

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, January 24, 2023 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: Seth Thomas Aitken, City Administrator

President Joseph D. Camara called the meeting to order at 7:09 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

PRIORITY MATTERS

1. Mayor requesting confirmation of the following reappointments to the Council on Aging
 - a. Carolyn Burton
 - b. Barbara Jean
 - c. Susana Ribeiro
 - d. Lorraine Sherry

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to confirm the reappointments, with Councilor Shawn E. Cadime absent and not voting.

2. Mayor and notification of Fall River Housing Authority appointment of Commissioner Jo Ann Bentley as the designee to the Community Preservation Committee.

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Pamela S. Laliberte, it was unanimously voted to accept the notification and place it on file, 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 to take items 3 through 7 together.

3. Mayor requesting confirmation of the reappointment of John Frank, III, to the Board of Appeals
4. Mayor requesting confirmation of the reappointment of Richard J. Souza to the Sewer Commission
5. Mayor requesting confirmation of the reappointment of Elizabeth Andre to the Planning Board
6. Mayor requesting confirmation of the reappointment of Eric Kelly to the Board of Appeals (Alternate)
7. Mayor requesting confirmation of the following appointments to the Council on Aging
 - a. Joan Mello
 - b. Joyce Landry

On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Laura-Jean Washington, it was unanimously voted to confirm the appointments and reappointments, with Councilor Shawn E. Cadime absent and not voting.

8. Mayor and Orders:
 - a. To create a stabilization fund to be called "Opioid Settlement Receipts Stabilization Fund"

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

Approved, January 25, 2023

Paul E. Coogan, Mayor

- b. Transferring the sum of \$931,039.86 from the General Fund to the Opioid Settlement Receipts Stabilization Fund

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

- c. Accept the fourth paragraph of MGL Ch. 40, Section 5B, which provides for the dedication to a stabilization fund to be effective for the fiscal year beginning on July 1, 2023

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

Approved, January 25, 2023

Paul E. Coogan, Mayor

9. Mayor and Department of Community Utilities - Water Division's proposal for Bristol County ARPA funding in the amount of \$2,000,000 for Waterfront Storm Water Corridor Project for Route 79

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Laura-Jean Washington, it was unanimously voted that the communication be accepted and placed on file and that the proposal be approved, with Councilor Shawn E. Cadime absent and not voting.

10. Mayor and Department of Community Utilities - Water Division's proposal for Bristol County ARPA funding in the amount of \$3,000,000 for the partial removal of 450 lead service lines from curb stop to water meter for residential customers

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted that the communication be accepted and placed on file and that the proposal be approved, with Councilor Shawn E. Cadime absent and not voting.

11. Mayor and request for extension to submit the Quarter 2 budget report to the City Council in February

Councilor Michelle M. Dionne expressed concern as the report was currently due and that a request for an extension should have been placed on the agenda of the previous meeting. On a motion made by Councilor Pamela S. Laliberte and seconded by Councilor Linda M. Pereira, it was unanimously voted to waive the rules to allow the City Administrator to answer questions, with Councilor Shawn E. Cadime absent and not voting.

Seth Thomas Aitken, City Administrator, stated that the budget report was currently being worked on and revised to a more efficient format. Councilor Pamela S. Laliberte expressed concern that there was no meeting date listed on the request and that she would like this item to be included on the next meeting's agenda. Councilor Laura-Jean Washington asked for clarification regarding the delay and Mr. Aitken stated there was a time limitation that hadn't been anticipated and he was happy to look into it. Councilor Linda M. Pereira stated that she understands these reports take time to produce and that perhaps having these reports done twice per year instead of four times would be more reasonable. Councilor Laliberte stated that this is a requirement of the Charter. Councilor Pereira stated that the City Council had the ability to change the Charter. The City Administrator stated that while he agreed that the creation of these reports was challenging, it is a priority to have the report ready for the City Council as soon as possible.

President Joseph D. Camara relinquished the podium to Vice President Linda M. Pereira at 7:27 p.m. and stated that he was disappointed this report wasn't ready and he supports these reports being on time due to their importance. President Camara returned to the podium at 7:30 p.m. A motion was made to reject the request by Councilor Michelle M. Dionne and seconded by Councilor Pamela S. Laliberte, but failed to carry, with Councilor Shawn E. Cadime absent and not voting. A further motion was made by Councilor Bradford L. Kilby and seconded by Councilor Laura-Jean Washington to adopt the request. President Camara asked for a roll call and Councilor Michelle M. Dionne objected to the motion. As a result, the matter was laid on the table in accordance with the Charter.

PRIORITY COMMUNICATIONS – None

COMMITTEE REPORTS

Committee on Human Services, Housing, Youth and Elder Affairs recommending:

Grant Leave to Withdraw

12. Resolution – Discussion on access to housing and homelessness with local community organizations

On a motion made by Councilor Linda M. Pereira 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.

Referral to Committee on Finance

13. Resolution – Administration prepare presentation to address the needs of City Parks and leagues, including football and baseball fields

Councilor Andrew J. Raposo stated that he would like a joint meeting with the Board of Park Commissioners for this item to be scheduled as soon as possible. President Joseph D. Camara stated he will reach out to the Board for their availability.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Pamela S. Laliberte, it was unanimously voted to refer the resolution to the Committee on Finance, with Councilor Shawn E. Cadime absent and not voting.

Committee on Regulations recommending:

Adoption

14. Transfer of auto repair license no. 263 located at 830 Globe Street from Jose Beirao d/b/a Beirao's Auto Repair Co., Inc. to Mario P. Loureiro d/b/a Marios Auto Repair & Sales, Inc.

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to adopt the order, with Councilor Shawn E. Cadime absent and not voting.

Approved, January 25, 2023

Paul E. Coogan, Mayor

ORDINANCES – None

RESOLUTIONS

15. The City Council and Administration requesting that Representatives and Senators in both the state and federal government begin aiding in the process to add Veterans Memorial Bicentennial Park to the National Historic Parks Registry.

Councilor Linda M. Pereira stated that she has been speaking to the Administration regarding this project and will work on having letters mailed to both Federal and State Delegations.

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

16. The Administration, a representative from the Assessor's office and a representative from the Department of Veteran's Services provide financial information re the City's participation with Massachusetts Tax Work-Off Program

Councilor Linda M. Pereira stated this program may offer important tax relief to the senior citizens of the City and that she would like an assessment of those potential benefits to be presented to the City Council.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Laura-Jean Washington, it was unanimously voted to adopt the resolution, with Councilor Shawn E. Cadime absent and not voting.

CITATIONS – None

ORDERS – HEARINGS

Pole Location

17. **Massachusetts Electric Company – one (1) new pole in front of 143 Guild Street**
On a motion made by Councilor Linda M. Pereira and seconded by Councilor Andrew J. Raposo, it was unanimously voted to refer the order to the Committee on Public Works and Transportation, with Councilor Shawn E. Cadime absent and not voting.

ORDERS – MISCELLANEOUS

18. Auto Body Shop License Renewals:

Joseph Silva d/b/a Supreme Auto, located at 421 Third 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, with Councilor Shawn E. Cadime absent and not voting.
Approved, January 25, 2023
Paul E. Coogan, Mayor

19. Auto Repair Shop License Renewals:

David J. Motta d/b/a Action Cycles, located at 326 Pleasant Street
On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to adopt the order, with Councilor Shawn E. Cadime absent and not voting.
Approved, January 25, 2023
Paul E. Coogan, Mayor

20. Revocation of License for an Auto Repair Shop at request of owner:

Luis Pereira d/b/a LP Auto Repair, 1201 Slade Street, License No. 311
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 Shawn E. Cadime absent and not voting.
Approved, January 25, 2023
Paul E. Coogan, Mayor

21. Police Chief's report on licenses:

2023 Taxicab Drivers

Akeem Barlow	Roger W. Correia	Maurice Lievesley
Jeff C. Middleton	Antonio Sparshott	

2023 Livery Drivers

Ferhat Ozakcaoglu

2023 Livery Vehicles

Ferhat Ozakcoaglu –Mercedes GLE350

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to adopt the order, with Councilor Shawn E. Cadime absent and not voting.

22. City Council meeting schedule from February through December 2023
Councilor Andrew J. Raposo asked why the dates had been changed from the second and fourth Tuesday to the third and fifth Tuesday in the month of May. President Camara stated that there was an adjustment made due to a Council member being away that month.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was voted to adopt the order, with Councilor Andrew J. Raposo voting in the negative and Councilor Shawn E. Cadime absent and not voting.

COMMUNICATIONS – INVITATIONS – PETITIONS

23. Claims

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

24. Letter from Kevin Aguiar re School Committee Members Compensation
Councilor Bradford L. Kilby stated he would like to refer the communication to the Committee on Ordinances and Legislation. Councilor Laura-Jean Washington expressed concern as this letter is requesting that the compensation be doubled while the City is still working to increase the salary of first responders. Councilor Linda M. Pereira stated that the City Council had voted to no longer receive a cost-of-living increase and that she was unsure if this also applied to the School Committee. Councilor Pereira stated that a Committee should be formed to discuss this matter. Councilor Pamela S. Laliberte stated she would support this communication being referred to the Committee on Ordinances and Legislation. President Joseph D. Camara stated that the School Committee needs to discuss this matter themselves before the City Council makes any decisions on changing the ordinance. Councilor Michelle M. Dionne emphasized the importance of having the School Committee meet on this topic and supply the City Council with information following their discussion.

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Pamela S. Laliberte, it was voted 4 yeas, 4 nays to accept the letter and place it on file, and the motion failed to carry, with Councilors Bradford L. Kilby, Pamela S. Laliberte, Andrew J. Raposo and Laura-Jean Washington voting in the negative, and with Councilor Shawn E. Cadime absent and not voting. On a further motion made by Councilor Pamela S. Laliberte and seconded by Councilor Bradford L. Kilby, it was voted 7 yeas, 1 nay, with President Joseph D. Camara voting in the negative and Councilor Shawn E. Cadime absent and not voting, to refer the letter to the Committee on Ordinances and Legislation with the stipulation that the Committee would not act on this matter until they received correspondence regarding the School Committee's input and to send a letter to the School Committee informing them of this action, a copy of which is attached hereto and made a part of these minutes.

25. Planning Board Minutes – December 14, 2022

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted to accept the minutes and place them on file, 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 to take items 26-31 together.

City Council Minutes

- 26. Public Hearing – December 27, 2022
- 27. Committee on Finance – December 27, 2022
- 28. City Council – December 27, 2022
- 29. City Council Special Meeting – January 3, 2023
- 30. Committee on Finance – January 10, 2023
- 31. City Council – January 10, 2023

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to approve items 26-31, with Councilor Shawn E. Cadime absent and not voting.

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: JANUARY 24, 2023

COMMUNICATIONS – INVITATIONS – PETITIONS

- 24a. Open Meeting Law complaint filed by Patrick Higgins re: January 3, 2023 alleged violation by City Council

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

On a motion made by Councilor Andrew J. Raposo and seconded by President Joseph D. Camara, it was unanimously voted to adjourn at 7:56 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:



City Clerk

In City Council, February 14, 2023
Approved.



City of Fall River Massachusetts
Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

January 27, 2023

Fall River School Committee
417 Rock Street
Fall River, MA 02720

Dear Members of the School Committee

At a Regular Meeting of the Fall River City Council held on January 24, 2023, a discussion was held regarding a letter received from School Committee Member Kevin Aguiar addressing the need for an increase in School Committee member compensation. On a motion made and seconded, this letter was referred to the City Council Committee on Ordinances and Legislation for future review with the request that a letter be sent to your honorable body for your input on the matter, 7 yeas, 1 nay, with Council President Joseph D. Camara voting in the negative and Councilor Shawn E. Cadime absent and not voting. The Committee on Ordinances and Legislation will not act upon this matter until the School Committee's input is received.

Should you have any questions regarding this matter, please reach out to my office at 508-324-2220.

Sincerely,

Alison M. Bouchard
City Clerk

/lv



City of Fall River Massachusetts
Office of the City Clerk

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2023 JAN 23 A 11:34

CITY CLERK
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

ORIGINAL POSTING: JANUARY 20, 2023 AT 12:44 P.M.

INÊS LEITE
ASSISTANT CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
TUESDAY, JANUARY 24, 2023
REVISED AGENDA

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

Pole Location

Massachusetts Electric Company for one new pole location as follows:

Guild Street

One (1) new pole

The petitioner is proposing the installation of a 35' pole and anchor in front of 143 Guild Street, approximately 185' south of the centerline of the intersection with Mount Hope Avenue. This pole (Pole 4) will be utilized to guy/brace an existing pole (Pole 3) and be a stub pole to brace the dead end wires on Pole 3.

In accordance with Plan No. 30508646

Dated: January 4, 2023

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. Transfers and appropriations (see #8 below)
3. *Resolution - Discuss real estate taxes and exemptions with the Chair of the Board of Assessors and the City Administrator (adopted 1-10-23)

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 the following reappointments to the Council on Aging
 - a. Carolyn Burton
 - b. Barbara Jean
 - c. Susana Ribeiro
 - d. Lorraine Sherry
2. *Mayor and notification of Fall River Housing Authority appointment of Commissioner Jo Ann Bentley as the designee to the Community Preservation Committee.
3. *Mayor requesting confirmation of the reappointment of John Frank, III, to the Board of Appeals
4. *Mayor requesting confirmation of the reappointment of Richard J. Souza to the Sewer Commission

5. *Mayor requesting confirmation of the reappointment of Elizabeth Andre to the Planning Board
6. *Mayor requesting confirmation of the reappointment of Eric Kelly to the Board of Appeals (Alternate)
7. *Mayor requesting confirmation of the following appointments to the Council on Aging
 - a. Joan Mello
 - b. Joyce Landry
8. *Mayor and Orders:
 - a. To create a stabilization fund to be called "Opioid Settlement Receipts Stabilization Fund"
 - b. Transferring the sum of \$931,039.86 from the General Fund to the Opioid Settlement Receipts Stabilization Fund
 - c. Accept the fourth paragraph of MGL Ch. 40, Section 5B, which provides for the dedication to a stabilization fund to be effective for the fiscal year beginning on July 1, 2023
9. *Mayor and Department of Community Utilities - Water Division's proposal for Bristol County ARPA funding in the amount of \$2,000,000 for Waterfront Storm Water Corridor Project for Route 79
10. *Mayor and Department of Community Utilities - Water Division's proposal for Bristol County ARPA funding in the amount of \$3,000,000 for the partial removal of 450 lead service lines from curb stop to water meter for residential customers
11. *Mayor and request for extension to submit the Quarter 2 budget report to the City Council in February

PRIORITY COMMUNICATIONS - None

COMMITTEE REPORTS

Committee on Human Services, Housing, Youth and Elder Affairs recommending:

- Grant Leave to Withdraw
12. *Resolution – Discussion on access to housing and homelessness with local community organizations
- Referral to Committee on Finance
13. *Resolution – Administration prepare presentation to address the needs of City Parks and leagues, including football and baseball fields

Committee on Regulations recommending:

- Adoption
14. *Transfer of auto repair license no. 263 located at 830 Globe Street from Jose Beirao d/b/a Beirao's Auto Repair Co., Inc. to Mario P. Loureiro d/b/a Marios Auto Repair & Sales, Inc.

ORDINANCES – None

RESOLUTIONS

15. *The City Council and Administration requesting that Representatives and Senators in both the state and federal government begin aiding in the process to add Veterans Memorial Bicentennial Park to the National Historic Parks Registry.

16. *The Administration, a representative from the Assessor's office and a representative from the Department of Veteran's Services provide financial information re the City's participation with Massachusetts Tax Work Off Program

CITATIONS – None

ORDERS – HEARINGS

Pole Location

17. Massachusetts Electric Company – one (1) new pole in front of 143 Guild Street

ORDERS – MISCELLANEOUS

18. Auto Body Shop License Renewals:

Joseph Silva d/b/a Supreme Auto, located at 421 Third Street

19. Auto Repair Shop License Renewals:

David J. Motta d/b/a Action Cycles, located at 326 Pleasant Street

20. Revocation of License for an Auto Repair Shop at request of owner:

Luis Pereira d/b/a LP Auto Repair, 1201 Slade Street, License No. 311

21. Police Chief's report on licenses:

2023 Taxicab Drivers

Akeem Barlow

Roger W. Correia

Maurice Lievesley

Jeff C. Middleton

Antonio Sparshott

2023 Livery Drivers

Ferhat Ozakcaoglu

2023 Livery Vehicles

Ferhat Ozakcoaglu –Mercedes GLE350

22. *City Council meeting schedule from February through December 2023

COMMUNICATIONS – INVITATIONS – PETITIONS

23. *Claims

24. *Letter from Kevin Aguiar re School Committee Members Compensation

25. *Planning Board Minutes – December 14, 2022

City Council Minutes

26. *Public Hearing – December 27, 2022

27. *Committee on Finance – December 27, 2022

28. *City Council – December 27, 2022

29. *City Council Special Meeting – January 3, 2023

30. *Committee on Finance – January 10, 2023

31. *City Council – January 10, 2023

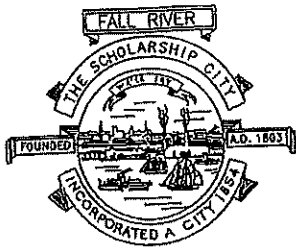
BULLETINS – NEWSLETTERS – NOTICES – None

Alison M. Bouchard
City Clerk

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: JANUARY 24, 2023

COMMUNICATIONS – INVITATIONS – PETITIONS

- 24a. *Open Meeting Law complaint filed by Patrick Higgins re: January 3, 2023 alleged violation by City Council



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

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2023 JAN 10 P 1:54

CITY CLERK _____
FALL RIVER, MA

January 10, 2023

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

Dear Council President and Members of the Honorable Council:

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

Name: Carolyn Burton

Address: 487 Florence Street
Fall River, MA 02720

Position: Council on Aging

Effective: January 10, 2023

Expiration: April 30, 2026

Sincerely,

Paul E. Coogan
Mayor

PC/amos

16



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

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2023 JAN 10 P 1:54

CITY CLERK _____
FALL RIVER, MA

PAUL E. COOGAN
Mayor

January 10, 2023

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

Dear Council President and Members of the Honorable Council:

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

Name: Barbara Jean

Address: 111 Borden Street, Apt# 518
Fall River, MA 02721

Position: Council on Aging

Effective: January 10, 2023

Expiration: April 30, 2026

Sincerely,

Paul E. Coogan
Mayor

PC/amos

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

PAUL E. COOGAN
Mayor

RECEIVED

2023 JAN 10 P 1:55

**CITY CLERK _____
FALL RIVER, MA**

January 10, 2023

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

Dear Council President and Members of the Honorable Council:

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

Name: Susana Ribeiro

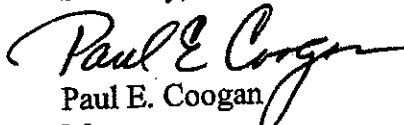
Address: 669 Valentine Street
Fall River, MA 02720

Position: Council on Aging

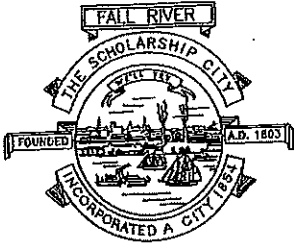
Effective: January 10, 2023

Expiration: April 30, 2026

Sincerely,


Paul E. Coogan
Mayor

PC/amos



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2023 JAN 10 P 1:54

CITY CLERK _____
FALL RIVER, MA

January 10, 2023

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

Dear Council President and Members of the Honorable Council:

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

Name: Lorraine Sherry

Address: 111 Borden Street, Apt# 305
Fall River, MA 02720

Position: Council on Aging

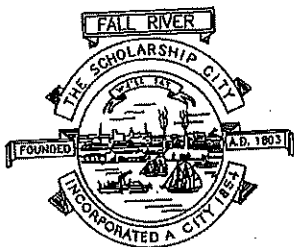
Effective: January 10, 2023

Expiration: April 30, 2026

Sincerely,

Paul E. Coogan
Paul E. Coogan
Mayor

PC/amos



PAUL E. COOGAN
Mayor

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

RECEIVED

2023 JAN 11 P 2:26

CITY CLERK
FALL RIVER, MA

January 10, 2023

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

Dear Council President and Members of the Honorable Council:

Please find the attached letter from the Fall River Housing Authority advising of their Board's vote to appoint Commissioner Jo Ann Bentley as the Housing Authority designee to the Community Preservation Committee.

Although a vote of the City Council is not needed to confirm the appointment I wanted to advise that the appointment had been made in accordance with Section 2-364 of the Revised Ordinances. The appointment per ordinance is for a three (3) year term. Thank you.

Sincerely,

Paul E. Coogan
Paul E. Coogan
Mayor

2

**FALL RIVER HOUSING AUTHORITY
85 MORGAN STREET
P.O. BOX 989
FALL RIVER, MA 02722**

**KEVIN SBARDELLA
EXECUTIVE DIRECTOR**

**TELEPHONE 508-675-3500
FAX 508-677-1346**

**TIMOTHY MCCOY
DEPUTY EXECUTIVE DIRECTOR**

January 10, 2023

James Souza, Chairman
Community Preservation Committee
One Government Center—3rd Floor
Fall River, MA 02722

Dear Chairman Souza:

This will serve to advise that the Fall River Housing Authority Board of Commissioners, at their Annual meeting held on Monday, January 9, 2023, discussed the appointment of a Board member to serve as the Fall River Housing Authority's representative on the Community Preservation Committee.

Ms. Jo Ann Bentley, Commissioner, has kindly volunteered to serve, and we believe she will be a very effective member of the Community Preservation Committee.

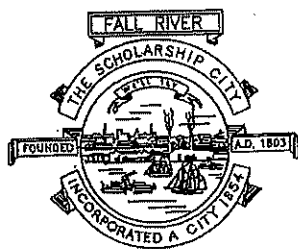
Very truly yours,



Kevin Sbardella, Executive Director

KS:mjg

CC: Timothy McCoy, Deputy Executive Director
Board of Commissioners
Mayor Paul Coogan
Alison M. Bouchard, City Clerk



City of Fall River
Massachusetts
 Office of the Mayor

PAUL E. COOGAN
Mayor

January 18, 2023

RECEIVED

2023 JAN 18 P 2:59

CITY CLERK _____
 FALL RIVER, MA

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

Dear Council President and Members of the Honorable Council:

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

Name: John Frank, III

Address: 112 Byron Street
 Fall River, MA 02724

Position: Board of Appeals

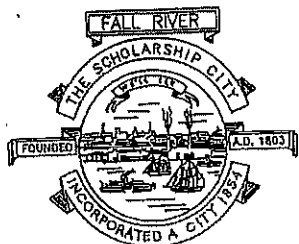
Effective: January 16, 2023

Expiration: January 15, 2028

Sincerely,

Paul E. Coogan
 Mayor

PC/amos



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

January 19, 2023

RECEIVED

2023 JAN 19 P 1:57

CITY CLERK
FALL RIVER, MA

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

Dear Council President and Members of the Honorable Council:

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


Name: Richard J Souza

Address: 266 Kennedy Street
Fall River, MA 02721

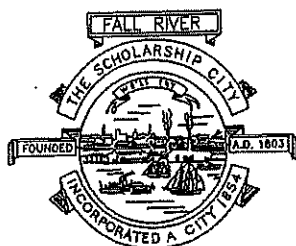
Position: Sewer Commission

Effective: December 15, 2022

Expiration: December 15, 2027

Sincerely,

Paul E. Coogan
Mayor

PC/amos



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

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2023 JAN 19 P 1:56

CITY CLERK _____
FALL RIVER, MA

January 19, 2023

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

Dear Council President and Members of the Honorable Council:

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

Name: Elizabeth Andre

Address: 42 Riverview Street
Fall River, MA 02724

Position: Planning Board

Effective: October 16, 2022

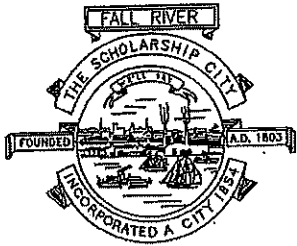
Expiration: October 16, 2027

Sincerely,

Paul E. Coogan
Paul E. Coogan
Mayor

PC/amos

6



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

PAUL E. COOGAN
Mayor

January 18, 2023

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

Dear Council President and Members of the Honorable Council:

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

Name: Eric Kelly

Address: 1427 Highland Avenue
Fall River, MA 02720

Position: Board of Appeals (Alternate)

Effective: January 18, 2023

Expiration: January 15, 2025

Sincerely,

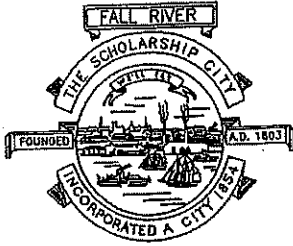
Paul E. Coogan
Mayor

PC/amos

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2023 JAN 19 P 1:56

CITY CLERK
FALL RIVER, MA



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2023 JAN 17 P 1:57

PAUL E. COOGAN

Mayor

January 12, 2023

CITY CLERK _____
FALL RIVER, MA

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

Dear Council President and Members of the Honorable Council:

Please see the attached appointment letters for two new members to the Council on Aging Board. The two individuals being recommended for appointment are both very involved in our Niagara Senior Center and would be an asset to the Council on Aging as advocates for our seniors.

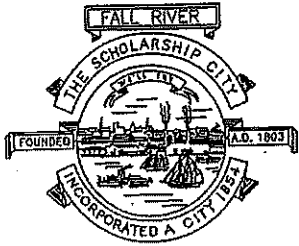
I ask for your every consideration with this request. Thank you.

Best Regards,

Paul E. Coogan
Mayor

PC/amos

7a



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

RECEIVED

2023 JAN 17 P 1:57

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

January 12, 2023

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

Dear Council President and Members of the Honorable Council:

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

Name: Joan Mello

Address: 261 Emmett Street
Fall River, MA 02721

Position: Council on Aging

Effective: January 12, 2023

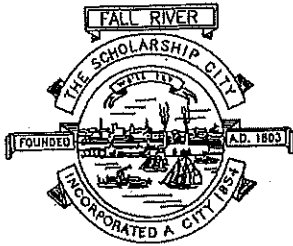
Expiration: April 30, 2025

Sincerely,

Paul E. Coogan
Paul E. Coogan
Mayor

PC/amos

76



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

RECEIVED

2023 JAN 17 P 1:57

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

January 12, 2023

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

Dear Council President and Members of the Honorable Council:

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

Name: Joyce Landry

Address: 27 Courtney Street, Apt. #4
Fall River, MA 02720

Position: Council on Aging

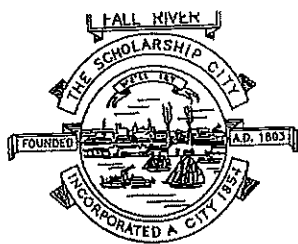
Effective: January 12, 2023

Expiration: April 30, 2024

Sincerely,

Paul E. Coogan
Paul E. Coogan
Mayor

PC/amos



CITY OF FALL RIVER
Massachusetts
Office of the Mayor

8

RECEIVED

2023 JAN 19 P 4:00

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

January 19, 2023

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

Dear Honorable Council Members:

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

1. To create pursuant to the provisions of General Laws Chapter 40, Section 5B a stabilization fund to be called "Opioid Settlement Receipts Stabilization Fund".
2. That the sum of \$931,039.86 be, and the same is, hereby appropriated to the OPIOID SETTLEMENT RECEIPTS STABILIZATION FUND, Transfer from the Opioid Settlement in the GENERAL FUND.
3. Accept the fourth paragraph of Massachusetts General Laws, Chapter 40, Section 5B, which provides for the dedication, without further appropriation, of all, or a percentage not less than 25 percent, of particular fees, charges or receipts to a stabilization fund established under Massachusetts General Laws, Chapter 40, Section 5B, to be effective for the fiscal year beginning on July 1, 2023.

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

Best Regards,

Paul E. Coogan
Mayor

ORDERED:

To create pursuant to the provisions of General Laws Chapter 40, Section 5B, the City of Fall River hereby establishes a stabilization fund, to be called "Opioid Settlement Receipts Stabilization Fund".

For the purpose of funding and implementing the strategies for responding to the opioid epidemic, as set forth in detail in the portion of the Massachusetts State – Subdivision Agreement for Statewide Opioid Settlements that is entitled "Municipal Use of Abatement Funds".

ORDERED:

That the City of Fall River hereby appropriates the sum of \$931,039.86 from the GENERAL FUND to the OPIOID SETTLEMENT RECEIPTS STABLIZATION FUND, being the amount of abatement funds currently apportioned to and received by the City of Fall River for Fiscal Year 2023 from all Statewide Opioid Settlements.

FY23 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
OPIOID STABILIZATION FUND	\$	\$ 931,039.86	931,039.86
GENERAL FUND, REVENUE	\$ 931,039.86	(931,039.86) \$	

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


 City Auditor
 January 24, 2023

ORDERED:

That the City of Fall River hereby accepts the fourth paragraph of Massachusetts General Laws Chapter 40, Section 5B, which provides for the dedication, without further appropriation, of all, or a percentage not less than 25 percent, of particular fees, charges or receipts to a stabilization fund established under Massachusetts General Laws Chapter 40, Section 5B, to be effective for the fiscal year beginning on July 1, 2023.

MATTHEW J. THOMAS, ESQ.

Attorney at Law

4 PARK PLACE • SUITE 101 • NEW BEDFORD • MA 02740
MJT@MJTHOMASLAW.COM
508-994-1500 • FAX: 508-990-1916

OPIOID SETTLEMENT FUNDS

FAQS FROM DLS CITY & TOWN (7/7/2022)

How can a municipality that receives opioid settlement proceeds after July 1, 2022 use those funds in FY2023?

A city or town may classify settlement funds received in FY23 as general fund estimated receipts (Page 3 Local Receipts) and make an appropriation for the settlement purposes by amending their existing FY23 budget to reflect that new source of revenue before their tax rate is set. The amount they estimate should be the equivalent of what they raised and appropriated from taxation for the purpose, otherwise the excess will simply be reducing the tax levy.

If a municipality does not follow the above-described process, is there anything else they can do with these proceeds in FY2023?

If the settlement proceeds are received by March 31, 2023, a municipality can request that the Director of Accounts update their free cash certified as of the previous July 1 to include the unappropriated proceeds and make them available for appropriation on or before June 30, 2023. If the request is approved before the spring town meeting, the town could then make the appropriation at their spring town meeting or, in a city, at their subsequent regularly scheduled meeting.

Can a municipality vote to dedicate to a special purpose stabilization fund some or all of the opioid settlement funds it receives?

Yes. IGR 17-20 outlines the procedures that a municipality can follow to create and dedicate funds to a special purpose stabilization fund. If a municipality receives opioid settlement funds before establishing a stabilization fund, it would need to utilize the processes noted above to appropriate into the stabilization fund after it is created. IGR 17-20 notes the required votes of the legislative body to effectuate these actions.

Must amounts appropriated from free cash for opioid remediation purposes be closed to the general fund if they are not expended prior to the next year end?

No. These funds may be reserved as a fund balance reserved for continuing appropriations until the purpose of the appropriation has been fulfilled.

GENERAL LAWS CHAPTER 40, SECTION 5B

DLS Informational Guideline Release 17-20 (July 2017) (hereinafter "IGR 20-17") explains that General Laws Chapter 40, Section 5B (hereinafter "Section 5B") allows municipalities and districts to

create one or more stabilization funds, which are special reserves into which monies may be appropriated and reserved for later appropriation for any lawful municipal purpose.

Balances accumulated in a stabilization fund carry over from one fiscal year to another, and interest remains with that fund.

As IGR 20-17 further explains, the Municipal Modernization Act made four significant changes to Section 5B:

1. First, it eliminated caps on the amount that could be appropriated into the fund in any year and the aggregate balances of all stabilization funds. Previously, municipalities and districts could not appropriate into a stabilization fund in any year an amount exceeding 10 percent of the prior year's tax levy, or a larger amount, without the approval of the Director of Accounts, and the total reserved in all funds could not exceed 10 percent of the equalized valuation of the municipality or district.
2. Second, appropriations made into the fund may now be approved by a majority vote, instead of a two-thirds vote. Appropriations from a stabilization fund must still be approved by a two-thirds vote. Likewise, a two-thirds vote is still needed to create a stabilization fund and to change its purpose.
3. Third, the local treasurer has a broader range of investment options consistent with the 2014 amendments to municipal and district trust fund investments under General Laws Chapter 44, Section 54 and banking laws governing the Commissioner of Bank's authority to establish a list of sound investments for banking institutions. *See Chapter 343 of the Acts of 2014.*
4. Finally, a new local acceptance provision was added as the fourth paragraph of Section 5B. If accepted, the local legislative body, by a two-thirds vote, may dedicate to a stabilization fund certain revenue streams, including revenue from fees and charges, except revenues already reserved by law for particular purposes and locally assessed taxes and excises.

MATTHEW J. THOMAS, Esq.
Attorney at Law

A draft of the proposed language for a City Council Vote establishing a Stabilization Fund for the Opioid Settlement Receipts, and a draft of the proposed language for a City Council Vote appropriating Settlement Receipts already received to the newly created Stabilization Fund are attached.

I have also attached a drafts of proposed language by which the City would accept the provisions of the fourth paragraph of Section 5B, and by which all of the receipts from the Opioid Settlement would be dedicated to the Opioid Settlement Receipts Stabilization Fund. Please note that while the dedication could be subsequently revoked, it cannot be revoked until it has been in effect for at least three (3) fiscal years. Since the Commonwealth is currently debating an amendment to Chapter 40, Section 53 which would allow the creation of a special revenue account for the Settlement Receipts, and since funds may be expended from a special revenue account without further appropriation (but subject to the warrant process), it may make sense to accept the provisions of the fourth paragraph of Section 5B, but not dedicate any funds at this time. The Dedication must be voted by July 1st of the fiscal year and so there is some time to reconsider this if the Commonwealth does not make progress on the special revenue account amendment.

ALLOWED USES OF OPIOID SETTLEMENT FUNDS

The State-Subdivision Agreement sets forth the list of abatement strategies that a municipality may fund with receipts of the Opioid Settlement, and also contains certain reporting requirements. A copy of the Massachusetts Abatement Terms as set forth in State-Subdivision Agreement is attached hereto. The Massachusetts Abatement Terms can also be accessed at <https://www.mass.gov/doc/massachusetts-abatement-terms/download>.

Pursuant to the State-Subdivision Agreement, there are certain reporting requirements:

Cities and towns that receive annual abatement distributions of \$35,000 or more, whether individually or pooled through OLRH Shared Service arrangements, will be required to submit annual reports of their Municipal Abatement Fund expenditures in the prior fiscal year to EOHHS, starting in FY2023. The reports shall include, but not be limited to: municipal abatement funds received; an itemized list of the funds expended for abatement and administrative costs, if applicable; the unexpended balance; a brief description of the funded abatement strategies and efforts to direct resources to vulnerable and under-served communities. Additional reporting-related guidance shall be provided. All municipalities must maintain, for a period of at least 5 years after funds are received, documents sufficient to reflect that Municipal Abatement Funds were utilized for the Municipal Abatement Strategies listed herein.

MATTHEW J. THOMAS, ESQ.
Attorney at LawProposed Vote Creating a Stabilization Fund For Opioid Legal Settlement Receipts

Ordered, that pursuant to the provisions of General Laws Chapter 40, Section 5B, the City of Fall River hereby establishes a stabilization fund, to be called "Opioid Settlement Receipts Stabilization Fund", for the purpose of funding and implementing the strategies for responding to the opioid epidemic, as set forth in detail in the portion of the Massachusetts State - Subdivision Agreement for Statewide Opioid Settlements that is entitled "Municipal Use of Abatement Funds".

(Requires 2/3 Majority Vote)

Proposed Vote Appropriating Receipts from the Opioid Legal Settlement to the Opioid Settlement Receipts Stabilization Fund

Ordered, that the City of Fall River hereby appropriates the sum of \$XXXXXX from the General Fund to the Opioid Settlement Receipts Stabilization Fund, being the amount of abatement funds currently apportioned to and received by the City of Fall River for Fiscal Year 2023 from all Statewide Opioid Settlements.

(Requires Simple Majority Vote)

Proposed Vote Accepting the Fourth Paragraph of General Laws Chapter 40, Section 5B.

Ordered that the City of Fall River hereby accepts the fourth paragraph of Massachusetts General Laws Chapter 40, Section 5B, which provides for the dedication, without further appropriation, of all, or a percentage not less than 25 percent, of particular fees, charges or receipts to a stabilization fund established under Massachusetts General Laws Chapter 40, Section 5B, to be effective for the fiscal year beginning on July 1, 2023.

(Requires Simple Majority Vote)

Proposed Vote Appropriating Receipts from the Opioid Legal Settlement to the Opioid Settlement Receipts Stabilization Fund

Ordered, that the City of Fall River hereby dedicate 100% of the abatement funds which maybe apportioned to and received by the City of Fall River from all Statewide Opioid Settlements to the Opioid Settlement Receipts Stabilization Fund,

MATTHEW J. THOMAS, Esq.
Attorney at Law

OPIOID SETTLEMENT FUNDS
PAGE 5

established under Massachusetts General Laws Chapter 40, Section 5B, effective for
FY2024, beginning July 1, 2023.

(Requires Two-Thirds Majority Vote)

MJT
October 14, 2022

MASSACHUSETTS ABATEMENT TERMS

I. STATEWIDE COMMITMENT TO ABATEMENT

The Commonwealth and its municipalities have a shared commitment to using abatement funds recovered from statewide opioid settlements to supplement and strengthen resources available to Massachusetts communities and families for substance use disorder prevention, harm reduction, treatment, and recovery in a matter that:

- ❖ reflects the input of our communities, of people who have personal experience with the opioid crisis, of experts in treatment and prevention, and of staff and organizations that are carrying out the abatement work;
- ❖ addresses disparities in existing services and outcomes and improves equity and the health of individuals and communities disadvantaged by race, wealth, and stigma, including through efforts to increase diversity among service providers;
- ❖ addresses mental health conditions, substance use disorders, and other behavior health needs that occur together with opioid use disorder ("OUD");
- ❖ leverages programs and services already reimbursed by state agencies and programs, including direct care reimbursed by MassHealth and the state's Bureau of Substance Addiction Services ("BSAS"); and
- ❖ encourages innovation, fills gaps and fixes shortcomings of existing approaches; supplements rather than supplants resources for prevention, harm reduction, treatment, and recovery; includes evidence-based, evidence-informed, and promising programs; and takes advantage of the flexibility that is allowed for these funds.²

This document sets forth: how abatement funds from these settlements must be used by the state and its municipalities (Sections II and III); how the state will support municipal abatement initiatives (Section IV); and state and municipal reporting requirements (Section V).

II. STATE USE OF ABATEMENT FUNDS

Abatement funds directed to the state shall be deposited into the statewide Opioid Recovery and Remediation Fund to supplement prevention, harm reduction, treatment, and recovery programs throughout Massachusetts. The Fund is overseen by the Commonwealth's Executive Office of Health and Human Services ("EOHHS") together with a Council comprised of 10 municipal appointees appointed by the Massachusetts Municipal Association and 10 state

² In this document, the words "fund" and "support" are used interchangeably and mean to create, expand, or sustain a program, service, or activity. References to persons with opioid use disorder are intended in a broad practical manner to address the public health crisis, rather than to require a clinical diagnosis, and they include, for example, persons who have suffered an opioid overdose. It is also understood that OUD is often accompanied by co-occurring substance use disorder or mental health conditions, and it is intended that the strategies in this document will support persons with OUD and any co-occurring SUD and mental health conditions.

8

appointees qualified by experience and expertise regarding opioid use disorder. Appointees serve for two years. The Council holds public meetings every quarter to identify priorities for addressing the opioid epidemic in Massachusetts.

III. MUNICIPAL USE OF ABATEMENT FUNDS

Abatement funds allocated to municipalities shall be used to implement the strategies set forth below. Municipalities are encouraged to pool abatement funds to increase their impact, including by utilizing the Office of Local and Regional Health's Shared Service infrastructure. Municipal abatement funds shall not be used to fund care reimbursed by the state, including through MassHealth and BSAS, although local or area agencies or programs that provide state-reimbursed services can be supported financially in other ways that help meet the needs of their participants.

1. Opioid Use Disorder Treatment

Support and promote treatment of persons with OUD, including through programs or strategies that:

- a. Expand mobile intervention, treatment, telehealth treatment, and recovery services offered by qualified providers, including peer recovery coaches.
- b. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.
- c. Make capital expenditures to rehabilitate and expand facilities that offer treatment for OUD, in partnership with treatment providers.
- d. Treat trauma for individuals with OUD (e.g., violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (e.g., surviving family members after an overdose).

2. Support People In Treatment And Recovery

Support and promote programs or strategies that:

- a. Provide comprehensive wrap-around services to individuals with OUD, including job placement, job training, or childcare.
- b. Provide access to housing for people with OUD, including supportive housing, recovery housing, housing, rent, move-in deposits, and utilities assistance programs, training for housing providers, or recovery housing programs that integrate FDA-approved medication with other support services.
- c. Rehabilitate properties appropriate for low-threshold and recovery housing, including in partnership with DHCD-funded agencies and OUD-specialized organizations.
- d. Provide peer support specialists that support people in accessing OUD treatment, trauma-informed counseling and recovery support, harm reduction services, primary healthcare,

or other services, including support for long-term recovery encompassing relapse, treatment, and continued recovery.

- e. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD.
- f. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD.
- g. Provide transportation to treatment or recovery services for persons with OUD.
- h. Provide employment training or educational services for persons with OUD, such as job training, job placement, interview coaching, community college or vocational school courses, transportation to these activities, or similar supports.
- i. Increase the number and capacity of high-quality recovery programs to help people in recovery.
- j. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.
- k. Support programs for recovery in schools and/or standalone recovery high schools.
- l. Support bereaved families and frontline care providers.

3. Connections To Care

Provide connections to care for people who have, or are at risk of developing, OUD through programs or strategies that:

- a. Support the work of Emergency Medical Systems, including peer support specialists and post-overdose response teams, to connect individuals to trauma-informed treatment recovery support, harm reduction services, primary healthcare, or other appropriate services following an opioid overdose or other opioid-related adverse event.
- b. Support school-based services related to OUD, such as school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people. This should include alternatives to suspension or interaction with school resource officers such as restorative justice approaches.
- c. Fund services or training to encourage early identification and intervention for families, children, or adolescents who may be struggling with use of drugs or mental health conditions, including peer-based programs and Youth Mental Health First Aid. Training programs may target families, caregivers, school staff, peers, neighbors, health or human services professionals, or others in contact with children or adolescents.

- d. Include Fire Department partnerships such as Safe Stations.³

4. Harm Reduction

Support efforts to prevent overdose deaths or other opioid-related harms through strategies that:

- a. Increase availability of naloxone and other drugs that treat overdoses for first responders,⁴ overdose patients, individuals with OUD and their friends and family, schools, community-based organizations, community navigators and outreach workers, persons being released from jail or prison, or the public.
- b. Provide training and education regarding naloxone and other drugs that treat overdoses.
- c. "Naloxone Plus" strategies to ensure that individuals who receive naloxone to reverse an overdose are linked to treatment programs or other appropriate services.
- d. Approve and fund syringe service programs and other programs to reduce harms associated with drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, syringe collection and disposal, connections to care, and the full range of harm reduction and treatment services provided by these programs.
- e. Support mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, primary and behavioral health care, recovery support, or other appropriate services to persons with OUD.
- f. Promote efforts to train health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD in crisis training and harm reduction strategies.
- g. Active outreach strategies such as the Drug Abuse Response Team model or the Post Overdose Support Team model.
- h. Provide outreach and services for people who use drugs and are not yet in treatment, including services that build relationships with and support for people with OUD.

5. Address The Needs Of Criminal-Justice-Involved Persons

Support diversion and deflection programs and strategies for criminal-justice-involved persons with OUD, including:

- a. Programs, that connect individuals involved in the criminal justice system and upon release from jail or prison to OUD harm reduction services, treatment, recovery support, primary healthcare, prevention, legal support, or other supports, or that provide these

³ Safe Stations currently operate in Fall River and Revere. See, e.g., <https://www.mma.org/fall-river-fire-stations-become-safe-stations-for-people-seeking-addiction-treatment/>.

⁴ Municipalities can purchase discounted naloxone kits from the State Office of Pharmacy Services. See <https://www.mass.gov/service-details/bulk-purchasing-of-naloxone>.

services.

- b. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater OUD expertise.
- c. Public safety-led diversion strategies such as the Law Enforcement Assisted Diversion model.
- d. Participate in membership organizations such as the Police Assisted Addiction Recovery Initiative for training and networking and utilize law enforcement training opportunities such as the Safety and Health Integration in the Enforcement of Laws on Drugs (SHIELD) model.⁵

6. Support Pregnant Or Parenting Women And Their Families, Including Babies With Neonatal Abstinence Syndrome

Support pregnant or parenting women with OUD and their families, including babies with neonatal abstinence syndrome, through programs or strategies that provide family supports or childcare services for parents with OUD, including supporting programs such as:

- a. FIRST Steps Together, a home visiting program for parents in recovery that currently has seven sites serving cities and towns across the state;
- b. Pregnant/post-partum and family residential treatment programs, including and in addition to the eight family residential treatment programs currently funded by DPH; and
- c. the Moms Do Care recovery support program that has grown from two to ten programs in the state.

7. Prevent Misuse Of Opioids And Implement Prevention Education

Support efforts to prevent misuse of opioids through strategies that:

- a. Support programs, policies, and practices that have demonstrated effectiveness in preventing drug misuse among youth. These strategies can be found at a number of existing evidence-based registries such as Blueprints for Health Youth Development (<https://www.blueprintsprograms.org/>).
- b. Support community coalitions in developing and implementing a comprehensive strategic plan for substance misuse prevention. There are a number of evidence based models for strategic planning to consider including but not limited to the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (<https://www.samhsa.gov/sites/default/files/20190620-samhsa-strategic-prevention-framework-guide.pdf>) and Communities That Care developed by the University of Washington (<https://www.communitiesthatcare.net/programs/ctc-plus/>).
- c. Engage a robust multi-sector coalition of stakeholders in both the development and implementation of the above stated strategic plan (<https://www.prevention->

⁵ See <https://paariusa.org>

first.org/centers/center-for-community-engagement/about-this-center/).

- d. Support community-based education or intervention services for families, youth, and adolescents at risk for OUD.
- e. Support greater access to mental health services and supports for young people, including services provided in school and in the community to address mental health needs in young people that (when not addressed) increase the risk of opioid or another drug misuse.
- f. Initiate, enhance, and sustain local youth health assessment through the implementation of a validated survey tool to develop localized strategic plans that will inform the best ways to institute or enhance strategies to reduce and prevent youth substance misuse, including mental health services and supports for young people, intervention services for families, and youth-focused programs, policies, and practices that have demonstrated effectiveness in reducing and preventing drug misuse.

IV. STATE SUPPORT FOR MUNICIPAL ABATEMENT AND INTER-MUNICIPAL COLLABORATION

EOHHS and the Department of Public Health (DPH), including through its Office of Local and Regional Health (OLRH), will support municipal abatement initiatives by providing strategic guidance to help Massachusetts municipalities select and implement abatement strategies and effectively pool their resources through inter-municipal Shared Service Agreements, as well as other technical assistance. By pooling resources, functions, and expertise, a consortium of cities and towns can expand the public health protections and services they offer residents.

In addition, EOHHS/DPH will collect information regarding municipal abatement and publish an annual report to provide the public with information about the municipal abatement work and to highlight effective strategies, lessons learned, and opportunities for further progress. The support for municipal abatement described in this Section IV will be funded by the state abatement funds described in Section II, above.

V. REPORTING AND RECORD-KEEPING REQUIREMENTS

A. STATE REPORTING. Annually, not later than October 1, the secretary of EOHHS shall file a report on the activity, revenue and expenditures to and from the statewide Opioid Recovery and Remediation Fund in the prior fiscal year with the clerks of the senate and the house of representatives, the house and senate committees on ways and means and the joint committee on mental health, substance use and recovery and made available on the executive office of health and human services' public website. The report shall include, but not be limited to: revenue credited to the fund; expenditures attributable to the administrative costs of the executive office; an itemized list of the funds expended from the fund; data and an assessment of how well resources have been directed to vulnerable and under-served communities. EOHHS filed its first Annual Report on October 1, 2021.

B. MUNICIPAL REPORTING. Cities and towns that receive annual abatement distributions of \$35,000⁶ or more, whether individually or pooled through OLRH Shared Service arrangements, will be required to submit annual reports of their Municipal Abatement Fund expenditures in the prior fiscal year to EOHHS, starting in FY2023. The reports shall include, but not be limited to: municipal abatement funds received; an itemized list of the funds expended for abatement and administrative costs, if applicable; the unexpended balance; a brief description of the funded abatement strategies and efforts to direct resources to vulnerable and under-served communities. Additional reporting-related guidance shall be provided. All municipalities must: maintain, for a period of at least 5 years after funds are received, documents sufficient to reflect that Municipal Abatement Funds were utilized for the Municipal Abatement Strategies listed herein.⁷

⁶ EOHHS retains the right to modify this reporting threshold.

⁷ Nothing in this document reduces obligations under public records law.



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2023 JAN 18 P 2:59

CITY CLERK
FALL RIVER, MA

January 18, 2023

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

Dear Council President and Members of the Honorable Council:

Attached for your consideration please find the Department of Community Utilities-Water Division's proposal requesting 2 million dollars in Bristol County ARPA Funding for the Waterfront Storm Water Corridor Project for Route 79.

I ask for your consideration with this request and if additional information is needed please contact me. Thank you.

Sincerely,

Paul E. Coogan
Mayor

PC/amos



City of Fall River
American Rescue Plan Act

PAUL E. COOGAN
Mayor

KARA HUMM
ARPA Director

January 19, 2023

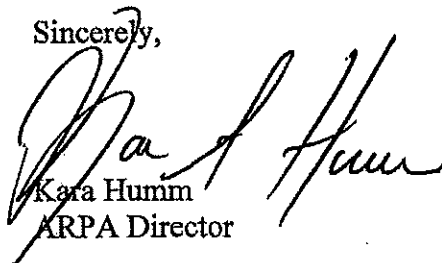
The Honorable Paul Coogan
Mayor of the City of Fall River
One Government Center
Fall River, MA 02722

Dear Mr. Mayor:

Attached please find the Waterfront Stormwater Corridor proposal seeking ARPA funding from the Bristol County Treasury.

If you could please include this proposal on the agenda for the January 24th City Council Meeting it would be greatly appreciated.

Sincerely,



Kara Humm
ARPA Director

ARPA Fund Use: **WATERFRONT STORMWATER CORRIDOR PROJECT**
 Department of Community Utilities-Water Division

Description of Proposal: Reconstruction of the Davol Street CSO chambers and creating a stormwater conveyance system which includes large box culverts and specially designed and configured manholes that will allow a large amount of stormwater to pass through a newly constructed transportation corridor.

Requested ARPA Funds: \$2,000,000.00

Item	Cost
RT 79 CSO and Sewer Separation work (Davol Street CSO Chambers/City Pier and President Ave Drainage)	\$2,000,000.00
TOTAL	\$2,000,000.00

Category: 5: Infrastructure Water and Sewer

5.6 Clean Water: Stormwater

Rationale for ARPA Funding:

MassDOT has been collaborating with the City of Fall River on the Route 79 – Davol Street Corridor Improvements project, which is located within the City Pier and President Avenue watersheds, since 2014. MassDOT has determined that there are a number of project features, not typically included in highway Transportation projects, that are necessary to be included but are considered non-participating items. These items, which are the subject of the funding request, include a Stormwater Conveyance System.

The City's wastewater collection and treatment system is primarily a combined system with more than 200 miles of sewers that transport both sanitary and stormwater flows to the Fall River wastewater treatment facility (WWTF) or one of the 17 CSO's that discharges to the Taunton River or Mount Hope Bay. Sewer age and development over time have resulted in capacity and condition issues that must be addressed as part of infrastructure renewal projects.

The City Pier and President Avenue watersheds are some of the most developed areas of the City and will require significant separation of the sewer system over many years in order to mitigate wet-weather impacts (i.e., CSO's). The stormwater conveyance system has been designed to convey the projected stormwater flows of future sewer separation projects from within the watersheds, above the proposed Route 79-Davol Street Improvements Corridor, ultimately discharging them into the Taunton River.

By constructing this downstream stormwater infrastructure as part of this much larger project, the corridor will not need to be revisited at a later time, which will have already been revitalized with multimodal transportation, residential and commercial developments, as well as public access to the beautiful Fall River Waterfront.



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2023 JAN 19 P 4:00

CITY CLERK
FALL RIVER, MA

January 12, 2023

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

Dear Councilor President and Members of the Honorable Council:

Attached for your consideration please find the Department of community Utilities-Water Division's proposal requesting 3 million in Bristol County ARPA Funding for the partial removal (curb stop to water meter) of 450 lead services for residential customers.

I ask for your consideration with this request and if additional information is needed please contact me. Thank you.

Sincerely,

Paul E. Coogan
Mayor

PC/amos



PAUL E. COOGAN
Mayor

City of Fall River
American Rescue Plan Act

10

KARA HUMM
ARPA Director

January 19, 2023

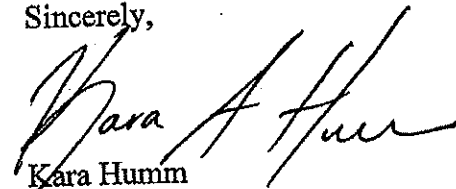
The Honorable Paul Coogan
Mayor of the City of Fall River
One Government Center
Fall River, MA 02722

Dear Mr. Mayor:

Attached please find the Lead Removal proposal seeking ARPA funding from the Bristol County Treasury.

If you could please include this proposal on the agenda for the January 24th City Council Meeting it would be greatly appreciated.

Sincerely,


Kara Humm
ARPA Director

ARPA Fund Use: **REMOVAL OF PARTIAL LEAD SERVICE PROGRAM**
 Department of Community Utilities-Water Division

Description of Proposal: Replacement approximately 450 partial lead services from the meter to the curb stop near property lines.

Requested ARPA Funds: \$3,000,000.00

Item	Cost
Project Design	\$150,000.00
Construction Management	\$400,000.00
Water Main Improvements/LSR	\$2,250,000.00
Construction Details	\$100,000.00
Contingency	\$100,000.00
TOTAL	\$3,000,000.00

Category: 5: Infrastructure Water and Sewer

5.12 Drinking Water: Lead Remediation

Rationale for ARPA Funding:

The City of Fall River received a \$10 million in federal grant for the removal and replacement of a portion of the City's approximately 3,760 lead service lines that bring approximately 4500 residents drinking water to their homes. A review of the City's existing inventory indicates an estimated 760 service lines require full replacement and another 3,000 service lines require partial replacement in private (curb stop to water meter) to remove the remnant lead pipe from previous public right of way replacements.

In order to complete the entirety of the removal and replacement of the City's lead service lines, more funding is required. The funding from the BC Treasury will allow the City to replace approximately 450 partial lead services from meter to the curb stop near property lines.

In December 2005, the City and the Massachusetts Department of Environmental Protection entered into an Administrative Consent Order with Penalty (ACOP-SE-05-D001) due to conditions related to the City's public water supply system's failure to provide its users with safe drinking water related to elevated levels of lead detected in samples of tap water. The City has been operating under the ACO since that time. Much of the water system improvements conducted by the City are driven by compliance with the regulations for lead and copper. The water now pumped is more "passive," so it does not dissolve copper or lead from water service pipes. In addition, the City is well into a multi-year program of replacement of lead pipes. The "Lead Service Replacement Program" is tied to the water main replacement work. The City has also implemented corrosion control measures.

However, for the first time since 2006, the City experienced exceedance of the lead action level during third quarter 2021. Compliance monitoring of 64 households conducted from June

through September 30, 2021, showed 8 samples with lead detection that exceeded the Maximum Contaminant Levels. On March 25, 2022, Massachusetts Department of Environmental Protection issued a Notice of Noncompliance to the City for being in violation of the Lead and Copper Rule. The City is currently in the process of responding to this enforcement action, but completion of this project is of the highest priority.



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

RECEIVED

2023 JAN 19 P 2:09

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

January 18, 2023

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

Dear Honorable Council Members:

I respectfully request an extension to submit the Quarter 2 budget report to the Honorable City Council in February. The auditor's department is in the process of improving the formatting of the report and the information contained. The extension provides the time needed to provide a more meaningful report with added input from departments.

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

Best Regards,

Paul E. Coogan
Mayor



PAUL E. COOGAN
Mayor

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

Auditor Division

RECEIVED

2023 JAN 19 P 2:09

SEDRYK SOUSA
Assistant City Auditor
CITY CLERK
FALL RIVER, MA

Dear Honorable Mayor,

I respectfully request an extension of the Quarter 2 Budget Report to the Honorable City Council in February. The Auditor's Department is in the process of updating the formatting of the report and this extension will provide the time necessary to implement these changes.

If you have any questions, please feel free to contact me.

Thank you,


Sedryk Sousa
Assistant City Auditor

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Human Services, Housing, Youth and Elder Affairs, at a meeting held on January 17, 2023, voted unanimously to recommend that the accompanying proposed resolution be granted leave to withdraw.


Clerk of Committees

City of Fall River, In City Council

(Councillor Andrew J. Raposo)

WHEREAS, within our community, there is an increased concern of the access to housing in the City, and

WHEREAS, if left unaddressed, can lead to increased homelessness and other life-changing circumstances, and

WHEREAS, community organizations provide many supports and services to the community, and

WHEREAS, these organizations would like to educate the public on these important topics, now therefore

BE IT RESOLVED, that the Committee of Human Services, Housing, Youth and Elder Affairs meet with local community organizations to provide information and guidance to the greater community on this important issue.

In City Council, September 27, 2022
Adopted.

A true copy. Attest:

Alison M. Bouchard

City Clerk

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Human Services, Housing, Youth and Elder Affairs at a meeting held on January 17, 2023, voted unanimously to recommend the accompanying resolution be referred to the Committee on Finance.


Clerk of Committees

City of Fall River, In City Council

(Committee on Human Services, Housing, Youth and Elder Affairs)

WHEREAS, City parks are in need of repair, and

WHEREAS, many baseball and football leagues are independent and do fundraising on their own, now therefore

BE IT RESOLVED, that the Committee on Finance convene with the Administration to discuss the needs of City parks and the needs of leagues, and

BE IT FURTHER RESOLVED, that the Administration and Park Board be invited to a future meeting of the Committee on Finance to discuss how to improve our City parks, baseball and football fields as well as bring forward, in conjunction with the baseball and football leagues, any immediate capital needs for our City parks, and

BE IT FURTHER RESOLVED, that bids be obtained and a cost provided to the Committee on Finance for a strategic Master Plan for all parks and that it be researched whether Open Space and Recreational grant funding is available for these improvements.

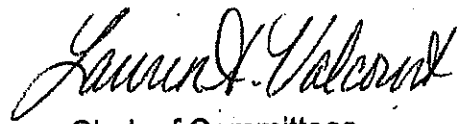
CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on

Regulations, at a meeting held on January 17, 2023, voted unanimously to recommend that the accompanying order be adopted.



Clerk of Committees

City of Fall River, *In City Council*

WHEREAS, the following order for an auto repair shop license transfer was as follows:

ORDERED, that permission be and the same is hereby granted for the transfer of auto repair license no. 263 located at 830 Globe Street from Jose Beirao d/b/a Beirao's Auto Repair Co., Inc. to Mario P. Loureiro d/b/a Marios Auto Repair & Sales, Inc.

and, on December 27, 2022, the order was referred to the Committee on Regulations now therefore, be it

ORDERED, that permission be and the same is hereby granted for:

Transfer of auto repair license no. 263 located at 830 Globe Street from Jose Beirao d/b/a Beirao's Auto Repair Co., Inc. to Mario P. Loureiro d/b/a Marios Auto Repair & Sales, Inc.

City of Fall River, *In City Council*

(Councilor Linda M. Pereira)

WHEREAS, Veterans Memorial Bicentennial Park is the location of both the Vietnam Veterans Memorial Wall as well as an exact replica of the Iwo Jima Monument, and

WHEREAS, this park also contains many memorial sculptures in honor and remembrance of veterans throughout American history and hosts multiple ceremonies and tributes year round, and

WHEREAS, the location of Veterans Memorial Bicentennial Park provides ease of access to many other public historical attractions, such as Battleship Cove and Fall River Heritage State Park, and

WHEREAS, Veterans Memorial Bicentennial Park provides preservation of American history, valuable education to residents and visitors, and distinguished memorials to those who served our nation, now therefore

BE IT RESOLVED, that the City Council and Administration request that Congressman Jake Auchincloss, Senator Elizabeth Warren and Senator Edward J. Markey initiate whatever action is necessary to include the Veterans Memorial Bicentennial Park within the Federal Historic Parks Registry.

City of Fall River, In City Council

(Councilor Linda M. Pereira)

WHEREAS, the Commonwealth of Massachusetts Tax Work Off Programs are available to senior citizens, 60 years of age or older, and to veterans, regardless of age, who own property in select cities and towns in the Commonwealth and pay real estate taxes, and

WHEREAS, there are many parks and organizations that could utilize the employment of senior citizens and veterans within the City, and

WHEREAS, the cost of living has increased and placed a larger financial burden on all residents, especially senior citizens and veterans, and

WHEREAS, property tax credits would greatly assist these eligible residents, now therefore

BE IT RESOLVED, that the Administration, a representative from the Department of Veteran's Services and a representative from the City Assessor's office provide information on the City's estimated cost to participate in this program and determine if it is a feasible option to provide financial relief to eligible residents.

City of Fall River, *In City Council*

ORDERED, that regular meetings of the City Council during 2023 shall be held as follows, and

BE IT FURTHER ORDERED that at said meetings the Committee on Finance shall begin at 6:00 PM, and the Regular Meeting of the City Council shall begin at 7:00 PM unless otherwise ordered:

February	28
March	14 28
April	11 25
May	16 30
June	13 27
July	18
August	15
September	12 26
October	10 24
November	14 28
December	12 26

All meetings shall be held in the Council Chamber, One Government Center, unless otherwise ordered.

23



RECEIVED

2023 JAN 13 P 12:46

City of Fall River
Notice of Claim

#23-2

1. Claimant's name: CITY CLERK KEVIN & DEBORA BOSTIC
FALL RIVER, MA
2. Claimant's complete address: 514 MONTAUP ST FALL RIVER MA 02724
3. Telephone number: Home: 5086721671 Work: 5088370907
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Fallen Tree From Vacant Property on 1165 DWELL ST FALL RIVER MA
5. Date and time of accident: EST OCT 14 2022 Amount of damages claimed: \$ 1248.00 D.B.
6. Exact location of the incident: (include as much detail as possible):
BACK YARD, RIGHT SIDE OF 514 MONTAUP ST FALL RIVER MA. TREE FELL FROM DWELL ST
7. Circumstances of the incident: (attach additional pages if necessary):
2ND INCIDENT OF TALL BRANCHES FALLEN ON PROPERTY FROM 1165 DWELL TOWARD 514 MONTAUP ST. EST ON THE MORNING OF OCT 14TH MY DOG WAS OUTSIDE WE HEARD AN EXPLOSION SOUND, WHEN WE LOOKED IT WAS A TOP BRANCH THAT FELL AND HIT ANCE. CRASHED MY PVC FENCE AND SPASHED MY POOL. I'M CLAIMING THE POOL, FENCE, & OVE
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
I CONTACTED LIBERTY MUTUAL IMMEDIATELY BUT THEY COULD NOT DO ANYTHING AS THE TREE WAS NOT ON OUR PROPERTY

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: 1/13/23Claimant's signature: Debra Bostic

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: 1/13/23

1/11/2023

Dear Honorable Mayor Paul Coogan & Honorable Fall River City Council,

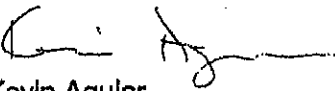
I write to you today to request your consideration of a change related to the compensation for School Committee members in Fall River.

The duties and expectations for Fall River School Committee members are quite similar to the duties and expectations for Fall River City Councilors. The School Committee compensation is currently less than half of that which the City Council receives. While I do not believe that anyone serves in either of these two part-time elected positions for financial reasons alone, it does not make sense to have two different compensation levels for similar positions.

I respectfully request that the Administration and the City Council consider passing an ordinance that reads :

School Committee members will receive compensation for performance of their duties equal to the compensation for Fall River City Councilors.

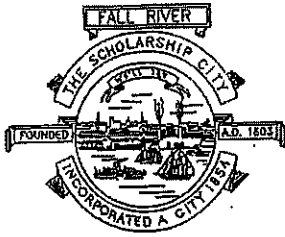
Thank you for your consideration,


Kevin Aguilar
2 Crestwood St
Fall River, MA 02720

CITY CLERK
FALL RIVER, MA

2023 JAN 11 P 4:03

RECEIVED



**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**
December 14, 2022

CITY CLERK
FALL RIVER, MA

RECEIVED
JAN 12 A 9 44

The Fall River Planning Board held a Public Meeting at 5:30 p.m. on Wednesday, December 14, 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 December 9, 2022.

Members present: Cynthia Sevigny, Chair; John Ferreira, Vice Chair; Gloria Pacheco; Elizabeth Andre

Members absent: Mario Lucciola

Also present: Dan Aguiar, Director of Engineering and Planning; Nina Krueger, 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.

Old Business

01. ROADWAY RECONSTRUCTION – WOOD STREET

Section 66-185 City Ordinance. Considering the Roadway Reconstruction Plan and Profile of the Wood Street Ext.

Mr. Aguiar explained that FHT submitted a revised roadway reconstruction plan the morning of the meeting that had not yet been thoroughly reviewed. He recommended that the Board continue the matter to the next meeting to give them more time to make an informed decision.

Upon a motion duly made by Ms. Andre and Seconded by Mr. Ferreira, it was unanimously VOTED 4-0 to continue this item to the January 11, 2023 meeting to gain additional information on the matter.

Documents used during the meeting:

Roadway Reconstruction Plan

Revised Roadway Reconstruction Plan

Memo letter from the Department of Engineering and Planning and the Department of Community Utilities.

02. RECEIPT OF CORRESPONDENCE

Review and discuss the nomination of S. Gourse & Sons Block for the National Register of Historic Places by the Massachusetts Historical Commission.

Mr. Aguiar referenced an "enclosed nomination form" that was not attached to the mailing and explained that the department had reached out to the Massachusetts Historical Commission and was still waiting for a response. He advised the Board to continue this item to the next meeting in order to gain additional information.

Alexander Silva, representing the Board of Directors from the Preservation Society of Fall River was present at the meeting. Mr. Aguiar asked him if he had any additional information regarding this nomination. Mr. Silva said that he did not, but would look into it. He later sent an email explaining which building this nomination was for, which was placed on file.

Upon a motion duly made by Ms. Pacheco and Seconded by Ms. Andre, it was unanimously VOTED 4-0 to continue this item to the January 11, 2023 meeting to gain additional information on the matter.

Documents used during the meeting:

Notification of the nomination of S. Gourse & Sons Block for the National Register of Historic Places from the Massachusetts Historical Commission.

Email from Alexander Silva from the Preservation Society of Fall River

03. DISCUSSION

Review and Discuss the Proposed Updated Fee Schedule.

Mr. Aguiar explained that the Board would not necessarily be approving the Updated Fee Schedule, but recommending it for approval to the City Council, as they have the final say.

Upon a motion duly made by Ms. Pacheco and Seconded by Mr. Ferreira, it was unanimously VOTED 4-0 to recommend the Proposed Updated Fee Schedule for acceptance by City Council.

Documents used during the meeting:

Proposed Updated Fee Schedule

Current Fee Schedule

New Business

1. RECEIPT OF CORRESPONDENCE

Review and discuss the Release Abatement Measure Plan submitted to the Massachusetts Department of Environmental Protection Bureau of Waste Site Cleanup by Ardent Group, Inc. for the property located at 80 William S. Canning Blvd.

Mr. Aguiar explained that anytime there is a release of any type of contamination and is reported to Mass DEP, the city gets notified. He explained that this type of receipt of correspondence is to notify the Board that Mass DEP is working with the owner of the site on waste cleanup and recommended that the Board place the item on file.

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

Documents used during the meeting:

Release Abatement Measure Plan submitted to the Massachusetts Department of Environmental Protection Bureau of Waste Site Cleanup by Ardent Group, Inc. for the property located at 80 William S. Canning Blvd.

2. RECEIPT OF CORRESPONDENCE

Review and discuss the Phase IV Status and Temporary Solution Status Report submitted to the Massachusetts Department of Environmental Protection by WoodFR, LLC. for the property located at 749 Quequechan St.

Mr. Aguiar explained that this receipt of correspondence was also to notify the Board that Mass DEP is working with the owner of the site on waste cleanup and recommended that the Board place the item on file.

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

Documents used during the meeting:

Phase IV Status and Temporary Solution Status Report submitted to the Massachusetts Department of Environmental Protection by WoodFR, LLC. for the property located at 749 Quequechan St.

3. RECEIPT OF CORRESPONDENCE

Review and discuss the nomination of the Third Street Commercial Corridor Historic District for the National Register of Historic Places by the Massachusetts Historical Commission.

Mr. Aguiar referenced an "enclosed nomination form" that was not attached to the mailing and explained that the department had reached out to the Massachusetts Historical Commission and was still waiting for a response. He advised the Board to continue this item to the next meeting in order to gain additional information.

Alexander Silva, representing the Board of Directors from the Preservation Society of Fall River was present at the meeting. He explained that the Preservation Society is generally always in favor

of creating more or expanding Historic Districts within the city as there are not only benefits for the property owners, but also for the community as a whole.

Upon a motion duly made by Mr. Ferreira and Seconded by Ms. Andre, it was unanimously VOTED 4-0 to continue this item to the January 11, 2023 meeting to gain additional information on the matter.

Documents used during the meeting:

Notification of the nomination of the Third Street Commercial Corridor Historic District for the National Register of Historic Places from the Massachusetts Historical Commission.

Packet explaining the Effects and Benefits of Listing with the National Register of Historic Places

4. Approval of Minutes: November 9, 2022

Upon a motion duly made by Mr. Ferreira and Seconded by Ms. Andre, it was VOTED 3-0 to approve the minutes from the November 9, 2022 meeting. Ms. Sevigny abstained from voting, as she was not in attendance for the November 9, 2022 meeting.

5. Citizens' Input:

No one was present for Citizens' Input.

6. Adjournment

Upon a motion duly made by Ms. Andre and Seconded by Ms. Pacheco, it was unanimously VOTED 4-0 to adjourn at 5:43pm.

List of documents and other exhibits used during the meeting:

Planning Board Agenda for 12/14/2022 Meeting

Planning Board Minutes from 11/9/2022 Meeting

Recording Clerk

In Planning Board, January 11, 2022

Approved

CITY COUNCIL PUBLIC HEARING

MEETING: Tuesday, December 27, 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,
Pamela S. Laliberte, Leo O. Pelletier, Linda M. Pereira,
Andrew J. Raposo and Laura-Jean Washington

ABSENT: None

IN ATTENDANCE: Robert Albin, 487 Baker Street

The President called the meeting to order at 5:55 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:

BILLIARDS

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

Bob's Place LLC d/b/a Straight Shooters Billiards, 30 Front Street for permission to maintain a pocket billiard room with twenty-four (24) tables located at 30 Front Street on Lot K-03-001, Assessors Plan.

The President asked if there were any proponents to be heard and Mr. Robert Albin, 487 Baker Street, came forward. Councilor Leo O. Pelletier asked if the original location was closing or relocating. Mr. Albin stated that the original location was purchased by a storage facility company and that the new owner will be using the entire building for storage only. Due to this ownership change, he needed to relocate his business. 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.

On a further motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adjourn the public hearing at 6:00 p.m.

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

A true copy. Attest:

Elvis Leite

Assistant City Clerk

COMMITTEE ON FINANCE

MEETING: Tuesday, December 27, 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
Chief Paul Gauvin, Fall River Police Department
Officer Jonathan Ferreira, President
Fall River Police Association MassCOP Local 1854
Officer Edmond Desmarais, Vice President
Fall River Police Association MassCOP Local 1854
Officer Peter Daluz, Treasurer
Fall River Police Association MassCOP Local 1854

The chair 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.

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:
Officer Edmund Desmarais, 685 Pleasant Street – Police Hiring and Retention
Officer Johnathan Ferreira, 685 Pleasant Street – Police Hiring and Retention
Jeffrey Gaudreau, 229 Palmer Street – Use of American Rescue Plan Act (ARPA) Funds
Collin Dias, 560 Ray Street – Use of ARPA Funds
Nelson Vasquez, 20 Sunset Hill – ARPA Transparency

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Leo O. Pelletier, it was unanimously voted to discuss item two until 7:00 p.m., with Councilor Laura-Jean Washington abstaining.

Councilor Laura-Jean Washington recused herself from the meeting at 6:34 p.m. due to a presumed conflict of interest, as Officer Jonathan Ferreira, President of Fall River Police Association MassCOP Local 1854, is her brother.

2. Discussion re: hiring and retaining of police officers

Councilor Linda M. Pereira expressed concerns regarding the Fall River Police Department's hiring and retaining of police officers. Councilor Pereira asked if exit interviews were performed prior to an officer's departure and if exit interviews performed with the Chief of Police would provide accurate information compared to an exit interview with Human Resources. Chief of Police Paul Gauvin stated that he believes the exit interviews with him are factual and that officers are honest about the reason they are leaving. Councilor Pereira inquired about benefits that carry over with officers when they leave the department. Chief Gauvin gave examples of prorated vacation time and compensation that carries over with an officer following their departure. Councilor Shawn E. Cadime emphasized his concerns about retention of officers and if the budget for the Department needed appropriations. Chief Gauvin stated that the budget was adequate and that the main concern with hiring was a lack of applications. Councilor Cadime asked Chief Gauvin about the amount of vacancies within the Department currently. Chief Gauvin stated there are currently twenty-five budgeted positions that are vacant. Officer Edmund Desmarais, Vice President of the Fall River Police Association MassCOP Local 1854, emphasized that hiring and retention have been an issue within the department for years and there are currently 145 officers employed in the City, which is significantly lower than the previous year. Officer Jonathan Ferreira, President of the Fall River Police Association MassCOP Local 1854, explained that while it is frequently stated that department funding is sufficient, officers who leave for other employment opportunities are usually doing so due to income differences with nearby communities. Councilor Cadime asked how many resignations occurred this fiscal year and Officer Desmarais stated that six officers resigned and took positions in neighboring communities. Officer Desmarais emphasized that the cost of the academy and required equipment is nearly \$9,000 and that is a large cost for applicants. He stated that helping to reimburse or fund this cost would be very helpful in hiring and retention. Councilor Pereira asked for clarification of how many officers, of the 145 employed, were patrolling the City and Officer Desmarais stated an estimate of 65-70 officers. Councilor Michelle M. Dionne asked if ARPA funding could be utilized to help pay for the Academy application costs for officers. Seth Thomas Aitken, City Administrator, stated that the Administration and the union have been discussing that as it is something that can be immediately addressed to help with hiring issues. Officer Ferreira stated that this will help with hiring, but retention and officer morale is the larger issue and stated that more detail could be provided of the issues if the Committee on Finance entered into executive session on this matter in the future. Councilor Pereira agreed that the Committee should enter into executive session at a later date.

On a motion made by Councilor Linda M. Pereira and seconded by Michelle M. Dionne, it was voted to table the resolution, with Councilor Laura-Jean Washington absent and not voting.

Councilor Cadime asked that when this item is lifted from the table in the future that recommendations from the Police Union or the Administration be brought forth as to how they would like the issues of retention and staffing levels addressed to help guide the discussion.

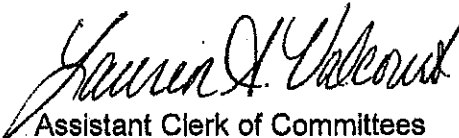
Councilor Laura-Jean Washington returned to the meeting at 7:06 p.m.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 7:06 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, December 27, 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: None

President Joseph D. Camara called the meeting to order at 7:17 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 Loan Order of \$2,700,000.00 for Construction and Renovation of Buildings to be used by the Emergency Medical Services Department
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Linda M. Pereira, it was unanimously voted to authorize the loan order to be published and to refer it to the Committee on Finance.

2. Mayor and American Rescue Plan Act (ARPA) Director requesting the rescindment of the vote to approve the Bristol County ARPA Funding to support and fund the "For Youth Initiative," to allow this initiative to be funded through the City's ARPA funds.
On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Laura-Jean Washington, it was unanimously voted that the communication be accepted and placed on file and the request be approved.

PRIORITY COMMUNICATIONS

3. Traffic Commission recommending amendments to traffic ordinances
On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Andrew J. Raposo, it was unanimously voted to refer the recommended amendments to the Committee on Ordinances and Legislation.

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS – None

CITATIONS – None

ORDERS – HEARINGS**Pool/Billiards:**

4. Bob's Place LLC d/b/a Straight Shooters Billiards, 30 Front Street for permission to maintain a pocket billiard room with twenty-four (24) tables located at 30 Front Street on Lot K-03-0001, Assessors Plan.

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

Approved, December 28, 2022

Paul E. Coogan, Mayor

ORDERS – MISCELLANEOUS

5. **Auto Repair Shop License Renewals:**

Tiago Botelho d/b/a Mill City Diesels, LLC, located at 1139 Slade Street

Thomas A. Legault d/b/a Tom Legault's Auto Repair, located at 745 Brayton Avenue

Everett J. Mello d/b/a Dave's Tire and Auto Service, located at 325 Bedford Street

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order.

Approved, December 28, 2022

Paul E. Coogan, Mayor

6. **Auto Repair Shop License Transfer:**

Transfer of auto repair shop license no. 263 located at 830 Globe Street from Jose

Beirao d/b/a Beirao's Auto Repair Co., Inc. to Mario P. Loureiro d/b/a Marios Auto

Repair & Sales, Inc.

Councilor Leo O. Pelletier asked if there were any restrictions noted on this license due to the property's small parking lot and residents' complaints about parking cars on the street. The Assistant City Clerk stated that there were none for the auto repair license but there could be restrictions from the Licensing Board for the auto sales portion of the business. Councilor Linda M. Pereira stated she has also received complaints from residents regarding cars being repaired that are parked on the street. On a motion made by Councilor Linda M. Pereira and seconded by Councilor Shawn E. Cadime, it was unanimously voted to refer the order to the Committee on Regulations.

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

2023 Taxicab Drivers:

Peter G. Haddad

Laura Rodriguez

Vicky Yamileth Rosario Rodriguez

2023 Livery Vehicle:

Muhammad Shabbir (two vehicles)

The Assistant City Clerk stated that applications for the two vehicles listed under Muhammad Shabbir were disapproved by the Chief of Police. On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Leo O. Pelletier, it was unanimously voted to take the Livery Vehicle section of the order separately from the Taxicab Drivers section.

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

On a further motion made by Councilor Linda M. Pereira and seconded by Councilor Shawn E. Cadime, it was unanimously voted to deny the Livery Vehicle applications.

COMMUNICATIONS – INVITATIONS – PETITIONS

8. 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.

9. Zoning Board of Appeals Minutes – November 17, 2022

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

10. Planning Board Minutes – November 9, 2022

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

City Council Minutes:

11. Committee on Finance – December 13, 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 approved.

12. City Council – December 13, 2022

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

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: DECEMBER 27, 2022

BULLETINS – NEWSLETTERS – NOTICES

13. Department of Public Utilities, Notice of filing and request for comments re: Petition of National Grid for Approval of an Alternative Basic Service Procurement and Pricing Plan with a comment deadline of 5:00 p.m. January 6, 2023.

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

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to adjourn at 7:26 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
DVD of meeting

A true copy. Attest:

Chris Leite

Assistant City Clerk

SPECIAL MEETING OF THE CITY COUNCIL

MEETING: Tuesday, January 3, 2023 at 6:00 p.m.
Council Chamber, One Government Center

PRESENT: Councilors Shawn E. Cadime, Joseph D. Camara, 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: None

City Clerk Alison M. Bouchard called the meeting to order at 6:02 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.

Agenda:

1. Citizen Input – None

2. Council Orders:

a. Election of President for the year 2023

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order to proceed by a vive-voce vote to elect a President of the City Council for the year 2023, with Councilor Pamela S. Laliberte absent and not voting. Councilor Michelle M. Dionne received 3 votes from Councilors Shawn E. Cadime, Michelle M. Dionne and Andrew J. Raposo and Councilor Joseph D. Camara received 5 votes, from Councilors Joseph D. Camara, Bradford L. Kilby, Leo O. Pelletier, Linda M. Pereira and Laura-Jean Washington, with Councilor Pamela S. Laliberte absent and not voting. Councilor Joseph D. Camara was declared President of the City Council for the year 2023. Councilor Joseph D. Camara was sworn to his duties by the City Clerk and delivered brief remarks.

b. Election of Vice President for the year 2023

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order to proceed by a vive-voce vote to elect a Vice President of the City Council for the year 2023. Councilor Andrew J. Raposo received 3 votes from Councilors Shawn E. Cadime, Michelle M. Dionne and Andrew J. Raposo and Councilor Linda M. Pereira received 5 votes, from Councilors Bradford L. Kilby, Leo O. Pelletier, Linda M. Pereira, Laura-Jean Washington and Joseph D. Camara, with Councilor Pamela S. Laliberte absent and not voting. Councilor Linda M. Pereira was declared Vice President of the City Council for the year 2023. Councilor Linda M. Pereira was sworn to her duties by the City Clerk and delivered brief remarks.

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adjourn at 6:18 p.m., with Councilor Pamela S. Laliberte absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

A true copy. Attest:

Alison M. Bouchard

City Clerk

29



City of Fall River Massachusetts

Office of the City Clerk

RECEIVED
2022 DEC -8 P 12:49

CITY CLERK
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

INÈS LETTE
ASSISTANT CITY CLERK


SPECIAL MEETING OF THE CITY COUNCIL

TUESDAY, JANUARY 3, 2023 AT 6:00 P.M.

CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

AGENDA

1. Citizen Input
2. Council Orders:
 - a. Election of President for the year 2023
 - b. Election of Vice President for the year 2023


Alison M. Bouchard
City Clerk

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

COMMITTEE ON FINANCE

MEETING: Tuesday, January 10, 2023 at 6:30 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilor Michelle M. Dionne

IN ATTENDANCE: Seth Thomas Aitken, City Administrator
Bridget Almon, Director of Financial Services

The chair called the meeting to order at 6:31 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:
Bob Barlow, 105 Pitman Street – Fall River
Nelson Vasquez, 210 Sunset Hill – Fall River

2. Loan Order of \$2,700,000.00 for Construction and Renovation of Buildings
to be used by the Emergency Medical Services Department

Seth Thomas Aitken, City Administrator, gave a brief overview of the loan order and how it would allow the Administration to amend the loan order approved in 2021. He stated that the previous order was intended to be used to build a steel facility for the Emergency Medical Services (EMS) vehicles. Mr. Aitken explained that the costs of construction and needs of the EMS Department have changed and an amended loan order is needed to be able to move forward. He stated this would allow renovation on the Central Fire Station and development of a new administrative location. The City Administrator also clarified that a portion of the request included in the packet for this agenda item, a letter from EMS Director Timothy Oliveira, had stated that portions of the old Durfee High School may be utilized and that was still in discussion and not definite. Councilor Andrew J. Raposo asked why an unused school couldn't be utilized for this project. Mr. Aitken

stated that it could, but hasn't been decided upon and would require School Committee approval. Councilor Raposo asked for clarification on the amount that would be used for renovating the Central Fire Station. Mr. Aitken gave an estimate of about \$1,000,000. Councilor Raposo asked for a timeline for when the decision would be made for the remaining amount of funds and the City Administrator stated that he expected a decision to be made within 60 to 90 days. Councilor Linda M. Pereira asked if this loan order was an amendment to the previous one that was approved or if it was new. Bridget Almon, Director of Financial Services, stated that the funds were never borrowed and that this proposed loan order was new. Councilor Pereira requested clarification on where the EMS administrative offices are currently located and Mr. Aitken stated they were working at the Fall River Fire Department Headquarters located on Commerce Way. Councilor Laura-Jean Washington asked for details on the funding of the renovation project for the Central Fire Station. Both the City Administrator and the Director of Financial Services explained that they are utilizing all options of funding for this project currently, including this loan order and Community Preservation Act funding. Councilor Leo O. Pelletier expressed concern regarding approving the loan order if there isn't a concise plan for spending. Mr. Aitken gave a brief overview of planned renovations to the Central Fire Station and information on the number of administrative employees that would utilize a new facility. President Joseph D. Camara asked if a list of renovations, repairs and estimates could be provided to the City Council at the next meeting. Ms. Almon stated that the matter was time sensitive and tabling it would delay the project. She also stated that the Administration could provide the City Council with a list of project proposals as soon as possible. Councilor Pamela S. Laliberte asked if this list was available at the current meeting as she was not comfortable approving it without feasibility studies and estimates. Mr. Aitken stated it was not available at the current meeting. Councilor Raposo stated that he would need a list of cost plans and estimates prior to voting in favor of the loan order.

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Leo O. Pelletier, it was voted with 7 yeas, 1 nay, to table the matter, with Councilor Laura-Jean Washington voting in the negative and Councilor Michelle M. Dionne absent and not voting.

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adjourn at 7:25 p.m., with Councilor Michelle M. Dionne absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
DVD of meeting


Clerk of Committees

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, January 10, 2023 at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilor Michelle M. Dionne

IN ATTENDANCE: None

President Joseph D. Camara called the meeting to order at 7:25 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 notification of Historical Commission appointment of Commissioner Richard Mancini as the Historical Commission's representative to the Community Preservation Committee

On a motion made by Councilor Linda M. Pereira and seconded by Councilor Andrew J. Raposo, it was voted that the communication be accepted and placed on file, with Councilor Michelle M. Dionne absent and not voting.

PRIORITY COMMUNICATIONS

2. Board of Election Commissioners and orders authorizing the Preliminary Municipal Election on September 19, 2023 and the Municipal Election on November 7, 2023 and designating polling places for such elections

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Leo O. Pelletier, it was unanimously voted that the communication be accepted and placed on file and the orders be adopted, with Councilor Michelle M. Dionne absent and not voting.

Approved, January 11, 2023

Paul E. Coogan, Mayor

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

3. Committee on Economic Development and Tourism convene with community organizations to discuss their 2022 year in review and future events
Councilor Linda M. Pereira asked if any of these organizations would be looking for City funding, as the Committee on Economic Development and Tourism isn't able to make decisions on that

without the City Council's approval. Councilor Andrew J. Raposo stated that this resolution is focused on getting more information on what these organizations have planned to improve the lives of residents and creating a platform for discussion of the events, not funding. On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the resolution, with Councilor Michelle M. Dionne absent and not voting.

CITATIONS – None

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

4. **Auto Repair Shop License Renewal:**

Igor Zinovyev d/b/a Boston Auto Fair, LLC, located at 2147 Pleasant Street
On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Linda M. Pereira, it was voted to adopt the order, with Councilor Michelle M. Dionne absent and not voting.

Approved, January 11, 2023

Paul E. Coogan, Mayor

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

2023 Taxicab Drivers:

Jean P. Charlot	Robert Kelleher	Nicole Pontes
Joseph Reilly	Stephen J. Stets	

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

6. City Council meeting schedule for January 24, 2023 and February 14, 2023
Councilor Andrew J. Raposo asked for clarification regarding the upcoming meeting schedule as listed on the order. President Joseph D. Camara stated that most meetings will be on the second and fourth Tuesdays of each month, but there may be a conflict of dates and he is working on rectifying those conflicts. President Camara stated that a full schedule will be included at the next meeting. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Linda M. Pereira, it was unanimously voted to adopt the order, with Councilor Michelle M. Dionne absent and not voting.

COMMUNICATIONS – INVITATIONS – PETITIONS

7. **Claims**

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

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: JANUARY 10, 2023

RESOLUTIONS

3a. Committee on Finance convene with the Chair of the Board of Assessors and the City Administrator to discuss real estate taxes and exemptions
On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the resolution, with Councilor Michelle M. Dionne absent and not voting.

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to adjourn at 7:34 p.m., with Councilor Michelle M. Dionne absent and not voting.

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

Received by email on Friday, January 20, 2023 @ 5:09 PM

**OPEN MEETING LAW COMPLAINT FORM**

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

2023 JAN 23 A 11:15

CITY CLERK
FALL RIVER, MA

Please note that all fields are required unless otherwise noted.

Your Contact Information:First Name: Patrick Last Name: HigginsAddress: P O Box 290City: Northport State: AL Zip Code: 35476Phone Number: 8662838301 Ext. _____Email: patrick@openmeetinglawenforcer.comOrganization or Media Affiliation (if any): Patrick Higgins and Associates

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

(For statistical purposes only)

☐ Individual ☒ Organization ☐ Media

Public Body that is the subject of this complaint:

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

Name of Public Body (including city/town, county or region, if applicable): Fall River City CouncilSpecific person(s), if any, you allege committed the violation: Joseph D Camara, PresidentDate of alleged violation: 01/03/2023

Description of alleged violation:

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

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

The Fall River City Council violated the open meeting law as follows:

1. The City Clerk called and conducted a meeting of the City Council on Jan 3, 2023, while not being an elected or sworn City Councilor with no legal authority to do so.
2. Members of the City Council deliberated outside of the public meeting as to their choice for President and Vice President of the City Council, all deliberations took place outside of a publicly posted meeting as evident by the votes of the City Council. Video of this meeting can be viewed at <https://www.youtube.com/watch?v=FGqS6b2c4Go&t=1170s>

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

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

All members MUST attend an open meeting law training webinar without delay, scheduled can be viewed at <https://www.mass.gov/service-details/open-meeting-law-trainings>

Stop violating the open meeting law forthwith. Learn and comply with all aspects of the open meeting law.

Review, sign, and submit your complaint**I. Disclosure of Your Complaint.**

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

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

II. Consulting With a Private Attorney.

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

III. Submit Your Complaint to the Public Body.

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

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

Signed: 

Date: 01/20/2023

For Use By Public Body
Date Received by Public Body:

For Use By AGO
Date Received by AGO:

SPECIAL MEETING OF THE CITY COUNCIL

MEETING: Tuesday, January 3, 2023 at 6:00 p.m.
Council Chamber, One Government Center

PRESENT: Councilors Shawn E. Cadime, Joseph D. Camara, 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: None

City Clerk Allison M. Bouchard called the meeting to order at 6:02 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.

Agenda:

1. Citizen Input - None

2. Council Orders:

a. Election of President for the year 2023

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order to proceed by a vive-voce vote to elect a President of the City Council for the year 2023, with Councilor Pamela S. Laliberte absent and not voting. Councilor Michelle M. Dionne received 3 votes from Councilors Shawn E. Cadime, Michelle M. Dionne and Andrew J. Raposo and Councilor Joseph D. Camara received 5 votes, from Councilors Joseph D. Camara, Bradford L. Kilby, Leo O. Pelletier, Linda M. Pereira and Laura-Jean Washington, with Councilor Pamela S. Laliberte absent and not voting. Councilor Joseph D. Camara was declared President of the City Council for the year 2023. Councilor Joseph D. Camara was sworn to his duties by the City Clerk and delivered brief remarks.

b. Election of Vice President for the year 2023

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Leo O. Pelletier, it was unanimously voted to adopt the order to proceed by a vive-voce vote to elect a Vice President of the City Council for the year 2023. Councilor Andrew J. Raposo received 3 votes from Councilors Shawn E. Cadime, Michelle M. Dionne and Andrew J. Raposo and Councilor Linda M. Pereira received 5 votes, from Councilors Bradford L. Kilby, Leo O. Pelletier, Linda M. Pereira, Laura-Jean Washington and Joseph D. Camara, with Councilor Pamela S. Laliberte absent and not voting. Councilor Linda M. Pereira was declared Vice President of the City Council for the year 2023. Councilor Linda M. Pereira was sworn to her duties by the City Clerk and delivered brief remarks.

On a motion made by Councillor Andrew J. Raposo and seconded by Councillor Michelle M. Dionne, it was unanimously voted to adjourn at 6:18 p.m., with Councillor Pamela S. Laliberte absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

A true copy. Attest:

Alicia M. Bouchard

City Clerk

24a



City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2022 DEC -8 P 12:49

CITY CLERK
FALL RIVER, MA

ALISON M. BOUCHARD
City Clerk

INÉS LEITE
Assistant City Clerk

SPECIAL MEETING OF THE CITY COUNCIL

TUESDAY, JANUARY 3, 2023 AT 6:00 P.M.

CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER

AGENDA

1. Citizen Input
2. Council Orders:
 - a. Election of President for the year 2023
 - b. Election of Vice President for the year 2023


Alison M. Bouchard
City Clerk

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



24a

The Commonwealth of Massachusetts
Office of the Attorney General
One Ashburton Place
Boston, Massachusetts 02108

OPEN MEETING LAW COMPLAINT FORM

Instructions for completing the Open Meeting Law Complaint Form

The Attorney General's Division of Open Government interprets and enforces the Open Meeting Law, Chapter 30A of the Massachusetts General Laws, Sections 18-25. Below is the procedure for filing and responding to an Open Meeting Law complaint.

Instructions for filing a complaint:

- o Fill out the attached two-page form completely. Sign and date the second page. File the complaint with the public body within 30 days of the alleged violation. If the violation was not reasonably discoverable at the time it occurred, you must file the complaint within 30 days of the date the violation was reasonably discoverable. A violation that occurs during an open session of a meeting is reasonably discoverable on the date of the meeting.
- o To file the complaint:
 - o For a local or municipal public body, you must submit a copy of the complaint to the chair of the public body AND to the municipal clerk.
 - o For all other public bodies, you must submit a copy of the complaint to the chair of the public body.
 - o Complaints may be filed by mail, by email, or by hand. Please retain a copy for your records.
- o If the public body does not respond within 14 business days and does not request an extension to respond, contact the Division for further assistance.

Instructions for a public body that receives a complaint:

- o The chair must disseminate the complaint to the members of the public body.
- o The public body must meet to review the complaint within 14 business days (usually 20-22 calendar days).
- o After review, but within 14 business days, the public body must respond to the complaint in writing and must send the complainant a response and a description of any action the public body has taken to address the allegations in the complaint. At the same time, the body must send the Attorney General a copy of the complaint and a copy of the response. The public body may delegate this responsibility to an individual member of the public body, its counsel, or a staff member, but only after the public body has met to review the complaint.
- o If a public body requires more time to review the complaint and respond, it may request an extension of time for good cause by contacting the Division of Open Government.

Once the public body has responded to the complaint:

- o If you are not satisfied with the public body's response to your complaint, you may file a copy of the complaint with the Division by mail, by email, or by hand, but only once you have waited for 30 days after filing the complaint with the public body. Mail may be sent to: The Division of Open Government, Office of the Attorney General, One Ashburton Place - 20th Floor, Boston, MA 02108. Emails may be sent to: openmeeting@state.ma.us.
- o When you file your complaint with the Division, please include the complaint form and all documentation relevant to the alleged violation. You may wish to attach a cover letter explaining why the public body's response does not adequately address your complaint.
- o The Division will not review complaints filed with us more than 90 days after the violation, unless we granted an extension to the public body or you can demonstrate good cause for the delay.

If you have questions concerning the Open Meeting Law complaint process, we encourage you to contact the Division of Open Government by phone at (617) 963-2540 or by email at openmeeting@state.ma.us.