

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: Thursday, February 15, 2024, at 7:00 p.m.
Council Chamber, One Government Center

PRESENT: President Joseph D. Camara, presiding;
Councilors Michelle M. Dionne, Paul B. Hart, Bradford L. Kilby,
Linda M. Pereira, Cliff Ponte, Andrew J. Raposo and
Laura-Jean Sampson

ABSENT: Councilor Shawn E. Cadime

IN ATTENDANCE: None

President Camara called the meeting to order at 8:42 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 confirmation of the appointment of Michelle Moniz to the Council on Aging
On a motion made by Councilor Raposo and seconded by Councilor Dionne, it was unanimously voted to confirm the appointment, with Councilor Cadime absent and not voting.

2. Mayor and order to accept the provisions of M.G.L. Ch. 203C, which approves the utilization of the prudent investor rule for the investment of funds held in the Other Post-Employment Benefit (OPEB) Liability Trust Fund established by the City Council on November 6, 2018.

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order, with Councilor Cadime absent and not voting.

Approved, February 16, 2024

Paul E. Coogan, Mayor

3. Mayor and orders:

- a. Transferring the sum of \$2,500,000 from FY23 Surplus Revenue to Stabilization Fund (to replenish stabilization fund for fire retro pay)

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order, with Councilor Cadime absent and not voting.

b. Transferring the sum of \$2,500,000 from FY23 Surplus Revenue to School Appropriation (partial payment for obligation re net school spending FY23)
On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order, with Councilor Cadime absent and not voting.

4. Mayor and request for approval of TIE (Tax Increment Exemption) Agreement for Sacred Heart Lofts, LLC – 160 Linden Street
On a motion made by Councilor Kilby and seconded by Councilor Raposo, it was voted to adopt the resolution, with Councilor Dionne opposed and Councilor Cadime absent and not voting.

Approved, February 16, 2024
Paul E. Coogan, Mayor

5. Mayor and orders to accept and expend the following grants:
a. \$34,890 – Massachusetts Executive Office of Public Safety and Security – Firefighter Safety Equipment Grant for firefighter safety equipment, and lithium-ion battery and electric vehicle battery-related fire equipment

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order, with Councilor Cadime absent and not voting.
Approved, February 16, 2024
Paul E. Coogan, Mayor

b. \$30,000 – Massachusetts Office on Disability – Municipal ADA Improvement Grant for ADA-compliant wheelchair-height service counters in each office in Government Center

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order, with Councilor Cadime absent and not voting.
Approved, February 16, 2024
Paul E. Coogan, Mayor

c. \$76,000 – Massachusetts Office on Disability – Municipal ADA Improvement Grant for accessibility improvements to the Veterans Center on Pine Street, including restroom and wheelchair ramp upgrades

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order, with Councilor Cadime absent and not voting.
Approved, February 16, 2024
Paul E. Coogan, Mayor

PRIORITY COMMUNICATIONS

6. Traffic Commission recommending amendment to the traffic ordinances
On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to refer the recommendations to the Committee on Ordinances and Legislation, with Councilor Cadime absent and not voting.

On a further motion made by Councilor Kilby and seconded by Vice President Pereira, it was unanimously voted to take items 7 through 10 together, with Councilor Cadime absent and not voting.

COMMITTEE REPORTS

Committee on Health and Environmental Affairs recommending:

Grant Leave to Withdraw:

7. Resolution – Discuss tree stump removals in the City
8. Resolution – Discuss complaints of odors emanating from the Wastewater Treatment Plant
9. Resolution – The Committee on Health and Environmental Affairs convene with the Administrator of Community Utilities and a representative from Veolia Water to discuss storm water catch basin maintenance protocol
10. Resolution – Discussion of public health concerns re: 222 Peckham Street

On a motion made by Vice President Pereira and seconded by Councilor Raposo, it was unanimously voted that items 7-10 be granted leave to withdraw, with Councilor Cadime absent and not voting.

ORDINANCES

Second Reading and Enrollment:

11. Proposed Ordinance – Traffic, miscellaneous

Section 1

Stop intersections:

Branch Street, Eastbound at John Street

West Street, Southbound at Probber Lane

Section 2

One-way streets:

Anawan Street, Easterly, from Water Street to Pond Street

Branch Street, Easterly, from Second Street to John Street

Section 3

Parking prohibited at all times:

Whipple Street, West, 125 feet south of Morgan Street, for a distance of 57 feet southerly

Section 4

Parking prohibited during certain hours:

French Street, South, 43 feet west of Highland Avenue, for a distance of 20 feet westerly, 7:00 a.m. to 4:00 p.m. / Monday through Friday

Section 5

Handicapped parking removals:

Ninth Street	Anawan Street	Bank Street	Bay Street
Franklin Street	Fulton Street	Jefferson Street	John Street
Maria Street	Montaup Street	Pearce Street	Robeson Street
Stetson Street	Swindells Street	Tecumseh Street	

On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment, with Councilor Cadime absent and not voting. On a further motion made Councilor Raposo and

seconded by Councilor Sampson, it was unanimously voted that the proposed ordinance be passed through ordination, with Councilor Cadime absent and not voting.

Approved, February 16, 2024

Paul E. Coogan, Mayor

12. Proposed Ordinance – Traffic, All-night parking of commercial vehicles

On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment, with Councilor Cadime absent and not voting. On a further motion made Councilor Raposo and seconded by Councilor Hart, it was unanimously voted that the proposed ordinance be passed through ordination, with Councilor Cadime absent and not voting.

Approved, February 16, 2024

Paul E. Coogan, Mayor

13. Proposed Ordinance – Traffic, Prohibited parking due to impeding emergency vehicles

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment, with Councilor Cadime absent and not voting. On a further motion made Councilor Hart and seconded by Councilor Raposo, it was unanimously voted that the proposed ordinance be passed through ordination, with Councilor Cadime absent and not voting.

Approved, February 16, 2024

Paul E. Coogan, Mayor

14. Proposed Ordinance – Amendments to Sec. 50-305, Salary schedules for EMS

Local 1202 AFSCME personnel

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment, with Councilor Cadime absent and not voting. On a further motion made Councilor Raposo and seconded by Councilor Hart, it was unanimously voted that the proposed ordinance be passed through ordination, with Councilor Cadime absent and not voting.

Approved, February 16, 2024

Paul E. Coogan, Mayor

15. Proposed Ordinance – Amendments to Sec. 50-302, Salary schedules for contract personnel in Emergency Medical Services and the Law Department

On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment, with Councilor Cadime absent and not voting. On a further motion made Councilor Raposo and seconded by Councilor Hart, it was unanimously voted that the proposed ordinance be passed through ordination, with Councilor Cadime absent and not voting.

Approved, February 16, 2024

Paul E. Coogan, Mayor

16. Proposed Ordinance – Panhandling restrictions

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment, with Councilor Cadime absent and not voting. On a further motion made Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted that the proposed ordinance be passed through ordination, with Councilor Cadime absent and not voting.

Approved, February 16, 2024

Paul E. Coogan, Mayor

Second Reading and Enrollment, as amended

17. Proposed Ordinance – Establishing position of Finance Analysis and Compliance Manager

The City Clerk stated that a section of the proposed ordinance related to the grade section required an amendment as the current grade code is already in use within the employee software system. The City Clerk recommended striking out "FACM" under the Grade title and inserting "FMCA" in its place. On a motion made by Councilor Ponte and seconded by Vice President Pereira, it was unanimously voted to amend the proposed ordinance by striking out "FACM" and inserting "FMCA," with Councilor Cadime absent and not voting. On a further motion made by Vice President Pereira and seconded by Councilor Kilby, it was voted that the proposed ordinance be passed through second reading and enrollment, as amended, with President Camara and Councilor Raposo opposed and Councilor Cadime absent and not voting. On a further motion, it was voted that the proposed ordinance be passed through ordination, as amended, with President Camara and Councilors Dionne and Sampson opposed and Councilor Cadime absent and not voting.

Approved, February 16, 2024

Paul E. Coogan, Mayor

RESOLUTIONS

18. The City Council urge the Administration to allocate the appropriate funds for repair of the Bank Street Armory within the Fiscal Year 2025 proposed budget

Councilors Kilby and Hart made brief remarks regarding the resolution and the need for basic repairs to be completed within the Bank Street Armory to protect it from outside elements. On a motion made by Councilor Kilby and seconded by Councilor Hart, it was unanimously voted to adopt the resolution, with Councilor Cadime absent and not voting.

19. The Committee on Finance to convene with the City Administrator, Corporation Counsel and any other interested parties to discuss the ongoing status of the City of Fall River during the Commonwealth's State of Emergency regarding the Right to Shelter Law

Councilor Hart read aloud an amended version of the resolution, striking out the entirety of the final paragraph and inserting in place thereof: "BE IT RESOLVED, that the Governor of the Commonwealth of Massachusetts, as a matter of fairness and equity, provide notice to the City of Fall River regarding potential sites within the municipality that are being considered in regards to M.G.L., Part I, Title II, Ch. 23B, Section 30, Emergency Housing Assistance Program, originally passed in 1983."

Councilor Kilby made brief remarks regarding the need for updates from the Governor on the potential areas that may be used to house those who require assistance. Vice President Pereira and Councilor Sampson held a brief discussion regarding the Governor's executive power to choose any area deemed fit and that there is no legal requirement for notice to be provided to the City Council regarding these decisions. On a motion made by Councilor Kilby and seconded by Councilor Hart, it was unanimously voted to adopt the resolution, as amended, with Councilor Cadime absent and not voting.

20. The Committee on Ordinances and Legislation convene to discuss amending the powers, duties and responsibilities of the Armory Commission from the Board of Park Commissioners to the Historical Commission to assist in future remediations for the Bank Street Armory

A motion was made by Councilor Raposo and seconded by Councilor Ponte to adopt the resolution. Councilor Dionne made brief remarks regarding the need to amend this section of the City Code to allow historical preservation experts to manage the renovations within the Bank Street Armory. Councilors Kilby and Hart expressed support for the resolution. Vice President Pereira also expressed support and suggested amending the resolution by inserting in the last paragraph after Historical Commission, "in conjunction with The Preservation Society of Fall River", so they may work together with the Historical Commission to create the subcommittee. On a motion made by Councilor Kilby and seconded by Vice President Pereira, it was unanimously voted to adopt the resolution, as amended, with Councilor Cadime absent and not voting.

21. The Committee on Health and Environmental Affairs convene with the Administration, a representative from the Fall River Police Department, a representative from the Fall River Emergency Medical Services Department and a representative from the Board of Health to discuss public health and safety risks re homeless encampments, as well as strategies to decrease those risks

Councilor Dionne made brief remarks regarding ongoing issues with people experiencing homelessness and safety concerns. Councilor Hart stated that he has spoken with a resident who lives near an encampment and is very concerned about public safety. On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted to adopt the resolution, with Councilor Cadime absent and not voting.

22. The Committee on Finance convene to discuss funding an Affordable Housing Trust and the Committee on Ordinances and Legislation convene to establish a new ordinance to create said trust

Councilor Ponte provided a detailed explanation regarding the creation of an Affordable Housing Trust to provide financial assistance related to housing. Councilor Ponte stated that this type of trust was recently created in Lynn, MA and Providence, RI, and would require a meeting of the Committee on Finance, Committee on Ordinances and Legislation, approval of the Administration, approval of the Attorney General's Office and would require a Board of Trustees. Councilor Sampson expressed interest in the creation of the Affordable Housing Trust and asked if the fund could be used to loan money to purchase property that would be developed into affordable housing. Councilor Ponte confirmed that this would occur with approval of the Board of Trustees. On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to adopt the resolution, with Councilor Cadime absent and not voting.

CITATIONS – None

ORDERS – MISCELLANEOUS

23. Police Chief's report on licenses:

Taxicab Drivers

Carlos Albergaria
Michael Migliori

Kenneth G. Hines
Samantha Paakkinen

Zachary Meunier
Betsy Tirado

Private Livery Drivers

Hemson Etienne Rose W. Louis

Private Livery Vehicles

Hemson Etienne – Two (2) vehicles

On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to adopt the order, with Councilor Cadime absent and not voting.

24. Auto Body Shop License Renewals:

Albert Piva d/b/a Piva's Auto Repair & Body Shop – 151 Cove Street

Eddie Feliciano d/b/a Eddie & Sons Auto Body & Marine Repair – 115 Maple Street

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order, with Councilor Cadime absent and not voting.

Approved, February 16, 2024

Paul E. Coogan, Mayor

25. Auto Repair Shop License Renewals:

Rabih Khoury, R&B Inc., d/b/a Warren Auto Repair – 857 Warren Street

Albert Piva d/b/a Piva's Auto Repair & Body Shop – 151 Cove Street

Antonio F. and Renata Garcia, A. Garcia, Inc. d/b/a

Garcia Automotive – 127 Eastern Avenue

Bridgestone Retail Opp., LLC d/b/a Firestone Complete Auto Care – 748 Pleasant Street

David Rosenberg, RAH Fall River VW, LLC d/b/a

Audi Fall River/Volkswagen Fall River – 80 William S. Canning Boulevard

Paulo Pereira d/b/a Pereira Enterprise Auto & Diesel Repair, LLC – 65 Tower Street

Timothy Pinto d/b/a S M Automotive, LLC – 193 Oak Grove Avenue

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order, with Councilor Cadime absent and not voting.

Approved, February 16, 2024

Paul E. Coogan, Mayor

COMMUNICATIONS – INVITATIONS – PETITIONS

26. Claims

On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted that the claims be referred to Corporation Counsel, with Councilor Cadime absent and not voting.

27. Assistant Attorney General response to Open Meeting Law complaint filed by Patrick Higgins re: November 28, 2023 City Council and Committee on Finance meetings
Vice President Pereira stated that the response to the Open Meeting Law complaint stated that the Committee on Finance and City Council had not violated the Open Meeting Law. On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted that the communication be accepted and placed on file, with Councilor Cadime absent and not voting.

28. Structure on or over a public way application for Board of Elections Department to hang banners across South Main Street (downtown) and Bedford Street (at Fire Station)
On a motion made by Councilor Ponte and seconded by Councilor Hart, it was unanimously voted to approve the application, with Councilor Cadime absent and not voting.

29. Communication from the Massachusetts Department of Transportation re upcoming replacement of the fender system of the Braga Bridge
On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted that the communication be accepted and placed on file, with Councilor Cadime absent and not voting.

30. Email communication re Pawnbroker fees and auction policies
On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted that the communication be referred to the Committee on Regulations, with Councilor Cadime absent and not voting.

31. Email communication re water bill and request for review
On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted that the communication be referred to the Committee on Public Works and Transportation, with Councilor Cadime absent and not voting.

On a further motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to take items 32 through 36 together, with Councilor Cadime absent and not voting.

City Council Minutes:

- 32. Public Hearings – January 9, 2024
- 33. Committee on Finance – January 9, 2024
- 34. Regular Meeting – January 9, 2024
- 35. Committee on Finance – January 23, 2024
- 36. Regular Meeting – January 23, 2024

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to approve the minutes, with Councilor Cadime absent and not voting.

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS RECEIVED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: FEBRUARY 15, 2024

25a. Auto Repair Shop License Transfer:
Auto Repair Shop License No. 303 located at 1904 Bay Street from Bayside Automotive, Inc. to John Manelas, Auto Care Plus, LLC, d/b/a Bayside Automotive, Inc.
On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order, with Councilor Cadime absent and not voting.
Approved, February 16, 2024
Paul E. Coogan, Mayor

37. Drainlayer License – T & K Asphalt Services, Inc.

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to approve the drainlayer license, with Councilor Cadime absent and not voting.

Approved, February 16, 2024

Paul E. Coogan, Mayor

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

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending referral to Corporation Counsel:

10a. Mayor and communication re amendment of the fee schedule with adoption of new fees relative to Farmer Brewer Distillery Pouring Permits for wine and spirits as well as All Distillery Pouring Permits

On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to refer the communication to Corporation Counsel, with Councilor Cadime absent and not voting.

A brief recess was held from 9:38 p.m. to 9:40 p.m. for purposes of signing the proposed ordinances.

On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to adjourn at 9:42 p.m., with Councilor 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, March 12, 2024

Approved.



City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2024 FEB 12 P 3:03

ALISON M. BOUCHARD
CITY CLERK

CITY CLERK
FALL RIVER, MA

INÊS LEITE
ASSISTANT CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
THURSDAY, FEBRUARY 15, 2024
AGENDA

5:00 P.M. COMMITTEE ON ORDINANCES AND LEGISLATION

6:00 P.M. JOINT MEETING OF THE CITY COUNCIL COMMITTEE ON FINANCE AND THE BOARD OF PARK COMMISSIONERS (OR IMMEDIATELY FOLLOWING THE COMMITTEE ON ORDINANCES AND LEGISLATION MEETING IF IT RUNS PAST 6:00 P.M.)

1. *Resolution – Convene with Board of Park Commissioners to discuss staffing needs of Parks Division (adopted 1-23-2024)

6:15 P.M. CITY COUNCIL COMMITTEE ON FINANCE MEETING (OR IMMEDIATELY FOLLOWING THE JOINT MEETING IF IT RUNS PAST 6:15 P.M.)

1. Citizen Input
2. *Fiscal Year 2024 Quarter 2 Budget Report (referred 1-23-2024)
3. *Five Year Financial Forecast (referred 1-23-2024)
4. Transfers and appropriations

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

PRIORITY MATTERS

1. *Mayor and confirmation of the appointment of Michelle Moniz to the Council on Aging
2. *Mayor and order to accept the provisions of M.G.L. Ch. 203C, which approves the utilization of the prudent investor rule for the investment of funds held in the Other Post-Employment Benefit (OPEB) Liability Trust Fund established by the City Council on November 6, 2018.
3. *Mayor and orders:
 - a. Transferring the sum of \$2,500,000 from FY23 Surplus Revenue to Stabilization Fund (to replenish stabilization fund for fire retro pay)
 - b. Transferring the sum of \$2,500,000 from FY23 Surplus Revenue to School Appropriation (partial payment for obligation re net school spending FY23)
4. *Mayor and request for approval of TIE (Tax Increment Exemption) Agreement for Sacred Heart Lofts, LLC – 160 Linden Street

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

One Government Center • Fall River, MA 02722
TEL 508-324-2220 • FAX 508-324-2211 • EMAIL city_clerks@fallriverma.org

5. *Mayor and orders to accept and expend the following grants:
 - a. \$34,890 – Massachusetts Executive Office of Public Safety and Security – Firefighter Safety Equipment Grant for firefighter safety equipment, and lithium-ion battery and electric vehicle battery-related fire equipment
 - b. \$30,000 – Massachusetts Office on Disability – Municipal ADA Improvement Grant for ADA-compliant wheelchair-height service counters in each office in Government Center
 - c. \$76,000 – Massachusetts Office on Disability – Municipal ADA Improvement Grant for accessibility improvements to the Veterans Center on Pine Street, including restroom and wheelchair ramp upgrades

PRIORITY COMMUNICATIONS

6. *Traffic Commission recommending amendment to the traffic ordinances

COMMITTEE REPORTS

Committee on Health and Environmental Affairs recommending:

Grant Leave to Withdraw:

7. *Resolution – Discuss tree stump removals in the City
8. *Resolution – Discuss complaints of odors emanating from the Wastewater Treatment Plant
9. *Resolution – The Committee on Health and Environmental Affairs convene with the Administrator of Community Utilities and a representative from Veolia Water to discuss storm water catch basin maintenance protocol
10. *Resolution – Discussion of public health concerns re: 222 Peckham Street

ORDINANCES

Second Reading and Enrollment:

11. *Proposed Ordinance – Traffic, miscellaneous

Section 1

Stop intersections:

Branch Street, Eastbound at John Street
West Street, Southbound at Probber Lane

Section 2

One-way streets:

Anawan Street, Easterly, from Water Street to Pond Street
Branch Street, Easterly, from Second Street to John Street

Section 3

Parking prohibited at all times:

Whipple Street, West, 125 feet south of Morgan Street, for a distance of 57 feet southerly

Section 4

Parking prohibited during certain hours:

French Street, South, 43 feet west of Highland Avenue, for a distance of 20 feet westerly, 7:00 a.m. to 4:00 p.m. / Monday through Friday

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

Section 5

Handicapped parking removals:

Ninth Street	Anawan Street	Bank Street	Bay Street
Franklin Street	Fulton Street	Jefferson Street	John Street
Maria Street	Montaup Street	Pearce Street	Robeson Street
Stetson Street	Swindells Street	Tecumseh Street	

12. *Proposed Ordinance – Traffic, All-night parking of commercial vehicles
13. *Proposed Ordinance – Traffic, Prohibited parking due to impeding emergency vehicles
14. *Proposed Ordinance – Amendments to Sec. 50-305, Salary schedules for EMS Local 1202 AFSCME personnel
15. *Proposed Ordinance – Amendments to Sec. 50-302, Salary schedules for contract personnel in Emergency Medical Services and the Law Department
16. *Proposed Ordinance – Panhandling restrictions

Second Reading and Enrollment, as amended

17. *Proposed Ordinance – Establishing position of Finance Analysis and Compliance Manager

RESOLUTIONS

18. *The City Council urge the Administration to allocate the appropriate funds for repair of the Bank Street Armory within the Fiscal Year 2025 proposed budget
19. *The Committee on Finance to convene with the City Administrator, Corporation Counsel and any other interested parties to discuss the ongoing status of the City of Fall River during the Commonwealth's State of Emergency regarding the Right to Shelter Law
20. *The Committee on Ordinances and Legislation convene to discuss amending the powers, duties and responsibilities of the Armory Commission from the Board of Park Commissioners to the Historical Commission to assist in future remediations for the Bank Street Armory
21. *The Committee on Health and Environmental Affairs convene with the Administration, a representative from the Fall River Police Department, a representative from the Fall River Emergency Medical Services Department and a representative from the Board of Health to discuss public health and safety risks re homeless encampments, as well as strategies to decrease those risks
22. *The Committee on Finance convene to discuss funding an Affordable Housing Trust and the Committee on Ordinances and Legislation convene to establish a new ordinance to create said trust

CITATIONS – None

ORDERS – MISCELLANEOUS

23. Police Chief's report on licenses:

Taxicab Drivers

Carlos Albergaria	Kenneth G. Hines	Zachary Meunier
Michael Migliori	Samantha Paakkinen	Betsy Tirado

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

Private Livery Drivers

Hemson Etienne Rose W. Louis

Private Livery Vehicles

Hemson Etienne – Two (2) vehicles

24. Auto Body Shop License Renewals:

Albert Piva d/b/a Piva's Auto Repair & Body Shop – 151 Cove Street

Eddie Feliciano d/b/a Eddie & Sons Auto Body & Marine Repair – 115 Maple Street

25. Auto Repair Shop License Renewals:

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Albert Piva d/b/a Piva's Auto Repair & Body Shop – 151 Cove Street

Antonio F. and Renata Garcia, A. Garcia, Inc. d/b/a Garcia Automotive – 127 Eastern Avenue

Bridgestone Retail Opp., LLC d/b/a Firestone Complete Auto Care – 748 Pleasant Street

David Rosenberg, RAH Fall River VW, LLC d/b/a

Audi Fall River/Volkswagen Fall River – 80 William S. Canning Boulevard

Paulo Pereira d/b/a Pereira Enterprise Auto & Diesel Repair, LLC – 65 Tower Street

Timothy Pinto d/b/a S M Automotive, LLC – 193 Oak Grove Avenue

COMMUNICATIONS – INVITATIONS – PETITIONS

26. *Claims

27. *Assistant Attorney General response to Open Meeting Law complaint filed by Patrick Higgins re: November 28, 2023 City Council and Committee on Finance meetings

28. *Structure on or over a public way application for Board of Elections Department to hang banners across South Main Street (downtown) and Bedford Street (at Fire Station)

29. *Communication from the Massachusetts Department of Transportation re upcoming replacement of the fender system of the Braga Bridge

30. *Email communication re Pawnbroker fees and auction policies

31. *Email communication re water bill and request for review

City Council Minutes:

32. *Public Hearings – January 9, 2024

33. *Committee on Finance – January 9, 2024

34. *Regular Meeting – January 9, 2024

35. *Committee on Finance – January 23, 2024

36. *Regular Meeting – January 23, 2024

BULLETINS – NEWSLETTERS – NOTICES – None


Assistant City Clerk

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

ITEMS RECEIVED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: FEBRUARY 15, 2024

- 25a. Auto Repair Shop License Transfer:
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37. Drainlayer License – T & K Asphalt Services, Inc.

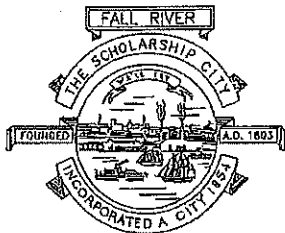
OTHER POTENTIAL MATTERS TO BE ACTED UPON (if received):

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending action:

Proposed Ordinance – Amendment to the Duty of property owners to keep premises free of litter and weeds

Mayor and communication re amendment of the fee schedule with adoption of new fees relative to Farmer Brewer Distillery Pouring Permits for wine and spirits as well as All Distillery Pouring Permits



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

PAUL E. COOGAN
Mayor

February 8, 2024

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 appointment:

Name: Michelle Moniz

Address 864 North Eastern Avenue
Fall River, MA 02720

Position: Council on Aging

Effective: February 8, 2024

Expiration: April 30, 2026

Replacing: Carolyn Burton

Sincerely,

Paul E. Coogan
Mayor

PC/amos

RECEIVED

2024 FEB -8 P 12:08

CITY CLERK
FALL RIVER, MA



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2024 FEB -6 P 12:14

CITY CLERK
FALL RIVER, MA

February 6, 2024

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 please find a request to accept the provisions of MGL 203C, if adopted this provision would allow the city to utilize the prudent investor rule when investing Other Post -Employment Benefits (OPEB) trust funds.

Your every consideration would be appreciated with this request. Thank you and as always, I am available for any questions or concerns you may have regarding this matter.

Sincerely,

Paul E. Coogan
Mayor

PC/amos

City of Fall River, In City Council

ORDERED, that the City Council hereby accepts the provisions of Massachusetts General Laws Chapter 203C, which approves the utilization of the prudent investor rule for the investment of funds held in the Other Post-Employment Benefit (OPEB) Liability Trust Fund established by the City Council on November 6, 2018.



**CITY OF FALL RIVER
MASSACHUSETTS**

DEPARTMENT of FINANCIAL SERVICES
TREASURER • COLLECTOR • AUDITOR • ASSESSOR

PAUL E. COOGAN
Mayor

IAN P. SCHACHNE, CMMC, CMMT
Treasurer/Collector

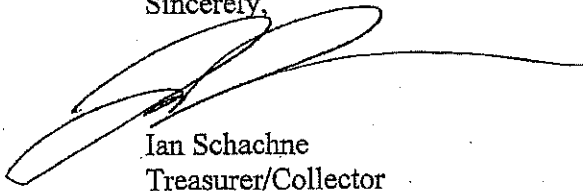
February 5, 2024

Dear Mayor Coogan,

I am requesting a change to accept the provisions of M.G.L 203C which if accepted by the City Council would allow the City to utilize the prudent investor rule when investing Other Post-Employment Benefit (OPEB) trust funds. This gives our financial advisors greater latitude to diversify investments and seek growth, reducing our actuarial liability in the process.

Please let me know if you have any questions or concerns.

Sincerely,



Ian Schachne
Treasurer/Collector



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2024 FEB -7 A 11:51

CITY CLERK
FALL RIVER, MA

February 6, 2024

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

Dear Honorable Council Members:

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

1. \$2,500,000.00 That the sum of \$2,500,000.00 be, and the same is, hereby transferred to the STABILIZATION FUND from the FY23 SURPLUS REVENUE.
2. \$2,500,000.00 That the sum of \$2,500,000.00 be, and the same is, hereby transferred to the SCHOOL APPROPRIATION from the FY23 SURPLUS REVENUE.

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

Best Regards,

Paul Coogan
Paul Coogan
Mayor

City of Fall River, *In City Council***February 13, 2024****ORDERED:**

That the sum of \$2,500,000.00 be, and the same is, hereby transferred to Stabilization Fund from FY23 Surplus Revenue:

FY23 Surplus Revenue**\$2,500,000.00**

(To replenish stabilization fund for fire retro pay)

City of Fall River, In City Council

February 13, 2024

ORDERED:

That the sum of \$2,500,000.00 be, and the same is, hereby transferred to School
Appropriation from FY23 Surplus Revenue:

FY23 Surplus Revenue

\$2,500,000.00

(Partial payment for obligation for N.S.S. FY23)

FY24 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation		Amount Transferred		Adjusted Balance
FY23 SURPLUS REVENUE	\$	13,056,636.00	\$	(2,500,000.00)	10,556,636.00
School Appropriation	\$	163,920,197.00	\$	2,500,000.00	166,420,197.00

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

Michael Steward
City Auditor
February 6, 2024



4

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2024 FEB -8 P 12:08

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

February 8, 2024

Honorable Joseph Camara
President
Fall River City Council
One Government Center
Fall River, MA 02722

RE: a Tax Increment Exemption (TIE) Agreement for Sacred Heart Lofts LLC or its Nominee.

Dear Council President Camara:

Attached for your information, review and City Council vote please find a draft copy of a Tax Increment Exemption (TIE) Agreement for Sacred Heart Lofts LLC or its Nominee.

Sacred Heart Lofts LLC or its Nominee

Sacred Heart Lofts LLC, or its Nominee, intends to apply for a Housing Development Incentive Program (HDIP) Tax Credit award and Certified Project Status under the Massachusetts Housing Development Incentive Program created by Chapter 40V of the Massachusetts General Laws and promulgated there under at 760 CMR 66.00 (HD TIE) from the City of Fall River and requests TIE and Certified Project Status approval for the creation of 46 projected and two and three bedroom market rate residential units on 160 Linden Street.

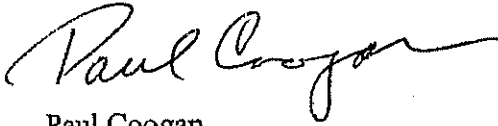
In accordance with all previous approved TIE Agreements, Sacred Heart Lofts LLC, or its Nominee requests a ten year exemption schedule applied to the new value created reflecting an 80% exemption form Years 1 through 5 and a 20% exemption for Years 6 through 10.

The total project cost is estimated to be \$10,629,872 and cannot proceed without an HDIP Tax Credit award and a Tax Increment Exemption (TIE) and Certified Project Designation from the City. Without an approved TIE, approved Certified Project Designation and a State approved HDIP tax credit award, the project as currently envisioned will not be financially feasible.

Lastly, please be advised that the City of Fall River TIF Board, established by City Council ordinance, met on January 25, 2024 and unanimously approved the above referenced project. As such, I respectfully request that the City Council also look favorably upon this application and approve it as presented and subject to State approval.

Thank you for your time and attention to this matter. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, reading "Paul Coogan". The signature is fluid and extends to the right.

Paul Coogan
Mayor

Attachments

cc: City Council Members

City of Fall River, In City Council

RESOLUTION

**APPROVING
HOUSING DEVELOPMENT INCENTIVE PROGRAM
LOCAL TAX INCENTIVE
AND
CERTIFIED PROJECT STATUS
OF
Sacred Heart Lofts LLC
Or its Nominee**

WHEREAS, the City of Fall River has been designated a Gateway Municipality by the Commonwealth of Massachusetts and Sacred Heart Lofts LLC, or its Nominee, plans to invest an estimated \$10,629,872 to create 46 market rate residential units at 160 Linden Street, Fall River, Massachusetts, and

WHEREAS, Sacred Heart Lofts LLC, or its Nominee, submitted a Housing Development Incentive Program (HDIP) Tax Increment Exemption (TIE) application to the City of Fall River Tax Increment Finance Board on January 25, 2024, and

WHEREAS, the City of Fall River Tax Increment Financing Board unanimously approved the Sacred Heart Lofts LLC or its Nominee Tax Increment Exemption, and

WHEREAS, Sacred Heart Lofts LLC, or its Nominee, is seeking Tax Increment Exemption approval and Certified Project Status under the Massachusetts Housing Development Incentive Program created by Chapter 40V of the Massachusetts General Laws and promulgated there under at 760 CMR 66.00 (HD TIE) from the City of Fall River, and

WHEREAS, the proposed Local Housing Development Certified Project is located at 160 Linden Street, Fall River, Massachusetts, which is within the boundaries of the gateway municipality of Fall River and a designated Housing Development Zone, and

WHEREAS, approval of the Sacred Heart Lofts LLC, or its Nominee, Housing Development Incentive Program Tax Increment Exemption and Certified Project Status request is in accordance with the above referenced laws, rules, and regulations of the Commonwealth of Massachusetts, now therefore

BE IT RESOLVED, that the City Council of Fall River approves the Sacred Heart Lofts LLC, or its Nominee, Housing Development Incentive Program Tax Increment Exemption and Certified Project Status Request and forwards the same for final project certification to the Massachusetts Executive Office of Housing and Livable Communities Department for its approval and endorsement.

4
DRAFT

HOUSING DEVELOPMENT INCENTIVE PROGRAM

TAX INCREMENT EXEMPTION (TIE) AGREEMENT

between

FALL RIVER

and

Sacred Heart Lofts

This AGREEMENT is made this ____ day of February, 2024, by and between THE CITY OF FALL RIVER, ("Municipality") and SACRED HEART LOFTS LLC, a MASSACHUSETTS LIMITED LIABILITY CORPORATION with an address at 30 ADAMS STREET, MILTON MA, 02186.

Section 1 – Agreement

The Municipality and the Sponsor, for good and valuable consideration and in consideration of the covenants and agreements herein contained, hereby make this agreement regarding a tax increment exemption pursuant to the Housing Development (HD) Incentive Program, M.G.L. c. 40V and the regulations promulgated thereunder at 760 CMR 66.00 (HD-TIE), with respect to the Property as herein defined.

Section 2 – Definitions

Each reference in this Agreement to the following terms shall be deemed to have the following meanings:

Act:	M.G.L. c. 40V as may be amended from time to time.
Completion:	Certificates of occupancy have been issued for the entire Project.
DHCD:	Department of Housing and Community Development.
Event of Default:	An "Event of Default" as defined in Section 5 below.
Final Certification:	Determination by DHCD that the Sponsor has completed the substantial rehabilitation of the Property, consistent with the Rehabilitation Plans, including the creation of MRRUs, as set forth in the Act and the Regulations.
Fiscal Year:	An annual period of July 1 through June 30.
HD Project:	A Certified Housing Development Project as defined in the Act and the Regulations.
HD Zone:	The Housing Development Zone adopted by the Fall River City Council on <u>December 13, 2013</u> and approved by DHCD as evidenced by a Certificate of Approval dated <u>July 10, 2014</u> and Amended on <u>Jul 29, 2020</u> and September 12,

2023 and recorded with Fall River Registry of Deeds.

Lead Municipality: City of Fall River
MRRU: Market Rate Residential Unit(s) as defined at Section 3.B.1.
Property: 160 Linden Street as shown in Exhibit 1, "Map of Property" and further described in Exhibit 2, "Legal Description of Property".
Regulations: 760 CMR 66.00.
Rehabilitation Plans: The material submitted for Conditional Certification pursuant to 760 CMR 66.05(3) (a) and approved by DHCD.
Sponsor: Sacred Heart Lofts LLC, a Massachusetts Limited Liability Corporation, with an address at 30 Adams Street, Milton, MA 02186, its successors and assigns.

Section 3 – Sponsor's Covenants

A. Substantial Rehabilitation of the Property. Sponsor will undertake the substantial rehabilitation of the Property in accordance with the work and schedule set forth in the Rehabilitation Plans.

B. Market Rate Residential Units.

1) There shall be a total of 46 residential rental units created in the Project all of which shall be MRRUs comprised of two and three bedroom units and two bedroom units. The monthly rent for such units shall be priced consistently with prevailing rents or sale prices in the Municipality as determined based on criteria established by the Sponsor, as set forth in Exhibit 3, "Market Rate Residential Units – Pricing Plan".

2) Sponsor shall use good faith efforts to maintain the units as MRRUs for a minimum of 10 years.

C. Marketing. Sponsor shall cause the MRRU to be marketed in a manner that is consistent with the strategies, implementation plan and affirmative fair housing efforts set out in the Rehabilitation Plans.

D. HD Project Certification. Sponsor shall take all actions reasonably necessary to obtain Final Certification of the Property as an HD Project including but not limited to submitting applications to DHCD for Conditional Certification and Final Certification consistent with the requirements of the Act and the Regulations.

Section 4 – Tax Increment Exemption

Municipality agrees to grant Sponsor an exemption to the real property taxes due on the Property pursuant to G.L.c.59 according to the following terms:

A. Base Value. \$572,800.00

B. MRRU Percentage. 100 per cent. The MRRU Percentage shall be confirmed as required in paragraph E, below.

C. Exemption Percentage. Commencing on the Effective Date which shall be Fiscal Year 1: 80% for Fiscal Years 1 -5 and 20% for Fiscal Years 6- 10

D. The Increment. As defined at 760 CMR 66.06(1)(b)(1).

E. Calculation. For each Fiscal Year during the term of this Agreement, the HD TIE shall be determined by applying the Exemption Percentage to the property tax on the Increment.

F. Confirmation or Amendment of Calculation. Upon Completion, and prior to applying for Final Certification of the Project, the Sponsor and Municipality shall file a "Tax Increment Exemption - Confirmation of Calculation" in the form attached as Exhibit 4 ("TIE Confirmation"). To the extent that the dates or figures in the TIE Confirmation differ from those set forth in this Agreement, the contents of the TIE Confirmation shall control and shall be deemed to have amended this Agreement.

Section 5 - Default

A. Event of Default. An "Event of Default" shall arise under this Agreement upon the occurrence of any one or more of the following events:

1) Breach of Covenant Prior to Final Certification. Subject to the limitations set forth in the Regulations at section 66.05(4)(b), Sponsor defaults in the observance or performance of any material covenant, condition or agreement to be observed or performed by Sponsor pursuant to the terms of this Agreement, and the continuance of such default for thirty (30) days after written notice thereof from the Municipality; provided, however, that if the curing of such default cannot be accomplished with due diligence within said period of thirty (30) days, then Sponsor shall have such additional reasonable period of time, not to exceed thirty (30) days, to cure such default provided the Sponsor shall have commenced to cure such default within the initial thirty (30) day period, such cure shall have been diligently prosecuted by the Sponsor thereafter to completion.

2) Breach of Covenant Subsequent to Final Certification. Sponsor's conduct is materially at variance with the representations made in its Rehabilitation Plans; such variance is found to frustrate the public purposes that Final Certification was intended to advance, and the continuance of such default for thirty (30) days after written notice thereof from the Municipality; provided, however, that if the curing of such default cannot be accomplished with due diligence within said period of thirty (30) days, then Sponsor shall have such additional reasonable period of time, not to exceed thirty (30) days, to cure such default provided the Sponsor shall have commenced to cure such default within the initial thirty (30) day period, such cure shall have been diligently prosecuted by the Sponsor thereafter to completion.

3) Misrepresentation. Any representation made herein or in any report, certificate, financial statement or other instrument furnished in connection with this Agreement shall prove to be false in any material respect.

B. Rights on Default.

1) Prior to Final Certification. Upon the occurrence of an Event of Default prior to Final Certification, then this Agreement shall become null and void.

2) Subsequent to Final Certification. Upon the occurrence of an Event of Default subsequent to

Final Certification, then:

a. Revocation of Certification. Pursuant to the terms of the Act, the Municipality may, at its sole discretion, request that DHCD revoke the Final Certification of the Project, such revocation to take effect on the first day of the fiscal year in which DHCD determines that a material variance commenced.

b. Termination of Agreement. Upon revocation of certification, this Agreement shall become null and void as of the effective date of such revocation.

c. Recoupment of Economic Benefit. Upon revocation of certification, the Municipality may bring a cause of action against Sponsor for the value of any economic benefit received by Sponsor prior to or subsequent to such revocation.

d. Other Remedies. The Municipality's rights upon the occurrence of an Event of Default are in addition to those granted to DHCD and the Massachusetts Commissioner of Revenue under the terms of the Act.

Section 6 - Miscellaneous

A. Effective Date. The effective date of the HD TIE shall be July 1st of the first Fiscal Year following DHCD's Final Certification of the HD Project pursuant to the requirements of the Act and the Regulations, which date is anticipated to be May 1 2025.

The Effective Date shall be confirmed as required in paragraph F, below.

B. Term of Agreement. This Agreement shall expire upon the Municipality's acceptance of the annual report, as required below, for the final Fiscal Year for which the Municipality is granting the TIE.

C. Reporting. Sponsor shall submit reports to the Municipality not later than thirty (30) days after June 30 of each Fiscal Year for the term of this Agreement. Each report shall contain the following information:

- 1) Until Completion, the status of construction in relation to the schedule contained in the Rehabilitation Plan;
- 2) Until Completion, the status of marketing in relation to the Rehabilitation Plans; and
- 3) For each MRRU, the number of bedrooms in the unit, whether it was leased as of the end of the most recent fiscal year and the monthly rent charged.

D. Assignment. The Sponsor shall not assign any interest in this Agreement, and shall not transfer any interest in the same, without the prior written consent of the Municipality, which approval shall not be unreasonably withheld. The foregoing notwithstanding, the rights and obligations of this Agreement shall inure to the benefit of any entity succeeding to the interests of the Sponsor by merger.

E. Notices. Any notice, request, instruction or other document to be given hereunder to either party by the other shall be in writing and delivered personally or sent by recognized overnight courier, receipt confirmed or sent by certified or registered mail, postage prepaid, as follows, and shall be conclusively deemed to have been received and be effective on the day on which personally delivered or, if sent by

certified or registered mail, three (3) days after the day on which mailed or, if sent by overnight courier, on the day after delivered to such courier.

1) Municipality: Attention: Mayor's Office, City of Fall River, One Government Center, Fall River, MA 02722.

2) Sponsor: Attention: Charles C. Hajjar, 30 Adams Street, Milton, MA 02186.

3) Copy to DHCD: All such notices shall be copied to DHCD at:

HDIP Program Coordinator
Department of Housing & Community Development
100 Cambridge Street, Suite 300
Boston, MA 02124

4) Change of Address. Either party may change the address to which notices are to be sent to it by giving written notice of such change of address to the other party in the manner herein provided for giving notice.

F. Modifications. No modification or waiver of any provision of this Agreement, nor consent to any departure by the Sponsor therefrom shall in any event be effective unless the same shall be in writing, and then such waiver or consent shall be effective only in the specific instance and for the purpose for which given. No failure or delay on the part of Municipality in exercising any right, power or privilege hereunder shall operate as a waiver thereof, nor shall a single or partial exercise thereof preclude any other or further exercise thereof or the exercise of any other right, power or privilege.

IN WITNESS WHEREOF, the Sponsor has caused this Agreement to be duly executed in its name and behalf and its seal affixed by its duly authorized representative, and the Municipality has caused this Agreement to be executed in its name and behalf and its seal duly affixed by its Mayor and City Council as of the day and year first above written.

[SIGNATURES ON NEXT PAGE]

4
[DIP - Form of Tax Increment Exemption Agreement - RENTAL
[Name of Municipality & Property Reference]

City of Fall River

Sacred Heart Lofts LLC

By: Paul E. Coogan, Mayor

By: Charles Hajjar
Manager

By: Joseph D. Camara, President, City Council

HDIP - Form of Tax Incremental Exemption Agreement - RENTAL
[Name of Municipality & Property Reference]

EXHIBIT 1

MAP OF PROPERTY

EXHIBIT 2

DESCRIPTION OF PROPERTY

EXHIBIT 3

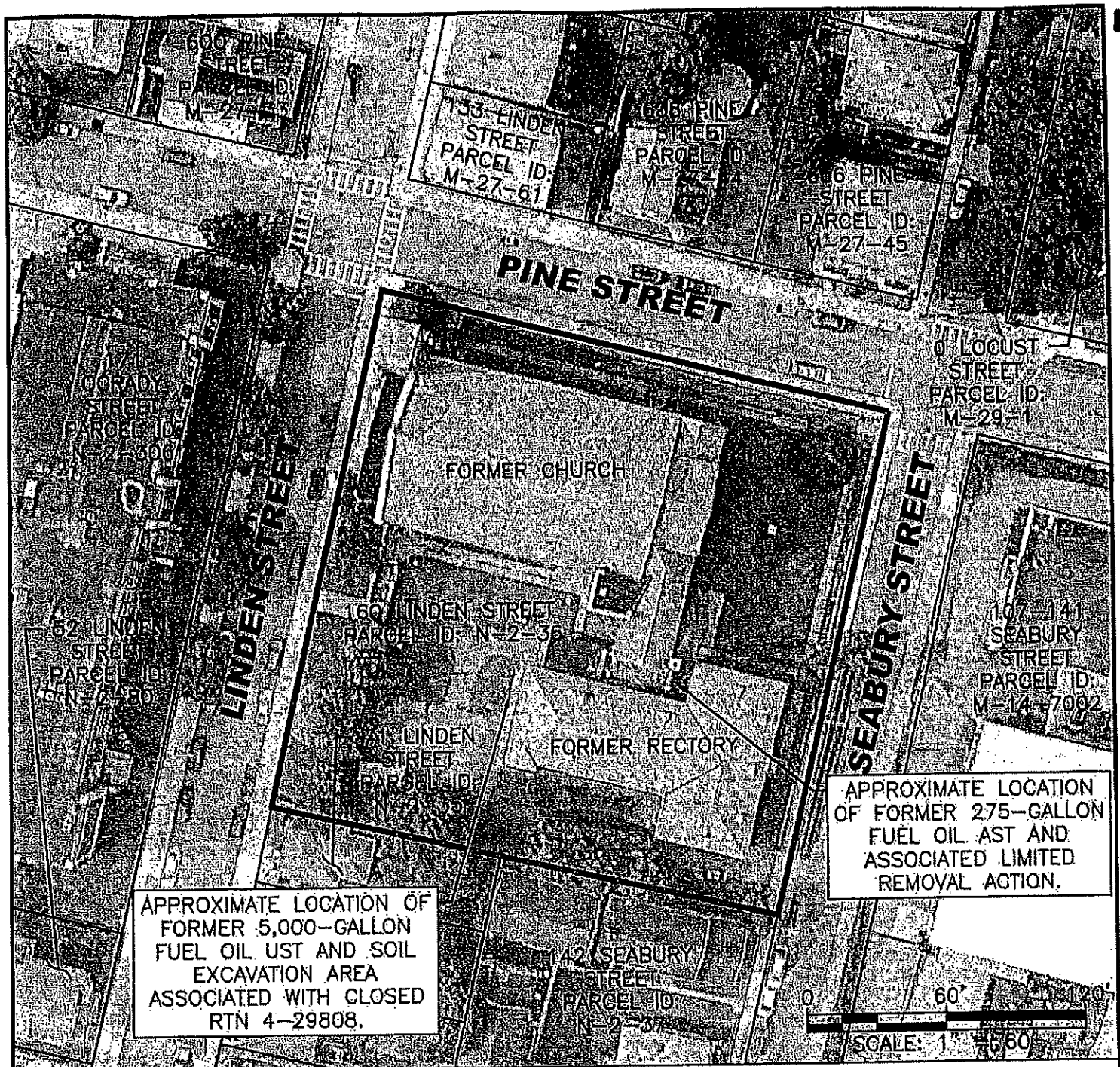
MARKET RATE RESIDENTIAL UNITS - PRICING PLAN

Pricing Area: \$6412.00

Proposed Initial
Two Bedroom
Monthly Rent: \$2000.00

EXHIBIT 1

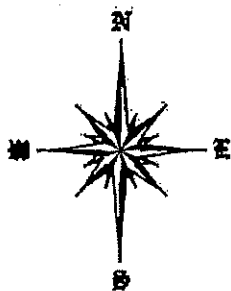
MAP OF PROPERTY




NOTE: ALL DETAILS ARE APPROXIMATE AND ARE NOT THE RESULT OF A FIELD SURVEY.

LEGEND

— APPROX. PROPERTY BOUNDARY



DRAWING TITLE	FIGURE 2 - SITE PLAN	SCALE:	1" = 60'
PROJECT	160 LINDEN STREET FALL RIVER, MASSACHUSETTS	DATE:	11/9/2023
CLIENT	MICHAEL AMARAL FALL RIVER, MASSACHUSETTS	DRAWN BY:	ATB
		DESIGNED BY:	N/A
		CHECKED BY:	EJS
		APPROVED BY:	RJR
<ul style="list-style-type: none"> CIVIL ENGINEERING LAND SURVEYING ENVIRONMENTAL ASSESSMENT 	 PRIME ENGINEERING <small>INC.</small>	P.O. BOX 1088 LAKEVILLE, MA 02347 TEL: 508.947.0050 FAX: 508.947.2004	

MassDEP - Bureau of Waste Site Cleanup

Phase 1 Site Assessment Map: 500 feet & 0.5 Mile Radii

4

Site Information:

160 LINDEN STREET FALL RIVER, MA

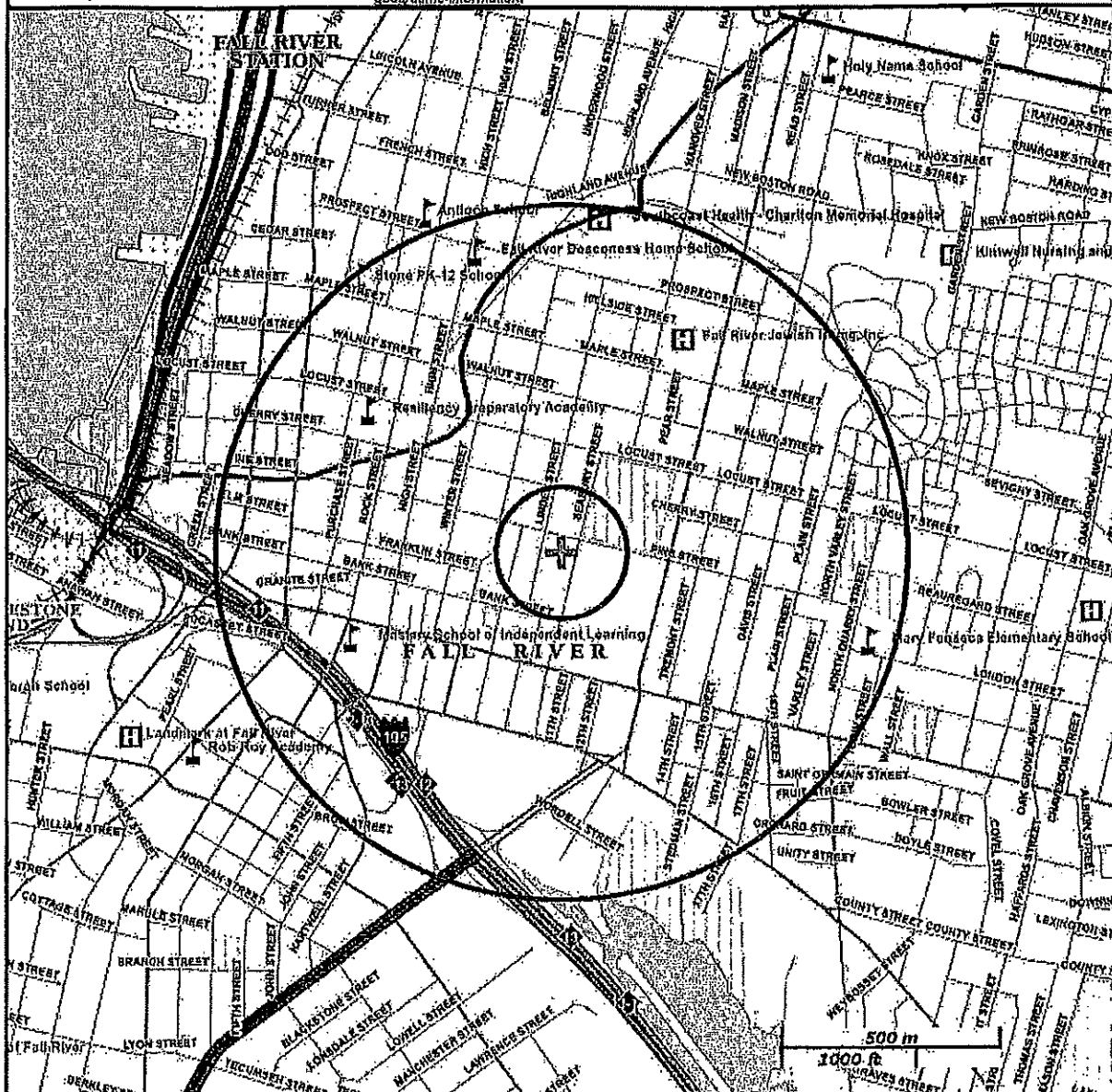
NAD83 UTM Metam:
4819027M, 521310mE (Zone 19)
November 9, 2023

The information shown is the best available at the date of printing. However, it may be incomplete. The responsible party and LSP are ultimately responsible for ascertaining the true conditions surrounding the site. Metadata for data layers shown on this map can be found at:
<https://www.mass.gov/orgs/massdeps-bureau-of-geographic-information>

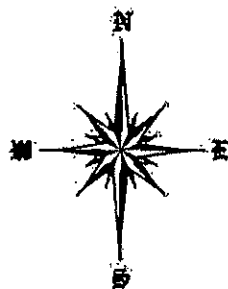


MassDEP

Commonwealth of Massachusetts
Department of Environmental Protection



Roads: Limited Access, Divided, Other Hwy, Major Road, Minor Road, Track, Trail	RWS Protection Areas: Zone II, WPA, Zone A
Boundaries: Town, County, DEP Region, Trail, Powerline, Pipeline, Aqueduct	Hydrography: Open Water, PWS Reservoir, Tidal Flat
Basins: Major, PWS, Streams: Perennial, Intermittent, Man Made Shore, Dam	Wetlands: Freshwater, Saltwater, Cranberry Bog
Aquifers: Medium Yield, High Yield, EPA Safe Source	FEMA 100yr Floodplain, Protected Open Space, ACEC
Non Potential Drinking Water Source Area: Medium, High (Yield)	NHESP P1-Hab of Rare Species, Vernal Pools: Core, Potential
	Solid Waste Landfill, PWS: Gen, GW, SW, Emerg, Non-Gen



DRAWING TITLE

FIGURE 3 - MASSDEP PHASE I SITE ASSESSMENT MAP

PROJECT

160 LINDEN STREET
FALL RIVER, MASSACHUSETTS

CLIENT

MICHAEL AMARAL
FALL RIVER, MASSACHUSETTS

CIVIL ENGINEERING
LAND SURVEYING
ENVIRONMENTAL
ASSESSMENT



P.O. BOX 1088
LAKEVILLE, MA 02347
TEL: 508.947.0050
FAX: 508.947.2004

SCALE

AS SHOWN

DATE

11/9/2023

DRAWN BY:

ATB

DESIGNED BY:

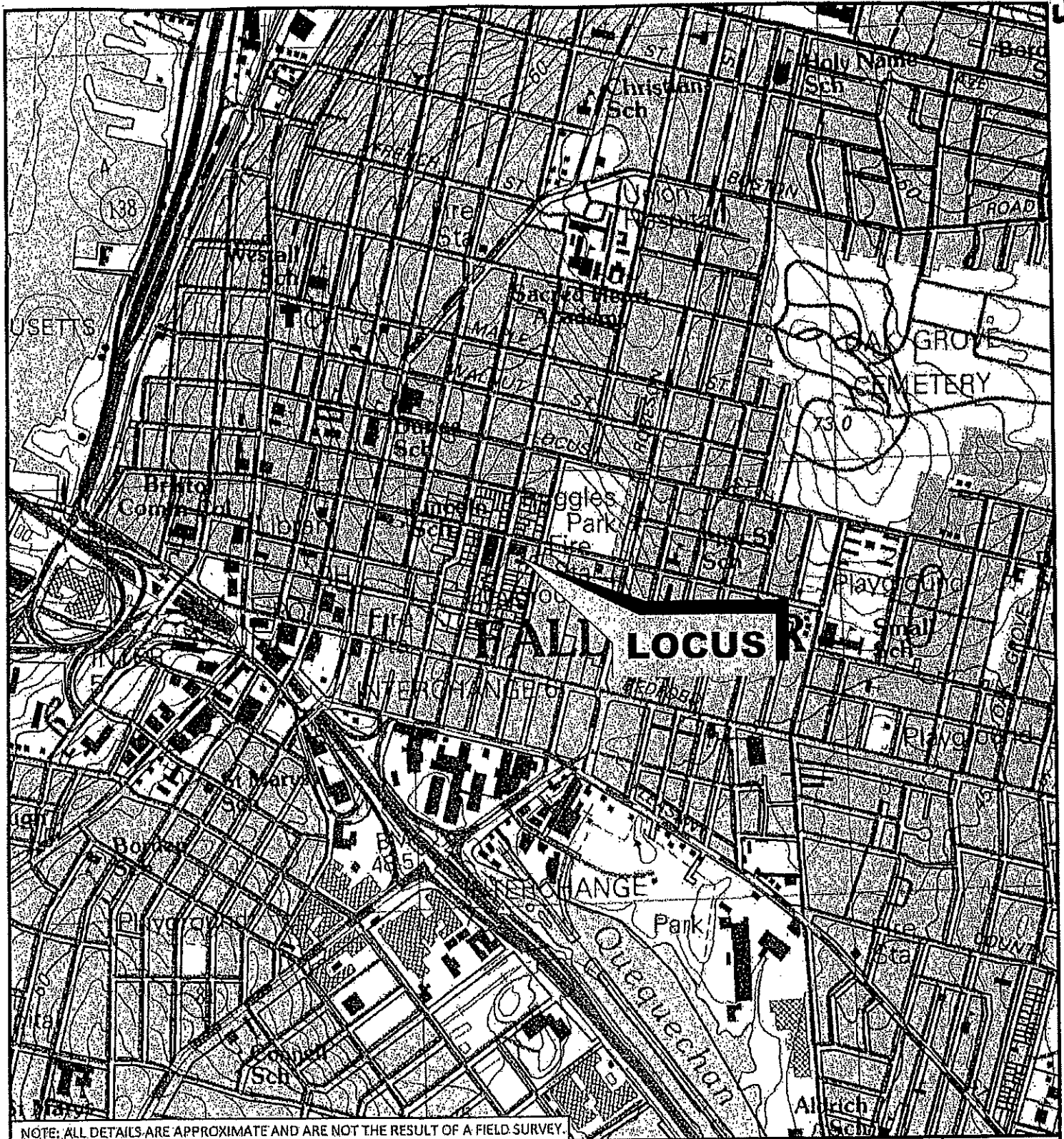
N/A

CHECKED BY:

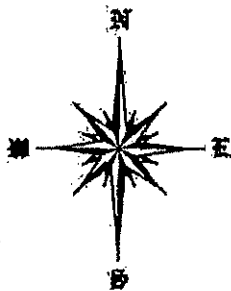
EJS

APPROVED BY:

RJR



NOTE: ALL DETAILS ARE APPROXIMATE AND ARE NOT THE RESULT OF A FIELD SURVEY.



DRAWING TITLE

FIGURE 1 - SITE LOCUS

PROJECT

160 LINDEN STREET
FALL RIVER, MASSACHUSETTS

CLIENT

MICHAEL AMARAL
FALL RIVER, MASSACHUSETTS

• CIVIL ENGINEERING
• LAND SURVEYING
• ENVIRONMENTAL
ASSESSMENT


PRIME ENGINEERING
INC.

P.O. BOX 1088
LAKEVILLE, MA 02347

TEL: 508.947.0050
FAX: 508.947.2004

SCALE:

1" = 1000'

DATE:

11/9/2023

DRAWN BY:

ATB

DESIGNED BY:

N/A

CHECKED BY:

EJS

APPROVED BY:

RJR

EXHIBIT 2

DESCRIPTION OF PROPERTY

Unofficial Property Record Card - Fall River, MA

General Property Data

Parcel ID N-02-0036
 Prior Parcel ID: --
 Property Owner ROLL THE DICE LLC

Account Number

Mailing Address 657 QUARRY ST

Property Location 160 LINDEN ST
 Property Use COM WHS

Most Recent Sale Date 9/13/2023

Legal Reference 11368-276

Grantor FALL RIVER, ROMAN CATHOLIC BISHOP OF

City FALL RIVER

Mailing State MA

Zip 02723

Sale Price 499,000

Parcel/Zoning A-3

Land Area 1.150 acres

Current Property Assessment

Card 1 Value Building Value 345,500

Xtra Features Value 13,300

Land Value 214,000

Total Value 572,800

Building Description

Building Style WAREHOUSE
 # of Living Units 1
 Year Built 1873
 Building Grade AVERAGE
 Building Condition Average
 Finished Area (SF) 28199.87983
 Number Rooms 0
 # of 3/4 Baths 0

Foundation Type CONCRETE
 Frame Type STEEL FRAME
 Roof Structure GABLE
 Roof Cover SLATE
 Siding BRICK
 Interior Walls PLASTER
 # of Bedrooms 0
 # of 1/2 Baths 0

Flooring Type ASPHL TILE
 Basement Floor N/A
 Heating Type STEAM/HOTWAT
 Heating Fuel GAS
 Air Conditioning 0%
 # of Bsmt Garages 0
 # of Full Baths 0
 # of Other Fixtures 18

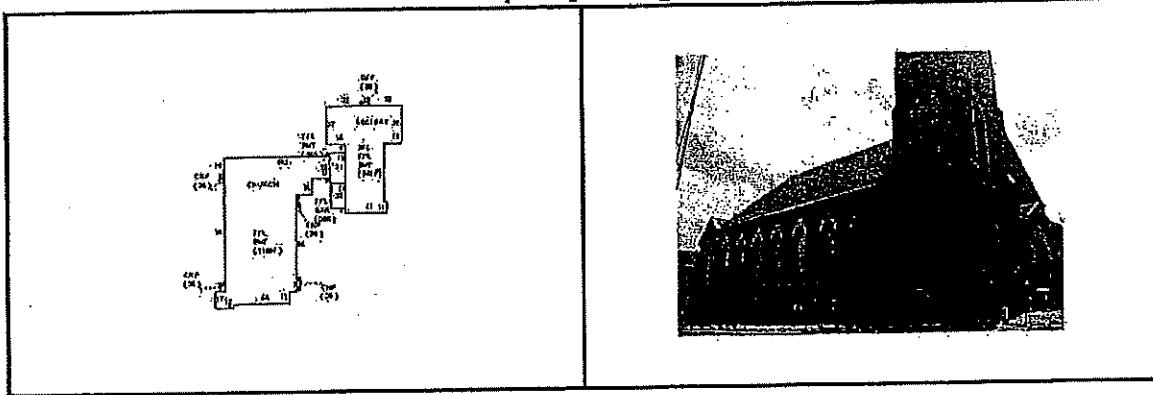
Legal Description

CHURCH OF THE SACRED HEART CLOSED NOV 2014

Narrative Description of Property

This property contains 1.150 acres of land mainly classified as COM WHS with a(n) WAREHOUSE style building, built about 1873, having BRICK exterior and SLATE roof cover, with 1 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



Disclaimer: This Information is believed to be correct but is subject to change and is not warranted.

Description and Current Use of Subject Property

Site Location and Description

Address: 160 Linden Street

Fall River, MA 02720

Assessor's Info: Parcel ID N-02-0036

(1.15 acres = 50,094 square feet)

Latitude/Longitude: 41°42'10.73"N, 71°08'51.40"W

Relative Location: Located along Linden Street, Pine Street, and Seabury Street southwest of Ruggles Park.

Current Owner: Bishop of Fall River Roman Catholic Church

160 Linden Street

Fall River, MA 02720

Sanitary Waste: Sanitary waste was formerly discharged to the municipal system.

The Subject Property was historically occupied by the Church of the Sacred Heart and Parochial School dating back to the late 1800's. The Subject Property is improved with one (1) vacant former church and one (1) vacant former rectory building (Subject Property Buildings). Land surrounding the buildings consists of landscaped lawn and gardens areas with concrete walkways and a paved driveway adjacent to the rectory building.

The Subject Property Buildings are constructed with a concrete foundation with a brick exterior and a gabled slate roof and was serviced by municipal water, municipal sewer, electricity, and telecommunications services with a former fuel source of oil and natural gas.

Historic Use of The Subject Property

Past uses of the Subject Property were investigated to identify historical practices and/or conditions which may have impacted soil and/or groundwater at the Subject Property. Based on an interview with current property owner, and review of historic aerial photographs, topographical maps, fire insurance atlas maps (Sanborn Maps), EDR City Directories, local records, and/or MassDEP Site File records, the following is a description of the known historic use of the Subject Property:

- The Subject Property was historically occupied by the Church of the Sacred Heart and Parochial School dating back to the late 1800's.

EXHIBIT 3

MARKET RATE RESIDENTIAL UNITS – PRICING PLAN

Pricing Area: 64411.00

Proposed Initial

One Bedroom

Monthly Rent: \$1850.00

EXHIBIT 4

TAX INCREMENT EXEMPTION – CONFIRMATION OF CALCULATION

In connection with the Tax Increment Exemption Agreement dated _____, 20____ by and between the MUNICIPALITY, and _____, a STATE FORM OF ORGANIZATION with an address at _____, with respect to the property at _____ (the "Agreement"), the parties hereby confirm the following elements of the Agreement. Unless otherwise stated, capitalized terms have the meaning set forth in the Agreement.

1. The effective date of the Agreement is: _____
2. The MRRU is: _____
3. The assessed value of the of the residential portion of the Property upon Completion is: _____

To the extent that the dates or figures in this "Tax Increment Exemption – Confirmation of Calculation" differ from those set forth in the Agreement, the contents of this document shall control and shall be deemed to have amended the Agreement.

MUNICIPALITY

SPONSOR

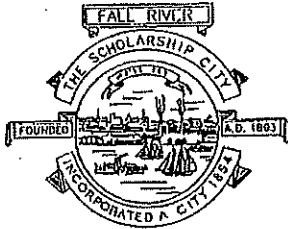
By: [CHIEF EXECUTIVE OFFICER]

By:

By: [LEGISLATIVE BODY]

By:

Dated: _____



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

PAUL E. COOGAN
Mayor

RECEIVED

2024 FEB -8 P 3:11

CITY CLERK
FALL RIVER, MA

February 8, 2024

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

RE: Grant awards being presented for City Council approval

Council President and Members of the Honorable Council:

Please find the following grant awards, which the City has been notified of, for your consideration and formal acceptance.

- (1) A Fire Safety Equipment Grant from the Massachusetts Executive Office of Public Safety and Security (EOPSS) in the amount of \$34,890;
- (2) A Municipal Americans with Disabilities Act (ADA) Improvement Grant from the Massachusetts Office on Disability (MOD) in the amount of \$76,000;
- (3) A Municipal Americans with Disabilities Act (ADA) Improvement Grant from the Massachusetts Office on Disability (MOD) in the amount of \$30,000.

Thank you in advance for your consideration of this request.

Sincerely,

Paul E. Coogan
Mayor

City of Fall River, In City Council

ORDER:

The City of Fall River was awarded a Firefighter Safety Equipment Grant through the Massachusetts Executive Office of Public Safety and Security (EOPSS) in the amount of \$34,890 with a duration beginning immediately upon contract execution and ending on June 30, 2024. This award will fund the purchase of firefighter safety equipment, including hoses, nozzles, and lithium-ion battery- and electric vehicle battery-related fire equipment.

NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL: That the Mayor be and is hereby authorized in the name of the City of Fall River to accept and expend a Grant through EOPSS in the amount of \$34,890 to purchase fire safety equipment.

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

City of Fall River, In City Council

ORDER:

The City of Fall River was awarded a Municipal Americans with Disabilities Act (ADA) Improvement Grant through the Massachusetts Office on Disability (MOD) in the amount of \$30,000.00 with a duration beginning immediately upon contract execution and ending on June 30, 2024. This award will make Government Center more accessible to individuals with disabilities by funding the outfitting of every public office in Government Center with at least one ADA-compliant wheelchair-height counter.

NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL: That the Mayor be and is hereby authorized in the name of the City of Fall River to accept and expend a Grant through MOD in the amount of \$30,000 to make Government Center more accessible to individuals with disabilities.

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

City of Fall River, *In City Council*

ORDER:

The City of Fall River was awarded a Municipal Americans with Disabilities Act (ADA) Improvement Grant through the Massachusetts Office on Disability (MOD) in the amount of \$76,000.00 with a duration beginning immediately upon contract execution and ending on June 30, 2024. This award will fund ADA-compliant modifications to the Veterans Center on Pine Street, including restroom and wheelchair ramp upgrades.

NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL: That the Mayor be and is hereby authorized in the name of the City of Fall River to accept and expend a Grant through MOD in the amount of \$76,000 to fund ADA-compliant modifications to the Veterans Center on Pine Street.

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

Grant Program	Funding Agency	Duration	Award Amount	Grant Contact	Minimum Required Match	Purpose
Firefighter Safety Equipment Grant Program	Massachusetts Executive Office of Public Safety and Security	Execution to June 30, 2024	\$34,890.00	Jeffrey Bacon	None	To enable the purchase of specialized firefighting equipment to fight lithium-ion battery- and electric vehicle battery-related fires
Municipal ADA Improvement Grant Program	Massachusetts Office on Disability	Execution to June 30, 2024	\$30,000.00	Al Oliveira	None	Equip every office in Government Center with at least one ADA-compliant wheelchair-height service counter
Municipal ADA Improvement Grant Program	Massachusetts Office on Disability	Execution to June 30, 2024	\$76,000.00	Al Oliveira	None	Accessibility improvements to the Veterans Center on Pine Street, including restroom and wheelchair ramp upgrades

**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division



RECEIVED

2024 JAN 25 A 8:17

CITY CLERK
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

January 24, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, January 17, 2024 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Earle Street	South	Starting at a point 38 feet west of Desrosiers Street For a distance of 20 feet west.

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

6

**CITY OF FALL RIVER
MASSACHUSETTS**

RECEIVED

Traffic & Parking Division

2024 JAN 25 A 8:17



CITY CLERK _____
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

January 24, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, January 17, 2024 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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


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

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Garfield Street	West	Starting at a point 106 feet south of Globe Street For a distance of 20 feet south.

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

gfr

**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division



Paul E. Coogan
Mayor

RECEIVED
2024 JAN 25 A 8:18

CITY CLERK
FALL RIVER, MA

Stephanie MacArthur
Director of Traffic & Parking

January 24, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, January 17, 2024 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

Article: 70

Section: 387

Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street

Side

Location

Oliver Street

South

Starting at a point 507 feet east of Broadway
For a distance of 20 feet east.

Very truly yours,

A handwritten signature in black ink, appearing to read "Stephanie MacArthur", is written over the typed name.

Stephanie MacArthur
Director of Traffic & Parking

6

CITY OF FALL RIVER
MASSACHUSETTS

RECEIVED

Traffic & Parking Division 2024 JAN 25 A 8:18



CITY CLERK _____
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

January 24, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, January 17, 2024 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Oregon Street	West	Starting at a point 38 feet north of Short Street For a distance of 20 feet north.

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

cfv

6

**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division



RECEIVED

2024 JAN 25 A 8:18

CITY CLERK _____
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

January 24, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, January 17, 2024 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

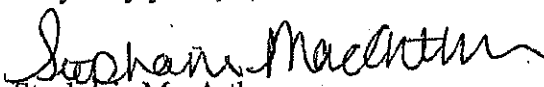
Article: 70
Section: 387 **Handicapped Parking**

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Woodman Street	North	Starting at a point 228 feet west of King Street For a distance of 20 feet west.

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

gn

CITY OF FALL RIVER

7

To the City Council

Councillors:

The Committee on Health and Environmental Affairs, at a meeting held on January 30, 2024, voted unanimously to recommend that the accompanying resolution be granted leave to withdraw.


Clerk of Committees

City of Fall River, *In City Council*

(Councilor Linda M. Pereira)

WHEREAS, numerous trees throughout the city are being cut down by various city departments, and

WHEREAS, the City has purchased a stump grinder, yet tree stumps remain to be an eyesore all around the city, now therefore

BE IT RESOLVED, that the Committee on Health and Environmental Affairs convene with the Director of Community Maintenance, the Director of Cemeteries and Trees, and representatives from the Board of Park Commissioners and the Urban Tree Commission, to discuss coordinating services for the removal of tree stumps throughout the city.

In City Council, September 8, 2020
Adopted

A true copy. Attest:

Alison M. Bouchard
City Clerk

tabled

1-28-21

3-31-22

CITY OF FALL RIVER

8

To the City Council

Councillors:

The Committee on Health and Environmental Affairs, at a meeting held on January 30, 2024, voted unanimously to recommend that the accompanying resolution be granted leave to withdraw.


Clerk of Committees

City of Fall River, In City Council

(Councilor Linda M. Pereira)

WHEREAS, complaints have been received regarding odors emanating from the Wastewater Treatment Plant, and

WHEREAS, these odors prevent residents from enjoying their outdoor space, and

WHEREAS, some equipment at the Wastewater Treatment Plant is past its useful life, now therefore

BE IT RESOLVED, that the Committee on Health and Environmental Affairs convene with the Administrator of Community Utilities to discuss this matter.

In City Council, August 16, 2022
Adopted

A true copy. Attest:

Alison M. Bouchard

City Clerk

tabled 9-27-22

CITY OF FALL RIVER

9

To the City Council

Councillors:

The Committee on Health and Environmental Affairs, at a meeting held on January 30, 2024, voted unanimously to recommend that the accompanying resolution be granted leave to withdraw.


Clerk of Committees

9

City of Fall River, *In City Council*

(Vice President Linda M. Pereira)

WHEREAS, climate and infrastructure changes are occurring that affect the efficiency of the municipal storm water draining systems; and

WHEREAS, flooding and standing water can cause property damage and cause the spread of mosquito-borne illnesses and microbial growth on surfaces within the community; and

WHEREAS, there are hundreds of water catch basins throughout the City that aren't on a frequent cleaning schedule and blockage of these basins without regular maintenance can result in flooding and standing water; now therefore

BE IT RESOLVED, that the Committee on Health and Environmental Affairs convene with Administrator of Community Utilities and a representative from Veolia North America to discuss current procedures and plans to prevent build-up within the catch basins throughout the City.

In City Council, August 15, 2023
Adopted.

A true copy. Attest:

Alison M. Bouchard

City Clerk

Tabled 8-17-23

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Health and Environmental Affairs, at a meeting held on January 30, 2024, voted unanimously to recommend that the accompanying resolution be granted leave to withdraw.


Clerk of Committees

City of Fall River, In City Council

(Councilor Leo O. Pelletier)

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

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

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

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

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

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

In City Council, December 13, 2022
Adopted.

A true copy. Attest:

Alison M. Bouchard
City Clerk

Tabled 1-24-23

Tabled 8-26-23

City of Fall River, In City Council

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

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

Section 1

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

Name of Street	Direction of Travel	At Intersection of
Branch Street	Eastbound	John Street
West Street	Southbound	Probbler Lane

Section 2

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

Name of Street	Direction of Travel	Location
Anawan Street	Easterly	From Water Street to Pond Street
Branch Street	Easterly	From Second Street to John Street

Section 3

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

Name of Street	Side	Location
Whipple Street	West	Starting at a point 125 feet south of Morgan Street, for a distance of 57 feet southerly

Section 4

By inserting in Section 70-372, which section relates to parking prohibited during certain hours, the following:

Name of Street	Side	Location	Hours/Days
French Street	South	Starting at a point 43 feet west of Highland Avenue, for a distance of 20 feet westerly	7:00 a.m. to 4:00 p.m./ Monday through Friday

Section 5

By striking out in Section 70-387, which section relates to handicapped parking generally, the following:

Name of Street	Side	Location
Ninth Street	West	Starting at a point 105 feet south of Bedford Street, for a distance of 20 feet southerly
Anawan Street	North	Starting at a point 61 feet west of South Main Street, for a distance of 50 feet westerly
Bank Street	North	Starting at a point 98 feet east of Linden Street, for a distance of 20 feet easterly
Bay Street	East	Starting at a point 233 feet north of Pokross Street, for a distance of 20 feet northerly
Franklin Street	South	Starting at a point 60 feet west of Oak Street, for a distance of 20 feet westerly
Fulton Street	West	Starting at a point 160 feet north of Wellington Street, for a distance of 20 feet northerly
Jefferson Street	East	Starting at a point 60 feet south of Oman Street, for a distance of 20 feet southerly
John Street	West	Starting at a point 98 feet south of Rodman Street, for a distance of 20 feet southerly
Maria Street	West	Starting at a point 28 feet south of Lawton Street, for a distance of 25 feet southerly

Montaup Street East Starting at a point 159 feet north of Dwelly Street,
for a distance of 20 feet northerly
Pearce Street North Starting at a point 176 feet west of Underwood Street,
for a distance of 20 feet westerly
Robeson Street East Starting at a point 130 feet north of New Boston Road,
for a distance of 20 feet northerly
Stetson Street East Starting at a point 120 feet south of Prospect Street,
for a distance of 20 feet southerly
Swindells Street West Starting at a point 137 feet north of Pleasant Street,
for a distance of 20 feet northerly
Tecumseh Street North Starting at a point 180 feet west of Lawrence Street,
for a distance of 20 feet westerly

CITY OF FALL RIVER
IN CITY COUNCIL

Jan. 23, 2024

*Passed through first
reading.*

City of Fall River, *In City Council*

BE IT ORDAINED, by the City Council of the City of Fall River, that Chapter 70 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Traffic, be amended as follows:

Section 1

By striking out in Section 70-319, Subsection A, which section relates to All-night parking of commercial vehicles, "11:00 p.m." and inserting in place thereof, "5:00 p.m."

Section 2

By striking out in Section 70-319, Subsection B, which section relates to All-night parking of commercial vehicles, in its entirety and inserting in place thereof, "Authority to enforce this section shall be with both Police Officers and Parking Control Officers."

CITY OF FALL RIVER

IN CITY COUNCIL

January 23, 2024
Passed through
first reading

City of Fall River, In City Council

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

That the Code of the City of Fall River, Massachusetts, 2018, be amended as follows:

Section 1

That Chapter 70, which chapter relates to Traffic, be amended by inserting a new section to read as follows:

§ 70-391 Prohibited parking due to impeding emergency vehicles

- A. No person shall park large vehicles, such as campers, mobile homes, boats, trailers, tractor trailers and semitrailers, on a public way impeding emergency vehicles/apparatus at any time.
- B. Authority to enforce this section shall be with both Police Officers and Parking Control Officers.

Section 2

That Chapter A110 Appendix A – Fee Schedule, Chapter 70, which chapter relates to Traffic, be amended by inserting a new section to read as follows:

§ 70-391, Prohibited parking due to impeding emergency vehicles \$25.00

CITY OF FALL RIVER

IN CITY COUNCIL

January 23, 2024
Passed Through
first reading

City of Fall River, In City Council

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

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

Section 1.

By striking out Section 50-305, which section relates to Salary schedules for EMS Local 1202 AFSCME personnel and replacing in its entirety as follows:

EMS Administrative Assistant			
7/1/2022	\$2,498.76		
7/1/2023	\$2,536.24		
7/1/2024	\$2,586.96		
Community Medicine Scheduling Coordinator	Step 1	Step 2	
7/1/2023	\$1,776.00	\$1,900.31	
7/1/2024	\$1,811.52	\$1,938.32	
EMT Basic (84 Hours)	Step 1	Step 2	
7/1/2022	\$1,749.75	\$1,872.23	
7/1/2023	\$1,776.00	\$1,900.31	
7/1/2024	\$1,811.52	\$1,938.32	
20D EMT Paramedic (84 Hours)	Step 1	Step 2	Step 3
7/1/2022	\$2,498.76	\$2,673.68	\$2,860.83
7/1/2023	\$2,536.24	\$2,713.79	\$2,903.74
7/1/2024	\$2,586.96	\$2,768.07	\$2,961.81

FTO/Community Paramedic			
7/1/2022	\$2,960.96		
7/1/2023	\$3,005.37		
7/1/2024	\$3,065.48		
EMS Lieutenant (84 Hours)			
7/1/2022	\$3,289.95		
7/1/2023	\$3,339.30		
7/1/2024	\$3,406.09		
EMS Captain (84 Hours)			
7/1/2022	\$3,783.44		
7/1/2023	\$3,840.19		
7/1/2024	\$3,916.99		
District Chief of EMS (80 Hours)			
7/1/2022	\$4,350.95		
7/1/2023	\$4,416.21		
7/1/2024	\$4,504.53		

CITY OF FALL RIVER
IN CITY COUNCIL

JAN 09 2024

*Referred to the
Committee on Ordinances
& Legislation*

CITY OF FALL RIVER

IN CITY COUNCIL

*January 23, 2024
Passed through
first reading*

City of Fall River, In City Council

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

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

Section 1.

By striking out in Section 50-302, which section relates to Salary schedules for contract personnel, the following:

Title	Grade	Effective Date	Salary
Assistant Corporation Counsel	ACC	7-1-2022	Per Contract
Assistant Corporation Counsel (PT)	ASCC	7-1-2022	Per Contract
Corporation Counsel (PT)	ACOR	7-1-2022	Per Contract

Section 2.

By inserting in Section 50-302, which section relates to Salary schedules for contract personnel, the following:

Title	Grade	Effective Date	Salary
Assistant Corporation Counsel (Full-Time)	ACC	1-1-2024	Per Contract
Assistant Corporation Counsel (Part-Time)	ASCC	1-1-2024	Per Contract
Chief of EMS	EMSS	1-1-2024	Per Contract
Corporation Counsel	ACOR	1-1-2024	Per Contract

CITY OF FALL RIVER
IN CITY COUNCIL

JAN 09 2024

*Referred to the
Committee on Ordinances
& Legislation*

CITY OF FALL RIVER

IN CITY COUNCIL

*January 23, 2024
Passed through
first reading*

City of Fall River, *In City Council*

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

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

§46-19. Panhandling

A. Definitions

Donation – A gift. Includes the purchase of an item for an amount far exceeding its actual value under circumstances where a reasonable person would understand that the “purchase” is, in substance, a donation.

Panhandler – A person who performs the act of panhandling, as defined below.

Panhandling – Panhandling is any in-person solicitation of an immediate donation of money. Panhandling does not include passively standing or sitting with a sign or making a verbal or non-verbal indication that one is seeking donations.

B. Time Restrictions on Panhandling

A panhandler shall be guilty of a misdemeanor if panhandling after sunset or before sunrise.

C. Place Restrictions on Panhandling

A panhandler shall be guilty of a misdemeanor if the person being solicited is located:

1. At any bus stop or train stop;
2. In any public transportation vehicle or facility;
3. In any motor vehicle on the street; OR
4. On private property, unless the panhandler has permission from the owner or occupant.

D. Restriction on Manner of Panhandling

A panhandler shall be guilty of a misdemeanor if the panhandling takes place in the following manner:

1. By approaching, and coming within three feet of, the person being solicited, unless the person being solicited has initiated the interaction and/or has indicated that he or she wishes to make a donation;
2. By blocking the path of the person being solicited;
3. By following a person who walks away from the panhandler;
4. By using profane or abusive language, either during the solicitation or following a refusal; OR
5. By making a threatening statement, gesture, or other communication to the person being solicited.

E. False or Misleading Solicitation

A person shall be guilty of a misdemeanor if he or she knowingly makes a false or misleading representation while panhandling. A false or misleading representation would include, but is not limited to, any of the following actions:

1. Stating that the donation is for a need or purpose that does not actually exist;
2. Stating that the solicitor is from out of town and stranded, when that is not true;
3. Wearing a military uniform or other indication of military service, when the solicitor is neither a present nor former member of the service indicated;
4. Wearing or displaying an indication of physical disability, when the solicitor does not suffer the disability indicated;
5. Use of any makeup or device to simulate any deformity; OR
6. Stating that the solicitor is homeless, when he or she is not.

F. Enforcement

It shall be the duty of the City of Fall River's Police Department to enforce the provisions of this ordinance.

G. Penalty/Fine

Any person who violates the provisions of this panhandling ordinance shall be subject to a fine of \$50.00 for the first offense and \$100 for the second and each subsequent offense. With the exception of the fine amount, the noncriminal disposition provisions set forth in §§ 2-1021 through 2-1025 of the City Code will apply to violations of this panhandling ordinance.

SEP 1 2 2023
CITY OF FALL RIVER
IN CITY COUNCIL

Referred to the Committee
on Ordinances & Legislation

CITY OF FALL RIVER
IN CITY COUNCIL

January 23, 2024
Passed Through
first reading

City of Fall River, In City Council

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

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

By inserting in Section 50-302, which section relates to Salary schedules for contract personnel, in proper alphabetical order the following:

	Grade	Effective Date	Salary
Finance Analysis and Compliance Manager	FACM	7-1-2023	Per Contract

CITY OF FALL RIVER

IN CITY COUNCIL

*January 23, 2024
Passed Through
first reading,
as amended*

City of Fall River, In City Council

(Councilors Paul B. Hart and Bradford L. Kilby)

WHEREAS, the Fall River City Council voted 6 nays, 3 yeas to keep the Bank Street Armory, and

WHEREAS, the Bank Street Armory is in a condition of deterioration, and

WHEREAS, it is in the best interest of the City to spend the necessary funds to encapsulate (seal up) the building, now therefore

BE IT RESOLVED, that the City Council urges the administration to allocate the appropriate funds within the Fiscal Year 2025 proposed budget.

Filed 1-30-2024

City of Fall River, *In City Council*

(Councilors Paul B. Hart and Bradford L. Kilby)

WHEREAS, the Commonwealth of Massachusetts is the only Right to Shelter state in the country, and

WHEREAS, the Governor has declared a State of Emergency regarding the migrant shelter issue, and

WHEREAS, the Governor has appropriated millions of dollars for emergency shelters for migrants throughout the Commonwealth to address the "Migrant Crisis", and

WHEREAS, the Governor is locating property throughout the state to house the growing migrant population crisis, now therefore

BE IT RESOLVED, that the Committee on Finance convene with the City Administrator, Corporation Counsel and any other individuals the Council President deems appropriate to keep the City Councilors informed as to the current status of the City of Fall River and the City's rights under the M.G.L., Part I, Title II, Ch. 23B, Section 30, Emergency Housing Assistance Program, originally passed in 1983.

(Filed on 2-5-2024)

City of Fall River, In City Council

(Councilor Michelle M. Dionne)

WHEREAS, the Bank Street Armory has sat dormant since 2015 and as such has deteriorated without proper oversight, and where it is the will of the City Council to move forward with a plan for restoration and best use of the Armory, and

WHEREAS, in the Code of the City of Fall River, Massachusetts, 2018, Chapter 54, Article III, Section 101, the Board of Park Commissioners exercises the powers, duties, and responsibilities of the Armory Commission, of which historic property is not their area of expertise, and

WHEREAS, the Bank Street Armory was placed on the National Register of Historic Places in 1983, with a preservation restriction added in 2017, and the City of Fall River has an appointed Historical Commission with insight and expertise in the preservation and development of historic properties, and

WHEREAS, the Historical Commission and the City have the ability to apply for grant funding for a feasibility study and the emergency funding necessary to address and remediate deficiencies causing the damage and deterioration to the Bank Street Armory including but not limited to the roof, window replacement, repointing, removal of vegetation, and a heating system; now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation convene to discuss amending Chapter 54 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Public Facilities, to reflect the current state of the property and to transfer the oversight of the Armory Commission from the Board of Park Commissioners to the Historical Commission, and

BE IT FURTHER RESOLVED, that the Historical Commission, as the new managing commission, have the ability to create a subcommittee to focus solely on the redevelopment of the Bank Street Armory, including the creation of an updated feasibility study for future and best use consistent with the preservation deed restriction.

City of Fall River, In City Council

(Councilor Michelle M. Dionne)

WHEREAS, homeless encampments create issues regarding quality of life those residing within them, neighborhood residents directly impacted by them, and the community at large, and

WHEREAS, there have been numerous complaints and reports of theft, drug activity, and crime associated with these encampments, and

WHEREAS, there are no proper bathroom facilities within these encampments which creates a serious health and environmental hazard, now therefore

BE IT RESOLVED, that the Committee on Health and Environmental Affairs convene with the Administration, a representative from the Fall River Police Department, a representative from the Fall River Emergency Medical Services Department and a representative from the Board of Health to discuss public health and safety risks regarding encampments, as well as potential strategies to decrease these risks.

(Filed on 2-5-2024)

City of Fall River, In City Council

(Councilor Cliff Ponte)

WHEREAS, the City of Fall River recognizes the critical need for affordable housing for low and moderate income residents, and

WHEREAS, the City Council seeks to address the shortage of affordable housing and mitigate the impact of rising housing costs on vulnerable populations in Fall River, and

WHEREAS, the establishment of an Affordable Housing Trust presents a viable mechanism to facilitate the creation and preservation of affordable housing options within the city, now therefore

BE IT RESOLVED, that this resolution be referred to the Committee on Finance to discuss funding the trust and that it also be referred to the Committee on Ordinances and Legislation to establish an ordinance to create such trust.

(Filed 2-6-2024)

MAZZOCCA & ASSOCIATES
ATTORNEYS AT LAW

2000 West Park Drive, Suite 100
Westborough, MA 01581
Telephone: (888) 274-4610
Fax: (508) 366-1074

#24-6 26

RECEIVED

JAN 19 P 12:42

January 17, 2024

Amanda Coutin
acoutin@mazzocca.com
Phone: 508-949-4531 FALL RIVER, MA

Via Certified Mail/ Return Receipt

7021 2720 0003 1800 6049

City of Fall River
City Clerk's Office
One Government Center
Fall River, MA 02722

Re: *The Commerce Insurance Company a/s/o Nathan Cash*

Commerce Insured:	Nathan Cash
Claim Number:	AU10050887
Date of Loss:	August 19, 2021
Loss Location:	Middle St. & South Main St., Fall River, Massachusetts
Type of Loss:	Negligent Operation of a Motor Vehicle
Responsible Party:	City of Fall River Driver: Jason Fournier
PIP Medical/Wage:	\$8,000.00
Reimbursement Due:	\$8,000.00

SUBROGATION DEMAND

Dear City Clerk:

Please be advised that this office represents The Commerce Insurance Company as subrogee of Nathan Cash ("Cash"), in relation to a motor vehicle accident which occurred on August 19, 2021, at the intersection of Middle Street and South Main Street in Fall River, Massachusetts. Commerce Insurance Company insured a 2010 Infiniti, MA Registration 2LVL77, owned by Cash. Mr. Cash's vehicle was stopped at a red traffic signal on Middle Street, when a 2018 Ford, MA Registration MPD815, owned by the City of Fall River and operated by Jason Fournier, made a right hand turn from S. Main Street onto Middle Street, and negligently entered the westbound lane striking Mr. Cash's vehicle, causing personal injuries. At the time of the accident, Jason Fournier was acting as an agent/employee of the City of Fall River.

In accordance with Cash's insurance policy, Commerce paid to or on behalf of Cash, personal injury protection ("PIP") benefits totaling \$8,000.00. As such, Commerce now seeks the full recovery of \$8,000.00.

24-7



RECEIVED

2024 JAN 26 A 10:11

City of Fall River
Notice of Claim

CITY CLERK
FALL RIVER, MA

1. Claimant's name: Natalie Ueffer
2. Claimant's complete address: 34 School St Fall River ma 02720
3. Telephone numbers: Home: 508-965-1313 Work: 508-973-7798
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Pot hole damaging driver's side tire
5. Date and time of accident: 1/18/24 6:30^{am} Amount of damages claimed: \$ 129.95
6. Exact location of the incident: (include as much detail as possible):
Near gas station before Martin Middle School 1135 N. Main St FR
7. Circumstances of the incident: (attach additional pages if necessary):
Please see letter attached

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

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

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

Date: 1/26/24

Claimant's signature: Natalie Ueffer

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

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

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

For official use only:

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

Date: _____



#24-8

1100 Crown Colony Drive
P.O. Box 699195
Quincy, MA 02269-9952
617.328.2800
arbella.com

26

RECEIVED

January 21, 2024

2024 JAN 29 P 2:42

FALL RIVER
CITY CLERK 2ND FL
ONE GOVERNMENT CENTER
FALL RIVER, MA. 02722

CITY CLERK
FALL RIVER, MA

Claim Number: 034370938
Company Name: Arbella Mutual Insurance Company
Date of Loss: 07/09/2023
Our Insured: JOAO JACOB
Your Insured: FALL RIVER POLICE

Dear Sir/Madam:

Please accept this letter as legal notice under Massachusetts General Law, Chapter 258. On behalf of our insured, Arbella is demanding compensation in the amount of \$ 2837.90 resulting from this loss.

Arbella Insured: JOAO JACOB
84 QUEQUECHAN ST
FALL RIVER, MA 02723

Place of accident: 07/09/2023

Description of Loss: A POLICE VEHICLE HIT PARKED INSURED VEHICLE

Company and Name of Your Employee: NICHOLAS MELLO 685 PLEASANT ST FALL
RIVER, MA. 02720 LIC #S40922295

Company Vehicle: (Year, Make, Model, Plate Number)
2021 FORD POLICE CRUISER PLT# F326

Copies forwarded to: city clerk, law dept., city council - 1/29/24



City of Fall River
Notice of Claim

RECEIVED

2024 JAN 30 A 11:32

CITY CLERK 24-9
FALL RIVER, MA

1. Claimant's name: Nubia Arita on behalf of minor/daughter, Kimberly J. Salinas
2. Claimant's complete address: 305 Detroit Street, Fall River, MA 02721
3. Telephone number: Home: 5088402889 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Slip and fall on ice at Durfee High School
5. Date and time of accident: 1/17/2024 Amount of damages claimed: \$ 300K
6. Exact location of the incident: (include as much detail as possible):
The parking lot in front of Durfee High School.
7. Circumstances of the incident: (attach additional pages if necessary):
Minor claimant, Kimberly Salinas, is a 12th grade student at Durfee High School. On 1/17/2024, at approximately 3:00 p.m., she was exiting school, and walking in the parking lot in front of the school, when she slipped and fell on untreated ice and fell hard to the asphalt/pavement, sustaining a fractured left arm that required surgical repair.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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

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

Date: 1/24/2024 Claimant's signature: [Signature]

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

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

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

For official use only:
Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☒ City Administrator ☒ School Dept. Date: 1/30/24

#24-10

26

RECEIVED

2024 FEB -5 P 2:46

City of Fall River
Notice of Claim

1. Claimant's name: SUBROIQ A/s/o Plymouth Rock Assurance Corporation
2. Claimant's complete address: PO Box 6228, Hermitage PA 16148
3. Telephone number: Home: _____ Work: 800.543.0923
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Auto accident - insurance subrogation
5. Date and time of accident: 5:50 PM EST Amount of damages claimed: \$1,908.30
6. Exact location of the incident: (include as much detail as possible):
Pleasant St at Rockliffe St
7. Circumstances of the incident: (attach additional pages if necessary):
A pedestrian abruptly crossed the street in front of Plymouth's policyholder vehicle, causing driver to stop. Driver of Fall River vehicle, traveling behind policyholder, swerved to avoid a collision, struck rear of policyholder vehicle.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☒ Yes ☐ No
Plymouth Rock Assurance Corporation, 695 Atlantic Ave, Boston MA 02111

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: 1/29/2024

Claimant's signature: Timothy P. Bell for SUBROIQ/Plymouth Rock

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 ☐ _____

Date: 2/5/24



26

**City of Fall River
Notice of Claim**

RECEIVED

2024 FEB -6 A 11:32

1. Claimant's name: Robert Accettullo CITY CLERK 24-11
2. Claimant's complete address: 54 Chaverson St., 2nd West FALL RIVER, MA 02723
3. Telephone number: Home: (774) 991-4184 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Auto accident - collision with pothole
5. Date and time of accident: 1/27/24 5:30 pm Amount of damages claimed: \$ 877.24
6. Exact location of the incident: (include as much detail as possible):
Innovative Way, between Airport Rd and the Rte 201 Entrance Ramps
7. Circumstances of the incident: (attach additional pages if necessary):
Turned left onto Innovative Way from Airport Rd and roughly 1/4 mile onto Innovative Way struck a large pothole resulting in 2 flat tires and road for tow (and ultimately an alignment); a second vehicle also struck the pothole and suffered a flat tire; police contacted and responded. * See full description on attached page
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
My insurance company (KIA) was contacted, but damage did not meet deductible; no claim files was advised to submit claim with city.

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: 1/30/2024Claimant's signature: [Signature]

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

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

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☒ City Administrator ☒ DOY emailDate: 2/6/24



26

RECEIVED

City of Fall River
Notice of Claim

2024 FEB -8 P 1:11

1. Claimant's name: Ana Raposo CITY CLERK 24-12
FALL RIVER, MA
2. Claimant's complete address: 400 Ridge St
3. Telephone number: Home: 774-526-8212 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Auto Accident
5. Date and time of accident: 2/3/2024 @ 1:25 PM Amount of damages claimed: \$ Car is totaled
Not good
6. Exact location of the incident: (include as much detail as possible):
Intersection of Bedford St. and High St
7. Circumstances of the Incident: (attach additional pages if necessary):
Police officer Hit on the Passenger side
between Middle and back Passenger door
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☒ Yes ☐ No
GEICO

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: 2/8/2024

Claimant's signature: Ana Raposo

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

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

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

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☒ City Administrator ☒ Police Date: 2/8/24



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

27

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

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

February 27, 2024

OML 2024 - 28

VIA EMAIL

Gary Howayeck, Esq.
Assistant Corporation Counsel
City of Fall River
ghowayeck@fallriverma.gov

RE: Open Meeting Law Complaint

RECEIVED
2024 FEB - 8 A 8:48
CITY OF FALL RIVER, MA

Dear Attorney Howayeck:

This office received two complaints from Patrick Higgins on December 15, 2023, alleging that the Fall River City Council (the "Council") and the Fall River City Council Committee on Finance (the "Committee") violated the Open Meeting Law, G.L. c. 30A, §§ 18-25. The complaints were originally filed with the Council and Committee on or around November 29, 2023, and you responded on behalf of the Council and Committee by letters dated December 14, 2023. The complaints allege that the Council and Committee each posted notice of a November 28 meeting to the website <https://fallriverma.gov>, rather than the website <https://fallriverma.org> which, at the time, was the City's official notice posting location pursuant to 940 CMR 29.03(2)(b).

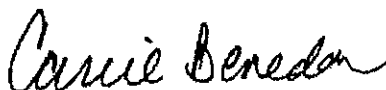
After review, we find that the Council and Committee did not violate the Open Meeting Law. The City of Fall River has adopted its municipal website as the official notice posting location for meetings of Fall River public bodies, and duly notified this office that notices would be posted to the website <https://fallriverma.org>, in accordance with 940 CMR 29.03(2)(b). The Council and Committee have explained that around the time the complaint was filed, the City of Fall River was in the process of changing its municipal website domain from <https://fallriverma.org> to <https://fallriverma.gov>. At times relevant to the complaint, a user who accessed <https://fallriverma.org> was automatically redirected to <https://fallriverma.gov>, which website appeared identical, and where meeting notices were posted. The complainant does not dispute that he was automatically redirected, nor does he suggest he had any difficulty in accessing the meeting notices in question. A meeting notice need not be viewable directly on the main page of the designated posting website; it needs to be readily accessible from that page in a clear and intuitive location. See OML 2020-73; OML 2018-53. We find that notices for the

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Council's and Committee's November 28 meetings were properly posted when users were automatically redirected from <https://fallriverma.org> to <https://fallriverma.gov>.

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

Sincerely,



Carrie Benedon
Assistant Attorney General
Division of Open Government

cc: Patrick Higgins (via e-mail: patrick@openmeetinglawenforcer.com)
Fall River City Council (via e-mail: City_Council@fallriverma.gov)
Fall River City Clerk (via e-mail: city_clerk@fallriverma.gov)

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



CITY OF FALL RIVER
OFFICE OF THE CITY CLERK

RECEIVED

28

2024 JAN 26 P 1:11

CITY CLERK
FALL RIVER, MA

To the City Council:

Application for permit to place or maintain a structure or device on or over a public way.

Name of Applicant: Ryan Lyons

Name of Business (if applicable): Board of Elections Department

Address: One Government Center, Office#636 Fall River, MA. 02722

Street

City

State

Phone: 508-324-2630

E-mail: rlyons@fallriverma.gov

Type of structure or device: Vote/Election Day Banners

Description (include dimensions): Vote! (With Election Date) Banners/156 inchesX78 inches.

Location: One double-sided banner hung across South Main Street (Downtown) and one banner hung across Bedford Street/Fire Station.

Dates: Tuesday, February 20th thru Wednesday, March 6th

The applicant agrees to maintain this structure or device in accordance with the requirements of the Building Inspector and the City Council and that this permit may be revoked at the pleasure of the City Council.

Signature of Applicant

Ryan Lyons

Date

JAN 22 2024

Building Inspector

Date

1-22-2024

APPROVED ☒

DISAPPROVED ☐

Director of Traffic

Date

1/22/2024

APPROVED ☒

DISAPPROVED ☐

Chief of Police

Date

1/

APPROVED ☐

DISAPPROVED ☐

In City Council,

Date

Permit (approved) (disapproved)

OFFICE USE ONLY

☒ Fee Paid ☐

Allison M. Bouchard
City Clerk



Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Monica Tibbitts-Nutt, Secretary & CEO
Jonathan L. Gulliver, Highway Administrator



January 22, 2024

To Whom It May Concern:

I am writing to you on behalf of the Massachusetts Department of Transportation (MassDOT). I am the agency's project manager for the upcoming replacement of the fender system of the Charles M. Braga Jr. Memorial Bridge. The Braga Bridge carries I-95 over the Taunton River between the Town of Somerset and the City of Fall River.

The fender system protects the bridge's piers from potential damage by passing ships. This structure is substantially deteriorated and at the end of its useful lifespan. MassDOT intends to repair the fender this summer, installing new precast piles and marine-treated lumber to repair the existing structure. Repairs to the fender system this year will provide MassDOT the time to engage with area maritime stakeholders to determine the design of a permanent replacement.

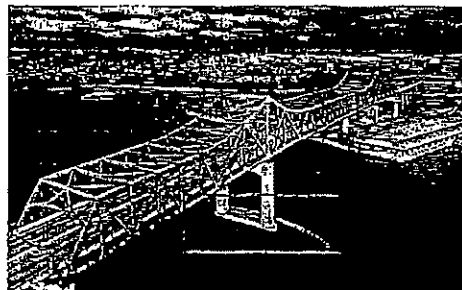


Photo of Charles M. Braga, Jr. Memorial Bridge, courtesy of Aerial New England.
Fender system is outlined in red.

This project will *address the fender system only*. There are no anticipated impacts to the Braga Bridge itself. MassDOT will hold a public meeting to provide more information about the repair project during the first quarter of 2024. We will inform you of the meeting date, time, and location once details are final, should you wish to attend. You have received this letter as our public involvement consultants have identified you as a maritime stakeholder or representing a constituency which may have an interest in the Taunton River.

We would appreciate any information you have on the frequency, time of year, and types of vessels that travel through the Braga Bridge or close by. Please contact Public Information Consultant Elaine Ezerins by phone at (603) 782-2460 or email at elaine.ezerins@wsp.com to share this information with the project team. Likewise, if you do not wish to receive further information regarding this project, you may contact Elaine to request to be removed from this list.

We will follow up with you by telephone during the week of February 5, 2024 to ensure that you have received this letter and to discuss the maritime use of the Taunton River. Thank you for your cooperation and understanding. We look forward to hearing from you soon.

Sincerely,

Alyson Bedard, PE
Bridge Preservation Engineer
MassDOT - Highway
10 Park Plaza - Room 7110
Boston, MA 02116

RECEIVED
JUN 24 2 14
CITY CLERK
FALL RIVER, MA

Teri Park Plaza, Suite 4160, Boston, MA 02116
Tel: 857-368-4636, TTY: 857-368-0655
mass.gov/massdot

Wife ripped off by pawn shop

lackluster performance <lacklusterperformance@gmail.com>

Tue 1/30/2024 1:45 PM

To: City Council <City_Council@fallriverma.gov>

My hispanic wife recently went into the pawn shop in Fall river.

She got a loan for 1000\$.

the first month fees were 250\$ plus \$30 for 2nd month, 30\$ more for 4th month bringing the interest rate to way over the legal amount of ma 36% apr. I called five pawn shops in Fall river and they all have the same formula which is illegal. Please see the link below . I would like to start a petition to revoke the renewal of these licenses please. Thanks same owner breaking the pawnbrokers law on this Ma gov website.

They only allow two months and do not auction the goods off as required by Ma state law. They do not send legal notices. They only give two months. I called the detective in charge and he directed me to city hall for regulations.

i feel they are targeting people like my wife who is hispanic and people who do not have a bank account. Please help, i called and asked for a refund and they hung up on me.

364 S Main St, Fall River, MA 02721

(508) 678-1130

fallriverpawnbrokers.com

Open

Robert Mechan

617-

[Approved pawnbroker regulations and interest rates | Mass.gov](#)

[EXTERNAL] Water Bill 57 Duke St

31

Pamela Watson <pamelawatson12519@gmail.com>

Thu 2/8/2024 1:04 PM

To: City Council <City_Council@fallriverma.gov>; mdionne2019 <mdionne2019@yahoo.com>

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

Good afternoon

I am reaching out because I recently received a water bill in excess of \$19,000.00 for my home at 57 Duke St.

I tried calling city hall numerous times and have been unable to get any resolution.

I was told the bill was due to estimated readings for 10 YEARS!

I have been paying the water bill I received every quarter- averaging \$300-over \$400 per quarter.

No attempt was made to replace the existing water meter. No one ever knocked on the door or called to discuss this ongoing issue.

Based on the new bill- this would mean my bill was "underestimated" by an additional \$500 per quarter- causing my actual balance to be nearly \$1000 per quarter- which is obviously not realistic for a one family house.

I have just received my first "actual" bill- and it is only \$200- which indicates to me that I have actually been possibly overpaying- not underpaying.

I am requesting a review of this situation- something is clearly incorrect.

Please feel free to contact me at 508-736-6943.

Sincerely

Pamela Titone Watson

CITY OF FALL RIVER, MA

2024 FEB - 8 P 1:06

RECEIVED

CITY COUNCIL PUBLIC HEARING

MEETING: Tuesday, January 9, 2024 at 5:55 p.m.
Council Chamber, One Government Center

PRESENT: President Joseph D. Camara, presiding;
Councilors Shawn E. Cadime, Paul B. Hart, Bradford L. Kilby,
Linda M. Pereira, Cliff Ponte, Andrew J. Raposo and
Laura-Jean Sampson

ABSENT: Councilor Michelle M. Dionne

IN ATTENDANCE: None

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

On a motion made by Councilor Kilby and seconded by Councilor Sampson, it was unanimously voted to open the hearings, with Councilors Cadime and Dionne absent and not voting.

Councilor Cadime arrived at 5:59 p.m.

Auto Repair Shop License

1. Paul J. Amarello, 78 Kaufman Road, Tiverton, RI 02878 d/b/a Ray's Auto Sales, Inc. for a license to operate an auto repair shop at 707 Brayton Avenue, on Lot F-7-15 Assessors Plan.

The President asked if there were any proponents, and no one came forward. The President then asked if there were any opponents, and no one came forward.

Curb Removals

2. Charles and Jennifer Lecorn, 125 Ratcliffe Street, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
125 Ratcliffe Street	16'	11'	0'	27'

The parcel is currently serviced by a 16-foot curb opening/driveway. The applicant proposes to extend the existing driveway an additional 11 feet. The total opening for the location will be 27 feet.

The President asked if there were any proponents, and Jennifer Lecorn, 125 Ratcliffe Street, came forward. Ms. Lecorn explained that Ratcliffe Street is very narrow and widening the driveway would allow easier vehicular access to her driveway. The President then asked if there were any opponents, and no one came forward.

3. Carlos Abad, 975 Plymouth Avenue, Apt. 1, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
2089 Blossom Road	18' +/- unpaved	18'	18' +/- unpaved	18'

The parcel is currently serviced by an 18-foot (+/-) curb opening/gravel driveway. The applicant proposes to close that gravel opening and construct two 9-foot paved openings. The total opening for the location will be 18 feet.

The President asked if there were any proponents, and no one came forward. The President then asked if there were any opponents, and no one came forward.

On a motion made by Councilor Raposo and seconded by Councilor Kilby, it was unanimously voted to close the hearings at 6:01 p.m., with Councilor Dionne 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

COMMITTEE ON FINANCE

MEETING: Tuesday, January 9, 2024 at 6:00 p.m.
Council Chamber, One Government Center

PRESENT: President Joseph D. Camara, presiding;
Councilors Shawn E. Cadime, Paul B. Hart, Bradford L. Kilby,
Linda M. Pereira, Cliff Ponte, Andrew J. Raposo and Laura-Jean
Sampson

ABSENT: Councilor Michelle M. Dionne

IN ATTENDANCE: None

The chair called the meeting to order at 6:02 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

In accordance with a resolution adopted, as amended May 8, 2012, persons are allowed to address the Council for a period of three minutes prior to the beginning or at the conclusion of business in the Committee on Finance.

1. Citizens' Input Time – Before Discussion of Financial Matters – None

A brief discussion was held by President Camara, Councilors Ponte and Raposo regarding the timeline of receiving the next FY24 Quarterly Budget Report. The Council President stated that the Quarterly Budget Report was expected during the second Regular Meeting of the City Council scheduled for January 23, 2024.

On a motion made by Vice President Pereira and seconded by Councilor Sampson, it was unanimously voted to adjourn at 6:04 p.m., with Councilor Dionne absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)
DVD of meeting

Alison M. Bouchard
City Clerk

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, January 9, 2024 at 7:00 p.m.
Council Chamber, One Government Center

PRESENT: President Joseph D. Camara, presiding;
Councilors Shawn E. Cadime, Paul B. Hart, Bradford L. Kilby,
Linda M. Pereira, Cliff Ponte, Andrew J. Raposo and
Laura-Jean Sampson

ABSENT: Councilor Michelle M. Dionne

IN ATTENDANCE: Seth Thomas Aitken, City Administrator

President Camara called the meeting to order at 7:03 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 confirmation of the appointment of Stephanie MacArthur to
Parking Clerk/Director of Traffic and Parking

Councilor Ponte made brief remarks commending Stephanie MacArthur for her dedication to the City of Fall River. On a motion made by Vice President Pereira and seconded by Councilor Sampson, it was voted 8 yeas to confirm the appointment, with Councilor Dionne absent and not voting.

2. Mayor and confirmation of the appointment of Stephen R. Long to the Housing Authority
On a motion made by Councilor Ponte and seconded by Councilor Raposo, it was unanimously voted to waive the rules to allow the City Administrator, Seth Thomas Aitken, to answer questions. Councilor Ponte stated that former Councilor Long and Mayor Paul E. Coogan are cousins and wanted to ensure all necessary disclosures were filed with the City Clerk as well as the State Ethics Commission. The City Administrator confirmed that both parties have disclosed kinship, sought opinions from the State Ethics Commission, and filed necessary disclosures with City Clerk. On a motion made by Councilor Raposo and seconded by Councilor Hart, it was voted 7 yeas, 1 nay, to confirm the appointment, with President Camara voting in the negative and Councilor Dionne absent and not voting.

3. Mayor and confirmation of the appointment of Gregory A. Brilhante, Esq. to the
Licensing Board

On a motion made by Councilor Ponte and seconded by Councilor Raposo, it was voted 8 yeas to confirm the appointment, with Councilor Dionne absent and not voting.

4. Mayor and confirmation of the reappointment of Victor Farias as Veterans' Grave Officer

On a motion made by Vice President Pereira and seconded by Councilor Hart, it was unanimously voted to confirm the reappointment, with Councilor Dionne absent and not voting. Following the vote of the City Council, the City Clerk read a letter from Victor Farias thanking the Council for the reappointment.

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

- a. \$25,000 from Bloomberg Philanthropies for an Asphalt Art Initiative

Councilor Ponte asked if this was a matching grant for the City, and the City Clerk stated that no matching was required. Vice President Pereira expressed concern about the process of selecting grant recipients, whether the grants will be dispersed in a fair manner and emphasized that she would like more information before voting. Councilor Kilby stated that accepting the grant and referring the discussion to the Committee on Finance may be the best way to obtain the information without delaying the funding. Councilor Ponte made a motion to waive the rules to allow the City Administrator to answer questions but after a brief discussion, Councilor Ponte withdrew his motion. On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted to adopt the order, with Councilor Dionne absent and not voting.

Approved, January 10, 2024

Paul E. Coogan, Mayor

- b. \$1,342,365 from the Massachusetts Executive Office of Public Safety and Security for the Municipal Public Safety Staffing Initiative

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to adopt the order, with Councilor Dionne absent and not voting.

Approved, January 10, 2024

Paul E. Coogan, Mayor

- c. \$653,973.25 from the Massachusetts Executive Office of Public Safety and Security for the Charles E. Shannon, Jr. Community Safety Initiative

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order, with Councilor Dionne absent and not voting.

Approved, January 10, 2024

Paul E. Coogan, Mayor

6. Mayor and proposal for Bristol County ARPA funding in the amount of \$16,000 to the CARE Fund at Bristol Community College to help off-set short-term financial needs of Fall River students

On a motion made by Councilor Kilby and seconded by Councilor Sampson, it was unanimously voted to approve the proposal, with Councilor Dionne absent and not voting.

7. Mayor and proposal for Bristol County ARPA funding in the amount of \$699,500 to purchase police vehicles, crime cameras and traffic lights

On a motion made by Councilor Kilby and seconded by Councilor Hart, it was unanimously voted to approve the proposal, with Councilor Dionne absent and not voting.

8. Mayor and proposal for Bristol County ARPA funding in the amount of \$38,500 to purchase a passenger van for the Office of Veterans' Services

8. Mayor and proposal for Bristol County ARPA funding in the amount of \$38,500 to purchase a passenger van for the Office of Veterans' Services
On a motion made by Councilor Hart and seconded by Councilor Ponte, it was unanimously voted to approve the proposal, with Councilor Dionne absent and not voting.
9. Mayor and deed for 138 Hartwell Street (Parcel ID# N21-0001)
Councilor Ponte made brief remarks regarding the plan for this property and emphasized that he does not want it to deteriorate. On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order, with Councilor Dionne absent and not voting.
 Approved, January 10, 2024
 Paul E. Coogan, Mayor
10. Mayor and proposed ordinance amendments to Sections 50-302 and 50-305 of the Code re: Emergency Medical Services and Corporation Counsel positions
On a motion made by Councilor Ponte and seconded by Councilor Raposo, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation, with Councilor Dionne absent and not voting.
11. Mayor and proposed ordinance amendment re: mattress disposal fee
On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation, with Councilor Dionne absent and not voting.
12. Mayor and order to declare four (4) damaged police vehicles as surplus property
Vice President Pereira suggested bringing vehicles to auction first and if they do not have any bids, then bring them to junkyard. On a motion made by Councilor Cadime and seconded by Councilor Raposo, it was unanimously voted to waive the rules to allow the City Administrator to answer questions, with Councilor Dionne absent and not voting. Seth Thomas Aitken, City Administrator, explained that these vehicles already had various parts removed and sold. Mr. Aitken explained that only the basic parts of the frame and body are remaining. Councilor Cadime inquired regarding the appointment of a Purchasing Agent and Mr. Aitken explained that the Mayor, under his Charter authority, has selected him as City Administrator to serve in this role. Mr. Aitken stated he carries out those duties in consultation with three other City employees who are Purchasing Certified and that he is in the process of becoming certified within the next six months. On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order, with Councilor Dionne absent and not voting.
 Approved, January 10, 2024
 Paul E. Coogan, Mayor

PRIORITY COMMUNICATIONS

13. Traffic Commission recommending amendment to the traffic ordinances
On a motion made by Councilor Pereira and seconded by Councilor Raposo, it was unanimously voted to refer the recommendations to the Committee on Ordinances and Legislation, with Councilor Dionne absent and not voting.

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

14. Administration maintain the Telephone Operator position in Municipal Budget
On a motion made by Councilor Pereira and seconded by Councilor Sampson, it was unanimously voted to adopt the resolution, with Councilor Dionne absent and not voting.

ORDERS – HEARINGS**Auto Repair Shop License:**

16. Paul J. Amarello d/b/a Ray's Auto Sales, Inc. located at 707 Brayton Avenue
On a motion made by Councilor Pereira and seconded by Councilor Hart, it was unanimously voted to adopt the order, with Councilor Dionne absent and not voting.
Approved, January 10, 2024
Paul E. Coogan, Mayor

Curb Removals:

17. Charles and Jennifer Lecorn, 125 Ratcliffe Street – Removal of 11 feet at 125 Ratcliffe Street
On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order, with Councilor Dionne absent and not voting.
Approved, January 10, 2024
Paul E. Coogan, Mayor

18. Carlos Abad, 975 Plymouth Avenue, Apt. 1 – Removal of 18 feet at 2089 Blossom Road
On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order, with Councilor Dionne absent and not voting.
Approved, January 10, 2024
Paul E. Coogan, Mayor

ORDERS – MISCELLANEOUS

19. Police Chief's report on licenses:

Taxicab Drivers (2024)

Johnny Alvarez	Jean Charlot	David R. LaFrance	Kailey Minor
George J. Santos Jr.	Jose Vasconcelos		

Private Livery Drivers (2024)

Jessica Alvarez	Teofilo Braga	Amanda Desroches-Gross	Josue Michel
Melanie A. Nadeau	Joseph Silvia	Hugh Williams	

Private Livery Vehicles (2024)

New Generation Transportation – Four (4) Vehicles

On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted to adopt the order, with Councilor Dionne absent and not voting.

20. Auto Body Shop License Renewals:

Paulo A. Carvalho d/b/a Carvalho's Tire and Auto Center, Inc. – 400 Second Street
 David Saber, Eleventh St. Assoc., Inc. d/b/a Saber Auto Body, Inc. – 231 Bedford Street
 David del Rosario d/b/a Deschenes Auto Body Repair, Inc. – 751 Eastern Avenue
On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order, with Councilor Dionne absent and not voting.
Approved, January 10, 2024
Paul E. Coogan, Mayor

21. Auto Repair Shop License Renewals:

Henry J. Pleiss, Jr. d/b/a Hank's Garage – 55 Murray Street
 Joseph M. Zuccheo d/b/a Sullivan Tire Co., Inc – 456 Rodman Street
 Steven Nasiff d/b/a Rodman Repair, Inc. – 771 Rodman Street
On a motion made by Councilor Sampson and seconded by Councilor Raposo, it was unanimously voted to adopt the order, with Councilor Dionne absent and not voting.
Approved, January 10, 2024
Paul E. Coogan, Mayor

22. Auto Repair Shop License Transfer:

Auto Repair Shop License No. 281 located at 80 William S. Canning Boulevard from John J. Mattie, Jr. d/b/a Mattie Imports, Inc. to David Rosenberg, RAH Fall River-VW, LLC, d/b/a Audi Fall River/Volkswagen Fall River
On a motion made by Councilor Sampson and seconded by Councilor Raposo, it was unanimously voted to adopt the order, with Councilor Dionne absent and not voting.
Approved, January 10, 2024
Paul E. Coogan, Mayor

23. City Council meeting schedule for 2024

Vice President Pereira suggested alternate dates to avoid meeting during the weeks of Thanksgiving and Christmas. A motion was made by Councilor Hart and seconded by Councilor Ponte to adopt the order. A discussion was held to amend the order by striking out November 12, 2024, November 26, 2024, December 10, 2024, and December 24, 2024 and inserting in place thereof November 5, 2024, November 19, 2024, December 3, 2024 and December 17, 2024. On a further motion made by Councilor Hart and seconded by Councilor Sampson, it was unanimously voted to adopt the order, as amended, with Councilor Dionne absent and not voting.

COMMUNICATIONS – INVITATIONS – PETITIONS

24. Claims

On a motion made by Councilor Raposo, and seconded by President Camara, it was unanimously voted to refer the claims to Corporation Counsel, with Councilor Dionne absent and not voting.

25. Public Employee Retirement Administration Commission (PERAC) re: Appropriation for Fiscal Year 2025

On a motion made by Councilor Kilby and seconded by Councilor Raposo, it was unanimously voted that the communication be accepted and placed on file, with Councilor Dionne absent and not voting.

26. Assistant Corporation Counsel Response to Open Meeting Law complaint filed by Patrick Higgins re: November 28, 2023 alleged violation by the Committee on Finance
On a motion made by Councilor Raposo and seconded by Councilor Pereira, it was unanimously voted that the communication be accepted and placed on file, with Councilor Dionne absent and not voting.

27. Assistant Corporation Counsel Response to Open Meeting Law complaint filed by Patrick Higgins re: November 28, 2023 alleged violation by City Council
On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted that the communication be accepted and placed on file, with Councilor Dionne absent and not voting.

On a further motion made by Councilor Kilby and seconded by Councilor Ponte, it was unanimously voted to take items 28 through 30 together, with Councilor Dionne absent and not voting.

City Council Minutes:

28. Public Hearing – December 12, 2023

29. Committee on Finance – December 12, 2023

30. Regular Meeting – December 12, 2023

On a motion made by Councilor Cadime and seconded by Councilor Raposo, it was unanimously voted to approve the minutes, with Councilor Dionne absent and not voting.

BULLETINS – NEWSLETTERS – NOTICES

31. Department of Public Utilities, Notice of filing and request for comments re: Petition of National Grid for Approval of a General Increase in Base Distribution Rates for Electric Service, a Performance-Based Ratemaking Plan, and a Capital Recovery Mechanism
On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted that the notice be accepted and placed on file, with Councilor Dionne absent and not voting.

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adjourn at 7:57 p.m., with Councilor Dionne absent and not voting.


List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

Letter from Victor Farias thanking the City Council for re-appointment as Veterans' Graves Officer

A true copy. Attest:



City Clerk

COMMITTEE ON FINANCE

MEETING: Tuesday, January 23, 2024 at 6:00 p.m.
Council Chamber, One Government Center

PRESENT: President Joseph D. Camara, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne, Paul B. Hart,
Bradford L. Kilby, Linda M. Pereira, Cliff Ponte
Andrew J. Raposo and Laura-Jean Sampson

ABSENT: None

IN ATTENDANCE: None

The chair called the meeting to order at 6:01 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

Richard Barlow, 50 Anderson Street – Flooding

Councilor Kilby asked if this was the only home affected by flooding in his neighborhood. Mr. Barlow confirmed that no other neighbors experience the same flooding that he does and that this has been ongoing for over fourteen years. Councilor Kilby and Mr. Barlow discussed City inspections that have occurred in the past. Councilor Kilby stated that he will reach out to relevant departments regarding this issue. President Camara asked if the home was in a flood zone. Mr. Barlow stated that his home and flood insurance state the home is not in a flood zone, but the City Engineer told him that it was in a flood zone. Councilor Dionne, Chair of the Committee on Public Works and Transportation, stated that she will schedule a meeting to address this issue. Councilor Hart asked Mr. Barlow to email photographs of the flooding to him.

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adjourn at 6:10 p.m..

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 23, 2024 at 7:00 p.m.
Council Chamber, One Government Center

PRESENT: President Joseph D. Camara, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne, Paul B. Hart,
Bradford L. Kilby, Linda M. Pereira, Cliff Ponte
Andrew J. Raposo and Laura-Jean Sampson

ABSENT: None

IN ATTENDANCE: Ryan Lyons, Chairperson, Board of Election Commissioners
Seth Thomas Aikten, City Administrator
Bridget Almon, Director of Financial Services
Nicholas A. Macolini, Director of Human Resources

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

PRIORITY MATTERS

On a motion made by Councilor Dionne and seconded by Vice President Pereira, it was voted 9 yeas to lift item 4b from the table.

4b. Mayor and order for the Bank Street Armory Proposal Review and Recommendation
(tabled 10-24-2023)

A motion was made by Councilor Kilby and seconded by Councilor Hart to adopt the order authorizing the sale of the Bank Street Armory. Councilor Ponte expressed concern as he didn't have any information regarding this item readily available and requested that the relevant information be provided to him prior to a vote occurring. Councilor Kilby stated that he was in support of this item being lifted from the table but would support delaying the vote until the two new City Councilors had time to review the item. Councilor Kilby also explained that he supports the contractor who would like to purchase the property and that, without renovation, the property will continue to deteriorate. Vice President Pereira agreed with Councilor Kilby regarding delaying the vote to allow Councilors Ponte and Hart to review the documents. On a motion made by Councilor Cadime and seconded by Councilor Ponte, it was unanimously voted to revisit this item after item 18 on the agenda was heard.

1. Mayor and confirmation of the appointment of Jeffrey Bacon to Fire Chief
Councilors Kilby and Cadime made brief remarks congratulating Mr. Bacon on his appointment. Councilor Cadime also requested that the administration provide a list of updated supervisory ranks with salaries within the Fire and Police Departments. On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was voted 9 yeas to confirm the appointment.
2. Mayor and request to deliver "State of the City" on March 12, 2024 at 5:30 p.m.
On a motion made by Councilor Kilby and seconded by Councilor Raposo, it was unanimously voted that the request be accepted and placed on file.
3. Fiscal Year 2024 Quarter 2 Budget Report
On a motion made by Councilor Ponte and seconded by Councilor Dionne, it was unanimously voted to refer the item to the Committee on Finance.
4. Mayor and Five Year Financial Forecast
On a motion made by Councilor Ponte and seconded by Councilor Raposo, it was unanimously voted to refer the item to the Committee on Finance.

PRIORITY COMMUNICATIONS

5. Board of Election Commissioners and re-submitted orders authorizing the Presidential Primary Election on Tuesday, March 5, 2024, the State Primary Election on Tuesday, September 3, 2024, and the Biennial State Election on Tuesday, November 5, 2024, and designating polling places and changes to polling places for such elections
A motion was made by Councilor Kilby and seconded by Councilor Sampson to accept and place on file the communication and adopt the order. On a further motion made by Councilor Ponte and seconded by Councilor Dionne, it was unanimously voted to waive the rules to allow Ryan Lyons, Chairperson of the Board of Elections, to answer questions. Councilor Raposo requested an update regarding transportation that will be provided for elderly and disabled voters to their new polling places. Mr. Lyons explained that the Veterans' Services Officer will be loaning an ADA-compliant bus on election days to allow these voters access to the polling places. A brief discussion was held between Councilor Raposo and Mr. Lyons regarding ways to relieve traffic congestion around schools being used by voters and Mr. Lyons stated that he would continue researching alternative areas to be used in the future. Vice President Pereira complimented Mr. Lyons on the progress being made to improve polling locations.

Councilor Ponte requested information regarding how voters would be notified of the changes and President Camara emphasized the need for poll workers to redirect people to their new polling locations. Mr. Lyons stated that he would do a mailed notice, as required by law, and would work with the Administration to obtain funding for additional advertising, such as newspapers and television notices. Councilor Dionne expressed concern regarding the possibility of a decrease in voter turnout due to the changes. Mr. Lyons provided information regarding mail-in ballots and reiterated that based on general election data, the number of voters who go to the polling places on election day is continuously decreasing, except for presidential elections. A brief discussion was held regarding private insurance policies within new polling places and Mr. Lyons stated that those who operate the polling places had not expressed concern regarding that matter. Following this discussion, it was unanimously voted to accept the communication and place it on file and adopt the orders.
Approved, January 25, 2024 (authorization of elections) and January 26, 2024 (polling places)
Paul E. Coogan, Mayor

6. Chair of the Board of Election Commissioners and copy of certified results from the Municipal Election held on November 7, 2023

On a motion made by Councilor Hart and seconded by Councilor Raposo, it was unanimously voted that the results be accepted and placed on file.

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

7. Committee on Finance meet with the Board of Park Commissioners to discuss the staffing needs of the Parks Division

Councilor Raposo made brief remarks regarding the needs of the Parks Division, such as additional staffing and funding. On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to adopt the resolution.

8. Committee on Economic Development and Tourism meet with community arts organizations to provide 2023 year in review and plans for 2024

A motion was made by Councilor Raposo and seconded by Councilor Ponte to adopt the resolution. A brief discussion was held between Vice President Pereira and Councilors Raposo and Sampson regarding the concept of combining items 8 and 10. It was determined that since they addressed two different topics and were being sent to two different committees, they would remain separated. On a motion made by Councilor Dionne and seconded by Councilor Raposo, it was unanimously voted to waive the rules to allow Seth Thomas Aitken, City Administrator, to answer questions. Mr. Aitken provided a brief overview of the different categories of American Rescue Plan Act (ARPA) funding and Councilor Dionne emphasized the need to discuss all groups and projects utilizing ARPA funding. Councilor Sampson expressed concern that a discussion of all types of ARPA funding would be extensive and the resolution she filed was to specifically address funding being used for arts and culture groups. Councilor Ponte emphasized that if the arts and culture groups worked more cohesively everyone would benefit. After this discussion, it was unanimously voted to adopt the resolution.

9. Request for Proposals for Real Estate Brokerage Services be solicited for marketing and selling of city-owned real estate

A motion was made by Councilor Raposo and seconded by Councilor Ponte to adopt the resolution. Councilor Ponte stated that the current process of selling city-owned real estate was non-transparent and needed to be updated to more modern methods. Councilor Ponte also emphasized that, while he works in the real estate industry, he has no intention of being included in this updating process. Councilor Cadime explained that there are Massachusetts General Laws regarding the Uniform Procurement Act which require the current process of selling, but that he does support the Administration working harder to obtain more bids. Councilor Kilby agreed with Councilor Cadime and suggested that the resolution be referred to either the Committee on Finance or the Committee on Ordinances and Legislation. A further motion was subsequently made by Councilor Kilby and seconded by Councilor Sampson to refer the resolution to the Committee on Ordinances and Legislation. Vice President Pereira stated that the resolution should be referred to the Committee on Real Estate and Councilor Cadime agreed. On yet a further motion made by Councilor Ponte and seconded by Vice President Pereira, it was unanimously voted to refer the resolution to the Committee on Real Estate.

10. Committee on Finance meet with City Administrator and representatives from the One SouthCoast Chamber of Commerce and Viva Fall River to provide update on ARPA funding

A motion was made by Vice President Pereira and seconded by Councilor Hart to adopt the resolution. Councilor Sampson emphasized that she only wanted information on the two groups listed in the resolution. Councilor Raposo stated that it was a priority to identify all groups and projects that were utilizing ARPA funding. Vice President Pereira recommended a separate resolution be created to include all groups and projects. Councilor Sampson supported the suggestion and stated that a meeting including all groups and projects would be very lengthy.

On a further motion made by Councilor Raposo and seconded by Councilor Ponte, it was voted 8 yeas, 1 nay to adopt the resolution, as amended, by inserting "and be it further resolved, that a presentation be made by the Administration to review all ARPA projects and funding and to provide a status where they stand.", with President Camara voting in the negative.

11. Committee on Finance meet in executive session with City Administrator, Corporation Counsel and Director of Financial Services to provide update on financial impact of high profile lawsuits

Vice President Pereira stated that there are many high-profile lawsuits that are ongoing, and this resolution would allow for a better understanding of the effect they will have on the budget. President Camara stated that he does not support executive session meetings and believes all meetings should be open to the public. A brief discussion was held between President Camara, Vice President Pereira and Councilor Kilby regarding past executive session meetings that have occurred. On a motion made by Councilor Kilby and seconded by Councilor Hart, it was voted to adopt the resolution, with Council President Camara opposed.

CITATIONS – None

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

12. Police Chief's report on licenses:
Taxicab Drivers
 Alyssa Lafferty Lisa Padula

Private Livery Drivers
 Wayne Delisle

On a motion made by Councilor Kilby and seconded by Councilor Sampson, it was unanimously voted to adopt the order.

13. Auto Repair Shop License Renewal:
 Richard R. Torres d/b/a Empire Hyundai, Inc. – 428 Pleasant Street
On a motion made by Councilor Raposo and seconded by President Camara, it was unanimously voted to adopt the order.
 Approved, January 25, 2024
 Paul E. Coogan, Mayor

COMMUNICATIONS – INVITATIONS – PETITIONS

14. Claims

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted that the claims be referred to Corporation Counsel.

15. Drainlayer license – RMT Excavation Inc.

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to approve the drainlayer license.

Approved, January 25, 2024

Paul E. Coogan, Mayor

City Council Minutes:

16. Meeting of the City Council and Organization of City Government – January 2, 2024

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to approve the minutes.

BULLETINS – NEWSLETTERS – NOTICES

17. Taunton River Stewardship Council 2023 Annual Report and Fall River delegate Position

On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted that the report be accepted and placed on file.

18. Communication from city residents re Charter recommendations from the Special Charter Review Committee

On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted that the communication be accepted and placed on file.

PRIORITY MATTERS

4b. Mayor and order for the Bank Street Armory Proposal Review and Recommendation (tabled 10-24-2023)

On a motion made by Councilor Ponte and seconded by Councilor Raposo, it was voted 9 yeas to waive the rules to allow the City Administrator to provide additional information regarding this proposal. Councilor Ponte inquired as to whether the proposed buyer would be applying for Tax Increment Financing (TIF) or Tax Increment Exemption (TIE) if the sale were to occur and Seth Thomas Aitken, City Administrator, stated that no specific details had been negotiated regarding that possibility. Mr. Aitken provided information regarding the most recent appraisal that occurred for the Bank Street Armory and that based on the data presented within that appraisal, the property did not have any value. Councilor Ponte emphasized that the land underneath the property would still have value even if the building was demolished and President Camara explained that it would most likely cost more to demolish the structure than the land was worth. Councilor Ponte also asked about the potential types of housing that would be developed if the sale were to occur. The City Administrator stated that the units would be rented or sold at the current market rate and there would be a portion of affordable housing with preference, but not guarantee, for military veteran applicants. Councilor Ponte expressed concern regarding the financing of this purchase by the potential buyer. Mr. Aitken reassured Councilor Ponte that the Administration has been working with an outside attorney to verify funding sources. A lengthy discussion was held between Councilor Ponte and the City Administrator regarding whether the City Council had the legislative authority to review the terms of sale for the Bank Street Armory.

Councillors Dionne and Sampson emphasized the Council's need to meet with the Historical Commission before approving the sale of the Bank Street Armory. Councillor Dionne also emphasized that at a recent meeting of the Historical Commission the potential buyer did not make mention of any affordable housing units being included. Councillor Dionne explained that the potential buyer provided information regarding the direst repairs needed for the property to become weather-proof, which included repair or replacement of the roof, windows, heating and pointing of the chimney. Councillor Dionne explained that the City could fund those types of repairs. Councillor Sampson referenced a letter that was sent to the City Council earlier in the afternoon from the Chair of the Historical Commission, following their recent meeting, which provided an official opinion from the Historical Commission regarding the sale of the Bank Street Armory. Councillor Sampson explained that the letter stated the proposed plan to create housing units does not meet the requirements of the preservation deed restriction on the property and questioned the legality of the sale. Mr. Aitken stated that he couldn't answer questions regarding the preservation deed restrictions without reviewing the documents.

Councillor Cadime emphasized that the renovation of this property is not a priority for the Administration and the City does not have the funding to do extensive repairs. Councillor Cadime stated that while he believes the property should be sold, it should not be used for housing exclusively and suggested that it be developed into a mixed-use property. Vice President Pereira expressed concern regarding the potential TIF or TIE applications that the buyer may apply for if this sale is approved, as it would reduce tax collection for the City funds. Vice President Pereira also emphasized the importance of having a location for youth programs and that the Community Preservation Committee could, potentially, help to fund repairs.

A lengthy discussion was held between Councillors Cadime and Ponte regarding whether the City could fund any restoration of the Bank Street Armory as the current budget being used for priority projects is limited. Councillor Cadime emphasized that the City could fund this project if it was prioritized by the Administration. Councillor Ponte made a motion to reject the current Request for Proposal (RFP) and urge the Administration to submit a new RFP to hire a real estate broker to liquidate the property, but there was no second. Councillor Ponte stated that he would not support the current proposal.

Councillor Hart asked the City Administrator for an estimate of the cost of repairing the Bank Street Armory. Mr. Aitken provided an estimated cost of at least \$15,000,000. Councillor Hart stated that he agreed with Councillor Kilby and that the property needed to be sold. Councillor Kilby emphasized that the property will not be restored by the current Administration. On a motion made by Councillor Kilby and seconded by Councillor Hart, it was voted 3 yeas, 6 nays, to adopt the order, with Councillors Hart, Kilby and Sampson voting in the affirmative, and the motion failed to carry.

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: JANUARY 23, 2024

PRIORITY MATTERS

- 4a. Mayor and request to amend the fee schedule with adoption of new fees relative to Farmer Brewer Distillery Pouring Permits for wine and spirits as well as All Distillery Pouring Permits

On a motion made by Councillor Kilby and seconded by Councillor Raposo, it was unanimously voted to refer the item to the Committee on Ordinances and Legislation.

COMMITTEE REPORTSCommittee on Ordinances and Legislation recommending:All readings with Emergency Preamble:

- 6a. Proposed Ordinance – Traffic, handicapped parking
- | | | |
|---------------|------------------|------------------|
| Alden Street | Buffinton Street | East Main Street |
| Hunter Street | London Street | Mason Street |
| Middle Street | Robeson Street | Whipple Street |

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was voted 9 yeas to adopt the emergency preamble. On a further motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted that the proposed ordinance be passed through first reading, second reading, passed to be enrolled and passed to be ordained.

Approved, January 25, 2024

Paul E. Coogan, Mayor

First Reading:

- 6b. Proposed Ordinance – Traffic, miscellaneous

Section 1

Stop intersections

Branch Street, Eastbound, John Street

West Street, Southbound, Propper Lane

Section 2

One-way streets

Anawan Street, Easterly, from Water Street to Pond Street

Branch Street, Easterly, from Second Street to John Street

Section 3

Parking prohibited at all times

Whipple Street, West, 125 feet south of Morgan Street, for a distance of 57 feet southerly

Section 4

Parking prohibited during certain hours

French Street, South, 43 feet west of Highland Avenue, for a distance of 20 feet westerly, 7:00 a.m. to 4:00 p.m. / Monday through Friday

Section 5

Handicapped parking removals

Ninth Street	Anawan Street	Bank Street	Bay Street
Franklin Street	Fulton Street	Jefferson Street	John Street
Maria Street	Montaup Street	Pearce Street	Robeson Street
Stetson Street	Swindells Street	Tecumseh Street	

On a motion made by Councilor Raposo and seconded by Councilor Dionne, it was unanimously voted that the proposed ordinance be passed through first reading.

- 6c. Proposed Ordinance – Traffic, All-night parking of commercial vehicles

On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted that the proposed ordinance be passed through first reading.

6d. Proposed Ordinance – Traffic, Prohibited parking due to impeding emergency vehicles
On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted that the proposed ordinance be passed through first reading.

6e. Proposed Ordinance – Amendments to Sec. 50-305, Salary schedules for EMS
 Local 1202 AFSCME personnel
On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted that the proposed ordinance be passed through first reading.

6f. Proposed Ordinance – Amendments to Sec. 50-302, Salary schedules for contract
 personnel in the Emergency Medical Services and Law Departments
On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted that the proposed ordinance be passed through first reading.

6g. Proposed Ordinance – Panhandling restrictions
Councilor Ponte expressed concern regarding the proposed ordinance due to the lack of staffing within the Police Department to enforce the restrictions. Vice President Pereira stated she had spoken with the Police Chief, who stated that he had created a plan for enforcement. Councilors Kilby and Sampson held a brief discussion regarding how this will benefit public safety by preventing the solicitation of people who are stopped in vehicles and reduce the risk of pedestrians being struck by cars. Councilors Cadimè and Hart disagreed and made remarks that this proposed ordinance only restricts portions of the activity and will not stop panhandling entirely. On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted that the proposed ordinance be passed through first reading.

First reading, as amended, contingent upon the receipt of a ten-year,
 strategic staffing plan for the Finance departments

6h. Proposed Ordinance – Establishing position of Finance, Management and Compliance
 Analyst

A motion was made by Vice President Pereira and seconded by Councilor Kilby to pass the proposed ordinance through first reading, as amended. On a further motion made by Councilor Sampson and seconded by Councilor Kilby, it was unanimously voted to waive the rules to allow the City Administrator, Director of Financial Services and Director of Human Resources to answer questions. Councilor Sampson requested information regarding the plan for the Purchasing Agent role that is currently vacant. Seth Thomas Aitken, City Administrator, provided a detailed description regarding the future training of a staff member to handle the purchasing tasks of each department, instead of having one or two employees acting for all departments. Mr. Aitken explained that this would allow the Director of Financial Services to work more directly with the Financial Departments and that this plan would also allow for the funding of the proposed new position. Councilor Sampson stated that while she supports the change for the Purchasing Agent position, she will not support the new position being proposed.

Councilor Dionne requested clarification regarding position titles within the ten-year plan for financial departments provided by the Administration. Bridget Almon, Director of Financial Services, provided a brief description of how many titles currently used are antiquated, such as Assistant Auditor, and many municipalities are changing to more modern titles, such as Deputy Auditor. Ms. Almon provided a detailed explanation of how the new position would be funded by keeping the Assistant Auditor and Purchasing Agent positions vacant and Mr. Aitken emphasized that the new position would allow the financial departments to work more efficiently. Councilor Cadimè agreed that this new position would streamline the tasks of the financial

departments and provided information regarding other municipalities that are changing their staffing structure in similar manners. Councilor Dionne stated that the Assistant Auditor and Purchasing Agent positions should be eliminated, not just kept vacant.

Councilor Ponte and Ms. Almon held a brief discussion regarding vacant positions, the loss of employees to other departments and the level of experience of the current staff. Ms. Almon also explained that a candidate had been interviewed for another position but would be an excellent candidate for this new position. Councilor Ponte expressed concern regarding the current budget as certain positions were being funded with free cash and one-time-use American Rescue Plan Act funding. The City Administration emphasized that the funds that will be used for this new position already exist as they will be using the funds intended for the vacant Assistant Auditor and Purchasing Agent positions. Councilor Ponte stated that he will support the new position being introduced but that his expectations regarding the financial departments will be very high and he will hold the Administration accountable if efficiency is not significantly increased.

President Camara asked if the new position would be posted or if the candidate that had been discussed would be offered the position. Nicholas Macolini, Director of Human Resources, stated that the selection of this candidate happened during the process of fielding applicants for the City Auditor's position. He said the City determined that this candidate would be better suited for this proposed position instead of the City Auditor position. Mr. Aitken emphasized that the position will be posted in accordance with the law.

Councilor Dionne asked if this position would assist with the Fiscal Year 2025 budget. Ms. Almon explained that due to the start time of the new position's existence and the time that the budget is due to be presented, it is unlikely that the new hire would be significantly involved in that project this year. A brief discussion was held by President Camara, Councilor Dionne, and Ms. Almon regarding the cost of the consultant who currently assists the City Auditor's office and the timeline in which this consultant will continue to be needed.

On the motion made by Vice President Pereira and seconded by Councilor Kilby, it was voted 6 yeas, 3 nays to pass the proposed ordinance through first reading, as amended, with President Camara and Councilors Raposo and Sampson voting in the negative.

Grant Leave to Withdraw

6i. Resolution – Discuss ordinances relating to site plan review

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted that the resolution be granted leave to withdraw.

ORDERS – MISCELLEANOUS

13a. Amended City Council meeting schedule for 2024

On a motion made by Councilor Kilby and seconded by Councilor Hart, it was unanimously voted to adopt the order.

On a motion made by Councilor Kilby and seconded by Councilor Raposo, it was unanimously voted to adjourn at 10:04 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

Communication from the Chair of the Historical Commission re
the Historical Commission's opinion on the sale of the Bank Street Armory
Administration's ten-year, strategic staffing plan for the Finance departments

A true copy. Attest:

Alison M. Bouchard

City Clerk