

City of Fall River Massachusetts

Office of the City Clerk

ALISON M. BOUCHARD
CITY CLERK

INÊS LEITE
ASSISTANT CITY CLERK

REGULAR MEETING OF THE CITY COUNCIL

MEETING: February 25, 2025, at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: Councilors Michelle M. Dionne and Bradford L. Kilby

IN ATTENDANCE: None

President Camara called the meeting to order at 8:07 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

PRIORITY MATTERS

1. Mayor and confirmation of the appointment of Drew Carline to the Conservation Commission

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was voted 6 yeas to confirm the appointment, with Councilor Ponte abstaining and Councilors Dionne and Kilby absent and not voting.

On a further motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to take item 4b out of order, with Councilors Dionne and Kilby absent and not voting.

RESOLUTIONS

- 4b. The Committee on Finance convene with the Administration to discuss ongoing issues with providing safe shelter services in the winter at First Step Inn, operated by Steppingstone, Inc., including challenges regarding adequate funding and staffing, strict qualification restrictions and bed counts.

Vice President Pereira expressed concern regarding this matter, including the strict regulations for eligibility of individuals to enter the First Step Inn, operated by Steppingstone, Inc. She further stated that City funding assistance is provided to this shelter, and that the City should have additional information regarding why these rules are in place. Vice President Pereira explained that the shelter does not open until 4:00 p.m., and this forces individuals to seek other shelter in cold weather, such as the Fall River Public Library.

Councilor Cadime expressed support of Vice President Pereira's suggestion that the City Council should be provided with additional information regarding the agreement that is in place with the City of Fall River and Steppingstone, Inc., as well as agreements for all other shelter facilities. Councilor Cadime also suggested that the City research temporary pallet houses and public warming centers.

Councilor Sampson explained that there are many City-funded programs, such as the services within the Timeo Center and the First Baptist Church, which provide protection from severe winter weather. Councilor Sampson stated that, while the agreements should be presented to the Councilors, the City has been creative with developing additional services for those experiencing homelessness, and there are many volunteers who assist with these programs.

Councilor Ponte emphasized that Fall River has been providing overnight prayer services within churches, laundry facilities, the Fall River Addiction Support and Treatment (FAST) team, and grant funding to organizations. Councilor Ponte explained that future discussions regarding this matter should be productive and respectful, and if justified, he may request an outside financial audit of Steppingstone, Inc., to confirm how their funding is being utilized. Councilor Ponte recommended inviting all shelter organizations to participate in this discussion.

Vice President Pereira and Councilor Cadime briefly discussed the new Massachusetts General Laws relating to Accessory Dwelling Units, which could assist with additional housing resources. Councilor Hart emphasized that the City must work with all parties to provide protection to all who are experiencing homelessness.

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

PRIORITY COMMUNICATIONS – None

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

2. The Committee on Ordinances and Legislation convene with the City Administrator, the Director of City Operations and Corporation Counsel to discuss potential fine amendments relating to illegal dumping of solid waste.

Councilor Raposo explained that this resolution would allow the Committee on Ordinances and Legislation to review the existing fine ordinances for illegal dumping at the Copicut Reservoir and throughout the City. On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to adopt the resolution, with Councilors Dionne and Kilby absent and not voting.

3. The Committee on Finance convene with the City Administrator, the City Treasurer/Collector and Corporation Counsel to discuss current properties in Tax Title or tax possession by the City, the Abutters Lots Program, and future tax possession auction dates.

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

4. The Committee on Finance convene with the City Administrator and ARPA Director to be provided with a full account on all funds allocated, spent or redirected with ARPA funding, in addition to a status report on all projects funded through ARPA funding
Councilor Ponte expressed support for this resolution and stated that there needs to be a detailed discussion regarding the progress of American Rescue Plan Act (ARPA) funded projects. On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to adopt the resolution, with Councilors Dionne and Kilby absent and not voting.

CITATIONS – None

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

5. Police Chief's report on licenses
Taxicab Driver

Duane Christopher Shealey

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

6. Auto Body Shop License Renewal

David Fernandes d/b/a Distinctive Auto, 14-26 Burns Street

Carl Garcia d/b/a Carl's Collision Center, Inc., 1591 Bay Street

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

Approved, February 26, 2025

Paul E. Coogan, Mayor

7. Auto Repair Shop License Renewal

David Fernandes d/b/a Distinctive Auto, 14-26 Burns Street

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

Approved, February 26, 2025

Paul E. Coogan, Mayor

8. Auto Body Shop License Transfer

Auto Body Shop License No. 21, located at 96 Alden Street, from John Medeiros d/b/a Medeiros Auto Body & Sales Inc. to Christopher Melo d/b/a Melo's Collision & Custom LLC

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

Approved, February 26, 2025

Paul E. Coogan, Mayor

9. Auto Repair Shop License Transfer

Auto Repair Shop License No. 31, located at 96 Alden Street, from John Medeiros d/b/a Medeiros Auto Body & Sales Inc. to Christopher Melo d/b/a Melo's Collision & Custom LLC

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

Approved, February 26, 2025

Paul E. Coogan, Mayor

COMMUNICATIONS – INVITATIONS – PETITIONS

10. Claims

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

11. Application for a License to Conduct One-Day Bingo – We Love Children Fund Organization, May 3, 2025, at 20 Star Street

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

12. Drainlayer Licenses:

Mitchell Associates Construction Corp.
WC Excavation, LLC

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to approve the applications, with Councilors Dionne and Kilby absent and not voting.

Approved, February 26, 2025

Paul E. Coogan, Mayor

On a further motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to take items 13 through 15 together, with Councilors Dionne and Kilby absent and not voting.

City Council Minutes

13. Public Hearings – February 11, 2025

14. Committee on Finance – February 11, 2025

15. Regular Meeting of the City Council – February 11, 2025

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

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS FILED AFTER THE AGENDA DEADLINE **CITY COUNCIL MEETING DATE: FEBRUARY 25, 2025**

PRIORITY COMMUNICATIONS

1a. Traffic Commission recommending amendments to the traffic ordinances

On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to refer the recommendations to the Committee on Ordinances and Legislation, with Councilors Dionne and Kilby absent and not voting.

COMMUNICATIONS – INVITATIONS – PETITIONS

12a. Planning Board Minutes

December 11, 2024

January 8, 2025

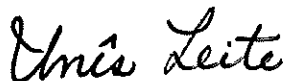
On a motion made by Councilor Raposo and seconded by President Camara, it was unanimously voted that the Planning Board minutes be accepted and placed on file, with Councilors Dionne and Kilby absent and not voting.

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to adjourn at 8:44 p.m., with Councilors Dionne and Kilby absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

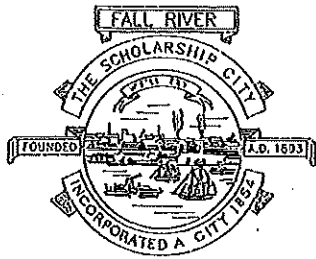
A true copy. Attest:

Handwritten signature of Onís Leite in black ink.

Assistant City Clerk

In City Council, March 11, 2025

Approved.



City of Fall River Massachusetts

Office of the City Clerk

RECEIVED

2025 FEB 21 P 1:05

ALISON M. BOUCHARD
CITY CLERK

CITY CLERK _____
FALL RIVER, MA

INÊS LEITE
ASSISTANT CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
FEBRUARY 25, 2025
AGENDA

4:30 P.M. COMMITTEE ON PUBLIC SAFETY

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

1. Citizen Input
2. *Order – Appropriating \$1,816,444 from CPA funds for FY26 community projects (referred 2-11-2025)
3. *Resolution – Convene with the City Administrator, Corporation Counsel, the Director of Financial Services, the Chairperson of the Board of Assessors and the Veterans' Services Officer to discuss potential tax exemptions for veterans, related to the HERO Act (adopted 1-28-2025)
4. *Resolution – Convene with the City Administrator, Corporation Counsel, the Director of Financial Services, and the Chairperson of the Board of Assessors to discuss tax exemptions and property abatements for senior citizens (adopted 1-28-2025)

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

PRIORITY MATTERS

1. *Mayor and confirmation of the appointment of Drew Carline to the Conservation Commission

PRIORITY COMMUNICATIONS - None

COMMITTEE REPORTS - None

ORDINANCES - None

RESOLUTIONS

2. *The Committee on Ordinances and Legislation convene with the City Administrator, the Director of City Operations and Corporation Counsel to discuss potential fine amendments relating to illegal dumping of solid waste.
3. *The Committee on Finance convene with the City Administrator, the City Treasurer/Collector and Corporation Counsel to discuss current properties in Tax Title or tax possession by the City, the Abutters Lots Program, and future tax possession auction dates.

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

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

4. *The Committee on Finance convene with the City Administrator and ARPA Director to be provided with a full account on all funds allocated, spent or redirected with ARPA funding, in addition to a status report on all projects funded through ARPA funding

CITATIONS – None

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

5. Police Chief's report on licenses
Taxicab Driver
Duane Christopher Shealey
6. Auto Body Shop License Renewal
David Fernandes d/b/a Distinctive Auto, 14-26 Burns Street
Carl Garcia d/b/a Carl's Collision Center, Inc., 1591 Bay Street
7. Auto Repair Shop License Renewal
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8. Auto Body Shop License Transfer
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COMMUNICATIONS – INVITATIONS – PETITIONS

10. *Claims
11. Application for a License to Conduct One-Day Bingo – We Love Children Fund Organization, May 3, 2025, at 20 Star Street
12. Drainlayer Licenses:
Mitchell Associates Construction Corp.
WC Excavation, LLC

City Council Minutes
13. *Public Hearings – February 11, 2025
14. *Committee on Finance – February 11, 2025
15. *Regular Meeting of the City Council – February 11, 2025

BULLETINS – NEWSLETTERS – NOTICES – None


City Clerk

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

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: FEBRUARY 25, 2025

PRIORITY COMMUNICATIONS

- 1a. *Traffic Commission recommending amendments to the traffic ordinances ~

RESOLUTIONS

- 4b. *The Committee on Finance convene with the Administration to discuss ongoing issues with providing safe shelter services in the winter at First Step Inn, operated by Steppingstone, Inc., including challenges regarding adequate funding and staffing, strict qualification restrictions and bed counts.

COMMUNICATIONS – INVITATIONS – PETITIONS

- 12a. Planning Board Minutes
December 11, 2024 January 8, 2025



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

PAUL E. COOGAN
Mayor

February 19, 2025

RECEIVED

2025 FEB 19 P 12:47

CITY CLERK _____
FALL RIVER, MA

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

Dear Council President and Members of the Honorable Council:

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

Name: Drew Carline

Address 1082 Davol Street, Apt # 323
Fall River, MA 02720

Position: Conservation Commission

Appointment Date: February 19, 2025

Expiration: February 18, 2028

Sincerely,

Paul E. Coogan
Mayor

PC/amos

City of Fall River, *In City Council*

2

(Committee on Health and Environmental Affairs)

WHEREAS, those who live near the Copicut Reservoir and Southeastern Massachusetts Bioreserve have expressed concern regarding illegal dumping of large items in the conservation area, such as construction debris, and

WHEREAS, there are multiple sections of the City code related to fees regarding illegal dumping or littering, including Section 26-42(C), which relates to Activities prohibited on public watershed lands surrounding Copicut Reservoir, and

WHEREAS, the fine for littering near the Copicut Reservoir should disincentivize this type of illegal disposal, now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation convene with the City Administrator, the Director of City Operations, Corporation Counsel and a representative of the Fall River Police Department to discuss the existing fines for illegal dumping near the Copicut Reservoir, how these fines are enforced when violations occur, and potential amendments to general fines for illegal dumping to increase adherence to proper disposal protocols in all neighborhoods.

(Filed 2-19-2025)

City of Fall River, *In City Council*

3

(Councilor Michelle M. Dionne)

WHEREAS, a tax title is a lien placed on a property for nonpayment of property taxes and,

WHEREAS, failure to pay said tax bill could result in that property becoming a tax possession to be auctioned by the City, and

WHEREAS, the Abutters Lots Program allows abutting properties the first opportunity to bid on tax possession properties, and

WHEREAS, the last tax possession auction took place on May 27, 2021, now therefore

BE IT RESOLVED, that the Committee on Finance convene with the City Administrator, the City Treasurer/Collector and Corporation Counsel to discuss current properties in tax title or tax possession by the City, the Abutters Lots Program, and the dates of future tax possession auctions.

(Filed 2-19-25)

City of Fall River, *In City Council*

4

(Councilor Michelle M. Dionne)

WHEREAS, the City of Fall River received approximately 70 million dollars from the American Rescue Plan Act, referred to as ARPA funding, which had to be committed by December 31, 2025 and expended by December 31, 2026, and

WHEREAS, all 70 million dollars of ARPA funding was allocated to various businesses, City departments, programs, and projects, some of which have been completed and some that are ongoing, now therefore

BE IT RESOLVED, that the Committee on Finance convene with the City Administrator and ARPA Director for a full accounting of all funds allocated, spent, or redirected, and

BE IT FURTHER RESOLVED, that the City Administrator and ARPA Director provide a status report on all projects, funded by the same ARPA dollars, whether completed or not completed, and if not completed that the expected date of completion be provided.

(Filed 2-20-25)



RECEIVED

2025 FEB 10 A 10:45

City of Fall River
Notice of ClaimCITY CLERK 25-4
FALL RIVER, MA

1. Claimant's name: Ludiana Brito Castelo Branco Silva
2. Claimant's complete address: 120 Park Street
3. Telephone number: Home: 774-300 0055 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Property damage
5. Date and time of accident: 02/2/25 Amount of damages claimed: \$ 1000.00
6. Exact location of the incident: (Include as much detail as possible):
Please refer to the Fall River Police Records to see all detail you are looking for
7. Circumstances of the incident: (attach additional pages if necessary):
The Police Department has reviewed its files and has located and prepared the records you asking. The pictures is attached here.
It was happened in my property at 120 Park Street Fall River, MA.
The attorney call all by accident and the office damage in the door.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

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: 02/10/25Claimant'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 ☒ PoliceDate: 2/10/25



Fall River Police Department
Incident Report

Page: 1
02/11/2025

Incident #: 25-553-OF
Call #: 25-5257

10

Date/Time Reported: 01/25/2025 0222
Report Date/Time: 01/29/2025 1647
Occurred Between: 01/25/2025 0222-01/29/2025 1647
Status: No Crime Involved

Reporting Officer: Officer Matthew Camara
Approving Officer: Lieutenant Jeffrey Richard

Signature: _____

Signature: _____

EVENTS(S)

LOCATION TYPE: Residence/Home/Apt./Condo Zone: Zone 126, Sec 10
120 PARK ST Apt. #2
FALL RIVER MA

1 Forced Entry

PERSON(S)

PERSON TYPE

SEX RACE

AGE SSN

PHONE

1 SILVA, LUCIANA
120 PARK ST Apt. #1
FALL RIVER MA

OTHER

F W

NOT AVAIL

[REDACTED]

CONTACT INFORMATION:

Home Phone (Primary) [REDACTED]

OTHER PROPERTIES

PROPERTY #

STATUS

1 DOORWAY FRAME
QUANTITY: 1
SERIAL #: NOT AVAIL
DATE: 01/29/2025

VALUE: \$100.00

Destroyed/Damaged/Vandalized

RECEIVED
2025 FEB 12 A 8:14
CITY CLERK 25-44
FALL RIVER, MA



10

RECEIVED

City of Fall River
Notice of Claim

2025 FEB. 11 P 12: 08

CITY CLERK 25-5
FALL RIVER, MA

1. Claimant's name: Kirsten Jones
2. Claimant's complete address: 841 Brook. St. Dighton, MA 02715
3. Telephone number: Home: 401-225-5354 Work: same as listed.
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Vehicle damage on public street.
5. Date and time of accident: 01/18/2025 5:28PM Amount of damages claimed: \$ 841.36
6. Exact location of the incident: (include as much detail as possible):
Montaup St., located in front of 357 Montaup St. on road - not sidewalk
7. Circumstances of the Incident: (attach additional pages if necessary):
At the time of the incident it was dark/raining. I was traveling at a slow rate of speed, as I was preparing to turn into the driveway of 357 Montaup St. (located on my right side). There were no cones, signage, or plates to be found in the road.
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: 01/28/2025

Claimant's signature: K. Jones

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

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

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

For official use only:

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

☒ DCM

Date: 2/11/25



MARASCO & NESSELBUSH

RECEIVED

2025 FEB 13 P 12: 52

CITY CLERK *Claim #25-6*
FALL RIVER, MA

10
Joseph P. Marasco, Esq. +
Donna M. Nesselbush, Esq. +
Anthony S. Buglio, Esq. +
Jane R. Duket, Esq. ++
Mark H. Grimm, Esq. ++
Timothy P. Lynch, Esq. ++

Alicia C. Blanco, Esq. ++
Jacqueline M. Carroll, Esq. +
Douglas E. Chabot, Esq. ++
Nicklyn G. Dolphin, Esq. +
Julie Jyang, Esq. +
Ryan P. Kelley, Esq. ++
Alanna G. Levy, Esq. +
Thomas L. Moran, Esq. ++
Alexandra D. Whitmore, Esq. ++
Noah M. Zimmerman, Esq. ++
Bartley M. McNally, Esq. ++ Of Counsel
Phillip M. Weinstein, Esq. ++ Of Counsel

February 10, 2025

Via Regular & Certified Mail

City Clerk
One Government Center
Room 227
Fall River, MA 02722
Certified Mail No.
9589 0710 5270 1679 7177 15

Joseph D. Camara, City Council President
One Government Center
Room 221
Fall River, MA 02722
Certified Mail No.
9589 0710 5270 1688 4109 66

RE: Personal Injury Claim:
Date of Incident:
Location on Incident:

Mary Winston
1/23/25
166 Pine Street Fall River, MA 02720

Dear Sir/Madam:

Notice is hereby given in accordance with MGL c. 84 §18-20 that Mary Winston, hereinafter referred to as Claimant, presents notice of her claim against the City of Fall River, State of Massachusetts and respectfully states as follows:

1. Claimant resides at 21 Danforth Street, Apt. 2E Fall River, MA 02724.
2. The name of the Attorney for the claimant is Alexandra Whitmore, Esq., Marasco & Nesselbush, LLP, whose business address is 685 Westminster Street, Providence, Rhode Island 02903.
3. The Claimant, on the afternoon of January 23, 2025, while walking as a pedestrian on the sidewalk (located directly in front of 166 Pine Street Fall River, MA 02724), Ms. Winston slipped on untreated ice (the "Defect") causing her to fall and become injured.
 - a. The Claimant sustained significant bodily injuries, including but not limited to a concussion and neck fracture.
4. This correspondence constitutes official notice pursuant to Massachusetts General Law 84 §18-20.

Wherefore, the Claimant, Mary Winston being injured as a result of the defective property owned by the City of Fall River seeks damages against the City of Fall River for reimbursement of medical expenses and pain and suffering in an amount to be determined and in accordance with Massachusetts Law.

Very truly yours,

Alexandra D. Whitmore

Alexandra D. Whitmore Esq.

CITY COUNCIL PUBLIC HEARINGS

MEETING: February 11, 2025 at 5:55 p.m.
Council Chamber, One Government Center

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

ABSENT: Vice President Linda M. Pereira and Councilor Shawn E. Cadime

IN ATTENDANCE: Seth Thomas Aitken, City Administrator
Bridget Almon, Director of Financial Services
Chief Jeffrey Bacon, Fall River Fire Department
Kenneth Pacheco, Chief Operating Officer,
Fall River Public Schools

The President called the meeting to order at 6:07 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearing was to hear all persons interested and wishing to be heard on the following:

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

Curb Removals

1. John Dacosta, 209 Adams Street, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
209 Adams Street	20'	8'	0'	28'

The existing parcel is currently serviced by a 20-foot curb opening. The applicant proposes to extend that existing opening by an additional 8 feet. The total opening for the location will be 28 feet. It should be noted that the driveway apron within the right of way shall be concrete. Pavers of any kind are not allowed within the right of way.

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

2. ICC Investments, LLC, 78 Melville Street, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
146 Eighteenth Street	24' 6"	15'	0'	39' 6"
	Orchard Street	Eighteenth Street		

The existing parcel is currently serviced by a 24-foot, 6-inch curb opening on Orchard Street. The applicant proposed to create a new 15-foot opening on Eighteenth Street.

The total opening for the location will be 39 feet, 6 inches.

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

Auto Body License

3. Aline Coutinho Souza, 371 High View Avenue, Somerset MA, 02726 d/b/a C&A Auto Body Inc., for a license to operate an auto body shop at 83 Mulberry Street, on Lot I-05-0060 Assessors Plan.

Restrictions:

1. No spraying of any kind inside the spray booth area until all hazardous conditions have been resolved.
 - a. Proper lighting appliances and explosion proof panels installed in accordance with IFC 2404.6.2.3 Integral Luminares & 527 CMR 1.00 43.1.3.6 Illumination and Observation Panels
 - b. Suppression system installed in accordance with IFC 2404.4 Fire Protection
 - c. Install Class 1 or Class 2 filters in accordance with ANSI/UL 900 in Accordance with 527 CMR 1.00 43.1.3.1.1.2
 - d. Electrical in accordance with IFC 2403.2.1.1 Flammable Vapor Areas & 2403.2.1.3 Areas Adjacent to Spray Booths

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

Capital Improvement Plan

4. Five Year Capital Improvement Plan

The President asked if any proponents were present, and the City Administrator, the Director of Financial Services, the Chief of the Fall River Fire Department and the Chief Operating Officer of the Fall River Public Schools came forward. Bridget Almon, Director of Financial Services, provided a PowerPoint presentation regarding the Capital Improvement Plan to the City Council, a copy of which is attached hereto and made a part of these minutes.

Councilor Dionne expressed concern regarding the new fire vehicles listed within the Capital Improvement Plan and inquired as to why the trucks were not obtained with American Rescue Plan Act (ARPA) funding. Chief Jeffrey Bacon, Fall River Fire Department, provided information regarding future plans for new apparatus, but reassured the City Council that there is not an emergent need for new vehicles currently. Chief Bacon explained that the lifespan of a fire truck is twenty to twenty-five years, and as they age, they can be used as reserve trucks. Seth Thomas Aitken, City Administrator, and the Director of Financial Services provided additional information regarding the restrictions of ARPA funding, the lengthy timeline of vehicle

order fulfillment and the time limit for the use of this federal funding. Councillor Dionne also requested clarification regarding different expenses within various fire stations, including window replacements, and additional vehicle leases listed for Emergency Medical Services (EMS). Chief Bacon provided a brief update regarding repairs within fire stations and the new construction of a metal building to protect emergency response apparatus, which will be built near the existing headquarters of the Fall River Fire Department. Ms. Almon provided financial insight regarding the leasing of EMS vehicles and that this type of financing assists in balancing the expense over a longer period. The City Administrator also gave a brief overview of existing bond orders that will help to fund various renovations for fire stations. Councillor Dionne requested additional information regarding public school renovations listed within the Capital Improvement Plan. Kenneth Pacheco, Chief Operating Officer, Fall River Public Schools, provided a detailed description of repairs that will be ongoing in different school buildings, including asbestos removal, roof repairs, boiler replacements and window installations. Mr. Pacheco explained that these projects are scheduled to take place throughout the next few fiscal years as the buildings must also be used while undergoing repair, and some renovations cannot be performed during the summer vacation break.

Councillor Raposo requested additional information regarding the potential construction of a new public school, as there was a line item listed as "Pre-K to 5 Elementary School to be named" in the Capital Improvement Plan. Mr. Pacheco provided a summary of the growing population of students within the City of Fall River and explained that many older schools have been renovated to assist with this need for additional classrooms. The Chief Operating Officer of the Fall River Public Schools stated that this potential project was included in the Capital Improvement Plan list to provide the possibility of opening a new elementary school, if the need arises.

Councillor Ponte and the Director of Financial Services briefly discussed the changes in financial expenditures planned for Fiscal Year 2026 within the Capital Improvement Plan. Ms. Almon explained that additional funding sources, such as ARPA, would no longer be available and those types of funds had allowed for additional flexibility within previous budget years. Councillor Ponte, Mr. Aitken, Ms. Almon and Chief Bacon held a detailed discussion regarding the financial relationship between the Fall River Fire Department and the EMS Enterprise Fund, and the use of EMS funding to assist with Fire Department expenditures. Councillor Ponte suggested that the Administration consider an additional inspection protocol for pre-sale inspections of commercial properties to increase revenue for the Fire Department, as only residential properties currently require these types of inspections prior to a sale. Chief Bacon stated that he was working with the Administration to develop funding methods for the Fire Department and explained that, while there were some challenges with this type of inspection being implemented; he was open to exploring the matter further and studying similar policies of nearby municipalities. Councillor Ponte, Mr. Aitken and Ms. Almon discussed the leasing of various vehicles within the EMS Enterprise Fund, and the need for additional apparatus due to new programs being implemented, such as the Mobile Integrated Health program. Councillor Ponte inquired as to whether any departments have emergent needs for projects and the City Administrator explained that, while all matters were important, all vital renovations, repairs and updates were currently being addressed.

Councilor Dionne requested information regarding additional Fire and EMS services within the new waterfront area and if more vehicles would be needed for this neighborhood. Chief Bacon explained that he is working with a third-party consulting company that specializes in analyzing community needs related to emergency services and that the City is working to provide adequate care for all future developments in that area. Councilor Dionne asked for updates regarding the repairs of Eastern Avenue that were listed in the Capital Improvement Plan, as that road is owned by the Commonwealth of Massachusetts. The City Administrator stated that he would obtain additional information regarding that project from the City Engineer/Planner to provide to the Councilors.

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

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to close the hearings at 7:13 p.m., with Vice President Pereira and Councilor Cadime absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda (attached)

PowerPoint Presentation of Capital Improvement Plan, provided by
Bridget Almon, Director of Financial Services

A true copy. Attest:

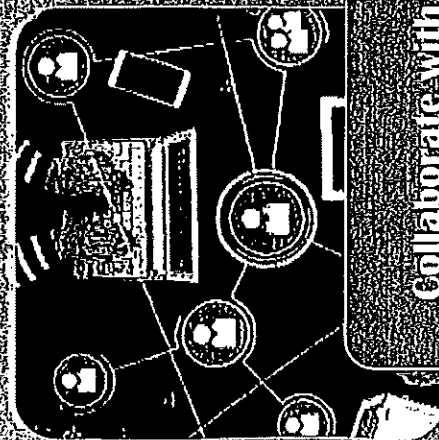
Alison M. Bouchard

City Clerk

City of Fall River, MA Capital Improvement Plan

Fiscal years June 30, 2025-June 30, 2029

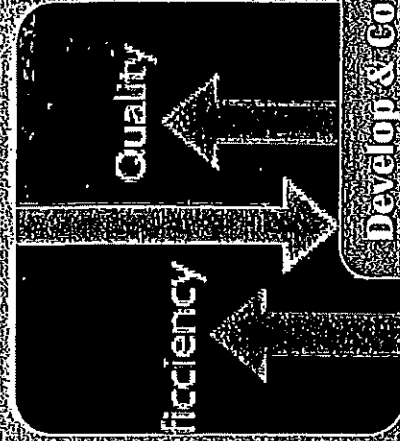
HOW & WHY WE BUILD A CIP



Collaborate with
Departments,
Administration,
Consultants



Create, enhance,
preservation of
spaces &
Infrastructure



Develop & Complete
with maximizing
funding resources to
sustain public
infrastructure that
attracts development

PURPOSE OF CIP

- The Capital Improvement Program (CIP) serves as a strategic framework for the City to systematically address its long-term capital needs. By forecasting requirements for infrastructure and public services over a five-year horizon, the CIP plays a crucial role in ensuring the sustainable development and maintenance of essential city assets, such as roads, public facilities, and sewer systems.
- Through careful vetting of proposed capital projects, the City aims to optimize funding allocations and project timelines, ultimately maximizing the benefits delivered to the public. The CIP not only includes an analysis of costs and funding mechanisms but also aligns these projects with the City's overarching goals and community objectives.
- The Capital Budget, derived from the CIP, outlines the specific projects that will commence in the upcoming fiscal year. It is important to note that while some projects may begin in a single year, many span multiple budget periods, highlighting the ongoing nature of infrastructure investment and improvement.
- The City's commitment to investing in facilities, equipment, and vehicles underscores its focus on delivering high-quality services and support to the community. This strategic approach to capital investment is essential not only for maintaining current public infrastructure but also for enhancing overall community well-being.

FUNDING STRATEGIES-The City will continue to face substantial capital needs, with limited resources available, the City must be strategic in prioritizing.

**• FREE CASH, OPERATING
BUDGET, STABILIZATION
FUNDING**

• State & Federal Funding

• Chapter 90 Roadway

• MSBA Funds

• CDBG Funds

• State Earmark Funds

• Community Preservation Funding

• Loan Forgiveness Programs

• Bond Authorization

*• Requires City Council
Approval*

*• Recurring Equipment
Purchases*

*• Linked to City/Department
Goals*

Police Capital Improvement Program (CIP)

#	PROJECT TITLE	PROGRAM	CONDITION (Excellent, Good, Fair, Poor)	FY26 ESTIMATED COST	FY27 ESTIMATED COST	FY28 ESTIMATED COST	FY29 ESTIMATED COST	FY30 ESTIMATED COST	TOTAL ESTIMATED COST	OTHER FINANCIAL SOURCES (Bond, Operating Budget, Grant)
1	7 Marked Police Cruisers	Police Department	Good-Poor	\$ 427,000	\$ 427,000	\$ 427,000	\$ 427,000	\$ 427,000	\$ 2,135,000	Budget
2	Traffic Signal Upgrades	Police Department	Good-Poor	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 600,000	Budget
3	Evidence Storage Shelving	Police Department	Fair-Poor	\$ 60,000					\$ 60,000	Budget
4	2 Police Motorcycles	Police Department	Good-Poor	\$ 62,000			\$ 62,000		\$ 124,000	Budget
5	1 Marked Police Supervisor Cruiser	Police Department	Good-Poor	\$ 61,000	\$ 61,000		\$ 61,000		\$ 183,000	Budget
6	3 Unmarked Police Cruisers	Police Department	Good-Poor	\$ 90,000	\$ 90,000	\$ 90,000	\$ 90,000	\$ 90,000	\$ 450,000	Budget
			TOTALS	\$ 820,000	\$ 698,000	\$ 760,000	\$ 637,000	\$ 637,000	\$ 3,552,000	

Fire Department Capital Improvement Program (CIP)

	PROJECT TITLE	PROGRAM	CONDITION (Excellent, Good, Fair, Poor)	FY26 ESTIMATED COST	FY27 ESTIMATED COST	FY28 ESTIMATED COST	FY29 ESTIMATED COST	FY30 ESTIMATED COST	TOTAL ESTIMATED COST	OTHER FINANCIAL SOURCES (Bond, Operating Budget, Grant)
1	Replace all 68 SCBA	Fire	Good		\$ 975,000				\$ 975,000	Grant
2	1500 GPM Fire Engine (#2)	Fire	Good	\$ 980,000					\$ 980,000	CDA
3	1500 GPM Fire Engine (#4)	Fire	Good			\$ 1,100,000			\$ 1,100,000	Bond
4	Command Vehicle (#3)	Fire	Good				\$ 75,000		\$ 75,000	Budget
5	Fireground Accountability System	Fire	N/A			\$ 90,000			\$ 90,000	Budget
6	1500 GPM Fire Engine (#5)	Fire	Good					\$ 1,250,000	\$ 1,250,000	CDA/Bond
7	Staff Vehicle	Fire	Good	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 250,000	Budget
8	Tech Improvements (equipment tracking/salon tracking)	Fire	N/A	\$ 50,000					\$ 50,000	Budget
9	Apparatus Lifts	Fire	Fair	\$ 140,000					\$ 140,000	EMS
10	Replace Station Appliances	Fire	Poor	\$ 15,000		\$ 20,000			\$ 35,000	Budget
11	Replace East & West Windows (Center-68 total)	Fire	Poor		\$ 278,800				\$ 278,800	CPA
12	Replace Windows (Globe-44 total)	Fire	Poor				\$ 224,400		\$ 224,400	CPA
13	Repair Center Brick	Fire	Poor				\$ 426,900		\$ 426,900	CPA
			TOTALS	\$ 1,235,000	\$ 1,303,800	\$ 1,260,000	\$ 776,300	\$ 1,300,000	\$ 5,575,100	

EMS Capital Improvement Program (CIP)

	PROJECT TITLE	PROGRAM	CONDITION (Excellent, Good, Fair, Poor)	FY26 ESTIMATED COST	FY27 ESTIMATED COST	FY28 ESTIMATED COST	FY29 ESTIMATED COST	FY30 ESTIMATED COST	TOTAL ESTIMATED COST	OTHER FINANCIAL SOURCES (Bond, Operating Budget, Grant)
1	FrontLine Medical Rescue	EMS		\$ 200,000	\$ 200,000				\$ 400,000	LEASE
2	IFT Transit Ambulance	EMS		\$ 120,000	\$ 120,000				\$ 240,000	LEASE
3	Frontline Medical Rescue	EMS				\$ 200,000	\$ 200,000		\$ 400,000	LEASE
4	IFT Transit	EMS				\$ 120,000	\$ 120,000		\$ 240,000	LEASE
5	Squad 11	EMS		\$ 72,000					\$ 72,000	LEASE (F)
6	FrontLine Medical Rescue (2)	EMS		\$ 193,475					\$ 193,475	LEASE (F)
7	Administration Vehicle	EMS		\$ 45,000					\$ 45,000	PURCHASE
8	Administration Vehicle	EMS		\$ 45,000					\$ 45,000	PURCHASE
9	Frontline Medical Rescue (6)	EMS		\$ 175,471					\$ 175,471	LEASE (F)
10	FrontLine Medical Rescue (7)	EMS		\$ 128,982					\$ 128,982	LEASE (F)
11	IFT Transit	EMS		\$ 105,720	\$ 112,052	\$ 118,764			\$ 336,536	LEASE (2)
12	Cardiac Monitor Replacement	EMS		\$ 108,562					\$ 108,562	LEASE (F)
14	Storage Building/Center Station Renovations	EMS	N/A	\$ 160,000	\$ 160,000	\$ 253,200	\$ 253,200	\$ 253,200	\$ 1,109,600	Bond
16	Cardiac Monitor	EMS		\$ 50,000		\$ 50,000		\$ 50,000	\$ 150,000	PURCHASE
17	Lucas Device	EMS		\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 100,000	PURCHASE
			TOTALS	\$ 1,424,210	\$ 512,052	\$ 771,954	\$ 603,200	\$ 333,200	\$ 3,744,526	

Planning Department Capital Improvement Program (CIP)

#	PROJECT TITLE	PROGRAM	CONDITION (Excellent, Good, Fair, Poor)	FY26 ESTIMATED COST	FY27 ESTIMATED COST	FY28 ESTIMATED COST	FY29 ESTIMATED COST	FY30 ESTIMATED COST	TOTAL ESTIMATED COST	OTHER FINANCIAL SOURCES (Bond, Operating Budget, Grant)
1	QERT Phase IV A	Planning Dept	na	\$ 1,000,000					\$ 1,000,000	Apa funded
2	Columbia Street Parkade	Planning Dept	Poor	\$ 500,000					\$ 500,000	grant
3	Kennedy Park Overlook	Planning Dept	na	\$ 6,500,000					\$ 6,500,000	Bond/grant
4	QERT Phase IV B	Planning Dept	na	\$ 3,000,000					\$ 3,000,000	Bond/grant
5	Mount Hope Greenway	Planning Dept	na	\$ 8,000,000					\$ 8,000,000	Bond/grant
6	Zoning Bylaw	Planning Dept	poor	\$ 200,000					\$ 200,000	grant
			TOTALS	\$ 19,200,000	\$	\$	\$	\$	\$ 19,200,000	

Engineering Department Capital Improvement Program (CIP)

#	PROJECT TITLE	PROGRAM	CONDITION (Excellent, Good, Fair, Poor)	FY25 ESTIMATED COST	FY27 ESTIMATED COST	FY28 ESTIMATED COST	FY29 ESTIMATED COST	FY30 ESTIMATED COST	TOTAL ESTIMATED COST	OTHER FINANCIAL SOURCES (Bond, Operating Budget, Grant)
1	Bedford Street Reconstruction	Engineering Dept	poor	\$ 2,500,000					\$ 2,500,000	Bond/Chp 90 funded
2	Columbia Street Reconstruction	Engineering Dept	poor	\$ 2,000,000					\$ 2,000,000	Bond/Chp 90 funded
3	Roadway Improvement Project	Engineering Dept	poor	\$ 3,000,000					\$ 3,000,000	Bond/Grant/Chp 90
4	Eastern Avenue reconstruction	Engineering Dept	poor	\$ 20,000,000					\$ 20,000,000	Bond/Grant/Chp 90
5	Sullivan Upgrade	Engineering Dept	na	\$ 20,000					\$ 20,000	Chp 90
6	Blossom & Copeland Recon.	Engineering Dept	poor	\$ 20,000,000					\$ 20,000,000	Bond/Grant/Chp 90
			TOTALS	\$ 47,520,000	\$	\$	\$	\$	\$ 47,520,000	

City Operations - Facilities Capital Improvement Program (CIP)

#	PROJECT TITLE	PROGRAM	CONDITION (Excellent, Good, Fair, Poor)	FY26 ESTIMATED COST	FY27 ESTIMATED COST	FY28 ESTIMATED COST	FY29 ESTIMATED COST	FY30 ESTIMATED COST	TOTAL ESTIMATED COST	OTHER FINANCIAL SOURCES
1	EMS Metal Building **	City Operations	New	\$1,500,000					\$1,500,000	Bond paid by Enterprise
14	Bullock St Metal Building	City Operations	New		\$2,500,000				\$2,500,000	Bond
15	Trailer Mounted 64' lift	City Operations	New	\$94,000					\$94,000	Bond
16	14,000 lbs Vehicle Lift	City Operations	New	\$8,000					\$8,000	Bond
			TOTALS	\$1,602,000	\$2,500,000				\$4,102,000	

**The commercial garage is a 40' wide x 50' length totaling 2,000 sq ft, 16' high totaling 32,000 cubic feet. Fall River EMS & Fire department would house emergency trucks and vehicles in this building

City Operations - DCM - Capital Improvement Program (CIP)

#	PROJECT TITLE	PROGRAM	CONDITION (Excellent, Good, Fair, Poor)	FY26 ESTIMATED COST	FY27 ESTIMATED COST	FY28 ESTIMATED COST	FY29 ESTIMATED COST	FY30 ESTIMATED COST	TOTAL ESTIMATED COST	OTHER FINANCIAL SOURCES
1	2024 Dimond Box Trailer 53'	DCM		\$39,999					\$39,999	Budget
1	Peterbuilt 567 Tractor Wet System	DCM		\$200,000					\$200,000	Bond/Lease
2	Dump/Pick up Truck	DCM			\$50,000	\$50,000	\$50,000		\$150,000	Bond/Lease
			TOTALS	\$239,999	\$50,000	\$50,000	\$50,000	\$0	\$389,999	

City Operations - Parks - Capital Improvement Program (CIP)

	PROJECT TITLE	PROGRAM	CONDITION (Excellent/Good/ Fair/Poor)	FY26 ESTIMATED COST	FY27 ESTIMATED COST	FY28 ESTIMATED COST	FY29 ESTIMATED COST	FY30 ESTIMATED COST	TOTAL ESTIMATED COST	OTHER FINANCIAL SOURCES
1	Briffand Park Playground Equip		poor	\$ 150,000					\$150,000	Bond/lease
1	Columbus Park Play Equipment		poor	\$ 150,000					\$150,000	
2	Park Crew cab			\$ 65,000					\$65,000	
2	Abbott Court Playground Equip.		poor	\$ 175,000					\$175,000	
3	Maplewood Park Splash Pad				\$ 250,000				\$250,000	
3	Hustler Mower Replacement		poor		\$ 17,500	\$ 17,500			\$35,000	
4	Pulaski Park Tennis/Pickle Ball		poor			\$ 250,000			\$250,000	
4	Turner Park Pickle ball court		poor			\$ 135,000			\$135,000	
			TOTALS	\$300,000	\$240,000	\$267,500	\$402,500	\$0	\$1,210,000	

Description	Replacement (Y/N)	If YES, condition of current asset (Excellent, Good, Poor)	If NO, what is the reason for Need (Increased Safety; Reduce Personnel Time; New Operations; Improve Service to the Community; etc.)	FY2026	FY2027	FY2028	FY2029	FY2030	Estimated Cost
Schools:									
HVA/C Improvements (anticipated)	Schools	Good/Fair/Poor	District-Wide	\$ 2,300,000	\$ 2,300,000	\$ 2,300,000	\$ 2,300,000	\$ 2,300,000	\$ 11,500,000
Replace Existing Windows	Schools	poor	Talbot Middle School	\$ 1,000,000	\$ 500,000	\$ 1,200,000			\$ 2,700,000
Exterior / Interior Cameras	Schools	additional	District-Wide	\$ 370,000	\$ 380,000	\$ 390,000	\$ 400,000	\$ 410,000	\$ 1,950,000
Exterior / Interior doors	Schools	poor	Talbot Middle School	\$ 95,000	\$ 95,000	\$ 95,000			\$ 285,000
surface play area & replace playground	Schools	fair	Waston Elementary			900,000			900,000
Complete Roof Replacement	Schools	poor	Silvia Elementary				\$ 2,300,000		\$ 2,300,000
Concrete walkways & ramps	Schools	poor	Silvia Elementary	80,000					\$ 80,000
Complete roof replacements	Schools	fair	Spencer Borden Elementary			\$2,100,000			\$2,100,000
Upgrade Electrical System	Schools	poor	Talbot Middle School		\$2,300,000				\$2,300,000
Playground improvements	Schools	poor	Henry Lord Middle School	\$ 550,000	\$ 550,000				\$ 1,100,000
Replace EPDM roof	Schools	poor	Henry Lord Middle School			\$ 1,600,000			\$ 1,600,000
Replace Gym Floor, Bleachers	Schools	poor	Henry Lord Middle School		\$ 470,000				\$ 470,000
Auditorium Renovation	Schools	poor	Talbot Middle School	\$ 200,000		\$ 200,000	\$ 200,000	\$ 200,000	\$ 600,000
Bathroom renovations	Schools	poor	Talbot Middle School		\$ 750,000		\$ 750,000		\$ 1,500,000
BMS Improvements	Schools	poor	Greene Elementary	\$ 1,100,000					\$ 1,100,000
Air Conditioning	Schools	N/A	Stone School FRLC	750,000		\$2,350,000			3,100,000
Boiler replacement & Gas	Schools	poor	Administration Building		\$ 325,000				\$ 325,000
Roof Replacement	Schools	Poor	AS Letourneau School				2,300,000		2,300,000
Playground improvements	Schools	poor	AS Letourneau School	\$ 650,000					\$ 650,000
Repair play area and equipment	Schools	poor	Carlton Vreans		\$750,000				\$ 750,000
Replace Windows	Schools	poor	John J Doran School			\$ 460,000			\$ 460,000
surface play area & replace playground	Schools	poor	John J Doran School		\$ 168,000				\$ 168,000

Description	Replacement (Y/N)	If YES, condition of current asset (Excellent, Good, Fair)	If NO, what is the reason for need (Increased Safety; Reduce Personnel Time; New Operation; Improve Service to the Community, etc.)	FY2026	FY2027	FY2028	FY2029	FY2030	Estimated Cost
Schools:									
BMS Improvements	Schools	poor	John J. Doran School		\$1,000,000				1,000,000
Repair concrete walks and walls	Schools	poor	John J. Doran School		\$ 450,000		\$ 450,000		\$ 900,000
Air Conditioning	Schools	N/A	Westfall Elementary	\$ 750,000					\$ 750,000
Playground improvements	Schools	poor	Sliva Elementary			800,000			800,000
Monitor Classrooms	Schools	N/A	Tansey Elementary Pre-K	400,000					\$400,000
Artificial all purpose field	Schools	poor	Kuss Middle School				900,000		900,000
Playground improvements	Schools	poor	Spencer Borden School			\$ 990,000			\$ 990,000
Sidewalks & ramps	Schools	poor	Spencer Borden School		\$ 33,000				\$ 33,000
Roof Replacement	Schools	poor	Carlton Vireos School					\$2,300,000	2,300,000
Roof Replacement	Schools	poor	Greene Elementary School		\$ 2,100,000				\$ 2,100,000
Upgrade electrical system	Schools	poor	Resiliency Preparatory Academy			\$ 1,564,940	\$ 1,000,000		\$ 2,564,940
Upgrade plumbing system	Schools	poor	Resiliency Preparatory Academy			\$ 2,393,944			\$ 2,393,944
Asbestos removal	Schools	N/A	Resiliency Preparatory Academy		\$ 487,750				\$ 487,750
Window replacement all levels	Schools	poor	Resiliency Preparatory Academy		\$1,600,000				\$1,600,000
Installation of fire suppressions	Schools	poor	Resiliency Preparatory Academy		\$ 1,972,000				\$ 1,972,000
Upgrade elevator	Schools	poor	Resiliency Preparatory Academy		\$ 650,000				\$ 650,000
New pre-K to 5 elementary school	Schools	N/A	to be named		\$ 350,000				\$ 79,172,900
Total School Facilities				\$5,945,000	\$17,630,750	\$2,993,944	\$8,400,000	\$8,400,000	\$79,172,900

Key for funding sources identified:

MSBA

COMMITTEE ON FINANCE

MEETING: February 11, 2025, at 6:00 p.m.
Council Chamber, One Government Center

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

ABSENT: Vice President Linda M. Pereira and Councilor Shawn E. Cadime

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

The chair called the meeting to order at 7:14 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

Ken Rego, 2000 Bay Street – HUD (Housing and Urban Development)

2. Fiscal Year 2025 Quarter 2 Budget Report

Bridget Almon, Director of Financial Services, explained that the City of Fall River is currently on target with anticipated revenue, but that new tax laws have affected the collection of certain types of tax payments, and this has affected the overall capital available to various departments. Ms. Almon also explained that there have been increased costs to employee health insurance, and that there was recently a financial transfer to remedy this matter. The Director of Financial Services expressed confidence that all expenses are currently around 40-50 percent of the Fiscal Year 2025 budget, which is satisfactory.

Councilor Ponte requested additional information regarding inactive capital projects. Seth Thomas Aitken, City Administration, stated that most of the funds from these projects have been reallocated, but that the small amount of funding that remains requires additional steps prior to reassignment. Councilor Ponte emphasized that the Division of Streets and Highways would benefit from any available funding. Mr. Aitken and Ms. Almon provided information regarding various projects that have been discussed to improve parks, such as the creation of walking paths, and that the Administration is always researching methods to obtain additional grant funding for various departments.

Councilor Ponte also requested information regarding streetscape programs that were presented to the City Council under a former administration. The City Administrator explained that, currently, there is no development for that project, and Councilor Ponte stated that he'd file a resolution soon to discuss the streetscape programs with the City Engineer/Planner. Councilor Ponte and the Director of Financial Services discussed the anticipated increase in net school spending and Ms. Almon explained that the School Department may need additional funding prior to the end of Fiscal Year 2025.

Councilor Raposo complimented the Administration as many portions of the quarterly report reflected financial efficiency during the second quarter of Fiscal Year 2025. Ms. Almon explained that there may be slight adjustments for certain line items next quarter, as interest rates are lowering which will decrease the interest revenue from City investments. The Director of Financial Services stated that the increased revenue over the past few years was valuable for the City.

Councilor Dionne, the City Administrator and the Director of Financial Services discussed the decreased amount of revenue listed under the Marijuana Excise Tax. Ms. Almon explained that many other states have now legalized the use of recreational marijuana, and there are fewer customers crossing the state border to purchase these products. Mr. Aitken stated that there are ten or eleven operational dispensaries in Fall River. The Director of Financial Services also explained that the market for marijuana sales has changed, and some stores in other municipalities are closing due to the lack of demand.

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adjourn at 7:32 p.m., with Vice President Perelra and Councilor Cadime absent and not voting.

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


Clerk of Committees

REGULAR MEETING OF THE CITY COUNCIL

MEETING: February 11, 2025, at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: Vice President Linda M. Pereira and Councilor Shawn E. Cadime

IN ATTENDANCE: None

President Camara called the meeting to order at 7:33 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 Ponte, it was unanimously voted to take items 15 and 16 out of order, with Vice President Pereira and Councilor Cadime absent and not voting. On a further motion made by Councilor Raposo and seconded by Councilor Kilby, it was unanimously voted to take items 15 and 16 together, with Vice President Pereira and Councilor Cadime absent and not voting.

CITATIONS

15. Student Veterans of America Chapter of Bristol Community College
Top Five National Finalist for the 2024 Student Veterans of America Chapter of the Year Award
16. Officers of the Student Veterans of America Chapter of Bristol Community College:

CJ Camacho	Talos Farris	Jerone Harper	Kayla Harvey
Silvia Jones	John Montiero	Maximus Poole	Joseph Schrank

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

Councilor Raposo made brief remarks complimenting the Student Veterans of America Chapter of Bristol Community College. Denny Cosmo, Director, Joseph A. Marshall Veterans Center, Bristol Community College, congratulated the members of the Chapter and read aloud the names of those who were present to receive their citations.

PRIORITY MATTERS

1. Mayor and confirmation of the appointment of Ben Feitelberg to the Redevelopment Authority

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

2. Mayor and confirmation of the reappointment of Joseph Pereira to the Zoning Board of Appeals

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

3. Mayor and orders declaring the following municipal properties as surplus to allow for disposition:

- a. 112 Flint Street (former Davol School) (Parcel ID# K-14-0011)

On a motion made by Councilor Ponte and seconded by Councilor Kilby, it was unanimously voted to refer the matter to the Committee on Real Estate, with Vice President Pereira and Councilor Cadime absent and not voting.

- b. 138 Hartwell Street (former Silvia School) (Parcel ID# N21-001)

On a motion made by Councilor Ponte and seconded by Councilor Raposo, it was unanimously voted to refer the matter to the Committee on Real Estate, with Vice President Pereira and Councilor Cadime absent and not voting.

4. Mayor and order accepting a donation in an amount not to exceed \$25,000 annually from Deborah and Richard Danner to the Fall River Public Library

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

Approved, February 12, 2025

Paul E. Coogan, Mayor

5. Mayor and proposed zoning amendments re Apartment District (A-2)

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to refer the proposed zoning ordinance amendment to the Planning Board, with Vice President Pereira and Councilor Cadime absent and not voting.

6. Mayor and order appropriating \$1,816,444 from Community Preservation Act funds for Fiscal Year 2026 community projects

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

7. Mayor and request to establish ordinances creating the following positions:

- a. Museum Security Officer of Public Library Services
- b. Processing Archivist of Public Library Services

On a motion made by Councilor Ponte and seconded by Councilor Raposo, it was unanimously voted to refer the matter to the Committee on Ordinances and Legislation, with Vice President Pereira and Councilor Cadime absent and not voting.

8. Mayor and orders relating to 2501 South Main Street:
 a. Quitclaim Deed conveying property from Fall River Redevelopment Authority to Fall River School Committee

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

Approved, February 12, 2025

Paul E. Coogan, Mayor

- b. Amendment to lease agreement between Fall River Redevelopment Authority and Fall River School Department

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

Approved, February 12, 2025.

Paul E. Coogan, Mayor

PRIORITY COMMUNICATIONS

9. Deputy Police Chief J.T. Hoar and request for revocation of Second Hand Article Store license for Joey A. Pacheco d/b/a Pacheco's Furniture at 255 South Main Street

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

Approved, February 12, 2025

Paul E. Coogan, Mayor

10. Traffic Commission recommending amendments to the traffic ordinances

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to refer the recommendations to the Committee on Ordinances and Legislation, with Vice President Pereira and Councilor Cadime absent and not voting.

COMMITTEE REPORTS

Committee on Health and Environmental Affairs recommending:

Grant Leave to Withdraw

11. Resolution – Convene with representatives from Gates of Hope Incorporated and Administration to discuss options to help Gates of Hope Incorporated continue their work for the citizens of the Flint Neighborhood

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

12. Resolution – Convene with a representative of the Board of Park Commissioners, City Administrator, and representative of the Fall River Police Department to discuss concerns regarding unauthorized use of public parks

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

ORDINANCES – None

RESOLUTIONS

13. Capital Improvement Plan be approved by the City Council

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

14. The Committee on Ordinances and Legislation convene with the City Administrator, the Director of Traffic and Parking, the Director of Community Maintenance, and a representative of the Fall River Police Department to discuss potential amendments to the existing ordinance related to emergency parking bans.

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

ORDERS – HEARINGS**Curb Removals**

17. John Dacosta, 209 Adams Street – Removal of 8 feet for a total opening of 28 feet at 209 Adams Street

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

Approved, February 12, 2025

Paul E. Coogan, Mayor

18. ICC Investments LLC, 78 Melville Street – Removal of 15 feet for a total opening of 39 feet, 6 inches at 146 Eighteenth Street

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

Approved, February 12, 2025

Paul E. Coogan, Mayor

Auto Body Shop License

19. Aline Coutinho Souza d/b/a C&A Auto Body Inc. located at 83 Mulberry Street

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

Approved, February 12, 2025

Paul E. Coogan, Mayor

ORDERS – MISCELLANEOUS

20. **Police Chief's report on licenses**

Taxicab Drivers

Jean P. Charlot Edise Parson

Private Livery Driver

Laura Rodriguez

Private Livery Vehicles

New Generation Transportation – Four (4) vehicles

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

COMMUNICATIONS – INVITATIONS – PETITIONS**21. Claims**

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

City Council Minutes**22. Committee on Finance – January 28, 2025**

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

23. Regular Meeting of the City Council – January 28, 2025

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

BULLETINS – NEWSLETTERS – NOTICES**24. Department of Environmental Protection (Waterways Regulation Program) re license application for Donald Scott and Mary Lou Church, South Watuppa Pond, 1040 Dickinson Street**

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted that the notice be accepted and placed on file, with Vice President Pereira and Councilor Cadime absent and not voting.

25. Massachusetts Development Finance Agency re public hearing on February 11, 2025, for the issuance of tax-exempt revenue bonds for Seven Hills Foundation, Inc., and affiliates

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted that the notice be accepted and placed on file, with Vice President Pereira and Councilor Cadime absent and not voting.

26. Department of Environmental Protection re issuance of Draft Waterways Permit within Mount Hope Bay

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted that the notice be accepted and placed on file, with Vice President Pereira and Councilor Cadime absent and not voting.

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adjourn at 7:50 p.m., with Vice President Pereira and Councilor Cadime absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

A true copy. Attest:

Alison M. Bouchard

City Clerk

1a
CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division



RECEIVED

2025 FEB 21 A 8:55

CITY CLERK _____
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

February 21, 2025

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, February 19, 2025 the following request was heard and approved by the Traffic Commission.

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

Article: 70
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Barnaby Street	West	Starting at a point 314 feet South of Lincoln Ave. For a distance of 20 feet South.

Very truly yours,

Stephanie MacArthur
Director of Traffic & Parking

JS.

1a
CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division



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2025 FEB 21 A 8:55

CITY CLERK _____
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

February 20, 2025

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, February 19, 2025 the following request was heard and approved by the Traffic Commission.

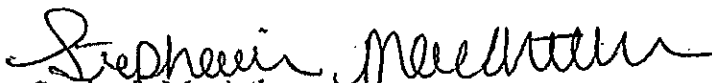
That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Diman Street	East	Starting at a point 100 feet North of Bradford Avenue. For a distance of 20 feet Northerly.

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

J.S.

CITY OF FALL RIVER
MASSACHUSETTS

1a

Traffic & Parking Division



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CITY CLERK
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

February 20, 2025

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

Honorable Council Members:

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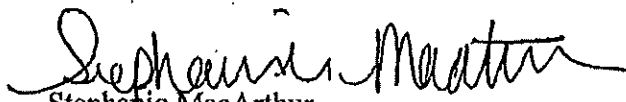
Article: 70
Section: 387

Handicapped Parking

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Eastern Ave	West	Starting at a point 205 feet South of Downing Street. For a distance of 20 feet South.

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

One Government Center Fall River, MA 02722

TEL: (508) 324-2123 FAX (508) 324-2578 EMAIL Smacarthur@fallriverma.gov

5.5.

1a
CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division



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2025 FEB 21 A 8:55

CITY CLERK
FALL RIVER, MA

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Mayor

Stephanie MacArthur
Director of Traffic & Parking

February 20, 2025

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

Article: 70
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Irving Street	West	Starting at a point 212 feet North of Pleasant Street. For a distance of 20 feet North.

Very truly yours,

Stephanie MacArthur
Director of Traffic & Parking

1a
CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division



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Director of Traffic & Parking

February 21, 2025

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

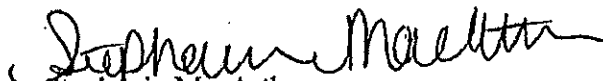
Article: 70
Section: 387

Handicapped Parking

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Jencks Street	West	Starting at a point 21 feet North of Alden Street. For a distance of 25 feet North.

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

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CITY OF FALL RIVER
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Traffic & Parking Division



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Mayor

Stephanie MacArthur
Director of Traffic & Parking

February 20, 2025

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One Government Center
Fall River, MA 02722

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

Article: 70
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Oak Grove Ave	East	Starting at a point 115 feet South of Lemuel Street. For a distance of 20 feet South.

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

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CITY OF FALL RIVER
MASSACHUSETTS

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February 20, 2025

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

Article: 70

Section: 387

Handicapped Parking

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Palmer Street	North	Starting at a point 356 feet East of South Main Street. For a distance of 20 feet East.

Very truly yours,

Stephanie MacArthur
Director of Traffic & Parking

J.S.

One Government Center Fall River, MA 02722
TEL: (508) 324-2123 FAX (508) 324-2578 EMAIL Smacarthur@fallriverma.gov

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MASSACHUSETTS

Traffic & Parking Division



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CITY CLERK _____
FALL RIVER, MA

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Director of Traffic & Parking

February 20, 2025

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

Article: 70
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Pine Street	North	Starting at a point 122 feet East of Rock Street. For a distance of 20 feet East.

Very truly yours,

Stephanie MacArthur
Director of Traffic & Parking

J.S.

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February 20, 2025

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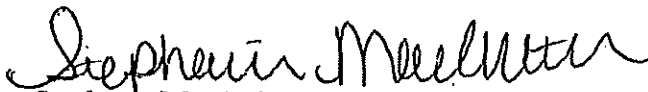
Article: 70
Section: 387

Handicapped Parking

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Tuttle Street	East	Starting at a point 52 feet North of Dwelly Street. For a distance of 20 feet North.

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

5:5

1a
CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division



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2025 FEB 21 A 8:55

CITY CLERK _____
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

February 20, 2025

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, February 19, 2025 the following request was heard and approved by the Traffic Commission.

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

Article: 70
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Wellington Street	North	Starting at a point 70 feet East of Fulton Street. For a distance of 20 feet East.

Very truly yours,

Stephanie MacArthur
Director of Traffic & Parking

J.S.

One Government Center Fall River, MA 02722
TEL: (508) 324-2123 FAX (508) 324-2578 EMAIL Smacarthur@fallriverma.gov

City of Fall River, *In City Council*

(Vice President Linda M. Pereira)

WHEREAS, homelessness is a critical issue that affects individuals and families across the city, with many struggling to find adequate shelter, particularly during the coldest months of the year, and

WHEREAS, the First Step Inn, operated by Steppingstone, Inc., has 30 year-round beds, and only opens an additional 20 beds during the coldest months, and has a high barrier, high threshold criteria to enter for those seeking shelter, often resulting in turning homeless individuals away who are in need of immediate assistance, and

WHEREAS, the Administration has implored Steppingstone, Inc., to open their substantial "meeting space" to be used as a warming center during the coldest times of the year, and has offered to staff the warming center with Fall River Emergency Medical Services and Fall River Police Department personnel, but is consistently denied, now therefore

BE IT RESOLVED, that the Committee on Finance convene with the Administration to discuss ongoing issues related to the First Step Inn providing safe shelter services in the winter for those experiencing homelessness, including challenges regarding adequate funding, barriers to admission and insufficient bed counts.

(Filed 2-21-2026)