



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: October 8, 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,
Linda M. Pereira, Cliff Ponte, Andrew J. Raposo and
Laura-Jean Sampson

ABSENT: Councilor Bradford L. Kilby

IN ATTENDANCE: None

President Camara called the meeting to order at 8:02 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

PRIORITY MATTERS

1. Mayor and confirmation of the appointment of Tim McCoy to the Conservation Commission

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was voted 6 yeas, 1 nay, to confirm the appointment, with Councilor Dionne voting in the negative, Councilor Cadime voting present and Councilor Kilby absent and not voting.

2. Mayor and confirmation of the reappointment of Christopher Boyle to the Conservation Commission

On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted to confirm the reappointment, with Councilor Kilby absent and not voting.

3. Mayor and confirmation of the appointment of Donna Valente to the Cultural Council

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

4. Mayor and confirmation of the following reappointments to the Historical Commission:
 - a. Jason R. Bouchard-Nawrocki

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to confirm the reappointment, with Councilor Kilby absent and not voting.

- b. Jonathan Lima

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to confirm the reappointment, with Councilor Kilby absent and not voting.

- c. Joyce B. Rodrigues

On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted to confirm the reappointment, with Councilor Kilby absent and not voting.

5. Mayor and quitclaim deed conveying 112 Flint Street (former Davol Street Elementary School, Assessors Lot K-14-0011) from the Flint Neighborhood Association Corp. to the City of Fall River

A motion was made by Vice President Pereira and seconded by Councilor Sampson to adopt the order. Councilor Dionne expressed concern regarding the process in which the decision was made to transfer ownership of this property to the City of Fall River and stated that it is possible that other potential buyers were not adequately considered. Vice President Pereira provided a summary of neighborhood discussions regarding the future use of the building, including the potential development of veterans housing, and that the Committee on Real Estate had addressed this matter in the past. Councilor Raposo stated that Gates of Hope, Inc., a non-profit organization which helps those experiencing financial hardship, will be displaced due to this property transfer and expressed that he would like the City to help them find a new location for this organization. Councilor Sampson added that this organization will be required to relocate no matter what party obtains the property. On a motion made by Councilor Ponte and seconded by Councilor Cadime, it was unanimously voted to refer the matter to the Committee on Finance, with Councilor Kilby absent and not voting.

PRIORITY COMMUNICATIONS

6. 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, with Councilor Kilby absent and not voting.

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

7. Committee on Health and Environmental Affairs convene with representatives from Gates of Hope Incorporated and a representative of the Administration to discuss options to help Gates of Hope Incorporated continue their work for the citizens of the Flint Neighborhood

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

8. Committee on Finance convene with representatives from the Fall River Housing Authority and a representative from the Administration to discuss options regarding potential use of the vacant Watuppa Heights property, and to discuss the legal challenges that the property presents

President Camara suggested that the resolution be referred to the Committee on Real Estate, instead of the Committee on Finance, as this is a real estate matter. Councilors Ponte and Raposo both stated that the intention of the resolution was to allow the Committee on Finance to hold the first discussion regarding the matter with all nine Councilors, and following the collective decision of the Committee, the resolution could then be referred to the Committee on Real Estate for further action. On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to adopt the resolution, with Councilor Kilby absent and not voting.

9. Committee on Finance convene with the City Administrator, the Executive Director/Chief Financial Officer of the Community Development Agency, and any other interested parties to discuss financial resources that would assist the City of Fall River in providing additional shelter facilities with adequate staffing

On a motion made by Councilor Dionne and seconded by Councilor Cadime, it was unanimously voted to request that representatives from all shelter facilities within the City of Fall River be invited to discuss this matter when the resolution is placed on a future agenda, with Councilor Kilby absent and not voting. On a further motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to adopt the resolution, with Councilor Kilby absent and not voting.

10. Committee on Health and Environmental Affairs convene with a representative of the Board of Park Commissioners, the City Administrator, and a representative of the Fall River Police Department to discuss concerns regarding unauthorized use of public parks

President Camara made brief remarks regarding the importance of residents calling the Fall River Police Department if they see anyone drinking alcohol in public parks. Councilor Raposo stated that residents have contacted the Board of Park Commissioners and the City Council regarding this matter. On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to adopt the resolution, with Councilor Kilby absent and not voting.

CITATIONS

11. Sergeant Frank Andrade – Unit Commander of the Fall River Young Marines
On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to adopt the citation, with Councilor Kilby absent and not voting.

12. Fall River Community Development Agency – Excellence in assisting those in need
On a motion made by Councilor Raposo and seconded by Vice President Pereira, it was unanimously voted to adopt the citation, with Councilor Kilby absent and not voting.

ORDERS – HEARINGS

Curb Removals:

13. Roll The Dice LLC, 657 Quarry Street – Removal of 35 feet at 2492 South Main Street
On a motion made by Councilor Raposo and seconded by President Camara, it was voted 7 yeas to adopt the order, with Councilor Ponte abstaining and Councilor Kilby absent and not voting.
Approved, October 9, 2024
Paul E. Coogan, Mayor

ORDERS – MISCELLANEOUS

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

Taxicab Drivers

Teresa A. Menezes Brian Araluce Steven Breault Henri Menard

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

15. **Auto Body Shop License Renewal:**

Steven Melo d/b/a Choice Collision Center, Inc., 645 Brayton Avenue

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

Approved, October 9, 2024

Paul E. Coogan, Mayor

16. Auto Repair Shop License Renewals:

John Cordeiro d/b/a J & J Auto Repair, Inc., 635 Warren Street
Manuel Felix d/b/a Felix Auto Collision Center, 1201 Slade Street

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

Approved, October 9, 2024

Paul E. Coogan, Mayor

COMMUNICATIONS – INVITATIONS – PETITIONS

17. Claims

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

18. Structure on or over a public way application – Board of Elections Department to hang banners across South Main Street (downtown), at the intersection of Bedford Street and Rock Street, and on Pleasant Street from October 25, 2024, to November 5, 2024

Councilor Ponte requested additional information regarding the banners that will be hung by the Board of Election Commissioners. The City Clerk explained that the banners would be visible from October 25, 2024, to November 5, 2024, with general information regarding the state and federal election. On a motion made by Councilor Raposo and seconded by Councilor Hart, it was unanimously voted to approve the application, with Councilor Kilby absent and not voting.

City Council Minutes

19. Committee on Finance – September 24, 2024

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

20. Regular Meeting of the City Council – September 24, 2024

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

BULLETINS – NEWSLETTERS – NOTICES – None

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adjourn at 8:25 p.m., with Councilor Kilby absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

A true copy. Attest:



City Clerk

In City Council, October 22, 2024

Approved.



City of Fall River Massachusetts

Office of the City Clerk

RECEIVED

2024 OCT -4 P 12:14

ALISON M. BOUCHARD
CITY CLERK

CITY CLERK
FALL RIVER, MA

INÊS LEITE
ASSISTANT CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
OCTOBER 8, 2024
AGENDA

5:55 P.M. PUBLIC HEARING

Curb Removal

Roll The Dice LLC, 657 Quarry Street, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
2492 South Main Street	17'	35'	17'	35'

The existing parcel is currently serviced by a 17-foot curb opening on South Main Street. The applicant proposes to create a new 35-foot opening while closing the existing 17-foot opening. The total opening for the location will be 35 feet.

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

1. Citizen Input
2. *Special Charter Review Committee Report (referred 9-24-2024)
3. *Resolution – Convene with the City Administrator and the Administrator of Community Utilities to discuss overdue water service payments owed to the City of Fall River from the Town of Westport (adopted 9-24-2024)

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

PRIORITY MATTERS

1. *Mayor and confirmation of the appointment of Tim McCoy to the Conservation Commission
2. *Mayor and confirmation of the reappointment of Christopher Boyle to the Conservation Commission
3. *Mayor and confirmation of the appointment of Donna Valente to the Cultural Council
4. *Mayor and confirmation of the following reappointments to the Historical Commission:
 - a. Jason R. Bouchard-Nawrocki
 - b. Jonathan Lima
 - c. Joyce B. Rodrigues
5. *Mayor and quitclaim deed conveying 112 Flint Street (former Davol Street Elementary School, Assessors Lot K-14-0011) from the Flint Neighborhood Association Corp. to the City of Fall River

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

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

PRIORITY COMMUNICATIONS

6. *Traffic Commission recommending amendments to the traffic ordinances

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

7. *Committee on Health and Environmental Affairs convene with representatives from Gates of Hope Incorporated and a representative of the Administration to discuss options to help Gates of Hope Incorporated continue their work for the citizens of the Flint Neighborhood
8. *Committee on Finance convene with representatives from the Fall River Housing Authority and a representative from the Administration to discuss options regarding potential use of the vacant Watuppa Heights property, and to discuss the legal challenges that the property presents
9. *Committee on Finance convene with the City Administrator, the Executive Director/Chief Financial Officer of the Community Development Agency, and any other interested parties to discuss financial resources that would assist the City of Fall River in providing additional shelter facilities with adequate staffing
10. *Committee on Health and Environmental Affairs convene with a representative of the Board of Park Commissioners, the City Administrator, and a representative of the Fall River Police Department to discuss concerns regarding unauthorized use of public parks

CITATIONS

11. Sergeant Frank Andrade – Unit Commander of the Fall River Young Marines
12. Fall River Community Development Agency – Excellence in assisting those in need

ORDERS – HEARINGS

Curb Removals:

13. Roll The Dice LLC, 657 Quarry Street – Removal of 35 feet at 2492 South Main Street

ORDERS – MISCELLANEOUS

14. Police Chief's report on licenses:

Taxicab Drivers

Teresa A. Menezes Brian Araluce Steven Breault Henri Menard

15. Auto Body Shop License Renewal:

Steven Melo d/b/a Choice Collision Center, Inc., 645 Brayton Avenue

16. Auto Repair Shop License Renewals:

John Cordeiro d/b/a J & J Auto Repair, Inc., 635 Warren Street

Manuel Felix d/b/a Felix Auto Collision Center, 1201 Slade Street

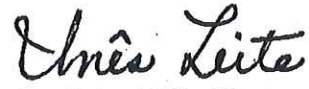
COMMUNICATIONS – INVITATIONS – PETITIONS

17. *Claims
18. Structure on or over a public way application – Board of Elections Department to hang banners across South Main Street (downtown), at the intersection of Bedford Street and Rock Street, and on Pleasant Street from October 25, 2024 to November 5, 2024

City Council Minutes

19. *Committee on Finance – September 24, 2024
20. *Regular Meeting of the City Council – September 24, 2024

BULLETINS – NEWSLETTERS – NOTICES – None


Assistant City Clerk



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2024 OCT -4 A 9:44

CITY CLERK
FALL RIVER, MA

PAUL E. COOGAN
Mayor

October 3, 2024

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

Dear Council President and Members of the Honorable Council:

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

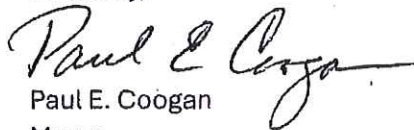
Name: Tim McCoy

Address: 93 Grattan Street
Fall River, MA 02721

Position: Conservation Commission

Expiration: October 3, 2027

Sincerely,


Paul E. Coogan
Mayor

PC/amos



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

October 3, 2024

RECEIVED

2024 OCT -3 A 10: 54

CITY CLERK
FALL RIVER, MA

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

Dear Council President and Members of the Honorable Council:

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

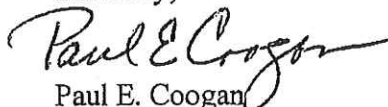
Name: Christopher Boyle

Address 95 Timber Lane
Dartmouth, MA 02747 (mailing address only)

Position: Conservation Commission

Expiration: October 2, 2027

Sincerely,


Paul E. Coogan
Mayor

PC/amos



City of Fall River
Massachusetts
Office of the Mayor

3

PAUL E. COOGAN
Mayor

October 3, 2024

RECEIVED

2024 OCT -3 A 10:53

CITY CLERK
FALL RIVER, MA

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

Dear Council President and Members of the Honorable Council:

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

Name: Donna Valente

Address 136 Garden Street
Fall River, MA 02720

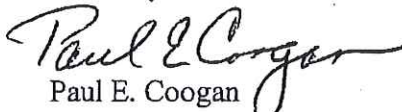
Position: Cultural Council

Replacing: Cheryl Furze

Effective: October 14, 2024

Expiration: October 14, 2027

Sincerely,


Paul E. Coogan
Mayor

PC/amos

4a



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

October 3, 2024

RECEIVED
2024 OCT -3 A 10:54

CITY CLERK
FALL RIVER, MA

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

Dear Council President and Members of the Honorable Council:

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

Name: Jason R. Bouchard-Nawrocki

Address 45 Bigelow Street
Fall River, MA 02720

Position: Historical Commission

Expiration: June 21, 2025

Sincerely,

Paul E. Coogan
Mayor

PC/amos



City of Fall River
Massachusetts
Office of the Mayor

46

RECEIVED

2024 OCT -3 A 10:54

CITY CLERK
FALL RIVER, MA

PAUL E. COOGAN
Mayor

October 3, 2024

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

Dear Council President and Members of the Honorable Council:

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

Name: Jonathan Lima

Address 92 Theodore Street
Fall River, MA 02720

Position: Historical Commission

Expiration: June 13, 2025

Sincerely,

Paul E. Coogan
Mayor

PC/amos

4c



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

October 3, 2024

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

Dear Council President and Members of the Honorable Council:

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

Name: Joyce B. Rodrigues

Address 254 Chavenson Street
Fall River, MA 02723

Position: Historical Commission

Expiration: June 21, 2026

Sincerely,

Paul E. Coogan
Mayor

PC/amos

RECEIVED

2024 OCT -3 A 10:54

CITY CLERK
FALL RIVER, MA

5



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

RECEIVED

2024 SEP 26 P 2:23

CITY CLERK _____
FALL RIVER, MA

September 25, 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 for your consideration please find a copy of the Quitclaim Deed for the property located at 112 Flint Street, Fall River, MA that has been conveyed to the City of Fall River for the sum of One and 00/100 dollar.

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

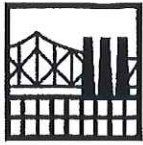
Sincerely,

Paul E. Coogan
Mayor

PC/amos

City of Fall River, In City Council

ORDERED, that pursuant to the requirements of Massachusetts General Laws, Chapter 40, Section 14, the City Council accepts the attached Deed from the Flint Neighborhood Association Corporation, to the land with buildings thereon located at 112 Flint Street (Parcel ID# K-14-0011) which shall be held as surplus municipal property, and authorizes the Corporation Counsel of the City of Fall River to cause said Deed to be recorded with the Bristol County (Fall River District) Registry of Deeds.



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

5
RECEIVED

2024 SEP 26 P 2:23

CITY CLERK
FALL RIVER, MA

9/24/2024

Mayor Paul Coogan
One Government Center
Fall River, MA 02722

RE: QUITCLAIM DEED OF FORMER DAVOL ELEMENTARY SCHOOL
112 Flint Street, Fall River, Massachusetts

Dear Mayor Coogan:

Attached please find a copy of a quitclaim deed from the Flint Neighborhood Association Corp., to the City of Fall River conveying the former Davol Elementary School located at 112 Flint Street, Fall River, Massachusetts, 02723, in consideration of One and 00/100 (\$1.00) paid.

Please accept this letter as a request that you forward this copy of the deed to the City Council in request that they authorize you to accept the deed on behalf of the city.

Please contact me if you have any questions.

Very Truly Yours,

Kenneth Fredette
Assistant Corporation Counsel

5

RECEIVED

2024 SEP 26 P 2:24

CITY CLERK
FALL RIVER, MA

After Recording Please Mail to:
Alan J. Rumsey, Esq.
Corporation Counsel
City of Fall River
One Government Center
Fall River, MA 02722

QUITCLAIM DEED

The Flint Neighborhood Association Corp., a Massachusetts Non-profit Corporation, with a mailing address of 112 Flint Street, Fall River, Bristol County, Massachusetts, 02723, for consideration paid and in full consideration of One and 00/100 (\$ 1.00) Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, grants to the CITY OF FALL RIVER, One Government Center, Fall River, Bristol County, Massachusetts 02722

with Quitclaim Covenants,

PARCEL I:

The land in Fall River, Bristol County, Massachusetts, with all buildings and improvements thereon, being bounded and described as follows:

The following described lot or parcel of land situate in said Fall River between Flint and Jencks Street as called and bounded as follows viz: Beginning at the Southwesterly corner of the lot to be described and at the northwesterly corner of the land of one Edmund Reeves and running Northerly in the easterly line of said Flint Street two hundred and five (205) feet by land now or formerly of Sarah F. Davol, Bradford D. Davol, Sarah L. Buffington, and Mary A. Easton Davol for a corner; thence turning a right angle and running Easterly by the last named land and one hundred fifty-nine and 80/100 (159.80) feet to said Jencks Street; thence Southerly in the Westerly line of said Jencks Street two hundred and five (205) feet to land now or formerly of Sarah F. Davol, Bradford D. Davol, Sarah L. Buffington, and Mary A. Easton Davol for a corner; thence Westerly by last-named land and land now or formerly of said Edmund Reeves one hundred fifty-nine and 85/100 (159.85) feet to said Flint Street and the point of beginning.

Containing one hundred and twenty and 35/100 square rods, more or less,

Being the same premises conveyed to the Flint Neighborhood Association Corp., by deed of the City of Fall River dated February 24, 2014, and recorded with the Bristol County (Fall River District) Registry of Deeds in Book 08426, Page 134.

Property Address: 112 Flint Street, Fall River, MA 02723

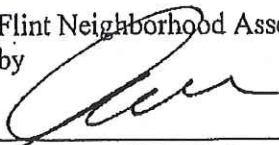
Subject to whatever rights to maintain a drain across said premises, if any exists.

This conveyance is made subject to all easements, restrictions, reservations, and other rights of record, so far as in force and applicable.

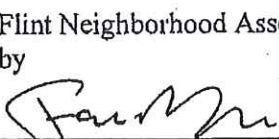
The Grantor certifies it has never elected nor been classified as a corporation for federal income tax purposes and therefore Massachusetts General Laws Chapter 62C, Section 51 does not apply.

IN WITNESS WHEREOF, the said Flint Neighborhood Association Corp., has caused its company seal to be hereto affixed and these presents to be signed, acknowledged, and delivered in its name and behalf by Carlos Cesar, its President, hereto duly authorized, this day of September, in the year two thousand and twenty-four.

Flint Neighborhood Association Corp.,
by

X 
CARLOS CESAR, PRESIDENT

Flint Neighborhood Association Corp.,
by

X 
FAITH BONJOVI, ACTING TREASURER

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, SS.

On this 23 day of September, 2024, before me, the undersigned Notary Public, personally appeared CARLOS CESAR, proved to me through satisfactory evidence of identification, which was MASSACHUSETTS DRIVER'S LICENSE, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as President of the Flint Neighborhood Association Corp.


Notary Public
My Commission Expires:
03.09.2024



Acceptance By Fall River City Council

The foregoing parcel is conveyed to the City of Fall River and said conveyance has been accepted by City of Fall River acting through its City Council on _____, 2024.

Please see Certificate of Vote of the Fall River City Council attached hereto.

SETTLEMENT AGREEMENT

AND

MUTUAL RELEASES OF ALL CLAIMS AND DEMANDS

This Settlement Agreement and Mutual Releases of all Claims and Demands ("Agreement") is executed this 23rd day of September, 2024, by and between, THE FLINT NEIGHBORHOOD ASSOCIATION, CORP., (hereinafter the FNAC) a Massachusetts non-profit and the CITY OF FALL RIVER, a Massachusetts Municipal Corporation, 1 Government Center, Fall River, Massachusetts (the "CITY"). FNAC and the CITY are hereinafter sometimes referred to in this Agreement individually as a "Party" and collectively as the "Parties."

Whereas, FNAC responded to Request For Proposals # 13-19(a) by which the CITY sought proposals for the sale and redevelopment of land and building located at 112 Flint Street, Fall River, Massachusetts formerly known as the Davol Elementary School, as more fully shown on Fall River Assessors Map K-14-0011 (hereinafter "the former DAVOL ELEMENTARY SCHOOL"); and

Whereas, on September 12, 2013, the Fall River City Council accepted FNAC'S Proposal for the former DAVOL ELEMENTARY SCHOOL; and

Whereas, on January 28, 2014, the CITY and FNAC executed a Purchase & Sale Agreement for the conveyance of the former DAVOL ELEMENTARY SCHOOL to FNAC subject to certain provisions which survived the delivery of the deed (hereinafter "the FORMER DAVOL ELEMENTARY SCHOOL P&S"), and one such provision of the FORMER DAVOL ELEMENTARY SCHOOL P&S is Section 27 MISCELLANEOUS PROVISIONS PURSUANT TO THE REQUEST FOR PROPOSALS which provides:

BUYER expressly agrees with the following provisions. The BUYER'S express agreement is only conditioned upon the BUYER taking title to the LOCUS and pursuant to the Request for Proposal, with Amendments thereto issued by the CITY for the sale of the LOCUS and the BUYER'S Response, the following provisions shall survive the delivery of the deed contemplated and provided for herewith:

...

b.) The BUYER'S Proposal is incorporated herein by reference, but where the provisions of this agreement are at variance from the Proposal, the provisions of this agreement control. BUYER'S obligations under this clause shall survive the delivery of the deed.

...

(d.) The deadline for commencing the project is thirty-six (36) months after the

premises are conveyed to the BUYER. The said deadline is subject to force majeure and delays caused by matters beyond the control of the BUYER. In the event the BUYER fails to commence the within the required time frame, the CITY shall provide written notice of that breach to the BUYER. In the event that the BUYER fails to commence work toward such a cure and prosecute such work with reasonable diligence after such notice, then the CITY shall have the right to seek injunctive relief from a court of competent jurisdiction, it being agreed that time is of the essence and the damage to the CITY from a failure to perform by the BUYER will cause great and potentially irreparable damage to the public interest. If the BUYER fails to develop, rehabilitate, or reuse the property within five (5) years of the date of closing, the property may revert to the City of Fall River. BUYER obligations under this clause shall survive the delivery of the deed; and

Whereas, on March 3, 2014, the CITY conveyed the FORMER DAVOL ELEMENTARY SCHOOL to FNAC for consideration of Five Thousand One Hundred and Twenty-One and 00/100 (\$5,121.00) Dollars by a deed recorded with the Bristol County (Fall River District) Registry of Deeds in Book 08426, Page 134; and

Whereas, on May 31, 2023, the CITY recorded a Notice of Claim and Right of Reverter, which contained a description of the property, the City Council Order and a copy of the former DAVOL ELEMENTARY SCHOOL P & S with said Registry of Deeds in Book 11301, Page 193 (hereinafter the "FORMER DAVOL ELEMENTARY SCHOOL CLAIM & RIGHT OF REVERTER"); and

Whereas, on June 23, 2023, the CITY mailed a Notice of Intent to Exercise Right of Reverter regarding the former DAVOL ELEMENTARY SCHOOL by First-Class Mailing to the FNAC, and

Whereas, on June 23, 2023, the CITY mailed a Notice of Alleged Breach of the Purchase & Sale Agreement regarding the former DAVOL ELEMENTARY SCHOOL by First-Class Mailing to FNAC, and which was responded to by an attorney representing the FNAC.

; and

Now Therefore, for good and valuable consideration, the receipt of which is hereby acknowledged, FNAC the CITY agree as follows:

1. The Flint Neighborhood Association Corp., a Massachusetts Non-profit Corporation, with a mailing address of 112 Flint Street, Fall River, Bristol County, Massachusetts, 02723, shall convey the former DAVOL ELEMENTARY SCHOOL, as described in that certain Quitclaim Deed dated February 24, 2014, and recorded with the Bristol County (Fall River District) Registry of Deeds in Book 08426, Page 134 to the City of Fall River for consideration of One and 00/100 (\$1.00) Dollar and other good and valuable consideration no later than September 23, 2024.

2. THE FNAC do hereby release, cancel, forgive and forever discharge the CITY from all actions, claims, demands, damages, obligations, liabilities, controversies and executions, of any kind or nature whatsoever, whether known or unknown, whether suspected or not, which have arisen, or may have arisen, or shall arise by reason of Request For Proposals # 13-19(a), except those arising from the rights and responsibilities or payments as set forth herein, and do specifically waive any claim or right to assert any cause of action or alleged case of action or claim or demand which has, through oversight or error intentionally or unintentionally or through a mutual mistake, been omitted from this Agreement.
3. The CITY does hereby release, cancel, forgive and forever discharge THE FNAC, from all actions, claims, demands, damages, obligations, liabilities, controversies and executions, of any kind or nature whatsoever, whether known or unknown, whether suspected or not, which have arisen, or may have arisen, or shall arise by reason of Request For Proposals # 13-19(a)), except those arising from the rights and responsibilities or payments as set forth herein, and does specifically waive any claim or right to assert any cause of action or alleged case of action or claim or demand which has, through oversight or error intentionally or unintentionally or through a mutual mistake, been omitted from this Agreement.
4. The CITY hereby represents to THE FNAC that the signatories to this Agreement on behalf of the CITY and that all approvals, consents, resolutions and the like from any, and all, CITY departments and/or boards have been favorably obtained by the CITY prior to the CITY entering into and being legally bound by the terms of this Agreement.
5. This Agreement constitutes the entire agreement between the Parties and supersedes and cancels any prior agreements, representations or communications, whether oral or written, between the Parties relating to the subject matter of this Agreement. No Party has made any statement, representation or promise, other than as expressly set forth herein, to any other party in entering into this Agreement, which has been relied upon by any other Party entering into this Agreement.
6. The Parties shall, whenever and as often as shall be reasonably requested by another Party, execute, acknowledge, and deliver, or cause to be executed, acknowledged, and delivered such further instruments and documents and to do any and all things as may be requested by that Party in order to carry out the intent and purpose of this Agreement.
7. This Agreement will be governed, construed, and enforced in accordance with the laws of the Commonwealth of Massachusetts without regard to its conflict of laws

rules.

8. This Agreement may be modified only with the written instrument executed by all Parties hereto.
9. In the event of a breach of this Agreement, the party found in breach by a Court of competent jurisdiction shall be responsible for paying the reasonable attorney's fees and costs of any lawsuit brought by the non-breaching party.
10. This Agreement may be executed in two or more counterparts, each of which together shall be deemed an original, but all of which together shall constitute one and the same instrument. In the event that any signature is delivered by facsimile transmission or by e-mail delivery of a ".pdf" format data file, such signature shall create a valid and binding obligation of the party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or ".pdf" signature page were an original thereof.
11. The provisions of this Agreement must be read as a whole and are not severable and/or separately enforceable by either party hereto.

SIGNATURES FOLLOW ON NEXT PAGES

In Witness Whereof, FNAC and the CITY have executed this Agreement in duplicate originals as of the date first set forth above.

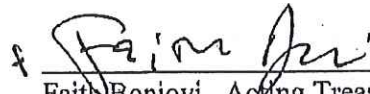
CITY OF FALL RIVER


Paul E. Coogan, Mayor

9/23/24
Date

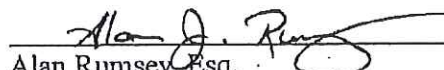
FLINT NEIGHBORHOOD ASSOCIATION CORP.
By


Carlos Cesar, President


Faith Bonjovi, Acting Treasurer

09/23/2024
Date

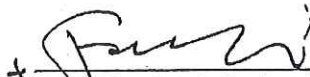
Approved as to form & manner of execution:


Alan Rumsey, Esq.
Corporation Counsel

9/24/24
Date

FLINT NEIGHBORHOOD ASSOCIATION CORP.
By


Carlos Cesar, President


Faith Bonjovi, Acting Treasurer

09/23/2024
Date

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

On this 23 day of September 2024, before me, the undersigned notary public, personally appeared Carlos Cesar, personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as President of the Flint Neighborhood Association Corp., and as their and his free act and deed



A handwritten signature in dark ink, appearing to read "Kenneth E. Fredette", written over a horizontal line.

Notary Public

My commission expires: 03/09/2029

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

On this 23 day of September, 2024, before me, the undersigned notary public, personally appeared Faith Bonjovi, proof in the form of a driver's license to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose, as Acting Treasurer of the Flint Neighborhood Association Corp., and as their and her free act and deed



A handwritten signature in dark ink, appearing to read "Kenneth E. Fredette", written over a horizontal line.

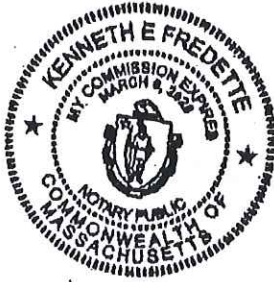
Notary Public

My commission expires: 03/09/2029

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

On this 23 day of September 2024, before me, the undersigned notary public, personally appeared Paul E. Coogan personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as Mayor of the City of Fall River and as its free act and deed



Notary Public

My commission expires: 03/09/2029

6

**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division



Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

September 25, 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, September 18, 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: 385 (D)

**Loading Zones, Service Zones
and Passenger Zones**
Monday – Friday
7:00AM to 4:00PM

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Hartwell Street	West	Starting at a point 267 feet South of Fifth Street For a distance of 47 feet South.

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

CITY CLERK
FALL RIVER, MA

2024 SEP 25 P 3:48

RECEIVED

6

**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division



RECEIVED

2024 SEP 20 P 1:46

CITY CLERK
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

September 20, 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, September 18, 2024 the following request was heard and approved by the Traffic Commission.

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

Article: 70

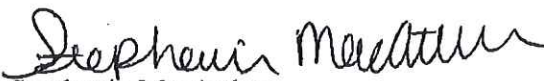
Section: 387

Handicapped Parking

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Cherry Street	North	Starting at a point 240 feet East of North Main Street, For a distance of 20 feet East

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

6

**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division



RECEIVED

2024 SEP 20 P 1:46

CITY CLERK _____
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

September 20, 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, September 18, 2024 the following request was heard and approved by the Traffic Commission.

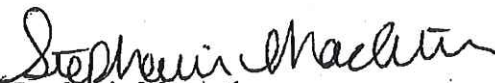
That Chapter 70 of Revised Ordinances be amended in the following Section:

Article: 70
Section: 387 Handicapped Parking

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Pitman Street	East	Starting at a point 214 feet North of Harrison Street, For a distance of 20 feet North

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

b

**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division



RECEIVED

2024 SEP 20 P 1:46

CITY CLERK _____
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

September 20, 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, September 18, 2024 the following request was heard and approved by the Traffic Commission.

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

Article: 70

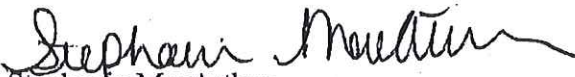
Section: 387

Handicapped Parking

By striking out in proper alphabetical order the following.

Name of Street	Side	Location
Reney Street	North	Starting at a point 118 feet East of County Street, For a distance of 20 feet East

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

6

**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division



Paul E. Coogan
Mayor

RECEIVED
2024 SEP 25 P 3:08
CITY CLERK
FALL RIVER, MA

Stephanie MacArthur
Director of Traffic & Parking

September 24, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, September 18, 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
County Street	North	Starting at a point 50 feet West of Goss Street For a distance of 20 feet West.

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

6

**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division



RECEIVED

2024 SEP 25 P 3:08

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

CITY CLERK
FALL RIVER, MA

September 24, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, September 18, 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
Manton Street	North	Starting at a point 306 feet West of Plymouth Ave For a distance of 20 feet West.

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

6

**CITY OF FALL RIVER
MASSACHUSETTS**

Traffic & Parking Division



Paul E. Coogan
Mayor

September 24, 2024

RECEIVED

2024 SEP 25 P 3:08

Stephanie MacArthur
Director of Traffic & Parking

CITY CLERK
FALL RIVER, MA

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, September 18, 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

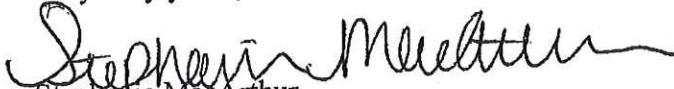
Handicapped Parking

By inserting in proper alphabetical order the following:

INSERT

Name of Street	Side	Location
Montgomery Street	South	Starting at a point 111 feet East of Robeson Street For a distance of 20 feet East.

Very truly yours,


Stephanie MacArthur
Director of Traffic & Parking

6

**CITY OF FALL RIVER
MASSACHUSETTS**



RECEIVED
Traffic & Parking Division

2024 SEP 25 P 3:08

CITY CLERK
FALL RIVER, MA

Paul E. Coogan
Mayor

Stephanie MacArthur
Director of Traffic & Parking

September 24, 2024

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

Honorable Council Members:

At a meeting of the Traffic Board Commission held on Wednesday, September 18, 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

Washington Street

West

Starting at a point 172 feet South of Columbia Street
For a distance of 20 feet South.

Very truly yours,

Stephanie MacArthur
Director of Traffic & Parking

City of Fall River, In City Council

(Councilor Andrew J. Raposo)

WHEREAS, the Davol School building will be transferred back to the City from the Flint Neighborhood Association, and

WHEREAS, within the building, Gates of Hope Incorporated was serving the local neighborhood with a food pantry, along with clothing and other needs, and

WHEREAS, without this service, many in the neighborhood will go without basic needs, and

WHEREAS, the organization is in need of a location to continue this good work, now therefore

BE IT RESOLVED, that the Committee on Health and Environmental Affairs convene with representatives from Gates of Hope Incorporated and a representative of the Administration to discuss options to help this organization continue this work for the citizens of the Flint neighborhood.

(filed 9-25-24)

City of Fall River, *In City Council*

(Councilor Andrew J. Raposo and Councilor Cliff Ponte)

WHEREAS, discussion has taken place regarding the lack of affordable housing and the homelessness issue in the City of Fall River, and

WHEREAS, the property that once was Watuppa Heights is currently vacant, and

WHEREAS, the Fall River Housing Authority is currently in possession of the property,
and

WHEREAS, this would be an ideal place for a project similar to tiny houses, now
therefore

BE IT RESOLVED, that the Committee on Finance convene with representatives from the Fall River Housing Authority and a representative from the Administration to discuss options regarding potential uses of this property to alleviate these issues, and to discuss the legal challenges that the Watuppa Heights property presents.

(filed 9-25-24)

City of Fall River, *In City Council*

(Councilor Michelle M. Dionne)

WHEREAS, the City of Fall River faces significant challenges related to assisting individuals who are experiencing homelessness, and

WHEREAS, winter is approaching, and the temperatures outside will begin to drop dramatically, which increases public safety risks for all who are living outside, in an encampment or in their vehicle, and

WHEREAS, it is the responsibility of the City of Fall River to provide adequate shelter space to supply individuals with protection from freezing temperatures, lack of food, and absence of clean water and sanitation facilities, and

WHEREAS, there are limited shelter locations and beds for these individuals, as well as challenges with maintaining adequate staffing to operate these facilities, and

WHEREAS, many individuals are hesitant to relocate into these shelter locations due to many factors, including, but not limited to, mental health challenges and substance use disorder, now therefore

BE IT RESOLVED, that the Committee on Finance convene with the City Administrator, the Executive Director/Chief Financial Officer of the Community Development Agency, and any other interested parties to discuss financial resources that would assist the City of Fall River in providing additional shelter facilities and ensure adequate staffing, of both medical and non-medical personnel, within said facilities.

(filed 9-26-24)

City of Fall River, *In City Council*

(Councilor Andrew J. Raposo)

WHEREAS, numerous residents of the City of Fall River have recently expressed concern regarding the unauthorized use of City parks for parties, barbeques and other outdoor events to the Board of Park Commissioners, and

WHEREAS, those who are using the public parks for large gatherings must obtain authorization from the Board of Park Commissioners in accordance with the Section 54-55 of the City Code, which relates to Control of recreational facilities, cemeteries and trees and shrubs on public ways, and in accordance with Massachusetts General Laws, Part I, Title VII, Chapter 45, §5, which relates to Powers and duties of Boards of Park Commissioners, and

WHEREAS, individuals who partake in these events are often consuming alcoholic beverages in public parks, in violation of Section 46-9 of the Code, which relates to Consumption of alcoholic beverages on public property; consumption on private property without permission, and

WHEREAS, public safety in these parks is of utmost concern as these unauthorized events result in unsanitary conditions within these public recreational areas, due to littering and improper disposal of garbage, in violation of the Section 26-32 of the Code, which relates to Littering prohibited, now therefore

BE IT RESOLVED that the Committee on Health and Environmental Affairs convene with a representative of the Board of Park Commissioners, the City Administrator, and a representative of the Fall River Police Department to discuss these concerns regarding unauthorized events being held in public parks that jeopardize public health and environmental cleanliness, and to seek appropriate action to remedy the matter by achieving consistent enforcement of all related City ordinances and Massachusetts General Laws.

(Filed 10-3-2024)

7:08

< **claim-form-1** RECEIVED

2024 SEP 23 P 1:46

* 24-81
CITY CLERK
FALL RIVER, MA**City of Fall River
Notice of Claim**

Claimant's name:

Lisa Pacheco

Claimant's complete address:

74 Lisbon St. Fall River, MA 02724

Telephone number:

Home:

508-491-3699

Work:

N/A

Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):

Property Damage

Date and time of accident:

8/26/24 - 2:30 PM

Amount of damages claimed:

\$19,916.24

Exact location of the Incident: (include as much detail as possible):

on Lisbon St.- my address 74 Lisbon St.

Circumstances of the Incident: (attach additional pages if necessary):

Ongoing extreme street flooding over sidewalk and into and under my home. Causing severe damage to finished basement and foundation.- with Erosion - - additional page enclosed -Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ NoCalled they won't cover outside water entering home

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:

9/23/24

Claimant's signature:

Lisa Pacheco

✓ 9/23/24

✓ city clerk

✓ city clerk

✓ how

✓ city clerk

✓ city clerk



17

RECEIVED

City of Fall River
Notice of Claim

2024 SEP 27 7:11:07

1. Claimant's name: Ana M Jimenez 24-82
2. Claimant's complete address: 464 Hartford, Providence, RI, 02909
3. Telephone number: Home: 401-644-0120 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
property damage - tree branch fell on top of car
5. Date and time of accident: 8/9/24 - PM Amount of damages claimed: \$ 1000
6. Exact location of the incident: (include as much detail as possible):
East half of the intersection of Northmain St & Wilson Rd. Fall River
7. Circumstances of the incident: (attach additional pages if necessary):
tree branch fell on top of car causing significant damage to my 2021 Toyota Corolla. Attached are pictures of damage and estimate of repairs.
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
Allstate Fire & Casualty Ins

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: 09-06-24

Claimant's signature: Ana M Jimenez

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 ☒ DPW

Date: 9/27/24

COMMITTEE ON FINANCE

MEETING: September 24, 2024, at 6:30 p.m.
Council Chamber, One Government Center

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

ABSENT: President Joseph D. Camara and Councilor Shawn E. Cadime

IN ATTENDANCE: None

The vice chair called the meeting to order at 6:30 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

Christopher Conlin, 73 Bowen Street – Homeless ordinance
Kelly Buchanan, 16 Bradford Avenue – Illegal encampments
Rev. James Hornsby, 260 Lake Avenue – Homeless ordinances

On a motion made by Councilor Kilby and seconded by Councilor Sampson, it was unanimously voted to waive the rules to allow a non-Fall River resident to speak, with President Camara and Councilor Cadime absent and not voting.

Sarah Meyers, 388 Somerville Avenue, Somerville, MA – Homeless ordinance
Ken Rego, 2000 Bay Street – Housing
James Medley, 496 So. Almond Street – Housing

On a motion made by Councilor Sampson and seconded by Councilor Dionne, it was unanimously voted to waive the rules to allow a non-Fall River resident to speak, with President Camara and Councilor Cadime absent and not voting.

Jamie Spriggs, 438 Reservoir Street, Norton, MA – Housing

On a motion made by Councilor Sampson and seconded by Councilor Dionne, it was unanimously voted to waive the rules to allow a non-Fall River resident to speak, with President Camara and Councilor Cadime absent and not voting.

Paul Heroux, Sheriff of Bristol County,
400 Faunce Corner Road, Dartmouth, MA– Housing
Dawn Kuchnicki, 90 Norfolk Street, Apt. 2N – Housing
John Sylvia, 51 Ada Street – Housing

On a motion made by Councilor Kilby and seconded by Councilor Dionne, it was unanimously voted to table item 2, with President Camara and Councilor Cadime absent and not voting.

2. 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

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adjourn at 7:06 p.m., with President Camara and Councilor Cadime absent and not voting.

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


Clerk of Committees

REGULAR MEETING OF THE CITY COUNCIL

MEETING: September 24, 2024, at 7:00 p.m.
Council Chamber, One Government Center

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

ABSENT: President Joseph D. Camara and Councilor Shawn E. Cadime

IN ATTENDANCE: Mayor Paul E. Coogan

Vice President Pereira called the meeting to order at 7:06 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 item 8 out of order, with President Camara and Councilor Cadime absent and not voting.

CITATIONS

8. Family of the late Jim Soule – Commitment to preserving the history of the City of Fall River

On a motion made by Councilor Ponte and seconded by Councilor Kilby, it was unanimously voted to adopt the citation, with President Camara and Councilor Cadime absent and not voting. Vice President Pereira made brief remarks regarding the efforts Jim Soule made to improve the City of Fall River and expressed condolences to his family for their loss.

Mayor Paul E. Coogan also presented a citation to the family of the late Jim Soule and made brief remarks honoring the work Mr. Soule had done for the preservation of the City of Fall River.

PRIORITY MATTERS

1. Mayor and confirmation of the following appointments to the Cultural Council:
a. David Mello

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to confirm the appointments, with President Camara and Councilor Cadime absent and not voting.

b. Christine Nicole Pelletier Southgate

On a motion made by Councilor Raposo and seconded by Councilor Ponte, it was unanimously voted to confirm the appointments, with President Camara and Councilor Cadime absent and not voting.

PRIORITY COMMUNICATIONS

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

3. Special Charter Review Committee Report
On a motion made by Councilor Kilby and seconded by Councilor Hart, it was unanimously voted that the report be referred to the Committee on Finance, with President Camara and Councilor Cadime absent and not voting.

COMMITTEE REPORTS –None**ORDINANCES****Second Reading and Enrollment**

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

Approved, September 25, 2024

Paul E. Coogan, Mayor

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

Approved, September 25, 2024

Paul E. Coogan, Mayor

Second Reading and Enrollment, as amended

6. Proposed Ordinance – Trolley Fees

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

Approved, September 25, 2024

Paul E. Coogan, Mayor

RESOLUTIONS

7. The Committee on Finance convene with the City Administrator and the Administrator of Community Utilities to discuss overdue water service payments owed to the City of Fall River from the Town of Westport

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

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

9. Police Chief's report on licenses:

Taxicab Drivers

Starling G. Mordan German

Stephen Joseph Stets

Richard Ogebebor

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

COMMUNICATIONS – INVITATIONS – PETITIONS

10. Claims

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

11. Fall River Public Library Annual Report

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

12. Structure on or over a public way application for the Greater Fall River Re-Creation's Annual Children's Holiday Parade to hang banners (24" x 30') on Bedford Street at the Central Fire Station and South Main Street at Center Place from November 15, 2024, to December 9, 2024

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

City Council Minutes

13. Committee on Finance – September 10, 2024

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

14. City Council – September 10, 2024

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

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: SEPTEMBER 24, 2024

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

All Readings with Emergency Preamble

3a. Proposed Ordinance – Traffic, Handicapped parking

- Third Street, West, Starting at a point 74 feet north of Branch Street
- Ninth Street, West, Starting at a point 105 feet south of Bedford Street
- Alden Street, West, Starting at a point 21 feet south of Ross Street
- Cherry Street, South, Starting at a point 128 feet east of Grove Street
- Eastern Avenue, East, Starting at a point 46 feet north of County Street
- Oak Grove Avenue, East, Starting at a point 115 feet south of Lemuel Street
- Tuttle Street, East, Starting at a point 52 feet north of Dwelly Street

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was voted 7 yeas to adopt the emergency preamble, with President Camara and Councilor Cadime absent and not voting. 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, with President Camara and Councilor Cadime absent and not voting.

Approved, September 25, 2024

Paul E. Coogan, Mayor

All Readings with Emergency Preamble, as amended

3b. Proposed Ordinance – Unauthorized camping on public property

Councilor Sampson stated that she would not support the proposed ordinance as there is currently no availability within the City's shelters and the City has not properly addressed creating additional affordable housing. Councilor Sampson emphasized the need for the City Council to continue working on this proposed ordinance prior to it being voted upon.

Councilor Dionne explained that the matter addressed by this proposed ordinance has been researched and discussed for almost two years but agreed with Councilor Sampson that there was a severe shortage of affordable housing within the City of Fall River. Councilor Dionne expressed support for the development of "tiny house" neighborhoods within the municipality but emphasized the need to balance the quality of life for all residents. Councilor Dionne stated that the proposed ordinance may invoke non-profit organizations to provide more resources to assist people experiencing homelessness.

Councilor Kilby stated that he agreed with Councilor Dionne and that Fall River needed to work with other cities in the region, such as New Bedford, Taunton, and Attleboro, to develop additional solutions to address the housing crisis. Councilor Kilby explained that the proposed ordinance can be amended by the City Council in the future if changes are needed. Councilor Kilby also stated that the issuance of fees, and related judicial decisions if said fees go unpaid, would be based on individual circumstances.

Councilor Ponte stated that he had listened to input from those in favor, and in opposition, of the proposed ordinance, and emphasized that, while the proposed ordinance could be improved, it is an important step in addressing the matter. Councilor Ponte compared the City of Fall River to larger cities throughout the country, including Seattle, WA, and stated that the population of individuals experiencing homelessness is quite low compared to these other municipalities. Councilor Ponte expressed interest in discussing the redevelopment of the Watuppa Heights property with the Fall River Housing Authority, as that property could be used to create additional housing. Councilor Ponte also expressed concern that the Committee on Ordinances and Legislation had not addressed the proposed ordinance relating to the creation of an Affordable Housing Trust that he had presented to the Council and encouraged the Committee members to hold another discussion regarding that proposed ordinance.

Councilor Sampson stated that representatives from multiple outreach organizations have expressed their opposition to the proposed ordinance and have explained that this type of restriction has no positive effect on the community. Councilor Sampson also emphasized that the Commonwealth of Massachusetts and the City of Fall River need to prioritize assisting all American citizens who cannot obtain housing.

Vice President Pereira made remarks regarding the large amount of affordable housing that is available in Fall River compared to other neighboring communities, such as Somerset and Dartmouth. Vice President Pereira also explained that many people from nearby towns travel to Fall River due to the larger number of organizations, medical professionals and shelters that assist those with substance use disorder, mental health challenges and those who cannot afford housing.

On a motion made by Councilor Kilby and seconded by Councilor Ponte, it was voted 6 yeas, 1 nay, to adopt the emergency preamble, with Councilor Sampson voting in the negative and with President Camara and Councilor Cadime absent and not voting. On a further motion made by Councilor Ponte and seconded by Councilor Hart, it was voted that the proposed ordinance be passed through first reading, second reading, passed to be enrolled and passed to be ordained, as amended, with Councilor Sampson opposed and with President Camara and Councilor Cadime absent and not voting.

A brief recess was held from 7:33 p.m. to 7:35 p.m. for the purpose of signing the proposed ordinances.

On a motion made by Councilor Raposo and seconded by Councilor Sampson, it was unanimously voted to adjourn at 7:36 p.m., with President Camara and Councilor Cadime absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

A true copy. Attest:

Alison M. Bouchard

City Clerk