

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: September 10, 2024, at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Seth Thomas Aitken, City Administrator

President Camara called the meeting to order at 8:10 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 21 through 23 out of order.

CITATIONS

21. Amber Burns – Organizing and hosting of the Fourth Annual Back-to-School Block Party
On a motion made by Councilor Raposo and seconded by Councilor Kilby, it was unanimously voted to adopt the citation. Councilor Raposo made brief remarks regarding the Back-to-School Block Party, the positive impact that the program has had on the community, and commended Ms. Burns for her service to the students and parents within Fall River.

22. Mary Beaudry – Outstanding support of the We Love Children Fund Organization
On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to adopt the citation.

23. Jo C. Goode – Dedicated service to the Greater Fall River Area as a journalist for The Herald News
On a motion made by Councilor Raposo and seconded by President Camara, it was unanimously voted to adopt the citation. Vice President Pereira made brief remarks regarding the excellence in journalism that Jo C. Goode had provided to the community while working for The Herald News. Ms. Goode thanked the Council for their recognition and stated that she would still be an active member of the Fall River community.

PRIORITY MATTERS

1. Mayor and request to initiate City Council action on a proposed second amendment to expand the Housing Development Zone (HD) entitled Fall River Waterfront/Downtown Market Rate Incentive Zone and Plan

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to refer the matter to the Planning Board.

2. Mayor and request to increase the Bristol County American Rescue Plan Act (ARPA) Water Main Replacement Proposal by \$58,886.20, to a total of \$1,692,768.21, to eliminate the balance of unused Bristol County ARPA

Vice President Pereira expressed concern regarding overdue payments from the town of Westport, MA, that are owed to the City of Fall River, regarding water reservoir services, and that she would not support additional Bristol County American Rescue Plan Act (ARPA) funding for the Water Division. Councilor Cadime emphasized that he will support this measure as providing Bristol County ARPA funding to the Water Division will help to control costs that are reflected in future water rate increases. Councilor Dionne agreed with Councilor Cadime and also stated that any overdue fees that have not been paid to the City by other towns that use the reservoir are not relevant to the matter on the agenda. Councilor Raposo requested that the ARPA Director provide a final list of all Bristol County ARPA-funded projects within the City following the Council's vote on this matter. On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was voted to approve the request, with Vice President Pereira opposed.

3. Mayor and Memorandums of Agreement for the following Collective Bargaining Units:
 - a. AFSCME Council 93, Local 3177

On a motion made by Councilor Ponte and seconded by Vice President Pereira, it was unanimously voted to adopt the order.

Approved, September 11, 2024

Paul E. Coogan, Mayor

- b. Labor Advantage for Workers, Local 124

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

Approved, September 11, 2024

Paul E. Coogan, Mayor

4. Mayor and transfer of \$66,200.00 from the Opioid Stabilization Fund to the Opioid Settlement Revolving Fund

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

5. Mayor and the following appropriations:
 - a. \$200,000 from the Operating Reserve Fund to Various Departments, Salaries
 - b. \$7,784.40 from the Stabilization Fund to Various Departments, Salaries

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

6. Mayor and proposed ordinance related to Personnel, designating the positions of Board of Elections Commissioners/Director – Office of Elections, Chairperson and Veterans' Benefit Agent and Director of Veterans' Services/Director of Veteran' Benefit as contract positions

On a motion made by Councilor Dionne and seconded by Councilor Raposo it was unanimously voted to waive the rules to allow the City Administrator to answer questions regarding this matter. Councilor Dionne and Seth Thomas Aitken, City Administrator, discussed the Massachusetts General Law (M.G.L.), Part I, Title VIII, Chapter 51, §16A, which relates to Board of election commissioners; powers and duties; members; appointment; term of office. Councilor Dionne emphasized that the M.G.L. requires City Council approval of compensation for Elections Officers. Mr. Aitken stated that a contract agreement for this position would be presented to the City Council for approval and that this proposed ordinance would allow the City to be more competitive with other cities and towns in regard to compensation. A motion was made by Councilor Dionne to leave the current City ordinance, related to the Board of Elections Commissioner/Director – Office of Elections, Chairperson, as-is and not refer it to the Committee on Ordinances and Legislation for amendments, but received no second and the motion failed to carry.

Councilor Raposo suggested that the compensation for that position could be amended by increasing the current salary limit instead of the title being changed to a contract position. On a motion made by Councilor Raposo and seconded by Councilor Cadime, it was unanimously voted to divide the proposed ordinance into two separate proposed ordinances, with one addressing the proposed amendment for the position of Board of Elections Commissioners/Director – Office of Elections, Chairperson, and one addressing the proposed amendment for the position of Veterans' Benefit Agent and Director of Veterans' Services/Director of Veteran' Benefit. On a further motion made by Councilor Raposo and seconded by President Camara, it was unanimously voted to refer the two proposed ordinances to the Committee on Ordinances and Legislation.

PRIORITY COMMUNICATIONS

7. 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.

COMMITTEE REPORTS

Committee on Regulations recommending:

Adoption

8. Order to amend existing restrictions for Auto Repair Shop License No. 329 – Timothy Pinto, S M Automotive, LLC, d/b/a S M Auto Repair – 193 Oak Grove Avenue
On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to adopt the order.
Approved, September 11, 2024
Paul E. Coogan, Mayor
9. Order - New Auto Repair Shop License – James Andrews d/b/a 508 Auto Sales and Repair – 59 Quarry Street
On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to adopt the order.
Approved, September 11, 2024
Paul E. Coogan, Mayor

Committee on Ordinances and Legislation recommending:
All Readings with Emergency Preamble

10. Proposed Ordinance – Traffic, Handicapped parking
- 18th Street, West, 238 feet south of Merchant Street
 - Albion Street, West, 85 feet north of Donnelly Street
 - Baker Street, East, 24 feet south of Warren Street
 - Grant Street, East, 72 feet north of William Street
 - John Street, East, 129 feet north of Morgan Street

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

11. Proposed Ordinance – Unauthorized camping on public property
- President Camara stated that there was an additional person who had signed up for Citizens Input Time during the Committee on Finance meeting who had, mistakenly, not been called to speak. President Camara requested that the City Council waive the rules to allow the individual to speak during the City Council meeting. On a motion made by Councilor Ponte and seconded by Councilor Dionne, it was unanimously voted to waive the rules to allow the individual to speak to the City Council. On a further motion made by Councilor Kilby and seconded by Councilor Raposo, it was unanimously voted to waive the rules to allow a non-Fall River resident to speak.*

Reverend Marlene Gill, 50 Silver Street, Taunton, MA, made remarks regarding the proposed ordinance relating to Unauthorized camping on public property and the potential criminal proceedings that could result from the proposed ordinance. Reverend Gill stated that she works closely with those experiencing homelessness and that a lack of housing is not a criminal offense.

Councilor Cadime expressed concern that many members of the community were under the impression that the proposed ordinance was criminalizing unauthorized encampments and clarified that the proposed ordinance was created to allow the City to issue permission for camping in certain places to help regulate camping in areas that would pose risks to public health and safety. Councilor Sampson stated that during the Committee on Ordinances and Legislation meeting held on August 27, 2024, there was a discussion regarding criminal offenses and that some offenses could result in people being arrested and charged. Councilor Raposo clarified that the discussion regarding criminal offenses was not in relation to the activity of camping, but criminal offenses within the campgrounds, such as illegal drug use and public defecation. President Camara emphasized that this proposed ordinance allows the Mayor to issue permission for camping within certain areas of public property. Councilor Cadime stated that the City Council had been listening to concerned residents over the past few years regarding this matter. Councilor Cadime also explained that the proposed ordinance could result in fines, but many violations in the City, such as traffic tickets and unpaid disposal of items, result in monetary fines that are often waived once they are addressed in court. Councilor Kilby agreed that the City Council has been working to address this issue and encouraged Reverend Gill to also discuss the matter with residents and property owners who live near encampments.

Councilor Cadime stated that the creation of this proposed ordinance had been ongoing for over a year and that the Council was required to wait until the United State Supreme Court had issued an opinion regarding *City of Grants Pass v. Johnson*, which stated that cities can restrict people from sleeping and camping in public places. Councilor Cadime explained that compromises need to be made to reflect the needs of property owners, renters, and those experiencing homelessness within the City, and that the existence of this proposed ordinance will allow the City to regulate the matter appropriately.

Councilor Sampson emphasized the important discussions that had occurred earlier in the evening during the Committee on Human Services, Housing, Youth, Elder and Veterans' Affairs meeting with representatives from many organizations that are working to help those who are living in tents throughout Fall River. Councilor Sampson also explained that she had received many phone calls regarding the proposed ordinance with concerns regarding criminal proceedings if someone violates the restrictions and stated that the proposed ordinance should be referred back to the Committee on Ordinances and Legislation for further discussion and community input. Councilor Cadime explained that the final section of the proposed ordinance describes the penalties as "non-criminal."

Vice President Pereira agreed that the City has been working to address this matter for years, the Councilors receive frequent complaints from constituents regarding these encampments and referring it back to the Committee on Ordinances and Legislation will result in repeating discussions that have already occurred. Councilor Raposo emphasized that the City Council works to create the City Ordinances but that the Mayor is responsible for enforcement of City ordinances, along with the Fall River Police Department. Councilor Cadime asked that the Administration provide information regarding all of the City-sponsored homeless outreach services that have been operating over the past five years, including the overall financial expenditures for the programs.

On a motion made by Councilor Sampson and seconded by Councilor Cadime, it was voted 5 yeas, 4 nays, to refer the proposed ordinance to the Committee on Ordinances and Legislation, with Vice President Pereira and Councilors Hart, Kilby and Ponte voting in the negative.

First Reading

12. Proposed Ordinance – Traffic, Miscellaneous

Section 1.

By inserting in Section 70-241, which section relates to Stop signs, the following:

- Detroit Street, Eastbound, Intersection of Detroit Street at Omaha Street
- Omaha Street, Southbound, Intersection of Omaha Street at Detroit Street
- Pond Street, Southbound, Intersection of Pond Street at Anawan Street

Section 2.

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

- Cambridge Street, South, 18 feet east of Oxford Street
7:00 A.M. to 4:00 P.M., Monday through Friday

Section 3.

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

- Baker Street, West, 152 feet south of Warren Street
- Bayview Street, East, 230 feet north of Last Street
- Birch Street, North, 443 feet west of King Street
- Bright Street, South, 67 feet west of Stafford Road
- Flint Street, West, 102 feet south of Canonicus Street
- Hope Street, West, 47 feet east of Broadway
- Osborn Street, North, 156 feet east of Arpin Street
- Plymouth Avenue, East, 134 feet north of Dover Street

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

13. Proposed Ordinance – Membership of the Historical Commission

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

First Reading, as amended

14. Proposed Ordinance – Trolley Fees

A motion was made by Councilor Ponte, and seconded by Councilor Dionne, to pass the proposed ordinance through first reading, as amended. Councilor Raposo stated that he had abstained from this matter within the Committee on Ordinances and Legislation meeting on August 27, 2024, and asked that the Committee Report within the City Council record be amended to reflect that matter. The City Clerk stated that it would be revised to reflect his absence when the Committee recommendation for the proposed ordinance was voted upon and that the Committee minutes would document his absence during the discussion and vote on the proposed ordinance recommendation. Councilor Sampson stated that the proposed ordinance should be amended to include a discount for active military members as well as veterans. On a motion made by Councilor Sampson and seconded by Vice President Pereira, it was unanimously voted to amend the proposed ordinance by inserting "Active Military or" immediately before "Veteran ticket" under "Standard trolley route tickets," and by inserting "Active Military or" immediately before "Veteran ticket" under "Special trolley tour or event tickets." On a further motion made by Councilor Ponte and seconded by Vice President Pereira, it was unanimously voted that the proposed ordinance be passed through first reading, as amended, with Councilor Raposo abstaining and not voting.

ORDINANCES

Second Reading

15. Proposed Ordinance – Traffic, Miscellaneous

Fifteen-minute parking

- Dover Street, North, 84 feet west of Blackstone Street

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

Approved, September 11, 2024

Paul E. Coogan, Mayor

16. Proposed Ordinance – One year demolition delay for City-owned property
On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted that the proposed ordinance be passed through second reading and enrollment. On a further motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted that the proposed ordinance be passed through ordination, with Councilor Sampson absent and not voting.

Approved, September 11, 2024

Paul E. Coogan, Mayor

Second Reading, as amended

17. Proposed Ordinance – Property Maintenance

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

Approved, September 11, 2024

Paul E. Coogan, Mayor

Councilors Kilby and Sampson exited the Chamber at 9:10 p.m.

Councilor Kilby returned to the Chamber at 9:12 p.m.

RESOLUTIONS

18. The Committee on Finance convene with the Administration, the Director of Financial Services, and the City Treasurer/Collector to discuss the online real estate tax payment program, resources for taxpayers who use this program and future plans to streamline online payments.

Councilor Raposo made brief remarks regarding a resident who experienced technological challenges with the online payment system and stated that this resolution would allow the Administration to clarify the matter for the public. On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to adopt the resolution, with Councilor Sampson absent and not voting.

19. The Committee on Finance convene with representatives from various utility companies to provide information to the public regarding the process of installing, removing or relocating utility poles within the City and delays that may affect the timeline of this process.

Vice President Pereira made brief remarks regarding ongoing issues with old utility poles being left behind near newly installed poles, which block areas of the sidewalks, and that this resolution would allow the private companies involved in this process to address the matter. On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to adopt the resolution, with Councilor Sampson absent and not voting.

20. Red Ribbon Week to be held in the City of Fall River from October 23, 2024, through October 31, 2024, to encourage a safer and healthier drug-free community

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

ORDERS – HEARINGS - None

ORDERS – MISCELLANEOUS

24. Police Chief's report on licenses:

Taxicab Driver

Michael H. Souza Teres A. Menezes

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

25. Auto Repair Shop License Renewals:

Fernando P. da Silva d/b/a Brodeur's Service Station – 109 Barrett Street

Marco Tavares d/b/a Auto Stop – 325 Oman Street

Jody Oliveira d/b/a Ground Earth Inc. – 1741 Stafford Road

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

Approved, September 11, 2024

Paul E. Coogan, Mayor

26. Order – City Council appointment of Christopher M. Benevides to the Community Preservation Committee

Councilor Ponte made brief remarks regarding Mr. Benevides' experience and interest in serving on the Community Preservation Committee, and that he would be a valuable addition.

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

COMMUNICATIONS – INVITATIONS – PETITIONS

27. Claims

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

28. Structure on or over a public way applications for Fallen Officers Memorial Trust (Giunta Road Race) to hang banners (12 feet x 3 feet) from September 6 to October 6, 2024, in the following locations:

a. Bedford Street at High St. (approximately)

b. Pleasant Street at Stafford Square (approximately)

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

29. Drainlayer Licenses:

Mass Earthworks & Demolition LLC

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

Approved, September 11, 2024

Paul E. Coogan, Mayor

30. Planning Board Minutes – June 12, 2024

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

31. Planning Board Minutes – July 10, 2024

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

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to take items 32 through 37 together, with Councilor Sampson absent and not voting.

City Council Minutes

32. Public Hearings – July 16, 2024

33. Public Hearings – August 13, 2024

34. Committee on Finance – July 16, 2024

35. Committee on Finance – August 13, 2024

36. City Council – July 16, 2024

37. City Council – August 13, 2024

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

38. Special Meeting of the City Council – August 22, 2024

On a motion made by Councilor Raposo and seconded by President Camara, it was unanimously voted to amend the minutes by removing Councilor Ponte from the list of "Present" Councilors, and to approve the minutes, as amended, with Councilor Sampson absent and not voting.

BULLETINS – NEWSLETTERS – NOTICES

39. Massachusetts Department of Public Utilities notice re Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty for Approval of a Mid-Term Modification to its 2022-2024 Three-Year Energy Efficient Plan, which will occur on Monday, September 9, 2024, at 2:00 p.m. with a deadline for comments of Tuesday, September 10, 2024, no later than close of business at 5:00 p.m.

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

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: SEPTEMBER 10, 2024

COMMITTEE REPORTS

Committee on Finance recommending action:

- 14a. Order to transfer unexpended bond proceeds, totaling \$313,646.01, from the following projects to assist with structural repairs of the Pearl Street and Third Street Garages:

- Government Center Roof Replacement – \$139,129.93
- Sucker Brook Driveway Crossing – \$97,678.98
- Globe and Flint Street Fire Station Roof and Doors – \$76,837.10

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to amend the order by striking out the approval date for Government Center Roof Replacement, listed as "October 1, 2028", and inserting in its place "October 1, 2018," with Councilor Sampson absent and not voting. On a further motion made by Councilor Raposo and seconded by Councilor Dionne, it was unanimously voted to adopt the order, as amended, with Councilor Sampson absent and not voting.

Approved, September 11, 2024

Paul E. Coogan, Mayor

A brief recess was held from 9:18 p.m. to 9:20 p.m. for the purpose of signing the proposed ordinances.

The City Clerk clarified that the supplemental packets that the City Councilors had received from the Director of Human Resources included a detailed Financial Impact Statement related to the new Memorandum of Agreement from the AFSCME Council 93, Local 3177.

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to adjourn at 9:21 p.m., with Councilor Sampson absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

AFSCME Clerical Proposal table, provided by the Director of Human Resources

A true copy. Attest:



City Clerk

In City Council, September 24, 2024
Approved.



City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2024 SEP -6 P 12: 55

ALISON M. BOUCHARD
CITY CLERK

CITY CLERK _____
FALL RIVER, MA

INÊS LEITE
ASSISTANT CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
SEPTEMBER 10, 2024
AGENDA

5:00 P.M. COMMITTEE ON HUMAN SERVICES, HOUSING, YOUTH, ELDER & VETERANS AFFAIRS

6:00 P.M. CITY COUNCIL COMMITTEE ON FINANCE MEETING (OR IMMEDIATELY FOLLOWING THE COMMITTEE ON HUMAN SERVICES, HOUSING, YOUTH, ELDER & VETERANS AFFAIRS MEETING IF IT RUNS PAST 6:00 P.M.)

1. Citizen Input
2. *Resolution – Convene with Director of City Operations to discuss efficiencies (adopted 6-11-2024)
3. *Order to transfer unexpended bond proceeds, totaling \$313,646.01, from the following projects to assist with structural repairs of the Pearl Street and Third Street Garages:
 - Government Center Roof Replacement – \$139,129.93
 - Sucker Brook Driveway Crossing – \$97,678.98
 - Globe and Flint Street Fire Station Roof and Doors – \$76,837.10 (referred 8-13-2024)
4. Transfers and appropriations

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

PRIORITY MATTERS

1. *Mayor and request to initiate City Council action on a proposed second amendment to expand the Housing Development Zone (HD) entitled Fall River Waterfront/Downtown Market Rate Incentive Zone and Plan
2. *Mayor and request to increase the Bristol County American Rescue Plan Act (ARPA) Water Main Replacement Proposal by \$58,886.20, to a total of \$1,692,768.21, to eliminate the balance of unused Bristol County ARPA
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5. *Mayor and the following appropriations:
 - a. \$200,000 from the Operating Reserve Fund to Various Departments, Salaries
 - b. \$7,784.40 from the Stabilization Fund to Various Departments, Salaries

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

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TEL 508-324-2220 • FAX 508-324-2211 • EMAIL city_clerks@fallriverma.org

6. *Mayor and proposed ordinance related to Personnel, designating the positions of Board of Elections Commissioners/Director – Office of Elections, Chairperson and Veterans' Benefit Agent and Director of Veterans' Services/Director of Veteran' Benefit as contract positions

PRIORITY COMMUNICATIONS

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Committee on Regulations recommending:

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9. *Order - New Auto Repair Shop License – James Andrews d/b/a 508 Auto Sales and Repair – 59 Quarry Street

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All Readings with Emergency Preamble

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

- Hope Street, West, 47 feet east of Broadway
- Osborn Street, North, 156 feet east of Arpin Street
- Plymouth Avenue, East, 134 feet north of Dover Street

13. *Proposed Ordinance – Membership of the Historical Commission

First Reading, as amended

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ORDINANCES

Second Reading

15. *Proposed Ordinance – Traffic, Miscellaneous
Fifteen-minute parking
• Dover Street, North, 84 feet west of Blackstone Street
16. *Proposed Ordinance – One year demolition delay for City-owned property

Second Reading, as amended

17. *Proposed Ordinance – Property Maintenance

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23. Jo C. Goode – Dedicated service to the Greater Fall River Area as a journalist for The Herald News

ORDERS – HEARINGS - None

ORDERS – MISCELLANEOUS

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25. Auto Repair Shop License Renewals:
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Jody Oliveira d/b/a Ground Earth Inc. – 1741 Stafford Road

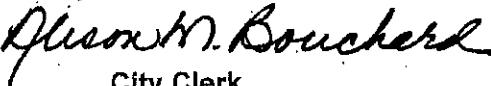
26. *Order – City Council appointment of Christopher M. Benevides to the Community Preservation Committee

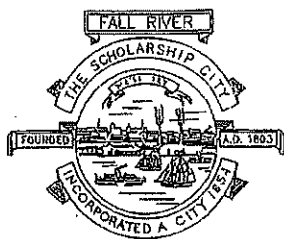
COMMUNICATIONS – INVITATIONS – PETITIONS

27. *Claims
28. Structure on or over a public way applications for Fallen Officers Memorial Trust (Giunta Road Race) to hang banners (12 feet x 3 feet) from September 6 to October 6, 2024, in the following locations:
- a. Bedford Street at High St. (approximately)
 - b. Pleasant Street at Stafford Square (approximately)
29. Drainlayer Licenses:
Mass Earthworks & Demolition LLC
30. Planning Board Minutes – June 12, 2024
31. Planning Board Minutes – July 10, 2024
- City Council Minutes
32. *Public Hearings – July 16, 2024
33. *Public Hearings – August 13, 2024
34. *Committee on Finance – July 16, 2024
35. *Committee on Finance – August 13, 2024
36. *City Council – July 16, 2024
37. *City Council – August 13, 2024
38. *Special Meeting of the City Council – August 22, 2024

BULLETINS – NEWSLETTERS – NOTICES

39. *Massachusetts Department of Public Utilities notice re Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty for Approval of a Mid-Term Modification to its 2022-2024 Three-Year Energy Efficient Plan, which will occur on Monday, September 9, 2024, at 2:00 p.m. with a deadline for comments of Tuesday, September 10, 2024, no later than close of business at 5:00 p.m.


City Clerk



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

PAUL E. COOGAN
Mayor

RECEIVED

2024 AUG 14 A 11: 31

CITY CLERK _____
FALL RIVER, MA

August 13, 2024

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

RE: Proposed Second Amendment to the Housing Development Zone entitled Fall River Waterfront/Downtown Market Rate Incentive Zone and Plan

Dear Council President Camara:

Please accept this correspondence as a request to initiate City Council action on a proposed second amendment (see blue area within attached map) to expand the Housing Development Zone (HD Zone) entitled Fall River Waterfront/Downtown Market Rate Incentive Zone and Plan.

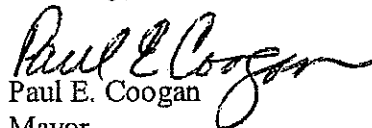
As you may recall, the initial Fall River Waterfront/Downtown Market Rate Incentive Zone and Plan was approved by the City of Fall River and the Massachusetts Department of Communities and Development in December 2013 and subsequently amended and approved by the City of Fall River and the Massachusetts in September 2022 and approved Executive Office of Housing and Livable Communities in September 2023.

Approval of this proposed request will allow the HD Zone to be expanded once again and provide for local and state housing incentives for the redevelopment of existing mills, vacant land and other commercial use for residential purposes as a matter of right. Redevelopment of underutilized properties within the proposed HD Zone Amendment expansion area will add diversity to the City's housing stock and increase the availability of rental housing units.

I am requesting that this correspondence be placed on the next City Council Agenda and the Fall River City Council refer this request to the Fall River Planning Board for a Public Hearing which is a state mandated first step in the HD Zone amendment process. After the convening of a Public Hearing by the City of Fall River Planning Board on this matter, I will request that City of Fall River Planning Board forward their findings and recommendation back to the back to the Fall River City Council for further action.

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

Sincerely,


Paul E. Coogan
Mayor

Cc: City Council

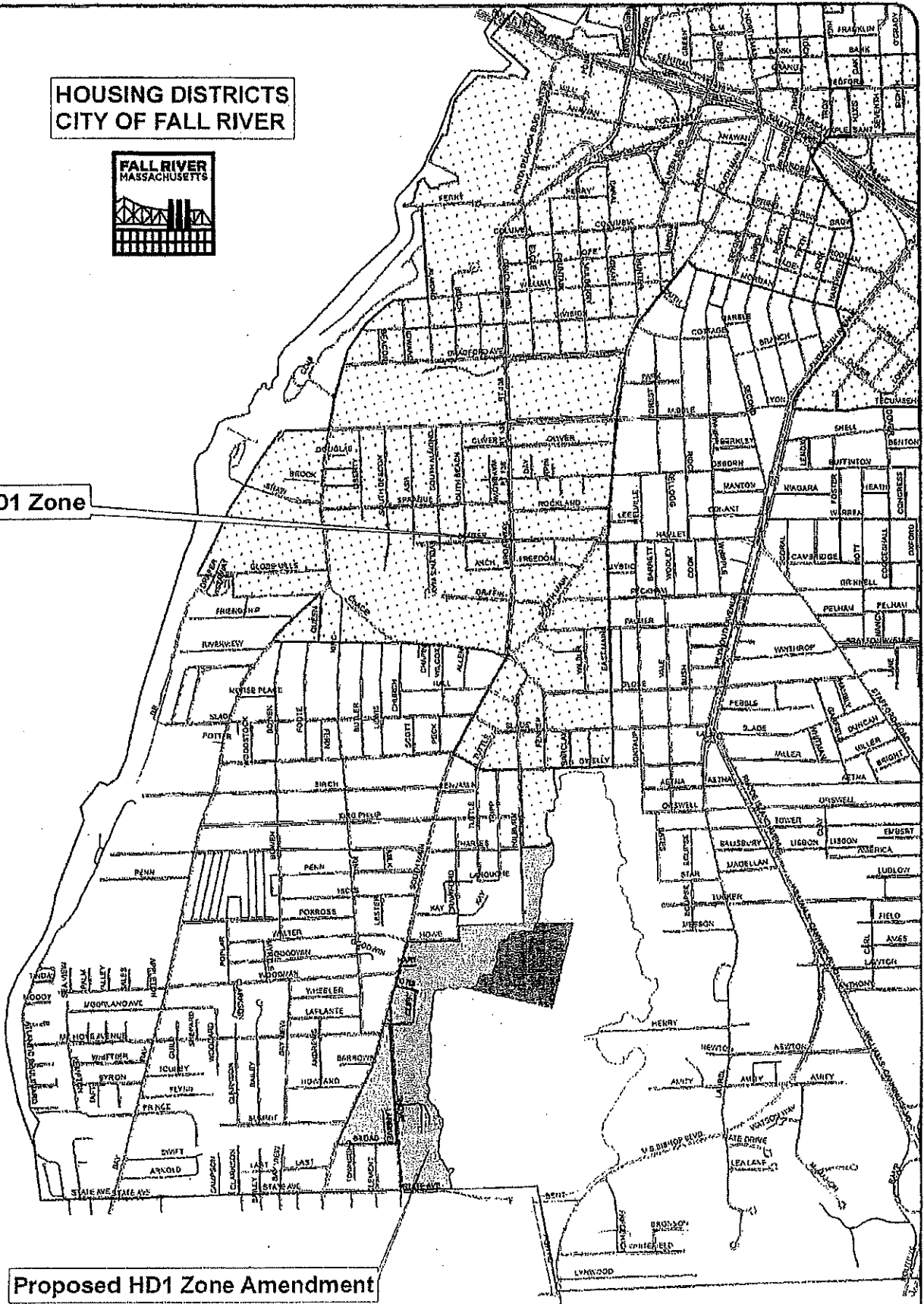
HOUSING DISTRICTS CITY OF FALL RIVER



HD1 Zone



Proposed HD1 Zone Amendment





City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2024 SEP -5 P 1:41

CITY CLERK
FALL RIVER, MA

PAUL E. COOGAN
Mayor

September 5, 2024

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

Dear Councilor President and Members of the Honorable Council:

Attached please find correspondence from ARPA, Director, Kara Humm, with a request to increase the "Water Main Replacement Proposal" that was funded through Bristol County Treasury by \$58,886.20. This will allow our balance of unused funds to be \$0.00. We ask for your every consideration with this matter.

Thank you for your consideration and if additional information is needed on this or any other matter please contact my office.

Sincerely,

Paul E. Coogan
Mayor

PC/amos



City of Fall River
American Rescue Plan Act

2

PAUL E. COOGAN
Mayor

KARA HUMM
ARPA Director

September 5, 2024

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

Dear Mayor Coogan:

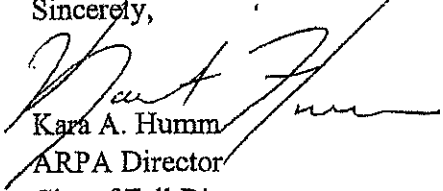
On August 13, 2024, the City Council approved the "Water Main Replacement Proposal" seeking American Rescue Plan Act funding from the Bristol County Treasury in the amount of \$1,633,882.00.

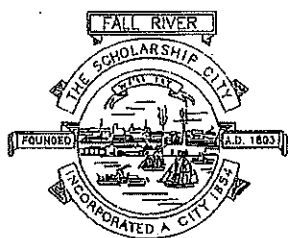
The "Water Main Replacement Proposal" was selected because it was a project in which procurement had been satisfied, work completed, and final payments expended. Thus, ensuring the City of Fall River was applying for reimbursement for a project that would meet all the deadline requirements established by Bristol County Treasury. The specific amount (\$1,633,882.00) originally requested was the amount necessary to leave a remaining balance of \$0.00 of unused funds.

In reviewing our allocated funds for projects approved by Bristol County Treasury, it was determined there remained \$58,886.20 of unused funds. I am requesting that the City Council approve the increase to the "Water Main Replacement Project" budget of \$58,886.20 to bring the total budget to \$1,692,768.21. This increase will allow our balance of unused funds to be \$0.00.

If you could please forward this request to the City Council for their consideration at the September 10th City Council Meeting it would be greatly appreciated.

Sincerely,


Kara A. Humm
ARPA Director
City of Fall River



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2024 SEP -5 P 1:40

CITY CLERK
FALL RIVER, MA

PAUL E. COOGAN
Mayor

September 5, 2024

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

Dear Honorable Members of the City Council:

Consistent with the requirements of MGL Chapter 150E, Section 7, I am submitting the recently negotiated Memorandums of Agreement between the City of Fall River and the following Collective Bargaining Units:

AFSCME Council 93, Local 3177, which represents many Government Center, Water, Parks, Cemeteries, and civilian Police, Fire, and EMS Department employees.

Labor Advantage for Workers, Local 124, which represents all custodians employed by the city with the exception of those custodians assigned to the School Department.

These Agreements will become a part of the contractual obligations of their prior contracts. The Administration is grateful to each bargaining unit for their willingness to collaborate and reach consensus on Agreements which are favorable to both our employees and the constituents of the City of Fall River. I respectfully request you grant an appropriation necessary to fund the cost items contained therein. Please feel free to contact me if you have any questions or concerns.

Sincerely,

Paul E. Coogan
Mayor

City of Fall River, In City Council

ORDERED, that the funding of the cost items contained in the collective bargaining agreement between the City of Fall River and the American Federation of State, County and Municipal Employees (AFSCME) Council 93, Local 3177, is hereby approved.

City of Fall River, In City Council

ORDERED, that the funding of the cost items contained in the collective bargaining agreement between the City of Fall River and the Labor Advantage for Workers, Local 124, is hereby approved.

CITY OF FALL RIVER
 COLLECTIVE BARGAINING AGREEMENT
 THROUGH
 JULY 1, 2024 – June 30, 2025
FISCAL IMPACT STATEMENT
AFSCME – LOCAL 3177

GEN-FUND Pensionable	\$286,320.56
Medicare – Fringe Benefit	\$4,151.65
Total	\$290,472.21

SEWER Pensionable	\$2,685.17
Medicare – Fringe Benefit	\$38.94
Total	\$2,685.17

WATER Pensionable	\$27,419.42
Medicare – Fringe Benefit	\$397.59
Total	\$27,817.01

EMS Pensionable	\$9,413.53
Medicare Fringe Benefit	\$136.50
Total	\$9,550.03

MEMORANDUM OF AGREEMENT

BETWEEN

THE CITY OF FALL RIVER

AND

FALL RIVER AFSCME COUNCIL 93, LOCAL 3177

This MEMORANDUM OF AGREEMENT is entered into by and between the City of Fall River (hereinafter "the City") and the Fall River AFSCME Council 93, Local 3177 ("Union");

WHEREAS, the City and the Union are parties to a collective bargaining agreement for the period of July 1, 2021 through and including June 30, 2024; and,

WHEREAS, the City and the Union have, pursuant to Massachusetts General Laws, Chapter 150E, negotiated a successor contract for the aforementioned agreement;

NOW, THEREFORE, in consideration of mutual covenants and promises, the Parties agree that the following changes will be made to the Parties' July 1, 2021 through and including June 30, 2024 collective bargaining agreement:

1. ARTICLE IV, Grievance and Arbitration – Replace as follows:

Any grievance or dispute which may arise between the parties, including the application, meaning or interpretation of this agreement, shall be settled in the following manner:

~~Step 1. The aggrieved employee shall take up the Grievance or dispute with his/her Division Head within five (5) working days of the date of the grievance or knowledge of its occurrence or said grievance shall be deemed waived. The Division Head shall attempt to adjust the matter and shall respond back to the employee within five (5) working days. Nothing precludes the parties from meeting informally to resolve grievances at any time during this process.~~

~~Step 21. In the event the grievance is not resolved at Step 1, the aggrieved employee shall submit the grievance in writing to the Department Head within five (5) working days of the immediate supervisor's response date of the grievance or said grievance shall be deemed waived. The Department Head shall attempt to adjust the matter and shall respond to the employee within five (5) working days. Upon receipt of the Department Head's response, if the employee is not satisfied with the decision, she/he shall, within five (5) working days, proceed to Step 32.~~

~~Step 32. The Union Officers, with the aggrieved employee, shall take up the grievance of dispute in writing to the Human Resources Director within five (5) working days of the date of the Department Head's Response or said grievance shall be deemed waived. The Human Resources Director or Designee shall attempt to adjust the matter and shall respond to the Officers within five (5) working days. Upon receipt of the Human Resource Director's reply to the grievance, the Union Officers, if not satisfied with the Human Resource Director's decision, will within five (5) working days proceed to Step 43. Failure to do so will render the grievance moot.~~

Step 43. If the grievance has not been settled it shall be presented in writing to the Corporation Counsel or his Designee within *five (5)* working days after the Human Resources Director's response *or said grievance shall be deemed waived.* The Corporation Counsel shall respond to the representative in writing within five (5) working days.

Grievances involving disciplinary action shall be processed beginning at the ~~fourth~~ third (4th3rd) step

Step 54. If the grievance is still unsettled, either party may within *thirty (30)* days after the Corporation Counsel or his Designee has responded or failed to respond pursuant to Step 4 herein, by written notice to the other, request arbitration. The City and Union agree to joint utilization of the services of the *Massachusetts Department of Labor*, its' successor, or the *Labor Relations Connection* under its rules relating to grievance arising out of the contract excluding matters regarding wages and suspensions, demotions and discharges under Chapter 31. The decision shall be final and binding on the parties to the extent provided by the rules of the *Labor Relations Connection* and the arbitrator shall be requested to issue his decision within thirty (30) days after the conclusion of the testimony and argument. The expense for the arbitrator's services and the proceeding shall be borne equally by the employer and the Union. The implementation of any final decision shall be applied immediately after the decision is rendered. If the case reaches arbitration, the arbitrator shall have the power to direct a resolution of the grievance up to and including restoration to the job with all compensation and privileges that would have been due to the employee.

2. ARTICLE V, Seniority – Add New Paragraph 5

5. Upon mutual agreement, the City and the Union may agree to extend a bargaining unit member's probationary period for up to an additional six (6) months.

3. ARTICLE VI, Hours of Work – Delete Paragraph 13:

~~Cemetery office clerical hours increase from 35 to 40 hours per week.~~

4. ARTICLE VII, Overtime – Replace as Follows:

Any employee called back to work after having completed ~~his~~ their assigned work and left ~~his~~ their place of employment and before ~~his~~ their next regular scheduled starting time, shall be paid at the rate of time and one-half for all hours worked on recall. ~~He~~ They will be guaranteed a minimum of four (4) hours pay at time and one-half. If an employees recall hours overlap with their regularly scheduled shift, the employee will only be paid time and one-half for the first four (4) hours of work and then the employee only receives their regular wages until the end of their regular shift. The minimum four (4) hours pay at time and one-half shall not apply to employees scheduled for evening meetings. Coverage for such evening meetings shall be on an hour for hour basis. Prescheduled Overtime will not be considered a "callback" for purposes of the guaranteed four (4) hour minimum hours pay at time and one-half. Any employee working prescheduled overtime will be paid for the hours he/she has actually worked.

Extension/continuation of a day is not considered recall and is exempt from the 4-hour minimum.

Employees who are on vacation shall be eligible for overtime on their regularly scheduled days off.

5. **ARTICLE VIII Civil Service – Update the list of Grandfathered Civil Service Employees:**

The Employer and the Union shall recognize and adhere to all Civil Service and State Labor Laws, Rules and Regulations, relative to seniority, promotions, transfers, discharges, removals and suspensions. Seniority shall govern in assignment to shifts and choice of vacation period.

The Union further reserves the right to represent employees under any such established procedure. Any employee not covered by any statute relative to the above matter shall have recourse to the grievance procedure contained herein or Civil Service route. The list of Grandfathered Civil Service Employees is as follows:

Bolduc, Janet
 Chippendale, Julia A.
 Consonni, Diodoro
 Gosselin, Patricia F.
 Lubold, Richard
 Reis, Joseph F.
 Walsh, Carol A.

6. **ARTICLE IX, Shift Differential – Replace last sentence as follows:**

Rate: ~~Effective 7/1/2022 the shift differential will increase from \$0.75 per hour to~~ The shift differential is \$1.25 per hour.

7. **ARTICLE XII, Holidays – Replace Section in entirety as Follows:**

The following days shall be considered to be paid holidays:

New Year's Day
 Martin Luther King Day
 Presidents' Day
 Good Friday
 Patriot's Day
 Memorial Day
 Juneteenth
 Independence Day
 Labor Day
 Columbus Day
 Veterans' Day
 Thanksgiving Day
 Day after Thanksgiving Day
 Christmas Eve
 Christmas Day
 New Year's Eve

and any other day that may be declared a holiday by the Governor of the Commonwealth, General Court or Mayor of the City of Fall River.

In the event that a holiday falls on Saturday, all employees scheduled to work from Monday through Friday shall be paid an additional day's salary. Holiday pay shall be at straight time rate.

For employees scheduled to work Monday through Friday:

- If a holiday falls on a Saturday, the holiday is observed the Friday prior.
- If a holiday falls on a Sunday, the holiday is observed the Monday after.
- If Christmas Eve or New Year's Eve is on a Saturday or Sunday, the Holiday is observed the prior Friday.
- If Christmas Day or New Year's Day is on a Saturday or Sunday, the holiday is observed the following Monday.

In the event that any employee at the Water Filtration Plant is required to work during Good Friday holiday period, such employee shall be compensated at the rate of time and one half his or her regular rate of pay for such period. In the event that any other employee is required to work during the Good Friday holiday period, such employee shall be compensated at his or her regular rate of pay for such period and shall further be granted a compensatory full day off with pay. Such compensatory full day off shall be granted to such employee within thirty (30) working days of the date of the Good Friday holiday period during which said employee was required to work. The designation of the specific time period for such compensatory full day off shall be within the sole discretion of the Employer.

If a holiday occurs within an employee's vacation period, ~~he shall receive an additional day's vacation with pay no vacation time will be deducted for the holiday.~~

8. ARTICLE XIII, Vacations – Replace as follows:

~~Effective January 1, 2023~~ Vacations shall be in accordance with the following schedule:

9. ARTICLE XIV, Sick Leave – Replace Section in Entirety as follows:

Hospice Sick Bank

The Hospice Sick Bank is separate from the Sick Leave Bank previously outlined in Section 4 and its purpose is to issue sick days to members who suffer from an illness that will prevent them from returning to work. Criteria for applying and receiving days are set as follows:

- a. Bargaining Unit members may contribute days when they voluntarily resign or retire from their employment with the City of Fall River. Members may contribute the remaining balance (50 days buy back) of their accrued sick days, not to exceed the maximum allotted to the bank. For verification purposes, the committee must report to the Human Resources Department as to who has enrolled and how many days a member has donated to the bank.
- b. The bank shall maintain a minimum of one hundred fifty (150) days and a maximum of five hundred (500) days.
- c. Employees must be members of the Voluntary Sick Leave Bank as outlined in Section 4 and are subject to the same rules as established in Section 4.
- d. Members must apply to the Sick Leave Bank and exhaust their eligible benefits prior to applying to the Hospice Sick Bank.

- e. A separate application for the Hospice Sick Bank must be filed with the Sick Bank Committee. The Committee may issue an additional thirty (30) days from the Hospice Sick Bank to members who are eligible under the established criteria for granting of days. Up to an additional thirty (30) days may be granted.
- a.f. The Committee is responsible for notifying the appropriate Payroll Clerk, Department Head, the Department of Human Resources, and the City Auditor for each member receiving the benefits of the Hospice Sick Bank.

~~The city agrees to implement a Hospice Sick Bank for members who suffer from a terminal illness that will prevent them from returning to work. Terms of agreement to be discussed and determined in a timely manner as a side letter of agreement.~~

10. ARTICLE XXII Job Posting and Bidding – Replace Section in its entirety as follows:

For purposes of this Agreement, a vacancy shall be defined as a permanent Civil Service or ~~Non Civil~~Non-Civil Service regular ~~payroll~~ position approved for hiring on a permanent basis.

A Non-Civil Service vacancy shall be posted on a bulletin board on each floor of the Government Center and in each City Department and a copy of each posting shall be sent to the President of Local 3177, listing the pay, duties, and qualifications. This notice of vacancy shall remain posted for five (5) days. Employees interested shall apply in writing within the five (5) day period.

The successful applicant shall be given a thirty (30) day trial and training period in the new position at the applicable rate of pay. If, at the end of the trial and training period, *it is determined by the Department head or the employee*, that the employee is not qualified to perform the work, he/she shall be returned to his/her former position and rate. If there are no qualified candidates within the particular unit, or applications for the posted position are not received as per paragraph two of this article from within the particular unit, the position will be advertised outside of the bargaining unit.

If the same position becomes available within thirty (30) days, no reposting will be required. ~~An employee who laterally transfers to a new position cannot post for another vacancy for one (1) year.~~

After the initial thirty (30) day trial and training period in a position (whether as a new hire or transfer), an employee who laterally transfers must remain in that position for six (6) months from the effective date of the appointment before bidding on a new position. A new hire must remain in that position for one (1) full year from the date of hire before bidding for a new position. This restriction may be waived by mutual agreement of the parties.

11. ARTICLE XXIII, Miscellaneous Provisions – Update as follows:

A. Bulletin Board – The city agrees to installation of bulletin boards on the following conditions:

1. The Union will pay for, install, and maintain glass-covered and locked bulletin boards.
2. The location will be determined jointly by the union and the city, provided that no boards are located near the elevators.
3. The union shall maintain bulletin boards in a clean, professional manner.
4. Time off will not be granted to maintain bulletin boards.

B. Should any provision of this agreement be found to be in violation of any Federal, State, Civil Service Laws or City Ordinance by a court of competent jurisdiction, all other provisions of this agreement shall remain in full force and effect for the duration of this agreement. Any benefit, privilege or working condition existing prior to this agreement, not specifically covered by this contract, shall remain in full force and effect and if proper notice is given by either party as to the desirability of amending, modifying or changing such benefit, privilege or working condition, it shall be subject to bargaining between the parties.

The City will recognize and adhere to condition of hire for members of the bargaining unit as contained in the Civil Service Muni-class manual and the occupational job description for the employee.

Provided however that nothing contained in the Article shall limit the City's ability to assign occupational titles concerning the application of summer hours.

All bargaining unit members will enroll in bank direct deposit of payroll checks.

C. Access to premises – The employer agrees to permit representatives of the American Federation of State, County and Municipal Employees, AFL-CIO, and/or Council 93 and/or Local 3177 to enter the premises at any reasonable time for individual discussion of working conditions with members of the bargaining unit, provided care is exercised by such representative in this situation.

D. Any City Ordinance referred to in this labor agreement shall not be changed during the life of this agreement unless negotiated and agreed upon by both parties.

~~E. Library Employees – If a declared emergency (snow, hurricane, etc.) has been announced by the Mayor or designee by 6:00 a.m. on a Saturday, the Library will not be open.~~

~~F.F.~~ Emergency On Call Response

For emergency jobs during the normal business day that are not completed at 3:00pm, the crew that is working on said job must stay to complete that duty.

If during a significant emergency, an insufficient number of employees respond after exhausting the overtime list, the private contractors can be called in.

~~G.F.~~ Court Summons - In the event an employee is summonsed to court for a work related case and said employee is on a scheduled day off they shall be considered working and granted an additional day off.

~~H.G.~~ Water Division - The Department will make reasonable efforts to utilize Water Division staff for water system repairs before utilizing private contractors. However, the Department reserves the right to utilize private contractors if it deems necessary.

~~H.H.~~ CITY WILL BE IMPLEMENTING CITY-WIDE IDENTIFICATION BADGE PROGRAM

~~J.I.~~ Parking: Effective July 1, 2022, ~~e~~Employees who currently pay for a reserved parking spot at the municipal owned parking lots will have their pay a fixed monthly rate lowered to of \$20.00. Employees not currently utilizing these lots may apply for a spot through the normal application process which is overseen by the Traffic Department. The monthly rate will be \$20.00. The amount of all available spots are limited, and new spots will be awarded by the Traffic Department on a first come first serve basis with preference given to City of Fall River employees, regardless of union status.

12. ARTICLE XXVI, Sick Leave Severance Benefit Payment - Change Article Name to: Severance Benefit, and Replace Article as Follows

There shall be a severance benefit pertaining to ~~sick accrued leave either upon resignation, termination for other than cause, retirement, or death, retirement, termination for other than cause or death while in the employ of the City payable in accordance with the following schedule:~~

Severance Benefit Defined

- Accrued Vacation
- Accrued Personal Days
- Accrued Sick Leave - Up to sixty (60) days. Employees hired after 7/1/2024 will not be eligible for payment of accrued sick leave until they complete their 4th year of consecutive service within the City, and only if terminated for other than cause.

Termination for Other Than Cause

Employees will receive any accrued leave upon separation from employment. Payment for such unused sick leave shall be in a lump sum payment.

~~Retirement or Termination for Other Than Cause: The City agrees to increase the sick leave buy back to sixty (60) days effective July 1, 2010. Said payment is to be made in one (1) lump sum upon separation from employment.~~

~~Buy back provision shall apply to bargaining unit members who are actively employed by the City when this agreement is signed by the parties.~~

Death: In the event of death while in the employ of the City, the above allowance shall be converted into the form of a cash payment to the estate of the employee.

13. ARTICLE XXVII Longevity – Replace Paragraph 1 as Follow

1. ~~Effective July 1, 2022~~ Longevity payments for those positions covered by this agreement shall be as follows:

14. ARTICLE XXVIII, Clothing Allowance and Car Allowance – Replace Section in Entirety as follows:

1. **Clothing Allowance:** ~~All employees entitled to clothing allowance under present budgetary practices and under the prior agreement between the City of Fall River and AFSCME, AFL-CIO, Local 3177, dated August 9, 1973, and all amendments thereto shall continue to receive such clothing allowance. Effective July 1, 2022 the clothing allowance will be in the amount of \$900.00 annually. The clothing allowance is \$900.00 annually. Those employees eligible for a clothing allowance are outlined in APPENDIX C.~~

~~Inspectors shall be entitled to receive such clothing allowances. The clerk at the Water Filtration Plant, the clerk of Cemetery & Tree Departments, and Council on Aging drivers shall be eligible for said clothing allowance.~~

In the event the City wishes to furnish uniforms to the above entitled employees in lieu of paying a clothing allowance, the Union and the City agree to enter into impact bargaining.

Traffic Department: Traffic Control Officers shall be required to wear uniforms in compliance with agreed upon color, fabric, and design as agreed upon by the Department Head and the Union. It is further agreed that the employees shall keep said uniforms in good repair, cleaned and pressed and shall be responsible for their upkeep. Traffic Control Officers shall receive a clothing allowance in the same amount and shall be paid at the same time as such employees described in the first paragraph hereof. ~~except that the incumbent Traffic Control Officers, as of the date of this amendment, regardless of their length of continuous service, shall be entitled to the July 1, 1992 allowance.~~

Any temporary or provisional employee who is employed continuously for one (1) year in the same job classification as an employee described in the first paragraph hereof as being currently entitled to a clothing allowance, shall receive a clothing allowance after one (1) year of such continuous employment. Said clothing allowance shall be in the same amount as and shall be paid at the same time as such employee described in the first paragraph hereof.

Should the method of compensation presently employed relative to the clothing allowance be found in violation of any statute, City or State Law, then such method of compensation shall be changed to conform with such laws.

2. Notwithstanding the above, inspectors in the Code Enforcement Division shall have their choice of accepting either the \$1,200.00 auto allowance or, in lieu of auto allowance or mileage, shall have access to a pool of vehicles for official City use only. Assignment and scheduling of said vehicles for those electing this option shall be at the sole discretion of the City and shall be based on business necessity. Inspectors electing to have access to the vehicle pool shall continue to receive \$1,200.00 annual auto allowance on a monthly pro-rated basis. In lieu of currently not having a pool of vehicles available for official use, Inspectors in Code Enforcement Division (Inspectional Services) shall be allotted \$200.00 per month for fuel ~~effective July 1, 2022~~. Access to fuel ~~from~~ from City pumps at the Department of Public Works shall not be permitted.

Reimbursement for authorized use of a personal vehicle for City business shall be determined by current ~~State~~ IRS rate.

15. ARTICLE XXX, Term of Agreement – Replace Sections 1 and 2 as follows:

SECTION 1 – EFFECTIVE DATE

The effective date of this agreement is July 1, 2021-2024 to June 30, 2024~~2025~~. The signing of this agreement by the authorized representatives of the Union and the Employer shall be authorized to implement all of the provisions of this agreement.

SECTION 2 – TERMINATION

This agreement will remain in effect until June 30, 2024~~2025~~. At the end of that time either party may terminate this agreement provided such termination is transmitted through the registered U.S. mail to the responsible signatories to this agreement. In no case may a termination notice be sent less than thirty (30) days prior to the termination date herein agreed.

16. ARTICLE XXXIV Wages – Replace Sections 3 and 6 as follows:

RAISES

Effective July 1, 2024

- o Clerical Restructure with updated base job descriptions, and new pay scales or 2% COLA
 - 8s and 9s become 10s, lateral step move
 - Library Assistant II – New 10A (Lateral Step Move)
 - Library Assistant I – New 11A (Step 1)
 - 11s are lateral
 - New Grade 12
- o New Pay Scales
 - Parking Control Officers – \$50,000 Annually
 - Job description updated to reflect all tagging/towing duties
 - Traffic Maintenance – 2% COLA + 2% Kiosk Adjustment
 - Job description updated to reflect Kiosk duties
 - Sanitary Inspectors – 35 Hours at \$55,000 annually
 - Food and Milk – 35 Hours at \$55,000 annually
 - Scaler Weights and Measures – 35 Hours at \$55,000 annually
 - Assistant Planner – Lower Annual Salary to \$54,000
- o Reclass
 - Print Services Specialist change to 11A Step 4
 - IT Clerk change to 11A Step 1
 - Senior 11A Head Clerk (City Clerk) change to 12A Step 1
 - 11A Assessor change to 12A Step 1
 - Head Admin Clerk EMS change to 12A Step 1
 - Head Admin Clerk Fire change to 12A Step 1
 - 11A6 Senior Accountant (Facilities) change to 12A Step 1
- o Position Change
 - Eliminate 9A Detail Clerk (FRPD) due to software changes at Police Department and fill the Vacant 11A in PD Payroll –

- Responsibilities of position changing
- Sr. Accountants in Treasurer's Office change to 12A Step 1

EFFECTIVE _____ INCREASE

Effective July 1, 2021 _____ 1.5%
 Effective July 1, 2022 _____ 1%
 Effective July 1, 2023 _____ 1.5%

Effective July 1, 2022:

Collector's cashiers increase from Grade 8A to Grade 9A

Supervisor of Tree Operations New Wage Scale:

Step 1 \$1,997.08 bi-weekly

Step 2 \$2,092.67 bi-weekly

Step 3 \$2,207.20 bi-weekly

Painter with Certificate for Lead Paint Removal \$2,099.19 bi-weekly

EMPLOYEE RECLASSIFICATION

Requests for reclassification may be made by the Local 3177, the employee, or the employee's supervisor/department head. Requests shall be made utilizing the following procedure:

1. In non-bargaining years, An employee who seeks a reclassification of their current position may request an audit of their position. The employee shall file said form with the Director of Human Resources between July 1 and December 1, inclusive, of a particular fiscal year and shall forward a copy of the same to the union. In bargaining years reclassification will be addressed at the main table.
2. The Human Resources Director shall conduct a job audit by December 31 of the fiscal year in which the request was made.
3. ~~Within fourteen (14) calendar days of completion of the job audit,~~ The City Administrator or his/her designee and Human Resources Director shall hold a hearing with the employee to review findings and allow employee to present any further details by January 31. A representative of the Union may attend any such hearing.
4. The City Administrator shall make a final determination by January ~~March~~ 31 of the fiscal year in which the request was made. If a decision is made to change a position's pay that pay change will take affect the following July 1.
- 4.5. Decisions made through the reclassification process are non-grievable.

The foregoing deadlines may be waived by mutual agreement of the parties, but no such agreements shall be documented in writing. ~~As part of this agreement the City agrees to conduct work with a professional personnel consultant to created new job descriptions and a wage and classification study. It is understood that there will be no salary reductions as a result of the study. The results of said study shall be considered in any reclassification request. The City may forgo the reclassification process and instead work with a professional personnel consultant to create~~

new job descriptions and do a wage and classification study. It is understood that there will be no salary reductions as a result of the study. The results of said study are non-binding.

17. ARTICLE XXXV, Inclement Weather Shutdown (IWS) – Replace Paragraph 5 and add new Paragraph 13 as follows:

The following is the Standard Operating Procedure for the AFSCME CBA regarding Inclement weather days:

1. Inclement weather days are those days that the Government Center is closed for emergency weather conditions.
2. Employees that are not needed for the storm (emergency) closing, such as clerical and other personnel not assigned for work during the emergency, are classified as "non-essential personnel".
3. Non-essential personnel shall have no work and be paid at their normal rate of pay (straight time) the same as Government Center employees.
4. Employees are classified as ESSENTIAL that are needed for operations; including but not limited to Water Treatment Facility (WTF) shift operators; WTF shift watchman/attendants; Administration, Distribution Systems and/or WTF employees needed/volunteering for snow/ice removal and/or water main/water service/WTF maintenance and/or emergency repairs.
5. The same standard of operations shall also apply to Parks, Cemetery, Trees, ~~Engineering~~, all Traffic Department employees, carpenter, plumber, painter, clerical staff at Lewiston street, Police and Fire Mechanics, Police Electricians, dispatchers, and any employee who has sector leader duties assigned by (DCM) (Streets and Highways).
6. Essential personnel shall work their normal shift and be paid at their normal rate of pay (straight time). Said employees shall be given an additional (IWS) day off as compensation for the Government Center shut down (excluding Facilities Maintenance employees). Prior approval from management is required.
7. Said (IWS) day must be used within the fiscal year of occurrence but no later than June 1 of said fiscal year unless authorized by management due to extenuating circumstances.
8. Employees that have worked in emergency operations in the two shifts (3-11 p.m. and/or 11 p.m. to 7 a.m.) prior to the Government Center shut down; and do not work their normal shift shall be treated as non-essential personnel.
9. If an employee (Essential and Non-Essential) was previously scheduled to be off on the (IWS) day for a single vacation, personal, sick and/or family sick time said employee does get said vacation, personal, sick and/or family sick time credited back or said employee gets a float (IWS) day off.
10. If an employee (Essential and Non-Essential) was previously scheduled to be off on the (IWS) day for an extended (multiple days) vacation, personal, sick, FM-LA and/or family sick time said

employee does not get said vacation, personal, sick and/or family sick time returned nor does said employee get a float (IWS) day off.

11. If an employee is not scheduled to work per their normal schedule during the Government Center (IWS) closure, said employee does not get paid an extra day nor get a float (IWS) day off.

12. Use of a compensatory (IWS) day shall not cause overtime by another employee to cover said shift or day.

~~12-13. Library Employees – If a declared emergency (snow, hurricane, etc.) has been announced by the Mayor or designee by 6:00 a.m. on a Saturday, the Library will not be open.~~

18. ARTICLE XXXVII, Facilities Maintenance Employees – Delete Article

ARTICLE XXXVII

Facilities Maintenance Employees

~~a. Create Working Foreman position~~

19. APPENDIX A, Work Schedule by Department - Replace in Entirety as follows:

Appendix A – Work Schedule by Department

GOVERNMENT CENTER – Regular hours of operation are Monday through Thursday 8:00 am to 4:00 pm and Fridays 8:00 am to 3:00 pm (without lunch). Hours of operation may vary by department, see Article VI.

CEMETERY DEPARTMENT

Cemetery department office hours – 7:00 am to 3:00 pm
Laborers Staff - 7:00 am to 3:00 pm (20 minutes paid lunch)

TREE DEPARTMENT

Supervisor (Tree Operations – 7:00 am to 3:00 pm (20 minutes paid lunch).
Assistant Forester - 7:00 am to 3:00 pm (20 minutes paid lunch)

FACILITIES MAINTENANCE

Clerical Staff – 9:00 am to 5:00 pm (1 hour unpaid lunch) Follows Regular Government Center Hours
Facilities/Grounds Keepers – 7:00 am to 3:00 pm (30 minutes paid lunch)
Maintenance Staff – 7:00 am to 3:00 pm (20 minutes paid lunch)

CODE ENFORCEMENT – INSPECTIONAL SERVICES HOURS OF OPERATION

~~Code Enforcement-Clerical and Inspectional Services Staff - 8:00 am to 5:00 pm (1 hour unpaid lunch)~~ Follows Regular Government Center Hours
Inspectional Services Staff - 8:00 am to 4:00 pm (30 minutes paid lunch)

MINIMUM HOUSING, FOOD AND MILK, AND ENVIRONMENTAL/SANITATION

Follows Regular Government Center Hours
~~Minimum Housing, Food and Milk and Environmental/Sanitation – 8:00 am to 4:00 pm (1 hour unpaid lunch)~~

FIRE AND EMS CLERKS

Clerical Staff - 8:00 am to 4:00 pm (~~1/2 hour~~ 30 minutes paid lunch)

Part time Clerk - 8:00 am to Noon

EMS CLERKS

Follows Government Center Hours (30 minutes paid lunch)

FIRE DEPARTMENT MECHANICS

7:00 am 3:00 pm (~~1/2 hour~~ 30 minutes paid lunch)

Fire Department Mechanics have the option to combine their meal periods based on workload.

PARKS DEPARTMENT

~~Park department office hours~~ Clerical Staff - 8:00 am to 4:00 pm (3:00 pm-Summer) (1 hour unpaid lunch)

Laborers Staff - 7:00 am to 3:00 pm (20 minutes paid lunch)

POLICE DEPARTMENT

Clerical Staff - 8:00 am to 4:00 pm (1 hour unpaid lunch)

Emergency Dispatchers/Telecommunications:

7:00 am to 3:00 pm, 3:00 pm to 11:00 pm, 11:00 pm to 7:00 am (1 hour paid of combined lunch and break)

POLICE DEPARTMENT MECHANICS AND ELECTRICIANS

(~~1/2 hour~~ 30 minutes paid lunch)

7:30 am to 3:30 pm

TRAFFIC DIVISION

~~Clerical Staff - 8:00 am to 4:00 pm (1 hour unpaid lunch)~~ Follows Regular Government Center Hours

~~Parking Control Officers - 8:00 am to 4:00 pm - 9:00 am to 5:00 pm and Tuesday through Saturday~~

~~8:00 am to 4:00 pm~~ Follows Regular Government Centers (~~1/2 hour~~ 30 minutes paid lunch)

Maintenance Crew - 7:00 am to 3:00 pm (~~1/2 hour~~ 30 minutes paid lunch)

WATER DIVISION/ADMINISTRATION

~~Clerical Staff - 8:00 am to 4:00 pm (1 hour unpaid lunch)~~ Follows Regular Government Center Hours

Water Inspectional Services - 7:00 am to 3:00 pm (~~1/2 hour~~ 30 minutes paid lunch)

DISTRIBUTION MAINTENANCE DIVISION

(~~1/2 paid lunch~~)

Water Maintenance Staff - 7:00 am to 3:00 pm (30 minutes paid lunch)

Clerical Staff - 7:00 am to 3:00 pm (1 hour unpaid lunch)

WATER TREATMENT FACILITY

(~~1/2 paid lunch~~)

Water Treatment Staff - 8:00 am to 4:00 pm (30 minutes paid lunch)

WATER TREATMENT DIVISION OPERATOR'S SHIFT

(~~1/2 30 minutes~~ - paid lunch for all shifts)

Sunday thru Wednesday; Thursday/Friday off 8:00 am to 4:00 pm

Friday thru Tuesday; Wednesday/Thursday off 4:00 pm to 12midnight

Wednesday thru Sunday; Monday/Tuesday off 12midnight to 8:00 am

3a

Swing Shift Monday-Tuesday 12 midnight to 8:00 am; Wednesday-Thursday 4:00 pm to midnight;
Friday 8:00 am to 4:00 pm; Saturday/Sunday off.

WATER TREATMENT DIVISION WATCHMAN/ATTENDANT SHIFT

(1/2 hour 30 minutes paid lunch for all shifts)

Sunday thru Wednesday; Thursday/Friday off 7:00 am to 3:00 pm

Friday thru Tuesday; Wednesday/Thursday off 3:00 pm to 11:00 pm

Wednesday thru Sunday; Monday/Tuesday off 11:00 pm to 7:00 am

Swing Shift Monday - Tuesday 11:00 pm to 7:00 am; Wednesday - Thursday 3:00 pm to 11:00 pm;

Friday 7:00 am to 3:00 pm; Saturday/Sunday off.

APPENDIX C, Annual Stipends/Clothing Allowance – Replace in entirety as follows:

APPENDIX C – Annual Stipends/Clothing Allowance: Paid for acquiring/maintaining licenses

Water Department

CDL A	\$1,000.00
CDL B	\$500.00
Hoisting License (Backhoe)	\$1,000.00
MA Backflow Tester	\$500.00
MA Cross Connection Surveyor	\$500.00
MA D-1 License	\$1,200.00
MA D2 License	\$2,500.00
MA D-3 License	\$5,000.00
MA D-4 License	\$12,000.00
MA T-3 License	\$1,000.00
MA T-4 License	\$1,500.00

Cemetery and Tree Division

CDL – A License	\$1,000.00
CDL – B License	\$500.00
Hoisting License (Backhoe)	\$1,000.00

Tree Stipend

Parks Department Clerk	\$200.00
Cemetery Department Clerk	
Parks Department Laborers	
Cemetery Department Laborers	

Police Department - Emergency Dispatchers/Telecommunications

APCO Meds certification.	\$800.00
Police Electricians Hoisting License	\$1,000.00

Police and Fire Mechanics

Certification pay for each certificate obtained	\$100.00 (not to exceed \$1,000.00)
Accessory Vehicle Stipend	\$1,500.00 (fire mechanics only)

CLOTHING ALLOWANCE

\$900.00

Electricians

Fire Mechanics

Minimum Housing Inspectors

Code Enforcement Inspectors

Health Inspectors

Parking Control Officers

Traffic Maintenance Employees

Jr. Civil Engineer

Facilities/Maintenance -- Maintenance Staff

Water Distribution Maintenance Division

Water Treatment Staff

Water Service Inspectors

Parks Department Staff

Cemetery Department Staff

Snow Removal Stipend:Only those positions outlined below shall be eligible for the snow removal incentive pay.Parks LaborersCemetery/Trees LaborersFacilities Maintenance Laborers and TradespeopleTraffic Maintenance WorkersFire MechanicsPolice MechanicsPolice ElectriciansWater Employees

To be eligible for the snow removal incentive pay Parks, Cemetery/Trees, Facilities Maintenance, Fire Mechanics, Police Mechanics, Police Electricians and Water employees shall not refuse or miss more than seven overtime calls for snow/ice removal. Snow removal is defined as the process of physically removing snow (shoveling/snow blowing/plowing) or treating ice (salting/sanding) on public or certain City owned roads, driveways, sidewalks, parking lots and paths. If an employee responds back to the department as available to work within 15 minutes of a message left on an answering machine, it shall not be counted as a missed call. If an employee has worked an 8-hour overtime shift, he/she shall be exempt from the missed call provision for 16 hours. If any employee works 125 hours or more overtime for snow/ice removal during the season (November 1 through April 1), then they shall be exempt from the seven-refusal limit noted above. Any overtime calls that would result in an employee working more than 16 hours are exempt from the refusal limit. An employee with a CDL must have a fully active license and a copy must be given to management as of May 1-

This Agreement is subject to ratification by the City of Fall River and by the Fall River AFSCME Council 93 and to appropriation. This Agreement shall not be implemented unless the Parties have ratified and fully executed the Agreement.

This Agreement has been duly executed by authorized representatives of the City of Fall River and by the Fall River AFSCME Council 93.

IN WITNESS WHEREOF, the Union and the City, by their authorized representatives, have set their hands to this Memorandum of Agreement on this 19th day of ~~July~~ August, 2024.

FOR and on behalf of the City:

Paul E. Coogan
Paul E. Coogan, Mayor Date

FOR and on behalf of the Union:

Scott E. Taveira 8/19/24
Scott E. Taveira, Staff Representative Date

Rui Santos 8-19-24
Rui Santos, President Date

CITY OF FALL RIVER

COLLECTIVE BARGAINING AGREEMENT

JULY 1, 2024 – JUNE 30, 2025

FISCAL IMPACT STATEMENTLABOR ADVANTAGE FOR WORKERS LOCAL 124

Pensionable	\$6,960.56
Non-Pensionable	\$300.00
Medicare – Fringe Benefit	\$105.28
Total	\$7,365.84

MEMORANDUM OF AGREEMENT

BETWEEN

THE CITY OF FALL RIVER

AND

LABOR ADVANTAGE FOR WORKERS

LOCAL 124

This **MEMORANDUM OF AGREEMENT** is entered into by and between the City of Fall River (hereinafter "the City") and the Fall River Labor Advantage for Workers, Local 124 ("Union");

WHEREAS, the City and the Union are parties to a collective bargaining agreement for the period July 1, 2021 through and including June 30, 2024; and,

WHEREAS, the City and the Union have, pursuant to Massachusetts General Laws, Chapter 150E negotiated a successor contract for the aforementioned agreement;

NOW, THEREFORE, in consideration of mutual covenants and promises, the Parties agree that the following changes will be made to the Parties' July 1, 2021 through and including June 30, 2024:

1. Article XIV - Miscellaneous Provisions

1. Effective Date:

The effective date of this Agreement is July 1, 2024. The signing of this Agreement by the authorized representatives of the Union and the employer shall be authorized to implement all of the provisions of this Agreement.

2. TERMINATION:

This agreement will remain in effect from July 1, 2024 through June 30, 2025. At the end of that one (1) year period, either party may terminate this Agreement provided such notice of termination is transmitted through the U.S. Mail by Certified Mail to the responsible signatories to the Agreement. In no case can a termination notice be sent less than thirty (30) days prior to the date herein agreed.

3. RENEWAL

No Changes

4. CHANGES

No Changes

5. JOB CHANGES:

Any employee temporarily assigned to a position with a higher rate of pay shall receive the higher rate of pay after having performed the duties of said position for a period of ~~five~~(5) four (4) consecutive days, to be paid from day one.

Wages:

July 1, 2024 – 2% increase

Effective July 1, 2024: The Head Custodian position will receive an additional 3% increase to reflect the change in responsibilities of the position. The weekly telephone allowance of seventy-five dollars (\$75.00) outlined in paragraph 24 of this section will end and one hundred fifty dollars (\$150.00) will be added to the bi-weekly wages.

6. UNIFORM ALLOWANCE:

Effective July 1, 2024, said uniform allowance shall be increased to one thousand (\$1,000.00) dollars annually.

2. Article XVII - Shift Differential

Effective July 1, 2024 the Shift Differential will increase to \$1.25/hour.

This Agreement is subject to ratification by Labor Advantage for Workers, Local 124 and full funding by the City Council.

Signed and Agreed to this 17th day of July, 2024.



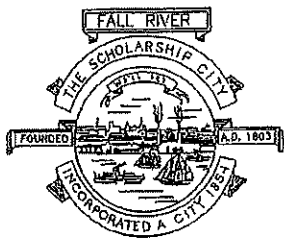
Mayor Paul Cobgan

7/17/24

Date



President, Local 124 Date



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2024 SEP -5 P 3:17

CITY CLERK
FALL RIVER, MA

September 5, 2024

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

Dear Honorable Council Members:

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

1. \$66,200.00 That the sum of \$66,200.00 be, and the same is, hereby appropriated to the OPIOD SETTLEMENT REVOLVING FUND, Transfer from OPIOD STABILIZATION FUND.

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

Best Regards,

Paul E. Coogan
Mayor

City of Fall River, In City Council

September 10, 2024

ORDERED:

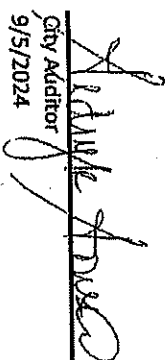
That the sum of \$66,200.00 be, and the same is, hereby transferred to Opioid Settlement Revolving Fund from Opioid Stabilization Fund.

5

FY25 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
Opioid Stabilization Fund	\$ 1,849,397.57	\$ (66,200.00)	\$ 1,783,197.57
Opioid Revolving Fund	\$ 100,000.00	\$ 66,200.00	\$ 166,200.00

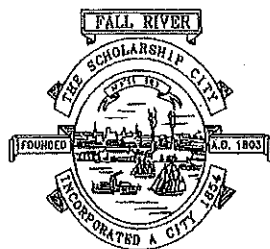
I certify that there are sufficient funds available for these transfers.


City Auditor
9/5/2024

4
RECEIVED

2024 SEP -5 P 1:23

CITY CLERK
FALL RIVER, MA



City of Fall River
Massachusetts
Department of Health & Human Services

PAUL E. COOGAN
Mayor

TESS CURRAN, MPH
Director Health & Human Services

September 5

Mayor Coogan
One Government Center
Fall River, MA 02722

Dear Mayor Coogan,

The Fall River Opioid Settlement Advisory Committee (FROSAC) has made two initial recommendations based on the RFP proposals received. These two proposals were unanimously approved by the FROSAC and work to address priority needs as identified in the Fall River Community Engagement Report.

The first proposal submitted by the Fall River Public Schools (FRPS) seeks to purchase a school health curriculum to be used in FRPS, Atlantis Charter School, Argosy Charter School, and Diman Vocational Technical High School. This proposal is seeking \$36,360 which will allow for students across the community to have a cohesive and consistent health education program. In addition, a community wide speaker presentation is included in the proposal budget to unify and engage the community around this new curriculum.

The second proposal that the FROSAC unanimously approved is for the Advocacy Fund. The Advocacy Fund was established to address the urgent needs of individuals affected by substance use disorder. With additional funding the Advocacy Fund seeks to continue to support individuals by providing basic needs (hygienic supplies, harm reduction supplies) support individuals with rental and utilities support, assist with sober living costs, and provide financial support to impacted families and/or assist with funeral expenses.

These two proposals seek to address the priority areas of Supporting People in Treatment/Recovery and Prevention. Therefore, on behalf of the FROSAC, I am respectfully requesting that a total of \$66,260 of Opioid Settlement Funds be utilized for the School Health Curriculum and Advocacy Fund grant proposals.

Sincerely,

Tess Curran
Director of Health and Human Services



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2024 SEP -5 P 3:17

CITY CLERK _____
FALL RIVER, MA

September 5, 2024

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

Dear Honorable Council Members:

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

1. \$200,000.00 That the sum of \$200,000.00 be, and the same is, hereby appropriated to VARIOUS DEPARTMENTS SALARIES from the RESERVE FUND
2. \$7,784.40 That the sum of \$7,784.40 be, and the same is, hereby appropriated to VARIOUS DEPARTMENTS SALARIES from the STABILIZATION FUND

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

September 10, 2024

#1 and #2

ORDERED:

That the sum of \$200,000.00 be, and the same is, hereby transferred from the Operating Reserve Fund, and that the sum of \$7,784.40 be, and the same is hereby transferred from the Stabilization Fund to Various Departments, Salaries as follows:

Blocks	Amounts
Administrative Services	\$ 708.67
City Operations	\$ 38,197.96
Community Maintenance	\$ 7,637.25
Financial Services	\$ 19,735.68
Fire	\$ 3,283.55
General Government	\$ 16,004.55
Community Services	\$ 80,447.01
Police	\$ 41,769.72
Grand Total	\$ 207,784.40

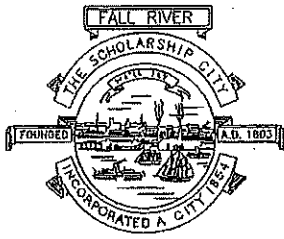
Due to Collective Bargaining Agreement

FY25 Appropriation/Transfer Number Analysis

Line	Original/Revised Appropriation	Amount Transferred	Adjusted Balance
General Fund- Reserve Fund	\$ 200,000.00	\$ (200,000.00)	\$ -
General Fund- Stabilization Fund	\$ 17,190,427.46	\$ (7,784.40)	\$ 17,182,643.06
Administrative Services	\$ 1,418,953.00	\$ 708.67	\$ 1,419,661.67
Facilities and Maintenance	\$ 1,174,749.00	\$ 38,197.96	\$ 1,212,946.96
Community Maintenance	\$ 5,457,646.00	\$ 7,637.25	\$ 5,465,283.25
Financial Services	\$ 1,777,192.00	\$ 19,735.68	\$ 1,796,927.68
Fire	\$ 18,510,444.00	\$ 3,283.55	\$ 18,513,727.55
General Government	\$ 1,585,811.00	\$ 16,004.55	\$ 1,601,815.55
Community Services	\$ 2,822,296.00	\$ 80,447.01	\$ 2,902,743.01
Police	\$ 24,212,641.00	\$ 44,769.72	\$ 24,254,410.72

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

Michael Hansen
 City Auditor
 9/5/2024



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

September 5, 2024

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

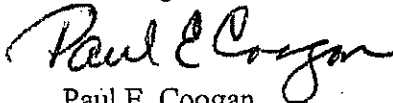
Re: Salary Schedule Updates – Sections 50-301 - 50-302

Dear Honorable Council Members:

Section 50-301 of the City of Fall River Ordinances includes the salary schedule for executive officers, department heads, and non-union personnel, Section 50-302 includes the salary schedule for contract personnel. The attached request removes the Board of Election Commissioners / Director – Office of Elections, Chairperson and Veterans' Benefit Agent and Director of Veterans' Services / Director of Veterans' Benefits from Section 50-301 and makes them contract positions under Section 50-302.

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

Best Regards,


Paul E. Coogan,
Mayor

RECEIVED

2024 SEP -6 A 10:02

CITY CLERK
FALL RIVER, MA

City of Fall River, In City Council

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

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

Section 1.

By striking out in Section 50-301, which section relates to Salary schedules for executive officers, department heads and non-union personnel the following:

	Grade	Effective Date	Not to Exceed
Board of Election Commissioners/ Director-Office of Elections, Chairperson	ELCO	7-1-2022	\$65,000
Veteran's Benefit Agent and Director of Veteran's Services/Director of Veteran's Benefits	VBAG	7-1-2022	\$72,236.54

Section 2.

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

	Grade	Effective Date	Salary
Board of Election Commissioners/ Director-Office of Elections, Chairperson	ELCO	7-1-2024	Per contract
Veteran's Benefit Agent and Director of Veteran's Services/Director of Veteran's Benefits	VBAG	7-1-2024	Per contract



CITY OF FALL RIVER
MASSACHUSETTS
Department of Community Maintenance
Municipal Buildings, Parks, Cemeteries, Traffic & Parking,
Sanitation, Streets & Highways

RECEIVED

2024 SEP -3 P. 2: 23

CITY CLERK
FALL RIVER, MA

Traffic & Parking Division

Paul Coogan
Mayor

Stephanie MacArthur
*Director of Traffic and
Parking*

September 3, 2024

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, August 21, 2024 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

Article:	70	No Parking Anytime
		7:00am-4:00pm
Section:	372	Monday - Friday

By inserting in proper alphabetical order the following.

INSERT

NAME OF STREET	SIDE	LOCATION	HOURS/DAYS
Dover Street	South	Starting at a point 41 feet East of Dover Street for a distance of 155 feet east.	Monday - Friday 7:00am-4:00pm

Very truly yours,


Stephanie MacArthur
Director of Traffic and Parking

T.S

7

CITY OF FALL RIVER
MASSACHUSETTS

RECEIVED

Traffic & Parking Division

2024 SEP -3 P 2:23



CITY CLERK
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

September 3, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, August 21, 2024 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

Article: 70

Section: 387

Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street

Side

Location

Third Street

West

Starting at a point 74 feet North of Branch Street
For a distance of 20 feet North.

Very truly yours,

Stephanie MacArthur

Director of Traffic & Parking

3.5

CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division



RECEIVED

2024 SEP -6 A 10: 04

CITY CLERK
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

September 6, 2024

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, August 21, 2024 the following request was heard and approved. The poles and signs are up already from a previous tenant.

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

Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following.

INSERT

Name of Street	Side	Location
Ninth Street	West	Starting at a point 105 feet south of Bedford Street, for a distance of 20 feet south

Very truly yours,

Stephanie MacArthur
Director of Traffic & Parking

7

CITY OF FALL RIVER
MASSACHUSETTS

RECEIVED

Traffic & Parking Division

24 SEP -3 P 2:23



CITY CLERK
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

September 3, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, August 21, 2024 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Alden Street	West	Starting at a point 21 feet South of Ross Street For a distance of 20 feet South.

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

5.5.

7

CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division



RECEIVED

2024 SEP -3 P 2:23

CITY CLERK
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

September 3, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, August 21, 2024 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

Article: 70

Section: 387

Handicapped Parking

By inserting in proper alphabetical order the following:

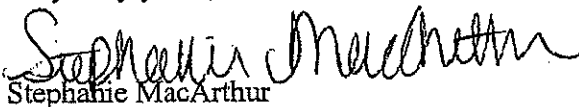
INSERT

Name of Street
Cherry Street

Side
south

Location
Starting at a point 138 feet east of Grove Street
For a distance of 20 feet east.

Very truly yours,



Stephanie MacArthur
Director of Traffic & Parking

5-5

7

CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division



RECEIVED

2024 SEP -3 P 2:23

CITY CLERK
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

September 3, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, August 21, 2024 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Eastern Ave	East	Starting at a point 46 feet North of County Street For a distance of 20 feet North.

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

JS

7

CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division



Paul E. Coogan
Mayor

RECEIVED
2024 SEP -3 P 2:23
CITY CLERK
FALL RIVER, MA

Stephanie MacArthur
Director of Traffic & Parking

September 3, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, August 21, 2024 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

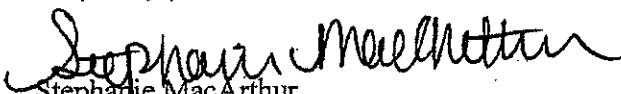
Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
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

J.S.

CITY OF FALL RIVER
MASSACHUSETTS

Traffic & Parking Division



Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

September 3, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, August 21, 2024 the following request met all the guidelines, requirements and was approved by the Traffic Commission Board.

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

Article: 70
Section: 387 Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
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

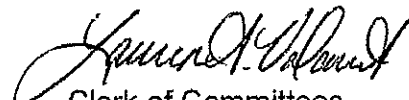
CITY OF FALL RIVER

8

To the City Council

Councillors:

The Committee on Regulations, at a meeting held on August 13, 2024, voted unanimously to recommend that the accompanying order be adopted.


Clerk of Committees

City of Fall River, *In City Council*

ORDERED, that the Auto Repair Shop License No. 329, issued to Timothy Pinto, S M Automotive, LLC d/b/a S M Automotive Repair, at 193 Oak Grove Avenue, be amended by striking out the following restrictions:

- 2. There shall be no auto sales
- 5. All tow truck drop-offs shall take place off site
- 6. A quality matching privacy fence shall be installed 60 days from March 11, 2014

BE IT FURTHER ORDERED, that the license be amended by inserting the following restriction:

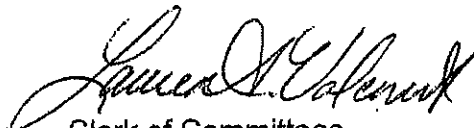
"The privacy fence shall remain in place and not be removed"

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Regulations, at a meeting held on August 27, 2024, voted unanimously to recommend that the accompanying order be adopted, with Councilor Ponte absent and not voting.


Clerk of Committees

City of Fall River, *In City Council*

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

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

James Andrews, 139 Langley Street, Apt. 1, d/b/a 508 Auto Sales & Repair for a license to operate an auto repair shop at 59 North Quarry Street, L-01-106 Assessors Plan.

and, on August 13, 2024, the order was referred to the Committee on Regulations now therefore, be it

ORDERED, that permission be and the same is hereby granted with the following restrictions to:

James Andrews, 139 Langley Street, Apt. 1, d/b/a 508 Auto Sales & Repair for a license to operate an auto repair shop at 59 North Quarry Street, L-01-106 Assessors Plan.

Restrictions:

1. Hours: Monday – Saturday: 9:00 a.m. – 5:00 p.m.
Sunday: Closed

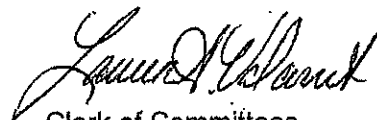
2. No more than twenty (20) cars shall be parked on the property at any time

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on August 27, 2024, voted unanimously to recommend the accompanying proposed ordinance, accompanied by an emergency preamble, be passed through first reading, second reading, passed to be enrolled and passed to be ordained.


Clerk of Committees

City of Fall River, In City Council

EMERGENCY PREAMBLE

WHEREAS, the immediate passage of the accompanying proposed ordinance is deemed necessary inasmuch as it vitally affects the health and safety of the public, now therefore

BE IT RESOLVED, that said ordinance is hereby deemed an emergency measure in accordance with the provisions of Chapter 43, Section 20 of the Massachusetts General Laws.

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:

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

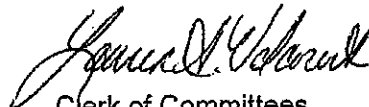
Name of Street	Side	Location
18 th Street	West	Starting at a point 238 feet south of Merchant Street, for a distance of 20 feet southerly
Albion Street	West	Starting at a point 85 feet north of Donnelly Street, for a distance of 20 feet northerly
Baker Street	East	Starting at a point 24 feet south of Warren Street, for a distance of 20 feet southerly
Grant Street	East	Starting at a point 72 feet north of William Street, for a distance of 20 feet notherly
John Street	East	Starting at a point 129 feet north of Morgan Street, for a distance of 20 feet northerly

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on August 27, 2024, voted unanimously to recommend the accompanying proposed ordinance, accompanied by an emergency preamble, be passed through first reading, second reading, passed to be enrolled and passed to be ordained, as amended.


Clerk of Committees

City of Fall River, In City Council

EMERGENCY PREAMBLE

WHEREAS, the immediate passage of the accompanying proposed ordinance is deemed necessary inasmuch as it vitally affects the health and safety of the public, now therefore

BE IT RESOLVED, that said ordinance is hereby deemed an emergency measure in accordance with the provisions of Chapter 43, Section 20 of the Massachusetts General Laws.

City of Fall River, *In City Council*

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

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

By inserting a new section as follows:

§ 46-16. Unauthorized Camping on Public Property

A. Findings and Purpose

Camping without adequate sanitation services, such as access to water, sewer, and regular garbage collection, presents a public health and safety concern. Additionally, unauthorized camping on public property often interferes with the intended use of the public space. As a result, this camping ordinance is necessary to preserve the health, safety, and welfare of the public and to prevent the unnecessary interference with the rights of others to use public spaces for the purposes for which they were intended.

B. Definitions

CAMP or TO CAMP

To sleep in a tent, under a tarp or canopy, in a motor vehicle, or in any other outdoor shelter.

CAMPING MATERIALS

Any items used to camp or to provide outdoor shelter, such as a tent, tarp, canopy, mattress, furniture, stove, fuel tank, and cooking utensils.

CAMPSITE

Any place where a tent, tarp, or other temporary structure is located for the purpose of providing outdoor shelter.

PUBLIC PROPERTY

Any city, state, or federally owned property, including, but not limited to, a park, bench, street, sidewalk, parking lot, alley, school property, right-of-way, or under a bridge or other public structure.

SHELTER IS UNAVAILABLE

A shelter is any building serving as a temporary refuge or residence for the homeless. A shelter is only unavailable if all beds are full. A homeless individual's refusal to go to a specific shelter due to its rules and regulations (e.g., no pets, alcohol, or cohabitation, etc.) is irrelevant to the definition of "shelter is unavailable".

C. Unauthorized Camping on Public Property

It is unlawful to camp, to occupy a campsite, or to leave camping materials on public property unless specifically authorized to do so by (1) the Park Board if located in a park; (2) the Mayor if located on any other city-owned property; or (3) by the appropriate State or Federal official if located on State or Federal property.

D. Sleeping on Sidewalks, Streets, or Public Ways

It is unlawful for any person, with or without camping materials, to lie down or sleep on a public street, sidewalk, bike path, or public way.

E. Public Urination and Defecation

It is unlawful to urinate or defecate in any place open to the public and while exposed to public view.

F. Fuel Tanks and Open Fires

It is unlawful to use a fuel tank (propane, kerosene, etc.) or have an open fire at an unauthorized campsite on public property. Notwithstanding the above, portable propane tanks may be used within designated picnic areas during regular park hours.

G. Removal of Personal Property at Unauthorized Campsites

Camping materials and other personal property located at an unauthorized campsite on public property may be removed and destroyed. The City, its agents, and/or employees will not be liable for any loss or damage of any kind associated with the removal and/or destruction of personal property at an unauthorized campsite.

H. Penalties

Any person found to be in violation of any provision of § 46-19 shall be subject to the noncriminal procedure set forth in §§ 2-1021 through 2-1025 of the Code of the City of Fall River.

CITY OF FALL RIVER

12

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on August 27, 2024, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading.



Clerk of Committees

City of Fall River, *In City Council*

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

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

Section 1.

By inserting in Section 70-241, which section relates to Stop signs, the following:

Name of Street	Direction of Travel	At Intersection of
Detroit Street	Eastbound	Detroit Street at Omaha Street
Omaha Street	Southbound	Omaha Street at Detroit Street
Pond Street	Southbound	Pond Street at Anawan Street

Section 2.

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

Name of Street	Side	Location	Hours/Days
Cambridge Street	South	Starting at a point 18 feet east of Oxford Street, for a distance of 197 feet easterly	7:00 a.m. to 4:00 p.m. Monday through Friday

Section 3.

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

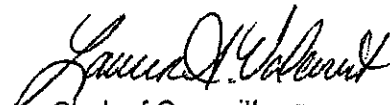
Name of Street	Side	Location
Baker Street	West	Starting at a point 152 feet south of Warren Street, for a distance of 20 feet southerly
Bayview Street	East	Starting at a point 230 feet north of Last Street, for a distance of 20 feet northerly
Birch Street	North	Starting at a point 443 feet west of King Street, for a distance of 25 feet westerly
Bright Street	South	Starting at a point 67 feet west of Stafford Road, for a distance of 20 feet westerly
Flint Street	West	Starting at a point 102 feet south of Canonicus Street, for a distance of 20 feet southerly
Hope Street	West	Starting at a point 47 feet east of Broadway, for a distance of 25 feet easterly
Osborn Street	North	Starting at a point 156 feet east of Arpin Street, for a distance of 20 feet easterly
Plymouth Avenue	East	Starting at a point 134 feet north of Dover Street, for a distance of 20 feet northerly

CITY OF FALL RIVER

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on August 27, 2024, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading.


Clerk of Committees

City of Fall River, *In City Council*

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

That Chapter 38 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Historical Preservation, be amended as follows:

By striking out Section 38-34, which section relates to Membership of the Historical Commission, in its entirety, and inserting in place thereof, the following:

§ 38-34 Membership of the Historical Commission

The Historical Commission shall consist of seven members appointed by the Mayor, subject to confirmation by the City Council. Appointments shall be arranged so that the term of at least two members will expire each year. Successors shall be appointed for three-year terms.

CITY OF FALL RIVER
IN CITY COUNCIL

AUG 13 2024

*Referred to the
Committee on Ordinances
and Legislation*

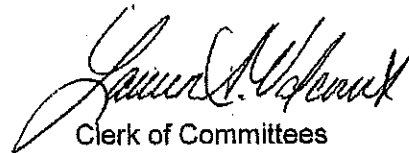
Proposed Ordinance – Trolley Fees
CITY OF FALL RIVER

14

To the City Council

Councillors:

The Committee on Ordinances and Legislation, at a meeting held on August 27, 2024, voted unanimously to recommend that the accompanying proposed ordinance be passed through first reading, as amended.


Clerk of Committees

City of Fall River, *In City Council*

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

Section 1.

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 a new section to read, as follows:

2-752. Fees charged by the Division of Facilities Maintenance.

The fees charged by the Division of Facilities Maintenance are as set out in Chapter A110, Fee Schedule, of the City Code.

Section 2.

That Chapter A110-1 of the Code of the City of Fall River, Massachusetts, 2018, which section relates to Chapter 2, Administration, be amended as follows:

By inserting, in proper order, the following:

2-752. Fees charged by the Division of Facilities Maintenance.

Trolley Operation.

Standard trolley route tickets.

(1) Adult ticket (age 13 or older)	\$5.00
(2) Child ticket (age 12 or under)	\$2.00
(3) Senior Citizen ticket (age 65 or older)	\$2.00
(4) Veteran ticket	\$2.00

Special trolley tour or event tickets.

(1) Adult ticket (age 13 or older)	\$30.00
(2) Child ticket (age 12 or under)	\$20.00
(3) Senior Citizens (age 65 or older)	\$20.00
(4) Veteran ticket	\$20.00

Trolley rentals.

(1) Full-day (8 hours) rental	\$1,100.00
(2) Half-day (4 hours) rental	\$600.00
(3) Each hour of rental time exceeding the base rental (up to 4 hours)	\$130.00
(4) Black tie dress requirement for trolley driver during rental (optional)	\$200.00

Trolley rentals for schools located in Fall River.

(1) Full-day (8 hours) rental	\$400.00
(2) Half-day (4 hours) rental	\$250.00
(3) Each hour of rental time exceeding the base rental (up to 4 hours)	\$100.00

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:

By inserting in Section 70-373, which relates to Fifteen-minute parking, the following:

Name of Street	Side	Location	Hours/Days
Dover Street	North	Starting at a point 84 feet west of Blackstone Street, for a distance of 20 feet westerly	7:00 A.M. to 11:00 P.M. All Days

CITY OF FALL RIVER
IN CITY COUNCIL

AUG 13 2024

*Passed through
first reading*

City of Fall River, *In City Council*

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

That Chapter 38 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Historical Preservation, be amended as follows:

By inserting at the end of Section 38-113, which section relates to Restrictions on issuance of demolition permit, the following:

"For city-owned properties, the Building Inspector shall not approve any application for a permit to demolish prior to the expiration of twelve (12) months from the date the Chairperson of the Historical Commission received the written notice of intent required under §38-111."

CITY OF FALL RIVER
IN CITY COUNCIL

MAY 28 2024

*Referred to the
Committee on Ordinances
and Legislation*

CITY OF FALL RIVER
IN CITY COUNCIL

AUG 18 2024

*Passed through
first reading*

City of Fall River, *In City Council*

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

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

Section 1.

That Chapter 10 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Buildings and building regulations, be amended by inserting a new Article VII, which relates to Property maintenance as follows:

ARTICLE VII - Property Maintenance

§ 10-301. Findings and Purpose

Vacant, foreclosing, and improperly maintained properties can have a tremendous negative impact upon the neighborhoods where they are located, and they often present a danger to the public. This property maintenance ordinance attempts to protect the health, safety, welfare of the public and the public safety personnel who inspect or enter such properties.

§ 10-302. Definitions.

When used in this Property Maintenance Article, the following terms and phrases shall have the following meanings:

BUILDING

A fixed construction with walls, foundation, and a roof, including, but not limited to, a house, factory, or garage.

BUILDING MATERIALS

Lumber, bricks, concrete, cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, nails, screws, steel, or any other material commonly used in the construction of any building or structure.

CITY

City of Fall River

CONTACT INFORMATION

Includes the name, address, e-mail address, and telephone number.

CONTROL

The ability to regulate, restrain, or govern property or conduct that occurs on a property.

DAYS

Consecutive calendar days.

DILAPIDATED

A condition of decay or partial ruin by reason of neglect, misuse, or deterioration which includes, but is not limited to, a building with ineffective exterior waterproofing. Superficial conditions such as peeling paint are not proof of a dilapidated property.

FIRE CHIEF

The Fire Chief is the head of the Fall River Fire Department and is responsible for the management and operation of said department.

FORECLOSING

The process by which a property, placed as security for a real estate loan, is prepared for sale to satisfy the debt if the borrower defaults.

INITIATION OF THE FORECLOSURE PROCESS

Includes taking possession of a residential property pursuant to MGL c. 244, § 1; delivering the mortgagee's notice of intention to foreclose to the borrower pursuant to MGL c. 244, § 17B, or commencing a foreclosure action on a property in either the Land Court or the Bristol County Superior Court.

INSPECTIONAL SERVICES

An employee or designee of the City's Inspectional Services Division, as identified in §§ 2-802 through 2-806 of the Code of the City of Fall River.

INSPECTOR OF BUILDINGS

The Director of the City of Fall River's Inspectional Services Division.

OWNER

Every person, entity, service company, property manager, or real estate broker who alone, or severally with others:

1. Has legal or equitable title to any dwelling unit, mobile dwelling unit, or parcel of land, vacant or otherwise, including a rooming house or mobile home park; or
2. Has care, charge, or control of any dwelling, dwelling unit, mobile dwelling unit, or parcel of land, vacant or otherwise, including a rooming house or mobile home park, in any capacity, including but not limited to as agent, executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the holder of legal title; or
3. Is a mortgagee in possession of any such property; or
4. Is an agent, trustee, or other person appointed by the courts and vested with possession or control of such property; or
5. Is an officer or trustee of the association of unit owners of a condominium; each such person is bound to comply with the provisions of these minimum standards as if he were the owner; however, this section shall not apply to a condominium association created pursuant to MGL c. 183A to the extent that such association forecloses on or initiates the foreclosure process for unpaid assessments due or owing to the association; or
6. Is a trustee who holds, owns, or controls mortgage loans for mortgage-backed securities transactions and has initiated the foreclosure process.

PREMISES

Any building, lot, parcel, dwelling, rental unit, real estate or land, or portion thereof, including property used as a residential or commercial property.

PROPERTY

Any real, residential property, or portion thereof, located in the City of Fall River, including building or structures situated thereon, including, but not limited to, property owned or controlled by the Fall River Redevelopment Authority, the Fall River Housing Authority, and the Office of Community Development. As used in this Article only, "property" does not include property owned by the City of Fall River or any of its governmental entities.

RESIDENTIAL PROPERTY

Any property that contains one or more dwelling units used, intended, or designed to be occupied for living purposes.

RESPONSIBLE PARTY

Any person(s) with control over the property, including a renter, property owner, or any person or entity that is developing, building, or operating a business on the property.

STRUCTURE

A building, fence, fire escape, railing, tower, sidewalk, stairway, playset, or any other item, fully built or under construction, that is typically fastened, anchored, or attached to a building, foundation, or the ground.

VACANT

Any property not legally occupied. This definition shall not include properties that have been placed in receivership pursuant to MGL c. § 111, 127I or properties with valid building or other repair permits pursuant to the Massachusetts Building Code.

Division 1**Registration and Maintenance of Vacant and Foreclosing Residential Properties****§ 10-303. Owner Shall Register and Maintain Vacant and/or Foreclosing Property**

Vacant or foreclosing properties generally pose an increased risk to the health, safety, and welfare of the public and the officials who monitor and inspect these properties. As a result, an owner must comply with the City's registration and maintenance requirements.

§ 10-304. Registration requirements.

- A. Any owner of a vacant or foreclosing residential property shall, within thirty (30) days of the property becoming vacant or within seven (7) days of the initiation of the foreclosure process, register the property with the City by completing each of the following:
 1. Provide the Inspector of Buildings and the Fire Chief with contact information for the:
 - a. Owner or person in control of the property;
 - b. Person(s) or property management company responsible for maintenance of the property;
 - c. Person to be contacted in case of emergency; and

- d. If none of the owners are located within the Commonwealth of Massachusetts, then the registration shall also include contact information for a resident of Massachusetts who is authorized to accept service of process and other notices on behalf of the owners.
- 2. Provide the Inspector of Buildings and the Fire Chief with written notification of the status of such property, including in such notice:
 - a. The location of the property;
 - b. The length of time the building has been vacant;
 - c. The estimated time the building will remain vacant; and
 - d. The nature of the contents in the building.
- B. Once the property is sold, transferred, or no longer vacant, the owner of the previously vacant or foreclosing property shall, within seven (7) days, provide the Inspector of Buildings and the Fire Chief with written notice of the change in the status of the property.
- C. Registration fees shall be in accordance with § 10-306 below.

§ 10-305. Maintenance Requirements

The owner of any vacant and/or foreclosing residential property must comply with each of the following maintenance requirements:

- A. Maintain the property in accordance with the Massachusetts State Sanitary Code, the Massachusetts State Building Code, and all City ordinances.
- B. Keep the property free of trash, debris, overgrowth, and pools of stagnant water.
- C. Remove all hazardous material from the property to the satisfaction of the Fire Chief.
- D. Secure all windows and door openings sufficient to prevent unauthorized entry or, alternatively, provide twenty-four hour on-site security personnel on the property.
- E. Keep the property sufficiently heated to prevent water pipes from freezing or, in the alternative, drain all water from the plumbing between October 1st and April 30th of each calendar year.
- F. Post "No Trespassing" signs on the property.
- G. Maintain liability insurance on the property and furnish the Inspector of Buildings with a copy of the certificate of insurance.
- H. Provide a cash bond, acceptable to the Inspector of Buildings, in the sum of not less than ten thousand dollars (\$10,000), to ensure compliance with this Property Maintenance ordinance. The owner shall be liable to the City for all costs incurred due to the owner's failure to comply with this ordinance. The City may seek reimbursement for costs incurred by drawing down upon this bond and/or by establishing a lien on the property for the balance due, to be collected in accordance with Chapter 59 of the Massachusetts General Laws (MGL c. 59).

§ 10-306. Registration fees; Violations and penalties.

- A. Registration fees are set forth in Chapter A110-3, Fee Schedule, of the Code of the City of Fall River.
- B. All property registrations are valid for one fiscal year. Subsequent annual registration and fees are due prior to the expiration of the previous registration, even if Inspectional Services fails to send a billing statement as a reminder to the owner.
- C. An owner who fails to comply with the registration requirements of this ordinance or who fails to timely pay the registration fee is deemed to be in violation of this ordinance and shall be subject to the general penalty set forth in § 1-15 of the Code of the City of Fall River or, in the sole discretion of Inspectional Services, subject to the noncriminal disposition procedures set forth in §§ 2-1021 – 1029 of the City Code. Any assessment or fine resulting from a violation of this ordinance shall be subject to a lien on the property, to be collected in accordance with Chapter 59 of the Massachusetts General Laws (MGL c. 59).

§ 10-307. Appeal.

A. Appeal of fee.

Any owner assessed a registration fee or fine under this ordinance shall have the right to appeal the imposition of such fee or fine to Inspectional Services by filing a written appeal request no later than fifteen (15) days after mailing of the billing statement. The appeal request shall be accompanied by a nonrefundable appeal fee as set forth in Chapter A110-3, Fee Schedule, of the Code of the City of Fall River. The owner shall have the burden of proof on appeal. Payment of the registration fee shall be stayed pending the outcome of a properly filed appeal. If the decision is adverse to the owner, payment shall be due within ten (10) days of the decision of Inspectional Services. The final decision of Inspectional Services shall be in writing and can be mailed, e-mailed, or hand-delivered to the owner.

B. Appeal of final decision of Inspectional Services.

Any person aggrieved by a final decision of Inspectional Services under this ordinance may appeal to the district court, housing court, or other court of competent jurisdiction pursuant to MGL c. 40, § 21D and shall be entitled to a de novo hearing. The aggrieved person shall file the appeal within ten (10) days after receiving notice of the decision from Inspectional Services.

§ 10-308. Enforcement authority.

Inspectional Services has enforcement authority pursuant to G.L. c. 143 § 3A and §§ 2-802 – 806 of the Code of the City of Fall River and has authority to promulgate rules and regulations necessary to implement and enforce this ordinance. Inspectional Services is authorized to inspect properties to verify compliance with the State Building Code and the provisions this Article, to issue citations for any violations found therein, and to take any action necessary to ensure the health, safety, and welfare of the public and public safety officers.

§ 10-309. Conflicts with other rules and regulations.

The provisions of this Article are additional to all other applicable ordinances, rules, regulations, or laws of the Commonwealth. If any provision of this ordinance imposes a greater restriction or obligation than those imposed by any other law, regulation, rule, ordinance, bylaw, order or policy, then the provisions of this ordinance shall control.

§ 10-310. Severability.

If any provision of this Article is held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

§ 10-311. Implementation

The provisions of this Article are immediately effective, but no monetary fine shall be imposed until thirty (30) days after passage.

§ 10-312. Notice

As a courtesy, a copy of this Article is to be mailed to all registered owners of residential property located in the City. An alleged failure to receive notice shall not be a defense and shall not have any effect whatsoever on the City's ability to enforce this ordinance.

§§ 10-313 through 10-319. (Reserved)**Division 2****Blighted Properties****§ 10-320. Definitions****BLIGHTED PROPERTY**

Any building, structure, or parcel of land with any the following conditions:

1. Has become dilapidated as documented by Inspectional Services;
2. Has become a fire hazard as determined by the Fire Department; or
3. Poses a serious threat to the safety, health, or general welfare of the public as documented by Inspectional Services and/or the Department of Health and Human Services.

§ 10-321. Prohibition of Blighted Property

It shall be a violation of this ordinance to own, maintain, or create a blighted property.

§ 10-322. Investigation

Any member of the Fire Department, Inspectional Services, or the Department of Health and Human Services is authorized to investigate the existence of a blighted property and, if appropriate, to issue a Violation Notice and an Order to Take Corrective Action.

§ 10-323. Violation Notice; Service

If a violation of this blighted property ordinance is found to exist, the responsible party shall be served with a Violation Notice identifying the basis for the violation and an Order to Take Corrective Action, which shall provide the responsible party with a description of the action needed to bring the property into compliance. Service shall be valid if made in-person, via certified mail to the property owner of record, or affixed to the front door of the property in compliance with G.L. c. 40U, Section 9 if the responsible party is residing at the subject property.

§ 10-324. Order to Take Corrective Action

The Order to Take Corrective Action shall provide the owner with a description of the action needed to bring the property into compliance. The owner has thirty (30) days in which to comply with the Order to Take Corrective Action unless the issuing department has agreed, in writing, to additional time.

If the owner fails to take the required corrective action specified in the Order to Take Corrective Action and, in the exclusive judgment of the City, a failure to take corrective action would likely endanger the health, safety, or welfare of the public, then the City may undertake corrective action. All costs associated with the corrective action, including reasonable attorney's fees, shall constitute a debt in favor of the City and against the owner of the repaired structure.

§ 10-325. Penalties

An owner who fails to bring the blighted property into compliance within thirty (30) days shall be subject to the general penalty set forth in § 1-15 of the Code of the City of Fall River or the noncriminal procedure set forth in §§ 2-1021 through 2-1025 of the Code.

§ 10-326. Procedure for Demolition

Inspectional Services or the Department of Health and Human Services determines that the blighted property is beyond repair, they may issue an order that the building or structure be demolished. The owner has sixty (60) days to comply with the order to demolish the building or structure. If the owner fails to comply with the order to demolish within sixty (60) days and if, in the judgment of Inspectional Services or the Department of Health and Human Services, the condition of the blighted property constitutes an imminent danger to the health, safety, or welfare of the general public, then the City may demolish the building or structure. All costs associated with the demolition, including attorney's fees, shall constitute a debt in favor of the City and against the owner of the blighted property.

§ 10-327. Miscellaneous

- A. Each violation of any provision of this ordinance shall be considered a separate offense.
- B. Each day a violation continues shall constitute a separate offense.
- C. Failure to pay any fine arising from enforcement of this ordinance shall constitute a debt in favor of the City of Fall River and the City is authorized to place a lien on the property if the debt is not paid within sixty (60) days.
- D. Nothing in this section is intended to preclude the City from instituting a civil or criminal judicial action, including a demand for injunctive relief, to enforce the provisions of this ordinance.

§§ 10-328 through 10-329. (Reserved)

Division 3
Nuisance Properties

§ 10-330. Definitions

CRIMINAL NUISANCE PROPERTY

Any building, structure, or parcel of land where three (3) or more instances of criminal conduct have occurred within a six (6) month period. The criminal conduct shall not include instances where the responsible party is the victim and had no control over the criminal conduct.

NUISANCE PROPERTY

Any building, structure, or parcel of land where any of the following conditions exist:

1. The Police Department has made a written determination that the property has become a criminal nuisance property;
2. The Fire Department has made a written determination that the property has become a fire hazard;
3. Inspectional Services has made a written determination that the property has become dilapidated; or
4. Inspectional Services or the Department of Health and Human Services has made a written determination that the property poses a serious threat to the health, safety, or general welfare of the public. An example of a serious threat to the public would include, but is not limited to, any of the following:
 - A. A vacant building with window or door openings that are not reasonably locked or secured to prevent unauthorized entry;
 - B. The property contains overgrown vegetation that may harbor rats or other vermin or may conceal a pool of stagnant water, provided that the failure to mow a lawn does not, by itself, constitute a nuisance;
 - C. The property contains trash, debris, or other material that is likely to attract rats or other vermin;
 - D. The property contains dead, decayed, or diseased trees or other vegetation;
 - E. The property contains parts or materials that are likely to result in contamination of the soil due to exposure to the elements, including but not limited to, unregistered motor vehicles; or
 - F. The property is being used to store landscaping or building materials and the city has not issued a valid building permit for the premises within the last twelve (12) months.

§ 10-331. Prohibition of Nuisance Property

It shall be a violation of this ordinance to own, maintain, or create a nuisance property. The fact that a particular property, structure, or use is permitted by zoning regulations does not create an exemption from application of this ordinance.

§ 10-332. Investigation

Any member of the Police Department, Fire Department, Inspectional Services, or the Department of Health and Human Services is authorized to investigate a property for a potential nuisance violation and, if appropriate, to issue a Violation Notice and an Order to Take Corrective Action.

§ 10-333. Violation Notice; Service

If a violation of this nuisance property ordinance is found to exist, the responsible party shall be served with a Violation Notice identifying the basis for the violation and, when necessary, an Order to Take Corrective Action, which shall provide the responsible party with a description of the action needed to bring the property into compliance. Service shall be valid if made in-person, via certified mail to the property owner of record, or affixed to the front door of the property in compliance with G.L. c. 40U, Section 9.

§ 10-334. Order to Take Corrective Action

If an Order to Take Corrective Action is issued, the Order shall provide the responsible party with a written description of the action needed to bring the property into compliance. The responsible party has ten (10) days in which to bring the nuisance property into compliance unless the issuing department has agreed, in writing, to additional time. Failure to bring the nuisance property into compliance within the deadline for doing so may result in additional fines or penalties, as set forth in this ordinance.

If the property owner is the responsible party and has failed to timely comply with the Order to Take Corrective Action and if, in the exclusive judgment of the issuing department, the continued failure to take corrective action would constitute an imminent danger to the health, safety, or welfare of the general public, then the City may take corrective action. All costs associated with the corrective action, including attorney's fees, shall constitute a debt in favor of the City and against the owner of the nuisance property.

§ 10-335. Penalties

The responsible party shall be subject to the general penalty set forth in § 1-15 of the Code of the City of Fall River, the noncriminal procedure set forth in §§ 2-1021 through 2-1025 of the Code, and/or the criminal penalties imposed by G.L. c. 143, Section 6.

§ 10-336. Miscellaneous

- A. Each violation of any provision of this nuisance ordinance shall be considered a separate offense.
- B. Each day a nuisance violation continues shall constitute a separate offense.
- C. Failure of an owner to pay any fine arising from enforcement of this nuisance ordinance shall constitute a debt in favor of the City of Fall River and the City is authorized to place a lien on the property if the debt is not paid within sixty (60) days.
- D. Nothing in this section is intended to preclude the City from instituting a civil or criminal judicial action, including a demand for injunctive relief, to enforce the provisions of this nuisance ordinance.

§§ 10-337 through 10-339. (Reserved)

Section 2.

That Chapter 10 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Buildings and building regulations, be amended by striking out Article III, Building Standards, Division 3, Vacant Building Registration and Fee in its entirety.

Section 3.

That Chapter 42 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Housing, be amended by striking out §42-1, Maintenance of Vacant and Foreclosing Residential Properties, in its entirety and inserting in place thereof the following:

§42-1. through §42-30. (Reserved)

Section 4.

That Chapter 46 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Offenses, be amended by striking out §46-16, Chronic Nuisance Properties, in its entirety and inserting in place thereof the following:

§46-16. (Reserved)

Section 5.

That in Section A110-3, Chapter 10, Buildings and Building Regulations., Article III, Division 3, of Appendix A-Fee Schedule of the Code of the City of Fall River, Massachusetts, 2018, which Section relates to Vacant Building Registration and Fees, be re-numbered in proper numerical order, as follows:

- A. By striking out "§10-97" and inserting in place thereof "§10-306"
- B. By striking out "§10-99" and inserting in place thereof "§10-307"

CITY OF FALL RIVER
IN CITY COUNCIL

AUG 13 2024

*Passed Through
first reading, as amended*

City of Fall River, *In City Council*

(Councillor Andrew J. Raposo)

WHEREAS, those who own property in the City of Fall River are now able to complete financial transactions related to real estate tax payments online, with a small fee of \$0.40 applied by the online portal service company and not by the City, which is a convenient service for those who are unable to deliver or mail a payment to Government Center, and

WHEREAS, the taxpayer's municipal account with the City Collector's office may not show that a balance has been paid through this online system for 48 to 72 hours, which can result in uncertainty of payment for all involved, and

WHEREAS, the overall goal with this online payment system is to achieve a streamlined and straightforward method to submit and collect these payments, now therefore

BE IT RESOLVED, that the Committee on Finance convene with the Administration, Director of Financial Services and City Treasurer/Collector to discuss the online real estate tax payment software, available resources that provide information regarding this online portal for taxpayers, and future plans to streamline the online payment process.

(Filed 8-22-2024)

City of Fall River, In City Council

(Vice President Linda M. Pereira)

WHEREAS, the Massachusetts General Laws, Part I, Title XXII, Ch. 166, §22, which relates to Consent of municipal officers to construct or alter lines, requires City Council Public Hearings for all petitions to install, remove or relocate utility poles that are located on public property, and

WHEREAS, the City Council may, by order, grant permission to these companies to install, remove or relocate new or existing utility poles, and

WHEREAS, from time to time, permission has been granted by the City Council to the company, or companies, to install, remove or relocate a utility pole, but older poles that are being replaced are not removed in a timely fashion, and

WHEREAS, these older poles are often in disrepair and unsightly on public properties, such as sidewalks, which affects the quality of life for residents and businesses, now therefore

BE IT RESOLVED, that the Committee on Finance convene with representatives of various utility companies to provide information to the public, many of whom are customers of said companies, regarding the timeline of installation, removal or relocation of utility poles and matters that may cause valid delays in the removal of older poles throughout the City, such as safety procedures.

(Filed 9-4-2024)

City of Fall River, *In City Council*

(City Council)

WHEREAS, communities across America have been plagued by the numerous challenges associated with illicit drug trafficking and those suffering from substance abuse disorder; and

WHEREAS, there is hope in achieving a safer and healthier community, and that hope lies in education and illegal substance demand reduction, coupled with the hard work and determination of organizations such as the Young Marines of the Marine Corps League to foster a healthy, drug-free lifestyle; and

WHEREAS, governments and community leaders know that citizen support is one of the most effective tools in the effort to reduce the casualties of illicit drugs in our communities; and

WHEREAS, the red ribbon has been chosen as a symbol commemorating the work of Enrique "Kiki" Camarena, a Drug Enforcement Administration agent who was killed in the line of duty, and represents the belief that one person can make a difference; and

WHEREAS, the Red Ribbon Campaign was established by the United States Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts; and

WHEREAS, October 23 through October 31 has been designated National Red Ribbon Week, which encourages Americans to wear a red ribbon to show their support for a drug-free environment; now therefore,

BE IT RESOLVED, that the Fall River City Council does hereby proclaim the week of October 23 through October 31 as Red Ribbon Week in the City of Fall River.

City of Fall River, In City Council

ORDERED, that the City Council hereby appoints the following individual to serve on the Community Preservation Committee:

Christopher M. Benevides

The term for this member shall expire on September 10, 2026.

27

Commonwealth of Massachusetts			Motor Vehicle Crash		Police Report		Date of Crash		Time of Crash		City/Town		Number Vehicles		Number Injured		Speed Limit		Latitude		Longitude		State Police		Local Police		MBTA Police		Campus Police		Other				
08/05/2024			2245		24HR		Fall River		1		0		25																						
AT INTERSECTION:												< LOCATION >												NOT AT INTERSECTION:											
Route# Direction Name of Roadway/Street												Route# Direction Address # Name of Roadway/Street												21 MAPLE GARDENS HD											
At												Feet NSEW of												Feet NSEW of											
Route# Direction Name of Intersecting Roadway/Street												Feet NSEW of												Feet NSEW of											
Also at Intersection with												Route# Intersecting Roadway/Street												Exit Number											
Route# Direction Name of Intersecting Roadway/Street												Landmark																							
Please Select One of the Following: ☒ Vehicle 10 #Occupants ☐ Hit/Run ☐ Moped												Crash Report ID# 24-1689-AC																							
License # St DOB/Age												Reg # 1PG159 Reg Type PC Reg State MA																							
Sex Lic. Class Lic. Restrictions CDL Endorsement												Veh Year 2005 Veh Make NISSAN Veh Config.																							
Operator Driverless M.V.												Owner ST LOUIS, JOCELYNE NADEGE																							
Address												Address 90 BATTLES FARM DR																							
City State Zip												City BROCKTON State MA Zip 02301-2218																							
Insurance Company SAFETY INSURANCE COMPANY												Vehicle Action Prior to Crash												Damaged Area Code:											
Vehicle Travel Direction: NSEW Responding to Emergency? 2												Event Sequence												Test Status:											
Citation # (If Issued)												Most Harmful Event												Type of Test:											
Viol. 1: Ch/Sec/Sub Viol. 2: Ch/Sec/Sub												Driver Contributing Code												BAC Test Result:											
Viol. 3: Ch/Sec/Sub Viol. 4: Ch/Sec/Sub												Driver Distracted by												Susp. Alcohol: Susp. Drug:											
Please fill out for operator and all occupants involved																																			
Name (Last First Middle) Address DOB/Age Sex												34 Seat Belt 35 Safety System 36 Airbag Status 37 Effect Code 38 Trap Code 39 Injury Status 40 Transp. Code Medical Facility																							
Operator See Above												1																							
Please Select One of the Following: ☐ Vehicle 2 #Occupants ☐ Hit/Run ☐ Moped ☐ Vulnerable User Complete the Vulnerable User section.																																			
License # St DOB/Age												Reg # Reg Type Reg State																							
Sex Lic. Class Lic. Restrictions CDL Endorsement												Veh Year Veh Make Veh Config.																							
Operator												Owner																							
Address												Address																							
City State Zip												City State Zip																							
Insurance Company												Vehicle Action Prior to Crash												Damaged Area Code:											
Vehicle Travel Direction: NSEW Responding to Emergency?												Event Sequence												Test Status:											
Citation # (If Issued)												Most Harmful Event												Type of Test:											
Viol. 1: Ch/Sec/Sub Viol. 2: Ch/Sec/Sub												Driver Contributing Code												BAC Test Result:											
Viol. 3: Ch/Sec/Sub Viol. 4: Ch/Sec/Sub												Driver Distracted by												Susp. Alcohol: Susp. Drug:											
Please fill out for operator and all occupants involved																																			
Name (Last First Middle) Address DOB/Age Sex												34 Seat Belt 35 Safety System 36 Airbag Status 37 Effect Code 38 Trap Code 39 Injury Status 40 Transp. Code Medical Facility																							
Operator/Occupants See Above												1																							

24-71A

27



RECEIVED

City of Fall River
Notice of Claim

2024 AUG 13 A 11:47

1. Claimant's name: Alishya Anselmo CITY CLERK 24-72
FALL RIVER, MA
2. Claimant's complete address: 1082 Davol Street, Unit 506 - Fall River, MA 02720
3. Telephone number: Home: 508.642.0485 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Auto: Flat Tire
5. Date and time of accident: June 25th, 8:30am Amount of damages claimed: \$ 544.11
6. Exact location of the incident: (include as much detail as possible):
Davol Street between Brownell & President Ave
7. Circumstances of the incident: (attach additional pages if necessary):
I got a flat tire leaving my building, did not make it to the highway around the corner
There are pot holes & metal plates due to the ongoing construction, a little bit of a mess down there
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: 07.09.24

Claimant's signature: Alishya Anselmo

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.

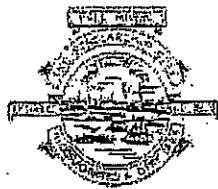
Return this from to : City Clerk, 2nd FL, One Government Center, Fall River, MA 02722

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 ☒ DCU Date: 8/13/24

27



City of Fall River
Notice of Claim

RECEIVED

2024 AUG 14 P 3:30

CITY CLERK
FALL RIVER, MA
#24-73

1. Claimant's name: Jake Formisano
2. Claimant's complete address: 68 Aetna St
3. Telephone number: Home: 774-365-2866 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: 07/31/2024 Amount of damages claimed: \$11,367.09
6. Exact location of the incident: (include as much detail as possible):
Basement of 68 Aetna St
7. Circumstances of the incident: (attach additional pages if necessary):
My houses line is on a PM line (preventive maintenance) it is supposed to be flushed every 3-6 months. I have owned the property for a year and 3 months it has never been maintained. I have had severe sewer floods for a month. The city inspector Aline Jeronimo can attest. The water people also can attest it was the city line.
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: 07/31/2024

Claimant's signature: _____

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

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

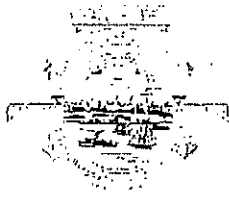
You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

For official use only:

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

water/sewer

Date: 8/14/24



#24-74

27

RECEIVED

City of Fall River
Notice of Claim

2024 AUG 19 A 10:14

1. Claimant's name: Anthony Catanzaro CITY CLERK
2. Claimant's complete address: 53 Primrose Hill Rd Barrington RI FALL RIVER MA
3. Telephone number: Home: _____ Work: 401 639 9281
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Tire/Rim Damage due to traffic sign repair
5. Date and time of accident: 8-8-24 12pm Amount of damages claimed: \$ 1242.91
6. Exact location of the incident: (Include as much detail as possible):
ABC Supply
7. Circumstances of the incident: (attach additional pages if necessary):
Due to the tight parking I ran over a repaired traffic sign only with the base cemented an no caution was highlighted to warn cars on pedestrians
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: 8-15-24

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 ☒ Traffic Date: 8/19/24



27

RECEIVED

City of Fall River
Notice of Claim

2024 AUG 19 P 12:58

CITY CLERK 24-75
FALL RIVER, MA

1. Claimant's name: BRETT BAPTISTE
2. Claimant's complete address: 450 SOMERSET AVE. APT. 504 TAUNTON MA 02780
3. Telephone number: Home: — Work: (508) 857-9134
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: 7AM 08/14/2024 Amount of damages claimed: \$ 4628.00
6. Exact location of the incident: (include as much detail as possible):
PEARL STREET PARKING GARAGE
7. Circumstances of the incident: (attach additional pages if necessary):
POLICE OFFICER STRUCK MY CAR WITH HIS.
HE WAS READING HIS LAPTOP AS HE SPED
AROUND THE CORNER ON MY SIDE.
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: 08/19/2024Claimant's signature: [Signature]

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

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

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For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator☒ PoliceDate: 8/19/24



27

City of Fall River
Notice of Claim

RECEIVED

2024 AUG 22 A 11:41

1. Claimant's name: Sonya Fernandez # 24-76
2. Claimant's complete address: 359 Kaufman Road City Clerk, MA 02726
FALL RIVER, MA
3. Telephone number: Home: (774) 365-1820 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Son tripped / fell on a sign pole sticking out of ground
5. Date and time of accident: 8/15/24 between 5:00 PM Amount of damages claimed: \$ _____
6. Exact location of the incident: (Include as much detail as possible):
located on Pearce St. toward Davol, Google map
7. Circumstances of the incident: (attach additional pages if necessary): address 80 Pearce St
Fall River, MA
Son was running on sidewalk tripped and sustained
laceration requiring stitches to right knee from
remainder of a sign pole (about 12 inches
sticking out of sidewalk)
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: 8/14/24

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.

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

TAFFEC

Date: 8/22/24

27

LAW OFFICES OF
THOMAS S. FRANCIS
 SEVEN LIBERTY SQUARE
 BOSTON, MASSACHUSETTS 02109

Telephone: (617) 742-4044

Telefax: (617) 742-4122

Website: www.7libertylaw.com

E-Mail: tfrancis@7libertylaw.com

**VIA CERTIFIED MAIL
 RETURN RECEIPT REQUESTED
 AND FIRST-CLASS MAIL**

2024 AUG 23 P 1:37

#24-17
 CITY CLERK
 August 20, 2024, MA

City of Fall River
 Attn: City Clerk
 One Government Center
 Fall River, MA 02722

Re:	Safety's Insured:	Tyler Moses
	Date of Loss:	February 14, 2024
	Locus of Loss:	332 Corbett Street, Fall River
	Your Operator:	Unknown
	Your Plate No.:	M8499A 2020 INTL HV507 Dump Truck
	Amount Paid by Safety:	\$4,065.06 (PD and rental)
	Our File No.:	0062-15203

Dear Sir/Madam:

This office represents Safety Insurance Company ("Safety"). Pursuant to M.G.L. c. 258, *et seq.*, this letter constitutes notice that the City of Fall River and the operator of its vehicle were at fault in an accident that occurred on the date listed above. Because of that accident, Safety has made payments to the insured as referenced above. Since liability rests with the City of Fall River and its employee, Safety is legally entitled to recover that amount from you.

Please contact this office at the below email or (617) 742-4044 to receive Safety's subrogation demand in full. Thank you.

Very truly yours,

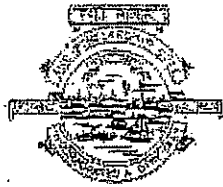


Kayla Beardslee
 Legal Assistant
kbeardslee@7libertylaw.com

Enclosure: Safety Insurance Loss Details, RMV Registration Info
 (No police or operator report on file)

✓City clerk ✓Council ✓DPW ✓Law

8/23/24



RECEIVED

City of Fall River
Notice of Claim

2024 AUG 23 P 2:17

#24-78

1. Claimant's name: Arthur Raposo
2. Claimant's complete address: 63 Garside St. Fall River, MA 02720
3. Telephone number: Home: 508-561-2331 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Sewer back up to property due to construction of gas line on the street
5. Date and time of accident: 8-20-24 Amount of damages claimed: \$ 686.46
6. Exact location of the incident: (include as much detail as possible):
In front of driveway of 63 Garside St.
7. Circumstances of the incident: (attach additional pages if necessary):
We called Bass Reddy Rooter to check why sewage was backing up they came checked with snake it banded up then tried the camera of 40' all it showed was water then they suggested to call the City to come and inspect it after they had the company come and fix it we had to pay the
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 (Matt from water and sewer Dept was present at whole time)

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: 8-23-24

Claimant's signature: Arthur A Raposo

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

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

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

For official use only:

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

water
sewer

Date: 8/23/24



**City of Fall River
Notice of Claim**

RECEIVED

2024 AUG 29 A 8:14

CITY CLERK 24-79
FALL RIVER, MA

1. Claimant's name: Alda Simmons
2. Claimant's complete address: 40 Bowler St.
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: 8/3/24 @ 8:30 pm Amount of damages claimed: \$ 873.49
6. Exact location of the incident: (include as much detail as possible):
Quarry St.
7. Circumstances of the incident: (attach additional pages if necessary):
I was driving home from dinner on August 3rd, 2024 at approximately 8:30. After passing the lights between Pleasant & Quarry St, I hit a big pot hole which blew out my front passenger tire
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: 8/29/24

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: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator ☒ DCM Date: 8/29/24



City of Fall River
Notice of Claim

RECEIVED

2024 SEP -3 A 11: 01

27

1. Claimant's name: Nathan Destremps
2. Claimant's complete address: 27 Sycamore Terrace, Somerset MA 02726 24-80
3. Telephone number: Home: 508-676-5783 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Property damage on public sidewalk
5. Date and time of accident: 08/08/24 4:20pm Amount of damages claimed: \$ 1585.35
6. Exact location of the incident: (include as much detail as possible):
178 Cottage Street, Fall River MA 02721 - Sidewalk
7. Circumstances of the Incident: (attach additional pages if necessary):
There was a car illegally parked covering part of the driveway entrance/exit forcing me to exit the driveway over the curb. When doing so it was not know there was a 10" metal stump left in the curb from a Handicap sign that was not cut or replace from 5-6 months earlier per residents. The street is narrow and I was driving a truck trying to get around the illegally parked car.
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: 08/09/2024

Claimant's signature: Nathan Destremps

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 ☒ Traffic Date: 9/13/24

CITY COUNCIL PUBLIC HEARING

MEETING: July 16, 2024, at 5:55 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Aaron Roy, National Grid Engineer,
1250 Brayton Point Road, Somerset, MA 02725

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

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

Joint Pole Location

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

Vale Street	One (1) new jointly owned pole location One (1) new jointly owned anchor
-------------	---

Install one new jointly owned pole and one new jointly owned anchor in the sidewalk in front of 340 Vale Street. The proposed new pole (Pole 8-50) and the proposed new anchor will be set approximately 105 feet south of the existing Pole 53 on Slade Street in order to service 340 Vale Street.

In accordance with Plan No. 30977597

The President asked if any proponents were present and Aaron Roy, National Grid Engineer, explained that the new pole and anchor were needed on Vale Street to provide service to 340 Vale Street. Mr. Roy also provided information regarding the recent change to the property lot and stated that 340 Vale Street used to be part of a larger parcel. The President asked if any opponents were present, and no one came forward.

Curb Removals

2. Kyra Cordeiro, 363 Hyacinth Street, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
0 Hyacinth Street	8'	16'	0'	24'

The vacant parcel is currently serviced by an 8-foot curb opening. The applicant proposes to create a new 16-foot opening to provide for a horseshoe driveway scenario. The proposal is being made as the City is in the process of the reconstruction of Hyacinth Street. The total opening will be 24 feet.

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

3. Eleanor Cahill, 71 Marion Street, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
71 Marion Street	0'	24'	0'	24'

The parcel currently contains a gravel driveway with no curb opening. The applicant proposes to create a new opening that requires the removal of 24 feet of the curb. If granted, a Site Plan Review should be required prior to the paving of the existing crush stone driveway.

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

Street Acceptance

4. Mohawk Drive from Indian Town Road looping back to Indian Town Road
The President explained that not all abutters had received notice of the previous hearing for this matter in June, therefore a new hearing was being held to be sure all abutters were able to participate in the street acceptance process. The President asked if there were any proponents present and no one came forward. The President then asked if there were any opponents present and no one came forward.

On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to close the hearing at 6:03 p.m.

List of documents and other exhibits used during the meeting:

Agenda (attached)

A true copy. Attest:

Alison M Bouchard

City Clerk

CITY COUNCIL PUBLIC HEARINGS

MEETING: August 13, 2024, at 5:55 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Aaron Roy, National Grid Engineer,
1250 Brayton Point Road, Somerset, MA 02725
Jurgen Faltermeier, 139 Langley Street

The President called the meeting to order at 5:58 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 hearings 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 Ponte, it was unanimously voted to open the hearings.

Joint Pole Location

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

Currant Road

One (1) new jointly owned pole location

Install new jointly owned Pole 1-10 in line between existing jointly owned Pole 1-1 and Pole 2 on Currant Road. Pole 1-10 will be placed approximately 55 feet east of Pole 2 and 75 feet west of Pole 1-1. Pole 1-10 will serve as a junction pole to supply 630 Currant Road (Blount Fine Foods) with a new overhead service.

In accordance with Plan No. 30978826

The President asked if any proponents were present and Aaron Roy, National Grid Engineer, explained that the new pole needs to be installed to provide utility services to Blount Fine Foods, 630 Currant Road. The President asked if any opponents were present, and no one came forward.

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

Kilburn Street

- One (1) new jointly owned pole location
- One (1) jointly owned anchor relocation
- One (1) jointly owned pole relocation

This petition is proposing the relocation of jointly owned Pole #11 and anchor, approximately 45 feet northerly of its current location on Kilburn Street toward Dwelly Street, and the installation of a new jointly owned Pole #11-50 on Kilburn Street, approximately 45 feet south of the current location of existing Pole #11. This relocation of Pole #11 and anchor and the installation of Pole #11-50 is required due to the planned construction of a new entrance into King Phillips Estates and Princeton Circle.

In accordance with Plan No. 30854208

The President asked if any proponents were present and Aaron Roy, National Grid Engineer, stated that the pole installation and pole/anchor relocations were necessary due to the development of the King Phillips Estates and Princeton Circle. Mr. Roy explained that the current location of the utility poles would impede the new driveway to these developments and need to be relocated. The President asked if any opponents were present, and no one came forward.

Curb Removals

3. Kyra Cordeiro, 363 Hyacinth Street, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
0 Hyacinth Street	8'	24'	0'	32'

The vacant parcel is currently serviced by an 8-foot curb opening. The applicant proposes to expand that existing opening by an additional 8 feet while also creating a new 16-foot opening to provide for a horseshoe driveway scenario. The proposal is being made as the City is in the process of the reconstruction of Hyacinth Street. The total opening for the location will be 32 feet.

The vote taken by the City Council on July 16, 2024, to approve the removal of 16 feet of curbing for a total opening of 24 feet will be rescinded.

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

4. Angelica Penafiel, 71 Ash Street, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
71 Ash Street	23'	2'4"	0'	25'4"

The existing parcel is currently serviced by a 23-foot curb opening on Ash Street. The applicant proposes to extend the opening by an additional 2 feet, 4 inches. The total opening for the location will be 25 feet, 4 inches.

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

5. Antonia N. Decarvalho, 680 Bay Street, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
1342 County and Alsop Streets	16'	14'	0'	30'

The existing parcel is currently serviced by a 16-foot curb opening on Alsop Street. The applicant proposes to extend the opening by an additional 7 feet on each side of the opening. The proposal is being made as the City is in the process of the reconstruction of Alsop Street. The total opening for the location will be 30 feet.

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

Auto Repair Shop License

6. James Andrews, 139 Langley Street, Apt. 1, d/b/a 508 Auto Sales & Repair for a license to operate an auto repair shop at 59 North Quarry Street, L-01-106 Assessors Plan.

The President asked if there were any proponents present and Jurgen Faltermeier, 139 Langley Street, came forward and stated that he was the applicant's father and supported the development of this business. Mr. Faltermeier explained that there are two existing automobile bays in the facility along with other auto repair tools and equipment, so the location is ideal for this type of business.

The President then asked if there were any opponents present and no one came forward. The City Clerk stated that she had received a letter of opposition to the issuance of this license and that a copy would be provided to the Councilors.

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to close the hearings at 6:08 p.m.

List of documents and other exhibits used during the meeting:

Agenda (attached)

A true copy. Attest:

Alison M. Bouchard

City Clerk

COMMITTEE ON FINANCE

MEETING: July 16, 2024 at 6:00 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Daniel Aguiar, City Engineer/Planner
Valarie Kilduff, Project Manager,
Massachusetts Department of Transportation
Seth Thomas Aitken, City Administrator
Bridget Almon, Director of Financial Services

The chair called the meeting to order at 6:04 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 – Before Discussion of Financial Matters

CJ Ferry, 300 Buffinton Street – Taxes/Fees

Robert Camara, 127 Gagnon Street – Oath, Laws, Duty

On a motion made by Councilor Dionne and seconded by Councilor Kilby, it was unanimously voted to waive the rules to allow Mr. Camara to speak for an additional three minutes.

Nelson Vasquez, 210 Sunset Hill – Taxes

Jeffrey Gaudreau, 229 Palmer Street – No on 2 ½

Kelly Buchanan, 16 Bradford Avenue – Illegal Encampments

Vice President Pereira and Councilor Dionne made brief remarks regarding a letter that is being sent from the Committee on Health and Environmental Affairs to the Administration and Corporation Counsel regarding this matter. Councilor Kilby stated that the United States Supreme Court recently overturned a previous ruling related to homeless encampments and the City can now proceed with the creation of an ordinance. On a motion made by Councilor Ponte and seconded by Councilor Dionne, it was unanimously voted that the City Clerk send a letter to Corporation Counsel on behalf of the City Council regarding this matter and requesting information regarding the anticipated date that the proposed ordinance will be presented, a copy of which is attached hereto and made a part of these minutes. Councilor Cadime emphasized

that the City Council had not been able to act upon this issue until the recent United States Supreme Court decision was presented, as the restrictions on homeless encampments were previously ruled unconstitutional. A brief discussion was held between Councilor Cadime and Ms. Buchanan regarding mental health concerns and the need for an ordinance that can be legally enforced.

On a motion made by Councilor Dionne and seconded by Councilor Raposo, it was unanimously voted to lift item 2 from the table.

2. Resolution – Committee on Finance reconvene with a representative from the Massachusetts Department of Transportation, the City Administrator and the City Engineer for an update on the progress of the Route 79/Davol Street Corridor Improvements Project

Daniel Aguiar, City Engineer/Planner, provided a brief update on the Route 79/Davol Street Corridor Improvement Project, including information on traffic changes, the construction of retaining walls and the updates to the water/stormwater infrastructure. President Camara requested information regarding untreated outfall systems that drain into the Taunton River. Mr. Aguiar provided a brief explanation regarding the three output areas and stated that the project will include reconstruction of these apparatus to ensure future efficiency. Valerie Kilduff, Project Manager, Massachusetts Department of Transportation (MADOT), stated that the design of the project is almost complete and the only portion that hasn't been finalized are landscaping plans, which should be completed by the end of the summer. Ms. Kilduff also explained that there is a section within the project area where the road will remain elevated, as it will serve as an emergency evacuation route if severe flooding were to occur due to weather.

Vice President Pereira and the City Engineer/Planner discussed signage within the project area. Mr. Aguiar clarified that highway signs, such as those on Route 24, only provide information about cities and towns that the highway is approaching within the next few miles, so the roads do not have signage for when a driver enters Fall River. The City Engineer/Planner stated that there will be large stone-based signs when drivers leave the highway that will welcome visitors to the City. President Camara asked about the plan for lots within the development area and Mr. Aguiar stated that there have been meetings weekly to discuss the mapping of parcels. Councilor Sampson complimented Ms. Kilduff on the work being done, the beautiful view of the waterfront and the avoidance of severe traffic delays during the construction phase.

Councilor Ponte requested information regarding the timeline for completion of the project and the transfer of property ownership from the Commonwealth of Massachusetts to the City of Fall River. The City Engineer/Planner stated that the project is anticipated to be completed in 2026 and that the Redevelopment Authority has been working closely with a planning consultant to complete a master plan for this area of the City. Mr. Aguiar also stated that they are working with the Redevelopment Authority to develop a timeline for information regarding the property transfer and that he anticipates this information will be available to the City Council in September or October of this year.

On a motion made by Councilor Ponte and seconded by Councilor Dionne, it was unanimously voted to table the resolution.

3. Order/Resolution – Drafted ballot question relative to the new Diman Regional Vocational Technical High School

Seth Thomas Aitken, City Administrator, provided a brief overview of the decisions made in the past regarding the construction of a new Diman Regional Vocational Technical High School

(Diman RVTHS). Mr. Aitken stated that in February of 2022, a vote was taken by the City Council to build a new school but there was no vote taken regarding how the project would be funded. The City Administrator explained that, based on the Code of the City of Fall River, 2018, Chapter 2, §131, which relates to Election required for authorization of certain loan orders, the City cannot move forward with ideal funding methods without a ballot measure as the City will not be receiving more than 51% of state or federal reimbursement. Mr. Aitken stated that the City will either need to reduce costs or increase revenue to pay for this endeavor. Bridget Almon, Director of Financial Services, explained that she had reviewed video and minutes of the 2022 City Council meetings regarding this matter, but that financing needs have significantly increased due to inflation and rising costs.

Councilor Kilby stated that this decision should be on the ballot to allow voters to decide how this project will be financed. Councilor Kilby also stated that he wanted the decision of whether to build the new Diman RVTHS to be made by the voters in 2022, but this did not occur. A brief discussion was held between Councilor Kilby and Ms. Almon regarding the actual cost of the project and reimbursement rates, which are close to, but not less than 51%.

Councilor Dionne stated that, although she previously supported the concept of placing the item on the ballot, she could no longer support the ballot question proposal, as the decision to build the school was not made by the voters and emphasized the need to use the Stabilization Fund for capital needs. Councilor Dionne also explained that the Code of the City of Fall River, 2018, Chapter 2, §131, which Mr. Aitken had referred to, only applies to City bonds and this is an assessment of cost.

Councilor Ponte compared the Diman RVTHS plan with the B.M.C. Durfee High School project that occurred in the past. Councilor Ponte stated that the amount of debt that was anticipated for the B.M.C. Durfee High School construction was not absorbed within the eight-year period that was originally proposed and he was concerned that this Diman RVTHS project was going to follow a similar path. The City Administrator and Director of Financial Services emphasized that they were not part of the Administration during the decisions that were made in 2018 regarding the B.M.C. Durfee High School project and that they agreed the communication was not clear. Ms. Almon explained that this type of debt is transferred to other projects, and that the presentation regarding B.M.C. Durfee High School stated that the anticipated debt amounts were only accurate if the City did not accrue any additional debt, which is not a reasonable expectation. A brief discussion was held between Councilor Ponte and Mr. Aitken regarding department salaries that are frequently increased, such as the Police Department, and the need to address these decisions soon due to the large debt increase. Mr. Aitken stated that the Administration is working to develop a long-term revenue system and without this ballot measure to potentially increase property taxes, projects will be discontinued, fees will be amended and there is a possibility that staffing within the City will need to be addressed.

Councilor Hart requested additional information regarding how the Administration would need to implement cost-reduction measures if the ballot question were to fail. Mr. Aitken explained that he doesn't want to speculate how the City would need to reduce capital spending to fund the Diman RVTHS project as it may cause unnecessary stress to those watching as plans have not yet been decided upon. President Camara emphasized that the voters would be deciding how this project would be funded, if the ballot question were to pass, not whether the high school will be built.

Councilor Sampson expressed concerns regarding this project and stated that the taxpayers should have voted as to whether they wanted the new school built. Councilor Sampson also

stated that there needs to be an open dialogue regarding what will occur if this project cannot be funded by increasing property taxes. Mr. Aitken explained that the City would aim to reduce public budgets and focus on austerity. The City Administrator also stated that education was needed for the public regarding this ballot question.

Councilor Cadime stated that within Massachusetts General Law, Chapter 59, §29C, which relates to Limitations on total taxes assessed; determination by voters, it is clearly stated that this type of funding is to be determined by the City Council, not a ballot question. Councilor Cadime emphasized that only 20% of residents typically vote in any election and that the legalese language within the ballot question would be very confusing for voters. Councilor Cadime also stated that this ballot question would change the course of the discussion that was held in 2022, during which the Council was told that only a portion of funding would be utilized from debt service. A brief discussion was held between Councilor Cadime and the Director of Financial Services regarding the B.M.C. Durfee High School debt exclusion, additional debts taken on by the School Department and the total allocation for Diman RVTHS, which Ms. Almon stated equals a total of \$293,000,000 plus interest. Councilor Cadime stated he understands why the new school is needed, but that the Massachusetts School Building Authority (MSBA) should be providing additional funding for this project. The Director of Financial Services explained that the MSBA reimbursement is lower for a regional school, such as Diman RVTHS than it is for a public school, such as B.M.C. Durfee High School.

Councilor Dionne and the City Administrator discussed future plans to decrease costs within the City budget and Mr. Aitken reiterated that, as these decisions would affect the entire City, he was not comfortable speculating but that he would work diligently to avoid employee reduction.

Councilor Sampson and Ms. Almon discussed that this ballot question would need to be voted upon prior to August 7, 2024, due to the November election deadlines. Councilor Sampson emphasized that during previous budget meetings, the Administration had stated that the City's fund accounts were generating income due to accrued interest and that this interest revenue should be used to fund this school construction, not taxpayer expenses. The Director of Financial Services clarified that the Administration is not working to convince the populace to vote in favor of or against this matter, but to let them choose. Councilor Cadime stated that the Council could delay this question from being on the November 2024 ballot.

Councilor Raposo and Mr. Aitken discussed public information and the necessity of further education regarding this type of ballot question. Councilor Raposo emphasized that he voted against the original Diman RVTHS project as there was no clear plan for its funding sources and asked for additional information regarding the strategy if the City absorbs all of the costs. The City Administrator stated that investing in American Rescue Plan Act funding, the Stabilization Fund and creating trash pick-up fees would be the first part of the process. Mr. Aitken also stated that future bargaining would be more limited, a hiring freeze may be necessary and reorganization of certain departments, such as the Department of Community Maintenance, could assist with the City's austerity. The City Administrator explained that furlough days may also be considered so employees do not lose their positions.

Vice President Pereira complimented the Director of Financial Services and her team for the hard work they have done over the past few years. A brief discussion was held between Councilor Sampson and Ms. Almon regarding the Fiscal Year 2025 assessment for the Diman RVTHS project and Ms. Almon stated that this year's budget only included interest rate payments, not payments toward the principal. President Camara made brief remarks regarding

austerity practices under different Administrations in the past years, such as the consideration of a four-day work week.

On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to refer the order/resolution to full Council for action.

On a motion made by Councilor Raposo and seconded by President Camara, it was unanimously voted to adjourn at 8:14 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)


Clerk of Committees

COMMITTEE ON FINANCE

MEETING: August 13, 2024, at 6:00 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Seth Thomas Aitken, City Administrator
Kara Humm, American Rescue Plan Act Director
Bridget Almon, Director of Financial Services
Dana Barnes, President, Greater Fall River Art Association
Ronald Gagnon, Board of Governors, Greater Fall River Art Association

The chair called the meeting to order at 6:08 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 – Before Discussion of Financial Matters

Bill Lacey, 160 Rock Street – Performing Arts Program

Bill Lacey clarified that the address he placed on the Citizens' Input sign-up sheet was the address of the Church of the Holy Spirit, the location of the performing arts program, and that his home address is in New Bedford. On a motion made by Councilor Hart and seconded by Vice President Pereira, it was unanimously voted to waive the rules to allow a non-Fall River resident to speak during Citizens Input. On a further motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to waive the rules to allow the speaker to speak for an additional three minutes.

Councilor Dionne asked if the City website could advertise the Church of the Holy Spirit performing arts program for Mr. Lacey. Mr. Lacey expressed concern that not many residents check the website postings and requested that the Councilors share this information on their social media platforms. Vice President Pereira suggested that Mr. Lacey contact the School Department regarding this program and provided contact information for the Social Media Coordinator in the Mayor's office. Councilor Hart stated that the School Department could send notices to parents and encouraged Mr. Lacey to also speak at the School Committee Citizen Input time.

CJ Ferry, 300 Buffinton Street– Dictatorship Representation
 Robert Camara, 127 Gagnon Street – Government & Laws
 Kenneth Rego, 2000 Bay Street – Local Government
 Kelly Buchanan, 16 Bradford Avenue – Illegal Encampments

Councilor Dionne stated that a proposed ordinance regarding homeless encampments would be addressed during the Regular City Council meeting. Vice President Pereira gave a brief explanation regarding the process of enacting a proposed ordinance and stated her intention to hold a meeting of the Committee on Ordinances and Legislation Committee prior to the next City Council meeting in September.

2. Resolution - Convene to discuss potential use of Bristol County American Rescue Plan Act funds to purchase an artmobile vehicle for the Greater Fall River Art Association
Councilor Raposo clarified that the resolution was filed in preparation of a new Bristol County American Rescue Plan (ARPA) application, but that financial circumstances have changed, and the proposal will be created to obtain City ARPA funding.

Kara Humm, American Rescue Plan Act Director, provided a summary of the ongoing research regarding this proposal, including a recent meeting with representatives from the Greater Fall River Art Association and that, due to ARPA obligations, the proposal should be submitted for City ARPA funding instead of Bristol County ARPA funding. The ARPA Director also clarified that, due to restrictions of encumbered funds, she is working to consolidate all Bristol County ARPA proposals into one larger project, and that the City's ARPA funds are more readily available. Ms. Humm provided information regarding the requirements to purchase a vehicle with ARPA funding and that it is required to qualify for "Title I," which relates to the Community Development Block Grant funding, so the Artmobile and Veterans' Van present additional challenges to obtain necessary capital.

Vice President Pereira and Ms. Humm held a brief discussion regarding a grant that could be used to purchase a second van for the Veterans' Services Department. Councilor Dionne asked how much funding was available within the Bristol County ARPA fund and Ms. Humm stated that \$1,633,881 is remaining within the fund, which could be used for a larger, collective project.

Dana Barnes, President, Greater Fall River Art Association, and Ronald Gagnon, Board of Governors, Greater Fall River Art Association, explained that they recently met with the ARPA Director regarding the drafting of a proposal for an Artmobile van. Councilor Sampson expressed her support for the program. Vice President Pereira stated that, because the City Council does not need to approve City ARPA funding, she did not have any questions regarding their application progress. Ms. Barnes made brief remarks expressing her excitement to bring more art resources to children throughout the city with the Artmobile van.

3. Fiscal Year 2024 Quarter 4 Budget Report
Councilor Ponte complimented the Administration for the repurposing of \$313,000, originally listed as idle funds, to other projects within the City. Councilor Ponte asked what the plans were for the additional \$204,000 within the fund for the inactive capital projects. Bridget Almon, Director of Financial Services, stated that more research was being conducted regarding when and where these funds could be used; as the capital can only be repurposed for projects that are similar in lifespan. Councilor Ponte asked if any of the idle funding could be allocated to renovate fire stations in the City. Seth Thomas Aitken, City Administrator, explained that other funding sources, such as grants, were being utilized to provide needed repairs to the stations, and emphasized that the Administration will continue to research how inactive capital funds could be allocated to these renovation projects.

Councilor Dionne requested additional information regarding multiple sections of the report including lower electricity bills, salary line-items, and those listed as "other services/resources." Ms. Almon stated that because the Quarter 4 Budget Report needed to be completed by July 11, 2024, some of the electricity bills that were received later in the month were not included, and the actual total may be higher. Councilor Dionne asked how many salaries were under the line-item Administration, salary permanent, to which Mr. Aitken responded that there were only two, himself and the Grant Writer. Councilor Dionne referenced the line-item City Auditor, Expenses, Other Purchased Services, and requested more information regarding the account increase from \$30,000 to \$65,000. Ms. Almon explained that most of the funding went towards training within the Financial Services Departments. A brief discussion was held between Councilor Dionne and the Director of Financial Services regarding salaries within the Purchasing Department and whether there were plans to hire a full-time Purchasing Agent. Mr. Aitken explained there would likely be a future request to the City Council to authorize a new Project Manager position that would work, in conjunction with two other employees, to inherit the responsibilities of a full-time Purchasing Agent. Councilor Dionne requested additional information regarding line items within the Assessor's account labeled "other services" and the Director of Financial Services stated that she would obtain and provide accounting details as soon as possible. Councilor Dionne expressed her desire for line items within the reports to be more detailed to avoid the need for clarification in the future. Councilor Dionne and the City Administrator held a brief discussion regarding the "Other Professional Services" line item for the Law Department. Mr. Aitken stated the account was comprised of three expenses which included outside counsel, investigations and public record request expenses.

Councilor Raposo asked if a key could be created for line-item titles to assist Councilors when reviewing reports. Ms. Almon stated the Administration is working to use clearer titles that are consistent throughout all departments. Mr. Aitken explained that many departments have different definitions for the codes they use, so it's important to use detailed line-item titles and they hope to improve this process for future reports.

Vice President Pereira emphasized the need to hire a full-time Purchasing Agent. President Camara and Vice President Pereira also requested details regarding compensation for the City's outside real estate attorney. Mr. Aitken explained that this attorney is a contractor, and that he would verify the average annual cost for these services.

4. Transfers and Appropriations

Councilor Cadime asked the Director of Financial Services to clarify why some of the recent transfers and appropriations have utilized the Stabilization Fund instead of the Reserve Fund. Bridget Almon, Director of Financial Services, explained that the American Federation of State, County and Municipal Employees (AFSCME) contract will be using a large portion of the Reserve Fund soon, so the Stabilization Fund was a better resource for transfers and appropriations until that contract is finalized.

On a motion made by Councilor Raposo and seconded by Councilor Kilby, it was unanimously voted to adjourn at 7:14 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)


Clerk of Committees

REGULAR MEETING OF THE CITY COUNCIL

MEETING: July 16, 2024, at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Seth Thomas Aitken, City Administrator

President Camara called the meeting to order at 8:18 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 Dionne, it was unanimously voted to present the citation for item 9 prior to addressing agenda items. Vice President Pereira made brief remarks and presented a City Council citation to Ben Courville for his quick action to save someone who was choking. Seth Thomas Aitken, City Administrator, presented a citation on behalf of Mayor Paul E. Coogan to Mr. Courville.

PRIORITY MATTERS

1. Mayor and confirmation of the appointment of Paulo J. Amaral to the Zoning Board of Appeals (Alternate)

Councilor Ponte expressed concern regarding the proposed candidate's lack of decorum within the Council Chamber in the past and emphasized the need for respect within all governing bodies. On a motion made by Councilor Raposo and seconded by Councilor Kilby, it was voted 3 yeas, 6 nays to confirm the appointment, with Councilor Hart, Councilor Kilby and Councilor Raposo voting in the affirmative, and the motion failed. On a further motion made by Councilor Cadime and seconded by Councilor Dionne, it was voted 8 yeas, 1 nay, to reject the appointment, with Councilor Raposo voting in the negative.

2. Mayor and confirmation of the appointment of Ryan Pacheco to the Greater Fall River Vocational School District Committee

Vice President Pereira made brief remarks regarding the proposed candidate's experience and skill within the construction industry. On a motion made by Councilor Sampson and seconded by Councilor Ponte, it was voted 9 yeas to confirm the appointment.

3. Mayor and confirmation of the reappointment of Maria Connie Soule to the Historical Commission

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

4. Mayor and the following grant orders from the Massachusetts Executive Office of Public Safety and Security (EOPSS):

- a. \$10,200 – EOPSS Department of Fire Services – Student Awareness of Fire Education (SAFE)

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

Approved, July 17, 2024

Paul E. Coogan, Mayor

- b. \$3,100 – EOPSS Department of Fire Services – Senior Student Awareness of Fire Education (Senior SAFE)

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

Approved, July 17, 2024

Paul E. Coogan, Mayor

- c. \$100,000 – EOPSS – Municipal Local Cybersecurity Grant Program (MLCGP)

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

Approved, July 17, 2024

Paul E. Coogan, Mayor

5. Mayor and Director of Financial Services correspondence re: updated amortization schedule for the Diman Regional Vocational Technical High School project

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

6. Fiscal Year 2024 Quarter 4 Budget Report

On a motion made by Councilor Raposo and seconded by Councilor Kilby, it was unanimously voted to refer the report to the Committee on Finance.

PRIORITY COMMUNICATIONS

7. Traffic Commission recommending amendments to the traffic ordinances

On a motion made by Councilor Raposo and seconded by President Camara, it was unanimously voted to refer the recommendations to the Committee on Ordinances and Legislation.

COMMITTEE REPORTS – None

ORDINANCES – None**RESOLUTIONS**

8. Committee on Public Safety convene with the Director of Traffic and Parking and a representative of the Fall River Police Department to discuss possible plans to remedy the vehicular, bicycle and pedestrian safety matters within the area of the Pine Street and Robeson Street intersection

Councilor Raposo made brief remarks regarding the safety concerns of this intersection, the history of traffic accidents and the lack of parking for those who visit the nearby veterans' center. Councilor Raposo also emphasized that he is currently working with the Traffic Commission to improve safety at this location. On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted to adopt the resolution.

CITATIONS

9. Ben Courville – Quick action of performing a successful Heimlich Maneuver in an emergency

On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to adopt the citation.

ORDERS – HEARINGS**Joint Pole Location**

10. Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc. – Installation of one (1) new jointly owned pole and one (1) new jointly owned anchor on Vale Street

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

Approved, July 17, 2024

Paul E. Coogan, Mayor

Curb Removals

11. Kyra Cordeiro, 363 Hyacinth Street – Removal of 16 feet at 0 Hyacinth Street

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

Approved, July 17, 2024

Paul E. Coogan, Mayor

12. Eleanor Cahill, 71 Marion Street – Removal of 24 feet at 71 Marion Street

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

Approved, July 17, 2024

Paul E. Coogan, Mayor

ORDERS – MISCELLANEOUS

13. Police Chief's report on licenses:

Taxicab Driver

Ronnie Sulyma

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

14. Auto Body Shop License Renewal:

Fausto Ortiz d/b/a Auto Rally Inc. – 1033 Pleasant Street

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

Approved, July 17, 2024

Paul E. Coogan, Mayor

15. Auto Repair Shop License Renewals:

Fouad Rechmani d/b/a JC Gas, LLC – 537 Bedford Street

Francisley J. Grizotte d/b/a Shea's Automotive Center – 400 Stafford Road

John A. Heisman d/b/a Monro Muffler Brake, Inc. – 129 Rhode Island Avenue

David Saber d/b/a Eleventh Street Assoc, Inc. – 50 Sixth Street

Fausto Ortiz d/b/a Auto Rally Inc. – 1033 Pleasant Street

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

Approved, July 17, 2024

Paul E. Coogan, Mayor

16. Order – City Council Reappointment of Joyce B. Rodrigues to the Historical Commission

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

COMMUNICATIONS – INVITATIONS – PETITIONS

17. Claims

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

18. Communication regarding Auto Repair Shop License No. 329 and requested amendments to license

On a motion made by Councilor Raposo and seconded by Councilor Dionne, it was unanimously voted to refer the communication to the Committee on Regulations.

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

19. City Engineer – Street openings less than 5 years for the following locations:

a. 15 Robeson Street

b. 365 Montaup Street

c. 323 South Oxford Street

d. Oak Grove Avenue and Locust Street Intersection

e. Oak Grove Avenue and New Boston Road Intersection

f. Palmer Street at Stafford Road

Palmer Street at East Main Street

Palmer Street at Wilbur Street

Vice President Pereira expressed concern regarding the large amount of street openings that are occurring within the City. Councilor Raposo stated that there are communications from Liberty Utilities regarding the reason for each request. On a motion made by Councilor Raposo and seconded by Councilor Kilby, it was unanimously voted to approve the street opening requests.

Approved, July 17, 2024

Paul E. Coogan, Mayor

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: JULY 16, 2024

COMMITTEE REPORTS

Committee on Finance recommending action:

- 7a. Order/Resolution – Drafted ballot question relative to the new Diman Regional Vocational Technical High School

On a motion made by Councilor Kilby and seconded by Councilor Hart, it was voted 3 yeas, 6 nays to adopt the order/resolution, with Vice President Pereira, Councilor Hart and Councilor Kilby voting in the affirmative, and the motion failed.

On a motion made by Councilor Raposo and seconded by Councilor Dionne, it was unanimously voted to adjourn at 8:37 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

A true copy. Attest:



City Clerk

REGULAR MEETING OF THE CITY COUNCIL

MEETING: August 13, 2024, at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: None

IN ATTENDANCE: Seth Thomas Aitken, City Administrator

President Camara called the meeting to order at 7:16 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 Kilby and seconded by Councilor Raposo, it was unanimously voted to take items 6 through 9 out of order.

PRIORITY MATTERS

6. Mayor and proposed Bristol County ARPA funding of \$1,633,882 for the Water Main Replacement Project

On a motion made by Councilor Dionne and seconded by Councilor Cadime, it was unanimously voted to approve the proposal.

7. Mayor and request to rescind the Bristol County ARPA proposal regarding Lafayette Skateboard Park Rehabilitation, approved on May 14, 2024.

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

8. Mayor and request to rescind the Bristol County ARPA proposal regarding the Veteran's Van, approved on January 9, 2024

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

9. Mayor and order to transfer unexpended bond proceeds, totaling \$313,646.01, from the following projects to assist with structural repairs of the Pearl Street and Third Street Garages:

- Government Center Roof Replacement – \$139,129.93
- Sucker Brook Driveway Crossing – \$97,678.98
- Globe and Flint Street Fire Station Roof and Doors – \$76,837.10

A motion was made by Councilor Raposo and seconded by Councilor Hart to adopt the order. Councilor Dionne expressed concern that unused bond funding was being transferred away from the Globe and Flint Street fire stations, as the properties require renovation. On a motion made by Councilor Ponte and seconded by Vice President Pereira, it was unanimously voted to waive the rules to allow the City Administrator to answer questions. Seth Thomas Aitken, City Administrator, provided information regarding the ongoing repairs within the fire stations, including the installation of a new roof and new doors. Mr. Aitken also stated that the Department of Emergency Medical Services provided financial assistance for the door repairs and that the \$76,837.10 is the leftover capital after finishing the planned refurbishing. The City Administrator provided details regarding how projects can qualify for fund transfers, which are based on the lifespan of the project, and stated that, unfortunately, the repairs required for other stations do not match the qualifications for this type of loan order. Councilor Ponte suggested amending the order to separate the fire station repair funding, to allow the other two fund sources to be adopted and the fire station funding to be discussed in the Committee on Finance. A motion was made by Councilor Ponte and seconded by Councilor Dionne to refer the Globe and Flint Street Fire Station section of the order to the Committee on Finance. A brief discussion was held between Councilors Cadime and Ponte regarding the possible delay of the Pearl Street and Third Street Garage project if these matters were separated and Councilor Cadime suggested referring the entire matter to the Committee on Finance. Councilor Ponte agreed and withdrew his original motion. On a motion made by Councilor Ponte and seconded by Councilor Cadime, it was unanimously voted to refer the order, in its entirety, to the Committee on Finance.

1. Mayor and confirmation of the appointment of Alexis Anselmo to the Zoning Board of Appeals (Alternate)

Councilor Ponte stated that he would be abstaining from this vote as he works with the candidate. Councilor Raposo asked the City Clerk if an updated list of membership vacancies for the Boards and Commissions of Fall River could be provided as the list online is not up to date. On a motion made by Councilor Sampson and seconded by President Camara, it was voted 8 yeas to confirm the appointment, with Councilor Ponte abstaining and not voting.

2. Mayor and order approving Conservation Restriction with The Trustees of Reservation for 1046 Blossom Road

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

Approved, August 14, 2024

Paul E. Coogan, Mayor

3. Mayor and order accepting a donation in the amount of \$25,000.00 for the Fall River Public Library from the Estate of Joseph H. Feitelberg

Vice President Pereira requested that all donors in items 3, 4 and 5 receive a letter of thanks from the City Council. On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order.

Approved, August 14, 2024

Paul E. Coogan, Mayor

4. Mayor and order accepting a donation in the amount of \$1,000.00 for the Children's Section of the Fall River Public Library from Richard and Deborah Danner.
On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to adopt the order.
Approved, August 14, 2024
Paul E. Coogan, Mayor
5. Mayor and order accepting donation of historical furniture for the City of Fall River from Sally Lawlor
On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adopt the order.
Approved, August 14, 2024
Paul E. Coogan, Mayor
10. Mayor and proposed ordinance re Membership of the Historical Commission
On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.
11. Mayor and communication regarding the anticipated timeline of a proposed ordinance related to Short-Term Rentals
On a motion made by Councilor Raposo and seconded by Councilor Kilby, it was unanimously voted to refer the communication to the Committee on Ordinances and Legislation.
12. Mayor and communication regarding the anticipated timeline of a proposed ordinance related to Unauthorized Camping on Public Property
On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to refer the proposed ordinance to the Committee on Ordinances and Legislation.
13. Mayor and order appropriating the sum of \$169,656 from Inspectional Services Salaries to the Health and Human Services Salaries
On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to adopt the order.
14. Mayor and following transfers and appropriations:
 - a. \$22,500 from the Stabilization Fund to City Council, Expenses.
On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted to adopt the order.
 - b. \$322,117 from EMS, Stabilization Fund to EMS, Capital
On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted to adopt the order.

PRIORITY COMMUNICATIONS

15. Planning Board recommendation to approve Draper Street extending from Globe Mills Avenue northerly to Atlantic Boulevard.

The City Clerk clarified that the Planning Board had recommended amending the order for this petition as Draper Street does not connect with Atlantic Boulevard. On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted that the recommendation be accepted and placed on file, and that the order be amended by striking out "to Atlantic Boulevard" and inserting, in its place, "northerly to terminus and southerly to terminus" and that the order be adopted, as amended.

16. Traffic Commission recommending amendments to the traffic ordinances
On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted to refer the recommendations to the Committee on Ordinances and Legislation.

COMMITTEE REPORTSCommittee on Ordinances and LegislationAll Readings with Emergency Preamble

17. Proposed Ordinance – Traffic, Handicapped parking
- Bay Street, West, 20 feet north of Woodman Street
 - Brow Street, East, 107 feet north of Hartwell Street
 - Walnut Street, West, 83 feet north of Grove Street

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

Approved, August 14, 2024

Paul E. Coogan, Mayor

First Reading

18. Proposed Ordinance – Traffic, Miscellaneous
 Fifteen-minute parking
- Dover Street, North, 84 feet west of Blackstone Street

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

19. Proposed Ordinance – One year demolition delay for City-owned property
On a motion made by Councilor Raposo and seconded by President Camara, it was unanimously voted that the proposed ordinance be passed through first reading.

First Reading, as amended

20. Proposed Ordinance – Trolley Fees

Councilor Dionne expressed concern that no ticket fee discounts were available for children under five years of age, senior citizens, and veterans. Vice President Pereira explained that the Committee on Ordinances and Legislation had discussed this matter with the City Administrator, and it was determined that the fees for the trolley helped to fund the maintenance and staffing of the vehicle. Councilor Raposo stated that the fees were reasonable and provided a summary of the rate amendments made for schools located in Fall River to provide affordable field trips for students. President Camara stated that the fees could be amended on the floor by the City Council. On a motion made by Councilor Dionne and seconded by Councilor Cadime, it was voted 8 yeas, 1 nay, to refer the proposed ordinance back to the Committee on Ordinances and Legislation, with Councilor Raposo voting in the negative.

21. **Proposed Ordinance – Property Maintenance**

It was recommended by the Committee on Ordinances and Legislation that the proposed ordinance be amended by changing the compliance timeframe from 30 days to 10 days in Section 10-334. The City Clerk clarified that a second amendment to this proposed ordinance was also needed to reflect additional changes as recommended by Corporation Counsel. The recommended amendments were to insert, "Section 1," prior to the beginning of the existing ordinance text and to insert, immediately after the conclusion of the existing proposed ordinance text, the following: "Section 2. – That Chapter 10 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Buildings and building regulations, be amended by striking out Article III, Building Standards, Division 3, Vacant Building Registration and Fee in its entirety; Section 3. – That Chapter 42 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Housing, be amended by striking out §42-1, Maintenance of Vacant and Foreclosing Residential Properties, in its entirety and inserting in place thereof the following: §42-1. through §42-30. (Reserved); Section 4. – That Chapter 46 of the Code of the City of Fall River, Massachusetts, 2018, which chapter relates to Offenses, be amended by striking out §46-16, Chronic Nuisance Properties, in its entirety and inserting in place thereof the following: §46-16. (Reserved); Section 5. – That in Section A110-3, Chapter 10, Buildings and Building Regulations., Article III, Division 3, of Appendix A-Fee Schedule of the Code of the City of Fall River, Massachusetts, 2018, which Section relates to Vacant Building Registration and Fees, be re-numbered in proper numerical order, as follows: A. By striking out "§10-97" and inserting in place thereof "§10-306," B. By striking out "§10-99" and inserting in place thereof "§10-307."

Councilor Ponte complimented those who were involved in the drafting of this proposed ordinance. Vice President Pereira made brief remarks regarding the need for all residents to take pride in the City and maintain unsightly weed growth on lawns and sidewalks. On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted that the proposed ordinance be passed through first reading, as amended.

ORDINANCES – None

RESOLUTIONS

22. The Committee on Public Safety convene with the Director of Traffic and Parking and a representative of the Fall River Police Department to discuss speeding on Indian Town Road

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

23. The Committee on Finance convene quarterly with the Administration and a representative from the Historical Commission regarding funding plans for the renovation of the Bank Street Armory

Councilor Dionne expressed concerns regarding the powers of the Historical Commission as the Bank Street Armory ordinance in the City Code had not been amended and still listed the Board of Park Commissioners as the governing body. Vice President Pereira and Councilor Raposo explained that at a recent meeting of the Committee on Ordinances and Legislation, Corporation Counsel provided a legal opinion that the City Council was in control of the property and that the existing ordinance was not specific to control of the property, only the organization of the recreational center, which no longer exists. Councilor Hart explained that allowing the Historical Commission to collaborate with the City Council is beneficial to all, as the Historical Commission can apply for grant funding for repairs. Councilor Cadime emphasized that this resolution is to allow the City Council to receive updates regarding funding plans for the renovation of the

armory, and that amending the existing ordinance would be a separate topic of discussion. On a motion made by Councilor Raposo and seconded by Councilor Kilby, it was unanimously voted to adopt the resolution.

24. The Committee on Ordinances and Legislation convene with Corporation Counsel, the Building Inspector and a representative of the Community Development Agency to discuss the creation of a proposed ordinance regarding regulating boarding/rooming houses

Vice President Pereira made brief remarks regarding crimes that have occurred within the City on properties that were operating a rooming house without required licenses and that the City Code has no restrictions listed regarding these types of residencies. On a motion made by Councilor Raposo and seconded by Councilor Kilby, it was unanimously voted to adopt the resolution.

CITATIONS – None

ORDERS – HEARINGS

Joint Pole Location

25. Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc. – Installation of one (1) new jointly owned pole on Currant Road

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

Approved, August 14, 2024

Paul E. Coogan, Mayor

26. Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc. – Installation of one (1) new jointly owned pole location, one (1) jointly owned anchor relocation and one (1) jointly owned pole relocation on Kilburn Street

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

Approved, August 14, 2024

Paul E. Coogan, Mayor

Curb Removals:

27. Kyra Cordeiro, 363 Hyacinth Street – Removal of 24 feet at 0 Hyacinth Street

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

Approved, August 14, 2024

Paul E. Coogan, Mayor

28. Angelica Penafiel, 71 Ash Street – Removal of 2 feet, 4 inches at 71 Ash Street

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

Approved, August 14, 2024

Paul E. Coogan, Mayor

29. Antonia N. Decarvalho, 680 Bay Street – Removal of 14 feet at 1342 County and Alsop Streets

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

Approved, August 14, 2024

Paul E. Coogan, Mayor

Auto Repair Shop License:

30. James Andrews d/b/a 508 Auto Sales & Repair located at 59 North Quarry Street
On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to refer the order to the Committee on Regulations.

ORDERS – MISCELLANEOUS

31. Police Chief's report on licenses:

Taxicab Driver

Christian Araluce	Kenneth G. Chace, Jr.	Richard Huchel
Abu Kaba	Samantha Paakkinen	Eric Rego
Shane Rego		

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

32. Auto Repair Shop License Renewals:

Timothy Pinto d/b/a Gil's Automotive – 196 Oak Grove Avenue

Manuel Ferreira d/b/a J & S Auto Sales & Repair, Inc. – 178 Aberdeen Street

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

Approved, August 14, 2024

Paul E. Coogan, Mayor

33. Auto Repair Shop License Transfer

Auto Repair Shop License No. 162 located at 1439 Plymouth Avenue from Joseph Medeiros, 4J Auto, Inc. d/b/a Midas Auto Service to Adam Genuario, AMG Enterprises, LLC d/b/a Midas of Fall River

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

Approved, August 14, 2024

Paul E. Coogan, Mayor

34. Warrant – State Primary Election – September 3, 2024

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

Approved, August 14, 2024

Paul E. Coogan, Mayor

COMMUNICATIONS – INVITATIONS – PETITIONS

35. Claims

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

36. Communication from Day Pitney, LLP, on behalf of the American Civil Liberties Union of Massachusetts, re the Code of Fall River, 2018, Chapter 46, §2.1, relating to "Political signs"

On a motion made by Vice President Pereira and seconded by Councilor Ponte it was unanimously that the communication be accepted and placed on file and referred to Corporation Counsel.

37. Application for a License to Conduct One-Day Bingo – The Children's Museum of Greater Fall River, October 24, 2024, at 20 Star Street
On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to approve the application.
 Approved, August 14, 2024
 Paul E. Coogan, Mayor

38. Drainlayer Licenses:
 Communications Construction Group, LLC
 B & B Excavation, Inc.
 Riverside Masonry and Concrete
 Daniels Asphalt Services, Inc.
 SLT Construction Corporation
 Granite City Crushing Inc.

On a motion made by Councilor Raposo and seconded by President Camara, it was unanimously voted to approve the drainlayer licenses.
 Approved, August 14, 2024
 Paul E. Coogan, Mayor

On a further motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to take items 39 through 41 together.

City Council Minutes

- 39. Public Hearing – June 25, 2024
- 40. Committee on Finance – June 25, 2024
- 41. City Council – June 25, 2024

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

BULLETINS – NEWSLETTERS – NOTICES

- 42. Department of Public Utilities, Notice of public hearing and request for comments re: Petition of Boston gas Company d/b/a National Grid for Approval of a Mid-Term Modification to its 2022-2024 Three Year Energy Efficiency Plan

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

A brief recess was held from 8:09 p.m. to 8:12 p.m. for the signing of the Grant of Conservation Restriction for 1046 Blossom Road.

On a motion made by Councilor Raposo and seconded by President Camara, it was unanimously voted to adjourn at 8:12 p.m.

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

A true copy. Attest:



City Clerk

SPECIAL MEETING OF THE CITY COUNCIL

MEETING: August 22, 2024, at 4:30 p.m.
Council Chamber, One Government Center

PRESENT: Vice President Linda M. Pereira, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne, Cliff Ponte, Andrew J.
Raposo and Laura-Jean Sampson

ABSENT: President Joseph D. Camara;
Councilors Paul B. Hart, Bradford L. Kilby and Cliff Ponte

IN ATTENDANCE: None

Vice President Pereira called the meeting to order at 4:32 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.

1. Citizen Input - None
2. Order - Amended Warrant – State Primary Election – September 3, 2024
On a motion made by Councilor Raposo and seconded by Councilor Cadime, it was unanimously voted that the communication be accepted and placed on file and that the order be adopted, with President Camara and Councilors Hart, Kilby and Ponte absent and not voting.

On a motion made by Councilor Raposo and seconded by Councilor Cadime, it was unanimously voted to adjourn at 4:35 p.m., with President Camara and Councilors Hart, Kilby and Ponte 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



RECEIVED

The Commonwealth of Massachusetts

2024 AUG 20 A 11:30

 CITY CLERK **DEPARTMENT OF PUBLIC UTILITIES**
 FALL RIVER, MA

NOTICE OF PUBLIC HEARING AND REQUEST FOR COMMENTS

D.P.U. 24-130

August 19, 2024

Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty for Approval of a Mid-Term Modification to its 2022-2024 Three-Year Energy Efficiency Plan.

On August 15, 2024, Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty ("Company") filed a petition with the Department of Public Utilities ("Department") seeking approval of a mid-term modification to its 2022-2024 Three-Year Energy Efficiency Plan ("Three-Year Plan"), which was filed in D.P.U. 21-123 and approved by the Department in 2022-2024 Three-Year Energy Efficiency Plans, D.P.U. 21-120 through D.P.U. 21-129 (2022). The Department docketed this matter as D.P.U. 24-130.

The Company proposes to modify its Three-Year Plan to increase its Department-approved energy efficiency budgets in the Residential, Income Eligible, and Commercial and Industrial ("C&I") sectors. Specifically, the Company seeks to increase the budgets in:

- its Residential Existing Buildings program, by \$2,000,000 (or 13.3 percent) and its Residential Hard to Measure program, by \$150,000 (or 13.4 percent) above the Department-approved budgets in a prior mid-term modification filing. The Company states that the proposed increase in the Residential Existing Buildings program budget is driven by higher than anticipated demand for heat pumps and weatherization. The Company reports the proposed increase in the Residential Hard to Measure program is driven by: (1) increased demand for Residential HEAT Loans related, in part, by the higher demand for heat pumps; (2) higher Heat Loan interest rates; and (3) overspending in the Company's community-based partnership and outreach activities ("Community First Partnership");
- its Income Eligible Hard to Measure program by \$30,000 (or 9.4 percent) above the Department-approved budget in a prior mid-term modification filing. The Company states that the increase is driven by overspending in the Company's Community First Partnership activities; and
- its C&I Hard to Measure program by \$60,000 (or 9.3 percent) above the Department-approved budget approved in a prior mid-term modification filing. The

Company maintains that this increase is also driven by overspending in the Company's Community First Partnership activities.

On January 31, 2024, the Department approved a settlement of a mid-term modification request that increased the Company's energy efficiency budgets for the Residential, Income Eligible, and Commercial and Industrial ("C&I") sectors. Liberty Utilities (New England Natural Gas Company) Corp., D.P.U. 23-91, Stamp-Approved Settlement Agreement. On August 9, 2024, the Department approved a settlement of a mid-term modification request that increased the Company's energy efficiency budget for the Income Eligible sector. Liberty Utilities (New England Natural Gas Company) Corp., D.P.U. 24-89, Stamp-Approved Initial Filing.

If the Department approves the budget increases as proposed for this latest mid-term modification request, the Company states that customers will experience the following additional bill impacts:

- Residential heating (R-3) customers in the Fall River/North Attleboro service area using 122 therms of gas per month in the winter will experience a monthly bill increase of \$6.26 (or 2.57 percent).
- Residential low-income (R-4) heating customers in the Fall River/North Attleboro service area using 110 therms of gas per month in the winter will experience a monthly bill increase of \$4.25 (or 2.56 percent).
- Residential heating (R-3) customers in the Blackstone service area using 122 therms of gas per month in the winter will experience a monthly bill increase of \$6.26 (or 2.51 percent).
- Residential low-income heating (R-4) customers in the Blackstone service area using 110 therms of gas per month in the winter will experience a monthly bill increase of \$4.25 (or 2.50 percent).
- Bill impacts for C&I customers will vary. These customers should contact the Company for specific bill impact information.

The Department will conduct a public hearing to receive comments on the Company's petition on **Monday, September 9, 2024, beginning at 2:00 p.m.** The hearing will be virtual and use Zoom video conferencing. Attendees can join the public meeting by entering the link, <https://us06web.zoom.us/j/86890443767>, from a computer, smartphone, or tablet. No prior software download is required. For audio-only access to the public hearing, attendees can dial in at (646) 558-8656 or (309) 205-3325 (**not toll free**) and then enter the Meeting ID# 868 9044 3767. If you anticipate providing comments via Zoom during the public hearing, please send an email by **Thursday, September 5, 2024**, to elizabeth.c.mcnamara@mass.gov with your name, email address, and mailing address.

Any person interested in commenting on this matter may submit written comments no later than the close of business (5:00 p.m.) on **Tuesday, September 10, 2024**. Please note that in

the interest of transparency any comments will be posted to our website as received and without redacting personal information, such as addresses, telephone numbers, or email addresses. Therefore, consider the extent of information you wish to share when submitting comments. The Department strongly encourages public comments to be submitted by email using the methods described below. If, however, a member of the public is unable to send written comments by email, a paper copy may be sent to Mark D. Marini, Secretary, Department of Public Utilities, One South Station, Boston, Massachusetts, 02110.

Any person who desires to participate otherwise in the evidentiary phase of this proceeding shall file a petition for leave to intervene no later than 5:00 p.m. on **Thursday, September 5, 2024**. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 CMR 1.03. Receipt by the Department constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 CMR 1.01(4). To be allowed, a petition under 220 CMR 1.03(1) must satisfy the standing requirements of G.L. c. 30A § 10. All responses to petitions to intervene must be filed by the close of business (5:00 p.m.) on the second business day after the petition to intervene was filed.

To the extent a person or entity wishes to submit comments or a petition to intervene in accordance with this Notice, electronic submission is sufficient. All documents must be submitted to the Department in **.pdf format** by e-mail attachment to dpuefiling@mass.gov and elizabeth.c.mcnamara@mass.gov. The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 24-130); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. In addition, a copy of all comments or petitions to intervene should be sent to the Company's attorneys: Molly Karg Agostinelli, Esq., at magostinelli@keeganwerlin.com; Kevin Penders, Esq., at kpenders@keeganwerlin.com; and Ronald Ritchie at r.j.ritchie@libertyutilities.com. All documents submitted in electronic format will be posted on the Department's website through our online File Room as soon as practicable (enter "24-130") at: <https://eeaonline.eea.state.ma.us/DPU/Flerom/dockets/bynumber>.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), contact the Department's ADA coordinator at Jenyka.Spitz-Gassnola2@mass.gov.

For further information regarding the Company's filing, please contact the Company's attorneys, identified above. For further information regarding this Notice, please contact Elizabeth McNamara, Hearing Officer, Department of Public Utilities, at elizabeth.c.mcnamara@mass.gov.