expense. The Inspector of Buildings will keep a log of reported graffiti that needs to be remedied, will monitor such reports, and will be responsible to send the notification to the property owner. Inaction by the property owner will give the City license to remedy the graffiti, at the cost of the property owner, without risk of liability to the City."

Section 3.

By inserting at the end of Section D (3)(c), which section pertains to Removal by City, the following:

"to be charged according to the current collective bargaining agreement of the Department of Community Maintenance."

CITY OF FALL RIVER
IN CITY COUNCIL

NOV 08 2022

*Passed through first
reading, 7 yeas,
1 nay*

City of Fall River, *In City Council*

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

That Chapter 70 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to traffic be amended as follows:

Section 1.

By inserting in Section 70-222-B, which section relates to left turn prohibited or restricted at certain intersections, the following:

Name of Street	Direction of Travel	Left turn prohibited onto
Lamphor Street	Southbound	Anthony Street
Newark Street	Southbound	Anthony Street

Section 2.

By inserting a new Section 70-228, which section relates to left turn only intersections, the following:

Name of Street	Direction of Travel	Left turn only onto
Anthony Street	Northbound drivers exiting Letourneau School	Anthony Street Westerly

Section 3.

By striking out in Section 70-241, which section relates to stop intersections designated, the following:

Name of Street	Direction of Travel	At Intersection of
Anthony Street	Eastbound	Stafford Road
North Varley Street	Northbound	Locust Street

Section 4.

By inserting in Section 70-241, which section relates to stop intersections designated, the following:

Name of Street	Direction of Travel	At Intersection of
Newark Street	Southbound	Anthony Street
North Varley Street	Southbound	Pine Street

Section 5.

By striking out in Section 70-281, which section relates to one way streets designated, the following:

Name of Street	Direction of Travel	Location
North Varley Street	Northerly	From Pine Street to Locust Street

Section 6.

By inserting in Section 70-281, which section relates to one way streets designated, the following:

Name of Street	Direction of Travel	Location
Anthony Street	Westerly	From Stafford Road to Lamphor Street
North Varley Street	Southerly	From Locust Street to Pine Street

Section 7.

By inserting in Section 70-371, which section relates parking prohibited at all times, the following:

Name of Street	Side	Location
Lamphor Street	East	From the corner of Anthony Street for a distance of 40 feet northerly
Lamphor Street	West	From the corner of Anthony Street for a distance of 40 feet northerly
Newark Street	East	From the corner of Anthony Street for a distance of 40 feet northerly
Newark Street	West	From the corner of Anthony Street for a distance of 40 feet northerly

Section 8.

By striking out in Section 70-387, which section related to Handicapped Parking, the following:

Name of Street	Side	Location
Third Street	East	Starting at a point 497 feet north of Morgan Street for a distance of 20 feet northerly
Grove Street	East	Starting at a point 5 feet south of Woodbine Place for a distance of 20 feet southerly
North Main Street	East	Starting at a point 379 feet south of Turner Street for a distance of 20 feet southerly

CITY OF FALL RIVER
IN CITY COUNCIL

NOV 08 2022

*Passed through
first reading, as amended*



City of Fall River
Notice of Claim

RECEIVED

2022 NOV -7 P 12:09

CITY CLERK #22-84
FALL RIVER, MA

1. Claimant's name: F. E. Garcia
2. Claimant's complete address: 199 Columbia St
3. Telephone number: Home: 774-294-6591 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
auto accident
5. Date and time of accident: 10:00 Amount of damages claimed: \$ _____
6. Exact location of the incident: (include as much detail as possible):
It was at Kennedy Park the truck was backing out then hit me
7. Circumstances of the incident: (attach additional pages if necessary):

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

Guico Insurance Company

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: 11-7-22

Claimant's signature: E. Garcia

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

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

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator ☒ Park Dept Date: 11/7/22



RECEIVED

City of Fall River
Notice of Claim

2022 NOV -8 P 3:16

14

1. Claimant's name: Kierra Lynn Marcelino
2. Claimant's complete address: 165 boyden st Fall River, MA 02721
3. Telephone number: Home: 508-901-7058 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Pothole damage
5. Date and time of accident: October 17, 2022 Amount of damages claimed: \$ 204.00
6. Exact location of the incident: (include as much detail as possible):
10th st, right side of empire Hyundai
7. Circumstances of the incident: (attach additional pages if necessary):
Pothole was filled with water, looked like no hole.
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: 11/3/2022

Claimant's signature: _____

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

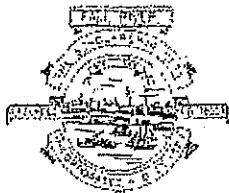
Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

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

For official use only:

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

Date: 11/8/22



14

#22-87

RECEIVED

City of Fall River
Notice of Claim

2022 NOV 15 A 10:54

1. Claimant's name: Crysthian Paiva CITY CLERK
2. Claimant's complete address: 48 Barrett Street, Apt 1, Fall River, MA 02724
3. Telephone number: Home: 774-208-2931 Work: 774-208-2931
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Auto Accident - Police Report - 22-2160-AC
5. Date and time of accident: 10/17/22 - 18:22 Amount of damages claimed: \$ 316.77
6. Exact location of the incident: (include as much detail as possible):
Corner of Fruit and Quarry Street, Fall River, MA
7. Circumstances of the incident: (attach additional pages if necessary):
The service van Plate #77274 was parked at the corner of Fruit and Quarry Street.
Office Viola was driving by and clipped drivers sideview mirror on the van. The office returned to station and reported it to
the Sargent on duty, filed a Report #: 22-2160-AC and left message on the office answering machine.
**Note - Additional Pages
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: 11/9/22

Claimant's signature: *Crysthian Paiva*

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

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

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

For official use only:

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

Date: 11/15/22



#22-88

RECEIVED

City of Fall River
Notice of Claim

2022 NOV 16 A 11:35

1. Claimant's name: ROBERT BENNETT CITY CLERK
2. Claimant's complete address: 129 GREEN BLVD FALL RIVER, MA 02722
3. Telephone number: Home: 401-623-1661 Work: N/A FL 33972
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
FAIL FROM POT HOLE IN UNLITE PUBLIC WAY
5. Date and time of accident: 10/28/22 Amount of damages claimed: \$ 5,000
6. Exact location of the incident: (include as much detail as possible):
AT BATTLESHIP WALKWAY TOWARDS PARKING LOT UNDER BRIDGE
7. Circumstances of the incident: (attach additional pages if necessary):
WALKING TOWARDS PARKING LOT. TOTAL DARKNESS STOPPED IN A POT HOLE
ROLED MY ANKLE AND FELL ON MY SIDE, HAD MY 2 SONS TO
HELP ME GET UP. MANAGEMENT CAME OUT THEN PUT CONES
OUT OVER NUMEROUS POT HOLES. I HAD IMMEDIATE PAID I KNOW ONLY HAND WAS
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 BLUE CROSS/BLUE SHIELD, FEDERAL AND TRICARE. NO ADDRESS ONLY WEBSITE. WWW.FEPBLUE.ORG

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: 11/16/22

Claimant's signature: [Signature]

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

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

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

For official use only:	
Copies forwarded to: <input checked="" type="checkbox"/> City Clerk <input checked="" type="checkbox"/> Law <input checked="" type="checkbox"/> City Council <input type="checkbox"/> City Administrator <input type="checkbox"/> _____	Date: <u>11/16/22</u>



**City of Fall River
Massachusetts
Planning Department**

PAUL E. COOGAN
Mayor

DANIEL AGUIAR
City Engineer/Acting Planner

TO: Alison Bouchard
City Clerk

FROM: Fall River Planning Board

RE: **PLANNING BOARD MINUTES**
October 17, 2022

RECEIVED
2022 NOV 10 P 3:00
CITY CLERK
FALL RIVER, MA

The Fall River Planning Board held a Special Public Meeting at 5:30 p.m. on Monday, October 17, 2022, in the 1st Floor Hearing Room, One Government Center, Fall River, MA for the purpose of considering the matters set forth in the agenda originally posted with your office on October 13, 2022.

Members present: Cynthia Sevigny, Chair; Mario Lucciola; Gloria Pacheco; Elizabeth Andre

Members absent: John Ferreira, Vice Chair

Also present: Dan Aguiar, Department Head of Engineering and Planning; Patti Aguiar, Recording Clerk; and Craig Salvador, FRGTV.

"Minutes" of this meeting are as follows:

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

New Business

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

File No. 22-1541

Owner/Applicant: Jeremy P. Corriveau & Amy M. Kruger

Property Location: 146 Elizabeth Street

Assessors Map: K-16-0107 & 0013

Mr. Aguiar stated that this petition is to combine two (2) lots. Previously, these lots were separated, with the first lot facing Elizabeth St. and the second lot facing Monarch St. He explained that the applicants wanted to make an addition to their home, although needed

setback relief from zoning. The applicant was granted the relief with the requirement of merging the lots by removing the existing lot line from in between the lots. Mr. Aguiar explained that there will be no additional lots created, instead there will be one (1) larger lot that meets area and frontage requirements. Mr. Aguiar recommended the Board to endorse the plan.

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

Documents used during the meeting:

Form A Application for Endorsement of Plan Believed Not to Require Approval
Tax Certification Form
Approval Not Required Plan of Land

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

File No 22-1542

Owner: Fall River Redevelopment Authority

Applicant: V.M.D. Companies, LLC

Property Location: 0 Innovation Way

Assessors Map: W-19-0185 & 0189

Mr. Aguiar informed the Board that the applicant had requested that this item be tabled until the following, November 9, 2022 meeting, as there are some revisions they would like to make to the plan. Mr. Aguiar recommended that the Board grant the table request.

Upon a motion duly made by Ms. Pacheco and Seconded by Ms. Andre, it was unanimously VOTED 4-0 to table this petition to the November 9, 2022 Planning Board Meeting.

Documents used during the meeting:

Form A Application for Endorsement of Plan Believed Not to Require Approval
Tax Certification Form
Approval Not Required Plan of Land

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

File No. 22-1543

Owner/Applicant: B&N Dubois Realty, LLC

Property Location: 112 Bullock Street

Assessors Map: P-24-0019

Mr. Aguiar explained that the applicant requests to subdivide the parcel located at 112 Bullock St. He explained that the parcel currently has 100ft. of frontage on Bullock St., continuing to David St. Mr. Aguiar explained that the applicant would like to subdivide this large lot, creating a new property line between Bullock St. and David St., in accordance with a variance that was granted March 17, 2022, which allows the applicant to file the ANR. Mr. Aguiar recommended the Board to endorse the plan.

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

Documents used during the meeting:

Form A Application for Endorsement of Plan Believed Not to Require Approval

Tax Certification Form

Approval Not Required Plan of Land

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

File No. 22-1544

Owner/Applicant: Evelina Costa, Manuel Furtado, & E&M Properties, LLC

Property Location: 162 & 170 French Street

Assessors Map: O-04-0018 & 0057

Mr. Aguiar explained that the applicant requests to modify the existing lot lines, as there was an encroachment from one structure onto another property, and the lot was very oddly shaped. Mr. Aguiar explained that the applicant went through the Zoning Board of Appeals process to remove and change the inner lot line. In accordance with a variance that was granted September 22, 2022, the applicant filed an ANR to fix the location of the lot lines. Mr. Aguiar recommended the Board to endorse the plan.

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

Documents used during the meeting:

Form A Application for Endorsement of Plan Believed Not to Require Approval

Tax Certification Form

Approval Not Required Plan of Land

5. Receipt of Correspondence

Review and discussion of Waterways License Application for Marina Reconfiguration Zone located at 600 Davol St.

Mr. Aguiar explained that this property is the location of the city pier and that the Fall River Redevelopment Authority has been working with the State to construct a pier system

with floating docks. Mr. Aguiar explained that this project has already been seen in front of the Conservation Commission. Mr. Aguiar explained that the plans that have been submitted for this project illustrates that the applicant will be wrapping the existing pier with floating docks and piles.

Ms. Sevigny asked if the floating docks would be permanent or not. Mr. Aguiar explained that the docks will be removed every winter. Mr. Aguiar went on to explain that the docks will be for transient docking – not leased docking. The intention is to give people a place to dock their boats while they explore the city. Ms. Sevigny asked if there would be a daily charge for docking at these locations. Mr. Aguiar explained that as of now, there will not be; however, it is within the Fall River Redevelopment Authority's purview to change this in the future.

Upon a motion duly made by Mr. Lucciola and Seconded by Ms. Andre, it was unanimously VOTED 4-0 to place item on file.

Documents used during the meeting:

Notification of Waterways License Application for Marina Reconfiguration Zone located at 600 Davol St.

6. Approval of Minutes: August 10, 2022 meeting.

Upon a motion duly made by Mr. Lucciola and Seconded by Ms. Pacheco, it was unanimously VOTED 4-0 to approve the minutes from the August 10, 2022 meeting.

7. Citizens' Input:

No one was present for Citizens' Input.

8. Adjournment

Upon a motion duly made by Ms. Andre and Seconded by Ms. Pacheco, it was unanimously VOTED 4-0 to adjourn at 5:46pm.

List of documents and other exhibits used during the meeting:

Planning Board Agenda for 10/17/2022 Meeting

Planning Board Minutes from 8/10/2022 Meeting

Recording Clerk

In Planning Board, November 9, 2022

Approved

CITY COUNCIL PUBLIC HEARING

MEETING: Tuesday, October 25, 2022 at 5:55 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilor Shawn E. Cadime

IN ATTENDANCE: Patrio Yaghoobian, Contract Engineer
Massachusetts Electric Company d/b/a National Grid
1101 Turnpike Street, North Andover, MA 01845

The President called the meeting to order at 6:00 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearing was to hear all persons interested and wishing to be heard on the following:

Pole Locations and Relocations

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

1. Massachusetts Electric Company and Verizon New England, Inc, for new jointly owned pole locations and relocations as follows:

Bedford and Seabury Streets

Six (6) new jointly owned pole locations
and two (2) jointly owned pole relocations

Install six jointly owned poles and relocate two jointly owned poles on Bedford Street and Seabury Street beginning at a point approximately 50 feet east of the centerline of the intersection of Bedford Street and Twelfth Street and continuing approximately 950 feet in a west direction. Extending overhead conductor along Bedford Street for system reliability. Poles on adjacent streets relocated to support additional conductors.

In accordance with Plan No. 29748813

Dated: September 19, 2022

The President asked if there were any proponents to be heard and Patrio Yaghoobian, National Grid Contracting Engineer, came forward and gave a brief explanation of the necessity of pole locations and relocations. The President then directed the opponents to be heard and no one came forward. On a motion made by Councilor Bradford L. Kilby and seconded, by Councilor Andrew J. Raposo, it was unanimously voted to close the hearing.

Underground Conduit

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

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

Bedford Street

Install 65 feet of conduit from the south side of Bedford Street to pole 19 on the north side of Bedford Street near the intersection of Bedford Street and Ford Street and install 63 feet of conduit from manhole 24 east along Bedford Street to pole 23-50. Manhole 24 is located at the intersection of Twelfth Street and Bedford Street.

In accordance with Plan No. 30333673

Dated: September 19, 2022

Condition:

Roadway restoration curb to curb required.

The President asked if there were any proponents to be heard and Patric Yaghoobian, National Grid Contracting Engineer, came forward and gave a brief explanation of the need for the underground conduit and system reliability improvement. The President then directed the opponents to be heard and no one came forward. On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted to close the hearing.

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

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

A true copy. Attest:



City Clerk

COMMITTEE ON FINANCE

MEETING: Tuesday, October 25, 2022 at 6:00 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
Bridget Almon, Director of Financial Services
Charlie Denmead, Director of Community Maintenance
Paul Ferland, Administrator of Community Utilities
Nancy Smith, Director of Parks and Recreation

The chair called the meeting to order at 6:13 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. (Citizens' Input Time occurred at 6:05 p.m., prior to the President calling the meeting to order.)

1. Citizens' Input Time – Before Discussion of Financial Matters:
Collin Dias, 560 Ray Street – MBTA, Charter Committee
Nelson Vasquez, 210 Sunset Hill – MBTA

President Joseph D. Camara stated that Paul Ferland, Administrator of Community Utilities was going to speak briefly regarding the emergency water main break that occurred earlier in the day prior to addressing agenda items. Mr. Ferland gave a brief explanation of location of water main break, the 600th block of Brayton Avenue, and repairs that are ongoing and gave basic information on the estimated schedule of repairs.

2. Transfers and appropriations
 - a. Mayor and order transferring the sum of \$1,370,000.00 from the Tax Levy to School appropriation

Councilor Michelle M. Dionne asked for an explanation of how funds could be taken from the Tax Levy. Bridget Almon, Director of Financial Services, explained that as new growth numbers are available, the Tax Levy is increased, therefore it isn't being taken from existing Tax Levy amounts, it is the new growth that is being transferred to School funds. Ms. Almon clarified how the amount of growth wasn't estimated in the original Tax Levy, but that growth will be assessable in Fiscal Year 2023, and therefore can be transferred now to the School appropriation. Councilor Shawn E. Cadime asked if this tax growth has received certification from the Massachusetts Department of Revenue, Division of Local Services. Ms. Almon stated that the certification is currently ongoing. Councilor Cadime also asked if the deficit of \$3,000,000.00 from Fiscal Year 2022 had been covered. Ms. Almon stated it had been covered. Councilor Cadime asked if the \$1,370,000.00 would cover the yearly school budget. Ms. Almon stated that it fulfills the school budget and they are going through End of Year Reports currently to ensure no additional funds are needed. Councilor Cadime asked why the payment for the Amaral Bus settlement hadn't been paid within six months as required and Ms. Almon stated that because the agreement wasn't signed until the end of July 2022, the funds needed to be transferred from the Stabilization fund to the Fiscal Year 2023 budget. Seth Thomas Aitken, City Administrator, stated that there were ongoing discussions but the agreement itself wasn't finalized until July of this year. Councilor Cadime asked when the settlement payment was scheduled to be made. Ms. Almon and Mr. Aitken stated it had already been paid. Councilor Bradford L. Kilby stated he feels this is a reliable transfer of funds. Councilor Linda M. Pereira asked whether Item #3 on the City Council Agenda was for the Amaral Bus payment and Mr. Aitken confirmed that it was.

- b. Mayor and order transferring the sum of \$180,000.00 from the Fiscal Year 2022 Stabilization Fund to Law, Expenses

Mr. Aitken gave a brief explanation on the Amaral Bus Settlement and it's relation to the 2020 COVID pandemic.

- 3. Discuss order transferring the sum of \$1,995.00 from CPA's undesignated fund balance to CPA Historic Resources Preservation Projects and the sum of \$210.00 from CPA's undesignated fund balance to CPA community housing.

No discussion took place on this item.

On a further motion made by Councilor Bradford L. Kilby and seconded by Linda M. Pereira, it was unanimously voted to lift the matter from the table.

- 4. Resolution – Discuss funding for construction of storage area/facility (tabled 6-28-22)
Mr. Aitken gave a brief explanation of how the Administration is putting together a plan for storage and went over current locations they are working to improve. Mr. Aitken also stated that the Administration waited for the reorganization of departments so they could appoint someone who works with both City Facilities and Community Maintenance and are working on filling that position to help this process. Charles Denmead, Director of Community Maintenance, gave a brief explanation of the process of clearing out the Department of Community Maintenance facility on Lewiston Street and that they held auctions to remove unused equipment. Councilor Linda M. Pereira asked why there was no public notice of the auctions. Mr. Denmead stated that while in the past this was an annual public auction, the City is now utilizing online auctions throughout the year and it all goes through the Purchasing Division. Councilor Linda M. Pereira

asked why storage was being utilized in the Armory building for items such as holiday decorations and how much containers would cost for storage. Mr. Aitken stated most of the items being stored there had been there long term but work was being done to remove them and Mr. Denmead stated that the School Committee was donating storage containers. Councilor Linda M. Pereira asked about a large tent being stored on Lewiston Street. Mr. Denmead stated he feels the tent should be auctioned off as it is not useful and Mr. Aitken agreed with him. Councilor Laura-Jean Washington gave compliments to Mr. Denmead. Councilor Michelle M. Dionne asked about the sale of the Armory building and if the City could use it for storage. Mr. Aitken stated there are currently prospective buyers and they do not plan to utilize the building for storage but for public events. Councilor Andrew J. Raposo asked about the trolleys that had been stored by the City and if there was a plan to repair them. Mr. Denmead stated they were beyond the possibility of repair but the City is currently looking at two vendors for new trolleys. Councilor Bradford L. Kilby asked if ARPA funding could be used for trolleys purchase and asked Mr. Aitken to discuss this possibility with the Mayor. Councilor Shawn E. Cadime asked the Administration to create a masterplan for storage project as well as for improvements to the Fire Department.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Andrew J. Raposo, it was unanimously voted to lift the matter from the table.

5. Resolution – Discuss plans to improve city parks and baseball fields (tabled 3-22-22)
Councilor Linda M. Pereira gave examples of different issues with litter and items found in City parks and stated that if the City provided more equipment, such as volleyball nets, the residents would be more likely to utilize the parks. Councilor Shawn E. Cadime stated that he feels City park equipment being updated would provide an increase in quality of life for City residents and that the Administration should also help the City Council to create project goals regarding this. Nancy Smith, Director of Parks and Recreation, stated that while she agrees improvements should be made, it is hard to maintain those improvements with limited staff and funding. Councilor Shawn E. Cadime stated he agreed with Ms. Smith and recommended the City look into Community Preservation Committee (CPC) funding. Ms. Smith stated that some of the park lighting that had been updated was from CPC funding. President Joseph D. Camara asked if there are sprinkler systems in the parks. Ms. Smith stated some parks have them but there are many that are damaged. Councilor Andrew J. Raposo stated that he agreed a plan should be created for park projects and that he lives near a park where graffiti has been an issue. Ms. Smith briefly explained that there is a program where people from correctional facilities are being trained on how to use graffiti removal machine and discussed how lighting was reliant on time of planned events in the parks. Councilor Laura-Jean Washington asked for explanation of the budget for each park and asked Ms. Smith about what adequate staffing would be for the division. Ms. Smith stated that in the past the department had about forty employees, but would currently need a minimum of thirteen and stated that the pay grade for these positions limit who applies for them. Councilor Laura-Jean Washington asked Ms. Smith why they don't charge sports leagues to use the parks. Ms. Smith stated that often, most leagues pay for improvements themselves for the facilities, so they are not charged to use those spaces. Mr. Aitken stated that there are a lot of projects in the parks but there isn't a plan currently to maintain these facilities, but the Administration feels that should be a goal. Councilor Michelle M. Dionne stated that the Parks Division has to pay water and sewer bills that total \$252,000 a year and that she believes they should not have to do that. Councilor Dionne asked about vandalism and safety issues and if Park Police should be brought back to help protect parks and

residents. Councilor Shawn E. Cadime stated that a majority of their budget goes towards things other than parks, such as electricity, heating, repairs, vehicle maintenance, etc, in addition to the water and sewer bills. Councilor Cadime stated it was not right that the Parks Division only has a small amount left over for the actual parks. Councilor Andrew J. Raposo asked what could be done to move this project forward and asked Mr. Aitken if a plan could be put together with the Administration. Mr. Aitken stated that there is a plan in place currently from 2015, but the Administration is interested in pursuing updates to this plan with Chris Payrano, Interim City Planner. Councilor Andrew J. Raposo asked if he could have a copy of the plan from 2015 and if there could be a meeting scheduled with the Board of Park Commissioners. Mr. Aitken stated he will provide a copy of the plan. Ms. Smith stated that the Board of Park Commissioners will attend any meeting requested by the City Council.

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to refer the matter to the City Council Committee of Human Services, Housing, Youth and Elder Affairs.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Laura-Jean Washington, it was unanimously voted to adjourn at 7:38 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting



Assistant Clerk of Committees

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, October 25, 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

President Joseph D. Camara called the meeting to order at 7:48 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 the following appointments to the Special Charter

Review Committee:

- a. John R. Mitchell
- b. Traci L. Almeida
- c. Kathryn M. Nemkovich
- d. Paul J. Machado
- e. Michelle (Mimi) Larrivee

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted to confirm the appointments, 5 yeas, 4 nays, with Councilors Shawn E. Cadime, Michelle M. Dionne, Pamela S. Laliberte and Leo O. Pelletier voting in the negative.

2. Mayor and order transferring the sum of \$1,370,000.00 from the Tax Levy to School appropriation

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

3. Mayor and order transferring the sum of \$180,000.00 from the Fiscal Year 2022 Stabilization Fund to Law, Expenses

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

4. Mayor and order appropriating \$2,205 as follows:

\$1,995.00 for CPA Historic Resources Preservation Projects

\$210.00 for CPA Community Housing

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

Approved, October 26, 2022, Paul E. Coogan, Mayor

5. Mayor and amended orders of taking for the MBTA Southcoast Rail Program Off-Site Traffic Mitigation Improvements at the intersection of President Avenue and North Main Street

Councilor Michelle M. Dionne stated the City Council should wait to vote on this matter until the City votes Yes or No to join the MBTA before this order is adopted. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted to waive the rules to allow City Administrator Seth Thomas Aitken to answer questions. Councilor Shawn E. Cadime stated that an earlier version of the order had already been approved at a previous meeting and asked Mr. Aitken if the traffic improvements would still take place with this order of taking even if the residents voted No on the MBTA question. Mr. Aitken said yes. Councilor Michelle M. Dionne made a motion to table the item but it received no second. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Laura-Jean Washington, it was voted to adopt the order, with Councilor Michelle M. Dionne voting in the negative.

Approved, October 26, 2022, Paul E. Coogan, Mayor

6. Mayor and Fiscal Year 2023 – Quarter 1 Budget Report

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the matter to the Committee on Finance.

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

a. \$267,842.00 – MA EOEAA – Purchase a 7.10-acre farmland portion of Adirondack Farm adjacent to North Watuppa Pond

b. \$65,000.00 – MA EOPSS – FRPD will purchase 9 new Speed Radar Signs, 30 Bicycle Helmets and Reflective Bands, and compensate officers to conduct traffic enforcement during the yearly 6 MRS campaigns.

On a motion made by Councilor Laura-Jean Washington and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the orders.

Approved, October 26, 2022, Paul E. Coogan, Mayor

8. Mayor and order accepting a donation of two paintings to the Fall River Public Library from artist Sheila Oliveira

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the order. Councilor Linda M. Pereira asked the City Clerk to send a letter of thanks to artist Sheila Oliveira, a copy of which is attached hereto and made a part of these minutes.

Approved, October 26, 2022, Paul E. Coogan, Mayor

PRIORITY COMMUNICATIONS – None

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

9. The City Council supports the Southcoast Rail Project and encourages residents to vote in favor of Fall River being added to the Massachusetts Bay Transportation Authority. A motion was made by Councilor Bradford L. Kilby and seconded by Councilor Laura-Jean Washington to adopt the resolution. Councilor Michelle M. Dionne stated that the City Council should not attempt to influence the votes of city residents. Councilor Bradford L. Kilby stated that supporting the MBTA SouthCoast Rail Project will affect the quality of life in the City for residents and make the City a better place to live. Councilor Bradford L. Kilby also stated that it is the City Council's job to advocate for good things the community and that this resolution shows the City Councilors support this project. Councilor Michelle M. Dionne stated again that City Councilors should not attempt to influence votes of city residents. Councilor Shawn E. Cadime asked Councilor Bradford L. Kilby if he'd be willing to allow the City Council to amend the resolution to remove the portion pertaining to voting. Councilor Bradford L. Kilby stated he supported an amendment to the resolution. A motion was made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira to revise the last sentence of the resolution from "BE IT RESOLVED, that the City Council supports this worthwhile project and encourages the residents to vote in favor of this city being added to the Massachusetts Bay Transportation Authority." to "BE IT RESOLVED, that the City Council recommends support of this worthwhile project being added to the Massachusetts Bay Transportation Authority." On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Pamela S. Laliberte, it was voted to adopt the resolution, as amended, with Councilor Michelle M. Dionne voting in the negative.

CITATIONS – None

ORDERS – HEARINGS**Pole Locations and Relocations**

10. Massachusetts Electric Company and Verizon New England, Inc. – Six (6) new joint pole locations and two (2) joint pole relocations on Bedford and Seabury Streets. On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adopt the order. Approved, October 26, 2022, Paul E. Coogan, Mayor

Underground Conduit

11. Massachusetts Electric Company – Installation of approximately 128 feet of underground conduit on Bedford Street. On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the order. Approved, October 26, 2022, Paul E. Coogan, Mayor

ORDERS – MISCELLANEOUS

12. Auto Body Shop License Renewals:
Steven Melo d/b/a Choice Collision Center, Inc, located at 645 Brayton Avenue
Shaun Silva d/b/a Globe Auto, Inc, located at 165 Tucker Street
On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order.
Approved, October 26, 2022, Paul E. Coogan, Mayor

13. Auto Repair Shop License Renewals:

Shaun Silva d/b/a Globe Auto, Inc, located at 165 Tucker Street

Luis Pimentel d/b/a L and S Auto Inc, located at 1138 Pleasant Street

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adopt the orders.

Approved, October 26, 2022, Paul E. Coogan, Mayor

14. City Council Appointments to the Special Charter Review Committee:

- Attorney Rene Brown
- Timothy Campos
- Daniel Robillard
- Councilor Laura-Jean Washington

Councilor Leo O. Pelletier asked how many individuals would serve on the Special Charter Review Committee. President Joseph D. Camara stated there would be nine members. Councilor Andrew J. Raposo stated he would like more information on the appointments prior to voting on this matter. President Joseph D. Camara verbally described the merits of each candidate. Councilor Bradford L. Kilby stated that while the resumes for appointees are available, it was recommended by Corporation Counsel not to include resumes in public agenda packet. Councilor Andrew J. Raposo stated he is uncomfortable voting yes on this matter without this information. President Joseph D. Camara stated that he will make sure the information is forwarded to all Councilors. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was voted 5 yeas, 4 nays, to adopt the order, with Councilors Shawn E. Cadime, Michelle M. Dionne, Pamela S. Laliberte and Andrew J. Raposo voting in the negative.

COMMUNICATIONS – INVITATIONS – PETITIONS

15. Claims

Councilor Andrew J. Raposo asked if an update can be forwarded to him from Corporation Counsel regarding the rectification of an injury on one of the claims involving an individual in a wheelchair. President Joseph D. Camara stated that would be possible. 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 Corporation Counsel.

16. Planning Board Minutes - August 10, 2022

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

17. Attorney General Response to Open Meeting Law complaint filed by Patrick Higgins re; April 26, 2022 alleged violation by City Council

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted that the item be accepted and placed on file.

18. Open Meeting Law complaint filed by Patrick Higgins re: September 16, 2022 alleged violation by City Council

Councilor Shawn E. Cadime asked that the Open Meeting Law complaint be read to the City Council and the City Clerk read the complaint. 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 Corporation Counsel.

City Council Minutes:

19. Public Hearing – October 11, 2022

On a motion by Councilor Shawn E. Cadime and seconded by Councilor Laura-Jean Washington, it was unanimously voted to approve the minutes.

20. Committee on Finance – October 11, 2022

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

21. Regular Meeting of the City Council – October 11, 2022

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

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS FILED AFTER THE AGENDA DEADLINE

COMMITTEE REPORTS

Committee on Finance

Referral to the Committee on Human Services, Housing, Youth and Elder Affairs:

8a. Resolution – Discuss plans to improve city parks and baseball fields

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the resolution to the Committee on Human Services, Housing, Youth and Elder Affairs.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted that the meeting be adjourned at 8:21 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



City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÉS LETTE
ASSISTANT CITY CLERK

October 26, 2022

Shella Oliveira
20 Hickory Lane
Westport, MA 02790

Dear Ms. Oliveira,

At a meeting of the City Council held on Tuesday, October 25, 2022, a request was made to forward a letter of thanks to you. Your generous donation of two paintings, one honoring Sesame Street composer Joe Raposo and one of Fall River Teacher (1867) Sara Anna Lewis, is greatly appreciated.

The donation of your artwork provides an excellent representation of influential and historical residents of Fall River. On behalf of the Fall River City Council, please accept our sincerest gratitude.

Sincerely,

Alison M. Bouchard
City Clerk

/lv

CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, November 8, 2022 at 5:55 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilor Pamela S. Laliberte

IN ATTENDANCE: James Currin, 656 Harvard Street
Mohammad Udin, 693 New Boston Road
Michael Ozug, 34 Manton Street
David Pike, 91 Globe Street
Frank Marchione, 31 Semple Village Road, Attleboro, MA, 02703
Richard Gonsalves, Board of Assessors Chairperson
Richard B. Wolfson, Board of Assessors Secretary
Bridget Almon, Director of Financial Services

The President called the meeting to order at 6:02 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:

CURB REMOVALS

On a motion made by Councilor Michelle M. Dionne and seconded, by Councilor Leo O. Pelletier, it was unanimously voted that the hearings be opened.

1. James Currin, 656 Harvard Street, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
656 Harvard Street Curb Cut on Eldridge Street	12'	14'	0'	26'

The parcel currently has a 12' curb opening. The applicant proposes to remove an additional 14' of curbing resulting in a total combined opening of 26'.

The President asked if there were any proponents to be heard. James Currin stated he needed to increase the size of the driveway due to space needed for a two car garage. The President asked if there were any opponents to be heard and no one came forward.

2. Mohammad Uddin, 693 New Boston Road, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
693 New Boston Road Curb Cut on Acacia Street	16'	16'	0'	32'

This applicant proposes to create a new 16' curb opening that is a distance of 12' from the existing 16' curb opening. The proposal will result in a combined curb opening of 32'.
The President asked if there were any proponents to be heard. Mohammad Uddin stated he needed to increase the size of the driveway to assist with parking all family vehicles. The President asked if there were any opponents to be heard and no one came forward.

3. Brenda Dasilva, 41 Hayfield Lane, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
41 Hayfield Lane	16'	8'	0'	24'

This applicant proposes to modify the existing 16' curb opening by an additional 8' resulting in a total opening of 24'.
The President asked if there were any proponents to be heard and no one came forward. The President asked if there were any opponents to be heard and no one came forward.

4. Tiberio Jacinto, 245 Fieldstone Lane, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
245 Fieldstone Lane	16'	8'	0'	24'

This applicant proposes to modify the existing 16' curb opening by an additional 8' resulting in a total opening of 24'.
The President asked if there were any proponents to be heard and no one came forward. The President asked if there were any opponents to be heard and no one came forward.

5. Michael Ozug, 34 Manton Street, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
34 Manton Street	16'	5.2'	0'	21.2'

This applicant proposes to modify the existing 16' curb opening that currently accesses the property at 34 Manton Street. The owner requests to extend the existing opening by 5.2', which will align the opening with the existing driveway beyond the City sidewalk. The proposal will result in a total opening of 21.2'.

The President asked if there were any proponents to be heard. Michael Ozug stated that he has trouble getting his second car out of the driveway because the driveway is wider than the curb cut. He stated that when drivers park on the curb it often blocks the second car into the driveway. Councilor Leo O. Pelletier stated that he has concern about the impact to on-street parking and he would like to refer the matter to the Committee on Public Works and Transportation. The President asked if there were any opponents and the City Clerk stated that Carlos Arruda, 38 Manton Street, was listed as an opponent.

6. David Pike, 91 Globe Street, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
91 Globe Street	11' (Foote Street)	16' (Globe Street)	0'	27'

The parcel currently has an 11' curb opening on Foote Street. The applicant proposes to remove an additional 16' of curbing on Globe Street resulting in a total combined opening of 27'. *The President asked if there were any proponents to be heard. David Pike stated that he has trouble getting his camper into the yard of his property using the Foote Street opening and that opening the curb on Globe Street would make parking the camper easier and safer. The President asked if there were any opponents and no one came forward.*

7. Catahoula Development, LLC, P.O. Box 1989, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
351 Danforth Street	22'	74'	16'	80'

The parcel currently has a 22' curb opening. The applicant proposes to construct an 8 unit townhouse development. Each unit will require a 10' curb opening resulting in a total combined opening of 80'. Of the existing curb opening, 16' will be closed, the remainder of which falls within one of the proposed 10' openings.

The President asked if there were any proponents. Frank Marchione gave a brief explanation of the construction of four duplexes on this lot and why the curbing needed to be removed to allow for eight driveways as each duplex would have two car parking. Councilor Bradford L. Kilby asked if this construction had been approved by the Planning Board. Mr. Marchione confirmed that it had been approved. Councilor Michelle M. Dionne asked for clarification on how the driveways would provide two parking spaces. Mr. Marchione explained that one space would be within the garage of the duplex and the other would be in the driveway.

Tax Classification

8. Adoption of the percentage of the local tax levy to be borne by each class of property for Fiscal Year 2023.

The President called on the Board of Assessors to address the Council and on a motion made by Richard B. Wolfson and seconded by Richard Gonsalves, it was voted 2 yeas to reconvene the Board of Assessors meeting at 6:16pm, with Nancy Hinote absent and not voting. Richard Gonsalves, Chairperson, gave a brief explanation of the new growth of the City's tax income which he stated was \$3,743,846.00. He also stated this was the largest amount of growth since 2002. Mr. Gonsalves explained that the Board of Assessors is recommending an increase of 1.75% for the 2023 Fiscal Year and the tax increase would be \$259.53 per resident. Mr. Gonsalves stated that the median residential value being used is \$313,000. Councilor Bradford L. Kilby stated he was satisfied with the growth in comparison to New Bedford and supports the 1.75% increase. Councilor Laura-Jean Washington stated she was very proud of the City's new growth. Councilor Michelle M. Dionne asked what portion of this tax increase would be applied to the payment for the new Durfee High School. Mr. Gonsalves and Bridget Almon, Director of Financial Services, stated they were legally not allowed to separate the line items on the tax bill based on the requirements of the Department of Revenue. Councilor Michelle M. Dionne stated the residents needed to know what portion of their taxes are for the cost of the new Durfee High School. Councilor Shawn E. Cadime stated there is an online calculator with the Department of Revenue that will break down the costs for the debt exclusion. Councilor Michelle M. Dionne stated that it was promised to the residents that they'd know how much of their tax payment was going towards the school payments. Ms. Almon stated that she would be able to get a break down to the City Council within the next few days. Mr. Gonsalves estimated an additional \$65 would be added to the FY2023 single family residential tax bill. Councilor Michelle M. Dionne stated she would appreciate getting that information and that she does support the 1.75% increase. President Joseph D. Camara stated that this information is important to residents and asked Ms. Almon to please send that information to the City Councilors as soon as possible. Councilor Andrew J. Raposo asked for information on Assessors Land Use codes. Mr. Gonsalves explained a few of the codes. On a motion made by Richard B. Wolfson and seconded, by Richard Gonsalves, it was voted 2 yeas to adjourn the Board of Assessors meeting at 6:38pm, with Nancy Hinote absent and not voting.

On a further motion made by Councilor Andrew J. Raposo and seconded, by Councilor Linda M. Perreira, it was unanimously voted that the hearings be closed at 6:40pm.

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

A true copy. Attest:



City Clerk

COMMITTEE ON FINANCE

MEETING: Tuesday, November 8, 2022 at 6:00 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilor Pamela S. Laliberte

IN ATTENDANCE: Seth Thomas Aitken, City Administrator
Bridget Almon, Director of Financial Services
Paul Ferland, Administrator of Community Utilities

The chair called the meeting to order at 6:41 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:

Collin Dias, 560 Ray Street – MBTA
Nelson Vasquez, 210 Sunset Hill – MBTA

2. Resolution – Administrator of Community Utilities investigate of possibility of harvesting energy from specially designed in-pipe turbines (adopted 12-14-21)

Paul Ferland, Administrator of Community Utilities, gave a brief explanation of research that was done on the cost of installing in-pipe turbines as well as the challenges the City would face with installation. Mr. Ferland stated that the branched network of water pipes have different pressures and velocities, depending on which portion of the city they are in, which would cause an issue. Mr. Ferland stated that in-pipe turbines require equal pressure and velocity throughout the system for them to work. Councilor Linda M. Pereira asked about the distributors that had been contacted for information. Mr. Ferland stated he had spoken with Lucidity, a company in Portland, OR, and another company in Bangor, ME. Councilor Linda M. Pereira stated that if it was not cost effective and wouldn't work properly, she will make a motion to recommend that

the resolution be granted leave to withdraw. Councilor Michelle M. Dionne stated that if it wasn't a feasible option for the City, she agrees with Councilor Linda M. Pereira. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to recommend that the resolution be granted leave to withdraw, with Councilor Pamela S. Laliberte absent and not voting.

3. Discussion of Fiscal Year 2023 – Quarter 1 Budget Report

Bridget Almon, Director of Financial Services, stated that the City was doing very well with spending. Councilor Andrew J. Raposo asked about information for non-recurring local receipts. Ms. Almon stated that a majority of the funds in local receipts was from the opioid funding provided by the Commonwealth, which was about \$153,000.00. Ms. Almon stated that the Administration will be asking the City Council to move those funds elsewhere in the future. Councilor Andrew J. Raposo asked where the remaining amount of non-recurring local receipts would be going. Ms. Almon stated that she would forward that information to the City Council as soon as possible. Councilor Michelle M. Dionne asked about the marijuana excise tax percentage listed in the quarterly report. Ms. Almon stated that the marijuana excise tax does not follow the same timing pattern as other excise taxes, therefore the number in this report may not be completely accurate. Councilor Michelle M. Dionne asked about receipts that reference solid waste. Ms. Almon stated that is for larger, bulky items, such as mattresses. Councilor Michelle M. Dionne asked if the City was doing better with collecting payments for larger collection items. Seth Thomas Aitken, City Administrator, stated that since Charles Denmead had taken over the Department of Community Maintenance, more payments have been received than in prior years. Councilor Michelle M. Dionne asked about "unclassified reserve fund" amounts being different than the original amount that was estimated. Mr. Aitken stated that there is typically a difference between what is anticipated versus what is achieved. Ms. Almon stated she will look into the matter and will advise the City Council. President Joseph D. Camara asked who created this report and Ms. Almon stated it was the City Auditor's Department. President Camara asked if Mr. Edward Iacaponi, consultant for the Finance Department, was still working for the City and Mr. Aitken stated that they are working to reduce his time with the City while balancing the need for his help with educating the Auditor's Department on daily processes and procedures. Councilor Michelle M. Dionne asked about unexpected buyouts. Ms. Almon stated that those are not typically anticipated, but that she is working to budget for that in the future. Mr. Aitken stated that it's challenging to anticipate employees moving on to other careers. Councilor Michelle M. Dionne asked about the impact of summer hours. Ms. Almon explained that there are some employees that have been with the City for a long time, and in their contract, they still receive summer hours. Mr. Aitken stated he will get more information on the percentage of employees under this category. Councilor Michelle M. Dionne asked about computer room expense as well as the office equipment purchased by the Elections Department. Mr. Aitken stated there were necessary computer upgrades within certain departments and the expenses for Elections were for early voting supplies. Councilor Shawn E. Cadime asked if there were any concerns in general regarding this first quarter budget report and Ms. Almon stated she has concerns about the Commonwealth's changes to the Marijuana community host fee laws. Councilor Shawn E. Cadime asked about the progress with the funding for the Bedford Street Streetscapes project and Ms. Almon said that a meeting was held with Bond Counsel, as she is also concerned about the cost of this project. Mr. Aitken stated that the City Engineer would be able to give more information on this matter.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adjourn at 7:18 p.m., with Councilor Pamela S. Laliberte absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

Colleen A. Taylor
Clerk of Committees

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, November 8, 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, Leo O. Pelletier, Linda M. Pereira,
Andrew J. Raposo, and Laura-Jean Washington

ABSENT: Councilor Pamela S. Laliberte

IN ATTENDANCE: Seth Thomas Aitken, City Administrator
Nicholas Macolini, Director of Human Resources

President Joseph D. Camara called the meeting to order at 7:29 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

PRIORITY MATTERS

1. Mayor and proposal to file Section 108 Loan Application with the U.S. Department of Housing and Urban Development for the replacement of fire apparatus
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer the item to the Committee on Finance, with Councilor Pamela S. Laliberte absent and not voting.
2. Mayor and loan order – CPA/Central Fire Station and Fall River Fire Museum - \$1,025,539.00
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted that the loan order be authorized to be published and referred to the Committee on Finance, with Councilor Pamela S. Laliberte absent and not voting.
3. Mayor and Memorandum of Agreement between General Teamsters Local No. 251 and the City of Fall River
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted to waive the rules to allow Seth Thomas Aitken, City Administrator, and Nicholas Macolini, Director of Human Resources, to speak. Councilor Shawn E. Cadime asked for clarification on the wage agreement. Mr. Macolini gave a brief explanation of the new wage scale and the adjustments made. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the order, with Councilor Pamela S. Laliberte absent and not voting.
Approved, November 9, 2022, Paul E. Coogan, Mayor

4. Mayor and City Assessor re: establishment of Fiscal Year 2023 tax factor and tax levy. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Laura-Jean Washington, it was unanimously voted to adopt a residential factor of 83.3477, with Councilor Pamela S. Laliberte absent and not voting. On a further motion made by Councilor Laura-Jean Washington and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the percentages on the local tax levy for a 1.75 tax factor, with Councilor Pamela S. Laliberte absent and not voting.

Approved, November 9, 2022, Paul E. Coogan, Mayor

PRIORITY COMMUNICATIONS

5. 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 this matter to the Committee on Ordinances and Legislation, with Councilor Pamela S. Laliberte absent and not voting.

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

All readings with Emergency Preamble:

6. Proposed Ordinance – Traffic, handicapped parking (inserting)
 Bates Street Birch Street Dwelly Street
 Haffards Street Locust Street Bay Street

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was voted 8 yeas to pass the proposed ordinance with an emergency preamble, with Councilor Pamela S. Laliberte absent and not voting. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted to pass the proposed ordinance through first reading, second reading, passed to be enrolled and passed to be ordained, with Councilor Pamela S. Laliberte absent and not voting.

Approved, November 9, 2022, Paul E. Coogan, Mayor

First reading

7. Proposed Ordinance – salary schedule for Director of Fall River Emergency Management Agency

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted to pass the proposed ordinance through first reading, with Councilor Pamela S. Laliberte absent and not voting.

First reading, as amended:

8. 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 Laura-Jean Washington, it was unanimously voted to pass the proposed ordinance through first reading, with Councilor Pamela S. Laliberte absent and not voting.

Approval

9. Proposed Ordinance – amendments to graffiti ordinance

The City Clerk stated that the proper motion from the Committee on Ordinances and Legislation should have been to pass the proposed ordinance through first reading instead of approval. Councilor Linda M. Pereira stated that giving residents only two weeks and charging them a fee to remove graffiti on their own property was not fair as they did not vandalize the house and that she would be voting against this item. She also said this ordinance would be too difficult to enforce and asked what the expense for the City would be to remove the graffiti. Councilor Andrew J. Raposo stated that this is an amendment to a current ordinance that gives property owners only 48 hours to remove graffiti and that the expenses would be based on the hourly rate stipulated in the Teamsters collective bargaining agreement. He also said that this amendment is focusing more on commercial property owners utilizing the graffiti removal machine and that a conversation was held with the City Administrator and the Deputy Police Chief at the Committee on Ordinances and Legislation meeting regarding giving more leeway to residential property owners due to financial concerns. Councilor Raposo also stated that there is graffiti throughout the city and it is important to address this matter. Councilor Shawn E. Cadime stated he supports this amendment and agrees with Councilor Andrew J. Raposo. He said that a thorough discussion was held at the Committee on Ordinances and Legislation meeting to ensure the ordinance included the input and recommendations of the City Administrator and the Police Chief, which includes amendments designed to affect commercial property owners, not residential property owners and that if the person vandalizing is caught, they will be responsible for all the costs of the removal. Councilor Michelle M. Dionne stated that the City bought the graffiti removal machine with ARPA funding and the machine should be used. President Joseph D. Camara asked when the two week period would begin and who would be monitoring this

timeline. Councilor Laura-Jean Washington stated that she had the same concerns regarding resident costs but that the Administration stated they would work with residents who had financial concerns about removing graffiti on residential properties. On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Michelle M. Dionne, it was voted 7 yeas, 1 nay, to pass the proposed ordinance through first reading, with Councilor Linda M. Pereira voting in the negative and Councilor Pamela S. Laliberte absent and not voting.

Committee on Real Estate recommending:

Grant Leave to Withdraw

10. Communication – City resident – no parking on Bigelow Street
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted that the communication be granted leave to withdraw, with Councilor Pamela S. Laliberte absent and not voting.

Committee on Public Works and Transportation recommending:

Adoption

11. Curb Removal – Mayara da Silva Pena, 102 Laurel Street – 30 feet at 192 Laurel Street and Aetna Street
On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adopt the order, with Councilor Pamela S. Laliberte absent and not voting.
Approved, November 9, 2022, Paul E. Coogan, Mayor

Grant Leave to Withdraw

12. Resolution – Committee on Public Works and Transportation convene to discuss ways to keep residents informed of daily street closures
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted that the resolution be granted leave to withdraw, with Councilor Pamela S. Laliberte absent and not voting.

ORDINANCES – None

RESOLUTIONS

13. Committee on Public Safety convene with the City Administrator, Chief of Police and Director of Traffic to discuss ways to improve resident safety regarding speeding within the North Eastern Avenue and Bedford Street area
On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the resolution to the Committee on Public Safety, with Councilor Pamela S. Laliberte absent and not voting.
14. Committee on Public Safety convene with the Chief of Emergency Medical Services to discuss planned adjusted locations of emergency vehicles to reassure residents that EMS will continue to provide equal access to healthcare for all neighborhoods
On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer the resolution to the Committee on Public Safety, with Councilor Pamela S. Laliberte absent and not voting.
15. Committee on Finance convene with City Administrator to discuss planned budgetary recommendations to improve the Parks and Recreation Division
Councilor Andrew J. Raposo stated that there was an agreement recently that the Committee on Human Services, Housing, Youth and Elder Affairs was going to convene with the Parks

Department to discuss what was needed to improve maintenance and staffing. He also said that his hope is that the meeting occurs before the Committee on Finance meets with the City Administrator, as they will then have a better idea of the Department's needs. President Joseph D. Camara stated he recommends this resolution be referred to the Committee on Human Services, Housing, Youth and Elder Affairs instead and Councilor Laura-Jean Washington agreed. Councilor Linda M. Pereira stated this meeting should happen as soon as possible as it will help the city overall. On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted to refer this resolution to the Committee on Human Services, Housing, Youth and Elder Affairs, with Councilor Pamela S. Laliberte absent and not voting.

16. Administration provide information regarding homelessness in the City of Fall River Councilor Bradford L. Kilby stated this resolution is intended to address the fact that homelessness has increased in the City and that he was not sure what Committee the City Council felt would be appropriate to address this issue. On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Bradford L. Kilby, it was unanimously voted to refer this resolution to the Committee on Human Services, Housing, Youth and Elder Affairs, with Councilor Pamela S. Laliberte absent and not voting.

CITATIONS – None

ORDERS – HEARINGS

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was unanimously voted to take items 17-20 and 22-23 together, with Councilor Pamela S. Laliberte absent and not voting.

Curb Removals

17. James Currin, 656 Harvard Street – Removal of 14 feet on Eldridge Street
18. Mohammed Uddin, 693 New Boston Road – Removal of 16 feet on Acacia Street
19. Brenda Dasilva, 41 Hayfield Lane – Removal of 8 feet on Hayfield Lane
20. Tiberio Jacinto, 245 Fieldstone Lane – Removal of 8 feet on Fieldstone Lane
22. David Pike, 91 Globe Street – Removal of 16 feet on Globe Street
23. Catahoula Development, LLC, P.O. Box 1989 – Removal of 74 feet and addition of 16 feet on Danforth Street

On a motion made by Councilor Leo O. Pelletier and seconded by Councilor Laura-Jean Washington, it was unanimously voted to adopt the orders, with Councilor Pamela S. Laliberte absent and not voting.

Approved, November 9, 2022, Paul E. Coogan, Mayor

21. Michael Ozug, 34 Manton Street – Removal of 5.2 feet on Manton Street
- On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to refer this order to the Committee on Public Works and Transportation, with Councilor Pamela S. Laliberte absent and not voting.

ORDERS – MISCELLANEOUS

24. Auto Repair Shop License Transfer:

Transfer of auto repair shop license no. 349 located at 401 Bedford Street from Jocasta M. Nadal and Darwin C. Valerio Hernandez d/b/a VN Auto Repair, LCC to Jason Ventura d/b/a AA Auto Repair and Sales, LLC

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

Approved, November 9, 2022, Paul E. Coogan, Mayor

25. Police Chief's report on licenses:

Taxicab Drivers:

Nicholas M. Costa

Laura Ferreira

Walter Woods

Livery Drivers:

Garry Boursiquot

Livery Vehicles:

Garry Boursiquot – Chevy Suburban

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Michelle M. Dionne, it was unanimously voted to approve the order, with Councilor Pamela S. Laliberte absent and not voting.

COMMUNICATIONS – INVITATIONS – PETITIONS

26. Claims

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to refer the claims to Corporation Counsel, with Councilor Pamela S. Laliberte absent and not voting.

27. Zoning Board of Appeals Minutes – September 15, 2022

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Andrew J. Raposo, it was unanimously voted that the minutes be accepted and placed on file, with Councilor Pamela S. Laliberte absent and not voting.

28. River Hawk Environmental re: Notice of activity and use limitation at 288 Plymouth Ave.
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Andrew J. Raposo, it was unanimously voted that the communication be accepted and placed on file, with Councilor Pamela S. Laliberte absent and not voting.

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: NOVEMBER 8, 2022

PRIORITY MATTERS

4a. Mayor requesting confirmation of Charles Denmead as the Director of Community Maintenance

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Bradford L. Kilby, it was voted with 8 yeas to confirm the appointment, with Councilor Pamela S. Laliberte absent and not voting.

29. Drainlayer License:

Geologic-Earth Exploration, Inc.

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Bradford L. Kilby, it was unanimously voted to approve the license, with Councilor Pamela S. Laliberte absent and not voting.

Approved, November 9, 2022, Paul E. Coogan, Mayor

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to adjourn at 8:08 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



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

RECEIVED

2022 NOV 15 A 11:35

CITY CLERK
FALL RIVER, MA

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

BETHANY A. CARD
SECRETARY OF ENERGY
AND ENVIRONMENTAL AFFAIRS

ONE SOUTH STATION
BOSTON, MA 02110
(617) 305-3500

MATTHEW H. NELSON
CHAIR

ROBERT E. HAYDEN
COMMISSIONER

CECILE M. FRASER
COMMISSIONER

November 15, 2022

VIA ELECTRONIC MAIL

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For Cape Light Compact JPE

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For Colonial Power Group, Inc., as Agent for the Towns of Abington, Adams, Ashby, Ashland, Auburn, Becket, Berlin, Billerica, Buckland, Carlisle, Charlemont, Cheshire, Clarksburg, Colrain, Conway, Dalton, Deerfield, Easton, Egremont, Florida, Franklin, Gill, Great Barrington, Halifax, Harvard, Hatfield, Heath, Holliston, Huntington, Kingston, Lancaster, Lanesborough, Lenox, Millville, Monterey, New Marlborough, New Salem, North Andover, Northfield, Orange, Pembroke, Plymouth, Plympton, Salisbury, Sandisfield, Sheffield, Shelburne, Stoughton, Sunderland, Tewksbury, Tyngsborough, Upton, Warwick, Wendell, West Bridgewater, West Brookfield, West Stockbridge, Whately, Williamsburg, Williamstown, and Winchendon, and the Cities of Boston, Gardner, Haverhill, Lowell, Marlborough, Newburyport, North Adams, Pittsfield, and West Springfield

Municipal Aggregation Programs

Page 2

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For the Towns of Acton, Bellingham, Chelmsford, Foxborough, Grafton, Lexington, Lincoln, Nantucket, Natick, Sharon, Southborough, Sutton, Swampscott, Walpole, Webster, and Westborough and the Cities of Cambridge, Greenfield, Newton, Salem, Watertown, and Worcester

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For Good Energy, L.P., as Agent for the Towns of Acushnet, Avon, Bedford, Brookline, Carver, Charlestown, Cohasset, Dartmouth, Dedham, Dighton, Douglas, Dracut, Fairhaven, Freetown, Hamilton, Leicester, Marion, Marshfield, Mattapoisett, Millbury, Milton, Northbridge, Norton, Oxford, Plainville, Rehoboth, Rochester, Rockland, Scituate, Seekonk, Somerset, Stoneham, Sudbury, Swansea, Uxbridge, Wareham, Westford, Westport, and Westwood, and the Cities of Attleboro, Fall River, Fitchburg, Gloucester, Medford, Melrose, New Bedford, Somerville, and Waltham

RE: Municipal Aggregation Programs

To All Municipal Officials and their respective Municipal Aggregation Consultants:

The Department of Public Utilities ("Department") has received several complaints from customers of municipal aggregation programs ("Programs" or "Program") throughout the Commonwealth. These complaints range from enrollment issues, incorrect information, customers being notified that they will be returned to basic service (and then are not), new customers being denied enrollment in a Program, opt-out customers being denied re-enrollment in a Program, and omitted Program information on municipality or Program websites (e.g.,

absence of current Program pricing¹, absence of current and future electricity supplier contact information, and absence of municipality officials' contact information on Program websites²).

The Department reminds you of the statutory Program requirements of universal access, reliability, and equitable treatment of all classes of customers. G.L. c. 164, § 134(a). Universal access requires that a Program be made available to all customers within a municipality. Town of Salisbury, D.P.U. 16-51, at 8 (2016); City of Lowell, D.P.U. 12-124, at 44-46 (2013); City of Marlborough, D.T.E. 06-102, at 19 (2007); Cape Light Compact, D.T.E. 00-47, at 47 (2000). Universal access also allows municipality residents to opt out of and opt in to a Program at any time.

Programs must provide for reliability. G.L. c. 164, § 134(a). This includes assurances that the Program will be operated without interruption and the municipality has the technical expertise necessary to operate its Program.

Finally, Programs must provide for equitable treatment of customer classes. G.L. c. 164, § 134(a). Equitable treatment of all customer classes does not mean all customer classes must be treated equally; rather, customer classes that are similarly situated must be treated equitably. D.P.U. 16-51, at 10, citing Cape Light Compact, D.P.U. 14-69, at 10-16, 45-47; D.T.E. 06-102, at 20. Thus, customers served by a competitive supplier at Program initiation who later join the Program must receive the Program rate, like those new customers who move to the municipality after Program initiation. Further, a Program may elect to offer customers who have previously opted out and wish to opt in a Program rate or a market-based rate; a Program may not refuse to serve such customers. Program competitive suppliers are required to provide all-requirements service to all customers residing within a municipality (unless a customer opts out), and nothing in Department Orders, rules, or directives involving municipal aggregation or competitive supply allow any Program competitive supplier to deny electric service to a customer.

Participation in a Program is voluntary. G.L. c. 164, § 134(a). Municipalities have a statutory duty to fully inform customers about automatic enrollment and the right to opt out of a Program. In this regard, the Department has determined that a municipal aggregation plan must include detailed education and outreach strategies that are appropriately customized for the individual municipality. Town of Becket, et al., D.P.U. 18-133 through D.P.U. 18-146, at 27-28 (2020). Municipalities must also continue to provide customers with information regarding the ongoing

¹ As of November 9, 2022, the Towns of Brookline, Carver, Charleton, Kingston, Lancaster, Millbury, Oxford, Tyngsborough, West Brookfield, and Winchendon do not have current (November 2022) Program pricing on their Program websites. Notably, municipalities that enter into new, future Electric Service Agreements are failing to maintain current Program pricing on their websites.

² For example, the Program website for the Town of West Stockbridge does not contain municipal official contact information (<https://colonialpowergroup.com/west-stockbridge/>).

operations of the Program after Program launch.³ See, e.g., D.P.U. 14-69, at 48; Town of Dalton, D.P.U. 13-136, at 23 (2014).

Within ten business days from the date of this letter, Municipalities and their consultants shall ensure that: (1) current (and future, if applicable) pricing for Program products is available on Program websites; (2) current (and future, if applicable) competitive supplier information is available on Program websites; (3) municipal and/or consultant contact information is prominently available on Program websites; and (4) the content of websites and Program notifications to customers have been reviewed to ensure all information is up-to-date and accurate.

Sincerely,

Katherine Lee Goyette
Hearing Officer

cc: D.P.U. 19-51 Service List, Chair of the Abington Board of Selectmen
D.P.U. 16-154 Service List, Chair of the Acton Select Board
D.P.U. 15-94 Service List, Chair of the Acushnet Board of Selectmen
D.P.U. 15-69 Service List, Chair of the Adams Board of Selectmen
D.P.U. 12-94 Service List, Chair of the Ashby Select Board
D.P.U. 15-86 Service List, Chair of the Ashland Select Board
D.P.U. 15-93 Service List, Mayor Paul Heroux, President of the City of Attleboro

Municipal Council

D.P.U. 15-63 Service List, Chair of the Auburn Select Board
D.P.U. 17-182 Service List, Chair of the Avon Board of Selectmen
D.P.U. 18-133 Service List, Chair of the Becket Select Board
D.P.U. 17-178 Service List, Chair of the Bedford Select Board
D.P.U. 16-133 Service List, Chair of the Bellingham Select Board
D.P.U. 16-45 Service List, Chair of the Berlin Select Board
D.P.U. 17-44 Service List, Chair of the Billerica Select Board
D.P.U. 19-65 Service List, Mayor Michelle Wu, President of the Boston City Council
D.P.U. 16-99 Service List, Chair of the Brookline Select Board
D.P.U. 18-134 Select Board, Chair of the Buckland Select Board

³ As the Department continues to gain experience with the operation of municipal aggregation programs, it is fully anticipated that we will refine our position on the adequacy and clarity of customer outreach, education, and notifications. Municipalities are required to fully adhere to any future directives in this regard. Town of Stoughton, D.P.U. 17-43, at 13 (2017).

D.P.U. 16-176 Service List, Mayor Sumbul Siddiqui, President of the Cambridge City Council

D.P.U. 14-69 Service List
 D.P.U. 17-07 Service List, Chair of the Carlisle Select Board
 D.P.U. 15-107 Service List, Chair of the Carver Select Board
 D.P.U. 18-135 Service List, Chair of the Charlemont Select Board
 D.P.U. 16-98 Service List, Chair of the Charleton Board of Selectmen
 D.P.U. 15-87 Service List, Chair of the Chelmsford Select Board
 D.P.U. 15-91 Service List, Chair of the Cheshire Board of Selectmen
 D.P.U. 13-145 Service List, Chair of the Clarksburg Select Board
 D.P.U. 20-19 Service List, Chair of the Cohasset Select Board
 D.P.U. 18-136 Service List, Chair of the Colrain Select Board
 D.P.U. 18-137 Service List, Chair of the Conway Select Board
 D.P.U. 13-136 Service List, Chair of the Dalton Select Board
 D.P.U. 15-108 Service List, Chair of the Dartmouth Select Board
 D.P.U. 15-109 Service List, Chair of the Dedham Select Board
 D.P.U. 18-138 Service List, Chair of the Deerfield Select Board
 D.P.U. 15-97 Service List, Chair of the Dighton Board of Selectmen
 D.P.U. 15-110 Service List, Chair of the Douglas Board of Selectmen
 D.P.U. 15-111 Service List, Chair of the Dracut Board of Selectmen
 D.P.U. 17-109 Service List, Chair of the Easton Select Board
 D.P.U. 16-48 Service List, Chair of the Egremont Select Board
 D.P.U. 15-98 Service List, Chair of the Fairhaven Select Board
 D.P.U. 15-106 Service List, Mayor Paul Coogan, President of the Fall River City Council
 D.P.U. 20-117 Service List, Mayor Stephen L. DiNatale, President of the Fitchburg City Council

Council

D.P.U. 13-137 Service List, Chair of the Florida Select Board
 D.P.U. 16-132 Service List, Chair of the Foxborough Board of Selectmen
 D.P.U. 16-57 Service List, Chair of the Franklin Town Council
 D.P.U. 15-99 Service List, Chair of the Freetown Board of Selectmen
 D.P.U. 16-113 Service List, Mayor Michael J. Nicholson, President of the Gardner City Council

Council

D.P.U. 18-139 Service List, Chair of the Gill Select Board
 D.P.U. 16-101 Service List, Mayor Gregory P. Verga, President of the Gloucester City Council

Council

D.P.U. 18-61 Service List, Chair of the Grafton Select Board
 D.P.U. 16-186 Service List, Chair of the Great Barrington Select Board
 D.P.U. 13-183 Service List, Mayor Roxann Wedegartner, President of the Greenfield City Council

City Council

D.P.U. 16-142 Service List, Chair of the Halifax Board of Selectmen
 D.P.U. 16-197 Service List, Chair of the Hamilton Select Board
 D.P.U. 18-97 Service List, Chair of the Harvard Select Board
 D.P.U. 16-111 Service List, Chair of the Hatfield Select Board

- D.P.U. 19-17 Service List, Mayor James J. Fiorentini, President of the Haverhill City Council
- D.P.U. 16-62 Service List, Chair of the Heath Select Board
- D.P.U. 15-17 Service List, Chair of the Holliston Select Board
- D.P.U. 18-140 Service List, Chair of the Huntington Select Board
- D.P.U. 16-115 Service List, Chair of the Kingston Board of Selectmen
- D.P.U. 12-39 Service List, Chair of the Lancaster Select Board
- D.P.U. 17-45 Service List, Chair of the Lanesborough Select Board
- D.P.U. 19-85 Service List, Chair of the Leicester Select Board
- D.P.U. 13-138 Service List, Chair of the Lenox Select Board
- D.P.U. 16-152 Service List, Chair of the Lexington Select Board
- D.P.U. 19-19 Service List, Chair of the Lincoln Select Board
- D.P.U. 19-110 Service List, Mayor Sokhary Chau, President of the Lowell City Council
- D.P.U. 15-112 Service List, Chair of the Marion Select Board
- D.P.U. 17-47 Service List, Mayor Arthur Vigeant, President of the Marlborough City Council
- D.P.U. 20-20 Service List, Chair of the Marshfield Select Board
- D.P.U. 15-113 Service List, Chair of the Mattapoisett Select Board
- D.P.U. 18-106 Service List, Mayor Breanna Lungo-Koehn, President of the Medford City Council
- D.P.U. 18-59 Service List, Mayor Paul Brodeur, President of the Melrose City Council
- D.P.U. 16-96 Service List, Chair of the Millbury Board of Selectmen
- D.P.U. 16-46 Service List, Chair of the Millville Board of Selectmen
- D.P.U. 19-84 Service List, Chair of the Milton Select Board
- D.P.U. 15-18 Service List, Chair of the Monterey Select Board
- D.P.U. 16-92 Service List, Chair of the Nantucket Select Board
- D.P.U. 13-131 Service List, Chair of the Natick Select Board
- D.P.U. 15-105 Service List, Mayor Jonathan F. Mitchell, President of the New Bedford City Council
- D.P.U. 13-139 Service List, Chair of the New Marlborough Select Board
- D.P.U. 18-141 Service List, Chair of the New Salem Board of Selectmen
- D.P.U. 15-62 Service List, Mayor Sean Reardon, President of the Newburyport City Council
- D.P.U. 18-36 Service List, Mayor Ruthanne Fuller, President of the Newton City Council
- D.P.U. 13-140 Service List, Mayor Jennifer A. Macksey, President of the North Adams City Council
- D.P.U. 17-15 Service List, Chair of the North Andover Select Board
- D.P.U. 15-100 Service List, Chair of the Northbridge Board of Selectmen
- D.P.U. 18-142 Service List, Chair of the Northfield Select Board
- D.P.U. 15-101 Service List, Chair of the Norton Select Board
- D.P.U. 17-14 Service List, Chair of the Orange Board of Selectmen
- D.P.U. 16-97 Service List, Chair of the Oxford Board of Selectmen
- D.P.U. 16-141 Service List, Chair of the Pembroke Select Board
- D.P.U. 16-63 Service List, Mayor Linda Tyer, President of the Pittsfield City Council

D.P.U. 15-102 Service List, Chair of the Plainville Select Board
 D.P.U. 16-114 Service List, Chair of the Plymouth Select Board
 D.P.U. 17-17 Service List, Chair of the Plympton Board of Selectmen
 D.P.U. 15-103 Service List, Chair of the Rehoboth Board of Selectmen
 D.P.U. 20-22 Service List, Chair of the Rochester Select Board
 D.P.U. 17-180 Service List, Chair of the Rockland Board of Selectmen
 D.P.U. 15-58 Service List, Mayor Kimberley Driscoll, President of the Salem City

Council

D.P.U. 16-51 Service List, Chair of the Salisbury Board of Selectmen
 D.P.U. 16-50 Service List, Chair of the Sandisfield Select Board
 D.P.U. 20-21 Service List, Chair of the Scituate Select Board
 D.P.U. 15-104 Service List, Chair of the Seekonk Board of Selectmen
 D.P.U. 19-32 Service List, Chair of the Sharon Select Board
 D.P.U. 13-141 Service List, Chair of the Sheffield Select Board
 D.P.U. 18-143 Service List, Chair of the Shelburne Select Board
 D.P.U. 17-21 Service List, Chair of the Shirley Select Board
 D.P.U. 15-95 Service List, Chair of the Somerset Board of Selectmen
 D.P.U. 16-95 Service List, Mayor Katjana Ballantyne, President of the Somerville City

Council

D.P.U. 17-19 Service List, Chair of the Southborough Select Board
 D.P.U. 18-07 Service List, Chair of the Stoneham Select Board
 D.P.U. 19-52 Service List, Chair of the Stoughton Select Board
 D.P.U. 16-167 Service List, Chair of the Sudbury Select Board
 D.P.U. 18-144 Service List, Chair of the Sunderland Select Board
 D.P.U. 16-38 Service List, Chair of the Sutton Select Board
 D.P.U. 15-59 Service List, Chair of the Swampscott Select Board
 D.P.U. 15-96 Service List, Chair of the Swansea Board of Selectmen
 D.P.U. 15-90 Service List, Chair of the Tewksbury Select Board
 D.P.U. 16-112 Service List, Chair of the Tyngsborough Board of Selectmen
 D.P.U. 16-71 Service List, Chair of the Upton Board of Selectmen
 D.P.U. 20-23 Service List, Chair of the Uxbridge Board of Selectmen
 D.P.U. 16-155 Service List, Chair of the Walpole Select Board
 D.P.U. 19-83 Service List, Mayor Jeannette A. McCarthy, President of the Waltham City

Council

D.P.U. 16-102 Service List, Chair of the Wareham Board of Selectmen
 D.P.U. 18-145 Service List, Chair of the Warwick Board of Selectmen
 D.P.U. 18-63 Service List, President of the Watertown City Council
 D.P.U. 18-16 Service List, Chair of the Webster Board of Selectmen
 D.P.U. 16-49 Service List, Chair of the Wendell Select Board
 D.P.U. 17-16 Service List, Chair of the West Bridgewater Board of Selectmen
 D.P.U. 16-61 Service List, Chair of the West Brookfield Board of Selectmen
 D.P.U. 16-160 Service List, Mayor William C. Reichelt, President of the West

Springfield Town Council

D.P.U. 13-143 Service List, Chair of the West Stockbridge Select Board

D.P.U. 15-125 Service List, Chair of the Westborough Select Board
D.P.U. 15-115 Service List, Chair of the Westford Select Board
D.P.U. 15-114 Service List, Chair of the Westport Board of Selectmen
D.P.U. 20-24 Service List, Chair of the Westwood Select Board
D.P.U. 18-146 Service List, Chair of the Whately Select Board
D.P.U. 13-144 Service List, Chair of the Williamstown Select Board
D.P.U. 16-143 Service List, Chair of the Williamsburg Board of Selectmen
D.P.U. 15-19 Service List, Chair of the Winchendon Board of Selectmen
D.P.U. 16-168 Service List, Chair of the Winchester Select Board
D.P.U. 19-41 Service List, Mayor Joseph M. Petty, President of the Worcester City
Council

24

City Council

From: Stefano Loretto <stefano@goodenergy.com>
Sent: Tuesday, November 15, 2022 3:31 PM
Subject: [EXTERNAL] Follow-up on Today's DPU Letter
Attachments: All Muni Agg Letter 11-15-2022.pdf

RECEIVED

2022 NOV 16 A 11:38

CAUTION: This email originated from a sender outside of the City of Fall River mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe. If you are unsure of the validity of the email, please contact IT.

CITY CLERK
FALL RIVER, MA

Good Afternoon,
Municipal officials in all of our municipal aggregations received a letter (attached) from the Department of Public Utilities (DPU) this morning in an email titled All Muni Agg Letter 11-15-2022.

This letter outlined certain requirements as follows:

Municipalities and their consultants shall ensure that: (1) current (and future, if applicable) pricing for Program products is available on Program websites; (2) current (and future, if applicable) competitive supplier information is available on Program websites; (3) municipal and/or consultant contact information is prominently available on Program websites; and (4) the content of websites and Program notifications to customers have been reviewed to ensure all information is up-to-date and accurate.

As you know, Good Energy manages the Program website for your municipal aggregation. We believe that all of our Program websites are in compliance with the above stated requirements, and we will do a thorough review of our Program websites in the next few days to ensure compliance. We do not expect there is any action required of you as the municipality, but if there is, we will let you know.

Best Regards,
The Good Energy Team

Stefano Loretto | Business Development Director | Good Energy, LP | www.GoodEnergy.com

- 232 Madison Avenue, 3rd Floor, New York, NY 10016
- 1 Beacon St, Boston, MA 02108
- 17 High Street, 3rd Floor, Norwalk, CT 06851

P: 212.863.9885 | M: 646.932.2969 | F: 800.903.7703 | stefano@goodenergy.com

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



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.

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:




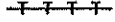
City Clerk

VZ N.E. INC. No. MA2022-36 MUNICIPALITY FALL RIVER

DATED 9/30/2022

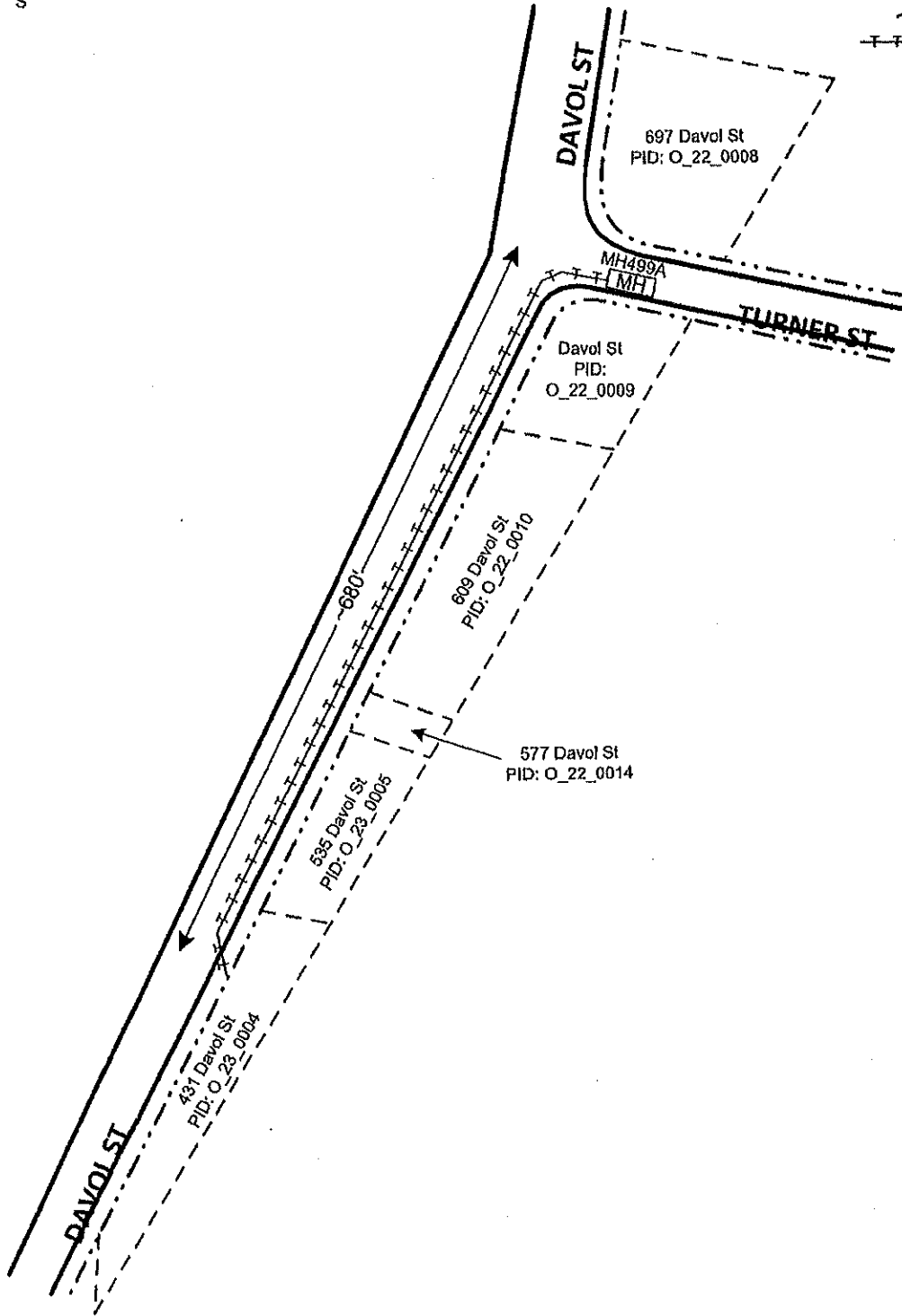
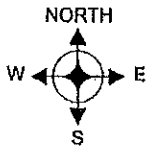
NOT TO SCALE

LEGEND:

- PROPERTY LINE
- - - - - EDGE OF PAVEMENT
- ===== EDGE OF ROADWAY
-C/L..... CENTERLINE OF ROADWAY
-  EXISTING POLE
-  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 Maslhuddin
431 Davol St
Fall River, MA 02721

PARCEL ID: O_23_0005
535 Davol St

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

PARCEL ID: O_22_0014
577 Davol St

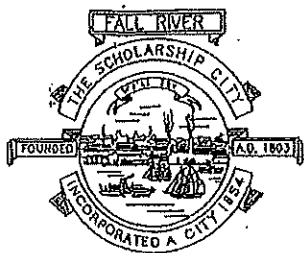
Liana Realty
10 Riverside Ave
Somerset, MA 02726

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



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

Board of Assessors

PAUL E. COOGAN
Mayor

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

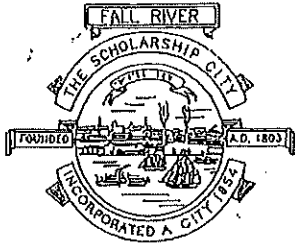
O-22-8
BCBBK LLC
456 ROCK ST
FALL RIVER, MA 02720

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

INÉS LEITE
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 1:27

RECEIVED

TO: City Council, Fall River, MA

Approval is hereby given to VERIZOLI NEWELLAND 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

