



City of Fall River Massachusetts

Office of the City Clerk

INÊS DA SILVA PAULINO LEITE
CITY CLERK

CHELSEA PACHECO
ASSISTANT CITY CLERK

REGULAR MEETING OF THE CITY COUNCIL

MEETING: May 26, 2026 at 7:00 p.m.
Council Chamber, One Government Center

PRESENT: President Cliff A. Ponte, presiding;
Councilors Shawn E. Cadime, Joseph D. Camara, Michael G. Canuel,
Michelle M. Dionne, Paul B. Hart, Christopher M. Peckham, Sr.,
Linda M. Pereira and Andrew J. Raposo

ABSENT: None

IN ATTENDANCE: Ann O'Neil-Souza, Chief of Staff/Interim City Administrator
Emily Arpke, Director of Financial Services
James Souza, Vice President, Board of Directors,
Fall River Preservation Society, 263 Pine Street
Steven Long, Fall River Preservation Society, 263 Pine Street

President Ponte called the meeting to order at 10:59 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to take item 8a out of order.

ITEMS FILED AFTER THE AGENDA DEADLINE CITY COUNCIL MEETING DATE: MAY 26, 2026

PRIORITY MATTERS

8a. Mayor and order appropriating \$501,300 from Community Preservation Act, FY27 Funding, Community Housing funds to the Fall River Preservation Society
A motion was made by Councilor Camara and seconded by Councilor Raposo to hold a recess to allow for the review of documentation provided by the Fall River Preservation Society for the proposed project. On a motion made by Vice President Dionne and seconded by Councilor Raposo, it was unanimously voted to waive the rules to allow James Souza, Vice President, Board of Directors, Fall River Preservation Society, and Steven Long, Member, Fall River Preservation Society, to answer questions.

Mr. Long explained that the Chair of the Community Preservation Committee (CPC) was unable to attend this meeting but provided detailed documentation to the City Councilors regarding the proposed project. The representatives of the Fall River Preservation Society provided a summary of their project to purchase and renovate 604 Rock Street, information regarding the

Preservation Society's successful history in preserving older structures in the City and the inclusion of affordable housing units within the development.

A discussion was held between Councilor Raposo and the representatives of the Fall River Preservation Society regarding the conventional mortgage that would be used to assist with the purchase of 604 Rock Street. Mr. Long provided additional information regarding expenditure that has also been secured by the Preservation Society in addition to this proposed CPA funding, including insurance and developer fees. Councilor Raposo also asked if this structure would have a deed restriction imposed upon it due to the CPA capital if the project is approved. Both Mr. Long and Mr. Souza confirmed that a 25-year restriction will be placed on the property deed.

Councilor Canuel reviewed the documents provided and stated a document containing a different address on Rock Street had been signed by the Chair of the CPC. Mr. Long clarified that a typographical error had occurred and requested that the City Council continue to address the matter as a revised order would place a significant setback on the timing of the property acquisition. President Ponte explained that the proposed financial order presented to the City Council did not include the specific address for the proposed project and that this error would not affect the City Council's ability to vote upon the matter.

Vice President Dionne requested additional information regarding the planned affordable housing units and requested clarification that those who currently reside in the building will not be evicted once the purchase is finalized. Mr. Long explained that new lease agreements will be presented to the residents that will include limitations on smoking and pets, but that no eviction processes will take place and if residents choose to leave due to the lease amendments that will be entirely their decision. Mr. Long also provided information regarding the planned renovations to the façade of 604 Rock Street.

On a motion made by Councilor Pereira and seconded by Councilor Peckham, it was voted 8 yeas to adopt the order, with President Ponte abstaining.

Approved, May 28, 2026

Paul E. Coogan, Mayor

PRIORITY MATTERS

1. Mayor and request for confirmation of the reappointment of the following to the Council on Aging:

a. Barbara Jean

On a motion made by Councilor Raposo and seconded by Vice President Dionne, it was unanimously voted to confirm the reappointment.

b. Susana Ribeiro

On a motion made by Councilor Raposo and seconded by Councilor Pereira, it was unanimously voted to confirm the reappointment.

c. Lorraine Sherry

On a motion made by Councilor Peckham and seconded by Councilor Raposo, it was unanimously voted to confirm the reappointment.

2. Mayor and request for confirmation of the appointment of Ken Schadegg to the Historical Commission

On a motion made by Councilor Hart and seconded by Councilor Raposo, it was unanimously voted to confirm the appointment.

3. Mayor and request for confirmation of the appointment of Orlando Rodrigues to the Planning Board

On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to confirm the appointment.

4. Mayor and communication to City Council re: POST Commission's Division of Police Standards review of facts and circumstances outlined in documents provided on March 31, 2026 to their Division

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.

5. Mayor and loan order of \$29,800,000 for the purchase of the former Bishop Connolly High School property located at 373 Elsbree Street

On a motion made by Councilor Pereira and seconded by Councilor Hart, it was voted 7 yeas, 1 nay, that the loan order be authorized to be published and referred to the Committee on Finance, with Councilor Peckham voting in the negative and Councilor Raposo abstaining.

6. Mayor and veto of the proposed ordinance authorizing the City Council to hire outside legal counsel

The City Clerk stated that the item must be tabled in adherence to the City Charter §3-7, which relates to Approval of Mayor, veto. Councilor Cadime asked when the City Council could address this veto and the City Clerk explained that it will be placed on the agenda of the next Regular Meeting of the City Council on June 9, 2026. On a motion made by Councilor Raposo and seconded by Councilor Canuel, it was unanimously voted to lay the veto on the table in accordance with the City Charter.

7. Mayor and the following appropriations:

- a. \$2,000,000 from FY25 Surplus Revenue to Employer Health Care Trust Fund

On a motion made by Councilor Canuel and seconded by Councilor Raposo, it was unanimously voted to waive the rules to allow Emily Arpke, Director of Financial Services, to answer questions.

Councilor Canuel and Ms. Arpke discussed the necessity of the requested appropriation order and the timing of the transfer of funds to the Employer Health Trust Fund. The Director of Financial Services explained that this additional transfer had been requested by the City Councilors at a previous meeting and clarified that the appropriation could take place at the end of Fiscal Year 2026.

On a motion made by Councilor Raposo and seconded by Councilor Hart, it was voted 7 yeas, 2 nays, to adopt the order, with Vice President Dionne and Councilor Peckham voting in the negative.

- b. \$1,700,000 from FY25 Surplus Revenue to Diman Stabilization Fund

On a motion made by Councilor Peckham and seconded by Councilor Raposo, it was unanimously voted to waive the rules to allow Emily Arpke, Director of Financial Services, to answer questions.

Councilor Peckham and the Director of Financial Services discussed the Diman Stabilization Fund assessment, the initial financial impact of the debt payments, and the City's plans to maintain long-term fiscal stability while making necessary payments. Ms. Arpke clarified that the total annual payment for the new Diman Regional Vocational Technical High School debt is

about \$9,000,000 and approximately \$5,200,000 of that total is classified as debt service for the construction, with the remaining balance assisting with enrollment and transportation-related costs for the school. Ms. Arpke also explained that the payment obligation can be maintained by the City of Fall River with existing revenues and funding from the Stabilization Fund following the anticipated adjustment to the tax levy.

On a motion made by Councilor Raposo and seconded by Councilor Hart, it was voted 8 yeas, 1 nay, to adopt the order, with Councilor Peckham voting in the negative.

c. \$2,336,175.90 from FY25 Surplus Revenue to General Fund Stabilization

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

8. Mayor and Treasurer/Collector communication regarding the acquisition of property under tax possession located at 308 South Main Street, Parcel ID #109-0009
Councilor Raposo requested clarification as the fair market appraisal of this property is listed as \$500,000, but other sources show a higher value of \$665,000. Councilor Raposo requested that the City Clerk contact the Treasurer-Collector to provide clarification on the value. Councilor Pereira stated that the structure is also in disrepair, which could affect the market value of the property.

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

PRIORITY COMMUNICATIONS

9. Traffic Commission recommending amendment to the traffic ordinances
On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to refer the recommendation to the Committee on Ordinances and Legislation.

COMMITTEE REPORTS – None

ORDINANCES

Second Reading and Enrollment

10. Proposed Ordinance – Traffic, Miscellaneous

Section 1

One-hour parking

- Pleasant Street, North, 75 feet west of Ninth Street
Monday through Friday, 7:00 a.m. to 5:00 p.m.

Section 2

Handicapped parking removals

- Chavenson Street, West, 25 feet north of Bedford Street
- Forest Street, East, 198 feet south of Park Street
- Plymouth Avenue, West, 20 feet south of Fifth Street
- Walnut Street, North, 124 feet east of Hanover Street

On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment. On a further motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted that the proposed ordinance be passed to be ordained.

Approved, May 28, 2026

Paul E. Coogan, Mayor

RESOLUTIONS

11. Committee on Public Safety convene to discuss safety concerns at Southeastern Regional Transit Authority (SRTA) terminal

Councilor Peckham stated that there have been ongoing safety concerns at a Southeastern Regional Transit Authority (SRTA) terminal. Councilor Canuel and Councilor Peckham discussed the ongoing negotiation for a contract that would allow SRTA to hire an outside security firm. Councilor Canuel stated that this contract may remedy the safety concerns in this area of the City. On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted to adopt the resolution.

12. City Council requests forensic audit of Community Maintenance operations related to bulky item sticker revenues and disposal fees from Fiscal Year 2022 to the present
Councilor Peckham made remarks regarding his concerns regarding the and the incomplete recordkeeping. Councilor Peckham stated that funds ranging from \$200,000 to \$2,000,000 are possibly unaccounted for, and that the City Council needs to pursue a forensic audit to restore public confidence.

Councilors Canuel, Peckham and Raposo discussed amending the resolution to reflect the need to pursue the forensic audit during Fiscal Year 2027 (FY27), instead of Fiscal Year 2026 (FY26) and how funding would be obtained to perform this investigation. President Ponte and the City Clerk confirmed that a total of \$12,500 remained in the City Council's FY26 Outside Auditor account.

Councilor Pereira stated that, while she agrees that actions taken in the Department of Community Maintenance in years past were not acceptable, there is not enough evidence to pursue a legal case. Councilor Pereira also emphasized that the City's priority should be to avoid incomplete financial records in the future.

Vice President Dionne agreed that the necessary paper trail for this alleged misconduct is not available, and that it would be more prudent for the City Council to request that the State Auditor perform an outside audit of the Department of Community Maintenance, as that service is offered by the Commonwealth of Massachusetts at no charge. Vice President Dionne also stated that a resolution was adopted in 2025 requesting that the Administration audit individual departments, but that this matter was never acted upon. Councilor Cadime clarified that this procedure requires cooperation from the Administration and may not be a fruitful endeavor.

Councilor Peckham reiterated his intention to perform an outside, independent audit of the Department of Community Maintenance and also expressed concern regarding the integrity of the original investigation performed by the Fall River Police Department and the Bristol County District Attorney's Office.

On a motion made by Councilor Camara and seconded by Councilor Pereira, it was unanimously voted to waive the rules to allow Ann O'Neil-Souza, Interim City Administrator/Chief of Staff, to answer questions.

Ms. O'Neil-Souza stated that the Administration worked to revise policies and procedures within the Department of Community Maintenance following the financial discrepancies that were discovered during Fiscal Year 2022. The Interim City Administrator/Chief of Staff also clarified that she has no knowledge of the investigation by the Fall River Police Department or the Bristol County District Attorney's Office. Vice President Dionne and Councilor Canuel made remarks regarding the information they have obtained through media sources regarding this matter and various types of reforms of departmental policy that are now in place.

On a motion made by Vice President Dionne and seconded by Councilor Canuel, it was voted 2 yeas, 7 nays, to amend the resolution by striking out the existing three sections that begin with "Be it further resolved," and inserting in their place the following, "Be it further resolved that the City Council send a letter to the Massachusetts State Auditor requesting a forensic financial audit of the Department of Community Maintenance," with Vice President Dionne and Councilor Canuel voting in the affirmative, and the motion failed to carry.

On a further motion made by Councilor Raposo and seconded by Councilor Peckham, it was voted 5 yeas, 4 nays, to amend the resolution by striking out, in the second-to-last paragraph, the following: "FY 2026 Operating Budget," and inserting in its place the following, "FY 2027 Operating Budget," with Vice President Dionne and Councilors Camara, Canuel, and Hart voting in the negative.

On a further motion made by Councilor Raposo and seconded by Councilor Peckham, it was voted 4 yeas, 5 nays, to adopt the resolution, as amended, with President Ponte and Councilors Cadime, Peckham and Raposo voting in the affirmative, and the motion failed to carry.

13. Committee on Ordinances and Legislation convene to amend ordinance for the naming of City buildings, parks, recreational facilities and other public properties
Councilor Peckham stated that he had concerns with the process by which public places are named and discussed this matter with the City Clerk who advised that amendments could be made to City code §66-186, which relates to Naming or renaming of streets, parks, buildings or other property.

Councilor Canuel asked if the existing ordinance restricted an elected official from submitting a request for a name change of streets or parks. The City Clerk clarified that the current ordinance only provides information for how private citizens may submit a request and that including revised language to also include elected officials could resolve the concerns.

Councilor Raposo requested that a revised ordinance be prepared by Councilor Peckham prior to the Committee on Ordinances and Legislation addressing this matter and Councilor Peckham was amenable to this request. On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was voted 9 yeas to adopt the resolution.

CITATIONS

14. Police Chief Kelly Furtado – 2026 Spirit of Massachusetts Association of Women in Law Enforcement Lifetime Achievement Award

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

15. First Responders – Emergency Medical Services Week

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

On a further motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to take items 16 through 18 together.

ORDERS – HEARINGS

Jointly Owned Pole Locations

16. Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc., King Philip Street – One (1) new jointly owned pole location
17. Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc., Meridian Street – One (1) new jointly owned pole location
18. Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc., New Boston Road – One (1) new jointly owned pole location

On a further motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to adopt the orders.

Approved, May 28, 2026

Paul E. Coogan, Mayor

On a further motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted to take items 19 through 22 together.

ORDERS – MISCELLANEOUS

19. Police Chief's Report on Licenses

Taxicab Drivers

Ricardo Raposa Michael H. Souza

20. Auto Body Shop License Renewal

Daniel Aguiar d/b/a Advanced Collision Center and Sales, 39 Eleventh Street

21. Auto Repair Shop License Renewals

Geoffrey Brisbon d/b/a Brisbon Diesel Service, Inc., 2524 North Main Street

Jonathan Manchester d/b/a Manchester Automotive, 67 Kay Street

22. Auto Repair Shop License Transfer

License no. 359 located at 59 North Quarry Street from James Andrews d/b/a 508 Auto Sales & Repair to Pablo Dayvid Rodrigues Silva d/b/a Brothers Auto Sales & Services, Inc.

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

Items 20 through 22:

Approved, May 28, 2026

Paul E. Coogan, Mayor

COMMUNICATIONS – INVITATIONS – PETITIONS

23. Claims

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

24. Assistant Attorney General response to Open Meeting Law complaints filed by Patrick Higgins and Rene Brown re: April 8, 2025 City Council meeting

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

25. Drainlayer Licenses
Daniels Asphalt Services, Inc.
Geologic Earth Exploration, Inc.
Perfected Construction LLC
S. Oliveira Construction Corp.
Thermo-Mechanical Systems Inc.

On a motion made by Councilor Peckham and seconded by Councilor Hart, it was unanimously voted to approve the drainlayer applications.

26. Planning Board Minutes – April 8, 2026

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

City Council Minutes

27. Committee on Finance – April 28, 2026

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

28. Regular Meeting of the City Council – April 28, 2026

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

BULLETINS – NEWSLETTERS – NOTICES – None

TABLED MATTERS

On a motion made by Councilor Peckham and seconded by Vice President Dionne, it was unanimously voted to lift item 9a from the table.

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

Adoption:

- 9a. Resolution – City Council pursues legal action to get a legal determination from a judge on the City Council's authority to confirm reappointments, the City Council's jurisdiction to investigate City departments and the City Council's authority to hire outside agencies to assist with investigations

A discussion was held between President Ponte, Vice President Dionne, Councilor Cadime and Councilor Canuel regarding this matter and the lack of response from Corporation Counsel in relation to potentially referring the matter to a third-party attorney. President Ponte confirmed that no response had been received since the Special Meeting of the City Council held on May 19, 2026. Vice President Dionne stated that legal opinions have been submitted in an untimely manner limiting the City Council's opportunity to review the document. Councilor Cadime expressed disapproval of the legal interpretations provided by Corporation Counsel regarding matters in relation to the jurisdiction of the City Council. Councilor Canuel stated that the matter should be tabled until this information is received and stated that he would not support his resolution due to the lack of a full financial plan to fund outside legal representation.

On a motion made by Councilor Camara and seconded by Councilor Pereira, it was voted 4 yeas, 5 nays, to table the resolution, with Councilors Camara, Canuel, Hart and Pereira voting in the affirmative, and the motion failed to carry.

On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was voted 5 yeas, 4 nays, to adopt the resolution, with Councilors Camara, Canuel, Hart and Pereira voting in the negative.

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

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

First reading, as amended

9b. Proposed Ordinance – Traffic, Violations and penalties

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

A brief recess was held from 12:07 a.m. to 12:08 a.m. for the signing of the Traffic ordinance.

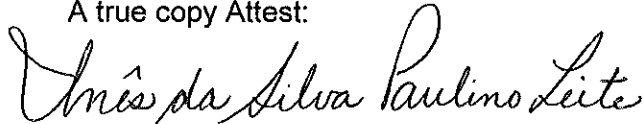
On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to adjourn at 12:09 a.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

Documentation provided by the Fall River Preservation Society regarding the purchase of 604 Rock Street

A true copy Attest:



City Clerk

In City Council, June 23, 2026
Approved.



City of Fall River Massachusetts

Office of the City Clerk

RECEIVED

7026 MAY 21 P 2:27

INÊS DA SILVA PAULINO LEITE
CITY CLERK

CITY CLERK
FALL RIVER, MA

CHELSEA PACHECO
ASSISTANT CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
MAY 26, 2026
AGENDA

4:30 P.M. COMMITTEE ON ORDINANCES AND LEGISLATION

5:55 P.M. PUBLIC HEARINGS (OR IMMEDIATELY FOLLOWING THE COMMITTEE ON ORDINANCES AND LEGISLATION MEETING IF IT RUNS PAST 5:55 P.M.)

Jointly Owned Pole Locations

1. Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc., for one new jointly owned pole location as follows:

King Philip Street

One (1) new jointly owned pole location

This petition is proposing to install one new jointly owned 45-foot class H1 pole (P16-50) on King Philip Street approximately 250 feet easterly of the centerline of the intersection of King Philip Street and King Street between existing Pole 16 and Pole 17. In accordance with Plan No. 31293970.

2. Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc., for one new jointly owned pole location as follows:

Meridian Street

One (1) new jointly owned pole location

This petition is proposing to install one new jointly owned NE midspan pole (P3-50) on Meridian Street approximately 100 feet southerly of the centerline of the intersection of Meridian Street and Aldea Street. In accordance with Plan No. 31303691.

3. Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc., for one new jointly owned pole location as follows:

New Boston Road

One (1) new jointly owned pole location

This petition is proposing to install one new jointly owned midspan pole (P32-50) on New Boston Road approximately 100 feet easterly of the centerline of the intersection of New Boston Road and Charlotte Street. In accordance with Plan No. 31303697.

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_clerk@fallriverma.gov

6:00 P.M. CITY COUNCIL COMMITTEE ON FINANCE MEETING (OR IMMEDIATELY FOLLOWING THE PUBLIC HEARINGS IF THEY RUN PAST 6:00 P.M.)

Presentation of Citations

- Police Chief Kelly Furtado – 2026 Spirit of Massachusetts Association of Women in Law Enforcement Lifetime Achievement Award
- First Responders – Emergency Medical Services Week

1. Citizen Input
2. Transfers and appropriations
3. Discussion of the proposed Fiscal Year 2027 Municipal Budget as follows:
 - Municipal Budget Presentation
 - General Fund Revenue
 - General Government
Mayor; City Council; City Clerk; Elections; Veterans
 - Administrative Services
City Administrator; Human Resources; Management Information Systems; Law; Judgement and Claims
 - Financial Services
Director of Financial Services; City Auditor; Analysis and Compliance; Purchasing; Assessors; Treasurer; Collector

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 request for confirmation of the reappointment of the following to the Council on Aging:
 - a. Barbara Jean
 - b. Susana Ribeiro
 - c. Lorraine Sherry
2. *Mayor and request for confirmation of the appointment of Ken Schadegg to the Historical Commission
3. *Mayor and request for confirmation of the appointment of Orlando Rodrigues to the Planning Board
4. *Mayor and communication to City Council re: POST Commission's Division of Police Standards review of facts and circumstances outlined in documents provided on March 31, 2026 to their Division
5. *Mayor and loan order of \$29,800,000 for the purchase of the former Bishop Connolly High School property located at 373 Elsbree Street
6. *Mayor and veto of the proposed ordinance authorizing the City Council to hire outside legal counsel
7. *Mayor and the following appropriations:
 - a. \$2,000,000 from FY25 Surplus Revenue to Employer Health Care Trust Fund
 - b. \$1,700,000 from FY25 Surplus Revenue to Diman Stabilization Fund
 - c. \$2,336,175.90 from FY25 Surplus Revenue to General Fund Stabilization
8. *Mayor and Treasurer/Collector communication regarding the acquisition of property under tax possession located at 308 South Main Street, Parcel ID #109-0009

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

PRIORITY COMMUNICATIONS

9. *Traffic Commission recommending amendment to the traffic ordinances

COMMITTEE REPORTS – None

ORDINANCES

Second Reading and Enrollment

10. *Proposed Ordinance – Traffic, Miscellaneous

Section 1

One-hour parking

- Pleasant Street, North, 75 feet west of Ninth Street
Monday through Friday, 7:00 a.m. to 5:00 p.m.

Section 2

Handicapped parking removals

- Chavenson Street, West, 25 feet north of Bedford Street
- Forest Street, East, 198 feet south of Park Street
- Plymouth Avenue, West, 20 feet south of Fifth Street
- Walnut Street, North, 124 feet east of Hanover Street

RESOLUTIONS

11. *Committee on Public Safety convene to discuss safety concerns at Southeastern Regional Transit Authority (SRTA) terminal
12. *City Council requests forensic audit of Community Maintenance operations related to bulky item sticker revenues and disposal fees from Fiscal Year 2022 to the present
13. *Committee on Ordinances and Legislation convene to amend ordinance for the naming of City buildings, parks, recreational facilities and other public properties

CITATIONS

14. Police Chief Kelly Furtado – 2026 Spirit of Massachusetts Association of Women in Law Enforcement Lifetime Achievement Award
15. First Responders – Emergency Medical Services Week

ORDERS – HEARINGS

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ORDERS – MISCELLANEOUS

19. Police Chief's Report on Licenses

Taxicab Drivers

Ricardo Raposa Michael H. Souza

20. Auto Body Shop License Renewal

Daniel Aguiar d/b/a Advanced Collision Center and Sales, 39 Eleventh Street

21. Auto Repair Shop License Renewals
Geoffrey Brisbon d/b/a Brisbon Diesel Service, Inc., 2524 North Main Street
Jonathan Manchester d/b/a Manchester Automotive, 67 Kay Street
22. Auto Repair Shop License Transfer
License no. 359 located at 59 North Quarry Street from James Andrews d/b/a 508 Auto
Sales & Repair to Pablo Dayvid Rodrigues Silva d/b/a Brothers Auto Sales & Services, Inc.

COMMUNICATIONS – INVITATIONS – PETITIONS

23. *Claims
24. *Assistant Attorney General response to Open Meeting Law complaints filed by Patrick Higgins and Rene Brown re: April 8, 2025 City Council meeting
25. Drainlayer Licenses
Daniels Asphalt Services, Inc.
Geologic Earth Exploration, Inc.
Perfected Construction LLC
S. Oliveira Construction Corp.
Thermo-Mechanical Systems Inc.
26. Planning Board Minutes – April 8, 2026

City Council Minutes

27. *Committee on Finance – April 28, 2026
28. *Regular Meeting of the City Council – April 28, 2026

BULLETINS – NEWSLETTERS – NOTICES – None

TABLED MATTERS

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

Adoption:

- 9a. *Resolution – City Council pursues legal action to get a legal determination from a judge on the City Council's authority to confirm reappointments, the City Council's jurisdiction to investigate City departments and the City Council's authority to hire outside agencies to assist with investigations (tabled 5-19-2026)


City Clerk

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: MAY 26, 2026

PRIORITY MATTERS

- 8a. *Mayor and order appropriating \$501,300 from Community Preservation Act, FY27 Funding, Community Housing funds to the Fall River Preservation Society

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

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

Action

- Proposed Ordinance – Traffic, Violations and penalties
- Proposed Ordinance – All-night parking of commercial vehicles
- Proposed Ordinance – Reorganization of the City Operations Department into the Department of Community Maintenance and the Department of Facilities Maintenance

1a



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

RECEIVED

2026 MAY 20 P 3:09

CITY CLERK _____
FALL RIVER, MA

May 20, 2026

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 confirmation from the City Council of the following reappointment:

Name: Barbara Jean

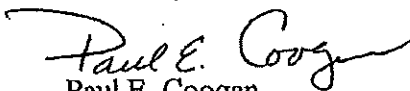
Address: 111 Borden Street, Apt. #518
Fall River, MA 02721

Position: Council on Aging

Term: May 20, 2026

Expires: May 19, 2029

Sincerely,


Paul E. Coogan
Mayor

PC/amos



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2026 MAY 20 P 3:09

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

May 20, 2026

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 confirmation from the City Council of the following reappointment:

Name: Susana Ribeiro

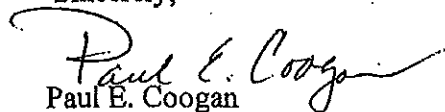
Address: 669 Valentine Street
Fall River, MA 02720

Position: Council on Aging

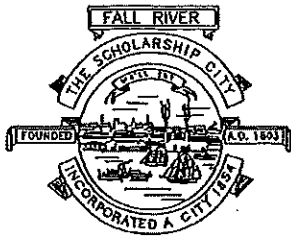
Term: May 20, 2026

Expires: May 19, 2029

Sincerely,


Paul E. Coogan
Mayor

PC/amos



1c
City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2026 MAY 20 P. 3: 09

PAUL E. COOGAN
Mayor

CITY CLERK: _____
FALL RIVER, MA

May 20, 2026

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 confirmation from the City Council of the following reappointment:

Name: Lorraine Sherry

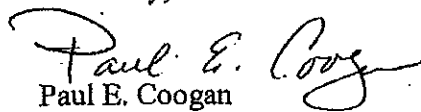
Address: 111 Borden Street, Apt #305
Fall River, MA 02721

Position: Council on Aging

Term: May 20, 2026

Expires: May 19, 2029

Sincerely,


Paul E. Coogan
Mayor

PC/amos



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2026 MAY 21 P 12: 23

PAUL E. COOGAN
Mayor

CITY CLERK
FALL RIVER, MA

May 21, 2026

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 confirmation from the City Council of the following appointment:

Name: Ken Schadegg

Address: 1247 Highland Avenue
Fall River, MA 02720

Position: Historical Commission

Term: May 20, 2026

Expires: September 5, 2026

Replace: Ashley DaCunha

Sincerely,

Paul E. Coogan
Mayor

PC/amos



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2026 MAY 20 P 3:09

CITY CLERK _____
FALL RIVER, MA

PAUL E. COOGAN
Mayor

May 20, 2026

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 confirmation from the City Council of the following appointment:

Name: Orlando Rodrigues

Address: 74 Keeley Street, Apt #2
Fall River, MA 02723

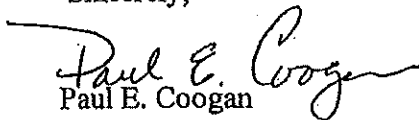
Position: Planning Board

Term: May 20, 2026

Expires: December 2, 2028

Replacing: Mario Lucciola

Sincerely,


Paul E. Coogan
Mayor

PC/amos



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

RECEIVED

2026 MAY -8 P 12:09

May 8, 2026

CITY CLERK
FALL RIVER, MA

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


Dear Council President and Members of the Honorable Council,

This is to notify the members of the Honorable Council that POST Commission's Division of Police Standards has notified Corporation Counsel, Alan Rumsey, that they have conducted a careful review of the facts and circumstances outlined in the documents provided on March 31, 2026, to their Division:

- 1). Article that appeared on the Facebook page of the Fall River Reporter;
- 2). Search Warrant documents, including Affidavit, Executed Search Warrant and Return;
- 3). Notice of Disposition (summary of investigation by the FRPD)
- 4). Citizen Complainant Form submitted by Cliff Ponte
- 5). Press Release by FRPD;

They advised after their review the matter is now considered closed. We were notified that the Division reserves the right to re-open this matter should additional information come to its attention.

For any additional questions or concerns please feel free to contact me or my office.

Sincerely,

Paul E. Coogan
Mayor

PC/amos



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

RECEIVED

2026 MAY 14 P 3:27

CITY CLERK
FALL RIVER, MA

PAUL E. COOGAN
Mayor

May 14, 2026

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:

In conjunction with the Fall River Public School District, we are requesting the attached appropriation and loan order for the purchase of the former Bishop Connolly High School property located at 373 Elsbree Street in the amount of \$29,800,000 be approved. The loan order has been reviewed and approved by Bond Counsel.

The School Committee and City Finance team are prepared to make a presentation on the project and funding plan as requested.

Sincerely,

Paul E Coogan
Mayor

City of Fall River, *In City Council*

CITY OF FALL RIVER
LOAN ORDER
(Land Acquisition)

ORDERED, that the City hereby appropriates Twenty-Nine Million Eight Hundred Thousand Dollars (\$29,800,000) to pay costs of acquiring the old Bishop Connolly High School at 373 Elsbree St, including the payment of all costs incidental and related thereto; that to meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said sum under and pursuant to G.L. Chapter 44, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; and that the Mayor is authorized to take any other action necessary to carry out this project, and

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

FALL RIVER PUBLIC SCHOOLS

"The Scholarship City"

417 Rock Street, Fall River, MA 02720

Kathleen Smith J.D., Interim Superintendent

Elizabeth Legault, Interim Deputy Superintendent

May 12, 2026

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

Dear Mayor Coogan:

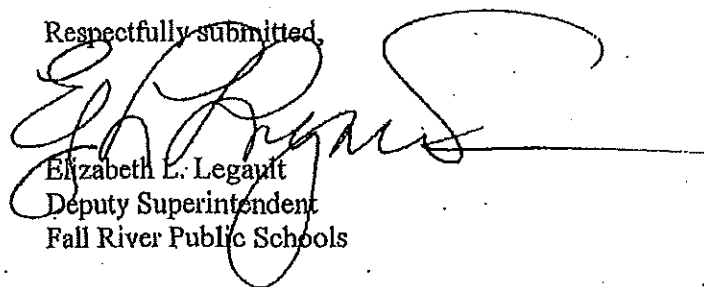
On behalf of the Fall River Public Schools District, I am pleased to submit, for your review and support for a request for approval of a loan order in the amount of \$29,800,000 for the purchase of the former Bishop Connolly High School property, located at 373 Elsbree Street. I am asking you bring this request forward to the City Council.

Acquisition of this property would have a significant and positive impact on the District. The facility would allow for the addition of 33 pre-kindergarten classrooms and would provide an auditorium and a full-size gymnasium. In addition, the site includes extensive athletic amenities, including baseball, softball, and football fields, a track, and tennis courts.

This investment represents an important opportunity to expand early childhood education capacity and enhance recreational and community resources throughout the City.

Thank you for your consideration of this request. Please do not hesitate to contact me should you require any additional information.

Respectfully submitted,



Elizabeth L. Legault
Deputy Superintendent
Fall River Public Schools

6



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

RECEIVED

2026 MAY 15 A 8 16

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

May 14, 2026

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

Dear Council President and Members of the Honorable Council,

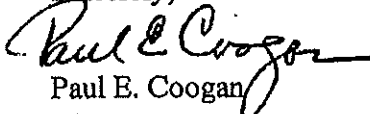
This correspondence is to notify the Honorable Council that I have vetoed the Ordinance passed by Council at its 'meeting on Tuesday, May 12, 2026, as it pertains to Section 2-33, Authority to Retain Outside Legal Counsel, of the Code of the City of Fall River, Massachusetts, 2018 which chapter relates to Administration.

I base this decision on the following attachments:

- 1). Chapter 2, Article V Division 7, Section 2-523 and 2-527 of the Code of of the City of Fall River, MA
- 2). Corporation Counsel, Alan Rumsey's, Legal Opinion dated March 254, 2026
- 3). City Council of Boston vs Mayor of Boston, 58 Mass.App.Ct. 542 (2003)

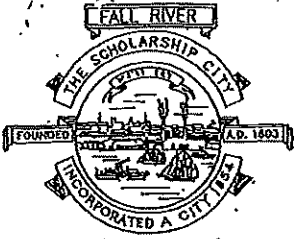
For any additional questions or concerns please feel free to contact me or my office.

Sincerely,


Paul E. Coogan
Mayor

PC/amos

6



Ordinance No. 2026-11
Authorize City Council to hire outside legal counsel
CITY OF FALL RIVER MASSACHUSETTS

INÊS DA SILVA PAULINO LEITE
CITY CLERK

CHELSEA PACHECO
ASSISTANT CITY CLERK

May 12, 2026

To the City Council Committee on Ordinances and Legislation:

In accordance with a vote of the City Council taken on May 12, 2026, I have enrolled an ordinance relating to Administration, as amended.

The ordinance is hereby submitted to you for your consideration.

Very truly yours,

Inês da Silva Paulino Leite
City Clerk

OFFICE OF THE CITY CLERK FALL RIVER, MASSACHUSETTS

May 12, 2026

The Committee on Ordinances and Legislation reported that they have examined said ordinance referred to above and found said ordinance truly and properly enrolled, as amended.

Committee on
Ordinances and Legislation

[Handwritten signatures of committee members]

In City Council, May 12, 2026, passed to be ordained, as amended, *6 yeas, 3 nays*

Inês da Silva Paulino Leite City Clerk

OFFICE OF THE MAYOR

Presented to the Mayor MAY 14 2026

Approved _____ Mayor

City of Fall River, In City Council

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

That Chapter 2 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Administration, be amended as follows:

By inserting in Article II, a new section to read as follows:

§2-33 Authority to retain outside legal counsel

- A. The City Council is authorized, by a majority vote, to retain outside legal counsel for the limited purposes of obtaining independent legal opinions, advice or analysis related to the following matters:
 1. The City Charter, City code, General Laws of the Commonwealth of Massachusetts or federal laws
 2. The drafting and/or review of proposed City ordinances
 3. Investigatory or oversight functions of the City Council

- B. Limitations
 Outside legal counsel retained by the City Council shall serve in an advisory capacity only and shall not supersede or replace the roles of Corporation Counsel defined in Chapter 2, Article V, Division 7

- C. Appropriation and funding
 1. The City Council shall, through the annual budget process or by separate appropriation order(s), establish a dedicated budgetary line item or fund for the retention of outside legal services
 2. Any expenditures shall be subject to standard municipal procurement procedures and applicable state procurement laws

- D. Transparency and reporting
 1. Any commitment to the services of outside legal counsel shall be documented and approved by a vote of the City Council.
 2. The City Council shall approve by majority vote the defining rules and procedures in relation to obtaining outside counsel which shall be proposed by the City Council President and approved prior to the beginning of each fiscal year

CITY OF FALL RIVER
IN CITY COUNCIL
APR 28 2026

CITY OF FALL RIVER
IN CITY COUNCIL
MAY 12 2026

*Passed through first reading,
at amended*

*Passed through second reading,
passed to be enrolled, as amended
by 3 ayes, 3 noes and passed to
be ordained, as amended, 6 yeas, 3 nays*

6

City of Fall River, In City Council

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

That Chapter 2 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Administration, be amended as follows:

By inserting in Article II, a new section to read as follows:

§2-33 Authority to retain outside legal counsel

- A. The City Council is authorized, by a majority vote, to retain outside legal counsel for the limited purposes of obtaining independent legal opinions, advice or analysis related to the following matters:
 - 1. The City Charter, City code, General Laws of the Commonwealth of Massachusetts or federal laws
 - 2. The drafting and/or review of proposed City ordinances.
 - 3. Investigatory or oversight functions of the City Council

- B. Limitations
 Outside legal counsel retained by the City Council shall serve in an advisory capacity only and shall not supersede or replace the roles of Corporation Counsel defined in Chapter 2, Article V, Division 1

- C. Appropriation and funding
 - 1. The City Council shall, through the annual budget process or by separate appropriation order(s), establish a dedicated budgetary line item or fund for the retention of outside legal services
 - 2. Any expenditures shall be subject to standard municipal procurement procedures and applicable state procurement laws

- D. Transparency and reporting
 - 1. Any commitment to the services of outside legal counsel shall be documented and approved by a vote of the City Council.
 - 2. The City Council shall approve by majority vote the defining rules and procedures in relation to obtaining outside counsel which shall be proposed by the City Council President and approved prior to the beginning of each fiscal year

Cannot approve. JAR

CITY OF FALL RIVER
IN CITY COUNCIL

APR 28 2026

RECEIVED
2026 MAY - 1 P 12:24
CITY CLERK
FALL RIVER, MA

*Passed through first reading,
at amended*

6

City of Fall River, MA
Thursday, May 14, 2026

Chapter 2. Administration

ARTICLE V. Officers and Employees

DIVISION 7. Corporation Counsel

§ 2-521. Office established.

[Amended 7-15-2008 by Ord. No. 2008-40]

There shall be a Corporation Counsel for the City, who shall be in charge of the office of Corporation Counsel.

§ 2-523. Furnishing of legal opinions.

The Corporation Counsel shall furnish opinions or may designate an Assistant Corporation Counsel to furnish opinions on the law of any subject that may be submitted to him in writing by the Mayor, the City Council or any member of the City Council, and on any subject relating to the discharge of their or his official duties that may be submitted to him in writing by the School Committee or any member of the School Committee, by any committee of the City Council, or by any officer in charge of a department of the City government. Any opinions rendered by an Assistant Corporation Counsel shall also be approved and countersigned by the Corporation Counsel. The opinions shall be furnished to the City Council, any member of the City Council, the School Committee, any member of the School Committee, or any officer in charge of a department of the City government within 10 days from the date on which the request is made.

§ 2-527. Initiation of suits or proceedings; defense of suits or actions involving City or City officers.

The Corporation Counsel shall institute any suit or proceeding in behalf of the City which he shall deem the interest of the City requires, and shall appear as counsel in all suits, actions or prosecutions which may involve the rights or interests of the City, and defend the officers of the City in suits against them for their official actions, or for the performance of their official duties, or when any estate, right, privilege, interest, ordinance, act or direction of the City is brought in question. He may take such steps and incur such expenses for the carrying out of his duties as he deems necessary.

6



**OFFICE OF THE
CORPORATION COUNSEL**
CITY OF FALL RIVER

24 March 2026

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

Re: Resolution 6a – 3/24/26

Dear Councilors:

I am writing this letter to address my legal concerns with the Resolution attached as Attachment 6a to tonight's City Council agenda. In summary, it is my legal opinion that the investigatory authority of the Council is limited in scope to the informational requests detailed in Section 2-7(b) and (c). A copy of Section 2-7 of the City of Fall River Home Rule Charter is attached for your review.

Although Section 2-7(a) of the Charter provides the City Council with the authority to make investigations into the affairs of the city, the Charter does not grant the Council with the authority to retain an outside investigator. Section 2-7 has four subsections and, when these subsections are read together, they clarify the scope of the Council's investigatory authority. These subsections, in pertinent part, read as follows:

- Section 2-7(a) In General – Council may “make investigations into the affairs of the city and into the conduct and performance of any city agency.”
- Section 2-7(b) Information Requests – Council may require a city employee to “appear before the city council to give any information that the city council may require...”
- Section 2-7(c) Mayor – Council may “request specific information from the mayor on any municipal matter...”
- Section 2-7(d) Notice – Council “shall, by resolution, request the attendance of any officer or employee of the city to appear...” and provides details regarding the requirements of said notice.

As a caveat to this expedited opinion, I want it to be clear that I have not been provided with ample time to conduct thorough legal research on the issue. I do believe that this legal opinion is correct, however, given the lack of notice (I did not receive this Resolution until this morning), perhaps it is best to table the matter until additional research can be completed.

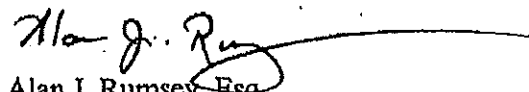
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As a reminder, the Corporation Counsel serves as the legal advisor to the City Council. Pursuant to 2-527 of the Code of the City of Fall River, the Corporation Counsel holds the exclusive authority to initiate any suit or legal proceeding on behalf of the City and, pursuant to 2-528, only the Corporation Counsel, with approval from the mayor, may retain outside legal counsel.

Finally, my correspondence is not intended to serve as a comprehensive response to all the issues contained in the Resolution. Additional concerns, such as potential appropriation issues and/or open meeting law issues have not been reviewed or addressed in this letter.

Please contact me with any questions or concerns.

Very truly yours,


Alan J. Rumsey, Esq.
Corporation Counsel

6



KeyCite Yellow Flag

Review Granted September 5, 2003

58 Mass.App.Ct. 542

Appeals Court of Massachusetts, Suffolk.

CITY COUNCIL OF BOSTON

v.

MAYOR OF BOSTON.

No. 01-P-1237

Argued March 3, 2003.

Decided July 11, 2003.

Further Appellate Review Granted Sept. 5, 2003.

Synopsis

Mayor vetoed an order of the city council establishing a permanent position of "counsel for the city council," and city council brought suit seeking injunctive and declaratory relief. The Superior Court, Suffolk County, Joseph M. Walker, III, J., entered summary judgment in the mayor's favor. City council appealed. The Appeals Court, Lenk, J., held that city council had no authority to establish and fill the position or office of counsel for the city council, absent the approval of the mayor.

Affirmed.

Procedural Posture(s): On Appeal; Motion for Summary Judgment.

West Headnotes (2)

[1] **Municipal, County, and Local Government** ⇌ Creation and abolition of position or office

Public Employment ⇌ Creation and Abolition of Position or Office

City council had no authority to establish and fill the position or office of "counsel for the city council" absent the approval of the mayor; addition of the challenged position of legal counsel for the city council would constitute a reorganization of the office of corporation counsel, which could only occur with the joint

approval of the mayor and the council, as duties proposed for the new position, such as providing legal advice on matters relating to council business and reviewing and furnishing opinions on draft legislation, would overlap significantly and thereby interfere materially with those that were presently reserved exclusively to corporation counsel.

[2] **Municipal, County, and Local Government** ⇌ Authority and powers

The mayor has absolute veto power in matters involving the reorganization of city agencies and departments.

Attorneys and Law Firms

*542 **371 Michael Williams, Quincy (Chester Darling, Boston, with him) for the plaintiff.

Mark Sweeney, First Assistant Corporation Counsel, for the defendant.

Present: LENK, RAPOZA, & COHEN, JJ.

Opinion

LENK, J.

We are asked to decide whether the Boston city council (council) has authority to establish and fill the position or office of "counsel for the city council" absent the approval of the mayor of Boston.

The question arises because, on or about December 1, 1999, the council passed an order establishing a permanent position of "counsel for the city council." Said counsel would carry out *543 certain duties, detailed in the order, that are related to the council's business.¹ Two weeks later, the **372 city of Boston's *544 corporation counsel advised the council's president that, based upon the city charter and the City of Boston Code, Ordinances, as well as governing case law, the council may not establish such a position without the mayor's approval.

Shortly thereafter, the council passed an order appointing Mr. Shawn Murphy as counsel to the council, effective January 1, 2000, and, on the same day an ordinance took effect which established salary ranges for various council staff positions, including that of counsel for the council. The latter ordinance was sent to the mayor for review; the mayor vetoed it on January 3, 2000, returning it unsigned and disapproved. The council later brought suit in Superior Court seeking injunctive and declaratory relief. Summary judgment was entered in the mayor's favor and the council appeals. We affirm.

[1] [2] *Analysis.* The mayor has absolute veto power in matters involving the reorganization of city agencies and departments. *City Council of Boston v. Mayor of Boston*, 24 Mass.App.Ct. 663, 512 N.E.2d 510 (1987). The mayor maintains, correctly we think, that the proposed position would operate as a de facto reorganization of the office of corporation counsel.

City of Boston Code, Ordinances, § 5-8.1 (as amended through 1979) (CBC § 5-8.1), provides, in pertinent part, that

"[t]he Law Department [of the city of Boston] shall be under the charge of the Corporation Counsel, who shall furnish opinions on the law of any subject or question that may be submitted to him by the Mayor or the City Council ...; shall, on application, advise any officer or employee of the City on any question of law connected with the discharge of his official duties; shall, subject to the direction of the Mayor, or of any Committee of the City Council having charge of matters before the general court of the Commonwealth, appear by himself or assistants as Counsel for the City before the general court or before any committee thereof, when the interest or welfare of the City is directly or indirectly affected; ... shall by himself or by his assistants in the Law Department appear as Counsel in

*545 all suits, actions, or prosecutions which may involve the rights or interests of the City, and defend the officers of the City in suits against them for their official actions, or for the performance of their official duties, or when any estate, right, privilege, interest, ordinance, act, or direction of the City is brought in question...."

The duties proposed for legal counsel to the council, as described, would overlap significantly and thereby interfere materially with those that are presently reserved exclusively to corporation counsel. Counsel to the council would be responsible, among other things, for providing legal advice on matters relating to council business, reviewing and furnishing opinions on draft legislation, and representing the council in legal proceedings. These responsibilities would duplicate those already assigned to corporation counsel under CBC § 5-8.1, insofar as that section calls upon corporation counsel to advise the divisions of the city on legal matters and to **373 represent them in disputes.² Based upon the language of the council's order purporting to establish the new position, we conclude that, as matter of law, the addition of the challenged position of "counsel for the city council" would constitute a reorganization of the office of corporation counsel. Such a reorganization can only occur with the joint approval of the mayor and the council, and the mayor accordingly enjoys veto power over the creation of such a position. See *City Council of Boston v. Mayor of Boston*, *supra*. For this reason, if no other, summary judgment in the Mayor's favor was correctly allowed.

Judgment affirmed.

All Citations

58 Mass.App.Ct. 542, 791 N.E.2d 370

Footnotes

1 The proposed duties enumerated in the order are as follows:

"Legislation.... Answer questions about the form, substance and legality of legislation. Review and comment upon draft legislation prepared by a councilor's staff or others. Draft legislation as requested based on a detailed outline provided by a councilor or his/her staff.

"Resolutions and orders calling for a hearing. Upon request, edit for completeness and form, city council resolutions and orders calling for hearings when requested to do so.

"Research and advice. The *Counsel for the City Council* will research and provide advice and/or legal analysis regarding matters that relate to Council business. Without limiting the generality, this may include internal policy matters of the Council, such as conflict of interest issues, political activity restrictions, and issues relating to the council's employees. Serve as legal counsel in executive sessions, or in meetings of members of the city council. Analyze administration proposals, programs, bills and reports submitted to the city council, and to prepare executive summaries as requested. Analyze and prepare executive summaries of state and federal legislation of interest to the city council. To familiarize himself/herself with the laws of Massachusetts and the federal government that may apply to the city of Boston and/or the Boston City Council, sufficient to be able to brief and advise the council of its legal rights in areas such as its [sic] the budget and policy making powers, contracting authority, open meeting and public disclosure laws, to name a few. *Counsel* shall provide written legal memoranda upon a majority vote of the city council, or upon the request of the President of the council, to inform the council of a legal matter that may be of interest to councilors.

"Hearings and Committee reports. At the request of a committee Chair, the *Counsel for the City Council* may question witnesses at the beginning of committee hearings to establish the necessary legal framework for the hearing. The *Counsel for the City Council* will note specific answers that may be important or necessary for the committee's or city council's deliberations in the future, and prepare for the committee chair a permanent report of the results of such questions. At the request of a committee chair, work with the Central Staff committee liaison to ensure proper language for committee reports.

"External activities. On a majority vote of the city council, the *Counsel for the City Council* shall protect the interests of the city council in all legal proceedings in which the city council may have standing and an interest, and shall represent the city council in litigation. The *Counsel for the City Council* [] may, upon a majority vote of the city council, seek outside assistance on any matter that is of interest to the city council. Work with the Corporation Counsel's office to amicably resolve matters of mutual concern.

"Library. Establish and maintain a working electronic and paper reference library, consisting of various sources, including internal legal memorandum on various issues that may involve the city council and its authority, and on other issues such as vagrancy, zoning laws, youth gangs, public accommodation laws, condominium conversion, needle exchange, gun laws, etc.

"Miscellaneous. From time to time, submit to the President of the City Council for consideration proposed changes and corrections in the various laws that affect the city, as the *Counsel* deems necessary or advisable."

- 2 While the council has submitted affidavits stating that corporation counsel has not in fact provided legal advice to members of the council, any purported failure by corporation counsel to perform his duties does not constitute a basis on which to conclude that the provisions of CBC § 5-8.1 may be disregarded. See *Doris v. Police Commr. of Boston*, 374 Mass. 443, 449, 373 N.E.2d 944 (1978). The analysis here is limited to determining whether the duties of the desired position would conflict with the duties of corporation counsel assigned to the latter under the City of Boston Code, Ordinances. As such, the affidavits are immaterial, and we may and do decide the issue as matter of law.



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2026 MAY 20 P 3:09

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

May 20, 2026

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

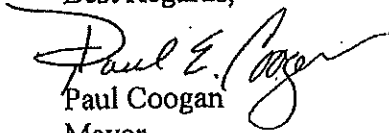
Dear Honorable Council Members:

In accordance with the provisions of Chapter 44, Section 32 of the Massachusetts General Laws, and at the request of the City Council at your meeting on Tuesday, May 12, 2026, Item #1 has been included, I recommend the following appropriations to your Honorable Body:

1. \$2,000,000.00 That the sum of \$2,000,000.00 be, and the same is hereby transferred to the EMPLOYER HEALTH TRUST FUND from the FY25 SURPLUS REVENUE.
2. \$1,700,000.00 That the sum of \$1,700,000.00 be, and the same is hereby transferred to the DIMAN STABILIZATION FUND from the FY25 SURPLUS REVENUE.
3. \$2,336,175.90 That the sum of \$2,336,175.90 be, and the same is hereby transferred to GENERAL FUND STABILIZATION from the FY25 SURPLUS REVENUE.

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

Best Regards,


Paul Coogan
Mayor

City of Fall River, In City Council

7a

May 26, 2026

ORDERED:

That the sum of \$2,000,000.00 be, and the same is, hereby appropriated to the Employer Health Trust Fund from the FY25 Surplus Revenue.

| | |
|------------------------------|-----------------------|
| FY25 Surplus Revenue: | \$2,000,000.00 |
|------------------------------|-----------------------|

7a



**DIRECTOR OF
FINANCIAL SERVICES**
CITY OF FALL RIVER

May 20, 2026

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

Mayor Coogan,

I am submitting a request to transfer \$2,000,000 from our FY25 Free Cash Certification to the Employer Health Care Trust Fund. This was requested at the City Council meeting on Tuesday, May 12, 2026 to continue rebuilding the Employer Health Care Trust Fund balance.

Sincerely,

A handwritten signature in black ink, appearing to read 'EA', with a long horizontal flourish extending to the right.

Emily Arpke
Director of Financial Services

7b

City of Fall River, *In City Council*

May 26, 2026

ORDERED:

That the sum of \$1,700,000.00 be, and the same is hereby transferred to
Diman Stabilization Fund from FY25 Surplus Revenue:

| | |
|-----------------------|----------------|
| FY25 Surplus Revenue: | \$1,700,000.00 |
|-----------------------|----------------|

7b



**DIRECTOR OF
FINANCIAL SERVICES**
CITY OF FALL RIVER

May 20, 2026

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

Mayor Coogan,

Last fiscal year, the City established a Diman Stabilization Fund to ensure the General Fund budget can absorb this new level of assessment with no further burden on the taxbase. By creating a dedicated Diman Stabilization Fund, separate from the General Stabilization Fund, we ensure any funds put into this account are used only for Diman assessments. Moreover, it displays our plan, ability, and understanding of the need to manage this long-term financial burden. The State and Rating Agencies will look at more favorably at the City of Fall River in analyzing our financial strength by having this separation, as the current stabilization fund.

The Diman Stabilization Fund was initiated with \$4,600,000 from Free Cash last fiscal year, with \$600,000 appropriated from the Fund in the Fiscal Year 2026 budget. With interest earned, the balance should close with at least \$4,161,533.98. The current proposed Fiscal Year 2027 budget is looking to utilize another \$4,000,000. I am requesting that we transfer \$1,700,000 from the current Free Cash certification to have in reserve for Fiscal Years 2028 or later.

Sincerely,

Emily Arpke
Director of Financial Services

7c

City of Fall River, *In City Council*

May 26, 2026

ORDERED:

That the sum of \$2,336,175.90 be, and the same is hereby transferred to
General Fund Stabilization Fund from FY25 Surplus Revenue:

| | |
|------------------------------|-----------------------|
| FY25 Surplus Revenue: | \$2,336,175.90 |
|------------------------------|-----------------------|

7C



**DIRECTOR OF
FINANCIAL SERVICES**
CITY OF FALL RIVER

May 20, 2026

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

Mayor Coogan,

I am requesting that we transfer \$2,336,175.90 from FY2025 SURPLUS REVENUE to the General Fund, Stabilization Fund. M.G.L. Chapter 40, §5B allows communities to establish stabilization funds intended as reserve account to provide emergency funds for use in a major or significant event. The Division of Local Services in the Commonwealth suggests a community's recommended goal is typically in the five to seven percent of the current operating budget range. This transfer would bring the Stabilization Fund balance to \$22,645,611.31, which is 5.1% of the current Proposed Fiscal Year 2027 General Fund Operating Budget.

Sincerely,

Emily Arpke
Director of Financial Services

FY26 Appropriation/Transfer Number Analysis

| Line | Fund Balance | Original/Revised | | Amount Transferred | Adjusted Balance |
|---------------------------------|------------------|------------------|-------------------|--------------------|------------------|
| | | Appropriation | | | |
| General Fund Surplus Revenue | | \$ 7,621,006.00 | \$ (6,036,175.90) | \$ 1,584,830.10 | |
| Employer Health Care Trust Fund | | \$ 46,041,747.38 | \$ 2,000,000.00 | \$ 48,041,747.38 | |
| General Fund Stabilization | \$ 20,309,435.41 | \$ - | \$ 2,336,175.90 | \$ 22,645,611.31 | |
| Debt Stabilization | \$ 4,761,553.98 | \$ (600,000.00) | \$ 1,700,000.00 | \$ 5,861,553.98 | |

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


 Christopher Murphy, City Auditor
 May 20, 2026



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2026 MAY 20 P 3:09

CITY CLERK
FALL RIVER, MA

PAUL E. COOGAN
Mayor

May 20, 2026

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

Dear Council President and Members of the Honorable Council,

Attached please find correspondence from Ian Schachne, Treasurer/Collector, regarding the acquisition of the property under tax possession located at 308 South Main Street, Fall River, MA, Parcel ID# I09-0009 for the Council's information. There is no action needed at this time.

For any additional questions or concerns please feel free to contact me or my office.

Sincerely,

Paul E. Coogan
Paul E. Coogan
Mayor

PC/amos



CITY OF FALL RIVER
MASSACHUSETTS

8

DEPARTMENT of FINANCIAL SERVICES
TREASURER • COLLECTOR • AUDITOR • ASSESSOR

May 20, 2026

PAUL E. COOGAN
Mayor

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

IAN P. SCHACHNE, CMMC, CMMT
Treasurer/Collector

RE: ACQUISITION OF TAX POSSESSION
308 SOUTH MAIN STREET
Parcel ID # 109-0009

Dear Mayor Coogan:

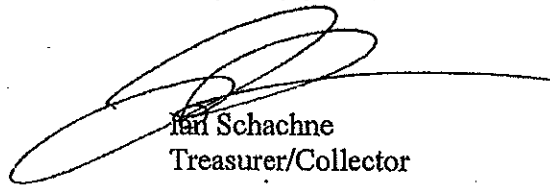
As you know, the City of Fall River acquired the above referenced property on May 4, 2026 pursuant to a Decree of Foreclosure from the Land Court. Acting in my capacity as Custodian of Tax Possessions, I have previously notified municipal departments of the acquisition of the Tax Possession and instructed them to contact the Mayor's Office if they believed that the property at 308 South Main Street could satisfy a defined and needed municipal purpose.

Please accept this letter as a request that you forward this letter to the Fall River City Council and request that it be placed on the Council's Agenda for the May 26, 2026 Meeting. There is no need for the Council to take any action other than receiving it and placing it on file. By doing so, the provisions of Fall River Code of Ordinance Section 42-143 will be satisfied.

The City has previously obtained an Appraisal from Tri-County Appraisal Group establishing a fair market value for the property of \$500,000.00.

Thank you for your consideration of this request.

Very truly yours,



Ian Schachne
Treasurer/Collector

cc: Emily Arpke, Director of Financial Services

One Government Center Fall River, MA 02722
TEL: (508) 324-2272 FAX (508) 324-2244



**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division

Paul Coogan
Mayor

Stephanie MacArthur
Parking Clerk

RECEIVED

2026 MAY 14 P 12:14

May 14, 2026

CITY CLERK
FALL RIVER, MA

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, March 18, 2026 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:

| | |
|---|---|
| <p>Article: 70 Section: 373</p> | <p>Fifteen (15) Minute Parking Only Mon thru Sat 6am to 10pm Sunday 7am to 9pm</p> |
|---|---|

By inserting in proper alphabetical order the following.

| <u>INSERT</u> NAME OF STREET | SIDE | LOCATION | HOURS/DAYS |
|---------------------------------|------|---|--|
| South Main Street | East | Starting at a point 76 feet North of Slade Street Distance of 20 feet North | Mon thru Sat 6am-10pm Sunday 7am to 9pm |

Very truly yours,

Stephanie MacArthur
Director of Traffic and Parking

One Government Center – Room 234 - Fall River, MA 02722
Tel: (508) 324-2123 Fax: (508) 324-2578

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 70-375, which section relates to One-hour parking, the following:

| Name of Street | Side | Location | Hours/Days |
|-----------------|-------|--|---|
| Pleasant Street | North | Starting at a point 75 feet west of Ninth Street, for a distance of 20 feet westerly | 7:00 a.m. to 5:00 p.m. Monday through Friday |

Section 2

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

| Name of Street | Side | Location |
|------------------|-------|--|
| Chavenson Street | West | Starting at a point 25 feet north of Bedford Street, for a distance of 20 feet northerly |
| Forest Street | East | Starting at a point 198 feet south of Park Street, for a distance of 20 feet southerly |
| Plymouth Avenue | West | Starting at a point 20 feet south of Fifth Street, for a distance of 20 feet southerly |
| Walnut Street | North | Starting at a point 124 feet east of Hanover Street for a distance of 20 feet easterly |

CITY OF FALL RIVER
IN CITY COUNCIL
MAY 12 2026

Passed through first reading

City of Fall River, *In City Council*

(Councilor Christopher M. Peckham, Sr.)

WHEREAS, public concerns have been raised regarding unsafe conditions at and around the Southeastern Regional Transit Authority (SRTA) bus terminal, including reports shared on social media, and

WHEREAS, a recent social media post documented a large fight at the bus terminal, with commenters noting that SRTA currently lacks security presence due to a contract issue, and

WHEREAS, the absence of dedicated security at the terminal has placed an additional burden on the Fall River Police Department, now therefore

BE IT RESOLVED, that the Committee on Public Safety convene with a representative from the City Administration, the State Representative of this District, a representative from the SRTA bus company, and a representative of the Fall River Police Department to discuss these safety concerns and begin developing a remedy.

(filed 5-18-2026)

City of Fall River, *In City Council*

(Councilor Christopher M. Peckham, Sr.)

WHEREAS, the Fall River City Council has an obligation to ensure transparency, accountability, and the proper stewardship of public funds, and

WHEREAS, in 2022, an investigation alleged that a City employee misappropriated cash revenues that the employee was responsible for collecting and managing in connection with bulky item stickers and bulky item disposal services within the Department of Community Maintenance, and

WHEREAS, those revenues involved direct cash handling at City facilities, which presents inherent risks if proper internal controls, oversight, and policies are not consistently enforced, and

WHEREAS, the City Council has an interest in determining whether similar practices may have continued after the 2022 investigation, and whether current policies and procedures are sufficient to prevent future misuse of funds, and

WHEREAS, the City Council has appropriated funding for audit and related professional services within the FY 2026 Operating Budget under City Council Audit Services, and will have similar funding available in FY27, and

WHEREAS, an independent, outside forensic audit would provide an objective and comprehensive review of cash handling practices, internal controls, and compliance related to bulky item fees and disposals, now therefore

BE IT RESOLVED, that the Fall River City Council hereby authorizes and requests the engagement of an independent, outside audit firm to conduct a forensic audit of Community Maintenance operations related to the collection, handling, accounting, and management of bulky item sticker revenues and bulky item disposal fees from Fiscal Year 2022 to the present, and

BE IT FURTHER RESOLVED, that the scope of the forensic audit shall include, but not be limited to:

- A review of practices and controls in place at the time of the 2022 investigation,
- An assessment of whether any improper or illegal activity occurred and whether similar activity may have continued thereafter,
- An evaluation of current cash handling procedures, internal controls, and oversight mechanisms at Community Maintenance facilities, and
- Recommendations for policy changes, procedural improvements, or additional controls necessary to prevent future occurrences and to strengthen accountability and transparency, and

BE IT FURTHER RESOLVED, that funding for this forensic audit shall be paid from the City Council Audit Services account as appropriated in the FY 2026 Operating Budget, and

BE IT FURTHER RESOLVED, that upon completion, the audit firm shall present its findings and recommendations to the City Council, subject to applicable legal, personnel, and confidentiality requirements.

City of Fall River, *In City Council*

(Councilor Christopher M. Peckham Sr.)

WHEREAS, the City Council has engaged in discussions over many years regarding the naming of city buildings, parks, facilities, and other public properties in honor of members of the community for their significant contributions, service, and dedication, and

WHEREAS, such recognitions serve to celebrate local heritage, foster community pride, and inspire future generations by permanently associating exemplary citizens with public spaces, and

WHEREAS, recent occasions have arisen in which it would have been appropriate to name or dedicate a City building or property in memory of a deceased community member whose lifetime achievements merited such an honor, and

WHEREAS, past conversations on this matter have stalled without resulting in a clear, consistent, and transparent policy, and

WHEREAS, it is in the best interest of the City of Fall River to establish clear, equitable, and dignified criteria and procedures for both onomastic and posthumous namings of City assets, now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation convene to amend Section 66-186 of the City code to include, among other possible needed changes, that the ordinance apply to any member of the public, public official or City employee.

(Filed 5-20-2026)



City of Fall River
Notice of Claim

RECEIVED
2026 MAY 11 A 11:08
CITY CLERK
FALL RIVER, MA
26-106

- 1. Claimant's name: Morgan Palmieri
- 2. Claimant's complete address: 5 murgo Lane Bristol RI, 02809
- 3. Telephone number: Home: 401-569-0525 Work:
- 4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Pothole damage
- 5. Date and time of accident: 4/14/26 11:17AM Amount of damages claimed: \$ 227.14
- 6. Exact location of the incident: (Include as much detail as possible):
William S Canning Blvd in front of Advance Auto parts /
Autozone
- 7. Circumstances of the incident: (attach additional pages if necessary):
Several ~~potholes~~ potholes coming down William S. Canning.
car right in front of me was blocking the view
of it. He went into the pothole, once I saw it I
tried to swerve around it but my front right tire caught
it and instantly popped.
- 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: 5/9/26 Claimant's signature: Morgan Palmieri

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

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

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

| | |
|---|-------------------------|
| For official use only: | |
| Copies forwarded to: <input checked="" type="checkbox"/> City Clerk <input type="checkbox"/> Law <input checked="" type="checkbox"/> City Council <input type="checkbox"/> City Administrator <input checked="" type="checkbox"/> DCM | Date: <u>05/11/2026</u> |



RECEIVED

City of Fall River
Notice of Claim

2026 MAY 11 P 1:13

- 1. Claimant's name: Tyler J. Sumner CITY CLERK 26-107
FALL RIVER, MA
- 2. Claimant's complete address: 22 Shove St, Apt #3
- 3. Telephone number: Home: 774-946-9240 Work: N/A
- 4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
PROPERTY damage to car due to pothole
- 5. Date and time of accident: 5/6/26 8:20am amount of damages claimed: \$ 805
- 6. Exact location of the incident: (Include as much detail as possible):
Right outside 362 South Main St Fiesta taqueria restaurant
- 7. Circumstances of the incident: (attach additional pages if necessary):
Driving slowly into a parking space after turning onto South Main St. Hit massive pothole while turning into the spot, strut and springs snapped as a result of hitting it.
- 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: 5/11/26

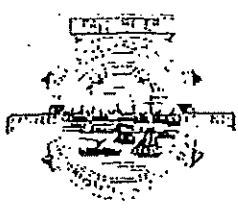
Claimant's signature: [Signature]

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

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

| | |
|--|-------------------------|
| For official use only: | |
| Copies forwarded to: <input checked="" type="checkbox"/> City Clerk <input checked="" type="checkbox"/> Law <input checked="" type="checkbox"/> City Council <input type="checkbox"/> City Administrator <input checked="" type="checkbox"/> DCM | Date: <u>05/11/2026</u> |



RECEIVED

City of Fall River
Notice of Claim

2026 MAY 11 P 4 00

#26-108

1. Claimant's name: Tonya Desrosiers

2. Claimant's complete address: 72 Westmore St Fall River, MA

3. Telephone number: Home: 774 379 9384 Work: Unemployed

4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Deep pot hole caused damage to my vehicle.

5. Date and time of accident: April 8 7:24 PM Amount of damages claimed: \$ 850.38

6. Exact location of the incident: (include as much detail as possible):
Near corner of Jones & North Main St

7. Circumstances of the incident: (attach additional pages if necessary): Right in front of Marler St. (private way)

I was driving down N. Main St & the pot hole was on my side (driver side) of vehicle. I could not swerve because there were ->

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: May 8 2026 Claimant's signature: [Signature]

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

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

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

| | |
|------------------------|--|
| For official use only: | |
| Copies forwarded to: | <input checked="" type="checkbox"/> City Clerk <input checked="" type="checkbox"/> Law <input checked="" type="checkbox"/> City Council <input checked="" type="checkbox"/> City Administrator <input checked="" type="checkbox"/> DOM |
| Date: | <u>5/11/24</u> |



City of Fall River
Notice of Claim

RECEIVED

2026 MAY 12 P 1:13

- 1. Claimant's name: ALDA SIMMONS
- 2. Claimant's complete address: 40 BOWLER ST. FALL RIVER, MA 02723. 26-109
- 3. Telephone number: Home: 508-493-5522 Work: 401-434-3869
- 4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
PROPERTY DAMAGE
- 5. Date and time of accident: 4/19/2026 Amount of damages claimed: \$919.63
- 6. Exact location of the incident: (include as much detail as possible):
QUARRY STREET
- 7. Circumstances of the incident: (attach additional pages if necessary):
On Sunday, April 19th, at approximately 5:30 p.m., I was driving home and turned from Pine Street onto Quarry Street. Immediately after making the turn onto Quarry Street, my vehicle struck a large pothole. The impact caused a tire to blow out. Due to the type of vehicle I own, the damage required the replacement of two tires rather than just one.
- 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: 4/30/26 Claimant's signature: Alda Simmons

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

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

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

| | | | | | | |
|------------------------|--|--|--|--|------------|-------------------------|
| For official use only: | Copies forwarded to: <input checked="" type="checkbox"/> City Clerk <input checked="" type="checkbox"/> Law <input checked="" type="checkbox"/> City Council <input type="checkbox"/> City Administrator | | | | <u>DCM</u> | Date: <u>05/12/2026</u> |
|------------------------|--|--|--|--|------------|-------------------------|



City of Fall River
Notice of Claim

RECEIVED
2026 MAY 13 A 10:26
CITY CLERK
FALL RIVER, MA
26-110

- 1. Claimant's name: Grace Jane Dostou
- 2. Claimant's complete address: 186 Tremont St Apt 1 Kar
- 3. Telephone number: Home: 774-225-7381 Work: _____
- 4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
front end damage due to potholes
- 5. Date and time of accident: April 11, 2026 Amount of damages claimed: \$ \$ 1500.00
- 6. Exact location of the incident: (include as much detail as possible): Guichehan St - just before the overpass - ON
- 7. Circumstances of the incident: (attach additional pages if necessary): heavy traffic, fairly dark, raining
you could not see the potholes due to rain filled
holes and bumper to bumper traffic also
darkening skies,

1026

- 8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: Yes No
I could only get one estimate because car is UNDRIVEABLE
- 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: May 11 2026 Claimant's signature: Grace Jane Dostou

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

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

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

| | |
|--|-------------------------|
| For official use only: | |
| Copies forwarded to: <input checked="" type="checkbox"/> City Clerk <input type="checkbox"/> Law <input type="checkbox"/> City Council <input type="checkbox"/> City Administrator <input checked="" type="checkbox"/> DCM | Date: <u>05/13/2026</u> |

OVER



City of Fall River
Notice of Claim

RECEIVED

2026 MAY 13 A 11: 36

1. Claimant's name: Joseph Martins CITY CLERK 260-111
2. Claimant's complete address: 84 Webster St. FALL RIVER, MA 02723
3. Telephone number: Home: 508-415-6362 Work: retired
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: April 17 2026 5:00 AM Amount of damages claimed: \$ 360.00
6. Exact location of the incident: (Include as much detail as possible):
Eastern Ave
7. Circumstances of the incident: (attach additional pages if necessary):
while driving I hit a pothole damaging hub assembly + tire requiring the car to be towed
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: 5-13-2026 Claimant's signature: Joseph Martins

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: | <input checked="" type="checkbox"/> City Clerk | <input checked="" type="checkbox"/> Law | <input checked="" type="checkbox"/> City Council | <input type="checkbox"/> City Administrator | <input checked="" type="checkbox"/> DCM | Date: <u>5/13/26</u> |
|------------------------|--|---|--|---|---|----------------------|



RECEIVED

2026 MAY 15 P 2:24

CITY CLERK #26-111A
FALL RIVER, MA

110 Royal Little Drive
Providence, RI 02904-1860
(401)868-2000

May 04, 2026

Joseph Martins
84 Webster St
Fall River, MA 02723-2828

Dear Joseph,

As per your request, here are the details of your Roadside Assistance call record.

Date: 04/18/2026

Year and Make of Vehicle: 2011 HONDA CIVIC

Location: ALUMNI WAY, FALL RIVER, MA 02720

Time service originally requested: 06:23 PM

Type of service: Tow

Station arrived on location at: 07:15 PM

We appreciate your membership with us, and look forward to serving your future automotive needs.

Sincerely,

Tiffany Mays
Member Relations
AAA Northeast
1-800-291-8022 x2274

City clerk ✓ City council ✓ Law Dept ✓ DCM ✓ 5/15/26



City of Fall River
Notice of Claim

RECEIVED

2026 MAY 15 P 2:25

#26-112

CITY CLERK
FALL RIVER, MA

1. Claimant's name: Samantha Schwartz
2. Claimant's complete address: 52 JOHNSON St Apt 2 Fall River, MA
3. Telephone number: Home: 5089302423 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
auto accident - pot hole
5. Date and time of accident: 4/11/26 ^{4:30} _{pm} Amount of damages claimed: \$ total - see proforma
6. Exact location of the incident: (include as much detail as possible):
In front of 217 London St - 50 Johnson St
7. Circumstances of the incident: (attach additional pages if necessary):
Have pictures of pot hole + street as well as damage
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
Geo

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: 5/13/26

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

DCM

Date: 5/15/26



City of Fall River
Notice of Claim

RECEIVED

MAY 20 P 12: 26

CITY CLERK: 26-113
FALL RIVER, MA

1. Claimant's name: WILBER & ASSOCIATES O/B/O LIBERTY MUTUAL MID ATLANTIC INSURANCE CO A/S/O NANCY RIGANO
2. Claimant's complete address: 210 LANDMARK DRIVE, NORMAL, IL 61761
3. Telephone number: Home: _____ Work: 800-313-5169 ext. 3209
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: 03/02/2026 AT 3:44 PM Amount of damages claimed: \$ 4,260.37
6. Exact location of the incident: (include as much detail as possible):
128 STANLEY ST. FALL RIVER, MA
7. Circumstances of the incident: (attach additional pages if necessary):
YOUR EMPLOYEE, BRIAN MAURICIO, DRIVER OF THE CITY OF FALL RIVER FIRE DEPT VEHICLE, STRUCK OUR INSURED, NANCY RIGANOS' PARKED AND UNOCCUPIED VEHICLE, CAUSING DAMAGES.
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
LIBERTY MUTUAL MID ATLANTIC INSURANCE CO

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: 05/06/2026

Claimant's signature: Nicole Messano

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.

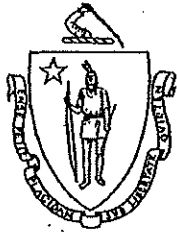
Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

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 Fire

Date: 05/20/2026



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

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

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

May 20, 2026

OML 2026 – 60

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

By email only: ghowayeck@fallriverma.org

RE: Open Meeting Law Complaints

RECEIVED
2026 MAY 20 P 12:01
CITY OF FALL RIVER, MA

Dear Attorney Howayeck:

This office received a complaint from Patrick Higgins on May 12, 2025, and a complaint from Rene Brown on May 16, 2025, alleging that the Fall River City Council (the "Council") violated the Open Meeting Law, G.L. c. 30A, §§ 18-25. Mr. Higgins' complaint was originally filed with the Council on April 14, 2025, Ms. Brown's complaint was originally filed with the Council on April 17, 2025, and you responded to both complaints, on behalf of the Council, by separate letters dated May 12, 2025.¹ The complaints allege that the Council discussed a topic that was not listed on the notice of the meeting held on April 8, 2025, and improperly deliberated while on recess during the April 8, 2025, meeting.

We appreciate the patience of the parties while we reviewed these matters. Following our review, we find that the Council did not violate the Open Meeting Law in the ways alleged. In reaching this determination, we reviewed the original complaints, the Council's responses to the complaints, and the complaints filed with our office requesting further review. In addition, we reviewed the notice, minutes and video recording of the Council meeting held on April 8,

¹ We remind the Council that the Open Meeting Law requires that within 14 business days of receipt of a complaint, the public body must meet to review the complaint's allegations; take remedial action, if appropriate; send to the complainant a response and a description of any remedial action taken; and send to the Attorney General a copy of the complaint and a description of any remedial action taken. G.L. c. 30A, § 23(b); 940 CMR 29.05(5).

2025, as well as a video recording of that portion of the meeting when the Council was in recess.²

FACTS

We find the facts as follows. The Council is a nine-member public body; thus, five members constitute a quorum.

On April 4, 2025, at 1:22 P.M., the Council posted notice of a meeting to be held on April 8, 2025, at 7:00 P.M. One of the headings listed on the notice was "Priority Matters." The notice then listed seven specific item descriptions that further advised the public of the topics to be discussed under this heading, which included "Mayor and request for confirmation of the appointment of Kelly Furtado to Police Chief and order requesting approval of contract."

The April 8, 2025, meeting was held as planned and all Council members attended the meeting. For approximately one hour during the meeting, the Council discussed the Mayor's proposed recommendation to appoint Kelly Furtado as Chief of Police. In October 2024, Ms. Furtado was appointed the Interim Police Chief after the former police chief stepped down. Councilor Shawn Cadime began the discussion by stating that he was not in support of the Mayor's recommendation to appoint Ms. Furtado as Chief of Police explaining that the police department had been plagued with internal politics and Ms. Furtado's appointment, as an internal candidate, represented "more of the same." He suggested that a search committee be established and that the search for the next Chief of Police be a fair and transparent process.

Councilor Laura-Jean Sampson then expressed her support in appointing Ms. Furtado as Chief of Police and recognized the number of police officers in the audience who came to the meeting to support Ms. Furtado's appointment. Members of the public applauded Councilor Sampson's comments by clapping. Councilors Cadime and Sampson then began to speak over one another.

In an effort to regain control of the meeting, Council President Joseph Camara called for a recess. During the recess, President Camara reminded members that contentious issues have previously been before the Council and members have the right to speak and state an opinion that other Councilors might disagree with. He asked Councilors not to ruin their integrity and that ultimately it was the Council's decision whether to approve the appointment recommended by the Mayor. Councilor Cadime apologized and stated that there were members of the Council that were afraid to vote on certain matters because of fear of retaliation. President Camara stated that he would continue the meeting once "cooler heads" prevailed and then walked away from the podium. Other Councilors then left their seats. The exchange between President Camara and the Councilors lasted for about two minutes.

² A video recording of the Council meeting held on April 8, 2025, is available at <https://www.youtube.com/watch?v=Rmvy3vw5xag>; a video recording of the recess held during the Council's April 8, 2025, meeting is available at <https://www.facebook.com/watch/?mibextid=wwXlfr&v=647035657942616&rdid=yyLrU78edlnpkBD4>.

The Council resumed the meeting approximately eight minutes later. Upon resuming, Councilor Cliff Pontes stated that he told the Mayor that he could not confirm Ms. Furtado as Chief of Police because he had concerns about the way the former police chief left and suggested that a fair and transparent process for a new police chief must be established. Council Vice President Linda Pereira then asked if the Director of Human Resources, who was present at the meeting, could speak about the process utilized to appoint Ms. Furtado as Interim Police Chief. The Council unanimously voted to allow Nicholas Macolini, Director of Human Resources, to answer questions and provide additional information. Mr. Macolini advised the Council that he, the Mayor and the former City Administrator interviewed four candidates for the position of Interim Police Chief in the Fall of 2024, and then subsequently appointed Ms. Furtado as Interim Police Chief in October. Mr. Macolini expressed his belief that Ms. Furtado was supported by her colleagues and had made changes within the police department, which was why the Mayor recommended her appointment as Chief of Police. Vice President Pereira expressed her concern that the appointment process was not transparent.

Councilor Pontes questioned Mr. Macolini on the internal affairs investigation into the former police chief suggesting it was relevant to the appointment of Ms. Furtado because the internal affairs investigation began while Ms. Furtado was acting as Interim Police Chief and the Council was now being asked to support her as Chief of Police to lead the department. Mr. Macolini explained the internal affairs investigation process and the subsequent outside investigation of the police department.

Several Councilors suggested that the Council focus its discussions on the proposed appointment and not discuss the internal affairs investigation. Councilor Sampson made a motion, which was seconded by Councilor Kirby, "to confirm the appointment" of Ms. Furtado as Chief of Police, which motion failed by majority vote. Councilor Cadime then made a motion, which was seconded by Councilor Ponte, "to reject the appointment" of Ms. Furtado as Chief of Police, which motion was approved by majority vote. The Council then unanimously voted to "send a letter to the administration requesting the creation of a formal search committee to interview candidates for the vacant Police Chief position."

DISCUSSION

The Open Meeting Law was enacted "to eliminate much of the secrecy surrounding deliberations and decisions on which public policy is based." Ghiglione v. School Committee of Southbridge, 376 Mass. 70, 72 (1978). The Open Meeting Law requires that meetings of a public body be properly noticed and open to members of the public, unless an executive session is convened. See G.L. c. 30A, §§ 20(a)-(b), 21. A "meeting" is defined, in relevant part, as "a deliberation by a public body with respect to any matter within the body's jurisdiction." G.L. c. 30A, § 18. The law defines "deliberation" as "an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction." Id. For the purposes of the Open Meeting Law, a "quorum" is a simple majority of the members of a public body. Id. Any communication among a quorum of a public body on matters that are pending or will come before it and within the public body's jurisdiction is considered deliberation. See OML 2015-3; OML 2014-108; OML 2013-136;

Boelter v. Board of Selectmen of Wayland, 479 Mass. 233, 243 (2018).³ Moreover, the expression of an opinion of one public body member on matters within the body’s jurisdiction to a quorum of a public body is a deliberation, even if no other public body member responds. See OML 2016-104; OML 2015-33.

The complaints allege that the Council improperly deliberated while on recess during the meeting held on April 8, 2025. The Council suggests that the communications during the recess were to restore order and allow Councilors to calm down. A video recording of the recess shows President Camara briefly speaking to the Council reminding members that everyone had a right to state an opinion, even one that other members might disagree with, and that he would continue the meeting once cooler heads prevailed asking members not to ruin their integrity. We find here that the communications that occurred during the recess were not related to Council business but rather pertained to interpersonal dynamics and therefore did not constitute deliberation. We have previously stated that a discussion was outside a body’s jurisdiction where it concerned purely interpersonal dynamics, such as how to avoid unnecessary confrontations, see OML 2011-38, a completed decision over which the body had no further authority, see OML 2017-88, and political statements on matters not likely to come before the body, see OML 2014-135. Because we find here that President Camara was simply trying to regain control of the meeting when he communicated with Council members during the recess, we find that the Council did not violate the Open Meeting Law by deliberating while on recess during the April 8, 2025, meeting.

With respect to the allegations in the complaints that Council members deliberated outside of a posted meeting by having “side conversations” with each other during the April 8, 2025, meeting or spoke with each other prior to the April 8, 2025, meeting, we find insufficient evidence of such deliberation. Here, Mr. Higgins’ complaint alleges that two Councilors, Paul Hart and Bradford Kilby, had “side conversations” throughout the April 8, 2025, meeting, while Ms. Brown’s complaint alleges that “two Councilors alluded to discussing” the police chief’s contract outside of a meeting. First, after watching a video recording of the April 8, 2025, meeting, we did not observe Mr. Hart or Mr. Kilby engage in any “side conversations.” Second, we note that during the meeting, Mr. Pontes mentioned having spoken with Vice President Pereira prior to the meeting about the appointment of Ms. Furtado. Even if such conversations occurred as alleged, those separate conversations were only between two members of the Council. Because the conversations involved a subquorum of Council members, they would not constitute deliberation. See OML 2018-132; OML 2017-199; OML 2017-69. Moreover, in the absence of specific evidence of deliberation outside of posted meetings regarding these matters, we do not find that the Council violated the Open Meeting Law in these ways. See OML 2024-189.

Finally, Ms. Brown’s complaint alleges that the Council discussed a topic, i.e. the termination of the prior police chief, without that topic being listed on the April 8, 2025, meeting notice. Public bodies must post notice of each meeting “at least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays” and every notice must include “the date, time and place of such meeting and a listing of topics that the chair reasonably anticipates will be

³ Open Meeting Law determinations may be found at the Attorney General’s website, <https://www.mass.gov/the-open-meeting-law>.

discussed at the meeting.” G.L. c. 30A, § 20(b). The list of topics shall have “sufficient specificity to reasonably advise the public of the issues to be discussed at the meeting.” 940 CMR 29.03(1)(b). We generally consider a topic to include sufficient specificity when a reasonable member of the public could read the topic and understand the anticipated nature of the public-body’s discussion. See OML 2015-35; OML 2012-71; OML 2011-44.

We find here that the discussion about the termination of the former police chief was discussed in the context of the discussion about the Mayor’s recommendation to confirm the appointment of Kelly Furtado as Chief of Police, and therefore naturally flowed from discussion of the topic listed on the notice. See OML 2026-26. We have previously explained that where a public body’s discussion naturally flows from its consideration of a posted agenda topic, the notice was sufficient to inform the public of the discussion that occurred. See OML 2018-14; OML 2014-44; OML 2014-38. Therefore, we find that the Council did not violate the Open Meeting Law in this regard.

CONCLUSION

For the reasons stated above, we find that the Council 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 the Council or with our office. Please feel free to contact our office at (617) 963-2540 if you have any questions regarding this letter.

Sincerely,



Kerry Anne Kilcoyne
Assistant Attorney General
Division of Open Government

- cc: Patrick Higgins – By email only: patrick@openmeetinglawenforcer.com
- Rene Brown – By email only: sinfullawyer@yahoo.com
- Fall River City Council – By email only: city_council@fallriverma.org
- Fall River City Clerk – By email only: 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.

COMMITTEE ON FINANCE

MEETING: April 28, 2026 at 6:00 p.m.
Council Chamber, One Government Center

PRESENT: President Cliff A. Ponte, presiding;
Councilors Shawn E. Cadime, Joseph D. Camara, Michael G. Canuel,
Michelle M. Dionne, Christopher M. Peckham, Sr. and Andrew J. Raposo

ABSENT: Councilors Paul B. Hart and Linda M. Pereira

IN ATTENDANCE: Ann O'Neil-Souza, Interim City Administrator/Chief of Staff
Emily Arpke, Director of Financial Services
Daniel N. Agular, Director of Engineering and Planning
John Brandt, Chair, Community Preservation Committee
Alex Silva, Member, Community Preservation Committee
Richard Mancini, Member, Community Preservation Committee
Kristen Cantara Oliveira, Member, Community Preservation Committee

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. Citizen Input Time

James Smith, 451 Rock Street – Community Preservation Funds for Fall River Historical Society
On a motion made by Councilor Camara and seconded by Councilor Peckham, it was unanimously voted to waive the rules to allow Mr. Smith an additional three minutes to speak, with Councilors Hart and Pereira absent and not voting.

Dan Robillard, 145 Old Second Street – Charter
Richard Branco, No address provided – Grievance with the Veterans Services Department
Grace Gerling, 45 Rock Street – CPC/CPA Funds
Michael O'Reagan, 1198 Newhall Street – Fire Department
On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to waive the rules to allow Mr. O'Reagan an additional three minutes to speak, with Councilors Hart and Pereira absent and not voting.

Pat Todd, 104 Anawan Street – Fall River CPA
CJ Ferry, 300 Buffinton Street – Several concerns

(digitally submitted and read aloud by the City Clerk)

On a motion made by Councilor Peckham and seconded by Vice President Dionne, it was unanimously voted to waive the rules to allow the City Clerk an additional three minutes to read the statement aloud, with Councilors Hart and Pereira absent and not voting.

On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to lift item 2 from the table, with Councilors Hart and Pereira absent and not voting.

- 2. Resolution – Convene with Director of Engineering and Planning and Administration to develop a comprehensive funding strategy to match or supplement the City's annual Chapter 90 allocation to increase investment in roadway improvements

Daniel N. Aguiar, Director of Engineering and Planning, provided roadway funding totals and noted that approximately \$3,300,000 was received during Fiscal Year 2026 (FY26), with \$2,600,000 granted through the Chapter 90 funding program and an additional \$682,000 granted through the Commonwealth of Massachusetts' Millionaire Tax allocation. The Director of Engineering and Planning stated that the Fiscal Year 2027 (FY27) funding is anticipated to be roughly \$2,600,000 and remain at that total for the next five fiscal years. Mr. Aguiar explained that the Engineering Department could manage the workload of up to \$5,000,000 in funding for road renovation projects with the existing staff and assigned responsibilities, so the City's match of this state funding would be very workable. Mr. Aguiar also clarified that the Engineering Department works with the Department of Community Maintenance (DCM) for simple road renovations, such as pothole repairs, but that the DCM does not have the number of employees, or the necessary equipment, to perform large road repairs, such as those needed on Copicut Road. The Director of Engineering and Planning also explained that Copicut Road would require municipal funding to be fully repaired. President Ponte asked if the Administration had discussed fund matching of the Chapter 90 capital that is issued by the Commonwealth of Massachusetts and Mr. Aguiar confirmed that the City will be including this matched funding in the future.

Councilor Cadime, Mr. Aguiar and Emily Arpke, Director of Financial Services, held a detailed discussion regarding the City's plan to match the Commonwealth's Chapter 90 funding, the anticipated financial appropriation request that will be submitted within the next few months to transfer this capital, and the increased road repair needs throughout Fall River. Ms. Arpke explained that the request for the matching funds will be submitted to the City Council in the late summer and that this funding will assist with Copicut Road repairs. The Director of Engineering and Planning provided details regarding the process of repairing potholes, the necessary equipment and the challenges that Fall River faces with the number of roads in need of patching from plow truck damage after the Blizzard of 2026. Mr. Aguiar stated that, ideally, the City could hire a third-party road repair company and contract this work out with a list of all streets that need potholes to be patched, as this would be more cost efficient and lessen the burden on the DCM staff. Ms. Arpke explained that the Engineering Department can perform all planned repair duties with the current funding in their FY26 budget and Mr. Aguiar confirmed that entirety of repair capital will be utilized prior to the beginning of FY27.

Councilor Camara and Mr. Aguiar held a detailed discussion regarding anticipated renovations of both Eastern Avenue and North Eastern Avenue, including roadway reconstruction, expanded parking areas and additional sidewalk installations. The Director of Engineering and Planning explained that he is working with the Massachusetts Department of Transportation to obtain funding through the state's Transportation Improvement Project, which will provide road construction capital totaling \$32,000,000.

Vice President Dionne and the Director of Financial Services discussed the anticipated debt payments related to road repairs within the City. Ms. Arpke stated that these projects will increase the City's debt by roughly \$200,000 each fiscal year, and that it will be presented to the City Council within the Proposed Fiscal Year 2028 Municipal Budget.

Councilor Raposo and Mr. Aguiar discussed the recent sidewalk survey that was performed on North Eastern Avenue. Mr. Aguiar stated that the survey provided information regarding the need to install new walkways, sidewalks and streetlights in the area, as well as constructing additional handicapped ramps. Councilor Raposo asked if the intersection of North Eastern Avenue, East Warren Street and McGowan Street had been reviewed as there have been numerous accidents in that area. Mr. Aguiar stated that the City is considering the installation of a traffic light at that intersection in the future to increase public safety.

Councilor Camara commended the City on the recent updates to the Robeson Street and President Avenue intersection. Mr. Aguiar stated that the total cost for this project was \$1,800,000 and that the renovations will have a positive effect on drivers and pedestrians in the area. President Ponte requested that the Director of Engineering and Planning submit an updated list of streets scheduled for repaving and Mr. Aguiar stated he would forward that information as soon as possible. Mr. Aguiar also made brief remarks regarding his support of projects within the proposed Community Preservation Act matter that will be presented to the City Council later in the evening.

On a motion made by Councilor Peckham and seconded by Councilor Cadime, it was unanimously voted to table the resolution, with Councilors Hart and Pereira absent and not voting.

3. Resolution – Committee on Finance and the Community Preservation Committee hold a joint meeting with the Administration to discuss upcoming priorities for Community Preservation Act funding categories and potential projects

Councilor Cadime expressed his support for the Community Preservation Act (CPA) and the related projects that have been reviewed by the Community Preservation Committee (CPC). John Brandt, Chair, CPC, provided an overview of projects that were submitted for consideration, which totaled 27 project applications, as well as the number that were approved for CPA funding, which totaled 17 projects. Mr. Brandt noted that all approved projects are thoroughly reviewed by the Committee and emphasized that all CPC meetings are open to the public. Mr. Brandt explained that the CPA tax revenues that are generated each year are reinvested to assist with preservation efforts and project development throughout the City.

Vice President Dionne stated that, while she is not opposed to the existence of the CPA or the related funding, many residents have reached out to her expressing concern regarding the related tax burden. Vice President Dionne also stated that many constituents are unsatisfied that private businesses and private properties are receiving publicly funded capital to complete their renovations or remodeling and stated that some of these entities have received CPA funding multiple times, such as the Eagle Event Center, 35 North Main Street. Vice President

Dionne stated that property owners should not be responsible for the costs to repair facilities owned by private businesses.

Mr. Brandt explained that the CPC has provided over \$11,000,000 to City-owned projects over the years, including the preservation of open spaces. The Chair of the CPC also stated that most of the private property funding is allocated for affordable housing projects, as this capital assists property owners to secure additional funds from financial institutions. Mr. Brandt stated that the Eagle Event Center is historically significant to the community and very costly to maintain. Kristen Cantara Oliveira, Member, CPC, also stated that the Eagle Event Center provides space to non-profit organizations and the public for events, which was a key factor in the CPC's decision to fund their project.

Alex Silva, Member, CPC, stated that all funded projects involving private properties are subject to deed restrictions to ensure long-term preservation and that these restrictions remain in place for 30 years. Vice President Dionne asked if the deed restrictions remain with the property if the owner decides to sell the building and Ms. Cantera Oliveira confirmed that the restriction remains with the property deed after it is sold. Mr. Brandt also explained that there is a reimbursement schedule for the City if the property owner sells the real estate after receiving CPA funding. Richard Mancini, Member, CPC, provided information regarding the necessary compliance with National Park Service restrictions in relation to material used to renovate buildings, such as windows, and explained that the CPA funding assists with offsetting those costs so property owners can invest in other repairs with their own capital. Mr. Mancini encouraged the public to attend the meetings of the CPC to provide input on projects under consideration.

Councillor Cadime requested that Mr. Brandt provide a brief overview of the CPA and the policies followed by the CPC. Mr. Brandt stated that 286 municipalities in the Commonwealth of Massachusetts participate in this program and that this number has increased over the years, which affects the allocation of funding received by each city or town. The Chair of the CPC also explained that the City of Fall River has a formal handbook for the allocation process of this funding, which is not common in other municipalities. Mr. Brandt clarified that the CPA surcharge on tax invoices is 1.5%, with various types of income-based exemptions, and that the Bristol County Registry of Deeds contributes a portion of their fee revenue to the CPA funding accounts. Emily Arpke, Director of Financial Services, clarified that the property tax revenue allocates only 18% of the CPA funding that is available and that the majority comes from other resources.

Councillor Cadime, Mr. Brandt, Mr. Silva and Ms. Cantara Oliveira discussed the evaluation criteria for applications and deadlines, the thorough review process of projects and how the CPC considers the outcome each project will have on Fall River communities. Mr. Silva also clarified that, while it may seem that most projects occur in one area of the City at a time, that is entirely dependent on the applications that are submitted and stated that the CPC works to ensure there is fair geographic distribution of the funding throughout Fall River.

Councillor Cadime asked if the projects for private properties are required to include a public component and Mr. Mancini clarified that this is something the CPC considers when deciding whether to issue CPA funding. Mr. Mancini stated that private rental developments are very low on the priority list for the Committee in comparison to public housing projects.

Councillor Canuel and Mr. Brandt discussed the Committee's review of income records for property owners who will be operating a profitable business and are applying for CPA funding assistance. Mr. Brandt explained that accounting records are not required, but that some

applicants, specifically those who submit applications to develop housing units, often provide this information to assist with providing proof of financial assistance. Mr. Brandt also stated that applications that do not provide information regarding the need for CPA assistance are often denied by the Committee. Ms. Arpke explained that most profitable businesses do not want CPA deed restrictions placed on their properties and Ms. Cantara Oliveira reiterated that all funded projects are subject to the 30-year historic preservation deed restrictions.

Councilor Camara and Mr. Mancini discussed the allocation of \$28,000 for a waterfront study in the newly developed area of the Route 79/Davol Street Corridor project. Mr. Mancini explained that this recent study was completed at no cost by Roger William University and the allocated funds would assist with the "best use analysis" of the renovated area.

Vice President Dionne requested information regarding the planned "best use analysis" of the neighborhood. Ann O'Neil-Souza, Interim City Administrator/Chief of Staff, stated that this will assist with determining optimal land use to support tourism development. Vice President Dionne asked if there would be historic limitations placed on these waterfront properties and Mr. Mancini clarified that this analysis is intended to integrate historic preservation with future development. Mr. Mancini also explained that the analysis will focus on Columbia Street and the surrounding waterfront neighborhood. Mr. Silva clarified that this analysis includes both public and private land in the area. Ms. Cantara Oliveira explained that this analysis will assist the City for future tourism development and that many properties in this neighborhood are subject to historical demolition delay regulations.

Councilor Canuel requested clarification regarding the 10% spending requirement of the CPA, as the Community Housing fund category still has 94% of its funding remaining as well as anticipated bond-funded projects. The Director of Financial Services confirmed that this requirement is listed within Massachusetts General Laws. Mr. Silva clarified that there were no applications for that category of funding during the most recent application cycle. Ms. Arpke also explained that related bonds were authorized in prior years by the City and are repaid with CPA funding, as the CPC may not issue bonds themselves. Mr. Brandt also clarified that these bonds were used in the past to assist with funding projects during periods of lower CPA revenue.

On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to adjourn at 7:38 p.m., with Councilors Hart and Pereira absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

List of Community Preservation Act Projects, provided by John Brandt, Chair, Community Preservation Committee


Clerk of Committees

REGULAR MEETING OF THE CITY COUNCIL

MEETING: April 28, 2026 at 7:00 p.m.
Council Chamber, One Government Center

PRESENT: President Cliff A. Ponte, presiding;
Councilors Shawn E. Cadime, Joseph D. Camara, Michael G. Canuel,
Michelle M. Dionne, Christopher M. Peckham, Sr. and Andrew J. Raposo

ABSENT: Councilors Paul B. Hart and Linda M. Pereira

IN ATTENDANCE: None

President Ponte called the meeting to order at 7:38 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.

PRESENTATION OF CITATIONS – None

Councilor Cadime requested an update regarding the Fall River Police Department investigation. President Ponte stated that he, the Mayor and the Interim Police Chief had come to an agreement that the investigation documents will be submitted to the Massachusetts Peace Officer and Standards Training (POST) Commission and stated that he looks forward to moving forward collaboratively with the Administration and Police Department in relation to this matter. The Council President also stated that the City Council will not be pursuing outside legal counsel at this time and a press release regarding this matter has been placed on the desks of all City Councilors. Councilor Camara asked if this will end the City Council's pursuit of finalizing a contract with an investigator or attorney and President Ponte confirmed that this action is no longer necessary. Vice President Dionne stated that the press release should be referred to the Committee on Public Safety for discussion and President Ponte confirmed that the City Council could take that action as this document was not anticipated and was released late in the afternoon of April 28, 2026.

On a motion made by Vice President Dionne and seconded by Councilor Peckham, it was unanimously voted to refer the press release to the Committee on Public Safety, with Councilors Hart and Pereira absent and not voting.

On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to lift item 1 from the table, with Councilors Hart and Pereira absent and not voting.

PRIORITY MATTERS

1. Mayor and order to accept M.G.L. Ch. 90, Sec. 17C, which relates to Establishment of 25-miles-per-hour speed limit in thickly settled or business district in city or town; violation

*On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to adopt the order, with Councilors Hart and Pereira absent and not voting.
Approved, April 30, 2026
Paul E. Coogan, Mayor*

On a further motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to lift item 2 from the table, with Councilors Hart and Pereira absent and not voting.

2. Mayor and gift order to accept a donation for services of a professionally trained comfort and search-and-rescue dog for use by the Emergency Medical Services Division

*On a motion made by Vice President Dionne and seconded by Councilor Peckham, it was unanimously voted to adopt the order, with Councilors Hart and Pereira absent and not voting.
Approved, April 30, 2026
Paul E. Coogan, Mayor*

On a further motion made by Councilor Raposo and seconded by Councilor Ganuel, it was unanimously voted to lift item 3 from the table, with Councilors Hart and Pereira absent and not voting.

3. Mayor and Community Development Agency Year Two Annual Action Plan

On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted that the item be accepted and placed on file, with Councilors Hart and Pereira absent and not voting.

On a further motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to lift item 4 from the table, with Councilors Hart and Pereira absent and not voting.

4. Mayor and order appropriating \$4,459,575.32 from Community Preservation Act funds for Fiscal Year 2027 community projects

A motion was made by Councilor Raposo to adopt the order but received no second. A lengthy discussion was held between President Ponte, Vice President Dionne and Councilors Cadlime and Camara regarding the appropriation order that was presented to the City Council for adoption, which did not include specific projects that would receive the allocated funding.

President Ponte read City code §2-367(a), which relates to Appropriations, aloud and stated that the City Council's jurisdiction is to approve or veto appropriations submitted by the Mayor on behalf of the Community Preservation Committee. Councilor Cadlime suggested that the City Council vote upon each line item within the appropriation order separately and stated that it appears this order will only authorize funds to be moved into various CPA accounts and will not control the distribution of funds to various projects.

Councilor Raposo withdrew his motion to adopt the order.

On a further motion made by Councilor Camara and seconded by Councilor Raposo, it was unanimously voted to waive the rules to allow Emily Arpke, Director of Financial Services, to answer questions, with Councilors Hart and Pereira absent and not voting.

Councilor Cadime and Ms. Arpke discussed the templating of this appropriation order and that a list of CPA projects were not submitted to the City Council for approval. Ms. Arpke stated that the order presented matches the documents that were presented to the City Council over the past five years, and that she did not find any historical documents that were voted upon by the City Council in relation to specific projects during the adoption of the CPA appropriations.

A recess was held from 7:53 p.m. to 8:08 p.m.

President Ponte stated that the recess was held to obtain additional information regarding this matter and stated that the Administration will send a ledger of all CPA projects to the City Council for the next scheduled meeting.

On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was voted to table item 4, with Councilor Canuel opposed and Councilors Hart and Pereira absent and not voting.

On a further motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to lift item 5a from the table, with Councilors Hart and Pereira absent and not voting.

5. Mayor and the following appropriations:

a. \$225,000 from FY25 Surplus Revenue to Facilities, Capital

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

On a further motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to lift item 5b from the table, with Councilors Hart and Pereira absent and not voting.

b. \$250,000 from FY25 Surplus Revenue to Police, Capital

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

On a further motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to lift item 5c from the table, with Councilors Hart and Pereira absent and not voting.

c. \$397,500 from FY25 Surplus Revenue to Fire and Emergency Services

On a motion made by Councilor Cadime and seconded by Councilor Peckham, it was unanimously voted to waive the rules to allow Emily Arpke, Director of Financial Services, to answer questions.

Councilor Cadime requested that this appropriation order be amended to increase the funding for purchasing new, non-per- and polyfluoroalkyl substances (PFAS), turn-out gear for all firefighters, as this financial transfer will only fund these supplies for half of the employed firefighters.

Ms. Arpke stated that the Fire Chief planned to split this purchase between two fiscal years due to financial constraints within the department's budget, but that she would discuss this matter with the Fire Chief. Ms. Arpke also explained that the process of purchasing this gear is lengthy and requires special fitting measurements for each firefighter.

Councilor Peckham asked if new firefighters receive non-PFAS turn-out gear when they are hired, as the City has discontinued the purchase of PFAS clothing over the past few years. Ms. Arpke stated that she will obtain that information from the Fire Chief. Councilor Peckham emphasized the need to obtain new turn-out gear for all firefighters as soon as possible.

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

On a further motion made by Councilor Cadime and seconded by Councilor Camara, it was unanimously voted to lift items 5d, 5e and 5f from the table, with Councilors Hart and Pereira absent and not voting.

d. \$245,000 from FY25 Surplus Revenue to Community Maintenance, Capital
Councilor Raposo asked if the City Clerk could obtain more detailed information regarding the pole removal plans for the City parks, as there are many poles used for lights during baseball and soccer games. Councilor Canuel stated that the Director of Parks had provided detailed information regarding this matter and he would forward that information to the City Clerk to be distributed to all City Councilors. On a motion made by Councilor Raposo and seconded by Councilor Canuel, it was unanimously voted to adopt the order, with Councilors Hart and Pereira absent and not voting.

e. \$1,600,000.00 from FY25 Surplus Revenue to Demolition Revolving Fund
On a motion made by Councilor Raposo and seconded by Councilor Canuel, it was unanimously voted to adopt the order, with Councilors Hart and Pereira absent and not voting.

f. \$3,000,000.00 from FY 25 Surplus Revenue to Employer Health Trust Fund
On a motion made by Councilor Raposo and seconded by Councilor Canuel, it was unanimously voted to refer the order to the Committee on Finance, with Councilors Hart and Pereira absent and not voting.

On a further motion made by Councilor Raposo and seconded by Vice President Dionne, it was unanimously voted to lift item 6 from the table, with Councilors Hart and Pereira absent and not voting.

6. Mayor and communication to City Council regarding a resolution adopted at the Regular Meeting of the City Council held on March 24, 2026
On a motion made by Councilor Raposo and seconded by Vice President Dionne, it was unanimously voted that the communication be accepted and placed on file, with Councilors Hart and Pereira absent and not voting.

7. Mayor and request to initiate City Council action on a proposed expansion and amendment of the City of Fall River Waterfront/Downtown Housing Development (HD) Zone
On a motion made by Councilor Raposo and seconded by Councilor Canuel, it was unanimously voted that the request be referred to the Planning Board, with Councilors Hart and Pereira absent and not voting.

- 8. Mayor and order authorizing the award of a two (2) year contract, with a one (1) year option, for Municipal Solid Waste and Single Stream Recyclable Curbside Collection and Disposal Services to Capitol Waste Services, Inc.

On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to refer the item to the Committee on Finance, with Councilors Hart and Pereira absent and not voting.

- 9. Mayor and Fiscal Year 2025 Financial Audit prepared by Roselli, Clark & Associates
On a motion made by Councilor Raposo and seconded by Councilor Canuel, it was unanimously voted to refer the item to the Committee on Finance, with Councilors Hart and Pereira absent and not voting.

- 10. Fiscal Year 2026 Quarterly Budget Report
On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to refer the item to the Committee on Finance, with Councilors Hart and Pereira absent and not voting.

PRIORITY COMMUNICATIONS

- 11. Traffic Commission recommending amendments to the traffic ordinances
On a motion made by Councilor Raposo and seconded by Vice President Dionne, it was unanimously voted to refer the item to the Committee on Ordinances and Legislation, with Councilors Hart and Pereira absent and not voting.

- 12. Letter from City Council President re: appointment of Vice President Michelle M. Dionne as designee to serve on the Solid Waste Request for Proposal 26-10 Selection Committee

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

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

All readings with emergency preamble:

- 13. Proposed Ordinance – Traffic, Handicapped parking
 - Hope Street, South, 39 feet east of Grant Street
 - Park Street, South, 113 feet west of Ridge Street

On a motion made by Councilor Raposo and seconded by Councilor Cadime, it was voted 7 yeas to adopt the emergency preamble, with Councilors Hart and Pereira absent and not voting. On a further motion made by Councilor Camara and seconded by Councilor Raposo, it was unanimously voted that the proposed ordinance be passed through first and second reading, passed to be enrolled and passed to be ordained, with Councilors Hart and Pereira absent and not voting.

*Approved, April 30, 2026.
 Paul E. Coogan, Mayor*

14. First Reading

Proposed Ordinance – Traffic, Miscellaneous

Section 1

Parking prohibited during all times (inserts)

- Brightman Street, North, 30 feet of Lindsey Street
- Pine Street, South, 244 feet west of Robeson Street

Section 2

Parking prohibited during all times (strikeout)

- Brightman Street, North, 100 feet of Lindsey Street

Section 3

Handicapped parking removals

- Eddy Street, West, 152 feet south of Locust Street

On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted that the proposed ordinance be passed through first reading, with Councilors Hart and Pereira absent and not voting.

ORDINANCES

Second reading and enrollment:

15. Proposed Ordinance – Traffic, Miscellaneous

Section 1

Parking prohibited during certain hours (inserts)

- Progress Street, North, Starting at Stafford Road for a distance of 282 feet westerly, Monday through Friday, 7:00 A.M. to 9:00 A.M. and 2:00 P.M. to 4:00 P.M.
- Progress Street, South, Starting at Stafford Road for a distance of 275 feet westerly, Monday through Friday, 7:00 A.M. to 9:00 A.M. and 2:00 P.M. to 4:00 P.M.

Section 2

Two-hour parking (insert)

- Pleasant Street, South, east of Cash Street, Monday through Saturday, 10:00 A.M. to 8:00 P.M.

Section 3

Handicapped parking removals

- Barnes Street, South, 322 feet west of County Street
- Hunter Street, East, 184 feet south of William Street
- Seabury Street, West, 104 feet north of Bank Street
- Sprague Street, North, 257 feet east of Bay Street
- Tuttle Street, East, 64 feet south of Dwelly Street

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

Approved, April 30, 2026

Paul E. Coogan, Mayor

RESOLUTIONS

16. Administration include clear outline of resources dedicated to cleanliness and maintenance throughout the City in the Fiscal Year 2027 budget presentation and the Committee on Health and Environmental Affairs hold semi-annual meetings to discuss the progress of cleanliness, maintenance and enforcement efforts throughout the City of Fall River

Councilor Canuel stated that there was an online petition submitted regarding the cleanliness of the City and that this resolution will allow the Administration and the Committee on Health and Environmental Affairs to act upon this matter. On a motion made by Councilor Raposo and seconded by Councilor Canuel, it was unanimously voted that the resolution be adopted, with Councilors Hart and Pereira absent and not voting.

CITATIONS

17. Commission on Disability Scholarship Recipients

| | | |
|---------------------|-------------------|--------------------------|
| Haziel Abreu | Julian Almeida | Matthew Beaudry |
| Gabriel Booth | Lillian DaPonte | Olivia Michelle Dos Reis |
| Juleigha Dos Santos | Madyson Rodrigues | Amiah Rondon |

On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted that the citations be accepted and placed on file, with Councilors Hart and Pereira absent and not voting.

ORDERS – HEARINGS – None**ORDERS – MISCELLANEOUS**

18. Police Chief's Report on Licenses

2026 License Renewals:

Pawnbrokers

Pawtucket Pawnbrokers Too, Inc., 302 South Main Street
 Fall River Financial MA LLC d/b/a Fall River Pawnbrokers, 1435 Pleasant Street
 Fall River Financial MA LLC d/b/a Fall River Pawnbrokers, 364 South Main Street
 Fall River Financial MA LLC d/b/a Fall River Pawnbrokers, 1475 South Main Street

Pool/Billiards

Bob's Place LLC d/b/a Straight Shooters Billiards (24 tables), 30 Front Street

Second Hand

Curt Barreira d/b/a Jimmy Jr's Tire Service, 729 Davol Street
 William F. Leach d/b/a Marine Consignment of Fall River, 75 Ferry Street
 TVI, Inc. d/b/a Savers Thrift Store, 109 Mariano Bishop Boulevard
 GameStop, Inc. d/b/a GameStop 6735, 153 Mariano Bishop Boulevard
 Fall River Financial MA LLC d/b/a Fall River Pawnbrokers, 1435 Pleasant Street
 Fall River Financial MA LLC d/b/a Fall River Pawnbrokers, 364 South Main Street
 Fall River Financial MA LLC d/b/a Fall River Pawnbrokers, 1475 South Main Street
 Wayne Confoey d/b/a Cash for Gold, 1503 Pleasant Street
 St. Vincent de Paul Exchange Store, Inc., 1799 Pleasant Street
 Laura Pacheco Ph.D. d/b/a Laura's Vintage Attic, 1791 South Main Street
 Michael West d/b/a A1 Antiques & Used Furniture, 1091 Plymouth Avenue
 Pawtucket Pawnbrokers Too, Inc., 302 South Main Street
 Joseph Bilan, BP Auto Service Repair, Inc., 1091 South Main Street
 Patenaude Jewelers, Inc., 1473 South Main Street
 Alan Confoey d/b/a Alan's Jewelry, 1661 South Main Street

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

19. Auto Body Shop License Renewals

Joseph Silva d/b/a Joe's Collision Center, Inc., 170 Jefferson Street
William Sanchez d/b/a Lambert Auto Body and Auto Sales, 103 Chavenson Street
Eddie Feliciano d/b/a Eddie & Sons Auto Body and Marine Repair, 115 Maple Street

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

The City Clerk stated that the renewal for Eddie Feliciano d/b/a Eddie & Sons Auto Body and Marine Repair, 115 Maple Street, had been denied by the Police Chief.

On a motion made by Councilor Peckham and seconded by Councilor Raposo, it was unanimously voted to reconsider the previous motion to adopt, with Councilors Hart and Pereira absent and not voting.

On a further motion made by Councilor Raposo and seconded by Vice President Dionne, it was unanimously voted to place the license renewal for the denied application onto a separate order and to adopt the order containing the license renewals for Joseph Silva d/b/a Joe's Collision Center, Inc., 170 Jefferson Street, and William Sanchez d/b/a Lambert Auto Body and Auto Sales, 103 Chavenson Street, with Councilors Hart and Pereira absent and not voting.

*Approved, April 30, 2026
Paul E. Coogan, Mayor*

On a further motion made by Councilor Rpaoso and seconded by Councilor Camara, it was unanimously voted to refer the order containing the license renewal for Eddie Feliciano d/b/a Eddie & Sons Auto Body and Marine Repair, 115 Maple Street, to the Committee on Regulations, with Councilors Hart and Pereira absent and not voting.

20. Auto Repair Shop License Renewals

Rabih Khoury d/b/a Warren Auto Repair, 857 Warren Street
Joseph Silva d/b/a Joe's Collision Center, Inc., 170 Jefferson Street
William Sanchez d/b/a Lambert Auto Body and Auto Sales, 103 Chavenson Street
Joseph Silva d/b/a Supreme Auto, 421 Third Street
Carlos Jaquez d/b/a Jaquez Auto & Repair, 182 Stafford Road

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

*Approved, April 30, 2026
Paul E. Coogan, Mayor*

COMMUNICATIONS – INVITATIONS – PETITIONS

21. Claims

On a motion made by Councilor Raposo and seconded by Councilor Peckham, it was unanimously voted to refer the claims to Corporation Counsel, with Councilors Hart and Pereira absent and not voting.

22. Drainlayer Licenses

- | | |
|---|---|
| Danella Line Services of MA, Inc. | Khoury Excavating, Inc. |
| DaSilva Landscaping & Construction LLC | MJD Excavating, Inc. |
| Geosearch, Inc. | Raposo Company Landscape & Construction LLC |
| J.H. Landscaping and Construction, Inc. | Riverside Masonry and Concrete |
| Joseph Botti Co., Inc. | Sherry Construction Corporation |

On a motion made by Councilor Camara and seconded by Councilor Peckham, it was unanimously voted to approve the drainlayer applications, with Councilors Hart and Pereira absent and not voting.

Approved, April 30, 2026

Paul E. Coogan, Mayor

23. Zoning Board of Appeals Minutes – March 19, 2026

On a motion made by Councilor Camara and seconded by Councilor Raposo, it was unanimously voted that the minutes be accepted and placed on file, with Councilors Hart and Pereira absent and not voting.

On a motion made by Councilor Camara and seconded by Councilor Raposo, it was unanimously voted to take items 24 through 27 together, with Councilors Hart and Pereira absent and not voting.

City Council Minutes

- 24. Joint Meeting of the City Council and School Committee – April 14, 2026
- 25. Public Hearings – April 14, 2026
- 26. Committee on Finance – April 14, 2026
- 27. Regular Meeting of the City Council – April 14, 2026

On a motion made by Councilor Camara and seconded by Vice President Dionne, it was unanimously voted to approve the minutes, with Councilors Hart and Pereira absent and not voting.

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: APRIL 28, 2026

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

First reading, as amended

- 14a. Proposed Ordinance – Authorize City Council to hire outside legal counsel
On a motion made by Councilor Raposo and seconded by Councilor Canuel, it was unanimously voted that the proposed ordinance be passed through first reading, as amended, with Councilors Hart and Pereira absent and not voting.

A brief recess was held from 8:36 p.m. to 8:37 p.m. for the signing of the ordinance.

On a motion made by Councilor Raposo and seconded by Councilor Cadime, it was unanimously voted to adjourn at 8:38 p.m., with Councilors Hart and Pereira absent and not voting.

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

A true copy Attest:

Chris da Silva Paulino Leite
City Clerk

9a

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on May 6, 2026, voted unanimously to recommend that the accompanying resolution be adopted, with Councilor Pereira absent and not voting.



Assistant Clerk of Committees

9a

City of Fall River, In City Council

(Committee on Ordinances and Legislation)

WHEREAS, the Committee on Ordinances and Legislation has met with Corporation Counsel and received and discussed his legal opinions and differing legal interpretations regarding Section 2-7(a) of the City Charter, related to City Council access to information, and Section 2-10 of the City Charter, related to City Council confirmation of certain appointments, now therefore

BE IT RESOLVED, that the City Council pursues legal action to receive a legal determination from a judge on the City Council's authority to confirm reappointments, jurisdiction to investigate City departments and authority to hire outside agencies to assist with investigations.

(Filed 5-6-2026)

CITY OF FALL RIVER
IN CITY COUNCIL
MAY 12 2026

Objected to and laid on
the table in accordance
with the Charter

CITY OF FALL RIVER
IN CITY COUNCIL
MAY 19 2026

Tabled

8a



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2026 MAY 20 P 4:12

CITY CLERK _____
FALL RIVER, MA

PAUL E. COOGAN
Mayor

May 20, 2026

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

Dear Honorable Council Members:

The Community Preservation Committee (CPC) has identified one additional community project and has made recommendations for funding in accordance with the Community Preservation Act (CPA) MGL Chapter 44B Sections 4 to 7.

- 650 Rock Street – FY27 Funding, Community Housing - \$501,300 Purchase & Roof Replacement

Your approval of the associated Appropriation Order is respectfully requested.

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

Best Regards,

Paul E. Coogan
Paul E. Coogan
Mayor,

8a

City of Fall River, In City Council

APPROPRIATION ORDER

ORDERED that the following FY 2027 supplemental appropriations be provided through the Community Preservation Act (CPA), reserves under the MGL Chapter 44B Sections 4 to 7 in the aggregate, amounting to \$501,300.00 to be appropriated as follows:

Voted: That \$501,300.00 be appropriate from the CPA Reserves and Fund Balance:

| | |
|---|----------------------------|
| For CPA Historic Resources Preservation PROJECT from CPA Fund Balance Reserved for Historic Preservation | \$650.00 |
| For CPA Community Housing PROJECT from CPA Fund Balance Reserved for Community Housing | \$500,650.00 |
| <u>TOTAL</u> | <u>\$501,300.00</u> |

Note: Please note this is a supplemental CPA appropriation for FY27. The City Council had earlier appropriated \$1,956,253 from FY27 Annual Revenues and \$2,503,322.32 from CPA Reserves and Fund Balance, and approved projects totaling \$4,255,175.32. Those votes leave the CPA Fund Balance Reserved for Community Housing at \$1,032,976.00 and the CPA Fund Balance Reserved for Historic Preservation at \$204,400.00; these amounts are more than sufficient to cover this supplemental appropriation.

8a



City of Fall River
Massachusetts
Community Preservation Committee

JOHN BRANDT
Chairman

KRISTEN CANTARA OLIVEIRA
Vice-Chairman

May 19, 2026

Mayor Paul Coogan
One Government Center
Fall River, MA 02722

Dear Mayor Coogan,

The Community Preservation Committee voted for out-of-cycle funding at their last meeting, Monday, May 19, 2026, for the Fall River Preservation Society to purchase property at 650 Rock Street, Fall River, MA. Request includes a contingency of an appraisal and 50% of the project will include 50% affordable housing. The Community Preservation Committee vote to recommend funding was 4Yes 1 No 1 abstain.

- Fall River Preservation Society
\$500,000.00
- \$650.00 – Historic Preservation Deed Restriction
- \$650.00 – Community Housing Deed Restriction
- \$501,300.00 – Total Funding Request – Community Housing

A letter needs to come from the mayor approving this funding and to the Auditor to prepare an Appropriation Order for this project.

We need this order to go to the City Council so it can be placed on the agenda for their next meeting.

Respectfully,

John Brandt

John Brandt, Chair
Fall River Community Preservation Committee